

The League of Women Voters of Denver Education Fund encourages the active and informed participation of Denver residents in government to increase understanding of major public policy issues. Tax-deductible contributions are gratefully accepted.



(303) 984-4100

THE LEAGUE OF WOMEN VOTERS® OF DENVER EDUCATION FUND is not responsible for the accuracy or fairness of the arguments of either side. The pro and con statements are a compilation of the material by proponents and opponents of the ballot issue.

LEAGUE OF WOMEN VOTERS OF DENVER EDUCATION FUND
1980 DAHLIA STREET, DENVER, COLORADO 80220
303-321-7571 INFO@LWVDENVER.ORG
WWW.LWVDENVER.ORG

Printed 5 October 2018



League of Women Voters of
Denver Education Fund

November 6, 2018 General Election

Pros and Cons for

Referred Measure 2A: Parks, Trails, and Open Space Tax

Referred Measure 2B: Initiative Requirements

Referred Measure 2C: Police Department Hires

Referred Measure 2D: Clerk and Recorder Appointees

Referred Measure 2E: Campaign Finance Public Fund

Initiated Ordinance 300: Denver College Affordability Fund

Initiated Ordinance 301: Caring For Denver

Initiated Ordinance 302: Healthy Food for Denver's Kids

Ballot Issue 7G: Urban Drainage and Flood Control District

Referred Measure 2A: Parks, Trails, and Open Space Tax

Background

Denver has 22 accessible mountain parks and 24 conservation tracts, totaling more than 14,000 acres, as well as more than 6,000 acres of urban parkland in 244 urban parks and 28 recreation centers. There is currently a \$28 million annual gap between what the city can do to maintain and improve our parks and what needs to be done. Over time, that gap has created a \$128 million total of deferred maintenance. The counties surrounding Denver have dedicated sales tax funding for conservation purposes, however, Denver does not.

Major Provisions

- The proposal increases the sales tax by 0.25% (25 cents on a \$100 purchase).
- The funds raised must be used to:
 1. Acquire additional land for parks, open spaces, and trails
 2. Develop, improve, and maintain new and existing parks
 3. Restore and protect waterways, rivers, canals and streams
 4. Purchase, plant and care for trees
- The funds raised must not replace any funds currently allocated to the Department of Parks and Recreation.
- The Manager of Parks and Recreation, in conjunction with the Parks and Recreation Advisory Board, must submit a five-year plan for the use of these funds for approval by City Council (after at least one public hearing).
- The Manager of Parks and Recreation must report on an annual basis on exactly how the funds raised by this tax have been spent.

Those in favor say:

- Denver's parks have been a key factor in the quality of life for each citizen and for the character of the city; unfortunately, parks have been underfunded recently.
- Denver's ranking among comparable cities on the Park Score by the Trust for Public Land has dropped from 7th to 26th since 2014. This is due to Denver's rapid growth without an increase in park land and to the inadequate funding of parks.
- This proposal will plug the annual funding gap between current needs and available resources, as well as allow the city to begin to address deferred maintenance.
- This proposal will ensure equity across the city by making sure that every resident has safe, walkable access to a world-class park.

Those opposed say:

No organized opposition was found as of this printing. Denver residents

The 1992 Colorado Taxpayer's Bill of Rights (TABOR) constitutional amendment requires voter approval for any tax increase and created a ratchet-down effect that has reduced UDFCD's current mill levy over time from 1.0 mills to 0.56 mills. This 44% reduction has led to the deferment of over \$280 million in infrastructure construction and maintenance that could have been used to protect lives and property and preserve open spaces from floodwaters.

Major Provisions:

- Increases property taxes in the district (Denver and six surrounding counties) to restore the original legislatively approved 1.0 mill levy, to 1992 levels
- Approval would raise \$14.9 million for projects next year. The proposal increases the mill levy by 27 cents per \$1000 in assessed value in 2019 and then over several subsequent years gradually increases the mill levy to \$1.00 per \$1000 in assessed value, the 1992 level. Restoring the statutory mill levy would raise property taxes on residential property by an additional \$7.88 in 2019 and then gradually increase to \$13 for a \$400,000 home.
- All revenues would be collected, retained and spent notwithstanding any limits provided by law.

Those in favor say:

- The District has been the leading force preventing unwise growth in low-lying floodplains in the Metro Area; so instead of housing and industrial growth, those areas are now open space for public use and enjoyment while providing a safe buffer from high water.
- In its 50-year existence the UDFCD has never asked voters for a tax increase.
- TABOR constraints have reduced the mill levy to .56 mil over the past 26 years, causing deferral of \$284 million in infrastructure construction. This initiative restores adequate funding through a tax for the important environmental goals of the UDFCD.

