



DENVER **CLERK & RECORDER**

CITY CLERK | ELECTIONS | PUBLIC TRUSTEE | RECORDING

HON. **PAUL D. LÓPEZ**

Ballot Information Booklet

General Election
Tuesday, November 3, 2026

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DENVER CLERK & RECORDER

CITY CLERK | ELECTIONS | PUBLIC TRUSTEE | RECORDING

HON. PAUL D. LÓPEZ

A Letter from the Hon. Paul D. López, Denver Clerk and Recorder

Denver Voter,

This fall, Denver voters have an opportunity to vote on measures that were referred to the ballot by Denver City Council or initiated by the people through the petition process.

Colorado law requires county clerks to produce and mail a Ballot Issue Notice for all local measures with tax implications under the Taxpayer's Bill of Rights (TABOR), similar to the State's Blue Book for statewide ballot measures. Registered voters will receive the notice by mail, and it is also available at [DenverVotes.org](https://denvervotes.org). Denver law requires our office to produce this separate Ballot Information Booklet for local measures that do not have tax implications and therefore are not included in the Ballot Issue Notice.

For this 2026 General Election, five local ballot measures do not have tax implications. This booklet contains information about each, including the ballot title, full text, fiscal analysis, and public comments for and against the measure.

The information in this booklet comes from Denver City Council, the Department of Finance, and public input. As required by law, our office accepts public comments for or against ballot measures and includes all timely submissions, summarized as needed to meet the legal 500-word limit. We do not otherwise edit comments or verify their claims. We encourage voters to consult other trusted sources for additional information.

Thank you for participating in the democratic process and voting in this important election.

For more information about the election and answers to frequently asked questions, visit [DenverVotes.org](https://denvervotes.org).

In solidarity,

Paul D. López
Clerk and Recorder

200 W. 14th Ave., Denver, CO 80204
Phone: 720-913-VOTE (8683) | denvervotes.org



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VOTER CHECKLIST

- ☐ Visit GoVoteColorado.gov to register to vote or check your registration.
- ☐ Ballots will be mailed Oct. 5. Fill it out and be sure to sign the back of the envelope.
- ☐ Take your completed ballot in the signed envelope to any 24-hour drop box or Voter Service & Polling Center (VSPC), or put it in the mail with one "forever" stamp. A complete list of drop box and VSPC locations can be found at DenverVotes.org
- ☐ Sign up to track your ballot at BallotTrax.com.
- ☐ If you'd like to vote in person, you can do so at any VSPC beginning Oct. 12. A full list of VSPC locations can be found at DenverVotes.org.
- ☐ If you need a new ballot, or yours did not arrive, call 311 or 720-913-VOTE (8683) to request a new one.
- ☐ Ballots must be received by **7 p.m. Tuesday, November 3.**



Initiative 311

Shall the voters of the City and County of Denver adopt an ordinance prohibiting the force-feeding of birds and, in connection therewith, prohibiting the sale of products derived from force-feeding birds, including foie gras?

Fiscal Information on Initiative 311

After reviewing the language of the proposed initiative with the Denver Department of Public Health and Environment (DDPHE), the Department of Finance does not anticipate any fiscal impact to the City and County of Denver if this ballot initiative passes. DDPHE believes any additional workload would be minimal and could be absorbed by existing employees.

Written Comments FOR Initiative 311

Force-Feeding is Cruel and Unnecessary

Foie gras (French for “fatty liver”) is an expensive dish produced by force-feeding ducks and geese until their livers become diseased. Multiple times a day for weeks, long tubes are forced down birds’ throats to pump in slurries of corn and oil. This process is designed to induce fatty liver disease, causing birds’ livers to swell to ten times their normal size.

Producers say force-feeding causes only brief discomfort, but evidence shows the birds suffer continuously, both physically and psychologically. Recent footage from a top supplier of foie gras to Denver restaurants shows birds in visible distress during the force-feeding process: avoiding eye contact, climbing over each other, and pressing into the corners of their pens. Birds routinely come away from feedings with broken beaks and throat injuries, and as the liver disease progresses, many become unable to walk or stand.

Ducks and geese must submerge their heads in order to clean their eyes and nostrils, but force-fed birds are denied access to water for bathing, leading to painful infections. But regardless of conditions, force-feeding an animal to induce liver disease is cruel and happens solely to produce a luxury status symbol that no one needs and most Denverites never consume.

Initiated Ordinance 311, if approved, would:

stop restaurants and other food establishments in Denver from selling foie gras produced on farms that force-feed birds;

prevent the force-feeding of birds within city limits, with an exemption allowing licensed veterinarians to feed sick birds by tube when medically necessary; and

not restrict the personal consumption or possession of force-fed products, or the sale of foie gras produced without force-feeding.

Why Vote Yes on Initiated Ordinance 311

Local veterinarians, restaurants, and rescues agree that force-feeding birds until their organs fail is

unnecessary cruelty. Foie gras is an expensive luxury item, not a staple food that families depend on, and it is sold as a single, seasonal dish rather than a primary source of revenue for any business.

A Colorado State University poll found that 85% of Colorado voters support ending the sale of foie gras from farms where force-feeding is used.

This cruelty is so extreme that it's illegal in more than twenty countries, including most of the European Union, along with New York City, Pittsburgh, Portland, and California.

There's nothing natural about foie gras. Force-fed birds' livers swell to ten times their normal size, while wild birds' livers only swell to 1.5 times prior to migration.

Denver has taken similar action before. When our city prohibited the retail sale of puppies and kittens, the mills supplying these animals were out-of-state. While the factory farms that force-feed birds are not in Denver, we have a responsibility to cut off demand for their products here.

Enforcement is likely to cost the city almost nothing. Restaurants already undergo routine licensing inspections to ensure compliance with existing laws.

This initiative was a volunteer-led effort placed on the ballot without any paid circulators.

Written Comments AGAINST Initiative 311

No comments were submitted against this measure.

