

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012

COUNCIL BILL NO. CB12-0371  
COMMITTEE OF REFERENCE:  
HEALTH, SAFETY, EDUCATION & SERVICES

**A B I L L**

**for an ordinance approving a Supplemental Reimbursement Application to the Colorado Petroleum Storage Tank Fund for reimbursement of expenses incurred in remediating petroleum contamination.**

WHEREAS, under C.R.S. § 8-20.5-101 *et seq.* owners and operators of petroleum storage tanks who remediate releases in compliance with applicable federal and state laws and regulations may apply for reimbursement of costs incurred consistent with the above-referenced statute (referred to as the "Statute");

WHEREAS, the City periodically submits applications to the Colorado Petroleum Storage Tank Fund for reimbursement of expenses the City incurs in remediating petroleum contamination as provided for in the Statute;

WHEREAS, under the current application, the City is requesting reimbursement of One Hundred Forty-Two Thousand, One-Hundred Twenty-Three and 58/100 Dollars (\$142,123.58) for funds expended the site known as Fire Station 28, located at 4306 South Wolff Street, Denver, Colorado ("Site");

WHEREAS, the City has received reimbursement totaling Eight Hundred Twenty-Two Thousand, Nine Hundred Sixty-Four and 44/100 Dollars (\$822,964.44) for remediation activities at the Site and together the amount requested in the current application and the previous reimbursement amounts exceed Five Hundred Thousand Dollars (\$500,000); and

WHEREAS, the City anticipates seeking future reimbursement of expenses not to exceed the current statutory limits of \$2,000,000 for this site under the Statute.

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

**Section 1.** The proposed Supplemental Reimbursement Application to the Colorado Petroleum Storage Tank Fund in the words and figures contained and set forth in that form of application filed in the office of the City Clerk of the City and County of Denver, on May 24, 2012, City Clerk's Filing No. 2009-0386-C is hereby approved.

**Section 2.** The Mayor or his lawful successor and other proper officials of the City and County of Denver, in its behalf, and without further action by City Council, are hereby authorized to execute future Supplemental Reimbursement Applications to the Colorado Petroleum Storage Tank Fund up to the statutory limits pursuant to C.R.S. § 8-20.5-101 *et seq.* for reimbursement of remediation activities conducted at the site known as Fire Station #28, located at 4306 South Wolff Street, Denver, Colorado.

1           **Section 3.** All payments the State of Colorado makes to the City pursuant to the  
2 Supplemental Reimbursement Application to the Colorado Petroleum Storage Tank Fund for the  
3 Site as herein approved shall be deposited into the Treasury of the City and credited to Special  
4 Fund No. 78410, which is set forth and described in Section 20-18 of the Revised Municipal Code of  
5 the City and County of Denver.

6 COMMITTEE APPROVAL DATE: May 17, 2012 (Consent Agenda)

7 MAYOR-COUNCIL DATE: May 22, 2012

8 PASSED BY THE COUNCIL \_\_\_\_\_ 2012

9 \_\_\_\_\_ - PRESIDENT

10 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2012

11 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
12 EX-OFFICIO CLERK OF THE  
13 CITY AND COUNTY OF DENVER

14 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2012: \_\_\_\_\_ 2012

15 PREPARED BY: Katherine L. Wilmoth - ASSISTANT CITY ATTORNEY - May 18, 2012

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

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21 Douglas J. Friednash, Denver City Attorney

22 BY: \_\_\_\_\_, Assistant City Attorney      DATE: \_\_\_\_\_, 2012