

Mayor
Aaron Brockett

Council Members
Taishya Adams
Matt Benjamin
Lauren Folkerts
Tina Marquis
Ryan Schuchard
Nicole Speer
Mark Wallach
Tara Winer



Council Chambers
1777 Broadway
Boulder, CO 80302
October 3, 2024
6:00 PM

City Manager
Nuria Rivera-Vandermyde

City Attorney
Teresa Taylor Tate

City Clerk
Elesha Johnson

AGENDA FOR THE REGULAR MEETING OF THE BOULDER CITY COUNCIL

1. **Call to Order and Roll Call**
 - A. **Museum of Boulder 80th Anniversary Declaration presented by Mayor Brockett** **10 Min**
 - B. **Indigenous Peoples' Day Declaration presented by Council Member Folkerts** **10 min**
2. **Open Comment**
3. **Consent Agenda**
 - A. **Consideration of a motion to accept the September 12, 2024 Study Session summary regarding the 2025 Recommended Budget Discussion**
 - B. **Consideration of a motion to approve the 2023-24 performance evaluations and salary adjustments for the City Manager, City Attorney and Municipal Court Judge**
 - C. **Consideration of a motion authorizing the City Manager to convey the permanently affordable homes at 3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO to eligible buyers and sign all associated agreements**
 - D. **Introduction, first reading and consideration of a motion to order published by title only Ordinance 8663 amending Title 8, "Parks, Open Spaces, Streets, and Public Ways," B.R.C, 1981, to add a new Chapter 11 concerning the establishment of Lodging Business Assessment Areas; and setting forth related details**
 - E. **Second reading and motion to adopt Ordinance 8644 amending Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981, updating Appendix 8-C indicating where horses are allowed on**

OSMP trails; and setting forth related details

- F. Second reading and consideration of a motion to adopt Ordinance 8654 amending Section 7-6-21, "Parking in Loading Zone Prohibited," B.R.C. 1981 to implement the flexible loading zone component of the Boulder Curbside Implementation Guidebook; and setting forth related details

4. Call-Up Check-In

5. Public Hearings

- A. Consideration of the following items relating to the 2025 Budget: *120 min
- 15 min
presentat
/ 105
min
public
hearing
&
Council
discussio*
 - 1. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8660 adopting a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details;
 - 2. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8661 establishing the 2024 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 2025 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado; and setting forth related details;
 - 3. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8662 appropriating money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2025 fiscal year of the City of Boulder, commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details; and
 - 4. Consideration of a motion to order published by title only, Ordinance 8656 amending Section 3-8-3, "Tax Imposed on Nonresidential and Residential Development," Section 3-20-2, "Imposition and Rate of Tax," and Chapter 4-20, "Fees," B.R.C. 1981, changing certain fees and taxes; and setting forth related details

6. Matters from the City Manager

7. Matters from the City Attorney

8. Matters from the Mayor and Members of Council

- A. Discussion on whether to hold the November 14th Special Meeting & Joint Meeting with the Planning Board in-person, (which was converted from a Study Session) *5 min*
- B. Discussion on drafting a letter to Boulder County regarding their proposed 2025 Budget cuts *15 min*

9. Discussion Items

10. Debrief

11. Adjournment

3:40 hrs

Additional Materials

Presentations

Item Updates

Information Items

A. 2024 Cultural Grants

Boards and Commissions

Declarations

Heads Up! Email

This meeting can be viewed at www.bouldercolorado.gov/city-council. Meetings are aired live on Municipal Channel 8 and the city's website and are re-cablecast at 6 p.m. Wednesdays and 11 a.m. Fridays in the two weeks following a regular council meeting.

Boulder 8 TV (Comcast channels 8 and 880) is now providing closed captioning for all live meetings that are aired on the channels. The closed captioning service operates in the same manner as similar services offered by broadcast channels, allowing viewers to turn the closed captioning on or off with the television remote control. Closed captioning also is available on the live HD stream on BoulderChannel8.com. To activate the captioning service for the live stream, the "CC" button (which is located at the bottom of the video player) will be illuminated and available whenever the channel is providing captioning services.

The council chambers is equipped with a T-Coil assisted listening loop and portable assisted listening devices. Individuals with hearing or speech loss may contact us using Relay Colorado at 711 or 1-800-659-3656.

Anyone requiring special packet preparation such as Braille, large print, or tape recorded versions may contact the City Clerk's Office at 303-441-4222, 8 a.m. - 5 p.m. Monday through Friday. Please request special packet preparation no later than 48 hours prior to the meeting.

If you need Spanish interpretation or other language-related assistance for this meeting, please call (303) 441-1905 at least three business days prior to the meeting. Si usted necesita interpretacion o cualquier otra ayuda con relacion al idioma para esta junta, por favor comuniquese al (303) 441-1905 por lo menos 3 negocios dias antes de la junta.

Send electronic presentations to email address: CityClerkStaff@bouldercolorado.gov no later than 2 p.m. the day of the meeting.



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Museum of Boulder 80th Anniversary Declaration presented by Mayor Brockett

PRIMARY STAFF CONTACT

Megan Valliere, Assistant to City Council

ATTACHMENTS:

Description

- **Museum of Boulder 80th Anniversary Declaration**

Boulder History Month

October 2024

The City of Boulder proudly celebrates the 80th anniversary of the Boulder Historical Society, Inc., now known as the Museum of Boulder. Since its establishment on October 10, 1944, the Museum has been instrumental in preserving and sharing the rich history of our community.

Over the past eight decades, the Museum has diligently worked to safeguard the stories, artifacts, and heritage that shape Boulder Valley. Its efforts have provided invaluable educational resources and fostered engagement for both residents and visitors.

To honor this significant milestone, the City of Boulder proclaims October 2024 as Boulder History Month. This month-long celebration will recognize the Boulder Historical Society's contributions to deepening our understanding and appreciation of local history. The community is encouraged to participate in various events and programs designed to explore Boulder's past, connect with our roots, and enrich our shared identity.

We invite all Boulder Valley residents to join in the festivities, including visiting three notable exhibitions at the Museum of Boulder: the award-winning "Proclaiming Colorado's Black History," "On the Move: Keeping History Alive at the Museum of Boulder," and the captivating Boulder Experience Gallery. The Museum's dedication to education, preservation, inclusion, and community engagement is commendable.

We, the City Council of the City of Boulder, Colorado declare October 2024 as

Boulder History Month

and encourage all Boulder residents to join us in honoring the 80th Anniversary of the Museum of Boulder.



Aaron Brockett, Mayor





COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Indigenous Peoples' Day Declaration presented by Council Member Folkerts

PRIMARY STAFF CONTACT

Megan Valliere, Assistant to City Council

ATTACHMENTS:

Description

- ▣ **Indigenous Peoples' Day Declaration**

Indigenous Peoples' Day

October 14, 2024

In 2024, Indigenous Peoples' Day will be commemorated on Monday, October 14th, and the Boulder City Council wants to recognize the importance of the Indigenous Peoples' Day Resolution in our community. In 2016, the Human Relations Commission and community members drafted the Indigenous Peoples' Day Resolution (Resolution No. 1190), which was presented at the August 2nd, 2016, Boulder City Council meeting and adopted by the City of Boulder. Their collective and collaborative work in 2016 set a crucial foundation for the City of Boulder to reckon honestly with its past and for how we can honor, serve, and celebrate Indigenous Nations, Indigenous communities, and Indigenous organizations in Boulder.

The Boulder City Council believes it is critical to underscore key acknowledgments in the resolution, along with additional information we have learned implementing the resolution, which continues to guide city Indigenous-related work:

- Indigenous People in Boulder respect the interdependence of all humanity and living things and celebrate a vast and rich living tradition through ancestral recognition and diversity of knowledge and perspectives, including sustainable practices.
- Indigenous People in Boulder have, as in all parts of Americas, endured centuries of cruelty, exploitation and genocide.
- Boulder has benefited and continues to benefit directly from Indian removal policies that violated human rights, broke government treaties and forced many people from their homeland.
- For example: In 1858, Hinono'ei neecce ("Arapaho Chief"), Nowoo3 ("Niwot," "Lefthand"), and other Hinono'eino' ("Arapaho") Peoples told a party of gold-seekers camped in what is now known as Boulder that they could not remain on Indigenous land as defined by the 1851 Treaty of Fort Laramie.
- However, those men stayed. After gold was found west of Boulder in January 1859, many of those same gold-seekers helped found the Boulder Town Company on February 10, 1859, in violation of the 1851 Treaty of Fort Laramie.

- In August of 1864, nearly 100 Boulder County residents mobilized into Company D of the Third Colorado Cavalry of U.S. Volunteers at Fort Chambers. This company of 100 men trained at the fort before participating in the Sand Creek Massacre on November 29, 1864, from which the Boulder troops enjoyed a hero's welcome upon their return. Among those killed in the massacre were women, children, elders, and chiefs, including Nowoo3 ("Lefthand," "Niwot") and Tsistsistas ("Cheyenne") Chief White Antelope.
- Today, Boulder is honored to be home of several prominent Native organizations including the Native American Rights Fund founded in 1970, which is the largest nonprofit law firm dedicated to asserting and defending the rights of Indian tribes, organizations and individuals nationwide.

The resolution also states the city acknowledges that those now living on these ancestral lands recognize that harm was done and acknowledge that we have a shared responsibility to forge a path forward to address the past and continuing harm to the Indigenous People and the land.

As we mark this year's Indigenous Peoples' Day, we recognize that we must ensure ongoing work to acknowledge and address the past to help inspire education and reflection and initiate meaningful action to help support Indigenous Nations, communities and organizations.

This work is guided by the city's Indigenous Peoples' Day Resolution, the city's Racial Equity Plan, guidance from American Indian Tribal Nations, agreements the city shares with Tribal Nations, the Open Space and Mountain Parks Master Plan, and engagement with Indigenous communities and Indigenous organizations in Boulder. Community members can learn about ongoing Indigenous-related projects through the city website. bouldercolorado.gov/services/indigenous-peoples-projects

We, the City Council of the City of Boulder, Colorado, declare October 14, 2024, as

Indigenous Peoples' Day

And urge all community members to begin or continue the process of listening to Indigenous Peoples, reflecting on the Indigenous presence in the Boulder Valley that has existed since time immemorial, and learning about the violent colonization of Indigenous lands. While the city is collaborating with Tribal Nations on several ongoing projects, we know we have more work to fulfill the Indigenous Peoples' Day Resolution and help support Indigenous Nations and Indigenous communities and organizations in Boulder. We value their guidance and the opportunity to listen and learn from all of them as we reckon with and address our past with hope that it will make our collective communities stronger and more resilient.



A handwritten signature in black ink, appearing to read 'Aaron Brockett', positioned above a horizontal line.



Aaron Brockett, Mayor



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Consideration of a motion to accept the September 12, 2024 Study Session summary regarding the 2025 Recommended Budget Discussion

PRIMARY STAFF CONTACT

Nuria Rivera-Vandermyde, City Manager

Kara Skinner, Chief Financial Officer

Charlotte Huskey, Budget Analyst

REQUESTED ACTION OR MOTION LANGUAGE

Motion to accept the September 12, 2024 Study Session summary regarding the 2025 Recommended Budget Discussion.

ATTACHMENTS:

Description

- **Item 3A - Consideration of a motion to accept the September 12, 2024 Study Session summary regarding the 2025 Recommended Budget Discussion**



**CITY OF BOULDER
COUNCIL AGENDA**

MEETING DATE: October 3, 2024

AGENDA TITLE: Consideration of a motion to accept the September 12, 2024 Study Session Summary regarding the 2025 Recommended Budget for City of Boulder.

PRESENTERS:

Nuria Rivera-Vandermyde, City Manager
Kara Skinner, Chief Financial Officer
Charlotte Huskey, Budget Officer
Scott Carpenter, Principal Budget Analyst
Toni Townsend, Senior Grants Program Manager
Stacy Polyakova, Budget Analyst

EXECUTIVE SUMMARY

The purpose of the study session was to present the City Manager's 2025 Recommended Budget, and to give City Council an opportunity to ask questions and provide comments. Staff presented on financial considerations and assumptions, community engagement, the 2025 recommended budget overview, and future budget & policy considerations including the long-term financial strategy planning.

STAFF RECOMMENDATION

Suggested Motion Language:

Motion to accept the September 12, 2024 Study Session Summary regarding the 2025 Recommended Budget.

SUMMARY OF PRESENTATION & COUNCIL DISCUSSION

Council Member Adams moderated the 2025 Recommended Budget Study Session and introduced the presenters. City Manager Nuria Rivera-Vandermyde introduced the financial landscape and the recommended budget, emphasizing that revenues have declined and while there is not a need for reducing services or personnel, this does reflect a reduction in the growth of spending in the organization. Next, Chief Financial Officer Kara Skinner briefly highlighted the various programs the city supports and their alignment to the Citywide Strategic Plan, and then introduced the presenting Budget team.

Budget Officer Charlotte Huskey reviewed the agenda for the evening, which consisted of a presentation on the financial outlook, the 2025 Recommended Budget overview, community engagement, followed by budget highlights aligned to the Sustainability, Equity, and Resiliency (SER) framework and grant strategy. Budget highlights consisted of key operating enhancements, funded through either new dollars or significant realignment of dollars from other areas and represented substantial changes to the annual budget. This was followed by a break for questions.

The 2025 Recommended Budget consists of \$492.5 million in forecasted revenues, 37% of which comes from Sales & Use taxes. The operating expenses consist of a \$399.3 million operating budget across all funds. The recommended budget consists of realignments of money, limited ongoing operating investments, and the strategic utilization of one-time funding investments.

In the first break for discussion and questions, Council Member Marquis, Mayor Brockett, Council Member Benjamin, Council Member Wallach, Council Member Folkerts, and Council Member Adams posed questions. A summary of Council Member question topics included:

- Ways to view dedicated and undedicated funding
- County budgeting process and how the County budget may impact the city's programs and services
- City budget amounts (and anticipated revenues) associated with the County 1B affordable housing funding
- Property tax legislative impacts on city revenues
- Fund balances of all funds, intent of remaining balances and where to view this information
- The budget engagement questionnaire and questions on total population of renters in the city
- Examples of statistically valid city survey data
- Outcomes and measurements for specific programs across the city and where to access data pertaining to specific Housing and Human Services programs
- An understanding of alignment and investments in racial equity

Next followed the presentation on the Capital Improvement Program (CIP) budget, unfunded needs, long-term financial strategy summary, and next steps, followed once more with time for discussion and questions.

The 2025 Recommended CIP budget consists of \$190.2 million in spending which would be invested in capital maintenance (46%), capital enhancement (40%), and new projects (12%). Key projects were highlighted which consisted of the East Boulder community center project, Alpine-Balsam western city campus, fire stations #2 and #4, University Hill streetscape renovations, Primos Park and Violet Bridge project, and major utilities projects.

The long-term financial strategy planning summary covered the current state of financial strategy and listed unfunded and underfunded needs. The strategy includes establishing a financial plan, conducting a fee inventory and study, defining what are core service levels, and exploring alternative funding mechanism.

In the following break, Council Member Marquis, Mayor Pro Tem Speer, Council Member Winer, Council Member Benjamin, Council Member Schuchard, Council Member Wallach, and Council Member Adams posed questions related to the CIP, unfunded needs list, and long-term financial strategy. Questions included topics such as:

- Alpine-Balsam Western City Campus project and project funding
- Capital project development, process, and funding supported by the Community, Culture, Resilience and Safety Tax
- Alignment of budget priorities and investments within the CIP budget, such as alignment to the SER Framework, city council priorities, and Citywide Strategic Plan
- Investments supporting sidewalk infrastructure and engagement of community related to sidewalk improvements
- Further understanding the Violet Bridge replacement project

Finally, council members were invited to discuss and share macro-level changes or considerations for the 2025 Recommended Budget. The Financial Strategy Committee provided an overview of recommended process for changes, which included the recommendation that if Council Members recommend additions to the budget, that they also identify subtractions to the budget to provide a balanced recommendation. Staff clarified the request for Council Members to send changes through the Hotline listserv by September 23, 2024. Topics discussed by council members included:

- Safe & Managed Spaces Program
- Wildfire Resilience
- Small Business Economic Relief
- Elevate Boulder Program
- Behavioral Health
- BIPOC-owned Business Support



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Consideration of a motion to approve the 2023-24 performance evaluations and salary adjustments for the City Manager, City Attorney and Municipal Court Judge

PRIMARY STAFF CONTACT

David Bell, Chief Human Resources Officer

REQUESTED ACTION OR MOTION LANGUAGE

Motion to approve the 2023-24 performance evaluations and salary adjustments for the City Manager, City Attorney and Municipal Court Judge

ATTACHMENTS:

Description

- ▣ **Item 3B - Consideration of a motion to approve the 2023-24 performance evaluations and salary adjustments for the City Manager, City Attorney and Municipal Court Judge**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 3, 2024

AGENDA TITLE

Consideration of a motion to approve the 2023-24 performance evaluations and salary adjustments for the City Manager, City Attorney and Municipal Court Judge.

PRESENTER(S)

Nicole Speer and Ryan Schuchard, City Council Employee Evaluation Committee

EXECUTIVE SUMMARY

Based on performance feedback by City Council, internal and external stakeholders and direct report employees, the evaluation committee is bringing to the Council a motion regarding the 2023-24 performance evaluations and salary adjustments for the City Manager, City Attorney and Municipal Court Judge for the evaluation period of July 1, 2023 to June 30, 2024 and prorated for the number of months employed in the evaluation period.

The Evaluation Committee has given the City Manager an Exceeds Our High Expectations rating and the Evaluation Committee recommends a 4.0% performance increase that would increase the annual salary from \$315,597.33 to \$328,221.22.

The Evaluation Committee has given the City Attorney an Exceeds Our High Expectations rating and the Evaluation Committee recommends a 4.0% performance increase that would increase the annual salary from \$260,403.35 to \$270,819.48. This also reflects a correction to base pay for the City Attorney effective July 1, 2023 from \$257,639.64 to \$260,403.35 (correction due to error in prior evaluation calculation).

The Evaluation Committee has given the Municipal Court Judge an Exceeds Our High Expectations rating and the Evaluation Committee recommends a 4.0% performance increase that would increase the annual salary from \$200,000 to \$202,000 (3 months employed in evaluation period).

**CITY COUNCIL EMPLOYEE EVALUATION COMMITTEE
RECOMMENDATION**

Suggested Motion Language:

The City Council Evaluation Committee requests council consideration of this matter and action in the form of the following motion:

Consideration of a motion to approve the 2023-24 performance evaluations and salary adjustments recommended by the Evaluation committee for the City Manager, City Attorney and Municipal Court Judge, retroactive to July 1, 2024.

OTHER IMPACTS

- **Fiscal** – Should Council choose to provide performance based salary adjustments, the total cost to the city would be \$25,040.03. These increases are retroactive to July 1, 2024 and have already been accounted for in the 2024 approved budget and 2025 proposed budget with all other employee salary/wage increases.
- **Fiscal** – The correction to the base salary for the City Attorney, for the period July 1, 2023 to June 30, 2024 is \$2,763.71, which has already been accounted for in the 2024 approved budget.
- **Staff time** – Staff time is approximated at 40 hours over the course of the support period, and an external consultant provided support with feedback collection.

BACKGROUND

Each year the City Council considers granting a performance pay increase to its three direct employees, City Manager and City Attorney and Municipal Court Judge, based on a performance evaluation process.

ANALYSIS

The City Council employee evaluation process is supervised by the Council Employee Evaluation Committee. The procedure for the employee evaluation is guided in part by the City Charter. Section 9 provides that the Council may appoint a committee of not more than two Council members to consider making a recommendation on the performance of its employees. The committee’s business may be conducted in private.

The committee seeks input from a variety of sources regarding its three employees, synthesizes the information, and makes a recommendation to the entire Council with regard to a proposed performance rating and compensation. The council adopts a performance rating as part of the evaluation process. Personnel files are generally not disclosed under the state public records law. See section 24-72-204(3)(a)(II)(A), C.R.S. Performance ratings or compensation are not considered to be part of the personnel file. See section 24-72-202(4.5), C.R.S.

The evaluation committee recommends that council employee salary increases be based upon the performance ratings given by council to each employee.

Each Council member rated the performance of each employee on performance factors through an anonymous feedback tool. Internal and external contacts and direct report staff also rated each Council employee in an anonymous feedback tool. The recommendation for pay increases in the motion represents an average across all factors of all respondents.

Rating	Increase Band
Exceeds Our High Expectations	4%
Fully Meets Our High Expectations	3.25%
Meets Core Responsibilities	1.75%
Does Not Meet Expectations	0%

The City Manager received good to high ratings in all categories and an average rating resulting in an Exceeds Our High Expectations rating. As such, the committee recommends a 4.0% increase in salary based on merit.

The City Attorney received good to high ratings in all categories and an average rating resulting in a Exceeds Our High Expectations rating. As such, the committee recommends a 4.0% increase in salary based on merit.

The Municipal Court Judge received good to high ratings in all categories and an average rating resulting in a Exceeds Our High Expectations rating. As such, the committee recommends a 4.0% increase in salary based on merit.

ATTACHMENT(S)

None



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Consideration of a motion authorizing the City Manager to convey the permanently affordable homes at 3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO to eligible buyers and sign all associated agreements

PRIMARY STAFF CONTACT

Eli Urken/Homeownership Manager

REQUESTED ACTION OR MOTION LANGUAGE

Motion authorizing the City Manager to convey the permanently affordable homes at 3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO to eligible buyers and sign all associated agreements

ATTACHMENTS:

Description

- **Item 3C - Consideration of a motion authorizing the City Manager to convey three permanently affordable homes in Boulder to eligible buyers and sign all associated agreements.**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 3, 2024

AGENDA TITLE

Consideration of a motion authorizing the City Manager to convey the permanently affordable homes at 3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO to eligible buyers and sign all associated agreements.

PRESENTER/S

Nuria Rivera-Vandermyde, City Manager
Kurt Firnhaber, Director of Housing & Human Services
Jay Sugnet, Housing & Human Services Senior Manager
Eli Urken, Homeownership Manager

EXECUTIVE SUMMARY

Approval from City Council is required to dispose of City property. The City, through its Housing & Human Services Department, purchased three homes in February, June, July of 2024 (3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO). The homes were purchased with the intention of providing homeownership opportunities to middle income buyers. The homeownership program seeks approval to sell the properties to program qualified buyers. This will allow the homes to be added to the City's Permanently Affordable Homeownership Program.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to authorize the City Manager to dispose of the permanently affordable homes at 3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO to eligible buyers and sign all associated agreements.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The City’s Permanently Affordable Homeownership Program is committed to making homes in our community available to a variety of people. We offer opportunities for homeownership to those with low-, moderate-, and middle-incomes throughout the city. Authorizing the City Manager to sell the properties will provide opportunities for permanently affordable homeownership to families in Boulder.
- Social – The sale of these homes will give income qualified applicants the opportunity to purchase an affordable home in Boulder while increasing overall socio-economic diversity.

OTHER IMPACTS

Fiscal – The purchase and sale of these properties will have a net cost of approximately \$446,500, with an average per unit subsidy of approximately \$148,900.00. The majority of this represents the subsidy needed to convert these homes from market rate homes to permanently affordable homes. To make them affordable, the price needed to be lowered. In addition, some of the systems in the homes were in need of maintenance or replacement. The net cost was anticipated and budgeted for within the Housing & Human Services initiative that creates middle-income affordable homes.

Table A – Property Purchase, Rehabilitation and Resale Costs

	3250 Oneal Cir Unit D20	3515 28th St #105	3150 Iris Ave #F211
	2 bed, 1 bath, 767 sq ft	2 bed, 1 bath, 748 sq ft	2 bed, 1 bath, 958 sq ft
Purchase Amount	≈ (\$354,300.00)	≈ (\$346,400.00)	≈ (\$384,400)
Rehabilitation Costs	≈ (\$10,800.00)	≈ (\$11,000.00)	≈ (\$31,600)
Resale Costs	≈ (\$7,200.00)	≈ (\$8,200.00)	≈ (\$7,600)
Total Costs	≈ (\$372,300.00)	≈ (\$365,600.00)	≈ (\$423,600)

Table B – Property Sale

Property Resale Amount	\$225,000.00	\$240,000.00	\$250,000
Total Costs	≈ (\$372,300.00)	≈ (\$365,600.00)	≈ (\$423,600)
Affordable Housing Fund	≈ (\$147,300.00)	≈ (\$125,600)	≈ (\$173,600)

- Staff time - Staff time needed to facilitate the property sale would be a part of the normal work plan. No additional staff resources would be required.

BACKGROUND

To build the inventory of permanently affordable homes available to middle-income earners (80-120% AMI), Housing & Human Services established a new initiative in 2021 called Scattered Site Acquisitions. The goal of this initiative is to buy homes at market prices and resell them at lower prices that are in line with the Permanently Affordable Homeownership Program specific to middle-income. A permanently affordable covenant is attached to the property to ensure affordability in perpetuity. 3250 Oneal Circle Unit D20, Boulder, CO, 3515 28th Street #105, Boulder, CO, and 3150 Iris Avenue #F211, Boulder, CO were purchased at market rate with the intention to convert them all to permanently affordable homes.

ANALYSIS

The Housing & Human Service's mission is to preserve and provide safe, quality and affordable housing opportunities through collaborative community planning and funding of programs. The purchase and resale of these properties upholds the mission of the program. The disposal of these properties will afford certified applicants opportunities to own a home in the city. These properties will serve applicants who earn up to 120% of the Area Median Income. Approval from City Council is required to dispose of City property, § 2-2-8(a) "Conveyance of Real Property Interests," B.R.C. 1981.



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8663 amending Title 8, "Parks, Open Spaces, Streets, and Public Ways," B.R.C, 1981, to add a new Chapter 11 concerning the establishment of Lodging Business Assessment Areas; and setting forth related details

PRIMARY STAFF CONTACT

Teresa Taylor Tate, City Attorney, 303.441.3020

REQUESTED ACTION OR MOTION LANGUAGE

Motion to introduce and order published by title only Ordinance 8663 amending Title 8, "Parks, Open Spaces, Streets, and Public Ways," B.R.C, 1981, to add a new Chapter 11 concerning the establishment of Lodging Business Assessment Areas; and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 3D - 1st Rdg Ord 8663 Amending Title 8 to Establish Lodging Business Assessment Areas**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 3, 2024

AGENDA TITLE

Introduction, first reading and consideration of a motion to order published by title only Ordinance 8663 amending Title 8, “Parks, Open Spaces, Streets, and Public Ways,” B.R.C, 1981, to add a new Chapter 11 concerning the establishment of Lodging Business Assessment Areas; and setting forth related details.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Teresa Taylor Tate, City Attorney
Christiana McCormick, Assistant City Attorney III
Mark Woulf, Assistant City Manager
Jennifer Pinsonneault, Economic Vitality Manager

EXECUTIVE SUMMARY

Proposed Ordinance 8663, if adopted, would create a mechanism and procedures for Lodging Business Assessment Areas (LBAAAs) to be formed within the city. An LBAA created pursuant to these procedures would be a quasi-governmental entity separate from the city that has the authority to assess fees and taxes, which are used for tourism-related facilities and services beyond that which the city provides and which promote the economic health of the city’s lodging businesses for the benefit of residents and visitors.

No LBAA is created through adoption of this Proposed Ordinance. Proposed Ordinance 8663 is an “enabling ordinance” that establishes the procedures and criteria for the formation of LBAAAs only. In order for an LBAA to be formed, after Proposed Ordinance 8663 becomes effective, representatives of lodging businesses who want to create an

LBAA would need to follow the procedures established by Proposed Ordinance 8663 to petition the city for formation of an LBAA. If their petition meets the requirements of Proposed Ordinance 8663, then a separate “establishment ordinance” would be adopted to formally create the LBAA.

STAFF RECOMMENDATION

Suggested Motion Language:

Motion to introduce and order published by title only Ordinance 8663 amending Title 8, “Parks, Open Spaces, Streets, and Public Ways,” B.R.C, 1981, to add a new Chapter 11 concerning the establishment of Lodging Business Assessment Areas; and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** - The purpose of allowing Lodging Business Assessment Areas is to promote the economic health of the city by providing an avenue for lodging businesses to better market and promote their services to attract visitors.
- **Environmental** - None.
- **Social** - None.

OTHER IMPACTS

- **Fiscal** - None.
- **Staff time** - There is an option to assign a city staff member to the board of a Lodging Business Assessment Area as a non-voting, *ex officio* director, but it is not required.

RESPONSES TO QUESTIONS FROM COUNCIL AGENDA COMMITTEE

None.

BOARD AND COMMISSION FEEDBACK

None.

PUBLIC FEEDBACK

None.

BACKGROUND

Since late 2023 the Boulder Visitors and Convention Bureau (d/b/a Visit Boulder) and its Board of Directors has been exploring the feasibility of a Lodging Business Assessment

Area (LBAA), similar to the Tourism Improvement Districts (TIDs) in Denver and Fort Collins, within the city. Visit Boulder has coordinated with the local hotel industry to gauge interest in the creation of such an entity and is reporting overwhelmingly strong support throughout the industry.

In early 2024, Visit Boulder approached city staff to discuss the progress on their feasibility study with their project consultants (Civitas). Their feasibility study focused on the TIDs operated in Fort Collins and Denver, the interest amongst local lodging partners, fee structure, and fee amount.

Visit Boulder would like to begin the process of collecting signatures as soon as possible to facilitate planning for the upcoming year. Since an LBAA is not formed until a petition is submitted and an establishment ordinance is adopted, Visit Boulder is seeking approval of Proposed Ordinance 8663, the enabling ordinance, on consent. If Proposed Ordinance 8663 is adopted, Visit Boulder plans to circulate the petition over the next two months, which would define area, fee structure, and fee amount, with the goal of returning for consideration of an establishment ordinance in late Q4 2024 or early Q1 2025.

