| 1                          | <u>BY AUTHORITY</u>   |                |  |   |  |  |
|----------------------------|---|----------------|--|---|--|--|
| 2                          | ORDINANO  | CE NO.         |  | COUNCIL BILL NO. CB18-0661                          |  |  |
| 3                          | SERIES OF   | = 2018         |  | COMMITTEE OF REFERENCE:                             |  |  |
| 4                          |   |                |  | Finance & Governance                                |  |  |
| 5                          |   |                | <u>A BIL</u>                                   | <u>.L</u>   |  |  |
| 6<br>7<br>8<br>9<br>10     | For an ordinance submitting to a vote of the qualified and registered electors of<br>the City and County of Denver at a special municipal election to be held in<br>conjunction with the general election of November 6, 2018, a proposed<br>amendment to the Charter of the City and County of Denver concerning the right<br>to initiative and referendum.      |                |  |   |  |  |
| 11                         | BE IT ENA   | CTED E         | BY THE COUNCIL OF THE CITY                     | AND COUNTY OF DENVER:                               |  |  |
| 12                         | Sect  | tion 1.        | There is hereby submitted to t                 | he properly qualified and registered electors of    |  |  |
| 13                         | the City an   | d Coun         | ty of Denver for their approval o              | r rejection at a special municipal election to be   |  |  |
| 14                         | conducted at the same time and in conjunction with the general election to be held in the City and  |                |  |   |  |  |
| 15                         | County of Denver on November 6, 2018, a proposed amendment to the Charter of the City and   |                |  |   |  |  |
| 16                         | County of Denver, as follows:   |                |  |   |  |  |
| 17<br>18<br>19<br>20<br>21 | Effective upon publication and filing with the Secretary of State pursuant to the Constitution and laws of the State of Colorado, the following sections of Part 3 of Article VIII of the 2002 Charter of the City and County of Denver shall be and are hereby amended by deleting the language stricken and adding the language underlined, to read as follows: |                |  |   |  |  |
| 22                         | § 8.3.1 - Ri  | ghts of        | f initiative, referendum and reca              | all reserved to the people.                         |  |  |
| 23                         | (B)   | An ord         | inance may be initiated by petitior            | n of registered electors numbering at a minimum     |  |  |
| 24                         |   | five (5)       | ) per cent of the total vote for the           | e office of Mayor in the last election at which a   |  |  |
| 25                         |   | Mayor          | was elected. two (2) percent of t              | he total number of active registered electors as    |  |  |
| 26                         |   | <u>of Jan</u>  | uary 1 each odd-numbered year.                 |   |  |  |
| 27                         | (C)   | An ena         | acted ordinance may be referred l              | by petition of registered electors numbering at a   |  |  |
| 28                         |   | minimu         | um <del>five (5) per cent of the total v</del> | ote for the office of Mayor in the last election at |  |  |
| 29                         |   | which          | a Mayor was elected. two (2) p                 | ercent of the total number of active registered     |  |  |
| 30                         |   | <u>elector</u> | rs as of January 1 each odd-numb               | <u>pered year.</u>                                  |  |  |
|                            |   |                | 1  |   |  |  |

## 1 § 8.3.7 - Review and comment procedures for initiated ordinances and Charter amendments.

2 A draft of the text of any proposed initiated Charter amendment or ordinance shall be 3 submitted by the proponents to the City Council staff and the City Attorney for review and comment. 4 No later than ten (10) business days after submission of the draft text, unless withdrawn by the 5 proponents, the City Council staff and the City Attorney shall jointly render their comments to the 6 proponents of the proposed measure at a meeting open to the public, which shall be held after full 7 and timely notice to the public. Such meeting shall be held prior to submission of the measure by the 8 proponents to the Clerk and Recorder as required by this Charter or by State Law. Neither the City 9 Council staff nor the City Attorney shall have any power to require any amendment, modification, or 10 other alteration of the text of any such proposed measure, or to impose any procedural requirements 11 on the proponents whatsoever.

Section 2. All ballots and ballot marking devices for said election shall carry the following
 designation, which shall be the title and submission clause:

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## REFERRED QUESTION \_\_\_\_\_

15 Shall the Charter of the City and County of Denver be amended to change the number of valid 16 signatures required to place an initiative or referendum on the ballot from a percentage of votes cast 17 for Mayor in the last election to a percentage of active registered voters in Denver and lengthen the 18 amount of time during which City Council and the City Attorney must conduct review and comment 19 for proposed initiatives?

Section 3. Each elector voting at the election and wishing to vote for or against the amendment shall indicate the elector's choice by selecting the word "YES" or "NO", on the ballot or ballot marking device.

Section 4. The proper officials of the City and County of Denver charged with duties relating to the election shall, before the election, issue such calls, make such certifications and publications, give such notices, make such appointments, and do all such other acts and things in connection with the submission of this Charter amendment to the qualified and registered electors of the City and County of Denver at the election as are required by the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

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Section 5. The ballots cast at such election shall be canvassed and the results ascertained,
 determined, and certified in accordance with the requirements of the Constitution and laws of the
 State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 6. If any section, paragraph, clause, or other portion of this ordinance is held to be
invalid or unenforceable for any reason, the validity of the remaining portions of this ordinance shall
not be affected.

| 7                          | COMMITTEE APPROVAL DATE: July 17, 2018   |                 |                     |  |  |  |
|----------------------------|--|-----------------|---------------------|--|--|--|
| 8                          | MAYOR-COUNCIL DATE: N/A  |                 |                     |  |  |  |
| 9                          | PASSED BY THE COUNCIL:   |                 |                     |  |  |  |
| 10                         |  | - PRESIDENT     |                     |  |  |  |
| 11                         | APPROVED:  |                 |                     |  |  |  |
| 12<br>13<br>14             | ATTEST:  | EX-OFFICIO CLE  |                     |  |  |  |
| 15                         | NOTICE PUBLISHED IN THE DAILY JOURNAL:   |                 | ;                   |  |  |  |
| 16                         | PREPARED BY: Victoria J. Ortega, Assistant City  | Attorney        | DATE: July 19, 2018 |  |  |  |
| 17<br>18<br>19<br>20<br>21 | Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter. |                 |                     |  |  |  |
| 22                         | Kristin M. Bronson, Denver City Attorney   |                 |                     |  |  |  |
| 23<br>24                   | BY:, Assistant City Atte   | orney DATE: Jul | 19, 2018            |  |  |  |