Those opposed say:

- UDFCD's mill levy has been reduced from 1.0 mills authorized by the Legislature to .56 mills, which means an annual decrease of \$23 million. This was the intent of voters who wanted smaller government with smaller budgets.

sources if it is not more than 10% more expensive than out of state options.

- The Department of Public Health would provide administrative support to the commission.

Those in favor say:

- By voting yes, Denverites can help ensure that kids have enough to eat while receiving hands-on education and health programs for farming, gardening, cooking, home economics, and healthy eating.
- When possible, it will also support Colorado farms, ranches, and food businesses.
- This is a campaign to change the face of childhood hunger and food education for a decade; a generation of Denver kids would get immediate access to healthy food and food education that will last their families a lifetime.
- It is endorsed by many food security related organizations in Denver including Denver Food Rescue, Re:Vision, GrowHaus, and Denver Urban Gardens.

Those opposed say:

No organized opposition was found. Denver residents contributed the opposing statements.

- Sales taxes are regressive, which means they hit poor and low-income Denver residents the hardest. A larger percentage of poor family's expenditures would be used to pay sales tax as compared with the percentage more affluent families pay.
- Existing organizations to fight hunger and promote health (including school meals programs and food banks) should be better funded rather than setting up new administrative structures.

Ballot Issue 7G: Urban Drainage and Flood Control District

Background

The Urban Drainage and Flood Control District (UDFCD) coordinates with Denver area governments (Denver and parts of Adams, Arapahoe, Boulder, Broomfield, Douglas and Jefferson Counties) on flood mapping and flood control projects along waterways, including

- Identifying flood risks and educating the public of those risks.
- Planning, designing, constructing, and maintaining flood mitigation projects designed to save lives and protect property.
- Maintaining a flood warning/prediction program.
- Funding debris removal from streams, creeks, and rivers.
- Open space preservation and trail development in floodplains.

contributed the opposing statements.

- Sales taxes are regressive, which means they hit poor and low-income Denver residents the hardest. A larger percentage of poor family's expenditures are used to pay sales tax as compared with the percentage of more affluent families.
- Another parks initiative is not necessary after the Better Denver \$937 million bond package in 2017 included \$151.6 million being for parks and recreation.

Referred Measure 2B: Initiative Requirements

Background

Currently, supporters of a law initiated by petition are required to collect valid signatures from at least 5% of the total vote for the Denver Mayor in the last election. The number of votes cast in mayoral elections varies widely, resulting in wide swings in the number of required signatures.

Major Provisions

- Amends the City Charter to change the number of valid signatures required to place an initiative or referendum on the ballot from 5% of votes cast for Mayor in the last election to 2% of active registered voters on January 1st of the last odd numbered year
- Lengthens the amount of time during which City Council and the City Attorney must conduct review and comment for proposed initiatives

Those in favor say:

- Tying the petition signature requirement to a percentage of votes cast for Mayor resulted in large swings in the number of signatures required.
- Tying the signature requirement to the voting population will have a stabilizing effect on the signature requirement and will cause the requirement to grow with the city's population.

Those opposed say:

No organized opposition was found as of this printing.

Referred Measure 2C: Police Department Hires

Background

The Denver Police Department is hiring more officers because of a large number of retirements and city budget approvals for new hires. Due to an expanding economy and public demand for officer accountability the department is facing challenges in hiring new police officers. In order to meet its hiring goals, the Department is seeking more flexibility to hire people with qualified prior law enforcement experience, known as "lateral hires."

Major Provisions

- Reduces the experience requirement for becoming a Police Officer Second Grade
- Specifies the requirements for becoming a Police Officer First Grade
- Allows the Chief of Police to evaluate on a case by case basis those applicants for Classified Service of the Police Department with prior law enforcement experience or certification to determine justification of a higher pay grade.

Those in favor say:

- This measure will provide pay equity related to police experience thereby improving Police Department recruitment efforts to hire qualified officers from other police departments.
- The vetting process remains the same to ensure that only qualified officers from other departments are hired. The vetting process involves testing, screening and complete background investigations by the Civil Service Commission and a final employment selection by the Chief of Police and the Executive Director of Safety.

Those opposed say:

No organized opposition was found as of this printing.