ANALYSIS

LBAAAs or TIDs are both quasi-governmental entities established by a local government that are separate from the local government and are intended to improve or enhance facilities and services that are otherwise unavailable. These entities are created solely through home rule authority and not through any authority granted by the State in the Colorado Revised Statutes.

If the city allows the formation of LBAAAs by adopting Proposed Ordinance 8663, an LBAA formed within the city would be a special purpose taxing entity that allows an additional assessed fee or tax on room stays to be directly distributed to and managed by the Destination Marketing Improvement organization (for the city of Boulder, that entity is Visit Boulder). This would allow lodging businesses to pay into an entity and have direct representation in the allocation of tourism resources to support the lodging business industry. A primary interest of Visit Boulder and their industry partners is to adequately prepare for the marketing and booking of new hotel rooms at several new locations and including conventions at the soon-to-come CU Conference Center and Hotel (Limelight).

The process to create a local LBAA is encompassed in three steps: (1) City Council adopts an enabling ordinance, which is Proposed Ordinance 8663; (2) a sufficient petition to create an LBAA is submitted to the city and a hearing is held on the petition; and (3) if the city finds that the petition and related materials meet the requirements established by Proposed Ordinance 8663, another ordinance is adopted that formally creates the LBAA, the “establishment ordinance.” The process is similar to how a business improvement district or general improvement district is created.

Because any LBAA created within city limits is a quasi-governmental entity, the LBAA is subject to the Taxpayer’s Bill of Rights (TABOR), the Colorado Open Meetings Law,

the Colorado Open Records Act, and the Local Government Budget Law. As a separate and distinct entity from the city, all revenues, debts, and liabilities of the LBAA are those of the LBAA only and do not become financial obligations of the city.

Proposed Ordinance 8663 requires that, once formed, the LBAA's board of directors is composed of members who are electors of the LBAA, and the city has the option to assign a member of city staff to be a non-voting, *ex officio* director. After the initial board members' terms expire, new board members are recruited and recommended by the LBAA, appointed by the mayor, and confirmed by City Council. In addition, the LBAA must provide an annual report to the city concerning their budget and annual plan.

NEXT STEPS

Second reading and consideration of adoption of Proposed Ordinance 8663 is set for October 17.

ATTACHMENT

Attachment A – Proposed Ordinance 8663

ORDINANCE 8663

AN ORDINANCE AMENDING TITLE 8, “PARKS, OPEN SPACES, STREETS, AND PUBLIC WAYS,” B.R.C. 1981, TO ADD A NEW CHAPTER 11 CONCERNING THE ESTABLISHMENT OF LODGING BUSINESS ASSESSMENT AREAS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
COLORADO:

Section 1. Legislative Findings.

A. As a home rule municipality, the City of Boulder has the authority under Article XX, Section 6 of the Colorado Constitution to establish local lodging business assessment areas and other types of entities that are separate and distinct governmental or quasi-governmental entities from the city.

B. The city may establish these LBAAAs to provide public improvements and services that are of local and municipal concern as needed to benefit the health, safety and welfare of the city’s residents and its visitors.

C. Visitors to the city contribute substantially to the health of the city’s economy, and the local hospitality and tourism industries provide a significant number of jobs for city residents, as well as directly benefiting the city’s lodging businesses and other tourism-related businesses in the city.

D. As one tool to help these sectors of the city’s tourism and visitor economy, this ordinance will allow the city’s lodging businesses to organize and establish, subject to city council’s approval, lodging business assessment areas that will be able to impose certain fees and assessments to be paid by the lodging businesses and for the resulting revenues to be used by the

1 LBAAAs to provide certain tourism-related improvements and services to encourage overnight
2 visitation to the city and stays at the city’s lodging businesses.

3 E. Adoption of this ordinance will therefore serve the public purposes of helping to
4 bolster the economic health of the city’s hospitality and tourism industries and generally contribute
5 to the public’s health, safety, and welfare.

6
7 Section 2. Title 8 of the Boulder Revised Code, 1981, is hereby amended by adding a new
8 Chapter 11, “Lodging Business Assessment Areas,” to read in its entirety as follows:

9
10 **CHAPTER 11**
LODGING BUSINESS ASSESSMENT AREAS

11 **8-11-1. - Council Findings.**

12 Lodging business assessment areas may be organized under this chapter to provide improved,
13 enhanced, additional, or otherwise unavailable tourism-related facilities and services that are over-
14 and-above the facilities and services regularly provided by the city. The organization of lodging
15 business assessment areas within the city having the purposes and powers provided in this chapter
16 will serve the following public purposes: (i) promote economic health; (ii) promote the health,
17 safety, prosperity, security and general welfare of the city’s residents and visitors; and (iii)
specially benefit the lodging businesses within the boundaries of any LBAA created under this
chapter. The city is empowered to create lodging business assessment areas as authorized in this
chapter under its plenary home rule authority over matters of local and municipal concern, as
authorized by Article XX, Section 6 of the Colorado Constitution.

18 **8-11-2. - General Power to Establish Lodging Business Assessment Areas.**

19 The city authorizes the establishment and organization of lodging business assessment areas within
20 the city under this chapter to fund and provide tourism improvements and tourism services that
21 will confer special benefits upon lodging businesses within such LBAAAs and confer general
benefits to the city, its residents, and its visitors.

22 **8-11-3. - Legal Status of Lodging Business Assessment Areas.**

23 Any lodging business assessment area created under this chapter shall be deemed a body corporate
24 and politic, a "district" within the meaning of Article X, Section 20 of the Colorado Constitution,
25 a “local government” within the meaning of Local Government Budget Law of Colorado at Part
1, Article 1, Title 29 of the Colorado Revised Statutes, and a unit of local government distinct and
separate from the city itself. As a legal entity established entirely through an exercise of the city's

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1 home rule authority, lodging business assessment areas shall not be considered political
2 subdivisions of the state. The multiple-fiscal year debt and other financial obligations of a lodging
3 business assessment area shall not be considered obligations of the city nor shall a LBAA's fiscal
4 year spending and revenue be considered that of the city.

5 **8-11-4. - Definitions.**

6 As used in this chapter, unless the context indicates otherwise, the following words and terms shall
7 have the meanings set forth below:

8 *Annual plan* shall mean the board's annual report outlining the LBAA's revenues,
9 expenditures, projects, and goals.

10 *Authorized manager* shall mean the person who exercises overall responsibility to manage
11 the day-to-day operations of a specific lodging business and is authorized by the lodging
12 business to sign a petition for the inclusion of the lodging business in a lodging business
13 assessment area.

14 *Board* shall mean the board of directors of a lodging business assessment area.

15 *Director* shall mean a member of the board of a lodging business assessment area.

16 *Elector* shall mean a natural person who is a resident of the State of Colorado, is eighteen
17 (18) years of age or older and registered to vote in general elections in the State of Colorado
18 and who:

19 (1) Is obligated to collect the public accommodation tax pursuant to chapter 3-3 of this
20 code by virtue of ownership and operation of a lodging service or public
21 accommodation in the lodging business assessment area; or

22 (2) Is obligated to collect the short-term rental tax pursuant to chapter 3-15 of this code
23 by virtue of ownership and operation of a short-term rental accommodation in the
24 lodging business assessment area; or

25 (3) Is the natural person designated to vote for an entity that is:

a. Not a natural person, and

b. Obligated to collect the public accommodation tax by virtue of ownership
of a lodging service or public accommodation in the lodging business
assessment area, or

c. Obligated to collect the short-term rental tax by virtue of ownership of a
short-term rental accommodation in the lodging business assessment area.

1 Such designation must be in writing, under oath, on a form approved by the board and filed
2 with the secretary of the LBAA. Only one (1) such natural person may be designated by
3 the lodging service, public accommodation, or short-term rental accommodation owner.

4 Nothing in this definition shall permit an elector to cast more than one (1) vote per lodging
5 service, public accommodation, or short-term rental accommodation whether through a
6 designated elector or as a natural person.

7 Establishment ordinance shall mean the ordinance passed by City Council establishing a
8 lodging business assessment area and containing the information required in section 8-11-
9 14, “Establishment Ordinance,” B.R.C. 1981.

10 Hosting platform shall mean a person who collects or receives a fee, directly or indirectly,
11 for conducting a booking transaction using any medium of facilitation, including an
12 internet-based platform.

13 Initial plan shall mean the plan submitted with the petition to organize a lodging business
14 assessment area containing the information required in section 8-11-9, “Petition Submittal
15 and Initial Plan,” B.R.C. 1981.

16 Lodger shall mean a person to whom lodging is being provided for compensation.

17 Lodging business shall mean a person providing accommodations for lodging purposes,
18 public accommodations, and short-term lodging services.

19 Lodging purposes has the same meaning as set forth in chapter 3-3, “Public
20 Accommodations Tax,” B.R.C. 1981, of this code.

21 Lodging business assessment area or LBAA shall mean a lodging business assessment area
22 established under this chapter.

23 Maintenance shall mean the periodic cleaning, repair, restoration, rehabilitation,
24 refurbishment and replacement of an existing improvement.

25 Public accommodation tax shall mean the public accommodation tax imposed by the public
accommodation tax ordinance.

Public accommodation tax ordinance shall mean chapter 3-3 of this code.

Room shall mean any portion of a building designed for an occupancy as a complete,
independent living quarter for one (1) or more natural persons, having direct access from
outside the building or through a common hall and having living, sleeping and sanitary
facilities, and may also include kitchen facilities, which living quarter is for the exclusive
use of the occupant(s).

1 Short-term rental tax shall mean the short-term rental tax imposed by chapter 3-15 of this
2 code.

3 Short-term rental tax ordinance shall mean chapter 3-15 of this code.

4 Self-affirmation shall mean a self-affirmation substantially in the form shown in section 8-
5 11-8, “Self-Affirmation and Penalties,” B.R.C. 1981.

6 Tourism improvements shall mean any public improvements designed and intended to be
7 used in support of the tourism services to be provided by the LBAA, which may include,
8 without limitation: decorative structures; identification and directional signs; transportation
9 services; buildings and facilities located anywhere in the city primarily designed to host
10 and serve conventions and meetings or to otherwise serve visitors to the city and the
11 traveling public; and all necessary, incidental and appurtenant structures and improvements
12 thereto.

13 Tourism services shall mean any of the following: (a) the maintenance of any LBAA-
14 owned tourism improvements and any other publicly owned buildings or facilities located
15 anywhere in the city primarily designed to host and serve conventions and meetings or to
16 otherwise serve visitors to the city and the traveling public; (b) the organization,
17 promotion, marketing and management of public events; (c) marketing and promotions
18 services designed to attract more tourists, visitors, conventions and other meetings to the
19 city; (d) other services provided for the purpose of conferring benefits upon lodging
20 businesses located in the lodging business assessment area-; and (e) any combination of
21 the foregoing services.

22 **8-11-5. - General Powers of Lodging Business Assessment Areas.**

23 Except as may be limited or modified by the establishment ordinance, lodging business assessment
24 areas shall have the following powers:

25 (a) Term. To have perpetual existence unless limited as provided in the establishment
ordinance.

(b) Impose fees or assessments. To fund tourism improvements, tourism services, and the other
affairs of the LBAA by imposing fees and assessments on the lodging businesses or upon
lodgers; provided, however, that an LBAA shall have no authority to impose any ad
valorem property tax.

(c) Elections. To hold elections for the purpose of compliance with Article X, Section 20 of
the Colorado Constitution, including approving any multiple-fiscal year obligation of the
LBAA, or conducting any other LBAA affairs as required by applicable law. An LBAA’s
elections shall be conducted in accordance with the Colorado Local Government Election
Code in Article 13.5 of the Title 1 of the Colorado Revised Statutes; provided, however,
that the definition of electors eligible to vote in such an election shall be as provided in this
chapter. In the event of any other conflict between this chapter and the Colorado Local

1 Government Election Code, the requirements of this chapter shall control.

2 (d) *Contracts.* To enter into contracts and agreements affecting the affairs of the LBAA,
3 including, without limitation: (i) contracts relating to the LBAA’s tourism improvements
4 and tourism services; (ii) contracts with the city for the collection and expenditure of
5 LBAA fee and assessment revenue; and (iii) contracts for any other administrative, legal
6 or financial services necessary to assist the LBAA in the performance of its lawful
7 functions.

8 (e) *Control of LBAA business.* To have the management, control, and supervision of all the
9 business and affairs of the LBAA and of the acquisition, construction, financing,
10 installation and operation of tourism improvements and the funding and operation of
11 LBAA tourism services.

12 (f) *Property interests.* To acquire, construct, finance, install and operate the tourism
13 improvements contemplated by this chapter and to acquire all property, rights or interests
14 necessary, incidental or appurtenant thereto and to dispose of real and personal property
15 and any interest therein, including leases and easements in connection therewith.

16 (g) *Employees and contractors.* To hire employees and retain agents, engineers, consultants,
17 attorneys, accountants, and other professionals as needed to conduct the affairs of the
18 LBAA.

19 (h) *Litigation.* To sue and be sued and be a party to suits, actions, or proceedings.

20 (i) *Bylaws.* To adopt and amend bylaws not in conflict with the constitution and laws of the
21 United States and State of Colorado or in conflict with the city’s charter, code and
22 ordinances, as needed by the LBAA for carrying out its business objectives and the affairs
23 of its board.

24 (j) *Necessary, incidental, and implied powers.* To exercise all rights and powers necessary or
25 incidental to or implied from the specific powers granted in this chapter. Such specific
powers shall not be considered as a limitation upon any power necessary or appropriate to
carry out the purposes and intent of this chapter.

8-11-6. - Prohibited Powers.

A lodging business assessment area shall have neither the power of eminent domain nor any police
or regulatory powers. A lodging business assessment area shall not have the power to incur bonded
debt or similar indebtedness in any other form without the city council’s prior written consent.
However, a LBAA may have the power to enter into contractual multiple-fiscal year debt or other
financial obligations within the meaning of Article X, Section 20 of the Colorado Constitution,
subject to the approval of the electors of the LBAA or provided that the LBAA’s payment of such
debt or other financial obligations are subject to annual appropriation by the board. Nothing in this
chapter shall affect or impair the control and jurisdiction which the city has over all property within
its boundaries. All powers granted by this chapter shall be subject to such control and jurisdiction.

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1 **8-11-7. - How Initiated.**

2 (a) Petition. Any proposal for the establishment of a lodging business assessment area may be
3 initiated by a petition filed with the city clerk subject to the requirements in this section.

4 (b) Contents of petition. Each petition shall include:

5 (1) A description of the boundaries of the LBAA, which may be coterminous with the
6 boundaries of the entire city or a smaller geographical area encompassing only a
7 portion of the city;

8 (2) If applicable, justification for the proposed LBAA’s boundaries overlapping the
9 boundaries of an existing LBAA;

10 (3) Description of the type and kind of lodging businesses to be initially included in
11 the LBAA and the type and kind of future lodging businesses to be included in the
12 LBAA under section 8-11-11, “Inclusion or Exclusion of Lodging Businesses,”
13 B.R.C. 1981;

14 (4) A general description of the tourism improvements and tourism services that the
15 LBAA intends to fund and provide;

16 (5) A statement describing how the tourism improvements and services provided by
17 the LBAA will confer a general benefit on the LBAA and result in benefits to the
18 LBAA distinct in kind or extent from any benefits provided by the city;

19 (6) The proposed fee or assessments to be imposed by the LBAA, the proposed method
20 by which any fees or assessments will be collected and disbursed, and the intended
21 uses of any revenue derived from any fee or assessment. A fee or assessment may
22 be imposed by a LBAA based on a fixed amount, rate per transaction, fixed rate per
23 transaction per day, percentage of sales, any combination of these methods, or any
24 other method that confers benefit to the payor;

25 (7) The proposed composition of the board, including the number of directors desired,
which must be in accordance with section 8-11-15, “Board of Directors,” B.R.C.
1981;

(8) The initial plan of the LBAA, containing the information specified in section 8-11-
9, “Petition Submittal and Initial Plan,” B.R.C. 1981; and

(9) All signatures on petitions shall be accompanied by a self-affirmation substantially
in the form provided in section 8-11-8, “Self-Affirmation,” B.R.C. 1981.

(c) Petition sections. A petition may consist of one (1) or more petition sections, all of which
will be aggregated to determine whether the requirements of section 8-11-9, “Petition

1 Submittal and Initial Plan,” B.R.C. 1981, have been met.

2 (d) Fee for petition. The city manager may require payment of an administrative fee for the
3 filing, review, approval and amendment of any petition and initial plan for an LBAA. The
4 city manager may waive such fee upon a showing of good cause.

4 **8-11-8. - Self-Affirmation.**

5 (a) The self-affirmation on a petition shall state: "I state, under penalty of law that, to my
6 knowledge and belief, the facts stated in the petition are true, that my signature and name
7 are as shown on this petition, and that I have signed this petition or have been duly
8 authorized to sign this petition by the entity identified hereunder."

8 (b) A petition shall not be valid after one (1) year has elapsed from the date of the self-
9 affirmation.

10 (c) A self-affirmation shall be presumed valid unless competent evidence to the contrary is
11 presented to and accepted by the city manager, or the city council determines otherwise.

11 (d) If a person eligible to sign a petition is unable to make a signature, such person may affirm
12 by making a mark on the self-affirmation, with or without assistance, witnessed by another
13 person.

13 (e) It shall be unlawful for any person knowingly to make a false statement on a self-
14 affirmation on any petition filed under this chapter.

15 (f) It shall be unlawful for any person to, by use of force or any other means, unduly influence
16 a person to sign a petition or to not sign a petition, falsely make, alter, forge or counterfeit
17 any petition before or after it has been filed as provided in section 8-11-9, "Petition
18 Submittal and Initial Plan," B.R.C. 1981, or to destroy, deface, mutilate or tamper with any
19 petition before or after it has been filed as provided in section 8-11-9, "Petition Submittal
20 and Initial Plan," B.R.C. 1981.

19 **8-11-9. - Petition Submittal and Initial Plan.**

20 (a) In all cases in which a LBAA is proposed pursuant to this chapter, the petition filed with
21 the city clerk under section 8-11-7, "How Initiated," B.R.C. 1981, must be signed by either:

21 (1) Authorized managers representing lodging businesses having at least fifty percent
22 (50%) of the total rooms to be included in the LBAA; or

23 (2) Authorized managers of lodging businesses in the proposed LBAA who will pay at
24 least fifty percent (50%) of the fees or assessments proposed to be imposed.

1 (b) Initial Plan. Appended to the petition shall be an initial plan for the LBAA which shall
2 include, in addition to the information specified in section 8-11-7, “How Initiated,” B.R.C.
3 1981, the following information:

4 (1) Name. The proposed name of the LBAA.

5 (2) Purpose. The primary purpose or rationale for the LBAA.

6 (3) Location. A description and map of lodging businesses within the proposed LBAA,
7 providing sufficient specificity so an owner of a lodging business can reasonably
8 determine whether their lodging business is within or outside of the LBAA's
9 boundaries.

10 (4) Public participation. A summary of the process employed by petitioners to inform
11 the eligible electors of the proposed LBAA and of the efforts to organize the LBAA
12 in a manner that will allow the electors the opportunity to participate, and the results
13 of such process.

14 (5) Board. The proposed names of the board’s initial directors and a description of how
15 future directors will be nominated for consideration of their appointment to the
16 board.

17 (6) Promotional plan. A summary of the promotional efforts, if any, that the LBAA
18 plans to undertake as part of its proposed tourism improvements and tourism
19 services, the estimated cost thereof, and the manner in which such promotional
20 efforts will be administered.

21 (7) Financial plan. A financial plan showing:

22 (A) The type and rate of any fee or assessment that will be imposed for LBAA
23 purposes and how revenues derived from any fee or assessment will be used
24 over time. A LBAA fee or assessment may be imposed based on a fixed
25 amount, rate per transaction, fixed rate per transaction per day, percentage
of sales, any combination of these methods, or any other method that
confers benefit to the payor;

(B) Any anticipated multiple-fiscal year debt or other financial obligations and
other contractual obligations anticipated to be incurred by the LBAA;

(C) The reasonably estimated costs of the tourism improvements and tourism
services that will be funded by the LBAA; and

(8) Term. The proposed term for the LBAA, which may be either perpetual or for a
limited term. If the term for the LBAA is less than perpetual, the establishment
ordinance shall include provisions for dissolution of the LBAA at the end of the

1 term or may include provisions authorizing the term of the LBAA to be extended.
2 Whether the term is perpetual or for a limited term, the LBAA may be dissolved at
3 any time as authorized in section 8-11-19, “Hosting Platforms,” B.R.C. 1981, or in
4 other manner as provided in the establishment ordinance.

5 (9) Conclusion. A request for city council to approve the establishment of the lodging
6 business assessment area.

7 **8-11-10. - Boundaries of a Lodging Business Assessment Area.**

8 The boundaries of a LBAA may be coterminous with the boundaries of the city or may consist of
9 a smaller geographical LBAA encompassing only a portion of the city if so provided in the petition
10 and approved in the establishment ordinance. Such boundaries may consist of contiguous or
11 noncontiguous tracts or parcels of land on which the lodging businesses listed in the petition are
12 located. The boundaries of the LBAA shall be described in the establishment ordinance. The
13 boundaries of LBAA's may overlap, subject to city council approval per section 8-11-13, “Hearing
14 on the Petition,” B.R.C. 1981.

15 **8-11-11. - Inclusion or Exclusion of Lodging Businesses.**

16 Unless an alternative procedure for future inclusion or exclusion of lodging businesses is provided
17 in the petition for establishment of a lodging business assessment area, the establishment
18 ordinance for an LBAA may provide for the automatic inclusion within the LBAA of the future
19 lodging businesses described in the petition under section 8-11-7, “How Initiated,” B.R.C. 1981,
20 upon the lodging business obtaining all necessary permits or licenses to begin operating in the city
21 and for the automatic exclusion from the LBAA of any lodging business that ceases to exist after
22 the LBAA is established. In addition, if the boundaries of the LBAA will be conterminous with
23 the city’s boundaries, such future lodging businesses annexed into the city after the establishment
24 of the LBAA shall automatically be included within the LBAA upon annexation.

25 **8-11-12. - Notice of Hearing on the Petition.**

(a) In all cases when a petition to organize a LBAA has been filed with the city clerk, and the
city manager has determined the petition is complete and complies with the requirements
of this chapter, the city manager shall forward the petition to the city council for its
consideration of the petition and the proposed LBAA’s establishment ordinance at a public
hearing. The city clerk shall give notice of the city council’s hearing by publishing the
notice once in a newspaper of general circulation in the city in the same manner as notice
preceding final passage of an ordinance is published, by mailing it by first class mail to the
lodging businesses proposed to be included in the LBAA no less than ten days prior to the
hearing, and by posting it on the city’s website for at least ten (10) days before the hearing.
The notice shall:

(1) Generally describe the tourism improvements and tourism services that the LBAA
intends to undertake;

1 (2) Generally describe the LBAA boundaries and the lodging businesses within such
2 boundaries; and

3 (3) Prominently state the place, date, and time for the city council hearing on the
4 establishment of the proposed LBAA, which hearing shall be held no fewer than
5 twenty-one (21) days and no more than forty-two (42) days after the date of the
6 mailing of notices.

7 (b) The petition representatives shall reimburse the city for its costs to publish and mail the
8 notices.

9 **8-11-13. - Hearing on the Petition.**

10 (a) At the time and place specified in the notice required by Section 8-11-12, “Notice of
11 Hearing on the Petition,” B.R.C. 1981, the city council shall conduct a hearing to determine
12 if the petition and initial plan satisfy the following criteria:

13 (1) The petition has been circulated and signed in conformity with the applicable
14 requirements of this chapter;

15 (2) The creation of the LBAA will not unreasonably duplicate or interfere with any
16 municipal improvement already constructed or planned to be constructed within the
17 limits of the LBAA or service provided to the LBAA;

18 (3) If applicable, there is sufficient justification for the proposed LBAA’s boundaries
19 to overlap the boundaries of an existing LBAA;

20 (4) The initial plan and proposed fee or assessments are reasonable and appropriate
21 when compared to the type of improvements or services proposed;

22 (5) The proposed improvements and services provided by the LBAA will confer a
23 general benefit on the LBAA and result in benefits to the LBAA distinct in kind or
24 extent from any benefits provided by the city; and

25 (6) The initial plan and the establishment of the LBAA are in the best interest of the
 city.

(b) The findings of city council on its determination of the validity of the petition signatures
 and the sufficiency of the petition shall be final, conclusive, and in the city council’s sole
 discretion.

(c) If the city council cannot make all of the findings prescribed by subsection (a) of this
 section which are applicable to the petition, it shall dismiss the petition. There is no right
 of appeal from an order dismissing a petition. Nothing in this chapter shall be deemed to
 prevent the filing of a subsequent petition for similar improvements or services or for a
 similar LBAA.

1 **8-11-14. - Establishment Ordinance.**

2 (a) If the city council determines that the petition and initial plan satisfy the criteria set forth
3 in section 8-11-13, the city council shall adopt an establishment ordinance.

4 (b) At a minimum, the establishment ordinance shall contain the following:

5 (1) The city council’s findings concerning the criteria in section 8-11-13, “Hearing on
6 the Petition,” B.R.C. 1981;

7 (2) Boundaries of the LBAA;

8 (3) Description of the type and kind of lodging businesses to be initially included in
9 the LBAA and the type and kind of future lodging businesses to be included in the
10 LBAA under section 8-11-11, “Inclusion of Exclusion of Lodging Businesses,”
11 B.R.C. 1981.

12 (4) The powers and limits of power to be conferred on the LBAA;

13 (5) The number of directors, appointments of the initial directors, the initial terms of
14 the initial directors, and a description of how future directors will be nominated;

15 (6) The term of the LBAA;

16 (7) The other contents of the initial plan of the LBAA as required by section 8-11-9,
17 “Petition Submittal and Initial Plan,” B.R.C. 1981;

18 (8) Any other provisions the city council deems necessary to protect the interests of the
19 public health, safety, and welfare; and

20 (9) A declaration by city council that the LBAA is duly established and organized.

21 (c) If city council adopts the establishment ordinance, such ordinance shall establish the LBAA
22 and approve the initial plan as presented unless the petition representatives consent at the
23 hearing to the city council modifying the initial plan. The city council’s determinations by
24 adoption of the establishment ordinance that the LBAA is duly organized after notice duly
25 given, or that a petition was or was not filed or was or was not duly subscribed and
acknowledged as herein required, or that the evidence presented at the hearing was
sufficient or insufficient to support the adoption of the establishment ordinance, shall be
conclusive in every court or other tribunal.

(d) If there is any conflict between the provisions of the initial plan and the establishment
ordinance, the establishment ordinance shall control.

1 **8-11-15. - Board of Directors.**

2 (a) Board of directors. As specified in the establishment ordinance, an LBAA shall have a
3 board of three (3) to seven (7) directors. City council shall be permitted to assign a member
4 of city staff as a non-voting, ex officio director. The members of the initial board shall be
5 confirmed in the establishment ordinance with one-third, or as near to one-third as possible,
6 of initial appointees to have a term of one year, one-third of the appointees to have a term
7 of two years, and one-third of the appointees to have a term of three years. All members of
8 the board shall be electors within the LBAA. The initial board members' terms shall be
9 deemed to have commenced on the effective date of the establishment ordinance. Upon the
10 expiration of the initial terms, successor directors shall be recruited by the board, and the
11 board shall provide a recommendation of appointment to the mayor. The mayor shall
12 appoint the successor directors, and the successor directors shall be confirmed by city
13 council by resolution for terms of three (3) years unless the appointee is being appointed
14 to finish the term of a director who has left the board for any reason before the expiration
15 of their term and, in such case, the appointee shall only be appointed to finish the term of
16 the vacated seat.

17 (b) Director removal. All directors may be removed at any time by city council for cause.
18 Directors of the board may be removed without cause by city council if a majority of the
19 board votes to recommend a director's removal to council.

20 (c) Officers and duties. The board shall appoint a president, secretary, treasurer and such other
21 officers as the board deems necessary, and the same board director may hold more than
22 one (1) position except that president and secretary shall not be held by the same person.
23 The secretary shall keep a record of all proceedings, minutes of meetings, certificates,
24 contracts and corporate acts of the board. The LBAA shall keep permanent records
25 containing accurate accounts of all money received by or disbursed on behalf of the LBAA
and shall make such annual or other reports to the city as it may require in the establishment
ordinance.

(d) Meetings and public records. All board meetings shall be conducted in compliance with
the Colorado Open Meetings Law in Part 4 of Article 6 in Title 24 of the Colorado Revised
Statutes. All LBAA public records shall be open for public inspection as provided in the
Colorado Open Records Act in Part 2 of Article 72 in Title 24 of the Colorado Revised
Statutes. The LBAA shall adopt and follow the records retention schedule adopted by the
city as set forth in section 2-2-20, "Records Retention," B.R.C. 1981.

(e) Code of conduct. Each director of the board shall be subject to and comply with the city's
Code of Conduct set forth in cChapter 2-7, "Code of Conduct," B.R.C. 1981.

(f) Board action. The board shall act by resolution or motion.

24 **8-11-16. - Authority and Other LBAA Revenues.**

25 (a) A LBAA shall exercise the authority to impose fees and assessments to the extent and in

1 the manner provided for in the establishment ordinance for the LBAA.

2 (b) Procedures for the collection and disbursement of LBAA revenue and other LBAA revenue
3 shall be as provided in the establishment ordinance. A LBAA may contract with the city
4 for collection and enforcement of LBAA fees and assessments in a manner similar to the
5 collection and enforcement of the public accommodation tax or short-term rental tax, as
6 provided in the public accommodation tax ordinance and the short-term rental tax
7 ordinance.

