

**BY AUTHORITY**

ORDINANCE NO.  
SERIES OF 2021

COUNCIL BILL NO. CB21-1390  
COMMITTEE OF REFERENCE:  
Finance & Governance

**A BILL**

**For an ordinance making a rescission from and an appropriation in the General Government Special Revenue Fund Series to make a cash transfer to and an appropriation in the Capital Improvements and Capital Maintenance Fund.**

**WHEREAS**, in 2020, Denver voters approved Referred Measure 2A, which increased the sales tax rate by 0.25 percentage points starting January 1, 2021 to be spent on various programs and projects that address climate change; and

**WHEREAS**, Ordinance No. 1413, Series of 2020, established the Climate Protection Fund in the General Government Series to receive the sales tax revenue from the incremental increase and to administer the program; and

**WHEREAS**, an allowable use of revenues for the Climate Protection Program includes capital improvement projects; and

**WHEREAS**, Companion Ordinance 21-1212 establishes the Climate Protection Capital Projects Fund in the Capital Improvements and Capital Maintenance Fund Series to receive transfers from the Climate Protection Fund and administer capital projects that support climate initiatives; and

**WHEREAS**, the City desires to transfer funds from the Climate Protection SRF to the Climate Protection Capital Projects Fund to support Energy Performance Contracts as well as the direct purchase of capital equipment;

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

**Section 1.** From appropriations heretofore made from the General Government Special Revenue Fund listed or indicated in the following tabulation there is hereby RESCINDED the amount listed or indicated in such tabulation under the heading "Amount Rescinded" and transferred to the Capital Improvements and Capital Maintenance Fund:

| <u>Accounting Number</u> | <u>Appropriation Account</u> | <u>Expending Authority</u>  | <u>Amount Rescinded</u> |
|--------------------------|------------------------------|---|-------------------------|
| 11880-0107000            | Climate Protection Fund      | Executive Director of the Office of Climate Action, Sustainability and Resiliency | \$2,800,000             |

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**Section 2.** From the General Government Special Revenue Fund, Accounting No. 11000, out of monies rescinded from Section 1 not otherwise appropriated and in addition to amounts heretofore appropriated by Ordinance No. 1413, Series of 2020, and any supplemental appropriations or rescissions, there is hereby appropriated to the appropriation accounts hereinafter designated the amount of money following such designation, to be expended for the purposes and upon the authorizations in said Ordinance set forth:

| <u>Accounting Number</u> | <u>Appropriation Account</u>             | <u>Expending Authority</u> | <u>Amount Appropriated</u> |
|--------------------------|--|----------------------------|----------------------------|
| 11880-9931000            | Transfer to Capital Improvement Projects | Chief Financial Officer    | \$2,800,000                |

**Section 3.** From the Capital Improvements and Capital Maintenance Fund, Accounting No. 31000, out of monies transferred from Section 2 and not otherwise appropriated, and in addition to amounts heretofore appropriated by Ordinance No. 1216, Series of 2020, and any supplemental appropriations or rescissions, there is hereby appropriated to the appropriation accounts hereinafter designated the amount of money following such designation, to be expended for the purposes and upon the authorizations in said Ordinance set forth:

| <u>Accounting Number</u> | <u>Appropriation Account</u>     | <u>Expending Authority</u>  | <u>Amount Appropriated</u> |
|--------------------------|----------------------------------|---|----------------------------|
| 34804-0107000-CW002      | Energy Conservation Improvements | Executive Director of the Office of Climate Action, Sustainability and Resiliency | \$2,800,000                |

**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.

1 COMMITTEE APPROVAL DATE: November 16, 2021  
2 MAYOR-COUNCIL DATE: November 23, 2021  
3 PASSED BY THE COUNCIL: \_\_\_\_\_ December 6, 2021

4 *Stacie Filmore* - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR *Mike* \_\_\_\_\_ Dec 10, 2021

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

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

10 PREPARED BY: Nikki McCabe, Budget and Management Office DATE: November 25, 2021

11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the Office of the  
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
14 3.2.6 of the Charter.

15 Kristin M. Bronson, Denver City Attorney

16 BY: *Jonathan Griffin*, Assistant City Attorney DATE: Nov 24, 2021