



Term Limit Reform in Denver

Charter Review Committee
May 20, 2024

Agenda

- Brief history of term limits in Denver
- Problem we are trying to solve
- Research
- Poll Results
- Respondent Demographics
- Survey Analysis
- Questions & Discussion

Brief History

- Term limits in Denver didn't exist until 1995. In November of 1994 voters approved the Colorado Term Limits Amendment to the State Constitution that established term limits across the state, limiting Federal elected officials to three consecutive terms and State elected officials to two consecutive terms
- The Supreme Court overturned the portion that applied to Federal representatives but kept the State portion in place
- In 1996 a ballot measure to eliminate term limits was referred to the ballot but it failed to pass
- In 2000 another ballot measure was referred to Denver voters to increase the number of consecutive terms to three. The voters approved this change

Current Status

- Section § 8.2.6 of the Charter now says: “Elected officers shall serve no more than three consecutive four-year terms in their respective offices”
- This applies to the following elected officials in Denver:
 - Mayor
 - City Council
 - Clerk & Recorder
 - Auditor

What Problem Are We Trying to Solve?

- During the campaign, many residents expressed that they would like to revisit the discussion around terms limits in Denver
 - Folks did not understand the reason behind three terms instead of the two that the State government uses
 - With growing demands on city officials, there is a concern that elected officials may suffer from burnout after serving more than two terms
 - Incumbents have a significant advantage when running for re-election and limiting them to two terms helps to make sure that new elected officials bring fresh ideas to city government

Peer City Research - Overview

- We studied 39 cities across the US in total:
 - 30 most populous in the United States
 - 26 had strong Mayor-Council forms of government
 - 14 had Council-Manager or other forms of government
 - 12 were consolidated City and Counties
 - 3 were in Colorado:
 - Colorado Springs
 - Pueblo
 - Broomfield

Research – Results

| All Cities (39) | | | | | |
|-------------------------------|----------|----------|-------------------------------|----------|----------|
| Mayor | | | Council | | |
| <u>Number of Terms</u> | <u>#</u> | <u>%</u> | <u>Number of Terms</u> | <u>#</u> | <u>%</u> |
| 2 | 21 | 54% | 2 | 14 | 36% |
| 3 | 3 | 8% | 3 | 4 | 10% |
| 4 | 1 | 2% | 4 | 2 | 5% |
| ∞ | 14 | 36% | ∞ | 19 | 49% |
| <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> | <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> |
| 2 | 3 | 10% | 2 | 5 | 13% |
| 4 | 36 | 90% | 4 | 34 | 87% |
| <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> | <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> |
| 8 | 21 | 54% | 8 | 16 | 41% |
| 12 | 3 | 8% | 12 | 4 | 10% |
| ∞ | 15 | 38% | ∞ | 19 | 49% |

Research – Results

| Top 30 Cities in Population | | | | | |
|-------------------------------|----------|----------|-------------------------------|----------|----------|
| Mayor | | | Council | | |
| <u>Number of Terms</u> | <u>#</u> | <u>%</u> | <u>Number of Terms</u> | <u>#</u> | <u>%</u> |
| 2 | 16 | 53% | 2 | 11 | 37% |
| 3 | 2 | 7% | 3 | 4 | 13% |
| 4 | 1 | 3% | 4 | 2 | 7% |
| ∞ | 11 | 37% | ∞ | 13 | 43% |
| <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> | <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> |
| 2 | 3 | 10% | 2 | 5 | 17% |
| 4 | 27 | 90% | 4 | 25 | 83% |
| <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> | <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> |
| 8 | 17 | 57% | 8 | 13 | 43% |
| 12 | 2 | 7% | 12 | 4 | 13% |
| ∞ | 11 | 37% | ∞ | 13 | 43% |

Research – Results

| Strong Mayor-Council Government (24) | | | | | |
|--------------------------------------|----------|----------|-------------------------------|----------|----------|
| Mayor | | | Council | | |
| <u>Number of Terms</u> | <u>#</u> | <u>%</u> | <u>Number of Terms</u> | <u>#</u> | <u>%</u> |
| 2 | 11 | 46% | 2 | 9 | 38% |
| 3 | 1 | 4% | 3 | 1 | 4% |
| 4 | 1 | 4% | 4 | 1 | 4% |
| ∞ | 11 | 46% | ∞ | 13 | 54% |
| <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> | <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> |
| 2 | 3 | 8% | 2 | 1 | 4% |
| 4 | 37 | 93% | 4 | 23 | 96% |
| <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> | <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> |
| 8 | 12 | 50% | 8 | 10 | 42% |
| 12 | 1 | 4% | 12 | 1 | 4% |
| ∞ | 11 | 46% | ∞ | 13 | 54% |

Research – Results

| Consolidated City and Counties (9) | | | | | |
|------------------------------------|----------|----------|-------------------------------|----------|----------|
| Mayor | | | Council | | |
| <u>Number of Terms</u> | <u>#</u> | <u>%</u> | <u>Number of Terms</u> | <u>#</u> | <u>%</u> |
| 2 | 6 | 67% | 2 | 5 | 56% |
| 3 | 2 | 22% | 3 | 1 | 11% |
| ∞ | 1 | 11% | ∞ | 3 | 33% |
| <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> | <u>Length of Term (Years)</u> | <u>#</u> | <u>%</u> |
| 2 | 0 | 0% | 2 | 0 | 0% |
| 4 | 9 | 100% | 4 | 9 | 100% |
| <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> | <u>Total Time (Years)</u> | <u>#</u> | <u>%</u> |
| 8 | 6 | 67% | 8 | 5 | 56% |
| 12 | 2 | 22% | 12 | 1 | 11% |
| ∞ | 1 | 11% | ∞ | 3 | 33% |