8 **8-11-17. - Annual Plan and Operating Budget**

9 (a) The board of any lodging business assessment area shall, by January 5 of each year, file
10 with the city manager the approved budget and annual plan for that fiscal year. LBAA's
11 shall operate on a calendar fiscal year. The city may require the LBAA to supplement the
12 LBAA's annual plan or budget where necessary. The services, improvements, and financial
13 arrangements of the LBAA shall conform to the annual plan and approved budget.

14 (b) The budget shall meet the requirements of local government budgets set forth in section
15 29-1-103, Colorado Revised Statutes.

16 (c) The annual plan and the budget may, from time to time, be amended by the LBAA with
17 any such amended plan or budget filed with the city within 15 days of approval by the
18 board. Any material departure from the approved annual plan and the budget, as originally
19 approved or amended from time to time, may be enjoined by an order of the city filed with
20 the board.

21 (d) The lodging business assessment area's records with respect to all matters covered by the
22 ordinance shall be available for audit and inspection by the city at any time during normal
23 business hours. The city shall provide forty-eight (48) hours' notice before an audit is
24 begun, and the board staff shall cooperate to the fullest.

25 **8-11-18. - Correction of Faulty Notices.**

In any case where it is found that a notice provided for in this chapter was not given or insufficient
in any way, the city council, city manager, city clerk or board, as applicable, shall not thereby lose
jurisdiction, and the proceeding in question shall not thereby be void or abated. The city council,
city manager, city clerk or board, as applicable, shall order due notice be given and shall continue
the proceeding until such time as notice is properly given and thereupon shall proceed as though
notice had been properly given in the first instance.

8-11-19 - Hosting Platforms.

(a) This section 8-11-19 shall apply to every short-term rental accommodation and hosting
platform doing business in the boundaries of any LBAA. However, no hosting platform(s)
shall be subject to collection duties as described in this section if a short-term rental
accommodation provides the city and any hosting platform a written statement, signed

1 under penalty of perjury by one authorized to bind the short-term rental accommodation,
2 verifying that the LBAA fee or assessment shall not be passed on to lodgers, but the LBAA
3 fee or assessment shall be paid by the short-term rental accommodation directly from its
4 gross proceeds from short-term rental accommodation or its other assets.

5 (b) If a short-term rental accommodation employs a hosting platform to collect any funds from
6 lodgers, then:

7 (1) The short-term rental accommodation shall inform the hosting platform that funds
8 collected from a lodger for their stay include the sum necessary to pay LBAA fees
9 or assessments.

10 (2) When the hosting platform collects funds from a lodger for a short-term rental
11 accommodation, the hosting platform shall set aside the necessary amount to fulfill
12 the LBAA fee or assessment related to that particular lodger's rental of a short-term
13 rental accommodation and must remit it to the city. A hosting platform is obliged
14 to comply with this paragraph regardless of short-term rental accommodation
15 compliance with section 8-11-19(b)(1). The hosting platform need not comply with
16 this paragraph only if they have, and may produce upon the city's request, the
17 written statement referenced in section 8-11-19(a).

18 (3) Nothing in this section relieves the short-term rental accommodation from its
19 obligation to remit its LBAA fee or assessment, should a hosting platform fail to
20 discharge the obligation described in Section (b)(2).

21 **8-11-20. - Modification.**

22 (a) Upon the written request of the board, the city may modify the LBAA after conducting a
23 public hearing on the proposed modifications and adopting an ordinance following the
24 public hearing.

25 (b) If the modification includes the imposition of changes to LBAA boundaries, the city shall
26 comply with hearing and notice procedures in sections 8-11-12, 8-11-13, and 8-11-14 of
27 this chapter.

28 **8-11-21. - Renewal.**

29 (a) If a term is specified in the initial plan or the establishment ordinance, any LBAA whose
30 term has expired, or will expire, may be renewed by following the procedures for
31 establishment as provided in this chapter.

32 (b) If the renewed LBAA does not include lodging businesses previously included in the prior
33 LBAA, the remaining revenues attributable to these lodging businesses shall be refunded
34 to the owners of these lodging businesses.

1 (c) There is no requirement that the boundaries, fees or assessments, activities, or
2 improvements of a renewed lodging business assessment area be the same as the original
3 or prior lodging business assessment area.

4 **8-11-22. - Dissolution of a Lodging Business Assessment Area.**

5 (a) Initiation by city manager. Once established, a LBAA shall not be dissolved except when
6 a provision for automatic dissolution on a date certain or upon the happening of an event
7 is provided in the establishment ordinance, the establishment ordinance provides a different
8 manner for dissolution or by a request made by the city manager to the city council for a
9 dissolution ordinance as provided in this section.

10 (b) Contents of request for dissolution. A request for dissolution shall state:

11 (1) Name of the LBAA;

12 (2) A description of the LBAA's current boundaries;

13 (3) A description of the lodging businesses within the LBAA;

14 (4) A description of the tourism improvements and tourism services being furnished
15 by the LBAA;

16 (5) A statement whether LBAA's tourism improvements and tourism services will
17 continue to be provided after dissolution and, if so, the plan for their continued
18 provision;

19 (6) A description of the LBAA's plan, if any, for the disposition of its real and personal
20 property; and

21 (7) A finding by the city manager that dissolution is in the best interests of the city and
22 the LBAA and the city manager's statement that one or more of the following has
23 occurred: (i) a misappropriation of funds, malfeasance, misfeasance, nonfeasance
24 or violation of the law in connection with the management of the LBAA; (ii) the
25 LBAA has failed for two consecutive years to timely file its annual report as
required in section 8-11-17, "Annual Report," B.R.C. 1981; or (iii) a petition
requesting dissolution of the LBAA signed by the electors in the LBAA who
represent at least fifty percent (50%) of the total rooms then existing in the LBAA
has been filed with the city clerk and the signatures on the petition are accompanied
by a self-affirmation substantially in the form provided in section 8-11-8 of this
chapter, the petition includes the information required in subsections (b)(1) through
(b)(5) above, and it states that all the LBAA's contracts and legal obligations have
been fulfilled.

(c) Winding up of LBAA. A LBAA shall not be dissolved until all its contracts and legal
obligations have been fulfilled and the plan for the LBAA's disposition of its real and

1 personal property has been completed.

2 (d) Notice and hearing. Unless automatic dissolution of the LBAA on a date certain is provided
3 in the establishment ordinance, no dissolution shall occur except by an ordinance adopted
4 by the city council following a public hearing called after notice of the hearing is given in
5 the same manner as provided in section 8-11-12, “Notice of Hearing on the Petition,”
6 B.R.C. 1981 for the hearing on the establishment ordinance, except the notice shall describe
7 the tourism improvements and tourism services that the LBAA intends to discontinue
8 providing and describe any plan for continued provision of such improvements and
9 services.

7 **8-11-23. - Limitation of Actions.**

8 No action or proceeding, at law or in equity, to review any acts or proceedings, or to question the
9 validity or enjoin the performance of any act, or the imposition or collection of any fee or
10 assessment for a LBAA, or for any other relief against any acts or proceedings done or had under
11 this chapter, whether based upon a claim of illegalities, irregularities or jurisdictional defects, shall
12 be maintained unless commenced within thirty (30) days after the performance of the act
13 complained of or else such proceeding shall be thereafter perpetually barred.

11 **8-11-24. - Liberal Construction.**

12 This chapter, being necessary to secure the public health, safety, welfare, and convenience, shall
13 be liberally construed to affect its purposes within the parameters of the charter and the city’s home
14 rule authority.

15 **8-11-25. - Substantial Compliance.**

16 Substantial compliance with this chapter shall be all that is required in determining the validity of
17 any petition or the performance of any duty hereunder.

18 **8-11-26. - Prior City Bonds and Other City Obligations.**

19 Nothing herein shall be deemed or construed in any manner that impairs the rights of the owners
20 or holders of any city bonds or other city obligations. In the event of any such impairment, the
21 section, clause, phrase or word of this chapter causing such impairment shall be deemed severed
22 from this chapter to avoid the impairment.

23 **8-11-27. - Baseline Funding and Services.**

24 The lodging business assessment area is intended to provide supplemental funding and services
25 and not to supplant existing funding or services. After establishing a lodging business assessment
area, the city shall not decrease the level of publicly funded tourism promotion services existing
prior to the creation of such lodging business assessment area solely due to the creation of the
LBAA.

1 **8-11-28. - Compliance with City Standards.**

2 Lodging business assessment areas established under this chapter shall be subject to and must
3 comply with all applicable provisions in the charter and this code and in all city ordinances,
4 resolutions, regulations, standards and plans, except as may be expressly provided in the
5 establishment ordinance, but such exception shall not apply to applicable charter provisions.

6 **8-11-29. - City Manager May Adopt Rules.**

7 The city manager may adopt rules and regulations that the manager determines are reasonably
8 necessary to administer the requirements of this chapter.

9 **8-11-30. - Violation.**

10 In addition to any other applicable remedy at law or in equity, violations of this chapter may be
11 prosecuted, and the penalties in section 5-2-4, “General Penalties,” B.R.C. 1981 apply. This
12 chapter shall not be construed as to require administrative proceedings before such criminal action.

13 Section 3. This ordinance is necessary to protect the public health, safety, and welfare of
14 the residents of the city, and covers matters of local concern.

15 Section 4. The city council deems it appropriate that this ordinance be published by title
16 only and orders that copies of this ordinance be made available in the office of the city clerk for
17 public inspection and acquisition.

18 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
19 TITLE ONLY this 3rd day of October 2024.

20 _____
21 Aaron Brockett,
22 Mayor

23 Attest:

24 _____
25 Elesha Johnson,
City Clerk

1 READ ON SECOND READING, PASSED AND ADOPTED this 17th day of October
2 2024.

5 _____
Aaron Brockett,
6 Mayor

6 Attest:

8 _____
Elesha Johnson,
9 City Clerk



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Second reading and motion to adopt Ordinance 8644 amending Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981, updating Appendix 8-C indicating where horses are allowed on OSMP trails; and setting forth related details

PRIMARY STAFF CONTACT

Nuria Rivera-Vandernmyde, City Manager

Dan Burke, Director, Open Space and Mountain Parks

Janet Michels, Senior Counsel

Jeff Haley, Deputy Director, Visitor Experience and Infrastructure

Lisa Goncalo, Recreation Stewardship Senior Program Manager

REQUESTED ACTION OR MOTION LANGUAGE

Motion to adopt Ordinance 8644 amending Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981, updating Appendix 8-C indicating where horses are allowed on OSMP trails; and setting forth related details

ATTACHMENTS:

Description

- **Item 3E - Ordinance Amendment 8-3-7**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 3, 2024

AGENDA TITLE

Second reading and motion to adopt Ordinance 8644 amending Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981, updating Appendix 8-C indicating where horses are allowed on OSMP trails; and setting forth related details.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Dan Burke, Director, Open Space and Mountain Parks
Janet Michels, Senior Counsel
Jeff Haley, Deputy Director, Visitor Experience and Infrastructure
Lisa Goncalo, Recreation Stewardship Senior Program Manager

EXECUTIVE SUMMARY

This memo presents an ordinance that would formally amend Appendix 8-C in Section 8-3-7: "Regulation of Horses and Livestock", B.R.C. 1981, to update the Open Space and Mountain Parks (OSMP) horse regulations boundary map. The ordinance would implement the regulatory framework required for horse activity pursuant to the North Trail Study Area Plan (TSA) and Gunbarrel Hill Site Management Plan (ISP). This amendment supports past planning, Open Space Board of Trustees (OSBT), and council recommendations and actions as well as the Master Plan strategies of Responsible Recreation, Stewardship and Enjoyment number 6), Support a Range of Passive Recreational Experiences.

Attachment A presents the proposed amendment to Appendix 8-C, in Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981 updating the OSMP horse regulations boundary maps as **Exhibit A** to Proposed Ordinance 8644.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motion:

Motion to adopt Ordinance 8644 amending Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981, updating Appendix 8-C indicating where horses are allowed on OSMP trails; and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – OSMP contributes to the economic vitality goal of the city as it provides the context for the diverse and vibrant economic system that sustains services for residents. The land system and quality of life it represents attract visitors and helps businesses recruit and retain quality employees.
- **Environmental** – OSMP is recognized as a leader in the preservation of open space lands and contributing to council’s environmental sustainability goal. The department’s land acquisition, land and resource management, and visitor service programs are prominent community-supported initiatives that help preserve and protect the open space values of these lands.
- **Social** – The OSMP land system is accessible to all members of the community. It supports the council’s community sustainability and equity goals because all residents who live in Boulder can feel a part of, and thrive in, this aspect of their community.

OTHER IMPACTS

- **Fiscal** – Implementation costs include sign installation and map updates.
- **Staff time** – Work will be completed as a part of the normal workplan, no additional staff resources will be required.

RESPONSES TO QUESTIONS FROM COUNCIL AGENDA COMMITTEE

There was a request made at the Aug. 19, 2024 CAC meeting to update the title, clarifying that proposed amendments are specific to horses on OSMP trails and not livestock. The title was updated to reflect this.

BOARD AND COMMISSION FEEDBACK

At its Aug. 14, 2024 meeting Harmon Zuckerman moved the Open Space Board of Trustees recommend City Council’s approval of the proposed amendment to Appendix 8-C, in Section 8-3-7, “Regulation of Horses and Livestock,” B.R.C. 1981 updating the OSMP horse regulations boundary map; and setting forth related details. Michelle Estrella seconded. This motion passed four to zero; Jon Carroll was absent.

City Council received an item on the consent agenda in the September 2024 council meeting packet. Approved 8-0. Staff addressed the following questions from council through the hotline:

1. Does this ordinance expand the area for horses or shrink it?

The North Trail Study Area (TSA) and Gunbarrel Hill Integrated Site Plans (ISP) expanded passive recreational use for hikers, bikers and equestrians alike. This ordinance implements the horse regulations already approved through the above planning processes. The ordinance is necessary to add the new map layers, that establish the regulatory boundaries.

2. What is the impact of horses going off trail?

OSMP staff construct trails to provide identifiable routes concentrating use where it will have the least impact and minimizes the proliferation of undesignated trails. Any off-trail travel can have a negative and long-standing impact to the environment, including the decrease of plant cover and biodiversity, the spread of noxious weeds, and soil hardening, which in turn can lead to erosion. The type of travel can also affect the severity of the impact. Generally, horses have the greatest impact, followed by bikes and boots. Walking side-by-side creates a wider trail, while repeated single-file use can compact soil quicker.

Both the North TSA and Gunbarrel Hill ISP plans identified the most sensitive habitat areas where off-trail travel is restricted by regulation for hiking, biking and equestrian use. On Gunbarrel Hill, restrictions are intended to aid in restoration of undesignated trails, and to protect ground nesting birds. In the North Foothills Habitat Conservation Area, rare plant species and communities and steep slopes and soils especially vulnerable to erosion will be protected by the prohibition of off-trail travel for horses, as well as hikers and bikers. Outside of areas on the OSMP system where there are no specific off trail restrictions, it is best practice for all visitors to remain on-trail to minimize their impact on the land, even though there may not be a regulatory requirement to support it.

PUBLIC FEEDBACK

The department led robust planning processes for the North TSA Plan and the Gunbarrel Hill ISP that represented a diversity of perspectives in the community including people visiting trails within the area, neighbors, stakeholder organizations, youth, and families.

BACKGROUND

The proposed ordinance would implement the regulatory framework required for horse activity pursuant to the North Trail Study Area Plan (TSA) and Gunbarrel Hill Site Management Plan (ISP).

ANALYSIS

The Boulder City Charter Sec. 176(c), states:

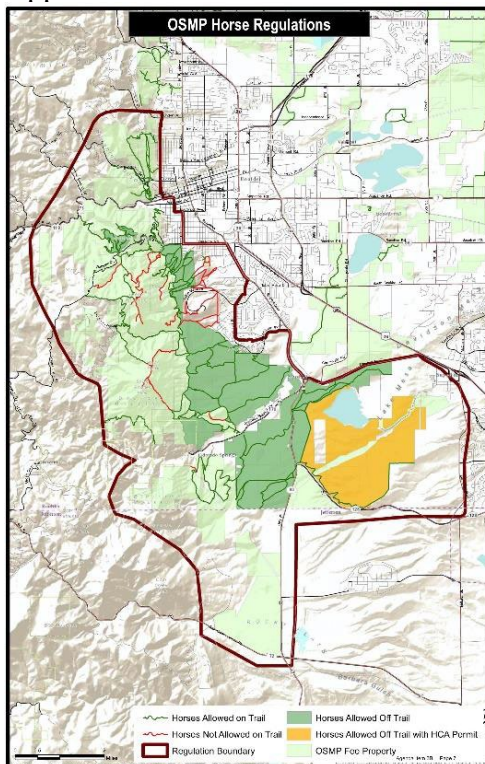
Open Space land shall be acquired, maintained, preserved, retained, and used only for the following purposes:

- (c) Preservation of land for passive recreational use, such as hiking, photography or nature studies, and, **if specifically designated**, bicycling, **horseback riding**, or fishing;”.

In 2016, BRC 8-3-7 was amended to implement the Eldorado Mountain/Doudy Trail Study Area Plan (2006) and the West Trail Study Area Plan (2011). It included a new subsection (d) as follows:

- (d) No person shall take or ride any horse, mule, llama, burro, or other equine animal upon any open space land within the boundaries shown in Appendix 8 C, except where designated for that use by the city manager.

Appendix 8-C:



With the completion of the North TSA and Gunbarrel Hill ISP, and designation of additional horse regulations, we now seek to amend Appendix 8-C to update the existing map and add the North TSA and Gunbarrel Hill ISP maps.

NEXT STEPS

The proposed ordinance is set for second reading on Oct. 3, 2024. If adopted, the ordinance would take effect 30 days after final passage.

ATTACHMENT

- **Attachment A:** Proposed Ordinance 8644 with Exhibit A

ORDINANCE 8644

AN ORDINANCE AMENDING APPENDIX 8-C IN SECTION 8-3-7, "REGULATION OF HORSES AND LIVESTOCK," B.R.C. 1981 UPDATING THE OSMP TRAILS HORSE REGULATIONS BOUNDARY MAPS; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
COLORADO:

Section 1. Ordinance 8108 was adopted in 2016 in part to specifically designate where horseback riding is allowed in the Open Space and Mountain Parks West Trail Study Area.

Section 2. Ordinance 8644 specifically designates where horseback riding is allowed in the North Trail Study Area the Gunbarrel Hill Site Management Area.

Section 3. Appendix 8-C: OSMP Horse Regulations in Section 8-3-7, "Regulation of Horses and Livestock," B.R.C. 1981, is amended as depicted in **Exhibit A** attached hereto.

Section 4. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 5. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 5th day of September 2024.

3
4
5 _____
Aaron Brockett,
Mayor

6 Attest:

7
8 _____
Elesha Johnson,
City Clerk

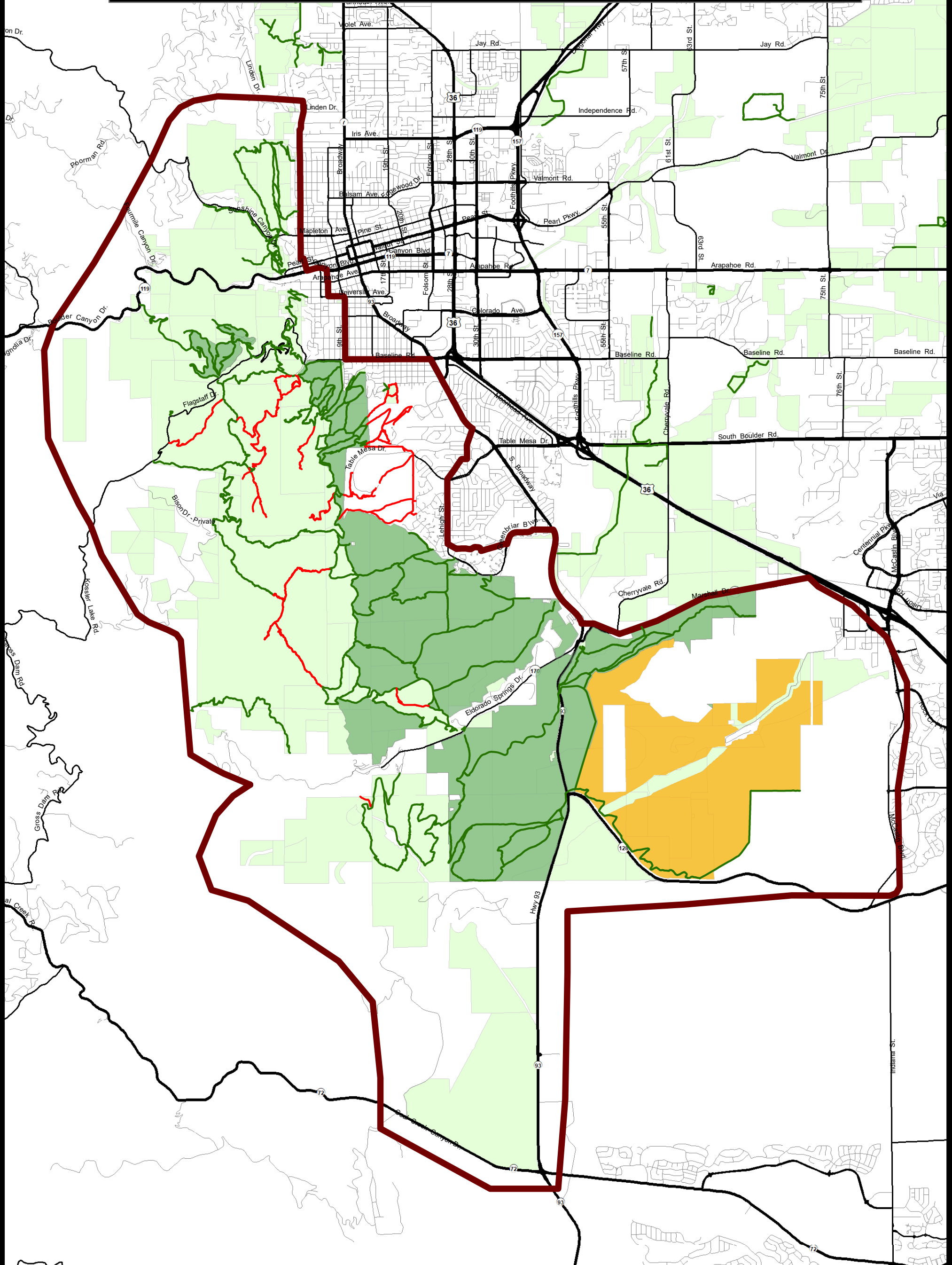
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10 READ ON SECOND READING, PASSED AND ADOPTED this 3rd day of October 2024.






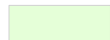
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12
13 _____
Aaron Brockett,
Mayor

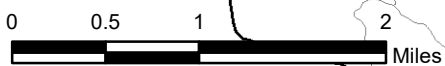
14 Attest:

15
16 _____
Elesha Johnson,
City Clerk

West TSA Horse Regulations

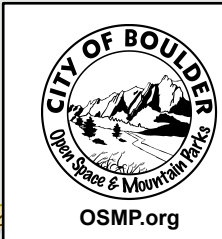
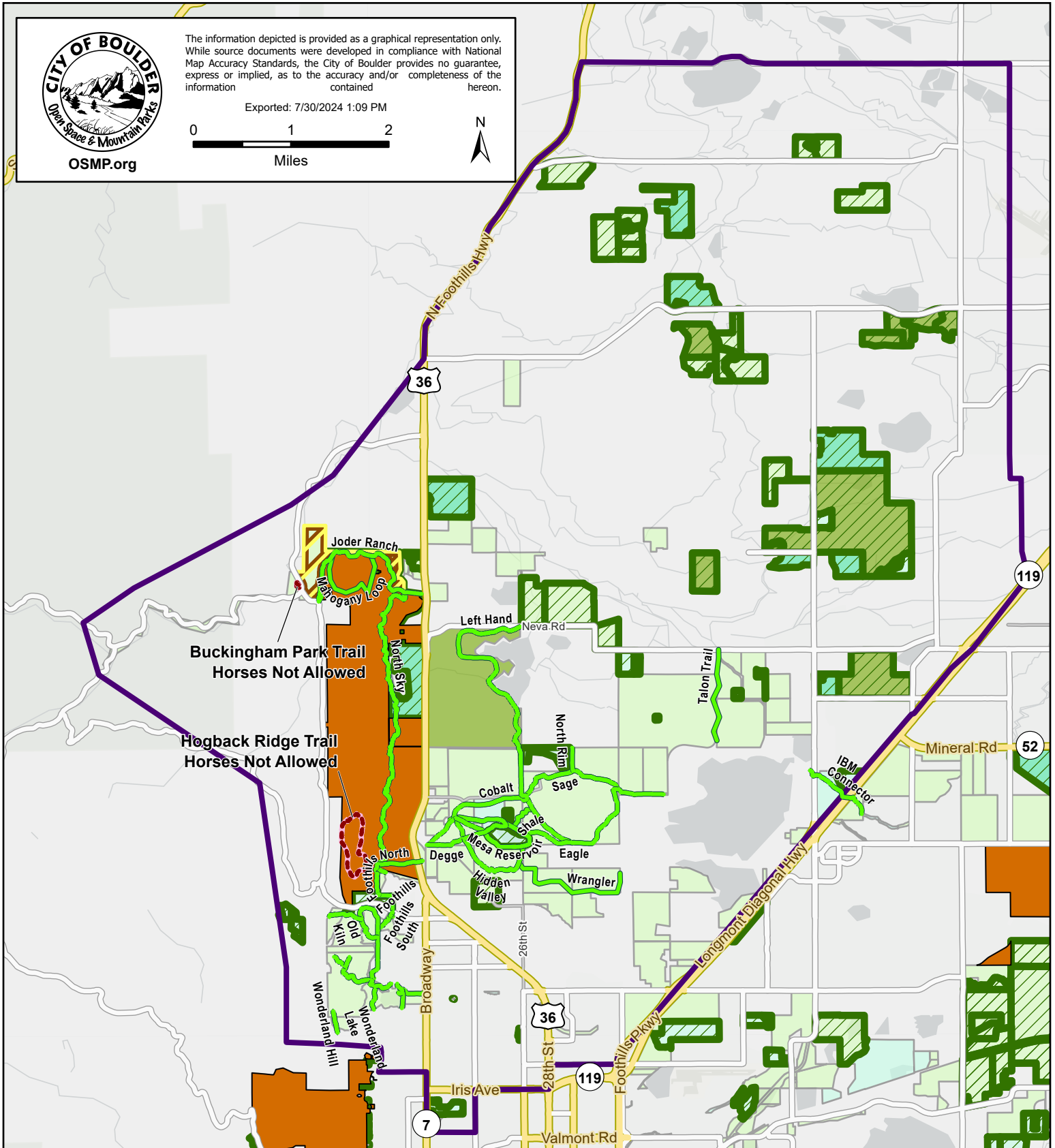


-  Horses Allowed on Trail
-  Horses Not Allowed on Trail
-  Regulation Boundary
-  Horses Allowed Off Trail
-  Horses Allowed Off Trail with HCA Permit
-  OSMP Fee Property



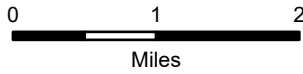
North TSA Horse Regulations

Exhibit A to Ord. 8644






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



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Horse Area Regulations

-  Horses Allowed Off Trail with HCA Permit
-  Horses Prohibited
-  No Public Access

OSMP Land where Horses are Allowed

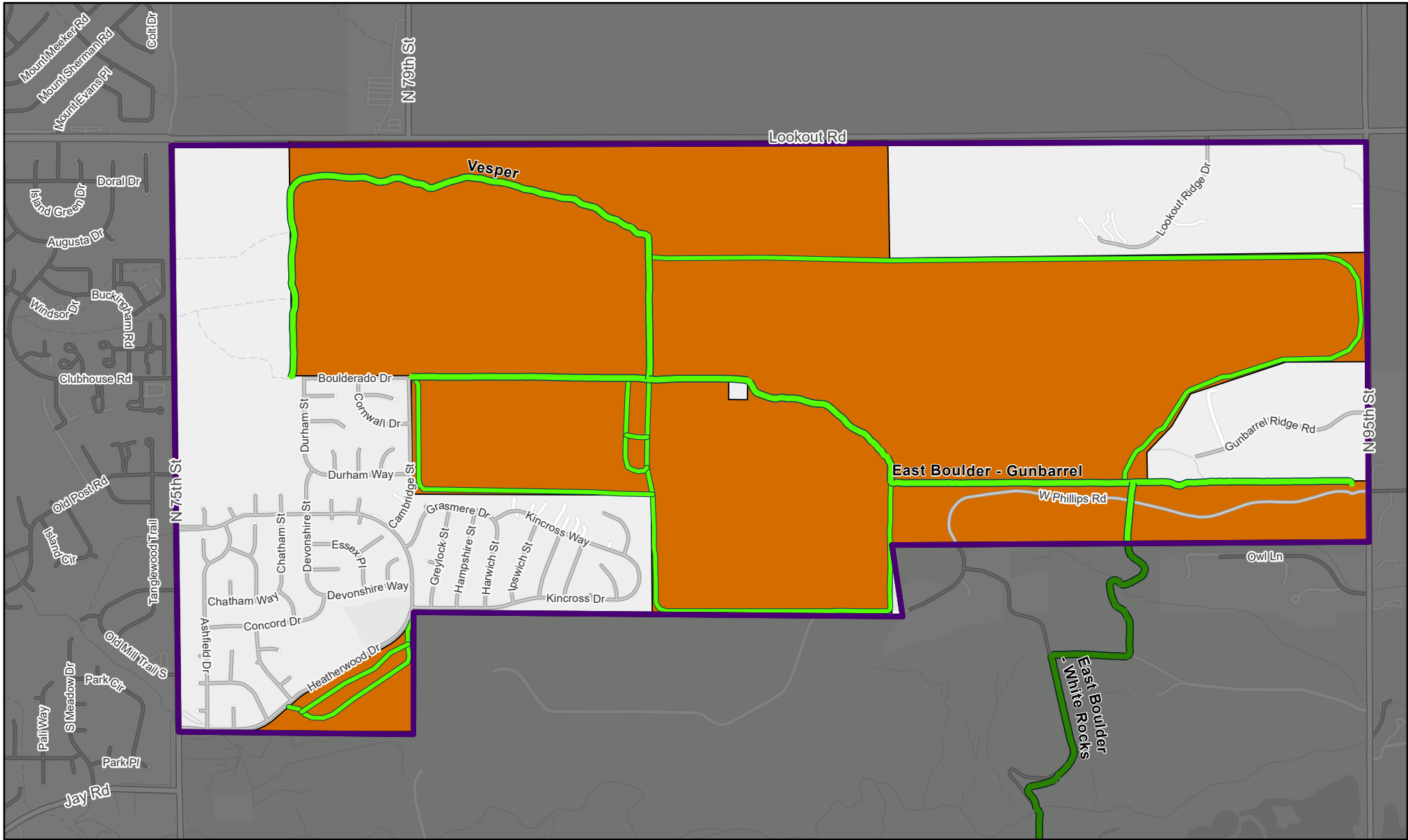
-  OSMP Fee Ownership
-  OSMP Joint Ownership
-  OSMP Joint Easement
-  OSMP Easement

Regulatory Boundary

-  Equestrian Trail Regulations
-  Not Allowed
-  Allowed

Gunbarrel Horse Regulations

Exhibit A to Ord. 8644



Equestrian Trail Regulations

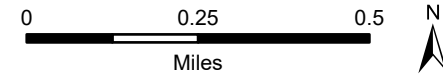
 Allowed

Horse Area Regulations

 Horses Prohibited on OSMP Land

 Regulatory Boundary

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OSMP.org

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COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Second reading and consideration of a motion to adopt Ordinance 8654 amending Section 7-6-21," Parking in Loading Zone Prohibited," B.R.C. 1981 to implement the flexible loading zone component of the Boulder Curbside Implementation Guidebook; and setting forth related details

PRIMARY STAFF CONTACT

Chris Hagelin, Transportation Principal Planner

REQUESTED ACTION OR MOTION LANGUAGE

Motion to adopt Ordinance 8654 amending Section 7-6-21," Parking in Loading Zone Prohibited," B.R.C. 1981 to implement the flexible loading zone component of the Boulder Curbside Implementation Guidebook; and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 3F - Flexible Loading Zone Ordinance Update 2nd rdg**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 3, 2024

AGENDA TITLE

Second reading and motion to adopt Ordinance 8654 amending Section 7-6-21, “Parking in Loading Zone Prohibited,” B.R.C. 1981 to implement the flexible loading zone component of the Curbside Management Implementation Guidebook; and setting forth related details.

