



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

**April 23, 2024, 9:30 a.m.  
Third Floor Hearing Room  
County Court House  
1325 Pearl Street, Boulder**

**Members Present:**      **Commissioner Claire Levy  
Commissioner Ashley Stolzmann**

**Members Excused:**      **Commissioner Marta Loachamin**

**[Note: All documents referred to in these Minutes of Commissioners' Proceedings are on file and may be reviewed in the Office of the Boulder County Commissioners.]**

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### **1.      Call to Order**

The Board of County Commissioners of Boulder County met in Regular Meeting in full conformity with the law and resolution of said Board at the regular place of hybrid meetings, 1325 Pearl Street, Boulder and on Zoom Webinar, on April 23, 2024.

The meeting was called to order at approximately 9:32 a.m. by Chair Ashley Stolzmann.

Commissioner Marta Loachamin was excused from all public meetings on Tuesday, April 23, 2024.

### **2.      9:30 a.m. Business Meeting**

3. Housing Authority Discussion Items (Sitting as the Board of Boulder County Housing Authority Board of Directors)

The Board of County Commissioners sat as the Boulder County Housing Authority for Item No. 3.a and then reconvened as the Board of County Commissioners.

3.a 2024 Regional Affordable Homeownership and Rental Compliance Program IGA with City of Boulder (\$1,259,549)

IGA Establishing Regional Affordable Homeownership and Rental Compliance Program Services between BCHA and the City of Boulder.

**Presenter(s):** Bill Cole, Housing & Human Services Department

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

**Carried**

4. Commissioners' Consent Items

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

to approve the Commissioners' Consent Agenda as a whole.

**Carried**

4.a Commissioners' Office - Approval of ARPA SLFRF Budget Reallocations (\$4,138,408.00)

American Rescue Plan Act State and Local Fiscal Recovery Budget Reallocations totaling \$4,138,408.

4.b Community Services - Grant Application with Bureau of Justice Assistance for \$550,000

This proposal will request a total of \$550,000.00 and will be used to continue supporting efforts to divert people from the criminal justice system through the Boulder County Behavioral Health Assistance Program. The Behavioral Health Assistance Program program was established in 2020 and operates out of the Boulder County Jail. Behavioral Health Assistance Program works with a broad range of justice involved clients. In prior years the Behavioral Health Assistance Program program has been funded with grants provided by the U.S. Department of Justice Bureau of Justice Assistance however, those Bureau of Justice

Assistance funds will be exhausted around August 30, 2024. This continued Bureau of Justice Assistance funding will allow the Behavioral Health Assistance Program program to continue to operate while Community Justice Services leadership seeks additional opportunities and pathways to sustain the program.

4.c Community Services - Workforce Boulder County Wagner-Peyser Merit System Certification

The US Department of Labor and Employment requires the state of Colorado's workforce system (specific to Wagner-Peyser) to be in compliance with Federal laws, regulations, and standards as set and authorized by the Federal "Intergovernmental Personnel Act of 1970." Boulder County must certify to the Colorado Department of Labor and Employment that the merit system used in Boulder County is in compliance with Federal standards.

4.d County Attorney's Office - Resolution 2024-034 (LU-23-0028: Boulder Country Club Use of Community Significance Designation)

Resolution 2024-034, conditionally approving Boulder County Community Planning & Permitting Docket LU-23-0028: Boulder Country Club Use of Community Significance Designation

4.e County Attorney's Office - Resolution 2024-035 (LU-23-0024: Carpenter Vacation Rental)

Resolution 2024-035, denying Boulder County Community Planning & Permitting Docket LU-23-0024: Carpenter Vacation Rental

4.f County Attorney's Office - Resolution 2024-036 (LU-24-0003/SPR-23-0091: Ashton-Eggleston Residence)

Resolution 2024-036, conditionally approving Boulder County Community Planning & Permitting Docket LU-24-0003/SPR-23-0091: Ashton-Eggleston Residence

4.g County Attorney's Office - Resolution 2024-037 (DC-24-0001: Text Amendments to the Land Use Code Related to Temporary Fireworks Sales)

Resolution 2024-037, approving Boulder County Community Planning & Permitting Docket DC-24-0001: Text Amendments to the Land Use Code Related to Temporary Fireworks Sales

4.h Housing & Human Services - 2024 Boulder Shelter for the Homeless Contract Amendment (\$900,000)

Amendment to increase budget for Housing-Focused Shelter (HFS).

4.i Office of the County Administrator - 2024 Economic Vitality Partner Agreements (NTE\$180,000)

Staff is providing an update and seeking approval to enter into eleven one-time Economic Vitality partner grants in connection with Boulder County economic vitality efforts serving the interests of local businesses and workers. These contracts will be for one calendar year and represent 2024 described services compensated at the amounts listed.

- **Staff Contact(s):** Yvette Bowden, Office of the County Administrator

4.j Parks & Open Space - 5-year Service Contract with Hollar Tree Co. LLC (NTE \$2,000,000.00)

Hollar Tree Co. LLC will provide tree pruning and trimming, tree felling and thinning, debris chipping, stump removal, stump grinding, herbicide spraying and tree health care for trees located on open space lands on a project-by-project bases. This contract is for a 5-year service contract which will end on 12/31/28. The annual not to exceed amount is \$400,000.00 bringing the total contract not to exceed amount of \$2,000,000.00. OFS 303418.

**Staff Contact(s):** Cathy Thiltgen, Parks & Open Space

4.k Sheriff's Office - 2024 City of Boulder Agreement Requesting Crew Boss and Work Crew

Boulder County Jail will supply the City of Boulder a Crew Boss and work crew to assist the City with Parks and Recreation projects from May 2024 through October 2024. This agreement is a revenue agreement in the amount of \$33,173.

