

ORDINANCE/RESOLUTION REQUEST

1. Title: (Include a one sentence description that clearly indicates the type of request – grant acceptance, contract execution, municipal code change, supplemental request, etc.)

For an ordinance amending the annual salary solely by a fixed annual cost-of-living adjustment of three-percent (3%) for the District Attorney for the upcoming term of January, 2013 through January, 2017.

2. Requesting Agency: Denver District Attorney's Office.

3. Contact Person with actual knowledge of proposed ordinance (please include phone number):

Mitch Morrissey, Denver District Attorney, 720-913-9000.

Liza Willis, Chief Deputy District Attorney, 720-913-9021.

4. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved, scope of work, duration, location, affected Council district, benefits, and costs. (This is intended to give a brief overview of the ordinance. For additional background and history, please attach an executive summary)

The proposed ordinance would amend Sec. 18-97 to set the compensation of the elected District Attorney, effective January 1, 2013. Under state statute, the compensation structure of an elected District Attorney must be set for their four-year term prior to the District Attorney taking office for that term. The Denver City Council sits as County Commissioners when determining the compensation of the Denver District Attorney.

The compensation structure for the Denver District Attorney was last set in 2008 by the Denver City Council for the District Attorney's term of January, 2009 through January, 2013. At that time, Colorado Revised Statute §20-1-301 established the statutory (and state-funded) base salary for the Denver District Attorney augmented by a portion contributed by the City and County of Denver. Pursuant to that state statute, the legislature in 2012 reviewed the compensation of elected district attorneys for the January, 2013 through December, 2016 term (which actually ends early January, 2017) and made no adjustment in the state contribution to elected district attorneys' compensation.

What the Denver District Attorney seeks by this ordinance is solely a self-executing and built-in annual salary adjustment that keeps pace, in a stair-step manner, with anticipated increases in the cost-of-living in Denver. The ordinance would adjust the District Attorney's compensation by three percent (3%) annually, for each year of the four-year term commencing January, 2013. By taking this approach to annual cost-of-living adjustments for the next four years, the Denver District Attorney anticipates his compensation: will keep up with expected inflation-increases to the cost-of-living; not unfairly fall behind increases in compensation for other public servants who enjoy annual compensation reviews; not fall unfairly behind the compensation of other elected officials

who similarly must have and have had their compensation structures set prior to their assuming office in a new term; and, avoid the necessity in four years to re-adjust compensation for the Denver District Attorney by a substantial catch-up spike.

5. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.

None at this time

(Completed by Mayor's Office): Ordinance Request No. _____ Date: _____