PRESENTERS

Nuria Rivera-Vandermyde, City Manager
Teresa Taylor Tate, City Attorney
Janet Michels, Senior Counsel
Valerie Watson, Interim Director of Transportation & Mobility
Stephen Rijo, Transportation Planning Manager
Chris Hagelin, Principal Planner Transportation & Mobility

EXECUTIVE SUMMARY

In June 2023, the Transportation Advisory Board (TAB), advised the city manager to use the [Curbside Management Implementation Guidebook](#) to manage operations at the curb. The guidebook provides curbside typologies and hierarchy of needs corresponding to typical residential and commercial areas of the city, the proactive and reactive catalysts of change to curbside uses, and flowcharts and cutsheets that outline standard operating procedures and practices for city staff to follow.

As part of the implementation of these new curbside practices, city staff is seeking to update the Boulder Revised Code related to new rules for Flexible Loading Zones (FLZs). An FLZ is a 24/7 loading zone that can be used by a variety of users throughout

the day and is an adaptive response to changes in commerce and mobility. Results from a project piloting FLZs in downtown Boulder and University Hill showed that a large variety of users from food and beverage delivery in the morning, package delivery throughout the day and Transportation Network Companies (TNCs), like Uber or Lyft, in the evening.

To improve the safety of passenger pick-up and drop-off and reduce traffic delay caused by TNCs stopping in travel lanes, staff worked with TNCs to make downtown and University Hill FLZs designated pick-up and drop-off areas. TNC drivers serving passengers who request a pick-up or drop-off in those areas must use these designated locations.

In our traditional, time-restricted loading zones, the BRC limits passenger loading to three minutes. When staff transitions these traditional loading zones to FLZs and designated TNC pick-up and drop-off locations, the use of the zone will be limited to the time indicated on the sign. For FLZs that limit will be 15 minutes, which is based on results from the pilot project that tracked dwell times in the zones. This update to the Boulder Revised Code will also allow for enforcement of the FLZ time limitations.

STAFF RECOMMENDATION

Suggested Motion Language:

Motion to adopt Ordinance 8654 amending Section 7-6-21, “Parking in Loading Zone Prohibited,” B.R.C. 1981 to implement the flexible loading zone component of the Curbside Management Implementation Guidebook; and setting forth related details.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- **Economic** – The transition from traditional time-restricted loading zones to Flexible Loading Zones (FLZs) signifies the city’s adaption to new ways in which commerce is conducted and goods and services are delivered with the increase use of package delivery and ride hailing services.
- **Environmental** – More efficient use of public right-of-way and management of curbside demand should decrease traffic delay and unnecessary GHG emissions.
- **Social** – More effective management of curbside demand will improve economic vitality and benefit all segments of our community.

OTHER IMPACTS

- **Fiscal** –If the proposed ordinance is adopted, the city will design and install new signage for public right-of-way spaces that will transition to flexible loading zones.
- **Staff time** – Part of normal work plan

RESPONSES TO QUESTIONS FROM COUNCIL AGENDA COMMITTEE

None

BOARD AND COMMISSION FEEDBACK

At the June 2023, Transportation Advisory Board (TAB) meeting, a public hearing was held during which staff asked the board to advise the city manager (Traffic Engineer for the city) to use the [Curbside Management Implementation Guidebook](#) to manage curbside operations in the public right of way. Drafting and implementing this policy falls within the authority delegated to the city manager as traffic engineer to plan and direct the operation and parking of traffic on the streets of the city according to B.R.C. 1981, Section 2-2-11(a).

One of the roles of TAB is to review and provide recommendations to the city manager concerning policy issues on operating programs, including without limitation, traffic engineering, parking, and alternative transportation.

Motion passed unanimously by TAB:

Motion to recommend that the city manager (as traffic engineer for the city) utilize the Curbside Management Implementation Guidebook to manage curbside operations in the public right-of-way as authorized by Section 2-2-11(a).

PUBLIC FEEDBACK

None

BACKGROUND

In 2021, the City of Boulder received a grant from DRCOG to update and refine curbside management policies and practices. The curb is a public resource with a growing number of new and competing demands on a limited supply. The curb functions as the connection point between transportation options, people, and goods and services. With the COVID pandemic and recent changes in technology, the way in which commerce is done has changed, and the city needs to adjust its policies and practices accordingly. Furthermore, curbside management policies and practices can contribute to achieving community goals for transportation and environmental sustainability by improving safety and economic vitality, reducing congestion, expanding multimodal options and access, and reducing greenhouse gas emissions.

Staff, with support from the project's consultant team, have developed the guidebook with input and feedback from the Transportation Advisory Board (TAB) and the Downtown Management, University Hill, and Boulder Junction Commissions. Staff also worked with the Access Allies, a community working group that provides feedback on

Access Management and Parking Strategies (AMPS) work program efforts, and an internal city working group representing all the city departments which will implement, monitor, evaluate and maintain curbside uses. Staff also employed the city's racial equity tool to assess issues related to any institutional barriers that would negatively impact equity-focused communities and populations.

ANALYSIS

The [Curbside Management Implementation Guidebook](#) provides staff with the means to manage curbside uses and demands efficiently, effectively, and safely. The guidebook was created based on best practices, a review of existing conditions, input from commissions, boards, and the AMPS community working group, the Access Allies.

Curbside Management Framework

The guidebook is a living document as it will be updated and revised based on evaluation, data collection and analysis, and future needs. The guidebook is designed to help staff determine the right mix of curbside uses based on the area and demands. Within the guidebook, the Curbside Management Framework provides staff with a curbside menu of appropriate ways to designate the curb based on context and a glossary to define those uses.

Two new curbside uses that were piloted as part of the project included FLZs and designated pick-up and drop-off locations for ride hailing services like Uber or Lyft. The benefit of introducing FLZs is that they are used by a variety of different users throughout the entire day to meet demand associated with changes in how commerce is conducted. Typically loading zones in the city have been restricted to specific times, such as between 7am to 10am before reverting to vehicle storage. During the pilot, FLZs were used throughout the day with food and beverage delivery in the morning, package delivery throughout the day, and ride-hailing services in the evening proving that short-term parking and loading is needed all day and night. Many of the FLZs created during the pilot also served as designated ride-hailing pick-up and drop-off locations to reduce unsafe loading practices and reduce traffic delay caused by vehicle stopping in travel lanes to pick-up or drop-off passengers.

Question from Council from 1st Reading

During the first reading, a councilmember asked if the city has anti-idling laws that could apply in flexible loading zones. Section 7-6-12, "Unattended Motor Vehicles," B.R.C. 1981 prohibits a motor vehicle from being stopped unattended without the engine being stopped. That section does not apply to commercial delivery vehicles licensed as trucks by the Colorado Department of Revenue. The city does not have a code provision prohibiting an occupied vehicle from idling, but there is a state law that applies within the city limits. From the Colorado Revised Statutes:

Title 42. Vehicles and Traffic 42-14-105:

- (1) Standard. The owner or operator of a covered vehicle shall not cause or permit the vehicle to idle for more than five minutes within a sixty-minute period except as authorized by subsection (2) of this section.

Subsection 2 lists a variety of exemptions related to health and safety, public safety or military vehicles, safety rest areas, and temperatures less than ten degrees.

NEXT STEPS

Following this proposed ordinance adoption, staff will manufacture and install the new signage and communicate the changes to the public, business community, TNCs, and other users of these FLZs.

ATTACHMENT

Attachment A – Proposed Ordinance 8654

ORDINANCE 8654

AN ORDINANCE AMENDING SECTION 7-6-21, "PARKING IN LOADING ZONE PROHIBITED," B.R.C. 1981 TO IMPLEMENT THE FLEXIBLE LOADING ZONE COMPONENT OF THE CURBSIDE MANAGEMENT IMPLEMENTATION GUIDEBOOK; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 7-6-21, "Parking in Loading Zone Prohibited," B.R.C. 1981, is amended to read as follows:

7-6-21. Parking in Loading Zone Prohibited.

- (a) No vehicle shall be parked in a loading zone for any purpose or period of time except:
 - (1) In a passenger loading zone, for the visible loading or unloading of passengers for a period indicated by a traffic control sign; or
 - (2) In any other loading zone, for the visible unloading and delivery or pick-up and loading of property for a period not in any case to exceed thirty minutes, or such shorter time indicated by a traffic control sign, or loading or unloading of passengers for a period not in any case to exceed three minutes, or such period indicated by a traffic control sign.
- (b) All alleys in a district zoned BT, BC, BR, or I are a loading zone. On all other streets, traffic control signs indicate loading zones.

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city and covers matters of local concern.

Section 3. The city council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 19th day of September 2024.

3
4
5 _____
6 Aaron Brockett,
7 Mayor

8 Attest:

9 _____
10 Elesa Johnson,
11 City Clerk

12 READ ON SECOND READING, PASSED AND ADOPTED this 3rd day of October 2024.

13 _____
14 Aaron Brockett,
15 Mayor

16 Attest:

17 _____
18 Elesa Johnson,
19 City Clerk



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Consideration of the following items relating to the 2025 Budget:

1. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8660 adopting a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details;
2. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8661 establishing the 2024 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 2025 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado; and setting forth related details;
3. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8662 appropriating money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2025 fiscal year of the City of Boulder, commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details; and
4. Consideration of a motion to order published by title only, Ordinance 8656 amending Section 3-8-3, "Tax Imposed on Nonresidential and Residential Development," Section 3-20-2, "Imposition and Rate of Tax," and Chapter 4-20, "Fees," B.R.C. 1981, changing certain fees and taxes; and setting forth related details

PRIMARY STAFF CONTACT

Charlotte Huskey, Budget Officer

REQUESTED ACTION OR MOTION LANGUAGE

1. Motion to order published by title only, Ordinance 8660 adopting a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details; and
2. Motion to order published by title only, Ordinance 8661 establishing the 2024 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 2025 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado; and setting forth related details; and

3. Motion to order published by title only, Ordinance 8662 appropriating money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2025 fiscal year of the City of Boulder, commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details; and

4. Motion to introduce and order published by title only Ordinance 8656 amending Section 3-8-3, "Tax Imposed on Nonresidential and Residential Development," Section 3-20-2, "Imposition and Rate of Tax," and Chapter 4-20, "Fees," B.R.C. 1981, changing certain fees and taxes; and setting forth related details

ATTACHMENTS:

Description

- ▣ **Item 5A - 1st Rdg Ordinances related to the 2025 Budget**
- ▣ **Item 5A - Addendum Memo**



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: October 3, 2024

AGENDA TITLE

Consideration of the following items relating to the 2025 Budget:

1. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8660, adopting a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details;
2. Introduction, first reading, and consideration of a motion to order published by title only, Ordinance 8661, establishing the 2024 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 2025 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado; and setting forth related details;
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PRESENTER(S)

Nuria Rivera-Vandermyde, City Manager
Kara Skinner, Chief Financial Officer
Charlotte Huskey, Budget Officer

EXECUTIVE SUMMARY

This agenda item provides information for City Council consideration, regarding the first reading of the adoption of the 2025 budget and other related ordinances to appropriate city funds as presented in the [2025 Recommended Budget](#). The city manager released the 2025 Recommended Budget on August 30, 2024, in accordance with City Charter Section 93.

The 2025 Recommended Budget is presented to Council and community as a measured and responsive approach to investing in our collective goals and priorities while maintaining current investments and core services. This year's budget was created in a more constrained financial environment yet continues our commitments in many key areas across the community. The 2025 Recommended Budget includes strategic one-time investments and ongoing support to advance equity, safety, and livability initiatives.

The total 2025 Recommended Budget is \$589.5 million across all funds, including an Operating Budget of \$399.3 million and Capital Budget of \$190.2 million. The 2025 Recommended Operating Budget represents a 1.3% year-over-year increase when excluding debt service and internal service charges. The [2025-2030 Capital Improvement Program](#) (CIP) includes \$807.4 million in planned spending across the six years supporting over 200 capital projects.

One major change included in the 2025 Operating Budget is a new Arts, Culture, and Heritage Fund. This fund was created with voter approval of ballot issue 2A on the November 2024 ballot. This issue asked voter approval to extend an expiring 0.15% sales and use tax with 50% newly dedicated to arts, culture, and heritage, and the other half continuing to support public safety, human services, and other general government purposes.

The Recommended Budget represents crucial investments that support base cost increases such as internal services and planned debt service, as well as additional capital maintenance and infrastructure investments. This growth also represents additional investments in existing commitments and council priorities, particularly those around equity, safety, and livability. Some examples include:

- Increased investments for housing affordability to advance the development and rehabilitation of over 140 affordable housing units (\$12.2 million)
- Significant one-time investments in capital maintenance needs to help the city maintain well its current infrastructure and service to the community (\$4.3 million)
- Increased one-time funding for the Equity Office to support the creation of an Immigration Legal Defense Fund (\$50,000), training and policy analysis focused on public safety and code enforcement activities (\$50,000), and diagnostic cultural competency assessments (\$50,000)
- Meaningful ongoing and one-time increases to human services-related community programs and rental assistance services (\$515,000)

- \$121,000 in investments in Community Wildfire Resilience with a two-year fixed-term project coordinator
- Continuation of \$40,000 in one-time programmatic funding and a one-year renewal of a part-time support position for Community Connectors and inclusive engagement
- Key safety investments to support disaster management planning (\$80,000), civilian police staffing advancing the Reimagine Policing efforts (\$131,000), wellness programming and workforce development for Fire-Rescue staff (\$350,000), and permanent enhancements to urban rangers staffing and the Safe & Managed Spaces Program (\$515,300)

In addition, the 2025-2030 CIP includes a total of \$807.4 million in planned spending across the six years, which includes significant investments to advance capital projects, including the city's largest affordable housing project to-date and a municipal campus at the Alpine-Balsam site, critical water and flood management projects, and several key Community, Culture, Resilience, and Safety (CCRS) tax projects, such as deep energy renovations at the East Boulder Community Center, development of Primos Park and Violet Bridge replacement project, Civic Area phase 2, Pearl Street Mall project, and Fire Stations #2 and #4 replacements.

This budget was created in the final year of a three-year implementation of Budgeting for Resilience and Equity (BRE), which shifts the organization's budgeting practice from incremental budget increases to instead focus on and highly consider the outcomes of our investments. For the 2025 Recommended Budget, the city is proud to have developed its first comprehensive inventory of program outcomes and measures across the organization in alignment with Boulder's [Sustainability, Equity and Resilience](#) (SER) Framework. The BRE outcomes and measures can be found on the City of Boulder's [website](#) and within the online 2025 Recommended Budget. While this year marks the third and final year of implementation, the city will continue to iterate, evaluate, and improve BRE each year during the annual budget development process.

Additionally, the 2025 Recommended Budget builds upon community engagement efforts from the 2024 Budget by continuing to partner with the city's Community Connectors-in-Residence and further expanding budget engagement to boards and commissions and community members through a citywide budget questionnaire. Most notably, Community Connectors reiterated their support for advancements in racial equity, housing affordability, financial stability, and economic opportunity. The citywide questionnaire input highlighted support for initiatives aligned to safety, livability, and healthy and socially thriving goal areas within the city's SER Framework. Engagement efforts offered important additional perspectives on budget priorities, which were incorporated into decision-making for the 2025 Budget.

Staff presented the 2025 Recommended Budget at the Sept. 12 Study Session. Council provided staff with feedback and several questions and clarifications. A summary of the Study Session is provided as Item 3A on the October 3, Consent Agenda. Staff also followed up on a number of questions through a September 19 Hotline post, included here as Attachment E. Additionally, staff requested council members to provide

suggested changes to the 2025 Recommended Budget by Sept. 23. Staff received one submission via Hotline from Council Member Wallach. No additional proposals for changes from individual council members were received by the deadline to include within this memo.

There are four ordinances for Council consideration relating to the 2025 Budget:

1. Budget adoption ordinance (Ordinance 8660)
2. Mill levy ordinance (Ordinance 8661)
3. Appropriations ordinance (Ordinance 8662)
4. Fee changes ordinance (Ordinance 8656)

The Central Area General Improvement District (CAGID), the University Hill General Improvement District (UHGID), the Boulder Municipal Property Authority (BMPA), the Forest Glen Transit Pass General Improvement District, the Boulder Junction General Improvement District for Parking, and the Boulder Junction General Improvement District for Transportation Demand Management (TDM) budgets and appropriation are not included with these ordinances. Three resolutions for each special district, including budget adoption, mill levy, and appropriation resolutions, will be brought forward under separate agenda items on Oct. 17, 2024, coinciding with the second reading of the city budget. In addition, staff will also bring forward a separate agenda item on Oct. 17 for the Downtown Boulder Improvement District Operating Plan and Board Reappointments on behalf of the Downtown Boulder Partnership.

STAFF RECOMMENDATION

Suggested Motion Language:

Staff requests council consideration of this matter and action in the form of the following motions:

1. Motion to order published by title only, Ordinance 8660, adopting a budget for the City of Boulder, Colorado, for the fiscal year commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details;
2. Motion to order published by title only, Ordinance 8661, establishing the 2024 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 2025 for payment of expenditures by the City of Boulder, County of Boulder, State of Colorado; and setting forth related details;
3. Motion to order published by title only, Ordinance 8662, appropriating money to defray expenses and liabilities of the City of Boulder, Colorado, for the 2025 fiscal year of the City of Boulder, commencing on the first day of January 2025 and ending on the last day of December 2025; and setting forth related details; and
4. Motion to introduce and order published by title only Ordinance 8656 amending Section 3-8-3, "Tax Imposed on Nonresidential and Residential Development", Section 3-20-2, "Imposition and Rate of Tax," and Chapter 4-20, "Fees," B.R.C. 1981, Changing Certain Fees; and setting forth related details.

COUNCIL MEMBER PROPOSED BUDGET CHANGES

Staff and the Financial Strategy Council Committee requested council members to provide suggested changes to the 2025 Recommended Budget by Sept. 23. Staff received one submission via Hotline from Council Member Wallach. No additional proposals for changes from individual council members were received by the deadline to include within this memo.

Council Member Wallach

"My budget request for 2025 is not actually a budget request for 2025. My primary funding concern is with respect to our Wildfire Resilience programs. The September 19 Hotline ... has clearly outlined the extensive number of current programs being implemented across numerous departments to address Wildfire Resilience issues across

the City in 2025. These efforts are substantial, and I am not sure that we are ready to stand up anything further for next year.

However, my hope is that we can find additional CIP funds for 2026 for the purposes of creating more of the physical infrastructure needed to make Boulder more resilient to wildfires. Whether this consists of physical firebreaks, firebreaks created by planting more fire-resistant vegetation near the Wildlife Urban Interface, more extensive thinning of forests or more aggressive undergrounding of power lines, I will leave to the professionals. But we need to up the pace at which we make Boulder a more protected City, and if we are not ready to do so at even greater scale in 2025, I hope that we can by 2026. I also hope that we can find additional funds to substantially expand our grant program for residents who address conditions at their home, such as removing junipers.

There are, of course, two reasons for this expanded effort to harden our community. The first, and most important, is to actually create a better physical environment in which wildfires can be fought and controlled, and people and their homes can be protected. The second is to be seen by insurance companies as aggressively acting to address Wildfire Resilience, so that there will be less incentive for them to drastically raise insurance rates, or, worst of all, to abandon this market entirely as too risky

...

I also hope that in 2025 we will turn our attention to some of the ordinance changes that might assist in hardening our most sensitive areas, such as prohibiting new planting of junipers in all substantial renovations or new construction, at least West of Broadway.”

Reference Summary of Council Proposed Changes:

Council Member	Short Title/Description	Type	Fund/New Appropriation Amount
Wallach	Wildfire Resilience CIP funds, programming, operations for 2026 and wildfire resilience ordinance changes in 2025	Staff Direction	N/A for 2025

ANALYSIS

Council members raised several questions during the September 12 Study Session and many were responded to directly that evening. Staff responded to several questions via Hotline, which is summarized and included within Attachment E – 2025 Recommended Budget Study Session Council Follow-up.

FEES AND TAXES

As a part of the annual consideration of the budget, staff brings forward an ordinance (Ordinance 8656) to update certain fees and taxes that are codified within the Boulder

Revised Code. The updated annual fees and taxes are limited to minor changes, clarifications, and adjustments, and are permitted within the Boulder Revised Code or by voter approved ballot measures. The fee and tax adjustments are reflected in budgeted revenues for the subsequent budget year and programmed in expenditures accordingly.

Finance – Regulatory Licensing

Staff is recommending one change to regulatory licensing fees to align with the 2024 CPI increase, ranging from 2.4% to 3.4% increase. This applies to Auction Licenses; Circus, Carnival, and Menagerie Licenses; Hemp Licenses; Itinerant Merchant Licenses; Secondhand Dealer and Pawnbroker Licenses; Mobile Food Vehicle Licenses; and Tobacco Licenses.

Utilities

Utility billing rate increases are evaluated annually as part of the budget process to ensure that projected revenues match proposed expenditures. Each utility (water, wastewater, and stormwater/flood management) operates as a self-supporting enterprise fund and assesses a variety of rates, charges, and fees to ensure revenues are sufficient to meet operating, maintenance and capital costs and to maintain the financial integrity of each utility. Revenues generated from customers' monthly utility bills are the largest revenue source for each utility, accounting for 80 to 90 percent of total revenues.

The monthly customer bill for water and wastewater services includes a quantity charge based on the volume of use and a fixed service charge based on meter size. Most of the costs associated with the water and wastewater utilities are fixed and the fixed portion of the bill helps support revenue stability and more equitable distribution of costs. The variable portion of the bill is intended to provide a price signal to incentivize efficient water use and helps cover the additional costs the city incurs related to peak demand periods. The 2025 recommended fees reflects the following billed rate increases: 8% Water, 6% Wastewater, and 5% Stormwater/Flood Management. Rate increases would result in a total increase of \$10.89 to the average monthly utility bill for a typical single-family residential customer.

Planning and Development Services

Excise taxes and impact fees are one-time charges to fund capital improvements necessitated by new development, helping the city build new facilities, purchase equipment such as fire trucks, develop multi-modal transportation facilities, and support affordable housing. The maximum amount the city can charge as an excise tax is limited by the amounts approved by voters.

For 2025, the recommended impact fees and the residential Transportation Excise Tax are adjusted by an inflationary factor, using the Engineering News Record cost index and the prior year's Consumer Price Index. This results in a change between 5.2% to 6.5% for most fees paid by a typical project.

Community Vitality

Community Vitality sets a schedule of user fees to recover the cost of providing the Neighborhood Parking Program as well as mall permits and facilities on the Pearl Street Mall. The fees are based on what the public would pay for similar services from private enterprise. The department reviews all fees annually and uses the current Consumer Price Index (CPI) projections to increase fees for the parking permits and the Pearl Street Mall permit and fee program.

In addition to the mall fees, the Community Vitality department sets fees for long-term parking permits in the Downtown garages and for Downtown and University Hill lots. Staff annually assesses the Downtown Commercial District (CAGID) and University Hill Commercial District (UHGD) long-term parking rates with private sector rates and adjusts in alignment with demand and the market. These rate changes also help CAGID and UHGID keep pace with rising expenses.

For 2025, Downtown garage permits will remain at \$165 per month, Downtown lots will increase to \$100 per month (which is a change in unit from the 2024 fee of \$287 per quarter, or about \$95 per month), and all Neighborhood Parking Program and Mall permits will increase by 2025's projected CPI of roughly 3.1% or a minimum of \$0.50 to aid in the cost recovery of that program (and additionally, Commuter Neighborhood Parking Permits changed units from quarterly to monthly, which equals to about \$38.33 per month in 2024 fees). In addition to this increase, a new permit will be issued for two-week guest visits at a cost of \$5.00 per permit after the first two no-cost permits are issued. "No parking" sign costs increased by \$0.10 per sign.

Long Term Rental Excise Tax

Boulder's voters approved a \$75 rental license excise tax in November 2020 to support eviction prevention services for city of Boulder tenants. The tax generates roughly \$1.4 million annually, funding the Eviction Prevention and Rental Assistance Services (EPRAS) program. EPRAS provides legal aid, rental assistance, and mediation services to help tenants facing eviction. Housing and Human Services staff are seeing increased demand for EPRAS services at the same time that COVID-related housing support programs are ending. Please refer to the [September 19, 2024 Information Item](#) for additional background and analysis.

The ballot item included a provision that authorized council to increase the rate of tax annually by an amount not to exceed the "Colorado consumer price index or a similar index that is tied to the annual rate of inflation in the state or Denver metropolitan area." (3-20-7, B.R.C., 1981). The proposed increase based on the Denver metro CPI is 5.2%, which would increase the tax from \$75.00 per dwelling unit to \$78.90 per dwelling unit in 3-20-2, B.R.C. 1981. This equals a \$3.90 increase in the tax or just under \$0.33 per dwelling unit per month.

BOARD AND COMMISSION RECOMMENDATIONS

While most boards and commissions do not have formal authority in review of the annual budget, staff uses the opportunity to share priorities and receive feedback as the annual budget is being developed. Many boards and commissions are charged with a general review of the budget and asked to submit annual recommendations to City Council based on either charter, code, or informal policy. The one exception is the Parks and Recreation Advisory Board which must favorably recommend the budget plan for the expenditures made from the Permanent Park & Recreation Fund. Staff has summarized relevant board or commission recommendations below.

Boulder Arts Commission

The Boulder Arts Commission unanimously, Commissioner Schmid absent, recommended approval of the 2025 Community Vitality proposed budget as it pertains to Arts, Culture, and Heritage at their August 28, 2024 meeting.

Boulder Junction Access District Commissions

The Boulder Junction Access District Commissions unanimously, Commissioners Cook and Pike absent, recommended approval of the 2025 Community Vitality Recommended Budget, including the 2025-2030 Capital Improvement Plan, at their July 24, 2024 meeting. However, the budget has undergone minor adjustments since the commission's initial recommendation.

Downtown Management Commission

The Downtown Management Commission unanimously, Commissioner Trees absent, recommended approval of the 2025 Community Vitality Recommended Budget, including the 2025-2030 Capital Improvement Plan, at their July 16, 2024 meeting. The Community Vitality Department budget with respect to the Downtown Area General Improvement District Fund has undergone minor adjustments since the commission's initial recommendation.

Open Space Board of Trustees

The Open Space Board of Trustees unanimously recommended both the 2025 – 2030 CIP and 2025 operating expenditures on August 14 after review at the May 8, June 12, and July 10 business meetings.