Referred Measure 2D: Clerk and Recorder Appointees

Background

The Clerk and Recorder is an elected official whose office oversees four vital city functions: elections, city clerk, recordings, and public trustee. The workload for these functions can change significantly from year to year. For example, after the 2008 downturn, foreclosures increased dramatically and increased the burden on the Clerk and Recorder. Since then elections have been designated by Homeland Security as “critical infrastructure” thereby increasing the workload of the Director of Elections. The Director of Elections is critical to running a successful election, and the past few years have demonstrated that election administration demands growing technical expertise.

Major Provisions

- Allows the Clerk and Recorder to appoint up to two extra positions to help with the fluctuating workload of the office.
- Allows the Clerk and Recorder to employ a Director of Elections as a career service position rather than as an appointed position.

Those in favor say:

- Having the flexibility to appoint up to two additional positions allows the Clerk to address the office’s changing needs and workload, and to better serve customer needs.

- Mental health treatment is underfunded and is surrounded by negative stigma. Making sure affordable and accessible treatment is available to everyone makes Denver healthier and safer.
- The opioid epidemic and other addiction issues are resulting in avoidable deaths and putting a strain on our emergency rooms, jails, and first responders. Readily accessible treatment saves both lives and money.
- These improvements will reduce homelessness, improve long-term recovery, and reduce the use of jail and emergency rooms.

Those opposed say:

No organized opposition was found. Denver residents contributed the opposing statements.

- Sales taxes are regressive, which means they hit poor and low-income Denver residents the hardest. A larger percentage of poor families’ expenditures would be used to pay sales tax as compared with the percentage more affluent families pay.

Initiated Ordinance 302: Healthy Food for Denver’s Kids

Background

The Healthy Food for Denver’s Kids Initiative aims to decrease food insecurity for children in Denver, especially in low income and at-risk populations. One in seven children in Denver is said to go hungry and Colorado has the third fastest growing rate of child hunger. This is a citizen-led initiative.

Major Provisions:

Amends section 53 and creates a new division in the Denver Revised Municipal Code

- The initiative would increase the Denver sales tax rate 0.08% from 3.65% to 3.73%, approximately an additional 8 cents on every \$100 spent.
- The initiative also establishes a 13-member commission consisting of three cabinet members or department heads appointed by the Mayor, two City Councilors, four Denver residents appointed by the mayor, and four representatives from city wide organizations engaged in food related activities also appointed by the mayor.
- The commission would be responsible for distributing the revenues to non-profit organizations and local government agencies, including Denver Public Schools, to advance the goal of providing three meals a day to Denver children, especially in low income and at-risk populations, and also to provide educational programs.
- The commission is also encouraged to provide food from local

Initiated Ordinance 301: Caring For Denver

Background

There is a high level of unmet need for mental health and substance abuse services in Denver, with most people who want treatment unable to get it. There is a severe shortage of both providers and facilities. 1 in 5 people in Colorado is dealing with a mental health or addiction problem, and of that group, just 2 of 5 are receiving treatment. An analysis by the Colorado Health Institute found that Denver County was one of 12 counties in the state with a drug overdose death rate of more than 20 per 100,000 residents, among the highest in the nation. According to a report by the Colorado Department of Public Health and Environment, suicide is the leading cause of death for those between the ages of 10-24. Denver has one of the highest suicide rates in the nation, with one out of eight middle and high school students in Denver Public Schools having seriously considered suicide.

Major Provisions

- Increases the sales tax by 0.25% or 25 cents for a \$100 purchase beginning on January 1, 2019
- Provides for additional mental health services and treatment for children and adults;
- Creates suicide prevention programs;
- Authorizes opioid and substance abuse prevention, treatment and recovery programs;
- Provides facilities and programs for those with mental health and substance abuse needs, including housing, joint efforts of first responders and mental health experts, and mental health training for first responders.
- Allows expenditures from the funds collected to be made through the Denver Department of Public Health and Environment. The initiative establishes a non-profit board that would award grants to support services, facilities and programs. The board will consist of 13 members appointed by the Mayor, the District Attorney, and the President of the City Council.

Those in favor say:

- A mental health crisis or addiction can strike anyone at any time. We need to take care of our families, friends, and neighbors. This ordinance creates a dedicated funding stream to take care of children and adults in Denver.

- Having a Director of Elections who is an employee, rather than an appointee means that the Director of Elections will be able to make decisions without political influence.
- The current Clerk and Recorder is not seeking re-election and will not benefit from this amendment.

Those opposed say:

No organized opposition was found as of this printing.

