

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2022

COUNCIL BILL NO. CB22-0136
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance to amend Ordinance 1141, Series of 2013, concerning the Green Building Fund.

WHEREAS, in 2017, Denver voters approved Initiated Ordinance 300, which was subsequently amended by Ordinance 1134, Series of 2018, that repealed and reenacted Article VIII of Chapter 10 of the DRMC, the Green Building Ordinance; and

WHEREAS, Ordinance 1141, Series of 2018 created the Green Building Capital Fund to fund capital projects related to the Green Building program, and

WHEREAS, primary revenue to this Fund is developer payments, fees in-lieu of compliance with the Green Building Ordinance; and

WHEREAS, a new Green Building Program Special Revenue Fund (SRF) is being established by CB22-0137, which will serve as the primary Green Building Fund, and thus will receive the developer fee revenue; and

WHEREAS, said new SRF will transfer funds to the Green Building Capital Fund via the budget and ordinance processes as Green Building Capital Projects are identified by CASR,

WHEREAS, the City wishes to amend Ordinance 1141, Series of 2018, to change the name of Capital Fund 38604, clarify the expending authority, and to remove developer fees as allowable revenue; and

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

Section 1. Sections 1 - 3 of Ordinance No. 1141, Series of 2018 is hereby amended to read as follows:

“Section 1. A new fund is hereby established in the Grant and Other Money Projects Fund, Accounting No. 38000, a "Green Building Capital

1 Fund," Accounting No. 38604, for the purpose of accounting for the receipt
2 and expenditure of capital program dollars.

3 **Section 2.** Monies received from other City funds and other sources of
4 revenue for Accounting No. 38604, shall be deposited into the Treasury of
5 the City and credited to Special Projects Fund No. 38000, which is set forth
6 and described in Section 20-18 of the Revised Municipal Code of the City
7 and County of Denver.

8 **Section 3.** Program expenditures are hereby authorized for the "Green
9 Building Capital Fund," Accounting No. 38604, in the amount not to exceed
10 the total of deposits described in Section 2 of this ordinance, to be expended
11 by the Director of the Office of Climate Action, Sustainability, and Resiliency.
12 Authorized expenditures for Accounting No. 38604 include acquisition of
13 green space within the city, improvements for existing green space, water
14 quality improvements and green infrastructure, urban forest protection and
15 expansion, green roof creation, and solar adoption and energy efficiency
16 projects in areas of low-income and affordable housing populations. This is a
17 cash basis, non-lapsing fund."
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19 **Section 2.** The Chief Financial Officer of the City and County of Denver is hereby authorized
20 and directed to make such book and record entries and to do such other things as may be necessary
21 to accomplish the purposes of this Ordinance.
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1 COMMITTEE APPROVAL DATE: February 1, 2022 by Consent
 2 MAYOR-COUNCIL DATE: February 8, 2022 by Consent
 3 PASSED BY THE COUNCIL: February 22, 2022 _____
 4 *Steve Filmore* - 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: Nikki McCabe, Budget and Management Office DATE: February 10, 2022
 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: Feb 10, 2022
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