

**CITY OF BOULDER**  
**CITY COUNCIL MEETING**  
Municipal Building, 1777 Broadway  
Boulder, Colorado 80302  
Thursday, September 20, 2018

**MINUTES**

**1. CALL TO ORDER AND ROLL CALL**

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

Council Members Brockett, Carlisle, Grano, Morzel, Nagle, Weaver, Yates and Young were present.

**2. OPEN COMMENT**

(Public comments are a summary of actual testimony. Full testimony is available on the council web page at: <https://bouldercolorado.gov/city-council> > Watch Live or Archived Meetings.)

Open Comment began at 6:15 p.m.

1. Sammie Lawrence spoke about personal protection for legal medicine.
2. Rosa Haritos signed up but did not speak.
3. Lynn Segal spoke about presentations from the public and television coverage.
4. Dan Greenberg spoke about community choice of electric provider.
5. Amanda Blasingame spoke about homelessness, housing and discrimination.
6. Jan Morzel spoke about sidewalks to be built in the city.
7. Lauren Sakin spoke about fire preparedness.
8. Alan Owens spoke about protection for homeless persons from assault.
9. Elizabeth Hondorf spoke about traffic concerns.
10. Stephen Haydel called in using the Open Comment Remote Pilot Program and spoke about the sidewalks that need repaired in the city.

Open Comment closed at 6:37 p.m.

3. **CONSENT AGENDA**

- A. Consideration of a motion to approve the August 7, 2018 Regular Meeting Minutes
- B. Consideration of a motion to approve the August 14, 2018 Special Meeting Minutes
- C. Consideration of a motion to approve the August 21, 2018 Regular Meeting Minutes
- D. Consideration of a motion to approve the August 23, 2018 Special Meeting Minutes
- E. Consideration of a motion to accept the July 10, 2018 Study Session Summary regarding the Marijuana Advisory Panel (MAP)
- F. Consideration of a motion to accept the August 28, 2018 Study Session Summary on the Fire Master Plan
- G. Consideration of a motion to accept the August 28, 2018 Study Session Summary regarding the Community Benefits Project
- H. Consideration of a motion to authorize the City Manager to enter into a Memorandum of Understanding with the Federal Bureau of Investigation for Medical Support
- I. Consideration of a motion to authorize the City Manager to nominate Fire Chief Michael Calderazzo to the Trust Committee of the Colorado Firefighter Heart and Cancer Benefit Trust
- J. Consideration of a motion authorizing the city manager to enter into a settlement agreement with Travis Lundin for personal injury claims
- K. Consideration of a motion to adopt Resolution 1242 supporting Boulder County's 2018 Ballot Measure 1A, which would build an alternative sentencing facility and to modernize the Boulder County Jail

**This item was removed from the Consent Agenda and was not considered.**

- L. Consideration of the following items related to two properties in Crestview East (case number LUR2018-00044):
  - 1. Second reading and consideration of a motion to adopt Ordinance 8288 vacating and authorizing the city manager to execute a deed of vacation for a 10-foot wide portion of Vine Avenue right-of-way located adjacent to the property at 2100 Violet Avenue and setting forth related details.

2. Second reading and consideration of a motion to adopt Ordinance 8289 vacating and authorizing the city manager to execute a deed of vacation for a portion of Vine Avenue right-of-way located adjacent to the property at 1917 Upland Avenue and setting forth related details

**This item was pulled off the Consent Agenda and will be heard as a public hearing at a future meeting.**

- M. Introduction, first reading and consideration of a motion to order published by title only, Ordinance 8284 amending Section 3-7-2, "Imposition and Rate of Tax," B.R.C. 1981, to implement occupation taxes on four classes of malt, vinous or spirituous liquor licenses and to remove fermented malt beverage on premises and off premises licenses, and amending Section 4-2-3, "Authority to Issue City Licenses," B.R.C. 1981, to remove fermented malt beverage on premises and off premises licenses to comply with the requirements of C.R.S. § 44-3-401(1), "Classes of Licenses and Permits," and setting forth related details
- N. Introduction, first reading, and consideration of a motion to order published by title only Ordinance 8290 amending Section 10-3-4, "Reduced Term License," B.R.C. 1981, to ensure compliance of properties with rental licenses with outdoor lighting standards and setting forth related details
- O. Consideration of a motion to accept the September 11, 2018 Advanced Study Session Summary regarding the 2019 Recommended Budget and 2019-2024 Recommended Capital Improvement

