

- To address ongoing capacity needs and include new schools in growing parts of Denver (\$65 million)
- To create quality learning environments (\$65 million)
- For air conditioning for 24 schools (\$128.5 million)
- For technology and safety (\$65 million)
- For the Montbello Campus (\$130 million)
- To pay back the Certificate of Participation (\$80 million)
- To relieve the General Fund (\$25.5 million)
- Capacity Utilization Fund (\$6 million)
- To eliminate the Kepner COP lease payments (\$11 million)
- Additional funds for high-needs schools (\$2.2 million)
- Food & Nutritional Services Greenhouse (\$2.1 million)
- Master Planning (\$2 million)
- Turf replacement (Evie Dennis Campus, South High School, West High School, North High School) (\$3.2 million)
- Bruce Randolph Hydroponics/Greenhouse Program (\$1.14 million)

Those in favor say:

- Over the past decade, Denver's population has grown by more than 20 percent. Denver Public Schools has seen an increase in over 15,000 students in that time. With this unprecedented growth comes additional needs, and our schools have taken another major hit during the COVID-19 pandemic.
- The Bond will allow DPS to ensure that schools are fit for 21st century learning by investing in updated technology and renovating outdated infrastructure, mitigate dangerous heat levels that are not conducive to a learning or work environment, make sure each student has access to the technology they need during the COVID-19 pandemic, and add additional classrooms to keep class sizes down while keeping up with population growth.
- Help set up Denver Public Schools' teachers and students for success, and strengthen our Denver community, all without raising taxes, by voting yes on measure 4B.

Those opposed say:

There is no organized opposition to this measure at this time.

*THE LEAGUE OF WOMEN VOTERS® OF DENVER encourages the active and informed participation of Denver residents in government to increase understanding of major public policy issues. We are 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. **Tax-deductible contributions are gratefully accepted.***



**League of Women Voters
of Denver**

November 3, 2020 General Election

Pros and Cons for

- 2A** Increase Sales Tax to Support Climate Change Efforts
- 2B** Increase Sales Tax to Fund Sheltering Efforts
- 2C** Give City Council Authority to Procure Professional Services
- 2D** Create Advisory Board for Transportation and Infrastructure
- 2E** Grant City Council Authority to Confirm Certain Mayoral Appointments
- 2F** Change Charter Language on Public Meetings to Respond to Pandemic Issues
- 2G** Grant City Council Emergency Budget Authority
- 2H** Restore Right of Denver to Provide Internet Services
- 2I** Clarify Language about Appointments in Clerk and Recorder Office
- 2J** Grant Authority to Allow Previously Banned Breeds of Dog with Some Requirements
- 4A** Debt Free Schools Mill Levy
- 4B** Debt Free School Bond

Referred Measure 2A: Increase Sales Tax to Support Climate Change Efforts

Title: An ordinance increasing the sales and use tax by a rate of 0.25 percent and dedicating the revenue derived from the tax rate increase to fund efforts to eliminate eight greenhouse gases and air pollution, and to adapt to climate change
Background: Climate change is a serious problem resulting in more extreme weather, sea level rise, and increased wildfire events. This measure seeks to make Denver a leader in greenhouse gas reduction efforts and resiliency amid change. This was originally brought forward as a citizen initiative, but supporters agreed to withdraw the initiative and work with City Council and other stakeholders to develop a different proposal that the Council could support. This resulted in referred measure 2A. This tax is expected to raise approximately \$40 million in the first year.

Major Provisions: Provides for a 0.25% sales tax increase to fund climate change efforts (2.5 cents on a \$10 purchase). Money raised will go to:

- improving tree canopy
- changing building codes to promote energy efficiency and low waste construction
- retrofitting existing buildings
- reconfiguring streets to encourage bike and pedestrian use
- providing electric charging stations
- prioritizing transit
- requiring volume based fees for waste collection
- incentivizing composting and recycling
- working with Xcel Energy to create a carbon free Denver by 2040

Those in favor say:

- Climate change is a serious problem that must be addressed
- Addressing climate change now is costly, but costs will increase if we delay
- Although the federal government is the best place to address climate change, they have abdicated their role. This measure will make Denver a leader in climate change efforts.

