



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: September 4, 2018**

**AGENDA TITLE**

Third reading and consideration of a motion to adopt Ordinance 8270 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 amending Section 78 of the Boulder City Charter to change the time for the Planning Department to submit its recommendations for public improvements from sixty days to thirty days before the submission of the budget to be consistent with the city's budgeting process; 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**

Charter Section 78 requires the planning department to submit recommendations for public improvements sixty days before the city manager's submission of the budget. Section 93 requires the city manager to submit the budget at least three months prior to the end of the fiscal year. Section 95 requires the council to pass an annual appropriation ordinance prior to December 1. The city manager submits the budget as a first reading ordinance. Council's practice has been to hold public hearings on each reading of the budget. Staff has interpreted the submission of the budget to be the submission of the first reading ordinance. Generally, council conducts the first reading of the budget at the first meeting in October.

## **STAFF RECOMMENDATION**

### **Suggested Motion Language**

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

Motion to adopt Ordinance 8270 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 amending Section 78 of the Boulder City Charter to change the time for the Planning Department to submit its recommendations for public improvements from sixty days to thirty days before the submission of the budget to be consistent with the city's budgeting process; 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 – An informed and transparent budget process is important to the economic health of the community.
- Environmental – Preserving and protecting the natural environment depends in many ways on preserving and managing the city's resources, including specifically prioritizing capital expenditures.
- Social – A well-informed budget process is important to the social fabric of the community.

## **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. Staff sent emails to the members of the planning board asking if there were any concerns with the proposed revision to the CIP timing and if they wanted a separate meeting to discuss further. No one expressed concerns or requested a meeting.

## **BACKGROUND**

Under the current budget process, the Department of Planning, Housing and Sustainability is required to make any recommendations regarding capital projects no later than the beginning of August. The department relies on the recommendations of the Planning

Board. Charter Section 78, adopted in 1951, has been interpreted by staff to mean the Planning Board must review and pass along their recommended capital improvement program (“CIP”) 60 days prior to the first public hearing on the budget. Practically speaking, the 60-day requirement requires departments to begin developing their CIP budget in late February or early March, prior to receiving the previous year’s ending financial status, let alone updated projections for current and future years. A principal reason for this extended time frame is the need to review the CIP with respective boards and the executive budget team prior to Planning Board consideration. Additionally, there are additional challenges to linking the full budget picture to council because staff develops the CIP and the operating budget on different timelines. The council charter committee recommended changing the 60-day period to a 30-day period. The proposed change would allow the development of the CIP to be closer aligned with the overall budget and allow for more accurate revenue projections to be incorporated into the CIP.

## **ATTACHMENTS**

Attachment A – Proposed Ordinance 8270

ORDINANCE 8270

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 AMENDING SECTION 78 OF THE BOULDER CITY CHARTER TO CHANGE THE TIME FOR THE PLANNING DEPARTMENT TO SUBMIT ITS RECOMMENDATIONS FOR PUBLIC IMPROVEMENTS FROM SIXTY DAYS TO THIRTY DAYS BEFORE THE SUBMISSION OF THE BUDGET TO BE CONSISTENT WITH THE CITY'S BUDGETING PROCESS; 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 78 of the City Charter to change the time for the Planning Department to submit its recommendations for public improvements from sixty days to thirty days before the submission of the budget to be consistent with the city's budgeting process. The material to be added to the Charter is shown by underlining and material to be deleted is shown stricken through with solid lines.

Section 3. Section 78 shall be amended to read as follows:

**Sec. 78. - Functions.**

The planning department shall:

- (a) Prepare and recommend to the city council a general plan, with necessary maps, plats, charts, and descriptive and explanatory materials, for the physical improvement and development of the city, including therein,
  - (1) The general location, character, and extent of streets, bridges, parks, waterways, and other public ways, grounds, and spaces;
  - (2) The general location of public buildings and other public property, within and without the city limits, including watersheds, water systems, reservoirs, sewer and drainage systems, facilities for the sanitary disposal of garbage and other wastes, airports, vehicle parking facilities, and all other public properties and facilities necessary for the proper development of the city;
  - (3) The general location and extent of public utilities, including public transportation facilities, whether publicly or privately owned;
  - (4) The removal, relocation, widening, extension, narrowing, vacation, abandonment, or change of use of existing or future public ways, grounds, spaces, buildings, property, or utilities;
  - (5) An adequate and equitable system of financing public improvements;
- (b) Review the general plan periodically and recommend to the city council desirable amendments and additions to the plan;
- (c) Submit annually to the city manager, not less than ~~sixty~~thirty days prior to the date for submission of the city manager's proposed budget to the city council, a list of recommended capital improvements to be undertaken during the forthcoming six-year period;

...

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 Provision Related to Planning Department Recommendations  
for Public Improvements**

Shall Section 78 of the Charter be amended pursuant to Ordinance 8270 to change the time for the Planning Department to submit its recommendations for public improvements from sixty days to thirty days before the submission of the budget to be consistent with the city's budgeting process?

For the Measure \_\_\_\_

Against the Measure \_\_\_\_

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 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.

Suzanne Jones  
Mayor

Lynnette Beck  
City Clerk

1 READ ON SECOND READING, PASSED, this 14<sup>th</sup> day of August 2018.

2  
3 \_\_\_\_\_  
4 Suzanne Jones  
5 Mayor

6 Attest:

7  
8 \_\_\_\_\_  
9 Lynnette Beck  
10 City Clerk

11 READ ON THIRD READING, PASSED AND ADOPTED, this 4<sup>th</sup> day of September  
12 2018.

13 \_\_\_\_\_  
14 Suzanne Jones  
15 Mayor

16 Attest:

17  
18 \_\_\_\_\_  
19 Lynnette Beck  
20 City Clerk