

## ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **9:00am on Friday**. Contact the Mayor's Legislative team with questions

Date of Request: October 27, 2023

Please mark one: ☒ Bill Request or ☐ Resolution Request

### 1. Type of Request:

- ☐ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
- ☐ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change
- ☒ Other: Amend Ordinance

2. **Title:** Amends Ordinance No. 0291, Series of 2021, as amended by Ordinance No. 709, Series of 2022, that created the Transportation and Mobility Special Revenue Fund to expand the allowable revenue and appropriations to the fund to be increased or decrease based on the prior two years.

3. **Requesting Agency:** Department of Finance

### 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Alyson Gawlikowski/ Vee Stamats	Name: Carolina Flores
Email: <a href="mailto:Alyson.gawlikowski@denvergov.org">Alyson.gawlikowski@denvergov.org</a> / <a href="mailto:veronica.stamats@denvergov.org">veronica.stamats@denvergov.org</a>	Email: <a href="mailto:carolina.flores@denvergov.org">carolina.flores@denvergov.org</a>

### 5. General description or background of proposed request. Attach executive summary if more space needed:

At the end of 2021 the Denver County Court, through the Presiding Judge, amended the Parking Citation Fine Schedule resulting in increased enforcement fines and, therefore revenue, effective February 1, 2022. The Presiding Judge, in partnership with the Department of Transportation and Infrastructure, determined that Parking Citation Fine increases should be used to support the safety of the streets, curbside space, new modes of transportation, bus lanes, delivery activities, pedestrians, and needs of adjacent land uses. Ordinance No. 1291, Series of 2021, established the Transportation and Mobility Special Revenue Fund No. 11882, increasing parking meter rates from \$1 to \$2 per hour with the additional \$1 per hour dedicated to support transportation and mobility projects related to bicycles, sidewalks, safety, and transit improvement. Ordinance No. 0709, Series of 2022, amended the language to clarify that the incremental increases collected by the City for both parking meters and parking citations will be dedicated to support alternative modes of transportation and mobility projects that increase the safety of Denver's transportation network and the revenue will be deposited into this fund.

The revenue to this SRF reflects the revenue projection attributable to the above policy changes and is initially received in the General Fund. It is transferred to the SRF via an appropriation that is included in the Long Bill. While Ordinance No. 0709, Series of 2021, allowed the SRF's appropriation to be increased or decreased in the current year based on revenue over- or under-performance in the prior year, a similar adjustment cannot be made to the General Fund transfer to this SRF without an additional ordinance. Without such an adjustment, the revenue to the SRF is no longer aligned with the appropriation and results in a shortfall or windfall to the General Fund. For example, in 2022, this revenue stream fell short of projections, and since the General Fund's appropriated transfer aligned with the original projection, it resulted in a shortfall to the General Fund. The 2023 General Fund transfer could not be adjusted downward to reflect underperformance from 2022 without an additional ordinance; additionally, a downward adjustment in the current year would negatively impact previously planned transportation and mobility projects in 2023. A more appropriate solution is to adjust the General Fund transfer in the future budget year to address the over- or under-performance of this revenue stream two years prior. This allows the Department of Transportation and Infrastructure to better plan projects and allows the General Fund's

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appropriation to align with actual revenue, on a two-year lag. To make these changes, the City would like to amend Ordinance No. 0291, Series of 2021, as amended by Ordinance No. 709, Series of 2022, to clarify that the amount appropriated in the future budget year shall be increased or decreased by the difference between the SRF's appropriation in the year that most recently closed and the actual fee and fine revenue attributable to this program that year. For example, the 2024 appropriation in the Fund, as well as the transfer from the General Fund, reflects the projected fee and fine revenue in 2024, less the difference between the SRF's projected revenue in 2022 and the actual revenue received.

**6. City Attorney assigned to this request (if applicable):** N/A

**7. City Council District:** Citywide

**8. \*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

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