Parks & Recreation Advisory Board

The Parks & Recreation Board (PRAB) by a vote of 6-0 (with 1 member absent) approved the following two motions in support of the Parks and Recreation Department (BPR) 2025-2030 CIP at the July 22, 2024, meeting: 1) a motion to approve the 2025 recommended expenditures (\$1,430,000) from the Permanent Parks & Recreation Fund to City Council for appropriation and 2) a motion to recommend the 2025-2030 Parks and Recreation Department Capital Improvement Program (CIP) to Planning Board and City Council for approval and appropriation.

The PRAB also reviewed the department's 2025 budget as submitted to Executive Budget Team at the July 22, 2024 meeting. By a vote of a vote of 6-0 (with 1 member

absent) the PRAB recommended the 2025 proposed Parks and Recreation budget of \$43.9M to City Council for approval and appropriation.

Transportation Advisory Board

The Transportation Advisory Board (TAB) recommended approval of the 2025-2030 Capital Improvement Program at their August 12, 2024, meeting.

Planning Board

At their September 3 meeting, Planning Board voted unanimously to recommend to the City Manager and City Council the recommended draft 2025-2030 Capital Improvement Program (CIP), including the list of CIP projects to undergo a Community and Environmental Assessment Process (CEAP), as identified in the staff memorandum.

L. Kaplan made a motion seconded by M. McIntyre that for all CIP items associated with BDU that can be delayed without compromising airport or public safety, Planning Board recommends that staff delay implementation, including pursuing or accepting FAA grants, until the City's litigation against the FAA has concluded and City Council or Boulder voters have provided direction on the future of the airport site. Motion passed unanimously.

University Hill Commercial Area Management Commission

The University Hill Commercial Area Management Commission unanimously recommended approval of the 2025 Community Vitality Recommended Budget, including the 2025-2030 Capital Improvement Plan, at their July 9, 2024 meeting. The City Manager's 2025 Recommended Budget includes an adjustment to the Community Vitality Department budget with respect to the University Hill General Improvement District (GID) Fund since the commission's initial recommendation. Staff informed the Commission of these changes during their September 3 meeting and the Commission unanimously passed a motion to submit a letter to City Council supporting the University Hill Streetscape Improvements Project within the 2025 Capital Budget and recommends to hold harmless the University Hill GID Fund with General Fund support.

Water Resources Advisory Board

The preliminary 2025 Utilities budget and the 2025-2030 CIP was presented to the Water Resources Advisory Board (WRAB) with presentations at their May 20 and their June 17 meetings. The WRAB recommended approval of the 2025-2030 CIP Budget and utility rates at their July 15 meeting. The final motions included provisions to avoid a conflict-of-interest from one board member.

NEXT STEPS

Oct. 17, 2024 – Public hearing and second reading of the 2025 City of Boulder budget ordinances; General Improvement District budget resolutions and BMPA resolution.

ATTACHMENT(S)

- Attachment A – Budget Adoption Ordinance 8660
- Attachment B – Mill Levy Ordinance 8661
- Attachment C – Appropriation Ordinance 8662
- Attachment D – Taxes and Fees Ordinance 8656
- Attachment E – Staff Sept. 19th Hotline Recommended Budget Study Session Response to City Council
- Attachment F – University Hill Commercial Area Management Commission Letter to City Council

ORDINANCE 8660

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF BOULDER, COLORADO, FOR FISCAL YEAR 2025; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. That estimated expenditures for fiscal year 2025 are as follows (excludes carryover and the General Improvement Districts):

General Fund	\$ 210,855,819
Governmental Capital	54,599,286
.25 Cent Sales Tax Fund	12,786,764
Affordable Housing Fund	23,126,268
Airport Fund	1,527,807
Arts, Culture, Heritage Fund	2,778,101
Boulder Junction Improvement Fund	500,000
Capital Development Fund	4,922,805
Climate Tax Fund	9,599,919
Community, Culture, Resilience & Safety Tax Fund	17,171,419
Community Development Block Grant Fund	1,832,990
Community Housing Assistance Program Fund	6,554,163
Compensated Absences Fund	996,724
Dental Self-Insurance Fund	1,230,684

1	Enterprise Technology Fund (Formerly Computer	9,243,142
2	Replacement Fund)	
3	Equipment Replacement Fund	3,517,897
4	Eviction Prevention & Rental Assistance Fund	1,461,809
5	Facility Renovation and Replacement Fund	6,448,970
6	Fleet Operations and Replacement Fund	18,307,448
7	HOME Investment Partnership Grant Fund	3,306,016
8	Lottery Fund	2,348,000
9	Medical Self-Insurance Fund	18,555,804
10	Open Space Fund	41,421,863
11	Permanent Park and Recreation Fund	3,387,214
12	Planning and Development Services Fund	15,715,994
13	Property and Casualty Insurance Fund	7,119,531
14	Recreation Activity Fund	14,922,277
15	Stormwater/Flood Management Utility Fund	25,903,699
16	Sugar-Sweetened Beverage Distribution Tax Fund	4,437,503
17	Telecommunications Fund	928,310
18	Transportation Fund	59,577,040
19	Transportation Development Fund	2,338,799
20	Wastewater Utility Fund	41,931,878
21	Water Utility Fund	65,995,748
22	Workers Compensation Insurance Fund	3,895,139
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24	TOTAL	\$ 699,246,830
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Section 2. That the proposed budget as submitted with the expenditures as summarized above be adopted as the budget of the City of Boulder, Colorado, for the 2025 fiscal year.

Section 3. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city and covers matters of local concern.

Section 4. The City Council deems it appropriate that this ordinance be published by title only and orders that copies of this ordinance be made available in the office of the city clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY this 3rd day of October 2024.

Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

1 READ ON SECOND READING, PASSED AND ADOPTED, this 17th day of October
2 2024.

3 _____
4 Aaron Brockett,
5 Mayor

6 Attest:

7 _____
8 Elesha Johnson,
9 City Clerk

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ORDINANCE 8661

AN ORDINANCE ESTABLISHING THE CITY OF BOULDER PROPERTY TAX MILL LEVIES FOR 2024; PROVIDING THAT SAID LEVY BE CERTIFIED TO THE BOULDER COUNTY ASSESSOR; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. In accordance with Section 94 of the Boulder Home Rule Charter, there is hereby levied for the year of 2024 to be collected in 2025 a tax of 11.648 mills upon each dollar of the total assessed valuation of all taxable property within the City of Boulder, Colorado. The levy includes the following components:

GENERAL CITY OPERATIONS	7.948
GENERAL CITY OPERATIONS (PUBLIC SAFETY)	<u>2.000</u>
COMMUNITY HOUSING ASSISTANCE PROGRAM	.800
PERMANENT PARK & RECREATION FUND (Charter Sec. 161)	.900
 NET MILL LEVY	 11.648

Section 2. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city and covers matters of local concern.

Section 3. Pursuant to Section 18 of the Charter of the City of Boulder, this ordinance shall take effect immediately upon publication after final passage.

ORDINANCE 8662

AN ORDINANCE APPROPRIATING MONEY TO DEFRAY EXPENSES AND LIABILITIES OF THE CITY OF BOULDER, COLORADO, FOR THE 2025 FISCAL YEAR OF THE CITY OF BOULDER; AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. The following appropriations are made for the City of Boulder’s 2025 fiscal year for payment of 2025 city operating expenses, capital improvements, and general obligation and interest payments:

General Fund	\$ 210,855,819
Governmental Capital	54,599,286
.25 Cent Sales Tax Fund	12,786,764
Affordable Housing Fund	23,126,268
Airport Fund	1,527,807
Arts, Culture, Heritage Fund	2,778,101
Boulder Junction Improvement Fund	500,000
Capital Development Fund	4,922,805
Climate Tax Fund	9,599,919
Community, Culture, Resilience & Safety Tax Fund	17,171,419
Community Development Block Grant Fund	1,832,990
Community Housing Assistance Program Fund	6,554,163
Compensated Absences Fund	996,724

1	Dental Self Insurance Fund	1,230,684
2	Enterprise Technology Fund	9,243,142
3	Equipment Replacement Fund	3,517,897
4	Eviction Prevention & Rental Assistance Fund	1,461,809
5	Facility Renovation and Replacement Fund	6,448,970
6	Fleet Operations and Replacement Fund	18,307,448
7	HOME Investment Partnership Grant Fund	3,306,016
8	Lottery Fund	2,348,000
9	Medical Self-Insurance Fund	18,555,804
10	Open Space Fund	41,421,863
11	Permanent Park and Recreation Fund	3,387,214
12	Planning and Development Services Fund	15,715,994
13	Property and Casualty Insurance Fund	7,119,531
14	Recreation Activity Fund	14,922,277
15	Stormwater/Flood Management Utility Fund	25,903,699
16	Sugar-Sweetened Beverage Distribution Tax Fund	4,437,503
17	Telecommunications Fund	928,310
18	Transportation Fund	59,577,040
19	Transportation Development Fund	2,338,799
20	Wastewater Utility Fund	41,931,878
21	Water Utility Fund	65,995,748
22	Worker's Compensation Insurance Fund	3,895,139
23		
24	TOTAL	\$ 699,246,830
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Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

ORDINANCE 8656

AN ORDINANCE AMENDING SECTION 3-8-3, "TAX IMPOSED ON NONRESIDENTIAL AND RESIDENTIAL DEVELOPMENT," SECTION 3-20-2, "IMPOSITION AND RATE OF TAX," AND CHAPTER 4-20, "FEES," B.R.C. 1981, CHANGING CERTAIN FEES AND TAXES; AND SETTING FORTH RELATED DETAILS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 3-8-3, "Tax Imposed on Nonresidential and Residential Development," B.R.C. 1981, is amended to read as follows:

3-8-3. - Tax Imposed on Nonresidential and Residential Development.

(a) Tax Rate: No person engaged in nonresidential or residential development in the city shall fail to pay a development excise tax thereon according to the following rates:

(1) For new or additional floor area for nonresidential development per square foot of floor area:

Transportation	\$2.48
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(2) For new detached dwelling unit:

Transportation	\$4,690.21
	\$4,458.37

(3) For new attached dwelling unit or mobile home:

Transportation	\$3,402.82
	\$3,234.62

...

Section 2. Based on the authority granted in Section 3-20-7, "Tax Increase," B.R.C. 1981, Section 3-20-2, "Imposition and Rate of Tax," B.R.C. 1981, is amended to read as follows:

1 **3-20-2. Imposition and Rate of Rental License Excise Tax.**

2 There is levied and shall be paid and collected an excise tax of ~~\$78.90~~ ~~\$75~~ per year for each
3 dwelling unit that is required to get a rental license by the city, unless it is exempt from the tax
4 by Section 3-20-5, B.R.C. 1981.

5 Section 3. Chapter 4-20, "Fees," B.R.C. 1981, is amended to read as follows:

6 **4-20-2. Alcohol and Fermented Malt Beverage License and Application Fees.**

- 7 (a) The applicant for a malt, vinous or spirituous liquor license shall pay the appropriate
8 application fee, as follows:

	<i>Application</i>	<i>Fee</i>
9	(1) New license	\$1,000
10	(2) Transfer of ownership or change of location of license	750
11	(3) License renewal	100
12	(4) Late application fee for expired license	500
13	(5) Special event:	100
14	(6) Temporary permit for transfer of ownership	100
15	(7) Bed and breakfast permit	25
16	(8) Duplicate license	50
17	(9) Trade name/corporation name change	50
18	(10) Temporary modification of premises	50
19	(11) Permanent modification of premises	100
20	(12) Five-hundred-foot measurement for liquor license application	50
21	(13) Tasting permit	50
22	(14) License conversion for tavern licenses (valid until August 10, 2017)	75

- 23 (b) Each applicant for a hotel and restaurant license shall pay a manager registration fee of
24 ~~\$30~~ ~~\$75~~ to the cCity.

- 25 (c) Each applicant for a fermented malt beverage license shall pay the appropriate
26 application fee, as follows:

	<i>Application</i>	<i>Fee</i>
27	(1) New license	\$1,000
28	(2) Transfer of ownership or change of location of license	750
29	(3) License renewal	100
30	(4) Late applications fee for expired license	500
31	(5) Special event:	<u>100</u>
32	Under 250 persons	50
33	Over 250 persons	100

(6)	Temporary permit for transfer of ownership	100
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3 **4-20-3. Auctioneer License Fees.**

4 An applicant for an auctioneer license shall pay the following fees at time of application: (1)
5 an application fee of \$25, (2) an annual license fee of ~~\$84.50~~\$82, and (3) a \$7 per person fee
6 submitted for background check review. Application fees are non-refundable. License fees are
refundable if an application is denied or withdrawn.

7 **4-20-4. Building Contractor License, Building Permit Fees, and Payment of Estimated Use
8 Tax.**

9 (a) An applicant for a building contractor license shall pay the following annual fee
according to the type of license requested:

10 ...

11 (d) The value of the work covered by the permit shall be determined by either the City of
12 Boulder Valuation Table or the estimated value of the work covered by the permit
13 provided by the applicant at time of application. The higher of the two valuations shall be
used to calculate the building permit fees and the estimated pre-payment of construction
14 use tax if the applicant chooses to pay use taxes pursuant to Subsection 3-2-14(a),
15 "Methods of Paying Sales and Use Tax," B.R.C. 1981.

16 (1) *City of Boulder Valuation Table* means a table of per square foot construction
17 values based on type of construction and use. The city has adopted the August
18 ~~2024~~2023 version of the cost data as published by the International Code
19 Council. The table rates are for new construction which includes additions. All
20 other scopes of work are expressed as a percentage of the new rates as follows:
21 ...

22 **4-20-5. Circus, Carnival, and Menagerie License Fees.**

23 An applicant for a circus, carnival, and menagerie license shall pay the following fees at
24 time of application: (1) an application fee of \$50, and (2) a license fee of ~~\$515~~ \$500 per day of
25 operation. Application fees are non-refundable. License fees are refundable if an application is
denied or withdrawn.

4-20-10. Itinerant Merchant License Fee.

An applicant for an itinerant merchant license shall pay the following fees at time of
application: (1) an application fee of \$25.00, (2) a license fee of ~~\$49.50~~ \$48.00 per 12-month
period, and (3) a \$7 per person fee submitted for background check review. Application fees are
non-refundable. License fees are refundable if an application is denied or withdrawn.

4-20-11. Mall License and Permit Fees.

The following fees shall be paid before issuance of a revocable permit or lease, kiosk, mobile vending cart, ambulatory vendor, entertainment vending, personal services vending, or animal permit, and rental of advertising space on informational kiosks:

- (a) For revocable permit or leases issued in accordance with Section 8-6-6, "Requirements for Revocable Permits, Short-Term Leases and Long-Term Leases," B.R.C. 1981, an annual fee of ~~\$21.15~~~~\$20.10~~ per square foot of occupied space;
- (b) For kiosk permits, an annual fee to be negotiated by contract with the city manager;
- (c) For mobile vending carts, ~~\$2,610.00~~~~\$2,534.00~~ per year, payable in two equal payments by April 1 and August 1, or, for substitution or other permits which begin later in the year and are prorated, within thirty days of permit approval;
- (d) For ambulatory vendor permits, ~~\$132.00~~~~\$128.00~~ per month from May through September, and ~~\$67.00~~~~\$65.00~~ per month from October through April;
- (e) For any permits requiring use of utilities to be provided by the city, up to a maximum of ~~\$22.75~~~~\$22.00~~ per day;
- (f) For rental of advertising space on informational kiosks, ~~\$1,055.00~~~~\$1,026.00~~ per quarter section per year;
- (g) For animal permits, \$0 per permit;
- (h) For entertainment vending permits, ~~\$17.00~~~~\$16.50~~ per month;
- (i) For personal services vending permits, ~~\$132.00~~~~\$128.00~~ per month from May through September, and ~~\$67.00~~~~\$65.00~~ from October through April; and
- (j) For a newspaper vending machine permit, ~~\$68.50~~~~\$66.50~~ per year.

4-20-17. Secondhand Dealer and Pawnbroker License Fee.

- (a) An applicant for a secondhand dealer license shall pay the following fees at time of application: (1) an application fee of \$50.00, (2) a license fee of ~~\$98.00~~~~\$95.00~~ per 12-month period, and (3) a \$7 per person fee submitted for background check review. Application fees are non-refundable. License fees are refundable if an application is denied or withdrawn.
- (b) An applicant for a pawnbroker license shall pay the following fees at time of application: (1) an application fee of \$50.00, (2) a license fee of ~~\$98.00~~~~\$95.00~~ per 12-month period, and (3) a \$7 per person fee submitted for background check review. Application fees are non-refundable. License fees are refundable if an application if denied or withdrawn.
- (c) The license fees for a new license prescribed in Subsections (a) and (b) of this section shall be prorated on a monthly basis.

4-20-20. Revocable Right of Way Permit/Lease Application Fee.

...

- 1 (d) An applicant for an encroachment off the mall shall pay an annual fee of \$14.80 ~~\$14.07~~
per square foot of leased area.
- 2 (e) An applicant for a monitoring well encroachment shall pay \$530 per well per year.
- 3 (f) An applicant for a residential encroachment shall pay an annual fee of \$100.
- 4 (g) An applicant for an encroachment for a telecommunication conduit crossing as set forth
in Subsection 8-6-6(j), "Leases for Point-to-Point Telecommunication Conduit
5 Crossings," B.R.C. 1981, shall pay \$21.20 ~~\$20.15~~ per lineal foot of the conduit crossing
per year.

6 ...

7 **4-20-23. Water Permit Fees.**

8 An applicant for a water permit under Sections 11-1-14, "Permit to Make Water Main
Connections," 11-1-15, "Out of City Water Service," or 11-1-16, "Permit to Sell Water," B.R.C.
9 1981, or for water meter installation under Section 11-1-36, "Location and Installation of Meters;
Maintenance of Access to Meters," B.R.C. 1981, or for testing or inspection of backflow
10 prevention assemblies under Section 11-1-25, "Duty to Maintain Backflow Prevention Assembly
and Prevent Cross-Connection," B.R.C. 1981, and for inspection for cross-connections under
11 Section 11-1-25, "Duty to Maintain Backflow Prevention Assembly and Prevent Cross-
Connection," B.R.C. 1981, shall pay the following fees:

12 ...

- 13 (d) Water meter installation fee:
- 14 (1) $\frac{3}{4}$ " meter \$537 ~~\$438~~
- 15 (2) 1" meter \$683 ~~476~~
- 16 (3) $1\frac{1}{2}$ " meter (domestic) \$1,119 ~~948~~
- 17 (4) $1\frac{1}{2}$ " meter (sprinkler) \$1,119 ~~948~~
- 18 (5) 2" meter (domestic) \$1,475 ~~1,108~~
- 19 (6) 2" meter (sprinkler) \$1,475.00 ~~1,108~~
- 20 (7) 3" meter (sprinkler) \$2,362 ~~2,266~~
- 21 (8) 3" meter (domestic) \$2,362 ~~2,266~~
- 22 (9) 4" meter (sprinkler) \$3,013 ~~2,692~~
- 23 (10) 4" meter (domestic) \$3,013 ~~2,692~~
- 24 (11) Install $\frac{3}{4}$ " meter transponder \$232 ~~222~~
- 25 (12) Install 1" meter transponder \$232 ~~222~~
- (13) Install $1\frac{1}{2}$ " meter transponder \$315 ~~295~~
- (14) Install 2" meter transponder (domestic) \$315 ~~295~~
- (15) Call back for $\frac{3}{4}$ " and 1" \$99 ~~88~~

1 (16) Call back for 1½" and 2" ~~\$182 161~~
2 Sales tax is due on materials portion of installation.

3 (e) Tap fee:

- 4 (1) ¾" in DIP or CIP ~~\$237 198~~
- 5 (2) ¾" in AC or PVC ~~\$237 198~~

6 ...

7 (10) 12" ~~\$1,133 884~~

8 (11) Call back for installing a water tap ~~\$312~~

9 ...

10 **4-20-24. Water Service Fees.**

11 A person shall pay the following charges for water services:

- 12 (a) To terminate water service ~~\$55 50~~
- 13 (b) To deliver water service termination notice ~~\$29 27~~
- 14 (c) To remove water meter ~~\$105~~
- 15 (d) To reset water meter ~~\$97 87~~
- 16 (e) To resume water service ~~\$58 53~~
- 17 (f) To resume water service after 3:00 p.m. or on weekends or holidays ~~\$128 121~~
- 18 (g) Special meter read ~~\$55 50~~
- 19 (h) To test meter and meter tests accurate ~~\$50~~

20 **4-20-25. Monthly Water User Charges.**

21 (a) Treated water monthly service charges:

<i>Meter Size</i>	<i>Inside City</i>	<i>Outside City</i>
¾"	\$19.92 18.44	\$29.88 27.66
1"	\$33.55 31.06	\$50.31 46.58
1½"	\$72.21 66.86	\$108.30 100.28
2"	\$126.47 117.11	\$189.71 175.66
3"	\$281.35 260.51	\$422.03 390.77
4"	\$498.18 461.28	\$747.27 691.92

6"	<u>\$1,117.92</u> <u>\$1,035.11</u>	<u>\$1,676.88</u> <u>\$1,552.67</u>
8"	<u>\$1,984.21</u> <u>\$1,837.23</u>	<u>\$2,976.33</u> <u>\$2,755.86</u>
Hydrant Meter	<u>\$204.47</u> <u>\$189.32</u>	<u>\$306.71</u> <u>\$283.99</u>

(b) Treated water quantity charges:

(1) Block Rate Structure:

	<i>Block Rates (per thousand gallons of water)</i>	<i>Block Size (% of monthly water budget)</i>
Block 1	<u>\$5.23</u> \$4.84	0—60%
Block 2	<u>\$6.97</u> \$6.45	61—100%
Block 3	<u>\$13.94</u> \$12.90	101—150%
Block 4	<u>\$20.91</u> \$19.35	151—200%
Block 5	<u>\$34.85</u> \$32.25	Greater than 200%

4-20-26. Water Plant Investment Fees.

(a) Water utility customers shall pay the following plant investment fees: The number of bedrooms, type of units, number of units, irrigated area, and AWC Usage** are used to determine water budgets as well as calculate the Plant Investment Fee. Any changes to these characteristics may require payment of an additional Plant Investment Fee before any water budget adjustments are made.

(b) Customer Description PIF Amount.

(1) Single Unit Dwelling:

<i>Type</i>	<i>Amount of Square Feet of Irrigable Area</i>	<i>Application Rate</i>	
Outdoor [per S.F. of irrigated area (2,000 S.F. minimum)]	First 5,000 square feet of irrigable area	15 gallons per square feet (gpsf)	<u>\$3.53</u> \$3.31
	Next 9,000 square feet of irrigable area	12 gpsf	<u>\$2.94</u> \$2.76
	Irrigable area in excess of 14,000 square feet	10 gpsf	<u>\$2.36</u> \$2.22
Indoor			<u>\$12,957</u> \$12,167

(2) Multi Unit Dwelling: Outdoor (Separate irrigation service under Paragraph (4) of this section).

<i>Indoor</i>	
1 or 2 bedroom unit (per unit)	<u>\$8,639</u> \$8,111
3 bedroom unit (per unit)	<u>\$10,798</u> \$10,139
4 bedroom unit (per unit)	<u>\$12,957</u> \$12,167
5 or more bedroom unit (per unit)	<u>\$15,116</u> \$14,193

(3) Nonresidential: Outdoor (Separate irrigation service under Paragraph (4) of this section).

Meter size*	<i>PIF Amount</i>		
	25%	50%	85%
¾"	N/A	<u>\$5,400</u> \$5,070	<u>\$29,691</u> \$27,879
1"	<u>\$7,561</u> \$7,100	<u>\$19,434</u> \$18,248	<u>\$90,517</u> \$84,992
1½"	<u>\$17,814</u> \$16,726	<u>\$41,029</u> \$38,525	<u>\$166,277</u> \$156,129
2"	<u>\$32,931</u> \$30,922	<u>\$86,919</u> \$81,614	<u>\$349,288</u> \$327,970

Water usage other than that listed above may be evaluated and assessed a proportional PIF on a ~~case-by-case~~ case-by-case basis.

*Nonresidential meters larger than 2 inches require a special agreement described under Paragraph (5) of this section. The efficiency standard option with a corresponding special agreement is available to all nonresidential customers.

**Average Winter Consumption Usage (AWC Usage), is based on a usage distribution of all nonresidential accounts with a given meter size.

"N/A" means this option is not available for purchase.

(4) Irrigation service:

<i>Usage</i>	<i>Application Rate</i>	<i>PIF Amount</i>
Per S.F. of irrigated area (2,000 S.F. minimum)	15 gallons per square feet (gpsf)	<u>\$3.53</u> \$3.31

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<i>Water Asset Valuations</i>	
A	<u>\$488,029,762</u> <u>\$458,243,908</u>
B	<u>\$1,085,765,467</u> <u>\$1,019,498,091</u>

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6 **4-20-27. Wastewater Permit Fees.**

7 An applicant for a wastewater tap or permit under Section 11-2-8, "When Connections With
8 Sanitary Sewer Mains Required," or 11-2-9, "Permit to Make Sanitary Sewer Connection,"
9 B.R.C. 1981, shall pay the following fees:

- 10 ...
- 10 (c) Sewer tap fee:
- 11 (1) 4" PVC and VCP \$238 ~~\$222~~
 - 12 (2) 4" RCP \$430
 - 13 (3) 6" PVC and VCP \$295 ~~\$222~~
 - 14 (4) 6" RCP \$430
 - 15 (5) Manhole tap \$961 ~~\$893~~
 - 16 (6) Call back for installing a sewer tap \$238 ~~\$222~~

15 Sales tax is due on materials portion of installation.

16 **4-20-28. Monthly Wastewater User Charges.**

- 17 (a) Monthly service charge:

18

<i>Meter Size</i>	<i>Inside City</i>	<i>Outside City</i>
3/4"	<u>\$16.23</u> <u>\$15.32</u>	<u>\$24.35</u> \$22.98
1"	<u>\$28.45</u> <u>\$26.84</u>	<u>\$42.68</u> \$40.27
1 1/2"	<u>\$64.92</u> <u>\$61.25</u>	<u>\$97.39</u> \$91.88
2"	<u>\$114.45</u> <u>\$107.97</u>	<u>\$171.67</u> <u>\$161.96</u>
3"	<u>\$257.24</u> <u>\$242.68</u>	<u>\$385.87</u> <u>\$364.03</u>
4"	<u>\$457.81</u> <u>\$431.89</u>	<u>\$686.71</u> <u>\$647.85</u>

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6"	<u>\$1,030.05</u> <u>\$971.75</u>	<u>\$1,545.07</u> <u>\$1,457.62</u>
8"	<u>\$1,831.22</u> <u>\$1,727.56</u>	<u>\$2,746.82</u> <u>\$2,591.34</u>

(b) Quantity charge:

(1) Average strength sewage (as defined in Section 11-3-3, B.R.C. 1981):

<i>Quantity</i>	<i>Inside City</i>	
Per 1,000 gallons of billable usage	<u>\$8.36</u> <u>\$7.88</u>	<u>\$12.53</u> <u>\$11.82</u>

(2) Excess Strength Sewage Charge. In addition to the quantity charge for average strength sewage, fees will be charged for excess strength sewage based on the following:

	<i>Strength Exceeding (mg/l)</i>	<i>Fee per 1,000 lbs. of discharge</i>
TSS (Total Suspended Solids)	300	<u>\$226</u> \$212
COD (Chemical Oxygen Demand)	700	<u>\$143</u> \$134
TP (Total Phosphorus as P)	8	<u>\$6,753</u> \$6,341
TKN (Total Kjeldahl Nitrogen)	55	<u>\$1,703</u> \$1,599
ffCOD/COD Ratio (floc-filtered COD)	>80%	Waive COD fee

...

4-20-29. Wastewater Plant Investment Fees.

(a) Sanitary sewer utility customers shall pay the following plant investment fees:

Customer Description

(1) Single Unit Dwelling:

<i>PIF Amount</i>
<u>\$5,055</u> \$4,746

(2) Multi Unit Dwelling:

<i>Description</i>	<i>PIF Amount</i>
1 or 2 bedroom unit (per unit)	<u>\$3,369</u> \$3,163
3 bedroom unit (per unit)	<u>\$3,853</u> \$3,617
4 bedroom unit (per unit)	<u>\$5,055</u> \$4,746
5 or more bedroom unit (per unit)	<u>\$5,896</u> \$5,536

(3) Nonresidential:

	<i>PIF Amount (\$)</i>		
<i>Meter size*</i>	<i>25%</i>	<i>50%</i>	<i>85%</i>
$\frac{3}{4}$ "	N/A	<u>\$2,106</u> \$1,977	<u>\$11,581</u> \$10,874
1"	<u>\$2,947</u> \$2,767	<u>\$7,606</u> \$7,141	<u>\$35,306</u> \$33,151
1½"	<u>\$6,950</u> \$6,526	<u>\$16,004</u> \$15,027	<u>\$64,858</u> \$60,900
2"	<u>\$12,846</u> \$12,062	<u>\$33,902</u> \$31,833	<u>\$136,242</u> \$127,927

* Nonresidential meters larger than 2 inches require a special agreement described under Paragraph (4) of this section. The efficiency standard option with a corresponding special agreement is available to all nonresidential customers.

** Average Winter Consumption Usage (AWC Usage) is based on a usage distribution of all nonresidential accounts with a given meter size.

"N/A" means this option is not available for purchase.

	<i>Wastewater Asset Valuations</i>
A	<u>\$338,773,811</u> \$318,097,475
B	<u>\$37,308,378</u> \$35,031,341
C	<u>\$6,567,644</u> \$6,166,801

D	\$15,048,667
	\$14,130,204

4-20-31. Wastewater Classification Survey Filing Fee and Industrial and Groundwater Discharge Permit Fees and Charges.