Research - Conclusions

- The vast majority of the top 30 American cities, cities of a similar size with strong Mayor-Council forms of government, and consolidated city and counties have either no term limits or a two-term limit
- Almost all cities studied have a four-year term.
- Only Denver, Aurora, Las Vegas, Phoenix, and Los Angeles had a 3-term limit for either Mayor or Council
- No cities east of the Mississippi (with term limits) had more than a 2-term limit

Overview of Gathering Community Input

- The Colorado Polling Institute conducted a survey of likely 2024 general election voters between August 17-18, 2023, and included a question about term limits
- Councilmembers Amanda Sawyer and Amanda Sandoval conducted a survey via SurveyMonkey from June 26-August 4, 2023, and received 705 respondents. The demographics and geographic location of respondents show this is not a representative sample and therefore not statistically significant, and therefore not considered in this analysis
- In May 2024, City Council also contracted with Magellan Strategies to conduct a statistically valid, demographically representative citywide poll
- A webpage was also created: [Bit.ly/TermLimitReform](https://bit.ly/TermLimitReform)

Term Limits

17. Denver currently limits elected officeholders, including mayor, auditor, clerk and recorder, and city council members, to no more than three consecutive four-year terms (12 years). Do you support or oppose a plan to reduce those limits to no more than two consecutive four-year terms (8 years)?

| | Freq. | % |
|-----------------------------------|------------|--------------|
| Support | 260 | 62.9% |
| Strongly support | 169 | 40.8% |
| Somewhat support | 91 | 22.1% |
| Neither support nor oppose | 62 | 15.0% |
| Oppose | 72 | 17.5% |
| Somewhat oppose | 40 | 9.7% |
| Strongly oppose | 32 | 7.7% |
| Undecided | 19 | 4.7% |
| Total | 414 | 100.0% |

Screenshot of results of question 17 from the Colorado Polling Institute of likely 2024 general election voters, conducted between August 17-18, 2023

Overview of Recent Citywide Poll

- Magellan Strategies conducted a citywide poll from May 7th to May 14th, 2024
- MMS text method utilized
- 1,595 eligible voters responded
- The survey was offered in English, Spanish, Vietnamese, and Amharic
 - 14 Hispanic respondents
 - 1 Vietnamese respondent
 - 1 Amharic respondent
- The survey has a margin of error of +/- 2.45% at the 95% confidence level
- Survey data was weighted to represent voter turnout demographics of a presidential election year for the City & County of Denver

T2. For statistical purposes only, are you at least 18 years old and a resident of Denver, Colorado?

Yes 100%

T3. How likely are you to vote in the November 2024 election for President, Congress, the state legislature, and statewide and local ballot measures?

Extremely Likely 89%

Very Likely..... 7%

Somewhat Likely 3%

Unlikely..... 1%

Screenshot of the questions ensuring eligibility and to understand the weighting criteria.

Polling Results: Questions 6 and 13

Polling Question: If an election were being held today, would you vote yes and approve or vote no and reject a ballot measure to reduce the term limits for the following Denver elected officials from three terms to two terms?

** This question was asked twice. Once at the beginning when voters were not provided information and again at the end of survey, after voters had received more information about the pros and cons of the proposal*

| | Question 6 | | | |
|----------------------|------------|--------------|--------------------|---------|
| | Mayor | City Council | Clerk and Recorder | Auditor |
| Total Approve | 74% | 74% | 63% | 64% |
| Total Reject | 19% | 18% | 22% | 21% |
| Undecided | 7% | 8% | 15% | 15% |

| | Question 13 | | | |
|----------------------|-------------|--------------|--------------------|---------|
| | Mayor | City Council | Clerk and Recorder | Auditor |
| Total Approve | 71% | 69% | 60% | 60% |
| Total Reject | 22% | 21% | 24% | 23% |
| Undecided | 7% | 10% | 16% | 17% |

Polling Results: Question 7

In 1994, Colorado voters approved an amendment to the state constitution that limited local elected officials to two terms in office. In 2000, Denver voters approved a measure to allow the city's elected officials to serve for three terms or 12 years. This ballot measure would change the limit back to two terms. Knowing this information, are you:

| | Total | District | | | | | | | | | | |
|------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Total More Likely Approve | 64% | 66% | 70% | 69% | 72% | 72% | 69% | 52% | 52% | 62% | 52% | 75% |
| Total More Likely Reject | 17% | 13% | 13% | 16% | 16% | 12% | 11% | 21% | 29% | 15% | 23% | 14% |
| Unsure | 19% | 21% | 17% | 15% | 12% | 16% | 20% | 27% | 19% | 23% | 25% | 11% |
| Much More Likely Approve | 48% | 55% | 53% | 54% | 57% | 59% | 49% | 33% | 39% | 40% | 40% | 55% |
| Somewhat More Likely Approve | 16% | 11% | 17% | 15% | 15% | 13% | 20% | 19% | 13% | 22% | 12% | 20% |
| Much More Likely Reject | 8% | 4% | 5% | 9% | 6% | 7% | 7% | 8% | 12% | 9% | 13% | 6% |
| Somewhat More Likely Reject | 9% | 9% | 8% | 7% | 10% | 5% | 4% | 13% | 17% | 6% | 10% | 8% |

