



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: March 5, 2019

AGENDA TITLE

Consideration of a Motion to accept the Advance Study Session Summary on the February 26, 2019 Discussion and feedback on Vote16, voting rights for non-citizens, hate crime sentence enhancements and gender inclusive language revisions

PRESENTER/S

Jane S. Brautigam, City Manager

Kurt Firnhaber, Director of Housing and Human Services (HHS)

Clay Fong, Community Relations and Human Rights Manager (HHS)

BRIEF SUMMARY OF STUDY SESSION TOPIC

This first purpose of the study session was for staff to provide information regarding the potential expansion of municipal voting rights to 16 and 17-year-olds and non-citizens and to seek council direction on whether council wishes to refer voting by 16 and 17-year-olds and/or non-citizens in municipal elections as a 2019 ballot issue absent a citizen-led initiative. The second purpose of the study session was for staff and Human Relations Commission Chair Nikhil Mankekar to present research regarding possible municipal code changes and policies related to bias-motivated crime and to seek council direction regarding these possible code changes and policies. The third purpose of the study session was for staff and Human Relations Commission Deputy Chair Lindsey Loberg to present research regarding possible municipal code changes regarding gender inclusive language and to seek council direction regarding these possible changes.

DIRECTION

- City Council does not plan to refer Vote16 or non-citizen voting to the 2019 ballot absent a citizen-led initiative.
- If community groups approach staff regarding citizen-led initiatives to get Vote16 or non-citizen voting on the ballot, staff should provide information to these

community groups regarding the ballot initiative process and potential implementation barriers or concerns.

- Staff should move forward with analysis regarding proposed amendments to Section 5-2-4, “General Penalties,” B.R.C. 1981, to include mixed motive and religious expression language to the enhanced sentencing authority as well as other potential code amendments related to bias-motivated crime. Support for staff bringing proposed ordinance language to council on August 2, 2019.
- Support for the Human Relations Commission holding a public hearing before August 2, 2019 on draft ordinance language related to bias-motivated crime.
- Staff should move forward with more analysis regarding adding additional protected classes including “homeless” or “housing status” to the definition of bias-motivated crime, requiring or coordinating police training on hate crimes and investigation and using restorative justice in the context of bias-motivated crime.
- Staff should move forward with analysis and public engagement regarding proposed ordinance language that is more gender inclusive. Support for staff and Human Relations Commission conducting public engagement soon so proposed ordinance language can be brought to city council on August 2, 2019.

Suggested Motion Language:

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

Motion to accept the February 26, 2019 Discussion and feedback on Vote16, voting rights for non-citizens, hate crime sentence enhancements and gender inclusive language revisions Advance Study Session Summary.

Note: This Advance Summary does not take the place of the full Study Session Summary that will include more detail on individual Council Member comments and questions.