Committee Draft

1 BY AUTHORITY ORDINANCE NO. _____ COUNCIL BILL NO. 2 COMMITTEE OF REFERENCE: 3 SERIES OF 4 5 6 7 A BILL 8 9 For an ordinance referring to the ballot at the November 3, 2015 coordinated election a question concerning the approval of an Amendatory Intergovernmental Agreement 10 between the City and County of Denver and Adams County governing the development 11 and use of certain property at Denver International Airport 12 13 14 15 WHEREAS, the City and County of Denver and Adams County previously entered into 16 an Intergovernmental Agreement on Annexation and an Intergovernmental Agreement on a 17 New Airport, both dated April 21, 1988, providing for the detachment of territory from Adams 18 County and the annexation of that land into Denver County pursuant to Sec. 30-6-109.5, 19 C.R.S., and 20 21 WHEREAS, Adams County voters approved the 1988 Agreements at a special election 22 on May 17, 1988; and 23 24 WHEREAS, the 1988 Agreements provided for, among other things, certain land use 25 restrictions on and around the airport; and 26 27 WHEREAS, certain municipalities located in Adams County are identified as third-party 28 beneficiaries to the 1988 Agreements; and 29 30 WHEREAS, the parties and the third-party beneficiaries are proposing to amend the 31 land use restrictions 1988 Agreements to provide greater opportunities for businesses to locate 32 on airport property, in exchange for sharing a portion of the city tax revenue derived from such 33 businesses, with the overall objective or promoting regional economic development on and 34 around Denver International Airport; and 35

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WHEREAS, the parties have determined that approval of the Amendatory Intergovernmental Agreement should require the consent of the voters in both Adams County and Denver County.

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

Section 1. Pursuant to § 8.2.3 of the Charter, the City Council hereby calls a special municipal election to be conducted on November 3, 2015 and coordinated with the regular biennial school district election occurring on said date. In accordance with § 3.3.6 of the Charter and Article X, Section 20(3)(c) of the Colorado Constitution, the following question shall be submitted to a vote of the registered electors of the City and County of Denver at said election. Each elector voting at said election and desirous of voting for or against the tax increase shall cast a vote as provided by law either "Yes" or "No" on the proposition:

Referred Question _____

"hall the City and County of Denver be authorized to amend the intergovernmental agreements between Denver and Adams County that originally provided for the annexation and development of Denver International Airport (DIA); with the purpose of the amendments being to provide additional opportunities for commercial development at DIA, to share with Adams County one-half of the available tax revenue derived by Denver from such development, and generally to promote economic development and job creation in and around DIA in both Denver and Adams County; and with Denver's commitment to share tax revenue with Adams County being treated as a multiple fiscal year financial obligation within the meaning of Article X, Section 20(4)(b) of the Colorado Constitution?

The proper officials of the City and County of Denver as are charged with duties relating to the election shall, before the election, issue such calls, make such certifications, and publications, give such notices (including, without limitation, the notice required by Art. X, §20(3)(b) of the Colorado Constitution), make such appointments, and do all such other acts and things in connection with the submission of this question to the registered electors of the City and County of Denver at the election as are required by the constitution and laws of the state of Colorado and the Charter and ordinances of the City and County of Denver. The ballots cast at such election shall be canvassed and the results

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1	ascertained, determined, and certified in accordance with the requirements of the Constitution and			
2	laws of the State of Colorado and the Charter and ordinances of the City and County of Denver.			
3				
4	Section 2. If and only if the question set forth in Section 1 is approved by Denver voters,			
5	and Adams County voters likewise grant their approval, the Mayor shall be authorized to execute			
6	the proposed Amendatory Intergovernmental Agreement between the City and County of Denver			
7	and County of Adams, in the words and figures contained and set forth in that document as			
8	available for public inspection in the office and on the web page of City Council, and filed in the			
9	office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under City			
10	Clerk's Filing No			
11				
12				
13				
14	COMMITTEE APPROVAL DATE:			
15	MAYOR-COUNCIL DATE:			
16				
17				2015
18			- PRESIDENT	
19			MAYOR	_ 2015
20 21	ATTEST:		CLERK AND RECORDER, EX-OFFICIO CLERK OF THE	
22			CITY AND COUNTY OF DENVER	
23	NOTICE BURLIOUES IN THE		00.45	0045
24	NOTICE PUBLISHED IN THE	DAILY JOURNAL	2015;	2015
25		Duna di wall. A naintaunt C	Str. Attornoon, DATE, hope 4, 2045	
26	PREPARED BY: David W. Broadwell, Assistant City Attorney; DATE: June 1, 2015			
27	Durayant to agotion 12 12 D.D.	M.C. this proposed o	rdinance has been reviewed by the offi	oo of the
28 29	Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed			
30	ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to			
31 32	3.2.6 of the Charter.			
33	D. Scott Martinez, City Attorney	У		
34	City Attorney			
35	BY:,City Attorney			
36	DATE:			