

CITY OF BOULDER
CITY COUNCIL MEETING
Municipal Building, 1777 Broadway
Boulder, Colorado 80302
Tuesday, October 18, 2016

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor Jones called the meeting to order at 6:05 p.m.

Council Members Brockett, Burton, Shoemaker, Weaver and Yates were present. Council Member Morzel arrived at 6:06 p.m. Council Member Young arrived at 6:42 p.m. Council Member Appelbaum was absent.

COUNCIL MEMBER YATES MOVED TO APPROVE THE AMENDED AGENDA BY ADDING THE RETITLING OF ITEM 1A: DECLARATION IN HONOR OF JOSIE HEATH. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 6:0 WITH COUNCIL MEMBERS APPELBAUM, YOUNG AND MORZEL ABSENT AT 6:05 P.M.

A. Declaration in Honor of Josie Heath

The declaration was introduced by Mayor Jones at 6:06 p.m. and read by Council Member Burton. Josie Heath was presented a gift by Council.

B. Update on Department of Commerce- Boulder Campus

Policy Advisor Carl Castillo introduced this item to Council at 6:15 p.m.

2. OPEN COMMENT and COUNCIL/STAFF RESPONSE

(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 6:51 p.m. and the following spoke:

1. Chris Hoffman spoke regarding municipalization efforts.
2. Joe McDonald spoke regarding municipalization.
3. Ronnie Roman spoke regarding short term rental licenses.
4. Leslie Glustrom spoke regarding the short-term rental ordinance.
5. Tom Carter regarding the Boulder Museum of Contemporary Art.

6. Darren O'Connor spoke regarding homelessness.
7. Micah Parkin spoke regarding municipalization.
8. Patrick Murphy spoke regarding municipalization.
9. Bob Morehouse spoke regarding municipalization.
10. Dryden Mills spoke regarding municipalization.
11. Lili Franklyn spoke regarding municipalization and climate change.
12. Saba Roman spoke regarding the short-term rental ordinance.
13. Rob Smoke spoke regarding Amendment 71 on the 2017 Ballot.
14. Victor Lemus spoke regarding municipalization.
15. Petra Rudisill spoke regarding municipalization.
16. Buff Elting spoke regarding the short-term rental ordinance.
17. Rory Bryant spoke regarding municipalization.
18. Jo Morgan spoke regarding management at Mapleton Mobile Home Park.
19. Hollie Rogin spoke regarding affordable commercial mixed-use development.
20. Richard Fleming spoke regarding affordable commercial development.
21. Mark Collins spoke regarding Open Comment and other processes.
22. Douglas Thompson spoke regarding Hollies Rogin's comments.
23. Sarah Goff spoke regarding the sugar tax on beverages.
24. Paul Keaton spoke regarding the management at Mapleton Mobile Home Park.
25. Marilyn Whittaker spoke regarding affordable housing.

Open Comment closed at 7:49 p.m.

3. CONSENT AGENDA

- A. Consideration of a motion to call Special Meetings for the following dates:
 - 1. November 10, 2016, to hold a Joint public hearing with Planning Board to address public requests for changes to BVCP land use map or area designations for two unincorporated properties (Area II/III)
 - 2. December 13, 2016, to continue the public hearing for deliberation regarding consideration of a motion to approve BVCP land use changes initiated by public requests for Area II/III- (no new testimony taken) AND a public hearing for the Nablus Sister City Application
- B. Consideration of a motion to approve the proposed 2017 Budget Operating Plan and Board Reappointments for the Downtown Boulder Business Improvement District
- C. Consideration of a motion authorizing the City Manager to enter into a settlement agreement in excess of \$10,000 arising out of an August 3, 2016 water main break on Gillespie Drive
- D. Consideration of a motion to approve Resolution 1196 declaring the City of Boulder's official intent to participate in a future issuance of certificates of participation and to reimburse itself for capital expenditures undertaken in advance of such financing in connection with the construction of a public parking garage, and related uses associated with a development located on Boulder's University Hill
- E. Consideration of motions to adopt Resolution 1194 in support of Boulder County's 1B and Resolution No. 1195 in support of 1C, both measures certified to appear on the November 2016 county ballot

Mayor Jones recused herself from this item.
- F. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8151 to rezone 1.12 acres of land located at 3200 Bluff Street (the Air Gas site) from Industrial Mixed Services (IMS) to Mixed Use - 4 (MU-4)
- G. Consideration of the following items related to Boulder Community Health (BCH) properties located at 4801, 4855, 4865 and 4885 Riverbend Road and BCH requests to redevelop the sites with a new medical facility and parking structure within the Riverbend Office Park:
 - 1. Request to change the underlying Boulder Valley Comprehensive Plan (BVCP) Land Use Designation on the Riverbend Road site from Transitional Business to Public (to be considered at the time of second reading of the ordinances below);

2. Introduction, first reading and consideration of a motion to order published by title only Ordinance 8149 amending Title 9, "Land Use Code," B.R.C. 1981, to rezone the properties from BT-2 (Business Transitional – 2) to P (Public); and
3. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8150 amending Title 9, "Land Use Code," B.R.C. 1981, and Ordinance 8028 by amending Appendix J of Title 9 adding additional BCH properties to areas where height modifications may be considered

COUNCIL MEMBER BROCKETT MOVED TO APPROVE THE CONSENT AGENDA ITEMS 3A-3G. COUNCIL MEMBER MORZEL SECONDED THE MOTION. THE MOTION PASSED 7:0 WITH MAYOR JONES RECUSED AND COUNCIL MEMBER APPELBAUM ABSENT AT 7:52 P.M.

4. CALL-UP CHECK IN

Potential Call-Ups

1. 2440 Junction Place- Vacation of a drainage easement
2. 541 Marine St.- Landmark Alteration Certificate
3. 4780 Valmont Rd.- Vacation of a waterline easement

No action taken.

ORDER OF BUSINESS

5. PUBLIC HEARINGS Items 5A-5G

The following items 5A-5G will be heard as a single Public Hearing.

A. Consideration of the following items relating to the 2017 Budget;

1. Second reading, and consideration of a motion to adopt Ordinance 8144 that adopts a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2017 and ending on the last day of December 2017, and setting forth details in relating thereto; and
2. Second reading and consideration of a motion to adopt Ordinance 8145 that establishes the 2016 City of Boulder property tax mill levies which are to be collected by the County of Boulder, State of Colorado, within the City of

Boulder in 2017 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado, and setting forth details in relation thereto; and

3. Second reading and consideration of a motion to adopt Ordinance 8146 that appropriates money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2017 fiscal year of the City of Boulder, commencing on the first day of January 2017, and ending on the last day of December 2017, and setting forth details in relation thereto; and
4. Second reading and consideration of a motion to adopt Ordinance 8147 that amends Section 3-8-3 and Chapter 4-20 of the B.R.C. 1981 changing certain fees, and setting forth details in relation thereto

City Manager Jane Brautigam introduced this item to Council.

Executive Budget Manager Peggy Bunzli showed a presentation to Council explaining the budget allocations.

City Manager Brautigam explained the added areas of Transportation Safety, Homelessness, Code Enforcement and the actual cost of in-house janitorial staff across city campuses.

The Public Hearing opened at 8:35 p.m. and the following spoke regarding items related to the 2017 Budget:

1. Angela Vander Meyden
2. Julie Van Domelen
3. Geof Cahoon
4. Sue Prant

The Public Hearing closed at 8:50 p.m.

Transportation Director Mike Sweeney answered questions regarding the one-time funding and data through education outreach, motorcycle safety techniques, snow and ice removal and contingency funding for abnormal weather.

Director of Human Services Karen Rahn, Human Resources Director Joyce Lira and Purchasing Manager/Acting Risk Manager David Banna answered questions regarding onboarding, employee hiring and recruiting process.

Director of Housing Kurt Firnhaber and Planning, Housing and Sustainability Deputy Director Susan Richstone explained the SMART Regulations process with fees and reduction in incentives.

MAYOR JONES MOVED TO (1) APPROVE ORDINANCE 8144 THAT ADOPTS A BUDGET FOR THE CITY OF BOULDER, COLORADO, FOR THE FISCAL YEAR COMMENCING ON THE FIRST DAY OF JANUARY 2017 AND ENDING ON THE LAST DAY OF DECEMBER 2017, AND SETTING FORTH DETAILS IN RELATION THERETO; WITH AMENDMENTS TO INCREASE THE EMERGENCY FAMILY ASSISTANCE ASSOCIATION (EFAA) AMOUNT AND ADJUST EFFECTIVE DATE FEES ON THE SMART REGS (2) -WAS NOT VOTED ON, (3) APPROVE ORDINANCE 8146 THAT APPROPRIATES MONEY TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, COLORADO, FOR THE 2017 FISCAL YEAR OF THE CITY OF BOULDER, COMMENCING ON THE FIRST DAY OF JANUARY 2017, AND ENDING ON THE LAST DAY OF DECEMBER 2017, AND SETTING FORTH DETAILS IN RELATION THERETO; WITH THE AMENDMENT OF THE DATE OF APRIL 20, 2018 CHANGED TO APRIL 1, 2017 (4) APPROVE ORDINANCE 8147 THAT AMENDS SECTION 3-8-3 AND CHAPTER 4-20- 18 C OF THE B.R.C. 1981 CHANGING CERTAIN FEES, AND SETTING FORTH DETAILS IN RELATION THERETO; WITH AMENDMENT OF CHANGING THE DATE OF DECEMBER 31, 2016 TO MARCH 31, 2017. COUNCIL MEMBER WEAVER SECONDED THE MOTIONS. THE MOTIONS PASSED 7:1 WITH COUNCIL MEMBER MORZEL VOTING NAY AND COUNCIL MEMBER APPELBAUM ABSENT AT 10:29 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE BOULDER CITY COUNCIL AND CONVENE AS THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTIONS PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:29 P.M.

Consideration of a motion to adopt three resolutions pertaining to the 2017 Budget of the City of Boulder Downtown Commercial District Fund (formerly known as the Central Area General Improvement District Fund):

1. Resolution 278 concerning the City of Boulder Downtown Commercial District Fund (formerly known as the Central Area General Improvement District Fund), adopting a budget for the fiscal year beginning January 1, 2017; and
2. Resolution 279 establishing the 2016 City of Boulder Central Area General Improvement District Property Tax Mill Levy for payment of expenditures in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. Resolution 280 appropriating money to defray the expenses and liabilities of the City of Boulder Downtown Commercial District Fund (formerly known as

the Central Area General Improvement District Fund) for the 2017 fiscal year and setting forth details in relation thereto; and

COUNCIL MEMBER BROCKETT MOVED TO ADOPT THREE RESOLUTIONS PERTAINING TO THE 2017 BUDGET OF THE CITY OF BOULDER DOWNTOWN COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT FUND): 1) RESOLUTION 200 CONCERNING THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND), ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND 2) RESOLUTION 201 ESTABLISHING THE 2016 CITY OF BOULDER UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE 2017 FISCAL YEAR, AND SETTING FORTH DETAILS IN RELATION THERETO; AND 3) RESOLUTION 202 APPROPRIATING MONEY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND) FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO; COUNCIL MEMBER WEAVER SECONDED THE MOTIONS. THE MOTIONS PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:30 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE CENTRAL AREA GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS AND CONVENE AS THE UHGID BOARD OF DIRECTORS. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT 10:30 P.M.

