

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2026

COUNCIL BILL NO. CB26-0926
COMMITTEE OF REFERENCE:
Finance and Business

A BILL

For an ordinance amending Ordinance No. 591, Series of 2021, as amended by Ordinance No. 706, Series of 2021, as amended by Ordinance No. 1145, Series of 2021, as amended by Ordinance No. 1192, Series of 2021, as amended by Ordinance No. 374, Series of 2022, as amended by Ordinance No. 969, Series of 2022, as amended by Ordinance No. 1450, Series of 2022, as amended by Ordinance No. 0548, Series of 2023, as amended by Ordinance No. 1326, Series of 2023 as amended by Ordinance No. 1683, Series of 2023 as amended by Ordinance No. 0802, Series of 2024, as amended by Ordinance No. 1561, Series of 2024, as amended by Ordinance No. 1712, Series of 2025, to transfer cash from the ARPA Operating Grant Fund (11011) to the ARPA Capital Grant Fund (38395) for HOST Micro Communities Projects and to allocate interest earnings in the Administration Category to support ARPA-related personnel and administrative expenses through 2027.

WHEREAS, Ordinance No. 591, Series of 2021, established the American Rescue Plan Act (ARPA) Grant Fund, Fund No. 11011 and accepted the Coronavirus Local Fiscal Recovery Fund award agreement with the US Department of Treasury; and

WHEREAS, Ordinance No. 591 accepted the full \$308,048,870 identified in the award agreement and included provisions requiring that City Council approve any spending in the fund through amendments to said Ordinance; and

WHEREAS, Ordinance No. 706, Series of 2021, amended Ordinance No. 591, Series of 2021, by adding a section to authorize an initial amount of spending in the Fund, specific to the "Revenue Loss" category, identified as an allowable expense in the ARPA guidance; and

WHEREAS, the Budget and Management Office leveraged the 2022 budget process to determine which investments included in the "Revenue Loss" spending allocation in ARPA in 2021 could be supported by General Fund growth in 2022, as a fiscally prudent way to ensure the City could continue to support ongoing restorations of City services; and

WHEREAS, Ordinance No. 1145, Series of 2021, amended Ordinance No. 591, Series of 2021, by adding an allocation for Premium Pay to provide this benefit to eligible employees; and

1 **WHEREAS**, Ordinance No. 1192, Series of 2021, increased the “Revenue Loss” allocation
2 to authorize the 2022 portion of the 2021 “Revenue Loss” investments previously authorized
3 through Ordinance No. 706, Series of 2021; and

4 **WHEREAS**, Ordinance No. 374, Series of 2022, increased “Administration” allocation due to
5 interest earnings generated by ARPA monies previously authorized through Ordinance No. 1192,
6 Series of 2021; and

7 **WHEREAS**, Ordinance No. 373, Series of 2022, established the American Rescue Plan Act
8 Capital Project Fund (38395) in the Grant and Other Money Projects Fund Series, and authorized
9 a cash transfer from the ARPA Operating Grant Fund to the new ARPA Capital Project Fund to
10 support capital investments and improvements at shelters and recreation centers; and

11 **WHEREAS**, Ordinance No. 969, Series of 2022, increased the “Recovery” spending
12 allocation to support individuals and families who have experienced food insecurity due to an
13 economic impact by COVID-19 and the effects of inflationary pressures by providing gift cards and
14 vouchers and by expanding culturally relevant food box distribution; and

15 **WHEREAS**, Ordinance No. 1450, Series of 2022, allocated a second cash disbursement of
16 \$154 million from Treasury for allocations and programs that were determined through a
17 deliberative process based on input from the community and the Stimulus Investment Advisory
18 Committee (SIAC), allocated cash in the Administration category for program evaluation, and
19 reallocated from premium pay based on expenditures, and authorized capital equipment; and

20 **WHEREAS**, Ordinance No. 0548, Series of 2023, allocated amounts in the “Recovery,”
21 “Revenue Loss,” “Premium Pay,” and “Administration” categories in Fund 11011, to support rental
22 assistance programs and The My Spark program; corrected allocations to support the intent of
23 Ordinance 1450, series of 2022; and transferred cash from the ARPA Operating Fund to the ARPA
24 Capital Fund and provided approval to purchase capital equipment; and

25 **WHEREAS**, Ordinance No. 1326, Series of 2023, allocated amounts in the “Recovery”
26 category to make an allocation based on previously unallocated interest earnings to support the
27 City’s 2023 goal to shelter 1,000 individuals; and

28 **WHEREAS**, Ordinance No. 1683, Series of 2023, allocated amounts in the “Recovery”
29 category to make an allocation based on previously unallocated interest earnings to support the
30 Denver Basic Income Project and the City’s 2023 goal to shelter 1,000 individuals, and to adjust
31 allocations in the Revenue Loss and Recovery categories to align planned program uses with
32 ARPA federal guidelines; and

1 **WHEREAS**, Ordinance No. 802, Series of 2024, adjusted allocations in the Administration
2 and Recovery categories and allocated interest earnings in the Recovery category to support the
3 City’s “All In Mile High” Program; and

4 **WHEREAS**, Ordinance No. 1561, Series of 2024, adjusted allocations in the
5 “Administration” and “Recovery” categories to support the Temporary Rental and Utility Assistance
6 (TRUA) program and to support a contract with Denver Health, administered by Denver Department
7 of Public Health (DDPHE); allocated interest earnings to support two new limited positions under
8 the Denver Department of Public Health (DDPHE) and FEMA Public Assistance Arbitration related
9 to the City’s COVID claim; and

