

# 2013 Boulder City Council Retreat

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**2013 Boulder City Council Retreat  
West Senior Center  
909 Arapahoe Avenue  
January 18 and 19, 2013**

**AGENDA**

*Facilitator: Heather Bergman*

**Friday, January 18**

- 4:00 p.m. Welcome, Introductions and Agenda Preview**
- 4:10 p.m. Discussion Regarding Council Process and Dynamics**
- 6:00 p.m. Dinner**
- 7:00 p.m. Discussion Regarding Council Process and Dynamics - Continued**
- 8:00 p.m. Adjourn**

**Saturday, January 19**

- 8:00 a.m. Summary of Previous Day and Agenda Preview**
- 8:15 a.m. Discussion of 2013 Priorities and Proposed Changes to 2013 Work Plan**  
**(Break at Group's Discretion)**
- 12:00 p.m. Lunch Break**
- 1:00 p.m. Discussion of Proposed Changes to 2013 Work Plan - Continued**
- 3:00 p.m. Consideration of Items for 2014 Work Plan**
- 4:15 p.m. "Bike Rack" Items and Next Steps**
- 5:00 p.m. Adjourn**



**2013 Council Retreat Questions & Staff Responses/ Input**  
**Process Items - Updated**

**KEY:** The Council Retreat Committee asked Council members to identify items (Process, status updates, items not on the work plan, items that are on the 2013 work plan, and potential 2014 work plan items). The following is a compilation of requests regarding **process items** that will be discussed during the Friday, January 18 Retreat session. The first twelve items of the list are in the order in which they were sorted by the Retreat Committee. The remaining items are those that were submitted by Council members through the retreat homework process.

**Department Assigned**

Council member making request	Verbatim question/comment submitted by Council member  STAFF RESPONSE/INPUT: On question/comment submitted
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**Process questions submitted by Council members and prioritized by Council Retreat Committee**

LM	Emails to Council: Having one address from which Council receives email
	Appointments to Committees: Rocky Flats Stewardship Council
MA SA	Role of Council Agenda Committee <ul style="list-style-type: none"> <li>• Have CAC address both business meeting and study session agendas/ formats (right now is rather arbitrary division between the two)</li> <li>• Reconfirm CAC roles and responsibilities (e.g., to prevent inefficiencies like 4<sup>th</sup> reading of disposable bag ordinance)</li> <li>• CAC involvement in study session agendas</li> <li>• Quarter agenda reviews by CAC (with Council input)</li> </ul>
	Travel protocols and expectations: Address travel reimbursement protocols/ expectations
MA	Council meeting Debrief: Discuss having a 5 minute debrief at the end of every council meeting where we can discuss any issues that came up during the meeting and how they might have been better handled
MC	Public Comment: Have each person speaking at public comment identify at least what neighborhood they live in, if not their address. If they don't do that, do we want the Mayor to ask them nicely for that information?
TP	Technology/ Reducing Paper: Discussion of council adoption of technology and going paperless.

MA	<p>Evaluation of City Council Employees</p> <ul style="list-style-type: none"> <li>• Staff evaluations: this needs a fairly complete update, including the evaluation forms and perhaps parts of the process</li> <li>• Update evaluation form per new form used for other city employees</li> <li>• Timing of evaluation and retroactive raises</li> <li>• Come to agreement on process w/r/t outside contractor versus HR Dept compiling reviews</li> </ul>
LM	Sister Cities: Discussion of Sister Cities: number of cities, assistance, new city coming forward with application this spring
SA	Enhanced functioning of City Boards and Commissions: Consideration of ways to enhance functioning of City Boards and Commissions (Note: Though this issue is not a Council process per se, the Council is responsible for the appointment and removal of Board and Commission members, and is the body that created most of the existing B&C's. None of the other retreat categories seemed as appropriate for a discussion of the topic I have raised.)
	<p>Call Ups</p> <ul style="list-style-type: none"> <li>• Procedures for all-ups: consider modifying to require only 4 votes in favor</li> <li>• Consider changing number of votes needed to call up items (from 5 votes to 4)</li> <li>• There is also some interest in teeing up a larger conversation about Council role in important development projects (e.g., triggered by past experience with Robb's Music Store, Daily Camera building) – perhaps weighing in earlier with general expectations, reviewing incentives to make sure we are getting what we want, and/or having a broader Council discussion about expectations regarding downtown development projects.</li> </ul>
	Date and Location Preference for 2014 Retreat: What criteria are important in a location?

**Items raised during Council Retreat homework process**

KCB	<p>Process Issue: As I read the various lists from council members, I am amazed and impressed at the breadth and depth of the work city staff and city council takes on. We are lucky to have both the human and financial capital to research and often pilot and/or adopt many of these ideas. But our resources are not unlimited. I want to make sure that staff and our facilitator frame new or expanded work plan items in terms of tradeoffs when necessary. For instance, "If we take on X then these other items won't happen until Y or won't happen at all." Each Department already has running lists, often developed from Master Plans, of things they hope to accomplish. And some -though not all- of the ideas being mentioned are outside of those lists. We need to be aware of what is being delayed so we have full information about how to prioritize. One specific example that comes to mind is that we will be considering asking staff to develop new area plans. What is the full list of requested area plans look like?</p> <p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item.</p>
SA	<p>Reconsider Executive Sessions for Limited Matters: In 2008, the Council placed on the ballot an item to change the City Charter to permit the Council to go into Executive Session for all issues specified in the Colorado Open Meetings Act including confidential issues related to purchase of real estate and confidential legal advice on a specific legal case or question. This charter change was not supported by the voters. Since that time, there has been at least one major land purchase (i.e. 6400 Arapahoe) where the Council has found itself in the uncomfortable position of needing to guide City negotiators in public without informing the seller of our financial limitations. I and many others believe we paid too much for this property, in part because the Council could not direct its negotiators in private. The inability to convene in executive session may become even more of a disadvantage if we move forward this Spring to pursue</p>

<p>municipalization. The next major steps include both state and federal litigation where the City Attorney and special counsel the City has retained will want to discuss confidential legal strategies with Council, as well as seek approval for specific legal filings. At present, the Council cannot meet as a whole to discuss these critical matters. This situation along with prior experience with property purchases offers this Council the opportunity to reconsider the value of executive sessions for limited purposes and with clear, well defined procedural safeguards.</p> <p>My request is that the Council add this issue to the 2013 work plan. It will involve the Charter Committee with support from the City Attorney's Office and City Clerk's office developing a ballot item for 2013 which would ask City electors to change the Charter to permit executive sessions for the limited purposes of: 1) discussing confidential issues associated with the purchase, acquisition, lease, transfer or sale of property and 2) discussing confidential legal advice. The ballot language would also require that special procedural rules apply to every executive session such as that the initiation of such sessions be by a 2/3 vote of those council members present at a council meeting and that no final action may be taken in an executive session.</p> <p>I do not believe this is such a time consuming effort, especially given prior work on this issue, that other projects need to be removed from the 2013 work plan to accommodate it.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item.</p>
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**GREEN** = Updated/ corrected on January 17, 2013

<b>Intergovernmental Organizations</b>		
1.	Beyond the Fences Coalition	Morzel, Plass
2.	Boulder County Consortium of Cities	Karakehian, Wilson (alternate)
3.	Colorado Municipal League Policy Committee (CML)	Jones, Appelbaum, (Castillo/alternate)
4.	Denver Regional Council of Governments (DRCOG)	Becker, Jones (alternate)
5.	Housing Authority (Boulder Housing Partners)	Ageton
6.	Metro Mayors Caucus	Appelbaum
7.	National League of Cities (NLC)	Appelbaum
8.	Resource Conservation Advisory Board	Plass, Morzel (at large seat)
9.	Rocky Flats Stewardship	Morzel, Plass (1 <sup>st</sup> alternate), Castillo (2 <sup>nd</sup> alternate)
10.	CU/City Oversight Group	Wilson, Jones, Karakehian
11.	US36 Mayors and Commission Coalition	Appelbaum, Ageton
12.	US36 Commuting Solutions	Cowles, Becker, Ageton
13.	Urban Drainage and Flood Control District	Morzel

<b>Local Organizations</b>		
1.	Boulder Museum of Contemporary Art (BMoCA)	Cowles, Becker
2.	Boulder Convention and Visitors Bureau	Jones, Plass (alternate)
3.	Dairy Center for the Arts	Karakehian
4.	Downtown Business Improvement District Board	Plass, Jones

<b>Internal City Committees</b>		
1.	Audit Committee	Morzel, Becker, Cowles
2.	Boulder Valley School District Issues	Morzel, Plass, Becker
3.	Evaluation Coordinators	Wilson, Karakehian
4.	Civic Use/9 <sup>th</sup> and Canyon	Morzel, Jones
5.	Legislative Committee	Ageton, Karakehian, Wilson, Jones
6.	Charter Committee	Morzel, Cowles, Ageton, Karakehian
7.	Council Budget Action Plan Committee	Ageton, Morzel, Becker
8.	Boulder Urban Renewal Authority (BURA) (Mayoral Appointment)	Karakehian, Becker (appointed through 2015)
9.	Mayoral Selection Review Committee	Becker, Plass

<b>Sister City Representatives</b>		
1.	Jalapa, Nicaragua	Jones
2.	Kisumu, Kenya	Morzel
3.	Llisa, Tibet	Ageton
4.	Dushanbe, Tajikistan	Karakehian
5.	Yamagata, Japan	Wilson
6.	Mante, Mexico	Plass
7.	Yateras, Cuba	Cowles
8.	Sister City Sub-Committee	Morzel, Cowles

## City Council Goals – 2012

### Top Priorities

- Boulder's Energy Future
- Climate Action Plan
- Affordable Housing
- Civic Area Plan

### Next Tier Priorities

- University Hill Revitalization
- Addressing Homelessness
- Boulder Junction Implementation



**2013 Council Retreat Questions & Staff Responses/ Input**  
**Regarding items that ARE currently on the work plan**

**KEY:** The Council Retreat Committee asked Council members to identify items (Process, status updates, items not on the work plan, items that are on the 2013 work plan, and potential 2014 work plan items). The following is a compilation of requests identified by staff as **items that are on the 2013 work plan** sorted in the following manner:

**Department Assigned**

Council member making request	Verbatim question/comment submitted by Council member  STAFF RESPONSE/INPUT: On question/comment submitted
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**City Attorney's Office**

SJ	Implementation of Amendment 64 with regard to recreational marijuana: While this is not an issue we chose to take up, the voters have spoken—so I think Boulder should just tackle it head on, as we are better equipped than any municipality to figure out a good regulatory mechanism. My hope is that we can make use of the many lessons we have learned from setting up model regulations for medical marijuana, and as efficiently as possible apply that regulatory framework and learning to recreational marijuana by the deadlines set in Amendment 64 if feasible.
LM	Implementation of Amendment 64. We need to go forward and implement all aspects of A64 as voted by our electors by an average of 76%. Governor Hickenlooper has signed this law and has established 5 various working groups on this topic to aggressively identify issues that require address. The Governor's timeline is tight; the working groups will be giving advice and making decisions in late winter/early spring. Boulder has been at the front of the MMJ policies in Colorado and has learned a lot from this experience that should be shared with the rest of the state. We need to stay ahead of this quickly changing issue.
SA	Whatever action the State takes with regard to this Amendment, the City will need to consider how we want to proceed, most likely developing procedures and regulations we think are needed locally. Given our experience with Medical Marijuana licensing and regulation, we are in a better position to address recreational marijuana but there are significant differences between these two uses which need to be addressed. At a minimum, we need to have a "place holder" for this work, the scope of which will likely depend on what the State does. We are fortunate that both Mishawn Cook and Lisa Morzel are directly involved with the State effort which may provide us with a clearer understanding of the specific issues we will need to take up.

	<p><b>STAFF RESPONSE/ INPUT:</b></p> <p>Staff is working to develop options for Council consideration. In the short term, Council will need to consider the immediate impacts of legalization. One of the numerous issues that will need to be addressed in 2013, will be extending Boulder’s Minor In Possession (MIP) ordinance to cover marijuana. This will allow the municipal court to employ the tools they currently use to address alcohol MIPs with respect to marijuana. Council will also need to look at what, if any, limitations need to be imposed on cultivation for personal use. Council is likely to face the issue of private marijuana clubs. Current zoning allows private non-profit clubs in all Downtown and Business zone districts, mostly as of right. Our smoking ordinance would prohibit a club from communal smoking, but of course would not affect clubs for other means of ingestion.</p> <p>In the longer term, Council will need to address licensing and regulation of commercial marijuana establishments. The City Manager wrote to the Governor’s Marijuana Task Force requesting consideration of a dual licensing scheme, similar to that used for liquor regulation. The City Attorney’s Office believes that such regulation is permitted, but not required, by Amendment 64. Regardless of what the state does, under Amendment 64 local governments must adopt licensing provisions by October 1, 2013 and be prepared to issue licenses by January 1, 2014. In the absence of state adoption of a dual licensing scheme, the city would only issue licenses if the state fails to do so. Staff recommends that the Council consider a one-year ban on recreational marijuana businesses. Such a ban is expressly authorized by Amendment 64 and would allow Council time to develop regulations in the context of any state action. In the absence of a ban, the City Attorney’s Office will prepare an ordinance imposing regulations similar to those in place regarding medical marijuana businesses.</p>
LM	<p>Conflict of interest/financial disclosures by city council members, board members, and staff. I hope this can be addressed in the first quarter of the year as quickly as possible to ensure the transparency and honesty the public expects from these 3 important city groups.</p>
SJ	<p>Based on Council direction from this past fall, the City Attorney’s office is working on proposed improvements to reporting and decision-making protocols for Council members. I think we need to expeditiously follow thru in finalizing these improvements to be responsive to concerns raised last year by citizens about wanting increased transparency and reporting consistency.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>Based on Council direction at the October 23, 2012 Study Session, the City Attorney’s Office is drafting proposed legislation to amend the Conflict of Interest and Financial Disclosure provisions of the Boulder Revised Code. Staff expects to bring the Conflict of Interest ordinance before Council during the first quarter of 2013. The Financial Disclosure ordinance will be presented in either the first or second quarter of 2013.</p>
MA	<p>Chautauqua lease: obviously we’ll be working on a number of Chautauqua issues, but I think it is essential that we provide direction on the creation of a new lease as soon as possible.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>The City Attorney’s Office will be presenting Council with an information packet item discussing potential legal options for the future relationship between the city and the Colorado Chautauqua Association. These options will include, but not be limited to, a traditional lease. The City Attorney expects to present this item in the first quarter of 2013.</p>
MC	<p>Integrity of Elections--City Clerk's Office: This Item calls for a reform of our Public Financing Law. The current ordinance does not address mail in elections, nor does it address the local impact of Citizens United.</p>

	<p>Reform of public funding of campaigns in Boulder</p> <ul style="list-style-type: none"> <li>i. Dates of the current ordinance are out of synch with mail in elections.</li> <li>ii. Require for profit entities to obtain the consent of shareholders as a condition to spending money on local elections.</li> </ul> <p><b>STAFF RESPONSE/ INPUT:</b> The City Clerk’s Office and City Attorney’s Office have partnered to develop a draft ordinance for Council consideration. It is anticipated that the ordinance will be brought forward during the second quarter of 2013.</p>
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**DUHMD/ Parking Services**

<p>MA</p>	<p>Access and parking management: again, work is underway, but I’d like certainty (since I’ve been waiting for, oh, about 20 years) that we’ll finally have much, much better signage downtown (and the Hill?), real-time electronic signs, way better info on rates and vacancies, etc. Also, how about apps for paying for parking, obtaining information, etc.?</p> <p><b>STAFF RESPONSE/ INPUT:</b> As part of a major refurbishment program of the five downtown CAGID garages, an exterior signage system will be installed at each garage indicating the available spaces within the facility. The structure and hardware of the sign has been designed; however, several technology components (whether to use a server or the cloud, and the communication system between the gate access system and the signage board) will be resolved between the city and the manufacturer prior to fabrication, which is scheduled to be within eight to ten weeks. Installation of the signage system is scheduled to begin in April. Other parking technology applications will be explored as part of the Access and Parking Management Strategy project underway in 2013.</p>
<p>MC</p>	<p>Uni Hill Revitalization--a residential service district in the high-density residential area west of the commercial area and an innovation district within the commercial area.</p> <p><b>STAFF RESPONSE/ INPUT:</b> The Hill community stakeholder group is finalizing a scaled-down proposal for a residential service district, focusing on litter removal. That focus is based on feedback from a series of open houses with Hill property owners. Community outreach to property owners will begin to assess the viability of the proposal to both taxpaying properties and those tax exempt fraternities and sororities who could participate through a Payment In Lieu of Taxes agreement. At the beginning of the second quarter, an analysis of support of the district proposal by the property owners will be evaluated to assess whether there is a critical mass of support (51% is needed) to proceed to the petition process and subsequent election to raise taxes. In addition, the city University of Colorado at Boulder (CU) are exploring opportunities to be collaborative partners in the district. The “Collective” is an opportunity to create a physical space on the Hill to help spark culture, creativity and entrepreneurship. The initiative to create this space has been a partnership of the Hill Ownership Group, CUSG, UHCAMC, student groups within the Leeds School of Business and other private businesses in the community. The space is being modeled on other proven co-office concepts like Scrib and Hub, and giving students and professionals a chance to interact with the different disciplines that create the unique University Hill community.</p>

**Finance**

MC	<p>Old Hire Pension: this matter is scheduled to come before us in 2Q2013. When it is presented to Council for action, it would be helpful to know the demographics of the beneficiaries as we consider the request for an increase in benefits. Also, it would be helpful to know what the current level of benefits are to the individuals in the plan, and how they were calculate originally, as well as how they are calculated now.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This information will be included in the study session material in April.</p>
LM	<p>Working with our state legislature to examine the entire issue of internet sales and local impacts.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This item is included in the city’s legislative agenda, and it continues to be pursued.</p>

**Housing**

KCB	<p>Housing Plan: I’d like to talk further about an idea I raised at our Dec 4 meeting, which is a Housing Plan. I know this may be in the works, but just want to get clear on what is planned and when.</p> <p><b>STAFF RESPONSE/ INPUT:</b> The Comprehensive Housing Strategy work plan item will require examination of Council and community priorities for the city’s housing policies, and should result in a Housing Plan that implements the resulting strategy. Based on Council member comments, staff intends to structure the May study session to consider the full housing spectrum, how housing influences the vitality of the community and how the city’s policy and regulatory tools are used to shape the local housing market to meet city goals. The scoping options presented to Council in May will be structured accordingly.</p>
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**Human Services**

KCB	<p>Human Services discussion (2 submissions received, both listed below): I’d like us to schedule some time in 2014 or 2015 to look more fully at our Human Services sector, so I’d like to bring this up during the retreat. I don’t think this is an area that has gotten a lot of attention from us. We’ve had specific study sessions on Housing First and Homelessness, but I’d like to take a look at Human Services in a more comprehensive way. We have our human services fund, Human Relations and YOAB funding, but also programs that run out of the Human Services office that have their own funding. So I’d like to understand that better. Also, a lot has changed since the last Human Services Plan was done in 2005 (although I’m not suggesting now that the plan needs to be revisited). For instance, we’ve suffered our biggest recession in 80 years, CDBG funds and other federal and state sources have decreased significantly, our homelessness has increased, we have a 10 Year Plan to end homelessness, we have un-dedicated the .15 sales tax that funds Human Services, and we have greater income disparity in our community. I’m just not sure any of us have a full picture of what we are doing or could be doing better.</p> <p>I'd like us to schedule some time in 2014 or 2015 to look more fully at our Human Services sector, so I'd like to bring this up during the retreat. I don't think this is an area that has gotten a lot of attention from us. We've had specific study sessions on Housing First and Homelessness, but I'd</p>
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MA	<p>like to take a look at Human Services in a more comprehensive way. We have our human services fund, Human Relations and YOAB funding, but also programs that run out of the Human Services office that have their own funding. So I'd like to understand that better. Also, a lot has changed since the last Human Services Plan was done in 2005 (although I'm not suggesting now that the plan needs to be revisited). For instance, we've suffered our biggest recession in 80 years, CDBG funds and other federal and state sources have decreased significantly, our homelessness has increased, we have a 10 Year Plan to end homelessness, we have un-dedicated the .15 sales tax that funds Human Services, and we have greater in [sic]</p> <p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item that will be included in the 2013 work plan. A 2013 study session date is under consideration.</p> <p>Budget, part I: While it's generally a good thing that council doesn't get into every detail of our human service, CDBG, and housing budgets – handing that off to technical committees and staff – I think we may have lost our ability to better direct and understand those budgets. I don't have a specific solution in mind, but I'd like us to think about how we might get more involved in these areas without necessarily making each individual funding decision.</p> <p><b>STAFF RESPONSE/ INPUT:</b> Information regarding financial awards from both the Human Service Fund and Housing Fund over the past several years is provided in <b><u>Attachment A.</u></b></p>
SJ	<p>North Boulder Shelter operations: where do we stand on the process of tweaking operations to better address neighborhood concerns?</p> <p><b>STAFF RESPONSE/ INPUT:</b> An update was provided at the October 2012 study session. A summary of the recent update is provided in the October 30, 2012 study session memo, located at the following, beginning on page 7. <a href="http://www.bouldercolorado.gov/files/City%20Council/Study%20Sessions/2012_SS/10302012SS/10_30_12_Homelessness_Update_SS_MEMO_with_attachments.pdf">http://www.bouldercolorado.gov/files/City%20Council/Study%20Sessions/2012_SS/10302012SS/10_30_12_Homelessness_Update_SS_MEMO_with_attachments.pdf</a> Updates, via Information Packets, will be provided to Council in the second and fourth quarters.</p>
SA	<p>I have a few remaining questions regarding work plan items in the Council Reference Notebook. First, in the Work Plan Action Items section on page 79 under the issue, Addressing Homelessness, Status and Potential Next Steps, I do not understand why the only reference is to the Bridge House Resource Center pilot. Given the large number of efforts identified in the Summary Section, it does not make sense that there are not other matters that could be covered in the Status and Potential Next Steps section. What am I missing?</p> <p><b>STAFF RESPONSE/ INPUT:</b> The following work plan items are scheduled to come to Council in 2013: First Quarter: Information packet on Denver's camping ordinance Second Quarter: Analysis of funding for homeless services and alignment with the Ten Year Plan to Address Homelessness Third Quarter: Public Hearing on analysis and recommendations related to panhandling on street corners</p>

**Information Technologies/ Communications**

<p>MA</p>	<p>Web site/communications/apps: I know that there is an ongoing effort to update the city’s web site, but I’d to broaden this issue to include better city communications to residents (might be an old-fashioned newsletter like many cities, and Boulder County, use), modern apps for citizen input on a wide variety of issues (we’re way behind the curve here), much better access to information in easily accessible formats (like budgets), etc.</p> <p><b>STAFF RESPONSE/ INPUT:</b>          The city is in the midst of a website migration effort, which includes a new website design as well as a new content management system. The new content management system, along with additional training recommendations for web-specific writing, will help staff to better manage content on their web pages. The new website will also include a “Constituent Relationship Management” (CRM) tool. The CRM is a customer service portal that provides self-help information to commonly asked questions and a one-stop shop for submitting online service requests to the city. It also includes a mobile app. As part of the new website launch, the city will also begin pushing its online services portfolio to the public in a more comprehensive way, showcasing the numerous ways residents can interact online with their government. The city has dubbed this portfolio: <i>Inspire, Inquire, Interact – Boulder</i>. <i>Inspire Boulder</i> is the name of the current MindMixer site where residents can interact with each other’s ideas and comment on specific city efforts. <i>Inquire Boulder</i> will be the name of the new CRM tool. <i>Interact Boulder</i> references the entirety of the city’s social media accounts, including Facebook, Twitter, Tumblr, Flickr, Vimeo and more.</p> <p>The city has also achieved significant growth in reach due to its improved Channel 8 programming, and subsequent online and social media pushes of regular Channel 8 news and interview video segments. The online audience has grown from 17,575 annual views in 2010 to approximately 73,000 views in 2012. By producing its own news program, the city reaches its residents directly each week. The news produced by Channel 8 serves as an online newsletter and includes fresh content weekly. The option of providing a hard copy newsletter to residents has been evaluated. It is estimated that the cost to produce a 24-page bimonthly newsletter for distribution to 60,000 residents would require \$170,000 in additional funding per year.</p>
<p>TP</p>	<p>IT—Council Technology/Electronic Document Management System: I didn’t see this on the work plan and think it is an important part of our commitment to sustainability as a council and a city to continue to move away from paper and toward an efficient and easy to use electronic data system. What steps will staff be taking to assure a continuing transition?          There are several areas in our data filing and document system that could be improved to make retrieval easier and more user-friendly—for council, staff and the public. This may also have positive implications for the staff time required to respond to CORA requests in that much more of the information sought will be online and easily accessible.</p> <p><b>STAFF RESPONSE/ INPUT:</b>          Currently, Council agenda packets are distributed electronically to staff and five of nine Council members. It is anticipated that all Council members will transition to paperless agendas by the end of January. Hard copies of the agenda will continue to be produced for public review and be available at Central Records, the Library Reference Desk and the City Manager’s Office.</p> <p>The bond-funded Document Management System and Website Redesign projects will include the ability for Council and citizens to use the city’s LaserFiche document management system to access public city documents electronically. It is expected that an initial rollout of this capability will occur in mid-2013.</p>

**Library & Arts**

SJ	<p>The proposed North Boulder Arts District is not noted in the Notebook as an idea under either the Arts Commission or the North Boulder Subcommunity Plan, but I understand is already part of staff discussions, yes?</p> <p><b>STAFF RESPONSE/ INPUT:</b> Staff will assist in pursuing the designation of a North Boulder Arts District by Colorado Creative Industries. It is anticipated that this assistance will be a part of the Cultural Master Plan update this year.</p>
MC	<p>1% for the Arts</p> <p><b>STAFF RESPONSE/ INPUT:</b> The concept of funding options in support of the Arts is a component of the city’s Arts and Cultural Programs Assessment that is currently underway. The Assessment, which will be provided to the Council upon completion, will inform the Cultural Master Plan update which is scheduled for completion later this year.</p>

**Open Space**

SJ	<p>Update and/or initial findings on staff’s research on Boulder’s vulnerability to oil and gas development/fracking: Based on our previously adopted oil &amp; gas legislative policy positions and bolstered by forthcoming staff research about the City’s vulnerability to oil and gas development/fracking, I think Council needs to adopt a more in-depth position regarding fracking and other oil &amp; gas drilling impacts. This will be a big issue at the State Legislature this session, and has become a defining issue within our region and state. Boulder County and neighboring cities have already crafted various detailed positions, and our citizens are asking us to adopt a more definitive policy as well. As we wrestle with examining municipalization and crafting our Energy Future and Climate Action Plan, I think it is also important for us to examine the related implications of Boulder’s oil &amp; gas drilling policies. The amount of staff work required would differ based on our chosen course of action. For example, we could choose to: pass an outright fracking ban; adopt a moratorium on fracking until its many risks and impacts have been more fully researched and addressed (e.g., pending EPA’s ongoing study and/or CU’s NSF-funded study); or adopt an enhanced oil &amp; gas management framework for drilling within City limits.</p>
LM	<p>Hydraulic fracturing discussion and policy setting. Boulder sits on the western edge of the Denver-Julesburg basin, one of the most productive oil and gas reservoirs in the western US. Given the state of use of hydraulic fracturing in extraction of this resource, we may need to investigate our current policies on hydraulic fracturing within the city of Boulder.. Do we have any? What are they? How do they apply to our OSMP lands, city or private properties? While I doubt much potential exists in the western parts of our town, the east is different and has potential (eg., the MacKenzie well in NE Boulder). How to interface the newly enacted county regulations in the city could be a starting point for discussion</p> <p><b>STAFF RESPONSE/ INPUT:</b> Over the last year, information regarding oil &amp; gas production has been gathered as it may relate to city Open Space land. The mapping of all 109 permitted oil and gas wells on OSMP lands, as well as others in close proximity in the Boulder valley area, has been completed. These wells are further identified by whether they are active, abandoned, injected, producing, shut-in or directionally drilled. Staff is attempting to further identify mineral ownership and lease status on OSMP fee and conservation easement- owned parcels. These</p>

	<p>parcels are identified using the following categories:</p> <ul style="list-style-type: none"> <li>o OSMP owns the minerals and there is no existing mineral lease.</li> <li>o OSMP owns the minerals and a lease is held by another party.</li> <li>o OSMP owns no minerals and a lease may be held by another party.</li> <li>o OSMP owns no minerals and OSMP owns an existing mineral lease.</li> </ul> <p>While the identification of whether or not the mineral estate is owned by the city is simple, when the city does not own the mineral estate it becomes difficult to determine the risk for extraction operations. Over time, leases may have been sold or transferred several times and appropriate documentation is not always completed. While OSMP has always sought to purchase the mineral estate at the time of any acquisition, unfortunately, that is not always possible. There are times when the mineral estate had already been sold, was not for sale at any price, or had previously been leased to a third party.</p> <p>All of the information above will be depicted on the OSMP base map and will identify oil &amp; gas relationship to city limits, city-owned OSMP land and the city's larger watershed area.</p> <p>It is expected that all information will be finalized by the end of February.</p> <p>A sample map is included as <b><u>Attachment B</u></b>.</p>
SJ	<p>Regional Trail Connections (p 197): I am thrilled by the identification of regional trail connections as a workplan item. I would enjoy a more detailed explanation of how the City's trail efforts, including the North TSA, intersect with Boulder County's regional trail scoping effort and the Dept. of the Interior's 3 trail efforts, and what facilitating role, if any, the City Council can play.</p> <p>I am pleased to see <u>regional trail connections</u> as a work plan item, and would like to know if there is more that the City Council can do to help facilitate this effort.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>OSMP staff continues to engage in conversations with partners at the federal, state and local level, including transportation authorities, regarding several regional trail initiatives. These regional planning processes complement OSMP's Trail Study Area (TSA) planning. TSA planning establishes a process to implement the visions established by Council-approved master plans, as well as regional planning efforts for trails.</p> <p>The following sections provide descriptions of several regional trail initiatives.</p> <p><i>Boulder County, Western Area Mountain Linkages Plan</i></p> <p>The Western Area Mountain Linkages Plan is an initiative of Boulder County's Parks and Open Space and Transportation departments. They have invited public land management agencies in the county to develop a joint planning process for a potential travel and recreation network for non-motorized users in western Boulder County. As currently envisioned, this network would connect communities, OSMP lands, and other recreational sites in and around Boulder County using a combination of existing trails, roads and other corridors. The project is also considering appropriate locations for new trails.</p> <p>One of the primary objectives is to identify access points and travel corridors within which trails could be implemented incrementally as opportunities arise. Fundamental to the project is a recognition and respect for the various management considerations, review processes and means of implementation of the various agencies involved.</p> <p>The process and plan product is in a conceptual stage. OSMP has been involved from the initial invitation by the county for external participation (fall of 2012). The county anticipates completing a more detailed project description, including the scope and the roles of the</p>

various organizations in early 2013.

