

Council Agenda Committee
Monday, September 21, 2015
Agenda

CAC convened at 8:07 AM.

Those present included Mayor Pro Tem Jones, Council Member Weaver, Council Member Young, City Attorney Carr, Deputy City Attorney Gehr, Executive Director Rait, City Clerk Lewis, Assistant City Clerk Leatherwood, Assistant to the City Manager Burnette, Council Member Karakehian (did not participate) and Citizen Peter Richards.

1. September 29 - Final Agenda Review

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BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
SPECIAL MEETING
Tuesday, September 29, 2015
6 PM

AGENDA
No Open Comment at Special Meetings

CAC added the wording above “No Open Comment at Special Meetings” for clarification purposes.

6 PM

1. CALL TO ORDER AND ROLL CALL*

6 – 6:10 PM

2. CONSENT AGENDA

- A. Third reading** and consideration of a motion to adopt and 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
(Public hearing on this item was held and closed at the August 27 meeting)*

6:10 – 7:10 PM

3. MATTERS FROM THE CITY MANAGER

- A. Update and staff recommendation on Folsom Street Pilot Project**

CAC allotted a total of 1 hour for this item, as shown from 6:10-7:10 PM.

7:10-8:40 PM

4. PUBLIC HEARINGS

- A. Second reading** and consideration of a motion to adopt **Ordinance No. 8071, amending Title 10, “Structures,” B.R.C. 1981** to add a new Chapter 10-7.7 “Commercial and Industrial Energy Efficiency” and amending Section 10-1-1 “Definitions” by adding definitions and setting forth related details
(Building Performance)

8:40-10:40 PM

- B. Consideration of the following items related to Medical and Recreational Marijuana:**

1. Introduction, **first reading** and consideration of a motion to order published by title only **Ordinance No. 8081 amending chapters 6-14 “Medical Marijuana” and 6-16 “Recreational Marijuana;”** and
2. Request for Council consideration and **direction regarding potential amendments to the City of Boulder’s Recreational and Medical Marijuana Codes**

City Attorney Carr informed CAC of a recommendation to form an Advisory Committee for Marijuana with the request that it include 2 Council Members and representatives from the industry, as major policy decision changes and implementation would be considered. The recommendation also included additional time for study similar to that of the Chautauqua Lease Subcommittee. CAC understood the need for additional time, but felt some of the changes, such as the conversion deadline of yearend, would need to be addressed now.

5. ADJOURNMENT

2. October 6 – Preliminary Agenda Review

Boulder Companies to Watch Reception*
5 – 6 PM Municipal Building Lobby

**BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, October 6, 2015
6-PM 6:30 PM**

PRELIMINARY AGENDA

CAC reminded staff that Council Members Weaver and Shoemaker would be absent from this meeting.

6 -6:15 PM

1. **CALL TO ORDER AND ROLL CALL***
 - A. **2015 Colorado Companies to Watch***

6:15 -7 PM

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

7-7:15 PM

3. **CONSENT AGENDA**
 - A. Consideration of a motion to approve the **minutes** for the **February 26, 2015** City Council **Special Meeting** (to be included in final packet)*
 - B. Consideration of a motion to approve the **minutes** for the **March 17, 2015** City Council **Regular Meeting** (to be included in final packet)*
 - C. Consideration of a motion to approve the **minutes** for the **April 7, 2015** City Council **Regular Meeting** (to be included in final packet)*
 - D. Consideration of a motion to approve the **minutes** for the **August 18, 2015** City Council **Special Meeting** (to be included in final packet)*

- E. Consideration of a motion to accept the Study Session summary from **July 30, 2015 regarding the West Fourmile Canyon Creek Annexation Scenarios and Design Charrette Study related to the Ponderosa Mobile Home Park***
- F. Consideration of a motion to accept **the Study Session Summary from September 8, 2015 on the 2016 Recommended Budget***
- G. Consideration of a motion to accept **the Study Session Summary from September 17, 2015 on Mobile Home Parks***
- H. Consideration of a motion to **approve changes to the Transit Village Plan (TVAP) Connections Plan within the S'PARK redevelopment area** as a part of the Site and Use Review applications Case No. LUR2015-00010, as approved by Planning Board on September 3, 2015*

CAC inquired on the resulting vote of the Planning Board, which was unanimous and non-controversial.