Polling Results: Question 8

Some opponents of a two-term limit for elected officials argue that shorter term limits give lobbyists more power because they have greater knowledge of how the city works than newer elected officials. Knowing this information, are you:

| | Total | District | | | | | | | | | | |
|------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Total More Likely Approve | 44% | 45% | 51% | 56% | 44% | 49% | 45% | 30% | 42% | 40% | 34% | 48% |
| Total More Likely Reject | 32% | 27% | 27% | 20% | 26% | 33% | 33% | 43% | 37% | 34% | 42% | 24% |
| Unsure | 24% | 28% | 22% | 24% | 30% | 18% | 22% | 27% | 21% | 26% | 24% | 28% |
| Much More Likely Approve | 26% | 29% | 29% | 31% | 30% | 32% | 29% | 11% | 20% | 23% | 18% | 34% |
| Somewhat More Likely Approve | 18% | 16% | 22% | 25% | 14% | 17% | 16% | 19% | 22% | 17% | 16% | 14% |
| Much More Likely Reject | 13% | 7% | 10% | 10% | 11% | 12% | 9% | 19% | 21% | 13% | 18% | 11% |
| Somewhat More Likely Reject | 19% | 20% | 17% | 10% | 15% | 21% | 24% | 24% | 16% | 21% | 24% | 13% |

Polling Results: Question 9

Some supporters of a two-term limit for elected officials argue that with growing demands on city officials, there is a concern that elected officials may suffer from burnout after serving more than two terms. Knowing this information, are you:

| | Total | District | | | | | | | | | | |
|------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Total More Likely Approve | 60% | 61% | 64% | 62% | 60% | 67% | 58% | 50% | 49% | 61% | 58% | 68% |
| Total More Likely Reject | 14% | 10% | 18% | 15% | 21% | 11% | 13% | 16% | 13% | 13% | 17% | 9% |
| Unsure | 26% | 29% | 18% | 23% | 19% | 22% | 29% | 34% | 38% | 26% | 25% | 23% |
| Much More Likely Approve | 38% | 42% | 43% | 45% | 49% | 46% | 34% | 24% | 31% | 32% | 31% | 44% |
| Somewhat More Likely Approve | 22% | 19% | 21% | 17% | 11% | 21% | 24% | 26% | 18% | 29% | 27% | 24% |
| Much More Likely Reject | 7% | 3% | 6% | 9% | 9% | 7% | 7% | 8% | 9% | 5% | 10% | 4% |
| Somewhat More Likely Reject | 7% | 7% | 12% | 6% | 12% | 4% | 6% | 8% | 4% | 8% | 7% | 5% |

Polling Results: Question 10

Some opponents of a two-term limit for elected officials argue that if voters elect someone who they are very happy with and who they feel represents them well, that person should be able to serve for 12 years instead of 8 years. Knowing this information, are you:

| | Total | District | | | | | | | | | | |
|------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Total More Likely Approve | 49% | 44% | 52% | 46% | 60% | 63% | 38% | 43% | 54% | 43% | 45% | 57% |
| Total More Likely Reject | 28% | 31% | 25% | 28% | 19% | 23% | 37% | 33% | 20% | 29% | 26% | 28% |
| Unsure | 23% | 25% | 23% | 26% | 21% | 14% | 25% | 24% | 26% | 28% | 29% | 15% |
| Much More Likely Approve | 30% | 24% | 29% | 33% | 41% | 40% | 25% | 20% | 33% | 23% | 31% | 40% |
| Somewhat More Likely Approve | 19% | 20% | 23% | 13% | 19% | 23% | 13% | 23% | 21% | 20% | 14% | 17% |
| Much More Likely Reject | 14% | 16% | 10% | 15% | 13% | 12% | 18% | 15% | 10% | 13% | 14% | 13% |
| Somewhat More Likely Reject | 14% | 15% | 15% | 13% | 6% | 11% | 19% | 18% | 10% | 16% | 12% | 15% |

Polling Results: Question 11

Some supporters of a two-term limit for elected officials argue that incumbents have a significant advantage when running for re-election and limiting them to two terms helps to make sure that new elected officials bring fresh ideas to city government. Knowing this information, are you:

| | Total | District | | | | | | | | | | |
|------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Total More Likely Approve | 66% | 68% | 73% | 68% | 62% | 75% | 61% | 57% | 57% | 67% | 68% | 74% |
| Total More Likely Reject | 15% | 13% | 12% | 13% | 16% | 13% | 15% | 19% | 16% | 18% | 14% | 11% |
| Unsure | 19% | 19% | 15% | 19% | 22% | 12% | 24% | 24% | 27% | 15% | 18% | 15% |
| Much More Likely Approve | 41% | 43% | 47% | 42% | 49% | 56% | 35% | 28% | 26% | 33% | 40% | 54% |
| Somewhat More Likely Approve | 25% | 25% | 26% | 26% | 13% | 19% | 26% | 29% | 31% | 34% | 28% | 20% |
| Much More Likely Reject | 7% | 5% | 6% | 5% | 5% | 8% | 9% | 9% | 5% | 11% | 6% | 9% |
| Somewhat More Likely Reject | 8% | 8% | 6% | 8% | 11% | 5% | 6% | 10% | 11% | 7% | 8% | 2% |

