

1 **BY AUTHORITY**

2 ORDINANCE NO.  
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1225  
COMMITTEE OF REFERENCE:  
Finance & Governance

5 **A BILL**

6 **For an ordinance amending Ordinance No. 151 in the Series of 2018 to change**  
7 **the name of Funds in the Grant and Other Money Projects Fund.**  
8

9 **WHEREAS**, in 2000, the City and County of Denver Planning Board granted Community  
10 Planning and Development the authority to create rules and regulations for subdivisions within the  
11 Gateway Area, thereby establishing both Development and Impact Fees to be collected in the  
12 Gateway area of Denver; and

13 **WHEREAS**, a developer can pay development fees in lieu of dedicating land to Denver  
14 Public Schools and Denver Parks and Recreation; and

15 **WHEREAS**, impact fees are collected regardless of land dedication; and

16 **WHEREAS**, Ordinance No. 151 in the 2018 Series established two capital project funds to  
17 receive development fees in lieu of land dedication requirements for parkland or schools in the  
18 Gateway Area; and

19 **WHEREAS**, these funds included Fund 38424, the “Gateway Area Development Fees-  
20 Parks” to receive development fees for major parks, open space and trail system in the Gateway  
21 Area to be expended by the Department of Parks and Recreation; and Fund 38425, the “Gateway  
22 Area Development Fees-Schools” to receive development fees to support future acquisition of  
23 school sites within the Gateway Area; and

24 **WHEREAS**, this Ordinance changes the Fund names to “Gateway Area Fee-in-Lieu Fund-  
25 Parks and Rec” and “Gateway Area Fee-in-Lieu Fund- Schools” to more accurately reflect the  
26 revenue and expenditures of the Funds;

27  
28 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**  
29 **OF DENVER:**

30  
31 **Section 1.** That portion of Section 1 of Ordinance 151, Series of 2018, is hereby amended to  
32 read as follows:  
33

1 “New funds are hereby established in the Grant and Other Money Projects Fund, Accounting  
2 No. 38000, a “Gateway Area Fee-in-Lieu Fund- Parks and Rec” fund, Accounting No. 38424 for  
3 the purpose of accounting for the receipt and expenditure of program dollars related to Gateway  
4 Areas’ major park, open space and trail systems; and a “Gateway Area Fee-in-Lieu Fund-  
5 Schools” fund, Accounting No. 38425 for the purpose of accounting for the receipt and  
6 expenditure of program dollars related to the acquisition of school sites within the Gateway  
7 Area.”

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9 **Section 2.** That portion of Section 3 of Ordinance 151, Series of 2018, is hereby amended to  
10 read as follows:

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12 “Expenditures are hereby authorized for the Gateway Area Fee-in-Lieu Fund- Parks and Rec  
13 fund, Accounting No. 38424 and the Gateway Area Fee-in-Lieu Fund- Schools fund, Accounting  
14 No. 38425, in the amount not to exceed the total of deposits described in Section 2 of this  
15 ordinance, to be expended by the Executive Director of Parks and Recreation. Allowable  
16 expenditures include but are not limited to capital improvements, capital infrastructure, land  
17 purchases, parks, roads, fire protection improvements, drainage improvements, and debt, as  
18 well as cash transfers for the same purpose as described in section 1. This is a cash basis, non-  
19 lapsing fund.”

20  
21 **Section 3.** That portion of Section 4 of Ordinance 151, Series of 2018, is hereby amended to  
22 read as follows:

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24 “There is hereby authorized the transfer of cash from the “Gateway Impact Fees Parks” Special  
25 Trust Fund to the “Gateway Area Fee-in-Lieu Fund- Parks and Rec” Grant and Other Money  
26 Projects Fund the amount indicated in the following tabulation:

27  
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<u>ACCOUNTING NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>EXPENDING AUTHORITY</u>	<u>AMOUNT TRANSFERRED OUT</u>
56291-7011100	Gateway Impact Fees - Parks	Executive Director of Parks and Recreation	\$102,175

<u>ACCOUNTING NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>EXPENDING AUTHORITY</u>	<u>AMOUNT TRANSFERRED IN</u>
38424-7000000-RS008	Gateway Area Fee-in-Lieu Fund- Parks and Rec	Executive Director of Parks and Recreation	\$102,175

The foregoing cash transfer is the amount that was temporarily deposited in fund 56291 until fund 38424 is established.”

**Section 4.** The Chief Financial Officer of the City and County of Denver is hereby authorized and directed to make such book and record entries and to do such other things as may be necessary to accomplish the purposes of this Ordinance.

COMMITTEE APPROVAL DATE: November 3, 2020 by Consent

MAYOR-COUNCIL DATE: November 10, 2020

PASSED BY THE COUNCIL: \_\_\_\_\_ November 23, 2020

*David Filmore* - PRESIDENT

APPROVED: *RJM* - MAYOR Nov 25, 2020

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

PREPARED BY: Rachel Bardin, Budget and Management Office DATE: November 12, 2020

Pursuant to section 13-12, 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.

Kristin M. Bronson, Denver City Attorney

BY: *Kristin J. Crawford*, Assistant City Attorney DATE: Nov 10, 2020