

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2026

COUNCIL BILL NO. CB26-0864
COMMITTEE OF REFERENCE:
Governance and Intergovernmental Relations

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 conducted at the same time and in conjunction with the general election on November 3, 2026, a proposed amendment to the Charter of the City and County of Denver to adjust the City and County's budget and appropriation process.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. There is hereby submitted to the properly qualified and registered electors of the City and County of Denver for their approval or rejection at a special municipal election to be conducted at the same time and in conjunction with the general election to be held in the City and County of Denver on November 3, 2026, a proposed amendment to the Charter of the City and County of Denver, as follows:

Effective upon publication and filing with the Secretary of State in accordance with the Constitution and laws of the State of Colorado, the following sections of the Charter of the City and County of Denver are amended to read as follows:

§ 7.1.1 Fiscal year and budget term.

(a) The fiscal year of the City and County shall commence on the first day of January and end on the last day of December of each year.

(b) The default budget term for the City is one fiscal year. Notwithstanding the one-year default budget term, Council may adopt a budget term of two fiscal years by ordinance. If Council adopts a two-year budget term, the budget procedures in § 7.1.10 apply to the consideration and adoption of the City's budget.

(c) An ordinance adopting a budget term of two fiscal years must be filed by January 31 of the year preceding the start of the first fiscal year of the two-year budget term. An ordinance adopting a budget term of two fiscal years is subject to the requirements and procedures of § 3.3.5, including the procedures for veto and override of veto. Council may repeal an ordinance adopting a

1 budget term of two years at any time.

2 **§ 7.1.2 Budget calendar; budget estimates; capital improvements program.**

3 On or before May 1 of each year the Mayor shall prepare a budget calendar and procedures
 4 for the preparation of the budget. ~~On or before July 1 of each year, all agencies, offices, departments,~~
 5 ~~boards, commissions and other spending agencies of the City and County shall prepare and submit~~
 6 ~~to the Mayor and City Council estimates of their expenditure requirements and estimated revenues~~
 7 ~~for the ensuing fiscal year. The estimates of expenditures shall be based upon specific work~~
 8 ~~programs which shall be set forth in detail sufficient to justify the proposed expenditures. The~~
 9 ~~proposed expenditures shall be further classified so as to set forth the data by funds, character and~~
 10 ~~object of expenditures and such other details as the Mayor or City Council may require. Revenue~~
 11 ~~estimates shall be classified as to funds and sources of income in such detail as may be required by~~
 12 ~~the Mayor or City Council. Changes~~ In the budget, changes in ordinances establishing taxes, fees,
 13 charges and other types of Revenue may be proposed. ~~The, and the~~ Manager of Finance shall
 14 certify to the Mayor and City Council the amount of money to be raised by taxation to pay the interest
 15 on general obligation bonded indebtedness and to provide for the sinking fund. The Mayor shall
 16 develop long range plans for capital improvements and shall prepare a six-year capital improvements
 17 program.

18 **§ 7.1.3 Preparation of the budget.**

19 ~~On~~ Except as provided in § 7.1.10, on or before ~~September 15~~ the first Friday of September
 20 of each year, the Mayor shall brief the City Council on the tentative revenue and expenditure plans
 21 for the ensuing year and the major program changes related thereto. Revenue estimates shall be
 22 classified as to funds and sources of income in such detail as may be required by the Mayor or City
 23 Council. After receiving and considering the City Council's recommendations, the Mayor shall
 24 prepare and submit to the City Council, on or before the ~~third Monday~~ second Friday in October of
 25 each year, a proposed budget which shall include but need not be limited to: a general statement
 26 describing the important features of the budget; statements by funds showing estimates of
 27 expenditures, receipts, opening and closing balances compared with the last completed fiscal year
 28 and the current year; statements of expenditures and work programs of the various agencies, offices,
 29 departments, boards, commissions and other spending agencies; the amount to be raised by
 30 taxation to pay interest on general obligation bonded indebtedness and to provide for the sinking
 31 fund; and the amounts to be expended during the ensuing year for capital improvement projects and
 32 the sources of Revenue for financing such projects. Revenue estimates that depend on ordinances
 33 that set tax rates, fees, charges and other similar sources of receipts shall be based on already
 34 enacted ordinances excluding the ordinance to establish the mill levy under Section 7.4.2 for City

1 and County purposes.

