NOTICE OF ELECTION
TO INCREASE TAXES/DEBT ON CITIZEN PETITIONS AND REFERRED MEASURES
and Denver’s Municipal Ballot Information Booklet

General Election
Tuesday, November 6, 2018

Denver Elections Division
200 W 14th Ave, Ste 100, Denver, CO 80204

Debra Johnson
Clerk and Recorder, City and County of Denver

¡Vea la información en español en la contraportada!
BOOKLET INFORMATION

“This notice is mailed to each address with one or more active, registered electors. You may not be eligible to vote on all issues presented in this notice.”

This notice contains information for the TABOR ballot issues (both referred and initiated) that will be voted upon in the November 6, 2018 General Election. Denver’s municipal ballot information booklet, which contains information on non-TABOR ballot measures, is attached after TABOR notice. Neither the notice nor the municipal ballot information booklet contain information on statewide ballot questions.

Who is Eligible to Vote
In order to vote in the City and County of Denver you must reside in Denver and be registered to vote. In order to register to vote, you must be:

- A United States citizen
- 16 years of age (but you must be 18 years of age on Election Day to vote)
- A Colorado resident at least 22 days immediately prior to Election Day

Election Model — Page 1
All active Denver voters will be automatically mailed a ballot to vote in the November 6, 2018 General Election.

Ballot Trace — Page 1
Want to track your mail ballot through the U.S. postal system? Sign up for Ballot TRACE.

Voter Registration Form — Page 2
To register to vote or to update your voter registration information, please go to DenverVotes.org, fill out the Voter Registration Form found on page 1 of this booklet, or call 311 for more information.

Voter Services and Ballot Drop-Off Information — Page 3-5
Voter Service and Polling Center locations, hours of operation, and 24-hour ballot drop-off box locations.

TABOR Information — Pages 6-29
Taxpayer Bill of Rights (TABOR) information includes summaries of ballot issues that affect debt or taxes.

Municipal Ballot Information — Pages 30-49
Sample Ballot — Page 50

ELECTION MODEL
Voter Checklist

☐ Visit DenverVotes.org to verify your registration status and update your voter information if necessary.

☐ Interested in where your ballot is in the process? Sign up for Ballot TRACE!

☐ Receive your ballot starting the week of October 15th. If you do not receive a ballot, contact our office (see page 5).

☐ Return your ballot:
  ☐ Drop it off at a 24-Hour Ballot Drop-Off Box location (see pg. 5)
  ☐ Deliver it to a Voter Polling & Service Center (see pg. 3-4)
  ☐ Mail it back (return postage $0.71)

Track your ballot through the entire process using

Text “trace” to 303-653-9668

Or visit DenverVotes.org to sign up to receive text or email notifications about your mail ballot

voter information: DenverVotes.org  voter registration & updates: GoVoteColorado.com
# Colorado Voter Registration Form

**Fill out all fields marked with an asterisk (*)**

### Eligibility

1. * Are you a citizen of the United States?  
   - [ ] Yes  
   - [ ] No  
   If you answered "No", do not complete this form.

### Name

2. * Last Name  
   - * First Name  
   - Middle Name  
   - Suffix

### Identification

3. **Provide your birth date and your identification information.**
   - I have a valid CO Driver’s License or ID card.  
     Write that number here: ___ ___ ___ ___ ___ ___ ___ ___ ___ ___
   - I do not have a CO Driver’s License or ID card.  
     Write the last four digits of your SSN here: ___ ___ ___ ___ ___ ___ ___ ___
   - I do not have a Colorado Driver’s License, ID card, or a Social Security Number.

### The address where you live

4. * Address (no P.O. Boxes)  
   - State  
   - * Zip Code  
   - Colorado County  
   - * City or Town

### The address where you receive mail

5.  
   - [ ] Same as above
   - Address
   - City or Town
   - State
   - Zip Code

### The address to mail your ballot

6.  
   - [ ] Same as above
   - Address
   - City or Town
   - State
   - Zip Code

### Political affiliation

7a. **Choose only 7a or 7b**
   - [ ] American Constitution  
   - [ ] Approval Voting  
   - [ ] Democratic  
   - [ ] Green  
   - [ ] Libertarian  
   - [ ] Republican  
   - [ ] Unity

7b.  
   - [ ] I would like to be Unaffiliated, but I want to receive the following party’s ballot in the next primary election:  
     - [ ] All Major Parties’ Ballots  
     - [ ] American Constitution  
     - [ ] Democratic  
     - [ ] Green  
     - [ ] Libertarian  
     - [ ] Republican  
     - [ ] Unity

### Updating a current record?

If so, you must provide the applicable changes here.

8.  
   - [ ] I am not updating a current record  
   - [ ] I am no longer overseas  
   - [ ] I am no longer absent from Colorado due to military service

   Previous home address
   Previous mailing address
   Previous legal name
   Previous party affiliation

### Declaration

9. **Warning:** It is a Class 1 misdemeanor to swear or affirm falsely as to your qualifications to register to vote.  
**Self-Affirmation:** I affirm that I am a citizen of the United States; I have been a resident of the state of Colorado for at least twenty-two days immediately prior to an election in which I intend to vote; and I am at least sixteen years old and understand that I must be eighteen years old to be eligible to vote. I further affirm that my present address as stated herein is my sole legal place of residence, that I claim no other place as my legal residence, and that I understand that I am committing a felony if knowingly give false information regarding my place of present residence. I certify under penalty of perjury that I meet the registration qualifications; that the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election.

[ ] Signature or mark
[ ] Date
Witness Signature
Date

### Optional information

10. **Phone number with area code**
    - [ ] I want to receive election information by email:  
      (You will not receive a ballot by email)
    - [ ] I would like to be an election judge
    - Gender Identity
    - Email address

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Secretary of State Approved 09-14-18

[Article 2, Title 1, C.R.S.]

voter information: DenverVotes.org  
voter registration & updates: GoVoteColorado.com
Voter Services And Ballot Drop-Off Information

**Phase 1 Voter Service & Polling Centers (VSPCs) (15):**

1. Barnum Recreation Center  
   360 N Hooker St | Gym
2. Blair-Caldwell Library  
   2401 Welton St | Large Conference Room
3. Central Park Recreation Center  
   9651 E Martin Luther King Jr Blvd | Multipurpose Rm
4. Christ Church United Methodist  
   690 N Colorado Blvd | Fellowship Hall
5. Christ Community Church  
   8085 E Hampden Ave | Gym
6. Denver Elections Division  
   200 W 14th Ave | Atrium
7. Denver Police Department District 1  
   1311 W 46th Ave | Conference Room
8. Denver Police Department District 3  
   1625 S University Blvd | Conference Room
9. Harvard Gulch Recreation Center  
   550 E Iliff Ave | Multipurpose Room
10. Harvey Park Recreation Center  
   2120 S Tennyson Way | Multipurpose Room
11. Hiawatha Davis Jr Recreation Center  
   3334 N Holly St | Multipurpose Room
12. Highland Recreation Center  
   2880 N Osceola St | Multipurpose Room
13. Montbello Recreation Center  
   15555 E 53rd Ave | Multipurpose Room
14. Montclair Recreation Center  
   729 N Ulster Way | Multipurpose Room
15. Tivoli Student Union at Auraria  
   900 Auraria Pkwy | Multicultural Lounge Rm 261

These VSPC sites have drive-through ballot drop-off available.

* New drive-through ballot drop-off location on Bannock between Colfax and 14th Ave

**Phase 2 Voter Service & Polling Centers (7):**

1. Athmar Recreation Center  
   2680 W Mexico Ave | Gym
2. Cook Park Recreation Center  
   7100 Cherry Creek South Dr | Multipurpose Room
3. Eisenhower Recreation Center  
   4300 E Dartmouth Ave | Multipurpose Room
4. Green Valley Ranch Recreation Center  
   4890 N Argonne Way | Multipurpose Room
5. La Familia Recreation Center  
   65 S Elati St | Gym
6. Southwest Recreation Center  
   9200 W Saratoga Pl | Multipurpose Room
7. Windsor Gardens  
   595 S Clinton St | Auditorium

**Phase 1 VSPCs**

**Voter Service & Polling Centers**
**Hours of Operation**
Monday, October 22 – Friday, October 26  
10 am – 6 pm  
Saturday, October 27  
10 am – 2 pm
Monday, October 29 – Friday, November 2  
10 am – 6 pm  
Saturday, November 3  
10 am – 2 pm  
Monday, November 5  
10 am – 6 pm

**Election Day, Tuesday, November 6**  
7 am – 7 pm

**Denver Elections Division**
**Expanded Hours of Operation**
Monday, October 15 – Friday, October 19  
8 am – 5 pm
Monday, October 22 – Friday, October 26  
8 am – 6 pm
Saturday, October 27  
10 am – 2 pm
Monday, October 29 – Friday, November 2  
8 am – 6 pm
Saturday, November 3  
10 am – 2 pm
Monday, November 5  
8 am – 6 pm

**Election Day, Tuesday, November 6**  
7 am – 7 pm

**Phase 2 VSPCs**

**Voter Service & Polling Centers**
**Hours of Operation**
Saturday, November 3  
10 am – 2 pm
Monday, November 5  
10 am – 6 pm

**Election Day, Tuesday, November 6**  
7 am – 7 pm

**We expect high turnout at our VSPCs on Election Day. Plan to vote before Nov 6 to skip the wait.**

voter information: DenverVotes.org  
voter registration & updates: GoVoteColorado.com
**Voter Services And Ballot Drop-Off Information (cont.)**

**Phase 3 Voter Service & Polling Centers (7)**

1. Augustana Lutheran Church  
   5000 E Alameda Ave | Fellowship Hall  
2. Carla Madison Recreation Center  
   2401 E Colfax Ave | Multipurpose Room  
3. Corona Church  
   1205 E 8th Ave | Multipurpose Room  
4. Denver Botanic Gardens  
   1007 N York St | Mitchell Hall  
5. Denver Coliseum  
   4600 N Humboldt St | Main Entrance Concourse  
6. Union Station  
   1701 Wynkoop St | Great Hall  
7. University of Denver, Centennial Towers  
   1745 S High St | Centennial Room  

These VSPC sites have drive-through ballot drop-off available.

**Mobile VSPC**

Voter Service & Polling Centers  
**Hours of Operation**  
Monday, November 5  
10 am – 6 pm  
**Election Day, Tuesday, November 6**  
7 am – 7 pm

**Phase 3 VSPCs**

Voter Service & Polling Centers  
**Hours of Operation**  
Monday, November 5  
10 am – 6 pm  
**Election Day, Tuesday, November 6**  
7 am – 7 pm

**We expect high turnout at our VSPCs on Election Day. Plan to vote before Nov 6 to skip the wait.**
Voter Services And Ballot Drop-Off Information (cont.)

24-Hour Ballot Drop-Off Box Locations (28):

1. Barnum Recreation Center  
   360 N Hooker St
2. Bear Valley Branch Library  
   5171 W Dartmouth Ave
3. Blair-Caldwell Library  
   2401 Welton St
4. Carla Madison Recreation Center  
   2401 E Colfax Ave
5. Central Park Recreation Center  
   9651 E Martin Luther King Jr Blvd
6. Cook Park Recreation Center  
   7100 Cherry Creek South Dr
7. Denver Botanic Gardens  
   1007 N York St
8. Denver Elections Division  
   200 W 14th Ave
9. Denver Human Services  
   1200 N Federal Blvd
10. Denver Museum of Nature & Science  
    2001 N Colorado Blvd
11. Denver Police Department District 1  
    1311 W 46th Ave
12. Denver Police Department District 3  
    1625 S University Blvd
13. Eisenhower Recreation Center  
    4300 E Dartmouth Ave
14. Green Valley Ranch Recreation Center  
    4890 N Argonne Way
15. Harvey Park Recreation Center  
    2120 S Tennyson Way
16. Hiawatha Davis Jr Recreation Center  
    3334 N Holly St
17. Highland Recreation Center  
    2880 N Osceola St
18. Montbello Recreation Center  
    15555 E 53rd Ave
19. Montclair Recreation Center  
    729 N Ulster Way
20. Ross – Cherry Creek Branch Library  
    305 N Milwaukee Way
21. RTD - I-25 and Broadway Station  
    901 S Broadway
22. RTD - Light Rail at Union Station  
    1601 Chestnut Pl
23. RTD - Southmoor Station  
    3737 S Monaco Street Pkwy
24. Scheitler Recreation Center  
    5031 W 46th Ave
25. Southwest Recreation Center  
    9200 W Saratoga Pl
26. Stapleton MCA Administrative Offices  
    8351 Northfield Blvd
27. Washington Park Recreation Center  
    701 S Franklin St
28. Wellington Webb Municipal Building  
    201 W Colfax Ave

Denver Elections Division Contact Information:

📞 720-913-VOTE (8683)
📞 720-913-8600
📩 DenverVotes.org
🌐 /DenverElections
🐦 /DenverElections #DenverVotes

Mail:

✉️ mailballots@denvergov.org  
(for mail ballot or absentee inquiries)
✉️ voterregistration@denvergov.org  
(for voter registration inquiries)
✉️ elections@denvergov.org  
(for general election information)

24-Hour Ballot Drop-Off Boxes
Boxes Open: October 15
Boxes Close: November 6 @ 7 pm
Open 24 hours a day
7 days a week
Parks, Trails, and Open Space Tax

Referred Question 2A

SHALL CITY AND COUNTY OF DENVER SALES AND USE TAXES BE INCREASED BY $45.94 MILLION ANNUALLY, COMMENCING JANUARY 1, 2019, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER, FROM A TWENTY-FIVE ONE-HUNDREDTHS OF ONE PERCENT (0.25%) SALES AND USE TAX RATE (2.5 CENTS ON A TEN-DOLLAR PURCHASE), THAT WILL NOT BE COLLECTED ON SALES OF FOOD FOR HOME CONSUMPTION OR PRESCRIPTION DRUGS, TO BE EXPENDED SOLELY ON:

- ACQUIRING ADDITIONAL LAND FOR PARKS, TRAILS, AND OPEN SPACE;
- DEVELOPING, IMPROVING, AND MAINTAINING NEW AND EXISTING PARKS, TRAILS AND OPEN SPACE, INCLUDING DENVER'S MOUNTAIN PARKS;
- RESTORING AND PROTECTING WATERWAYS, RIVERS, CANALS AND STREAMS;
- PURCHASING, PLANTING, AND CARING OF TREES; AND
- OPERATING AND MAINTAINING ANY RELATED ADDITIONAL ACQUISITIONS AND CAPITAL IMPROVEMENTS,

AND, IN CONNECTION THERewith, SHALL NO MORE THAN FIVE PERCENT (5%) OF THE TOTAL ANNUAL REVENUES DERIVED FROM THE INCREASE IN SALES AND USE TAX BE SPENT ON ADMINISTRATIVE COSTS RELATED TO THE ABOVE PURPOSES; AND SHALL THE MONIES DERIVED FROM THE INCREASE IN SALES AND USE TAX NOT BE USED TO OFFSET ANY CURRENT OR FUTURE REVENUE EXPENDITURES FROM THE GENERAL FUND; AND SHALL THE REVENUES FROM THESE INCREASED TAXES BE COLLECTED AND SPENT IN EACH FISCAL YEAR BY DENVER WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Text of Measure

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Subject to voter approval as specified in Section 7 of this ordinance, Account Number 97000-282110 of the Fund Plan, Section 20-18, D.R.M.C., concerning apportionment of the sales, use and lodger’s tax, is amended by the addition of a new subsection (i), to read as follows (with existing subsection (i) being re-designated as subsection (j)):

§. 20-18. Fund Plan
Account No. 97000-282110
Name of account: Unapportioned sales, use and lodger’s tax
Source of funds: City retail sales taxes, city use taxes and city lodger’s taxes that have been collected, returned, and await apportionment.
Disposition of funds:

i. Monthly, (1) allocation apportionment and transfer of only those revenues raised at the rate of 0.25 percent of gross taxable sales from sales and use taxes levied to the
Parks, Trails, and Open Space Fund.

**Section 2.** Subject to the approval of the voters as specified in Section 7 of this ordinance, Section 53-27, D.R.M.C., concerning sales taxes is amended by the addition of a new subsection (h) to read as follows:

(h) *Sales tax increment to fund the Parks, Trails, and Open Space Program.* In addition to the sales tax otherwise imposed by this section, a tax of twenty-five one-hundredths of one percent (.25%) must be paid on all taxable sales of commodities or services, except on commodities or services specified in subsection (b) of this section, beginning January 1, 2019. The revenue from such additional tax must be used for the sole purpose of funding the Parks, Trails, and Open Space Program created in article XII of chapter 39.

**Section 3.** Subject to the approval of the voters as provided in Section 7 of this Ordinance, subsection (a) of section 53-28, D.R.M.C., concerning collection of sales is amended by adding the language underlined and deleting the language stricken, to read as follows:

Sec. 53-28. Retailer responsible for payment of tax.

(a) *Amount.* Every retailer shall, irrespective of other provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five one-hundredths (3.65) percent three and ninety one-hundredths (3.90) percent of the retailer’s taxable sales of tangible personal property, products, and services specified in this article, except: (1) Aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply; (2) Automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in subsection 53-27(b)(2) shall apply; (3) Food and beverages not exempted from taxation under subsection 53-26(8) of this article, as to which the rate of four (4) percent shall apply; (4) For each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; (5) Every retailer shall, on its return, round each calculation, as directed on such form as the manager may require, to the nearest whole dollar and remit the rounded amount. In rounding under this section, any amount of forty-nine cents ($0.49) or less shall be rounded down, and any amount of fifty cents ($0.50) or higher shall be rounded up.

**Section 4.** Subject to the approval of the voters as provided in Section 7 of this ordinance, Section 53-98, D.R.M.C., concerning use taxes is amended by the addition of a new subsection (l) to read as follows:

(l) *Use tax increment to fund the Parks, Trails, and Open Space Program.* In addition to the use tax otherwise imposed by this section, a tax of twenty-five one-hundredths of one percent (.25%) must be paid on all taxable uses, consumptions, distributions, and storages of commodities and services, except on commodities and services specified in subsection (b) of this section, beginning January 1, 2019. The revenue from such additional tax must be used for the sole purpose of funding the Parks, Trails, and Open Space Program created in article XII of chapter 39.

**Section 5.** Subject to the approval of the voters as provided in Section 7 of this ordinance, subsection (a) of section 53-99, D.R.M.C., concerning collection of use taxes, is amended by the addition of the language underlined and the deletion of the language stricken, to read as follows:

Sec. 53-99. Retailer responsible for payment of tax.

