

**CITY OF BOULDER
CITY COUNCIL MEETING ACTION SUMMARY**

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Tuesday, August 6, 2019

1. CALL TO ORDER AND ROLL CALL			
Aaron Brockett	Present	Mirabai Nagle	Present
Cynthia Carlisle	Present	Sam Weaver	Present
Suzanne Jones	Present	Bob Yates	Present
Lisa Morzel	Present	Mary Young	Present
2. CONSENT AGENDA passed 8:0 at 7:11 p.m.			
A.	Consideration of a motion to call a special meeting of the Boulder City Council on Tuesday, August 13, 2019, at 6 p.m., in Council Chambers, located at 1777 Broadway, Boulder		Approved
B.	Consideration of a motion to call a special meeting of the Boulder City Council on Tuesday, August 27, 2019, at 6 p.m., in Council Chambers, located at 1777 Broadway, Boulder		Approved
C.	Consideration of a motion to appoint Dr. David Gross to the City Audit Committee for a three-year term beginning August 6, 2019		Approved
D.	Consideration of motion to accept the July 9, 2019 Study Session Summary on the Citywide Retail Study Final Report		Accepted
E.	Consideration of a motion to accept the July 23, 2019 Study Session Summary regarding an update on the creation of a Middle-Income Down Payment Assistance Pilot		Accepted
F.	Consideration of a motion to accept the July 23, 2019 Advanced Study Session Summary regarding the Update to the May Ballot Discussion and Mid-Year Financial Context		Accepted
G.	1. Second reading and consideration of a motion to adopt <u>Ordinance 8334</u> vacating and authorizing the city manager to execute a deed of vacation to vacate portions of public rights-of-way for Arapahoe Avenue adjacent to the properties at 90 and 96 Arapahoe Avenue; and		Adopted
	2. Consideration of a motion to amend the annexation agreement for the properties in order to remove the requirements to dedicate and construct public rights-of-way		Approved
H.	Introduction, first reading and consideration of a motion to order published by title only <u>Ordinance 8335</u> Amending Section 5-1-1, “Definitions,” and Section 5-2-4, “General Penalties,” B.R.C. 1981, to amend the municipal hate crimes ordinance with updated sentence enhancement and related language changes; and setting forth related details.		Introduced, OPBTO
I.	Introduction, first reading and consideration of a motion to order published by title only <u>Ordinance 8336</u> Amending Section 12-1-1, “Definitions including adding a definition of the term “discriminate,” Delete subsection (d) of Section 12-1-3 “Discrimination in Employment Practices Prohibited,” Amend Section 12-1-12 “Gender Variance Exemptions,” Amend Section 12-1-2 “Discrimination in Housing Prohibited,” Amend Section 12-1-4(c) “Discrimination in Public Accommodations Prohibited,” and creating a new section 12-1-15, “Statute of Limitations”; and setting forth related details.		Introduced, OPBTO and amended to include language on blue handout
J.	Introduction, first reading and consideration of motions to order published by title only:		
	1. <u>Ordinance 8337</u> amending Title 9, “Land Use Code,” B.R.C. 1981, ” to update Use Standards for zoning districts located in the federally designated Opportunity Zone (Census Tract 122.03) to ensure development consistent with the Boulder Valley Comprehensive Plan and consistent with the Opportunity Zone		Introduced, OPBTO