*U.S. Department of the Interior, Rocky Mountain Greenway Project*

The Rocky Mountain Greenway Project is one of three conservation initiatives in Colorado as part of the America's Great Outdoors Initiative, a nationwide effort initiated by President Obama to encourage and support community-driven conservation and recreation projects around the country.

The Rocky Mountain Greenway project includes federal, state, local and stakeholders to create uninterrupted trails/transportation linkages connecting the Denver metro area's trail systems, the three National Wildlife Refuges in the metro region (Rocky Mountain Arsenal, Two Ponds, and Rocky Flats), Rocky Mountain National Park, and other communities' trails systems. OSMP has been involved as a partner during the scoping/feasibility stage examining the connection between Two Ponds and the Rocky Flats National Wildlife Refuge.

*Other regional trails planning efforts include:*

- Union Pacific (RTD) Trail: Boulder County is the lead on this project, and is working with RTD and various municipalities including the city.
- US 36 Bikeway: The Colorado Department of Transportation (CDOT) is the lead on this project. City OSMP and Transportation staffs have been working over the past seven years with CDOT on this project. Implementation is proposed beginning in 2013.
- Lyons to Boulder Trail: Boulder County is the lead on this project, which is not active at this time.
- East Boulder Trail: Boulder County and OSMP will be working to complete this trail. The next step for the city is the East TSA plan, the timeline for which has not yet been established.
- IBM Connector: This linkage will connect the Boulder Reservoir/Coot Lake area with Gunbarrel. The county and city are working on this project, and the new crossing of the railroad tracks is anticipated in the first half of 2013.
- SH 93 Underpass for the Community Ditch Trail: CDOT will construct the underpass as part of their road widening and overlay project on SH 93. Construction is planned for mid-2013 through mid-2014.
- Extension of Boulder Creek Path to Chapman Drive: OSMP, Boulder County and CDOT are working jointly on this effort. It is in the scoping/feasibility preliminary stages.
- Chapman Drive between Boulder Canyon and Flagstaff Road: The city's purchase of the Schnell property has allowed this connection. It opened on Jan. 7 for pedestrian and equestrian and uphill biking. A public process is currently under way to gather community input on two-way mountain bike access and dog use. Final staff recommendations are anticipated by mid March.
- Boulder Reservoir: The city's Parks and Recreation Department is working on a design for a trail on the western side of Boulder Reservoir which would provide linkages with a variety of trail systems, including the network of OSMP trails to the west.
- Eldorado Canyon to Walker Ranch: The city continues to work with the county and to identify a sustainable and cost-effective alignment for this trail.
- Colorado Front Range Trail: Colorado Parks and Wildlife is the lead for this project, most recently described in a 2007. It is possible that sections between Jefferson County and Boulder County could use the same alignment as the Rocky Mountain Greenway, as the projects have similar objectives. This project exists as a plan and is being implemented opportunistically. Much of the trail alignment already exists through OMSP trails and city greenways.
- Connection to Heil Ranch: OSMP continues to work with the Joder family for acquisition of property that would allow a multi-use connection from Boulder to Heil Ranch.

Council has already provided direction on many of these initiatives as part of the Boulder Valley Comprehensive Plan, Transportation and

	<p>Visitor Master Plans and TSA plans. The Council will be updated, and requests for additional Council direction or approval will be forwarded as they arise. At this point, no specific facilitating roles for Council have been identified.</p>
SJ	<p>Local Food Systems (p 80/154): Thank you for highlighting this issue. I would enjoy a brief discussion of staff’s current thinking on the potential role of OSMP leased lands for enhanced food production: Can we get a copy of the agricultural assessment of OSMP lands or a synopsis of the findings? What is the status of the City’s “natural” beef branding efforts? Are there additional roles for the City Council beyond simply approving an agricultural plan in the 4<sup>th</sup> quarter and do you see the local food summit as playing a role with this?</p>
TP	<p>2014 Work Plan: Sustainable Agriculture and Local Food: The issue of local food encompasses multiple City goals including increasing sustainability, improving public health/addressing childhood obesity, better providing for food-challenged populations, enhancing economic vitality, maintaining our agricultural heritage in our open space system, reducing greenhouse gases, and increasing resiliency in the changing climate. As noted above, the City is already involved in the issue on several fronts. But we lack a comprehensive overarching vision and coordinated policy. To that end, I propose that we tee up the issue of sustainable agriculture and local food as a larger project in 2014—in particular to adopt a local food policy and decide on a set of priority next steps in coordination with key partners at the county, CU, BVSD, and food sector (e.g., investing in food processing infrastructure, establishing a food hub, furthering our school farm program, facilitating markets for local produced and processed foods, etc.)</p>
MA	<p>Agriculture plan/Sustainable agriculture: I haven’t seen any suggestions for greenhouse operations, although that seems to be the most intensive and cost/water-effective method in a climate like ours. Some urban areas use rooftops – that probably isn’t too helpful here – but I’ll broach the concept of using Open Space, which is something I think should be considered.</p>
MC	<p>Local Food/Sustainable Agriculture: I was pleased to see local food and sustainable agriculture on the work plan, and I fully support the continuing initiatives identified in the reference notebook across a variety of departments to make incremental steps supporting the effort.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>The Open Space and Mountain Parks (OSMP) Department currently has 470 acres of agricultural land dedicated to the production of local food products. Two of our tenants, the Sawhills and the Biellas, direct-market natural beef animals locally within Boulder County, approximately 35-40 head a year. They grow forages and graze their herds on the 416 combined acres that they lease from the city. OSMP also has two tenants that are organic vegetable and meat producers. Anne Cure, of Cure Organic Farm, leases an eight-acre parcel for diversified vegetable production adjacent to her base operation on Valmont Road. In 2012, she produced over 75,000 pounds of vegetables on this parcel. Eric and Jill Skokan, of Black Cat Farm, lease the 46-acre Lousberg parcel which they use for grazing sheep and meat birds. They plan to put eight acres under diversified vegetable production in spring 2013, which will be marketed through their restaurant, CSA and farmer’s markets.</p> <p><i>Boulder Natural Beef</i></p> <p>OSMP conducted an initial investigation of a Boulder-branded, grass-fed beef, and is partnering with Boulder County Parks and Open Space to submit a grant to the USDA’s Rural Business Enterprise Grant program for monies to assess the demand for a producer-owner cooperative marketing Boulder County-branded meat products. This evaluation will determine what the economic benefit for producers</p>

will be, and identify any technical considerations in processing, labeling, marketing and distribution. The cooperative could also include other meats besides beef, including lamb, goat, chicken, etc. If selected for grant funding, the assessment will begin in July of this year.

*Potential for greater local food production*

With our good soils, adequate water supply and proximity to multiple marketing opportunities, OSMP can eliminate one of the biggest barriers to new farmers: access to land. Working within the guidelines of the Grassland Ecosystem Management Plan (GMAP), and from input we have received from the organic farming community, OSMP staff made an assessment of properties that include building envelopes. Although the two OSMP parcels currently leased for organic production (Lousberg and Eccher) do not contain building envelopes, they are leased by growers that have housing and outbuildings elsewhere to live as well as process, store and sell their products. This infrastructure, and the ability to erect season-extending hoop houses and high tunnels, would be necessary for successful vegetable production in this area. We are operating under the assumption that we will be attracting new growers that do not have this infrastructure elsewhere and will need these buildings in order to start their farms.

On properties with building envelopes that are not limited by the GMAP, staff has identified over 150 acres of surrounding land appropriate for diversified vegetable production. We would propose a quarter to a half of that land rested from annual vegetable production every year in order to help break weed and disease cycles and to maintain or improve soil organic matter. This model works well with integrated livestock-vegetable operations so that during the rest period animals can graze the annual or perennial cover crops.

Most OSMP properties would require three years to transition to certified organic production, due to past synthetic fertilizer and pesticide applications.

In addition, it is important to be sure that this model can support a family who chooses farming as a career despite not inheriting land or livestock. OSMP's new Agricultural Resource Specialist (Specialist), Lauren Kolb, will continue to work with Boulder County's Extension Agent (who focuses on beginner farmer development and specialty crop production and marketing) to address some of these larger issues of farm fiscal sustainability.

OSMP's Specialist has been attending meetings of both the Boulder County Farmers Market Board and the Boulder County Food and Agriculture Policy Council. She will be meeting with the interim Executive Director of the Boulder County Farmers Market to see how our organizations can work together in the future. The Specialist has also been in contact with the city's IPM Coordinator about OSMP being involved in a citywide work group for local food issues with the Community Planning & Sustainability Department.

MC Healthy Eating: I believe that it is also important that we have a more unified approach across the city with regard to how we approach the issue of local food, sustainable agriculture and healthy eating/nutrition. To that end, I would like to see us tee up for 2014 an effort to adopt a food plan for the city, with the thought that it would help to explain and lay out in more detail the section on the topic that we put into the 2010 update to the BVCP. We would not have to reinvent the wheel for this effort, as other communities already have such a plan in place. See, e.g., the city of Berkeley's food and nutrition policy, <http://www.food-matters.org/pages/berkeley.htm>

**STAFF RESPONSE/ INPUT:**

An internal staff team is working to develop a policy for City Manager approval to ensure that food paid for or provided by the city government is healthy (or healthier) and contributes to employee well being. The scope of the policy would apply to food sold at city vending machines as well as food purchased with city funds for city-hosted meetings (either with internal or external customers).

<p>LM</p> <p>SJ</p>	<p>Local Food Summit to the 2013: Focus on the unmet local demand for local food products: I'd like to see more opportunities of local food agriculture and identification of sites and methods in which local food production can be better supported. This includes examining ways to preserve Longs Gardens and identifying barriers to local food production.</p> <p>As Tim and I proposed previously to Council, in 2013 we would like the City to join with the County, CU, BVSD and other partners in examining the many opportunities and obstacles to promoting local food production as part of a Local Food Summit. The City is already engaged in various initiatives around the local foods issue—e.g., working on a Boulder OSMP beef brand, exploring expansion of the Farmers Market, looking at commercial kitchen space to help promote economic vitality, etc. The Summit could, among other things, help identify where else the City might play a catalytic role in promoting local food in the future—and tee up the issue for greater City action in 2014 (see below). Jane has just designated Mike Patton and Carl Castillo as point people for the City on this issue, and we envision the amount of staff time (beyond existing efforts) to be modest.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  Mike Patton, Director of Open Space and Mountain Parks, and Carl Castillo, Policy Advisor, have begun meeting with an intergovernmental team to collaboratively explore options for promoting local foods in Boulder County. One expected outcome of these meetings is city participation in brainstorming meeting of stakeholders in the local food arena to be held in the first quarter of 2013. Staff is hopeful that the meeting will help identify what specific role(s) the city might play in the field of local food. To date, however, Council has not provided direction on how active of a role the city should play, if any, in any future "summit" or on the level of follow-up it expects from staff on any new initiatives which may be proposed at the upcoming stakeholder meeting. Council is encouraged to have a discussion during this retreat regarding the expected level of staff effort for the 2013 work plan.</p>
<p>SJ</p>	<p>Wildfire Mitigation: Given past summer's wildfire experiences, are there additional mitigation/fuel reduction efforts being contemplated?</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The city's Open Space and Mountain Parks and Fire Departments have been working collaboratively on forest health issues and wildfire mitigation for over 15 years. The Council adopted the city's Forest Ecosystem Management Plan (FEMP) in 1999, which laid the groundwork for forest management on city lands. Since the adoption of the FEMP, OSMP and Fire crews have thinned or prescriptively burned over 1,200 acres of OSMP property in an effort to improve the natural functions of Boulder's forests and decrease the risk of a large scale wildfire in the mountain backdrop.</p> <p>In recent years, large, local wildfires - including the Four Mile Canyon Fire, the Dome Fire and the Flagstaff Fire - have threatened or destroyed private property and city-owned lands and brought the issue of wildfire to the forefront. These types of fires are expensive to fight, can cost millions in lost property and can take years for the natural systems to recover. These fire occurrences have spurred additional work in the forests around Boulder, with both the OSMP and Fire departments increasing fire mitigation efforts in the wildland-urban interface around the city.</p> <p>In 2013, the city has increased resources to address wildfire response and tackle the underlying issue of unhealthy, overgrown forest conditions. The OSMP Department has recently purchased two mobile wildland foam units, one of which will be ATV mounted, that can quickly create a line of fire-retardant foam. This will be a very effective tool that can be quickly moved to any part of the system and used to protect valuable cultural and natural resources or adjacent private property. These new foam systems can also be used in conjunction</p>

	<p>with mowing to quickly create large swaths of defensible space around neighborhoods in the event of a wildfire. The department will also be adding a new, upgraded brush truck to its fleet which will allow OSMP to transfer one of the older brush trucks to the Fire Department. This will provide additional resources in the city and better distribute brush trucks across the system.</p> <p>In addition to equipment, the city will also add staff to address forest and fire issues. In 2013, OSMP will double the funding spent on seasonal forest restoration crews, enabling the department to hire eight staff members for roughly nine months to complete forest thinning projects and respond to wildfires. These efforts will also continue to be supported by the Fire Department's Wildfire Mitigation Crew. All of these crews will work closely with OSMP rangers to integrate response capabilities and provide a significant number of personnel for county-wide wildfire response. The OSMP Department will also add an additional permanent Forestry Technician position to help oversee field projects and plan for future projects. In 2013, over 230 acres of thinning projects are planned for areas in close proximity to homes and valuable natural areas, which is double the amount of thinning completed in any previous year.</p> <p>In addition, the Fire and OSMP Departments have worked jointly to help urban-interface residents understand measures they can undertake to reduce the risk of fire by removing or reducing flammable yard plantings and other measures.</p> <p>Other wildfire mitigation efforts include:</p> <ul style="list-style-type: none"> <li>○ The 2012 International Urban Wildland Interface Code will be proposed for adoption as part of the building codes during the second quarter.</li> <li>○ The wood roof prohibition, enacted in 1994, requires compliance by January 1, 2014. An Information Packet item will be issued in the first quarter providing an update on the status of compliance and community outreach.</li> </ul>
KCB	<p>Status Update on Long's Garden: I'd like to know what is going on with Long's Gardens. Last we heard, which I think was about a year ago, staff was going to do an appraisal, but I've heard that this appraisal is only considering the full purchase price, not the price of a conservation easement. Why is that? Also, what are the plans for this item?</p>
SA	<p>Again in the work plan action items section, on page 78 re: Acquisition Plan Update (OSMP), I would like to know if the update includes information regarding the potential purchase of Longs Garden</p>
TP	<p>Longs Iris Garden: We should continue to explore preservation of this one-of-a-kind agricultural parcel within the city limits for future agricultural use. I would like to see the process for acquiring an interest in the property pursued in 2013.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>The Long's Gardens property, a 25.1 acres parcel located at Broadway &amp; Hawthorne adjacent to the North Boulder Recreation Center and city Parks and Recreation administrative offices, is zoned Agriculture which allows for up to five residences. The property is home to Growing Gardens, a community sponsored non-profit organization helping people connect with agriculture.</p> <p>On June 16, 2011 the Council discussed the possible: 1) purchase of a conservation easement on the Long's Gardens property, and 2) purchase of fee title to all or part of the Long's Gardens property. While no acquisition decisions were made and all options remain open, staff was directed to obtain an appraisal of the property.</p> <p>A scope of work for the appraisal was developed by staff that will provide appraisal estimates for many different acquisition scenarios, including a conservation easement. An appraiser, Mark Weston, has been engaged and has inspected the Long's Gardens property and interviewed the owners and their representative from the Conservation Fund.</p>

	<p><i>Status and Potential Next Steps:</i> The appraisal is scheduled to be completed in a timeframe (and based on a current value) for consideration by Council in the first half of 2013.</p> <p><i>Council Action:</i> Second quarter: The Long's Gardens acquisition, either by fee or conservation easement, will be presented to council for consideration.</p>
LM	<p>Beyond the fences and regional trails—sec 16 in Jefferson County is now a jointly owned piece of open space. The next discussions will involve more planning of the America's Great Outdoors Initiative connecting the 3 Front Range FWS National Wildlife Refuges, and eventually through Boulder to Rocky Mtn National Park. The Front Range trail is expected to come from the south through Golden eventually north into Boulder. Multiple state, federal, and local agencies are collaborating on this regional efforts. Financing and coordination will require address as part of the planning process in the next year.</p> <p><b>STAFF RESPONSE/ INPUT:</b> OSMP is involved in the Rocky Mountain Greenways project through the scoping/feasibility stage examining the connection between Two Ponds and the Rocky Flats National Wildlife Refuge. OSMP is also partnering with Boulder County Parks and Open Space and Transportation departments on the Mountain Area Linkages Plan which intends to examine the Rocky Mountain Greenway Trail concept of connecting Rocky Flats Wildlife refuge to Rocky Mountain National Park. Currently the projects are in preliminary and/or scoping/feasibility stages and no trail alignments or corridors have been identified, nor is federal funding currently available for trail construction. When trail alignments/corridors are identified through these regional trail planning efforts, OSMP can dedicate funds through our CIP process, apply for federal grants when federal funding is made available and incorporate implementation into our Trail Study Area implementation and planning processes when compatible.</p>

**Parks and Recreation**

MC	<p>Street tree program (require or incent people to take care of street trees) - is addressed to the fact that we need to enlist the help of people in our town to meet the watering needs, and otherwise care for, street trees.</p> <p><b>STAFF RESPONSE/ INPUT:</b> A tree watering postcard reminder on tree care and watering for commercial property owners/tenants is being developed, with greater outreach planned to residential neighborhood associations in 2013 and 2014. In 2011, Utilities and Parks &amp; Recreation Departments partnered to modify the water budget rate structure to better address winter tree watering needs. The Water Conservation Futures Study (Q3) and Commercial/Industrial/Institutional Water Budgets (Q2), both of which include an irrigation component, will be presented by the Utilities Department to Council for consideration in 2013. During 2013, the Urban Forestry workgroup within Parks and Recreation will be able to provide tree planting, pruning, removal, tree safety inspections, limited insect treatments and <u>limited tank watering</u> for trees in the public street rights-of-way Pertinent ordinance language includes the following: <b>8-2-25 Adjacent Owners' Duty to Maintain Street Trees.</b> A property owner shall maintain trees required pursuant to <a href="#">sections 6-6-7</a>, "Mitigation of Trees or Plants Removed or Destroyed," B.R.C. 1981; <a href="#">9-2-14(h)(2)(C)</a>, "Site Review," B.R.C. 1981; and <a href="#">9-9-12</a>, "Landscape and Screening Standards," B.R.C. 1981, on or adjacent to the</p>
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	owner's property in the public right of way, by providing sufficient irrigation to sustain the life of the tree and landscaping or a mulched sod-free base around all trees with a diameter of six inches and under measured fifty-four inches above the ground. The maximum penalty for a first or second conviction within two years, based on date of violation of this section, is a fine of \$500.00. For a third and each subsequent conviction within two years, based upon the date of the first violation, the general penalty provisions of <a href="#">section 5-2-4</a> , "General Penalties," B.R.C. 1981, shall apply.
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**Planning**

SJ	<p>Grandview Homes Demo: is there anything more for the City to do on this issue?</p> <p><b>STAFF RESPONSE/ INPUT:</b>  There is nothing more for the city to do at this time.  The University of Colorado reopened the bidding process for the relocation of three houses on Grandview Avenue, and bid proposals are due on Jan. 17. Approximately 20 people attended the mandatory pre-bid meeting on Jan. 3, significantly more interest than during the previous process. City staff has been working with prospective bidders to facilitate successful relocation by providing information on city regulatory requirements or processes and helping to assess the feasibility of proposed relocation sites.</p>
SA	<p>Historic Preservation Plan: This seems the logical place to ask for a review of the effectiveness, efficiency and impact of the Historic Preservation Ordinance (HPO). The description on page 123 of the Council Reference Notebook mentions an assessment and recommendations for enforcement of the HPO but no larger review of the HPO. I would like to understand if a larger assessment of the HPO, beyond just enforcement, was discussed and if so, why the narrow focus on enforcement only.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The consultant working on the plan is preparing a program assessment of the entire program, including the effectiveness of the Historic Preservation ordinance, design review and demolition review processes, enforcement, incentives and other areas. Council and the Landmarks Board will discuss the assessment and goals for the plan at a joint study session in February.</p>
MA	<p>Comprehensive housing strategy: just one question/concern regarding the survey underway of OAU/ADUs – anecdotal evidence suggests that there are loads of “illegal” units of this sort, so any truly useful data will need to include at least a sampling of those, as well as some indication of their numbers.</p>
MC	<p>ADU/ OAU: change regulations to allow more of them.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The survey was intentionally focused on existing legal units to understand how the units currently contribute to housing opportunities in Boulder and how the program might be improved. At this time, staff has recommended that ADUs/ OAU should be looked at as part of a comprehensive housing strategy. If it is determined that accessory units should be more widely encouraged, a sampling of illegal units may be the next step in determining the potential contribution of this housing type toward the city’s housing goals. The survey results are available online at the following link: <a href="http://www.bouldercolorado.gov/files/adu_survey_report.pdf">www.bouldercolorado.gov/files/adu_survey_report.pdf</a></p>
MA	<p>Boulder Junction: changes to the MU-4 zone are in process, but I’m very concerned that by the time we make any changes it will be rather late in</p>

	<p>the game. BJ seems to be turning into an almost monolithic rental housing development, which is what I was afraid would happen given very loose zoning. Maybe that's OK, but I don't think it was the goal, so I think we need to move very quickly on this. This is a priority issue for me.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  In December, Planning Board reviewed and recommended a proposed ordinance with changes to the MU-4 zone to encourage more commercial uses. First reading of the ordinance is scheduled on Jan. 22. with second reading scheduled for Feb. 5. While recent redevelopments are mostly residential, in looking at all of Phase I, there is a mixture of uses with approximately 500,000 square feet of non-residential space and 480 residential units existing, approved or under construction within the area.</p>
MA	<p>Waste-hauling contract: I've suggested this previously, but having recently been thanked by a neighboring community's mayor for subsidizing their contractual waste-hauling, it again seems to me to be something we really should explore, preferably in time for the session on our zero-waste plan.</p>
MC	<p>Solid Waste: improved recycling commercial sites and apartments</p> <p><b>STAFF RESPONSE/ INPUT:</b>  As part of the Zero Waste Master Plan Update, the city is planning to issue an RFP in mid-January for a program evaluation study that will look at the most cost-effective ways to achieve Zero Waste for Boulder. The scope of services for the study includes evaluating whether a single hauler contract could result in advantages to the Boulder community. The study will be complete before Council's study session to consider options for the Zero Waste Master Plan update</p>
TP	<p>Boulder Community Hospital Area Plans: As Ron Secrist laid out in his presentation before the council, there will be a significant shift east of the hospital's operations, with impacts to both the Broadway campus and the Mapleton Center at 4<sup>th</sup>/Mapleton. We can expect significant redevelopment to occur on and/or around these sites. In order to achieve the type of redevelopment most suitable and beneficial to our community goals and vision, we should create area plans for the sites and surrounding parcels. Time is of the essence as the proposed redevelopment of 1000 Alpine indicates. If we can't get to this in 2013, it should be a part of the 2014 work plan.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The East Arapahoe Planning Effort is included in the 2013 work plan, with the project initiation planned for the second half of the year.</p>
MC	<p>North Boulder Subcommunity plan update</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The 2013 work program includes a focused work effort to look at the commercial district in the North Boulder area, per direction from Council at the June 2012 work program check-in. However, it does not include a comprehensive update to the North Boulder Subcommunity Plan. A full description of the planned work effort is provided in the Council Reference Notebook.</p>
MC	<p>Sustainable Streets and Centers Project</p> <p><b>STAFF RESPONSE/ INPUT:</b>  This item is on the work plan and is contained in the Council Reference Notebook.</p>