Text of Measure

Chapter 8 of the Denver Revised Municipal Code is hereby amended by the addition of a new Article VII, to read as follows:

ARTICLE VII. Prohibit Force-Feeding and Sale of Fattened Bird Liver Products Act

Sec. 8-160. Legislative Intent

The People of the City and County of Denver hereby find and declare:

- a. That fattened bird liver products are 'luxury' food items produced from the diseased and enlarged liver of a bird, typically a duck or goose, typically through systematically force-feeding the animal until their liver becomes diseased and expands up to ten times its natural size;
- b. that the method typically used to force-feed these birds for production of food items is inhumane and involved inserting a foot-long metal or plastic tube into the bird's throat and administering excessive quantities of feed directly into the stomach, resulting in extreme pain and various health issues;
- c. that force-feeding induces liver disease in the birds, which is both painful and often fatal, causing the animals significant injury and illness, including bacterial and fungal infections, malnourishment, and/or lameness;
- d. that veterinary professionals widely regard the typical practice of force-feeding birds for food product production as inhumane;

- e. that the intensive confinement of these birds for food product production exacerbates environmental degradation and climate change through the necessitation of substantial water and energy consumption and polluting our city's air and waterways;
- f. that runoff from fattened bird liver production facilities contains high concentrations of phosphorus and nitrogen, which are the most common forms of water pollution in the United States, including in Colorado;
- g. that workers in fattened bird liver production facilities face occupational hazards, including exposure to respiratory irritants and zoonotic diseases, which not only threaten their health but also pose a public health risk by increasing the potential spread of disease to our state's broader population; and
- h. that eliminating the production and sale of fattened bird liver products from the marketplace is in our city's interest and authority to reduce animal cruelty, unsustainable environmental practices, and spread of zoonotic, and to uphold our city's values of humane animal treatment, public health, and environmental stewardship.

Sec. 8-161. Definitions.

For purpose of this article, the following terms shall have the meanings set forth below:

- (a) "Bird" means any species of poultry including, but not limited to, chickens, turkeys, ducks, geese, guineas, or squabs.
- (b) "Fattened bird liver products" means a food product or by-product made from the fattened livers of ducks or geese. This includes, but is not limited to, foie gras, duck fat, pâtés, spreads, cured products, processes meat dishes, and other derivatives of the fattened liver of ducks or geese. The term also encompasses all items marketed under alternative descriptions or euphemisms.
- (c) "Food service establishment" means a place offering prepared food to be eaten by customers, whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand, or vehicle.
- (d) "Force-feeding" means any process, whether implemented by hand or machine, of feeding a bird that causes the bird to ingest more food than a typical bird of the same species would consume voluntarily. Force-feeding methods include, but are not limited to, delivering feed through a tube or other device inserted into the bird's esophagus.
- (e) "Person" means any individual, firm, partnership, joint venture, limited liability corporation, estate, trust, receiver, syndicate, association, business owner, business operator, copartnership or co-venture, society, government agency, think tank, university, or other organization of individuals and any other business unit, device, or arrangement.
- (f) "Retail establishment" means any vendor, store, shop, sales outlet, specialty food store, farmer's market, or other establishment, including a grocery store or a delicatessen, which provides, offers for sale, or sells food.
- (g) "Sell or sale" means any act of selling, trading, distributing, or bartering for monetary or nonmonetary consideration, and includes any transfer of ownership that occurs in the course of a commercial transaction. All above actions shall be deemed to occur at the location where the recipient takes or would take physical possession of the item.

Sec. 8-162. Prohibition on force-feeding

- (a) No person shall force-feed a bird, or hire another person to force-feed a bird, for the purpose of fattening or enlarging the bird's liver beyond normal size. This section does not apply if a person force-feeds a bird as directed by a licensed veterinarian for the purpose of improving a bird's health.
- (b) No person, food service establishment, retail establishment, or any agent thereof, shall:
 - (i) sell or offer for sale, distribution, or offer to provide by sale or any other manner, a fattened bird liver product as a stand-alone item or any other item in which a fattened

bird liver product is an ingredient. For purposes of this section, a sale or provision shall be deemed to occur at the location where the recipient takes physical possession of an item.

- (ii) import, transport, or receive a fattened bird liver product into Denver, CO for sale, distribution, or any other commercial purpose within the city. This prohibition applies regardless of the jurisdiction where the product was produced or originated.

Sec. 8-164. Enforcement and penalties.

- (a) The Denver Department of Public Health and Environment shall have the power and duty to enforce all provisions of this Article. Thereby, the Department of Public Health and Environment:
 - (i) is authorized to adopt procedures and forms to implement the provisions of this Article;
 - (ii) shall ensure compliance with the provisions of this Article during routine inspections of retail establishments;
 - (iii) shall also have the authority to issue subpoenas for records related to the purchase, storage, and sale of poultry products;
 - (iv) shall ensure members of the public are able to submit complaints notifying the Department of possible violations, and;
 - (v) shall maintain a publicly available online database of violations and penalties issued under this Article, updated quarterly.
- (b) Any person, food service establishment, or retail establishment who violates any provision of this Article shall be subject to a civil penalty of not less than one thousand dollars (\$1,000) and not more than five thousand dollars (\$5,000) for each violation. Each violation shall be treated as a separate and distinct offense, and in the case of a continuing violation, each day's continuance shall constitute a separate and distinct offense. Repeated violations within a 12-month period shall result in mandatory suspension of the business license for up to six months.
- (c) In addition to other remedies provided by this article or by other law, any violation of this article may be enforced by a civil action brought by the City Attorney including but not limited to an action for injunctive relief.
- (d) Nothing in this section shall restrict any right which any person may have under statute or common law to seek enforcement of this article or other relief.
- (e) If a corporate entity or its agent violates any provision of this Article, the owner(s), operators, or individuals legally responsible for the operation of the corporate entity shall be subject to the penalties provided herein.

Sec. 8-165. Severability

If any Section, Subsection, sentence, clause, or phrase of this Article is declared invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Article.

Sec. 8-166. Effective Date

This article becomes effective beginning July 1, 2027.