(a) *Amount.* Every retailer shall, irrespective of other provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five one-hundredths (3.65) percent three and ninety one-hundredths (3.90) percent of taxable sales made by him of tangible personal property, products, and services, except: (1) Aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply; (2) Automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in subsection 53-98(b)(2) shall apply; (3) Food and beverages not exempted from taxation under subsection 53-26(8) of the city retail sales tax article, as to which the rate of four (4) percent shall apply; (4) For each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; and (5) Every retailer shall, on its return, round each calculation, as directed on such form as the manager may require, to the nearest whole dollar and remit the rounded amount. In rounding under this section, any amount of forty-nine cents ($0.49) or less shall be rounded down, and any amount of fifty cents ($0.50) or higher shall be rounded up.

**Section 6.** Subject to the approval of the voters as provided in Section 7 of this ordinance, Chapter 39, D.R.M.C., concerning Parks and Recreation, is amended
Sec. 39-223. Legislative Declaration. (a) The City Council finds, determines, and declares:

(1) Since its founding, the city and county of Denver ("the city") has endeavored to build a city in a park through a continued and consistent prioritization of parks, trails, open space, parkways, green medians, street and park trees, greenways and waterways, and a system of city and mountain parks;

(2) The current gap in funding for acquiring additional land for parks, trails, and open spaces; developing and improving new and existing parks, Denver’s mountain parks, open spaces, and trails; restoring and protecting waterways, rivers, canals and streams; purchasing, planting and caring of trees in parks and in the public right of way; and operating and maintaining any additional acquisitions and new capital improvements to the City’s parks, mountain parks, and open space systems is insurmountable without an additional revenue stream;

(3) The City faces increased pressure from population growth, development, and densification and park amenities—from new parks, like dog parks, to improvements in the mountain parks, and to protection and restoration of urban waterways—are lagging due to a lack of funding;

(4) The City now ranks at the bottom of the list compared to peer cities on park acres per resident and the percentage of residents who can get to a park with a 10-minute walk, and, according to The Trust for Public Land’s recently released 2018 ParkScore® ranking of park systems in the 100 largest U.S. cities, the City fell to ranking number 26 from number 20 in one year;

(5) Dedicated, additional funding for parks will help achieve these goals and ensure that future generations will be able to enjoy Denver parks and open space.

(b) Therefore, the city council has determined that the question of whether the City shall be authorized to impose a 0.25 percent sales tax for the purposes and in the manner set forth in this ordinance should be submitted to the registered electors of the City at the special municipal election to be conducted in coordination with the state general election on November 6, 2018.

Sec. 39-224. Permitted Uses of Revenue in the Parks, Trails, and Open Space Fund.

(a) All monies derived from the sales and use taxes in the Parks, Trails, and Open Space Fund must be expended solely on:

(1) Acquiring additional land for parks, open spaces, and trails;

(2) Developing, improving, and maintaining new and existing parks, including Denver’s mountain parks, open spaces, and trails;

(3) Restoring and protecting waterways, rivers, canals and streams;

(4) Purchasing, planting and caring of trees; and

(5) Operating and maintaining any additional acquisitions and capital improvements to the City’s parks, mountain parks, and open space.

(b) Cap on administrative costs. Monies in the Parks, Trails, and Open Space Fund may be expended to pay the costs incurred by the city associated directly with the administration of the funds; except that, in no event may the amount expended from the funds for administrative expenses in any year exceed five percent (5%) of the amount of revenue received in the fund in that year.

(c) Fund earnings. Any interest earned on the balance of the Fund accrues to the Fund.

(d) Administration of funds. The Manager of Parks and Recreation designated in accordance with § 2.4.2 of the Charter will manage the Fund.

(e) Permanency. If the monies in the Fund are not expended at the end of the fiscal year, such monies must remain in the fund to be expended in subsequent fiscal years.

(f) Maintenance of Effort. All monies in the Fund must be used in accordance with this section and may not replace nor supplant any general fund appropriations allocated each year to the Department of Parks and Recreation.

(g) Rulemaking. The Manager of Parks and Recreation may promulgate any rules necessary for the proper administration of this section.

(h) Reporting. A report of fund expenditures must be submitted annually to the mayor, city council, city auditor, and the Denver Parks and Recreation Advisory Board.

(i) Planning. Within one year of the adoption of this Article XII, and every five years thereafter, the Manager of Park and Recreation, as designated in accordance with § 2.4.2 of the Charter, must submit a five-year plan to the City Council and the Denver Parks and Recreation Advisory Board.
Recreation Advisory Board to hold no less than one public hearing and submit a five-year plan for the approval by City Council on the planned revenue uses in the Parks, Trails, and Open Space Fund.

Section 7. In accordance with § 3.3.6 of the Charter and Article X, Section 20 of the Colorado Constitution, this ordinance will be submitted to a vote of the registered electors of the City and County of Denver at a special municipal election to be coordinated with the state general election occurring November 6, 2018. Each elector desirous of voting for or against the ordinance must cast a vote as provided by law either “Yes” or “No” on the proposition:

Section 8. The officials of the City and County of Denver charged with duties relating to the election must, before the election, issue such calls, make such certifications and publications, give such notices, make such appointments, and do all such other acts and things in connection with the submission of this code amendment to the registered electors of the City and County of Denver at the election required by the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 9. The ballots cast at such election must be canvassed and the results ascertained, determined, and certified in accordance with the requirements of the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 10. If any section, paragraph, clause, or other portion of this ordinance is held to be invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance shall not be affected.

Fiscal Information on Referred Question 2A

The estimated or actual total of the City’s fiscal year spending for the current year and each of the past four years is as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fiscal Year Spending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$2,128,463,600 (estimated)</td>
</tr>
<tr>
<td>2017</td>
<td>$1,982,548,073</td>
</tr>
<tr>
<td>2016</td>
<td>$1,606,028,695</td>
</tr>
<tr>
<td>2015</td>
<td>$1,511,682,898</td>
</tr>
<tr>
<td>2014</td>
<td>$1,391,737,227</td>
</tr>
</tbody>
</table>

The overall increase, as a percentage and dollar amount, in the City’s fiscal year spending from 2014 to 2018, inclusive, is 53% and $736,726,384, respectively.

Estimated maximum annual dollar amount of the proposed tax increase for the first full fiscal year: $40,500,000

Estimated 2019 City fiscal year spending without the proposed tax increase: $2,381,750,800

Summary of Written Comments
FOR Referred Question 2A

Invest in Denver’s parks!
Healthy parks, trails, and rivers in Denver improve our quality of life and are an essential investment in our future. Denver’s population is soaring and our city is becoming more dense, with over 850,000 people expected to live in Denver within 20 years. This fund will allow us to plan better for growth in the future, preserve the good quality of life we value, and ensure everyone has close-to-home access to great parks.

With a maintenance backlog of more than $127 million, our parks need new investments because the longer we put off fixing things, the more it will cost us in the long run.

Voting yes on 2A will provide $45 million annually to:
• Create, improve, and maintain Denver’s neighborhood and mountain parks
• Protect natural areas and wildlife habitat
• Restore and protect our rivers, creeks, canals, and streams
• Plant and care for Denver’s trees
• Ensure every Denver resident has a safe park within a 10-minute walk of home
• Provide spaces for Denverites to exercise and play to improve their quality of life and health

We are the only county in the metro area that lacks a dedicated fund for parks, trails, rivers, and open space. Without a local funding source, we are missing out on our fair share of Colorado Lottery matching funds. Unless we pass this proposal, those dollars will continue to flow to other communities while our maintenance backlog and access to parks fall further behind the needs of our growing community.
Tabor Information

Issue 2A has strong accountability safeguards that ensure the revenue is spent solely on our parks, trails, rivers, and open space. Administrative expenses are strictly capped at 5 percent. The proposal also requires an annual public report that shows exactly where the dollars are spent. The 25-cents on a $100 purchase would raise over $45 million annually to improve our parks. Sales tax estimates show that only 30% of these dollars come from Denver residents. Denver’s parks and trails provide places for all residents to relax, explore, recreate and gather. Protect and restore our parks – now and for future generations - by voting yes on 2A.

Summary of Written Comments

Against Referred Question 2A

Parks construction is one of four proposed sales tax increases for new programs on the 2018 Denver ballot. The proposals cumulatively increase the City sales tax 18% from 3.65% to 4.31%. The four proposals will take from voters an additional $116 million per year. However, there is no need for a sales tax increase to fund these programs. In 2018, the city’s general operating fund will collect $44 million of new revenues compared to 2017. Next year, the City projects that $58 million of new revenues will be collected, a total of $102 million for the two years. Especially given the strong local economy, it is likely that $44-58 million of new tax revenue will also be collected in 2020. It would have been fiscally prudent for the City Council to allocate the new revenues to these four programs instead of raising the sales tax. Clearly, when the City is already collecting many millions of extra dollars each year there is no need to increase the sales tax by 18%. Voters should vote no on this tax increase.

Denver College Affordability Fund

Initiated Ordinance 300

Shall Denver sales and use taxes be increased $13.9 million annually, commencing January 1, 2019, and by whatever additional amounts are raised annually thereafter through December 31, 2030, from an eight one-hundredths of one percent (.08%) sales and use tax rate (about a penny on a ten dollar purchase), to increase college enrollment and degree completion by Denver residents who are earning a degree from a public or not-for-profit college, university, community college, or technical school in Colorado through:

- Funding scholarships; and
- Funding support services to promote completion of that degree, including career and academic counseling, tutoring, mentoring, and financial aid assistance;

Provided that the tax expires in twelve years, that no more than 5% of funds generated in any one year be spent on administrative costs, that a report for the program be submitted annually to the mayor, city council, city auditor, and the public; and shall the revenues from these increased taxes be collected, retained, and spent by Denver without regard to any expenditure, revenue-raising, or other limitation contained within Article X, Section 20 of the Colorado Constitution or any other law?

Text of Measure

Be it enacted by the people of the city and county of Denver:

Section 1. It is the intent of the people that this measure increase the funding available for Denver residents who wish to attend post-secondary educational institutions. The people intend the funding provided by this initiative to supplement, not supplant, existing scholarship funding efforts in Denver, and the people intend for the new revenue raised by this initiative to be dedicated exclusively to the purposes described herein. The people intend for funds raised but not spent in a given year to
be carried forward to be spent in future years for the purposes described herein.

Section 2. Account Number 97000-282110 of the Fund Plan, Section 20-18, D.R.M.C., concerning apportionment of the sales, use and lodging’s tax, shall be amended by the addition of a new subsection (i), to read as follows (with existing subsection (i) being re-designated as subsection (j)):

Sec. 20-18. Fund Plan.
Account No. 97000-282110
Name of account: Unapportioned sales, use and lodging’s tax
Source of funds: City retail sales taxes, city use taxes and city lodging’s taxes that have been collected, returned, and await apportionment
Disposition of funds:
(i) Monthly, (1) allocation apportionment and transfer of only those revenues raised at the rate of .08 percent of gross taxable sales from sales and use taxes levied to the Denver College Affordability Fund Project in the General Government Special Revenue Fund.

Section 3. Subsection (a) of section 53-27, D.R.M.C., concerning sales taxes, shall be amended to read as follows:

(a) **Tax rates.** A tax of three and sixty five seventy-three one-hundredths (3.6573) percent is imposed and levied upon all taxable sales of commodities and services except those commodities or services specified in subsection (b) of this section. In order to avoid amounts that are fractions of pennies, taxpayers shall use a rounding procedure approved by the manager when computing the tax.

On those taxable sales of commodities or services specified in subsection (b) of this section, there is levied and imposed upon all taxable sales a tax in accordance with the rates set forth in subsection (b).

Section 4. Section 53-27, D.R.M.C., concerning sales taxes shall be amended by the addition of a new subsection (h) to read as follows:

(h) **Sales tax increment to fund the Denver College Affordability Fund.** In addition to the sales tax otherwise imposed by this section, a tax of eight one-hundredths of one (.08) percent shall be paid on all taxable sales of commodities or services, except on commodities or services specified in subsection (b) of this section, beginning January 1, 2019 and expiring December 31, 2030. The revenue from such additional tax shall be used for the sole purpose of funding the Denver College Affordability Fund pursuant to article IV of chapter 11.

Section 5. Subsection (a) of section 53-28, D.R.M.C., concerning sales taxes, shall be amended to read as follows:

Sec. 53-28. Retailer responsible for payment of tax.
(a) **Amount.** Every retailer shall, irrespective of other provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty five seventy-three one-hundredths (3.6573) percent of the retailer’s gross taxable sales of commodities or services specified in this article, except: (1) Aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply; (2) Automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in section 53-27(b)(2) shall apply; and (3) Food and beverages not exempted from taxation under section 53-26(8) of this article, as to which the rate of four (4) percent shall apply, and for each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; and every retailer shall on or before the twentieth day of each month pay over such amount and make a return to the manager, less one-half of one (.5) percent of such amount as a discount allowable for prompt payment. If any vendor is delinquent in remitting the tax levied by this article, other than in unusual circumstances shown to the satisfaction of the manager, the vendor shall not be allowed to retain any discount allowable for prompt payment, and the full amount shall be remitted to the manager by any such delinquent vendor, together with any other applicable penalty or interest payable under the terms of this article.

Section 6. Subsection (a) of section 53-98, D.R.M.C., concerning use taxes, shall be amended to read as follows:

(a) **Tax rates.** A tax of three and sixty five seventy-three one-hundredths (3.6573) percent is imposed and levied and there shall be collected and paid a tax upon the exercise of the privilege of storing, using, distributing or consuming in the city a service subject to the provisions of this article or any item of tangible personal property purchased at retail, or deemed to be purchased at retail, except those commodities or services specified in subsection (b) of this section. In order to avoid amounts that are fractions of pennies, taxpayers shall use
a rounding procedure approved by the manager when computing the tax.
On those taxable uses, consumptions, distributions and storages of commodities or services specified in subsection (b) of this section, there is levied and imposed upon the privilege of storing, using, distributing or consuming in the city a tax in accordance with the rates set forth therein.

Section 7. Section 53-98, D.R.M.C., concerning use taxes shall be amended by the addition of a new subsection (I) to read as follows:

(1) Use tax increment to fund the Denver College Affordability Fund. In addition to the use tax otherwise imposed by this section, a tax of eight one-hundredths of one (.08) percent shall be paid on all taxable uses, consumptions, distributions, and storages of commodities and services, except on commodities and services specified in subsection (b) of this section, beginning January 1, 2019 and expiring December 31, 2030. The revenue from such additional tax shall be used for the sole purpose of funding the Denver College Affordability Fund pursuant to article IV of chapter 11.

Section 8. Subsection (a) of section 53-99, D.R.M.C., concerning collection of use taxes, shall be amended to read as follows:

Sec. 53-99. Retailer responsible for payment of tax. (a) Amount. Every retailer shall, irrespective of other provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five seventy-three one-hundredths (3.6573) percent of gross taxable sales made by him of services and tangible personal property specified in this article, except: (1) aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply, (2) automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in section 53-98(b)(2) shall apply, and (3) food and beverages not exempted from taxation under section 53-26(8) of the city retail sales tax article, as to which the rate of four (4) percent shall apply, and for each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; and every retailer shall on or before the twentieth day of each month pay over such amount and make a return to the manager, less one-half of one (.5) percent of such amount as a discount allowable for prompt payment. If any vendor is delinquent in remitting the tax levied by this article, other than in unusual circumstances shown to the satisfaction of the manager, the vendor shall not be allowed to retain any discount allowable for prompt payment, and the full amount shall be remitted to the manager by any such delinquent vendor, together with any other applicable penalty or interest payable under the terms of this article.

Section 9. Chapter 11, D.R.M.C., concerning Child Care Establishments, shall be amended by the addition of a new Article IV, to read as follows:

ARTICLE IV. DENVER COLLEGE AFFORDABILITY FUND

Sec. 11-30. Legislative Intent. The purpose of this Article IV is to provide for the governance and administration of the dedicated sales and use tax increase approved by the voters on November 6, 2018, and as provided in sections 53-27 (h) and 53-98 (I) of this code (hereinafter referred to as the “Denver College Affordability tax”), for the purpose of funding the Denver College Affordability Fund in order to increase post-secondary institution enrollment and completion for Denver residents. The city hereby determines that the expenditure of the Denver College Affordability tax and the establishment of the Denver College Affordability Fund serve important public and municipal purposes, and are matters of local concern for which the citizens of Denver enjoy the full right of self-government.

Sec. 11-31. Expenditures of Denver College Affordability tax to be made by contract with non-profit corporation.

(a) Expenditures of the Denver College Affordability tax shall be made pursuant to a contract between the city and a Colorado non-profit corporation meeting the requirements set forth in this section (the “corporation”), which contract shall define the obligations of the corporation in consideration of such funding. The contract shall be administered on behalf of the city by the Manager of Finance and any expenditure under the contract shall be subject to audit by the auditor for compliance with the requirements of this article and of the contract.

(b) The corporation shall meet the following criteria and requirements:

(1) The corporation shall be duly incorporated and in good standing under the Colorado Revised Nonprofit Corporation Act, shall be a separate and distinct legal
entity from the city, shall be deemed an independent contractor of the city, and shall not be considered a department or agency of the city. The corporation shall have the authority to contract in its own name and to hire its own employees who shall not be considered officers or employees of the city.

(2) The sole purpose of the corporation as reflected in the corporation’s articles of incorporation shall be to administer the Denver College Affordability Fund under contract with the city in accordance with the requirements of this Article.

(3) The corporation’s articles of incorporation shall provide for a seven member board of directors. Six members of the board shall be appointed by the mayor and confirmed by the city council. One member of the board shall be a member of the city council appointed by the city council. Members of the board shall be appointed to staggered three-year terms of office. Members of the board shall serve without compensation, but may be reimbursed for actual and necessary expenses.

(4) The records of the corporation shall be treated as public records and subject to the provisions of the Colorado Open Records Act, §§ 24-6-401, et seq., C.R.S., as amended. Meetings of the corporation’s board of directors shall be treated as public meetings subject to the provisions of the Colorado Open Meetings Law, §§ 24-6-401, et seq., C.R.S., as amended.

(5) Not less than once annually, the corporation shall report to the mayor, the city council, the auditor, and the public the following information:

(i) The number of students receiving assistance from the Denver College Affordability Fund, in total and by program.