2 **§ 7.1.4 Balanced budget; emergencies; contingency reserve.**

3 The budget proposed by the Mayor shall not propose expenditures in excess of estimated
 4 opening balances and anticipated income; however, in estimating, the Mayor may reduce the
 5 anticipated income from property taxes by an amount for uncollectible taxes. In the general fund the
 6 budget estimates for the ensuing year shall include an amount as a year-end closing fund balance
 7 which amount shall not be expended except for emergencies approved by a two-thirds vote of
 8 Council, within the fiscal year to which the proposed budget applies but may be considered as
 9 income available for expenditures in preparation of the proposed budget for the following year. This
 10 amount shall be referred to as the general fund reserve. The proposed budget for the general fund
 11 shall also include an amount, not less than two (2) per cent of the total estimated expenditures set
 12 forth in the general fund for the ensuing year, for the payment of any expense, the necessity of which
 13 is caused by any casualty, accident or unforeseen contingency, after the passage of the annual
 14 appropriation ordinance. This amount shall be referred to as the general fund contingency. Revenues
 15 received during the year in excess of those projected, or an opening balance larger than projected,
 16 will automatically be added to the ~~contingency~~ general fund reserve.

17 **§ 7.1.6 Amendment and adoption of budget by Council.**

18 After the public hearing on the proposed budget, but no later than the adjournment of the first
 19 regular Council meeting held in November, the Council may amend the budget by motion to revise,
 20 alter, increase, or decrease any items; any amendment shall require the vote of a majority of the
 21 members of Council. Not later than noon on the Friday immediately following the first regular Council
 22 meeting held in November, the Mayor shall submit to Council a list of the amendments and the items
 23 revised, altered, increased, or decreased, stating which of the amendments the Mayor accepts or
 24 rejects. If the Mayor rejects an amendment it shall not take effect unless, not later than the
 25 adjournment of the second regular council meeting in November, the Council overrides the rejection
 26 with a vote of at least two-thirds of its members. The Council shall thereupon adopt by motion the
 27 budget, as amended; or if no amendments were approved, the budget as proposed, which budget
 28 shall set forth the expenditures to be made in the ensuing fiscal year and the sources and anticipated
 29 amounts of revenue to fund such expenditures. The aggregate expenditures in the various funds
 30 including ~~the contingency~~ reserves and closing balances shall not exceed the estimated opening
 31 balances and anticipated revenues for each fund.

32 **~~§ 7.1.8 Budget allotment and work programs~~ Reserved.**

33 ~~On or before the fifteenth day of December in each year, the various agencies, offices,~~
 34 ~~departments, boards, commissions and other spending agencies shall submit to the Mayor revised~~

~~budget expenditure plans, work programs and budget allotments in accordance with the budget and appropriations adopted by the Council. The Mayor shall review the allotments and may revise, alter or change the allotments but may not increase or reduce the total amount for the spending agency. The Mayor shall file a copy of the approved allotments with necessary supporting documents with the Manager of Finance and shall file copies of the expenditure plans, work programs and allotments with the Council. The Manager of Finance shall allow lawful expenditures for the spending agencies to be made from the appropriations on the basis of the approved allotments and not otherwise. The approved allotments may be revised during the budget year in the same manner as the original allotments were made.~~

§ 7.1.10 Procedures for a two-year budget term.

(a) If Council adopts a two-year budget term in accordance with § 7.1.1, in the fiscal year preceding a new budget term:

(1) The Mayor shall include in the brief required by § 7.1.3 tentative revenue and expenditure plans and any major program changes planned for both fiscal years of the two-year budget term, in addition to all other requirements of §7.1.3.

(2) The Mayor shall include in the proposed budget required by § 7.1.3 a proposed draft budget for the second fiscal year of the two-year budget term in addition to the proposed budget for the ensuing fiscal year. The Mayor's proposed draft budget for the second fiscal year must include all information required by § 7.1.3 for the proposed budget for the ensuing fiscal year.

(3) Council shall include the proposed draft budget for the second fiscal year in the notice and public hearing required by § 7.1.5.

(4) Council shall consider and may amend the proposed draft budget for the second fiscal year in accordance with § 7.1.6.