Referred Measure 2E: Campaign Finance Public Fund

This proposal started as an initiative in 2017. The proponents withdrew it from the ballot that year because of a shortfall in valid signatures in 2017. The proposal was re-submitted and its title approved in 2018. Denver City Council adopted a similar referendum in August 2018, to the current referred measure, without the provisions for disclosure. The Council has already passed an ordinance in September 2017 requiring disclosure of the name and address of all donors, \$25 or more, who gave a candidate money for independent spending and electioneering communications.

Major Provisions:

A proposal to change the Denver Revised Municipal Code, Section 15-31:

- Creates a dedicated Fair Elections Fund to match campaign donations up to \$50 per donor to candidates who participate in the matching fund program
- The Fair Elections Fund, within the general fund, would not exceed \$8 million dollars per four-year election cycle (\$2 million each year).
- The fund matches small donations from a natural person nine to one (e.g. the fund would give the candidate \$180 if a donor gave \$20). Corporate, business and labor contributions would be eliminated.
- Candidates who participate would agree to limits of about one sixth of present limits per donor.
- Candidates who do not participate in the program would also be subject to lower limits per donor - about one-third of the present limits. There is no restriction on who these donors may be.

Those in favor say:

- If enacted, the ordinance would level the playing field in Denver campaigns and return to the bedrock of American value “one person, one vote.”

- Denver currently has a grossly imbalanced system, with corporations and business entities able to contribute directly to campaigns in local elections.
- Wherever publicly financed elections have been put in place, communities have seen greater participation, including higher voter turnout and a more diverse field of candidates running.
- The emphasis will shift to small-dollar donors.
- The voluntary opt-in program is as strong an incentive as any publicly financed election system in the country, ensuring that candidates can do better by accepting lower limits and turning down special interest money.
- Denver campaign finance law has previously had little or no teeth to it. Among the benefits of this proposal is that funding for the Fair Elections Fund also covers funding for additional staff to administer and oversee the program, which puts accountability measures in place and a funding apparatus to enforce the new laws.

Those opposed say:

No organized opposition was found. Denver residents contributed the opposing statements.

- Funding politicians' campaigns should not be a city taxpayer responsibility.
- This proposal for public funding of campaigns may create loopholes and unintended consequences.
- Even if you perceive existing campaign finance problems, this measure at a 9 to 1 match is an overreach

Initiated Ordinance 300: Denver College Affordability Fund

Background

The Denver College Affordability Fund was originally proposed by City Council in 2015, but was defeated by a vote of 52% against and 48% for. The main provisions of the current version are the same, although there are a few changes.

Major Provisions

- Raises the sales tax 0.08% (about 8 cents for every \$100 purchase) to generate funds for the Denver College Affordability Fund.
- The Fund will be administered by a non-profit corporation with a seven member board; six appointed by City Council and the Mayor and one a member of City Council. The corporation will have the

sole purpose of administering the fund, make all records available to the public, and be subject to a yearly audit. During the first year 10% of the funds collected may be used for administrative purposes and 5% thereafter.

- Students are eligible if they have lived in Denver continuously for 36 months prior to their postsecondary education start date, are attending an accredited nonprofit or public institution located in the state of Colorado, and are between the ages of 18 and 25.
- Nonprofit organizations that provide tuition grants and support services for eligible students may apply for reimbursement from the College Affordability Fund.
- The ordinance will go into effect January 1, 2019 and expire December 31, 2030.

Those in favor say:

- Supports career opportunity and our local workforce.
- In just two years, 74 percent of jobs will demand a post-secondary credential, and today we fall far short of that number. We must graduate more postsecondary students to meet the future workforce needs. This measure will help remove a financial barrier facing current students.
- This initiative raises meaningful scholarship dollars that can be used for certificates and degrees. Funds are awarded upon completion, motivating students to not only to enroll, but to complete these critically needed classes and degrees.
- Many qualified, smart, and talented Denver students do not continue their education simply because of the high costs of attendance.
- Students must demonstrate satisfactory academic progress as defined by their school.

Those opposed say:

No organized opposition was found. Denver residents contributed the opposing statements.

- In 2015, when the measure was originally proposed, council members questioned whether helping students pay for college was in city domain and whether a hike in sales tax, which affects everyone, was the right way to go about funding a program made for a small group of people.
- Sales taxes are regressive, which means they hit poor and low income Denver residents the hardest. A larger percentage of poor family's expenditures would be used to pay sales tax as compared with the percentage more affluent families pay.