- (a) Applicants for an industrial discharge permit shall pay the following permit fees:
 - (1) Flow:

<i>Gallons per Day</i>	<i>Annual Fee</i>
0	\$100
0—100	\$ 500
101—10,000	\$4,677 4,392
10,001—25,000	\$6,604 6,201
Over 25,000	\$8,324 7,816

...

4-20-35. Parking Payment Apparatus ~~Meter~~ Hood Permit Fees and Deposit.

- (a) An applicant for a parking payment apparatus ~~meter~~ hood or dash permit shall pay a fee calculated as follows for a daily, weekly, monthly, or annual permit:
 - (1) Daily: The maximum hourly paid parking ~~street meter~~ rate anywhere in the city is multiplied by the maximum number of hours any parking payment apparatus or technology ~~street meter~~ is in operation.
 - (2) Weekly: The daily rate times the maximum number of days any parking payment apparatus or technology ~~street meter~~ is in operation.
 - (3) Monthly: The weekly rate times four.
 - (4) Annual: The weekly rate times fifty-two.
- (b) An applicant for a parking payment apparatus ~~meter~~ hood permit shall pay a deposit of \$50 per hood or sign, refundable if the hood is returned in substantially the same condition of its issue within five business days after expiration of the permit.

4-20-43. Development Application Fees.

- (a) Subdivision fees:

...

1 (b) Land use regulation fees:

2 ...

3 (28) Development related fees:

4 An applicant requesting a zoning verification letter shall pay...\$136

5 An applicant for a development extension/staff approval review shall pay...\$136

6 ~~An applicant for a development extension/planning board approval shall pay an administrative fee of \$1,580 plus review fee of...\$393~~

7 An applicant requesting to rescind a development agreement shall pay...\$547

8 An applicant for an administrative relief/transportation/parking shall pay...\$274

9 ...

10 **4-20-45. Stormwater and Flood Management Fees.**

11 (a) Owners of detached residences and attached single unit metered residences in the city shall pay the following monthly storm water and flood management fees:

12 Size of Parcel

13 (1) Up to 15,000 sq. ft. ~~\$28.46~~ ~~\$27.11~~

14 (2) 15,000—30,000 sq. ft. ~~\$34.43~~ ~~32.79~~

15 (3) 30,001 sq. ft. and over ~~\$40.42~~ ~~38.50~~

16 (b) The owners of all other parcels of land in the city on which any improvement has been constructed shall pay a storm water and flood management fee based on:

17 (1) ~~\$4.56~~ ~~\$4.35~~ fixed monthly billing charge, and

18 (2) ~~\$0.01042~~ ~~\$0.00992~~ per square foot of impervious area.

19 If the calculation results in a fee less than the monthly rate in Paragraph (a)(1) of this section, then the fee specified in Paragraph (a)(1) of this section will be assessed.

20 **4-20-46. Stormwater and Flood Management Utility Plant Investment Fee.**

21 Owners of all parcels of land in the city submitting building permit applications shall pay a stormwater and flood management plant investment fee based on the square feet of added impervious area. However, if new stormwater detention facilities are built by the owner according to the most current City of Boulder Design and Construction Standards in effect at the time the building permit application is submitted, on or after April 2, 2009, the applicable fee shall be reduced by fifty percent.

	<i>PIF Amount</i>
(Per Square Foot of Impervious Area)	<u>\$2.71</u> \$2.55

4-20-49. Neighborhood Parking Permit Fee.

- (a) A zone resident applying for a neighborhood parking permit shall pay \$51.50 ~~\$50.00~~ for each permit or renewal thereof, except that a resident of the Chautauqua North neighborhood zone shall instead pay \$10.50 ~~\$10.00~~.
- (b) A resident of a neighborhood permit parking zone ~~permit holder~~ may purchase up to two annual visitor permits at \$5 for each permit ~~with the purchase of a neighborhood parking permit. Visitor permits are valid during the resident's annual permit period.~~
- (c) A business applying for a neighborhood parking permit for employees shall pay \$77.00 ~~\$75.00~~ for each permit or renewal thereof.
- (d) An individual who does not reside within the zone applying for a neighborhood parking permit, if permitted in the zone, shall pay \$39.50 ~~\$115.00~~ for each monthly ~~quarterly~~ commuter permit or renewal thereof.
- (e) A contractor applying for a temporary permit shall pay \$5 for each permit and such permit(s) shall be valid for one month.
- (f) A contractor applying for a mobile vendor permit shall pay \$75 for each annual permit or renewal thereof.
- (g) A resident issued a permit may obtain two two-week guest permits per year at no cost with an option to purchase up to ten more at a cost of \$5.00 for each permit.

4-20-57. News Box Fees.

- (a) The annual fee for leases of news boxes governed by Chapter 4-27, "News Box Leases and Regulation," B.R.C. 1981, is \$99.00 ~~\$96~~ per full size box, \$50.50 ~~\$49~~ for a double-sized slot, and \$28.00 ~~\$27.50~~ for a single-sized slot, payable in advance at time of application or renewal. Fees shall be prorated by month for partial year periods, and partial months shall constitute a full month.
- (b) The waiting list fee is \$27.50 ~~\$27~~ for each box or slot desired, and shall not be prorated or refunded.

4-20-62. Capital Facility Impact Fee.

- (a) Impact Fee Rate: No person engaged in nonresidential or residential development in the city shall fail to pay a development impact fee. Fees shall be assessed and collected according to the standards of Chapter 8-9, "Capital Facility Impact Fee," B.R.C. 1981, and the following rates:

Table 1: Residential Impact Fee Rates per Dwelling Unit

<i>Size Range (SF)</i>	<i>IMPACT FEE RATES</i>						
	<i>Parks & Recreation</i>	<i>Human Services</i>	<i>Municipal Facilities</i>	<i>Police</i>	<i>Fire</i>	<i>Transportation</i>	<i>Total</i>
799 and below	\$3,292 \$3,091	\$100 \$94	\$321 \$301	\$266 \$250	\$240 \$225	\$120 \$113	\$4,339 \$4,074
800—999	\$4,134 \$3,882	\$125 \$117	\$406 \$381	\$335 \$315	\$300 \$282	\$157 \$147	\$5,457 \$5,124
1000—1199	\$4,781 \$4,489	\$148 \$139	\$468 \$439	\$388 \$364	\$347 \$326	\$181 \$170	\$6,313 \$5,927
1200—1399	\$5,314 \$4,990	\$164 \$154	\$519 \$487	\$432 \$406	\$384 \$361	\$201 \$189	\$7,014 \$6,587
1400—1599	\$5,764 \$5,412	\$178 \$167	\$563 \$529	\$470 \$441	\$419 \$393	\$222 \$208	\$7,616 \$7,150
1600—1799	\$6,160 \$5,784	\$189 \$177	\$603 \$566	\$503 \$472	\$446 \$419	\$237 \$223	\$8,138 \$7,641
1800—1999	\$6,523 \$6,125	\$199 \$187	\$637 \$598	\$531 \$499	\$474 \$445	\$251 \$236	\$8,615 \$8,090
2000—2199	\$6,805 \$6,390	\$208 \$195	\$667 \$626	\$555 \$521	\$495 \$465	\$262 \$246	\$8,992 \$8,443
2200—2399	\$7,087 \$6,654	\$219 \$206	\$692 \$650	\$577 \$542	\$514 \$483	\$274 \$257	\$9,363 \$8,792
2400—2599	\$7,341 \$6,893	\$227 \$213	\$717 \$673	\$599 \$562	\$533 \$500	\$284 \$267	\$9,701 \$9,108
2600—2799	\$7,596 \$7,132	\$234 \$220	\$743 \$698	\$618 \$580	\$553 \$519	\$293 \$275	\$10,037 \$9,424
2800—2999	\$7,817 \$7,340	\$241 \$226	\$765 \$718	\$636 \$597	\$568 \$533	\$302 \$284	\$10,329 \$9,698
3000—3199	\$8,013 \$7,524	\$247 \$232	\$784 \$736	\$655 \$615	\$581 \$546	\$310 \$291	\$10,590 \$9,944
3200—3399	\$8,185 \$7,685	\$252 \$237	\$799 \$750	\$668 \$627	\$596 \$560	\$317 \$298	\$10,817 \$10,157
3400—3599	\$8,379 \$7,868	\$258 \$242	\$819 \$769	\$684 \$642	\$608 \$571	\$325 \$305	\$11,073 \$10,397
3600 and above	\$8,550 \$8,028	\$262 \$246	\$834 \$783	\$695 \$653	\$620 \$582	\$331 \$311	\$11,292 \$10,603

Table 2: Impact Fee Rates for Nonresidential Uses

Nonresidential Uses	Impact Fee Rates Per Square Foot of Nonresidential Floor Area					
	Municipal Facilities	Police	Fire	Affordable Housing	Transportation	Total
Retail/Restaurant	\$0.47 \$0.44	\$0.87 \$0.82	\$0.75 \$0.71	\$23.05 \$21.64	\$0.66 \$0.62	\$25.80 \$24.23

Office	<u>\$0.68</u> \$0.64	<u>\$0.35</u> \$0.33	<u>\$1.08</u> \$1.02	<u>\$34.57</u> \$32.46	<u>\$0.27</u> \$0.25	<u>\$36.95</u> \$34.70
Hospital	<u>\$0.56</u> \$0.52	<u>\$0.41</u> \$0.39	<u>\$0.87</u> \$0.82	<u>\$23.05</u> \$21.64	<u>\$0.33</u> \$0.31	<u>\$25.22</u> \$23.68
Institutional	<u>\$0.15</u> \$0.14	<u>\$0.29</u> \$0.27	<u>\$0.23</u> \$0.22	<u>\$11.52</u> \$10.82	<u>\$0.22</u> \$0.21	<u>\$12.41</u> \$11.66
Warehousing	<u>\$0.17</u> \$0.16	<u>\$0.11</u> \$0.10	<u>\$0.28</u> \$0.26	<u>\$11.52</u> \$10.82	<u>\$0.09</u> \$0.08	<u>\$12.17</u> \$11.42
Light Industrial	<u>\$0.44</u> \$0.41	<u>\$0.21</u> \$0.19	<u>\$0.69</u> \$0.65	<u>\$20.16</u> \$18.93	<u>\$0.17</u> \$0.16	<u>\$21.67</u> \$20.34

Table 3: Impact Fee Rates for Public & Civic Uses and Affordable Commercial Uses

Public and Civic Uses and Affordable Commercial Uses	Impact Fee Rates Per Square Foot of Nonresidential Floor Area					
	Municipal Facilities	Police	Fire	Affordable Housing	Transportation	Total
Retail/Restaurant	<u>\$0.47</u> \$0.44	<u>\$0.87</u> \$0.82	<u>\$0.75</u> \$0.71	<u>\$9.91</u> \$9.31	<u>\$0.66</u> \$0.62	<u>\$12.66</u> \$11.90
Office	<u>\$0.68</u> \$0.64	<u>\$0.35</u> \$0.33	<u>\$1.08</u> \$1.02	<u>\$14.87</u> \$13.96	<u>\$0.27</u> \$0.25	<u>\$17.25</u> \$16.20
Hospital	<u>\$0.56</u> \$0.52	<u>\$0.41</u> \$0.39	<u>\$0.87</u> \$0.82	<u>\$9.91</u> \$9.31	<u>\$0.33</u> \$0.31	<u>\$12.08</u> \$11.35
Institutional	<u>\$0.15</u> \$0.14	<u>\$0.29</u> \$0.27	<u>\$0.23</u> \$0.22	<u>\$4.96</u> \$4.65	<u>\$0.22</u> \$0.21	<u>\$5.85</u> \$5.49
Warehousing	<u>\$0.17</u> \$0.16	<u>\$0.11</u> \$0.10	<u>\$0.28</u> \$0.26	<u>\$4.96</u> \$4.65	<u>\$0.09</u> \$0.08	<u>\$5.61</u> \$5.25
Light Industrial	<u>\$0.44</u> \$0.41	<u>\$0.21</u> \$0.19	<u>\$0.69</u> \$0.65	<u>\$8.67</u> \$8.14	<u>\$0.17</u> \$0.16	<u>\$10.18</u> \$9.55

Table 4: Impact Fee Rates for Other Nonresidential Uses

Other Nonresidential Uses	Impact Fee Rates for Other Nonresidential Uses Based on Unique Demand Indicators					
	Municipal Facilities	Police	Fire	Affordable Housing	Transportation	Total
Nursing Home/Assisted Living (per bed)	<u>\$161.07</u> \$151.24	<u>\$85.49</u> \$80.27	<u>\$252.75</u> \$237.32	<u>\$1,982.34</u> \$1,861.36	<u>\$68.14</u> \$63.98	<u>\$2,549.79</u> \$2,394.17
Lodging (per room)	<u>\$109.03</u> \$102.37	<u>\$257.70</u> \$241.98	<u>\$172.22</u> \$161.71	<u>\$5,947.03</u> \$5,584.07	<u>\$204.43</u> \$191.95	<u>\$6,690.41</u> \$6,282.08

1 **4-20-66. Mobile Food Vehicle Sales.**

2 An applicant for a mobile food vehicle permit shall pay the following fees at time of
 3 application: (1) an application fee of \$100, and (2) an annual license fee of ~~\$210.00~~ ~~\$205.00~~ per
 4 12-month period, which may be pro-rated based on the remainder of the license period as
 5 determined by the city. Application fees are non-refundable. License fees are refundable if an
 6 application is denied or withdrawn.

5 **4-20-73. Hemp Registration and Licensing Fee.**

6 Application and license fees for hemp businesses shall be up to the following amounts:

- 7 (1) License fee for new licenses: ~~\$1,745.00~~ ~~\$1,695.00~~
 8 (2) Application fee: \$100.00
 9 (3) License fee for renewed license, per year: ~~\$1,165.00~~ ~~\$1,130.00~~

10 ...

11 **4-20-75. Tobacco and Electronic Smoking Device Retailer License Fee.**

12 An applicant for a Tobacco and ESD Retailer License shall pay an application fee of
 13 \$25.00, a ~~\$400.00~~ ~~\$390.00~~ license fee for new applications, and a ~~\$300.00~~ ~~\$290.00~~ license fee
 14 for renewal applications, which may be pro-rated based on the remainder of the license period as
 15 determined by the city. A renewal application that is submitted after the deadline will be charged
 16 an additional \$100 late fee. The fee determined shall cover the costs of reviewing a license
 17 application, any inspection required prior to issuance of a license, and plans for compliance
 18 inspections by the city. Application fees are non-refundable. License fees are refundable if an
 19 application is denied or withdrawn.

17 Section 4. **This ordinance is effective January 1, 2025.**

18 Section 5. This ordinance is necessary to protect the public health, safety, and welfare of
 19 the residents of the city, and covers matters of local concern.

20 Section 6. The city council deems it appropriate that this ordinance be published by title
 21 only and orders that copies of this ordinance be made available in the office of the city clerk for
 22 public inspection and acquisition.

1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 3rd day of October 2024.

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Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

READ ON SECOND READING, PASSED AND ADOPTED this 17th day of October
2024.

Aaron Brockett,
Mayor

Attest:

Elesha Johnson,
City Clerk

2025 Recommended Budget Study Session Council Follow-up

September 19, 2024

1. Can you share additional background on Alpine-Balsam Western City Campus Project? Why is this a city priority and what are the reasons to continue to prioritize this project at the planned funding level?

In 2015 the city purchased 8.8 acres of land from Boulder Community Health (BCH) who was consolidating their services to a new campus out east at Foothills and Arapahoe. The purchase was motivated by two key factors; to help guide redevelopment of this area of town after nearly a century of influence from the hospital and secondly to address expanding city office space needs.

In 2016 following the purchase of the BCH site, the city began a several year planning process starting with a Vision Plan followed by an Area Plan. The process included extensive community engagement starting with dozens of kick-off events and was followed by four years of community design workshops, pop-up events, on-line questionnaires, community open office hours, meetings with property owners, information sessions, guided scenario walks and walking tours, open houses, and public meetings and hearings. Hundreds of people participated in each phase, more than 600 unique contacts were made. This feedback informed the vision for the site as *“Alpine-Balsam will be a vibrant multi-generational hub for community life and local government services – a welcoming and inclusive new model for equitable, affordable and sustainable living.”* The Goals and Objectives for Alpine-Balsam that followed the Vision Plan and identified in the Area Plan include creating vibrancy and enhancing the neighborhood while respecting the current character; providing engaging, welcoming and inclusive public spaces; creating a local government customer service hub; diverse and affordable housing; improving walkability, safety and connections while implementing a comprehensive multi-modal access and parking strategy and lastly integrating environmentally sustainable strategies to address flood concerns and climate action. It is this vision, and the goals and objectives that have informed decisions and guided the implementation process for the site ever since.

Prior to and influencing the BCH site purchase, the city was leasing more than 30,000sf of space for city offices and was still looking for additional space. The 2015 Civic Area Plan outlined alternative desired uses for the east bookend (the 13th street block bounded by Arapahoe and Canyon) where many city staff currently office in buildings on that block. The plan also identified two city office buildings located in the high hazard flood zone (Park Central and New Britain Buildings) that would need to be taken down as they pose a life safety risk to staff and the community. All these factors continued to add more pressure to the city office space needs and challenges. Also, at this same time in 2016 the city developed the Climate Action Plan which called for significant reductions in greenhouse gas emissions in city buildings. A partial inventory of city buildings revealed a long list of unfunded deferred maintenance items that were at the root of increasing and expensive emergency repairs.

These conditions laid the foundation for development of the first comprehensive City Facilities Plan which was adopted by City Council in October 2021. The purpose of the plan was to holistically and strategically address Environmental Sustainability, Social Responsibility and Financial Stewardship in city buildings. A comprehensive current state analysis of more than 75 city buildings revealed the degree of renovation and repair required to start satisfying the city’s climate goals and the inadequacies in city buildings to meet basic ADA requirements, address gender neutrality, inclusivity or equity goals, or provide a basic welcoming and

healthy experience for the community or staff. While current city buildings are failing to meet city goals and values, they are also costing more than double the industry standard to maintain and operate because of failing infrastructure that is being addressed as emergencies arise. The City Facilities Plan identified consolidation of services to Alpine-Balsam as a critical part of a larger Consolidation Key Initiative that would make significant progress towards the city's climate and social goals while lowering the Total Cost of Ownership (TCO) of city buildings. Many current city buildings are experiencing multiple system failures and expensive investments in repairs and equipment replacement is providing little to no value as Facilities Maintenance staff fix one break only to come back a few months later to chase a break a bit further down in the system. The Facilities Plan called out this inflection point in buildings when the cost of investing to fix buildings rapidly increases as the value of those investments rapidly decreases. **Many city buildings have hit or are past this inflection point and now to address failing infrastructure, meet the city's aggressive goals and lower TCO – large initial capital investments must be made. To maintain the current state of city buildings - many of which are already subpar and do not provide an optimal work environment for today's hybrid workforce - and continue to chase building failures will result in the same level of investment over the next several years and will result in no gain towards city goals and desired outcomes.**

The capital investments at Alpine-Balsam to date have largely gone towards preparing the entire site for redevelopment including creation of the largest affordable housing development currently in the city. Deconstruction of the hospital, costing \$16M, was necessary to advance housing and other key objectives of the Area Plan. The city's choice to move forward with a highly sustainable approach to deconstruction resulted in 94% diversion rate from landfills and direct reuse of the steel from the hospital on more than ten projects currently in development – a blend of both private and city projects including the new Fire Station 3. This project has also gained national recognition and become a leading example for best practices in deconstruction. City staff have presented at conferences, numerous articles have been written, local news segments produced and other municipalities from around Colorado and the nation have reached out for information on how the project was completed so they can follow Boulder's lead.

The other large capital investment already made was in the Brenton Building when it was renovated for city offices back in 2018. When the city acquired this building as part of the purchase it was one of the worst energy performers in the city's building portfolio, however it was also a solution to avoid gaining more expensive lease space to accommodate increasing office needs for city staff. After the city renovated this building for \$8M it achieved the city's first all-electric building, and it is now one of the best energy performers in the city. The renovation also provided a welcoming experience for customers and healthy work environment for staff. At this point in 2024, the city has nearly achieved a return on this investment (ROI) over leasing space, the replacement value of the building is now more than \$10M and the asset remains valuable for the city to leverage as needed against debt – which leasing space does not offer. The building also continues to perform from both an energy and low cost of maintenance standpoint and remains the example of how we want to construct city buildings move forward.

The combined \$40M in capital and \$100M debt issuance being requested in 2025 will complete the redevelopment of the Alpine-Balsam site from the city's side and allow Boulder Housing Partners and other private investors to complete the housing developments on the site.

Investment	Benefits
~\$5 Million – 100-year flood channel	<ul style="list-style-type: none"> • Removes housing and city buildings from 100-year floodplain • Contributes to the larger Goose Creek Flood Mitigation project with a design that meets goals for <i>“maximizing natural features in the landscape and ecosystems, improves storm sewer system and mitigates impacts from climate change.”</i>
~\$20 Million – site-wide infrastructure improvements	<ul style="list-style-type: none"> • Enhanced pedestrian connections around and across site • New 11th Street that is being designed as a model for a shared street in Boulder • Underground utilities work for new development connections • Site-wide public space enhancements and civic plaza
~\$12 Million – Broadway parking structure renovation and infrastructure improvements	<ul style="list-style-type: none"> • Parking structure will accommodate city uses and all housing development except for market rate townhomes that face North Boulder Park • Electrification of building including installation of EV charging and making other parking stalls EV ready for additional charging stations in the future • Infrastructure investments to fix structural, mechanical and life safety failures in buildings • Exterior upgrades to match character of the site and enhance public experience
~\$95 Million - Pavilion Building Renovation	<ul style="list-style-type: none"> • Designed to accommodate around 500 city staff allowing the city to vacate roughly seven buildings that are in poor to failing condition • Efficiency through consolidation will result in roughly a 50,000 square foot reduction in total space to accommodate the same number of staff currently spread out across several buildings • The city’s adoption of a hybrid work policy has led to even greater efficiency and enabled nearly two times the number of staff to consolidate to the Pavilion building as compared to pre-COVID planning resulting in a larger number of buildings in poor condition to be vacated. • Leading example of adaptive reuse of an existing structure and the addition is being completed with sustainably harvested timber to minimize total embodied carbon on the project • The building envelope is super insulated to provide resiliency and refuge through temperature extremes and good indoor air environment when the outside air quality is poor. • The building will offer greater opportunity for community engagement events which are often held today in space city staff must rent • The street level of the Pavilion is being designed to be transparent, accessible, welcoming and inclusive for all, as a place for the community to find access to most city services in one convenient location which was a recurring desire heard throughout years of community engagement.
~\$8 Million - Equipment, Fixtures, Project Contingencies and Consultants	<ul style="list-style-type: none"> • Channel 8 relocation from Main Library • Equipment, furnishing and fixtures throughout the WCC • Overall project contingency for unknowns that arise through construction over the next few years.

The redevelopment of the Alpine-Balsam site is on track to be a global leader in low carbon redevelopment. For the Western City Campus specifically, the city adaptively reused all three existing structures on the site and gave new life to old buildings that possessed a large amount of embodied carbon in their concrete structures. The campus will be comprised of all-electric buildings that are very low energy consuming.

Vacating city staff from buildings currently occupied in the Civic Area, specifically the East Bookend will enable a long-anticipated redevelopment of this area to achieve goals of the Civic Area Plan. Sale of city buildings in this area and other places could result in additional tens of millions of dollars towards reducing the debt service once staff vacate. It is also anticipated that roughly \$10M - \$13M will be recouped through cost sharing with the housing development once that is complete, another ~\$3-\$5M of project capital costs will be supported by grants and energy efficiency rebates.

The project will result in the lowest total cost of ownership of city buildings, make significant strides towards climate and resiliency goals, create a welcoming and healthy environment for the community and staff in stark contrast to investing in current buildings which would require similar levels of investment over the next decade but with much more limited outcomes towards achieving city goals.

2. How do we prioritize racial equity within our budgeting process? What are examples of specific investments within the 2025 Recommended Budget and/or 2025-30 CIP?

Equity considerations are embedded throughout the annual budget development process and are a key part of the overarching budgeting framework for the city within the citywide Sustainability, Equity, and Resilience (SER) Framework. Part of this includes the city's efforts to shift from a traditional increment-based budgeting approach to outcome-based budgeting, focusing more on the outcomes of our investments and how those align to the greater SER Framework. By aligning to this framework and utilizing outcomes and data, we will be able to further understand the impact of our budget allocations across the city. Toward this end, departments currently and will begin to further assess the impacts of their outcomes for budget items requested, which feeds into budget decision-making. With this budgeting framework in place, we will be able to further build data into decision-making for the budget year-after-year with additional actuals and measures aligned to our program areas and budget allocations.

Since 2023 for the 2024 budget process, the city has intentionally focused on community budget engagement efforts with the Community Connectors-in-Residence program. With the partnership and input received from Community Connectors during the budget development and programs development processes, the city is able to further understand and uplift feedback from historically excluded communities, who specifically have uplifted racial equity, financial security, economic opportunity, and housing affordability as key focus areas and top objectives to support in the city's budget. This input and partnership has been a pillar of decision-making during the annual budget process and we look forward to continuing building upon this annually. In addition, community engagement around the budget has been developed that much further on a citywide level in the past two budget cycles, with Community Connectors, boards & commissions, and a citywide questionnaire. Community engagement occurs both within the full budget development process as well as part of departments' individual engagement processes related to program development and operational service delivery. These processes are embedded in the department-level

decision-making that influences the annual budget process for priorities that come forward as budget requests.

In addition, the Office of Equity & Belonging participates and supports the budget development process through various avenues, including participating on the city's Executive Budget Team (decision-making body) that performs review of all budget requests, and supporting through partnership with the Community Connectors-in-Residence budget input, engagement, and conversations.

The city has operationalized the racial equity plan into city operations and processes, which creates an embedded relationship between racial equity and the budget that may not be visible on the surface. For example, the order that Utilities' flood projects come forward in the budget is very specifically and positively affected by application of the racial equity instrument as was established in the council-approved 2022 Comprehensive Flood and Stormwater Plan.

Specific examples of additional investments within the 2025 Recommended Budget and 2025-30 CIP that support racial equity, financial security, housing affordability, and economic opportunity include:

- *Primos Park, Park Flood Improvements, and Violet Bridge Replacement Project (\$12.6M)* – This capital infrastructure investment of park amenities, flood mitigation and improvements, and transportation access will support neighboring communities. Staff is specifically engaging with community members, including from Boulder Meadows, to inform the development of this park. This project rose to the top of priority lists given the impact on the Boulder Meadows manufactured housing community.
- *Equity-Focused Shared Micromobility Advancements (\$75K)* – This additional investment in 2025 will support programmatic outreach with the Community Connectors-in-Residence with the goal of supporting low-income community members during shared micromobility program development.
- *Small Business Support for Economic Resilience (\$200K)* – This additional one-time funding will support the development and implementation of an Economic Vitality Strategy, a key council priority, that will support the outcomes of increased awareness of resources available to Boulder businesses, including women- and minority-owned businesses.
- *Immigration Legal Defense Fund (\$50K)* – Additional one-time funding for the CU Immigration Center Clinic supporting non-citizens of the community who may be navigating criminal and/or immigration legal systems.
- *Family Resource Schools Program (\$26.5K)* – Funding for a full-time bilingual Family Outreach Coordinator for Crest View Elementary, who supports basic needs support and programming for diverse low-income children at the fourth highest-need school.
- *Additional Human Services Funding (\$200K)* – An additional \$100,000 in ongoing funding and \$100,000 in one-time funding to help maintain the level of funding available for human services grants, for non-profit organizations supporting outcomes such as economic stability, mobility, and resilience and increased positive mental, or behavioral health and well-being.
- *Eviction Prevention and Rental Assistance Services (EPRAS) (\$315K)* – Additional ongoing funding for the city's EPRAS program that will support legal aid, rental assistance, and mediation services to help tenants facing eviction. This program prevents evictions for 96% of tenants actively engaging with EPRAS services.

- *Enhanced Policy Support and Training for Public Safety and Diagnostic Cultural Competency Assessments (\$100K)* – Additional funding administered by the Office of Equity & Belonging to support cultural competency assessments across the organization and to support training and policy development efforts for public safety/code enforcement functions.
- *Affordable Housing Funding (\$8.9M)* – An additional \$8.9M in funds will support the advancement of 144 new or rehabilitated affordable housing units for Rally Flats, Thistle, and Ponderosa projects.
- *Community Connectors-in-Residence Additional Programming for Mental Health, Professional Development (\$40K)* – This one-time funding for Community Connectors-in-Residence builds upon prior year one-time funding of \$10K for mental health support by providing additional funds for professional development, training, inclusive engagement, and mental health services.
- *The Western City Campus at Alpine-Balsam (\$140M)* – City staff working on the project in collaboration with the Office of Equity & Belonging have conducted racial equity training for the entire project team including key consultants working on the project. Following training, the team has held several workshops to implement the Racial Equity Instrument and define specific desired community results, intended organizational outcomes for the project and the team is working to define indicators that will measure the outcomes. Aspects of the physical building that support desired outcomes have been incorporated into the design and are included in the overall 2025 budget request on the project. Facilities Project Managers are utilizing the Racial Equity Instrument on all new major capital improvement projects to inform design decisions and capital budget requests on buildings.

3. Can you share additional background on the level of investments associated with Wildfire Resilience efforts? Specifically, what are current budgeted efforts and additional levels of capital investment that advance wildfire resilience efforts?