(5) The budget for the two-year budget term that is adopted by Council in accordance with § 7.1.6, or that becomes the official budget in accordance with § 7.1.7, shall include the planned expenditures for the second fiscal year and the sources and anticipated amounts of revenue for the second fiscal year to fund such expenditures as a draft budget for the second fiscal year in addition to the information required by § 7.1.6 for the budget for the ensuing fiscal year.

(6) The draft budget for the second fiscal year of the two-year budget term is subject to revision in a final budget and is contingent upon annual appropriation. The final budget for the second fiscal year of the two-year term shall be considered and adopted as set forth in subsection (b) to comply with all requirements of the Charter and state law.

(b) If Council adopts a two-year budget term, during the first fiscal year of the budget term:

(1) In lieu of the briefing required by § 7.1.3, on the first Friday of September the Mayor

shall brief the City Council on any necessary revisions to the revenue and expenditure plans presented the previous year for the second fiscal year of the two-year budget term.

(2) The Mayor shall propose a final budget for the second fiscal year of the two-year budget term following the requirements of § 7.1.3. The proposed budget shall include a general statement of the proposed changes to the draft budget adopted the year prior, including adjustments made to comply with applicable state law and § 7.1.4, along with all other information required by § 7.1.3.

(3) The Mayor's proposed final budget for the second fiscal year must include any revisions to the draft budget necessary to ensure that the final budget complies with all requirements of § 7.1.4.

(4) Council shall publish notice and hold a public briefing on the proposed final budget as required by § 7.1.5.

(5) Council shall consider and may amend the proposed final budget in accordance with § 7.1.6. Council shall adopt the final budget for the second fiscal year in accordance with § 7.1.6 or the proposed final budget shall become the official budget for the second fiscal year in accordance with § 7.1.7.

(6) The annual appropriation ordinance required by § 7.2.1 for the second fiscal year shall appropriate amounts that do not exceed the amounts fixed in the final budget adopted in accordance with this subsection (b).

(c) References in this Charter or in ordinance to the budget or adopted budget with regard to the second fiscal year of a two-year budget term refer to the final budget, unless context requires otherwise.

§ 7.2.3 Year-end lapsing of appropriations; exceptions.

All appropriations shall lapse at the end of the year to the extent that they shall not have been expended or encumbered, except appropriations for capital projects and funds designated in their initiating ordinance as non-lapsing which shall run until the projects or programming are completed or any balances rescinded by ordinance.

Section 2. The ballot shall contain the following title and submission clause:

REFERRED QUESTION

Shall the Charter of the City and County of Denver be amended to adjust the City and County's budget and appropriation process, and in connection therewith, allowing the City Council to adopt a two-year budget planning and adoption process and modernizing or repealing certain charter sections?

Section 3. The proper officials of the City and County of Denver as are charged with duties relating to the election shall, before the election, issue such calls, make such certifications and publications, give such notices, make such appointments, and do all such other acts and things in connection with the submission of this Charter amendment to the registered electors of the City and County of Denver at the election as are required by the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

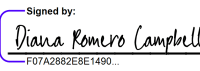
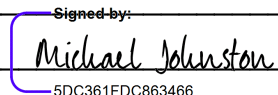
Section 4. The ballots cast at such election shall be canvassed and the results ascertained, determined, and certified in accordance with the requirements of the Constitution and laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.

Section 5. 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.

COMMITTEE APPROVAL DATE: June 30, 2026

MAYOR-COUNCIL DATE: July 7, 2026 by Consent

PASSED BY THE COUNCIL 07/20/2026

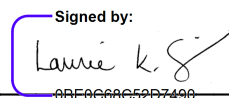
Signed by:  F07A282E8E1490...	Signed by:  5DC361FDC863466...	- PRESIDENT - MAYOR <u>7/22/2026</u> - CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER
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NOTICE PUBLISHED IN THE DENVER POST _____;

PREPARED BY: Megan Waples, Assistant City Attorney; DATE: July 9, 2026

Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Miko Ando Brown, Denver City Attorney

Signed by:  0BE0C68652D7490...	BY: _____, Assistant City Attorney	DATE: <u>7/9/2026 11:02 AM MDT</u>
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