	Moratorium Ordinance 8314, and 2. Ordinance 8347 amending Ordinances 8308, 8312 and 8314 which temporarily suspended accepting building permits, site review and other development applications that will result in adding floor area or dwelling units to land within the Census Tract 122.03 Opportunity Zone, by excluding any land in the BR-1, BMS, BT-1, BT-2, MU-4, IG, IM, IMS, IS-1, IS-2, A, E, P, RH-3, RH-6, and MH zoning districts and by amending the standards for the RH-4 and RM-1 Zoning Districts	Introduced, OPBTO
K.	Introduction, first reading and consideration of a motion to order published by title only Ordinance 8338 amending Chapter 2-3, by adding a new Section 2-3-25, “Marijuana Licensing Authority,” B.R.C. 1981; and Ordinance 8345 amending Sections 6-14-3(e), “License Required,” and 6-16-3(e), “License Required,” B.R.C. 1981, creating an option to transfer a marijuana license, and setting forth related details	Introduced, OPBTO
L.	Introduction, first reading and consideration of a motion to order published by title only Ordinance 8343 designating the 1899-1907 house and the property beneath it at 940 North Street as an individual landmark under the city’s Historic Preservation Ordinance	Introduced, OPBTO
M.	Introduction, first reading and consideration of a motion to order published by title only ordinances regulating and taxing tobacco products including: 1. Ordinance 8340 Raising the Age for Purchase of Tobacco Products to 21 and Prohibiting the Sale of Flavored Tobacco Products, 2. Ordinance 8341 Placing on the November 5, 2019 Ballot a New Sales Tax on Cigarettes and Other Tobacco Products; and 3. Ordinance 8342 Placing on the November 5, 2019 Ballot a New Sales Tax on Tobacco Products Other Than Cigarettes, with Ordinance 8341 and Ordinance 8342 to be considered by council as alternatives; and setting forth the ballot title and other election procedures and setting forth related details	Introduced, OPBTO Introduced, OPBTO Introduced, OPBTO
N.	Introduction, first reading and consideration of a motion to order published by title only Ordinance 8344 submitting to the registered electors of the City of Boulder at the Municipal Coordinated Election to be held on Tuesday, November 5, 2019, the question of authorizing the City Council to increase City of Boulder debt by an amount not to exceed \$10,000,000, with a maximum repayment cost of not to exceed \$15,000,000, without raising taxes, to provide for a housing assistance program that will include permanently affordable deed restrictions and make loans to middle-income households to purchase homes sold in Boulder; and setting forth the ballot title and other election procedures and setting forth related details	Introduced, OPBTO
O.	Introduction, first reading and consideration of a motion to order published by title only Ordinance 8346 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday November 5, 2019, the question of whether the City of Boulder should extend and dedicate to Open Space and the General Fund a 0.15 cent sales tax; with seven potential alternative options for dedication of the revenue including options for a 10-year or 20-year extension, options to fund Transportation and for funding the acquisition of a property interest in an approximately 25-acre property known as Long’s Gardens and setting forth the ballot title and other election procedures and setting forth related details	Introduced, OPBTO and amended to add Alternative I option on buff color handout
3. CALL-UP CHECK-IN		
A.	920 Mapleton Avenue; Landmark Alteration Certificate	
B.	2150 55th Street; Utility Easement Vacations	

4. PUBLIC HEARINGS		
A.	Consideration of a motion to adopt the Manufactured Housing Strategy and Action Plan	Amended and adopted 8:0
B.	Introduction, first reading, consideration of a motion to order published by title only, and adopt as an emergency measure Ordinance 8333 concerning the proposed issuance of the Boulder Municipal Property Authority Taxable Certificates of Participation, Series 2019 (the “2019 Certificates) in an amount not to exceed \$20,000,000 for the purpose of providing funds to build an approximate 65-mile new dark fiber backbone infrastructure for the City’s Fiber/Broadband initiative; authorizing the conveyance of the Leased Property to The Boulder Municipal Property Authority (“BMPA”) and the lease back of such Leased Property by the City: authorizing a competitive sale of the 2019 Certificates subject to certain parameters and approving the distribution and use of the Preliminary Official Statement and Notice of Sale in connection with the sale of the 2019 Certificates; delegating approval of the final terms of the 2019 Certificates to the Mayor, City Manager or the Chief Financial Officer; approving the execution and delivery of certain documents in connection with the issuance of the 2019 Certificates; and declaring an emergency ordinance and providing the effective date hereof (There will be a single public hearing for Items 4B and 4C.)	Introduced, OPBTO and adopted by emergency 7:0 (Nagle absent)
C.	Consideration of the following motions: Adjourn as the Boulder City Council and convene as the Board of Directors for the Boulder Municipal Property Authority. Adopt Resolution 153 (Attachment A) that authorizes the issuance of the Boulder Municipal Property Authority Taxable Certificates of Participation, Series 2019 (the “2019 Certificates”) in an amount not to exceed \$20,000,000 for the purposes of providing funds to move forward with Phase 1 of the City’s Fiber/Broadband initiative; and to approve the other financing documents submitted with the resolution (Attachments B-E). Adjourn as the Board of Directors for the Boulder Municipal Property Authority and reconvene as the Boulder City Council (There will be a single public hearing for Items 4B and 4C.)	Adopted 7:0 (Nagle absent)
5. MATTERS FROM THE CITY MANAGER		
6. MATTERS FROM THE CITY ATTORNEY		
7. MATTERS FROM THE MAYOR AND MEMBERS OF COUNCIL		
A.	Call-Up Consideration and Extension of the Call-Up Period for 920 Mapleton Avenue Landmark Alteration Certificate (HIS2019-00046)	No action
B.	Call-Up Consideration: Vacation of seven easements, or portions thereof, within Flatiron Industrial Park West and located on the properties at 2108 55th Street, 5541 Central Avenue, 5525 Central Avenue and 5505 Central Avenue (ADR2018-00287)	No action
C.	Discussion of Nod of Five regarding lifting the Medium Density Overlay Zone in a small section of University Hill	Granted
8. DISCUSSION ITEMS		
9. DEBRIEF		
10. ADJOURNMENT – 10:13 p.m.		