

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2018

COUNCIL BILL NO. CB18-1380
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance approving a proposed donation of surplus personal property**
7 **acquired incidental to the development of the National Western Center from the**
8 **City and County of Denver to History Colorado, the Denver Museum of Nature and**
9 **Science, the National Western Center Authority, the Western Stock Show**
10 **Association, and other qualified organizations.**
11

12 **WHEREAS**, the City and County of Denver (“City”) has acquired and will acquire surplus
13 personal property during the development of the National Western Center, incidental to its
14 acquisitions of real property, demolition of existing structures, and site development, within
15 boundaries as legally described in Ord. 20170939 and Ord. 20180115; and

16 **WHEREAS**, the City proposes to transfer such personal property to History Colorado, the
17 Denver Museum of Nature and Science, the National Western Center Authority, the Western
18 Stock Show Association, and other qualified organizations for the purpose of preserving the
19 unique western history of the site, assisting in the construction and long-term operation of the
20 National Western Center, and accomplishing the sustainability goals of the project, including the
21 diversion of materials from a landfill as a result of the National Western Center project; and

22 **WHEREAS**, §2.9.3(C) of the Charter of the City and County of Denver authorizes the
23 donation of surplus supplies, equipment, and personal property to charitable or nonprofit
24 organizations, School District No. 1, or other governmental jurisdictions;

25 **WHEREAS**, the proposed donation of surplus personal property cannot be made until after
26 approval by City Council and the Mayor in accordance with §2.9.3(C); and

27 **WHEREAS**, History Colorado and the Denver Museum of Nature and Science have entered
28 Memoranda of Understanding with the City and the proposed donation will facilitate the creation of
29 programming related to the National Western Center; and

30 **WHEREAS**, the National Western Center Authority is a Colorado non-profit corporation
31 created by the City pursuant to the National Western Center Framework Agreement with the
32 obligation to manage the long-term operations of the National Western Center and whose initial
33 funding is provided in part by the City; and

34 **WHEREAS**, the Western Stock Show Association is a Colorado non-profit corporation, a

1 party to the National Western Center Framework Agreement, and will construct a building and
2 continue to hold events at the National Western Center; and

3 **WHEREAS**, the transfer of surplus personal property to qualified organizations will facilitate
4 the City's National Western Center project sustainability goal of diverting ninety percent (90%) of
5 waste generated by the National Western Center project from landfills; and

6 **WHEREAS**, the Manger of General Services and the Mayor's Office of the National
7 Western Center will work together to identify and manage City-owned personal property at the
8 National Western Center, including case by case determinations of whether items of personal
9 property should be found and declared surplus by the Manager of General Services.

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

12 **Section 1.** Subject to availability and a determination by the Manager of General Services that
13 said personal property is surplus, the proposed donation of personal property owned by the City,
14 within boundaries legally described in Ord. 20170939 and Ord. 20180115, to History Colorado, the
15 Denver Museum of Nature and Science, the National Western Center Authority, the Western Stock
16 Show Association, and other qualified organizations for the purpose of preserving the unique western
17 history of the site, assisting in the long-term operation of the National Western Center Campus, and
18 accomplishing the sustainability goals of the project is hereby approved.

19 COMMITTEE APPROVAL DATE: November 27, 2018 by Consent.

20 MAYOR-COUNCIL DATE: December 4, 2018

21 PASSED BY THE COUNCIL _____ December 17, 2018

22 _____ - PRESIDENT

23 APPROVED: _____ - MAYOR _____

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

27 NOTICE PUBLISHED IN THE DAILY JOURNAL _____; _____

28 PREPARED BY: Joshua L. Roberts, Assistant City Attorney DATE: December 6, 2018

29 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
30 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
31 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
32 3.2.6 of the Charter.

33 Kristin Bronson, Denver City Attorney

34 BY:  _____, Assistant City Attorney DATE: Dec 6, 2018