

AN ORDINANCE

AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF \$12,500,000 TO THE 2021 ANNUAL BUDGET AND AUTHORIZING EXPENDITURE OF GRANT FUNDS FROM THE DENVER REGIONAL COUNCIL OF GOVERNMENTS TO ASSIST THE CITY OF LAKEWOOD IN IMPROVING SAFETY ON COLFAX AVENUE BETWEEN WADSWORTH AND SHERIDAN BOULEVARDS

WHEREAS, Section 12.8 of the City Charter allows City Council to make supplemental appropriations by ordinance during the fiscal year for unanticipated expenditures required for the operation of the City using monies not anticipated in the adopted budget;

WHEREAS, Section 3.04.080 of the Lakewood Municipal Code requires approval by the City Council for any unbudgeted purchase or any purchase of more than fifty thousand dollars that has a change in funding source;

WHEREAS, the City of Lakewood has been awarded a \$10,000,000 *Safer Main Streets Initiative* grant to improve safety and other features of Colfax Avenue between Wadsworth and Sheridan boulevards;

WHEREAS, the Lakewood City Council desires to appropriate the required grant matching funds of \$2,500,000 for the Colfax Safety Project to the 2021 Capital Improvement and Preservation Fund;

WHEREAS, the sources of such grant matching funds shall be: \$1,500,000 from the transportation portion of TABOR funds and \$1,000,000 from Capital Improvement Fund balance, which shall be replenished from transportation TABOR funds available in the future, if any;

WHEREAS, approval of this ordinance on first reading is intended only to confirm that the City Council desires to comply with the Lakewood Municipal Code by setting a public hearing to provide City staff and the public an opportunity to present evidence and testimony regarding the proposal; and

WHEREAS, approval of this ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects or denies the proposal.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakewood, Colorado, that:

SECTION 1. Appropriation and Expenditure. The City Council hereby appropriates and authorizes the expenditure of twelve million five hundred thousand dollars (\$12,500,000) for fiscal year 2021 to fund the Colfax Safety Project.

SECTION 2. Effective Date. This Ordinance shall take effect thirty (30) days after final publication.

SECTION 3. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or application of this Ordinance are not determined by the court to be inoperable.

I hereby attest and certify that the within and foregoing ordinance was introduced and read on first reading at a virtual regular meeting of the Lakewood City Council on the 22<sup>nd</sup> day of February, 2021; published by title in the Denver Post and in full on the City of Lakewood's website at [www.lakewood.org](http://www.lakewood.org), on the 25th day of February, 2021; set for public hearing to be held on the 15th day of March, 2021; read, finally passed and adopted by the City Council on the 15th day of March, 2021; and signed by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Adam Paul, Mayor

ATTEST:

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Bruce Roome, City Clerk

APPROVED AS TO FORM:

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Alison McKenney Brown, City Attorney