

ORDINANCE NO. 7605

AN EMERGENCY ORDINANCE SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, THE QUESTION OF AMENDING SECTION 130 OF THE CITY CHARTER RELATING TO THE QUALIFICATIONS OF APPOINTEES TO CITY COMMISSIONS; SETTING FORTH THE BALLOT TITLE; AND SPECIFYING THE FORM OF THE BALLOT AND OTHER ELECTION PROCEDURES.

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 4, 2008, between the hours of 7 a.m. and 7 p.m.

Section 2. At that election, there shall be submitted to the electors of the city of Boulder entitled by law to vote the question of making the following amendment to the city Charter (material to be added to the Charter is shown as double underlined while material to be deleted from the Charter is shown stricken through with solid lines):

Sec. 130. General provisions concerning advisory commissions.

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

Each of such commissions, including the library commission, shall be composed of five city residents, appointed by the council, not all of one sex, who are well known for their ability, probity, public spirit, and particular fitness to serve on such respective commissions and who are at least eighteen years old and who have resided in the city of Boulder for at least one year immediately prior to their appointment to serve on the commission.

When first constituted, the council shall designate the terms for which each member is appointed so that the term of one commissioner shall expire on December 31 of each year; ...

...

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

### Ballot Question No. 2E

#### Qualifications for Appointment to City Commissions

Shall Section 130 of the charter be amended pursuant to Ordinance No. 7605 to provide that city residents may be appointed to serve on city commissions even if they are not city electors, if they are at least eighteen years old and if they have resided in the city of Boulder for at least one year immediately prior to their appointment?

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

Against the Measure \_\_\_\_\_

Section 3. If a majority of all the votes cast at the election on the measure submitted shall be for the measure, the measure shall be deemed to have passed and shall be effective upon passage.

Section 4. The election shall be conducted under the provisions of the Colorado Constitution, the Charter and ordinances of the city, the Boulder Revised Code, 1981, and this ordinance, and all contrary provisions of the statutes of the state of Colorado are hereby superseded.

Section 5. The city clerk of the city of Boulder shall give public notice of the election in the manner required by law for Charter amendments.

Section 6. The notice of the election shall include the ballot title.

Section 7. The officers of the city are authorized to take all action necessary or appropriate to effectuate the provisions of this ordinance and to contract with the county clerk to conduct the election for the city.

Section 8. 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 9. This ordinance is hereby declared to be an emergency measure in order for the ballot issue to be presented to the voters at the November 4, 2008 election.

Section 10. 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 11. The 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, AMENDED, AND ORDERED  
PUBLISHED BY TITLE ONLY this 8th day of July, 2008.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk on behalf of the  
Director of Finance and Record

READ ON SECOND READING, AMENDED AND ORDERED PUBLISHED BY  
TITLE ONLY this 5th day of August, 2008.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk on behalf of the  
Director of Finance and Record

READ ON THIRD READING, PASSED, ADOPTED AS AN EMERGENCY  
MEASURE BY TWO-THIRDS COUNCIL MEMBERS PRESENT, AND ORDERED  
PUBLISHED BY TITLE ONLY this 19th day of August, 2008.

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Mayor

Attest:

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City Clerk on behalf of the  
Director of Finance and Record