

ORDINANCE NO. 2667

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS DUKES, FORD, KIM, MADERA, NOBLE, TETER

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY BY REVISING MULTIPLE INTERFUND TRANSFERS OF AMERICAN RESCUE PLAN ACT FUNDING AND APPROPRIATING AND AUTHORIZING THE EXPENDITURE THEREOF

WHEREAS, on March 11, 2020, President Joseph R. Biden signed the American Rescue Plan Act (ARPA) into law, which established the Coronavirus State and Local Fiscal Recovery Fund intended to provide support to local governments in responding to the impact of COVID-19 on their communities, residents, and business;

WHEREAS, the U.S. Treasury Department has provided regulatory guidance on the allowable uses of ARPA funds, which include: supporting public health response, addressing negative economic impacts, replacing public sector revenue loss, premium pay for essential workers, water and sewer infrastructure, and broadband infrastructure;

WHEREAS, the City was allocated a total of \$10,505,025 in ARPA funding, of which the City received the first 50% tranche in 2021 and the second 50% tranche in 2022;

WHEREAS, Ordinance 2533 passed on August 7, 2023 included the transfer of \$1,300,000 from the General Fund to the Facility Services Fund for the purchase of Emergency Generators for the City's two recreation centers;

WHEREAS, only \$1,275,127 is actually needed for this purchase and the surplus balance of \$24,873 must be returned to the General Fund for re-obligation;

WHEREAS, Ordinance 2574 passed on April 15, 2024 included the transfer of \$500,000 from the General Fund to the Capital Expenditures Fund for Infrastructure (including broadband);

WHEREAS, only \$320,272 is actually needed for this project area, and the surplus balance of \$179,728 must be returned to the General Fund for re-obligation;

WHEREAS, Ordinance 2650 passed on December 16, 2024 included the transfer of \$200,000 from the General Fund to the Fleet Management Fund for the purchase of Community Well-Being vehicles;

WHEREAS, only \$192,088 is actually needed for these purchases and the surplus balance of \$7,912 must be returned to the General Fund for re-obligation;

WHEREAS, the cumulative amount of these surplus transfers is \$212,513 and must be appropriated within the General Fund for Advancing Commerce City (ACT) Program efforts that ARPA funding has been obligated toward; and

WHEREAS, using the City’s ARPA funding allocation in these manners benefits the City by providing for previously unmet City government services needs and positions the City to better serve the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

**SECTION 1. Findings.** The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

**SECTION 2.** There is hereby transferred from the Facility Services Fund to the General Fund a total of \$24,873.

**SECTION 3.** There is hereby transferred from the Capital Expenditures Fund to the General Fund a total of \$179,728.

**SECTION 4.** There is hereby transferred from the Fleet Management Fund to the General Fund a total of \$7,912.

**SECTION 5.** There is hereby appropriated into the General Fund as per the following, for a total of \$212,513.

Advancing Commerce City Together (ACT) Program	\$	212,513
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**SECTION 6. Repealer.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

**SECTION 7. Effective Date.** This ordinance shall be effective immediately upon passage on second and final reading.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 3RD DAY OF FEBRUARY 2025.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS 3RD DAY OF MARCH 2025.

CITY OF COMMERCE CITY, COLORADO

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Steve J. Douglas, Mayor

ATTEST

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Dylan A. Gibson, City Clerk