

CITY OF BOULDER
CITY COUNCIL SPECIAL MEETING
Municipal Building, 1777 Broadway
Boulder, Colorado 80302
Tuesday, November 14, 2017

MINUTES

1. Call to Order and Roll Call

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

Council Members Brockett, Burton, Morzel, Shoemaker, Yates and Young were present with Council Member Weaver absent. Council Member Appelbaum arrived at 6:27 p.m.

A. Presentation of Declarations for Council Members

Council Member Yates presented a Declaration to Council Member Burton, Council Member Morzel presented a Declaration to Council Member Shoemaker, and Mayor Jones presented a Declaration to Council Member Appelbaum in honor of their years of service on the Boulder City Council at 6:06 p.m.

COUNCIL MEMBER MORZEL MOVED TO APPROVE THE AMENDED AGENDA BY HAVING THE PUBLIC HEARINGS WITH THE LIQUOR OCCUPATION TAX FIRST, FOLLOWED BY THE DISCUSSION OF SEXUALLY VIOLENT PREDATORS, FOLLOWED BY BOULDER VALLEY COMPREHENSIVE PLAN MAP CHANGES FOR KNOLLWOOD AND SPRING VALLEY, AND TO ADD ONE ITEM, A REQUEST FOR A NOD OF FIVE TO DIRECT STAFF TO INVESTIGATE THE POSSIBILITY OF HAVING THE CITY JOIN A LAWSUIT AGAINST LEADING OIL COMPANIES FOR COSTS INCURRED BECAUSE OF CLIMATE CHANGE. COUNCIL MEMBER YOUNG SECONDED THE MOTION. THE MOTION PASSED 7:0 WITH COUNCIL MEMBERS APPELBAUM AND WEAVER ABSENT AT 6:13 P.M.

B. Mayor and Mayor Pro Tem Speeches of Interest

The future Council Members were invited up from the audience to sit at the dais while Mayor and Mayor Pro Tem speeches were made. Future Council Members Carlisle and Nagle joined Council at the dais.

Council Member Young and Mayor Jones gave speeches of interest for consideration of Mayor. Council Member Brockett gave a speech of interest for consideration of Mayor Pro Tem.

2. Consent Agenda

- A. Consideration of a motion to approve the May 10, 2016 Special Meeting Minutes
- B. Consideration of a motion to approve the June 7, 2016 Special Meeting Minutes
- C. Consideration of a motion to approve the October 18, 2016 Regular Meeting Minutes
- D. Consideration of a motion to approve the November 1, 2016 Regular Meeting Minutes
- E. Consideration of a motion to approve the June 13, 2017 Special Meeting Minutes
- F. Consideration of a motion to approve the August 1, 2017 Regular Meeting Minutes
- G. Consideration of a motion to approve the August 15, 2017 Regular Meeting Minutes
- H. Consideration of a motion to approve the August 28, 2017 Special Meeting Minutes
- I. Consideration of a motion to approve the September 26, 2017 Special Meeting Minutes
- J. Consideration of a motion to approve the October 3, 2017 Regular Meeting Minutes
- K. Consideration of a motion to approve the October 10, 2017 Special Meeting Minutes

COUNCIL MEMBER BROCKETT MOVED TO APPROVE CONSENT AGENDA ITEMS 2B-2L. COUNCIL MEMBER MORZEL SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER WEAVER ABSENT AT 6:33 P.M.

3. Public Hearings

A. Liquor Occupation Tax Discussion

Chief Financial Officer Cheryl Pattelli and Assistant Director of Finance/Acting Revenue and Licensing Officer Kara Skinner introduced the item and Police Chief Greg Testa answered questions from Council.

The Public Hearing opened at 6:46 p.m., and the following spoke regarding the Liquor Occupation Tax:

1. Adam Kandle
2. Matt Cutter
3. Andres Gil Zaldana
4. Ulla Merz
5. Andrea Meneghel
6. Lisa Spalding

The Public Hearing closed at 7:04 p.m.

COUNCIL MEMBER BROCKETT MOVED TO DIRECT STAFF TO PREPARE AN ORDINANCE IMPLEMENTING STAFF'S RECOMMENDATION TO ELIMINATE THE LIQUOR OCCUPATION TAX. MAYOR JONES SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER WEAVER ABSENT AT 7:13 P.M.

B. Public Hearing and Potential Council Direction Regarding Regulation of Sexually Violent Predators

City Attorney Tom Carr introduced this item to Council. Police Chief Greg Testa answered questions. Director of Human Services Karen Rahn gave an update on the Boulder Shelter for the Homeless Management Plan.

The Public Hearing opened at 8:01 p.m. and the following spoke regarding regulation of sexually violent predators:

1. Lori Waldo
2. Craig Ruff

The Public Hearing closed at 8:20 p.m.

City Attorney Carr answered additional questions from Council.

Council Member Appelbaum and Council Member Burton gave thoughts on ways to effectively deal with the Sexually Violent Predators and commented that the efforts of Chief Testa in working with the state seems to be the approach the city should continue.

Council Member Yates commented he would like to see a public working group related to this issue. Council Member Brockett concurred with the comments of Council Member Yates.

C. Consideration of the following motions:

1. Motion to approve a Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map change from Area III-Rural Preservation to Area II for Knollwood as shown and described in Attachment A; and
2. Motion to approve a Boulder Valley Comprehensive Plan (BVCP) Planning Area I, II, III Map change from outside the Planning Area boundary to Area II and assign a land use designation of very low density residential (VLR) for Spring Valley Estates as shown and described in Attachment B

Assistant City Manager Chris Meschuk and Planner I Beth Chamberlain introduced the item to Council.

The Public Hearing opened at 8:55 p.m. and with no speakers, the Public Hearing closed at 8:55 p.m.

Council Member Brockett asked the minutes to reflect that when and if it is time to annex the properties, that the annexation agreement provide the prohibition to subdivide and no additional development brought on by the annexation.

1. COUNCIL MEMBER MORZEL MOVED TO APPROVE A MOTION FOR A BOULDER VALLEY COMPREHENSIVE PLAN (BVCP) PLANNING AREA I, II, III MAP CHANGE FROM AREA III-RURAL PRESERVATION TO AREA II FOR KNOLLWOOD AS SHOWN AND DESCRIBED IN ATTACHMENT A. COUNCIL MEMBER BROCKETT SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER WEAVER ABSENT AT 8:56 P.M.

2. COUNCIL MEMBER MORZEL MOVED TO APPROVE A MOTION FOR A BVCP PLANNING AREA I, II, III MAP CHANGE FROM OUTSIDE THE PLANNING AREA BOUNDARY

TO AREA II AND ASSIGN A LAND USE DESIGNATION OF VERY LOW DENSITY RESIDENTIAL (VLR) FOR SPRING VALLEY ESTATES AS SHOWN AND DESCRIBED IN ATTACHMENT B. COUNCIL MEMBER BROCKETT SECONDED THE MOTION. THE MOTION PASSED 8:0 WITH COUNCIL MEMBER WEAVER ABSENT AT 8:56 P.M.

4. Matters from Mayor and Members of Council

- A. Request for a “Nod of Five” to direct staff to investigate possibility of having the city join a lawsuit against leading oil companies for costs incurred because of climate change

Council Member Yates recused himself from this item at 8:57 p.m.

Mayor Jones brought this item forward as a potential lawsuit involving forward thinking climate litigation. City Attorney Carr presented this item further to Council, informing that San Francisco and Oakland have both filed lawsuits limited to the five (5) largest oil companies. City Attorney Carr indicated the “Nod of Five” would allow him to work with the group that has approached Boulder to investigate whether this is a viable lawsuit before Boulder decides whether to go forward or not. Council discussed the potential lawsuit in greater detail.

A “Nod of Five” was given by Council at 9:02 p.m.

- B. Eco Pass and RTD and working group

Council Member Young brought this item to Council and explained what the function of the Eco Pass and RTD working group hope to accomplish.

5. Comment on Motions Made Under Matters

6. Decisions on Motions

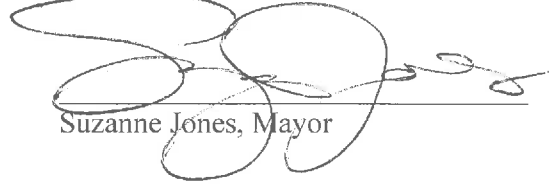
7. Debrief

8. Adjournment

THERE BEING NO FURTHER BUSINESS TO COME BEFORE COUNCIL AT THIS TIME, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED ON NOVEMBER 14, 2017 AT 9:18 P.M.

Approved this 6th day of February, 2018.

APPROVED BY:



Suzanne Jones, Mayor

ATTEST:



Lynnette Beck, City Clerk