- I. Introduction, first reading and consideration of a motion to order published by title only **an ordinance designating the building and property at 2322 23rd St. as a local historic landmark** per Section 9-11 of the Boulder Revised Code, 1981 (HIS2015-00077)

POST MEETING NOTE: During SAM, staff asked for the name of the historic landmark to be inserted into the title of the item.

- J. Introduction, **first reading** and consideration **of** a motion to order published by title only **an ordinance** amending Chapter 4-2-4(a), and Title 4 of B.R.C., 1981, "State Law Procedures Apply," **eliminating** the principal campus of **Naropa University from the application of the 500 foot distance restriction imposed by the Colorado Liquor Code for Beer and Wine licenses only**, 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.

- A. **Vacation of 364 sq ft portion of a 60ft easement at 3295 Longwood***
- B. **S'Park, 3390 Valmont Rd; 9085, 3155, 3195 Bluff St Site & Use Review***
- C. **Neighborhood Parking Program expansion of Whittier, W Pearl & Mapleton zones and creation of New NPP-/Aurora***

ORDER OF BUSINESS

5. PUBLIC HEARINGS

A. Consideration of the following **items relating to the 2016 Budget:**

1. Public hearing on the proposed 2016 City of Boulder Budget; and
2. Introduction, **first reading**, and consideration **of** a motion to order published by title only **an ordinance that adopts a budget** for the City of Boulder, Colorado, for the **fiscal year** commencing on the first day **of January 2016** and ending on the last day of December 2016, and setting forth details in relation thereto; and

3. Introduction, **first reading**, and consideration of a motion to order published by title only **an ordinance that establishes the 2015 City of Boulder property tax mill levies** which are to be collected by the County of Boulder, State of Colorado, within the City of Boulder in 2016 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and
4. Introduction, **first reading**, and consideration of a motion to order published by title only **an ordinance that appropriates money to defray expenses and liabilities** of the City of Boulder, Colorado, **for the 2016 fiscal year** of the City of Boulder, commencing on the first day of January 2016, and ending on the last day of December 2016, and setting forth details in relation thereto; and
5. Introduction, **first reading**, and consideration of a motion to order published by title only **an ordinance**, 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.

8:45 – 9:45 PM

- B. Consideration of a **motion to consider a lease between the city of Boulder and the Colorado Chautauqua Association** for 26 acres of land and three city-owned buildings. (to be included in final packet)

CAC requested staff address the length of the lease and committee recommendation during the presentation. City Attorney Carr indicated he would also provide language to amend that section of the ordinance if Council desired.

- C. Consideration of a motion to adopt and order **published on** Second reading adopting the following ordinances related to the annexation and initial zoning of the properties identified as 1385 Cherryvale Rd., 1548 Old Tale Rd. and 5955 Baseline Road:
- i. **Ordinance No. 8079 (West Portion of 1385 Cherryvale Rd.)***
Proposed Zoning: Residential-Rural 1
Applicant/Owner: Mark and Tara Burkley
 - ii. **Ordinance No. 8078 (East Portion of 1385 Cherryvale Rd.)***
Proposed Zoning: Residential-Rural 1
Applicant/Owner: Mark and Tara Burkley
 - iii. **Ordinance No. 8076 (1548 Old Tale Rd.)***
Proposed Zoning: Residential-Rural 2
Applicant/Owner: Porsche Elaine Young Revocable Trust
 - iv. **Ordinance No. 8077 (5955 Baseline Rd.)***
Proposed Zoning: Residential-Rural 1
Applicant/Owner: Patton and Claire Lochridge

