

Hon. Paul D. Lopez
Clerk and Recorder
Victoria Ortega
Deputy Clerk and Recorder



City and County of Denver

OFFICE OF THE CLERK AND RECORDER
201 W. COLFAX AVE.
DEPARTMENT 101
DENVER, CO 80202-5330
TELEPHONE: (720) 913-8400
TTY: (720) 913-8479

October 20, 2020

Denver City Council
1437 Bannock St. Rm 451
Denver, CO 80202

Re: Denver Fair Elections Fund

Honorable Members of the Council,

As you consider the 2021 budget, I write this letter to you with concerns about the current proposal to move funds from the Fair Elections Fund.

This is not meant to be interpreted as a complete roadblock; we continue to recognize the City's difficult financial situation amidst the COVID-19 pandemic. In fact, my office has worked diligently with the Department of Finance's requests for departmental reductions in a year with three elections, including the 2020 Presidential election. In 2021, we will reduce our budget by the targeted amount while continuing to maintain the voter-approved Fund. Part of this includes implementing a new campaign finance system that is so long overdue.

However, it has come to my attention that a proposal suspending the planned 2021 appropriation of about \$2,100,000 into the Fund will soon be in front of council. It is unclear whether that money will be repaid into the Fund in 2022 or if it is a permanent diversion of money. If so, I want to be clear: such a proposal jeopardizes the successful implementation of a ballot measure that was passed by 71% of Denver voters. Furthermore, I must express my continued frustration by the lack of official communication from either City Council or the Mayor's Office when the two bodies are considering policy and budget changes that impact the Office of the Clerk and Recorder, an independent agency.

Based on our projections, and to fulfill voter intent, a total of \$8 million in the Fund is required by the 2023 election in order to successfully implement the Denver Fair Elections Act. Therefore, I urge City Council to consider the suspension of this appropriation—only—under the following safeguards:

1. The Fund must receive both the 2021 and 2022 appropriations before the first payments are scheduled to go out in August 2022.
2. The Fund must still possess enough funds to cover staff and operational costs as my office relies on these funds to successfully implement the new campaign finance reporting software in 2021.
3. City Council must commit by ordinance not to suspend the 2022 and 2023 appropriations, regardless of the City's financial situation in those years.

If Council can commit to these safeguards in a public statement, my office will not oppose the temporary diversion of these funds in 2021.

A handwritten signature in blue ink, reading "Paul D. López". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

Paul D. López
Denver Clerk and Recorder