



**MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
BOULDER COUNTY  
AGENDA**

**Tuesday, October 15, 2024, 9:30 a.m.**

**Tuesday, October 15, 2024, 1:00 p.m.**

**Third Floor Hearing Room**

**County Court House**

**1325 Pearl Street, Boulder**

This agenda is subject to change. Please call ahead to confirm an item of interest (303-441-3500).

In-person meetings are held in the Third Floor Hearing Room, County Courthouse, 1325 Pearl Street, Boulder. Public comments are taken at meetings designated as Public Hearings. Meetings and hearings on this agenda are open to the public.

Boulder County wants to ensure that everyone has equal access to our programs, activities, and services. To request an Americans with Disability Act (ADA) accommodation, please email [ADA@bouldercounty.gov](mailto:ADA@bouldercounty.gov), or call 303-441-1386. Submit your request as early as possible, and no later than two business days before the event.

To view a two-week forecast agenda of the commissioners' schedule, visit the Commissioners' [Advance Agenda](#).

All Commissioners' public hearings and meetings will be offered in a hybrid format where attendees can join through Zoom or in-person at the Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder. The commissioners retain the right to switch all hearings and meetings to in-person only instead of hybrid if technical difficulties arise. To sign up for in-person public comment, please use the link in this agenda for each respective hearing. There will also be a kiosk located in the lobby of the 3rd Floor to sign up for in-person public comment. For questions regarding in-person hearings call 303-441-3500.

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1. Call to Order
  2. 9:30 a.m. Business Meeting
    - [Virtual Attendee Link for Commissioners' October 15 Morning Session](#)
    - Call-in information: 1-833-568-8864, Webinar ID: 160 153 7076
  3. Items to Note for the Record
    - 3.a [Board of Review Resignation](#)

Jonathan Smolens resigned his structural engineer representative position on the Board of Review.

- **Staff Contact(s):** Robin Valdez, Commissioners' Office

**3.b Resource Conservation Advisory Board Resignation**

Leah Haney resigned her position as the Nederland representative on this board.

- **Staff Contact(s):** Robin Valdez, Commissioners' Office

**4. Commissioners' Consent Items**

**4.a Community Services Department - Justice Coalition on Abuse in Later Life Grant Continuation Award**

The Boulder County Justice Coalition on Abuse in Later Life (JCALL) supports a comprehensive approach to addressing and responding to abuse in later life in Boulder County. JCALL advances equity as an essential component of combatting domestic violence, dating violence, sexual assault, stalking, abuse, neglect, and exploitation in later life. We respond to challenges raised by law enforcement and service providers during our previous grant, expand and improve outreach and services, support criminal justice responses, and increase assistance for victims and survivors age 50 and older (“older victims”). This award continues funding for the JCALL grant for an additional 36 months.

- **Staff Contact(s):** Erica Corson, Community Services; Liz Parker, Community Services

**4.b Parks & Open Space - Alexander Dawson 2024 United Power Utility Easement**

On May 14, 2024 the Board of County Commissioners approved the request from United Power for a utility easement over the Alexander Dawson Open Space property located on the west side of Highway 287, north and east of the Alexander Dawson School. The Access and Utility Easement documents are needed for the closing, or to complete the transaction.

- **Staff Contact:** Don Durso, Parks & Open Space

**4.c Parks & Open Space - Haystack Mountain Purchase Resolution**

On September 10, 2024, the Board of County Commissioners approved the bidding at auction for the purchase of Haystack Mountain at 5655 Niwot Road, Longmont, Colorado. Boulder County was the winning bidder at the auction. This document is needed to show that Therese Glowacki has authority to sign documents at the closing.

- **Staff Contact(s):** Tina Burghardt, Parks & Open Space

**4.d Parks & Open Space - Ruth Roberts Park Broomfield Trail Easement Amendment**

Boulder County and the City and County of Broomfield (“Broomfield”) jointly propose amending the 2005 trail easement over the southeast corner of the Ruth Roberts open space property to clearly define the area that Broomfield is managing for trail use and erosion control. The trail lies northwest of the intersection of West 136th Avenue/Kohl Street and Powderhorn Trail in Broomfield. The amended easement benefits the county's Ruth Roberts open space property.

- **Staff Contact(s):** Don Durso, Parks & Open Space

**4.e Public Works - Boulder Canyon Trail Wall Repair (\$738,632)**

The Public Works Engineering Division requests to amend the existing contract with Timber Wolf Excavating, which is currently responsible for the Boulder Canyon Trail Wall Repair project. This amendment seeks approval to increase the contract amount by \$19,435, bringing the total contract value to \$738,632. The additional funds are required to cover unforeseen conditions encountered during the wall repair process, which include additional material costs and labor necessary to ensure the structural integrity of the trail wall. By approving this amendment, the County will ensure the timely and successful completion of the project, maintaining the safety and usability of the Boulder Canyon Trail for the community.