**Public Works**

<p>MC</p>	<p>Snow and Ice evaluation question</p> <p>I would like to know if we have considered plowing streets that exceed a certain grade. It would be helpful to map the steep streets in our town, and then review the ice and snow plan with respect to those streets. I am impressed again this year with the fact that it has been hard not to slip an fall when visiting certain areas of town after our recent snowfall: 6<sup>th</sup>, 7<sup>th</sup>, and Grant, for example, North of Baseline; and Columbine and Mariposa from 13<sup>th</sup> St. East to about 15<sup>th</sup> St. I am sure that there are other steep streets that deserve to be included for consideration. But these are the streets I have visited recently.</p> <p>What can be done to improve the clearing of sidewalks? Compliance with the snow removal ordinance is, well, spotty. I wonder if staff has an idea about how we can improve compliance?</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>The city is currently in the process of conducting a snow and ice removal analysis. A link to the latest snow and ice information packet item which highlights the scope of the analysis is provided here:  <a href="http://www.bouldercolorado.gov/files/City%20Council/IP/2012/09132012IP/IP09122012Website.pdf">http://www.bouldercolorado.gov/files/City%20Council/IP/2012/09132012IP/IP09122012Website.pdf</a></p> <p>Results are expected in the early part of 2013 and a discussion with Council is tentatively scheduled for early April. Part of the overall analysis, using the city’s GIS mapping capabilities, includes evaluating streets for grade and sun exposure to help understand consistently problematic areas.</p> <p>Relative to compliance on sidewalk snow-clearing requirements, in order to bring a culture change and enhance compliance, an improved community understanding of how this violation affects them as a pedestrian, tenant, agent and owner will be sought through more extensive and informative education efforts. In addition to community outreach, the code enforcement team can continue to evaluate the systems of enforcement utilized to expedite the follow-up inspections for violations and the abatement of the snow and ice hazard from the sidewalks. Through this combined education and enforcement approach, progress towards a shift in the number of residents that are complying with the required timeframe for snow removal before enforcement action is needed.</p>
<p>LM</p>	<p>Demolition ordinance</p> <p>I'd like to look at our demolition and building deconstruction ordinance to bring it more in line with the stricter requirements established by Boulder County. Given their success, I'd like to see if we can require the same as the county.</p> <p>Deconstruction ordinance tied to a construction waste facility, perhaps in conjunction with the County.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>Currently staff is investigating the construction waste recycling/deconstruction plan requirements as part of our Green Building/Green Points code update and will update Council in the second quarter of 2013. Staff will evaluate the requirements to more closely reflect the Boulder County recycling/deconstruction requirements. In looking at working in conjunction with Boulder County on a construction waste facility, staff has recently been informed that Boulder County does not have a plan to develop a new construction waste recycling facility.</p>
<p>SJ</p>	<p>Railroad Noise – any new measures to address complaints</p> <p>Will we be taking any additional measures in 2013 with regard to mitigating train whistle complaints?</p>

SA	<p>BNSF Freight Noise – This issue has been raised many times by community members who are daily impacted by excessive train noise. While the issue of creating “quiet zones” has been tied to the proposed development of the NW Rail line as part of FasTracks, we now know that build out of this rail line is unlikely to come before 2042 (if it comes at all). Thus efforts to undertake the considerable effort and raise the necessary funds to develop “quiet zones” have been sidelined.</p> <p>It is not clear to me whether any work on “quiet zones” is built into the RTD Northwest Area Mobility Study to determine the future of the NW Rail Line. Even without commuter travel on the NW line, the noise impacts from freight will continue. I think we owe it to the many residents significantly impacted by the train noise to at least explore other options to reduce this.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>In the second quarter of 2013, staff will be completing a Railroad Quiet Zone study to determine the potential improvements – both infrastructure and non-infrastructure related – that the city and agency partners could pursue to develop a Quiet Zone along the BNSF railroad corridor. The study, which will be shared with the Transportation Advisory Board, Council and the community, will: 1) include descriptions of potential crossing improvements, education and enforcement strategies and cost estimates based on recommendations from the city’s consultants and discussions with agency partners such as Boulder County, RTD, CDOT, BNSF Railway Company, Federal Railroad Administration, and Colorado Public Utilities Commission; and 2) provide information for community discussions regarding options to pursue a Railroad Quiet Zone either locally and/or in tandem with the outcomes of the regional Northwest Area Mobility Study. For more detailed information, please see the city’s <a href="#">Railroad Quiet Zone standard response</a>.</p>
SJ	<p>Airport eminent domain: where do we stand on this issue (to the extent not a confidential legal matter)?</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>The city has condemned the Through the Fence Easement, valued at \$5,000. The court awarded immediate possession to the city on May 11, 2012. A jury trial scheduled for the week of April 22, 2013 will determine the final value.</p>
MA	<p>2012 building/energy codes: while work is underway, it seems to me that council should provide some direction about our goals: do we want to exceed the latest (inter)national standards? I’m afraid that a lot of work will be done and staff will come back with a proposal to just adopt the standards as is, and it will be too late to do much about it.</p> <p><b>STAFF RESPONSE/ INPUT:</b></p> <p>At the July 24, 2012 study session, staff proposed that residential energy efficiency levels remain the same, and that commercial energy efficiency levels be studied to determine if the energy efficiency levels should be increased and if so by how much. Council asked staff to provide information about the cost premium for any proposals for increasing the commercial energy efficiency requirements from those contained in the 2012 International Energy Conservation Code (IECC). Since that meeting, staff has worked with the Brendle group to analyze the cost premium associated with two potential commercial energy code options: improving the thermal envelope requirements by 10 percent by adopting the International Green Construction Code (IGCC) or by creating local amendments to the energy code which would increase the efficiency required by 20 percent. The results of the study will be presented to City Council during the second quarter of 2013, as mentioned in the Dec. 11, 2012 study session memo.</p>
MA	<p>Community-wide Eco pass: a feasibility study is set to begin this month, but I wonder how useful that will be until we get good data from widespread use of the new electronic passes, as well as new cost information from RTD. I’m also worried that we’ll extrapolate from the much-</p>

	<p>stated statistic that pass-holders are nine times more likely to use transit; even if reasonably accurate, that tells us nothing about non-pass holders since these are not at all similar sets of people.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The city and Boulder County are co-funding a feasibility study on a community or county-wide Eco Pass program. In coordination with RTD and the selected consultant, Charlier Associates, the study will identify various scenarios of commercial, residential and municipal participation, estimated annual costs, potential funding mechanisms, issues relative to potential data needs and the impact of estimated induced transit demand. The feasibility study is scheduled to be completed in June 2013.</p>
MA	<p>Eco pass requirement in site review: I've mentioned this previously, but I'm concerned that we continue to give permanent development benefits (such as reduced parking) in return for temporary (3-year) requirements of Eco pass provision. Perhaps that's as much as we can legally require, but trading something permanent for something temporary doesn't seem like good public policy.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  During the Site Review process, applicants may be required to provide a Transportation Demand Management (TDM) Plan based on the development's proposed trip generation, requested parking reduction, Traffic Impact Study analysis, etc. Each TDM plan is unique and is intended to address the specific needs of the development. The TDM plan may include the requirement to provide three years of business or residential Eco Passes. While there are no legal conditions that prevent Eco Passes to be required in perpetuity, there are a number of practical reasons for the three-year requirement. The Eco Pass is an RTD program that is not controlled by the city, and can be eliminated or significantly altered in the future. To enforce Eco Pass participation, the city requires financial guarantees in the form of escrow accounts or Letters of Credit, and it would be unrealistic to provide such guarantees for undeterminable lengths of time. Also, staff analysis of Eco Pass data has confirmed a high rate of retention after three years of participation. Typically, the Eco Pass requirement is just one of many strategies required in a TDM. Some of those of other strategies involve physical improvements, such as showers and changing facilities or long-term bicycle parking.</p>
LM	<p>Examine in greater detail our future use and needs of water considering the results of new climate studies and new demands on our water supplies (such as needed for hydraulic fracturing). Water quality will also need to be maintained: I'd like to reconsider the use of fluoride in our general water system and other options.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  Several items scheduled for 2013 relate to the water supply issues identified, involve WRAB and include the Water Conservation Futures Study (Q3), Commercial/Industrial/Institutional Water Budgets (Q2), and the 2013 Water Supply Update (Q2). The Utilities Division is partnering with Open Space &amp; Mountain Parks and the City Attorney's Office to consider water resource impacts associated with hydraulic fracturing as part of the broader city analysis currently underway. An update on fluoridation was anticipated for 2012, but continues to be deferred due to delays in the release of new guidance by the U.S. Department of Health and Human Services.</p>
SJ	<p>I would also like to underscore the importance of the planned Transportation Master Plan update. It is long past time for us to better integrate our transportation, sustainability and climate change goals. As part of this, I am thrilled that we are doing an Eco Pass Feasibility Study. I remain convinced that a community-wide pass for residents and commuters into Boulder would be a significant step in furthering many City goals, and evolving past the tedious and time-consuming work involved with the annual neighborhood Eco Pass program.</p>

	<p>Similarly, I hope the 2013 comprehensive review of our parking program will better integrate parking with our sustainability goals—for example, I would like to see us devote a few more public parking spaces for e-Go Car Share.</p> <p><b>STAFF RESPONSE/ INPUT:</b> The TMP update is proceeding and includes coordination across sustainability initiatives with check-ins being scheduled with Council. Also, the parking and access management evaluation will include evaluation of car-share parking as well as other policies and strategies.</p>
MC	<p>Ramp up TDM: Current criteria for TDM toolkit are too weak: "New developments that surpass a threshold for additional vehicle trips are required to submit a TDM plan that outlines efforts to reduce vehicle trip." p. 197 of Reference Material.</p> <p><b>STAFF RESPONSE/ INPUT:</b> Staff has been evaluating the current Travel Demand Management (TDM) Toolkit with input from the Transportation Advisory Board (TAB) and Planning Board. In 2013, a new TDM Toolkit will be designed that guides the development of TDM plans for site review applicants. Work with TAB and Planning Board is intended to help draft an improved toolkit before sharing with Council. To maintain flexibility while at the same time ensuring appropriate mitigation of traffic impacts through trip reduction strategies, staff proposes that the TDM Toolkit focus on “packages of TDM strategies” that will result in a significant shift in vehicle trips. The packages will articulate the city’s expectations of an effective TDM plan and will be used to inform Planning Board’s review of TDM plans. The Toolkit work is part of the TDM Focus Area of the TMP and related to the work of the Parking and Access Management work effort.</p>

**ATTACHMENTS**

- A Summary of funding disbursement history (period certain) – Housing Fund; Human Services Fund
- B City of Boulder Open Space & Mountain Parks Permitted Local Well Map

## **Funds for Affordable Housing**

The city uses four funds to meet its affordable housing goals. They are the local Affordable Housing Fund (AHF), local Community Housing Assistance Program (CHAP), federal HOME Investment Partnership Funds (HOME) and federal Community Development Block Grant Funds (CDBG). These combined sources create a pool of money to fund a variety of projects and programs that provide housing choices and services to families with modest incomes.

### **Affordable Housing Fund**

- Established by ordinance
- Sources are Inclusionary Housing cash-in-lieu contributions and general fund allocations
- Largest and most variable, due to cash-in-lieu variation, fund averaging more than \$2M per year
- Eligible uses: construction, purchase and maintenance of affordable housing and program administration costs
- Income limit = HUD Low Income Limit plus 10 percent (currently 80.3% AMI)

### **Community Housing Assistance Program**

- Funded through the budget process from property and housing excise taxes
- Provides more than \$1.5M per year
- Eligible uses: capital investment for permanently affordable housing, project administration
- Income limit = 15 to 60 percent of the AMI (working poor)

### **HOME**

- Federal entitlement program – in 2006 Boulder joined with the rest of Boulder County and the City and County of Broomfield in a HOME Consortium. Boulder is the lead agency and administers the Consortium funding
- Currently a declining source providing \$600,000 per year
- Eligible uses: acquisition, construction, rehabilitation, demolition, relocation, homeownership assistance, tenant-based rental assistance, administration and planning costs, Community Housing Development Organization operating expenses
- Income limit = HUD Low Income Limit (currently 70.3% AMI)

### **Community Development Block Grant**

- Federal entitlement program
- Somewhat stable source providing \$900,000 per year, approximately one third used for affordable housing (the remainder funds capital needs of non-profits serving low income residents, public services for low income residents and program administration)
- Eligible uses: acquisition, construction, rehabilitation, demolition, relocation, homeownership assistance, planning and capacity building, administration
- Income limit = HUD Low Income Limit (currently 70.3% AMI)

## **Funding Allocation Process**

Each year the city determines what funds are currently available or can be reliably projected to be available within a year. That amount is publicized to the community as available for competitive funding through an application process. Applications are reviewed and analyzed by staff for financial feasibility, community benefit, and applicant experience and capacity before being presented to the Housing Technical Review Group. Its members have specific areas of expertise, represent various community perspectives and are appointed by the city manager to make funding recommendations. Applications are considered in light of the guidance provided in the Housing Implementation and Funding Task Force report accepted by City Council in 2000, the Housing and Human Services Master Plan, approved by City Council in 2005 and the 2010-2014 Housing and Community Development Consolidated Plan approved by the U.S. Department of Housing and Urban Development. The group's recommendations are presented to the city manager for approval.

In addition to the competitive annual fund process, the city responds to mid-year requests for funding if funds are available. Such applications follow a similar consideration, recommendation and approval process although they are not competing with other projects. In order for the city to be able to respond to opportunities, the Technical Review Group often recommends reserving some available funds.

## **Affordable Housing Funding Awards 2011-2013**

### **2011**

Boulder Housing Partners	Capital Improvements	\$1,200,000
Thistle Communities Valmont Square	Rehabilitation	\$530,000
Golden West Manor	Rehabilitation	\$375,000
Boulder Housing Partners	Transitional Housing Predevelopment	\$300,000
Thistle CIP	Sprinklers	\$270,540
Flatirons Habitat for Humanity	Construction	\$240,000
Boulder Shelter for Homeless	Debt service	\$126,000
Longs Peak	Housing Rehab Program	\$100,000
First Home (city program)	Downpayment assistance	\$88,645
Attention Homes	Rehabilitation	\$75,000
Boulder County Housing Authority	Homeownership Counseling	\$50,000
Thistle Toby's Lane	Public Improvement Warranty (loan)	\$30,597
Flatirons Habitat for Humanity	Operating Support	\$20,000
Foothills United Way	Individual Development Accounts	\$12,000
BCHA Architectural Barriers	Rehabilitation	<u>\$ 9,500</u>
	<b>TOTAL</b>	<b>\$3,427,282</b>

### **2012**

Boulder Housing Partners	Capital Improvements	\$1,640,000
BHP West View Apts	Acquisition	\$510,000
Thistle CIP	Fire Sprinklers	\$240,000
Thistle Communities	Sage Court Rehabilitation	\$143,065
Boulder Shelter for the Homeless	Debt Service	\$126,000

First Home (city program)	Downpayment assistance	\$120,000
Longs Peak Energy Conservation	Rehabilitation	\$100,000
Boulder County Housing Authority	Homeowner Counseling	\$50,000
Thistle Pinewood CIP	Roof Replacement	\$33,456
Longs Peak Energy Conservation	Accessibility Rehabilitation	\$25,000
Habitat for Humanity	Operating Support	\$15,000
Alvarado Village	Rehabilitation	\$14,000
Foothills United Way	Individual Development Accounts	\$12,000
	<b>TOTAL</b>	<b>\$3,028,521</b>

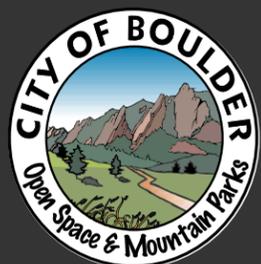
## 2013

BHP High Mar	New Construction	\$1,842,111
Golden West	Rehabilitation	\$1,271,590
Boulder Housing Coalition	Acquisition 2550 9 <sup>th</sup> street	\$400,000
Thistle	Rehabilitation Pinewood Apt	\$374,270
Thistle	Rehabilitation Parkside Apt	\$298,482
Boulder Housing Coalition	Rehabilitation Masala/Chysalis	\$250,000
First Home (city program)	Downpayment assistance	\$200,000
Longs Peak Housing Rehab	Rehabilitation	\$200,000
Mother House	Rehabilitation	\$167,432
Habitat for Humanity	Land Acquisition	\$130,000
Longs Peak Barrier Removal	Rehabilitation	\$50,000
Boulder County Housing Auth.	Homeowner Counseling	\$35,000
Foothills United Way	Individual Development Accounts	\$24,000
Habitat for Humanity	CHDO Operating	\$20,000
	<b>TOTAL</b>	<b>\$5,262,885</b>

# Human Services Fund

Agency	2010 HSF Allocation	2011 HSF Allocation	2012 HSF Allocation
Access Counseling	7,216	-	-
Attention, Inc.	19,604	19,604	30,000
Blue Sky Bridge	25,000	25,000	25,000
Boulder County Advocates for Transitional Housing (E	8,000	8,000	-
Boulder County AIDS Project (BCAP)	35,000	35,000	30,000
Boulder County Legal Services	36,497	36,497	36,497
Boulder County Public Health Department	125,000	125,000	100,000
Boulder Day Nursery	62,000	62,000	62,000
Boulder Outreach for Homeless Overflow	5,000	10,000	20,000
Homeless Medical Respite			5,000
Boulder Shelter for the Homeless	87,294	87,294	97,294
BVSD	90,432	90,432	90,432
Carriage House Community Table	17,257	17,257	17,257
Care Connect			32,045
Center for People With Disabilities	45,000	45,000	45,000
Children's House Preschool	22,050	22,050	22,050
Clinica	350,000	350,000	350,000
The Collaborative Community	-	-	5,000
Community Action Development Corp (Circles)	-	-	5,000
Community Food Share	5,000	5,000	5,000
Dental Aid, Inc.	103,585	99,906	99,906
El Centro Amistad	17,368	17,368	17,638
Emergency Family Assistance Association	107,500	107,500	107,500
Family Learning Center	68,751	68,751	68,751
Immigrant Legal Center of Boulder County	25,000	25,000	25,000
Intercambio de Comunidades	42,500	42,500	41,000
Medicine Horse Program	12,500	12,500	11,280
Mental Health Center Serving Boulder and Broomfield	443,654	443,654	433,654
New Horizons Cooperative Preschool	42,000	42,000	42,000
Parenting Place	5,000	5,000	5,000
RSVP of Boulder County	32,368	32,368	-
Safehouse Progressive Alliance for Nonviolence	114,765	114,765	106,575
St Vrain Parenting		7,216	7,216
Veterans Helping Veteran	-	-	10,000
Voices For Children	5,000	5,000	5,000
Women's Health	110,000	110,000	110,000
YWCA of Boulder County	68,750	68,750	68,750
	<b>2,139,091</b>	<b>2,140,412</b>	<b>2,136,845</b>

**CITY OF BOULDER**  
Open Space & Mountain Parks  
2012



**Permitted Well Locations**

- ABANDONED**
- PRODUCING**
- Directionally Drilled Wells**
- Directional Lines**

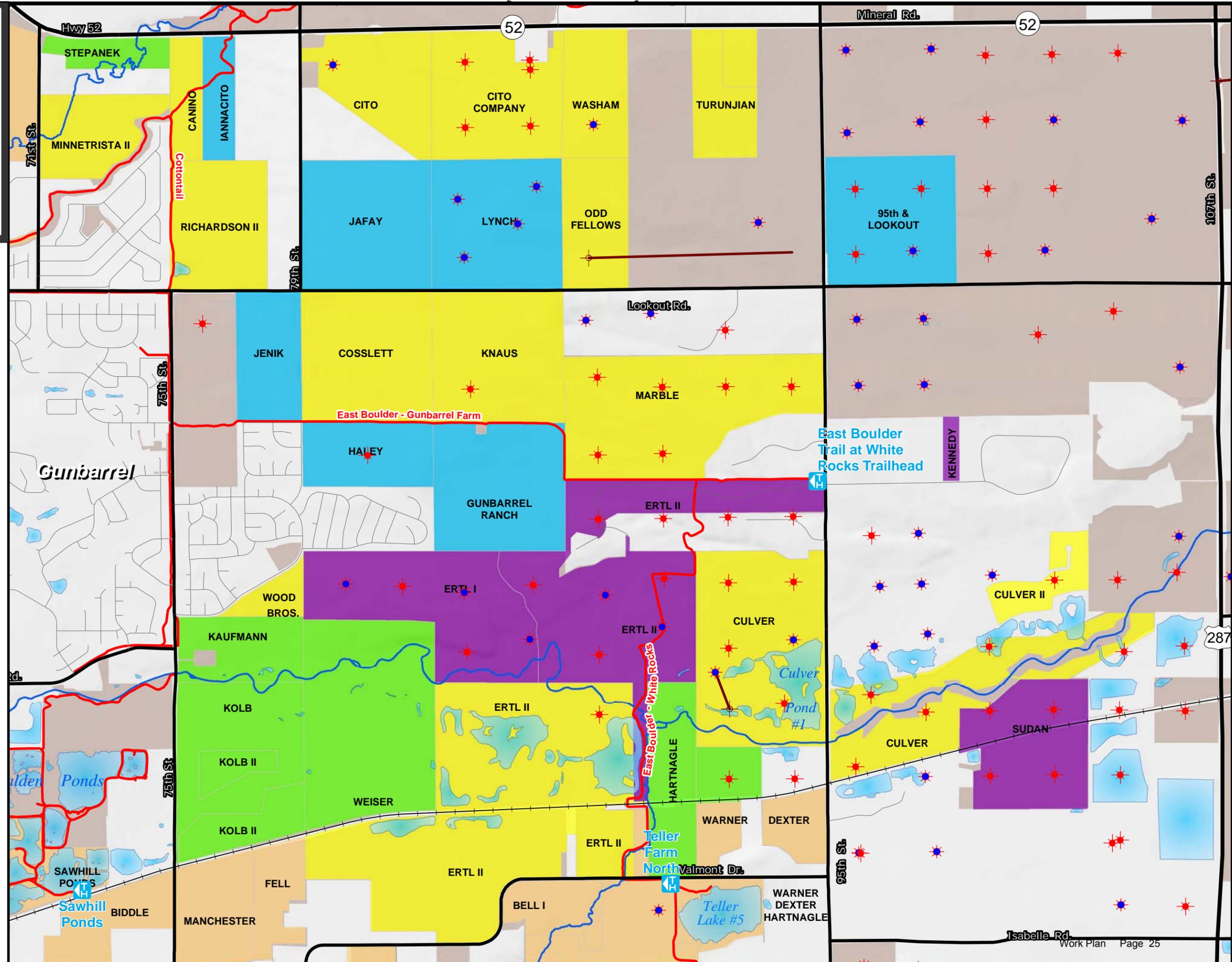
Well data provided by the Colorado Oil and Gas Conservation Commission

**OSMP Properties**

- Mineral Rights**
- OSMP Owns Minerals / No Existing Lease
  - OSMP Owns Minerals / Third Party Owns Lease
  - OSMP Owns NO Minerals / OSMP Owns Lease
  - OSMP Owns NO Minerals / Third Party Owns Lease
  - Under Review
  - Other Public Land



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Miles





**2013 Council Retreat Questions & Staff Responses/ Input**  
**Regarding items that are NOT on the work plan or needs Council discussion**

**KEY:** The Council Retreat Committee asked Council members to identify items (Process, status updates, items not on the work plan, items that are on the 2013 work plan, and potential 2014 work plan items). The following is a compilation of requests that are identified by staff as **NOT on the work plan** or items that need Council consideration sorted in the following manner:

**Department Assigned**

Council member making request	Verbatim question/comment submitted by Council member  STAFF RESPONSE/INPUT: On question/comment submitted
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**City Manager's Office**

MC	No smoking in all public places  <b>STAFF RESPONSE/ INPUT:</b> This is a matter that is not on the work plan and requires Council discussion following information regarding the status of implementation of the smoking ban recently enacted by ordinance on Pearl Street Mall.
MA	Neighborhood groups: thinking about the request for a north Boulder arts district (which will appropriately be considered by the Arts Commission), I think we might want to consider finding a way to encourage neighborhood groups to be more active and even fund some neighborhood efforts. I recognize this isn't easy and doesn't have a perfect track record when it's been tried, but I think at least exploration of the issue would be appropriate.  <b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item.

