



## Legislation Text

---

**File #:** Ord 2276, **Version:** 1

---

### AN ORDINANCE AMENDING THE 2020 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY RECOGNIZING CARES ACT FUNDING AND AUTHORIZING THE EXECUTION OF A RELATED INTERGOVERNMENTAL AGREEMENT

**Summary and Background Information:** Adams County, Colorado will receive direct funding for costs incurred in fighting and ameliorating the effects of COVID-19, as provided by the Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136 ("CARES") to provide relief funds to individuals, businesses, and state and local governments. The county will disburse funding to municipalities within the county pursuant to an intergovernmental agreement with each municipality. The final amount of funding for each municipality will be based on population and will set forth in an exhibit to each agreement. The final allocation amounts are anticipated to be approved by Adams County on May 5. The Commerce City allocation is anticipated to be \$4,646,885. Any adjustment to this amount can be made when the ordinance is considered on second reading.

CARES Act funding may only be used to cover costs that:

- are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
- were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

The county will distribute funding in three phases. Each phase must be fully expended before a second phase can be funded. All funds must be expended or returned to the county by December 4, 2020. Because CARES Act funding expenditures are strictly limited, the intergovernmental agreement imposes expenditure and accounting obligations directly on the city. Commerce City will be solely responsible for its expenditures and accounting and compliance with all CARES requirements. If the federal government demands reimbursement for non-compliance, Commerce City would be required to reimburse any funds.

**Proposed Ordinance:** The ordinance recognizes the CARES Act funding in the 2020 budget and approves the intergovernmental agreement with authorization for the Mayor's execution, once the final funding exhibit is created by the county and approved by the City Manager.

#### Recommended Motions for Approval:

I move to introduce and approve Ordinance 2276 on first reading by Council as seated.

**Staff Responsible (Department Head):** Brian McBroom, City Manager/Robert Sheesley, City

Attorney

**Staff Member Presenting:** Brian McBroom, City Manager

**Financial Impact:** The City anticipates receiving \$4,646,885 million for eligible expenses. Repayment of any funding pursuant to the CARES or the IGA would impact the City budget.

**Funding Source:** n/a

**Staff Recommendation:** Approval.