ORDINANCE NO.   COUNCIL BILL NO. CB11-0600

SERIES OF 2011   COMMITTEE OF REFERENCE:

                                                  Government and Finance

A BILL

For an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the regular biennial school board election of November 1, 2011, a proposed amendment to the Charter of the City and County of Denver

BE IT ENACTED BY THE COUNCIL 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 regular biennial school board election to be

held in the City and County of Denver on November 1, 2011, 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 subsection G shall be

added to section 5.2.1 of the Charter of the City and County of Denver:

"(G) *Appointment of Deputy*. The Auditor may appoint a Deputy, who shall in addition to any other duties assigned perform such functions and exercise such powers of the Auditor as the Auditor may specifically assign to such Deputy."

Section 2. The voting machines and paper ballot for said election shall carry the following

designation, which shall be the title and submission clause:

REFERRED QUESTION _____

1

2   "Shall the Charter of the City and County of Denver be amended to permit the Auditor
3   to appoint a deputy to perform such duties as may be assigned by the Auditor?"
4

5   **Section 3**. Each elector voting at the election and wishing to for or against the amendment

6 shall indicate the elector's choice by depressing the appropriate counter of the voting machine

7 which indicates the word "YES" or the word "NO", or by appropriate marking upon paper ballots

8 when used.

9   **Section 4.** The proper officials of the City and County of Denver as are charged with duties

10 relating to the election shall, before the election, issue such calls, make such certifications and

11 publications, give such notices, make such appointments, and do all such other acts and things in

12 connection with the submission of this Charter amendment to the registered electors of the City

13 and County of Denver at the election as are required by the Constitution and laws of the State of

14 Colorado and the Charter and ordinances of the City and County of Denver.

15   **Section 5.** The ballots cast at such election shall be canvassed and the results

16 ascertained, determined, and certified in accordance with the requirements of the Constitution and

17 laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

18   **Section 6.** If any section, paragraph, clause, or other portion of this ordinance is held to be

19 invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance

20 shall not be affected.

21

1   COMMITTEE APPROVAL DATE: August 17, 2011.

2   MAYOR-COUNCIL DATE: Anticipated August 23, 2011.

3   PASSED BY THE COUNCIL _____ 2011

4   _____ - PRESIDENT

5   APPROVED: _____ - MAYOR _____ 2011

6   ATTEST: _____ - CLERK AND RECORDER,
7   EX-OFFICIO CLERK OF THE
8   CITY AND COUNTY OF DENVER
9

10   NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2011; _____2011

11   PREPARED BY: Daniel B. Slattery;   DATE: August 18, 2011

12   Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
13   City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
14   ordinance. The proposed ordinance **is not** submitted to the City Council for approval pursuant to §
15   3.2.6 of the Charter.
16

17   Douglas J. Friednash, City Attorney

18   BY: _____, _____ City Attorney   DATE: _____, 2011