**Finance**

KW	During the discussions for the 2014 City budget during the next year, I would like to see us review the Priority Based Budget process in a bit more detail. Manager Brautigam started this process several years ago and perhaps it is time to step back and see how it is working. As part of this process I would like to see us review general budget levels for various city functions, like libraries, parks/rec, Open Space, Police, Fire, Human
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	<p>Services, etc, and see how our funding levels compare to other cities, by function and service. I am requesting a very brief discussion on this proposal at the retreat.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  There are many benefits to compiling expenditure data from other communities according to function and service. Currently, due to significant organizational projects affecting finance and budget staff resources, there is no capacity to compile and study the information. Staff will consider alternatives to complete the valuable analysis through alternatives including a third party.</p>
MA	<p>Budget part II: I'd like to better understand the agreements/partnerships we have with various outside business, both non- and for-profit. I know some are bid out and some aren't. Some seem to be fee-for-service and some are other arrangements. Some seem to be effectively permanent, which concerns me since how do we know if the city is getting good value? Council apparently weighs in on some of these (or at least blesses them), but not others. Maybe little of this will turn out to be a big deal, but I think it's well worth exploring.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  This item, which is not on the work plan, is for Council discussion. Staff will be prepared to provide data, information and input.</p>

**Housing**

MA	<p>Explosion of new rental housing: As an obvious follow-up to the BJ item above, I'm concerned about the huge (by our standards) number of rental units that are being built. No doubt we need some, but I'm not so sure we need 2000 within a short time span, even if that's what the "market" likes at the moment.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  This is a Council discussion item.</p>
MA	<p>Housing plan/board: others have mentioned this and I agree that we should explore what a "housing plan" might entail, and seriously consider creating some form of housing board.</p>
TP	<p>Affordable Housing Board: I would like to see us create an affordable housing board. Having a standing board would be very helpful given the difficulty and breadth of the challenges we face on the affordable housing front. Such a board would aid the council in finding the most appropriate approaches to our ambitious goals in this area.</p>
LM	<p>Establishing an affordable housing board whose composition is appointed by council to create a master plan for affordable housing and homelessness policies and assist council with policy decisions on this complex issue.</p>
MC	<p>Housing &amp; Human Services Board</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The inclusion of stakeholders and the community on achieving council and community goals associated with housing is a clear priority. In preparing for the May study session, stakeholders will be invited to actively engage. Staff believes that the initial focus should be on the</p>

	development of a housing plan and the hiring of an Assistant City Manager for Housing as key first steps – and ensure those are in place first. The Council discussion regarding establishment of a board or commission related to Housing would be best served after those key first steps are achieved.
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**Information Technologies/ Communications**

LM	<p>Item not on work plan - I'd like to raise the issue of televising our study sessions more, including some important meetings (or parts of) of our boards. For years, I've brought of the idea of using radio to broadcast our city meetings. Also it'd be good if some app or some method could be devised so ipad users could use the current web stream</p> <p><b>STAFF RESPONSE/ INPUT:</b> This item, which is not on the work plan or included in the 2013 budget, is for Council discussion. Staff will be prepared to provide information and input.</p>
LM	<p>15-minute Science Tuesday talks have been well received and are great—thank you Suzanne and Macon! I wonder if we might consider offering these speakers the opportunity to provide a fuller presentation-perhaps up to 30-60 minutes, on our Ch 8 for our viewing audience.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item. Science Tuesday segments are currently separated from the full council meetings and the video is available online under video feeds for City Council Meetings. Beginning in 2013, a "Science Tuesday" tab has been added under Channel 8 programs that allows more intuitive access to the Science Tuesday archives. Individual presentations are currently under review to determine if they can be formatted to create a Science Tuesday series for rebroadcast on Channel 8.</p>

**Planning**

MA	<p>Zoning issues: Although perhaps nothing different could or should have been done, I was troubled by the latest two low-density residential projects (Junior Academy, N. Boulder at the old fire training site), since such densities are inappropriate for our future, especially on such relatively large sites. I'd like us to quickly look for and at other such potential problem locations and determine what we really want – the Mapleton hospital site comes immediately to mind, but I'm sure there are others. This is a high priority for me.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This would be a new work plan item and something else would need to be removed from the 2013 work plan to address it. Based on the information provided to council a few months ago by Ron Secrist, changes to the Mapleton hospital site are several years off. The area near the new hospital on East Arapahoe is the area experiencing the most change in the short term, and the East Arapahoe Area Planning Effort is on the 2013 work plan. The area adjacent to the Broadway site would be second in priority for a planning effort.</p>
MA	<p>Annexation issue: with some annexations likely, whether along east Arapahoe or in conjunction with a muni, I'd like us to take another look at the annexation "guidelines" that seem to have considerable import, are almost certainly outdated, and aren't widely known (since they are not in the code).</p>

LM	<p>Details of various annexation initiatives that may need to go forward.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  This would be a new work plan item and something else would need to be removed from the 2013 work plan to address this issue. While the guidelines are very helpful, it is also important to understand that there is also often considerable work that needs to be done with each annexation to address specific circumstances. An initial survey of the properties along east Arapahoe has been prepared as a follow up to Boulder County’s request that the city consider a proactive approach to annexation of this area. If the municipalization effort suggests a need to analyze annexation options , staff will return to council with information on any impacts to the work plan.</p>
MA	<p>Development review: I’ll mention this at some risk since I very much doubt we’ll change our process and I’m not sure how we’d go about doing so. But I’ve been troubled in a few key/important instances when Planning Board and staff spend a huge amount of time on a large/significant project, and at the end, when lots of money and effort have been expended, council just might overturn all or some of the agreement for various reasons. It would seem that if there were some way for council’s opinion/concerns to be available, even if tentative, earlier in the process then perhaps much effort and controversy could be avoided. Or maybe not. And, yes, we’re the final judge if there is a call-up. But the current process just doesn’t seem like the best we can do.</p>
SJ	<p>Planning &amp; Development Review Process: I would also like to have a broader discussion about whether there is interest in trying to improve the process for how Council weighs in on pivotal development projects that set the tone for a neighborhood or district, rather than merely waiting until a project is called up or not. I think the efficiency and efficacy of Council input might be improved in a number of ways (e.g., by weighing in earlier with general expectations, being more timely in completing area plans in advance of key development projects, and/or reviewing incentives to make sure we are encouraging what we want).</p> <p><b>STAFF RESPONSE/ INPUT:</b>  There is no provision under the current code to do this. An option council may want to consider is adding a provision in the code for City Council call-up of Concept Plan Reviews. Most significant projects require preparation of a concept plan, which goes to the Planning Board for review and comment. Concept Plans are prepared prior to investing the significant financial resources required for a site review and are an opportunity for an applicant to get feedback on a general development plan for a site.</p>
MA	<p>Storefront activity on pedestrian streets: this came up when we discussed the Camera building. I think we should explore zoning that requires active street-level operations along certain key pedestrian corridors (mostly/all downtown). Other cities have such things and we could copy their work so this doesn’t become a huge project, which it really shouldn’t be.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  This would be a new work plan item and would need to be prioritized relative to other code changes.</p>
LM	<p>Relooking at whether our commercial density bonus established for downtown and the affordable housing linkage fee is actually doing what was intended. I’m concerned that the linkage fee is woefully inadequate. I am also concerned that for the density bonus, no additional energy efficiency is required. This seems to contradict our community desire to significantly decrease our GHG footprint.</p>

	<p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item.</p>
LM	<p>Considering the real financial impacts that large format retail has on our infrastructure, workers' rights and benefits, full cost of recovery to city. Currently it appears Wal-Mart may be positioned to open its first store in Boulder through a closed by-right development process which it has used nationwide to get into communities before requesting some type of super center. Denver and other communities have been working on setting thresholds so that the negative impacts so well documented do not occur. The Boulder Chamber of Commerce strongly opposed Wal-Mart in the 1990's as they should.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item.</p>
LM	<p>Considering development and policy review on key projects in Boulder. Council may need to weigh in earlier on key projects that have the potential to have a significant impact on Boulder. From my perspective, several large projects have been passed that may have had a better outcome had the process been more thorough and the council had been more involved.</p> <p><b>STAFF RESPONSE/ INPUT:</b> This is a Council discussion item.</p>

**GREEN = Amended January 17, 2013**

**2013  
Study Session Calendar**

<b>Date</b>	<b>Status</b>	<b>Topic</b>	<b>Time</b>	<b>Televised</b>	<b>Location</b>	<b>Contacts</b>	<b>Materials Due</b>
01/15/13		Economic Update	6-7:30 PM	YES	Chambers	Eric Nickell	01/03/13
01/15/13		Retreat Preparation	7:30-9 PM	NO	Chambers	Alisa Lewis	01/03/13
01/18/13		Council Retreat	4-8 PM	NO	EBRC	Alisa Lewis	01/08/13
01/19/13		Council Retreat	8-5 PM	NO	EBRC	Alisa Lewis	01/08/13
01/29/13		<b>NO MEETING - CIVIC CTR. EVENT</b>					01/17/13
02/12/13		State of the City	5:00-5:30 PM	YES	Chambers	Patrick von Keyserling	N/A
02/12/13		Historic Preservation Plan (Joint Dinner with Landmarks Board)	5:30-7:30 PM	NO	Chambers	Susan Richstone	01/13/13
02/12/13		Comprehensive Community Housing Strategy	7:00-9:00 PM	NO	Chambers		01/13/13
02/26/13		Boulder's Energy Future	6-9 PM	YES	Chambers	Heather Bailey Heidi Joyce	02/14/13
03/07/13		Boards and Commissions Interviews	6-9 PM	NO	1777 West	Dianne Marshall	N/A
03/12/13		Boards and Commissions Interviews	6-9 PM	NO	Chambers	Dianne Marshall	N/A
03/14/13		Boards and Commissions Interviews	6-9 PM	NO	1777 West	Dianne Marshall	N/A
04/02/13		Boards and Commissions Reception with Council	5-6 PM	NO	Muni Lobby	Dianne Marshall	N/A
04/09/13		Transportation Finance (TMF)	6-8 PM	NO	Chambers	Chris Hagelin Laurel Olsen-Horen	02/28/13
04/09/13		Winter Storm/Snow Response	8-9 PM	NO	Chambers	Felix Gallo Laurel Olsen-Horen	02/28/13
04/23/13		Budget Update, Revenue Update and Ballot Measures	6-7:30 PM	YES	Chambers	Eric Nickell	04/11/13
04/23/13		Police & Fire Old Hire Pension Plans	7:30-9:30 PM	YES	Chambers	Eric Nickell	04/11/13
04/30/13		Assessment of Boulder Access and Parking Management Strategies	6:00-8:00 PM	NO	Chambers	Molly Winter Ruth Weiss	04/18/13
04/30/13		Climate Action Update	8:00-9:00 PM	NO	Chambers		04/11/13
05/14/13		Energy Roundtable	4:30-5:30 PM	NO	Chambers	Heather Bailey Heidi Joyce	N/A

**2013  
Study Session Calendar**

<b>Date</b>	<b>Status</b>	<b>Topic</b>	<b>Time</b>	<b>Televised</b>	<b>Location</b>	<b>Contacts</b>	<b>Materials Due</b>
05/14/13		Comprehensive Community Housing Strategy	6-9 PM	NO	Chambers	Jeff Yegian Randall Roberts	05/02/13
05/28/13		Human Services Overview	6:00-8:00 PM	NO	Chambers	Randall Roberts Karen Rahn	
05/28/13		Parks and Recreation Master Plan	8:00-9:00 PM	NO	Chambers	Kirk Kincannon Sally Dieterich	05/16/12
06/11/13		Work Plan Update	6-7 PM	NO	Chambers	Paul Fetherston	05/30/13
06/11/13		City Manager's Office - HOLD	7-9 PM				05/30/13
07/23/13		Civic Area Plan	6:00-7:30 PM	NO	Chambers	Leslie Ellis Sam Assefa	07/11/13
07/23/13		Zero Waste Management Plan	7:30-9:00 PM	NO	Chambers	Susan Richstone	05/16/13
07/30/13		TMP Transit System Design	6-7:30 PM	NO	Chambers	Randall Rutsch Laurel Olsen-Horen	07/18/13
07/30/13		Boulder's Energy Future	7:30-9 PM	NO	Chambers	Heather Bailey Heidi Joyce	07/18/13
08/13/13		CIP	6-9 PM	YES	Chambers	Eric Nickell	08/01/13
08/27/13		Parks and Recreation Master Plan	6-7:30 PM	YES	Chambers	Kirk Kincannon Sally Dieterich	08/15/13
08/27/13		Boulder's Energy Future	7:30-9 PM			Heather Bailey Heidi Joyce	
09/10/13		Recommended Budget #1	6-9 PM	YES	Chambers	Eric Nickell	08/29/13
09/24/13		Recommended Budget #2 Remaining Overarching Issues with OSBT	6-9 PM	NO	Chambers	Eric Nickell Mark Gershman Cecil Fenio	09/12/13
10/08/13			6-9 PM				09/26/13
10/22/13		TMP Update on Focus Areas	6-7:30 PM	NO	Chambers	Randall Rutsch Laurel Olsen-Horen	10/10/13
10/22/13			7:30-9 PM				
10/29/13		Cultural Master Plan Update	6:00-7:30 PM	NO	Chambers	Valerie Maginnis Leanne Slater	10/17/13
10/29/13			7:30-9:00 PM				10/17/13
11/12/13			6-9 PM				10/31/13
12/10/13		Tentative - Human Services Master Plan	6-7 PM	NO	Chambers	Karen Rahn Randall Roberts	11/29/13
12/10/13			7-9 PM				11/29/13



**2013 Council Retreat Questions & Staff Responses/ Input**  
**Regarding informational items**

**KEY:** The Council Retreat Committee asked Council members to identify items (Process, status updates, items not on the work plan, items that are on the 2013 work plan, and potential 2014 work plan items). The following is a compilation of requests identified by staff as **informational items** sorted in the following manner:

**Department Assigned**

Council member making request	Verbatim question/comment submitted by Council member  STAFF RESPONSE/INPUT: On question/comment submitted
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**City Manager's Office**

SA	<p>Reorganization of CMO: Housing and City Clerk: I would like more information on the plans for reorganizing the CMO. I do not feel well informed on this effort. In particular, I would like to better understand the decision to move the direct supervision of the Housing Division into the CMO and what, if any, changes are proposed for the City Clerk's functions and responsibilities.</p> <p><b>STAFF RESPONSE/ INPUT:</b> The City Manager's Office, which is not reorganizing, operates as a more fluid part of the city organization that is able to provide enhanced support and service to other parts of the organization on an interim basis. Based on an assessment completed by Jo Mattoon Associates in 2012, the oversight of the Housing Division was transitioned to the City Manager's Office in November 2012. The oversight of the Housing Division is intended as a temporary measure for a period of approximately 18 months while a new structure and strategic vision (which could extend beyond the Housing function) is developed. The process for determining a structure will encompass a broad view of organization-wide options.</p> <p>In 2012, an assessment of the City Manager's Office was completed with a primary focus on the City Clerk and Central Records functions. Based on that assessment and the number of vacancies in both areas, the City Clerk's Office and Central Records functions were separated to allow both to focus on rebuilding the respective operations and services. Central Records is currently under the supervision of staff within the City Attorney's Office, while the City Clerk's Office is focused exclusively on its functions. This structure will be re-evaluated at the end of this year to determine if a merger of both functions is appropriate at that time. No other changes to the City Clerk's functions and responsibilities are anticipated at this time.</p>
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## Finance

KCB	<p>Additional Resources: I'd also like to discuss whether we should re-prioritize dollars in order to increase the capacity of the city attorney's office. Several items have come up that take significant attorney time. Municipalization is clearly taking significant resources, and we know they are already working very hard there on a variety issues. Affordable housing and Amendment 64 requires additional staff time. Both of these issues are time-sensitive and I want to make sure we don't work our staff to death!</p> <p><b>STAFF RESPONSE/ INPUT:</b> There are several areas of potential resource need across the organization, including the City Attorney's Office. Staff will be prepared to address this and other areas of need during the upcoming 2014 budget process.</p>
SJ	<p>Explanation on City's investiture policies: a brief explanation from Bob Eichem on the City's investiture policies (in particular with regard to fossil fuel development companies)</p> <p><b>STAFF RESPONSE/ INPUT:</b> The city's investment portfolio does not include any investments that are involved with fossil fuel development companies. While the city's investment policies allow investments in corporate securities, there have been none in the portfolio since at least 2005, due to instability and volatility in the corporate bond and commercial paper market. The city's portfolio is currently invested in United State Treasury and Agency securities and bank certificates of deposit. The most recent investment report, which includes a breakdown of the types of investments owned by the city, can be found on the city website by using the following link: <a href="http://www.bouldercolorado.gov/files/Finance/investment_reports/120630_investmentreport.pdf">http://www.bouldercolorado.gov/files/Finance/investment_reports/120630_investmentreport.pdf</a></p>

## Open Space

SA	<p>Chapman Trail and Red Lion Bridge: I would like to better understand the agreement struck with Chris Mueller re: the cost of the bridge replacement as well as the plans for use of the new trail. Specifically, what is the rationale for the distribution of costs between the City and Chris Mueller for the bridge replacement and what is the agreement for ongoing maintenance? In addition, what is the process and timeline for discussing bike use (both ways) and dog access on this trail?</p> <p><b>STAFF RESPONSE/ INPUT:</b> In 2008, the OSMP began negotiations for the City's purchase of the Bonnie Schnell property. During these negotiations the Red Lion bridge which was used to access both the Bonnie Schnell property and the Red Lion Inn was destroyed in a flood event and replaced with a temporary structure by Chris Mueller the owner of the Red Lion Inn. The building and funding of a new permanent structure became a new and extremely difficult contract issue in the City's acquisition of the Bonnie Schnell property. In June of 2011, the OSMP Department obtained council approval for the purchase of the Bonnie Schnell property with the understanding that a bridge-funding agreement was still in the negotiation stage with Mueller / Red Lion Inn. The council memo for the Bonnie Schnell purchase also sought approval for an additional \$300,000 from the OSMP acquisition budget for a financial contribution towards the new permanent bridge and the construction of a trailhead and parking area improvements. The resulting agreement for the bridge construction gives sole ownership of the new bridge</p>
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to the City. OSMP will provide routine maintenance of the new bridge (considering the new bridge is made entirely of concrete this should be minimal.) Any nonroutine maintenance, repair or the replacement of the new bridge shall be borne by all users of the new bridge in proportion to their usage.

The following factors entered into the final negotiations for the bridge funding agreement:

- Chris Mueller / Red Lion Inn had paid \$165,000 to construct the temporary bridge.
- The existence of the temporary bridge was essential to the ability to construct a new permanent bridge.
- Chris Mueller / Red Lion Inn had additionally incurred substantial engineering fees for the design of the new bridge.
- The Schnell family was willing to reduce its selling price to the City by \$50,000 as a contribution for the new permanent bridge fund.
- The City Public Works Department estimate for the cost of OSMP independently building its own new bridge to be as much as \$700,000.
- The temporary bridge was entirely owned by Mueller / Red Lion Inn; in the absence of a bridge funding agreement, Mueller took the position that OSMP and the Schnell's would be prohibited from using his bridge to either access their respective properties or utilize this temporary bridge to build their own bridge; leaving the City in a position of seeking legal remedies with attendant time delays, expenses and uncertain outcomes.

*Financial Summary*

The final financial analysis of the bridge funding agreement looks as follows:

Mueller / Red Lion Inn: \$280,000 ( \$165K for the temporary bridge + \$115K for the new bridge)

Schnell Family: \$50,000 (reduction in the agreed upon purchase price)

OSMP : \$235,000 (theoretically saving as much as \$400,000 in cost for OSMP to independently build a bridge)

*Public Input Process for the Chapman Drive Trail*

1. Throughout January, OSMP staff will meet with various key stakeholder groups and other possible interested parties to seek feedback on potential access options on Chapman Drive Trail.
  - a) Staff set face-to-face meetings with the following stakeholders: BMA, FOBOS/BCNA, BATCO and FIDOS. Meeting dates have been set for the week of Jan. 7, 2013.
  - b) OSMP will provide options mentioned in the Dec. 12, 2012 Board memo. Staff will seek input from stakeholder groups for additional management possibilities.
  - c) Staff will conduct an analysis of each of these alternatives to examine the benefit/impact factors for each.
  - d) Notification letters will be sent to: cultural organization, local residents, county Transportation Department, Colorado Mountain Club and the CCG members about the opening of the trail and the schedule for the public input process.
2. On February 13, OSMP will host an open house to present maps and descriptions of the alternatives discussed with stakeholders and the public regarding visitor access options on Chapman Drive Trail. This will be a public meeting where staff will seek input from the public at large. The feedback received will be used to further refine staff's analysis and recommendations for Board consideration.
3. In March, OSMP staff will present the range of options explored along with the departmental recommendation to the Board at its March 13 meeting.

**Public Works**

LM	Passive solar: It has been brought to my attention that about 6 years ago during the renewal of the Green Points program that passive solar was somehow eliminated as a major way to obtain Green Points for one's house. I would like to look at this provision in our Green Points program and
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	<p>have passive solar revised to receive greater credit. I think in our climate and given the city's goals of ghg emissions, every structure built here should incorporate elements of passive design into its structure. I'd like to see changes in our city of Boulder building code that encourages passive solar design. Passive solar is an excellent, very low cost/no cost way to heat and light one's home or building. In contrast to active solar such as PV panels, solar hot water, no additional cost is needed for passive solar and since there are no moving parts, nothing breaks. It just works 365 days out of the year, using a free, non-polluting, and limitless resource to space heat the building.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  During the last Green Building and Green Points (GBGP) update, staff attempted to retain a balanced point value for passive solar design. Prescriptive passive solar points, which can be applied to remodels and additions, were maintained at a level consistent with the previous program in regard to point weighting. However, for new construction, the Home Energy Rating System (HERS) was adopted as the method for demonstrating energy efficiency compliance. We understand that HERS has been criticized as not reflecting all of the benefits of passive solar design. While those benefits may be better reflected by energy modeling tools more complex than HERS, it is our belief that HERS does not limit the application of passive solar design. Most of the high performance homes built in Boulder which have used the HERS to demonstrate code compliance also pay attention to window orientation and its impacts on the heating and cooling of the home. The other components of a building generally associated with lower HERS numbers are also conducive to passive solar design, such as improved thermal envelope and more efficient appliances. Additional passive solar modeling options are being developed and are expected to be available for consideration during the next code update.</p>
SJ	<p>Eldora Ski Area expansion/watershed protection--will a proposed plan be coming forward in 2013 that staff will need to respond to?</p> <p><b>STAFF RESPONSE/ INPUT:</b>  The city submitted comments to the US Forest Service regarding the Eldora Mountain Resort expansion EIS scoping in late 2012 and expects the draft EIS to be released in approximately the third quarter of 2013. Detailed information about the project including the current status and a process flow chart are available at <a href="http://eldoraeis.com/">http://eldoraeis.com/</a>. Next steps will be dependent on the extent to which the draft EIS addresses issues raised by the city through the scoping process.</p>
MC	<p>Dark skies Implementation: We passed this ordinance eleven years ago, with a 15-year amortization or phase in period. The time is nearly up, when people are required to replace fixtures causing glare in order that, with compliance, "people can see the Milky Way Galaxy from residential...areas," as the introduction to the ordinance states at BRC 9-6-16(a)(4). We need an education and outreach program so that the purpose of the ordinance can be achieved.</p> <p><b>STAFF RESPONSE/ INPUT:</b>  In 2003, the City Council approved an outdoor lighting ordinance as part of its land use regulations. All new structures must comply with the requirements through discretionary review and building permit/inspection processes. Existing structures seeking building permits that exceed a portion of the Boulder County Assessor's actual value of the existing structure are also required to comply. The amortization period for all properties to comply is in 2018. Prior to 2018, options for bringing existing properties into compliance will need to be explored. This should be considered as a potential 2014 work plan item.</p>



**CITY OF BOULDER  
OFFICE OF THE CITY CLERK**

**City Clerk, Central Records, Citizen Services, Municipal  
Elections, Boards and Commissions, Sister City Liaison**

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**MEMORANDUM**

To: Boulder City Council Members

From: Lynnette Beck, Acting City Clerk

Date: January 15, 2013

Re: Board and Commission Letters for the 2013 City Council Retreat

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Attached please find the letters submitted from the boards and commissions for consideration at your 2013 City Council Retreat.

**From:** Cook, Mishawn

**Sent:** Friday, December 14, 2012 4:18 PM

**Subject:** Recommended 2013 priorities for City Council from Beverage Licensing Authority

At their November 21, 2012 hearing, the BLA directed me to send the attached chart for their suggestions of changes to alcohol policy and resource use by the City of Boulder. In addition, the BLA wanted me to highlight 2 areas where additional work or resources are required:

- 1) Council is encouraged to dedicate additional resources for more staff and more funding for BPD alcohol enforcement.
  
- 2) Council is encouraged to take action on the Land Use alcohol item as soon as is possible.

Thank you, Mishawn

Mishawn J. Cook  
Tax and License Manager, CMC  
City of Boulder Finance Department  
Main: 303-441-4192

**Beverage Licensing Authority (BLA)**

**Incentives, Regulation, Education, & Enforcement Options Chart with BLA majority input from May 20, 2009 and August 19, 2009 BLA Public Hearings**

<b>1) Objective:</b> Provide <i>incentives</i> to license applicants and existing licensees to operate liquor licensed establishments in a responsible manner.			
<b>Goal:</b> To reduce over-consumption through non-regulatory incentives, often in cooperation with Responsible Hospitality Group (RHG), a local volunteer trade organization of liquor licensees.			
Option	Resource Impact	Timeframe	BLA Input
a) Periodic specialty training, such as door staff/ security training, fake/ false IDs, & best practices for private parties.	RHG and BPD	Currently Done	Yes. BLA suggests that further specialty training might be encouraged through use of DBI & DUHMD contacts.
(cont.) Assistance and suggestions for struggling licensees.	BLA, Licensing, w. help of RHG, DBI, & BPD	Currently Done	Yes
(cont.) RHG membership as mitigating factor by BLA.	BLA	Currently Done	Yes
(cont.) BLA hearing attendance and mentoring.	RHG Chair	Currently Done	Yes
b) Occupation tax waiver for half of RHG dues.	City	Future Option	No, RHG membership should have value itself.
c) Honor Licensees who have no violations after 10 and 20 years of operation.	RHG with input from the City	Future Option	Yes, BLA discussed that IDing is uniformly done, but avoidance of over-service should be new focus.
d) Advertising campaign on over-service and community expectations.	City, RHG, & perhaps CU	Future Option	Yes, BLA states, as in New Zealand, campaigns, for ex., "We serve drinks, not drunks" campaign was effective. Added funds or grant needed.

<b>2) Objective:</b> Broaden application of state and city <i>regulations</i> to local licensing processes, for better notice of public hearings, increase community involvement, license information, and to ensure compliant operation of establishments.			
<b>Goal:</b> To reduce over-consumption through current and enhanced regulatory means.			
Option	Resource Impact	Timeframe	BLA Input
a) Mandatory renewal hearings after over-service violations.	Licensing and BLA	Future Option-1 <sup>st</sup> Priority	Yes, however, first BLA must be presented with over-service violations for show cause hearings.
b) More thorough investigation of renewing licensees.	Licensing, city enforce depts., and BLA	Future Option	Yes, renewal hearings have shown positive changes at licensed locations w. issues and renewals deserve annual scrutiny.
c) CU participation of BLA hearings for license applications located in its neighborhood.	CU, Licensing, and BLA	Future Option-1 <sup>st</sup> Priority	Yes and BLA suggests that when CU is in designated Neighborhood to send notice to Gary Chadwick at CU who might coordinate CU's response on license applications.
d) (i) Reexamine 500 foot waiver for H&R adjacent to CU.	Input from CU, enacted by City, and followed by Licensing	Future Option	Yes, BLA by majority suggests reexamining the 500 ft. waiver, along with the definition of CU campus boundaries and amending to allow Beer and Wine licenses as more fully described below.
d) (ii) Reexamine CU principal campus definition as it relates to 500 foot waiver.	Input from CU, enacted by City, and followed by Licensing	Future Option	Yes, BLA by majority suggests reviewing what Denver does surrounding DU and other CU campuses.
d) (iii) Consider amending waiver to Beer & Wine licenses rather than Hotel-Restaurant which serve hard alcohol.	Input from CU, enacted by City, and followed by Licensing	Future Option	Yes, BLA by majority suggests review if city should allow inclusion of beer and wine licenses and if city could require that Uni Hill licensees convert to Beer and Wine and/or how best to provide incentives if city can't require conversion from H&R licenses. BLA discussed that Beer and Wine class licenses & not have a 40% beverage

			requirement, and as such, the BLA by majority is opposed to inclusion of Beer and Wine licenses in this area unless the zoning definition of "restaurant" includes a mandatory food percentage.
g) BLA evening meetings.	BLA and Licensing	Future Option-1 <sup>st</sup> Priority	Yes, BLA is in favor of this change to make hearings more available to neighbors. BLA suggests collecting data on whether other local licensing boards meet at night. <i>[Public comment: As of last RHG 5/21/09 mtg., RHG is not in favor of evening meetings].</i>
h) Mandatory license application notice to all addresses within 300 foot radius	Licensing and Zoning	Future Option	Yes, BLA, like council, thinks this is valuable, but feels that 600 ft. radius is better and realizes that licensing can only do this type of notice if it gets funds to complete it. BLA also feels legal notice text is too small. Also suggests better BLA notice through Neighborhood Associations, HOAs, ad campaigns, NFCH, Channel 8, and any print material, such as city newsletter.
i) BLA license renewal hearings required for 1 <sup>st</sup> year of license.	BLA, BPD, City Staff, Licensing, and new Licensees.	Future Option-1 <sup>st</sup> Priority	Yes, BLA suggested that they might have renewal hearings with all new licensees to review how first year of business operations went, acknowledging council's concern with heavy pours and over- service. This would allow BLA to intervene early and assist if there are problems at licensees. BLA did discuss if business licenses could add supplemental local conditions to establishments.
j) BLA will change procedure that allows licensees to select own suspension days	BLA and Licensing.	Future Option	Yes, BLA by majority determined to change hearing procedure allowing licensees to select their own suspension days, instead making all suspensions for violations from a show cause hearing begin on same date.
k) BLA suggests to review what changes in state law would be required to mandate server training and changes to BRC for server training in 90 days.	BLA, City, Licensees, and Licensing.	Future Option	Yes, BLA by majority would like council to discuss what changes in law are needed to advocate training requirement. BLA held a hearing and suggests a change to BLA Rules of Procedure so that server training is completed in 90 days, rather than 6 months and is renewed every 3 years. <i>[Public comment: RHG says that immediate training may be impossible unless e-training is accepted by BLA].</i>
l) BLA suggests review of petitioning practices and supplemental information	BLA, City, Applicants, and Licensing.	Future Option	Yes, BLA thinks that petitioning should be reviewed, as to if city could have more control over petition practices. BLA commented that local fees are maxed so the city would need to make a significant increase in licensing funding for petitioning oversight. At a minimum, BLA discussed that petitioners should provide total numbers of existing licenses already in designated Neighborhood and day of week.
m) Undue Concentration data to BPD to allow for a more extensive review.	BPD and Licensing	Future Option	Yes, BLA thinks that resource materials should be given to BPD command staff when an undue concentration opinion is requested so all parties better understand legal question.

