

AN EMERGENCY ORDINANCE

AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE LEASE OF PROPERTY LOCATED AT 8000 W. COLFAX AVE., LAKEWOOD, COLORADO BY AND BETWEEN THE CITY OF LAKEWOOD, COLORADO AND VOLUNTEERS OF AMERICA

WHEREAS, the City of Lakewood (the "City") is a municipal corporation duly organized and existing as a home rule city under Article XX of the Colorado Constitution and under the Charter of the City (the "Charter");

WHEREAS, subject to certain exceptions, all legislative powers possessed by the City, conferred by Article XX of the State Constitution or contained in the Charter, as either has from time to time been amended, or otherwise existing by operation of law, are vested in the City Council of the City (the "City Council");

WHEREAS, the City is authorized pursuant to Article XX of the State Constitution and Section 14.3(a) of the Charter and its plenary grant of powers as a home rule city, to enter into lease agreements to lease public buildings and real property held or used for any municipal purpose;

WHEREAS, the City owns property located at 8000 W. Colfax Ave., legally described as the Northwest One-Quarter (NW $\frac{1}{4}$) of Section 2, Township 4 South, Range 69 West of the 6th Principal Meridian, City of Lakewood, County of Jefferson, State of Colorado, and a surface parking lot located at 7900 W. Colfax Ave., legally described as Lot 1, Lakewood Block 80, Filing No. 2, County of Jefferson, State of Colorado (collectively, the "Property" or "Properties");

WHEREAS, the Property will be used to serve unhoused members of the community as a temporary shelter;

WHEREAS, through a competitive bid process, the City has entered into a contract with Volunteers of America (the "Provider") to operate the Property;

WHEREAS, the City and the Provider intend to enter into a long-term lease agreement for the Property;

WHEREAS, the City Council finds and determines that the lease of the Property is authorized by the Colorado Constitution and the Charter and is in the best interests of the City and its residents; 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 any particular proposal related to this proposal identified herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Lakewood, State of Colorado:

SECTION 1. Authorization. The City Council hereby finds and determines that it is in the best interests of the City and its residents to lease the Property to the Provider.

SECTION 2. Execution of Documents. The City Manager or designee is hereby authorized to execute a lease agreement, and all other related documents, in a form approved by the City Attorney, between the City and the Provider.

SECTION 3. Term. The lease shall be for a one (1) year term unless extended by both parties in writing for up to four (4) additional one (1) year terms.

SECTION 4. Emergency Declaration. The City Council of the City of Lakewood hereby finds, determines and declares that an emergency exists arising out of impending severe weather and the needs of the unhoused, and that this ordinance is necessary for the immediate preservation of public property, health, welfare, peace or safety for the reasons enumerated in the recitals and body of this ordinance, which are incorporated into this Section by reference. The City Council further determines that the adoption of this ordinance as an emergency ordinance is in the best interest of the citizens of the City of Lakewood, but if this emergency ordinance is not adopted by an affirmative vote of two-thirds of all members of the City Council it may still be passed as a regular ordinance in conformance with the provisions of Lakewood City Charter § 7.4.

SECTION 5. 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 such remaining portions or application of the Ordinance are not determined by the court to be inoperable.

SECTION 6. Effective Date. This Ordinance shall take effect immediately following both adoption by an affirmative vote of two-thirds of all members of City Council and signature on the ordinance by the Mayor.

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 24th day of November, 2025; published by title in the Denver Post and in full on the City of Lakewood's website, www.lakewood.org, on the 27th day of November, 2025; set for public hearing to be held on the 8th day of December, 2025; read, finally passed and adopted by the City Council on the 8th day of December, 2025; and signed by the Mayor on the 9th day of December, 2025.



ATTEST:

Jay Robb, City Clerk

Wendi Strom, Mayor

APPROVED AS TO FORM:

Alison McKenney Brown, City Attorney