

CITY OF BOULDER
CITY COUNCIL MEETING
Municipal Building, 1777 Broadway
Boulder, Colorado 80302
September 19, 2017

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor Jones called the meeting to order at 6:02 p.m.

Council Members Appelbaum, Brockett, Burton, Shoemaker, Weaver, Yates and Young were present. Council Member Morzel arrived at 6:06 p.m.

2. OPEN COMMENT

(Please note that public comments are a summary of actual testimony. Full testimony is available on the web at: <https://www.bouldercolorado.gov/>.)

Open Comment started at 6:03 p.m. and the following people spoke:

1. Karey Christ-Janer spoke regarding solar energy and other cost effective measures.
2. Patrick Murphy spoke regarding municipalization.
3. Matthew Jensen spoke regarding affordable family athletics (Boulder Collegians).
4. Rob Smoke spoke regarding homeless assault and lack of sufficient efforts.
5. Walter Goedecke spoke regarding raising the minimum age to purchase tobacco products.

Open Comment closed at 6:14 p.m.

3. CONSENT AGENDA

- A. Consideration of a motion to approve the June 6, 2017 Regular Meeting Minutes
- B. Consideration of a motion to approve the June 20, 2017 Special Meeting Minutes
- C. Consideration of a motion to approve the July 11, 2017 Special Meeting Minutes
- D. Consideration of a motion to approve the July 18, 2017 Regular Meeting Minutes
- E. Consideration of a motion to approve the July 20, 2017 Special Meeting Minutes
- F. Consideration of a motion to approve the 2018 City Council Meeting Dates

- G. Consideration of a motion to accept the August 28, 2017 Study Session Summary on the Public Participation Working Group Update and Report
- H. Second reading and consideration of a motion to adopt Ordinance 8205 adopting by reference, the 2015 major update of the Boulder Valley Comprehensive Plan (BVCP)
- I. Introduction, first reading and consideration of a motion to order published by title only Ordinance 8208 adopting a general revision of the city's zoning map consistent with the land use designation changes adopted in the 2015 Major Update to the Boulder Valley Comprehensive Plan
- J. Introduction, first reading and consideration of a motion to order published by title only Ordinance 8209 amending Chapter 10-6, "Electrical Code," B.R.C. 1981, and adopting by reference the current National Electrical Code, as adopted by the State of Colorado, amending the City of Boulder Building and Plumbing Codes to update and correct provisions of those codes, and amending the 2017 City of Boulder Energy Conservation Code adopted pursuant to Ordinance 8155 by making revisions to update and clarify the COBECC, and setting forth related details

COUNCIL MEMBER YATES MOVED TO APPROVE CONSENT AGENDA ITEMS 3A-3J.
COUNCIL MEMBER BROCKETT SECONDED THE MOTION. THE MOTION PASSED
9:0 AT 6:18 P.M.

4. CALL-UP CHECK-IN

- 8A. Call-Ups
 - 1. 1102 Pearl Street- Landmarks Alteration Certificate

Council Member Morzel asked for clarification on the previous Planning Department hearing vote. Comprehensive Planning Manager Lesli Ellis answered questions from Council.

ORDER OF BUSINESS

5. PUBLIC HEARINGS

- A. Consideration of a motion to request the Boulder Shelter for the Homeless to Amend its Management Plan

Deputy City Manager MaryAnn Weideman opened the item and announced that City Manager Jane Brautigam would arrive later in the meeting.

City Attorney Tom Carr spoke briefly regarding the legal history of the management plan.

Director of Human Services Karen Rahn introduced this item.

Deputy Director of Housing Kurt Firnhaber, Development Manager for Planning & Program Development Manager for Human Services Wendy Schwartz and Executive Director of Boulder Shelter for the Homeless Greg Harms answered questions from Council.

The Public Hearing opened at 7:59 p.m. and the following spoke regarding proposed amendments to the Boulder Shelter for the Homeless Management Plan:

1. Michelle Stephens
2. Burke Deaton
3. Patricia DeAngelis Ratner
4. Michael Fitzgerald pooled with Kevin Hornbaker and Evan Ravitz
5. James Duncan
6. Mike Homner
7. Sara-Jane Cohen

The Public Hearing closed at 8:27 p.m.

Executive Director of Bridge House Isabelle McDevitt answered questions from Council.

COUNCIL MEMBER WEAVER MOVED TO REQUEST THE BOULDER SHELTER FOR THE HOMELESS TO ALLOW DAY SHELTERING AND YEAR-ROUND SHELTERING FOR QUALIFIED CLIENTS TO IMPLEMENT THE CITY OF BOULDER HOMELESSNESS STRATEGY. COUNCIL MEMBER SHOEMAKER SECONDED THE MOTION. THE MOTION PASSED 9-0 AT 9:21 P.M.

- B. Second reading and consideration of a motion to adopt Ordinance 8207 amending Chapter 14-1, "Arts Grant Program," 1981 B.R.C., to update Arts Grant Program processes, and setting forth related details

Cultural Arts Manager Matt Chasansky introduced this item.