**3) Objective:** Encourage *education* participation in responsible alcohol service training.

**Goal:** Reduce perceived culture of over-consumption in our liquor licensed establishments through better *education* of our business owners, managers, servers, and door staff.

Option	Resource Impact	Timeframe	BLA Input
a) Boulder acceptance of e-version of server training.	City, BLA, Licensing, & outside vendor trainers	Future Option	No, BLA thinks that if state does not accept it, Boulder should not. <i>[Public comment: RHG suggests that this would be less expensive and more immediate for licensees].</i>
b) New liquor licensee mentoring.	RHG, DUHMD, Licensing, BPD, & Boulder Chamber.	Currently Done & Future Option: With clerk at inspection-1 <sup>st</sup> Priority.	Yes, BLA thinks that this mentoring should happen prior to receiving liquor license.

c) State law changes to certify or license servers independently	BLA, City, Licensees, and Licensing.	Future Option	Yes, BLA by majority would like council to discuss what changes in law are needed to advocate training requirements mandating licensing servers independently before they can apply for jobs. See also Objective 2, option K for other local changes.
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4) **Objective:** Comprehensive *enforcement* of state and local laws to mandate responsible operation of liquor licensed premises to reduce over-consumption and over-service.

**Goal:** To reduce over-consumption through active enforcement of current and enhanced regulations.

Option	Resource Impact	Timeframe	BLA Input
a) Targeted food percentages auditing.	BLA, Licensing, & Finance	Future Option	Yes, BLA thinks this should occur when needed.
b) BPD Patrols in parking lots and alleys to enforce against public consumption.	BPD	Future Option	No, BLA thinks that BPD officers are already in license dense areas. BLA asked that surrounding neighborhoods also be included in patrols and that bike patrols should be added.
c) Universal Trespass Agreement among Licensees	Boulder Licensees	Future Option	Yes, but BLA recommends to RHG that this item should be a cooperative effort among its members for them to undertake independently.
d) Random selection of licensees to undergo yearly compliance checks to allow more officer time for undercover enforcement.	BPD	Future Option	No. BLA is opposed to random selection of licensees for compliance checks, but BLA supports a distinction between low risk and high risk locations for compliance checks. BLA is also concerned that BPD resources may be lost if officer time is freed up, and that this item alone would not enable BPD to undertake more undercover actions since alcohol officer is so recognizable to licensees. Instead, added funding/officer resources must be available for on-site stake outs, esp. over-service, fake IDs etc. to allow 2 officer undercover ops.
e) Provide full funding for BPD alcohol undercover enforcement operations, such as over-service and fake/false IDs checks.	City and BPD	Future Option	Yes, BLA strongly recommends this option and suggests combination of it with below item i. As described above, BLA feels that the alcohol officer must have depth of resources to involve 2 officers when warranted to address known over-service or fake IDs etc. issues at licensed establishments.
f) City press release to publicize licensees that pass annual compliance checks.	City	Future Option	No, BLA thinks that this option would be supportive of licensees but would not reduce over-consumption issues.
g) Publicize licensees who confiscate fake/false IDs.	City, BPD, and poss. CU	Future Option	Yes, BLA thinks that this option would be a good idea; however, BLA would suggest it to CU, with a focus on marketing to young persons at welcome back to school time. Alcohol Strategy Group or CU Communications might take the lead on press release/articles for this.
h) Earmarking fines in lieu of suspension for BPD enforcement/education after deposit into general fund.	BLA, City, and Finance.	Future Option	Yes. However, often the deterrent effect is lost with fines. BLA suggests that if a fine is accepted, then fine should be paid for total of suspended and abeyance days. CAO/BLA notes that per law fines in lieu are to be deposited into city's general fund of local licensing authority.
i) Provide educational outreach to licensees who do not confiscate fake IDs.	BPD and Licensing	Future Option	Yes, BPD currently does some interventions in this area and BLA has seen some positive results with renewal discussions.

\*Options that would require minimal additional staff resources or would require minimal additional collaboration, other than that which is currently occurring, from other city departments, BLA, and other community entities are identified above as **shaded** options.

\*\*It is important to note that above listed options if selected will result in increased staff resource requirements, including but not limited to, Licensing Office, Boulder Police, City Attorney's Office and Finance departments. Additionally, there is likely to be an economic development impact in connection with above listed items.

**DATE:** December 28, 2012

**TO:** City Manager, Jane Brautigam  
Members, Boulder City Council

**FROM:** Boulder Arts Commission

**SUBJECT:** Boulder Arts Commission Priorities that Inform the 2013 City Council Work Plan

Dear Mayor Appelbaum and Members of the Boulder City Council:

The Boulder Arts Commission (BAC) appreciates the opportunity to give input and feedback related to the upcoming 2013 City Council Work Plan.

The BAC is pleased to be participating in the Civic Area plan and underscores the importance of re-defining the "Civic Heart" of our community and the vital role the arts will have in that process. Further, the BAC sees the value in the revitalization of the University Hill commercial area into a "creatives hub," an incubator of sorts for creatives industry start-ups, and looks to partner with others to make that a sustainable reality. Similarly, we support other community-driven efforts to add vitality and create a sense of place, through such mechanisms as the creation of arts districts for example.

Along these lines, the BAC strongly endorses the inclusion of public art in the Civic Area, University Hill, Boulder Junction, as well as other areas of the city, and sees this as one of our top priorities within the framework of the council work plan. Public art engages and enriches the community, defines a sense of place, contributes significantly to sustaining a healthy and socially thriving community, and enhances the economy. The Boulder Arts Commission seeks City Council's support in determining how to establish a dedicated funding mechanism for public art, such as a certain "Percent for the Arts."

The major way that the BAC can assist Council reach its goals is by updating the Cultural Master Plan. With Arts Division staff, the BAC will review and study the recent assessment of the Arts Division. Working from the assessment's conclusions and suggestions, the BAC will help develop a collaborative process that identifies specific ways that the cultural arts can engage with other members of the community to further the Council's goals of economic, social and environmental sustainability in Boulder.

The BAC knows that Council's support of the arts is not just for arts' sake, but because the city acknowledges the potential of a creative, entrepreneurial group of individuals always looking for ways to improve its community, to make Boulder a vibrant place to live, work and visit.

The Boulder Arts Commission thanks the Council for its strong support of the cultural arts in Boulder and looks forward to being a strong partner in turning its vision into reality in any way the BAC can.

Respectfully,

*A. Richard Turbiak*

A. Richard Turbiak  
Chair, Boulder Arts Commission

Linda Haertling, Brandy LeMae, Ann Moss, Anna Salim  
Boulder Arts Commissioners

## **Boulder Design Advisory Board – Letter to Council – 2013 Concerns**

**BDAB wants better urban design.** BDAB wants a bigger role in discussions about Sustainable Streets and Centers, the Diagonal Plaza, SODA/Civic Center, Boulder Junction, sub-area plans, long range plans, affordable housing, ADU's corridor infill, and any initiatives where our Board can be **less reactive and more proactive**, to help make city design more predictable, delightful, and effective.

**BDAB wants more holistic, coherent, and predictable rules and better coordination between review bodies.** Roadblocks to better urban design include 13 different design guidelines, written and administered by several different Advisory Boards, all operating independently. This complexity influences everyone's design thinking, planning and reviewing, and impacts applicants, neighbors, reviewers, staff, and even council. It's confusing and it reinforces information "silos" that inhibit collective intelligence.

**Our Design Guidelines need updating.** Most of the Downtown Design Guidelines haven't been touched in 20 years. BDAB has been taking notes. We can use our reviewing experience to improve the guidelines, and the process, if we are given council direction to propose updates. BDAB recently coined the phrase "**ransom note facades**" to describe the chaotic mix of building materials and wall geometry that our dated Design Guidelines *require*! BDAB can fix that. We can update the Guidelines to encourage more meaningful, familiar, coherent, and sustainable urban architecture that neighbors can understand and welcome.

**We need more cross talk between Boards.** BDAB's architects are generalists by training, used to working with complex teams with competing interests. Last year, BDAB began dialogues with the **Planning & Landmarks** Boards. (One meeting and a walking tour, so far.) This year, BDAB wants to meet with the **Transportation, Housing and Zoning** Boards too. City design is a comprehensive effort. Cross talk between otherwise isolated specialists, in information "silos," is essential and necessary. Both Blue Ribbon Commissions called for breaking down "silos" throughout the city. BDAB wants more cross talk, between *all* the advisory boards, so we can educate one another, and then plan better. Council direction could encourage annual meetings between the Boards, as a start.

**BDAB wants to proactively engage Long Range Planning, before problems arise, or opportunities get overlooked.** When neighborhoods evolve in a piecemeal fashion, one building at a time, neighbors feel caught off guard and their surprise can create NIMBY panic. When planning a more sustainable future, this kind of reactionary activism (NIMBY) becomes a roadblock to progress that stops both good and bad plans alike. Long Range Planning and thinking, if voiced well, can reduce NIMBY uncertainty and invite civic engagement. Boulder's progress will remain contentious, difficult and expensive, without more predictable and comprehensive physical, form-based, planning. BDAB wants to help promote and voice long range thinking in our discussions across the Board(s).

### **2012 BDAB suggested priorities include:**

1. **Update Design Guidelines.** BDAB wants to propose changes to problem guidelines, and add a few brief design principles, for areas without any Guidelines, and as broad coordinating language between the 13 existing sets of guidelines. (We already have these principles 75% done) BDAB wants to leverage our experience to establish common ground between existing guidelines, and to provide guidance where no guidelines exist.
2. **Improve Design Review Sequence and Inter-Review Board cooperation:** BDAB wants to expand our cross-talk to include Planning, Landmarks, Transportation, Housing, and Zoning Boards, to reduce circular and contradictory reviews, breakdown Board "silos" and share knowledge between us, to inform all of our work.
3. **Engage long range planning:** BDAB wants upfront involvement in long range analysis and planning. For example, BDAB wants to engage the Sustainable Streets project, exploring how to tie Area Plans and city form together, to make a meaningful, and predictable, whole. Quarterly lunch meetings could support this holistic effort.
4. **Infill Development issues:** BDAB supports making **Accessory Dwelling Units (ADU's)** and **Transit Corridor Infill**, ("Sustainable Streets and Centers") high priorities this year. These two things are the most effective measures we can take to reduce GHG's (pollution & climate change) and VMT's (driving, commuting & unaffordable housing), immediately and long term. Both solve myriad problems and critical path steps towards making Boulder a walking and transit friendly city.

Respectfully submitted,

*Fenno Hoffman, Paul Saporito, David Biek, Jeff Dawson & Michelle Lee*  
Boulder Design Advisory Board, 1/04/2012 – 10:49am

To: City Council  
From: BHP Board of Commissioners  
Re: Council Goals 2013 – response to the 4 questions  
Date: December 21, 2012

1. What are your top priorities within the framework of the Council work plan?
2. What would you like to see done that would advance the Council goals?
3. How can your Board help with the goals?

## **Inclusionary Housing**

- . As the city continues to evaluate the IH policy, BHP can be of assistance by
  - Thinking with staff about policy impacts and options;
  - Thinking with staff about how to use the city/housing authority relationship to make the IH ordinance more responsive to the rental market.

## **Homelessness**

- . BHP will continue to be the grant recipient and grant administrator for the two existing Housing First scattered site initiatives in Boulder: the ten units at Holiday in partnership with Mental Health Partners and the 26 scattered units in partnership with the Boulder Shelter.
- . BHP will continue its work to develop permanent supportive housing at 1175 Lee Hill. We appreciate the city's continued support of this project.

## **Affordable Housing**

- . BHP is scheduled to break ground in the spring of 2013 on its affordable rental property for seniors in south Boulder. We appreciate the city's continued support of that project.
- . BHP expects to close on the purchase of the Wallace Vacuum site on Valmont before the close of 2012, which will be incorporated into Phase 2 of our Red Oak Park expansion, along with the existing Valmont frontage.
- . We will continue to look for new opportunities and projects to contribute to the city's 10% goal.

## **Climate Action**

- . BHP will continue its investment in our Board-adopted Sustainability Plan with the following goals:
  - o creating the nation's first inventory of net-zero public housing;

- educating our residents on energy efficiency;
- implementation of a comprehensive tracking system for overall energy performance;
- continue implementation of sub-metering to put residents in charge of their energy consumption;
- continue to convert to low water landscaping and greater use of non-turf surfaces.

. Progress to date includes:

- Installation of 652Kw of solar on a total of eleven properties;
- Installation of extensive energy and water conservation measures at all 8 public housing properties;
- Completion of a \$1.4 million green renovation program at Canyon Pointe apartments;

4. Are there any other items the Council should address in the coming year?

- . We continue to work with city staff on a final draft of an update to our Intergovernmental Agreement. We hope to bring that to you in the first half of 2013.
- . We are interested in continuing in the discussion of the new vision and organization of the Division of Housing, and being a resource and help wherever we can be to the city.

## **Boulder Junction Access District City Council Priorities 2013**

1. What are your top priorities within the framework of the council work plan?
  - Allowing the development of the Transit Village north of Goose Creek by creating a realistic framework for parking in the District.
  - Set a high priority to support the future development in Boulder Junction north of Goose Creek. City Council should formally recognize that the delivery of FasTracks before 2044 is unlikely and future development projects which need significant investment will require more flexibility compared to TVAP.
  - Boards to formulate a recommendation to council regarding the future use of the city-owned Pollard site. Consideration should be given to the following:
    - The impact on future development within the district to the current district parking availability and performance.
    - The capacity of current district parking to support development on the city site, i.e. whether the district parking can support reduced parking at the city site.
    - The types of uses planned for city site and the resulting impact of each type on district parking.
    - Long-term does the city site need to consider **additional district-managed parking?**
  
2. What would you like to see done that would advance the Council Goals?
  - Provide quarterly updates to council regarding: 1. Current and planned development activity within the district. 2. Board assessment of development impact to the district as it relates to the performance of current district parking and future planned district parking.
  - The City work to plan for shared parking in the area north of Goose Creek as development progresses.
  
3. How can your board help reach the council goals?
  - Work to make recommendations to the Council on how the parking plan and guidelines can clear the path for sensible development in the area.
  - Finalize and implement transit and parking infrastructure projects at Boulder Junction to facilitate the construction of additional affordable housing and mass transit alternatives.
  - The BJAD boards should set a high priority to recommend to Council any changes to TVAP and the MU-4 zoned properties north of Goose Creek which will promote future development.

- It may be beneficial for a member of each board to provide periodic “in person” updates to council or to a specific council member
4. Are there any other items that council should address in the coming year?
- Insuring that a clear path to redevelopment of the Transit Village can continue in ways that are economically viable and free of surprises or poor communication.

BJAD Commissioners:

Boulder Junction Access District Parking:

Scott Pedersen, Chair, property owner

Jeff Shanahan, property owner

John Koval, property owner

Jeff Dawson, citizen at large

Bob Sutherland, property owner

Boulder Junction Access District TDM:

Scott Pedersen, property owner

Jeff Shanahan, property owner

John Koval, property owner

Jeff Dawson, citizen at large

John Pawlowski, Chair, property owner

TO: Boulder City Council and Jane Brautigam, City Manager  
FROM: Boulder Public Library Commission  
DATE: December 20, 2012  
SUBJECT: Library Commission priorities that inform 2013 Council Work Plan

1. What are your top priorities within the framework of the council work plan?

The renovation of the Main Library is a top priority of the Library Commission. Voter approval of the Capital Improvement Bond Initiative (ballot item 2A in 2011) has enabled the Boulder Public Library to move forward with this project. Total project funding of \$3,166,000 includes \$2,450,000 in bond funding and \$716,000 from the Facility Renovation and Replacement fund. This project supports the current City Council goals (and work plan) involving Climate Action Plan and the Civic Area.

This renovation project will support the Climate Action Plan by reducing greenhouse gas emissions and maximizing energy efficiency by addressing general facility deficiencies related to lighting and electrical systems, repairing the leaking clerestory glazing system, and ensuring that design elements are compatible with future heating, ventilating, and air conditioning (HVAC) improvements.

The guiding principles for the Civic Area project, approved by the City Council on November 1, 2012, indicate that as the “Civic Heart” of Boulder, the Civic Area will represent the cultural richness and diversity of our community, be a model of design excellence reflecting forward thinking, and be designed to be welcoming, accessible, comfortable, clean and safe. The BPL, being a cornerstone for this area, is included in the planning opportunities. Current renovation plans for the 1992 and 1974 wings of the Main Library (areas included are the children’s and teen areas along with a café) and future opportunities for renovating the 1961 (north) wing align with these guiding principles. Furthermore, the current library renovation project will identify opportunities and recommendations for incorporating public art which will be funded from a source separate from the renovation budget.

2. What would you like to see done that would advance the council goals?

The Library Commission would like to see the city expand day services to homeless people in accordance with its Addressing Homelessness goal. In particular, sufficient day services for the homeless population including those who have drug and alcohol dependencies and/or mental health issues could relieve pressure from the library and its environs, allowing more focus on library mission-critical services.

3. How can your commission help reach council goals?

In 2013 the Library Commission will:

- A) Work with Studiotrope Design Collective, the public, and library staff to achieve the best possible library renovation for Boulder,

- B) Be involved, along with other boards and commissions, in the Civic Area project, and,
  - C) Consider council goals as Library Staff and Commission begin the process of updating the Library Master Plan.
4. Are there any other items the council should address in the coming year?
- A) Gun Laws – The Library Commission strongly supports future legislation that would allow Colorado cities to prohibit guns in public libraries consistent with the prohibition allowed for K-12 schools.
  - B) Library Service in North Boulder – With the goal of having library services in North Boulder, an active neighborhood group is working toward a possible storefront library. They have already funded three “Little Libraries” (<http://noboartdistrict.org/NoBo-Little-Libraries>). A new storefront library would serve several affordable housing sites, thereby supporting the city’s Affordable Housing goal as well as the Climate Action Plan by reducing vehicle miles traveled. Commission would like City Council’s support as we work with this group to explore opportunities for library services in North Boulder.
  - C) Research a Library District as a Mechanism to Stabilize Funding – In conjunction with a Master Plan update, the Library Commission has commenced with a long-range planning effort involving an evaluation of program priorities. This effort includes an evaluation of expenditures, revenues, and performance measures as well as options to stabilize funding. This leads to the consideration of alternative funding and governance options including, but not limited to, the creation of a library district. Commission requests City Council’s support and feedback as we research and pursue this goal.
  - D) Virtual Library Branch – The modern, technological world demands a library which embraces the best technology possible and supports patrons in their use of and education about technology, particularly for information services. The Library Commission requests the support of City Council as we work with library staff to define and evolve the library’s website into a Virtual Branch Library.

Sincerely,  
Annette Mitchell  
Chair, Boulder Public Library Commission

## DMC City Council Priorities 2013

1. What are your top priorities within the framework of the council work plan?
  - **Civic Center Master Plan:** Solidify an excellent Master Plan for the Civic Center that reflects the Boulder community and enhances the Downtown experience. Consolidation of the city facilities into a state of the art building and improve the functionality of our overall park and gathering areas. Also, it is critical to think long term and to make sure that the planning that is put forth has a realistic budget to fulfill the design and program for the area. It should be a welcomed addition into the community and serve as a proud example of the diverse interests and people of those living in Boulder.
  - **Address homelessness issues**
  
2. What would you like to see done that would advance the Council Goals?
  - Better outreach and communication between Council and the Boards and Commissions as this is an integral part of achieving and advancing the goals set forth.
  
3. How can your board help reach the council goals?
  - Being active participants in public meetings and assist in organization of meeting focus.
  - Sit on committees or project task forces as representatives.
  
4. Are there any other items that council should address in the coming year?
  - Retaining Boulder companies in the downtown area, with specific needs to the tech industry focusing on keeping downtown Boulder a vibrant place for an energetic work force. Focus on how the public and private sectors can work together to retain growth in the downtown area.
  - Forecasting downtown parking needs
  - West End Streetscape revitalization project
  - Continuing to support the vitality of the Mall and downtown Boulder.

Downtown Management Commission:

John Koval, Chair, property owner  
Christopher Cornelius, Vice Chair, property owner  
Sue Deans, citizen at large  
Virginia Patterson, representative of property owner  
Scott Crabtree, citizen at large



**CITY OF BOULDER**  
**Environmental Advisory Board**

email [boulderplanningboard@bouldercolorado.gov](mailto:boulderplanningboard@bouldercolorado.gov)  
web [www.bouldercolorado.gov](http://www.bouldercolorado.gov)

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**To:** Boulder City Council  
**From:** Environmental Advisory Board  
**Date:** December 26, 2012  
**Subject:** EAB's Recommendations for 2013 Focus Areas

We thank you for this opportunity to provide the Environmental Advisory Board's (EAB) input and recommendations on Council's work plan and goals for 2013. EAB held our retreat on November 28, 2012 to identify top focus areas for 2013 and to develop EAB's Work Plan as outlined below. The EAB has identified three focus areas for the coming year:

- 1) Boulder's energy future;
- 2) Next steps for Boulder's climate commitment; and
- 3) Commercial energy efficiency strategy (CEES).

In addition to these focus areas; EAB has identified five guiding principles for our work in 2013: (1) conservation of resources (2) greenhouse gas (GHG) and pollutants emissions reductions, (3) public-private partnerships, (4) encouraging behavior change and public engagement, and (5) environmental and social justice. We chose these guiding principles because they coincide with our charter to represent the needs of the Boulder community, as well as, serve to best leverage our collective background and experience. These guiding principles will provide points of reference for evaluating 2013 policies and programs.

### **Energy Future**

The City Council adopted six goals in 2011 as part of the Energy Future project: 1) Ensure a stable, safe and reliable energy supply; 2) Ensure competitive rates, balancing short-term and long-term interests; 3) Significantly reduce carbon emissions and pollutants; 4) Provide energy customers with a greater say about their energy supply; 5) Promote local economic vitality; and 6) Promote social and environmental justice. In keeping with EAB's charter, our primary focus in reviewing the City's activities with respect to municipalization will continue to be on goals 3 and 6: significantly reduce carbon emissions and pollutants and promote social and environmental justice.

EAB will work with City Council and staff on the following four key objectives:

1. Advise on the development of an Energy Action Plan that maximizes GHG emissions reductions.
2. Provide comments on energy supply and efficiency program recommendations, including partnership options with Xcel Energy.
3. Review and comment on resource modeling.
4. Consider whether the work is in alignment with the needs and values of the community.

### **Climate Commitment**

In November, the citizens of Boulder gave their overwhelming support to the extension of the carbon tax and the continued implementation of commercial and residential energy efficiency programs. Building on the success of Boulder's ground-breaking Climate Action Plan, the City is moving forward with developing a set of priorities and principles that will be incorporated into City planning documents to better integrate the Climate Commitment into all aspects of City operations. Furthermore, the City will be developing five-year goals and one year targets advancing the Climate Commitment.

To further these objectives, EAB will work with Council and staff to:

1. Advise on development of climate commitment priorities – with emphasis placed on the five-year GHG and pollutant emission reduction goals and one-year program targets. Our focus will be to verify that the integrated City plans maximize the opportunities to reduce GHG and pollutant emissions.
2. Review and comment on development of updated GHG emission protocols to align Boulder with international standards.
3. Provide input on the development of a market innovation request for proposal (RFP) to allocate earmarked carbon tax funds. In addition, assist with feedback on the submitted proposals and how different options can be integrated into the City’s Climate Commitment.

### **Commercial Energy Efficiency Strategy (CEES)**

One of the key findings of the Brendle Group Report was to “Ensure commercial energy efficiency programs serve as the cornerstone of spending as these programs have the strongest performance for both cost effectiveness and carbon savings.” Although Boulder’s CEES is grouped under “Climate Action Plan” in the Council’s work plan, the EAB believes that this topic merits a separate focus area, given its central role in reducing city-wide GHG emissions by improving the energy efficiency of the City’s commercial buildings.

The EAB will work with City Council and staff on the following three key objectives:

1. Advise on development of a Commercial Energy Rating and Reporting ordinance.
2. Provide input on updates to building codes.
3. Provide specific input to programs and process as to where the City can best utilize public -private partnerships to efficiently and cost effectively achieve the CEES goals.

### **Summary**

As the EAB works with City Council and staff on the focus areas of Energy Futures, Climate Commitment, and CEES, we will consider how to maximize our five interrelated guiding principles. These principles are implemented through collaboration and activism. We need all the key elements that make up our community – individuals, municipal, and private entities – to be engaged to incite momentum in these focus areas. The focus of our funds and influence should be to leverage the multiplier effect of our individual actions to promote further engagement and collaboration in our community.

We look forward to working closely with Council this coming year. In our role as advisors to Council on environmental issues, we plan to proactively bring environmental matters to Council’s attention. In addition to the three focus areas discussed above, during 2013 EAB will provide consultation to City Council and staff on a range of environmental issues within EAB’s charter.

### *Environmental Advisory Board*

Mara Abbott  
Timothy Hillman  
Vicky Mandell  
Stephen Morgan  
Brian Vickers

## Human Relations Commission Responses to 2013 Council Retreat Questions

- (1) What are your top priorities within the framework of the council work plan?
  - Ensure that the livability of Boulder extends to low-income families and immigrants; and
  - Ensure that consideration of whether a Council goal or action will disproportionately impact a segment of the city's population is more visible. (Example: how the \$.10 per bag fee will impact low income families).
  
- (2) What would you like to see done that would advance the Council Goals?
  - Engage broader community in city activities, meetings and process, specifically encouraging more effective ways of getting input from low-income families and immigrants who reside in Boulder; and
  - Effective outreach to broaden the pool of future applicants to boards, commissions and council.
  
- (3) How can your board help reach the council goals?
  - Expand communication between City Council and HRC by engaging in proactive discussion on community issues;
  - Keep informed of current legislation and make recommendations to City Council, including marriage equality, immigration, and other civil rights issues that may emerge during 2013; and
  - Continue to fund efforts that promote and encourage education, respect and appreciation for communities in Boulder , specifically:
    - a. Community Event Fund: award grants up to \$1500 (plus \$100 for translation English/Spanish of promotional material) to organizations for community based events that encourage education, youth involvement and respect and appreciation for communities in Boulder.
    - b. Community Impact Fund: award grants for community initiated activities that raise awareness on emerging civil rights issues, facilitating interaction and understanding between communities, encouraging collaboration among diverse communities, strengthening civic participation among Boulder's diverse communities, and promoting an inclusive society.
  
- (4) Are there any other items that council should address in the coming year?
  - Alter the qualifications for service on city boards and commissions to allow some non-electors to serve, specifically allowing anyone who has resided in the city for at least one year to be eligible to serve on city boards and commissions.



CITY OF BOULDER  
Landmarks Board

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1739 Broadway, Fourth Floor • P.O. Box 791, Boulder, Colorado 80306-0791  
phone 303-441-1880 • fax 303-441-3241 •  
[www.boulderhistoricpreservation.net](http://www.boulderhistoricpreservation.net)

December 14, 2012

Members of the Boulder City Council  
PO Box 791  
Boulder, CO 80306

*Re: 2013 City Council Retreat*

Dear Members of the Boulder City Council,

The Landmarks Board thanks you for the opportunity to share our priorities and concerns for the city's Historic Preservation Program for 2013. The city's Historic Preservation Program currently oversees ten local historic districts, 164 individual landmarks and a total of close to 1200 properties. In the past year, two new individual landmarks were designated, and the program reviewed nearly 300 Landmark Alteration Certificate and non-designated demolition applications.

