

## Affidavit of Petitioners' Committee Petition for Denver Initiated Ordinance

We, the undersigned, registered electors of the City And County of Denver, Colorado, pursuant to C&R Election Rule 5.3 and Section 8.3.2 of the Charter of the City and County of Denver, Colorado, hereby file this Affidavit constituting ourselves as the Petitioners' Committee, with the intention to circulate a petition for an Initiated Ordinance, and being duly sworn upon oath, depose and state as follows:

1. The following five (5) registered electors of the City and County of Denver shall constitute the Petitioners' Committee:

Name	Address	Phone Number
Blake Angelo	3774 Yates St Denver CO 80212	303-875-8461
Natasha Leadon	2300 Wetton St Apt 124 Denver CO 80205	720 291 2781
Kyle Huelsman	204 Logan St. Denver CO 80203	303-228-5638
Katherine ETTMAN	1255 19th St apt 1211 DENVER CO 80202	315-576-1909
Reuben Gregory	3637 HIGH ST DENVER CO 80205	303 658 2375

2. The Petitioners' Committee shall be responsible for circulating and filing the petition.

3. Primary contact for the Petitioners' Committee is:

Blake Angelo                      303-875-8461                      blake.angelo@gmail.com  
(Name)                                      (Daytime Phone)                                      (Email)

Address to which notices will be sent: 3774 Yates St, Denver CO 80212

4. The Ballot Title for the Initiated Ordinance shall be as follows: (State Ballot Title in full in space provided or attach typewritten copy.)

See attached

5. The Initiated Ordinance full text shall be as follows: (State ordinance in full in space provided or attach typewritten copy to this page.)


See attached

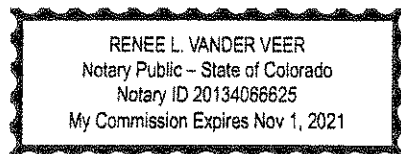
Blake Angelo  
(Legible Signature of Committee Member)  
Natasha Leadon  
(Legible Signature of Committee Member)  
Kyle Huelsman  
(Legible Signature of Committee Member)

Katherine ETTMAN  
(Legible Signature of Committee Member)  
Reuben Gregory  
(Legible Signature of Committee Member)

STATE OF COLORADO  
 CITY AND COUNTY Denver

Subscribed and sworn to me on this  
4th day of May, 2018

My commission expires: 11/1/2021  
  
(Signature of Notary Public)



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 MAY 11 AM 12:39  
 CLERK & RECORDER  
 CITY & COUNTY OF DENVER



# Instructions to Circulators

## Petition for Denver Initiated Ordinance

### 1. How To Circulate a Petition

- A. An initiated ordinance petition may consist of multiple petition sections. There must only be one circulator for each petition section.
- B. Each petition section is bound in a blue manuscript cover and contains: A) an *Affidavit of Petitioners' Committee* containing ballot title and full text, B) an *Instructions to Circulators* page, C) several numbered *Signature Pages* that contain a Warning section at the top of each page, and D) an *Affidavit of Circulator* page.
- C. Read the Warning in this petition section to be aware of who may sign this petition and other legal restrictions on signers of this petition.
- D. A petition section may not be left unattended on a counter or desk for voters to sign.

### 2. Who May Sign a Petition

- A. Signers must be residents of the City and County of Denver and registered to vote in Denver.
- B. Circulators may not sign their own petition section. Notaries may not notarize a petition section they have signed.

### 3. How To Sign a Petition. Signers Must:

- A. Print clearly.
- B. Use blue or black ink. Do not use ditto marks ("") to provide information on a signature line.
- C. Fill out every required field completely, date it and sign it in the presence of the circulator.
- D. Sign their own signature and print their own legal name in the same manner as the person is registered: last name, first name, and middle initial. (For example: Mary Doe, not Mrs. John Doe)
- E. Use the residence address where they reside and are registered to vote, including street name and street number, city and county. Post office boxes may not be used as a place of residence.
- F. Place their initials on all minor corrections. If a major correction is required, the signer should cross out the entire pair of lines containing the error and use the next pair of blank lines.
- G. Not sign for another signer. However, any person **except the circulator** may assist a signer who has limited literacy or is physically unable to write the required information on the petition. The signer must make his or her mark in the signature space and the person giving assistance must provide their signature and a statement that assistance was given. This statement must be provided on the petition immediately following the name of the elector who received assistance.

### 4. What To Do After Petition Section is Completed

- A. Do not disassemble petition sections. If the original staples are removed, all names on the section are disqualified.
- B. A petition section does not have to be completely filled for the listed names to be valid.
- C. The *Affidavit of Circulator* must be properly signed and notarized. Do not sign or date your *Affidavit of Circulator* until in the presence of the notary.
- D. No additional signatures may be collected after the *Affidavit of Circulator* is notarized. Any subsequent signatures are invalid.
- E. All petition sections must be filed with the Elections Division at one time.

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## Warning and Signature Page Petition for Denver Initiated Ordinance

**“WARNING:  
IT IS AGAINST THE LAW:**

**For anyone to sign any initiative petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign a petition when not a registered elector who is eligible to vote on the measure.**

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE. TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE IN THE CITY AND COUNTY OF DENVER:**

**Do not sign this petition unless you have read or had read to you the proposed initiative in its entirety and understand its meaning.”**

**Ballot Title:**

Please see attached.

<b>1.</b>	Date:	Last Name:	First Name:	MI:	Year of Birth (Optional):
	Address – Number, Street, Unit #:		City/County:	Signature:	
<b>2.</b>	Date:	Last Name:	First Name:	MI:	Year of Birth (Optional):
	Address – Number, Street, Unit #:		City/County:	Signature:	
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<b>5.</b>	Date:	Last Name:	First Name:	MI:	Year of Birth (Optional):
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# Warning and Signature Page

## Petition for Denver Initiated Ordinance

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Denver Elections  
Division

# Affidavit of Circulator Petition for Denver Initiated Ordinance

I, \_\_\_\_\_, being duly sworn  
(Circulator's Printed Name)

on oath depose and say that I have read and understand the laws governing the circulation of petitions; that

1. I was a citizen of the United States, and at least 18 years of age at the time this petition section was circulated and signed by the listed electors;
2. I personally circulated this section of the petition;
3. All signatures on this petition section were affixed in my presence;
4. Each signature hereon is the genuine signature of the person whose name it purports to be;
5. To the best of my knowledge and belief, each of the persons signing this petition section was, at the time of signing, a registered elector of the City and County of Denver;
6. I have not paid and will not in the future pay and that I believe that no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing the signer to affix the signer's signature to the petition; and
7. Each signer had an opportunity to read the full text and ballot title of this initiative.

\_\_\_\_\_  
(Signature of Circulator) (Date)

\_\_\_\_\_  
(Circulator's Permanent Residential Address)

\_\_\_\_\_  
(Circulator's Temporary Colorado Residential Address, if applicable)

STATE OF COLORADO  
CITY AND COUNTY \_\_\_\_\_

Subscribed and sworn to me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ [SEAL]

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Notary Public)

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**Additional Sales Tax for the Healthy Food for Denver's Kids Initiative**

**Ballot Title**

**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?**

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**Additional Sales Tax for the Healthy Food for Denver’s Kids Initiative**

*Be it enacted by 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 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,

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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.

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**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 approved by city council; four (4) residents of the city, who shall be appointed to the commission 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 councilmembers 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.

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- (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.

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