Those opposed say:

- A sales tax is the wrong way to fund this effort. The sales tax does not change behavior as would be the case with a tax on energy consumption.
- Sales taxes are regressive by their nature.
- This is a national or global problem. These efforts will be costly in Denver while having a minimal effect on climate.

Proponents: Denver Climate Action Task Force

Opponents: No known organized opposition. One Council member (Kevin Flynn) voted no on referring this measure. His opposition was based on the use of the sales tax as opposed to another form of revenue.

Referred Measure 2B: Increase Sales Tax to Fund Sheltering Efforts

Title A bill for an ordinance increasing the sales and use tax by a rate of 0.25 percent and dedicating the revenue derived from the tax rate increase to fund housing, shelter, and services for persons experiencing or having exited homelessness.

- Add mental health professionals and counselors to support students (\$3 million).
- Add nurses to support Covid-19 monitoring and prevention as well as health education (\$4 million).
- Increase minimum wages for school support staff to \$14.77/hour and add a cost of living increase to teachers' salaries (\$17 million)
- Enhance special education programs including more paraprofessionals and speech-language pathologists (\$2 million)
- Give charter schools more support (\$6 million)

Denver Public Schools will publish an annual report on how these additional funds were spent.

Those in favor say:

- By approving 4A, Denver voters will make public education a priority this year, ensure every student receives a high-quality education, increase graduation rates, reduce class sizes and help Denver's kids get the education they deserve in the midst of the COVID-19 pandemic.
- Denver's schools have made a lot of progress, but we have seen that some of our students are being left behind, especially our most vulnerable, during COVID-19. A positive vote will ensure Denver invests in our students, teachers, and community by giving teachers a cost of living raise, investing in additional mental health supports so teachers can focus on teaching while students are getting the support they need, and adding nurses to help keep our students and teachers safe.
- Every child in our city deserves an equal chance to succeed academically, and each teacher deserves the tools to make that happen. Support Denver's teachers and students by voting Yes on 4A, the Denver Public Schools Debt-Free Schools Mill Levy.

Those opposed say:

There is no organized opposition to this measure at this time.

Referred Measure 4B: Debt Free School Bond

Title: Without imposing any new tax shall Denver Public Schools debt be increased to \$795 million with a maximum repayment cost of not more than \$1,500 million

Background: The Denver Public Schools is proposing a bond issue to raise money for capital building projects and upgrades to existing school buildings. A bond issue affects the taxes a property owner pays. The last DPS bond issue was approved by voters in 2016, and it raised an estimated \$572 million for capital construction.

The 2020 proposal will raise an estimated \$795 million. The amounts in parentheses after major provisions are the money proposed to be spent on each goal.

Major Provisions:

Allow the Denver Public Schools to sell bonds to raise \$795 million dollars to build and maintain schools. The funds would be allocated:

- For maintenance of existing DPS facilities (\$208 million)

Those in favor say:

- This amendment will modernize Denver’s animal ordinances to reflect current science and best practices. This reflects a modernized, data-driven approach to policy making and will move the city toward more effective, equitable animal ordinances.
- Breed-specific laws can be difficult to enforce, especially when a dog’s breed can’t easily be determined or if it is of mixed breed. Identification of a dog’s breed with certainty is prohibitively difficult; breed-specific laws are therefore inherently vague and difficult to enforce.
- There is no evidence that breed-specific laws (BSL) make communities safer for people or companion animals. Following a thorough study of human fatalities resulting from dog bites, the Centers for Disease Control and Prevention (CDC) decided to strongly oppose BSL.

