

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-1712
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, to allocate interest earnings in the Revenue Loss and Recovery categories to support programs including temporary rental and utility assistance (TRUA), elections, immigrant legal services, wage theft enforcement, and the Denver Food Systems Summit.

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

WHEREAS, Ordinance No. 1192, Series of 2021, increased the "Revenue Loss" allocation to authorize the 2022 portion of the 2021 "Revenue Loss" investments previously authorized through Ordinance No. 706, Series of 2021; and

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

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

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

12 **WHEREAS**, Ordinance No. 1450, Series of 2022, allocated a second cash disbursement of
13 \$154 million from Treasury for allocations and programs that were determined through a
14 deliberative process based on input from the community and the Stimulus Investment Advisory
15 Committee (SIAC), allocated cash in the Administration category for program evaluation, and
16 reallocated from premium pay based on expenditures, and authorized capital equipment; and

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

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

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

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

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

7 **WHEREAS**, the City wishes to amend Ordinance No. 591, Series of 2021, as amended by
8 the subsequent ordinances, to allocate interest earnings in the Revenue Loss and Recovery
9 categories to support programs including temporary rental and utility assistance (TRUA), elections,
10 immigrant legal services, wage theft enforcement, and the Denver Food Systems Summit;

11
12 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
13 **OF DENVER:**
14

15 **Section 1.** Section 6 of Ordinance No. 591, Series of 2021, as amended by Ordinance 706,
16 Series of 2021, as amended by Ordinance No. 1145, Series of 2021, as amended by Ordinance No.
17 1192, Series of 2021, and as amended by Ordinance No. 374, Series of 2022, as amended by
18 Ordinance No. 969, Series of 2022, as amended by Ordinance No. 1450, Series of 2022, as
19 amended by Ordinance No. 548, Series of 2023, as amended by Ordinance No. 1326, Series of
20 2023, as amended by Ordinance No. 1683, series of 2023, as amended by Ordinance No. 802,
21 series of 2024, as amended by Ordinance No. 1561, series of 2024, is amended to read as follows:
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23 “That it be and is hereby found and determined that the allocations for the Revenue Loss,
24 Premium Pay, Recovery, and Administration categories, as defined in ARPA guidance, are as
25 follows:
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<u>Accounting</u> <u>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
38395	American Rescue Plan Act Capital Projects– Recovery	\$13,870,000
11011	American Rescue Plan Act – Administration	\$1,766,341
	Total Allocations	<u>\$323,690,051</u>

1
2 The foregoing reflects \$308,048,870 from the original award plus \$15,641,181 in interest
3 earnings. The foregoing authorizes a new allocation in the "Revenue Loss" and "Recovery"
4 categories to support programs, including temporary rental and utility assistance (TRUA),
5 elections, immigrant legal services, wage theft enforcement, and the Denver Food Systems
6 Summit.
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8 **Section 2.** The Chief Financial Officer of the City and County of Denver is hereby authorized
9 and directed to make such book and record entries and to do such other things as may be necessary
10 to accomplish the purposes of this Ordinance.
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13 COMMITTEE APPROVAL DATE: November 4, 2025, by Consent

14 MAYOR-COUNCIL DATE: November 11, 2025, by Consent

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: November 13, 2025

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.
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28 Katie J. McLoughlin, Interim City Attorney

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30 BY: _____, Assistant City Attorney DATE: _____
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