9:45-10:30 PM
Ord No. 8079
Ord No. 8078
Ord No. 8076
Ord No. 8077

6. MATTERS FROM THE CITY MANAGER

- A. **Update on Comparative Site Analysis related to a Potential CU Hotel/Conference Center***

10:30- 11 PM

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MEMBERS OF COUNCIL

A. Potential Call-Ups-

1. **Vacation of 364 sq ft portion of a 60 ft. easement at 3295 Longwood***
2. **S'Park, 3390 Valmont Road; 9085, 3155, 3195 Bluff St Site & Use Review***
3. **Neighborhood Parking Program expansion of Whittier, West Pearl & Mapleton zones and creation of New NPP-/Aurora***

11- 11:05 PM

11:05-11:20 PM

11:20-11:25 PM

- 9. PUBLIC COMMENT ON MATTERS*
- 10. FINAL DECISIONS ON MATTERS*
- 11. DEBRIEF*
- 12. ADJOURNMENT*

3. CAC Items

- a. October 13 – HOP Tour and Open House - Staff requesting start time of 5 PM

CAC advised staff that Council Members would not arrive until 5:30 PM and inquired about the bus.

POST MEETING NOTE: At SAM, staff stated that the bus would be parked out front celebrating its 21st year of service to the city.

- b. October 20 – Depression Awareness Day Declaration for October 24 - **Approved**
- c. October 20 – Declaration acknowledging the Nation's first large-scale solar garden dedicated 100% to affordable housing - **Approved**
- d. November 17 – 5:30 PM - **Civic Area Winter Activation Event**

*CAC requested the title be updated to include more details relating to the event when available. This event will be held in the Civic Area coinciding with the kickoff of additional seasonal lighting through January 6th. Due to this event, CAC requested the City Council meeting for **November 17th begin at 6:30 PM** instead of 6 PM.*

- e. **Request to schedule an Executive Session – Tom Carr**

CAC requested the City Clerk take a poll of Council Members for Monday, October 5th with the following time options: 4:30-6:30 PM and 5-7 PM for an Executive Session regarding Municipalization. The City Attorney would like all Council Members to be present if possible. The City Clerk will provide other date options should they be needed.

4. Master Calendar Review

- a. **10/20**

- i. ~~Update on Living Lab Phase II Folsom Corridor~~

CAC removed this item as it will be addressed at the Special Meeting on Tuesday, September 29th.

- b. **11/10**

- i. 3rd Rdg Budget (if needed) Consent*
- ii. Trigg-Delier Property Acquisition– Public Hearing – 10 min

CAC requested additional information regarding this item.

Post Meeting Note: This property is off of Eldorado Drive.

- iii. Zero Waste Strategic Plan – Matters From City Manager – 30 min*

c. 11/17

- i. Renew 10 yr lease w CPW for climbing access mgmt- Eldorado – Consent

CAC requested additional information regarding this item.

Post Meeting Note: This item deals with two Open Space properties at the Mesa Trailhead. Staff indicated it was mutually beneficial to Colorado Parks and Wildlife and the city.

d. 12/1

- i. 2nd rdg Leases for point to point electrical conduit crossings – Public Hearing – 30 min*

5. Other Items - None

CAC adjourned at 8:32 AM.

*denotes no discussion for this item

COUNCIL AGENDA COMMITTEE
Date October 5, 2015

CAC convened at 8:07 AM.

Those present included Mayor Pro Tem Jones, Council Member Weaver, Council Member Karakehian, City Manager Brautigam, City Attorney Carr, Deputy City Attorney Gehr, City Clerk Lewis, Assistant to the City Manager Burnette, and Citizen Peter Richards.

1. October 5 Special Meeting -

CITY OF BOULDER
SPECIAL CITY COUNCIL MEETING
Monday, October 5, 2015

Agenda

1. Consideration of motion to go into executive session for legal advice and discussion regarding Municipalization strategy.*
2. Adjournment

City Attorney Carr noted that the meeting would not go beyond an hour to an hour and half.