(ii) Metrics tracking students year over year, students graduated, students making measurable progress toward completion, students who have lost eligibility due to performance or enrollment status, and students who have otherwise stopped receiving assistance from the Denver College Affordability Fund.

(iii) Audited financial statements for the corporation, including full reports on expenditures for the prior fiscal year and anticipated budgets and work plans for the ensuing fiscal year.

(6) In administering the Denver College Affordability Fund, or expending any monies derived from the Denver College Affordability tax, the corporation shall not discriminate against any person on the basis of race, color, religion, national origin, gender, age (except as to the age of students eligible for tuition reimbursement), military status, sexual orientation, gender variance, marital status, or physical or mental disability.

Sec 11-32. Spending limitations to be included in contract. Any contract between the city and the corporation for disbursement of the Denver College Affordability tax revenues shall include the following provisions and requirements:

(1) Any expenditure of Denver College Affordability tax revenues under the contract shall be subject to annual appropriation by the city council.

(2) No more than 5% of the Denver College Affordability tax revenue received by the corporation in any year shall be spent on administrative expenses except that up to 10% of such revenue may be spent on administrative expenses during the first year of the corporation’s existence. For purposes of this limitation, “administrative expenses” shall mean salaries and office expenses related to any staff or employees of the corporation; any fees or expenses paid to third-party contractors or consultants to assist in the development or administration of the Denver College Affordability Fund; expenses associated with measurement of the performance of the Denver College Affordability Fund and scholarship recipients; the preparation of reports to city officials and to the public on the performance of the program; any expenses reimbursed to members of the board of directors; routine business expenses such as insurance, accounting and legal expenses; and any similar overhead expenses incurred by the corporation.

(3) At least 95% of Denver College Affordability tax revenue received by the corporation in any year shall be used only for organization reimbursement grants administered in accordance with the requirements of section 11-34, D.R.M.C. except that in the first year of the corporation’s existence only 90% of tax revenue received is required to be used for such purposes.

Sec. 11-33. Student eligibility requirements.

(a) To be eligible for funding from the Denver College Affordability Fund, the student benefitted (“eligible student”) must have resided in Denver continuously for more than thirty-six (36) months prior to their first scheduled post-secondary class day, and otherwise meet all criteria for in-state tuition.

(b) Eligible students must have completed the Free Application for Federal Student Aid or a similar measure...
of financial need as determined by the corporation.
(c) Eligible students must attend a regionally accredited nonprofit or public post-secondary institution located in Colorado, and certified to be in good standing at said institution, as demonstrated by the institution's determination that the student has achieved "satisfactory academic progress."
(d) Eligible students may not be older than twenty-five years of age as of the final scheduled class day of the academic year for which a reimbursement grant is requested.
(e) Nonprofit post-secondary institution as used in this section means a post-secondary institution that has been continuously recognized by the federal Internal Revenue Service as a nonprofit organization since January 1, 2007.

Sec. 11-34. Organization reimbursement program. Funding from the Denver College Affordability Fund may be paid to nonprofit organizations ("organizations") that provide tuition grants and support services to eligible students, on a reimbursement basis, in compliance with the following standards and requirements:
(1) Beginning January 1, 2020, organizations may apply twice annually for reimbursement grants from the corporation for eligible students supported by the organization in the prior academic year. The application must include a complete list of the eligible students assisted by the organization during the prior academic year; certification from each student's post-secondary institution that the student was in good standing as defined by the post-secondary institution at the end of the prior academic year; the amounts spent on account of each eligible student for tuition and support services; and any other information reasonably required by the corporation.
(2) "Support services" means services designed to increase college student persistence and graduation, including the following: academic tutoring; advice and assistance in college course selection; graduation coaching; services that assist with student financial aid, such as resources for locating scholarships and assistance in completing financial aid applications; education or counseling services designed to improve student financial and economic literacy; assistance for students enrolled in certificate and two-year programs in applying for admission to, and financial assistance for, enrollment in two-year and four-year programs; career and academic counseling; and mentoring programs.
(3) Reimbursement for tuition and support services shall be funded by the corporation on a sliding scale based on the federal Pell Grant program, 20 U.S.C. § 1070a et seq., or comparable need analysis as determined by the corporation. Individual reimbursement rates shall be calculated based on the demonstrated financial need and expected family contribution of the eligible student, but in no case shall reimbursement be made for a student whose expected family contribution exceeds two and one half times the maximum expected family contribution that would qualify for a federal Pell Grant or a similar measure of financial need as determined by the corporation for a given academic year.
(4) Reimbursement under this section shall not exceed 75% of the amount spent by the organization on tuition and support services for an eligible student.
(5) Reimbursement for support services shall not exceed a stated percentage of the total amount reimbursed for an eligible student, such percentage to be established annually by the corporation's board of directors. An organization need not provide support services to be eligible for reimbursement under this section.
(6) No reimbursement for tuition and support services shall be made for a student that was not in good standing (as defined in section 11-33(c) of this article) at the end of the academic year for which reimbursement is applied for.
(7) Other specific criteria and procedures for the disbursement of Denver College Affordability tax revenue shall be determined by the corporation's board of directors.
(8) In order to be qualified to receive payments from the Denver College Affordability Fund, organizations must meet the following minimum requirements:
   (i) The organization shall be duly incorporated and in good standing under the Colorado Revised Nonprofit Corporation Act, and approved by the Internal Revenue Service as a tax exempt, charitable organization.
   (ii) The organization shall have existed for not less than three years, and shall operate independently as a financial and operational entity separate from any post-secondary institution, school district, or charter school management organization.
   (iii) To remain in good standing and eligible to receive reimbursement from the Denver College Affordability Fund, organizations must submit
a report each year to the corporation, the form
and substance of such report to be as required by
the corporation to the extent necessary to conduct a
reasonable audit of the organization’s use of tax
dollars.
(iv) Other requirements as may be established by the
corporation’s board of directors.
An organization that does not meet these minimum
requirements, as determined by the corporation in its
reasonable discretion, shall not be eligible to receive
payments under section 11-34.
Section 10. All revenues received from the taxes
described in this ordinance shall be excluded from fiscal
year spending, as that term is defined in section 20 of
article X of the Colorado Constitution, and may be
collected, spent, and retained by Denver without regard
to any expenditure, revenue-raising, or other limitation
contained within article X, section 20 of the Colorado
Constitution or any other law.
Section 11. This ordinance shall be effective January 1,
2019.

Fiscal Information on Initiated Ordinance 300
The estimated or actual total of the City’s fiscal year
spending for the current year and each of the past four
years is as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fiscal Year Spending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$2,128,463,600 (estimated)</td>
</tr>
<tr>
<td>2017</td>
<td>$1,982,548,073</td>
</tr>
<tr>
<td>2016</td>
<td>$1,606,028,695</td>
</tr>
<tr>
<td>2015</td>
<td>$1,511,682,898</td>
</tr>
<tr>
<td>2014</td>
<td>$1,391,737,227</td>
</tr>
</tbody>
</table>

The overall increase, as a percentage and dollar amount,
in the City’s fiscal year spending from 2014 to 2018,
inclusive, is 53% and $736,726,384, respectively.

Estimated maximum annual dollar amount of the
proposed tax increase for the first full fiscal year:
$13,000,000

Estimated 2019 City fiscal year spending without
the proposed tax increase: $2,381,750,800

Summary of Written Comments
FOR Initiated Ordinance 300
In just two years, 74 percent of our jobs will
demand a postsecondary credential. However,
less than half of current Denver residents 25 years
and older have a credential beyond a high school
diploma. To meet this workforce need, we must get
more students to and through college by helping
remove barriers, including financial ones. For far
too many smart, talented Denver students, the
doors to higher education is closed. Voting “Yes” on
300 will open the door for thousands of Denver’s
young people by dedicating a .08% Denver sales tax
(amounting to less than a penny on a $10 purchase)
to postsecondary scholarships. That is a modest
investment with major impact.
Voting “Yes” on 300 will underwrite scholarships,
based on a sliding income scale, for eligible
Denver residents up to the age of 25 who have
lived in Denver for at least three years. Students
with a high school diploma or GED may attend a
Colorado-accredited public or nonprofit university,
community college or technical college. Voting “Yes”
on 300 will give Denver students access to a full
range of higher education opportunities.
Beyond the lasting benefit to every student who
enrolls and successfully completes an education
after high school, are the benefits to the city of
Denver as a whole. Completing education past high
school provides a path to an independent, successful
and empowered life. Denver residents with a
postsecondary certificate or degree have more job
opportunities, earn higher salaries, experience lower
unemployment, and support Denver’s economy by
paying more taxes to support local services. Voting
“Yes” on 300 means investing in the future of young
people throughout our city. This investment will pay
dividends to families, neighborhoods, our economy
and our quality of life for decades to come.
Initiative 300 pays for success. Nonprofit
organizations that serve Denver students will
only be reimbursed when students successfully
complete classes. This approach motivates
students, educational institutions and scholarship
organizations to ensure our kids don’t just get to
college, but they get through college.
Initiative 300 includes strong accountability and
transparency measures to protect Denver taxpayers.
It requires annual public audits, a 12-year sunset,
and a cap on administrative costs. Funds will be governed by a seven-member board appointed by the Mayor and City Council who will determine the annual scholarship reimbursement amounts based on sales tax projections. The Board is subject to open meetings and open record laws.

Vote “Yes” on 300. To learn more, visit www.ProsperityDenver.com

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**Summary of Written Comments AGAINST Initiated Ordinance 300**

College scholarships are not a responsibility of city government, nor the city tax base. This program is beyond the scope of the City Charter. Other levels of government, non-profit organizations, and private foundations already provide scholarship funding.

Undocumented students are eligible for these scholarships and debt repayment. Like all applicants, they must have 36 continuous months of Denver residency prior to attending their first post-secondary class and meet state requirements for in-state tuition. Recent state legislation expanded in-state tuition eligibility to many undocumented students.

There are loopholes to limits on administrative costs. Many functions most people would consider administrative are excluded from the legal definition of administration, thus allowing those to be paid out of money intended for students.

Rising college costs are the problem. But the city has no control over the costs of any public or private educational institution. Nor does it audit those entities.

Sales tax is a regressive tax which all people pay regardless of income. This tax rate increase disproportionately hurts low income individuals. This new tax money may supplant other moneys available to the student. Paying money on a reimbursable basis would not prevent some scholarship sources from counting that money as income after the first year. That could reduce students’ eligible amounts from other sources.

Local workforce arguments to promote this program mislead the voter as there is no requirement for graduates to work in Denver or Colorado. If the economy dips, Denver could struggle to provide basic city services. Its attention and tax base should not be diverted to new “pass-through” programs like this.

People on fixed and limited incomes are under siege this year. Many groups are seeking increased taxes, while incomes for those relying on state pensions, for example, have been frozen. Rising home costs have already caused property taxes and rents to skyrocket. Voters cannot afford to tax themselves more for this new, non-essential purpose.

This proposal sets a bad precedent. Taxpayers should not be expected to pick up the slack whenever private fundraising efforts fall short.

The Denver College Affordability Fund is one of four proposed tax increases for new programs on the 2018 Denver ballot. The proposals cumulatively increase the City sales tax 18% from 3.65% to 4.31%. The four proposals will take from voters an additional $116 million per year.

However, there is no need for a sales tax increase to fund these programs. In 2018, the city’s general operating fund will collect $44 million of new revenues compared to 2017. Next year, the City projects that $58 million of new revenues will be collected, a total of $102 million for the two years. Especially given the strong local economy, it is likely that $44-58 million of new tax revenue will also be collected in 2020.

Clearly, when the City is already collecting many millions of extra dollars each year there is no need to increase the sales tax by 18%.

Please vote NO on this ill-advised ballot proposal.

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**Caring for Denver Initiated Ordinance 301**

**SHALL DENVER SALES AND USE TAXES BE INCREASED BY $45 MILLION DOLLARS ANNUALLY, BEGINNING JANUARY 1, 2019, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY, FROM A ONE-QUARTER OF ONE PERCENT SALES AND USE TAX RATE (25 CENTS ON A $100-DOLLAR PURCHASE) TO BE USED TO FUND:**

- MENTAL HEALTH SERVICES AND TREATMENT FOR CHILDREN AND ADULTS;
- SUICIDE PREVENTION PROGRAMS;
• **OPIOID AND SUBSTANCE ABUSE PREVENTION, TREATMENT AND RECOVERY PROGRAMS;**
• **FACILITIES AND PROGRAMS, FOR THOSE WITH MENTAL HEALTH AND SUBSTANCE ABUSE NEEDS, INCLUDING: HOUSING, JOINT EFFORTS OF FIRST-RESPONDERS AND MENTAL HEALTH EXPERTS, AND TRAINING FOR FIRST-RESPONDERS; TO REDUCE HOMELESSNESS, IMPROVE LONG-TERM RECOVERY, AND REDUCE THE USE OF JAILS AND EMERGENCY ROOMS,** PROVIDED THAT THE NEW FUND SHALL NOT SUPPLANT EXISTING FUNDING SOURCES FOR MENTAL HEALTH PROGRAMS IN DENVER; THAT NO MORE THAN 5% OF THE TAX REVENUE IN ANY YEAR SHALL BE SPENT ON ADMINISTRATIVE EXPENSES; THAT GRANTS FROM THE NEW FUND SHALL BE MADE THROUGH A NON-PROFIT ENTITY WHOSE BOARD MEMBERS ARE APPOINTED BY THE MAYOR OF DENVER, THE DENVER DISTRICT ATTORNEY, AND THE PRESIDENT OF THE DENVER CITY COUNCIL; THAT BOARD MEMBERS SHALL BE APPOINTED DUE TO THEIR POSITIONS AS SPECIFIED ELECTED OR APPOINTED PUBLIC OFFICIALS OR THEIR EXPERIENCE OR INTEREST IN SPECIFIC CATEGORIES OF MENTAL HEALTH SERVICES, SUBSTANCE ABUSE SERVICES, OR THE JUSTICE SYSTEM; THAT THE BOARD SHALL BE SUBJECT TO SPECIFIC ACCOUNTABILITY AND TRANSPARENCY REQUIREMENTS; AND REQUIRING THAT REVENUES FROM THESE INCREASED TAXES SHALL BE COLLECTED AND SPENT WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

**Text of Measure**

BE IT ENACTED BY THE PEOPLE OF THE CITY AND COUNTY OF DENVER:

**Section 1.** Account Number 97000-282110 of the Fund Plan, Section 20-18, D.R.M.C., concerning apportionment of the sales, use and lodger’s tax, shall be amended by the addition of a new subsection (i), to read as follows (with existing subsection (i) being re-designated as subsection (j)):

**Sec. 20-18. Fund Plan.**

*Account No. 97000-282110*

Name of account: Unapportioned sales, use and lodger’s tax

*Source of funds:* City retail sales taxes, city use taxes and city lodger’s taxes that have been collected, returned, and await apportionment

*Disposition of funds:* (i) Monthly, (1) allocation apportionment and transfer of only those revenues raised at the rate of .25 percent of gross taxable sales from sales and use taxes levied to the Caring for Denver Fund in the General Government Special Revenue Fund.

**Section 2.** Subsection (a) of section 53-27, D.R.M.C., concerning sales taxes, shall be amended to read as follows:

(a) **Tax rates.** A tax of three and sixty-five ninety one-hundredths (3.65\(\frac{91}{100}\)) percent is imposed and levied upon all taxable sales of commodities and services except those commodities or services specified in subsection (b) of this section. In order to avoid amounts that are fractions of pennies, taxpayers shall use a rounding procedure approved by the manager when computing the tax. On those taxable sales of commodities or services specified in subsection (b) of this section, there is levied and imposed upon all taxable sales a tax in accordance with the rates set forth in subsection (b).

**Section 3.** Section 53-27, D.R.M.C., concerning sales taxes shall be amended by the addition of a new subsection (h) to read as follows:

(h) **Sales tax increment to fund the Caring for Denver Fund.** In addition to the sales tax otherwise imposed by this section, a tax of twenty-five one-hundredths (0.25) shall be paid on all taxable sales of commodities or services, except on commodities or services specified in subsection (b) of this section, beginning January 1, 2019. The revenue from such additional tax shall be used for the sole purpose of funding the Caring for Denver Fund pursuant to article XIV of chapter 24.

**Section 4.** Subsection (a) of section 53-28, D.R.M.C., concerning sales taxes, shall be amended to read as follows:

**Sec. 53-28. Retailer responsible for payment of tax.**

(a) **Amount.** Every retailer shall, irrespective of other
provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five ninety one-hundredths (3.6590) percent of the retailer's gross taxable sales of commodities or services specified in this article, except: (1) Aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply; (2) Automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in section 53-27(b)(2) shall apply; and (3) Food and beverages not exempted from taxation under section 53-26(8) of this article, as to which the rate of four (4) percent shall apply, and for each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; and every retailer shall on or before the twentieth day of each month pay over such amount and make a return to the manager, less one-half of one (.5) percent of such amount as a discount allowable for prompt payment. If any vendor is delinquent in remitting the tax levied by this article, other than in unusual circumstances shown to the satisfaction of the manager, the vendor shall not be allowed to retain any discount allowable for prompt payment, and the full amount shall be remitted to the manager by any such delinquent vendor, together with any other applicable penalty or interest payable under the terms of this article.

Section 5. Subsection (a) of section 53-98, D.R.M.C., concerning use taxes, shall be amended to read as follows:

(a) Tax rates. A tax of three and sixty-five ninety one-hundredths (3.6590) percent is imposed and levied and there shall be collected and paid a tax upon the exercise of the privilege of storing, using, distributing or consuming in the city a service subject to the provisions of this article or any item of tangible personal property purchased at retail, or deemed to be purchased at retail, except those commodities or services specified in subsection (b) of this section. In order to avoid amounts that are fractions of pennies, taxpayers shall use a rounding procedure approved by the manager when computing the tax. On those taxable uses, consumptions, distributions and storages of commodities or services specified in subsection (b) of this section, there is levied and imposed upon the privilege of storing, using, distributing or consuming in the city a tax in accordance with the rates set forth therein.

Section 6. Section 53-98, D.R.M.C., concerning use taxes shall be amended by the addition of a new subsection (l) to read as follows:

(l) Use tax increment to fund the Caring for Denver Fund. In addition to the use tax otherwise imposed by this section, a tax of twenty-five one-hundredths of one percent (.25) shall be paid on all taxable uses, consumptions, distributions, and storages of commodities and services, except on commodities and services specified in subsection (b) of this section, beginning January 1, 2019. The revenue from such additional tax shall be used for the sole purpose of funding the Caring for Denver Fund pursuant to article XIV of chapter 24.