- C. Consideration of a motion to adopt three resolutions pertaining to the 2017 Budget of the City of Boulder University Hill Commercial District Fund (formerly known as the University Hill General Improvement District Fund):
1. Resolution 200 concerning the City of Boulder University Hill Commercial District Fund (formerly known as the University Hill General Improvement District Fund), adopting a budget for the fiscal year beginning January 1, 2017; and
 2. Resolution 201 establishing the 2016 City of Boulder University Hill General Improvement District Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
 3. Resolution 202 appropriating money to defray the expenses and liabilities of the City of Boulder University Hill Commercial District Fund (formerly known

as the University Hill General Improvement District Fund) for the 2017 fiscal year and setting forth details in relation thereto; and

COUNCIL MEMBER MORZEL MOVED TO ADOPT THREE RESOLUTIONS PERTAINING TO THE 2017 BUDGET OF THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND): 1) RESOLUTION 200 CONCERNING THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND), ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND 2) RESOLUTION 201 ESTABLISHING THE 2016 CITY OF BOULDER UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE 2017 FISCAL YEAR, AND SETTING FORTH DETAILS IN RELATION THERETO; AND 3) RESOLUTION 202 APPROPRIATING MONEY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER UNIVERSITY HILL COMMERCIAL DISTRICT FUND (FORMERLY KNOWN AS THE UNIVERSITY HILL GENERAL IMPROVEMENT DISTRICT FUND) FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO. COUNCIL MEMBER BURTON SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:31 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE UHGID BOARD OF DIRECTORS AND CONVENE AS THE BOULDER MUNICIPAL PROPERTY AUTHORITY BOARD OF DIRECTORS. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:31 P.M.

- D. Consideration of a motion to adopt Resolution 144 formally adopting the 2017 Budget for the Boulder Municipal Property Authority; and

COUNCIL MEMBER YOUNG MOVED TO ADOPT RESOLUTION 144 FORMALLY ADOPTING THE 2017 BUDGET FOR THE BOULDER MUNICIPAL PROPERTY AUTHORITY. COUNCIL MEMBER BROCKETT SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:32 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE BOULDER MUNICIPAL PROPERTY AUTHORITY (BPMA) BOARD OF DIRECTORS AND CONVENE AS THE FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:32 P.M.

- E. Consideration of motion to adopt three resolutions pertaining to the 2017 Budget of the City of Boulder Forest Glen Transit Pass General Improvement District Fund:

1. Resolution 53 concerning the City of Boulder Forest Glen Transit Pass General Improvement District, adopting a budget for the fiscal year beginning January 1, 2017; and
2. Resolution 54 establishing the 2016 City of Boulder Forest Glen Transit Pass General Improvement District Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. Resolution 55 appropriating money to defray the expenses and liabilities of the City of Boulder Forest Glen Transit Pass General Improvement District for the 2017 fiscal year and setting forth details in relation thereto; and

COUNCIL MEMBER YATES MOVED TO ADOPT THREE RESOLUTIONS PERTAINING TO THE 2017 BUDGET OF THE CITY OF BOULDER FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT FUND: 1) RESOLUTION 53 CONCERNING THE CITY OF BOULDER FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT, ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND 2) RESOLUTION 54 ESTABLISHING THE 2016 CITY OF BOULDER FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE 2017 FISCAL YEAR, AND SETTING FORTH DETAILS IN RELATION THERETO; AND 3) RESOLUTION 55 APPROPRIATING MONEY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO; COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:33 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE CITY OF BOULDER FOREST GLEN TRANSIT PASS GENERAL IMPROVEMENT DISTRICT BOARD OF DIRECTORS, AND CONVENE AS THE BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT - PARKING BOARD OF DIRECTORS. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:33 P.M.