As requested, we have prepared responses to the four questions posed in your call for input from your advisory boards and commissions.

**1. What are your top priorities within the framework of the council work plan?**

The Landmarks Board's top priorities that fall within the council work plan are: developing energy codes within the climate action plan that encourage preservation over demolition and replacement, and developing a plan for the Boulder Civic Area that addresses the historic resources in that area.

Boulder has the potential to be a leader in developing energy codes that encourage preservation over demolition and replacement. The June 2012 council work plan includes revisions to energy codes, Green Building and Green Points programs, and development of a commercial energy efficiency program. Each of these efforts has the potential to impact Boulder's historic resources. The Landmarks Board welcomes this opportunity to work with council to amend these codes in a way that supports the city's preservation goals.

The civic area effort will be in full swing in 2013. The Landmarks Board is excited about the prospect of a plan that acknowledges, celebrates, and protects both the designated resources and the non-designated landmark candidates in the planning area.

## 2. What would you like to see done that would advance the council goals?

**Climate Action.** As Boulder strives to be a more sustainable community, our historic resources will play an important part in achieving those goals. However, as the economy recovers, there will be more pressure on our community's non-designated historic structures. If the past is any indication, we can expect that demolition will be the favored route for many property owners, even though significant energy savings for the community, in terms of embodied energy and reducing the waste stream, could be realized through retention and rehabilitation of existing buildings. We are concerned that some of the city codes are weighted in a way that encourages demolition and replacement. For example, currently, property owners who opt to save their buildings receive very little credit in the Green Points program. We urge council to emphasize incentives for preservation in upcoming code modification efforts.

**Civic Center Master Plan.** There are multiple individual landmarks in the civic center area as well as potential candidates. We are concerned that there has been little emphasis on preservation in the workshops to date. The Landmarks Board requests that council steer the planning effort toward designs that successfully protect, integrate and utilize these structures. Let's use to the fullest extent possible the richness of history in this area as building blocks for a vibrant and active area.

We also encourage council to initiate landmark designation of the irreplaceable Dushanbe Tea House. The Landmarks Board is prepared to support that effort in any way that is appropriate.

Additionally, modifications to the flood plain, through construction of structures, changes in grade, or changes in the amount of impervious area, need to be planned in a way that puts these structures in less jeopardy rather than more.

## 3. How can your board help reach the council goals?

**Climate Action.** The Landmarks Board would like to work with city staff to discuss better integration of preservation issues with city energy codes (e.g., Green Points, HERS ratings, Energy Smart). We look forward to continuing to work with architects, builders, property owners and the public to promote the use and reuse of our historic building stock—truly the greenest option. We would also like to continue the study of installations of solar panels in historic districts and on individual landmarks and understand the impacts of evolving sustainable and energy technologies and their presence in the built environment.

**Civic Center Master Plan.** The Landmarks Board would like to help the civic area planning process by providing historical context for the area regarding uses, visibility, access, appropriate modifications, etc. We request that the Landmarks Board, or a subcommittee thereof, have a seat at the design competition review in order to facilitate development of a plan that celebrates and protects the area's historic resources.

**4. Are there any other items that council should address in the coming year?**

The Landmarks Board supports revitalization of the University Hill commercial area, but is concerned about the potential loss of historic resources there, particularly given that a recent survey of the commercial district found the area to be both a potential local and National Register Historic District. As is seen all across the country, the areas of Boulder in which preservation has been a priority are also the most economically successful. We ask council to recognize the historical value of this area as foundational to any revitalization plan and requests that we be included in any discussion of the Hill redevelopment.

Sincerely,  
City of Boulder Landmarks Board

A handwritten signature in black ink, appearing to read "Mark Gerwing", is placed over a light green rectangular background.

Mark Gerwing, Chair  
Kurt Nordback, Vice Chair  
John Spitzer  
Elizabeth Payton  
Kirsten Snobeck

# NORTH BOULDER ALLIANCE

P.O. Box 2063, Boulder, CO 80306

Tel: (303) 444-5757

*Preserving the integrity of our community as it grows.*

December 31, 2012

Dear Boulder City Council Members,

The North Boulder Alliance (NBA) respectfully requests that you address several items of unfinished business with a sense of urgency commensurate with the pace of development in North Boulder. At the meeting last April when you approved the permanent supported housing facility at 1175 Lee Hill, Council agreed that this project, the controversy it generated, and the process by which it moved forward exposed several issues in need of Council attention and action. These issues have become even more pressing as development activity continues to increase in North Boulder, where activity includes two BHP projects (1175 Lee Hill and 4600 Broadway), three Thistle projects (Yarmouth, Rosewood, and Lee Hill) and private transactions and plans for Violet Crossing, Blue Spruce, and the Armory. The three priority areas we request that Council address are:

***Use By Right:*** There is no better time than now to change the ordinance that would at least add Planning Board and/or Council call-up and a requirement for more than token public engagement (meaning that the outcome depends on public support, not just a series of pro-forma public comment opportunities). Last April, you all publicly lamented the fact that Council had no choice but to approve BHP's proposal for 1175 Lee Hill and no authority to require a legitimate public engagement process that could actually influence the outcome (in contrast to recent efforts by BHP, which only addressed design and use). This was made possible by the convenient fiction of categorizing the project as "transitional housing" under the Boulder ordinance when Housing First is universally defined as "permanent supported housing" (e.g. see <http://huduser.org/portal/publications/hsgfirst.pdf>).

***Concentration of Social Services:*** We ask for a moratorium on the location of additional government services in North Boulder until the rest of the city and county shoulder their fair share of such facilities. While NBA supports the City's and County's efforts to serve the most vulnerable among us – the homeless, the mentally ill, victims of domestic violence, and families in crisis – we strongly support City and County policies and plans that call for dispersing such services throughout the community.

**Concentration of Affordable Housing:** We request that Council adopt an ordinance that specifically enables staff to disapprove projects that increase concentration above a threshold level in a given area, and ask your support in opposing any new project that exceeds the normal 20% requirement, especially if it involves placing new affordable units in North Boulder in connection with market rate developments elsewhere. NBA supports the City's goal of 10% affordable housing citywide and its expectation that new developments set aside 20% of their units (or cash in lieu) as permanently affordable. In practice, however, North Boulder has recently seen developments with 50-100% affordable units. These, along with already existing and approved mixed income projects will bring the proportion of affordable housing north of Violet to nearly 50%. Again, we in North Boulder are doing more than our fair share to pursue an otherwise laudable goal. While we applaud recent staff efforts to add consideration of location and concentration to its project review process, it is evident that such a staff initiative has no force without an ordinance.

NBA is committed to moving forward to fulfill its vision of a thriving residential, commercial, and cultural community for all who live and work here. These items of unfinished business stand in our way and threaten to undermine the potential to achieve this vision at all. We urge you to address these issues early in 2013 and work with NBA to build a great North Boulder.

Thank you for your consideration.

Sincerely,

The North Boulder Alliance

<http://www.northboulderalliance.com/>

**From:** Fenio, Cecil

**Sent:** Thursday, December 20, 2012 5:28 PM

**Subject:** OSBT's recommendations for Council goals at 2013 retreat

Here is the list that the OSBT developed at the Dec. 12 board meeting.

The Board finalized the list as follows; asterisks indicate council attention, votes indicate how many Board members supported the item:

- Develop a plan for long-term sustainability and management addressing carrying capacity\* y-4, n-0
- Regional (trail) connections\* y-3, n-1
- Establish process for North TSA Plan\* y-4, n-0

The following is a list of items already in progress that require council attention:

- Acquisition Plan\*
- Voice and Sight Tag Program\*
- Highway 93 (Community Ditch Trail) Underpass\*
- IBM Connector Trail\*

**Parks and Recreation Advisory Board Responses and Goals  
2013 Council Retreat**

**(1) What are PRAB's top priorities within the framework of the council work plan?**

**Council's Top Priorities:**

**1. Boulder's Energy Future**

PRAB has no 2013 objectives in this area.

**2. Climate Action Plan**

PRAB's objectives in this area include:

- Exploring the development of solar gardens
- Planning for the south side of Valmont City Park
- Completing the Boulder Reservoir Site Management Plan

**3. Affordable Housing**

PRAB has no 2013 objectives in this area.

**4. Civic Area Plan**

PRAB's objectives in this area include:

- Continue PRAB's involvement in the planning process
- Take public comment and make a recommendation on whether there should be a smoking ban in the Civic Center Area (as part of consideration of a potential smoking ban in all city parks)
- Develop recommendations for commercial uses of park land

**Council's Next Tier Priorities:**

**1. University Hill Revitalization**

Implement recommended actions regarding the Pottery Lab

**2. Homelessness**

PRAB has no 2013 objectives in this area; however, see comment below.

**3. Boulder Junction Implementation**

Continue PRAB's involvement in the planning process

**(2) What would PRAB like to see done that would advance the Council Goals?**

- Address homeless issues in Central Park and Municipal Complex
- Continue PRAB involvement in the Civic Area planning and Boulder Junction implementation to ensure consideration of parks and green space

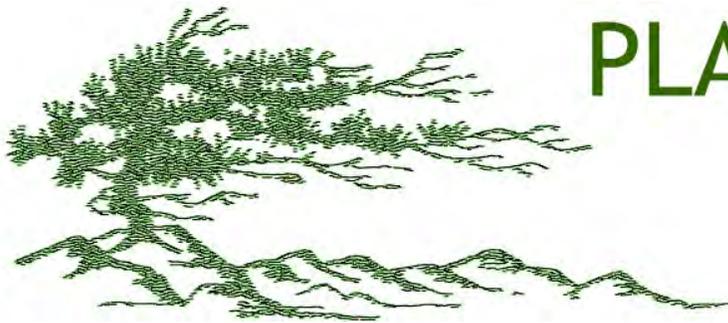
**(3) How can PRAB help reach the council goals?**

PRAB can create and review proposals, conduct public hearings, and make recommendations to City Council on the priority projects listed in question 1, as well as other items directly related to parks and recreation. PRAB can identify trade-offs and quantify the respective impacts.

**(4) Are there any other items that council should address in the coming year?**

In addition to the foregoing, PRAB expects to bring the following matters to council in 2013:

- Adoption of the revised Parks and Recreation Master Plan
- Consideration of a revision to the Urban Wildlife Management Plan, potentially including an updated prairie dog policy and related ordinance revisions



# PLAN-Boulder County

planboulder.org

P.O. Box 4682 Boulder, CO 80306

Dear Boulder City Council Members,

PLAN-Boulder County wishes to thank you for your hard work and foresight in aggressively pursuing a clean energy future for Boulder. We would also like to express our appreciation for the political courage you demonstrated in placing the dedicated Parks and Recreation and Climate Action Taxes on the ballot, which reaffirmed voter support for both these programs by margins of more than 80%.

We also wish to propose consideration of the following priorities at your upcoming Annual Retreat:

**Open Space.** Council should address the long-term resilience and sustainability of the open space system in the face of increasing demand, population pressure, and climate change. During the City Council meetings that ultimately adopted the West TSA management plan, Council directed the OSBT and OSMP staff to examine the overall sustainability of the system, with regard to issues not confined to the West TSA.

OSMP has taken up a number of the specific items raised by Council, but has not yet addressed critical issues of increased population pressure and demand that may overwhelm the resiliency of ecosystems.

OSBT has listed this topic as the highest priority for 2013 and PLAN-Boulder County urges City Council to make it a goal in 2013.

**Energy.** PLAN-Boulder urges council and staff to

1. stay focused on efforts to determine the feasibility of proceeding with municipalization as directed by the voters in the 2011 election and,
2. consider regulation (within the limits that are legally defensible) Oil and Gas drilling in the city and on city Open Space (in cases where we do not own the mineral rights).

**Climate Action.** With the strong reaffirmation of the CAP tax in November, we urge you to move forward aggressively with

1. a Commercial Energy Conservation Ordinance (CECO) to improve the energy efficiency and renewable energy systems of existing buildings,
2. continuation of EnergySmart assistance for existing homes, and

3. to significantly upgrade energy requirements for new commercial, residential, and mixed-use buildings of >25,000 sq.ft. In this regard we
  - a. strongly support adoption of the 2012 International Energy Conservation Code and the International Green Construction Code, and
  - b. support requiring that density bonus additions to FAR not add any operational energy increase to such buildings. (i.e. a 55 ft. building with density bonus should not use any more energy than a 35/38 ft. building built to code).

**Planning Issues-**

1. Re-evaluate the impact of the Commercial Linkage Fee on downtown development of commercial office space. Specifically consider
  - a. the major (and perhaps unintended and certainly contrary to the Downtown Alliance report) change in strategy from housing to office creation downtown that the linkage fee has engendered, and
  - b. the relatively minor amount of revenue for affordable housing generated by linkage fee relative to inclusionary housing (roughly \$0.5M vs. \$2M in the case of the Camera Building).
2. Focus the Civic Area Planning on community benefit and density relief to offset increased density downtown.

**Transportation.** It is time for Boulder to follow the lead of Lyons and Nederland and explore mechanisms for providing EcoPasses to all city residents. Any increase in transportation funding should include resources for a community-wide EcoPass program.

**Affordable Housing and Homelessness.** The plight of the homeless and low-income worker in Boulder is getting steadily worse. PLAN-Boulder urges council to develop a comprehensive plan, with public input, to address the issues of affordable housing and homelessness. Specifically, we suggest

1. developing affordable housing and homelessness (AHH) Master Plan and,
2. create a permanent, Council-appointed AHH Advisory Board, because of the complexity of these issues, the long learning curve, and the need for a balanced, knowledgeable board to assist Council in setting long-term policies.

**Good Governance.** Important discussions and critical information are communicated in study sessions and should be made available to the public. PLAN-Boulder supports televising all study sessions on Channel 8. Other City Board deliberations should be televised when important issues of broad interest are discussed.

Thank you for your attention.

Sincerely,

PLAN-Boulder County Board of Directors



**CITY OF BOULDER**  
**Planning Board**

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email boulderplaningboard@bouldercolorado.gov  
web www.bouldercolorado.gov

December 28, 2012  
Mayor Appelbaum  
Members of the Boulder City Council  
P.O. Box 791  
Boulder, CO 80306

Dear Mayor Appelbaum and Members of Boulder City Council,

The Planning Board appreciates the opportunity to offer ideas to Council for its consideration for inclusion into the next year's work plan.

These past years' numerous and costly extreme weather events<sup>1</sup> have generated much vigorous discussion among the Board about Planning Board's role in combating climate change and the urgent need for greater measures toward reducing GHG emissions and increasing the sustainability of development. Consequently, our recommendations for work plan priorities are focused, with just five recommendations. Four of the five recommendations directly impact GHG emissions and climate change. One of these, **Recommendation D** (Area Plan Lite), has appeared in several prior years' letters to Council and has increasing relevance in light of its sustainability implications.

Planning Board's recommendations for inclusion in the work plan are as follows:

1 According to Munich RE, one of the world's major re-insurers, weather-related insurance losses in North America have nearly quintupled since 1980, due in part to global warming. [http://www.youtube.com/watch?feature=player\\_embedded&v=zpsdVvEa8M](http://www.youtube.com/watch?feature=player_embedded&v=zpsdVvEa8M)

**Boulder Building Energy Codes, Energy and Water in Site Plan Review, and Density Bonuses**

"The biggest source of greenhouse gas emissions and energy consumption in this nation and around the world is the buildings in which we live and work (almost 50% of all GHGs in the US) – not gas guzzling SUVs and other widely recognized energy consumers that we hear so much about," Edward Mazria told attendees at the 2006 Southeast regional meeting of the American Institute of Architects. "The architecture and design profession is the only profession that can slow this down." In Boulder, due to the coal intensity of the electrical energy supply, the amount of emissions attributable to buildings is over 70% according to the 2011 Climate Action Plan Progress Report. It seems clear that that Planning Board, as the primary arbiter of City planning policies, has an instrumental responsibility to reduce GHG emissions from the building sector. This is equally important as reducing emissions from the supply side.

**Recommendation A: Building Codes**

The periodic consideration of the adoption and/or augmentation of the International Energy Code into the Boulder building code is on the docket this year for the Planning Board and City Council. In order to reach many of the six Energy Future Goals adopted by Council, *it is imperative to push the envelope on building performance in the arenas of electricity consumption, heating and cooling, and transportation.* The Planning Board encourages Council take the energy performance code issue very seriously, and to set very ambitious goals for reduced energy consumption in new buildings in Boulder in order to advance the Energy Future goals. These codes will apply to all new buildings in Boulder,

whether receiving Site/Use review or not, and are a critical tool to reducing energy consumption and pollution in the community in the coming years.

**Recommendation B: Clarification of current site review criteria for energy use**

There is a significant difference between what the Site Review criteria appear to require in evaluating energy use in Site Review and what recent Planning Board practice has been as regards energy consumption, water consumption and quality, construction waste, heat islands, and renewable energy. BRC Section 9-2-14.h states: “Criteria for Review: No site review application shall be approved unless the approving agency finds that: (2) Site Design: Projects should [meet multiple goals]. In determining whether this subsection is met, the approving agency will consider the following factors:... (F) Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area:... **(xi) Buildings minimize or mitigate energy use; support on-site renewable energy generation and/or energy management systems; construction wastes are minimized; the project mitigates urban heat island effects; and the project reasonably mitigates or minimizes water use and impacts on water quality.**”

Until now, Planning Board and planning staff practice has been to presume that the application of the existing building codes (to both by-right and site reviewed projects) satisfies the consideration of determining the fitness of the project with the site review criteria regarding energy, water, waste, and renewables. However, some of us have reservations about the current practice because this practice does not seem to reflect the written policy on this subject for the following reasons. Two key terms are used several times in the preceding code passage: ‘minimize’ and ‘mitigate’. To minimize energy or water use would be to drive it to zero (or even negative). To mitigate energy and water use requires that a use of energy/water<sup>2</sup> would be less than some reference level. One cannot mitigate unless there is a reference that forms the baseline below which there is a reduction. This portion of code inconveniently does not provide that reference level for either energy or water, so in order to evaluate a project against this criteria, Planning Board has to infer against which target levels there must be a reduction.

Planning Board requests that Council clarify this section of the BRC. As one example of a potential clarification, some of us have suggested that the baseline from which to mitigate water and energy use and maximize renewable energy be the absolute energy, water, heat island, and renewables performance of a by-right building built to code on the candidate site. As it stands, there is some disagreement and unclarity on how to interpret the evaluation of this factor in the criteria for Site Review. If the Council does not wish to strengthen or clarify this section of Code, the Planning Board will continue to use its best judgment on how to apply this important evaluation factor to projects in the Site Review process.

2 Water is used in most electric power production, so minimizing electricity use generally helps with minimizing water use.

**Recommendation C: Use impacts on overall site emissions and inclusionary housing goals**

Different building uses have different impacts on energy consumption and emissions. In particular, entirely commercial uses often impose increased impacts, including transportation and building energy and water consumption, relative to similarly sized residential or mixed uses. Often, increased site intensity can reduce the overall impacts per building user, but there can still be a significant difference in impacts on energy and water consumption between types of uses, even in the presence of increased allowable intensity on a site. In addition, the (relatively) recent intensity bonuses available to commercial projects seem to be providing an incentive to build projects that are completely commercial in the downtown core, rather than mixed-use or residential. This has the side effect of reducing both the construction of residential or mixed use projects, as well as reducing the funding for (or construction of) affordable housing units associated with downtown projects. The linkage fees from commercial projects are not nearly as great as the Cash-in-Lieu affordable housing payments (or the value of constructed affordable housing) would be from a similarly sized residential or mixed-use project. For both energy/emissions and affordable housing reasons, Planning Board requests that Council review the

current intensity bonus rules in light of the impacts of different uses on the City energy future and inclusionary housing goals.

**Recommendation D: Layered, incremental approach to area planning (Area Plan Lite)**

It is critical that the planning department have tools at their disposal to address needed changes in the Land Use code on an ongoing basis and in a time sensitive manner. Rather than viewing changes to an area as an effort with a clear beginning and a clear and comprehensive end, it is important that we view areas of the City, and therefore the Land Use code, as evolving entities.

To this end, we would like to revisit the concept of layered, incremental area planning or "area plan lite", the idea that it is possible to update or adjust an area's zoning without a multi-year effort. It is necessary to create a process with a shorter product development cycle, so that we can respond to changing needs more quickly. Without this, we will continue to see the Land Use Code fall further and further behind our current community vision, and see our zoning fall more and more out of step with what we understand to be the best planning practices that we should be implementing. There is simply not enough time to use a full area plan process on every part of the city that needs updating and keep up with the needed changes.

There are some planning changes that are quite drastic and need a good deal of community involvement. The layered, incremental approach can address changes that are not as far reaching and that the Planning Staff and Planning Board should be able to implement on a "quick-fix" basis with a basic level of public outreach. There might be intermediate steps as well that require a bit more vetting with the public, and these different processes can form the layered implementation.

Sustainable Streets and Centers is a good example of this need for a "lite" process. As currently conceived, it will take literally years of study, outreach, and process to even begin to make changes. If, however, we had a policy of a layered, incremental implementation, then we could attack the low hanging fruit immediately, such as the currently allowed large parking lots in front of new buildings. By creating a multi-tiered process and a willingness to enact base level changes without a time-consuming process, we will be nimbler, more responsive, and have a Land Use Code that is on the leading edge of our vision rather than constantly lagging behind.

Planning Board requests that Council include in the Planning Department's work plan, development of an initial framework(s) that can be applied to some key areas of concern. Currently, the areas we see as experiencing significant development or redevelopment activity are the 28<sup>th</sup> St., 30th St and Arapahoe (East) corridors and the Broadway and Mapleton hospital areas. With the expectation of imminent increased development activity after a four plus year lull, we believe this issue has only become more urgently in need of concerted planning attention. As the corridors such as 28<sup>th</sup> St. redevelop, the die will be cast for development patterns for the next several generations and all the attendant GHG emission and sustainability consequences. In the absence of a framework that reflects current City planning goals, development will (as 28<sup>th</sup> St redevelopment currently is) perpetuate the historic auto-centric pattern, delaying a more sustainable future; something we can ill-afford.

**Recommendation E: North Boulder Sub-community Plan**

We understand that staff is proposing work on the **North Boulder Sub-community Plan** in 2013. We support a revision to that plan in order to address the changed location of a potential grocery store, the Library's long term expansion plans, and the mix of affordable and market rate housing.

In conclusion, Boulder has displayed foresight and leadership in planning and sustainability but there is much more to do and the acceleration of extreme weather events in number, intensity and cost make planning an existential issue worthy of our greatest effort, not just for the effect on our city but as an example of what is possible. We look forward to working with Council on these matters in 2013.

Cordially,

A handwritten signature in black ink, appearing to read 'Bill Holicky', written in a cursive style.

Bill Holicky, Chairperson

Mary Young, Vice-chairperson

Bryan Bowen

Aaron Brockett

Leonard May

Danica Powell

Sam Weaver

**Transportation Advisory Board Response  
2013 Council Retreat  
Questions for Boards and Commissions**

**(1) What are your top priorities within the framework of the council work plan?**

**Top Priorities:**

**1. Boulder's Energy Future**

**2. Climate Action Plan**

- Make Additional Progress Toward Funding the Transportation Master Plan (TMP) – Implementation of the Transportation Maintenance Fee would provide an additional continuing funding source to make at least some of the TMP goals more achievable.
- Pursue Parking / Access Management and Policy changes that align with the Transportation Master Plan and the city's commitment to climate.
- Continue a leadership role in regional discussions to create effective multimodal connections to and from Boulder.
- Continue a partnership and leadership role with entities such as Boulder Valley School District and the University of Colorado at Boulder to achieve multi-modal goals of the TMP.

**3. Affordable Housing**

- Along with keeping housing affordable, alternative transportation options must be affordable, connecting people to jobs and services through modes consistent with the TMP.

**4. Civic Center Master Plan**

- It is essential that existing multimodal (transit, bike, ped) connections be maintained, enhanced and not compromised. If new connections or transit amenities are identified that would make the civic area more accessible for buses, bikes and peds, these should be funded. Connections in the TMP already are underfunded.

**Next Tier Priorities:**

**1. University Hill Revitalization**

- Provide new, additional funding for multimodal connections.

**2. Homelessness**

**3. Boulder Junction Implementation**

- Continue to support the implementation of key public improvements with an emphasis on expanding travel choices in addition to supporting the parking and access management districts.
- Continue leadership in regional discussions regarding multimodal connections to Boulder Junction.
- Study the Pearl Multi-way Boulevard and Junction Place Shared Street pilot designs and apply lessons learned to future roadway designs.

**(2) What would you like to see done that would advance the Council Goals?**

- The priority must be to address the transportation funding challenge by implementing a Transportation Maintenance Fee. Without implementing the Transportation Master Fee, Boulder will not achieve goals related to its Climate Commitment, mobility and economic vitality.
- Support the comprehensive parking and access management and policy evaluation to determine other policy changes that would balance objectives for environmental, economic and social sustainability goals.

**(3) How can your board help reach the council goals?**

- Support a process to recommend a specific Transportation Maintenance Fee that is tailored to Boulder's needs.
- Update / Refresh the Transportation Master Plan to remain current with the needs of today and the future.
- Participate in the upcoming, comprehensive Parking and Access Strategies and Policies evaluation process.
- Provide recommendations through TAB's regular duties such as upcoming Transportation project CEAPs and the Transportation CIP.

**(4) Are there any other items that council should address in the coming year?**

## **UHCAMC City Council Priorities 2013**

### **What are your top priorities within the framework of the council work plan?**

The top priority is starting noticeable work on the Hill for revitalization implementing the two big ideas previously identified. Above all, it's time finally to do something, not just talk about it! Decide. Commit. Move forward boldly and get behind an identity

#### **Residential Service District.**

Support the work of the stakeholder committee to create a general improvement district in the high density residential area to change the culture of the hill by addressing one of the most common problems on the hill: litter.

#### **Innovation District**

Idea of a creative/sustainable/innovation district builds on the hill's strengths- proximity and bridge to the university, young people with new ideas, an interesting area historically and architecturally. Create a clear brand identity for the Hill Commercial area that includes a focus on sustainability, creativity, innovation. It should clearly link the best of Boulder, the historic/cultural location of the Hill and bridge to the University by bringing CU's best to the community. It is close to the University and therefore should incorporate the best of what CU is focusing on (highlighting its greatest achievements) and bring those to the Boulder community in partnership. Small changes can have a big impact. We should test all creative, innovative ideas here. Several projects to realize the Innovation District include:

- Painting graphics or color on benches, trashcans, and murals on spare walls can be fun, especially involving the University student art program.
- City participation and leadership will be essential to the Hill "collective", to meet the participation level shown already by the university. This project speaks directly to council's goals looking for collaborative opportunities with CU, and a potential physical presence for the school on University Hill.
- State of the art media systems, whether it is a big screen or interactive information kiosk,
- Artistic and creative gateways between the residential and commercial neighborhoods of the Hill.
- Event "street" on Penn for outdoor events and other public space permitting processes to help streamline activities in accordance with the creative district.
- A willingness to discuss micro-zoning options for the University Hill creative district, including signage variance for media, kiosks, and murals.
- Sidewalks that have stars featuring Boulder's Nobel laureates or historic characters?