A ‘yes/for’ vote on any ballot measure is a vote in favor of changing current law or existing circumstances and a ‘no/against’ vote on any ballot measure is a vote against changing current law or existing circumstances.

Referred Question 2H

Shall the Charter of the City and County of Denver be amended to expressly clarify that the Auditor’s Office may continue to enforce wage laws, worker protection laws, and other workplace rights laws in accordance with ordinances passed by City Council?

Fiscal Information on Referred Question 2H

There is no anticipated fiscal impact from amending the Charter to clarify the Auditor’s Office’s authority to enforce wage laws as this function is currently being performed by the Auditor’s Office

Written Comments FOR Referred Question 2H

This updates charter language to reflect the Auditor’s Office’s long history and responsibility of wage enforcement. The Auditor’s Office has enforced the prevailing wage ordinance since 1950, and since 2016, has been tasked by council with additional enforcement responsibilities around minimum wage and wage theft. The office has a critical function to protect workers from exploitation and abuse, has collected approximately \$10 million in restitution for workers, and has enforced the rights of more than 15,000 workers in the last decade alone.

Under the office’s duties in the charter, it adds language making it clear that the Auditor’s duties include enforcement of wage, worker protection, and workplace rights, as the Council requires by ordinance. This is a good governance measure to ensure the charter is easy to understand and includes the most accurate representation of Denver’s government.

Denver’s wage and workplace protection laws are only meaningful if they can be enforced. The Auditor’s Office plays a critical role in making sure employers follow the rules the Denver City Council passed.

This measure provides an important clarification: it expressly confirms that the Auditor’s Office may continue enforcing these laws as authorized by City Council ordinances. A YES vote helps prevent uncertainty about the city’s enforcement authority and ensures that workers and responsible employers can rely on a clear, consistent system.

Strong workplace protections benefit everyone. Workers deserve to be paid what they are owed and treated fairly. Employers who follow the law deserve a level playing field rather than competition from businesses that cut costs by violating worker protections. And Denver residents deserve confidence that laws enacted by their elected representatives can actually be enforced.

Voting YES is a vote for accountability, fairness, and effective local government.

For more than three-quarters of a century, the Denver Auditor’s Office has enforced wage laws. In the last 5 years, the Auditor has collected more than \$9 million dollars and vindicated the rights of more than 15,000 workers across thousands of investigations. Denver has earned a reputation for strong workplace laws and

effective enforcement, which create fair workplaces and a level playing field for law-abiding employers who should not have to compete against businesses that fail to pay minimum wage, overtime, or provide paid sick leave.

The most common victims of wage theft are women, people of color, immigrants, young workers, and low-income people. While most victims of wage theft cannot afford an attorney, the Auditor's Office provides a no-cost, effective means to enforce their fundamental rights. Every year, the Auditor collects millions of dollars for thousands of workers, and prevents future violations through a comprehensive system of education and enforcement.

This Charter amendment clarifies that the Auditor's Office may continue to defend workers from wage theft and retaliation; protect the interests of ethical employers; and assert the values of a city that opposes workers' rights violations. It does not expand the Auditor's Office's authority, but expressly aligns the language of the City Charter with existing law and practice.

Written Comments AGAINST Referred Question 2H

No comments were submitted against this measure.

Text of Measure

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 coordinated 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:

§ 5.2.1 - General powers and duties of Auditor.

(F) Wage and Workplace Rights Enforcement. The Auditor shall enforce wage, worker protection, and workplace rights, as the Council by ordinance may require.

(GF) Other Duties Assigned by Ordinance. The Auditor shall perform such other duties not inconsistent with the provisions of this Charter, as the Council may by ordinance require. The Council shall provide by ordinance procedures to require the confidentiality of preliminary audit findings, to require the public dissemination of final audit findings by and through the Audit Committee, and to require response by departments and agencies to audit findings. No ordinance shall compromise the independence of the Auditor as required by generally accepted government auditing standards promulgated by the Comptroller General of the United States.

(HG) Appointment of Deputy. The Auditor may appoint a Deputy, who shall in addition to any other duties assigned perform such functions and exercise such powers of the Auditor as the Auditor may specifically assign to such Deputy.

Referred Question 2I

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?

Fiscal Information on Referred Question 2I

The text in the Charter amendment states "Council may adopt a budget term of two fiscal years by ordinance". It does not mandate a biennial budget but grants Council the power to do so. The Charter amendment also moves up the release date of the Mayor's proposed budget from September 15 to the first Friday in September.

The City's Budget and Management Office has worked with current vendors to estimate costs of reconfiguring existing systems to support a two-year budget term to be approximately \$50,000. The City's budget development system updates are estimated to require 120 professional service hours at \$250 per hour. The City's budget publishing system is estimated to require 100 professional hours for \$200 per hour. Both costs are expected to be non-recurring.

Service	Estimated Cost to Reconfigure
Budget publishing system	\$20K
Budget development system	\$30K
Total	\$50K

There are no anticipated costs associated with moving up the proposed budget release date from September 15 to the first Friday in September.

Written Comments FOR Referred Question 2I

This charter amendment changes Denver's budget process to improve public engagement, transparency, and accountability. First, this charter amendment would allow for an optional two-year budget cycle which would give partners and the City the ability to better plan for long term projects. It also frees up staff time during the adjustment year, year two, to work on program and budget evaluation within city agencies. Denver could still choose a one-year budget in time of economic uncertainty.

Second, this charter amendment would require a public process to collect community input while the budget is being developed. This process would be managed by the Mayor's Office and the results would be presented to Council and the public by the third Monday in July. This allows the public to give direct feedback on budget priorities ahead of the final budget being presented to Council.

Third, this charter amendment would change the timeline of the budget process to allow Council and the public more time to analyze the budget and develop better budget amendments. It would remove the Charter required July 1 date which requires a preliminary budget estimate that is not representative of the final budget. Instead, it would free up staff time for program assessment and planning. It would also move the September 15 date forward, requiring the Mayor to propose a budget the first Friday of September. This gives Council and the public an additional week to review the proposed budget and better prepare for budget hearings in mid-September. The charter amendment would also require the Final Budget be sent to Council on the second Friday in October instead of the third Monday in October. This would allow one

additional week for council and the public to suggest budget amendments ahead of Council's public hearing on the fourth Monday of October.