Section 7. Subsection (a) of section 53-99, D.R.M.C., concerning collection of use taxes, shall be amended to read as follows:

Sec. 53-99. Retailer responsible for payment of tax. (a) Amount. Every retailer shall, irrespective of other provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five ninety one-hundredths (3.6590) percent of gross taxable sales made by him of services and tangible personal property specified in this article, except: (1) aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply, (2) automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in section 53-98(b) (2) shall apply, and (3) food and beverages not exempted from taxation under section 53-26(8) of the city retail sales tax article, as to which the rate of four (4) percent shall apply, and for each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; and every retailer shall on or before the twentieth day of each month pay over such amount and make a return to the manager, less one-half of one (.5) percent of such amount as a discount allowable for prompt payment. If any vendor is delinquent in remitting the tax levied by this article, other than in unusual circumstances shown to the satisfaction of the manager, the vendor shall not be allowed to retain any discount allowable for prompt payment, and the full amount shall be remitted to the manager by any such delinquent vendor, together with any other applicable penalty or interest payable under the terms of this article.
Section 8. Chapter 24, D.R.M.C., concerning Health and Sanitation, shall be amended by the addition of a new Article XIV, to read as follows:

ARTICLE XIV. CARING FOR DENVER FUND

Sec. 24-700. Legislative Intent. The purpose of this Article XIV is to provide for the governance and administration of the dedicated sales and use tax increase approved by the voters on November 6, 2018, and as provided in sections 53-27 (h) and 53-98 (l) of this code (hereinafter referred to as the “Caring for Denver tax”), for the purpose of funding the Caring for Denver Fund in order to increase mental health and substance use disorder prevention, treatment, recovery, and harm reduction services available in Denver. The people hereby determine that the expenditure of the Caring for Denver tax and the establishment of the Caring for Denver Fund serve important public and municipal purposes, and are matters of local concern for which the citizens of Denver enjoy the full right of self-government. The Caring for Denver Fund shall supplement, rather than supplant the total of City, County, State and Federal annual funding for mental health and substance use disorder services collected and administered by the City and County of Denver as of June 30, 2018.

Sec. 24-701. Expenditures of Caring for Denver tax.
(a) Expenditures of the Caring for Denver tax shall be made through the Denver Department of Public Health and Environment (“Department”). The Department shall contract with a spending agency for this purpose that meets the criteria and requirements of subsection (b) of this section.
(b) The spending agency for this purpose shall be a non-profit corporation that, in serving as an instrumentality of the Department, meets the following criteria and requirements:
(1) The non-profit corporation shall be duly incorporated and in good standing under the Colorado Revised Nonprofit Corporation Act and shall, as a spending agency, possess the power to commit, through grants of tax revenue, monies collected as the Caring for Denver tax. The non-profit corporation shall have the authority to contract in its own name and to hire its own employees who shall not be considered officers or employees of the city.
(2) The non-profit corporation’s board of directors shall be composed of thirteen (13) members appointed in the following fashion:

The mayor of Denver shall appoint the following members:
1. The executive director of Denver’s Department of Public Health and Environment or his or her designee;
2. The executive director of Denver’s Department of Human Services or his or her designee;
3. The Denver City Attorney or his or her designee;
4. The chief executive officer of the community mental health center in Denver, as designated by the Colorado Department of Human Services Office of Behavioral Health, or his or her designee;
5. The chief executive officer of the Denver Health and Hospital Authority or his or her designee;
6. The Denver District Attorney or his or her designee.

The Denver District Attorney shall appoint the following members:
7. A representative of the juvenile justice system;
8. A person who has experienced a mental health need or substance use disorder who has been involved in the criminal justice system or a person who has advocated for those with mental health needs or substance use disorders in the criminal justice system.

The president of the Denver City Council shall appoint the following members:
9. A person who has experienced, or is in recovery from, a mental health or substance use disorder;
10. A mental health or substance use treatment provider;
11. A person with expertise in child and youth mental health services;
12. A representative of commercial business interests in the City & County of Denver with an interest in mental health or substance use disorders;
13. A person with experience addressing the mental and/or substance use needs of underserved populations.

The initial appointments made by the Mayor shall have a first term of one year, the appointments of the Denver District Attorney shall have a first term of two years. The appointments of the president of the Denver City Council shall have staggered terms, two with a first term of one year, two with a first term of two years and one with a first term of three years. All subsequent terms shall be three years. Members of the board may serve...
no more than three terms in total. If an appointment remains vacant for more than sixty days, the remainder of the board, by a majority vote, shall fill the vacancy with a person that will closely represent the interests of the vacant member’s seat; provided, however, that before the nonprofit corporation has been formed and, if necessary, before its status as a tax exempt entity has been approved by the Internal Revenue Service (“IRS”), it shall be sufficient that a majority of the board members has been appointed and that majority acts to achieve the aforementioned formation and IRS approval. Nothing in this section shall prevent the board from removing a member as authorized by its bylaws. City officials designated above serve at the pleasure of the mayor.

(3) Meetings of the board shall be treated as public meetings subject to the provisions of Chapter 2, Article III, D.R.M.C. Information shared at the board meetings of the non-profit corporation and final grant awards shall be treated as public records and subject to the provisions of the Colorado Open Records Act, §§ 24-72-201, et seq., C.R.S., as amended.

(4) Commencing January 1, 2020, not less than once annually and no later than the end of the third month of the city’s fiscal year, the non-profit corporation shall report to the mayor, the city council, the auditor, and the public the following information from the prior fiscal year:

(i) Audited financial statements for the non-profit corporation, conducted by an independent auditor, including full reports on expenditures for the prior fiscal year and anticipated budgets and work plans for the ensuing fiscal year.

(ii) An annual report that sets forth, at a minimum, a strategic plan progress evaluation, the grants made in each of the funding areas identified, the names of the grantees, the dollar amounts granted to each grantee, the boards of directors and officers of each grantee, and the purposes and proposed impacts of those grants.

(5) Once every five years, the City may issue a request for proposal to solicit a non-profit corporation that may provide spending agency services, in the most efficient and effective manner, to meet the interests and requirements of Article XIV.

(6) In administering the Caring for Denver Fund, or expending any monies derived from the Caring for Denver tax, the non-profit corporation shall not discriminate against any person on the basis of any class listed in Sec. 28-91(b).

(7) The non-profit corporation will share its policy on conflicts of interest with the City and the public. Persons affected by the conflict of interest policy are required to abide by the City and County of Denver’s conflict of interest standards as defined in Sec. 2-61, D.R.M.C. No board members shall personally benefit from any grant made by the non-profit corporation for the provision of services. A person who is employed by or serves in a governmental department, division, or agency that provides such services will not be deemed to have “personally benefited” if his or her agency receives monies from the Caring for Denver Fund.

(8) The board of the non-profit corporation shall develop a strategic plan to determine funding priorities. The strategic plan shall be updated no less than every three years and shall include public input into the use of the Caring for Denver Fund.

(9) The Caring for Denver Fund shall supplement rather than supplant the total of City, County, State and Federal annual funding for mental health and substance use disorder services collected and administered by the City and County of Denver as of June 30, 2018.

**Sec 24-702. Spending limitations to be included in contract.** Any contract between the city and the non-profit corporation for disbursement of the Caring for Denver tax revenues shall include the following provisions and requirements:

(1) The Caring for Denver tax revenue in any year shall be awarded for the following purposes, for expenditure by qualifying grant recipients serving people in the City and County of Denver:

(i) Mental health services and treatment for children and adults;

(ii) Suicide prevention programs;

(iii) Opioid and substance use disorder prevention, treatment and recovery programs;

(iv) Housing and case management services to reduce homelessness, improve long-term recovery, and reduce the costly use of jails and emergency rooms for those with mental health and substance use disorder needs.

(2) At least 10% of Caring for Denver tax revenue in any year shall be directed to the City and County of Denver, as decided by the board of the non-profit corporation, for the following purposes:
TABOR INFORMATION

(i) Funding for a facility and staffing to create alternatives to jail for people with mental health and/or substance use disorder needs.
(ii) Fully funding a co-responder program for mental health experts to ride along with Denver police.
(iii) Training for first responders, including paramedics and fire response, on how to properly assess and handle people with mental health and/or substance use disorder needs.

(3) In addition to the 10% specified in Sec 24-702(2), for the first two years after this ordinance becomes effective, an additional 10% of Caring for Denver tax revenue shall be directed to the City and County of Denver for developing, either by creating or expanding, a facility that creates alternatives to jail for people with mental health and/or substance use disorder needs. “Developing,” in this case, may include, but is not limited to, planning, design, purchase of real estate, renovation, and or capital construction related to the establishment of a facility that creates alternatives to jail for people with mental health and/or substance use disorder needs.

(4) No more than 5% of the Caring for Denver tax revenue in any year shall be spent on administrative expenses. For purposes of this limitation, “administrative expenses” shall mean salaries and office expenses related to any staff or employees of the non-profit corporation; any expenses reimbursed to members of the board of directors; expenses related to conducting mental health and substance use disorder needs assessments for people in the City and County of Denver; expenses related to program evaluation, development and updating of the strategic plan, and annual report; routine business expenses such as insurance, accounting, an independent audit, and legal expenses; and any similar overhead expenses incurred by the non-profit corporation. Upon agreement between the City and County of Denver and the non-profit corporation, a portion of this 5% may be used to offset reasonable administrative expenses incurred by the City and County of Denver related to oversight and monitoring of the contract. The non-profit corporation may seek additional funding streams, such as gifts, grants, or donations, to pay for additional administrative expenses. Such non-tax funds will not reduce the 5% of Caring for Denver tax revenue that the non-profit corporation may use for administrative expenses.

Section 9. This ordinance shall be effective January 1, 2019.

Fiscal Information on Initiated Ordinance 301

The estimated or actual total of the City’s fiscal year spending for the current year and each of the past four years is as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fiscal Year Spending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$2,128,463,600 (estimated)</td>
</tr>
<tr>
<td>2017</td>
<td>$1,982,548,073</td>
</tr>
<tr>
<td>2016</td>
<td>$1,606,028,695</td>
</tr>
<tr>
<td>2015</td>
<td>$1,511,682,898</td>
</tr>
<tr>
<td>2014</td>
<td>$1,391,737,227</td>
</tr>
</tbody>
</table>

The overall increase, as a percentage and dollar amount, in the City’s fiscal year spending from 2014 to 2018, inclusive, is 53% and $736,726,384, respectively.

Estimated maximum annual dollar amount of the proposed tax increase for the first full fiscal year: $40,500,000

Estimated 2019 City fiscal year spending without the proposed tax increase: $2,381,750,800

Summary of Written Comments FOR Initiated Ordinance 301

Mental health. Suicide. Opioids. Depression. Addiction. It seems like a new tragedy strikes every day; many are close to home, and impact the youngest among us especially hard. Suicide is the second leading cause of death for Denver’s youth. And 40% of people in Denver-4 in 10-have a friend, family member or neighbor in the midst of a mental health or addiction crisis, yet many are not getting the care they need.

The good news is that having a mental health or a substance use disorder does not need to end in tragedy. Treatment for mental health and addiction works; helping people and saving lives. Yet many in our community lack access to needed prevention, treatment, and recovery services. With the recent closing of the state’s largest provider of addiction services, access to adequate resources has grown
“Caring for Denver” - Initiated Ordinance 301 - will help our friends, family and neighbors facing a crisis of mental health or addiction in Denver get help when they need it. For just $0.25 on $100 in sales tax, this dedicated funding stream will provide approximately $45 million per year for youth and adults in Denver. This means more support for people facing a mental health or substance abuse crisis in Denver by improving mental health services for children and adults, suicide prevention programs and opioid and substance abuse prevention and treatment programs. In addition, Initiated Ordinance 301 will provide long-term care for those who are dealing with mental health and substance abuse problems and create alternatives to jail for people who need mental health or addiction support services—keeping them out of the criminal justice system, saving money, and reducing the strain on our first responders.

In Denver, taking care people who are suffering a mental health or addiction crisis isn’t just the right thing to do; it will save lives, and make our entire community stronger. Vote yes on Initiated Ordinance 301 and make Denver a healthier, happier, and safer place for everyone.

**Summary of Written Comments AGAINST Initiated Ordinance 301**

Mental Health and Housing is one of four proposed tax increases for new programs on the 2018 Denver ballot. The proposals cumulatively increase the City sales tax 18% from 3.65% to 4.31%. The four proposals will take from voters an additional $116 million per year. However, there is no need for a sales tax increase to fund these programs. In 2018, the city’s general operating fund will collect $44 million of new revenues compared to 2017. Next year, the City projects that $58 million of new revenues will be collected, a total of $102 million for the two years. Especially given the strong local economy, it is likely that $44-58 million of new tax revenue will also be collected in 2020. It would have been fiscally prudent for the City Council to allocate the new revenues to these four programs instead of raising the sales tax. Clearly, when the City is already collecting many millions of extra dollars each year there is no need to increase the sales tax by 18%. Voters should vote no on this tax increase.

**Healthy Foods for Denver’s Kids**

**Initiated Ordinance 302**

SHALL DENVER SALES AND USE TAXES BE INCREASED $11.2 MILLION ANNUALLY, COMMENCING JANUARY 1, 2019, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH DECEMBER 31, 2029, FROM AN EIGHT ONE-HUNDREDTHS OF ONE PERCENT (.08%) SALES AND USE TAX RATE (ABOUT A PENNY ON A TEN DOLLAR PURCHASE) WITH THE TAX REVENUES BEING USED TO PROVIDE HEALTHY FOOD AND FOOD-BASED EDUCATION TO DENVER’S KIDS, PRIMARILY LOW INCOME AND AT-RISK YOUTH, AND THE TAX REVENUES BEING DISTRIBUTED THROUGH THE ESTABLISHMENT OF A DENVER FOOD COMMISSION WITH 13 COMMISSIONERS TO APPROPRIATE NONPROFIT AND LOCAL GOVERNMENTAL ENTITIES; AND PROVIDING THAT THE TAX EXPIRES IN TEN YEARS, THE REVENUES FROM THESE INCREASED TAXES SHALL BE COLLECTED AND SPENT BEFORE DECEMBER 31, 2029 BY DENVER WITHOUT REGARD TO ANY EXPENDITURE, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

**Text of Measure**

BE IT ENACTED BY THE PEOPLE OF THE CITY AND COUNTY OF DENVER:

Section 1. Subject to the approval of the voters, Account Number 97000-282110 of the Fund Plan in Section 20-18, D.R.M.C., concerning apportionment of the sales, use and lodger’s tax, shall be amended by the addition of a new subsection (j), to read as follows (with existing subsection (j) being re-designated as subsection(k)):
Sec. 20-18. Fund-Plan
Account No. 97000-282110
Name of account: Unapportioned sales, use and lodger’s tax
Source of funds: City retail sales taxes, city use taxes and city lodger’s taxes that have been collected, returned, and await apportionment
Disposition of funds:
(j) Monthly, (1) allocation apportionment and transfer of those revenues raised at the rate of .08 percent of gross taxable sales from sales and use taxes levies to a Healthy Food for Denver’s Kids Initiative Fund in the General Government Special Revenue Fund.

Section 2. Subject to the approval of the voters, subsection (a) of the section 53-27, D.R.M.C., concerning sales taxes, shall be amended to read as follows:

(a) Tax rates. A tax of three and sixty-five seventy-three one-hundredths (3.6573) percent is imposed and levied upon all taxable sales of commodities and services except those commodities or services specified in subsection (b) of this section. In order to avoid amounts that are fractions of pennies, taxpayers shall use a rounding procedure approved by the manager when computing the tax.

On those taxable sales of commodities or services specified in subsection (b) of this section, there is levied and imposed upon all taxable sales a tax in accordance with the rates set forth in subsection (b).

Section 3. Subject to the approval of the voters, Section 53-27, D.R.M.C. concerning sales taxes shall be amended by the addition of a new subsection (h) to read as follows:

(h) Sales tax increment to fund the Healthy Food for Denver’s Kids Initiative. In addition to the sales tax otherwise imposed by this section, a tax of eight one-hundredths of one (.08) percent shall be paid on all taxable sales of commodities or services, except on commodities or services specified in subsection (b) of this section, beginning January 1, 2019 and expiring December 31, 2028. The revenue from such additional tax shall be used for the sole purpose of funding Healthy Food for Denver’s Kids Initiative pursuant to Division 6 of Article VIII of Chapter 2. Providing that the tax expires in ten years, the revenues from these increased taxes shall be collected and spent before December 31, 2029 by Denver. Notwithstanding any limitations on revenue, spending, or appropriations contained in Section 20 of Article X of the Colorado Constitution or any other provision of law, any revenues generated by this sales tax increment, as approved by the voters at the municipal election on November 6, 2018, may be collected and spent as a voter-approved revenue change and shall not require further voter approval to modify the tax rate as provided in section 53-85 or to collect and spend any revenue derived from a modified tax rate.

Section 4. Subject to the approval of the voters, subsection (a) of section 53-28, D.R.M.C., concerning sales taxes, shall be amended to read as follows:

Sec. 53-28. Retailer responsible for payment of tax.
(a) Amount. Every retailer shall, irrespective of other provision of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five seventy-three one-hundredths (3.6573) percent of the retailers’ gross taxable sales of commodities or services specified in this article, except: (1) Aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply; (2) Automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased, or transferred under a grant of a license to use, as to which a rate of taxation as set forth in section 53-27 (b)(2) shall apply; and (3) Food and beverages not exempted from taxation under section 53-26(8) of this article, as to which the rate of four (4) percent shall apply, and for each of which respective rates aforesaid the retailer shall be liable for an equivalent amount, and every retailer shall on or before the twentieth day of each month pay over such amount and make a return to the manager, less one-half of one (.5) percent of such amount as a discount allowable for prompt payment. If any vendor is delinquent in remitting the tax levied by this article, other than in usual circumstances shown to the satisfaction of the manager, the vendor shall not be allowed to retain any discount allowable for prompt payment and the full amount shall be remitted to the manager by any such delinquent vendor, together with any other applicable penalty or interest payable under the terms of this article.

Section 5. Subject to the approval of the voters, subsection (a) of section 53-98, D.R.M.C., concerning use taxes, shall be amended to read as follows:

(a) Tax rates. A tax of three and sixty-five seventy-three one-hundredths (3.6573) percent is imposed and levied and there shall be collected and paid a tax upon the exercise of the privilege of storing, using, distributing or consuming in the city a service subject to the provisions

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of this article or any item of tangible personal property purchased at retail, or deemed to be purchased at retail, except those commodities or services specified in subsection (b) of this section. In order to avoid amounts that are fractions of pennies, taxpayers shall use a rounding procedure approved by the manager when computing the tax.