Those opposed say:

- Individuals and organizations who oppose the proposal do so based on their belief that pit bulls are inherently more dangerous than other breeds.
- The majority of dog bites are from either pit bull breeds or other similar breeds. By banning one of the main contributors to dog bites, supporters believe that dog bites overall will be reduced.
- Pit bulls are responsible for an overwhelming number of human deaths despite the fact they are a relatively rare breed of dog. The one consistent thing that is regularly reported by a pit-bull owner that maims or kills a human or another pet is that it was totally unexpected.

Proponents: City Councilman Chris Herndon, Denver Dumb Friends League, American Society for the Prevention of Cruelty to Animals, Replace Denver BSL, American Veterinary Medical Association

Opponents: Mayor Hancock

Referred Measure 4A: Debt Free Schools Mill Levy

Title: Shall Denver Public Schools taxes be increased by up to \$32 million in tax year 2021 and by the amounts in any year thereafter that are raised from a mill levy of 4 mills

Background: The Denver Public Schools is proposing a mill levy increase to raise money for infrastructure improvements to give students, teachers and staff resources to cope with the effects of the pandemic.

A mill levy override affects the taxes a property owner pays. The last DPS mill levy increase was approved by voters in 2016, and it raised an estimated \$56.6 million for early literacy and for social-emotional student support.

The 2020 proposal will raise an estimated \$32 million the first year. The amounts in parentheses after major provisions are the money proposed to be spent on each goal.

Major Provisions:

Increase property taxes by a total of 4 mills over a period of years, not to exceed 1.55 mills in the first year (2021), and not to be raised by more than 1 mill in subsequent years. Use the additional funds to:

Background: Homelessness is a national crisis with many systemic and historical causes challenging all American cities. In Denver more than 4,000 people are unsheltered on any given day. This may understate the problem because some homeless people have temporary or otherwise unsatisfactory shelter. A survey conducted in early 2020 by the Metro Denver Homeless Initiative, found an increase in homelessness of 6% from the previous year. The need for this measure was made clear by Denver voters’ opposition to Initiative 300, which would have overturned the city’s ban on urban camping, in Spring 2019. The public’s demand that Denver ‘do better’ on homelessness encouraged this current approach to easing homelessness. Denver is seeking innovative approaches using the additional funding proposed in this ordinance.

Sales taxes and property taxes are the two sources of revenue most available to municipalities. Property tax was not proposed due to increasing valuations and the effects of the Covid-19 pandemic on business income.

Major Provisions:

- Funds received from the sales tax increase, which will be spent on housing shelter, and other services, will be administered by Denver’s Department of Housing Stability (HOST) in accordance with systems in place for Denver’s Affordable Housing Fund. Public input and publicly available reports are required for investments. The oversight body will include three people with lived experience in homelessness, displacement, and affordable housing.
- Pre-COVID estimates suggested that the tax (2.5 cents on a \$10 purchase) would raise \$40,000,000. The total sales tax in Denver would be 8.56%.
- Housing measures would include building housing, expanding rental assistance, supportive services, more shelter beds, 24-hour shelter and drop in day services, mental health care, substance treatment, employment counseling. Attempts could be made to combine shelter or services in the same building which would provide more efficient use of land. More housing referrals and services for those living on the streets or in cars would be available. The funding will help sustain Denver’s COVID response.
- Groups suffering from homelessness due to racial disparities and groups experiencing barriers will be better targeted with shelter and services.

Those in favor say:

- This effort to assist those experiencing homelessness is supported by public, private, and nonprofit partners and the Denver downtown community.
- Sales taxes, though regressive, are the form of revenue most available to local governments in Colorado. Food, medicine, fuel, and sanitary supplies do not incur sales taxes, mitigating the effect on low income residents.
- These funds would help to sustain Denver’s COVID-19 emergency response.

Those opposed say: Sales taxes are regressive; the heaviest burden falls on those with the least income.

Proponents: Downtown Denver Partnership, Enterprise Community Partners, Colorado Coalition for the Homeless, Urban Peak

Opponents: Independence Institute cited the regressiveness of the sales tax, but has not taken a stand. has not taken a stand.