Fourth, the charter amendment would create a process for when revenues decline or expenditures outpace revenues unexpectedly. If expenditures exceed total appropriations by two percent or more, or expected revenues are more than two percent less than projected revenue, the Mayor Shall propose budget reductions and inform Council. This would require the Department of Finance to present a budget reduction plan in a committee hearing any time they discover projected revenues or expenditures are more than two percent off. In the event expenditures are expected to exceed total appropriations by five percent or more, or expected revenues will be more than five percent less than projected revenue, the Mayor shall propose and Council shall reduce appropriations by ordinance to balance the budget. This would require the Department of Finance to present a budget reduction plan in a committee hearing and Council would reduce appropriations by ordinance any time the Department of Finance discovers projected revenues or expenditures are more than five percent off. This will ensure that projected expenditures cannot outpace projected revenues by significant amounts.

Written Comments AGAINST Referred Question 2I

It would be a huge mistake for Denver to move to a two-year "biennial" budget cycle. Denver rarely gets a one-year budget right. A biennial budget would force the Department of Finance to accurately project revenues and expenditures up to three years ahead of the end of each budget cycle. Yet we know from our actual experience just last year, when economic conditions faltered and Denver faced a \$200 million deficit in the middle of the year, that biennial budgeting is a recipe for fiscal disaster.

Biennial budgeting limits the ability of the city to quickly adapt to changes in financial forecasts. The city's Department of Finance uses monthly data to be as accurate as possible when forecasting the city's revenue. Denver's general fund, which pays for most city services, is 56% sales tax. That number fluctuates from month to month depending on a variety of economic influences, including what is happening politically at the state and federal levels. It is already a challenge to forecast revenue for a 12-month period. Trying to forecast for 24 months, starting 12 months before that, will be wildly off. We've seen two budgetary crises just since 2020.

Based on economic projections, Denver needs to be flexible and make adjustments to spending as quickly as possible. Locking into a two-year budget severely reduces that flexibility and slows down response time to uncertainty.

Proponents respond that the city can make adjustments in the second year of a two-year budget if there are economic challenges. Well then what's the point of having it in the first place? The State of Colorado requires Denver to pass a balanced budget every single year. So biennial budgeting would be entirely a wasted effort. We should preserve the ability to adapt and make changes quickly by sticking with an annual budget cycle.

Also, giving the mayor's administration a two-year budget relinquishes too much of City Council's power of the purse to the mayor.

Going to biennial budgeting is against the prevailing practice among governmental jurisdictions. Fewer of them use biennial budgeting in the first place, and more of them have decided to switch to annual budgeting than have gone from annual to biennial, as proposed here.

Lastly, proponents of biennial budgeting state without evidence that biennial budgeting would give city agencies, vendors and providers more planning certainty, and it would provide more certainty for capital improvement projects, which always take more than a year. This is nonsense. First, the city already uses a rolling six-year capital improvement projects plan, which biennial budgeting has nothing to do with.

Second, the city already issues multi-year contracts, typically three to five years, with vendors and nonprofit service providers, so a biennial budget provides no improvement at all over an annual one.

Bottom line: Our current annual budget system is preferable in every way over the chaotic adjustments that biennial budgeting would bring.

Text of Measure

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 budget term of two years at any time.

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

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

shall develop long range plans for capital improvements and shall prepare a six-year capital improvements program.

§ 7.1.3 Preparation of the budget.

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

§ 7.1.4 Balanced budget; emergencies; contingency reserve.

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

§ 7.1.6 Amendment and adoption of budget by Council.

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

§ 7.1.8 Budget allotment and work programs Reserved.

On or before the fifteenth day of December in each year, the various agencies, offices, 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.

Referred Question 2J

Shall the Charter of the City and County of Denver be amended to modernize the Civil Service Commission and Department of Safety by removing outdated language, giving City Council the ability to add duties via code, and providing for an extension of probation when required for medical, military, or other approved leave?

Fiscal Information on Referred Question 2J

The Charter amendment would strike, “The total number of command assignments 32 permitted by this section at any one time shall not exceed seven (7)” from Section 9.5.2 of Charter. Any decision to increase the number of Denver Fire Department command staff would be determined by city leaders based on department need. Historically, command staff have received an equivalent pay increase to members within the bargaining unit. The Department of Finance estimates an increase in the number of command staff would have a de minimis financial impact if there were no change to authorized strength.

The Charter amendment would also strike, “The total number of command assignments permitted by this section at any one time shall not exceed eighteen (18)” from section 9.6.3 of Charter. Any decision to increase the number of Denver Police Department command staff would be determined by city leaders based on department need. Historically, command staff have received an equivalent pay increase to members within the bargaining unit. The Department of Finance estimates an increase in the number of command staff would have a de minimis financial impact if there were no change to authorized strength.

Written Comments FOR Referred Question 2J

VOTE YES: Modernize Denver's Civil Service and Public Safety Rules

Voting YES on this measure is good governance that will update outdated Charter rules that govern Denver’s Civil Service Commission and public safety system. These rules originated in 1904 and have been changed piece by piece over time, but parts of the Charter no longer match current operations or administrative needs.

This measure moves the public safety cadet program to the Manager of Safety section of the Charter, updates gendered language, updates timelines for disciplinary review and investigations, and removes the citizenship requirement to serve on the Civil Service Commission. It also moves certain administrative details from the Charter into the Denver Revised Municipal Code.

Voting YES will allow probation periods to be extended when employees take medical, military or other approved leave. It also removes strict caps on police and fire command staff assignments, giving the departments more flexibility to adjust their leadership structure to support future staffing needs as the City grows.

This is a modernization measure, not an overhaul. It updates outdated language, timelines, and administrative rules to allow Denver’s Civil Service Commission and public safety system to work more effectively today and adapt in the future.

