

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB15-0984
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation to allow the City to receive \$2,000,000 and take over ownership of the 40th Avenue (former State Highway 33) bridge.

WHEREAS, the Structure E-17-AH, which is located on former State Highway 33 (now 40th Avenue), referred to here as the “Bridge Structure,” no longer serves the ongoing purposes of the State Highway System; and

WHEREAS, pursuant to Intergovernmental Agreement that Council is approving herewith, the City is accepting ownership of the Bridge Structure in its “as is” condition in exchange for a payment by the State of Colorado, Department of Transportation, of two million and 00/100 dollars (\$2,000,000.00) to be credited to a special revenue fund, only for transportation-related expenditures; and

WHEREAS, in exchange for this payment, until the Bridge Structure is removed, the City and County of Denver agrees to maintain the Bridge Structure in a reasonable and safe condition as a county highway or city street until the City and County of Denver replaces the Bridge Structure with an at grade connection; and

WHEREAS, pursuant to 23 USC § 131, as amended (The Highway Beautification Act of 1965) (the “Act”), Denver shall adhere to the standards regarding outdoor advertising and the State of Colorado, Department of Transportation shall provide periodic inspection of the Bridge Structure to insure standards of the Act are met.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. The proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation, in the words and figures contained and set forth in that form of agreement available in the office and on the web page of City Council, and filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under City Clerk Filing No. 2015-0516 is hereby approved.

1 COMMITTEE APPROVAL DATE: December 24, 2015 by consent
2 MAYOR-COUNCIL DATE: December 29, 2015
3 PASSED BY THE COUNCIL: _____, 2016
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2016
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2016; _____, 2016
10 PREPARED BY: Robert G. Wheeler, Assistant City Attorney DATE: December 31, 2015
11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.
15 D. Scott Martinez, City Attorney for the City and County of Denver
16 BY: _____, Assistant City Attorney DATE: _____, 2015