

1 **BY AUTHORITY**

2 **ORDINANCE NO. _____**

COUNCIL BILL NO. CB16-0980

3 **SERIES OF 2016**

COMMITTEE OF REFERENCE:

4 **BUSINESS, ARTS, WORKFORCE & AERONAUTICAL SERVICES**

5 **A BILL**

6 **For an ordinance concerning the Airport Facilities of the City and County of**
7 **Denver; authorizing the issuance of the “City and County of Denver,**
8 **Colorado, for and on behalf of its Department of Aviation, Airport System**
9 **Revenue Bonds, Series 2016B” in the maximum aggregate principal**
10 **amount of \$115,000,000 for the purpose of paying the costs of the Series**
11 **2016B Refunding Project, and providing other details in connection**
12 **therewith; providing the amount, terms and other details of such bonds;**
13 **authorizing the execution of certain related agreements; ratifying action**
14 **previously taken; providing for other related matters; and providing the**
15 **effective date of this ordinance.**

16 (1) WHEREAS, the City and County of Denver, in the State of Colorado (the “City”
17 and the “State,” respectively), is a municipal corporation duly organized and existing as a
18 home rule city under Article XX, State Constitution, and under the Charter of the City, and is a
19 political subdivision of the State; and

20 (2) WHEREAS, subject to certain exceptions, all legislative powers possessed by
21 the City, conferred by Article XX, State Constitution, or contained in the Charter of the City, as
22 either has from time to time been amended, or otherwise existing by operation of law, are
23 vested in the city council of the City; and

24 (3) WHEREAS, pursuant to Article XX, State Constitution, the Charter of the City,
25 and the plenary grant of powers as a home rule city, the City has acquired certain airport
26 facilities constituting its Airport System, the management, operation, and control of which is
27 vested by the Charter of the City in the Department of Aviation of the City (the “Department”);
28 and

29 (4) WHEREAS, by Ordinance No. 755, Series of 1993 (the “Enterprise Ordinance”),
30 the City designated the Department as an “enterprise” within the meaning of Section 20,
31 Article X, State Constitution; and

1 (5) WHEREAS, the Enterprise Ordinance provides that, the City owns the
2 Department; the Manager of the Department of Aviation (the “Manager”) is the governing body
3 of the Department; and the Department has the authority to issue its own bonds or other
4 financial obligations in the name of the City, payable solely from revenues derived or to be
5 derived from the functions, services, benefits or facilities of the Department or from any other
6 available funds, as authorized by ordinance after approval and authorization by the Manager;
7 and

8 (6) WHEREAS, there have heretofore been issued in respect of the Airport System
9 the following issues of Bonds collectively defined herein as the “Senior Bonds”:

10 (i) the “City and County of Denver, Colorado, Airport System Revenue
11 Bonds, Series 1984,” as authorized by Ordinance No. 626, Series of 1984, cited as the
12 “1984 Airport System General Bond Ordinance (the “General Bond Ordinance”),” and
13 Ordinance No. 627, Series of 1984;

14 (ii) the “City and County of Denver, Colorado, Airport System Revenue
15 Bonds, Series 1985,” as authorized by the General Bond Ordinance and Ordinance No.
16 674, Series of 1985;

17 (iii) the “City and County of Denver, Colorado, Airport System Revenue
18 Bonds, Series 1990A,” as authorized by the General Bond Ordinance and Ordinance
19 No. 268, Series of 1990;

20 (iv) the “City and County of Denver, Colorado, Airport System Revenue
21 Bonds, Series 1991A,” as authorized by the General Bond Ordinance and Ordinance
22 No. 278, Series of 1991;

23 (v) the “City and County of Denver, Colorado, Airport System Revenue
24 Bonds, Series 1991D,” as authorized by the General Bond Ordinance and Ordinance
25 No. 726, Series of 1991;


26 (vi) the “City and County of Denver, Colorado, Airport System Revenue
27 Bonds, Series 1992A,” as authorized by the General Bond Ordinance and Ordinance
28 No. 82, Series of 1992;

1 COMMITTEE APPROVAL DATE: October 19, 2016

2 MAYOR-COUNCIL DATE: October 25, 2016

3 PASSED BY THE COUNCIL November 7, 2016

4  - PRESIDENT

5 APPROVED:  - MAYOR Nov 8, 2016

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2016 AND _____ 2016

10 PREPARED BY: HOGAN LOVELLS US LLP and BECKER STOWE PARTNERS LLC; DATE:
11 October 27, 2016

12 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office
13 of the City Attorney. We find no irregularity as to form, and have no legal objection to the
14 proposed ordinance. The proposed ordinance is submitted to the City Council for approval
15 pursuant to § 3.2.6 of the Charter.

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

17 BY: , Assistant City Attorney DATE: Oct 27, 2016