Vote YES to keep Denver's civil service system fair, modern, and ready for the future.

Written Comments AGAINST Referred Question 2J

No comments were submitted against this measure.

Text of Measure

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 coordinated 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:

§ 2.6.7 - Public safety cadet program.

(A) There shall be a public safety cadet program that shall operate under the supervision and control of the Manager of Safety. The Manager of Safety shall establish all terms and conditions of the employment, as well as procedures and qualifications for entry into the public safety cadet program.

(B) Persons in the public safety cadet program shall not be considered permanent employees of the City and may be dismissed at any time at the sole discretion of the Manager of Safety. Time spent in the public safety cadet program shall not be considered as time in the Classified Service, if the public safety cadet is subsequently appointed to a position in the Classified Service.

§ 9.3.1 - Civil Service Commission created.

There shall be a Civil Service Commission, whose duties, powers and responsibilities shall include: establishing, fostering and maintaining a merit personnel system providing for the selection and appointment by the Manager of Safety to the Classified Service of the Denver Fire and Police Departments those determined to be the best qualified applicants and the promotion within the Classified Service of the best qualified members; establishing and administering a disciplinary and disqualification review process for members of the Classified Service; and other duties, powers and responsibilities as necessary to effectuate the intent of this Charter section. All Commission examinations shall be impartial and relate only to matters which will test the qualifications of the persons examined. The Commission shall be committed to equal employment opportunity. Except as expressly provided in the Charter, there is no right of appeal before the Commission or Department of Safety.

§ 9.3.2 - Civil Service Commissioners.

(A) Qualifications and appointment. The Commission shall consist of five (5) members. ~~The Commissioners shall be citizens of the United States.~~

(i) Two (2) members of the Commission and their successors shall be appointed by the Mayor.

(ii) Two (2) members of the Commission and their successors shall be appointed by City Council.

(iii) One (1) member of the Commission and ~~his or her~~ their successors shall be nominated by the

Mayor and appointed by ordinance or resolution of the Council, or shall be appointed by ordinance or resolution of the Council if the Mayor does not make such nomination within thirty days after the expiration of the term of the Commissioner or after a vacancy.

(B) *Terms.* Each Commissioner shall be appointed for a term of two (2) years, except when appointed to complete an unexpired term, and may be reappointed.

(C) *Composition.* In making appointments to the Commission, the Mayor and City Council shall consider the diversity of the ~~citizens of the~~ City and County of Denver.

(D) *Removal.* A Commissioner may be removed by ~~his or her~~ their appointing authority for cause, expressed in writing.

§ 9.3.3 - Annual appropriation.

The City Council shall annually appropriate funding to the Commission to ensure that the Commission is able to carry out its duties, powers and responsibilities.

§ 9.3.4 - Adoption and enforcement of rules for the Commission.

The Commission shall have power to make and enforce rules consistent with its rule-making process, ~~(which shall include a requirement that proposed rules be posted prior to adoption);~~ and its Charter-mandated duties, powers, and responsibilities.

§ 9.3.5 - ~~Reserved. Council Give Further Powers.~~

The Council, whenever requested by the Commission, may by ordinance confer upon the Commission such other or further rights, duties, and privileges as may be necessary to adequately enforce and carry out the principles of civil service.

§ 9.3.6 - Interference with Commission; investigations; subpoena powers.

No person shall interfere with the powers, duties and responsibilities of the Commission. The Commission shall have the authority and power to investigate all breaches relating to its powers, duties and responsibilities, and may by subpoena compel the attendance and testimony of witnesses, and the production of books and papers.

§ 9.3.7 - Retention of Hearing Officers by the Commission.

(A) *Hearing Officers.* The Civil Service Commission shall enter into contractual arrangements with at least three (3) persons ~~and as many more as determined by the Commission~~ to serve as Hearing Officers to hear disciplinary or disqualification appeals or to otherwise aid the Commission in its review function. ~~The Hearing Officers shall not be employed by or considered employees of the City and County of Denver. Qualifications of Hearing Officers shall be prescribed by Commission rule.~~

~~(B) *Selection of Hearing Officers.* The Hearing Officers contracted with shall be selected as follows pursuant to Commission rules. The Commission shall compile a list of all qualified persons willing to be Hearing Officers. The list shall have at least seven (7) names unless fewer qualified persons have expressed a willingness to become Hearing Officers. The list shall be given to the Manager of Safety and the designated representatives of the Firefighters and Police Officers. Within fifteen (15) days of receipt of the list the designated representatives acting as a single entity and the Manager of Safety shall each strike not more than one-third (1/3) of the names on the list and each shall number the remaining names to indicate the order of preference. The Commission shall contract with those persons who have been approved on both lists, and in accordance with the designated order of mutual preference. This process shall be done at least once every three (3) years. The lists returned to the Commission by the Manager of Safety and the designated representatives shall be confidential and not disclosed to anyone by the Commission, its staff, the Manager of Safety, or the designated representatives.~~

~~(C) *Designated representatives.* The Firefighters and Police Officers shall each have a designated~~

representative for purposes of Subsection (B) of this Section. Said representatives shall be the bargaining agents for the Firefighters and Police Officers pursuant to Sections 9.7.4 and 9.8.4.

§ 9.3.8 - Examinations and content controlled by Commission.

The Commission shall control all examinations, including the content thereof, as prescribed by Commission rule, which shall include notice provisions. No Classified member of the Denver Police or Fire Departments shall be an examiner in any examination given for the purposes of promotion.

§ 9.3.9 - Reserved.

§ 9.3.10 - Reserved.

§ 9.3.11 - Eligible registers, for original appointment and promotional appointment; requisition and certification.

(A) *Creation of eligible register.* Those examined shall be graded according to an announced examination process. For those examined who have successfully completed the examination and all other phases of the Commission's process, including a background investigation for original appointment, their names and grades shall be entered on an eligible register in rank order by examination grade. An eligible register shall be considered a public document open to inspection.

