

1 BY AUTHORITY

2
3 RESOLUTION NO. 0381
4 SERIES OF 2013

COMMITTEE OF REFERENCE:
Government and

5 Finance

6
7 A RESOLUTION

8
9 Amending Rule 11 of the Denver City Council Rules of Procedure concerning City
10 Council Expenditures
11

12 WHEREAS, § 3.3.2 of the Charter authorizes the City Council to make rules governing its
13 procedures; and
14

15 WHEREAS, Sec. 13-11.5 (a)(2), D.R.M.C. provides that the Council may adopt or amend its
16 rules of procedure by resolution.
17

18 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF**
19 **DENVER:**
20

21 **Section 1.** That Rule 11 of the of the Denver City Council Rules of Procedure concerning
22 Expenditures shall be amended by deleting the language stricken, and adding the language
23 underlined, to read as follows:
24

25 **Rule 11. Expenditures.**

26 (a) The members of City Council or staff members authorized by them may
27 spend the money allocated to the member from the Council General Fund budget on
28 the following items:
29

30 Payment for the salaries and benefits of the member and staff

31
32 Payment for contract employees and consultants
33

1 Rental of office space or of a facility for a Council meeting or event;
2 parking for the member, staff, and visitors to the office; and items
3 related to the operation of the City office, such as telephone service,
4 utilities, maintenance, cleaning, snow removal, alarm systems, lawn
5 care, and other such expenses; ~~and, reasonable expenses for the~~
6 ~~operation of a home office, such as telephone service and Internet~~
7 ~~connections~~

8
9 Purchase, lease, maintenance, and repair of equipment and furniture
10 for the office

11
12 Purchase of stamps, office supplies, food items, utensils, coffee cups,
13 napkins, first aid supplies, and similar items needed for the operation of
14 the member's City office

15
16 Preparation, printing, and distribution of official newsletters and mass
17 mailings from the Council or the Council member to the public, provided
18 the mailings do not urge the public to vote for or against a candidate for
19 any office or for or against any ballot question or advocate for or against
20 any matter in which the City has no direct and lawful interest (for
21 example, labor disputes between a private employer and its employees)

22
23 Automobile mileage, leasing and operating City-owned automobiles
24 used in the course of official City business, and other automotive costs
25 related to office functions, provided such expenditures are in
26 compliance with applicable City rules and ordinances

27
28 Travel by the member or staff to attend conferences, training, meetings,
29 or events, provided such travel is in compliance with the City's fiscal
30 rules and is related to the official or ceremonial duties of the traveler

31
32 Meals for the member, the member's staff, and guests related to the
33 official or ceremonial functions of the member or staff to the extent
34 permitted by subsection (b) of this Rule

1 Admission to and meals at events related to City business or the
2 member's official or ceremonial duties

3
4 Purchase of books and periodicals

5
6 Cable television service at the same level as provided in the City and
7 County Building or a similar level of satellite television service, Internet
8 service, and similar services for the Council member's office

9
10 Publication of notices or advertisements for the purpose or recruiting
11 staff or notifying the public of City events or services

12
13 Dues for organizations to which the member belongs, provided that the
14 membership must be related to the official or ceremonial duties of the
15 member

16
17 Payment for the expenses related to participation in the activities of
18 organizations to which the City belongs (by way of example, the
19 Colorado Municipal League)

20
21 Donations and event sponsorships to the extent allowed by subsection
22 (d) of this Rule.

23
24 (b) Money allocated to the member from the Council General Fund budget is
25 not to be used for meals for members or staff if within the Denver metropolitan area.
26 Appropriate food and beverage expenditures are for catering official functions
27 (subject to the completion of any "official function" form as required by the City's
28 Fiscal Accountability Rules), including meals served at an annual planning or budget
29 retreat of the City Council or of individual Council district offices, for official visitors on
30 City business or related to the member's official or ceremonial duties, or when the
31 member or council staff is travelling outside the Denver metropolitan area as a part of
32 the member's official or ceremonial duties. In general, expenditures for meals and
33 reimbursement for meal expenses shall be made in accordance with the city's Fiscal
34 Accountability Rules.

1 Expenditures for meals (except for catering official functions) must be purchased with
2 the member or staff's personal funds and reimbursed by the City. Expenditures for
3 meals when the member or council staff is travelling outside the Denver metropolitan
4 area shall be made via an official city travel procurement card.

5
6 (b) (c) No member of Council or any staff member may use City funds, staff,
7 consultants, equipment, vehicles, or facilities in support of any political action
8 committee or for any purpose related to any ballot issue campaign or any campaign
9 involving the nomination, retention, election, or re-election of any person to any
10 public office.

