

1 **BY AUTHORITY**

2 RESOLUTION NO. CR17-0716
3 SERIES OF 2017

COMMITTEE OF REFERENCE:
Business, Arts, Workforce & Aeronautical

4 **A RESOLUTION**

5 **Authorizing submittal of an application for a special-purpose subzone of**
6 **Foreign-Trade Zone No. 123 for use by Ackerman North America LLC/dba**
7 **Amann USA and related entities.**

8
9 **WHEREAS**, the City and County of Denver has received permission from the United States
10 Foreign-Trade Zones Board (the "Board") to establish, operate and maintain a foreign trade zone
11 in Denver, Colorado; and

12 **WHEREAS**, the City has acted in the Zone Grantee capacity for Foreign-Trade Zone No.
13 123 since 1985; and

14 **WHEREAS**, the City and County of Denver, as the Zone Grantee, has applied for and
15 received permission from the Board to establish subzones of Foreign-Trade Zone No. 123 for use
16 by companies outside of the City and County of Denver; and

17 **WHEREAS**, the City and County of Denver has received a request to apply to establish a
18 special-purpose foreign-trade subzone for the exclusive use of Ackerman North America LLC/dba
19 Amann USA, and other Ackerman North America entities (together, the "Companies"), in the
20 Denver metropolitan area; and

21 **WHEREAS**, Denver's Office of Economic Development ("OED") has reviewed the request
22 and has determined that establishment of the new subzone would enhance the Companies' and
23 Colorado's global competitiveness and attract and retain jobs in Colorado; and

24 **WHEREAS**, the City Council concurs with OED's recommendation and believes that the
25 City should support the establishment of the subzone; and

26 **WHEREAS**, a resolution of the City Council in support of the establishment of the subzone
27 application is a requirement of applicable federal law, specifically 15 C.F.R. section 400.24(c);

28 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY**
29 **OF DENVER:**

30 **Section 1.** The City and County of Denver, Colorado hereby authorizes submittal of an
31 application to the Foreign-Trade Zones Board for authority to establish a special-purpose foreign-
32 trade subzone for use by the Companies. OED is authorized to send a letter of transmittal of said
33 application, with or without the City's seal, to the Foreign-Trade Zones Board. Subsequent
34 administrative actions, including without limitation minor modifications to any Board Order, or

1 expansion of the zone project, may be filed at the Foreign-Trade Zones Board by the Companies
2 or their representatives without further action of the Denver City Council.

3 COMMITTEE APPROVAL DATE: July 19, 2017 by Consent

4 MAYOR-COUNCIL DATE: July 25, 2017

5 PASSED BY THE COUNCIL: _____,

6 _____ - PRESIDENT

7 ATTEST: _____ - CLERK AND RECORDER,
8 EX-OFFICIO CLERK OF THE
9 CITY AND COUNTY OF DENVER

10 PREPARED BY: Kwali M. Farbes, Assistant City Attorney DATE: August 3, 2017

11 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the Office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.

15
16 Kristin Bronson, City Attorney for the City and County of Denver

17 BY: _____, Assistant City Attorney DATE: _____,