(B) *Background investigation and review.* The Commission shall oversee background investigations for original appointment. In no circumstance shall any individual be placed on an eligible register for original appointment, or be approved for original appointment or reemployment in the Classified Service, unless the Commission has reviewed the results of the individual's background and has approved the individual's background. The results of background investigations shall also be made available to the appointing authority for use in determining whether to appoint or reemploy an individual.

(C) *Separate eligible registers.* The Commission shall have the separate eligible registers for entry level cadet, certified peace officer, reserve and promotional candidates.

(D) *Removal of names from eligible register.* The Commission shall have the authority to make rules concerning the removal of names from an eligible register.

(E) *Original appointment.* The Commission shall establish rules to provide for the requisition by the Manager of Safety, and the certification to the Manager of Safety, of applicants for original appointment.

(i) *Appointment of certified peace officer and firefighter with experience.* ~~An applicant to the Classified Service of the Denver Police Department who is currently certified as a Colorado peace officer or out-of-state equivalent, and has a minimum of 2 years' experience on the date of application (not including time employed as a corrections/detention officer), excluding time served during prior police academy training, may at the discretion of the Chief of Police or designee, start the Denver Police Academy at the rate of pay for Police Officer 2nd grade. The recruit, after successful completion of the Denver Police Academy, followed by continued employment as a Denver police officer for a period of (9) months of service (following graduation), shall become a Police Officer 1st grade at the start of the following pay period, regardless of the completion date in the 9th month.~~

~~An applicant to the Classified Service of the Denver Police Department who is currently certified as a Colorado peace officer or out-of-state equivalent and has a minimum of 4 years' experience on the date of application (not including time employed as a corrections/detention officer), excluding time served in a prior police academy, may at the discretion of the Chief of Police or designee, start the Denver Police Academy at the rate of pay for Police Officer 1st grade.~~

~~The Chief of Police will evaluate applicants with prior law enforcement experience and peace officer certification on a case-by-case basis, unless otherwise required by the Code, in assessing and determining suitability for hiring at an elevated pay grade.~~

An applicant to the Classified Service of the Denver Fire Department who has a minimum of three years of full-time firefighting experience may receive original appointment in the Fire Department upon meeting all qualification and examination standards established by the Commission and the Department of Safety, upon being certified to the Manager of Safety, and upon receiving written approval of the Chief of the Fire Department and the Manager of Safety.

These appointments shall have no impact regarding required time served in the Denver Fire or Police Departments for the purpose of seniority and promotional testing requirements of the Civil Service Commission.

The standards set forth are separate from City Charter 9.5.5(A)(B) and 9.6.6 (A)(B)(C) which addresses pay standards for those who do not qualify as a Lateral Firefighter or Lateral Police Officer.

(ii) *Appointment of an active Reserve Police Officer.* An active Reserve Police Officer of the Denver Police Department who has met all of the qualifications and requirements of the Denver Police Department reserve officer training program and has been designated a Reserve Officer may receive original appointment in the Police Department upon meeting all qualification and examination standards established by the Commission and the Department of Safety, upon being certified to the Manager of Safety, and upon receiving written approval of the Chief of the Police Department and the Manager of Safety.

(iii) *Appointment of fire department personnel pursuant to intergovernmental agreement.* Applicants to the Classified Service of the Denver Fire Department, who are applying pursuant to a duly approved intergovernmental agreement which provides for the transition of fire department services from a governmental or quasi-governmental agency to the City of Denver, may receive original appointment in the Fire Department upon meeting all qualification and examination standards established by the Commission and the Department of Safety, upon being certified to the Manager of Safety, and upon receiving written approval of the Chief of the Fire Department and the Manager of Safety.

(F) *Promotional appointment.* The Commission shall provide for promotion in the Classified Service on the basis of an examination process announced by the Commission, which shall include consideration of seniority in service, and shall provide in all cases, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of each department as desire to submit themselves to examination. Eligible registers for promotional appointment shall be established under the provisions of this Section. The Commission shall certify to the appointing authority without delay the number of names equal to the number of persons to be appointed, plus two, if there may be so many, having the highest position on the register. The names shall remain on the register at least one year. If a new register has not been completed at the end of one year, the register will remain effective until a new register is established, but in no event shall a register for promotional appointment be effective for more than two years.

§ 9.3.12 - Reserved.

§ 9.3.13 - Reserved.

§ 9.3.14 - Reserved.

§ 9.3.15 - Reserved.

§ 9.3.16 - Reserved.

§ 9.3.17 - Reserved.

~~§ 9.3.18 - Public safety cadet program.~~

~~—— (A) The Commission or its designee shall establish a procedure for screening applicants for entry into the public safety cadet program. The public safety cadet program shall operate under the supervision and control of the Manager of Safety. Persons in the public safety cadet program shall not be considered permanent employees of the City and may be dismissed at any time at the sole discretion of the Manager of Safety. All terms and conditions of the employment of public safety cadets shall be established by the Manager.~~

~~—— (B) Time spent in the public safety cadet program shall not be considered as time in the Classified Service, if the public safety cadet is subsequently appointed to a position in the Classified Service.~~

§ 9.4.1 - Qualifications of applicants.

Applicants, at time of application to the Classified Service, ~~shall be of good moral character~~, shall be capable of performing the essential functions of the position to which they are seeking appointment, and shall meet all other qualifications and requirements as may be set forth by Commission rule.

§ 9.4.6 - Probationary period; permanent appointment.

Every original appointment in the Classified Service shall include a probationary period, which shall include the time necessary to successfully complete the Police or Fire Academy and a nine-month period thereafter, except for an appointment to the rank of Fire Systems Technical Specialist or Mechanic in the Fire Department, and except for an appointment pursuant to § 9.3.11 (E.) (iii). An original appointment to the rank of Fire Systems Technical Specialist or Mechanic shall include a probationary period of twelve months. An original appointment pursuant to § 9.3.11 (E.) (iii) shall include a probationary period determined by the Manager of Safety. At the end of the probationary period, if the conduct and capacity of the member appointed shall have been satisfactory, ~~he or she the member~~ shall be permanently appointed; otherwise, ~~he or she the member~~ shall be dismissed. If, during their probationary period, an individual takes an approved leave of absence for thirty (30) calendar days or more, for any reason including, but not limited to, military leave, leave approved pursuant to the Americans with Disabilities Act or Family Medical Leave Act, or a leave of absence approved by the Chief, probation may be extended up to an additional six (6) months after the individual returns to their probationary position. The Manager of Safety may summarily dismiss, without cause, any probationary member during their probationary period. A probationary member shall not be entitled to appeal a dismissal action.