**4.f Sheriff's Office - 2025 Twentieth Judicial District VALE Grant Application**

Each year, the Boulder County Sheriff's Office applies for the Victims Assistance and Law Enforcement (VALE) Grant, which is offered by the Twentieth Judicial District. This grant is a critical source of funding that supports the Sheriff's Office's Victims Assistance Program. The program provides essential services to victims of crime, ensuring they receive the support and resources necessary to navigate the emotional, legal, and financial challenges they may face. The grant helps cover the costs associated with personnel, outreach efforts, and direct victim services, all of which are vital to maintaining a comprehensive and effective program. Approval to apply for the VALE Grant will enable the Boulder County Sheriff's Office to continue its commitment to supporting victims in our community.

**4.g Sheriff's Office - Town of Ward IGA for Law Enforcement Coverage**

The Boulder County Sheriff's Office desires to enter into an Intergovernmental Agreement with the Town of Ward to provide law enforcement services for the town.

- **BOCC Reference Number:** IGA-2024-SHR-0009
- **Staff Contact(s):** Pamela Thompson, Sheriff's Office

**5. Commissioners' Discussion Items**

**5.a County Attorney's Office - Boulder County's Participation in Amicus Brief in Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al., United States Supreme Court Case No. 23-975**

Boulder County will participate with the Northwest Colorado Council of Governments, Grand County, Pitkin County, Lake County, Chaffee County, Routt County, Vail, Red Cliff, Avon, Glenwood Springs, and Minturn, in an amicus brief in support of Eagle County in *Seven County Infrastructure Coalition, et al. v. Eagle County, Colorado, et al.*, No. 23-975 (U.S.), a case challenging the railroad approval and whether NEPA requires an agency to study environmental impacts beyond the proximate effects of the action over which the agency has regulatory authority.

- **Action Requested:** Decision
- **Presenter(s):** David Hughes, County Attorney's Office (In Person)

**5.b Office of Financial Management - 2024 Budget Amendment Request CPP 111-RST2 Operations Increase (\$751,000)**

Community Planning & Permitting is requesting a budget amendment in the Road and Bridge

Fund under the Transportation Planning Sales & Use Tax Projects Appropriation. This request is to accommodate the unexpected expenditures to the CO 119 Bikeway Final Design project, due to an expanded scope of work including: final design of the CO-52 Bike Path Extension; CO 119 Underpass near 2nd Ave. in Niwot; Bike Path Connection across the BNSF railroad at Ogallala Rd; preliminary and final design of the 63rd Street Overpass and Fourmile Canyon Creek Redesign; construction manager and general contractor coordination and design modifications; and Engineering support during construction.

- **Action Requested:** Decision
- **Presenter(s):** Emily Beam, Office of Financial Management (In Person); Dale Case, Community Planning & Permitting (In Person); Ramona Farineau, Office of Financial Management (In Person / Back-up)

**6. Authorization for Executive Session**

Authorization for the Board of County Commissioners to go into Executive Session for Legal Advice on Wednesday, October 16th, 2024 at 11:00 a.m. with Ben Pearlman, County Attorney.

- **Action Requested:** Decision

**7. Public Meeting on Head Start Division Report to the Commissioners**

Community Services Department monthly report from the Head Start division. No public testimony will be taken.

- **Action Requested:** None - information only
- **Staff Contact:** Akane Ogren, Community Services
- **Location:** Hybrid (Hearing Room and Zoom Webinar)

**8. 1:00 p.m. Public Hearing**

- **Virtual Attendee Link for Commissioners' October 15 Afternoon Session**
- **Call-in information:** 1-833-568-8864, Webinar ID: 160 653 1768
- **Registration Required**
- **In-Person Comment Registration for Commissioners' October 15 Afternoon Session**

**8.a Community Planning & Permitting Docket SU-24-0004: Zeke's Quality LLC**

Special Use Review to permit a second principal use of Marijuana Establishment in an existing structure at 5853 Rawhide Court. The application is submitted by McRawhide LLC c/o Jill and Mark McIntyre (owner), Diamond Riley (applicant), and Frederick Jenkins (agent). The proposal is in the Light Industrial (LI) zoning district at 5853 Rawhide Court, located north of Longhorn Road, near the northeast corner of US 36 and Longhorn Road, in Section 6, Township 1N, Range 70W.

Opportunity for live virtual and in-person public comment will be available, and written comments can be emailed to [planner@bouldercounty.gov](mailto:planner@bouldercounty.gov). Information regarding how to participate will be available on the [Zeke's Quality LLC docket webpage](#).

- **Action Requested:** Decision

- **Presenter(s):** Pete L'Orange, Community Planning & Permitting (In Person), Diamond Riley, Applicant (In Person), Mark and Jill McIntyre, Property Owners (Virtual)