

DENVER CITY COUNCIL



Ballot Measure Proposal Submission Form

Thank you for ensuring that Denver’s ballot referral process adheres to good governance principles. Please provide thoughtful and well researched responses to the following questions at least ____ before the proposal is submitted to the Finance and Governance Committee.

Responses to each question are limited to 250 words. Please contact _____ with any questions or concerns.

1. Is the ballot measure proposal an amendment to the Charter or the Code?

Charter Amendment

Code Amendment

2. Topic or title of ballot measure proposal.

Council Approval of Various Mayoral Appointees

3. What problem are you trying to solve?

The residents of Denver have asked for more transparency, accountability and balance from their government.

4. How will the proposed amendment address this problem?

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.

5. Explain the origins and background of your proposal.

After hearing residents clamor for more transparency and accountability while on the campaign trail, Councilwoman Sawyer began researching what kinds of processes other Cities with strong-mayor forms of government have implemented. 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. In fact, 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. As

such, if anything, this change would reinstate and codify a process of transparency that has previously existed in our City government.

6. Describe the stakeholders (internal and external) and the stakeholder process.
Internal: I have briefed every Councilmember and the Mayor's office on this proposal. I have reached out to the affected Agencies to offer a briefing and request feedback as well. The Agencies are: 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 (Manager of Safety as well as Chiefs of Police and Fire, and Sheriff). Additionally, I reached out to both the Auditor and the Clerk & Recorder for feedback on the proposal. External: I have shared a survey with the greater Denver community and received feedback that over 70% of voters who completed the survey believe this should be referred to the people, and over 55% of voters who completed the survey believe it should pass. I have briefed INC and received their support for the proposal. I have also reached out to all of the the Unions representing all three branches of Safety workers to offer a briefing and requested feedback on the proposal.
7. What city agencies will be impacted? Provide the agency feedback.
The impacted Agencies are: 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 (Manager of Safety as well as Chiefs of Police and Fire, and Sheriff). I have reached out to the Mayor's office, all affected Agencies, and the Unions representing all three branches of Safety workers to offer a briefing and request feedback. The Mayor's Office is not supportive of the proposal. I am meeting with the newly appointed Manager of Safety on Monday, June 1, 2020 to discuss the proposal. All other Agencies declined to respond.
8. What is the fiscal impact to the city?
There is no fiscal impact to the City of Denver.
9. Provide any appropriate legal analysis. Are there any possible legal problems? Are there any relevant state laws?
There are no relevant state laws and no legal issues with this proposal.
10. Will the proposal have an effect on neighboring cities or the state?
No.
11. Provide examples from other cities if possible.
Denver is the only strong-mayor city in Colorado that does NOT have Council approval of Mayoral appointees. Strong-mayor cities across the country that also have this law include: Albuquerque, Baltimore, Chicago, Colorado Springs, Columbus, Houston, Indianapolis, Los Angeles, Nashville, Pueblo, Seattle, and Tulsa.
12. Who opposes the proposal and why?

The Mayor's office opposes the proposal, because they believe it may affect the City's ability to attract qualified candidates. However, 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. 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 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. Finally, Council approval of Mayoral appointments is analogous to a situation in the private sector where corporate boards approve C-suite appointments. When a person gets to a certain level of professional success, applying for a 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.

13. Term/duration (Will this item need a sunset clause? If so, why?)
No.