

O-2025-4

AN ORDINANCE

AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF CAPITAL IMPROVEMENT FUNDS TO THE 2025 ANNUAL BUDGET IN THE AMOUNT OF \$460,000.00 AND AUTHORIZING THE EXPENDITURE OF THESE FUNDS BY THE DIVISION OF PUBLIC WORKS TO PAY A CONSULTANT TO DESIGN THE CITY'S DESIRED AESTHETIC ENHANCEMENTS FOR THE US6 AND WADSWORTH INTERCHANGE

WHEREAS, Article XII, section 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 of Lakewood ("City") using monies not anticipated in the adopted budget;

WHEREAS, Section 3.04.060 of the Lakewood Municipal Code ("LMC") requires approval by the City Council for any unbudgeted purchase or any purchase of more than seventy-five thousand dollars (\$75,000.00) that has a change in funding source;

WHEREAS, the Colorado Department of Transportation ("CDOT") is implementing a project to redesign and rebuild the US6 and Wadsworth Interchange, with construction anticipated to commence in 2026 (the "Project");

WHEREAS, CDOT will independently fund the Project but the City must pay for the design and construction of any additional aesthetic enhancements it desires to incorporate into the Project;

WHEREAS, the City has identified several aesthetic enhancements it desires to incorporate into the Project;

WHEREAS, the City must hire a consultant, at an estimated cost of \$460,000.00, to professionally design the desired aesthetic enhancements;

WHEREAS, the City did not anticipate this expenditure when preparing the 2025 City Budget and the unbudgeted City expenditure requires City Council approval pursuant to Section 3.04.060 of the LMC;

WHEREAS, to meet the timeline for incorporating the desired aesthetic enhancements into the Project, the City must first pay for and obtain the professional design of such enhancements by the third quarter of 2025 so that CDOT can issue their necessary approvals prior to such enhancements being included in the overall Project plans that will be sent out for bid;

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 ORDAINED by the City Council of the City of Lakewood, Colorado, that:

Section 1. Appropriation and Expenditure. The City Council hereby appropriates four hundred sixty thousand dollars (\$460,000.00) from the City's Capital Improvement Fund for fiscal year 2025 and authorizes the expenditure of such funds by the Public Works Department for the purpose of obtaining consultant services for the design of the aesthetic enhancements the City desires to incorporate into the US6 and Wadsworth Interchange redesign and rebuild.

Section 2. This Ordinance shall become effective thirty (30) days after final publication.

Section 3. 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 within and foregoing Ordinance was introduced and read on first reading at a hybrid regular meeting of the Lakewood City Council on the 27th day of January, 2025; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 30th day of January, 2025; set for public hearing to be held on the 10th day of February, 2025; read, finally passed and adopted by the City Council on the 10th day of February, 2025; and signed by the Mayor on the 11th day of February, 2025.

ATTEST:



Jay Robb, City Clerk



Wendi Strom, Mayor

Approved as to form:



Alison McKenney Brown, City Attorney