

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor’s Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: **July 9, 2018**

Please mark one: **Bill Request** or **Resolution Request**

1. Type of Request:

- Contract/Grant Agreement** **Intergovernmental Agreement (IGA)** **Rezoning/Text Amendment**
- Dedication/Vacation** **Appropriation/Supplemental** **DRMC Change**

Other: Amendment to General Bond Ordinance

2. Title: (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

An ordinance to authorize amending and restating the City’s 1984 Airport System General Bond Ordinance(Ordinance 626, Series of 1984)

3. Requesting Agency: Finance

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Guadalupe Gutierrez-Vasquez	Name: Guadalupe Gutierrez-Vasquez
Email: lupe.gutierrez@denvergov.org	Email: lupe.gutierrez@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:
The purpose of this ordinance is to implement certain amendments to the City's Airport System General Bond Ordinance for which the required consents of owners of Senior Bonds have been obtained and the required notices will be provided. The ordinance also includes certain technical changes.

6. City Attorney assigned to this request (if applicable): Everett Martinez

7. City Council District: Council District #11, Stacie Gilmore

8. **For all contracts, fill out and submit accompanying Key Contract Terms worksheet**

To be completed by Mayor’s Legislative Team:

Resolution/Bill Number: **BR18 0777**

Date Entered: _____

Key Contract Terms

**Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
Amending and Restating the 1984 Airport System General Bond Ordinance**

Vendor/Contractor Name: N/A

Contract control number: N/A

Location: 1984 Airport System General Bond Ordinance only applied to bonds issued on behalf of DEN, located in Council District 11

Is this a new contract? Yes No **Is this an Amendment?** Yes No **If yes, how many?** N/A
The 1984 General Bond Ordinance has been supplemented with every senior bond financing approved by Council and has been previously amended by Council

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):
Ordinance was originally adopted in 1984 and will remain outstanding so long as there are DEN Senior Bonds outstanding

Contract Amount (indicate existing amount, amended amount and new contract total): N/A

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

Scope of work: N/A

Was this contractor selected by competitive process? N/A **If not, why not?**

Has this contractor provided these services to the City before? N/A Yes No

Source of funds: All Senior, Subordinate and Junior Lien Bonds issued by the City on behalf of DEN are repayable solely by Airport Revenues/Fees.

Is this contract subject to: W/MBE DBE SBE XO101 ACDBE N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): N/A

Who are the subcontractors to this contract? N/A

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Date Entered: _____



CITY AND COUNTY OF DENVER

DEPARTMENT OF FINANCE

BRENDAN J. HANLON
MANAGER OF FINANCE

201 W. COLFAX AVE.
DEPT. 1010
DENVER, COLORADO 80202

Executive Summary

An Ordinance to Authorize Amending and Restated the 1984 Airport System General Bond Ordinance

The General Bond Ordinance, which establishes the requirements for the issuance of Senior Bonds by the City, for and on behalf of the Department of Aviation, was adopted by the City in 1984 and has been amended and supplemented numerous times over the years. The General Bond Ordinance has never been formally amended and restated to reflect these previous amendments. The Ordinance will amend and restate the General Bond Ordinance to (i) incorporate into a single ordinance the previously enacted amendments; (ii) enact and incorporate into a single ordinance certain amendments to the General Bond Ordinance which have been consented to by bondholders ("Proposed Amendments"); and (iii) enact certain technical amendments to the General Bond Ordinance which do not require bondholder consent.

Bondholders have consented to the Proposed Amendments since 2000. More than a majority of the owners of the outstanding Senior Bonds as well as owners of the Airport's Subordinate Bonds have consented to the Proposed Amendments. Upon evaluation of the City, DEN, the City's financial advisor and bond counsel, the determination has been made to proceed with this ordinance to enact the Proposed Amendments. The Proposed Amendments include the following:

- (i) amending the definition of "Debt Service Requirements" to address certain balloon maturities and certain short-term/demand obligations;
- (ii) expanding the definition of "Investment Securities";
- (iii) clarifying the treatment of certain hedge facilities;
- (iv) authorizing the potential exclusion of certain released revenues from the definition of "Gross Revenues";
- (v) clarifying the deemed maturity date of certain investments required to be discharged by a third party;
- (vi) authorizing the incurrence of certain "Contract Obligations," such as capital leases and installment purchase agreements, pursuant to a Supplemental Ordinance;
- (vii) authorizing the use of a loan or financing agreement in connection with the issuance of Special Facility Bonds;
- (viii) expanding the definition of defeasance securities to include other investments that the rating agencies have determined are permitted defeasance securities;
- (ix) providing that the rating agencies shall receive a copy of each notice given to owners of Bonds; and
- (x) clarifying that for purposes of consents, directions and notices, the "owner" of Bonds that are insured by a bond insurance policy shall mean the issuer of such policy.

In addition to the Proposed Amendment and the previously enacted amendments, there are certain technical changes that are being implemented as part of this request. For example, provisions to notice requirements for redemption of bonds is outdated and more modern methods of communication are currently used in the municipal bond market. There is no change in the delegation authorities of Council, the City's Manager of Finance or the Manager of Aviation.

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