

1 ORDINANCE 8271

2  
3 AN EMERGENCY ORDINANCE SUBMITTING TO THE  
4 REGISTERED ELECTORS OF THE CITY OF BOULDER AT  
5 THE MUNICIPAL COORDINATED ELECTION TO BE HELD  
6 ON TUESDAY, NOVEMBER 6, 2018, THE QUESTION OF  
7 AMENDING SECTION 130 OF THE BOULDER CITY  
8 CHARTER TO ALLOW COUNCIL TO SET THE NUMBER OF  
9 ANY NEW ADVISORY COMMISSION AS FIVE OR SEVEN  
10 WHEN FORMING THE COMMISSION, TO PERMIT A BOARD  
11 ESTABLISHED IN 2018 TO CONSIST OF SEVEN MEMBERS,  
12 CHANGE THE REFERENCE OF "SEX" TO "GENDER  
IDENTITY," AND CHANGING THE REQUIREMENT FOR A  
MAJORITY; SETTING FORTH THE BALLOT TITLE;  
SPECIFYING THE FORM OF THE BALLOT AND OTHER  
ELECTION PROCEDURES; AND SETTING FORTH RELATED  
DETAILS.

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

15 Section 1. A municipal coordinated election will be held in the City of Boulder, County  
16 of Boulder and state of Colorado, on Tuesday, November 6, 2018.

17 Section 2. At that election, a question shall be submitted to the electors of the City of  
18 Boulder that will allow voters to consider the following amendment to Section 130 of the City  
19 Charter to allow council to set the number of any new advisory commission as five or seven  
20 when forming the commission, to permit a board established in 2018 to consist of seven  
21 members, change the reference of "sex" to "gender identity," and changing the requirement for a  
22 majority. The material to be added to the Charter is shown by underlining and material to be  
23 deleted is shown stricken through with solid lines.  
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1            Section 3. Section 130 shall be amended to read as follows:

2            **Sec. 130. - General provisions concerning advisory commissions.**

3            At any time after the organization of the council elected under the provisions of this charter,  
4 the council by ordinance may create and provide for such advisory commissions as it may deem  
5 advisable; provided, that a library commission is hereby created, and the council shall, within  
6 ninety days from its organization, appoint the members thereof.

7            Except as otherwise specified in this charter, Each of the existing advisory  
8 commissions, including the library commission, shall be composed of five city residents. For  
9 any advisory commissions appointed after January 1, 2019, the council shall specify in the  
10 ordinance forming the advisory commission whether the commission shall have five or seven  
11 members, for any advisory commission created by ordinance adopted in March 2018, the council  
12 may, by subsequent ordinance, specify that the commission shall have seven members. All  
13 members of a commission shall be appointed by the council, not all of one sex/gender identity,  
14 who are well known for their ability, probity, public spirit, and particular fitness to serve on such  
15 respective commissions and who are at least eighteen years old and who have resided in the city  
16 of Boulder for at least one year immediately prior to their appointment to serve on the  
17 commission. When first constituted, the council shall designate the terms for which each member  
18 is appointed so that the term of one commissioner shall expire on December 31 of each year; and  
19 thereafter the council shall by March of each year appoint one member to serve for a term of five  
20 years. The council shall have the power to remove any commissioner for non-attendance to  
21 duties or for cause. All vacancies shall be filled by the council. When first appointed and  
22 annually thereafter following the council's appointment of the commissioner, each commission  
23 shall organize by appointing a chair, a vice-chair, and a secretary; all commissioners shall serve  
24 without compensation, but the secretary of any commission, if not a member, may receive a  
25 salary to be fixed by the council; any commission shall have power to make rules for the conduct  
26 of its business. All commissioners shall serve until their successors are appointed.

19            All commissions shall hold regular monthly meetings. Special meetings may be called at  
20 any time upon due notice by a majority of the three-members. A majority of the ~~Three~~-members  
21 shall constitute a quorum, and the affirmative vote of at least a majority of the ~~three~~ members  
22 shall be necessary to authorize any action by the commission.

22            All commissions shall keep accounts and records of their respective transactions, and at the  
23 end of each quarter or more often, if requested by the council, and at the end of each fiscal year  
24 shall furnish to the council a detailed report of receipts and expenditures and a statement of other  
25 business transacted.

