



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: August 14, 2018**

**AGENDA TITLE**

Second reading and consideration of a motion to pass Ordinance 8269 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday, November 6, 2018, the question of adding a new Section 84B to the Boulder City Charter to establish the Housing Advisory Board consisting of seven members; if the measure passes amending Section 2-3-24, "Housing Advisory Board," B.R.C. 1981, to allow for seven members; setting forth the ballot title; specifying the form of the ballot and other election procedures; and setting forth related details.

**PRESENTERS**

Jane S. Brautigam, City Manager  
Mary Ann Weideman, Deputy City Manager  
Thomas A. Carr, City Attorney

**EXECUTIVE SUMMARY**

On March 20, 2018, the council adopted Ordinance 8239 creating the Housing Advisory Board. Under Charter Section 130, unless otherwise specified, a city advisory commission is limited to five members. Council members expressed concern that limiting the Housing Advisory Board to five members would limit the diversity of membership necessary to facilitate the board's mission. Accordingly, council directed staff to propose a charter measure creating the Housing Advisory Board and expanding the membership to allow for seven members. The proposed ordinance would amend the Charter to add a new Section 84B creating a Housing Advisory Board with seven members. The proposed ordinance would also, if the measure passes, amend Section 2-3-24 of the Boulder Revised Code to increase the board's membership to seven.

## STAFF RECOMMENDATION

### **Suggested Motion Language**

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

Motion to pass Ordinance 8269 submitting to the registered electors of the City of Boulder at the municipal coordinated election to be held on Tuesday, November 6, 2018, the question of adding a new Section 84B to the Boulder City Charter to establish the Housing Advisory Board consisting of seven members; if the measure passes amending Section 2-3-24, "Housing Advisory Board," B.R.C. 1981, to allow for seven members; setting forth the ballot title; specifying the form of the ballot and other election procedures; and setting forth related details.

## COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS

- Economic – The provision and regulation of housing is important to any community's economic health. This is particularly true in Boulder. Adding diverse perspectives to the Housing Advisory Board will support this goal.
- Environmental – Preserving and protecting the natural environment depends in many ways on preserving and managing the built environment.
- Social – Adding additional diversity of views to the board provides an opportunity to hear voices not currently represented.

## OTHER IMPACTS

- Fiscal – There is a marginal cost for each ballot measure. Funding for ballot measures is anticipated in the city's budget.
- Staff time – Ballot measures are included in current staff work plans.

## BOARD AND COMMISSION FEEDBACK

This change was recommended by the city council's charter committee.

## PUBLIC FEEDBACK

The proposed ordinance will be the subject of a public hearing on August 14, 2018 and approval on September 4, 2018.

## **BACKGROUND**

Charter Section 130 governs the city's advisory commissions. It provides that advisory commissions shall consist of five members. The charter also includes specific provisions creating the Library Commission (Section 130), the Planning Board (Section 74), the Board of Zoning Adjustment (Section 84A), the Parks and Recreation Advisory Board (Section 157), the Open Space Board of Trustees (Section 172) and the Electric Utilities Board (Section 185). The Planning Board and the Parks and Recreation Advisory Board have seven members. The Electric Utilities Board has nine members. All other boards have five members, whether specifically mentioned in the charter or not.

In March 2018 the council created the Housing Advisory Board and appointed the first five members. Because of the myriad of issues relating to housing, the council expressed an interest in creating a larger board to bring together a greater diversity of voices. Accordingly, council asked staff to bring forward a ballot measure creating the Housing Advisory Board and setting the membership at seven. The proposed ordinance is staff's proposal to achieve this goal.

The proposed ordinance would also, if the measure passes, amend Section 2-3-24 to change the membership from five members to seven. This would give the council the option, if it chooses, to appoint two additional members as soon as the election results are certified, if the result is in favor of the measure. The change to the code is not part of the ballot measure itself, but a council ordinance effective only if the measure passes. It would not be a people's ordinance.

## **ATTACHMENTS**

Attachment A – Proposed Ordinance 8269

## ORDINANCE 8269

AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF BOULDER AT THE MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, THE QUESTION OF ADDING A NEW SECTION 84B TO THE BOULDER CITY CHARTER TO ESTABLISH THE HOUSING ADVISORY BOARD CONSISTING OF SEVEN MEMBERS; IF THE MEASURE PASSES AMENDING SECTION 2-3-24, "HOUSING ADVISORY BOARD," B.R.C. 1981, TO ALLOW FOR SEVEN MEMBERS; SETTING FORTH THE BALLOT TITLE; SPECIFYING THE FORM OF THE BALLOT AND OTHER ELECTION PROCEDURES; AND SETTING FORTH RELATED DETAILS.

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

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

Section 2. At that election, a question shall be submitted to the electors of the City of Boulder that will allow voters to consider the following amendment to Section 84 of the City Charter to establish the Housing Advisory Board consisting of seven members.

Section 3. A new section 84B is added to read as follows:

### Sec. 84B. – Housing Advisory Board.

There shall be an advisory commission known as the Housing Advisory Board consisting of seven members with such powers, jurisdiction and authority as the city council shall provide by ordinance related to housing issues.

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

**Ballot Question No.**

## **Charter Provisions Related to Housing Advisory Board**

Shall the Charter be amended to add a new Section 84B pursuant to Ordinance 8269 to establish the Housing Advisory Board consisting of seven members?

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

### Against the Measure

Section 5. If this ballot measure is approved by the voters, the Charter shall be so

amended, and Section 2-3-24, "Housing Advisory Board," B.R.C. 1981, shall be amended to

read as follows:

## **2-3-24. - Housing Advisory Board.**

(a) The City of Boulder Housing Advisory Board consists of seven ~~five~~ members appointed by City Council for five-year terms. At the time of appointment, at least one member will be a tenant and at least one shall be a homeowner. The board members who are first appointed shall be designated to serve for staggered terms so that the term of one board member expires each year.

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

Section 7. 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 8. 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 INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY  
2 TITLE ONLY, this 19<sup>th</sup> day of June 2018.  
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4 Suzanne Jones  
5 Mayor

6 Attest:  
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8 Lynnette Beck  
9 City Clerk

10  
11 READ ON SECOND READING, PASSED, this 14<sup>th</sup> day of August 2018.  
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13 Suzanne Jones  
14 Mayor

15 Attest:  
16

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17 Lynnette Beck  
18 City Clerk

19 READ ON THIRD READING, PASSED AND ADOPTED, this 4<sup>th</sup> day of September  
20  
21 2018.

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22 Suzanne Jones  
23 Mayor

24 Attest:  
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26 Lynnette Beck  
27 City Clerk