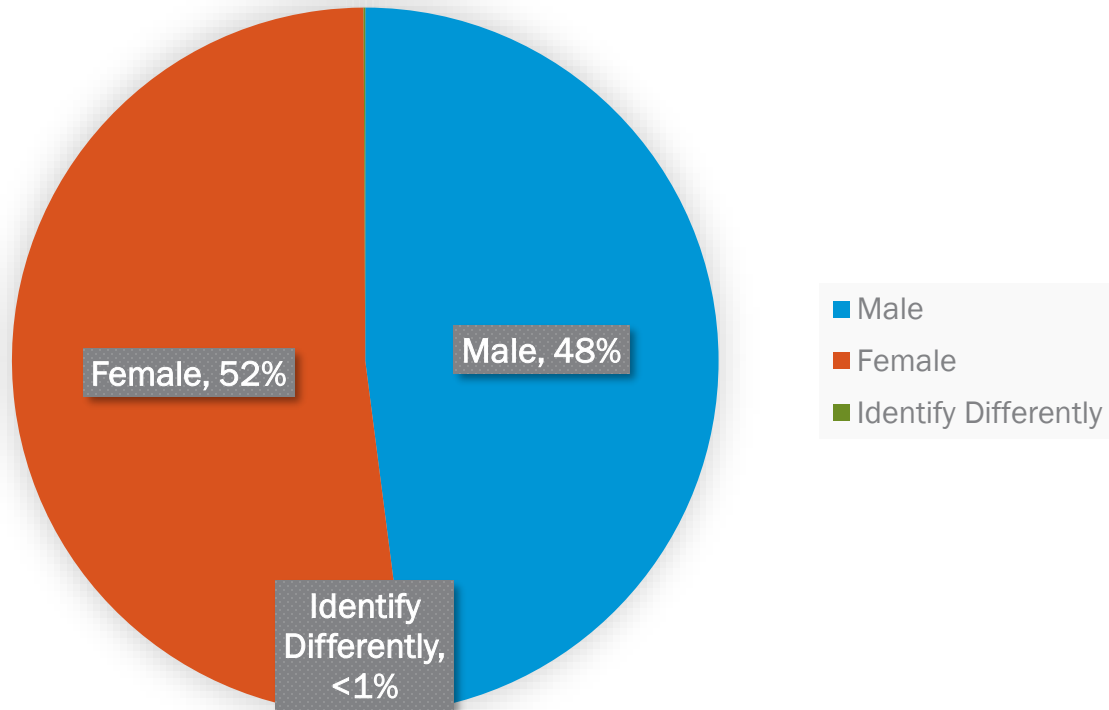
Polling Results: Question 12

Some opponents of a two-term limit for elected officials argue that three terms provide the right balance of experience and fresh ideas, and that the city would miss out on the important knowledge held by officials who serve longer than 8 years. Knowing this information, are you:

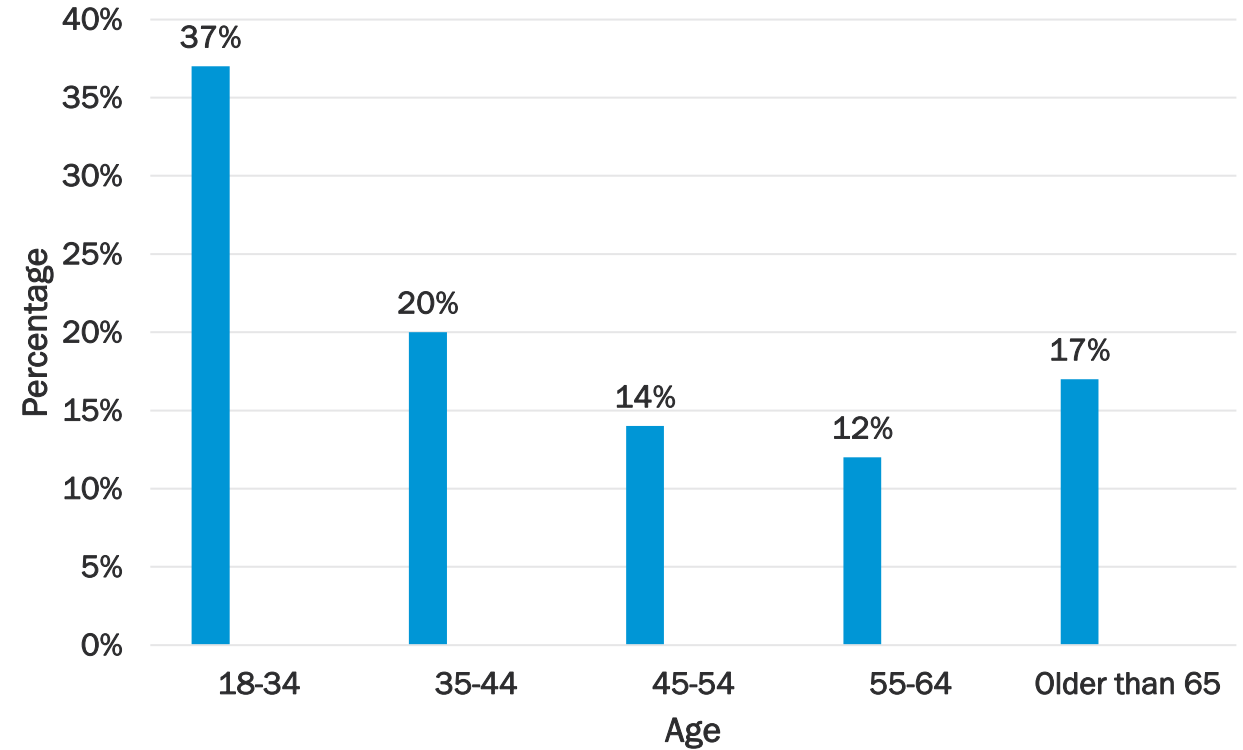
| | Total | District | | | | | | | | | | |
|------------------------------|-------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Total More Likely Approve | 46% | 45% | 55% | 46% | 48% | 50% | 41% | 35% | 45% | 48% | 44% | 58% |
| Total More Likely Reject | 27% | 29% | 26% | 25% | 22% | 28% | 28% | 36% | 29% | 23% | 27% | 24% |
| Unsure | 27% | 27% | 19% | 29% | 30% | 22% | 31% | 29% | 26% | 29% | 29% | 18% |
| Much More Likely Approve | 29% | 31% | 29% | 32% | 36% | 35% | 30% | 18% | 25% | 26% | 26% | 34% |
| Somewhat More Likely Approve | 17% | 14% | 26% | 14% | 12% | 15% | 11% | 17% | 20% | 22% | 18% | 24% |
| Much More Likely Reject | 12% | 11% | 9% | 9% | 13% | 11% | 11% | 15% | 16% | 11% | 14% | 12% |
| Somewhat More Likely Reject | 15% | 18% | 17% | 16% | 9% | 17% | 17% | 21% | 13% | 12% | 13% | 12% |

