

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-1138
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance establishing a new Fund in the Capital Improvements and Capital Maintenance Fund Series for the “Climate State Capital Projects” program.

WHEREAS, Colorado House Bill 22-1026 created a tax refund mechanism (“Clean Commute” tax credit) of \$250,000 yearly in 2023 and 2024 for Colorado employers to invest in alternative commute options for their workforce; and

WHEREAS, the bill amends C.R.S. 39-22-509 to allow for a local government or nonprofit organization to file a corporate income tax return for information purposes to enable that entity to claim the credits allowed; and

WHEREAS, the Office of Climate Action, Sustainability, and Resiliency (CASR) actively invests in programs and services that provide affordable, clean, safe, and reliable transportation choices that are eligible for the Clean Commute tax credit; and

WHEREAS, a companion ordinance request to create the “Climate State Revenue” Operating Special Revenue Fund (SRF) has been submitted via Ordinance 1139, Series of 2023; and

WHEREAS, the City requires a new Capital Project Fund to receive transfers from the “Climate State Revenue SRF” for climate-related capital projects;

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

Section 1. A new Fund is hereby established in the Capital Improvements and Capital Maintenance Fund Series, Accounting No. 31000, for “Climate State Capital Projects”, Accounting No. 34806, for the purpose of accounting for various climate-related capital projects.

Section 2. Monies received from transfers from the “Climate State Revenue” Special Revenue Fund shall be deposited into the Treasury of the City and credited to Fund No. 34806, which is set forth and described in Section 20-18 of the Revised Municipal Code of the City and County of Denver.

1 **Section 3.** Expenditures are hereby authorized for the “Climate Federal Capital Projects” Fund,
2 Accounting No. 34806, to be expended by the Executive Director of the Office of Climate Action,
3 Sustainability and Resiliency. Authorized expenditures for Accounting No. 34806 include capital
4 improvements, such as sustainable transportation, building electrification, energy efficiency, solar,
5 battery storage, and electric vehicle charging infrastructure.

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

9 COMMITTEE APPROVAL DATE: August 29, 2023, by Consent

10 MAYOR-COUNCIL DATE: September 5, 2023, by Consent

11 PASSED BY THE COUNCIL: September 18, 2023

12  _____ - PRESIDENT

13 APPROVED: _____ - MAYOR _____

14 ATTEST: _____ - CLERK AND RECORDER,
15 EX-OFFICIO CLERK OF THE
16 CITY AND COUNTY OF DENVER

17 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

18 PREPARED BY: Nikki McCabe, Budget and Management Office DATE: September 7, 2023

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

23 Kerry Tipper, Denver City Attorney

24 BY: Anshul Bagga, Assistant City Attorney DATE: Sep 7, 2023