

**Denver Election Commission
200 W. 14th Avenue Suite 100
SPECIAL MEETING
April 4, 2003
9:00 A.M.**

Present: Sherry L. Jackson, Commissioner
Mark Messenbaugh, Commissioner
Jan Tyler, Commissioner
Helen Raabe, City Attorney's Office
David Broadwell, City Attorney's Office
Walter Brauer III, Petitioners' Committee
(Citizens For Repeal of Council Bill 125, series 2003)
Bill Mitchell, DMCUB
Mark Couch, Denver Post
Robert Sanchez, Rocky Mountain News
Holly Brown, CRL Associates
Karon Majeel Hatchett, Executive Director
Alan McBeth, Staff
Natasha Davis, Staff

I. NEW BUSINESS

Review of Affidavit of Petitioners for an Initiated Referendum to Repeal City Council Bill 125 (Ordinance 150)

Commissioner Jackson called the meeting to order at 9:00 a.m. and requested that the City Attorney describe the Commissioners' responsibilities regarding the petition that has been submitted.

Ms. Raabe indicated that the petition is in its initial stage, and that the Commission's task is to review it for compliance with City Charter. The Commission must find that the Petitioners' Committee is comprised as required by Charter, and that the committee members' names, the contact person and the Petitioners' Committee affidavit are in compliance with City Charter. The Commission must approve the submission of the Full Text of the bill to be repealed, the Ballot Title and the Sample Petition provided by the Petitioners' Committee.

Denver Election Commission
April 4, 2003
Page 2

Commissioner Jackson asked for comments from the Petitioners' Committee.

Mr. Walter C. Brauer III spoke for the petitioners, indicating that he is a member of the Petitioners' Committee, the committee's primary contact and legal counsel to the committee. He indicated that the purpose of the petition is to repeal City Council Bill 125, and that his purpose in being present is to determine what is correct and what need to be changed in the petition materials submitted.

Karon Hatchett indicated that there are eight technical changes needed, and that these are detailed in a memo prepared by Carrie Kellogg, Logistics Director. Ms. Hatchett reviewed the changes indicated in the memo. (Copy of memo is attached.) Mr. Brauer indicated that he would make the changes requested.

Commissioner Messenbaugh noted that Item 6 on the memo deals with the Full Text of the petition, and asked for an additional change. Commissioner Messenbaugh asked that the Full Text begin with language that is like the language that begins the Ballot Title. This language should be something like: "Shall the voters of the City and County of Denver repeal Council Bill No. 125, the text of which follows..." Commissioner Messenbaugh indicated that something to this effect is needed to make it clear that voters who support this petition are supporting the repeal of City Council Bill 125.

Mr. Brauer asked for clarification of this added request. Commissioner Messenbaugh indicated that adding "Shall the voters of the City and County of Denver repeal..." to the full text of the petition will make it clear to petition signers that they are supporting the repeal of the City Council Bill.

Commissioner Jackson noted that the "Bill" to be repealed is no longer a bill, but is now an ordinance. She requested that it be referred to as "Ordinance No. 150."

Karon Hatchett indicated that the publication date of the ordinance was March 7, 2003 and that petitions

with 2,458 valid signatures are due on June 5, 2003, 90 days after publication of the ordinance.

Mr. Brauer noted that the June 5, 2003 deadline is after the May 6, 2003 Mayoral Election. He asked if the petitioners will be bound by "new" signature requirements (as a result of the election) or by the current requirement. Helen Raabe responded that the petitioners need 2,458 valid signatures.

Commissioner Messenbaugh moved that the Petitioners' Committee paperwork, the Ballot Title, the Full Text of the Petition and the Sample Petition be approved – with the changes requested at this meeting. Commissioner Tyler seconded the motion, which passed unanimously.

Denver Election Commission

April 4, 2003

Page 3

II. ANNOUNCEMENTS

The announcement was made that the next Regular Meeting of the Denver Election Commission is scheduled for April 15, 2003 at 4:00 p.m.

III. EXECUTIVE SESSION

Commissioner Jackson moved that Executive Session be held. Commissioner Tyler seconded the motion, which passed unanimously.

IV. ADJOURNMENT

Commissioner Jackson moved that the meeting be adjourned. Commissioner Messenbaugh seconded the motion, which passed unanimously.

THE DENVER ELECTION COMMISSION

Sherry L. Jackson, Commissioner

_____ Jan Tyler, Commissioner

Mark W. Messenbaugh, Commissioner

Attest:

Karon Majeel Hatchett, Executive Director

Dated: _____