§ 9.4.10 - Longevity pay. Reserved.

In addition to the annual salaries for members in the Classified Service of the Fire and Police Departments as fixed by Charter provisions, and in addition to the salary or compensation provided by ordinance for the Chief of Police, there shall be paid periodically as salary to each member of each such department who shall have served in the department of which he or she is such member for five years or more and to the Chief of Police if the chief is also a member of the Classified Service, calculated as follows: Two hundred and eighty-eight dollars per annum prorated to a periodic rate geared to the pay period if the individual shall have so served five years, and an additional four dollars for each full year of such service thereafter, similarly prorated. After the completion of twenty five years of such service, the additional salary provided by this paragraph, to be paid periodically during the year, shall continue during the active service of such member at the rate of \$1,200, and no more than \$1,200, per annum. The additional salary provided in this paragraph is an addition to salary in rank in the Fire Department and the Police Department and shall be considered or included in determining or computing the pension or retirement benefits of members of either department retired or retiring after the effective date of this amendment. Any collective bargaining agreement between the City and the bargaining agent entered into pursuant to Part 8 of this Article IX that conflicts with or modifies the provisions of this Section shall supersede this Section.

§ 9.4.14 Disciplinary procedures.

(A) The Chief of Police and the Chief of the Fire Department shall, within their respective commands, initiate disciplinary action by a written command ordering the specific disciplinary action, which written command shall be submitted to the Manager of Safety for approval, together with a written specification of charges and a written report, setting forth the evidence of and reasons for such charges, which written report shall include a summary of the disciplinary record of the person charged. The written report shall also include that the member of the Classified Service affected thereby was given oral or written notice of the charges against him or her, an explanation of the evidence supporting those charges and an opportunity to respond to the charges prior to the imposition of the discipline. This predisciplinary meeting may be held by either the Chief or ~~his or her~~ a designee.

(B) The Manager of Safety shall, within ~~twenty (20) business~~fifteen calendar (15) days of the date of the Chief's order, approve, modify or disapprove the written order of disciplinary action. The Manager shall take such action by a written departmental order which shall take effect immediately. In the absence of the Manager of Safety, such departmental order may be issued by a Deputy Manager.

(C) A copy of the departmental order of disciplinary action shall be served on the person affected thereby, in a manner prescribed by ordinance. ~~If personal service of the said order cannot be made within five days because of inability to locate said person within the City and County of Denver, the copy of the said order shall be mailed by certified or registered mail, return receipt requested, to the last known address of said person, as shown by the records of the department. Said service shall be complete upon return of the mailing receipt, whether accepted or not.~~

§ 9.4.15 - Review of disciplinary actions.

(C) At a disciplinary hearing the member in person or by counsel, may offer evidence in support of ~~his or her~~the Member's written objections. The Manager of Safety, acting through the City Attorney as counsel, shall offer evidence in justification of the departmental action. The hearing shall be recorded by a reporter or by an electronic recording device and a full record made. The Commission may adopt rules regarding pre-hearing matters and the conduct of the hearing.

(D) In reviewing the disciplinary action, the Hearing Officer shall give due weight to the necessity of the maintaining by the Manager of administrative control of the department. The Hearing Officer shall review the full record before him or her and shall make written findings, affirming, reversing, or modifying the disciplinary action in whole or in part. The Hearing Officer's decision shall be filed with the Commission. Promptly upon receipt of the decision, the Commission shall simultaneously serve it on the Manager of Safety and the member involved in a manner prescribed by ordinance. ~~by mailing it by certified or registered mail. Service shall be complete upon return of the mailing receipt, whether accepted or not.~~

§ 9.4.16 - Suspension pending investigation.

The Chief of the Fire Department and the Chief of the Police Department shall, within their respective commands, have the power and authority to suspend any member of the Classified Service pending an investigation and the initiation of disciplinary action provided that a specification of charges as provided in Subsection 9.4.14(A) must be filed with the Manager of Safety or such suspension must be terminated within ~~tentwenty~~ twenty (20) business days; provided, however, that where a specification of charges is filed in accordance with the provisions of Subsection 9.4.14(A), such suspension shall remain in effect pending final disposition of such charges, including the final disposition of any appeal of a departmental order.

§ 9.4.17 Suspension upon filing of indictment or information.

Indictment of a member of the Classified Service or the filing of any information by a District Attorney against the member charging any felony shall be cause for suspension of any member of the Classified Service, with or without pay, indefinitely upon order of the Chief of ~~his or her~~the department. Such suspension shall be terminated by restoration to the service or by discharge as soon as the decision of the court becomes final. If the member of the classified service has been suspended without pay and is restored to ~~his or her~~the member's position, the member shall receive full pay for the entire period of such suspension

and ~~his or her~~ eligibility for other benefits of the service shall not be deemed to have been interrupted by such suspension. The conviction of a member of the Classified Service for a felony shall be grounds for discharge.

§ 9.5.2 - Deputy Chief and Division Chiefs.

The Chief of the Fire Department may from time to time, with the approval of the Manager of Safety, assign members of the Classified Service of the Denver Fire Department of the rank of Assistant Chief to perform the duties of Deputy Chief and members of the Classified Service of the Denver Fire Department of the rank of Assistant Chief to perform the duties of Division Chief, each of whom shall perform such duties so long as ~~his or her~~their services are satisfactory to the Chief and the latter shall see fit to continue such assignment. ~~The total number of command assignments permitted by this section at any one time shall not exceed seven-~~ (7). The pay rates and fringe benefits for those members assigned the duties of Deputy Chief or Division Chief shall be established by ordinance. The Chief of the Fire Department shall appoint a Deputy Chief or, if a Deputy Chief is unavailable, a Division Chief to serve as Acting Chief in the Chief's temporary absence.

