

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2011

COUNCIL BILL NO. CB11-0625
COMMITTEE OF REFERENCE:
Land Use, Transportation, and Infrastructure

4
5
6
7 **A BILL**
8

9 **For an ordinance approving and providing for the execution of a proposed**
10 **Intergovernmental Agreement between the City and County of Denver and the**
11 **Colorado Department of Transportation concerning the "38th Avenue**
12 **Underpass—Inca St. Bike/Pedestrian Bridge" project and the funding**
13 **therefor.**
14

15 **WHEREAS**, the City and County of Denver has given due consideration to said proposed
16 Intergovernmental Agreement;

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

19 **Section 1.** The proposed Intergovernmental Agreement between the Colorado Department
20 of Transportation and the City and County of Denver, a copy of which is duly filed with the City
21 Clerk, Filing No. 11-643, be and hereby is approved in all respects.

22 **Section 2.** The Mayor or his lawful successor and other proper officials of the City and
23 County of Denver, in its behalf, are hereby authorized and directed to execute said
24 Intergovernmental Agreement and the Clerk and Recorder of the City and County of Denver is
25 hereby authorized and directed to attest and impress the official seal of the City and County of
26 Denver on the Intergovernmental Agreement.

27 **Section 3.** The Mayor, his successor in office, or his duly authorized representatives, and
28 other officials of the City are hereby authorized and directed to do all things required to be done
29 in order to obtain payments under the Intergovernmental Agreement, including, but not limited
30 to, filing requests for payments, contracting with persons and organizations in order to carry out
31 the provisions of the Intergovernmental Agreement amendment, filing reports and keeping
32 records relating to fiscal and evaluation matters, and forwarding other materials to the Colorado
33 Department of Transportation.

34 **Section 4.** The payments made by the Colorado Department of Transportation to the City
35 pursuant to and under the Intergovernmental Agreement shall be deposited into the Treasury of
36 the City and credited to Special Fund No. 38000, which is set forth and described in
37 Section 20-18 of the Revised Municipal Code of the City and County of Denver.
38

1 **Section 5.** That it be and is hereby found and determined that the budget summary of said
2 project is as follows:

3	ACCOUNTING		EXPENDING	
4	<u>NUMBER</u>	<u>APPROPRIATION ACCOUNT</u>	<u>AUTHORITY</u>	<u>AMOUNT</u>
5				
6	38311-5011102	38 th Avenue Underpass – Inca	Manager of Public Works	
7	-PI806	St. Bike/Ped Bridge		\$ 501,000
8				

9 A match in the amount of \$498,413 is required by this contract and will be provided from the
10 Better Denver Bond, Accounting No. 37130–5011102-PI806.

11 Authorization for expenditure of said funds following execution of said Intergovernmental
12 Agreement will cover the period from execution to completion.

13 **Section 6.** The Manager of Finance of the City and County of Denver is hereby authorized
14 and directed to make such book and record entries and to do such other things as may be
15 necessary to accomplish the purposes of this Ordinance.

16 COMMITTEE APPROVAL DATE: September 1, 2011. (Consent)

17 MAYOR-COUNCIL DATE: September 6, 2011. (Consent)

18 PASSED BY THE COUNCIL: _____, 2011

19 _____ - PRESIDENT

20 APPROVED: _____ - MAYOR _____, 2011

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

24 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

25 PREPARED BY: Kelly A. Greunke, Budget and Management Office DATE: September 8, 2011

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

30 Douglas J. Friednash, Denver City Attorney

31 BY: _____, _____ City Attorney DATE: _____, 2011

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