11
12 (e) (d) ~~Council members may authorize donations of money allocated to the~~
13 ~~member from the Council General Fund budget to any organization, including~~
14 ~~another government or another City agency, provided the donation is:~~ Prior to making
15 or committing to make any donation or event sponsorship in any amount, or
16 purchasing a meeting or event ticket or admission valued at more than \$50.00, the
17 member shall complete a form and provide it to the council Executive Director
18 indicating whether the donation, sponsorship, or event ticket or admission is:

- 19
- 20 1. For an identifiable public purpose documented in writing by the member;
- 21
- 22 2. For the benefit of the City and County of Denver or its citizens;
- 23
- 24 3. For a non-sectarian purpose;
- 25
- 26 4. In compliance with all applicable city laws and rules;
- 27
- 28 5. Not made to any campaign for a candidate or issue;
- 29
- 30 6. Not made to any political action committee; and
- 31
- 32 7. Not in support of any litigation or legal action.
- 33

1 ~~A donation includes any purchase of attendance at an event if the cost of admission~~
2 ~~exceeds the actual cost or identified value of production of the event. If a donation~~
3 ~~includes attendance at an event, the member making the donation should indicate~~
4 ~~the persons or groups who are anticipated to attend as a result of the donation.~~
5 ~~Names of the individuals need not be indicated, but they should be identified in a~~
6 ~~general way by category such as students, employees of the City, volunteers, etc.~~

7
8 (d) (e) By February 1 of each year, members of Council shall disclose in a
9 memorandum to the Clerk and Recorder the amount and the recipient of each
10 donation made during the preceding calendar year as provided in subsection (e) (d)
11 of this rule, and each donation received during the preceding calendar year as
12 provided in subsection (f) (g) of this rule.

13
14 (e) (f) Any money allocated to a council member for the purposes set forth in
15 this Rule may, if unspent at the end of the year, be re-appropriated to a special
16 revenue fund and may accumulate in the fund an amount not to exceed \$50,000 for
17 the purpose of making expenditures beneficial to the member's district or to the City
18 as a whole. Any such monies shall be spent solely for capital improvements or capital
19 equipment owned by the City and County of Denver; for travel by the member or staff
20 to attend conferences, training, meetings, or events, provided such travel is in
21 compliance with city fiscal rules and is related to the official or ceremonial duties of
22 the traveler; or to fund the preparation, printing and distribution of official newsletters
23 or mass mailings or other communication from the Council or the Council member to
24 the public, subject to the limitations set forth in paragraph (a) of this Rule 11; or to
25 pay the salary of temporary staff in the event of long-term leave or disability of
26 permanent staff as long as those permanent staff continue to be paid out of the
27 monies allocated to the member out of the council general fund budget.

28
29 (f) (g) Council members may solicit charitable contributions to the city or to
30 private charitable organization to the extent and in the manner permitted by the city's
31 code of ethics. Any charitable contribution given directly to the city in support of a
32 project, program, service, or public improvement associated with the city council itself
33 or with any individual council member shall be subject to the following limitations:
34

- 1 1. Any contribution shall be received and accounted for by the manager
2 of finance in the city council donation fund as established by law.
3
- 4 2. The donor shall specify the project, program, service or public
5 improvement to be funded by the contribution.
6
- 7 3. Any contribution shall serve a public purpose benefitting the City and
8 County of Denver or its citizens. In no event shall charitable
9 contributions be used to fund normal city council operational expenses
10 of the type itemized in subsection (a) of this rule.
11
- 12 4. Anonymous contributions shall not be accepted.
13
- 14 5. The city council reserves the right to refuse any unsolicited charitable
15 contributions.
16
- 17 6. To the extent it is determined that any charitable contribution is no
18 longer needed for the purpose for which it was given, the contribution
19 shall be returned to the donor.
20
- 21 7. The city council shall annually report to the clerk and recorder any
22 and all charitable contributions received as provided in subsection ~~(d)~~
23 (e) of this rule.
24
25

26 COMMITTEE APPROVAL DATE: June 13, 2013 (Consent)

27 MAYOR-COUNCIL DATE: N/A

28 PASSED BY THE COUNCIL _____ 2013

29
30 _____ - PRESIDENT

31
32 ATTEST: _____ - CLERK AND RECORDER,
33 EX-OFFICIO CLERK OF THE
34 CITY AND COUNTY OF DENVER
35

1 PREPARED BY: David W. Broadwell, Asst. City Attorney; DATE: June 10, 2013

2 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
3 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
4 resolution. The proposed resolution **is not** submitted to the City Council for approval pursuant to §
5 3.2.6 of the Charter.
6

7 Douglas J. Friednash, City Attorney

8 BY: _____

9 DATE: _____

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