

1 **BY AUTHORITY**

2 ORDINANCE NO. _____

COUNCIL BILL NO. CB11-0926

3 SERIES OF 2012

COMMITTEE OF REFERENCE:

4 Land Use, Infrastructure and Transportation

5
6
7 **A BILL**

8
9 **For an ordinance amending Ordinance 256, Series 2011 and authorizing**
10 **expenditures in the Capital Grants/Other Projects Fund for the W. Dakota**
11 **Avenue Storm Water Outfall and Street Improvement Project.**
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14 **WHEREAS**, Ordinance 740, Series 1992 approved the South Broadway/Montgomery Ward
15 Urban Renewal Plan and defined the South Broadway/Montgomery Ward Urban Renewal Area
16 (the “Urban Renewal Area”); and
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18 **WHEREAS**, Ordinance 256, Series 2011 approved an Intergovernmental Agreement with the
19 Denver Urban Renewal Authority (“DURA”) and authorized expenditures in the amount of
20 \$1,000,000 for the “Center Avenue Storm Water Improvements” project within the Urban Renewal
21 Area; and
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23 **WHEREAS**, an additional \$12,000,000 is being added to finance the project, to be reimbursed
24 from property tax increment revenue and a portion of the city sales tax revenue derived from the
25 Urban Renewal Area; and
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27 **WHEREAS**, the scope and location of said project, accounting number 38302-5011102-
28 PL020, has changed, and thus the City desires to change the name of the appropriation account;
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30 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
31 **DENVER:**
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33 **Section 1.** That Section 2 of Ordinance 256, Series 2011 is amended to read as follows:

34 “Section 2. A new fund is hereby established in the Grant/Other Capital Projects Fund,
35 Accounting No. 38000, for the project indicated in the following tabulation:
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1	ACCOUNTING	APPROPRIATION	EXPENDING	
2	<u>NUMBER</u>	<u>ACCOUNT</u>	<u>AUTHORITY</u>	<u>AMOUNT</u>
3	38302-5011102	W. Dakota Ave Storm Water	Manager of Public	\$1,000,000"
4	-PL020	Outfall and Street	Works	
5		Improvement Proj		

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7 **Section 2.** Expenditures are hereby authorized from the Grants/Other Projects Fund,
8 Accounting No. 38000, the amounts of money in the following tabulation to be expended for the
9 purposes and upon the authorizations in said Ordinance set forth:

10	ACCOUNTING	APPROPRIATION	EXPENDING	
11	<u>NUMBER</u>	<u>ACCOUNT</u>	<u>AUTHORITY</u>	<u>AMOUNT</u>
12	38302-5011102	W. Dakota Ave Storm Water	Manager of Public	\$12,000,000
13	-PL020	Outfall and Street	Works	
14		Improvements Proj		

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16 The foregoing authorization and the expenditure authorization previously set forth in Ordinance
17 256, Series 2011, are primarily for storm water outfall improvements and related street
18 improvements, and shall be deemed a continuing capital appropriation from year-to-year within the
19 meaning of charter section 7.2.3.

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21 **Section 3.** Commencing January 1, 2012 and continuing until October 31, 2017, incremental
22 property tax revenue derived from the Urban Renewal Area and reimbursed to the City for project
23 costs by DURA, as well as city sales tax revenue derived from Urban Renewal Area in excess of
24 \$1,000,000 per annum, shall be deposited into the Treasury of the City and credited to
25 Grant/Other Capital Projects Fund No. 38000 which is set forth and described in Section 20-18 of
26 the Revised Municipal Code of the City and County of Denver; provided, however, that the total
27 amount of revenue thus deposited and credited shall not exceed \$13,000,000.

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Section 4. The Manager of Finance of the City and County of Denver is hereby authorized and directed to make such book and record entries and to do such other things as may be necessary to accomplish the purposes of this Ordinance, including making adjustments to the appropriation to the extent the payment of any project costs have been or may be made directly by DURA from the revenues described in Section 3 of this ordinance.

COMMITTEE APPROVAL DATE: January 17, 2012.

MAYOR-COUNCIL DATE: January 24, 2012

PASSED BY THE COUNCIL: _____, 2012

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____, 2012

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2012; _____, 2012

PREPARED BY: Kelly A. Greunke, Budget and Management Office DATE: January 26, 2012

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Douglas J. Friednash, Denver City Attorney

BY: _____, _____ City Attorney DATE: _____, 2012