2. October 6 - Final Agenda Review

Reminder that the Colorado Companies to Watch reception is from 5 – 6 PM in the Municipal Building lobby.

BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY
Tuesday, October 6, 2015
6 PM
AGENDA

- 1. CALL TO ORDER AND ROLL CALL**
 - A. 2015 Colorado Companies to Watch ***

6 -6:15 PM

6:15 -7 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.

3. **CONSENT AGENDA** (to include first reading of ordinances) Vote to be taken on the motion at this time. (Roll Call vote required)
 - A. Consideration of a motion to approve the **minutes** for the **February 26, 2015** City Council **Special Meeting** *
 - B. Consideration of a motion to approve the **minutes** for the **March 17, 2015** City Council **Regular Meeting** *
 - C. Consideration of a motion to approve the **minutes** for the **April 7, 2015** City Council **Regular Meeting** *
 - D. Consideration of a motion to approve the **minutes** for the **August 18, 2015** City Council **Regular Meeting** *
 - E. Consideration of a motion to accept the Study Session summary from **July 30, 2015** regarding the **West Fourmile Canyon Creek Annexation Scenarios** and **Design Charrette Study** related to the **Ponderosa Mobile Home Park** *
 - F. Consideration of a motion to accept the **Study Session Summary** from **September 8, 2015** on the **2016 Recommended Budget** *
 - G. Consideration of a motion to accept the **Study Session Summary** from **September 17, 2015** on **Mobile Home Parks** *
 - H. Consideration of a motion to **approve changes** to the **Transit Village Plan (TVAP) Connections Plan** within the **S’PARK redevelopment area** as a part of the Site and Use Review applications Case No. LUR2015-00010, as approved by Planning Board on September 3, 2015 *
 - I. Introduction, **first reading** and consideration of a motion to order published by title only **Ordinance No. 8083 designating** the building and property **at 2322 23rd St., to be known as the Herkert-Glasser Cottage, as a local historic landmark** per Section 9-11-5 of the Boulder Revised Code, 1981 (HIS2015-00077)
Owner/Applicant: Douglas Johnson and Theresa Hernandez *
 - J. Introduction, **first reading** and consideration of a motion to order published by title only **Ordinance No. 8084** amending Section 4-2-4, “State Law Procedures Apply,” B.R.C., 1981, **eliminating the principal campus of Naropa University from the application of the 500 foot distance restriction** imposed by the Colorado Liquor Code for Beer and Wine licenses only, 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.
 - A. **Vacation of 364 sq ft portion of a 60ft easement at 3295 Longwood**
 - B. **S’Park, 3390 Valmont Rd; 3085, 3155, 3195 Bluff St Site & Use Review**

C. Neighborhood Parking Program expansion of Whittier, W Pearl & Mapleton zones

Council Member Karakehian noted that in the Mapleton Hill district the NPP stopped at 7th Street. As result downtown employees were now parking on 5th and 6th St. He expected the current boundary to be moved again with similar results.

ORDER OF BUSINESS

5. PUBLIC HEARINGS

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

A. Consideration of the following items relating to the 2016 Budget:

7:45- 8:45 PM

Ord No. 8085

Ord No. 8086

Ord No. 8087

Ord No. 8088

- 1.** Public hearing on the proposed 2016 City of Boulder Budget; and
- 2.** Introduction, **first reading**, and consideration of a motion to order published by title only **Ordinance No. 8085 that adopts a budget** for the City of Boulder, Colorado, for the **fiscal year** commencing on the first day of **January 2016** and ending on the last day of December 2016, and setting forth details in relation thereto; and
- 3.** Introduction, **first reading**, and consideration of a motion to order published by title only **Ordinance No. 8086** that establishes the **2015 City of Boulder property tax mill levies** which are to be collected by the County of Boulder, State of Colorado, within the City of Boulder in 2016 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and
- 4.** Introduction, **first reading**, and consideration of a motion to order published by title only **Ordinance No. 8087 that appropriates money to defray expenses and liabilities** of the City of Boulder, Colorado, for the **2016** fiscal year of the City of Boulder, commencing on the first day of January 2016, and ending on the last day of December 2016, and setting forth details in relation thereto; and
- 5.** Introduction, **first reading**, and consideration of a motion to order published by title only **Ordinance No. 8088**, 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

Mayor Pro Tem Jones asked if the budget being presented would be the one that was reviewed at the September Study Session. The City Manager affirmed that was the case. She also indicated that staff would be prepared to address FTE reductions if requested by council.