Investments in wildfire resilience is a cross-departmental effort and reflected under several budgeted program areas and departments within the 2025 Recommended Budget. This includes the Community Wildfire Resilience program supported by the Climate Tax, Fire-Rescue Emergency Operations' Community Risk Resilience and Community Wildfire Risk Reduction, Open Space & Mountain Parks' Resource Stewardship program, Communications & Engagement department, and Finance's Budget and Grants programs, where the Citywide Grants Office supports the programmatic community grant efforts for wildfire resilience. While the Climate Tax supports \$1.5M of wildfire resilience funding within the Community Wildfire Resilience program, this is just a fraction of the total overall wildfire resilience and mitigation efforts funded across the organization – such as in the Open Space and Mountain Parks Department, Fire-Rescue Department, Utilities, Parks and Recreation, Climate Initiatives Department, as well as the Office of Disaster Management.

Current cross-departmental wildfire resilience efforts and investments for 2024 - many of which will continue and grow into 2025 - include dozens of key actions supported by Open Space, Fire-Rescue, Climate Initiatives, Utilities, Communications & Engagement, Parks and Recreation, and Finance departments and the Office of Disaster Management. Examples of a few of these actions are listed here:

- Fire-Rescue ramping up their detailed home assessments, with an emphasis on homes within the Wildland-Urban Interface. Specific community outreach and communications have been developed

and are being disseminated to build greater awareness and interest in the detailed home assessment program.

- Established and launched a Wildfire Resilience Assistance Grants Program to help eligible homeowners cover costs associated with mitigation. This new grant program complements the detailed home assessment program. Specific community outreach and communications are now being disseminated to promote and build interest in this new assistance program and is already generating interest from homeowners.
- Updated the Community Wildfire Protection Plan in June and staff are now developing a detailed, prioritized workplan for implementing the CWPP and its recommendations that will detail work into 2025 and beyond. This implementation plan will also incorporate recommendations and actions called for in other city plans related to Wildfire resilience.
- A 2025 budget enhancement is allowing the cross-departmental team to hire a Wildfire Resilience Action Plan Coordinator to identify, prioritize, cost, sequence and schedule all the city's wildfire resilience actions and efforts over the next 5 years.
- Forest thinning and health efforts. OSMP's forestry crew capacity has recently been expanded to enable year-round forest treatments and actions. On average, OSMP is able to "treat" ~100-200 acres of forest per year at multiple locations. OSMP also added capacity to focus on decreasing fire fuel loads within high priority ditch corridors.
- OSMP successfully launched a perimeter mowing program in 2024 along large stretches of open space bordering the built environment on the city's west side with a goal of reducing fuel loads within the Wildland Urban interface.
- Expanded targeted grazing efforts on open space along Shanahan Ridge to control the spread of invasive Tall Oatgrass. Grazing of over 500 acres here reduces fine fuel loads near city limits.
- Completed Flatiron Vista prescribed burn plan that covers 2000 acres, and working on a South Boulder Creek prescribed burn plan that covers close to 3000 acres.
- Coordinating with Mt View Fire to develop cisterns at the Marshall Mesa Trailhead.
- Working to identify and address the unique challenges and set of rules and regs to implementing a more aggressive prescribed burn program. This work led city staff to testify at a Legislative Wildfire Matters Committee on the need for prescribed burn flexibility. Despite these challenges, city staff led several prescribed burns along ditch corridors on city agricultural lands in 2024.
- Led disaster preparedness and recovery workshops.
- Coordinated continued trainings for the dozens of city staff who participate in fire response.
- In addition to the above efforts, the Office of Disaster Management (ODM), has performed and/or continues to implement the following initiatives this year:
 - Completed the Urban Conflagration Draft for the Fire Department: This plan focuses on three scenarios (1) wildfire outside the city, fire department support, no immediate threat, (2) a wildfire is advancing and threatening the city causing the implementation of the structure defense plan, and (3) a wildfire has entered the city now causing an urban conflagration scenario.
 - Currently working with the Police Department on the next generation of evacuation planning. The first version identified primary evacuation routes across the city and developing polygons across the city. The 2.0 version of evacuation planning is mostly completed and includes developing evacuation operational details for each polygon along the western edge of the city. Each polygon includes the number of officers required to

complete door to door evacuations, evacuation routes and the traffic control points including the number of the officers to staff each location. Working with City GIS staff to develop an evacuation / conflagration operational decision assistance platform to incorporate the urban conflagration and evacuation work into the design.

- City & County GIS Teams along with both the city 911 Dispatch Center and Sheriff's 911 Dispatch Center integrated the alerting polygons in Everbridge to automatically load on the Boulder ODM website public facing map. This is for all types of incidents flood, fire and police activity.
- Keyword messaging platform implemented which is an Everbridge service that allows Public Information Officers to message the community using text messaging.
- A Required Safe Evacuation Time (RSET) was developed for each evacuation polygon to provide an operational planning assumption for decision making during a wildfire. The RSET used traffic modeling to determine the clearance time for each alerting polygon.
- Wildfire evacuation decision points were developed for the western side of the city using a basic wildfire modeling technology for 1 hour and 2-hour time limits to assist with gauging when to call for evacuation orders.
- Continuing to facilitate a Command & Control, Communications, and Coordination (C-4) Working Group. This group brings law enforcement, fire departments, EMS and hazardous materials team members together once a quarter to address incident command, operational and communications gaps and programs.

4. How can community members find outcomes-level data at the program level?

The city's 2025 Recommended Budget represents the third and final year of the Budgeting for Resilience & Equity implementation plan, where the city has shifted to an outcomes-based budgeting approach. As part of this effort, the city developed department program areas, aligned budget and resources to these program areas, and established a minimum of three outcomes, measures, and targets for each program area, and for the 2025 Budget, developed an [outcomes dashboard](#) that is available on the city's website as well as embedded within the [2025 Recommended Budget](#) associated with each department page. The 2025 Recommended Budget is the baseline year for outcomes data, and the city will continue to evaluate, iterate and improve upon this process on an annual basis during budget development.

As mentioned at the Council Budget Study Session, program areas currently have varying levels of data associated with outcomes and measures. Some departments and program areas have established outcomes, measures, and data tracking for specific program areas, such as the Housing & Human Services (HHS) Department.

Specifically, for HHS programs, output and outcomes data for some programs are provided publicly through dashboards and/or annual reports on the city website. These resources provide useful output data to help our community understand to whom and how many people or households among our community are being provided direct services at any given time. They also indicate how the city's resources are advancing toward outcomes. Staff analyzes a robust combination of outcome and output data to track advancement toward department-level logic model and citywide Sustainability, Equity, and Resilience (SER) Framework goals. While outcome metrics provide insight on directionality of trends (increase, decrease), effectiveness of

agency performance, or other behavioral changes for targeted populations, output data can also provide key information as to advancement toward the goals (e.g., # of people benefitting from the Food Tax Rebate, # of shelter beds utilized). A list of HHS program dashboards and annual reports include:

- [Affordable Housing in the City of Boulder Data Dashboard | City of Boulder \(bouldercolorado.gov\)](#)
- [Community Funding Dashboard | City of Boulder \(bouldercolorado.gov\)](#)
- [Eviction Prevention and Rental Assistance Dashboard | City of Boulder \(bouldercolorado.gov\)](#)
- [Food Tax Rebate Program | City of Boulder \(bouldercolorado.gov\)](#)
- [Homelessness Services Data Dashboard | City of Boulder \(bouldercolorado.gov\)](#), [Point in Time Count Dashboard | City of Boulder \(bouldercolorado.gov\)](#), [Single Adult Homelessness 2023 Report](#)
- [Older Adult Services Annual Reports](#)
- [Safe and Managed Public Spaces \(SAMPS\) Operational Dashboard, SAMPS Tracking Data, SAMPS 2023 Annual Report](#)

5. What is the total Arts, Culture, and Heritage operating reserve?

The total Arts, Culture, and Heritage operating reserve is 16.7% of total planned operating expenses for the upcoming year. This established reserve is in alignment with financial best practices and with the city's reserve fund policies. For 2025, the total operating reserve is \$303,000, which is calculated against the total planned operating uses of funds in 2026. The total 2025 remaining fund balance after accounting for operating reserves is \$397,000.

6. Can you share what the total ending fund balance is across all 41 budgeted funds? What are the plans for this remaining fund balance?

The total projected ending fund balance for 2025 across all 41 budgeted fund is \$248M. Of the \$248M, \$104M is held across all funds for operating reserves in alignment with our reserve policies. The remaining \$144M is fund balance after reserves which will support future planned capital project expenses in the outyears across capital project funds, special revenue funds, and enterprise funds.

7. How can one view dedicated funding v. undedicated funding in the budget? Can we get a pie graph that shades out dedicated funding?

The best way to compare dedicated funding against undedicated funding is by looking at the revenues (sources) the city receives through the various funds. The majority of revenues within the General Fund are undedicated, while the remaining funds consist of revenues that voters have set aside or funds that are dedicated for specific purposes, such as dedicated revenues supporting special revenue funds (ex. Transportation Fund, the 0.25 Sales Tax Fund, and the Open Space Fund), capital project funds (ex. Community, Culture, Resilience & Safety Tax Fund, Permanent Parks & Recreation Fund), and enterprise funds (Water Utility Fund, Wastewater Utility Fund).

To see a pie graph that breaks down revenues by fund, please head to the [Transparency Portal](#) and select the "2025 Budget – Sources and Uses" report (at the top of the menu on the left). Scroll down until you see the "Filter" and "Views" menu, choose "Views", then select "Citywide Sources by fund, Pie Chart – 2025" view, which is the second option within the "Views" list. This will show the comparison between the General Fund revenues to all other fund revenues.

The General Fund revenues are forecasted to be \$171.7 million, or 34.9% of the total projected \$492.5 million forecasted revenues, this total view of citywide sources excludes transfers and internal service funds to avoid double-counting.

To view a specific program area budget by fund, select the report “2025 Budget – Expenditure by Fund”, and scroll down on the lefthand side to “Filters”, click “Org Program” and select the program area of choice. Dropdown views are available within each category of fund type. Additional visibility into budget data can be adjusted based on filtering and report views.

8. The Climate Tax had statistically valid surveys. Can those be shared?

In May and June 2022, at the direction of council, the city conducted a [statistically valid survey](#) to collect feedback on the new climate tax proposal. Broadly, the results confirmed that the community is deeply concerned about the climate crisis and was largely supportive of the city’s tax proposal. Details of the survey process is on the city’s webpage and a [summary of the results](#) is available online.

More recently, in June and July 2023, at the direction of council, the city conducted a [statistically valid survey](#) to collect feedback on the expiring 0.15 cent sales and use tax. The survey results showed support for the tax renewal. A [summary of the survey results](#) is available online.

9. How can council and community members learn more about the details of the Violet Bridge Project? What does it entail?

The city’s Parks and Recreation, Transportation and Mobility, and Utilities departments are all shepherding the following efforts to ensure the Boulder Meadows community and other surrounding neighborhoods can access the new park, Primos Park, along Violet Avenue and also to improve safe routes to nearby schools (Crest View Elementary and Centennial Middle School).

Primos Park

Located in a 9-acre site on Violet Avenue between Broadway and 19th Street, [this location](#) will become an accessible, inviting neighborhood park that uses nature-based solutions to address stormwater and ecological health within the Fourmile Canyon Creek floodplain. Adjacent to the new North Boulder Branch Library, park design also includes multimodal transportation improvements to connect the site with the neighborhood and other nearby amenities. For example, the project will help close a gap in the overall Fourmile Canyon Creek Greenway by extending the existing multiuse path that currently terminates at the west end of the park. This path extension will follow Violet Avenue to the bridge on the eastern end of the park and will be complemented by a buffered, westbound bike lane on the north side of Violet Avenue. In addition, the park will offer designated parking for scooters, bikes, and mobility devices, as well as accessible trails throughout the site. Design and permitting will continue through fall 2025, with phased construction activities starting in early 2026.

Violet Bridge Replacement

The proposed underpass at Violet Avenue and Fourmile Canyon Creek (4MCC) is included in the Transportation Master Plan, the Greenways Masterplan, and the 4MCC Flood Mitigation Plan. The existing Violet Avenue bridge over 4MCC is in poor condition and is the worst rated bridge in the city.

The proposed project will reconstruct the existing bridge over 4MCC with a larger and safer structure that will better convey FMCC stormwater flows. It will also provide a grade-separated pedestrian and bicycle underpass crossing of Violet Avenue, providing important off-street bike and pedestrian connections. The widening of the bridge over 4MCC will also provide space for pedestrians and cyclists along Violet Avenue that does not exist today. This improvement addresses both transportation and floodplain management goals where the design is fully integrated with Primos Park improvements.

The Violet Avenue Bridge project is funded from both the City Transportation Fund and the CCRS Fund with a projected total cost of \$8 Million.

Connection to Broadway and 19th Street Underpasses

The expanded 4MCC greenway multi-use path and Violet Avenue underpass will implement vital off-street transportation connections that have not previously existed. New connections will be created to and from nearby Crestview Elementary School and the Boulder Meadows neighborhood. To the north, the underpass will facilitate a multi-use path extension through the park site, providing access to key destinations such as the North Boulder Park Library and others further west via the recently expanded Broadway Bridge and underpass across 4MCC. To the south, the 4MCC Greenway Multi-Use Path will eventually connect with the 19th Street and points further south and east.

Staff in the Utilities Department are working on potential property acquisition as part of the floodway project that will allow, in part, for the “missing link” construction of a new multi-use path segment between 19th and Violet. This path will then connect southward from Violet Avenue to the underpass currently under construction as part of the 19th Street Improvements project.

For additional information, please reach out to the following contacts:

Primos Park – Deryn Wagner, Parks and Recreation

Violet Bridge Replacement and Multimodal Improvements – Gerrit Slatter, Transportation and Mobility

10. Can staff share additional detail on the alignment of investments to the Citywide Strategic Plan and council priorities?

The 2025 Recommended Budget advances City Council Priorities as well as strategies and priority actions within the Citywide Strategic Plan. There are strategies and priorities that are currently supported through existing funding, and the 2025 budget invests further in the advancement of these Council Priorities as well as strategies and priority actions within the Citywide Strategic Plan. Specifically, examples of each are listed below:

City Council Priorities

Boulder Valley Comprehensive Plan (BVCP) Update: \$600,000 in one-time funding is included in the 2025 Budget for the engagement, design, and development of the BVCP update.

Economic Development Plan & Program Enhancements: \$200,000 is included to support Small Business Support for Economic Resilience that specifically aims to bolster the Economic Vitality Strategy in 2025

Commercial Area Connections & Quality of Life Improvements: \$1.4M is included to support the University Hill Streetscape Renovation Project, which will invest in capital upgrades around the University Hill area.

Citywide Strategic Plan

Responsibly Governed: Budget Investments in Cybersecurity Planning and Training, Fleet Replacements, and Facilities Capital Maintenance, and Alpine-Balsam Western City Campus Project

- CSP Strategy 2: Advance efforts to **enhance regional disaster prevention, preparedness, and response**
- CSP Strategy 10: Advancement toward an eighty percent **reduction in emissions**
- CSP Strategy 12: Implement **organizational and financial best practices** to continuously improve asset management, customer experience, and project and program performance.

Safe: Budget enhancements supporting the Office of Independent Police Monitor, Civilianization of Positions for Crime Prevention and Holistic Problem-Solving, Urban Rangers and SAMPS

- CSP Strategy 1: Focus community safety efforts on **reducing community harm** at critical locations

Accessible & Connected: Investments in Community Connectors-in-Residence, HOP Bus Electrification and Shared Micromobility

- CSP Strategy 10: Advancement toward an eighty percent **reduction in emissions**
- CSP Strategy 7: Invest in and maintain a transportation system with an array of multi-modal choices to **reduce vehicle miles traveled and greenhouse gas emissions.**
- CSP Strategy 8: Improve **accessibility to city meetings, information, and programs** through equitable engagement.

Livable: Investments in Human Services and Eviction and Rental Prevention Services funding, and additional Affordable Housing investments

- CSP Strategy 5: Provide holistic and accessible programs and services to **enable diverse individuals and families to live in Boulder**
- CSP Strategy 4: Strengthen **equity-focused programs that help meet community members' basic needs**, including mental, physical, and behavioral health, financial assistance, and access to services.

Environmentally Sustainable: Additional funding supporting Wildfire Resilience and Water Quality Program operations

- CSP Strategy 9: Increase community and ecosystem resilience to the current and future impacts of climate change.

Economically Vital: One-time funding for Small Business Support for Economic Resilience and Outdoor Dining Program

- CSP Strategy 14: Enhance collaborative efforts to support an **inclusive, healthy, sustainable, and resilient local economy** that builds on core economic strengths, promotes economic mobility, and aligns with community values and priorities.

Healthy & Socially Thriving: Funding for a new Immigration Legal Defense Fund, training for cultural competency assessments, Family Resource Schools and EXPAND programming

- CSP Strategy 4: Strengthen **equity-focused programs that help meet community members' basic needs**, including mental, physical, and behavioral health, financial assistance, and access to services.



City of Boulder

University Hill Commercial Area Management Commission

Cultural Vibrancy • District Vitality • Access for All
 1500 Pearl Street, Suite 302 • Boulder, Colorado 80302
 Phone 303-413-7300

Date: September 3, 2024
 To: Boulder City Council
 From: University Hill Commercial Area Management Commission
 Subject: Preservation of Funds from the Sale of the Parking Lot at 1200 Block of Pleasant Street

The University Hill Commercial Area Management Commission (UHCAMC) is writing to you to request that the fund balance from the sale of the Pleasant Street parking lot be preserved or held harmless pending further study and development of options to provide for consistent and sustainable funding for the business district and including the potential redevelopment of the University Hill General Improvement District's remaining asset (the 14th Street parking lot) as a potential catalyst site.

As you are aware, and as part of the City's broader plans to reinvest in the Hill and facilitate CU's location of a conference center on the Hill, UHGID sold the Pleasant Street parking lot for the development of the Moxy Hotel. We are very excited about the recent opening of the Moxy Hotel, which is already bringing a more diverse set of demographic visitors to the Hill. Once CU opens its conference center, the Moxy will provide overflow capacity necessary for larger conferences.

As you also are aware, UHGID has been unable to sustain adequate services on University Hill for many years. UHGID is not self-funding, and it relies significantly on generous contributions from the City's general fund to maintain the business district. Reliance on discretionary contributions from the general fund, rather than a predictable revenue stream, makes planning difficult. Further, notwithstanding the generosity of the City, the funding over time has been inadequate for maintaining the Hill at a level consistent with other areas of the City (such as downtown Boulder). These inadequacies have become more apparent in connection with concerns about the impact on the visitation to be spurred by the Moxy Hotel and CU Conference Center.

UHCAMC has begun to embark, through staff, independent efforts of Commissioners, and communications with other community members, on an effort to identify an adequate funding solution that is more consistent and sustainable for the business area encompassed within UHGID. Among other things, UHCAMC and the City funded a recent Technical Advisory Panel concerning how to utilize UHGID's last remaining asset (the 14th Street lot) as a catalyst for further reinvestment in, and improvement of, the Hill. UHCAMC Commissioner Shoemaker, also a member of the Downtown Boulder Partnership Board, recently attended the Downtown

Colorado, Inc. (DCI) Metro Area BID, DDA, URA Mobile Tour with City staff, members of the Downtown Boulder Partnership and BID staff, and a City Council member. Perhaps, most importantly, the city staff is proposing, and we strongly support, the Improvement Districts Analysis. There are many ideas under discussion, diligence is at its early stages, and UHCAMC's hope that within the next year or so UHCAMC, City staff, and the City Council will be able to discuss the results of this diligence and hold a joint study session on this complex issue that is important to the economic vitality of the City.

We understand that the current proposed capital improvement budget for 2025 includes use of \$727,500 of the fund balance from the sale of the Pleasant Street lot. We respectfully request, however, that the fund balance be preserved or held harmless while current studies are being undertaken, as those funds may be critical to the plans to develop a new funding source or redevelop the 14th Street parking lot. In the meantime, we also request that the City continue providing funding from the general fund for UHGID, which will benefit not just the Hill, but the City at large in light of the benefits that will be brought to the City as a whole by the Moxy Hotel and the CU Conference Center.

Thank you for your consideration.

University Hill Commercial Area Management Commission
Ted Rockwell (Chair), Andrew Shoemaker (Vice-Chair), Trent Bush, Tell Jones, and
Danica Powell



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM ADDENDUM**

MEETING DATE: October 3, 2024

AGENDA ITEM:

This addendum corrects two clerical errors related to the 1) 2025 Recommended Budget shared on the 9/12 Study Session, and 2) City Council Agenda Item 5A – 2025 Recommended Budget 1st Reading Memorandum:

1. University Hill Commercial District Fund: an amendment to the 2025 Recommended Budget document to correct a clerical error within the University Hill Commercial District Fund of the 2025 Recommended Budget, which was released to City Council on August 30 and presented during the September 12 Council Study Session.
2. Average Utility Rate Increase: A correction to the clerical error concerning the average utility rate increase for a typical single-family residential customer. This error is included in City Council Agenda Item 5A – 2025 Recommended Budget First Reading memorandum, which is included in the October 3 City Council meeting packet.

DESCRIPTION:

1. University Hill Commercial District Fund:

This addendum is a clerical correction of a staff error in the 2025 Recommended Budget document within the University Hill Commercial District Fund in the 2025 Capital Budget. As submitted, the online [2025 Recommended Budget document](#) for the University Hill Commercial Area Project within the University Hill Commercial District Fund totals \$977,500. The correct budget supported by University Hill Commercial District Fund for this capital project is \$727,500, a correction of \$250,000.

This capital project is specifically reflected in the [Community Vitality Capital Improvement Program Summary](#) page, listed as \$1,627,500 (\$977,500 from University Hill Commercial

District Fund and \$650,000 from the Governmental Capital Fund). This correction will adjust the University Hill Commercial District Fund budget for the project to \$727,500, for a total project budget of \$1,377,500. This correction to the capital project budget represents a clerical correction and does not change the scope or intended funding level for the project.

Given that staff publicly released the 2025 Recommended Budget on August 30 and delivered to City Council during the September 12 Budget Study Session, staff is including this addendum for informative purposes only. If approved by Council on October 17, this staff amendment to correct the capital budget within University Hill Commercial District Fund will reduce:

- The total fund appropriation from \$1,509,353 to \$1,259,353,
- The 2025 Recommended Budget from \$589.5 million to \$589.3 million, and,
- The total 2025 Capital Budget from \$190.2 million to \$189.9 million.

2. Average Utility Rate Increase for Typical Single-Family Home:

This addendum serves to correct the mislabeling of Item 5A memorandum related to the average monthly utility rate increase for a typical single-family residential customer. The City Council Agenda Item 5A – 2025 Recommended Budget First Reading memorandum page 7 indicated an average increase of \$10.89 per month. The correct average utility bill increase for a typical single-family home is \$8.59 per month.

It is important to note that this correction does not affect the utility rates included in the Fee Changes ordinance (Ordinance 8656); rather, it corrects the memorandum language of the overall rate impact on a typical single-family residential customer. The corrected value of an \$8.59 monthly increase is also consistent with the information shared with the Water Resources Advisory Board (WRAB) in July 2024.



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Discussion on whether to hold the November 14th Special Meeting & Joint Meeting with the Planning Board in-person, (which was converted from a Study Session)

PRIMARY STAFF CONTACT

Elesha Johnson, City Clerk

ATTACHMENTS:

Description

No Attachments Available



COVER SHEET

MEETING DATE

October 3, 2024

AGENDA ITEM

Discussion on drafting a letter to Boulder County regarding their proposed 2025 Budget cuts

PRIMARY STAFF CONTACT

NA

ATTACHMENTS:

Description

No Attachments Available



COVER SHEET

MEETING DATE

October 3, 2024

INFORMATION ITEM

2024 Cultural Grants

PRIMARY STAFF CONTACT

Lauren Click, Community Vitality Arts & Culture Manager

ATTACHMENTS:

Description

- ▣ **Information Item A - 2024 Cultural Grants**



**INFORMATION ITEM
MEMORANDUM**

To: Mayor and Members of Council

From: Nuria Rivera-Vandermyde, City Manager
Cris Jones, Community Vitality Department Director
Matt Chasansky, Office of Arts and Culture Manager
Lauren Click, Office of Arts and Culture Manager
Sarah Harrison, Office of Arts and Culture Arts Program Manager, Grants

Date: October 3, 2024

Subject: 2024 Cultural Grants

EXECUTIVE SUMMARY

The purpose of this memo is to inform City Council of the Boulder Arts Commission’s approval of grants in the 2024 cycle. The Cultural Grants Program includes community funding in the following categories:

- General Operating Support (GOS) Grants
- Community Project Grants
- Arts Education Grants
- Field Trip Fund for Title One Schools
- Professional Development Scholarships
- Venue and Online Event Affordability Fund
- Leadership Pipeline Fund Scholarship
- Grant Writing Support Fund

Additionally, these grant categories were enhanced with funding from the American Rescue Plan Act (ARPA):

- Artist Hiring Incentive Fund
- Additional Venue and Online Event Affordability Funds

One grant category remains to be fully awarded: the Cultural Field Trip Fund. This category is decided administratively by formula. This table demonstrates the breakdown of funding between categories:

GRANT TYPE	CATEGORY ¹	# OF GRANTS		GRANT AMOUNT	CATEGORY BUDGET
GENERAL	Extra Large Orgs (2022)	8	@	\$50,000	\$400,000
OPERATING	Extra Large Org (2023)	1	@	\$26,035	\$26,035
SUPPORT	Large Orgs (2022)	9	@	\$20,000	\$180,000
	Large Org (2023)	1	@	\$10,414	\$10,414
	Mid Orgs (2022)	8	@	\$10,000	\$80,000
	Mid Org (2023)	1	@	\$5,207	\$5,207
	Small Orgs (2022)	12	@	\$8,000	\$96,000
	Small Orgs (2023)	2	@	\$4,166	\$8,331
	PROJECT GRANTS	Community Projects - Orgs	6	@	\$10,000
	Community Projects – Indv	5	@	\$5,000	\$25,000
	Arts Education	10	@	\$3,000	\$30,000
STRATEGIC FUNDS	Venue and Online Event Affordability Fund	37	@ ~	\$1,000	\$37,000
	Artist Hiring Incentive Grants	18	@	\$3,000	\$54,000
	Risk Capital Fund	on hold		on hold	\$0
SCHOLARSHIPS	Professional Development	Approx. 16	@ ~	\$500	\$8,000
	Leadership Pipeline Fund	2	@	\$8,000	\$16,000
	Cultural Field Trips	5	@ ~	\$2,000	\$10,000
SPONSORSHIPS	Assistance for Grant Writing	8	@	\$500	\$4,000
TOTAL					\$1,049,987

A full list of grantees, categories, and funding levels can be found in the **Background** section. An updated list of awards is maintained on the [Office of Arts and Culture website](#).

The cultural grants (also known as arts grants) further the goals of Boulder’s [Sustainability, Equity, and Resilience Framework](#). While the grants program supports multiple objectives, like encouraging a livable, accessible and connected community, the arts are deeply important to ensure a healthy and socially thriving city. The programming and organizations supported by the grants program are critical to helping the city meet the goal that:

All Boulder residents are able to meet their critical needs, enjoy high levels of social, physical, and mental well-being, and have access to abundant recreational, cultural and educational opportunities in an environment that respects and celebrates human rights.

The grants program supports artists and arts organizations offering a wide range of cultural opportunities, while fostering diversity and belonging. As noted in the 2025 [Bridge-Year Needs and Funding Assessment](#):

¹ \$100,000 in GOS funds were added in March 2023. Funds awarded for two years (2023 and 2024). \$21,000 in Venue and Online Event Affordability Fund awards were added in March 2023 from American Rescue Plan Act (ARPA) funds. \$54,000 in Artist Hiring Incentive Grants were added in March 2023 from American Rescue Plan Act (ARPA) funds.

The arts are recognized for unifying communities, helping us understand other cultures better, and improving our individual well-being. The arts are perceived as a “positive experience in a troubled world”² and general operating assistance grants can directly support an organization's ability to address equity and inclusion.³

The Bridge-Year Needs and Funding Assessment will guide the upcoming year’s workplan, including comprehensive review of the grant program.

The grants help anchor the strategies found in the [Community Cultural Plan](#)⁴ (adopted by City Council on Nov. 17, 2015). Through funding for general operating support, projects, equity initiatives, venue rental assistance, and field trips, the grants seek to achieve a few Community Cultural Plan goals. First, in support of cultural organizations:

[Have] a substantial and positive effect on the ability of Boulder’s many cultural organizations to advance their operational capacity, promote organizational resiliency, and encourage innovation for the benefit of the community.⁵

This is reinforced by the language of the ordinance which governs the grants program ([Boulder Revised Code Title 14, Chapter 1](#)), “to encourage and financially support local arts organizations in order to stimulate, promote, and sustain the arts, culture, and creativity for the benefit of the people of the city.”

In addition to support for organizations, the scholarships, project grants, venue rental assistance, and the new Leadership Pipeline fund contribute to the Community Cultural Plan’s goals for supporting artists and creative professionals:

Boulder will increasingly attract artists and creative professionals for all it has to offer, not only in beautiful surroundings and quality of life, but also in the ability to thrive in the creative sector.⁶

The grants program has long served as an important part of the success of professional artists and organizations, having a ripple effect through the economy. This year, that outcome is enhanced with Arts Administration Rehiring Grants and the Artists Hiring Incentive, both funded by the last year of American Rescue Plan Act (ARPA) grants, with the goal of significant workforce improvements for the arts sector during this period of recovery after the COVID 19 pandemic.

Finally, the grants program is a critical equity tactic. In 2022, the Arts Commission updated their [Statement on Cultural Equity](#)⁷, which reads:

² Cohen, Randy. 10 Reasons to Support the Arts in 2021. Americans for the Arts. March 2021.