- F. Consideration of a motion to adopt three resolutions pertaining to the 2017 Budget of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund:
1. Resolution 18 concerning the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund, adopting a budget for the fiscal year beginning January 1, 2017; and

2. Resolution 19 establishing the 2016 City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and
3. Resolution 20 appropriating money to defray the expenses and liabilities of the City of Boulder, Boulder Junction Access Commission General Improvement District – Parking Fund for the 2017 fiscal year and setting forth details in relation thereto; and

COUNCIL MEMBER WEAVER MOVED TO ADOPT THREE RESOLUTIONS PERTAINING TO THE 2017 BUDGET OF THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – PARKING FUND: 1) RESOLUTION 18 CONCERNING THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – PARKING FUND, ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND 2) RESOLUTION 19 ESTABLISHING THE 2016 CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – PARKING PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE 2017 FISCAL YEAR, AND SETTING FORTH DETAILS IN RELATION THERETO; AND 3) RESOLUTION 20 APPROPRIATING MONEY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – PARKING FUND FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO. MAYOR JONES SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:33 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT - PARKING BOARD OF DIRECTORS AND CONVENE AS THE BOARD OF DIRECTORS OF THE BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT TRAVEL DEMAND MANAGEMENT. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:34 P.M.

- G. Consideration of a motion to adopt three resolutions pertaining to the 2017 budget of the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund:
1. Resolution 19 concerning the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund, adopting a budget for the fiscal year beginning January 1, 2017; and
 2. Resolution 20 establishing the 2016 City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management

Property Tax Mill Levy for payment of expenditures, in part, of the District during the 2017 fiscal year, and setting forth details in relation thereto; and

3. Resolution 21 appropriating money to defray the expenses and liabilities of the City of Boulder, Boulder Junction Access Commission General Improvement District – Travel Demand Management Fund for the 2017 fiscal year and setting forth details in relation thereto; and

COUNCIL MEMBER SHOEMAKER MOVED TO ADOPT THREE RESOLUTIONS PERTAINING TO THE 2017 BUDGET OF THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT FUND: 1) RESOLUTION 19 CONCERNING THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT FUND, ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017; AND 2) RESOLUTION 20 ESTABLISHING THE 2016 CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT PROPERTY TAX MILL LEVY FOR PAYMENT OF EXPENDITURES, IN PART, OF THE DISTRICT DURING THE 2017 FISCAL YEAR, AND SETTING FORTH DETAILS IN RELATION THERETO; AND 3) RESOLUTION 21 APPROPRIATING MONEY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT FUND FOR THE 2017 FISCAL YEAR AND SETTING FORTH DETAILS IN RELATION THERETO. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:34 P.M.

MAYOR JONES MOVED TO ADJOURN FROM THE BOULDER JUNCTION ACCESS COMMISSION GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT BOARD OF DIRECTORS AND RECONVENE AS THE BOULDER CITY COUNCIL. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:34 P.M.

- H. Continued second reading and consideration of a motion to amend the following:
 1. Ordinance 8139 related to the annexation and initial zoning of enclaves in the vicinity of 55th and Arapahoe; and
 2. Ordinance 8140 related to an amendment to Subsection 11-5-11(a). B.R.C. 1981 regarding storm water and flood control utility plant investment fees

City Attorney Carr introduced this item to Council with a brief history on the process of annexation and the fees. Assistant City Attorney Kathy Haddock presented the status of the current marijuana businesses regarding this annexation.

COUNCIL MEMBER BROCKETT MOVED TO EXTEND THE MEETING PAST 11 P.M.
MAYOR JONES SECONDED THE MOTION. THE MOTION PASSED 8:0 AT 10:56 P.M.
WITH COUNCIL MEMBER APPELBAUM ABSENT AT 10:56 P.M.

The Public Hearing opened at 11:09 p.m. and the following spoke regarding the annexation items:

1. Mark Hartwig
2. Bruce Lindeke
3. Alex Lindeke
4. Mike Hastings
5. Michael Hannan
6. Megan Knies
7. John Wilhelm
8. Nolan Rosall
9. Ian Barringer pooled with Kelly Barringer and Dan Pruitt
10. Daniel Anglin pooled with Diana Anglin and Kellie Illum
11. Christopher Mallory pooled with Kevin Rice and Jon Falconer
12. Karin Lazarus pooled with Lucie Bercow and Ronhika Singh
13. Gaetano Iannaccone
14. Jerimiah Deltorrera
15. Loree Rene Schwartz pooled with Donna Silverman and Paul Silverman
16. Allyson Feiler pooled with Frank Falconer and Bret Heidkamp
17. Stephen Gold
18. Thomas Kee

The public hearing closed at 11:57 p.m.

