

Walter W. Garnsey, Jr.
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Denver, Colorado 80207-3155
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[VIA HAND DELIVERY]

December 18, 2020

Denver Election Division
ATTN: Dan Volkosh and Alton Dillard
200 W. 14th Ave.; Suite 100
Denver, CO 80204

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Re: Affidavit of Petitioners' Committee, Petition for Denver Initiated Ordinance: Park and Open Space Preservation

Ladies and Gentlemen:

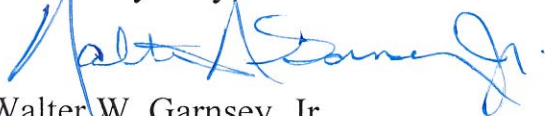
Enclosed is the signed and notarized Affidavit of Petitioners' Committee, Petition for Denver Initiated Ordinance: Park and Open Space Preservation.

On December 11, 2020, the Office of the Denver City Council and the Office of the Denver City Attorney issued the Certificate of Compliance regarding this ballot measure in accordance with § 8.3.7 of the Denver Charter. The ballot title and ordinance language contained in this Affidavit of Petitioners' Committee is identical to the language addressed in the review and comment meeting with the exception of the initiative now being titled "Park and Open Space Preservation" (deleting the words "Let Denver Vote").

We call your attention to the fact that this ballot title and ordinance language is identical to the Affidavit of Petitioners' Committee language approved by the Election Division on April 21, 2020 with the exception of the small wording change identified above. Due to the COVID-19 pandemic and the limited amount of time for collecting required petition signatures prior to the November 3, 2020 election, we decided not to move forward to collect signatures on the previously approved Affidavit of Petitioners' Committee.

Thank you for your attention to this matter.

Yours very truly,



Walter W. Garnsey, Jr.

BALLOT TITLE

Shall the voters of the City and County of Denver adopt a measure prohibiting the following without the approval of voters in a regularly scheduled municipal or special election:

- any commercial or residential development on land designated as a city park and land protected by a City-owned conservation easement except where consistent with park purposes, conservation easement purposes, or for cultural facilities, and
- any partial or complete cancellation of a City-owned conservation easement unless for the purpose of creating a new park?

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CITIZEN INITIATED ORDINANCE

Park and Open Space Preservation

The purpose of this ordinance is to submit to the registered electors of the City and County of Denver a proposed amendment to the Denver Revised Municipal Code concerning a prohibition (1) on any commercial or residential construction on land designated as a city park and land protected by a City-owned conservation easement and (2) on any partial or complete termination, release, extinguishment, or abandonment of a city-owned conservation easement without voter approval.

Be it enacted by the City and County of Denver:

Section 1. The Denver Revised Municipal Code is amended by the addition of a new Section 193 under Chapter 39 (Parks and Recreation), Article VIII (Natural Areas) to read as follows:

CHAPTER 39 (Parks and Recreation), ARTICLE VIII (Natural Areas)

§39-193 – Park and Open Space Preservation

- (a) (1) Construction of any commercial or residential building on land designated as a city park or protected by a City-owned conservation easement and (2) any partial or complete termination, release, extinguishment, or abandonment of a City-owned conservation easement are prohibited without the approval of a majority of the registered electors voting in a regularly scheduled or special municipal election.
- (b) The prohibitions of this section 39-193 do not apply to: (1) construction of and/or improvements to buildings used for limited commercial purposes related to cultural facilities or for park or recreational purposes, and (2) construction of and/or improvements to infrastructure on land protected by a City-owned conservation easement for limited commercial purposes consistent with the conservation easement, and (3) conservation easement cancellation related to the City's acquisition of the protected land for designated park purposes.
- (c) 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.

Instructions to Circulators

Petition for Denver Initiated Ordinance

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1. How To Circulate a Petition

- A. An initiated ordinance petition may consist of multiple petition sections. There must only be one circulator for each petition section.
- B. Each petition section is bound in a blue manuscript cover and contains: A) an *Affidavit of Petitioners' Committee* containing ballot title and full text, B) an *Instructions to Circulators* page, C) several numbered *Signature Pages* that contain a Warning section at the top of each page, and D) an *Affidavit of Circulator* page.
- C. Read the Warning in this petition section to be aware of who may sign this petition and other legal restrictions on signers of this petition.
- D. A petition section may not be left unattended on a counter or desk for voters to sign.

