

1 **BY AUTHORITY**

2 ORDINANCE NO.
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1412
COMMITTEE OF REFERENCE:
Finance & Governance

5 **A BILL**

6 **For an ordinance establishing a new Fund in the Community Development**
7 **Special Revenue Fund Series for the “Homelessness Resolution” Program**
8 **and appropriating budget for the fund in 2021.**
9

10 **WHEREAS**, in the Denver General Election in November 2020, Denver voters approved
11 Referred Measure 2B to increase the Denver sales tax rate by 0.25 percentage points to expand
12 support for housing, shelter, and other services for those experiencing or exiting homelessness
13 without supplanting General Fund appropriations allocated each year to the Department of
14 Housing Stability; and

15 **WHEREAS**, the City and County of Denver passed Ordinance No. 782 in Series 2020 to
16 compile and codify the fund plan, tax imposition, and tax remittance portions of the four sales and
17 use tax increases approved by the people of the City and County of Denver; and

18 **WHEREAS**, the City and County of Denver wishes to create a special revenue fund to
19 receive this additional sales tax revenue and administer the new program;

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

23
24 **Section 1.** A new fund is hereby established in the Community Development Special Revenue
25 Fund Series, Accounting No. 16000, a “Homelessness Resolution” Fund, Accounting No. 16813, for
26 the purpose of receiving and accounting for the Homelessness Resolution Program’s portion of sales
27 and use tax receipts.

28 **Section 2.** Monies received from Denver sales and use tax collections which are determined
29 to be the Homelessness Resolution Program’s portion of such collections, as well as any interest
30 earned on said monies, shall be deposited into the Treasury of the City and credited to Special
31 Revenue Fund No. 16000, which is set forth and described in Section 20-18 of the Revised Municipal
32 Code of the City and County of Denver, and specifically to Accounting No. 16813-0145000.

1 **Section 3.** Program expenditures are hereby authorized for the “Homelessness Resolution”
2 Program Fund, Accounting No. 16813, to be expended by the Executive Director of the Department
3 of Housing Stability. Authorized expenditures and administrative spending caps for Accounting No.
4 16813 include those stipulated in article VII of Chapter 27 of the Denver Revised Municipal Code,
5 as amended by Referred Measure 2B and any subsequent amendments. This is an appropriated,
6 non-lapsing fund.

7 **Section 4.** For the year 2021, there is hereby appropriated to the appropriation account
8 hereinafter designated in the amount of money following such designation, to be expended for the
9 purposes and upon the authorizations in said Ordinance set forth:

<u>Accounting Number</u>	<u>Appropriation Account</u>	<u>Expending Authority</u>	<u>Amount</u>
16813-0145000	Homelessness Resolution	Executive Director of the Department of Housing Stability	\$37,128,521

10
11 Starting in 2022, expenditures for the “Homelessness Resolution” Program Fund shall be
12 authorized by the annual appropriation ordinance.

13 **Section 5.** To ensure that the correct amount of revenue is dedicated to this voter-approved
14 program, the amount appropriated each year shall be increased or decreased by the difference
15 between (1) the prior year’s appropriation that was based upon estimated revenues and (2) the
16 actual revenues received in the prior year as determined by the annual audit of the City’s financial
17 statements, per fiscal year-end close.

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

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[Signature page follows].

1 COMMITTEE APPROVAL DATE: December 1, 2020 by Consent
2 MAYOR-COUNCIL DATE: December 8, 2020 by Consent
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
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: Rachel Bardin, Budget and Management Office DATE: December 10, 2020
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the Office of
12 the 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: *Kristin J. Crawford*, Assistant City Attorney DATE: Dec 10, 2020