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BY AUTHORITY

ORDINANCE NO.

COUNCIL BILL NO. _____

SERIES OF 2020

COMMITTEE OF REFERENCE:

A BILL

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

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

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

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

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

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

During the fiscal year, the City Council, following consultation with the Manager of Finance, may authorize an ordinance appropriating new revenue or revenue in excess of those estimated in the budget, or may authorize a transfer of an unencumbered balance in whole or in part from a specified non-enterprise fund, provided the supplemental appropriation or transfer does not conflict with any

uses for which specifically such revenue accrued. In no case may such supplemental appropriation cause total estimated expenditures, including an accrued deficit, to exceed total estimated revenues, including an unappropriated surplus. The City Council shall act on such supplemental appropriation or transfer in the same manner as provided in Section 3.3.5 of the Charter.

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

REFERRED QUESTION _____

Shall the Charter of the City and County of Denver be amended to give the city council authority to initiate a supplemental appropriation or transfer?

Section 3. The proper officials of the City and County of Denver as are 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 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.

Section 4. 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 5. 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.

COMMITTEE APPROVAL DATE: _____, 2020.

MAYOR-COUNCIL DATE: _____, 2020.

PASSED BY THE COUNCIL _____ 2020

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____ 2020

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2020; _____ 2020

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PREPARED BY: Kirsten J. Crawford, Assistant City Attorney; DATE: _____

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.

BY: _____, _____ City Attorney
DATE: _____

DRAFT