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Charter Amendment Proposal FAQ's:
Council Approval of Mayoral Cabinet & Heads of Safety Appointees

1. What positions does this proposal cover?

This proposal applies to the 11 Mayoral Cabinet positions that are specific to the Denver Charter, which are the Executive Directors of: Aviation, City Attorney, Community Planning & Development, Dept. of Public Health & Environment, Dept. of Transportation & Infrastructure, Excise & License, Finance, General Services, Human Services, Parks & Recreation, and Safety.

In addition, this proposal includes the three heads of Denver's Safety Departments: Fire Chief, Chief of Police, and Sheriff. These positions were added to Councilwoman Sawyer's original proposal to bridge the gap with Councilwoman CdeBaca's proposal for an elected Sheriff. Feedback we received indicated that all three Heads of Safety should be included in this proposal if any were going to be included. Most feedback indicated that Councilmembers should have input in the selection of major agency appointees.

2. What problem are we trying to solve?

Both on the campaign trail and over the past year post-election, we heard significant feedback from the residents of Denver that they would like more balance, transparency, and accountability from their government. This proposal gives constituents a voice through their independently elected City Council representatives to ensure that appointees are vetted in a fair, consistent, and transparent manner. It respects our strong-mayor form of government while bringing more balance to the system.

3. Is this common in other cities with strong-mayor forms of government?

Yes, this practice is common in other strong-mayor cities. In fact, Denver is the only city in Colorado that has a strong-mayor form of government that does not have Council approval of Mayoral appointees. Additionally, the majority of strong-mayor cities that Denver looks to when comparing policies also use this practice. Please see the attached information sheet provided for a comparison of cities.

4. Will this proposal deter qualified candidates from applying?

No. At the pleasure of the Mayor, Denver has sometimes previously used a process where the top candidates were interviewed by a vetting committee that included City Council members and forums with community members. This process was made known to candidates ahead of time, and there was no shortage of qualified candidates. As such, if anything, this change would reinstate and codify a process of transparency that has previously existed in our City government. Additionally, every executive-level job candidate should demonstrate their ability to effectively communicate with 13 members of City Council before they get the job involving one of the most powerful positions in Denver.

Further, political appointments are public positions with salaries that are set by ordinance. In short, they are jobs that enjoy a lower expectation of privacy than a line-staff position because of the high-profile nature of their expected role. If a candidate for one of these positions isn't willing to sit in front of City Council and have a conversation, then they are not capable of fulfilling the duties of the job.



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Finally, Council approval of Mayoral appointments is analogous to a situation in the private sector where corporate boards approve C-suite appointments in a corporation. When a person gets to a certain level of professional success, applying for a different job will almost always involve an element of this risk. If a candidate for one of the most powerful positions in Denver cannot garner the support of 7 members of a 13-member City Council, they should not be considered qualified for the position.

5. If Councilmembers have approval authority but do not have the dismissal power, doesn't that leave their hands tied if there is a bad hire?

No. Council does not have the power to engage in "administrative affairs," and to do so would change the dynamic of our strong-mayor form of government. This proposal creates a situation where Councilmembers have buy-in with the appointees, which means they also have incentive to create successful working partnerships with those appointees. In the unlikely case of an extreme bad actor, Council already has investigative power under the Denver Charter and would be able to use that authority, so additional safeguards are not needed in this proposal.

6. What policies and procedures will be followed to approve an appointee if the voters approve this proposal?

Councilwoman Sawyer has proposed several procedural requirements in the Charter change amendment itself. These procedural requirements are: (1) approval of an appointee requires a majority of councilmembers (seven members); (2) a requirement that appointments be filled in a timely manner; (3) that the appointment would be filed as a resolution, and Council would have 30 days to approve the appointee; and (4) that if Council fails to act to approve or reject the appointee in that time period, that results in automatic approval of the appointee.

A stakeholder process should be convened to set forth other necessary policies and procedures that would accompany this proposal, should it be approved by the voters. The Charter is not the appropriate place to specify the details of those procedures; they should be created separately, taking into account feedback around various concerns, including issues like confidentiality and interim appointments.