The Public Hearing opened and with no speakers, closed at 9:28 p.m.

COUNCIL MEMBER BURTON MOVED TO ADOPT ORDINANCE 8207 AMENDING CHAPTER 14-1, "ARTS GRANT PROGRAM," 1981 B.R.C., TO UPDATE ARTS GRANT PROGRAM PROCESSES, AND SETTING FORTH RELATED DETAILS.

COUNCIL MEMBER BROCKETT SECONDED THE MOTION. THE MOTION PASSED 9-0 AT 9:29 P.M.

- C. Continued second reading and consideration of a motion to adopt Ordinance 8201 recommending City Council repeal and replace Chapter 9-13, "Inclusionary Housing," B.R.C. 1981, and amending and adding related definitions to Chapter 9-16, "Definitions," B.R.C. 1981. The replacement ordinance includes a middle-income housing requirement, incentives to provide affordable units on-site, requires a new design review process, is reorganized to improve readability and sets forth related details

Deputy Director of Housing Kurt Firnhaber introduced this item.

Council gave the following changes to Ordinance 8201 and directed these changes come back for a third reading, as follows:

(c) Provision of Affordable Units Off-site:

(1) The intent of this option is that the off-site unit mix of building type (attached, townhome, detached) and number of units with specific number of bedrooms will be proportionate to the mix of market units on the sending site. Recognizing that an off-site location is unique and may have different zoning and other planning considerations than the sending site, the city manager may meet the intent of this chapter by modifying the requirements in chapters 9-13-6 and 9-13-7 to accommodate receiving site constraints.

MAJOR JONES MOVED TO AMEND ORDINANCE 8201 BY MAKING THE ABOVE REVISIONS AS DIRECTED BY COUNCIL. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 9-0 AT 9:48 P.M.

Nod of Five given to bring back Ordinance 8201 to include provisions for condo conversions at 9:51 p.m.

6. MATTERS FROM THE CITY MANAGER

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MAYOR AND MEMBERS OF COUNCIL

- A. Call-Ups
1. 1102 Pearl Street- Landmarks Alteration Certificate

No action taken.

- B. Consideration of a motion to adopt Resolution 1216 in support of the Extension of the Worthy Cause Tax

C. Consideration of a motion to approve changes to Council Rules of Procedure

9. COMMENT ON MOTIONS MADE UNDER MATTERS

Comment on Motions Made Under Matters opened at 9:55 p.m. and with no speakers, closed at 9:55 p.m.

10. DECISIONS ON MOTIONS

COUNCIL MEMBER BROCKETT MOVED TO ADOPT RESOLUTION 1216. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 9:0 AT 9:56 P.M.

COUNCIL MEMBER SHOEMAKER MOVED TO AMEND SECTION IV(A)(6) OF THE COUNCIL RULES OF PROCEDURE BY ADDING THE SENTENCE AS FOLLOWS: FOR MATTERS WHERE PUBLIC COMMENT WOULD BE HELPFUL IMMEDIATELY, THE MAYOR SHALL HAVE THE OPTION OF OPENING A PUBLIC HEARING IMMEDIATELY AFTER THE COUNCIL HAS CONCLUDED DEBATE ON A MOTION. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 9:0 AT 9:56 P.M.

11. DEBRIEF

City Attorney Tom Carr reminded counsel that there was an amendment for Item 3J in the Consent Agenda that had not been voted on, and indicated Council needed to pass a motion for that amendment.

COUNCIL MEMBER APPELBAUM MOVED TO AMEND CONSENT AGENDA ITEM 3J TO ADD THE FOLLOWING LANGUAGE TO SECTION 7 OF ORDINANCE 8209: "LEGISLATIVE ADOPTION BY REFERENCE OF THE NATIONAL ELECTRICAL CODE IS A MATTER OF LOCAL CONCERN AND SUBJECT SOLELY TO THE LEGISLATIVE PROCEDURES ESTABLISHED IN SECTION 16 OF THE CHARTER OF THE CITY OF BOULDER. SECTION 16 OF THE CHARTER EXCLUSIVELY ESTABLISHES THE PROCEDURE FOR ADOPTION OF ANY ORDINANCE BY THE CITY COUNCIL, INCLUDING OF ANY ORDINANCE ADOPTING A CODE BY REFERENCE." COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 9:0 AT 9:56 P.M.

12. ADJOURNMENT

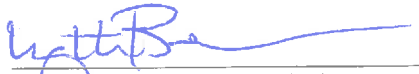
THERE BEING NO FURTHER BUSINESS TO COME BEFORE COUNCIL AT THIS TIME, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED ON SEPTEMBER 19, 2017 AT 9:56 P.M.

Approved this 17th day of October, 2017.

APPROVED BY:


Suzanne Jones, Mayor

ATTEST:


Lynette Beck, City Clerk