§ 9.6.3 - Deputy Chief, Division Chief, and Commander.

The Chief of Police may from time to time, with approval of the Manager of Safety, assign Police Officers in the Classified Service of the Police Department of the rank of Captain of Police or Lieutenant of Police to perform the duties of Deputy Chief of Police, who shall perform such duties so long as ~~his or her~~their services are satisfactory to the Chief of Police and the latter shall see fit to continue such assignment. Deputy Chiefs shall perform any and all duties assigned by the Chief of Police and, if the Chief of Police has assigned more than one Deputy Chief, one Deputy Chief shall be assigned by the Chief of Police to act as Chief of Police whenever the Chief of Police is unable to act because of absence or incapacity. The Chief of Police may from time to time, with the approval of the Manager of Safety, assign Police Officers in the Classified Service of the Police Department of the rank of Captain of Police or Lieutenant of Police to perform the duties of Division Chiefs of Police, each of whom shall perform such duties so long as ~~his or her~~their services are satisfactory to the Chief of Police and the latter shall see fit to continue such assignment. The Chief of Police may from time to time, with the approval of the Manager of Safety, assign Police Officers in the Classified Service of the Police Department of the rank of Captain of Police or Lieutenant of Police to perform the duties of Commander of Police, each of whom shall perform such duties so long as ~~his or her~~their services are satisfactory to the Chief of Police and the latter shall see fit to continue such assignment. When making assignments under this section, the Chief shall make all reasonable efforts to do so in a way that will not result in a net increase in the ongoing complement of command staff (including the ranks of Lieutenants and Captains) or a net decrease in the ongoing complement of line positions. ~~The total number of command assignments permitted by this section at any one time shall not exceed eighteen (18)~~

Referred Question 2K

Shall the City and County of Denver approve the terms of a twenty-year franchise contract, starting January 1, 2027, with Public Service Company of Colorado (Xcel Energy) to continue its program for undergrounding overhead electrical lines, maintaining infrastructure safety, and partnering with the City for emergency management coordination, and to require that Xcel Energy continue to pay the City for reasonable use of public rights-of-way and other City property necessary to provide safe and reliable utility services for the benefit of the City, its residents, and its businesses?

Fiscal Information on Referred Question 2K

The City and County of Denver's current franchise agreement with Public Service Company of Colorado, doing business as Xcel Energy, expires at the end of 2026. Voter approval would authorize a new 20-year franchise agreement and would ensure the City's receipt of franchise fee revenues, which are projected to be \$32 million annually, in addition to \$150 million annually in utility relocation benefits. Without a franchise agreement, the City would have to pay Xcel to relocate utility lines for city capital projects.

The proposed agreement would continue the existing franchise fee equal to three percent of Xcel Energy's applicable revenues from providing electric and natural gas service in Denver. The franchise fee is paid to the City in connection with Xcel Energy's use of City streets, rights-of-way, and other public property to provide utility service. The proposed agreement does not increase the existing three percent franchise fee.

The agreement would also provide an estimated \$10 million annually in undergrounding benefits. The benefit is equivalent to 1% of electric service revenues. Xcel does not pay these funds to the City, but holds them and deploys them to underground distribution lines at the City's direction.

Franchise fee revenue received by the City has historically grown over time and may fluctuate due to utility rates, energy consumption, customer growth, commodity prices, and other economic and regulatory factors.

In 2025, the City and County of Denver received \$32.3 million in franchise fee revenue. Current projections estimate franchise fee revenue of \$32.9 million for 2026.

The City estimates approximately \$34.3 million in franchise fee revenue in 2027. Of that amount, \$2M would be transferred annually to the Energy Efficiency Assistance Fund as required by City Code. This funding supports low-income energy assistance and low-income energy efficiency programs for individuals and non-profit agencies.

The remaining franchise fee would be deposited in the General Fund and available to support core city services like police, fire, parks, recreation, and libraries.

In addition to recurring franchise fee revenue, the proposed agreements with Xcel Energy includes a one-time payment of \$2.5 million in 2027 for utility assistance. Including this one-time payment, the City estimates total 2027 revenue associated with the proposed agreements of approximately \$36.9 million.

The tables below identify the projected revenue(s) the City and County of Denver would receive using compound annual growth rates (CAGR) of 1.5%, 2.0%, and 2.5%. These projections are estimates only. Actual franchise fee revenue will depend on future utility rates, energy consumption, customer growth, and other economic and regulatory factors and may differ from these estimates.

Total Franchise Fee Revenue

Note: 2027 projections are fixed and are not projected with variable growth rates.

CAGR	2027*	2037	2047	Total over 20 Years*
1.5%	\$36.9M	\$39.9M	\$46.3M	\$808.5
2%	\$36.9M	\$41.9M	\$51M	\$853.6M
(2015-2025 CAGR)				
2.5%	\$36.9M	\$44M	\$56.3M	\$901.7M

*Includes one-time payment of \$2.5 million in 2027, but that amount is excluded from future years' estimated annual revenue.

General Fund Franchise Fee Revenue

CAGR	2027*	2037	2047	Total over 20 Years
1.5%	\$34.3M	\$37.9M	\$44.3M	\$766M
2%	\$34.3M	\$39.9M	\$49M	\$811.1M
(2015-2025 CAGR)				
2.5%	\$34.3M	\$42M	\$54.3M	\$859.1M

Written Comments FOR Referred Question 2K

No comments were submitted for this measure.

Written Comments AGAINST Referred Question 2K

No comments were submitted against this measure.

Text of Measure

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

Section 1. There is hereby submitted to the registered electors of the City and County of Denver at the general election occurring on November 3, 2026, for their approval or rejection, the question of granting to Public Service Company of Colorado the franchise described in this bill.