4.l Sheriff's Office - Boulder County Hazard Mitigation Update Report 2023

Boulder County Office of Disaster Management is requesting adoption of the Boulder County Hazard Mitigation Update Report 2023 which allows credit under the Community Rating System. The Report discusses the goals and objectives identified by HMPC.

4.m Sheriff's Office - Colorado Dept of Human Services Jail Based Behavioral Services Grant Agreement Amendment #4

The State of Colorado Dept of Human Services has awarded the Boulder County Jail with grant funds in the amount of \$1,041,549 for Jail Based Behavioral Services. These funds are used to support substance abuse and mental health programs for the inmate population within the jail. (25 IBEH 188957)

5. Commissioners' Discussion Items

5.a Community Planning & Permitting - Via Mobility Services Contract (\$4,607,599.12)

Via Mobility Services contract to operate the Lyons Flyer and Ride Free Lafayette bus routes.

**Presenter(s):**

Alex Hyde-Wright, Community Planning & Permitting Department

Angel Bond, Community Planning & Permitting Department

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

**Carried**

5.b Office of Financial Management - 2024 Budget Amendment Request for Sheriff's Office Revenue-Backed Positions in SH11 appropriation GRN1 (\$403,588)

The Sheriff's Office is requesting an on-going increase of \$403,588 for additional staff to support contracted policing of local municipalities and grant funded jail programing.

The Town of Nederland, Town of Lyons and the Town of Superiors have contracts with the Sheriff's office that will cover the following costs associated with new positions.

- Salary and benefits for 2.0 full time equivalent Deputy 1 positions (\$162,369).
- One new patrol vehicle (\$102,500).

The State of Colorado's Jail Based Behavioral Services Grant will cover the following costs associated with new positions:

- Program Specialist position (Pre-sentence Coordinator), (\$64,279).
- Corrections Program Coordinator position (Transitional Housing Coordinator), (\$74,439).

**Presenter(s):** Emily Beam, Office of Financial Management

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

**Carried**

5.c Sheriff's Office - 2024 Off-Cycle Full Time Employees Request

The Boulder County Sheriff's Office is submitting the following Off-Cycle FTE requests for approval by the Boulder County Board of Commissioners: Two (2) Deputy 1 positions for coverage in the Town of Nederland and the Town of Superior; one 100% grant funded Program Case Manager at the Jail; and the creation of one, 100% grant funded, Corrections Program Coordinator-Programs Clinician at the Jail.

**Presenter(s):**

Emily Beam, Office of Financial Management

BJ Lambden, Human Resources Department

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

**Carried**

6. Scheduling & Communications

6.a 2024 National Volunteer Week Proclamation

During National Volunteer Week from April 21 to April 27, we take a moment to celebrate the invaluable contributions of volunteers within government and non-profit organizations, acknowledging their dedicated service. The Boulder County community, in particular, is recognized for its volunteers' significant investment of time, talent, and energy, which has been fundamental to the operation of diverse programs and initiatives, reinforcing our shared values of kindness, support, and sustainability. Consequently, the Board of County Commissioners officially designates the week of April 21 to April 27, 2024, as National Volunteer Week in Boulder County, a testament to the spirit of volunteerism that thrives within our community.

**Presenter(s):** Alice Kim, Community Services Department

6.b [Tabled Indefinitely] Community Planning & Permitting Department Docket LU-23-0025/SPR-23-0094: Antley Earthwork and Accessory Structure

The Public Hearing for Docket LU-23-0025/SPR-23-0094: Antley Earthwork and Accessory Structure previously scheduled for Thursday, April 25, 2024 at 9 a.m. has been tabled indefinitely.

**Presenter(s):** Matthew Ramos, Commissioners' Office

Item No. 6.b was noted for the record.

7. Authorization for Executive Session

Authorization for the Board of County Commissioners to go into Executive Session for Legal Advice at 11 a.m. on Wednesday, April 24th, 2024, with Ben Pearlman, County Attorney, pursuant to CRS 24-6-402(4)(b) Legal Advice regarding the following topic: 1) Communication Workers of America Collective Bargaining Petition.

**Presenter(s):** Ben Pearlman, County Attorney's Office

**The topics to be discussed during the aforementioned Executive Session are:**

1.) Communication Workers of America collective bargaining petition

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

**Carried**

8. Confirmation of Executive Session Topics

Confirming Executive Session topics noticed at the April 16th, 2024, Regular Meeting were discussed as scheduled.

Item No. 8 was noted for the record.

**Presenter:** Ben Pearlman, County Attorney's Office

This business meeting adjourned at 10:02 a.m.

9. Community Planning & Permitting Docket

9.a Public Hearing - Docket EP-23-0004: Roling Lot Division

Request to divide 88-acre parcel, Outlot A of the L'Heureux County Estates NUPUD, into a 20-acre parcel and a 68-acre parcel. The proposal is submitted by CEM and Associates LLC, c/o Tom Roling (applicant/owner) and is in the Agricultural (A) zoning district at 3199 Nelson Road, located at the northeast corner of the intersection of US-36 and Nelson Rd, in Section 07, Township 2N, Range 70W.

The commissioners went into recess from 10:02-10:08 a.m.

This public hearing was called to order at 10:08 a.m.

**Staff Presenter(s):**

Wesley Jefferies, Community Planning & Permitting Department

**Other Presenter(s):**

Tom Roling, Applicant

**County Attorneys Present:**

Erica Rogers

**Public Speaker(s):**

No one gave comment during the public hearing portion of this docket.

The commissioners' public hearing adjourned at approximately 10:30 a.m.

**Moved by** Commissioner Levy

**Seconded by** Commissioner Stolzmann

to deny Docket EP-23-0004.

**Carried**

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Deputy Clerk to the Board