

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0074
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance approving the Service Plans for the formation and establishment of the Aviation Station area metropolitan districts including Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4.

WHEREAS, upon publication of notice, City Council held a public hearing regarding the formation of, Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4, (collectively the “Districts”), on February 25, 2013; and

WHEREAS, the City Council acknowledges that the boundaries of the Districts overlap with the boundaries of the existing Gateway Regional Metropolitan District (the “Overlap District”); and

WHEREAS, pursuant to C.R.S. § 32-1-107(3)(b)(IV), the Overlap District has consented to the formation of the Districts and the provision of the same services and facilities in any overlapping area; and

WHEREAS, pursuant to C.R.S. § 32-1-107(3)(b)(II), it is necessary that the City Council adopt a resolution approving the inclusion of such overlapping services as part of the Service Plans for the Districts.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Pursuant to C.R.S. § 32-1-107(3)(b)(II), the City Council hereby approves the inclusion of overlapping services and facilities between the Gateway Regional Metropolitan District and the Districts as part of the Service Plans for the Districts.

Section 2. That upon consideration of the Service Plans (and the conclusions contained therein) and other facts and information, including holding a duly noticed public hearing, the Service Plans for the Districts, available in the office and on the web page of City Council, to be

1 filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver,
2 including Aviation Station North Metropolitan District No. 1, City Clerk's Filing No. 2013-0137,
3 Aviation Station North Metropolitan District No. 2, City Clerk's Filing No. 2013-0138, Aviation
4 Station North Metropolitan District No. 3, City Clerk's Filing No. 2013-0139, Aviation Station North
5 Metropolitan District No. 4, City Clerk's Filing No. 2013-0140, Aviation Station North Metropolitan
6 District No. 5, City Clerk's Filing No. 2013-0141, Aviation Station North Metropolitan District No. 6,
7 City Clerk's Filing No. 2013-0142, Smith Metropolitan District No. 1, City Clerk's Filing No. 2013-
8 0143, Smith Metropolitan District No. 2, City Clerk's Filing No. 2013-0144, Smith Metropolitan
9 District No. 3, City Clerk's Filing No. 2013-0145 and Smith Metropolitan District No. 4, City Clerk's
10 Filing No. 2013-0146, are hereby approved.

11 COMMITTEE APPROVAL DATE: February 5, 2013

12 MAYOR-COUNCIL DATE: February 12, 2013

13 PASSED BY THE COUNCIL _____ 2013
14 _____ - PRESIDENT

15 APPROVED: _____ - MAYOR _____ 2013

16 ATTEST: _____ - CLERK AND RECORDER,
17 EX-OFFICIO CLERK OF THE
18 CITY AND COUNTY OF DENVER
19

20 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2013; _____ 2013

21 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: February 14, 2013

22 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
23 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
25 3.2.6 of the Charter.

26 Douglas J. Friednash, City Attorney for the City and County of Denver

27 BY: _____, Assistant City Attorney DATE: _____, 2013