

ORDINANCE NO. 2650

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 AMERICAN RESCUE PLAN ACT FUNDING APPROPRIATIONS 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; and

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, City Council authorized the use of \$3,075,000 of the City's ARPA allocation for specific uses per Ordinance 2533 passed on August 7, 2023; and

WHEREAS, of this \$3,075,000, a remaining balance of \$2,494,500 was unspent at the end of 2023 and was re-appropriated in 2024 per Ordinance 2571 passed on April 15, 2024; and

WHEREAS, this re-appropriation of \$2,494,500 included the transfer of a surplus \$3,000 from the Fleet Management Fund back to the General Fund that was not needed for the authorized purchase of TrackNGo Equipment, which was re-allocated as part of Ordinance 2574; and

WHEREAS, City Council authorized the use of \$7,453,025 of the City's ARPA allocation for specific uses per Ordinance 2574 passed on April 15, 2024; and

WHEREAS, Ordinance 2574 resulted in a total ARPA funding appropriation of \$20,000 more than the City's ARPA allocation, due to a typo, which is being corrected and de-appropriated as part of this ordinance; 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 de-appropriated from the General Fund a total of \$20,000, to reconcile total related appropriations to the City’s total ARPA funding allocation of \$10,505,025.

Community Well-Being (\$ 20,000)

SECTION 3. There is hereby transferred from the General Fund to the Fleet Management Fund as per the following, for a total of \$200,000.

Community Well-Being Bus and SUV Funding Transfer \$ 200,000

SECTION 4. The City Manager hereby has authority to transfer between appropriated specified uses within the same fund to help ensure the City’s ARPA funding allocation is fully expended by the federal deadline of December 31, 2026.

SECTION 5. 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 6. 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 25TH DAY OF NOVEMBER, 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 16TH DAY OF DECEMBER, 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk