

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2009

COUNCIL BILL NO. 350
COMMITTEE OF REFERENCE:

4 Neighborhood, Community, and & Business Revitalization Committee
5

6 **A B I L L**

7 **For an ordinance approving the application for and acceptance of that certain**
8 **grant award to the City and County of Denver, acting by and through the**
9 **Department of Human Services, from the U.S. Dept. of Housing and Urban**
10 **Development concerning the Homeless Prevention and Rapid Re-Housing**
11 **Program under the American Recovery and Reinvestment Act of 2009 and**
12 **waiving the requirement that the final grant agreement be approved by the**
13 **Council.**

14
15 **WHEREAS**, the City has received a Notice of Funding Allocations and Requirements from the
16 U.S. Dept. of Housing and Urban Development (HUD) which designates the City and County of
17 Denver as a grantee to apply for and receive allocated federal funds for the Homeless Prevention
18 and Rapid Re-Housing Program (HPRP) under Title XII of the American Recovery and Reinvestment
19 Act of 2009 ("Recovery Act");

20 **WHEREAS**, the Department of Human Services has duly reviewed the Notice of Funding
21 Allocations and Requirements and applied for HPRP program funds;

22 **WHEREAS**, the Notice advises grantees that the HPRP program requires the grant award to
23 be made by means of a grant agreement to be fully executed by HUD and the grantee, and to be
24 returned to HUD within fifteen (15) days of the date that HUD signs the grant agreement, or risk
25 losing part or all of the grant amount;

26 **WHEREAS**, in order to comply with the federal requirement that the grant agreement be
27 executed and returned within 15 days of receipt, it is necessary to waive the requirement contained in
28 Section 3.2.6 (E) of the Denver Charter that requires City Council approval of contracts that result in
29 the payment or receipt by the City of \$500,000 or more for the above referenced HPRP grant award;
30 and

31 **WHEREAS**, the Department of Human Services desires to obtain City Council approval of the
32 City's grant Application for and acceptance of HPRP funds.

33
34 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
35 **DENVER:**

36 **Section 1.** The Notice of Funding Allocations and Requirements issued by the U.S.

1 Department of Housing and Urban Development for the Homeless Prevention and Rapid Re-
2 Housing Program (HPRP) under Title XII of the American Recovery and Reinvestment Act of 2009
3 ("Recovery Act") and the grant application submitted by the Denver Department of Human Services
4 to receive funds allocated to the City and County of Denver for said program, in the words and
5 figures contained and set forth in those documents, and filed in the Office of the Clerk and Recorder,
6 Ex-Officio Clerk of the City and County of Denver, on the 18th day of June, 2009, City Clerk's Filing
7 No. 09-497 ("Application"), are hereby approved and the appropriate City officials are authorized to
8 execute any grant agreement issued to further this Application and accept the funds without further
9 City Council approval. The City has established a special revenue fund entitled "Human Services
10 Stimulus Fund", Accounting No. 13217, under Ordinance No. 269, Series of 2009, for the purpose of
11 receiving and accounting of the HPRP grant funds.

12 **Section 2.** Pursuant to Section 3.2.6 (H) of the Denver Charter, the requirement that the
13 aforementioned grant agreement entered into pursuant to the Application be approved by City
14 Council as required by Section 3.2.6 (E) of the Denver Charter is hereby waived.

15

16 COMMITTEE APPROVAL DATE: Consent Agenda for the week of June 15, 2009.

17 MAYOR-COUNCIL DATE: June 23, 2009.

18 PASSED BY THE COUNCIL _____ 2009

19 _____ - PRESIDENT

20 APPROVED: _____ - MAYOR _____ 2009

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

24 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2009; _____ 2009

25 PREPARED BY: Victoria Ortega - ASSISTANT CITY ATTORNEY - June 18, 2009

26 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
27 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
28 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to § 3.2.6
29 of the Charter.

30

31 _____, City Attorney

32 BY: _____, _____ City Attorney

33 DATE: _____ 2009