



Government & Finance Committee Summary Minutes

Wednesday, August 07, 2013 10:30 AM City & County Building, Room 391

Committee Members: Faatz, Chair; Nevitt, Vice-Chair; Brown; Herndon, Kniech; Ortega

Committee Staff: Shelley Smith

Council Members Present: Brown, Faatz, Herndon, Kniech, Nevitt, Ortega, Susman

Members Absent: None

Bill Requests

BR13-0523 [For an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning election procedures.](#)

Debra Johnson, Denver Clerk & Recorder; Amber McReynolds, Elections Division

Clerk & Recorder Debra Johnson, Vickie Ortega, City Attorney, and Amber McReynolds, Elections Division, outlined recommendations to revise detailed election provisions in the Charter and to readopting some of them by ordinance. Clerk Johnson reviewed two draft ordinances. The first will ask voters to approve the following changes to the Charter:

- Remove obsolete transitional provisions and make references to candidate age requirements consistent.

- Repeal sections 8.2.8, 8.2.9, 8.2.10, 8.2.13, 8.2.14, 8.2.16 and 8.2.17 of the Charter which outline detailed election provisions ranging from deadlines and forms to be filed for acceptance of nomination for elective office to the form of the ballot.
- Clarify sections 8.2.20 and 8.2.21 of the Charter regarding counting of votes and declaration of results after all votes have been certified.
- Repeal section 8.2.28 by deleting language prohibiting the Clerk and Recorder from becoming a candidate for other elective offices. Clerk Johnson explained that the prohibition is not common practice at the State or local level.
- Repealing subsection 8.3.2 (D), through (H) relating to procedures regarding initiative and petitions. Many of these provisions will be codified in the Revised Municipal Code instead. Exceptions include the number of signature required for recall or to place a question on the ballot which are retained in the Charter and can only be changed by a vote of the people.

The second ordinance would place many of the procedural and administrative provisions deleted from the Charter into the Revised Municipal Code. The ordinance would only become effective if the voters approve the proposed Charter changes on November 5, 2013. The Clerk discussed her Office's outreach efforts regarding the proposal.

A motion offered by Councilmember Susman, duly seconded by Councilmember Brown, to file CB13-0523 carried by the following vote:

AYES: Susman, Brown, Faatz, Herndon, Kniech, Nevitt, Ortega(7)
 NAYS: (None)
 ABSENT: (None)
 ABSTAIN: (None)

BR13-0525 [A bill for an ordinance codifying in the Denver Revised Municipal Code certain provisions of law related to election procedures, subject to approval of a referred charter amendment at the November 5, 2013 special municipal election removing these same provisions from the Charter.](#)

Debra Johnson, Denver Clerk & Recorder; Amber McReynolds, Elections Division

A motion offered by Councilmember Nevitt, duly seconded by Councilmember Ortega, to file CB13-0525 carried by the following vote:

AYES: Susman, Brown, Faatz, Herndon, Kniech, Nevitt, Ortega(7)
 NAYS: (None)
 ABSENT: (None)

ABSTAIN: (None)

1) Proposed CB13-0523 & CB13-0525. a) Presentation. b) Fifteen (15) minutes of public comments. Note: No one signed up to speak.

Debra Johnson, Denver Clerk & Recorder; Amber McReynolds, Elections Division

Presentations

1 **[Review of Safety Charter Change Proposals](#)**
Skye Stuart, Mayor's Office

Skye Stuart, Mayor's Office, reviewed the proposed Charter changes regarding Safety agencies that the Health, Safety, Education, and Services Committee had approved to place on the ballot.

2 **[3\) Order of November 05, 2013 ballot questions.](#)**

Shelley Smith, Legislative Services, provided an overview of state law and regulations related to the November ballot order, including the fact that by protocol Council determines the order of multiple ballot questions related to the changes in the City Charter. The first local issue will be the proposed local tax on recreational marijuana. The Committee decided the following order for the three Charter questions: First, the question related to general executive functions. Second, the Charter revision proposal related to Safety. Third, will be the changes to election provisions in the Charter. Councilmembers discussed whether or not to schedule courtesy public hearings on all or some of the ballot questions. Council President Marybeth Susman said that she would poll Councilmembers regarding their preferences.