ORDINANCE NO. 8132

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, THE QUESTION OF AMENDING SECTION 7 OF THE BOULDER HOME RULE CHARTER, RELATING TO COUNCIL COMPENSATION, BY ADDING AN OPTION FOR COUNCIL MEMBERS TO RECEIVE BENEFITS ON THE SAME TERMS AND CONDITIONS AS CITY EMPLOYEES AND SETTING FORTH RELATED DETAILS.

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

Section 1. A special municipal coordinated election will be held in the city of Boulder, county of Boulder and state of Colorado, on Tuesday, November 8, 2016.

Section 2. At that election, a question shall be submitted to the electors of the city of Boulder entitled by law to vote, that will allow voters to consider the following amendment to Section 7 of the city Charter pertaining to compensation for council members. This amendment to the Charter shall be effective for any council member serving on January 1, 2020 and thereafter. The material to be added to the Charter is shown by underlining and material to be deleted is shown stricken through with solid lines.

Sec. 7. - Compensation.

Council members shall receive as compensation $100.00 per meeting at which a quorum of city council is present, not to exceed fifty-two meetings per calendar year, plus an annual escalation each January 1 in a percentage equivalent to any increase over the past year in the Consumer Price Index (All Items) for the statistical area which includes the city maintained by the United States Department of Labor, Bureau of Labor Statistics; this amendment shall become effective January 1, 1990. For purposes of this section only, a "meeting" shall mean a gathering of a quorum of the council, which gathering is noticed to the public as a regular or special meeting as provided in this Charter. Council members serving on January 1, 2020 and after may elect to receive benefits under the same terms and conditions that are available to full-time city employees including without limitation participation in city health, vision, dental, and life insurance plans.

Section 3. The official ballot shall contain the following ballot title, which shall also be the designation and submission clause for the measure:

Ballot Question No. ____

Amending Charter Provisions to Provide
Insurance Benefits for Council Members

Shall Section 7, "Compensation," of the Boulder City Charter be amended pursuant to Ordinance No. 8132 to allow council members serving on January 1, 2020 and after to be eligible to receive benefits under the same terms and conditions that are available to full-time city employees including without limitation participation in city health, vision, dental and life insurance plans?

For the measure____ Against the measure____

Section 4. If a majority of all the votes cast at the election on the measure submitted are for the measure, the measure shall be deemed to have passed and the charter shall be amended as provided in this ordinance.

Section 5. If the measure shall be deemed to have passed, the city council adopts the following amendment to the Section 2-3-1 of the Boulder Revised Code.

2-1-3. - Council Member Benefits.

~~(a) The city council finds:~~

~~(1) Section 7 of the charter of the City of Boulder, as amended in 2012, sets the level of "compensation" for council members as "$100.00 per meeting at which a quorum of city council is present, not to exceed fifty two meetings per calendar year, plus an annual escalation" specified in the charter; and~~

~~(2) Ambiguities inherent in the term, "compensation," require that the council interpret Section 7 in a way that will best fulfill the charter's intent and purposes.~~

~~(b) Under Charter Section 7:~~

~~(1) "Compensation" includes only salaries, as that was the focus of Charter Section 7 before 1990 and the focus of analysis preceding the 1990 amendment; and~~

~~(2) Council members must receive at least the salary specified in Section 7 per meeting, but may receive other benefits.~~

(a) In addition to the salary specified in Charter Section 7, the council members serving on January 1, 2020 and after shall receive the following other benefits:

(1) Coverage under City of Boulder health, vision, dental, and life group benefit plans under the same terms and conditions available to full-time city officers and employees; and

(2) Other benefits and amenities, except salary, available to the City of Boulder officers and employees, as the council may specify by motion, after considering a city manager's report and recommendation on such other benefits and amenities.

(~~e~~b) In addition to the salary specified in Charter Section 7, ~~the~~ council members serving prior to January 1, 2020 shall receive the following other benefits:

(1) Coverage under City of Boulder health and dental group benefit plans, with premiums paid entirely by council members electing such coverage; and

(2) Other benefits and amenities, except salary, available to the City of Boulder officers and employees, as the council may specify by motion, after considering a city manager's report and recommendation on such other benefits and amenities.

Section 6. 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 7. 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 2nd day of August, 2016.

Mayor

Attest:

City Clerk

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READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED BY TITLE ONLY this 16th day of August, 2016.

Mayor

Attest:

City Clerk

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