On those taxable uses, consumptions, distributions and storages of commodities or services specified in subsection (b) of this section, there is levied and imposed upon the privilege of storing, using, distributing or consuming in the city a tax in accordance with the rates set forth therein.

Section 6. Subject to the approval of the voters, Section 53-98, D.R.M.C., concerning use taxes shall be amended by the addition of a new subsection (l) to read as follows: (l) Use tax increment to fund Healthy Food for Denver’s Kids Initiative. In addition to the use tax otherwise imposed by this section, a tax of three and sixty-five seventy-three one-hundredths (3.6573) percent shall be paid on all taxable uses, consumptions, distributions, and storages of commodities and services, except on commodities and services specified in subsection (b) of this section, beginning January 1, 2019 and expiring December 31, 2028. The revenue from such additional tax shall be used for the sole purpose of funding Healthy Food for Denver’s Kids Initiative pursuant to Article IV of Chapter 23.

Section 7. Subject to the approval of the voters, subsection (a) of section 53-99, D.R.M.C., concerning collection of use taxes, shall be amended to read as follows:

Sec. 53-99. Retailer responsible for payment of tax.
(a) Amount. Every retailer shall, irrespective of other provisions of this article, be liable and responsible for the payment of an amount equivalent to three and sixty-five seventy-three one-hundredths (3.6573) percent of gross taxable sales made by him of services and tangible personal property specified in this article, except (1) aviation and railway fuel, as to which the rate of four cents ($0.04) for each gallon purchased shall apply, (2) automotive vehicles when they are for any term of thirty (30) days or less hired for use, rented, leased or transferred under a grant of a license to use, as to which a rate of taxation as set forth in section 53-98(b)(2) shall apply, and (3) food and beverages not exempted from taxation under section 53-26(8) of the city retail sales tax article, as to which the rate of four (4) percent shall apply, and for each of which respective rates aforesaid the retailer shall be liable for an equivalent amount; and every retailer shall on or before the twentieth day of each month pay over such amount and make a return to the manager, less one-half of one (.5) percent of such amount as a discount allowable for prompt payment. If any vendor is delinquent in remitting the tax levied by this article, other than in unusual circumstances shown to the satisfaction of the manager, the vendor shall not be allowed to retain any discount allowable for prompt payment, and the full amount shall be remitted to the manager by any such delinquent vendor, together with any other applicable penalty or interest payable under the terms of this article.

Section 8. Subject to the approval of the voters, Article VIII of Chapter 2 of the Denver Revised Municipal Code pertaining to Boards, Commissions, and Committees shall be amended by the addition of a new Division 6, to read as follows:

DIVISION 6. - DENVER FOOD COMMISSION
Sec. 2-240. Establishment. There is hereby created a Denver food commission which is established to determine distribution of the sales and use tax increment and any other funds raised or allocated to support the Healthy Food for Denver’s Kids Initiative.

Sec. 2-241. Purpose. The intent of this commission is to achieve the most effective possible coordination and impactful utilization of all city, private and public resources generated to support the Healthy Food for Denver’s Kids Initiative and other related efforts.

Sec. 2-242. Appointment, qualifications, and terms.
(a) The Denver food commission shall consist of the following thirteen (13) commissioners: three (3) persons from the mayor’s cabinet, or department heads, who shall be appointed to the commission by the mayor; Two (2) members of city council, who shall be appointed by the mayor; and four (4) representatives of city-wide organizations or institutions engaged in food related activities, who shall be appointed to the commission by the mayor.

(b) In making appointments, the mayor and city council will give consideration to assure a balance of knowledge and skill including, but not limited to, experience with food, gardening, youth development, non-profit administration, public health, grant-making, and
business development.

(c) The Denver food commission shall reflect the geographic, demographic, socioeconomic, and ethnic diversity and composition of the City and County of Denver.

(d) Each commissioner must be a resident of the City and County of Denver, over the age of twenty-one (21) years, not currently a volunteer or paid staff person of an organization applying for Healthy Food for Denver’s Kids Initiative funding, and willing to disclose any potential conflicts of interest.

(e) Commissioners will serve without compensation.

(f) A commissioner may be removed by the mayor for cause. A commissioner may also be removed by ordinance for cause, provided that the council members sponsoring the bill shall notify the commissioner in writing at least fourteen (14) days prior to the first reading of the bill. If the commissioner chooses, they may resign before the bill is introduced. If the commissioner does not resign, then they shall be permitted to address the council at a public meeting prior to final approval of the bill.

(g) The terms of the commissioners shall be three (3) years; the terms shall be staggered so that at least three (3) of the commissioner shall be appointed each year. In the event of the death or resignation of any commissioner, their successor shall be appointed in the manner provided for original appointment, to serve for the unexpired portion of the term for which such commissioner has been appointed. No commissioner shall serve more than two (2) terms.

Sec. 2-243. Powers and duties.

(a) The Denver food commission shall institute and promulgate procedures for the application, consideration, and determination of distribution of revenues from the Healthy Food for Denver’s Kids Initiative Fund and any other funds raised or allocated to support the Healthy Food for Denver’s Kids Initiative. The procedures shall expressly prohibit any and all discrimination on the basis of race, color, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability.

(b) The Denver food commission shall create criteria for the selection of organizations to receive monies from the Healthy Food for Denver’s Kids Initiatives fund.

(c) At the minimum, criteria shall include the following:
   (i) The requirement that all distributions of revenues shall help Denver’s kids, primarily Denver’s low income and at-risk youth, through year-round access for up to three healthy meals and healthy snacks per day for Denver’s youth under the age of 18; hands-on experiential education and public health programs associated with farming, gardening, cooking, home economics, and healthy eating; and preferentially procuring food from Colorado farms, ranches, and food manufacturing businesses so long as they are less than 10% more expensive than comparable out-of-state foods.
   (ii) The requirement that revenues be distributed by the Denver food commission only to organizations which conduct a majority of their activities within the city and county of Denver, and which principally benefit the residents of the city and county of Denver.
   (iii) The requirement that any recipients provide regular reporting on their activities.
   (iv) An allowance for the payment or reimbursement of basic operations and special project costs, provision for a diversity of participation, and provision for participation by new and emerging organizations as well as by stable and established organizations.
   (v) An allowance for no more than 10% of the total revenues raised for and by the Healthy Food for Denver’s Kids Initiative be used to cover city expenses directly related to the administration of this initiative.

(d) The Denver food commission shall only distribute monies from the Healthy Food for Denver’s Kids Initiatives fund to recipients who are either non-profit organizations in good standing that have a determination letter in effect from the U.S. Internal Revenue Service confirming the organization meets the requirements of 26 USC 501(c)(3) and whose primary purpose is to provide healthy meals and healthy snacks for Denver’s youth under the age of 18; hands-on experiential education and public health programs associated with farming, gardening, cooking, home economics, and healthy eating; or the preferential procurement of food from Colorado farms, ranches, and food manufacturing businesses so long as they are less than 10% more expensive than comparable out-of-state foods; OR agencies of local government, including Denver Public Schools, that have programs directly furthering such primary purposes.
(e) The Denver food commission shall conduct all meetings subject to and in compliance with the requirements of Denver open meetings law set forth in article III of chapter 2 of the Denver Revised Municipal Code.

(f) By December 30 of each year the Denver food commission shall provide annually to the Denver city council a report on funds distributed and any changes to policies and procedures.

(g) The Denver department of public health and environment shall provide administrative support to the Denver food commission.

(h) Notwithstanding the above, the Denver food commission shall be authorized to adopt additional by-laws and guidelines governing its internal operations.

Fiscal Information on Initiated Ordinance 302
The estimated or actual total of the City’s fiscal year spending for the current year and each of the past four years is as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fiscal Year Spending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$2,128,463,600 (estimated)</td>
</tr>
<tr>
<td>2017</td>
<td>$1,982,548,073</td>
</tr>
<tr>
<td>2016</td>
<td>$1,606,028,695</td>
</tr>
<tr>
<td>2015</td>
<td>$1,511,682,898</td>
</tr>
<tr>
<td>2014</td>
<td>$1,391,737,227</td>
</tr>
</tbody>
</table>

The overall increase, as a percentage and dollar amount, in the City's fiscal year spending from 2014 to 2018, inclusive, is 53% and $736,726,384, respectively.

Estimated maximum annual dollar amount of the proposed tax increase for the first full fiscal year: $13,000,000

Estimated 2019 City fiscal year spending without the proposed tax increase: $2,381,750,800

Summary of Written Comments FOR Initiated Ordinance 302
Despite government and charitable programs including school breakfasts/lunches, the health department's most recent study still finds that 1 in 7 kids go hungry each month in Denver.

Voting ‘Yes’ on 302 will help ensure every kid has healthy meals, year-round. Healthy food should not be a privilege.

Denver kids get the majority of their meals from school, but that leaves many kids, particularly those from lower income families, vulnerable to hunger during the summer and weekends. Healthy food enables kids to learn and succeed in school and beyond, but hunger causes lifelong harm to the health and prosperity of too many kids.

Simply, Denver kids should not go without healthy food. There is enough food for everyone, but it is not always affordable or accessible for those who need it most.

Voting ‘Yes’ on 302 provides healthy meals along with cooking, gardening, and nutrition education to ensure that kids have both the skills and the desire to eat healthy foods. When kids experience growing, picking, and cooking healthy food they are much more likely to eat healthy food and to share it with others.

Voting ‘Yes’ on 302 not only helps Denver kids but also supports Colorado farmers, ranchers, and food businesses by including a preference for food to be purchased from Colorado sources when affordable.

Voting ‘Yes’ on 302 is a vote to use public funds in an efficient and transparent way. 302 creates a cap for administrative costs to ensure benefits will go directly to helping kids rather than administration or bureaucracy. Voting ‘Yes’ on 302 also creates a majority public board to ensure that healthy food and food education is most efficiently and effectively getting to the kids who need it most. In addition, 302 requires annual reports to the public and city council to ensure transparency and accountability.

Most importantly, the modest sales tax (under a penny on a $10 purchase) will expire in 10 years, allowing voters to ensure that tax dollars continue to address only the greatest needs in the most efficient way.

Voting ‘Yes’ on 302 is not just the right thing to do – it’s also a smart investment that ensures healthy food for a decade of Denver kids and positive impacts for generations to come.

To learn more, visit www.HealthyFoodForDenver.com

Summary of Written Comments AGAINST Initiated Ordinance 302
The Healthy Food initiative is one of four proposed tax increases for new programs on the 2018 Denver ballot.
The proposals cumulatively increase the City sales tax 18% from 3.65% to 4.31%. The four proposals will take from voters an additional $116 million per year. However, there is no need for a sales tax increase to fund these programs. In 2018, the city’s general operating fund will collect $44 million of new revenues compared to 2017. Next year, the City projects that $58 million of new revenues will be collected, a total of $102 million for the two years. Especially given the strong local economy, it is likely that $44-58 million of new tax revenue will also be collected in 2020. It would have been fiscally prudent for the City Council to allocate the new revenues to these four programs instead of raising the sales tax. Clearly, when the City is already collecting many millions of extra dollars each year there is no need to increase the sales tax by 18%. Voters should vote no on this tax increase.

Urban Drainage and Flood Control District

Ballot Issue 7G

SHALL URBAN DRAINAGE AND FLOOD CONTROL DISTRICT TAXES BE INCREASED $14.9 MILLION IN 2019 (RESULTING IN AN ANNUAL TAX INCREASE NOT TO EXCEED $1.97 IN 2019 FOR EACH $100,000 OF ACTUAL RESIDENTIAL VALUATION) AND BY SUCH AMOUNT AS MAY BE RAISED ANNUALLY THEREAFTER FROM A LEVY NOT TO EXCEED 1.0 MILLS TO PAY FOR DISTRICT WORK IN COORDINATION WITH LOCAL GOVERNMENTS, INCLUDING:

1. MAINTAINING EARLY FLOOD WARNING GAUGES TO PROVIDE POTENTIAL EVACUATION WARNINGS,
2. PROVIDING TRAILS, WILDLIFE HABITAT, AND RECREATIONAL ACCESS TO RESIDENTS BY PRESERVING THOUSANDS OF ACRES OF PARKS AND OPEN SPACE IN FLOODPLAIN AREAS WHICH PROTECT THE ENVIRONMENT AND PRIVATE PROPERTY, AND
3. REMOVING DEBRIS, GARBAGE AND OBSTRUCTIONS FROM STREAMS, CREEKS AND RIVERS RESULTING IN REDUCED RISK TO THE HEALTH AND SAFETY OF RESIDENTS,

PROTECTING PROPERTY, AND RESTORING NATURAL BEAUTY;
WITH THE DISTRICT’S ENTIRE MILL LEVY RATE SUBJECT TO STATUTORY CAPS AND TO ADJUSTMENT TO OFFSET REFUNDS, ABATEMENTS AND CHANGES TO THE PERCENTAGE OF ACTUAL VALUATION USED TO DETERMINE ASSESSED VALUATION; AND SHALL ALL DISTRICT REVENUES BE COLLECTED, RETAINED AND SPENT NOTWITHSTANDING ANY LIMITS PROVIDED BY LAW?

Fiscal Information on Referred Question 7G

The estimated or actual total of the City’s fiscal year spending for the current year and each of the past four years is as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Government</th>
<th>Non-Government</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018 (estimated)</td>
<td>$31,804,022</td>
<td>$700,000*</td>
<td>$32,504,022</td>
</tr>
<tr>
<td>2017 (actual)</td>
<td>$30,594,495</td>
<td>$0</td>
<td>$30,594,495</td>
</tr>
<tr>
<td>2016 (actual)</td>
<td>$29,375,465</td>
<td>$0</td>
<td>$29,375,465</td>
</tr>
<tr>
<td>2015 (actual)</td>
<td>$28,405,608</td>
<td>$0</td>
<td>$28,405,608</td>
</tr>
<tr>
<td>2014 (actual)</td>
<td>$26,624,268</td>
<td>$0</td>
<td>$26,624,268</td>
</tr>
</tbody>
</table>

Overall percentage change from 2014 to 2018: 19.46%  N/A  22.08%

Overall dollar change from 2014 to 2018: $5,179,754  $700,000*  $5,879,754

Proposed District Tax Increase:

Estimated first full fiscal year maximum dollar amount of increase: $14,900,000  $0  $14,900,000**

Estimated first full fiscal year spending without the increase: $33,000,000  $16,000,000*  $49,000,000

*Non-Government Spending consists of 100% voluntary land development fees through the District’s Development Services Enterprise to guide responsible development and preserve floodplains.

**If the District were to certify the maximum mill levy
Summary of Written Comments
FOR Ballot Issue 7G

We All Agree... Vote Yes on 7G
The Metro Area is at risk of severe flooding, unchecked development, and contamination of our water. YES on 7G protects people, property and the environment. The measure restores funding to prevent flooding and provide flood warnings, preserve open space, create trails and recreation, and keep our waterways clean.

Why 7G?
The Flood Control District’s current mill levy has been reduced over time from 1.0 mill authorized by the Legislature to 0.56 mills. That 44% reduction in revenue means a current annual funding decrease of $23 million. Almost $300 million has been deferred on vital infrastructure construction and maintenance needed to protect lives and property, and to preserve open space and trails in floodplains.

Because Anywhere it Rains... it can Flood
What the District Does for You
The District partners with metro cities and counties to design and construct flood control and early warning measures, open space and trails, and debris removal.

Flood Prevention
- Maintains a system of Early Flood Warning gauges to provide alerts for evacuations to keep your family safe.
- Coordinates alerts with NOAA, first responders and the media so you are first to know.
- Works with FEMA and local governments to develop Flood Maps for the community.

Open Space & Trail Development
- For almost 50 years, the District has been providing families and people the ability to enjoy Colorado’s beautiful open spaces and amazing trails.
- The District has been the leading force preventing unwise growth in low-lying floodplains in the Metro Area; so instead of housing and industrial growth, those areas are now open space for public use and enjoyment while providing a safe buffer from high water.

Debris & Garbage Removal
- Removes debris and garbage from streams, creeks and rivers making them not only safer and more beautiful but also allowing for recreational use.
- Works with local governments to clear out and clean-up encampments and illegal activity along waterways. The District pays for 100% of clean-up costs.

The District is a very lean agency, utilizing a staff of only 32 to cover a 1,600 square mile area that includes almost 60% of Colorado’s population. Contracting out the work keeps overhead low, costs down and ensures all the jobs stay local.

What will YES on 7G cost me?
That’s the best part. Tabor requires the ballot to say ‘tax increase’ but by passing this de-Bruce measure the District will simply restore their mill levy to the statutory cap set by the Legislature at 1 mill.

By law the mill levy cannot exceed 1.0 mill set by the Legislature
In its 50-year existence the District has NEVER asked voters for a tax increase. Restoring the mill levy means the cost to taxpayers is just “Two Bucks” a year ($1.97) for each $100,000 of actual home value. So a $400,000 home would pay $8/year or 66 cents per month.

We All Agree... Vote Yes on 7G

Summary of Written Comments
AGAINST Ballot Issue 7G

Ballot Issue 7G asks you to give up your rights under TABOR. TABOR protects your right to vote on tax increases before it happens. UDFCD doesn’t mention TABOR in the ballot language because they know voters like it.

Ballot Issue 7G allows UDFCD to double the mill levy for Boulder and Broomfield Counties from .5 to 1.0. In the other five metro area counties, the rate would increase from .557 to 1.0. UDFCD’s tax revenues have increased more than $3.7 million since 2014. Now they want to increase their revenues by 50% in the first year. The ballot issue mentions a $14.9 million tax increase but fails to clarify that without the protection of TABOR the Board can increase the property tax up to $24 million, without having to ask you again.

