

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2012

COUNCIL BILL NO. CB-0289

COMMITTEE OF REFERENCE:

4 Health, Safety, Education and Services  
5  
6

7 **A BILL**  
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10 **For an ordinance amending Ordinance 696, Series of 2010 concerning the**  
11 **“Energy Efficiency Assistance” fund in the General Government Special**  
12 **Revenue Fund and the means for authorizing expenditures from such fund,**  
13 **and making an appropriation in the General Government Special Revenue**  
14 **Fund.**

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17 **WHEREAS**, Ordinance 696, Series of 2010 established the “Energy Efficiency Assistance”  
18 fund, Accounting No. 11859-0115000 within the General Government Special Revenue Fund for  
19 the purpose of depositing revenue in accordance with the Low-Income Energy Assistance and  
20 Energy Conservation Contribution Agreement between the City and the Public Service Company  
21 of Colorado (Xcel Energy), as described in said Agreement in Clerk’s Filing No. 06-377; and

22 **WHEREAS**, said revenue includes approximately \$2 million per year derived from a right-of-  
23 way franchise fee to be used to provide energy efficiency programs for individuals and non-profit  
24 agencies; and

25 **WHEREAS**, the Energy Efficiency Assistance Program (including associated \$2 million  
26 annual revenue) is administered by the Denver Office of Strategic Partnerships, which is  
27 merging with Human Rights and Community Relations to form Human Rights and Community  
28 Partnerships; and

29 **WHEREAS**, the City desires to change the budgetary basis of the “Energy Efficiency  
30 Assistance” fund from a cash basis to an appropriation basis to better facilitate the award and  
31 management of contracts associated with said program;

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33 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**  
34 **OF DENVER:**  
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36 **Section 1.** Sections 2 through 4 of Ordinance No. 696, Series of 2010 shall be amended to  
37 read as follows:  
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2 Section 2. There is hereby established in the General Government Special  
3 Revenue Fund, Auditor's No. 11000, an "Energy Efficiency Assistance" fund, Accounting  
4 No. 11859, for the purpose of receiving and accounting for the City's commitment of an  
5 estimated \$2 million per year in Public Service Company of Colorado (Xcel Energy)  
6 franchise fee revenues, to be used for low-income energy efficiency programs for  
7 individuals and non-profit agencies.

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9 Section 3. Monies received from Public Service Company (Xcel Energy) franchise  
10 fee collections, for the purpose of energy efficiency assistance in accordance with the Low-  
11 Income Energy Assistance and Energy Conservation Contribution Agreement between the  
12 City and Public Service Company of Colorado, shall be deposited into the Treasury of the  
13 City and credited to Special Fund No. 11000 which is set forth and described in Section  
14 20-18 of the Revised Municipal Code of the City and County of Denver, and specifically to  
15 Accounting No. 11859.

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17 Section 4. Expenditures are hereby authorized from the General Government Special  
18 Revenue Fund, Accounting No. 11000, the amounts of money to be expended for the  
19 purposes described in Section 2 of this Ordinance and authorizations in said Ordinance set  
20 forth:

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<u>ACCOUNTING</u>	<u>APPROPRIATION</u>	<u>EXPENDING</u>	<u>AMOUNT</u>
<u>NUMBER</u>	<u>ACCOUNT</u>	<u>AUTHORITY</u>	
11859-0150000	Energy Efficiency Assistance Fund	Human Rights and Community Partnerships, Director	\$3,500,070

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28 The foregoing appropriation is for the time period following publication of this ordinance  
29 through December 31, 2013.  
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1           **Section 2.** The Manager of Finance of the City and County of Denver is hereby authorized  
2 and directed to make such book and record entries and to do such other things as may be  
3 necessary to accomplish the purposes of this Ordinance, as well as make any future  
4 adjustments to cash balances as may be needed to complete the transfer of the Energy  
5 Efficiency Program to the Office of Economic Development.  
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7 COMMITTEE APPROVAL DATE: April 26, 2012 (Consent)

8 MAYOR-COUNCIL DATE: May 22, 2012

9 PASSED BY THE COUNCIL: \_\_\_\_\_, 2012  
10 \_\_\_\_\_ - PRESIDENT

11 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2012

12 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
13 EX-OFFICIO CLERK OF THE  
14 CITY AND COUNTY OF DENVER

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2012; \_\_\_\_\_, 2012

16 PREPARED BY: Kelly A. Greunke, Budget and Management Office           DATE: May 24, 2012

17 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office  
18 of the City Attorney. We find no irregularity as to form, and have no legal objection to the  
19 proposed ordinance. The proposed ordinance is not submitted to the City Council for approval  
20 pursuant to § 3.2.6 of the Charter.

21 Douglas J. Friednash, Denver City Attorney

22 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney           DATE: \_\_\_\_\_, 2012

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