8:45-9:45 PM

B. Request for Council approval of a proposed lease of 26 acres of city land, including three city buildings to the Colorado Chautauqua Association *

9:45-10:30PM

C. Second reading and consideration of a motion to adopt the following ordinances related to the annexation and initial zoning of the properties identified as 1385 Cherryvale Rd., 1548 Old Tale Rd. and 5955 Baseline Rd.: *

Ord No. 8079

i. **Ordinance No. 8079 (West Portion of 1385 Cherryvale Rd.)**
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Ord No. 8078

ii. **Ordinance No. 8078 (East Portion of 1385 Cherryvale Rd.)**
Proposed Zoning: Residential-Rural 1
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Ord No. 8076

iii. **Ordinance No. 8076 (1548 Old Tale Rd.)**
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Ord No. 8077

iv. **Ordinance No. 8077 (5955 Baseline Rd.)**
Proposed Zoning: Residential-Rural 1
Applicant/Owner: Patton and Claire Lochridge

6. MATTERS FROM THE CITY MANAGER

10:30-10:40PM

A. Verbal Update on Boulder Community Hospital
This item was requested by CAC.

10:40-11:10 PM

B. Update on Comparative Site Analysis related to a Potential CU Hotel/Conference Center

Due to the size of this file, this item has been posted separately and is available by accessing the following link: <https://bouldercolorado.gov/links/fetch/27167>

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MEMBERS OF COUNCIL

11:10- 11:15 PM

- A. Potential Call-Ups**
 - 1. Vacation of 364 sq ft portion of a 60 ft easement at 3295 Longwood
 - 2. S'Park, 3390 Valmont Rd; 9085, 3155, 3195 Bluff St Site & Use Review
 - 3. Neighborhood Parking Program expansion of Whittier, West Pearl & Mapleton zones and creation of New NPP/Aurora

11:15-11:30PM

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

11:30-11:40PM

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

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

12. ADJOURNMENT

3. October 13 - Study Session

- a. Development Fee Study 6 – 8 PM *

- b. Boulder Junction Update 8 - 9 PM *

4. CAC items

- a. **Reminder - October 13, 14 and 15, 2015** - Hilliard Heintze will be interviewing interested Council Members for the Police Data and Professional Standards Review Panel Best Practices project. The interviews will take 30 minutes to 1 hour.

Council Members interested in participating should contact Tammye Burnette at ext.

5. Master Calendar Review

- a. **November 10**
 - i. 1st rdg - authoring the CM to execute a deed vacating 2 public access easements at 901 Pearl – Consent *
- b. **December 1**
 - i. 1st rdg - annexation for 3.2 acre located at 4525 Palo Parkway RMX-2- needs to be annexed before 2/1 to be eligible for state affordable housing funding – Consent *
 - 1. 1st rdg - Form Based Code Pilot Project Boulder Junction – Consent *
 - 2. 2nd rdg - authoring the CM to execute a deed vacating 2 public access easements at 901 Pearl – Consent *

6. Other Items

Calendar Changes made by CAC included:

- **12/8/Study Session**
Add Marijuana Advisory Committee discussion 7:30 – 9 PM
(the Utility Rate Study will not be ready for this meeting)
- **10/20 Council Meeting**
CAC added the 2nd reading of marijuana code changes on Consent
CAC changed the time allocated for 2nd Rdg of the Occupancy to Ordinance 90 minutes
- **November 10**
3rd Reading of Marijuana Code changes if needed

CAC adjourned at 8:37 AM