

1 **BY AUTHORITY**

2 ORDINANCE NO.
3 SERIES OF 2020

COUNCIL BILL NO. 20-0573
COMMITTEE OF REFERENCE:
Finance and Governance Committee

6 **A BILL**

7
8 **For an ordinance submitting to a vote of the registered electors of the City and**
9 **County of Denver at a special municipal election to be held in conjunction with the**
10 **coordinated election on November 3, 2020, a proposed amendment to the Charter**
11 **of the City and County of Denver to give city council the authority to initiate a**
12 **supplemental appropriation or transfer.**

13
14 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

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16 **Section 1.** There is hereby submitted to the registered electors of the City and County of
17 Denver for their approval or rejection at a special municipal election held in conjunction with the
18 coordinated election on November 3, 2020, a proposed amendment to the Charter of the City and
19 County of Denver, as follows:

20
21 **Effective upon publication and filing with the Secretary of State in accordance with the**
22 **Constitution and laws of the State of Colorado, the following sections of the Charter of**
23 **the City and County of Denver are amended to read as follows:**

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25 **§ 7.3.2 – Recommendation by Mayor and cabinet to transfer funds; action by Council; Council**
26 **initiated supplemental appropriation or transfer.**

27 The Mayor and the cabinet may recommend an ordinance to the City Council transferring funds
28 from one administrative department or office to another, when in their judgment the public service requires
29 it, and the City Council shall act thereon in the same manner as provided in the Charter for the Mayor's
30 annual appropriation ordinance.

31 During the fiscal year, the City Council, following consultation with the Manager of Finance, may
32 authorize an ordinance appropriating new revenue or revenue in excess of those estimated in the budget
33 or may authorize a transfer of an unencumbered balance in whole or in part from a specified non-

1 enterprise fund, provided the supplemental appropriation or transfer does not conflict with any uses for
2 which such revenue specifically accrued. In no case may such supplemental appropriation cause total
3 estimated expenditures, including an accrued deficit, to exceed total estimated revenues, including an
4 unappropriated surplus. The City Council shall act on such supplemental appropriation or transfer in the
5 same manner as provided in Section 3.3.5 of the Charter.

6

7 **Section 2.** The ballot shall contain the following title and submission clause:

8

9 **REFERRED QUESTION _____**

10

11 Shall the Charter of the City and County of Denver be amended to give the city council
12 authority to initiate a supplemental appropriation or transfer, following consultation with the
13 Manager of Finance?

14

15 **Section 3.** The proper officials of the City and County of Denver as are charged with duties
16 relating to the election shall, before the election, issue such calls, make such certifications and
17 publications, give such notices, make such appointments, and do all such other acts and things in
18 connection with the submission of this Charter amendment to the registered electors of the City and
19 County of Denver at the election as are required by the Constitution and laws of the State of Colorado
20 and the Charter and ordinances of the City and County of Denver.

21 **Section 4.** The ballots cast at such election shall be canvassed and the results ascertained,
22 determined, and certified in accordance with the requirements of the Constitution and laws of the State
23 of Colorado and the Charter and ordinances of the City and County of Denver.

24 **Section 5.** If any section, paragraph, clause, or other portion of this ordinance is held to be
25 invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance shall not
26 be affected.

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29 [BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

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1 COMMITTEE APPROVAL DATE: June 16, 2020

2 MAYOR-COUNCIL DATE: June 23, 2020

3 PASSED BY THE COUNCIL _____ July 20, 2020

4 *Eric Johnson* - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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 _____; _____

11

12 PREPARED BY: Kirsten J. Crawford, Assistant City Attorney; DATE: June 24, 2020

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

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18 Kristin M. Bronson, City Attorney

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20 BY: *Kirsten J. Crawford*, Assistant City Attorney

DATE: Jun 24, 2020