

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.

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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.

Charter Amendment to remove outdated language to modernize the conduct of public business.

3. What problem are you trying to solve?

The Denver charter was first adopted in 1904 and saw its first significant amendment in 1916. Many provisions in the current Charter have not been updated since these earliest versions and Denver has made an ongoing effort to modernize the Charter where appropriate and where the charter is overly prescriptive.

4. How will the proposed amendment address this problem?

This proposal would remove prescriptive language from the Charter, providing Council more flexibility to modernize the conduct of public business, while still respecting and maintaining all of the rights of the public to participate in Council meetings.

5. Explain the origins and background of your proposal.

During the COVID-19 emergency, it became clear that some of the language in the Denver Charter could potentially restrict Council’s ability to do business during times of emergency.

6. Describe the stakeholders (internal and external) and the stakeholder process.

The immediate stakeholders are City Council and the Mayor's Office. These stakeholders have been engaged and are generally supportive of this change. Other stakeholders include the other City agencies, which may want to modernize their policies and processes as well. If this Charter amendment were to pass, a robust stakeholder process with thorough discussions would need to be convened.

7. What city agencies will be impacted? Provide the agency feedback.
(see above).
8. What is the fiscal impact to the city?
None at this time.
9. Provide any appropriate legal analysis. Are there any possible legal problems? Are there any relevant state laws?
While there are no possible legal issues, it should be noted that this Charter change does NOT reduce the people's rights to access Council meetings in any way.
10. Will the proposal have an effect on neighboring cities or the state?
No.
11. Provide examples from other cities if possible.
Based on our research, Denver has one of the more restrictive City Charters. Per recommended best practices, Denver has been removing prescriptive language from its Charter over time.
12. Who opposes the proposal and why?
Some Councilmembers question whether this change is necessary at this time; others have expressed some concern over removing the prescriptive language from the Charter without replacing it elsewhere. To address the second concern, we have proposed to move a companion ordinance that would simply move the language from the Charter and put it into ordinance. By doing this, the current law remains exactly the same. The only legal change that results from the Charter amendment is that it creates the ABILITY for City Council to make a change to the ordinance at some point in the future, when the Council is ready to do so, by convening the stakeholder group and having discussions about how to modernize our Council meetings. If that language were to remain in the Charter, any changes to Council meetings would have to go to a vote of the people then before changes could be implemented.
13. Term/duration (Will this item need a sunset clause? If so, why?)
Permanent.