Referred Measure 2C: Give City Council Authority to Procure Professional Services

Title: A bill for an ordinance to amend the Charter of the City and County of Denver to give City Council the authority to procure professional services without executive branch approval.

Background: Currently, the Council's Charter has no provision to allow the Council to hire staff or independent professionals. Increasingly, issues come before the Council that are complex and require quick, informed decisions or actions about contracts or projects. There have been problems in the past with projects at the airport, convention center, and Stock Show complex that required review by professionals.

Major Provisions:

- The Denver City Council may contract for independent professional services, (e.g., engineer, attorney, accountant, auditor, etc.) on an as-needed basis to aid the Council to fulfill its Charter duties
- The Denver City Council may procure professional services without the approval of the executive branch or Mayor

Those in favor say:

- To fulfill its Charter responsibilities, the Council may need to engage experts independent of the Mayor
- This measure will not interfere with or create confusion about who represents the City in legal matters
- Funds for professional services will come from the Council's budget

Those opposed say: There is no organized opposition

Proponents: The Denver City Council

Opponents: There is no organized opposition

Referred Measure 2D: Create Advisory Board for Transportation and Infrastructure

Title: A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the coordinated election of November 3, 2020, a proposed amendment to the Charter of the City and County of Denver creating a Board of Transportation and Infrastructure.

Background: The Department of Transportation and Infrastructure was created from previously existing departments in the last municipal election. Since this department affects a large proportion of the population in important ways it is important to get citizen input. This proposal would create an official method for providing input. There is currently an advisory board for the Department of Parks and Recreation. This proposal would mirror that board.

Major Provisions: Creates a board to advise the Denver Department of Transportation and Infrastructure. There will be 13 members appointed by city Council and 6 by the mayor. The board will be charged with understanding issues and providing citizen input to the Department.

Those in favor say: This proposal adds an official avenue for citizen input on issues relating to transportation in particular. Citizens do not currently have a way to comment on services that are vitally important to many.

Proponents: City Council

Opponents: No organized opposition

Referred Measure 2J: Grant Authority to Allow Previously Banned Breeds of Dog with Some Requirements

Title: Shall the voters for the City and County of Denver adopt an ordinance authorizing the city to grant a provisional permit to owners or keepers of a pit bull, provided the owner microchips the animal and complies with additional requirements set by Denver Animal Protection

Background: The city and county of Denver passed a pit bull ban in 1989 in response to two attacks by pit bulls which resulted in death and serious injury. Since Denver adopted its ban, there has been a review of controlled studies by the American Veterinary Medical Association that document that pit bulls are not disproportionately dangerous compared with other dogs. Based on data and studies, over 100 cities have repealed their bans entirely. City Council finds that, based on studies and evidence from other jurisdictions, a new regulation should be adopted permitting owners of pit bulls to apply for and obtain a provisional breed restricted permit that will become permanent if there are no violations of certain conditions imposed upon owners and keepers of pit bulls.

In 2004, the Colorado State legislature passed a statute increasing the penalties and liability for dog attacks and prohibiting any legislation based on breed. This law effectively repealed all pit bull breed bans in Colorado. The City and County of Denver, however, contested the law, claiming they were a "home rule" city and the state legislature could not dictate local ordinances such as dog breed bans. They were successful at the district court level and the pit bull breed ban was reinstated.

Major Provisions:

- It shall be unlawful for any person to own or keep any pit bull within the city without first obtaining a breed-restricted permit.
- "Breed-restricted permit" shall mean a permit granted by animal protection to owners or keepers of a pit bull in accordance with certain conditions.
- Any pit bull breed assessment not done by Denver animal protection is non-binding; it is the responsibility of any new owner of an adopted animal to contact Denver animal protection and follow the breed-restricted licensing process.
- Adopters intending to own or keep any such animals within Denver must comply with all requirements set forth in this ordinance.
- After a period of thirty-six consecutive months with no violations, animal protection may remove the requirements by issuing a written notice to the owner or keeper that the conditions of the breed-restricted permit period have been satisfied. Upon receipt of written notice, the owner or keeper is required to license their pit bull and maintain compliance with all other license requirements.