There is no accountability to voters for how UDFCD...
TABOR INFORMATION

would spend the revenue. They are the one rare special
district where the Board members are not elected. That
is taxation without representation. They have already
wasted money on an advertising campaign trying to
approve the tax increase.
Most voters will experience no benefit. Local cities
and counties contribute your tax dollars to half of the
cost of all drainage and flood-control projects. Trails,
wildlife habitat and recreation are handled by your local
government. Higher property tax will increase the cost
of homeownership and rent. This tax increase would
make housing even more unaffordable.
UDFCD’s mill levy has been reduced from 1.0 mills
authorized by the Legislature to .56 mills. That means
an annual decrease of $23 million. That’s exactly what
we wanted TABOR to do when we voted it in – cut their
budget.
UDFCD claims “almost $300 million has been deferred
on vital infrastructure construction and maintenance
needed to protect lives and property, and to preserve
open space and trails in floodplains.” UDFCD has been
doing just fine with the budget they have.
Those who live near flood zones can buy flood insurance
from FEMA and we can save tax dollars. The Early Flood
Warning gauges are a waste of tax dollars. Flooding is
rare and you’d never have time to evacuate. People in
flood zones can just listen to the news like the rest of us.
UDFCD says they have been the leading force in
preventing unwise growth in low-lying floodplains.
Preventing growth shouldn’t be their job, that should be
left to local zoning authorities. If people want to build
homes and businesses in low-lying areas, they should be
on their own.
UDFCD removes debris and garbage from streams,
creeks and rivers making them safer and more beautiful
but we should just find and fine people who pollute and
dump in our rivers. I’m upset our tax dollars go to clean
up encampment and illegal activity along waterways.
These homeless camps should be illegal.
UDFCD claims this simply restores their mill levy. It is
a tax increase and $.66 a month per $100,000 of home
value is just too much to pay.

Vote NO on 7G.
Denver’s Municipal Ballot Information Booklet

General Election
Tuesday, November 6, 2018

Denver Elections Division
200 W 14th Ave, Ste 100, Denver, CO 80204

Debra Johnson
Clerk and Recorder, City and County of Denver
Initiative Requirements
Referred Question 2B

The ballot title below was drafted by the professional legal staff for the Denver City Council for ballot purposes only. The ballot title will not appear in the Denver Revised Municipal Code. The text of the measure the will appear in the Denver Revised Municipal Code below was referred to the voters by the Denver City Council.

Shall the Charter of the City and County of Denver be amended to change the number of valid signatures required to place an initiative or referendum on the ballot from a percentage of votes cast for Mayor in the last election to a percentage of active registered voters in Denver and lengthen the amount of time during which City Council and the City Attorney must conduct review and comment for proposed initiatives?

Fiscal Information on Referred Question 2B

Methodology:
No additional resources were requested by the Office of the Clerk and Recorder in anticipation of the passage of the ordinance.
Financial Impact:
There is no anticipated financial impact, current resources of the Office of the Clerk and Recorder will be utilized to implement the ordinance.

Written Comments
FOR Referred Question 2B

Currently, a petition to initiate an ordinance or to refer an enacted ordinance must contain, at minimum, a number of signatures equal to five (5) percent of the total vote for the office of Mayor in the last election at which a Mayor was elected. Because a candidate for Mayor may run uncontested in any particular election, tying the petition signature requirement to a percentage of votes cast for that office resulted in large swings in the number of signatures required. This ordinance changes the petition signature requirement to two percent of the total number of active registered electors in the City and County of Denver as of January 1 of each odd-numbered year. Tying the signature requirement to the voting population will have a steadying effect on the signature requirement and will cause the requirement to grow with the city’s population. Additionally, the current signature requirement has been in place since 1904. This ordinance modernizes the requirement.

Summary of Written Comments
AGAINST Referred Question 2B
No comments were filed by the constitutional deadline.

Text of Measure

BE IT ENACTED BY THE PEOPLE OF THE CITY AND COUNTY OF DENVER:
Section 1. There is hereby submitted to the properly qualified and registered electors of the City and County of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the general election to be held in the City and County of Denver on November 6, 2018, a proposed amendment to the Charter of the City and County of Denver, as follows:

Effective upon publication and filing with the Secretary of State pursuant to the Constitution and laws of the State of Colorado, the following sections of Part 3 of Article VIII of the 2002 Charter of the City and County of Denver shall be and are hereby amended by deleting the language stricken and adding the language underlined, to read as follows:
§ 8.3.1 - Rights of initiative, referendum and recall reserved to the people.
(B) An ordinance may be initiated by petition of registered electors numbering at a minimum five (5) percent of the total vote for the office of Mayor in the last.
election at which a Mayor was elected: two (2) percent of the total number of active registered electors as of January 1 each odd-numbered year. 
(C) An enacted ordinance may be referred by petition of registered electors numbering at a minimum five (5) percent of the total vote for the office of Mayor in the last election at which a Mayor was elected: two (2) percent of the total number of active registered electors as of January 1 each odd-numbered year. 

§ 8.3.7 - Review and comment procedures for initiated ordinances and Charter amendments.
A draft of the text of any proposed initiated Charter amendment or ordinance shall be submitted by the proponents to the City Council staff and the City Attorney for review and comment. No later than ten (10) business days after submission of the draft text, unless withdrawn by the proponents, the City Council staff and the City Attorney shall jointly render their comments to the proponents of the proposed measure at a meeting open to the public, which shall be held after full and timely notice to the public. Such meeting shall be held prior to submission of the measure by the proponents to the Clerk and Recorder as required by this Charter or by State Law. Neither the City Council staff nor the City Attorney shall have any power to require any amendment, modification, or other alteration of the text of any such proposed measure, or to impose any procedural requirements on the proponents whatsoever.

Police Department Hires
Referred Question 2C

The ballot title below was drafted by the professional legal staff for the Denver City Council for ballot purposes only. The ballot title will not appear in the Denver Revised Municipal Code. The text of the measure the will appear in the Denver Revised Municipal Code below was referred to the voters by the Denver City Council.

Shall the Charter of the City and County of Denver be amended to promote greater flexibility in the hiring of lateral recruits for classified service in the Denver Police Department?

Fiscal Information on Referred Question 2C

Methodology:
A lateral recruit, regardless of the time served in the current position, must go through approximately a four-month academy at the pay rate of a Police Recruit. If approved, the proposed ballot measure will allow two tiers of lateral pay, based on years of service and post certified status in the state of Colorado.

The projected budget impact is the net difference of four months lateral pay at the proposed Police Officer 2nd Grade or Police Officer 1st Grade versus the current Recruit Officer salary. The total financial impact is based on the proposed Lateral Class of 25 recruits in fiscal year 2019. The range represented is based on all 25 recruits at Police Officer 2nd Grade or all 25 recruits at Police Officer 1st Grade. Fiscal year 2020 staffing plan is unknown, so the number of lateral recruits will be proposed and approved with the 2020 budget process which is contingent upon the 2020 appropriation. The budget impact for any out years beyond 2020 is not known due to all officer salaries are determined by the collective bargaining association negotiations.

<table>
<thead>
<tr>
<th>Police Officer Annual Salaries</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruit Salary</td>
<td>$56,788</td>
</tr>
<tr>
<td>Police Officer 4th grade</td>
<td>$61,482</td>
</tr>
<tr>
<td>Police Officer 3rd grade</td>
<td>$68,050</td>
</tr>
<tr>
<td>Police Officer 2nd grade</td>
<td>$72,858</td>
</tr>
<tr>
<td>Police Officer 1st grade</td>
<td>$91,652</td>
</tr>
</tbody>
</table>

Financial Impact:
Below is the projected financial impact of the proposed salary changes to Police Lateral Recruits.
Fiscal Year | Fiscal Year Spending
--- | ---
2019 | $133,917 to $290,533

Written Comments
FOR Referred Question 2C

This charter amendment allows the Denver Police Department to become more competitive in the successful recruitment and hiring of police officers who move to the department laterally from other jurisdictions. Lateral hires have more experience and an increased skill set when compared to new recruits. They also can transition into their duties about two months sooner than a new recruit. The vetting process will remain intact to ensure the Denver Police Department hires only qualified police officers from other jurisdictions. The Department will also continue to require direct vetting by the Civil Service Commission, Chief of Police, and the Executive Director of Safety. Complete background investigations on those experienced police officers will occur. Police departments around the nation are increasing their efforts in marketing and recruiting lateral hires, and this amendment is necessary for the Denver Police Department to stay competitive.

Summary of Written Comments
AGAINST Referred Question 2C

No comments were filed by the constitutional deadline.

Text of Measure

BE IT ENACTED BY THE PEOPLE OF THE CITY AND COUNTY OF DENVER:
Section 1. There is hereby submitted to the properly qualified and registered electors of the City and County of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the state general election to be held in the City and County of Denver on November 6, 2018, a proposed amendment to the Charter of the City and County of Denver, as follows:

Effective upon publication and filing with the Secretary of State pursuant to the Constitution and laws of the State of Colorado, the following sections of Article IV of the 2002 Charter of the City and County of Denver shall be and are hereby amended to read as follows:

Amend Part 3 of Article IX by deleting the language stricken and adding the language underlined to read as follows:

§ 9.3.11 – Eligible registers, for original appointment and promotional appointment; requisition and certification.

(E) Original appointment. The Commission shall establish rules to provide for the requisition by the Manager of Safety, and the certification to the Manager of Safety, of applicants for original appointment.

(i) Appointment of certified peace officer and firefighter with a minimum of three years patrol experience of firefighter with a minimum of three years full-time firefighting experience. An applicant to the Classified Service of the Denver Police Department who is currently certified as a peace officer and who has a minimum of three years of patrol experience as a law enforcement officer may receive original appointment in the Police Department upon meeting all qualification and examination standards established by the Commission and the Department of Safety, upon being certified to the Manager of Safety, and upon receiving written approval of the Chief of the Police Department and the Manager of Safety. An applicant to the Classified Service of the Denver Fire Department who has a minimum of three years of full-time firefighting experience may receive original appointment in the Fire Department upon meeting all qualification and examination standards established by the Commission and the Department of Safety, upon being certified to the Manager of Safety, and upon receiving written approval of the Chief of the Fire Department and the Manager of Safety. (ii) Appointment of an active Reserve Police Officer.

voter information: DenverVotes.org
voter registration & updates: GoVoteColorado.com
Police Officer of the Denver Police Department who has met all of the qualifications and requirements of the Denver Police Department reserve officer training program and has been designated a Reserve Officer may receive original appointment in the Police Department upon meeting all qualification and examination standards established by the Commission and the Department of Safety, upon being certified to the Manager of Safety, and upon receiving written approval of the Chief of the Fire Department and the Manager of Safety. These appointments shall have no impact regarding required time served in the Denver Fire or Police Departments for the purpose of seniority and promotional testing requirements of the Civil Service Commission.

The standards set forth are separate from City Charter 9.5.5 (A)(B) and 9.6.6 (A)(B)(C) which addresses pay standards for those who do not qualify as a Lateral Firefighter or Lateral Police Officer.

Amend Part 6 of Article IX by deleting the language stricken to read as follows:

§ 9.6.6 – Police Officer Ranks and Grades.
(D) Applicants who are employed under the terms of Section 9.3.11(E)(i) shall be appointed to Police Officer Recruit until such time as that member has successfully completed the Police Academy and is certified as a peace officer by the State of Colorado at which time the Manager of Safety, at his or her discretion, may appoint the member as a Police Officer 4th Grade or may appoint the member based upon merit, experience, or record to:
(i) The rank of Police Officer at 3rd grade, if that member has less than five years of prior experience;
(ii) The rank of Police Officer at 2nd grade, if that member has more than five years of prior experience but less than eight years of prior experience; or
(iii) The rank of Police Officer at 1st grade, if that member has eight or more years of prior experience.
If the member serves as a Police Officer at 3rd grade or a Police Officer at 2nd grade, the member shall serve a full year at such grade before advancement to the next grade. The Police Officer retained or appointed to a grade as described herein shall have no right to seek review of that decision before the Civil Service Commission, Chief of the Police Department, or the Manager of Safety. Appointments made pursuant to this Section shall be considered original appointments and shall require completion of a full nine month probationary period after having successfully completed the Police Academy.
The ballot title below was drafted by the professional legal staff for the Denver City Council for ballot purposes only. The ballot title will not appear in the Denver Revised Municipal Code. The text of the measure will appear in the Denver Revised Municipal Code below was referred to the voters by the Denver City Council.

Shall the Charter of the City and County of Denver be amended to require that the Deputy Clerk and Recorder must be an at-will appointee of the Clerk and Recorder, allow the Clerk and Recorder to appoint two additional at-will employees who shall be exempt from the career service personnel system to serve in positions to be designated by the Clerk and Recorder, and to eliminate the requirement that the Director of Elections must be an at-will appointee of the Clerk and Recorder?

Fiscal Information on Referred Question 2D

Methodology:
The projected fiscal impact of the proposed ordinance is the total cost of an additional at-will Executive Manager position. For the second position described in the ordinance, the Office of the Clerk and Recorder will re-purpose an existing career service position to an at-will position resulting in no budgetary impact. The fiscal impact includes the estimated total compensation (including benefits) of a new Executive Manager position starting in July of 2019.

Financial Impact:
Below is the projected financial impact of a new at-will Executive Manager position for six months. The position will be annualized in 2020.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fiscal Year Spending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$72,485</td>
</tr>
</tbody>
</table>

Note: The fiscal year spending illustrated is adjusted for a start date of July 2019. The full cost of the Executive Manager position for a full year is $144,971

Written Comments

FOR Referred Question 2D
The clerk and recorder is an administrative office for four vital city functions: elections, city clerk, recordings, and public trustee. The elections director is critical to running a successful election and the past few years have demonstrated that election administration demands growing technical expertise. It is more appropriate to have the elections director serve in a career service status so that the director may make appropriate decisions over the elections process without fear of political influence or reprisal. The flexibility of two additional appointees allows the clerk to address the office's changing needs. For example, Denver has seen a 91% reduction in the number of foreclosures since 2009, so the public trustee needs have decreased. At the same time, however, the Department of Homeland Security designated elections as “critical infrastructure,” so there is a new focus on protecting the office's technology. As needs fluctuate, the clerk must be able to appoint competent persons to appropriately serve customer needs.

Summary of Written Comments

AGAINST Referred Question 2D
No comments were filed by the constitutional deadline.

Text of Measure

BE IT ENACTED BY THE PEOPLE OF THE CITY AND COUNTY OF DENVER:
Section 1. There is hereby submitted to the properly qualified and registered electors of the City and County
of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the general election to be held in the City and County of Denver on November 6, 2018, a proposed amendment to the Charter of the City and County of Denver, as follows:

Effective upon publication and filing with the Secretary of State pursuant to the Constitution and laws of the State of Colorado, subsection (D) of section 8.1.2 of the 2002 Charter of the City and County of Denver shall be and are hereby amended by deleting the language stricken and adding the language underlined, to read as follows:

(D) Appointment and employment of deputies and assistants.

(1) The Clerk and Recorder shall appoint a Deputy, to serve at the pleasure of the Clerk and Recorder, who shall have power to perform the duties of the Clerk;

and. The Clerk and Recorder may also employ such other assistants within his or her appropriation as are now or hereafter may be authorized by ordinance.

(2) The Clerk and Recorder shall appoint a Director of Elections to assist the Clerk and Recorder in exercising the powers and duties set forth in Parts 2 and 3 of this Article VIII. The City Council may establish by ordinance qualifications for the office of Director of Elections.

(3) The Clerk and Recorder may appoint two additional persons, to serve at the pleasure of the Clerk and Recorder, who shall exercise such powers of the Clerk as the Clerk may specifically assign to such appointees.

(4) The Clerk and Recorder shall, without additional compensation, perform all the acts and duties now required or hereafter required by the general laws of this state to be exercised or performed by the public trustee for the City and County of Denver, or may appoint a deputy to perform such acts and duties. Effective upon publication and filing with the Secretary of State pursuant to the Constitution and laws of the State of Colorado, paragraph (xiv) of subsection (E) of section 9.1.1 of the 2002 Charter of the City and County of Denver shall be and are hereby amended by deleting the language stricken and adding the language underlined, to read as follows:

“(xiv) the Director of Elections, Deputy Clerk and Recorder and no more than one employee employees in a position positions specifically designated or created by the Clerk and Recorder, appointed to serve at the pleasure of the Clerk and Recorder. Any employee of the Denver Election Commission as of July 16, 2007 and formerly excepted from the Career Service pursuant to this section shall retain his or her position as an employee of the Clerk and Recorder if the employee qualified to retain the position in accordance with the rules of the Career Service Board.”

Campaign Finance Public Fund

Referred Question 2E

The ballot title below was drafted by the professional legal staff for the Denver City Council for ballot purposes only. The ballot title will not appear in the Denver Revised Municipal Code. The text of the measure the will appear in the Denver Revised Municipal Code below was referred to the voters by the Denver City Council.

Shall the voters of the City and County of Denver adopt an amendment to the Denver Revised Municipal Code banning corporations and other entities from donating directly to candidates, lowering contribution limits, and adopting a new division to Article III of Chapter 15 of the Denver Revised Municipal Code creating the Fair Elections Fund within the City’s general fund, capped at 8 million dollars per four-year election cycle, as appropriated by City Council and the Mayor, to match donations of 50 dollars or less at a ratio of 9 to 1 to candidates who voluntarily agree to raise money in lower amounts and only take contributions from natural persons and from committees that only take contributions from
natural persons who each contribute no more than 50 dollars in the aggregate per year?

Fiscal Information on Referred Question 2E

Methodology:
The projected fiscal impact is based on the population of the City and County of Denver at the time of the last census in 2010 which was 600,158 for Fiscal Year 2020. For Fiscal Years 2021-2023 data was used from the Colorado State Demography Office of the projected population of the City and County of Denver as Census data for 2020 is not yet available. The annual maximum liability of the Fair Elections Fund is calculated by multiplying the City and County of Denver’s population by $2.88 in the respective year. The fund is capped at $8 million per the ordinance.
The projected cost to administer the ordinance is calculated based on a request by the Office of the Clerk and Recorder for three full-time equivalent positions to comply with the new ordinance. The fiscal impact includes the estimated total compensation (including benefits) for the three full-time equivalent positions requested.
The projected cost of technology for the Office of the Clerk and Recorder is calculated by the number of hours and rate of pay required to update current technology to comply with provisions of the ordinance for the Office of the Clerk and Recorder. The cost of updating current technology for the Office of the Clerk and Recorder is $100 per hour and the number of hours to complete the upgrades is projected at 40 hours.

Financial Impact:
There are two components to the projected financial impact of the ordinance: a dedicated fund to provide a match (Fair Elections Fund) and upfront and ongoing costs for the Office of the Clerk and Recorder to administer the program.
The Office of the Clerk and Recorder requires three new employees to administer the program: one Program Administrator and two Administrative Support Assistants. The projected fiscal impact includes the total compensation (including benefits) for all three positions. Additionally, in the first year the cost of upgrading current technology is included.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Fair Elections Fund</th>
<th>Clerk and Recorder Implementation</th>
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<tr>
<td>Max reached 2023</td>
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Note: The maximum amount mandated by the ordinance for the Fair Elections Fund is reached in the fourth year. In 2023 the City reaches its maximum obligation therefore the total amount required is $68,183 less than fiscal years 2021-2022 in fiscal year 2023.