10 **WHEREAS**, Ordinance No. 1712, Series of 2025, allocated new interest earnings in the
11 Revenue Loss and Recovery categories to support programs including temporary rental and utility
12 assistance (TRUA), elections, immigrant legal services, wage theft enforcement, and the Denver
13 Food Systems Summit; and

14 **WHEREAS**, the City wishes to amend Ordinance No. 591, Series of 2021, as amended by
15 the subsequent ordinances, to transfer cash from the ARPA Operating Grant Fund (11011) to the
16 ARPA Capital Grant Fund (38395) for HOST Micro Communities Projects to maximize ARPA
17 spending while also creating budget capacity in the Capital Improvement Fund for the Micro
18 Communities Project and to allocate interest earnings in the Administration Category to support
19 administrative expenses including ARPA-related personnel through 2027;

20
21 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
22 **OF DENVER:**

23
24 **Section 1.** Section 6 of Ordinance No. 591, Series of 2021, as amended by Ordinance 706,
25 Series of 2021, as amended by Ordinance No. 1145, Series of 2021, as amended by Ordinance No.
26 1192, Series of 2021, and as amended by Ordinance No. 374, Series of 2022, as amended by
27 Ordinance No. 969, Series of 2022, as amended by Ordinance No. 1450, Series of 2022, as
28 amended by Ordinance No. 548, Series of 2023, as amended by Ordinance No. 1326, Series of
29 2023, as amended by Ordinance No. 1683, series of 2023, as amended by Ordinance No. 802,
30 series of 2024, as amended by Ordinance No. 1561, series of 2024, as amended by Ordinance No.
31 Ordinance No. 1712, Series of 2025, is amended to read as follows:

“That it be and is hereby found and determined that the allocations for the Revenue Loss, Premium Pay, Recovery, and Administration categories, as defined in ARPA guidance, are as follows:

<u>Accounting Number</u>	<u>Appropriation Account</u>	<u>Amount</u>
11011	American Rescue Plan Act- Revenue Loss	\$79,240,230
11011	American Rescue Plan Act – Premium Pay	\$8,230,500
11011	American Rescue Plan Act – Recovery	\$220,582,980 (up to)
38395	American Rescue Plan Act Capital Projects– Recovery	\$15,470,000 (up to)
11011	American Rescue Plan Act – Administration	\$2,266,641 (up to)
	Total Allocations	\$324,190,051

The foregoing reflects \$308,048,870 from the original award plus \$16,141,181 in interest earnings. The foregoing authorizes new allocations in the “Administration” and “Capital Projects-Recovery” categories to support programs, including HOST Micro Communities Projects and administrative personnel. The allocations in “Recovery,” “Capital Projects-Recovery,” and “Administration” are the maximum amounts that could be spent. The exact amounts will be determined by the actual underspend in “Administration” and “Recovery Operating,” which will create capacity to transfer up to \$1,600,000 to “Recovery Capital Projects.” The sum of the categories presented in the foregoing table exceeds the total ARPA allocation of \$324,190,051 because each category will not spend the up to amount.

Section 2. There is hereby authorized the transfer of cash from the American Rescue Plan Act Grant Fund to the American Rescue Plan Capital Project Fund in the amounts indicated in the following tabulation:

<u>Item No.</u>	<u>Fund Number</u>	<u>Fund Name</u>	<u>Amount Transferred Out</u>	<u>Amount Transferred In</u>
1	11011	American Rescue Plan Act Grant Fund	\$1,600,000	
2	38395	American Rescue Plan Capital Project Fund		\$1,600,000

The foregoing authorizes cash transfers up to \$1,600,000 from the ARPA Operating Fund (11011) to the ARPA Capital Projects Fund (38395). Within the transferred \$1.6 million, approximately

1 \$263,000 will be reallocated from the Administration category to the Recovery category, for capital.
2 The remaining up to \$1.337 million will stay within the Recovery category but will shift from
3 operating to capital. Said funds are unspent due to previous ARPA projects coming in under
4 budget, along with staffing vacancies that have led to underspend in operating personnel. Through
5 transferring these funds to Capital, the City may ensure a full spend-down by December 2026 in
6 support of existing ARPA-funded capital projects. After December 31, 2026, remaining unspent
7 funds must be returned to the federal government.

8
9 **Section 3.** The Chief Financial Officer of the City and County of Denver is hereby authorized
10 and directed to make such book and record entries and to do such other things as may be necessary
11 to accomplish the purposes of this Ordinance.

12
13 COMMITTEE APPROVAL DATE: June 24, 2026
14 MAYOR-COUNCIL DATE: June 30, 2026

15 PASSED BY THE COUNCIL: _____
16 _____ - PRESIDENT
17 APPROVED: _____ - MAYOR _____
18 ATTEST: _____ - CLERK AND RECORDER,
19 EX-OFFICIO CLERK OF THE
20 CITY AND COUNTY OF DENVER

21 NOTICE PUBLISHED IN THE DENVER POST: _____ ; _____

22 PREPARED BY: Nikki McCabe, Budget and Management Office DATE: July 2, 2026
23 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
24 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
26 3.2.6 of the Charter.

27
28 Miko Ando Brown, Denver City Attorney
29
30 BY: _____, Assistant City Attorney DATE: _____
31