## **What would you like to see done that would advance the Council Goals?**

### **Encourage sustainable pilots to meet our energy future.**

The Hill provides a unique opportunity because it is a small commercial area and we can experiment with pilot projects that might be useful to implement on a larger scale throughout the city. Some examples could include: street lighting that offers energy saving; creative power options for "event use" and other things like Xmas lights; bike parking stations that encourage/cater to a community that cycles (this also helps us achieve our Diamond status); supporting events like the Hill Flea that teach these values and bring them into the community.

### **Think creatively but carefully about affordable housing on the hill.**

### **Provide funding through the CIP for capital projects on the hill.**

### **Develop sustainable partnerships with the University.**

### **Changes to the regulations in the hill commercial area to promote creativity.**

## **How can your board help reach the council goals?**

- Our board can help reach that goal by staying focused and concrete at our meetings. The key is to not get hung up on the planning stage, and certainly no more studies.
- Connect interested community members to opportunities

## **Are there any other items that council should address in the coming year?**

- Keep the hill clean and safe.
- Considering how the Hill relates to the Civic area is important. Because of its geography it sits between Chautauqua, the University, the Historic Hill, the University and the downtown Civic area.

University Hill Commercial Area Management Commission:

Bonnie Dahl, property owner

Hillary Griffith, citizen at large

Ron Mitchell, Vice Chair, property owner

Jyotsna Raj, citizen at large

Bill Shrum, Chair, property owner representative

## Water Resources Advisory Board Response

### 2013 Council Retreat

#### Questions for Boards and Commissions

**(1) What are your top priorities within the framework of the council work plan?**

**Top Priorities:**

**1. Floodplain Management**

- South Boulder Creek Mitigation
- Critical Facilities
- Education and outreach

**2. Water supply**

- Continue to monitor climate change impacts on water supply
- Continue to monitor drought plan
- Deal with upcoming supply issues (e.g., Carter Lake Pipeline)
- Identify sustainability indicators related to water

**3. Civic Center**

- Work with other advisory boards to help develop vision of multi-modal civic area keeping in mind a safe footprint that does not increase city or citizens' exposure to flood risk

**(2) What would you like to see done that would advance the Council Goals?**

- The city has valuable water infrastructure that provides an excellent quality of life and attracts economic development to our community. City investments should continue to be made in this infrastructure.
- The city has been proactive in protecting citizens from flood risk and needs to continue to update its flood maps and educate the population on flood risks.
- City Council may want to hold a series of community town halls to discuss water issues, including infrastructure issues, drought and supply issues, and flood awareness.

**(3) How can your board help reach the council goals?**

- Provide opinions on water-related issues for consideration by Council members
- Perform independent review of water-related studies and designs performed by outside consultants
- Bring state-of-practice input to the Council for consideration when evaluating technologies for implementation
- Develop ideas for future planning relative to water supply, flood control, and waste water treatment
- Identify upcoming issues /problems that will face the City for staff to consider in planning

**(4) Are there any other items that council should address in the coming year?**

- Initiate an integrated review of major water supply infrastructure in the city

- Receive briefing on key policy issues related to future wastewater regulations (Colorado regulation 31 on certain nutrients)
- Provide final direction necessary to implement the Commercial, Industrial, and Institutional water budget in 2014



**CITY OF BOULDER  
OFFICE OF THE CITY CLERK**

**City Clerk, Central Records, Citizen Services, Municipal  
Elections, Boards and Commissions, Sister City Liaison**

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**MEMORANDUM**

To: Boulder City Council Members

From: Lynnette Beck, Acting City Clerk

Date: January 15, 2013

Re: Community Input for the 2013 City Council Retreat

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Attached for consideration at your 2013 City Council Retreat are items submitted by members of the community.

January 14, 2013

Boulder City Council  
c/o Acting City Clerk Lynnette Beck  
Municipal Building  
1777 Broadway  
Boulder, CO 80302

Dear City Council,

We are writing to you today to ask that you add the topic of **“Banning Fracking in Boulder”** to your upcoming retreat agenda.

Why we need to act now:

There is an imminent threat. The City of Boulder currently has existing wells —many immediately adjacent to residences and open space areas — that are candidates for fracking (Please see attached **map** of Boulder oil & gas wells from the Colorado Oil & Gas Conservation Commission or COGCC.) These wells are particularly vulnerable because they fall into a category that excludes them from the setback requirements set by COGCC. This means a well 50 feet off someone’s back porch could legally be fracked. And since Boulder sits on top of a large shale play extending as far north as Canada, south into New Mexico and east to Kansas, the desire for oil and gas companies to drill numerous new wells here is inevitable.

The highly controversial and risky method of hydraulic fracturing has been growing at an alarming rate in Colorado in the past several years. Already in Weld County - just east of us - there are over 19,000 wells and the drilling sites are rapidly moving west in spite of concerns and alarms being raised by area residents and environmental groups. In the past year it has become apparent that local communities’ concerns are of little or no interest to the oil and gas industry or to our pro-fracking governor. While many may have mistakenly believed that fracking would never happen in any city, it is now widely understood that if there is a shale play, you will get fracked. And there is a shale play beneath the city of Boulder.

Increasingly, Colorado residents are taking a stand, but Boulder is falling behind. In November, our neighbors just to the north of us in Longmont voted overwhelmingly to ban fracking in their city. Moratoria on fracking have been passed in numerous communities including Fort Collins, Erie, Boulder County, Colorado Springs, Centennial and El Paso County. While the City of Boulder has publicly supported the efforts of Longmont, we have yet to do anything to protect our own citizens from the imminent threat. It is time for the Boulder City Council to take the immediate and powerful steps necessary to keep our city pristine, our property values strong and our environment healthy for the many residents, athletes and tourists who have come to expect nothing less.

Threats from Fracking:

The health concerns are numerous, and peer-reviewed scientific studies are now being published but have yet to be considered in any of the state regulatory rules. For instance, respected endocrine researcher Theo Colborn, PhD, studied the air pollutants around drilling in Western Colorado and found high concentrations of toxic chemicals and carcinogens that cause severe health damage (see natural gas video at <http://www.endocrinedisruption.com>.)

A recent study from the Colorado Dept. of Public Health and University of Colorado found that residents living less than a ½ mile from wells are at greater risk for health effects from natural gas development than are residents living more than a ½ mile from wells. (see <http://www.sciencedaily.com/releases/2012/03/120319095008.htm> ).

Numerous peer-reviewed articles on the health concerns related to fracking have been published by Concerned Health Professionals of New York. <http://concernedhealthny.org/category/documentation/peer-reviewed/>.

In addition to health concerns arising from air and water contamination, the risk of fire and explosions caused by fracking from methane leaks and build-ups is of particular concern in a densely populated urban area such as Boulder. There are numerous examples of such events occurring in Colorado and other states where fracking is taking place (see <http://www.savecoloradofromfracking.org/harm/fires.html> ).

Fracking also drives down property values, has been linked to earthquakes, diminishes tourist and recreational opportunities, consumes billions of gallons of water, and damages public infrastructure such as roads. In short, it is a threat to Boulder's economy and our quality of life.

Our Request:

We ask you to ban fracking in the City of Boulder. First, we need to protect our citizens and environment and a ban will give us the necessary protection against oil & gas operators who, without a ban, have the right to frack existing wells throughout the City. Second, Boulder's leadership is needed to join the efforts of the many other communities along the Front Range that have already led the charge to keep fracking out of their communities. We ask Boulder City Council members to lend our City's support to a state-wide movement to ban fracking in Colorado and send this message to politicians at the state level. Third, banning fracking in Boulder is consistent with our vision for a clean energy future and the local municipalization effort. A Boulder muni will give us local control to pursue sources of natural gas that are not fracked. The "fiscal cliff" is nothing compared with a planet that heats up 5 degrees warmer and becomes unlivable for future generations. We are on a collision course with our future and banning fracking puts us on the path to move away from unethical fossil fuels and toward greater deployment of renewable energy sources.

Respectfully,

*Neshama Abraham, Frack Free Boulder*

*Audy Legerre-Hickey, Kate Johnson, Nancy Hall, Tricia Olson – Boulder County Citizens for Community Rights*

*Sam Schabacker, Food & Water Watch*

*Micah Parkin, 350.org*

*Steward Sallo, Boulder Weekly*

*Eric Lombardi*

*Ray Tuomey, Namaste Solar*

*Eric Doub, EcoSmart Homes*

*Dara Rotunna, MoveOn Boulder Council*

*Tamara Roske, The Earth Guardians*

*Reb Zalman Schacter-Shalomi & Eve Ilse*

*Peter Wayne*

*Zoe Cochran & Todd Laugen*

*Kirk Quitter, Principal New Vista High School*

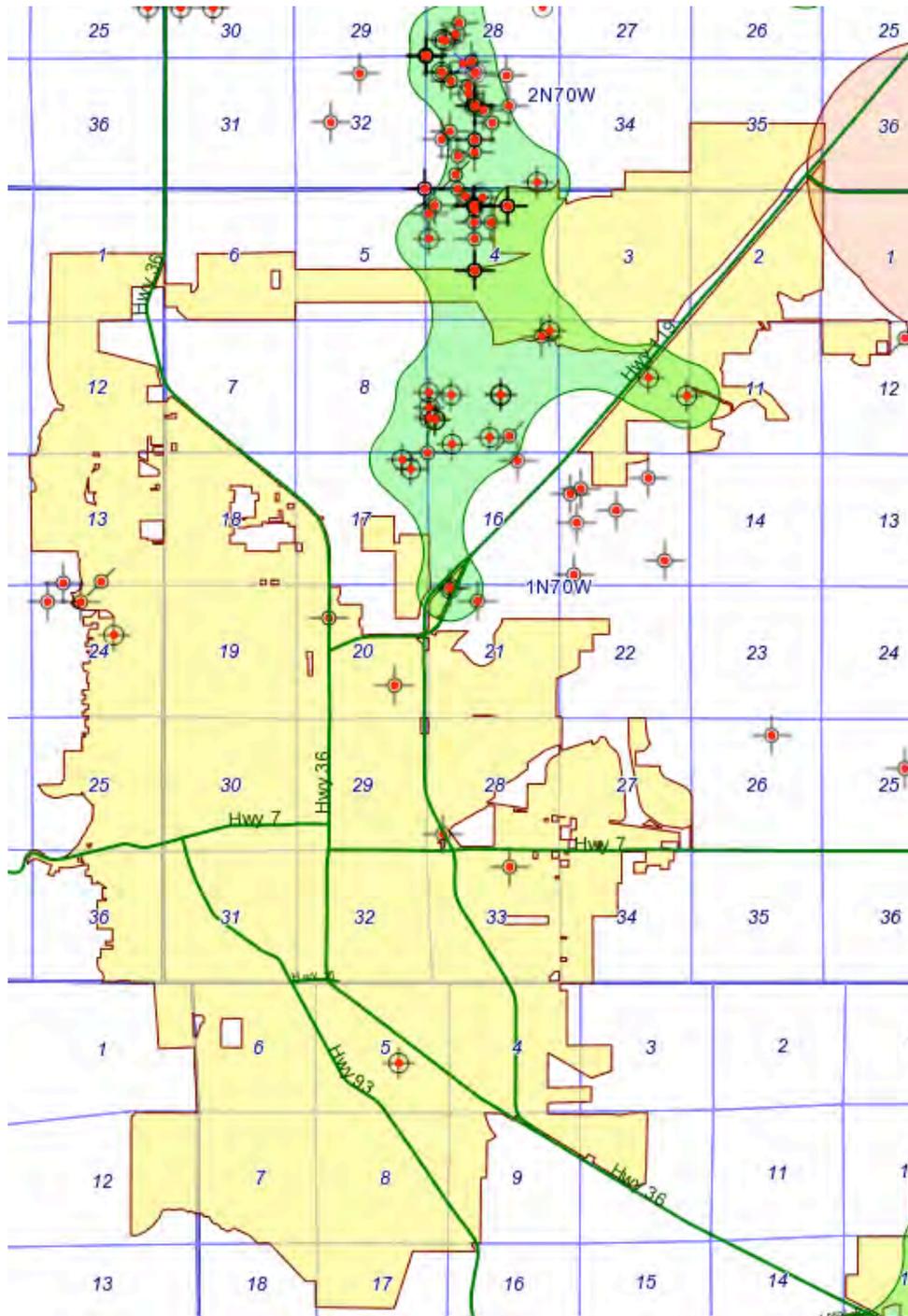
*Margo King & John Steiner*

*Diana Caile, TheMothersProject.org Colorado*

*Zev Paiss*

*Diana Caile, TheMothersProject.org Colorado*

# Oil and Gas Wells in and Near the City of Boulder



Yellow Area - City of Boulder Boundary  
Green Area - Boulder Oil Field (discovered in 1901)  
Pink Area - Edge of the Wattenberg Field  
Red Dots - Oil and Gas Wells

Map provided by the Colorado Oil & Gas Conservation Commission (COGCC)

**Sent:** Sunday, January 13, 2013 9:28 AM  
**Subject:** Idea for 2013 council priorities

Dear Council:

I support KC Becker's suggestion that police officers live within the City of Boulder in order to have an understanding of Boulder residents' priorities. Surely the Chief of Police should be required to live in Boulder.

That Chief Beckner is quoted as saying that it would be a step down for him to live in a house he could afford in Boulder says that Boulder real estate values are too high. Perhaps the Council could address those values as excluding many people who would be a valuable addition to city life and thought.

Sincerely yours,

Barbara Turner



January 11, 2013

Boulder City Council  
1777 Broadway  
Boulder, Colorado 80302

Hon. Boulder City Council Members:

As your partner for over a century in promoting Boulder's economic strength, the Boulder Chamber offers this letter as a pledge to collaborate with you to address the challenges and opportunities our community faces.

Boulder businesses are well aware that we all benefit from the careful balance our city has achieved with respect to environmental, social and economic values. The investments Boulder makes in open space, multi-modal transportation, affordable housing and many other environmental and social sustainability initiatives, as well as the City's valuable support for economic vitality programs, create a climate where our businesses can thrive. This unique balance is key to our collective economic success.

When the Boulder Chamber challenges Council's approach to meeting community goals, we focus on the impact to both the short and long term success of the businesses on which our strong economy depends; impacts that could jeopardize the very balance that makes Boulder such a special place to live and work. We believe it is our duty to raise these issues, not merely as an advocate for business interests, but also as a champion for the preservation of social and environmental values.

The Boulder Chamber's approach to the municipalization issue is a case in point. Despite concerns about the inherent risks associated with municipalizing Boulder's power utility and the dependence of our member businesses on affordable and reliable energy, we did not directly oppose studying this option. Our opposition to ballot issues 2B & 2C were primarily focused on our unaddressed concerns regarding proportional representation on a future utility's governing board. Still, if the City of Boulder through objective analysis can guarantee rates that are consistent with what we already pay, if reliability is the same, and yet we can expeditiously convert to more environmentally friendly energy options, who among us wouldn't want to head in that direction?

With the narrow passage of ballot issues 2B & 2C and Boulder's further exploration of the municipalization option, the Boulder Chamber has engaged in the analysis with an open mind. This is, however, the most consequential decision the City of Boulder has ever considered and failure to adequately account for costs and system reliability issues could have impacts not just on Boulder businesses; it could literally bankrupt our community. For this reason, we will earnestly scrutinize the study data and analysis and assert our views with full vigor. We also will explore alternative approaches to achieving Boulder's environmental goals with less potentially perilous stakes.

Ultimately, with respect to municipalization and all other policy issues, we intend to work with City Council and the Boulder community to advance our mutual interests. This is best achieved through early engagement that invites true collaboration. Along the way, you can expect us to be clear when business interests have not been adequately addressed and when there is a risk of placing undue burden on the economic end of the sustainability balance. We also will advance proactive solutions to the problems we face and promote opportunities worth seizing. We hope you welcome this type of input and scrutiny with the understanding that we offer it in the best interest of the entire community and for the protection of what makes Boulder so special.

Thanks very much for your consideration of this input as you head into your planning session for 2013. The Boulder Chamber looks forward to the results of City Council's annual retreat and we stand ready to assist in achieving community goals as a partner and an advocate for business interests in balance with the social and environmental values we all cherish.

Regards,



John L. Tayer  
President & CEO  
Boulder Chamber

**From:** Jason Vogel  
**Sent:** Friday, January 11, 2013 12:42 PM  
**To:** Council  
**Subject:** Considerations for your retreat

Hello council,

Thank you for your service. The Boulder Mountainbike Alliance would like to thank you for the recent access and safety improvements for mountain cyclists - including the purchase and opening of Chapman Drive to cyclists and your support of an underpass for Community Ditch.

During your retreat, we'd like to emphasize the issue of regional trail connectivity.

1) Chapman Drive is an important piece of this puzzle, so let's make sure we get that done right. Extending this trail as far as possible toward Walker Ranch on OSMP land will provide real value in making this regional trail connector better by reducing or minimizing the amount of time that must be spent on a road to make the connection to Walker Ranch and eventually areas beyond such as Nederland, Clear Creek Canyon, and Eldorado Springs. We are currently in discussions with Boulder County Parks and Open Space to get them to extend their trail system as close to Chapman as possible in the Meyers Gulch area.

2) As a community, we have been talking about a trail connecting Walker Ranch to Eldorado Springs for over 15 years. This would provide a great recreation opportunity from the plains without using a car, but it would also function as a regional trail in conjunction with the Marshall Mesa and Doudy Draw trail systems, Walker Ranch, trails west toward Nederland, and Chapman Drive. The county commissioners want to see it happen, and have expressed this sentiment to county open space staff during the on-going Walker Ranch Management Plan update. Based on discussions with Eldorado Canyon State Park personnel, we need to engage them in a more meaningful conversation - it cannot be simply a city/county decision. Of the three potential routes to make this connector happen, two would involve OSMP lands. All three end in the state park. Please encourage staff to reach out to the state park more proactively to address their quite reasonable management concerns about this potential trail.

3) We'd also like you to consider the role that the Joder Property could play in making a trail connector from north Boulder. We could connect the Foothills Trail with the existing railroad cut in the Beech Property, work around the McGuckin's warehouse, and up and over the hogback at the Joder Property, and drop into Buckingham Park. This allows us to connect the city of Boulder to the county's Heil Valley Ranch and ultimately the town of Lyons.

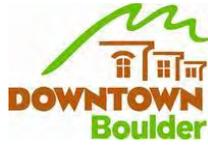
We also support a number of other regional trails, including the Feeder Canal, the UPRR trail to Eire, the Trail Around Boulder, and others. But we believe that the three trails noted above are primed for near term action.

Thanks for your consideration.

On behalf of the BMA board of directors,

--

Jason Vogel  
President  
Boulder MountainBike Alliance  
<http://bouldermountainbike.org/>  
303-525-0832



## **DOWNTOWN BOULDER, INC. 2013 INPUT ON CITY COUNCIL GOALS**

2012 was another strong year for downtown Boulder and we are glad to report that both office and retail vacancies remain low. These low vacancy rates and strong restaurant numbers helped sales tax receipts on Pearl Street rise 12% vs. 2.8% for the city (through October). Downtown remains a key economic engine and also the heart of our community.

We thank you for your strong support of downtown priorities last year including passing the smoking ban, continuing to support new office space and moving forward with planning for the Civic Area. We also thank both Council and staff for moving ahead with streetscape improvements on 15<sup>th</sup> Street and west Pearl.

As you plan for 2013 and beyond, we ask you to consider the following priorities to further strengthen the economic and cultural vitality of downtown and all of Boulder:

- 1) **Make a Plan for the Civic Use Pad by Year End.** DBI supports the idea of the latest task force to solicit ideas from local developers to create something exciting on this long-vacant site. If the constraints involved make that impossible, the city should seriously consider relinquishing the property back to the St. Julien to allow for expansion of the hotel – perhaps with the stipulation that a civic benefit (such as meeting space for nonprofits) is part of the expansion. After all these years, it is time to move forward!
- 2) **Keep Downtown Safe.** Our downtown police officers do an outstanding job and we are lucky to have such a dedicated team. However, in 2012, their patrol area was doubled in size with no increase in resources. As a result, we are concerned that the safety we all treasure will be impacted. This concern was heightened when our 2012 mall survey showed that residents increasingly cite aggressive panhandling as a safety issue. We urge Council to make sure the PD has the resources and the direction to ensure adequate police presence in the core Pearl Street area. Experience has proven the greatest tool to prevent disruptive or aggressive behavior is a blue uniform on the bricks.
- 3) **Partner on Homeless Issues.** In 2012, Bridge House shifted its focus toward offering real help for homeless people to improve their lives. DBI will continue to partner with BH and is currently exploring a joint effort to encourage downtown visitors to give to nonprofits focused on homelessness instead of panhandlers. We encourage the City to join our efforts to educate the public to support meaningful solutions like Bridge House, Community Food Share and EFFA – instead of encouraging panhandling.
- 4) **Move Forward on a Conference Center.** DBI urges Council to take a proactive role in partnering with CU to move forward on this important community asset – ideally in close proximity to the iconic Boulder amenities offered downtown.
- 5) **Support Office Redevelopment.** In 2011, both Council and Planning Board voted unanimously to adjust zoning in DT-5 areas to encourage much needed office space downtown. The need is still strong. We urge you to continue to support projects that are consistent with the zoning and design guidelines.
- 6) **Continue to Invest in Downtown.** As mentioned above, the downtown community is grateful for Council's continued interest and investment in the success of our district. We have forged strong partnerships with the Downtown Management Division, Parking Services, Planning staff and the Police Department. And we look forward to another great year of working together to enhance the beauty, charm and economic vitality of America's greatest downtown.

**From:** Jason Mendelson [mailto:jason@foundrygroup.com]  
**Sent:** Tuesday, January 08, 2013 10:29 AM  
**Subject:** 2013 Boulder City Counsel Priorities

Thank you for letting the public have a say in the priorities. I feel they should focus on:

1. Safe and cleanliness of Boulder Creek and Central Park. Our female employees have stopped going there due to safety and harassment concerns. This is the jewel of our city and we must keep it that way.
2. Pearl Street Harrassment - similarly, Pearl Street has become more dirty and unsafe, especially at night. I have been subject to verbal and threatened physical abuse simply by refusing to acknowledge pan handlers.
3. Homelessness. We need to make sure that we have the correct programs and facilities to help the homeless people that reside and live in Boulder. We need to make sure however that the transient grifter population doesn't abuse our support net.

Best,

Jason

--

Jason Mendelson  
Foundry Group  
@jasonmendelson  
<https://www.vizify.com/jasonmendelson>

Assistant: Jill Spruiell

[Jill@foundrygroup.com](mailto:Jill@foundrygroup.com)

(303) 642-4081

From: Pendergraft, John  
Sent: Tuesday, January 08, 2013 6:15 AM  
Subject: Arapahoe Shoulder...

Hello,

I would like to request that Council consider expansion of the shoulder on Arapahoe road east of 75th, out to at least 95th. As a daily cyclist, I know I speak for many other riders who would love to see this happen. Why it has not occurred yet is disappointing in the extreme. Thank you.

John Pendergraft  
Open Space and Mountain Parks seasonal employee

**From:** Kurt Schrammel  
**Sent:** Monday, January 14, 2013 2:01 PM  
**To:** Council  
**Subject:** North Boulder Alliance concerns

Dear Members of Boulder City Council~

I am writing to ask that you give serious thought to the issues and concerns recently brought to your attention by the North Boulder Alliance community group.

As a resident of North Boulder/Uptown, I can't agree more with the points they raised, and given the amount of current and future development planned for North Boulder, it needs to be made clear that this community won't be a repository for the city's low income and affordable housing goals.

Sincerely,  
Kurt Schrammel

**From:** Audrey Franklin  
**Sent:** Wednesday, January 16, 2013 9:29 AM  
**Subject:** Council Priorities for 2013

My dear City Council Members:

I respectfully ask Council to remain committed to the Social Sustainability guidelines in putting people first when it comes to policy making in all areas. People are truly our most important resource and with our changing demographics and immigration reform imminent, I encourage you to be aware and active in the ways can meet the needs of all of us to create successful community and commerce for the 21<sup>st</sup> century.

Affordable housing, humane treatment of our homeless population and for me personally to continue the mission of One Action/One Boulder 2012 which was immensely popular and effective in bringing questions of race and class and equity and inclusion to the forefront. We are committed to challenging everyone in Boulder to take a positive action in this regard. We hope this campaign could have a positive impact in community building. I hope, too, you will be able to attend the City's Martin Luther King Day Celebration this Monday, beginning at 11:30 a.m., Downtown Boulder, at the County Courthouse, (and then events at the UMC from 1:00 p.m. to 3:00 p.m.) which is always an inspirational.

Thank you very much for your serious consideration to social services and human rights as you deliberate priorities for 2013!

Respectfully,  
Audrey Fishman Franklin  
Boulder Community United  
One Action/One Boulder 2012 and 2013

**From:** David Leserman  
**Sent:** Wednesday, January 16, 2013 1:40 PM  
**To:** Council  
**Subject:** Please include High Hazard Zone regulations in your 2013 work plan.

Dear Members of the Boulder City Council,

I understand that you have many important items competing for inclusion in your work plan for 2013. I hope that the issue of the unfairness and questionable enforcement of the High Hazard Zone regulations can make the cut.

The City Attorney has informed you that the drafters of the High Hazard Zone regulations were not aware that FEMA NFIP flood insurance reimburses only for repair of damaged structures, not for loss of real property value. The way in which the City enforced (or, failed to enforce) the regulations, in the very recent remapping submission to FEMA, calls into question their stated intention to enhance public safety.

I attach the electronic version of the handout that I provided when I spoke to you on December 18 last; it elaborates and documents the issues.

I thank you for your attention and consideration.

Respectfully,

David Leserman  
2806 Cordry Ct  
Boulder, CO 80303

## Why review High Hazard Zone regulations in Boulder CO:

### 1. Undue hardships for homeowners stem from a misperception on the part of the framers.

The High Hazard Zone regulations<sup>1</sup> place undue hardships on the owners of properties that suffer significant flood damage; those owners stand to lose the value of their lots. According to the City Attorney, the framers of the regulations were not aware that FEMA insures only buildings, not the land they sit on.

Speaking about the High Hazard Zone regulations in response to a query by the Mayor at the September 18, 2012 City Council meeting, the City Attorney states<sup>2</sup>:

*...It is a local ordinance – something that Boulder put in. The thing that's kind of missing from this discussion is that this whole discussion is about FEMA flood insurance – and so theoretically, someone whose property was destroyed by more than 50%, which is the standard in the code, would get flood insurance for the value of the property that was destroyed. So, the thinking was that the reason that you base the valuation of the property on its value after the flood is that they've already been compensated for the diminution of value caused by the flood through FEMA flood insurance. If you were to do the other thing, that is pay them the value of the property before the flood, they would be getting a double benefit. That's the theory.*

Mayor:

*...the value of the structure versus the value of the lot. So, [with] flood insurance you can insure the value of the structure – you can't insure the value of the lot – because in Boulder, sometimes the lot is worth more than the structure in this crazy place. So, somebody who had flood insurance ... could be made whole for the value of the structure but they would potentially lose whatever the value of the lot happened to be because post-flood, presumably the value of the lot would be pretty small if there weren't a buildable envelop on it. Is that correct?*

City Attorney:

*That's true.*

So, as we all now know, FEMA insures only the structure (typically about 1/3 of the value of the whole property in Boulder), not the lot. This failure to recognize the role of FEMA flood insurance when drafting the High Hazard Zone regulations is a regrettable oversight!

That the drafters were unaware of the economic context of the High Hazard Zone regulations might explain how it is that they formulated a law that deals so harshly with flood victims. This fact alone – that the drafters were not aware – is sufficient reason for the High Hazard Zone regulations to be reviewed as a matter of public policy.

