

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2022

COUNCIL BILL NO. CB22-0969
COMMITTEE OF REFERENCE:
Finance & Governance

A BILL

For an ordinance amending Ordinance No. 591, Series of 2021, as amended by Ordinance No. 706, Series of 2021, as amended by Ordinance No. 1145, Series of 2021, as amended by Ordinance No. 1192, Series of 2021, as amended by Ordinance No. 374, Series of 2022, to allocate spending in the American Rescue Plan Act Grant Fund for Administration.

WHEREAS, Ordinance No. 591, Series of 2021, established the American Rescue Plan Act (ARPA) Grant Fund, Fund No. 11011, and accepted the Coronavirus Local Fiscal Recovery Fund award agreement with the US Department of Treasury; and

WHEREAS, Ordinance No. 591 accepted the full \$308,048,870 identified in the award agreement, and included provisions requiring that City Council approve any spending in the fund through amendments to said Ordinance; and

WHEREAS, Ordinance No. 706, Series of 2021, amended Ordinance No. 591, Series of 2021, by adding a section to authorize an initial amount of spending in the Fund, specific to the “Revenue Loss” category, identified as an allowable expense in the ARPA guidance; and

WHEREAS, the Budget and Management Office leveraged the 2022 budget process to determine which investments included in the “Revenue Loss” spending allocation in ARPA in 2021 could be supported by General Fund growth in 2022, as a fiscally prudent way to ensure the City could continue to support ongoing restorations of City services; and

WHEREAS, Ordinance No. 1145, Series of 2021, amended Ordinance No. 591, Series of 2021, by adding an allocation for Premium Pay to provide this benefit to eligible employees; and

WHEREAS, Ordinance No. 1192, Series of 2021, increased the “Revenue Loss” allocation to authorize the 2022 portion of the 2021 “Revenue Loss” investments previously authorized through Ordinance No. 706, Series of 2021; and

WHEREAS, Ordinance No. 374, Series of 2022, increased the “Revenue Loss” Administration spending allocation due to interest earnings generated by ARPA monies previously authorized through Ordinance No. 1192, Series of 2021; and

1 **WHEREAS**, as a result of continued interest earnings generated by ARPA monies, an
2 additional \$1,000,000 will be allocated to the Recovery spending category, for a total Recovery
3 allocation of \$74,530,000; and

4 **WHEREAS**, the “Recovery” allocation authorized in this Ordinance will support individuals
5 and families who have experienced food insecurity due to an economic impact by COVID-19 and
6 the effects of inflationary pressures by providing gift cards and vouchers and by expanding
7 culturally relevant food box distribution;

8
9 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
10 **OF DENVER:**

11
12 **Section 1.** Section 6 of Ordinance No. 591, Series of 2021, as amended by Ordinance 706,
13 Series of 2021, as amended by Ordinance No. 1145, Series of 2021, as amended by Ordinance No.
14 1192, Series of 2021, and as amended by Ordinance No. 374, Series of 2022, is amended to read
15 as follows:

16
17 “That it be and is hereby found and determined that the allocations for the Revenue Loss,
18 Premium Pay, Recovery, and Administration categories, as defined in ARPA guidance, are as
19 follows:

20

| <u>Accounting Number</u> | <u>Appropriation Account</u> | <u>Amount</u> |
|--------------------------|---|---------------|
| 11011 | American Rescue Plan Act- Revenue Loss | \$70,203,696 |
| 11011 | American Rescue Plan Act – Premium Pay | \$8,800,000 |
| 11011 | American Rescue Plan Act – Recovery | \$74,530,000 |
| 11011 | American Rescue Plan Act – Administration | \$2,457,300 |
| 11011 | American Rescue Plan Act – Unallocated | \$154,215,174 |

1 The foregoing "Revenue Loss" allocation supports the cost of furlough restoration for all City
2 employees, the cost of restoring some services that were reduced in 2021 to balance the budget
3 as a result of revenue loss from COVID-19, and the cost of addressing certain operational
4 backlogs that arose as resources were reduced or diverted due to the pandemic. The foregoing
5 Premium Pay allocation supports payments to City employees whose regular, required duties
6 from March to December of 2020 put them at risk of COVID-19 exposure. The foregoing
7 Recovery allocation supports Recovery investments identified through an extensive community
8 review process to support businesses, the community, housing and people experiencing
9 homelessness, and infrastructure. The Recovery allocation supports individuals and families
10 who have experienced food insecurity due to an economic impact by COVID-19 and the effects
11 of inflationary pressures through providing gift cards, vouchers, and food box distribution. The
12 foregoing Administration allocation supports a contract to assist in the City's administration of
13 ARPA funds, funding for data evaluation and analysis, and public outreach expenses associated
14 with the administration of the ARPA funding, as well as technical support for community partners
15 responsible for implementing ARPA program."
16

17 **Section 2.** The Chief Financial Officer of the City and County of Denver is hereby authorized
18 and directed to make such book and record entries and to do such other things as may be necessary
19 to accomplish the purposes of this Ordinance.

20 COMMITTEE APPROVAL DATE: August 16, 2022

21 MAYOR-COUNCIL DATE: August 24, 2022

22 PASSED BY THE COUNCIL: _____

23 _____ - PRESIDENT

24 APPROVED: _____ - MAYOR _____

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

28 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

29 PREPARED BY: Nikki McCabe, Budget and Management Office DATE: August 26, 2022

30 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
31 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
32 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
33 3.2.6 of the Charter.

34 Kristin M. Bronson, Denver City Attorney

1 BY: _____, Assistant City Attorney

DATE: _____