25            The chair of a commission shall preside at the meetings thereof and sign, execute,  
26 acknowledge, and deliver for the commission all contracts and writings of every kind required  
27 or authorized to be signed or delivered by the commission. The signature of the chair shall be  
28 attested by the secretary.

1 The commissions shall have the right to the floor of the council to speak on plans and  
2 expenditures proposed or to appeal for a decision in a failure to agree with another commission  
or the manager.

3 Wherever there shall be suitable accommodations in the city building, the offices of the  
4 commissions shall be maintained there.

5 Section 4. The official ballot shall contain the following ballot title, which shall also be  
6 the designation and submission clause for the measure:

7 **Ballot Question No. \_\_\_\_**

8  
9 **Charter Provisions Related to Advisory Commissions**

10 Shall Section 130 of the Charter be amended pursuant to Ordinance  
11 8271 to:

- 12 • allow council to set the number of any new advisory commission as  
13 five or seven when forming the commission;
- 14 • allow council to increase the size of the Housing Advisory Board  
15 from five to seven members;
- 16 • change the criteria for what constitutes a majority to accommodate  
boards of different sizes; and
- 17 • change the reference of “sex” to “gender identity?”

18 For the Measure \_\_\_\_

Against the Measure \_\_\_\_

19 Section 5. If this ballot measure is approved by the voters, the Charter shall be so  
20 amended, and the City Council may adopt any necessary amendments to the Boulder Revised  
21 Code to implement this change.

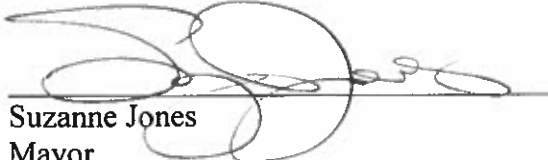
22 Section 6. If any section, paragraph, clause, or provision of this ordinance shall for any  
23 reason be held to be invalid or unenforceable, such decision shall not affect any of the remaining  
24 provisions of this ordinance.

25 Section 7. This ordinance is necessary to protect the public health, safety, and welfare of  
26 the residents of the city, and covers matters of local concern.  
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1 Section 8. The city council deems it appropriate that this ordinance be published by title  
2 only and orders that copies of this ordinance be made available in the office of the city clerk for  
3 public inspection and acquisition.

4 Section 9. The City Council finds that this ordinance is necessary for the immediate  
5 preservation of the public peace, health, or property. The City Council amended the ordinance on  
6 final reading. This ordinance includes a ballot measure. Emergency passage is necessary to allow  
7 time for this matter to be placed on the November 6, 2018 ballot.

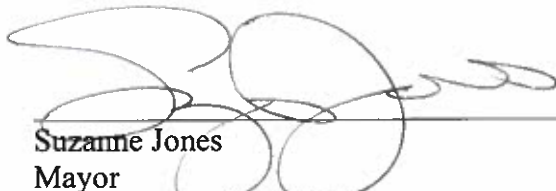
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9 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
10 TITLE ONLY, this 19<sup>th</sup> day of June 2018.

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13 Suzanne Jones  
Mayor


14 Attest:

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17 Lynnette Beck  
City Clerk

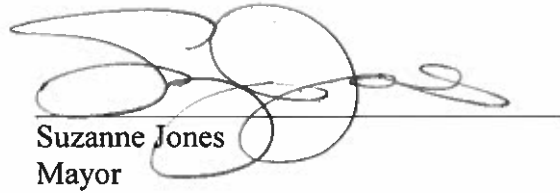
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19 READ ON SECOND READING, AMENDED AND PASSED, this 14<sup>th</sup> day of August  
20 2018.

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23 Suzanne Jones  
Mayor


24  
25 Attest:

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28 Lynnette Beck  
City Clerk

1 READ ON THIRD READING, AMENDED, PASSED AND ADOPTED, AS AN  
2 EMERGENCY MEASURE BY TWO-THIRDS COUNCILMEMBERS PRESENT, this 4<sup>th</sup> day  
3 of September 2018.

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5   
6 Suzanne Jones  
Mayor

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8 Attest:

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10 Lynnette Beck  
City Clerk

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