Respondent Demographics

Gender

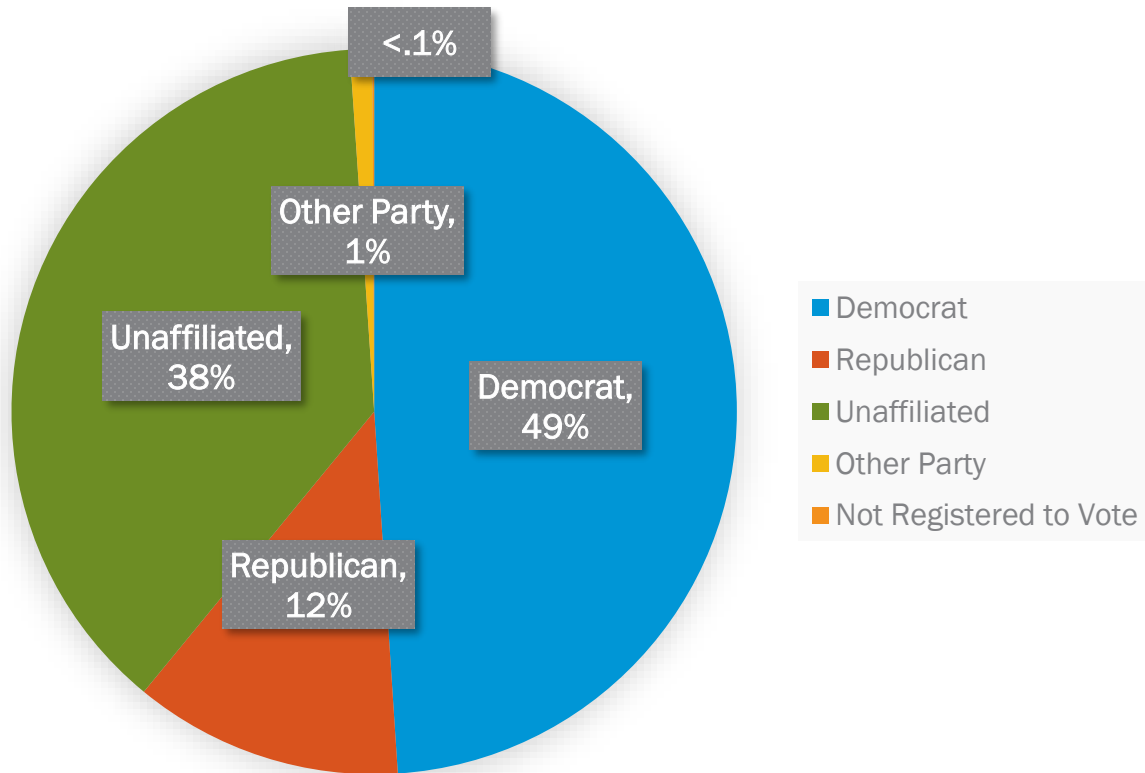


Age

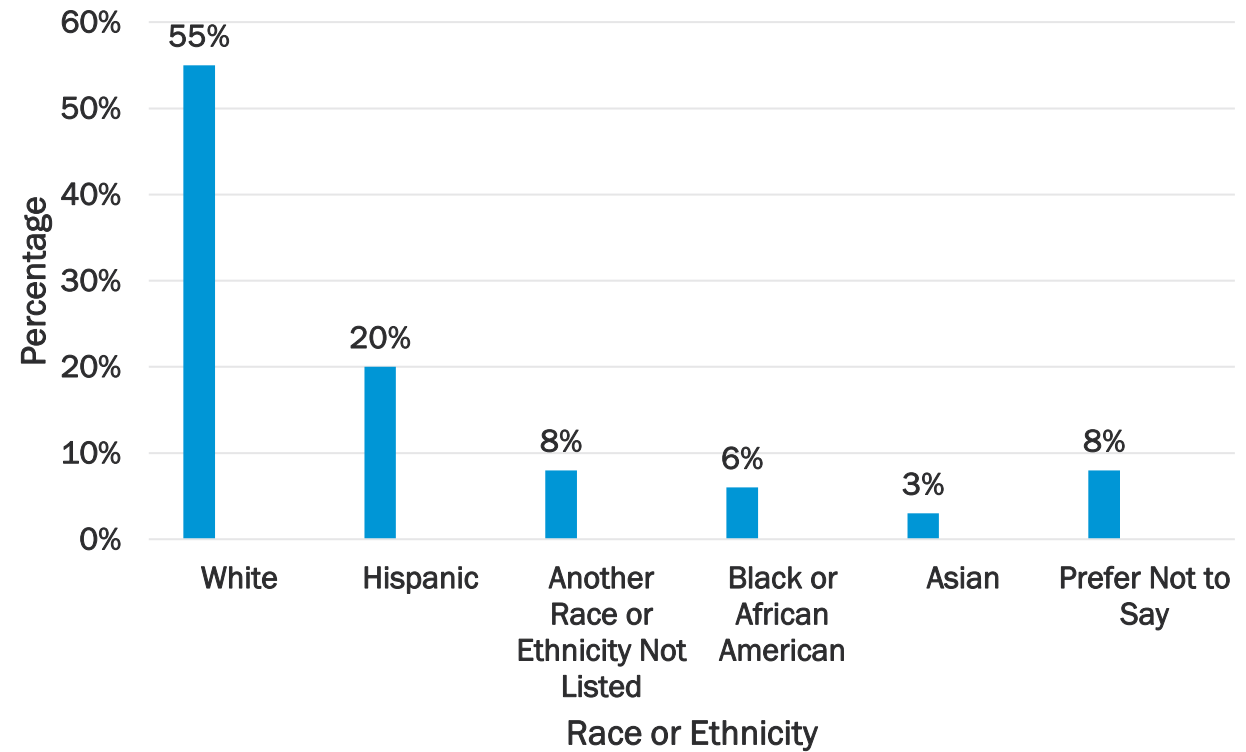


Respondent Demographics Continued

Political Affiliation