COUNCIL MEMBER SHOEMAKER MOVED TO APPROVE ORDINANCE 8139 RELATED TO THE ANNEXATION AND INITIAL ZONING OF ENCLAVES IN THE VICINITY OF 55TH AND ARAPAHOE; AND 2. ORDINANCE 8140 RELATED TO AN AMENDMENT TO SUBSECTION 11-5-11(A). B.R.C. 1981 REGARDING STORM WATER AND FLOOD CONTROL UTILITY PLANT INVESTMENT FEES WITH THE FOLLOWING AMENDMENTS: 1. REQUIRE COMPLIANCE OF THE MARIJUANA BUSINESSES EXISTING LAWFULLY WITHIN THE PROPERTY TO BE ANNEXED ONLY WITH STATE MARIJUANA LAWS AND NOT THE CITY MARIJUANA CODES UNTIL JANUARY 1, 2018. 2. IMPOSE THE COUNTY STANDARD FOR ODOR REGULATION FOR THE EXISTING MARIJUANA BUSINESSES; 3. AMEND BOTH ORDINANCES TO GIVE COUNCIL AN OPTION TO CHANGE THE TRIGGER FOR CONNECTION TO CITY UTILITIES FROM WHEN AN INTERIOR TENANT IMPROVEMENT PROJECT EXCEEDS 25% TO 50% OF THE ASSESSED VALUATION OF THE BUILDING; AND 4. AMEND ORDINANCE 8140 TO ALLOW FOR THE SAME FINANCING OPTION FOR WATER AND WASTEWATER CONNECTION FEES AS THE ORDINANCE CURRENTLY PROVIDES FOR STORM WATER PLANT INVESTMENT FEES. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 5:3 WITH COUNCIL MEMBERS BROCKETT, BURTON AND YATES VOTING NAY AND COUNCIL MEMBER APPELBAUM ABSENT AT 12:40 A.M.

6. MATTERS FROM THE CITY MANAGER

- A. Update on progress regarding Hillard Heintze recommendations concerning police practices

Chief of Police Greg Testa introduced this item and discussed the records management system, possible survey outsourcing and finalizing policy changes to the Community Advisory Panel. He also presented an update on the “use of force” as it relates to best practices.

- B. Request for a “Nod of Five” to direct staff to begin an exploratory community engagement process to obtain input on a potential Head Tax ballot issue for 2017

City Manager Jane Brautigam introduced this item.

A “Nod of Five” was given by Council at 1:12 a.m.

7. MATTERS FROM THE CITY ATTORNEY

8. MATTERS FROM MAYOR AND MEMBERS OF COUNCIL

- A. Potential Call-ups

1. 2440 Junction Place- Vacation of a drainage easement
2. 541 Marine St.- Landmark Alteration Certificate

3. 4780 Valmont Rd.- Vacation of a waterline easement

No action taken.

9. PUBLIC COMMENT ON MATTERS

10. DECISION ON MOTIONS

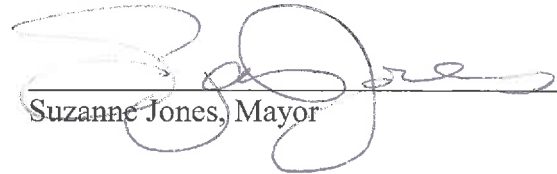
11. DEBRIEF

12. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE COUNCIL AT THIS TIME, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED ON OCTOBER 19, 2016 AT 1:13 A.M.

Approved this 14th day of November 2017.

APPROVED BY:


Suzanne Jones, Mayor

ATTEST:


Lynnette Beck, City Clerk