**COUNCIL MEMBER YATES MOVED TO APPROVE THE CONSENT AGENDA ITEMS 3A-3O, REMOVING 3K INDEFINITELY AND REMOVING 3L TO BE HEARD AS A PUBLIC HEARING AT A FUTURE MEETING. COUNCIL MEMBER BROCKETT SECONDED THE MOTION. THE MOTION PASSED 7:0 AT 7:07 P.M. WITH COUNCIL MEMBERS CARLISLE AND GRANO ABSENT.**

**4. CALL-UP CHECK-IN**

**5. PUBLIC HEARINGS**

- A. Consideration of a motion to authorize the city manager to enter into agreements with Public Service Company of Colorado d/b/a Xcel Energy to authorize permanent property rights and to reimburse all costs associated with separation of the electric utility system

City Attorney Tom Carr introduced the item at 7:08 p.m.

Senior Counsel Kathy Haddock and Executive Director of Energy Strategy and Electric Utility Development Steve Catanach answered questions.

The public hearing was opened at 8:08 p.m. and the following spoke regarding the Agreement with Xcel.

1. Patrick Murphy
2. Karey Christ-Janer
3. Lynn Segal
4. Lili Franklin

The public hearing was closed at 8:20 p.m.

**COUNCIL MEMBER MORZEL MOVED TO AUTHORIZE THE CITY MANAGER TO ENTER INTO TWO AGREEMENTS FOLLOWING THE FORM AS IN ATTACHMENTS A AND B. COUNCIL MEMBER WEAVER SECONDED THE MOTION. THE MOTION PASSED 9:0 AT 8:32 P.M.**

## 6. MATTERS FROM THE CITY MANAGER

- A. Next Steps for South Boulder Creek Flood Mitigation (this item does not include discussion of annexation with CU)

Discussion with university representatives will occur at the October 9, 2018 Study Session.

Public Works Senior Project Coordinator Molly Scarbrough and Engineering Project Manager Kurt Bauer introduced this item at 8:34 p.m.

Owner/Senior Consultant with Corvus Environment Mary Powell, Ecological Stewardship Supervisor with Open Space and Mountain Parks Don Damico, Resources & Stewardship Division Manager John Potter, Principal for RJH Consultants Inc. Rod Eisenbraun, and Director of Public Works for Utilities Jeff Arthur answered questions.

Council gave direction which included exploring Option A, not excavating on OS-O (Open Space-Open) land, realigning Dry Creek Ditch 2 as proposed, exploring with preference all 9 Open Space Board of Trustee related recommendations (to include motions and attachments), avoiding tennis court infrastructure, not developing upstream storage and not encouraging permanent structures on OS-O land use. Staff will return to council at a future date with follow-up information.

- B. Update on Civic Use Pad

Yvette Bowden, Director of Community Vitality and Parks and Recreation, introduced the item at 10:11 p.m.

Council intent was that the scope of ongoing negotiations would conclude in a final agreement before 2019 and that this development association might be used as a model for future community outreach.

7. **MATTERS FROM THE CITY ATTORNEY**
8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL**
9. **DISCUSSION ITEMS**

Council Member Brockett gave an update on Denver Regional Council of Governments (DRCOG).

Council Member Young gave an update on RTD.

City Attorney Carr gave an update on the ownership of the University Hill item and asked to schedule the item when all of council is present.

10. **DEBRIEF**
11. **ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE COUNCIL AT THIS TIME, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED ON SEPTEMBER 20, 2018 AT 10:46 P.M.**

Approved this 16<sup>th</sup> day of October, 2018.

APPROVED BY:

  
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Suzanne Jones, Mayor

ATTEST:

  
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Lynnette Beck, City Clerk