Written Comments FOR Referred Question 2E

This ordinance replaces a citizen-initiated version that had been petitioned onto the ballot to provide a system of matching public funds for municipal office candidates. The petitioners collaborated with the City Council, Clerk and Recorder’s office and Mayor’s office to revise the initiated version in better conformance to city procedures and timelines.
Council referred the measure to guarantee a later implementation date, but voters should not infer council’s endorsement of the policies contained within. Here is a supporting statement from the original petitioners:
This ordinance is aimed at reducing the outsized influence of big money in local politics through three big steps:
• banning corporations from making direct contributions to political campaigns in Denver, as they are currently banned on the state and federal level;
• lowering Denver’s relatively high campaign contribution limits to be on scale with Colorado’s substantially lower statewide limits;
• and creating a publicly financed campaign system by establishing a Fair Elections Fund to provide 9-to-1 matching funds for small-dollar donations ($50 and less) to candidates who opt not to accept any PAC money in their campaigns and who meet reasonable eligibility requirements (250 donations of $5 or more for Mayor and 100 donations of $5 or more for all other municipal candidates, with a commitment to participate in two public debates).

Over 30 jurisdictions, including New York City, Los Angeles, Montgomery County (Maryland), Connecticut, Arizona, and Maine have similar reforms. The result is to level the playing field in political campaigns and to take wealth and the access to wealth out of the equation for candidates and elected officials. The ordinance would empower small-dollar donors and incentivize candidates to focus their time in their community talking with regular voters rather than spending their time courting big money from wealthy donors. District City Council candidates, for example, who opt in to receive matching funds can see a small-dollar donor’s $50 contribution turned into a total of $500 with the 9-to-1 match, comparable to the maximum contribution allowed under the new $400 limits for District Council candidates. The result is to restore the idea of “one person, one vote” as opposed to the status quo system that favors big donors and is essentially “one dollar, one vote.”

The funds come from reserves in the City’s General Fund that are not otherwise allocated for other needs. The annual appropriation is approximately $2 million per year ($2.88 per Denver resident, adjusted every four years based on United States Bureau of Labor Statistics’ consumer price index for Denver), with a cap of $8 million per cycle. That represents less than 0.02% of the City’s annual budget.

Results include greater community engagement in campaigns and higher voter turnout in elections across the socio-economic spectrum – and especially among communities that often feel left out of the political process. The new system facilitates a more diverse field of candidates, with more young people, women, and people of color running for and winning office, leading to a legislature that prioritizes the public interest over the special interest.

Summary of Written Comments AGAINST Referred Question 2E

• Funding politicians’ campaigns is not a city taxpayer responsibility.
• Taxpayers may be funding campaigns of candidates with whom they fundamentally disagree.
• For every $50 a candidate raises, taxpayers will contribute $450. By any standards a 900% match from taxpayer money is ludicrous.
• Up to $8 million of taxpayer money intended for basic city services will be diverted to candidates each election cycle. Services being deprived include first responder emergency services, street maintenance, parks, libraries, and other important city services.
• This measure proposes a solution far worse than the problem it claims to solve. This proposal for public funding of campaigns creates loopholes and unintended consequences. Even if you perceive existing campaign finance problems, this measure at a 9 to 1 match is a massive overreach.

Text of Measure

BE IT ENACTED BY THE PEOPLE OF THE CITY AND COUNTY OF DENVER:

Section 1. There is hereby submitted to the registered electors of the City and County of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the general election to be held in the City and County of Denver on November 6, 2018, a proposed change to the Denver Revised Municipal Code, as follows:

Section 2. That section 15-31, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 15-31. - Purpose & Finding
(a) As a home rule city under Article XX of the Colorado Constitution, the council people of Denver hereby find and declare that preserving integrity and openness in the political process is a matter of the highest public interest; that the people of Denver can be better served through a more informed electorate; that the trust of the people is essential to representative government; and that public disclosure and regulation of certain campaign contributions are necessary to promote public confidence in government, to curb corruption and its appearance, and to protect the integrity of the electoral process.

(b) The councilpeople further find and declare that regulation of campaign contributions, public disclosure of political spending, and establishment of a voluntary alternative source of campaign financing in the form of limited public matching funds are required because the costs of running political campaigns have dramatically escalated in recent years, leading to a public perception that special interests and wealthy individuals may have undue influence on or access to elected officials.

(c) It is the policy of the city to promote and encourage broad based citizen involvement in the financing of election campaigns. The people further find and declare that providing public funds to match small donations from city residents will give a greater voice to small donors, thereby encouraging more citizens to get involved in the financing of election campaigns. It is also the intent of this article to foster an open political process which allows incumbents and challengers alike to compete in the marketplace of ideas on a fair and equitable basis. The people of Denver will best be served by a process which promotes the fullest and most thorough discussion and debate of issues and candidates.

(d) The Supreme Court held in Citizens United v FEC that "the public has an interest in knowing who is speaking about a candidate shortly before an election," and in McCutcheon v FEC that disclosure of political spending is "justified based on a governmental interest in providing the electorate with information about the sources of election related spending." The people further find and declare that full and timely disclosure of political spending referring to municipal candidates and ballot issues preserves integrity and openness in the political process.

(e) The councilpeople further find and declare that adequate enforcement of the provisions of this article is required to protect public confidence in the political process.

(f) The people of Denver voted in 1974 to amend the Charter to provide for limitations on political contributions and expenditures to be adopted by ordinance. This article modernizes and further implements section 8.2.15 of the Charter.

Section 2. That section 15-32, D.R.M.C. shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 15-32. - Definitions.
As used in this article, the following words and phrases shall have the following meanings, unless otherwise clearly indicated by the context:

(a) Candidate shall mean any person who:
(1) Seeks election or re-election to any elected Charter office listed in Charter section 9.2.1(A) (the offices of mayor, auditor, clerk and recorder, and member of city council) and any judge of the county court who seeks to be retained in office pursuant to Charter subdivision 4.1.5. A person is a candidate for election upon the first to occur of the following:
   a. The person has publicly announced an intention to seek election or re-election to office and the person or a candidate committee authorized by the person has received contributions and contributions in-kind or has made expenditures aggregating five hundred dollars ($500.00) or more during the election cycle; or
   b. The person has filed nominating petitions pursuant to Charter section 8.2.7; or
   c. The person has filed a declaration of intent to run for another term as judge under Charter subdivision 4.1.5.
(2) As an incumbent, an unsuccessful candidate for office, or former office holder, still has a cash balance of contributions and contributions in-kind or has received contributions or contributions in-kind.
(b) Candidate committee shall mean the committee...
authorized by a candidate to receive contributions or contributions in-kind or make expenditures on behalf of such candidate. A candidate shall have only one (1) candidate committee.

(c) Commercial loan shall mean any loan of money by a commercial lending institution made in accordance with applicable law and in the ordinary course of business, but such loans shall be made on a basis which assures repayment, evidenced by a written instrument, and subject to a due date or amortization schedule, and shall bear the usual and customary interest rate of the lending institution.

(d) Contribution shall mean a gift, loan, pledge or advance of money; guarantee or endorsement of loan; or letter of credit or line of credit made by any person for the purpose of influencing any election. “Contribution” includes, but is not limited to:

1. A transfer of money between one (1) candidate or political committee and another (which shall be a contribution to the committee which receives the money);
2. The payment by any person of compensation for the personal services of another person which are rendered to a committee;
3. A payment made to a third party at the request of or with the prior knowledge of a candidate, committee, or agent of either;
4. A payment made after an election to meet any deficit or debt incurred during the course of a campaign;
5. A loan, other than a commercial loan, to a candidate or committee, up until the time when the loan is fully paid. An unsecured loan shall be a contribution from the lender. A secured or guaranteed loan shall be a contribution from the guarantor or person whose property secures the loan; and
6. An unpaid financial obligation which is forgiven.

“Contribution” does not include services provided without compensation by any individual who volunteers on behalf of a candidate or committee. “Contribution” does not include any commercial loan.

(e) Contribution in-kind shall mean a gift or loan of any item of real or personal property, or any other thing of value, but not including money, made to or for any candidate or committee for the purpose of influencing an election or for the purpose of disseminating newsletters related to the scope of duties of an incumbent.

“Contribution in-kind” does not include services provided without compensation by any individual who volunteers on behalf of a candidate or committee or an endorsement of candidacy or issue by any person. In determining the value to be placed on contributions in-kind, a reasonable estimate of the fair market value shall be used.

(f) Contributor shall mean any person who makes a contribution or contribution in-kind.

(g) (1) Controlled by or coordinated with a candidate committee or issue committee means a communication that refers to a candidate or ballot issue or ballot question when:

a. The communication is made in cooperation or consultation with, or at the request or suggestion of, a candidate, or issue committee or agents of the candidate or committee, including any general or particular understanding with, or pursuant to any non-public communication with, the candidate, committee, or agents;

b. The communication is made by a person or committee that was directly or indirectly formed by, or at the request of, the candidate or issue committee or agents of the candidate or committee, or by a person or committee that is established, financed, directed or controlled by a member of the immediate family of the candidate; or

c. The candidate, issue committee, or agents of the candidate or committee solicit funds or appear at fundraising events on behalf of the person or committee making the communication during the same election cycle as the communication is made.

(2) No communication shall be considered controlled by or coordinated with a candidate or issue committee if it is a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate or
the communication is a candidate or issue debate or promotion materials for such a debate.
(3) Any communications referring to a candidate or ballot issue or ballot question that are controlled by or coordinated with a candidate or issue committee or their agents pursuant to this section are deemed to be contributions to the candidate or issue committee and are subject to all contribution limits and prohibitions in section 15-37 and reporting requirements in sections 15-35.
(h) Election shall mean any city general election or runoff election; any special election held to elect Charter officers listed in Charter section 9.2.1(A), held under Charter section 1.1.13 or 9.7.9, or at which an issue is submitted to the electorate as required by part 3 of article VIII of the Charter; any election at which a Charter amendment or the question of issuing bonds is submitted to the electorate; or any election held under Article X, Section 20, paragraph (3) of the Colorado Constitution.
(i) Election cycle shall mean:
(1) For the candidates of mayor, auditor, clerk and recorder, and member of city council, the period from January 1 of the year following a general municipal election held to elect Charter officers listed in Charter section 9.2.1 through December thirty-first of the next year in which such an election is held.
(2) For judges in their first term, the date from appointment as a judge through December thirty-first of the year in which the judge is subject to a retention election as required by subdivision 4.1.5 of the Charter.
(3) For judges in other terms, the period from January first of the year following the last election for retention of the judge through December thirty-first of the year in which the next retention election is held.
(4) For any vacancy election, the election cycle shall end on December thirty-first of the year in which the vacancy election is held and a new election cycle shall begin on January first of the following year, and shall end on December thirty-first of the next year in which a general municipal election is held; and
(5) For any ballot issue or ballot question, the calendar period from January first through December thirty-first during which the issue or question is on the ballot.
(j) Electioneering communication shall mean any communication broadcasted by television or radio, printed in a newspaper or on a billboard, directly mailed or delivered by hand to personal residences, placed on a website, streaming media service, or online forum for a fee, or a pre-recorded audio message delivered by telephone, that:
(1) Unambiguously refers to any candidate, ballot issue or ballot question; and
(2) Is broadcast, printed, mailed, delivered, posted or otherwise distributed in the period beginning sixty (60) days before a general municipal election until the run-off election, or within thirty (30) days of a special or vacancy election; and
(3) Is broadcast to, printed in a newspaper distributed to, mailed or delivered by hand to, targeted online to, or posted on a billboard to an audience that includes members of the electorate for the candidate, ballot issue or ballot question.
(4) Electioneering communication does not include:
   a. Any news articles, editorial endorsements, opinion or commentary writings, or letters to the editor printed or digitally published in a newspaper, magazine or other periodical not owned or controlled by a candidate or political party;
   b. Any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a candidate or political party; or
   c. Any communication by persons, other than committees, made in the regular course and scope of their business or any communication made by a membership organization solely to members of such organization and their families.
(5) An electioneering communication is made when the actual spending occurs or when there is a contractual agreement requiring such spending and the amount is determined.
(k) Expenditure shall mean the purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made by any person for the purpose of influencing an election. Expenditure includes a transfer
of money between one (1) committee and another (which shall be an expenditure by the committee that transfers the funds). An expenditure occurs when the actual payment is made. A written contract, promise or agreement to make an expenditure shall be considered and reported as an unpaid obligation if payment is thirty (30) days or more overdue.

(l) Independent expenditure shall mean an expenditure made by any person for the purpose of expressly advocating the election or defeat of a candidate or supporting or opposing a ballot issue or ballot question that is not controlled by, or coordinated with, any candidate or issue committee or agent of a candidate or issue committee.

(1) Independent expenditure does not include:
   a. Any news articles, editorial endorsements, opinion or commentary writings, or letters to the editor printed in a newspaper, magazine or other periodical not owned or controlled by a candidate;
   b. Any editorial endorsements or opinions aired by a broadcast facility not owned or controlled by a candidate;
   c. Any communication by persons made in the regular course and scope of their business or any communication made by a membership organization solely to members of such organization and their families.

(2) Any expenditure that is controlled by, or coordinated with, a candidate or issue committee or agent of a candidate or issue committee, is deemed to be both a contribution by the maker of the expenditure and an expenditure by the candidate or issue committee.

(3) An independent expenditure is made when the actual spending occurs or when there is a contractual agreement requiring such spending and the amount is determined.

(m) Issue committee shall mean any committee, club, association, corporation, or other group of persons which receives contributions or contributions in-kind aggregating five hundred dollars ($500.00) or more during an election cycle and makes expenditures aggregating five hundred dollars ($500.00) or more during an election cycle for the major purpose of supporting or opposing one (1) or more ballot issues or ballot questions. Issue committee does not include political parties, political committees, or candidate committees as otherwise defined in this section.

(n) Person shall have the same meaning as contained in section 1-2(12) of the Revised Municipal Code.

(o) Political committee shall mean any committee, club, association, local political party, or other group of persons not authorized by a candidate and formed for the major purpose of making contributions to candidate, issue, or political committees, which receives contributions or contributions in-kind aggregating five hundred dollars ($500.00) or more during an election cycle and which makes expenditures aggregating five hundred dollars ($500.00) or more during an election cycle. Political committee includes a committee, club, association or other group which solicits contributions or contributions in-kind and places such contributions or contributions in-kind in its treasury for distribution to candidate, issue, or political committees. Political committee does not include a committee, club, association or other group which solicits individual contributions and passes those contributions along to candidate, issue, or political committees without placing the contributions in its own treasury prior to distribution to a political committee.

(p) “Small donor committee” means any political committee that has accepted contributions only from natural persons who each contributed no more than fifty dollars in the aggregate per year. “Small donor committee” does not include political parties, political committees, issue committees, or candidate committees.

Section 3. That Sec. 15-37 of the Denver Revised Municipal Code shall be amended by deleting the language stricken and adding the language underlined, to read as follows:

Sec. 15-37. - Limitations on contributions and contributions in-kind.

(a)(1) For any particular election cycle, no person shall make contributions or contributions in-kind to a candidate and his or her candidate committees that, in the aggregate, exceed the following amounts:
Office | Amount
--- | ---
Mayor | $3,000.00
Auditor | $2,000.00
Councilmember at Large | $2,000.00
Judge | $2,000.00
Clerk and Recorder | $2,000.00
District councilmember | $1,000.00

For purposes of this subsection, the aggregate limits shall not apply to transfers between candidate committees when both candidate committees are authorized by the same candidate(s). Further, the aggregate limits shall not apply to transfers between a joint candidate committee and the candidate committee of one (1) of its candidates. For the purposes of transferring money between candidate committees that are authorized by the same candidate, it is not a violation of D.R.M.C. § 15-32(b) if a candidate creates a new candidate committee for another city office, transfers money from the original committee to the new committee, and then closes the original committee no later than ten (10) days after such transfer is made.

(2) Except for entities registered as committees pursuant to section 15-34, it shall be unlawful for any unincorporated association, corporation, limited liability company, partnership, limited political partnership or labor organization to make contributions to a candidate committee and no candidate committee shall accept any contribution from these entities.

Office | Amount
--- | ---
Mayor | $1,000.00
Auditor | $700.00
Councilmember at Large | $700.00
Judge | $700.00
Clerk and Recorder | $700.00
District councilmember | $400.00

(3) Each election cycle limit on contributions and contributions in-kind described in subsection (a)(1) of this section shall be adjusted by an amount based upon the percentage change over a four-year period in the United States bureau of labor statistics consumer price index for Denver- Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest five dollars. The first adjustment shall be done in the second quarter of 2024 and then every four years thereafter. The clerk and recorder shall calculate such an adjustment in each limit and specify the limits in rules promulgated in accordance with section 15-46.

(b) No candidate committee shall accept any contribution or contribution in-kind from any person if that person's contributions or contributions in-kind on behalf of the candidate have an aggregate amount or value in excess of the amounts listed in section 15-37(a). Any contribution or contribution in-kind or portion thereof that exceeds the limits in section 15-37(a) shall be returned to the contributor within seventy-two (72) hours of receipt.

(c) The limitations imposed by subsections (a) and (b) of this section shall not apply to contribution of a candidate's personal funds to the candidate's own campaign, or to any loan which is personally guaranteed by the candidate or is secured by property owned by the candidate.

(d) No person shall make a contribution to a political committee that equals or exceeds fifty dollars ($50.00) in currency or coin. Any portion of a contribution in currency or coin of fifty dollars ($50.00) or more shall be remitted by the treasurer to the clerk and recorder no later than seventy-two (72) hours after receipt, for deposit by the clerk and recorder into the general fund of the city Fair Elections Fund of the city.

(e) Any portion of an anonymous contribution of fifty dollars ($50.00) or more received by a political committee shall be remitted by the treasurer to the clerk and recorder no later than seventy-two (72) hours after receipt, for deposit by the clerk and recorder into the general fund of the city Fair Elections Fund of the city.

