

COUNCIL AGENDA COMMITTEE
October 28, 2013

Present: Mayor Appelbaum; Council Member Morzel; Council Member Plass; City Manager Jane Brautigam; Deputy City Manager Paul Fetherston; City Attorney Tom Carr; City Clerk Alisa Lewis; Deputy City Clerk Alisa Darrow

CAC convened at 8:00 AM.

CAC convened at 8:04 AM.

1. October 29, 2013 – Final Agenda

A. 4:30 Sister City Dinner Agenda

City Clerk Lewis noted that a reminder would be sent to all of Council regarding the Sister City Dinner.

AGENDA

1. CALL TO ORDER AND ROLL CALL

A. Flood Cleanup and Recovery Update*

CAC agreed that City Manager Brautigam would provide the update on flood cleanup and recovery.

B. Declarations of Appreciation

There will be two declarations presented, one acknowledging staff and the other community organizations and volunteers.

Mayor Appelbaum suggested having someone representing volunteers be present in addition to John Tayer from the Chamber of Commerce for the business community. In relation to both declarations he suggested mentioning Open Space and Parks.

City Manager Brautigam added that Human Services should also be represented because of the number of hours they had put in at the disaster recovery center.

CAC agreed that Council would take turns reading the declaration at the meeting as a show of appreciation.

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 Historic Preservation Plan***

B. Consideration of a **Resolution approving** an amended and restated **Fire and Police Money Purchase Pension Plan and Trust Agreement** of the City of Boulder and authorizing the City Manager to execute it on the city's behalf*

C. Consideration of a Motion to adjourn from City Council and convene as the Boulder Municipal Property Authority Board of Directors; and*

Consideration of **Resolution No. 135 approving** and authorizing the **issuance of Boulder Municipal Property Authority Lease Purchase Revenue Note**, Series 2013A in the aggregate **principal amount of \$5,000,000** and approving and authorizing a Lease Purchase Agreement **for the purchase of 221 acres** of land and water rights located at **8323 Valmont Road**, Boulder, CO **from** Energy Resources Technology land, Inc. (**ERTL**) **for Open Space** and Mountain Parks purposes; and*

Consideration of a Motion to adjourn from the Boulder Municipal Property Authority Board of Directors and re-convene as City Council*

D. **Consideration of** the following **items related to the Annexation of Boulder County** properties identified as **6234 Arapahoe, and 1492 Cherryvale** associated with the property commonly **known as the Boulder Jewish Commons** site:

1. A resolution finding the annexation petition in compliance with state statutes and establishing Dec. 17, 2013, as the date for a public hearing;
2. Introduction, first reading and consideration of a motion to order published by title only, an ordinance annexing a 0.74 acre portion of Arapahoe Road from a point at the northwest property line of 6234 Arapahoe extending eastward to a point at the northeast property line north property line of 6234 Arapahoe Road with an initial zoning classification of Residential Medium – 1 (RM-1) per subsection Land Use Code subsection 9-5-2(c)(7), B.R.C. 1981;
3. Introduction, first reading and consideration of a motion to order published by title only, an ordinance annexing a 16.4 acre area of land generally located at the northern half of the property at 6234 Arapahoe with an initial zoning classification of Residential Medium (RM-1) and Public (P);

4. Introduction, first reading and consideration of a motion to order published by title only, an ordinance annexing a 1.8 acre area of land generally located 1492 Cherryvale with an initial zoning classification of Rural Residential - 1 (RR-1);
5. Introduction, first reading and consideration of a motion to order published by title only, an ordinance permitting an Indoor Recreation or Athletic Facility use at the associated property at 5890 Arapahoe Ave.

Applicant/Property Owner: Oreg Foundation

City Clerk Lewis noted that this item was pulled from the agenda and would be rescheduled.

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 HEARING

A. **Second reading** and consideration of three **emergency ordinances** all to **implement** and comply with the requirements of **Amendment 64** to the Colorado State Constitution as follows:

1. **Ordinance No. 7929 amending Section 6-14, "Medical Marijuana,"** B.R.C., 1981; and
2. **Ordinance No. 7930 adding a new Chapter 6-16, "Recreational Marijuana," and a new Section 4-20-67, "Recreational Marijuana Businesses,"** B.R.C., 1981; and
3. **Ordinance No. 7931 amending Section 5-10, "Marijuana Offenses,"** B.R.C., 1981

CAC agreed that this item would have a public hearing due to the changes that were made at the October 22, 2013 meeting.

City Attorney Carr noted that the proposed ordinances would go out on hotline today.

This item will be scheduled for 2 hours.

B. **Second Reading** and consideration of a motion to adopt **Ordinance No. 7941 creating a pilot project allowing electric assisted bicycles on certain hard surfaced multi-use paths** by amending Definitions in Sections 1-2-1 and 7-1-1 **and** amending Sections 7-4-16, 7-5-5 and 7-5-9 and adding Section 7-5-26 authorizing electric assisted bicycles where permitted by rule adopted by the City Manager, establishing a sunset date of December 31, 2014

Council Member Morzel expressed a desire to address this item earlier in the meeting than was reflected on the timed agenda.

Council Member Plass wondered if the electric assist bicycles would be allowed on open space.

City Attorney Carr responded that they would not be allowed and enforcement would continue in the same fashion it was handled currently.

Council Member Morzel asked that there be clarification about the rules for electric assist bicycles on open space trails because she thought the memo and ordinance were inconsistent.

CAC agreed that clarification would be given during the presentation on this item related to open space hard surface paths.

6. MATTERS FROM THE CITY MANAGER

A. Consideration of a motion to adopt the Economic Sustainability Strategy

City Manager Brautigam commented that Liz Hanson would give a brief presentation and the item would be 30-45 minutes at the most.

7. MATTERS FROM THE CITY ATTORNEY

None

8. MATTERS FROM MAYOR AND MEMBERS OF COUNCIL

A. Potential Call-Ups

- 1. Site Review at 800 28th Street** Information Packet: October 29 Last Opportunity for Call-up: October 29*

B. Update on work of the Council Committee on Boards and Commissions*

Council Member Plass noted that there was a recruitment video that would be shown as part of the presentation.

C. Retreat Committee Update

Council Member Morzel commented that the memo would be sent out to Council today. She also noted that outgoing Council Members would be given an opportunity to speak about their legacy at the transition luncheon.

- 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. National Indian Heritage Month

Council Member Morzel asked that a declaration be written to acknowledge National Indian Heritage Month.

B. Small Business Month

Council Member Morzel requested a declaration be drafted for Small Business Month.

C. Council Chambers Remodel

Council Member Morzel noted that Council Member Cowles wanted to discuss audio and video problems at Council Meetings. He asked for an update on the audio system that was being proposed as part of the remodel. Staff noted that an I.P regarding the remodel was included in the packet and wondered if that didn't answer the questions. Additional follow-up would also take place with Council Member Cowles on this topic.

3. Additional items

A. Location of Transition Luncheon

City Clerk Lewis announced that the transition luncheon would take place at Ted's Montana Grill.

B. Email regarding groundwater problems at 4139 Amber Street

City Manager Brautigam commented that Director of Utilities Jeff Arthur was working with the homeowner to find a solution to their ground water problems.

C. Scheduling of CAC next week

CAC agreed that the meeting would begin at 8:30 AM next Monday, November 4, 2013.

CAC adjourned at 8:33 AM.