

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2010

COUNCIL BILL NO. CB10-1053
COMMITTEE OF REFERENCE:
GOVERNMENT AFFAIRS & FINANCE

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5
6
7 A BILL
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10 For an ordinance amending Ordinance 794, Series of 2006 concerning the "Energy
11 Assistance " program in the Human Services Special Revenue Fund; establishing
12 an "Energy Efficiency Assistance" fund in the General Government Special
13 Revenue Fund and the means for authorizing expenditures from such fund; and
14 making a transfer of cash from the Human Services Special Revenue Fund to the
15 General Government Special Revenue Fund.
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18 WHEREAS, Ordinance 794, Series of 2006 established the "Energy Assistance" fund within
19 the City's Human Services Special Revenue Fund for the purpose of depositing revenue in
20 accordance with the Low-Income Energy Assistance and Energy Conservation Contribution
21 Agreement between the City and the Public Service Company of Colorado (Xcel Energy), as
22 described in said Agreement in Clerk's Filing No. 06-377; and

23 WHEREAS, said revenue includes approximately \$2 million per year derived from a right-of-
24 way franchise fee to be used to provide energy efficiency programs for individuals and non-profit
25 agencies and up to \$100,000 per year to provide low-income energy assistance for individuals
26 and families; and

27 WHEREAS, the Mayor's Proposed 2011 Budget includes moving the Energy Efficiency
28 Program (including associated \$2 million revenue) to the Office of Economic Development; and

29 WHEREAS, the Denver Department of Human Services will continue to administer the Low
30 Income Energy Assistance Program (with associated revenue up to \$100,000);
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32 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
33 **DENVER:**
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35 **Section 1.** Sections 1 through 4 of Ordinance No. 794, Series of 2006 shall be amended to
36 read as follows:
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38 "Section 1. There is hereby established in the Human Services Special
39 Revenue Fund, Auditor's No. 13000, an "Energy Assistance" fund, Auditor's

No. 13808-5510000, for the purpose of receiving and accounting for the revenues received pursuant to the Low-Income Energy Assistance and Energy Conservation Contribution Agreement between the City and Public Service Company of Colorado, to be used for low-income energy assistance.

Section 2. Monies received from Public Service Company (Xcel Energy) for the purpose of low-income energy assistance in accordance with the Low-Income Energy Assistance and Energy Conservation Contribution Agreement between the City and Public Service Company of Colorado shall be deposited into the Treasury of the City and credited to Special Fund No. 13000 which is set forth and described in Section 20-18 of the Revised Municipal Code of the City and County of Denver, and specifically to Auditor's No. 13808-5510000.

Section 3. Expenditures are hereby authorized for the "Energy Assistance" fund, Auditor's No. 13808-5510000, in the amount not to exceed the total of deposits described in Section 2 of this Ordinance, to be expended by the Manager of Human Services."

Section 2. There is hereby established in the General Government Special Revenue Fund, Auditor's No. 11000, an "Energy Efficiency Assistance" fund, Auditor's No. 11859-0115000, for the purpose of receiving and accounting for the City's commitment of an estimated \$2 million per year in Public Service Company of Colorado (Xcel Energy) franchise fee revenues, to be used for low-income energy efficiency programs for individuals and non-profit agencies.

Section 3. Monies received from Public Service Company (Xcel Energy) franchise fee collections, for the purpose of energy efficiency assistance in accordance with the Low-Income Energy Assistance and Energy Conservation Contribution Agreement between the City and Public Service Company of Colorado, shall be deposited into the Treasury of the City and credited to Special Fund No. 11000 which is set forth and described in Section 20-18 of the Revised Municipal Code of the City and County of Denver, and specifically to Auditor's No. 11859-0115000.

Section 4. Expenditures are hereby authorized for the "Energy Efficiency Assistance" fund, Auditor's No. 11859-0115000, in the amount not to exceed the total of deposits described in Section 2 of this Ordinance, to be expended by the Director of Economic Development.

Section 5. There is hereby authorized the transfer of cash from the Human Services Special Revenue Fund to the General Government Special Revenue Fund, the amount indicated in the following tabulation:

<u>ACCOUNTING NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>AMOUNT TRANSFERRED OUT</u>
13808-5510000	Energy Assistance Fund	\$2,917,354

<u>ACCOUNTING NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>AMOUNT TRANSFERRED IN</u>
11859-0115000	Energy Efficiency Assistance Fund	\$2,917,354

Section 6. The Manager of Finance 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, as well as make any future adjustments to cash balances as may be needed to complete the transfer of the Energy Efficiency Program to the Office of Economic Development.

COMMITTEE APPROVAL DATE: November 24, 2010 (Consent)

MAYOR-COUNCIL DATE: November 30, 2010

PASSED BY THE COUNCIL _____ 2010

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____ 2010

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

NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2010 _____ 2010

PREPARED BY: Kelly A. Greunke, Budget and Management Office, _____ December 2, 2010

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

David R. Fine, City Attorney, City Attorney

BY: _____, _____ City Attorney, DATE: _____ 2010