

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-0004
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance making an appropriation in the Grant and Other Money Projects Fund Series to make a cash transfer to the Capital Improvements and Capital Maintenance Fund Series.

WHEREAS, in 2012, the East Corridor IGA First Amendment between the City and County of Denver (City) and the Regional Transportation District (RTD) was executed to provide funding for the Eagle Project, a public-private partnership to extend commuter rail services in the Denver Metro area; and

WHEREAS, per the terms of the agreement, the City provided RTD an advance of sales and use taxes paid on materials during construction of the Eagle Project to RTD and, following the completion of the project, RTD is required to repay the cumulative total of the advance from any amount of remaining contingency; and

WHEREAS, the project is reaching its close, and the City invoiced RTD and has received the final reimbursement amount which has been deposited in the original project fund, the East Corridor Fund Accounting No. 38349, per the City's fiscal policies; and

WHEREAS, Ordinance No. 1446, Series of 2022, Section 18, appropriates budget in the Public Works Improvement Projects Fund Accounting No. 31050; and

WHEREAS, the City needs to transfer the cash from the East Corridor Fund to the Public Works Improvement Projects Fund to align the cash with the approved appropriation;

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

Section 1. From the Grant and Other Money Projects Fund, Accounting No. 38000, out of monies not otherwise appropriated and in addition to the amounts heretofore appropriated by Ordinance No. 1446, Series of 2022, and any supplemental appropriations or rescissions there is hereby appropriated to the appropriation account hereinafter designated the amounts of money

1 following each such designation, to be expended for the purposes and upon the authorizations in
2 said Ordinance set forth:

| <u>Accounting Number</u> | <u>Appropriation Account</u> | <u>Expending Authority</u> | <u>Amount Appropriated</u> |
|--------------------------|---|--|----------------------------|
| 38349-9931000 | Transfer to Capital Improvement Projects Fund | Executive Director of the Department of Transportation | \$8,704,165.61 |

3
4 The foregoing is to make a cash transfer to the Public Works Improvement Projects Fund.

5 **Section 2.** The Chief Financial Officer of the City and County of Denver is hereby authorized
6 and directed to make such book and record entries and to do such other things as may be necessary
7 to accomplish the purposes of this Ordinance.

8
9
10
11
12 COMMITTEE APPROVAL DATE: January 3, 2023 by Consent

13 MAYOR-COUNCIL DATE: January 10, 2023

14 PASSED BY THE COUNCIL: _____
15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____

17 ATTEST: _____ - CLERK AND RECORDER,
18 EX-OFFICIO CLERK OF THE
19 CITY AND COUNTY OF DENVER

20 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

21 PREPARED BY: Nikki McCabe, Budget and Management Office DATE: January 12, 2023

22 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
23 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
25 3.2.6 of the Charter.

26 Kerry Tipper, Denver City Attorney

27 BY: _____, Assistant City Attorney DATE: _____

28