- Major providers still don't connect all of Denver's households and businesses to broadband. Gaps in coverage are primarily in the northern and western areas of the city.
- Opting out of SB-152 simply removes the local prohibition on expending public funds to provide service and allows local jurisdictions to explore and develop plans for their communities. If any jurisdiction gets to the point where they are looking to invest public funds, they must follow their own guidelines for doing so.
- The city's ability to manage and enhance broadband access requires that the city be able to negotiate with providers.
- This does not force Denver to engage in any discussions or changes but allows for those discussions.

Those opposed say: Comcast is already obligated to offer a level of broadband service to all residents.

Referred Measure 2I: Clarify Language about Appointments in Clerk and Recorder Office

Title A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver a proposed amendment to the Charter of the City and County of Denver concerning a clarification to the Clerk and Recorder's appointments.

Background: The 2018 election had a charter amendment that allowed the Clerk to appoint certain positions. This language was considered ambiguous as the positions were about to be filled. The Clerk looked to other city departments, especially the City Auditor's office, for a model. This Charter amendment will make the structure of the Clerk's office similar to that of the Auditor's office.

Major Provisions: Clarifies language in the Charter regarding which department heads are appointees and which are career employees. Specifies that the Clerk has the authority to appoint up to four department heads in addition to the Deputy Clerk. Current charter language gives the Clerk and Recorder authority to appoint two positions to serve as directed without the roles being proscribed in the charter. This leaves some positions of equal rank as civil service and some as appointments. The amendment would give the Clerk authority to make four appointments. These are also not proscribed, but the Clerk envisions having four department heads as appointees: 1) Records, 2) City Clerk and Compliance, 2) Elections, and 4) Public Trustee. Later budgeting concerns and work requirements will determine whether all five positions are filled or not.

Those in favor say:

- This will clarify language regarding which department heads are appointed versus hired as career employees.
- It will give the Clerk flexibility in staffing. The Clerk currently has four department heads. The fifth appointment allowed by this amendment would be available if the need arises and if the Council approves the budget.
- It will eliminate the differences in the status of department heads. Currently some are career employees and some are appointees.

Those opposed say: There is no organized opposition.

Those opposed say: There is no organized opposition to this measure.

Proponents: Denver City Council

Opponents: There is no organized opposition.

Referred Measure 2E: Grant City Council Authority to Confirm Certain Mayoral Appointments

Title: 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 consent to certain mayoral appointments.

Background: Denver has what is called a "strong mayor" system of government. The mayor appoints people to positions in government and has executive authority. City Council has no role in these appointments. This charter amendment would give the city Council a role in the approval of certain department heads.

Major Provisions

Grants City Council the authority to approve mayoral appointments to 14 specific department heads. Approval will be by consent; unless there is an objection the appointment will automatically be approved. If there is an objection from a Council member, the appointment will be sent to the appropriate committee for further questions and then to the full Council for approval or rejection. The vote will be by simple majority of the full Council. The Council has a 30-day period in which to exercise this authority. The mayor retains the authority to remove any appointees without Council approval. Department heads subject to this measure are the managers and chiefs of the following departments and agencies:

Transportation and Infrastructure, Parks and Recreation, Finance, Safety, Sheriff, Police, Fire Department, Excise and Licenses, General Services, Human Services, Aviation, Department of Public Health and Environment, Community Planning and Development, The City Attorney

Those in favor say:

- This will give the City Council a role in the hiring of department heads. This is beneficial because the Council needs to have a strong working relationship with department heads.
- The mayor retains the power to choose candidates to fill positions. This proposal only gives the Council a check on unreasonable appointments.
- The majority of other strong mayor cities use a similar system of Council approval. Other cities report satisfaction with this approval method.

Those opposed say:

- Having to go through an extra step in filling a position will make some candidates reluctant to apply.
- This step will delay the appointment of qualified candidates

Proponents: City Council

Opponents: The mayor's office opposes this charter amendment.