2. Who May Sign a Petition

- A. Signers must be residents of the City and County of Denver and registered to vote in Denver.
- B. Circulators may not sign their own petition section. Notaries may not notarize a petition section they have signed.

3. How To Sign a Petition - Signers Must:

- A. Print clearly.
- B. Use blue or black ink. Do not use ditto marks ("") to provide information on a signature line.
- C. Fill out every required field completely, date it and sign it in the presence of the circulator.
- D. Sign their own signature and print their own legal name in the same manner as the person is registered: last name, first name, and middle initial. (For example: Mary Doe, not Mrs. John Doe)
- E. Use the residence address where they reside and are registered to vote, including street name and street number, city and county. Post office boxes may not be used as a place of residence.
- F. Place their initials on all minor corrections. If a major correction is required, the signer should cross out the entire pair of lines containing the error and use the next pair of blank lines.
- G. Not sign for another signer. However, any person **except the circulator** may assist a signer who has limited literacy or is physically unable to write the required information on the petition. The signer must make his or her mark in the signature space and the person giving assistance must provide their signature and a statement that assistance was given. This statement must be provided on the petition immediately following the name of the elector who received assistance.

4. What To Do After Petition Section is Completed

- A. Do not disassemble petition sections. If the original staples are removed, all names on the section are disqualified.
- B. A petition section does not have to be completely filled for the listed names to be valid.
- C. The *Affidavit of Circulator* must be properly signed and notarized. Do not sign or date your *Affidavit of Circulator* until in the presence of the notary.
- D. No additional signatures may be collected after the *Affidavit of Circulator* is notarized. Any subsequent signatures are invalid.
- E. All petition sections must be filed with the Elections Division at one time.

Warning and Signature Page Petition for Denver Initiated Ordinance

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	Address - Number, Street, Unit #:		City/County:	Signature:	
5.	Date:	Last Name:	First Name:	MC:	Year of Birth (Optional):
	Address - Number, Street, Unit #:		City/County:	Signature:	
6.	Date:	Last Name:	First Name:	MC:	Year of Birth (Optional):
	Address - Number, Street, Unit #:		City/County:	Signature:	
7.	Date:	Last Name:	First Name:	MC:	Year of Birth (Optional):
	Address - Number, Street, Unit #:		City/County:	Signature:	
8.	Date:	Last Name:	First Name:	MC:	Year of Birth (Optional):
	Address - Number, Street, Unit #:		City/County:	Signature:	
9.	Date:	Last Name:	First Name:	MC:	Year of Birth (Optional):
	Address - Number, Street, Unit #:		City/County:	Signature:	
10.	Date:	Last Name:	First Name:	MC:	Year of Birth (Optional):
	Address - Number, Street, Unit #:		City/County:	Signature:	



Denver Elections
Division

Affidavit of Circulator Petition for Denver Initiated Ordinance

RECEIVED DEC 18 2020

I, _____, being duly sworn
(Circulator's Printed Name)

on oath depose and say that I have read and understand the laws governing the circulation of petitions; that

1. I was a citizen of the United States, and at least 16 years of age at the time this petition section was circulated and signed by the listed electors;
2. I personally circulated this section of the petition;
3. All signatures on this petition section were affixed in my presence;
4. Each signature hereon is the genuine signature of the person whose name it purports to be;
5. To the best of my knowledge and belief, each of the persons signing this petition section was, at the time of signing, a registered elector of the City and County of Denver;
6. I have not paid and will not in the future pay and that I believe that no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing the signer to affix the signer's signature to the petition; and
7. Each signer had an opportunity to read the full text and ballot title of this initiative.

(Signature of Circulator) (Date)

(Circulator's Permanent Residential Address)

STATE OF COLORADO
CITY AND COUNTY _____

Subscribed and sworn to me on this _____ day of _____, _____

[SEAL]

My commission expires: _____

(Signature of Notary Public)