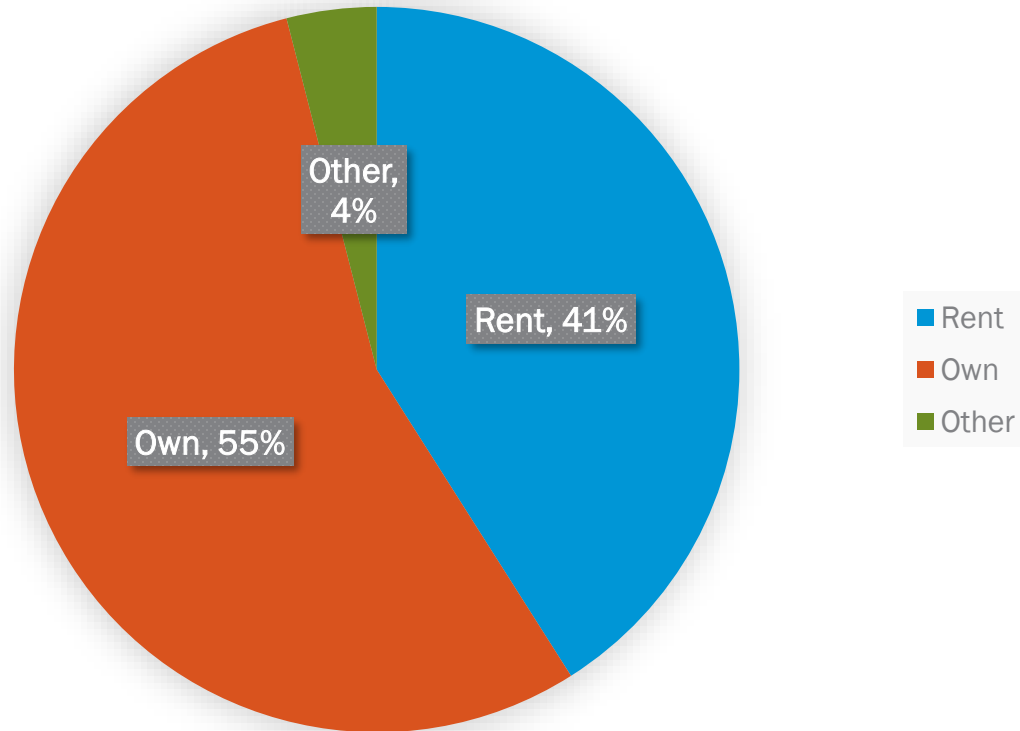


Race or Ethnicity

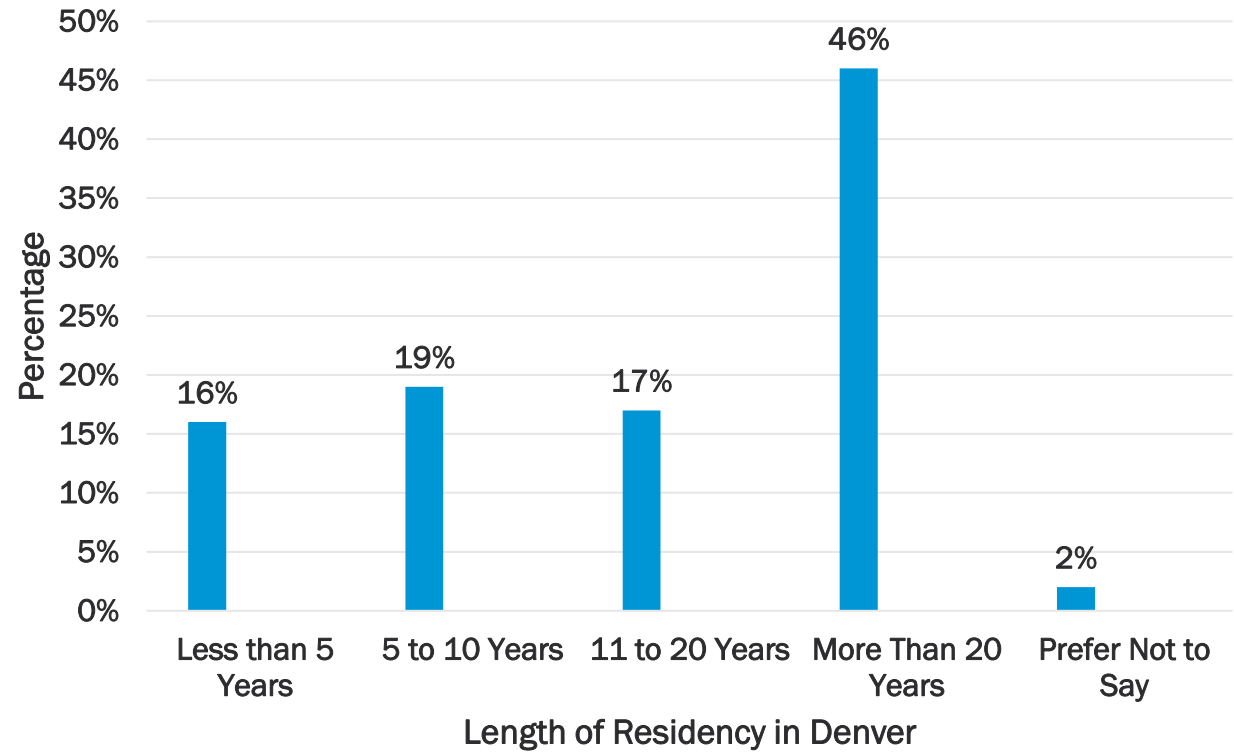


Respondent Demographics Continued

Do you rent or own your home?