Section 4. That Article III of Chapter 15, D.R.M.C.,
concerning Campaign Finances shall be amended by dividing the Article into two Divisions. Division 1 shall be captioned “DIVISION 1 – GENERAL CAMPAIGN FINANCE REGULATIONS” and shall consist of sections 15-31 through 15-47 of Article III, and a new Division 2 shall be added to Article III, to read as follows:

DIVISION 2. - DENVER FAIR ELECTIONS ACT

Section 15-48. - Purpose and Findings.
This division shall be known as the Denver Fair Elections Act. Its purpose is to advance the findings and declarations articulated by the people of Denver in Section 15-31 of the Denver Municipal Code.

Section 15-49. - Definitions.
(a) As used in this division, the following words and phrases shall have the following meanings, unless otherwise clearly indicated by the context:
(1) “Fund” means the Fair Elections Fund created by Sec. 15-52.
(2) “Match-eligible contribution” means any contribution subject to the limits in Sec. 15-96 to a participating candidate from a Denver resident who is a natural person, not to exceed fifty dollars per contributor.
(3) “Participating candidate” means a candidate running in a general or special election for the office of Mayor, City Council, Clerk and Recorder, Judge, and Auditor who has been certified by the clerk and recorder to participate in the Fair Elections Campaign Funding program.
(4) “Qualifying contribution” means a contribution received during the qualifying period of at least five dollars, but not greater than the limits in Sec. 15-54, to a candidate running for the office of Mayor, Judge, City Council, Clerk and Recorder, and Auditor from a Denver resident who is a natural person.
(5) “Qualifying period” means the period beginning on the January 1 immediately following the most recent election for the specific office and ending fifty (50) days before the election date. The qualifying period for any special or vacancy election starts the day that notice has been made for the special or vacancy election and ends on the date of certification or fifty (50) days before the election date.

Sec. 15-50. - Severability.
(a) The provisions of this division and each of its sections, paragraphs, subparagraphs, sentences, and clauses are severable. If any such provision is held to be invalid or unenforceable by any judicial or administrative tribunal, it is the intent of the people of Denver that all other provisions thereof shall remain in full force and effect.

Sec. 15-51. - Fair Elections Fund.
(a) Establishment of Fair Elections Fund. A special, dedicated Fair Elections Fund is established for the purpose of:
(1) Providing public financing for the election campaigns of certified participating candidates; and
(2) Paying for the administrative costs of City staff related to the Fair Elections Act public campaign funding program.
(b) Appropriations to the Fair Elections Fund.
(1) The city shall annually appropriate $2.88 per City of Denver resident per year, as determined by the most recent official United States Census Bureau Population Estimate for the City of Denver, from the City General Fund to the Fair Elections Fund. The Mayor and Council’s duty to appropriate funds for the public financing program shall cease upon the termination of the public financing program. Appropriations to the Fund shall be encumbered to satisfy the obligation created by subsection (a) of this section pursuant to Charter Sec. 7.2.3 until the maximum amount allowed in the Fair Elections Fund is reached pursuant to subsection (b)(3) of this section.
(2) Other sources of revenue in the Fund shall include:
   a. Unspent funds distributed to any participating candidate who does not remain a candidate until the election for which they were distributed, or such funds that remain unspent by a participating candidate;
   b. Other funds appropriated by the Mayor and City Council;
   c. Unexpended campaign contributions from any candidate or political committee.
   d. Any interest generated by the Fund; and
   e. Any other sources of revenue determined as
necessary by the City Council.

(3) The amount in the Fair Elections Fund shall not exceed $8 million. To comply with this limitation, revenue that would otherwise be deposited in the Fair Elections Fund pursuant to subsections (a) and (b) shall instead be deposited in the General Fund.

(4) The City Council may, by adoption of an ordinance by not less than a two-thirds vote of its membership, make an official declaration of fiscal emergency and suspend or reduce the amount of the annual appropriation specified in this subsection.

a. Any such ordinance suspending or reducing the annual appropriation shall be effective for no more than one year.

(c) Periodic Adjustments to Appropriations. The dollar amounts specified in subsection (b) of this section and the aggregate amounts in Sec. 15-56(b) shall be adjusted by an amount based upon the percentage change over a four-year period in the United States bureau of labor statistics consumer price index for Denver- Boulder-Greeley, all items, all consumers, or its successor index, rounded to the nearest lowest five dollars. The first adjustment shall be done in the first quarter of 2024 and then every four years thereafter. The clerk and recorder shall calculate such adjustments.

Sec. 15-52. - Offices Covered.

(a) Candidates for the office of Mayor, City Council, Clerk and Recorder, Judge, and Auditor shall be eligible to participate in the public campaign financing program established by this chapter, pursuant to the restrictions, requirements, and provisions specific to these respective offices.

Sec. 15-53. - Eligibility for Fair Elections Campaign Funding.

(a) To be eligible to be certified as a participating candidate, a candidate must:

(1) Before the end of the qualifying period for the election involved, file with the clerk and recorder an application for certification as a participating candidate, containing the identity of the candidate, the office that the candidate seeks, and the candidate's signature, under penalty of perjury, certifying that:

a. The candidate has complied with the restrictions of this chapter during the election cycle to date;

b. The candidate's campaign committee has filed all campaign finance reports required by law during the election cycle to date and that they are complete and accurate; and

c. The candidate will comply with the requirements of this Act during the remainder of the election cycle and, specifically, if certified a participating candidate, will comply with the requirements applicable to participating candidates.

(2) Before the close of the qualifying period, ensure that the following number of qualifying contributions from unique contributors have been collected by the candidate or the candidate's campaign committee;

a. For the office of Mayor: 250.

b. For the office of City Council, Auditor, Judge, or Clerk and Recorder: 100.

(3) Ensure that each qualifying contribution shall be acknowledged by a receipt to the contributor, with a copy retained by the candidate for a period of two (2) years after the election for which he or she is a candidate. The receipt shall include the contributor's printed name, home address, and telephone number, if any, and the name of the candidate on whose behalf the contribution is made. In addition, the receipt shall indicate that the contributor understands that the purpose of the contribution is to help the candidate qualify for Fair Elections campaign funding, that the contribution up to $50 will be matched by the Fund by 900 percent, and that the contribution is made without coercion or reimbursement. A copy of completed receipts for all qualifying contributions shall be submitted with the application for certification as a participating candidate, and any contribution for which a candidate has not obtained a fully completed receipt shall not be counted as a qualified contribution. This application shall include a signed statement from the candidate indicating that all information on the qualifying contribution receipts is complete and accurate to the best of the candidate's knowledge.

(4) After ballot certification, be in a race with at least one other candidate for that office.
Sec. 15-54. - Requirements for Participation in the Fair Elections Program

(a) Except as provided in subsection (f) of this section, participating candidates and candidates seeking certification may not accept contributions from natural persons above these limits.

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(b) Participating candidates and candidates seeking certification may accept contributions only from natural persons or a small donor committee, as defined in section 15-32 (p), and may not accept contributions from any local, state, or federal issue, candidate, or political committees. A participating candidate or a candidate seeking certification may not accept contributions from a small donor committee in the aggregate in excess of ten times the contribution limit for participating candidates for the office that the candidate seeks.

(c) Participating candidates shall obtain and maintain and issue receipts for all match-eligible contributions retained by the candidate for a period of two (2) years after the election. The receipt shall include the contributor's printed name, home address, and telephone number, if any, and the name of the candidate on whose behalf the contribution is made. In addition, the receipt shall indicate that the contributor understands that the contribution up to $50 will be matched by the Fund by 900 percent, and that the contribution is made without coercion or reimbursement.

(d) Participating candidates and candidates seeking certification shall obtain and furnish to the clerk and recorder any information the clerk may request relating to campaign expenditures or contributions and furnish such documentation and other proof of compliance with this chapter as may be requested by such clerk and recorder; and

(e) (1) Participating candidates must agree to participate in at least two public debates with opponents in the general election and at least one public debate with the opponent in a run-off election if offered. For purposes of this section, a “debate” means the moderated reciprocal discussion of issues among candidates on the ballot for the same office. If there is only one candidate for a given office on the ballot, then no debate for that given office shall be held pursuant to this section.

(2) Each debate held pursuant to this section shall be at least one hour's duration. The Clerk and Recorder’s office shall select one or more sponsors for each debate required pursuant to this section. Organizations which are not affiliated with any political party or with any holder of or candidate for public office, which have not endorsed any candidate in the election shall be eligible to sponsor one or more of the required debates. The rules for conducting such debates, and the date, time and location of such debates, shall be solely the responsibility of the organizations selected but shall not be made final without consultation with the Clerk and Recorder’s office.

(3) Written applications by organizations to sponsor a debate shall be submitted to the Clerk and Recorder’s office on a form provided by the Clerk not later than a date chosen by the Clerk and Recorder in any year in which a municipal election is held with the parameters that the debate takes place after the ballot is certified and before ballots are mailed. The written application shall:

   (i) Demonstrate that the organization and any proposed co-sponsor meet the criteria established in this section;
   (ii) Specify any elections and offices for which the organization seeks to sponsor debates;
   (iii) Set forth proposed dates, times, durations, and locations of the debates and the specific and exclusive circumstances under which the dates or times may be changed, together with a provision for when the rescheduled debates would be held;
   (iv) Provide a detailed description of the format and ground rules for the debates;
(v) Verify that the staging, promotion, and coverage of the debates shall be in conformance with all applicable laws;

(vi) Include an agreement to indemnify the city for any liability arising from the acts or omissions of the sponsor; and

(vii) Set forth plans for publicity and for broadcast and other media coverage for the debates.

(f) Participating candidates and candidates seeking certification must comply with all requirements for candidate affidavits, organization, registration, and reporting for candidate committees in Sections 15-33 and 15-35.

(g) Participating candidates may not donate to their own campaigns in an aggregate amount greater than the limits in Section 15-54(a). However, a participating candidate may personally loan his or her own campaign seed money up to five thousand dollars ($5,000). Any money loaned must be repaid by the campaign from the account that does not include public monies. Any portion of the loan not repaid is deemed a contribution and must comply with applicable contribution limits and reporting requirements.

(h) Participating candidates must refund any unexpended money received from the fair elections fund back to the fair elections fund no later than sixty (60) days after the candidate publicly announces or notifies the clerk and recorder of their withdrawal from the race, or by the last day in the election cycle, whichever occurs first.

(i) Participating candidates must maintain and certify to the clerk and recorder two separate bank accounts. The candidate must use one bank account for all public monies received from the fund and a second account for all other campaign loans and contributions. The restrictions contained in section 15-38 apply to both accounts maintained in accordance with this provision.

Sec. 15-55. - Certification of Participating Candidates by clerk and recorder.

(a) No later than ten (10) business days after a candidate files with the clerk and recorder an application for certification as a participating candidate, the clerk and recorder shall notify the candidate whether or not the application is approved.

(b) If the clerk and recorder determines that a candidate is not certified, the candidate is not required to comply with provisions of this Act applicable only to participating candidates as of the date of the Clerk’s notice.

(c) The clerk and recorder’s determination on the application for certification is a final action subject to judicial review.

(d) A participating candidate’s initial request for funds from the Fair Elections Fund within the application for certification as a participating candidate shall be made using a form prescribed by the clerk and recorder and shall be accompanied by qualifying contribution receipts and any other information the clerk and recorder deems necessary. The clerk and recorder shall verify that a candidate’s qualifying contributions meet all of the requirements and restrictions of this Act prior to the disbursement of funds from the Fair Elections Fund to the candidate.

Sec. 15-56. - Fair Elections Fund Payments.

(a) Participating candidates shall receive payment of funds from the Fair Elections Fund equal to nine-hundred percent (900 percent) of the amount of match-eligible contributions up to $50 received by the candidate during the election cycle with respect to a single election, subject to the aggregate limit on the total amount of Fair Elections Fund payments to a candidate specified in subsection (b). The maximum match is $50 per donor per candidate in an election cycle.

(b) The aggregate amount of Fair Elections Fund payments that may be made to a participating candidate during an election cycle may not exceed:

(1) $750,000 for a candidate running for the office of Mayor;

(2) $250,000 for a candidate running for the office of Councilmember-at-large, Clerk and Recorder, Judge or Auditor; and

(3) $125,000 for a candidate running for a District councilmember.

(c) The clerk and recorder must authorize payments in
accordance with the following schedule:

(1) The clerk must authorize payment of the eligible monies on the August 15 immediately preceding the regularly scheduled municipal general election;

(2) Subsequent payments must be authorized in conjunction with the due date of the monthly campaign finance reports filed by candidates during the year of a regularly scheduled municipal general election;

(3) The clerk must authorize payment of any remaining eligible monies due to the candidate on the fourteenth day before the election.

(d) The clerk and recorder shall provide each participating candidate with a written determination specifying the basis for any non-payment of funds from the Fair Elections Fund. The clerk and recorder shall provide participating candidates with a process by which they may immediately upon receipt of such determination petition the clerk and recorder for reconsideration of any such non-payment and such reconsideration shall occur within five business days of the filing of such petition.

Sec. 15-57. - Run-off Elections.
Notwithstanding any other provision of this chapter, a participating candidate in a run-off election held pursuant to Article VIII Part 2. Section 8.2.21 and Part 3. Section 8.3.5 of the City of Denver Charter shall obtain prompt payment for qualified campaign expenditures in an amount equal to twenty-five cents for each one dollar of public funds paid pursuant to this chapter to the candidate's principal committee for the preceding election. Run-off funds do not count against the aggregate limit in Section 15-54.

Sec. 15-58. - Insufficient Funds in the Program.
If the clerk and recorder determines that there are insufficient funds in the Fair Elections Fund to fund adequately all participating candidates, the clerk and recorder shall notify participating candidates that the clerk and recorder will not likely be capable of distributing to all participating candidates the maximum aggregate amount of Fair Elections Fund payments permissible under Sec. 15-54. Under such circumstances, at such time as the clerk and recorder is unable to fulfill a valid application for funds from the Fair Elections Fund submitted by a participating candidate pursuant to Sec. 15-53(a) and 15-54 the participating candidate may solicit for such candidate's committee and accept contributions under the limit for candidates not participating in the program, and is no longer subject to the requirements for participating candidates in Sections 15-53 and 15-54.

Sec. 15-59. - Duties of the clerk and recorder - Violations-Persons Ineligible for Public Funds-Time Limit.
(a) The clerk and recorder shall:
(1) Adopt rules and regulations if necessary for the implementation of this division of Article III. Such rules shall be promulgated in accordance with D.R.M.C Chapter 2 Article VI.
(2) Prescribe forms and provide instructional materials for reports required to be filed by this division.
(3) Preserve and maintain all such submissions pursuant to this division and make them available for inspection and copying under the requirements of the state Public Records Act, and maintain an online repository of all information filed pursuant to this division which may be accessed by the public through the Clerk's website.
(4) Notify any committee or person involved if the clerk and recorder makes a determination of an apparent violation of this division, or if a written complaint about the committee or person is filed with the clerk and recorder pursuant to section 15-40 regarding compliance with this division.
(5) Audit the filings or submissions of various candidate committees as needed to ensure that the committees fully comply with the provisions of this division.
(b) Complaints and duties of the clerk and recorder regarding potential violations of this article shall be governed by the provisions in Sec. 15-40 and 15-41.
(c) If a participating candidate violates any portion of this division, the candidate, in the hearing officer's discretion, may be ordered to return any public matching funds previously received, may be ineligible to receive any further matching funds for that election, and may be subject to a civil penalty.
Section 15-60. - Effective date and applicability.
(a) This bill takes effect only upon the withdrawal of the “Democracy for the People” initiative from the ballot for the special municipal election to be held at the same time and in conjunction with the November 6, 2018, general election and applies to all municipal elections beginning with the municipal election cycle beginning on January 1, 2020.

This is the end of the Municipal Ballot Information Booklet
SAMPLE BALLOT
For complete 2018 General Election Sample Ballot please visit DenverVotes.org

Sample General Election Ballot / Boleta de Muestra Electoral General
City and County of Denver / Ciudad y Condado de Denver
Tuesday, November 6, 2018 / Martes, 6 de noviembre 2018

Federal Offices - Oficinas Federales
Representative to the 116th United States Congress - District 1
Representante en el 116.º Congreso de los Estados Unidos - Distrito 1
Republican
Charles Casper Stockham
Democratic
Diana DeGette
Libertarian
Raymon Anthony Doane
(Write-In / Por escrito)

State Offices - Oficinas Estatales
State Representative - District 4
Representante Estatal - Distrito 4
Republican
Robert "Dave" John
Democratic
Serena Gonzales-Gutierrez

State Representative - District 5
Representante Estatal - Distrito 5
Republican
Alex Valdez
Democratic
Katherine F. Whitney
Libertarian
Rory Lamberton

State Representative - District 6
Representante Estatal - Distrito 6
Democratic
Chris Hansen

State Representative - District 7
Representante Estatal - Distrito 7
Republican
Jay Frank Kucera
Democratic
James Rashid Coleman

State Representative - District 8
Representante Estatal - Distrito 8
Democratic
Leslie Herod

State Representative - District 9
Representante Estatal - Distrito 9
Republican
Emily Sirota
Democratic
JoyAnn Keener Ruscha

State Treasurer
Tesorero del Estado
Republican
Brian Watson
Democratic
Gerald F. Kiplinger

Attorney General
Procurador General
Democratic
Phil Weiser
Libertarian
William F. Robinson III

Regent of the University of Colorado - At Large
Regente de la Universidad de Colorado - Genérico
Democratic
Lesley Smith
Republican
Ken Montera

State Court Judge - 2nd Judicial District
Juez de Tribunal del Distrito - 2.º Distrito Judicial
Republican
Yes/Si
Democratic
No

District Court Judge - 3rd Judicial District
Juez de Tribunal del Distrito - 3.º Distrito Judicial
Republican
Yes/Si
Democratic
No

District Court Judge - 4th Judicial District
Juez de Tribunal del Distrito - 4.º Distrito Judicial
Republican
Yes/Si
Democratic
No

Secretary of State
Secretario de Estado
Republican
Wayne Williams
Democratic
Jena Griswold
American Constitution
Amanda Cauley

County Court Judge - Denver
Juez de Tribunal del Condado - Denver
Republican
Yes/Si
Democratic
No

Regional Transportation District Director - District B
Director Regional de Distrito de Transporte - Distrito B
Republican
Chris Martinez
Democratic
Joyce Marie Lewis

Regional Transportation District Director - District C
Director Regional de Distrito de Transporte - Distrito C
Democratic
Julia Stewart
Republican
Eliot Tipton

Colorado Supreme Court Justice
Corte Suprema de Justicia de Colorado
Republican
Yes/Si
Democratic
No

voter information: DenverVotes.org  voter registration & updates: GoVoteColorado.com