³ Parks, Dan. General Operating Support is Vital to Advancing Equity, Strengthening Nonprofits, Leaders Say. The Chronicle of Philanthropy. April 12, 2022.

⁴ City of Boulder *Community Cultural Plan* (adopted 17, November 2017), <https://boulderarts.org/wp-content/uploads/2015/11/Community-Cultural-Plan-11-17-2015.pdf?x64198>

⁵ Community Cultural Plan (2015) pg. 54

⁶ Community Cultural Plan (2015) pg. 77

⁷ Boulder Arts Commission Statement on Cultural Equity (adopted 16, March 2022), <https://boulderarts.org/wp-content/uploads/2022/08/2022-Statement-on-Cultural-Equity-FINAL-03-16-2022.pdf>

Racial Equity impacts every aspect of society. It is a generational project that involves every person in the city of Boulder. It is a project that requires shifts, not only in law, policy and regulation, but also in language and visual images, the stories that we tell, and the heroes we celebrate. These cultural ingredients will amplify the work of Racial Equity by strengthening the connections between, resilience of, and justice for, everyone in our community. Therefore, the work of artists and cultural leaders are foundational for progress on Racial Equity.

The grantmaking process is continually reviewed and updated with tactics to counter systems of systematic racism in community funding. It is also focused on outcomes; the application and scoring of the grants encourage deep equity practice among our artists and nonprofits.

The administration of the cultural grants program is the responsibility of the Community Vitality Department's Office of Arts and Culture. The Boulder Arts Commission is responsible for decisions on the distribution of grant funds. On Sept. 19, 2017, City Council adopted Ordinance 8207 amending Chapter 14-1, "Arts Grant Program," 1981 B.R.C.⁸, which states:

The [arts] commission has final authority for approval of arts grant funding distributions. The commission may delegate authority for funding distributions to the city manager.

This year's grants were awarded based on criteria established by the Boulder Arts Commission. Most categories of grants have been selected using a competitive process by members of the Arts Commission. In the case of the Professional Development Scholarships, the Venue and Online Event Affordability Fund, Grant Writing Assistance Fund, and the Cultural Field Trip Fund, the Arts Commission uses non-competitive administrative review (decision based on a formula, administered by staff under the delegation authority described above, and reported to the commission). As in years past, the Arts Commission has made improvements to the transparency, rigor, equity, and stewardship of the program.

The Arts Commission is proud of the work it has done through this year's grant cycle and is enthusiastically grateful to the organizations and artists that are leveraging the funding for our community.

FISCAL IMPACT

The Cultural Grants Program is a planned program, and \$1,049,987 was assigned as ongoing funding in the 2024 budget. There are no additional impacts to the city budget or staff capacity.

In March 2023, City Council added \$100,000 of additional, one-time, multi-year funding to the grant program. These funds were awarded by the Arts Commission to support awards of General Operating Support Grant Funds to five organizations. These five organizations (denoted by asterisks in the General Operating Support Grants section of this document) scored high enough to merit funding in 2022, but funds did not accommodate awarding them grants. They were awarded two-year grants (for 2023 and 2024).

⁸ To read the full Revised Code Title 14, visit:

https://library.municode.com/co/boulder/codes/municipal_code?nodeId=TIT14AR

Additional American Rescue Plan Act grant funding was added in March of 2023 as one-time funding. \$150,000 was assigned as additional funding to the 2023 budget. The funds were dedicated to Artist Hiring Incentive Funds and additional Venue and Online Event Affordability Funds, as the grant has a significant, demonstrable need in the industry. These funds were divided equally between 2023 and 2024.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – There are three primary ways the Cultural Grants Program affects Boulder’s economy: audience spending, workforce, and direct spending by organizations. Our understanding of the arts sector of the economy is mostly derived from studies conducted before the pandemic and provide a baseline of normal conditions in Boulder.

This year, Americans for the Arts published the latest Arts and Economic Prosperity (AEP6) study. Americans for the Arts, an industry trade group, has conducted this research since 2016 in hundreds of regions across the nation, including Boulder. While past evaluations focused primarily on the nonprofit arts and culture industry’s financial, economic, and tourism contributions, AEP6 further considers the industry through equity and livable community lenses.

Using data from the past two years, AEP6 reveals: 1.9 million people visited cultural attractions in Boulder, 64% of which were Boulderites.

- 87.9% of nonlocal attendees reported that the primary purpose of their visit to Boulder was “specifically to attend the performance, event, exhibit, venue, or facility” where they were surveyed.
- 36% of people came from outside the city limits, bringing with them about \$46.97 per person (84% more than locals spent) in “new money” that leads to continuing effects as each dollar travels through the economy. That amount goes up to about \$196/person when they stayed at a hotel.

AEP6 expands the understanding of the cultural workforce by examining the entire marketplace of organizations. As a sector in 2022, cultural nonprofits generated:

- 2,451 jobs
- \$80.0 million in household income for local residents
- \$21.9 million in tax revenues to local, state, and federal governments.

Finally, AEP6 reported that the direct spending of cultural organizations is a healthy part of Boulder’s economy. For the entire sector, AEP6 described the total economic impact of the arts to be just under \$115 million, over four times that for other cities our size. That includes just over \$4.6 million in local tax revenue.⁹

- Environmental – The cultural activity that is supported by the Cultural Grants Program is a keystone element of city life:

⁹ For more information on *Arts and Economic Prosperity 6*, and to read Boulder’s full report, visit:

*Cultural organizations and practicing artists add vibrancy to the social offerings that are critical infrastructure for city life. Our community will build a foundation of livability, and thus attachment to Boulder, on the programs offered by these creative leaders.*¹⁰

This “attachment” to Boulder may be one of the factors which motivate our residents to take critical action on climate change.

Arts and culture are also directly foundational to climate action and adaptation. It is a generational project to remake how we conduct city life: the way our city will be built; telling the stories and celebrating the heroes of our climate future; the images, sounds, and words that will inspire a frame of mind necessary to take bold action. This is the work of artists, authors, architects, musicians, and creatives of all kinds. In this way, the arts are necessary for success in climate action. Boulder’s Cultural Grants Program is among the tools available to city government for encouraging this change.

- Social – The Community Cultural Plan describes the elements of social cohesion and social infrastructure which are enhanced by the Cultural Grants Program:

Communities that gather for cultural activities know their neighbors and check up on each other. These connected neighborhoods may be safer and more resilient.

Opportunities for creative expression are a part of community health that is offered by the variety of cultural organizations that call Boulder home.

The variety and diversity of social offerings, and the degree to which they are a welcoming part of everyday life, is a priority.

These concepts are measured in part through the latest Boulder Community Survey published in 2023. In that survey, over 75% of residents positively rated cultural, arts, and music activities in the city.¹¹

Finally, social impacts of the entire grants program, its structure and outcomes, are being assessed and improved through the principles defined in the Statement on Cultural Equity, initially adopted by the Boulder Arts Commission in 2016 and updated in 2022.¹²

 **BACKGROUND**

GRANT TYPE	CATEGORY ¹³	# OF GRANTS	GRANT AMOUNT	CATEGORY BUDGET
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¹⁰ The “Connections to the Sustainability Framework” document can be found in the attachments to the Community Cultural Plan on page 130: <https://bouldercolorado.gov/community-cultural-plan>

¹¹ To read the full Community Survey, visit: <https://bouldercolorado.gov/projects/community-survey>.


¹² To read the full Statement on Cultural Equity, visit: <https://boulderarts.org/wp-content/uploads/2016/12/Statement-on-Cultural-Equity.pdf>

¹³ \$100,000 in GOS funds were added in March 2023. Funds awarded for two years (2023 and 2024). \$21,000 in Venue and Online Event Affordability Fund awards were added in March 2023 from American Rescue Plan Act (ARPA) funds. \$54,000 in Artist Hiring Incentive Grants were added in March 2023 from American Rescue Plan Act (ARPA) funds.

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STRATEGIC FUNDS	Community Projects – Indv	5	@	\$5,000	\$25,000
	Arts Education	10	@	\$3,000	\$30,000
STRATEGIC FUNDS	Venue and Online Event Affordability Fund	37	@ ~	\$1,000	\$37,000
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SCHOLARSHIPS	Professional Development	Approx. 16	@ ~	\$500	\$8,000
	Leadership Pipeline Fund	2	@	\$8,000	\$16,000
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SPONSORSHIPS	Assistance for Grant Writing	8	@	\$500	\$4,000
TOTAL					\$1,049,987

General Operating Support Grants

GOS Grants bolster the sustainability of the community’s cultural organizations; a system of operational grants which is a priority for the cultural grants program. This system of institutional funding supports the community priorities and goals in the Community Cultural Plan¹⁴. GOS Grants cover day-to-day activities or ongoing expenses such as administrative salaries, utilities, office supplies, technology maintenance, etc., as well as project costs, technology purchases, and professional development. The Boulder Arts Commission GOS Grants are awarded on triennial cycles. During this interim phase of that cycle, the Arts Commission recertified all the grant recipients to receive funding for another year. In 2023, \$100,000 was added to the grant funding in March and awarded to five additional organizations. These funds funded GOS awards for two years (2023 and 2024). These recertified organizations contain an asterisk after their name below.

 the motion to recertify General Operating Support Grants for Extra Large organizations, the Arts Commission voted unanimously February 28, 2024. Organizations with an asterisk were awarded \$26,035 over a two-year cycle.

Extra Large Organization Recertified Grants (2024)
\$50,000 awarded to each

- [Boulder Museum of Contemporary Art](#)[Boulder Museum of Contemporary Art](#)

¹⁴ City of Boulder *Community Cultural Plan* (adopted 17, November 2017), <https://boulderarts.org/wp-content/uploads/2015/11/Community-Cultural-Plan-11-17-2015.pdf?x64198>

- [Colorado Chautauqua Association](#)
- [Colorado Music Festival and Center for Musical Arts](#)
- [Colorado Shakespeare Festival](#)
- [Dairy Arts Center](#)
- [eTowneTown](#)
- [KGNU Community Radio](#)
- [Parlando School of Musical Arts](#)
- [Boulder Philharmonic Orchestra*](#)

On the motion to recertify General Operating Support Grants for Large organizations, the Arts Commission voted unanimously in favor on February 28, 2024. Organizations with an asterisk were awarded \$10,414 on a two-year cycle.

Large Organization Grants (2022)
\$20,000 awarded to each

- [Boulder International Film Festival](#)
- [Butterfly Effect Theatre of Colorado](#)
- [Frequent Flyers Productions, Inc.](#)
- [JLF Colorado](#)
- [Junkyard Social Club](#)
- [Local Theater Company](#)
- [Motus Theater](#)
- [Museum of Boulder](#)
- [Studio Arts Boulder](#)
- [Boulder Ballet *](#)

On the motion to recertify General Operating Support Grants for Mid-sized organizations, the Arts Commission voted unanimously in favor on February 28, 2024. Organizations with an asterisk were awarded \$5,207 on a two-year cycle.

Mid-Sized Organization Recertified Grants
\$10,000 awarded each

- [3rd Law Dance/Theater](#)
- [Art Parts Creative Reuse Center](#)
- [Boulder Chorale](#)
- [Boulder Metalsmithing Association](#)
- [EcoArts Connections](#)
- [Street Wise Arts](#)
- [The Catamounts](#)
- [The Spark](#)
- [Greater Boulder Youth Orchestras *](#)

On the motion to recertify General Operating Support Grants for Small organizations, the Arts Commission voted unanimously to award these grants on February 22, 2024. Organizations with an asterisk were awarded \$4,166 on a two-year cycle.

Small Organization Recertified Grants

\$8,000 awarded each

- [Band of Toughs](#)
- [Boulder MUSE](#)
- [Boulder Opera Company](#)
- [Boulder Samba School](#)
- [Cantabile Singers](#)
- [Colorado MahlerFest](#)
- [Creativity Alive](#)
- [east window](#)
- [NoBo Art District](#)
- [Pro Musica Colorado Chamber Orchestra](#)
- [Sans Souci Festival of Dance Cinema](#)
- [T2 Dance Company](#)
- [Lemon Sponge Cake Contemporary Ballet](#) *
- [The Big Dream](#) *

Community Project Grants

The purpose of the Community Project Grant is to encourage programs and events in the community which provide innovation and exploration to achieve progress on the community priorities found in the Community Cultural Plan.

In 2024, \$85,000 is dedicated to Community Project Grants. This program is divided into grants for organizations and individual artists. The program budget allowed for the funding of six grants to organizations at \$10,000 and five grants to individuals at \$5,000 each.

On the motion to approve Community Project Grants for organizations, the Arts Commission voted unanimously to award these grants on May 29, 2024:

- [BaoBao Foundation](#), Akoma Ntoso - Coexistence, \$10,000
- [Empathy Theatre Project](#), “We’re Still Here: A New American Musical” —Performances & Development, \$10,000
- [Motus Theater](#), Youth Behind & Beyond Bars: Stories from the Juvenile Justice System, \$10,000
- [Roots Music Project Foundation Inc](#), Artist Incubator Program Support, \$10,000
- [Street Wise Arts](#), Street Wise Mural Festival, \$10,000
- [Viva Theater](#), VIVA Theater Lab, \$10,000

On the motion to approve Community Project Grants for Individuals, the Arts Commission voted unanimously (with one recusal) to award these grants on May 29, 2024.

- Chelsy Albertson, Boulder Pop Choir, \$5,000
- Dance with Georgia, Brown Sugar Nutcracker, \$5,000
- Ivan-Daniel Espinosa, MycoMorphosis: Dancing with Fungi (a multimedia Bio-Art installation), \$4,500
- Mary Martinez, Hear Us Now See Us Now Cultural Sewing Circle, \$5,000

- Merlyn Holmes, SEEN, \$5,000 (Creativity Alive)

-

Arts Education Grants

In 2024, \$30,000 is dedicated to Arts Education Project Grants. The Arts Education Project Grant provides opportunities for children in Boulder to have unique experiences with practicing artists, access to tools and techniques, or improved instruction in the creative professions. The goal of the grant is to increase the exposure of students to unique and memorable experiences that may shape their future in cultural participation and creative careers.

On the motion to approve the Arts Education Grants, the Arts Commission voted unanimously (with one recusal) to award these grants on June 26, 2024.

- [Boulder International Film Festival](#), Colorado Film Society Educational Outreach Program, \$3,000
- [Boulder Opera Company](#), Xochitl las nina de las flores: workshop and opera at schools, \$3,000
- [Boulder Philharmonic Orchestra](#), Joshua School Collaboration, \$3,000
- [Colorado Shakespeare Festival](#), Shakespeare & Violence Prevention, \$3,000
- [Dairy Arts Center](#), Creative Nations Youth Cultural Arts Workshops, \$3,000
- [Junkyard Social Club](#), Boulder County's STEAMFest, \$3,000
- [Luna Cultura, art, science, and culture for thriving communities](#), Arte, Cultura del Buen Trato y Bienestar, \$3,000
- [Open Studios](#), Nature Journaling for STEAM Education, \$3,000
- [The Catamounts](#), Residencies at Douglass and Heatherwood Elementary Schools, \$3,000
- [The Cultural Caravan](#), Family Concerts at the Boulder Public Library, \$3,000

Professional Development Scholarships

In 2024, \$8,000 is dedicated to Professional Development Scholarships. The scholarships encourage leadership and the sharing of good practices through professional development that will advance our creative economy, support professionals and businesses, and enhance cultural dialog. The Arts Commission has distributed assistance funds to artists and cultural leaders to attend workshops, conferences, and classes that will advance their professional skills and have a positive impact on their ability to support the community. Under direction from the Arts Commission, these decisions are made by administrative review. The first round of scholarships was awarded on March 18, 2024; the second was awarded May 28, 2024. Below is the full list of grantees:

- Margaret Saunders, Colorado Creative Industries Summit, Pueblo, CO, \$500
- Wendy Kinal, North American Federation of Healthcare Clowning Organization's Meeting of the Noses (conference), Montreal, Quebec, Canada, \$1,000
- Sondra Blanchard, North American Federation of Healthcare Clowning Organization's Meeting of the Noses (conference), Montreal, Quebec, Canada, \$1,000
- Caroline Butcher, Uprooted Teacher's Workshop, New York City, NY, \$1,000
- Belgin Yucelen, Arctic Residency in Longyearbyen, Svalbard, Sweden, \$1,000
- Brian Jack, International Double Reed Society Conference 2024, Flagstaff, Arizona, \$800
- Bridget Ryan, b12 Dance Festival in Berlin, Germany, \$1,000

- Mimi Kruger, The League of American Orchestras' 79th National Conference, Houston, TX, \$700
- Soleil Lohl, Principles of Eccentric Performance with Avner Eisenberg, South Paris, Maine, \$1,000

Venue and Online Event Affordability Fund

In 2024, \$16,000 is dedicated to the Venue and Online Event Affordability Fund. The fund is intended to facilitate and assist community cultural groups with access and affordability of performance venues and hosting online programming. The fund offers support in the form of rental assistance, and/or equipment for hosting online programming, such as video software, cameras, or tech support. Also, the agreement continues with the University of Colorado allowing the Arts Commission to distribute 16 fee-waived rentals of Macky Auditorium.

New this grants cycle, the Arts Commission has partnered with eTown Hall to distribute 12 fee-waived rentals throughout the year, and with the Roots Music Project to offer up to 11 days per calendar year of rent-free space at that venue. This is complemented by supplementary funds to help organizations and artists to afford the secondary costs of rental, including fees for technicians, security, and ushers.

The Venue and Online Event Affordability Fund program was quite successful with all funds being fully awarded by the end of April 2024. There are still fee waivers available. Under direction from the Arts Commission, these decisions are made by administrative review. Below is the full list of grantees:

- The Catamounts, FEED: Dry, Dairy Arts Center, \$1,000
- Boulder Philharmonic Orchestra, "The Best of Boulder," 2023-24 Masterworks Series Concert #4, Macky Fee Waiver and \$1,000
- NAACP Boulder County Branch, 2024 NAACP of Boulder County Annual Freedom Fund Celebration, Macky Fee Waiver and \$1,000
- Parlando School for the Arts, Parlando Summer Staged Shows, Dairy Arts Center, \$1,000
- Rainbow Socks, "Hey, Alice!" Album Release Kids' Concert, Dairy Arts Center, \$1,000
- LOCAL Theater Company, acts of faith, a new play by David Yee, Dairy Arts Center, \$1,000
- Cantabile Singers, Something Known and Something New, First Congregational Church and online, \$570
- Sans Souci Festival of Dance Cinema, Season Premiere, Museum of Boulder, \$1,000
- Pro Musica Colorado Chamber Orchestra, Nicolò, Mountain View United Methodist Church, \$1,000
- The Mariposa Collective, Emergence, Dairy Arts Center, \$1,000
- Mi Chantli, Mexica New Year, Mi Chantli, \$1,000
- Greater Boulder Youth Orchestras, Fall Concert 2024, Macky Fee Waiver and \$1,000
- VIVA Theater, Talking With..., Dairy Arts Center, \$1,000
- Fairview Band Booster Organization, Fairview Evening of Jazz, eTown Hall, \$875
- Frequent Flyers Productions, Enérgeia: the bright unbearable realities, Dairy Arts Center, \$1,000
- Boulder Chamber Orchestra, 2024 Season, Boulder Seventh Day Adventist Church, \$1,000

- Boulder Chorale, Fiesta de las Luces, First United Methodist Church, \$1,000
- Miriam Paisner, Hawaiian Hula Performance Classes, The Spark, \$1,000
- Trash the Runway, Trash the Runway - Recycled Couture, Macky Auditorium, \$1,000
- Boulder Ballet, MINDFIELD, Dairy Arts Center, \$1,000
- Colorado MahlerFest, MahlerFest XXXVI, Mountain View United Methodist Church, \$1,000
- Rocky Mountain Revels, Christmas/Midwinter Revels, Dairy Arts Center, \$1,000
- T2 Dance Company, T2 Tales, Dairy Arts Center, \$959
- Creativity Alive, Online Creativity Alive program streaming, \$1,000
- Maji Safi Group, eTown Hall, \$1,000
- Lemon Sponge Cake Contemporary Ballet, Leopoldstadt 1020, Dairy Arts Center, \$1,000
- Boulder Opera Company, Operatizers: North American chamber operas, Dairy Arts Center, \$1,000
- Future Arts Foundation, Bluebird Music Festival, Macky Auditorium, Macky Fee Waiver and \$1,000
- Shreya Venkatesh, Tribhangi, The Spark, \$950
- Duncan Coker, Album Release event, Roots Music Project, \$590
- Vani Sundaram, Community Roots Art Festival, Visionquest Brewery, \$1,000
- Over the Sun Productions, InnerStellar Temple Journey, Fiske Planetarium at CU Boulder, \$1,000
- Wild Heart Dance, One Lost Song, The Nomad Playhouse, \$1,000
- Empathy Theatre Project, We're Still Here in Concert: Original Cast and Composer Live Album, eTown Fee Waiver and \$1,000
- Ars Nova Chamber Singers, Fruition: Shared Visions, Dairy Arts Center, \$1,000
- The New Local, "At the Annex" Interview Series Pilot and Second Episode, The New Local for YouTube, \$1,000
- 3rd Law Dance/Theater, 3rd Law Dance/Theater Dance presents INTERZONE with the Dance for Parkinson's Program, Swoon Art House & online, \$1,000

Cultural Field Trips Fund

In 2024, \$10,000 is dedicated to the Cultural Field Trip Fund. In collaboration with the Boulder Valley School District (BVSD), the funds help teachers at BVSD Title 1 schools to clear the path for their students to have that first, formative experiences with the arts. Given that an early introduction to culture is the main indicator that a person will support and engage with the arts as an adult, this fund is intended to address inequities in access to those critical early cultural experiences. The application for the funds is ongoing; applications tend to arrive in the fall after teachers returned for the new school year. There are three approved applications to-date, and staff expects to expend the remaining funds shortly. The fund is intended to support children who attend a Title 1 school to visit Boulder's arts institutions and cultural destinations. The grant is used by school classrooms to offset costs for transportation, admission, tickets, or other fees for field trips to Boulder cultural destinations. Under direction from the Arts Commission, these decisions are made by administrative review. The awards are approved on a first come, first served basis. Below is a list of grantees to-date:

- Justice High School (classroom of Sarah Clifford) to Dairy Arts Center to see "What the Constitution Means to Me", Boulder Ensemble Theatre Company, \$1,160

- Emerald Elementary (classroom of Amber Billington) to eTown Hall to see Pinocchio Opera, Boulder Opera Company, \$1,800
- Columbine Elementary (classroom of Stephanie Fida) to Macky Auditorium to see a Discovery Concert, Boulder Philharmonic Orchestra, \$575

Leadership Pipeline Fund Scholarship

The Leadership Pipeline Fund Scholarship began in 2023. That Spring, the Arts Commission requested that the funds for the University of Colorado at Boulder Certificate in Arts Management program and Equity Funds be merged into one grant, to 1) be more broadly supportive of emerging arts leaders and, 2) expressly support young leaders from underrepresented communities in Boulder. The award provides financial support and professional development opportunities for emerging leaders who will focus their career in the arts on increasing diversity, improving equity, and elevating the voices of historically underrepresented groups in the arts and culture sector.

The scholarship provides funding for individuals attending undergraduate or graduate studies, joining leadership training programs, and partaking in internship opportunities that will help scholarship recipients gain the skills and connections necessary to succeed in advancing equity in the arts. The program’s selection criteria consider a number of factors including, but not limited to: applicants’ identification as a member of an underserved community and commitment to pursuing a career with an equity focus in arts leadership. Preference will be given to applicants who have limited access to traditional leadership development opportunities due to financial, social, or cultural barriers.

The Arts Commission dedicated \$16,000; two scholarships of \$8,000 each. This furthers goals in the Cultural Plan in support of sustainable cultural organizations and artists.

When the Arts Commission met to award the scholarships, Jeffrey Kash nominated Adriana Paola Palacios Luna. Georgia Schmid made the motion to award, and all voted in favor with one abstention. Kash then nominated Ivan-Daniel Espinosa. Maria Cole made the motion to award, and all voted in favor with one abstention. Both were awarded July 31, 2024:

- Adriana Paola Palacios Luna, Graduate Certificate in Equity, Diversity, Inclusion, and Belonging Leadership, Harvard Extension School, \$8,000
- Iván-Daniel Espinosa, University of Colorado Boulder Theater and Dance PhD program, \$8,000

Grant Writing Assistance Fund

In 2024, \$4,000 is dedicated to the Grant Writing Assistance Fund. It is the goal of this new support fund is to balance the competitiveness of the grants by providing opportunities for first-time applicants and those who have not received a grant through the Boulder Arts Commission to hire professional grant writing assistance. Under direction from the Arts Commission, these decisions are made by administrative review. The awards are approved on a first come, first served basis. Below is a list of grantees:

- Adam Kroll, \$500

- Allison Wang, \$500
- Boulder Taiko / Julia Misawa, \$500
- Emily Braucher, \$500
- Lucia De Giovanni, \$500
- Rising Phoenix Reiki, \$500
- Treva Ashley, \$500

AMERICAN RESCUE PLAN ACT FUNDS

In 2024, \$279,000 was dedicated from the American Rescue Plan Act to fund Workforce Incentive Grants. These grants respond to industry-specific, pandemic-related workforce impacts through targeted grants to nonprofits. The creative industries represent approximately 10% of the workforce in Boulder¹⁵. This sector was disproportionately impacted by the pandemic; one study by Americans for the Arts cites that, as of April 2022, arts jobs are still down -10% since pre-pandemic. Also, Johns Hopkins University reports that, as of December 2021, the percentage of job losses at nonprofit arts organizations remains more than 3 times worse than the average of all nonprofits (-12.5% vs. -3.7%)¹⁶. It has been observed that the industry continues to lag behind other sectors in workforce recovery.

In collaboration with the Arts Commission, the funding was dedicated to two grant categories over two years (2023 and 2024). First, \$108,000 (\$54,000 each year) was dedicated towards a hiring incentive for nonprofits to employ Boulder-area visual, performing, and literary artists to perform or create new work (Artist Hiring Incentive Grant). Second, the remaining \$42,000 (\$21,000 each year) was dedicated to the Venue and Online Event Affordability Fund. The grantees for the Venue Fund category are integrated into the list above.

Artist Hiring Incentive Grant

The Artist Hiring Incentive Grant encourages nonprofits to employ Boulder-area visual, performing, and literary artists to perform or create new work. Under direction from the Arts Commission, these decisions are made lottery style following administrative eligibility review. Below is a list of grantees to-date:

Artist Hiring Incentive Grant – Round One

Awarded February 9, 2024

- east window, Exhibition: Multimedia Work by Anna Tsouhlarakis, \$3,000
- Greater Boulder Youth Orchestras, 2024 Autumn Concert, \$3,000
- Lemon Sponge Cake Contemporary Ballet, Where is the Love, \$3,000
- T2 Dance Company, Lost & Found (revamped), \$3,000
- The Catamounts, Teacups and Tiny Dictators, \$3,000
- The Cultural Caravan, Boulder artists for The Cultural Caravan's 2024 Season, \$3,000

Artist Hiring Incentive Grant – Round Two

Awarded March 22, 2024

¹⁵ WESTAF Creative Vitality Snapshot for the City of Boulder, 2017.

¹⁶ [Americans for the Arts: COVID-19's Pandemic's Impact on The Arts: Research Update, May 12, 2022](#)

- Creativity Alive, art for SEEN @ BPL's Canyon Gallery, \$3,000
- Dance with Georgia, Brown Sugar Nutcracker, \$3,000
- Mi Chantli, Writer's Block/Poetry with Changa, \$3,000
- NoBo Art District, The Boulder Podcast, \$3,000
- Parlando School of Musical Arts, Recording Studio Coordinator, \$3,000
- Sans Souci Festival of Dance Cinema, Dance is Like a Fine Wine and Season Premier, \$3,000

Artist Hiring Incentive Grant – Round Three
Awarded May 3, 2024

- Boulder Metalsmithing Association, Sample Creation for BoMA Students, \$3,000
- Boulder Museum of Contemporary Art, MycoMorphosis: Dancing with Fungi (working title), \$3,000
- Boulder Philharmonic Orchestra, Boulder Phil 2024 - 2025 Season Artist Support, \$3,000
- eTown, Nick Forster's Hippy Bluegrass Church, \$3,000
- Mesa Elementary, Mesa Oasis Mural, \$3,000
- Rocky Mountain Chorale, Rocky Mountain Chorale Commissioned Piece, \$3,000

LINKS TO REFERENCED DOCUMENTS

- [2024 Grant Program Fund Structure](#)
- [2024 Grant and Meetings Schedule](#)
- [2024 Grant Scoring System and Rubric](#)
- [General Eligibility Requirements](#)
- [General Grant Guidelines & Process](#)
- [Grant FAQs](#)
- [Community Cultural Plan](#)
- [Statement on Cultural Equity](#)
- [Arts & Economic Prosperity 6 \(AEP6\)](#)

NEXT STEPS

The process to design and implement the 2025 cycle is in progress, and as follows:

- July – October: The Arts Commission began to review the 2024 grant program, including input from grantees and the public, in July. Staff brought recommendations to the Commission in July, August, and September for review and decision. The final 2024 grant program will be approved at the October 2024 meeting.
- November 15, 2024 – Grant applications open for review at boulderarts.org
- November 16 at 11:30 a.m. at location TBD - Info session for the public
- December 13 at 4:00 p.m. on Zoom - Info session for the public
- January 1, 2024 – Grant applications open
- January 22, 2025 - Commission Grants Program training for the grants panel from 4 to 6 p.m. at the Office of Arts + Culture Offices