### The bottom line

There are about 200 homeowners in town, whose homes, when destroyed by flood, may additionally have the associated real property rendered worthless by local law. That's not the FEMA way; it's not the American way; and it's not typically the Boulder way.

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<sup>1</sup> Sections 9-3-5 and 9-3-8 of B.R.C. 1981.

<sup>2</sup> Transcribed from video of Item 5A, Boulder Creek Floodplain Mapping Update, City Council, 9/18/2012, comments at about 8:27 p.m. in [http://boulderco.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=117](http://boulderco.granicus.com/MediaPlayer.php?view_id=2&clip_id=117)

## 2. The intent of the High Hazard Zone is not being enforced.

“The intent of the [High Hazard Zone] regulations is not to protect the structures, but the people that occupy and use the structures. By working to eliminate the number of structures in the highest risk areas, the regulations seek to reduce the number of people who could potentially be swept away by floodwaters.”<sup>3</sup> The example below illustrates both how this intent is violated and how the staff desire to do the “right thing” for property owners is in conflict with the law.

### Grove Street floodplain mapping example

In the floodplain remapping just sent off to FEMA, the City took deliberate steps to sidestep the intent of the High Hazard Zone as it applied to eleven residential structures on Grove St. These homes, between 16th and 21st St., were just touching the boundary of the High Hazard Zone<sup>4</sup> in the 10/25/2010 iteration of the mapping. They were removed from the Zone in the 5/25/2011 iteration of the mapping using reasoning that flies in the face of the life-safety intent of the High Hazard Zone regulations. Details are given on the attached page entitled *High Hazard Zone regulations are not being enforced*.

### Conclusions

Several conclusions can be drawn:

- a. For the aforementioned homes on Grove, no safety criterion has been met; no danger avoided.
- b. Guidelines developed to protect humans are not necessarily the proper guidelines for protecting or allowing structures.
- c. The High Hazard Zone regulations are ineffective because they are so difficult to enforce during mapping. It's totally appropriate that those buildings on Grove should not be in a so-called High Hazard Zone. But, failure to enforce the zone on floodplain maps demonstrates a disregard for the purpose of the law: to save lives, not property.
- d. Maybe these regulations are not really enforceable and we should adjust them to conform to some version of reality.

### Summary

The High Hazard Zone regulations pose a significant undue hardship on homeowners whose homes have been significantly damaged by a flood; those owners stand to lose the value of their lots (to regulation) in addition to losing their homes (to flood).

This undue hardship may be present because, according to the City Attorney, the framers of the law did not understand the economic context of FEMA-related costs and benefits for individual homeowners. That context should be considered in a policy review of the High Hazard Zone regulations.

Additionally, the mapping process is being selectively manipulated to avoid the potential economic hardships (created by the regulation) to homeowners. It seems as though the will does not exist to enforce such hardships. The regulations should come to terms with reality.

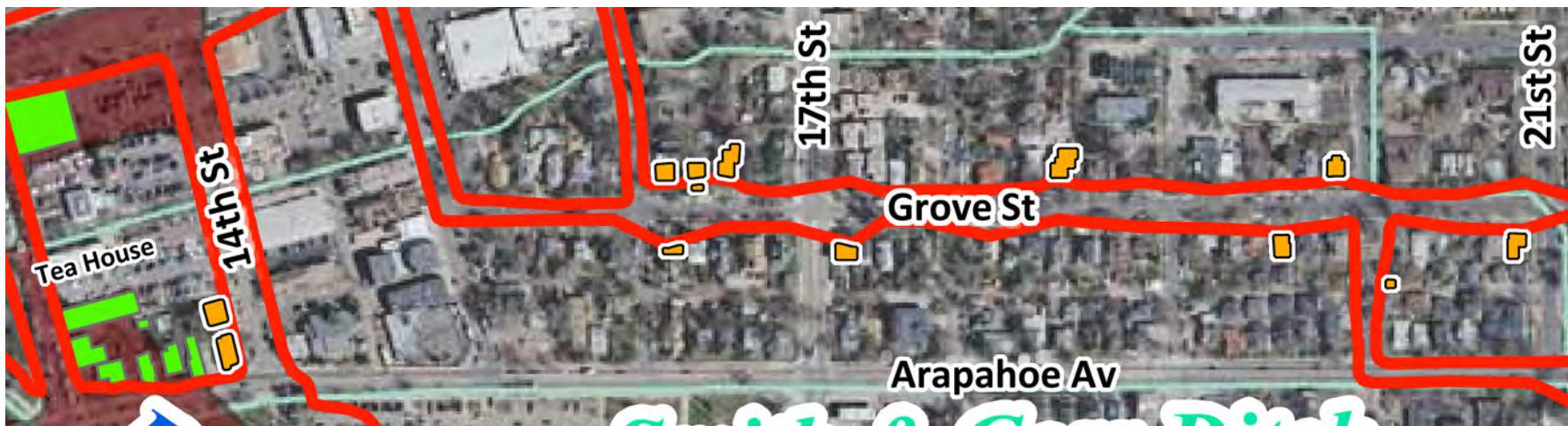
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<sup>3</sup> Floodplain Regulation Background section of Item 7 of the staff packet for the WRAB meeting of 11/19/2012 ([www.bouldercolorado.gov/files/Utilities/WRAB/2012/2012-11/Agenda\\_7\\_HHZ.pdf](http://www.bouldercolorado.gov/files/Utilities/WRAB/2012/2012-11/Agenda_7_HHZ.pdf))

<sup>4</sup> In the Grove St area, the High Hazard Zone fills the street, more or less curb-to-curb, with waters flowing west-to-east.

# High Hazard Zone regulations are not being enforced.

prepared by David Leserman, 12/18/2012



< Buildings within the **High Hazard Zone boundaries** on the 10/25/2010 iteration of the remapping but excluded on the 5/25/2011 iteration (The High Hazard Zone is mostly contained within the right-of way in this area.)

## Reasoning for excluding these buildings from the High Hazard Zone:

Item 5<sup>†</sup> of the packet for the WRAB meeting of 7/18/2011 states that the buildings were excluded from the High Hazard designation because *“The WRAB requested an additional evaluation on the high hazard zone, including the structure at 1611 Goss Gove [sic]. For structures that have one side of the building on the edge of the high hazard zone, it was determined that discrepancies can exist between the edges of the high hazard zone and the edges of structures with high hazard zone boundaries mistakenly extending past the edge of structures. [emphasis mine] In these instances, where the direction of flow is parallel to one edge of the building, the location where the flow velocity (and by extension the high hazard product number) goes to zero is the boundary of the structure. In these instances the boundary of the high hazard zone was updated to be located outside of and adjacent to the structures. Based on this approach the high hazard zone delineation on Boulder Creek was updated causing 11 structures in the Goss Grove neighborhood, including the structure at 1611 Goss Grove [sic], to be removed from the high hazard zone.”*

†. bouldercolorado.gov/files/Utilities/WRAB/2011/2011-7/Agenda\_Item\_5.pdf

## Intent of regulations:

Item 7<sup>‡</sup> of the packet for the WRAB meeting of 11/19/2012 states: *“The intent of the [High Hazard Zone] regulations is not to protect the structures, but the people that occupy and use the structures. [emphasis mine] By working to eliminate the number of structures in the highest risk areas, the regulations seek to reduce the number of people who could potentially be swept away by floodwaters.”*

## Conclusion:

**The High Hazard Zone regulations were not enforced in the recent floodplain remapping.** The reasoning given on the left is arbitrary and it disregards the intent of the High Hazard Zone regulations given above. According to the depth-times-velocity product-number analysis, a person walking out the front door of one of these buildings could be swept away by floodwaters - even if the building is left undamaged.

‡. bouldercolorado.gov/files/Utilities/WRAB/2012/2012-11/Agenda\_7\_HHZ.pdf

**From:** Leslie Glustrom  
**Sent:** Monday, January 14, 2013 5:16 PM  
**To:** Council  
**Subject:** Please Discuss a Fracking Ban/Moratorium at the Council Retreat

Dear Council Members--

A quick note to add my support to the effort to have the City of Boulder look at enacting a ban or moratorium on fracking in the City limits.

As you know, the threats to our water, our health and the environment are significant and it is important to protect our City and its residents in the face of this threat.

In addition, it is also important to send a strong signal that there is a critical role for local governments in protecting their citizens from an industry that has been exempted from our nation's key environmental laws and for which state regulations and inspections have been woefully inadequate. With 16 inspectors, over 48,000 wells and only about 12,000 inspections done a year, many wells go uninspected for very long periods of time. This is not adequate given the air and water pollution that can accompany fracking.

Thank you for all of your service to our community as we find our way through this monumental energy transition.

Sincerely

Leslie Glustrom  
Speaking on my own behalf

303-245-8637  
[lglustrom@gmail.com](mailto:lglustrom@gmail.com)

Dear Boulder City Council Members:

January 14, 2013

The vision of the NoBo Art District is to be officially recognized as an official art district of the city of Boulder. The NoBo Art District has historically drawn artists to its locale due to the availability of affordable workspace and appropriate zoning for the industrial arts. Designation of this area as an art district will allow for the planning of future development to embrace and protect this valuable and essential element of the character of North Boulder.

Our long-term vision includes:

Part One: Officially designate the 'NoBo Art District' as Boulder's First Art District\*.

Part Two: Influence the future development of the Armory to include affordable artist work/live studios, multi-use commercial space with appropriate parking, restaurants, galleries, studios, stores and public outdoor sculpture space.

Part Three: Establish a multi-disciplined Arts Complex that encompasses visual presentation spaces, light industrial-use studios, dance, theatre, film, galleries and restaurants as an international arts designation.

In 2013, we respectfully request:

- The City of Boulder's official designation of the NoBo Art District assisting the Arts District in attracting funders and developers to pursue private money for the development of a multi-disciplined Arts Complex.
- Council's support of inclusion of the arts in the North Boulder Sub-Community Plan, as well as support for development of affordable studio space and support in showcasing public art in new construction and redevelopment projects.
- Council and staff's support of signage and public art along the Creative Corridor.

Thank you for your recognition of the NoBo Arts District. We look forward to working with you on projects that benefit our community and promote the Arts.

\*Proposed proclamation attached

\*\*Artists and community NoBo Art District supporters

cc Boulder Arts Commission

Artists and community NoBo Art District supporters\*\*:

Annette Coleman, Multi-Media Artist

Carol Garnand, Carol Silks

Maria Stahelick, Community Volunteer and NoBo Art District grant writer

Amy Tremper, Community Volunteer

Sally A. Eckart, commissioned Artist, Studio/Gallery Owner

Mary Mech, Artist

Theresa Haberkorn, Printmaker/Artist

Margaret Donharl, Acrylic Painter

Karie Koplal, Designer

Buffy Andrews, Designer

Diane Stum Fekete, Artist

Diana Helzer Artist

Barbara Frey, Fiber Artist

Lisa Nesmith, Artist, Business Owner

## 2013 Proposed Proclamation Language for the NoBo Art District\*:

The City of Boulder proclaims The **'NoBo Art District'** as a formal arts district.

The businesses, artists and residences of the NoBo area and the Boulder City Council formed the idea of proclaiming an already existing arts district official status in 2013 with support from the Boulder Arts Commission.

**The NoBo Art District** embraces all art forms, visual and performing, and is supportive and inclusive in all of its programming.

The NoBo Art District and Creative Corridor runs north of downtown Boulder along Broadway and is generally bounded by:

The intersection of Hwy 36 and 28th to the North,  
19<sup>th</sup> street to the East  
Two blocks West of Broadway  
and Quince Street to the South  
using Broadway as its visual corridor and linkage.

The current epicenter of the NoBo Art District is the intersection of Yarmouth and Broadway with many artist studios fanning out from this center within walking distance of each other.

The flavor of this area is primarily a clustering of professional working artists. Also falling within the NoBo Art footprint are diverse art galleries, public art, the historic Nomad Theatre and the Tara Performing Arts School. RTD buses serve the NoBo Art District enabling art patrons to visit using public transport.

Susan Booker  
1610 Yellow Pine Avenue  
Boulder, CO 80304

Dear Boulder City Council Members:

As you enter into discussions at 2013 retreat I'd like to encourage you to make two projects high priorities: 1. Funding for a North Boulder storefront, library branch. 2. Support the designation of the NoBo Arts District.

I am currently a municipal employee working in the area of arts and cultural resources. I was previously a library administrator for over 30 years. Having worked in local government for my entire career I sympathize with the challenges of making budgets balance and setting priorities. And because of my experience working in libraries and with arts and cultural endeavors, I have seen firsthand how government support for these community enhancements change lives for the people who use them, and create economic and social vitality. Dollar for dollar libraries and related cultural resources provide a great return on investment.

For example, using the Library Card Calculator on the Boulder Public Library website ([http://boulderlibrary.org/about/value\\_calc.html](http://boulderlibrary.org/about/value_calc.html)) I receive about \$70 worth of library services for every \$1 in taxes I pay for libraries. What a bargain! Families who go through stacks of library books, do research, use library computers and attend story times can easily get more than \$500 per month of services for every dollar paid. These calculations do not include the impact of having a library card on literacy. Study after study has shown that kids who use public libraries are more successful in school and life. There are obvious benefits to having libraries, but to be used libraries must be close enough to be easily accessible. North Boulder, which has such a large percentage of affordable housing, has long been overlooked as a part of town in need of the same services easily accessible to other parts of Boulder. Now is the time to redistribute some city funding to equalize services throughout the city.

I support the idea of starting small and perhaps using the storefront offered by Boulder Housing Partners as a first step. The small, start up collection could be pulled from the existing library collection, the space is small enough to be managed by one full-time professional librarian employee (and perhaps assistance from community volunteers). Existing courier services between the mail library and it's branches could be utilized to move books to and from the small branch.

If you build it, they will come. Therefore, long range planning needs to include a larger, more multipurpose, full service library located in North

Boulder. By including gallery and arts programming space in the design of such a facility, public-private partnerships between the NoBo Artists and the City could provide access to more grant funding to support programming and services to the community. Designating North Boulder as an Arts or Creative District will contribute to economic vitality and increase the likelihood of successful grant writing. You can find more information about how Creative Districts are making a difference for many communities around the state on the Colorado Creative Industries website:  
<http://www.coloradocreativeindustries.org/showcase/colorado-creative-districts>

There's a strong and growing coalition of North Boulder residents, artists, and business people who want to collaborate with the City to help this part of town fulfill its great potential. This area of town has absorbed the impact of affordable housing and having the homeless shelter in our neighborhood. I believe it is fair and equitable for City Council to make these two projects high priority. They will enhance the quality of life for so many people and help our area of town thrive. As I mentioned earlier, throughout my career I have seen communities become healthier, stronger, and better places to live because of the investment made in their libraries and cultural opportunities. They are worth every penny spent because of the return in tangible tax revenues and intangible quality of life for everyone. As you weigh the many decisions you must make to bring the budget into balance I hope you'll agree North Boulder is due for these kinds of investments.

Sincerely,  
Susan Booker

From: JJ DeRose  
Sent: Monday, January 14, 2013 1:31 PM  
To: Council  
Subject: Priority Areas we Request that Council Address

Dear Boulder City Council Members,

The North Boulder Alliance (NBA) respectfully requests that you address several items of unfinished business with a sense of urgency commensurate with the pace of development in North Boulder.

At the meeting last April when you approved the permanent supported housing facility at 1175 Lee Hill, Council agreed that this project, the controversy it generated, and the process by which it moved forward exposed several issues in need of Council attention and action. These issues have become even more pressing as development activity continues to increase in North Boulder, where activity includes two BHP projects (1175 Lee Hill and 4600 Broadway), three Thistle projects (Yarmouth, Rosewood, and Lee Hill) and private transactions and plans for Violet Crossing, Blue Spruce, and the Armory.

The three priority areas we request that Council address are:

**Use By Right:** There is no better time than now to change the ordinance that would at least add Planning Board and/or Council call-up and a requirement for more than token public engagement (meaning that the outcome depends on public support, not just a series of pro-forma public comment opportunities). Last April, you all publicly lamented the fact that Council had no choice but to approve BHP's proposal for 1175 Lee Hill and no authority to require a legitimate public engagement process that could actually influence the outcome (in contrast to recent efforts by BHP, which only addressed design and use). This was made possible by the convenient fiction of categorizing the project as "transitional housing" under the Boulder ordinance when Housing First is universally defined as "permanent supported housing" (e.g. see <http://huduser.org/portal/publications/hsgfirst.pdf>).

**Concentration of Social Services:** We ask for a moratorium on the location of additional government services in North Boulder until the rest of the city and county shoulder their fair share of such facilities. While NBA supports the City's and County's efforts to serve the most vulnerable among us - the homeless, the mentally ill, victims of domestic violence, and families in crisis - we strongly support City and County policies and plans that call for dispersing such services throughout the community.

**Concentration of Affordable Housing:** We request that Council adopt an ordinance that specifically enables staff to disapprove projects that increase concentration above a threshold level in a given area, and ask your support in opposing any new project that exceeds the normal 20% requirement, especially if it involves placing new affordable units in North Boulder in connection with market rate developments elsewhere. NBA supports the City's goal of 10% affordable housing citywide and its expectation that new developments set aside 20% of their units (or cash in lieu) as permanently affordable. In practice, however, North Boulder has recently seen developments with 50-100% affordable

units. These, along with already existing and approved mixed income projects will bring the proportion of affordable housing north of Violet to nearly 50%. Again, we in North Boulder are doing more than our fair share to pursue an otherwise laudable goal. While we applaud recent staff efforts to add consideration of location and concentration to its project review process, it is evident that such a staff initiative has no force without an ordinance.

The NBA is committed to moving forward to fulfill its vision of a thriving residential, commercial, and cultural community for all who live and work here. These items of unfinished business stand in our way and threaten to undermine the potential to achieve this vision at all. We urge you to address these issues early in 2013 and work with NBA to build a great North Boulder.

Thank you for your consideration.

John

June 7, 2012

Dear City Council Members:

At the April 17<sup>th</sup> City Council meeting, you thoughtfully and thoroughly reflected on many of the broader issues neighbors have raised with you about the future of our North Boulder community. You recognized that, separate from the 1175 Lee Hill Project, you wanted to have a plan that would address these broader issues. We appreciate your attention. As you review the 2012 work plans for the City Planning and Housing and Human Services Departments, we would like to remind you of your concerns expressed during the meeting and to make several specific requests.

After a great deal of neighborhood and City effort, fifteen years ago the City amended a North Boulder Subcommunity Plan and zoning that matches the plan. Unfortunately, the permissible uses under the plan, the development of a residential and commercial mixed-use project in the Village Center that precludes a large format grocery store and community center, the commercial downturn, and lack of attention have combined to frustrate some parts of the original vision. We need a renewed vision. As neighbors, we are ready to work hard to develop one, but we need City support. We don't want to spend hundreds of hours coming up with a renewed vision and have it not receive serious consideration by the City.

To realize a renewed vision, we need your direction to City staff to support, guide, and help implement an updated vision for what we are calling North Broadway—the four northernmost neighborhoods of the original North Boulder Subcommunity plan.

Specifically, in 2012 we need:

- City staff's evaluation of existing and near-term future commercial potential on Broadway North of Violet—what's working and not and why;
- Direction to the Planning Department that our North Broadway community is a priority you would like to see addressed;
- Council guidance on next steps and timeframes that will result in a collaboratively produced work plan for moving forward

We appreciate that staff is busy, but with their support and guidance and the big picture perspective and professionalism they bring, we neighbors are willing to invest time, money, and energy to develop a renewed vision for our community. We are willing to be creative to lighten the burden on City staff and to do the work if we know our work will be seriously considered. We have an opportunity here. Please help us not to waste it.

June 7 2012 Letter to City Council on North Boulder Planning

We look forward to your work plan study session on June 12<sup>th</sup> and to reviewing the staff submissions for that session when they become publically available.

Sincerely,

Todd Bryan, 4580 Broadway, # 230; DeAnne Butterfield and John Huyler, 1674 Yellow Pine Avenue; Bruce Goldstein, 4669 7<sup>th</sup> Street; Bill Hussey, 4860 4<sup>th</sup> Street; Karie Koplak, 4818 6<sup>th</sup> Street; Arthur M. Okner, 1622 Yellow Pine Avenue; Margaret Porter, 1654 Yellow Pine Avenue; Bob Walker, 4657 17<sup>th</sup> Street

Cc:

Jane Brautigam, City Manager

David Driskell, Susan Richstone, Sam Assequa, Boulder Planning and Development Services

Karen Rahn, Jeff Yegian, Boulder Housing and Human Services

Betsey Martens, Stuart Grogan, Boulder Housing Partners

Sent electronically

Letter to City Council Members on Inclusion of North Boulder in 2013 Retreat  
Priorities

January 4, 2013—resubmitted January 14<sup>th</sup> with additional signatures

Dear City Council Members:

As you prepare for your 2013 retreat, we ask you not to forget North Boulder. Over the last year, many North Boulder residents have individually and collectively implored the Council and City Staff to address various imbalances in the development of North Boulder that threaten its viability, particularly the over-concentration of affordable housing and the lack of compensating cultural amenities and commercial development. At your April 17<sup>th</sup> City Council meeting, many of you thoughtfully reflected on these broader issues and directed staff to come up with specific proposals to address them. We thank you for your recognition of our predicament and your efforts to address it.

One of our requests had been for City and staff support for neighborhood efforts to develop a renewed vision for our North Boulder community. That staff support has not been forthcoming and we renew our request here. (Our June 7, 2012 letter detailing our request and our reasons for it is attached.)

Lacking City support for a comprehensive re-visioning effort, we neighbors have continued to work on our own to identify initiatives that we can either achieve ourselves or with minimal City resources. One of those initiatives, which we know many of you have supported individually, and which the Librarian and the Library Commissioners have supported, is the series of Little Lending Libraries the North Boulder Art District has undertaken. As you know, we see these libraries as wonderful cultural amenities in their own right, as well as building support for expanded public library facilities in North Boulder—eventually leading to the North Boulder Branch Library promised in the Subcommunity plan.

The next step, many of us believe, is a small storefront library that will have a broader lending collection and some community meeting space. We are confident that, if properly located, such a storefront library will be an amenity that will bring our community together, be well used, and build the case for a full-scale branch library. An ideal location, in our view, would be the small first floor space in WestView, the Boulder Housing Partners rental apartment complex at Broadway and Yarmouth. BHP has indicated preliminary interest in making this space available to the community and we are working with BHP to accomplish this. Even if we get the space, we will need City resources for infrastructure, collections, and staff. We respectfully submit that this is a North Boulder amenity worthy of the modest commitment of City resources it would entail.

Another cultural amenity action that would greatly benefit our community and, as we understand it, would come at no cost to the City, is the designation by the City Council of North Boulder as an official art district. As you know, such a designation would offer our artists' community the opportunity to pursue public and private funding for various initiatives that would enhance the vitality that our many artists

## Letter to City Council Members on Inclusion of North Boulder in 2013 Retreat Priorities

already bring to North Boulder. You have all seen what similar designations have done for underdeveloped or even blighted urban areas in other cities. North Boulder is an ideal area for such a district. We know that plans for such a designation are underway and we urge you to support its prompt accomplishment.

On the affordable housing over-concentration issue, we do want to commend the Council and the Housing staff for making some efforts to address this issue. We note with agreement that affordable housing was one of the Council's top priorities for 2012 and remains a top priority for 2013. While there are a number of useful items in the work plan under this initiative, we urge that the work plan include a thorough examination of the "By Right" ordinance. This ordinance has significantly contributed to the over-concentration of affordable housing in North Boulder, whether by private developers transferring their affordable obligations to our community, by Boulder Housing Partners, or by other nonprofit developers. It is inconsistent, in our view, for City officials to claim in response to neighbors' objections, that they are constrained by this ordinance and then not make examination of the operation of this ordinance a priority. We urge you to do so.

We note with approval that the 2013 work plan includes a report on the density and distribution of affordable and special needs housing. We urge that the work plan item include, at minimum, direction to staff for recommendations to address any imbalances in this distribution, including the authority of staff to disapprove projects that increase concentration above a threshold level of 20% in a given neighborhood. While we applaud recent staff efforts to add consideration of location and concentration to its project review process, such staff initiatives have no force without an ordinance authorizing staff to actually disapprove projects that exceed the designated neighborhood threshold.

We continue to urge more transparency and accountability to individual citizens and neighborhood representatives on these issues. On a number of occasions, we have made suggestions to staff only to learn from private developers that our suggestions have been either accepted or rejected. We understand staff is busy but we need and want a more accountable process. We note that the 2013 work plan contains consideration of a new Inclusionary Housing Rental Policy Ordinance, "following stakeholder engagement process," and that a stakeholder engagement process is part of the development of a Comprehensive Housing Strategy initiative in each of the following quarters. We trust that staff already plans to include affected neighbors as stakeholders in this process and urge that staff do so.

Letter to City Council Members on Inclusion of North Boulder in 2013 Retreat  
Priorities

Finally, we note that the second tier of priorities includes under “addressing Homelessness” an analysis of funding for homeless services and unmet needs. We urge that consideration also be given to the location of such services so that North Boulder does not continue to bear the impact of a disproportionate concentration of these services. We strongly support City and County policies that call for dispersing such services throughout the community.

Thank you very much for your consideration of our requests.

Respectfully,

Jere Beasley, 1600 Yellow Pine Avenue; Bruce Goldstein, 4669 7<sup>th</sup> Street; John Huyler, 1674 Yellow Pine; Kari Koplak, 4818 6<sup>th</sup> Street; Jim Leach, 1680 Yellow Pine; Ronnie Pelusio, 4676 Broadway; Margaret Porter, 1654 Yellow Pine; Amy Tremper, 1529 Easy Rider Lane; Bob Walker, 4657 17<sup>th</sup> Street

Cc:

Jane Brautingam, Boulder City Manager

David Driskell, Executive Director of Community Planning, Boulder Planning and Development Services

Karen Rahn, Director of Boulder Housing and Human Services

Betsey Martens, Executive Director, Boulder Housing Partners

Terry Benjamin, Executive Director, Emergency Family Assistance Association

Sent electronically from: [margaret.porter@mindspring.com](mailto:margaret.porter@mindspring.com); 303-565-0941, 1654 Yellow Pine Avenue, Boulder, Colorado, 80304

From: Spenser W Havlick  
Sent: Wednesday, January 09, 2013 4:33 PM  
To: Council  
Subject: Your upcoming retreat agenda

Dear Friends on Council,

I was disappointed that the city website dealing with your upcoming agenda has no details as to what will be on the agenda. I am sure it is prepared and probably quite full. I believe it would be helpful to interested citizens to publicize the key topics staff and CAC have proposed. These agenda topics should be in the local papers and on the city website, I would hope. Transparency is a useful goal.

If it is not on the agenda yet I would urge you to direct the manager to include a discussion of the issues surrounding Chautauqua Park.

I would also suggest you have a brief discussion about a ballot issue or other remedy to help close the TMP shortfall. The city is falling behind in maintenance of alternate mode infrastructure and even with needed connections for bikeways and some repaving of streets. In recent years TAB has estimated a shortfall of between \$6 million and \$14 million. Some say a TMF is the answer. Whatever council does on this there should be strong incentives to reduce the carbon footprint of motor vehicles and reduce car use. In addition to the TMF the dedicated transportation sales tax could be raised. But the best source of new revenue that would also dampen auto demand and not be regressive would be a steady increase in parking lot fees, parking permits, and parking fines and also an increase in NPP fees.

Perhaps all of the above should be implemented. This study does not need a consultant to advise you. Talented people on staff and council members who have become familiar with the pros and cons of TMF are very well equipped to make a decision on this and I hope it is, or will be on the retreat agenda for next weekend.