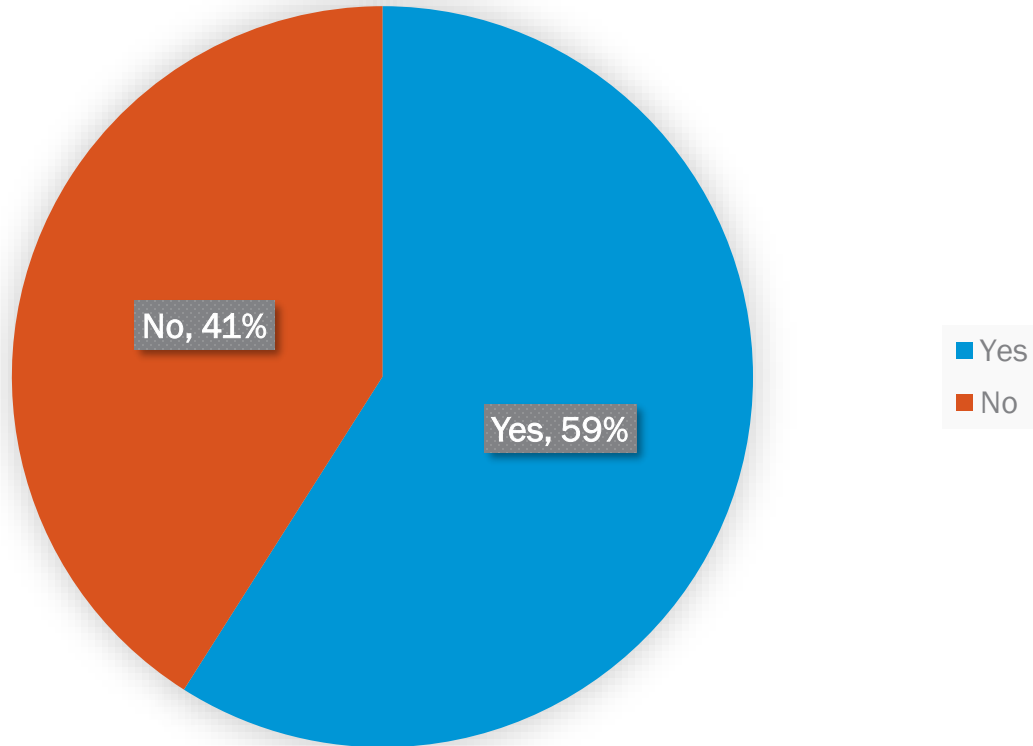


Length of Residency in Denver

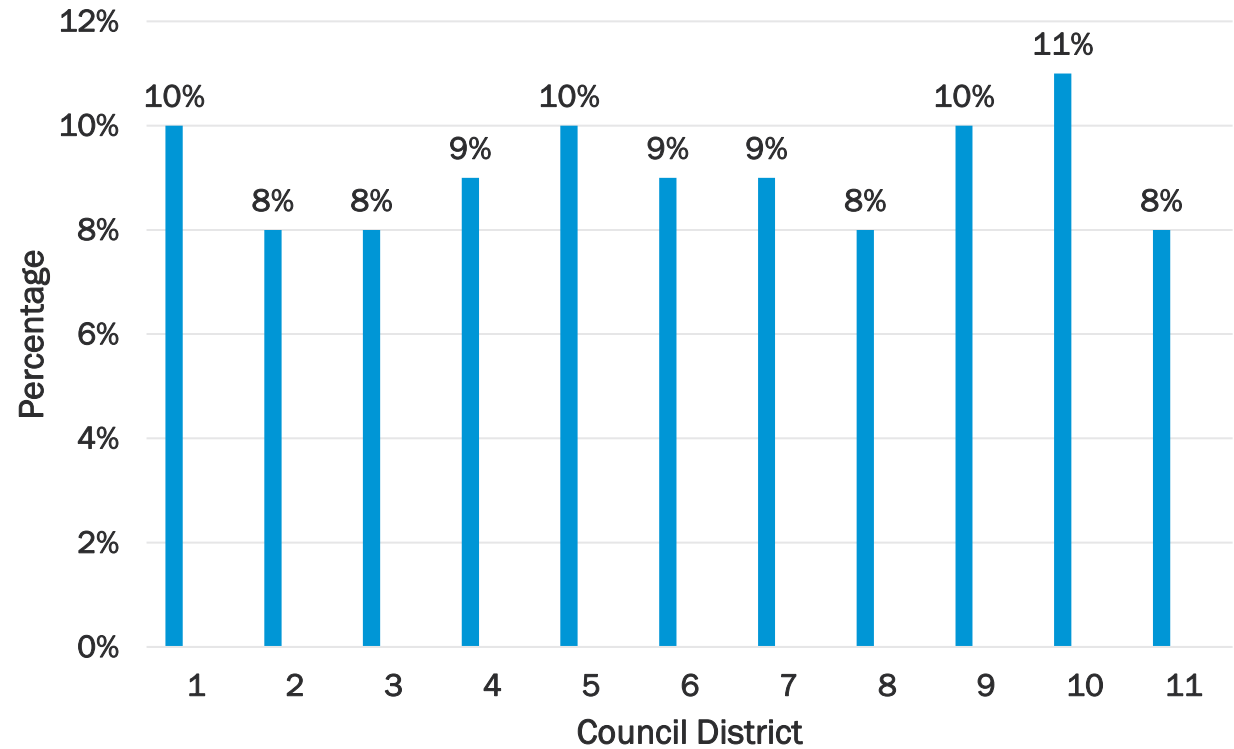


Respondent Demographics Continued

Do you have a 4-year college degree?



What Council District do you live in?



Themes that Emerged from the Poll

- 1. Frustration with Incumbents:** Many respondents expressed frustration with incumbent officials, feeling that they have too much power, are out of touch with the needs of the people, or are beholden to special interests.
- 2. Concerns about Policy Priorities:** There are concerns about the policy priorities of the current administration, with some feeling that resources are misallocated, and priorities are misplaced, particularly in regard to handling the migrant situation, drugs, violence, and homelessness.
- 3. Desire for Change:** There is a widespread desire for change among respondents, with many expressing a desire for new leadership and fresh ideas to address the city's challenges.
- 4. Immigration Policy:** Several respondents specifically mentioned concerns about immigration policy, advocating for stricter policies or expressing frustration with the perceived prioritization of immigrants over citizens.
- 5. Support for Term Limits:** While opinions on term limits varied, there was a notable proportion of respondents who supported term limits as a means of preventing corruption, maintaining accountability, and ensuring turnover of leadership.

Survey Analysis

There is broad support to make a change to the term limits based on:

- 71% of respondents said they'd support changes to the Mayor's term limits