Referred Measure 2F: Change Charter Language on Public Meetings to Respond to Pandemic Issues

Title 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 removing outdated language to modernize the conduct of public business.

Background: Current charter language requires most meetings to be open to the public to attend and participate in person. In the times of quarantine and pandemic this is not desirable. The changes would keep the requirements of openness and transparency but would allow for remote or online meetings. Meetings would still be required to be fully recorded and all records would still be available

Major Provisions: Changes the city charter to remove prescriptive language about how City Council Business is conducted.

Those in favor say:

- In person meetings, open to public attendance, are not currently desirable. This charter change would keep the requirements that meetings be accessible and fully recorded but would allow the City Council to adopt rules regarding online meetings when those are desirable.
- Moving prescriptive language from the charter to ordinance will allow Council to make necessary changes to rules.

Those opposed say: Some Council members question whether this change is needed at this time; others have expressed some concern over removing the prescriptive language from the Charter without replacing it elsewhere.

Proponents: City Council

Opponents: No organized opposition

Referred Measure 2G: Grant City Council Emergency Budget Authority

Title: 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, following consultation with the Manager of Finance?

Background: Under the current charter, Council has the sole authority to approve appropriations, approve, or amend the budget (this happens during the annual budget cycle). When unexpected revenues are generated in excess of the annual budget, only the Mayor or the cabinet may propose extra-budgetary uses for those revenues. Appropriations of these funds must be approved by Council. This bill would allow the Council to propose a transfer of unused revenue or to appropriate new revenue, giving the Council the ability to initiate these appropriations or transfers instead of just reacting to them.

Major Provisions

The city Council (in addition to the Mayor and cabinet members) would be able to recommend mid-year changes in the use of city funds including:

- Appropriation of new (unanticipated) revenue (e.g. federal infusion, new tax or fee);
- Appropriation of revenue in excess of estimated budget (e.g. over-performance of projections);
- Transfer of an unencumbered balance in whole or in part (e.g. for a project that required less money than that budgeted).

These appropriations and transfers:

- Cannot conflict with any uses for which such revenue was specifically accrued
- Cannot cause a deficit in the fund
- Would require consultation with the Manager of Finance
- Would follow that of the annual budget process

Those in favor say:

- Council should have more than one chance a year to propose uses for the city's funds.
- Council is perceived by the public to have responsibility for how the city's money is appropriated, while the mayor and the cabinet must propose any midyear changes to respond to issues. This amendment would bring Council abilities in line with the community's expectations of Council.
- A number of cities comparable to Denver specifically allow their Council to initiate this type of transfer (Philadelphia, PA; Columbus, OH; Detroit, MI; San Francisco, CA (City and County); Austin, Texas (City)).

Those opposed say:

- The mayor's office needs to retain flexibility in uses of funds especially during times of reduced revenue or unanticipated emergency needs for funds.
- The Council already can respond to any mid-year changes proposed by the Mayor or the cabinet.

Proponents: City Council

Opponents: The Mayor's office

Referred measure 2H: Restore Right of Denver to Provide Internet Services

Title: Shall the City and County of Denver re-establish the city's right to provide all services restricted since 2005 by Senate Bill 05-152.

Background: In 2005, the Colorado General Assembly passed Senate Bill 05-152 (SB 05-152), which prevents local governments from entering the broadband market and prohibits most uses of municipal or county money for infrastructure to improve local broadband service without voter permission. The state legislation requires that a popular vote approve the locality's exemption from 152.

Major Provisions

- Allows the city to opt out of Colorado SB 05-152
- Allows for the authority but not the obligation for the City to provide high-speed Internet (advanced services), telecommunication services, and cable television services, including any new and improved high bandwidth services based on future technologies, to residents, businesses, schools, libraries, non-profit entities, and other users of such services either directly or indirectly with public or private sector partners.

Those in favor say:

- Access to the internet is not distributed equally among all classes of people. Gaps exist today in access to broadband internet;