- 69% of respondents said they'd vote *today* to change the term limits of City Councilmembers to two-terms (8 years) from 3 terms (12 years)
- There is a minimum of 60% support for changing the term limits Clerk & Recorder and the Auditor to two-terms (8 years) from 3 terms (12 years)

| | Mayor | City Council | Clerk and Recorder | Auditor |
|---------------|-------|--------------|--------------------|---------|
| Total Approve | 71% | 69% | 60% | 60% |
| Total Reject | 22% | 21% | 24% | 23% |
| Undecided | 7% | 10% | 16% | 17% |

Proposal

- **Charter language:** Amending Sec. § 8.2.6 of the Charter
- **Special Elections:** Sec. § 8.2.6 states “If, in order to fill a vacancy in an elective office, the officer first takes office by way of succession, appointment or special election occurring more than two years prior to a general City and County election, the officer shall thereafter serve no more than **two** consecutive four-year terms in that same office. For purposes of this Section, terms are considered consecutive unless they are at least four years apart.” **We would need to address this by reducing to one term or otherwise amending the section.**
- **Effective Date:** We would state in the bill that this would not be effective until the 2027 election.
- **Effect on Current Elected Officials:** Anyone in office now could serve a total of 12 years. That would mean anyone inaugurated in July 2023 would either have one or two terms left, and anyone inaugurated in July 2027 would have max two terms.

Questions & Discussion