

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2017

COUNCIL BILL NO. CB17-0810
COMMITTEE OF REFERENCE:
4 Finance & Governance

5 **A BILL**

6 **For an ordinance approving the Emily Griffith Opportunity School Urban**
7 **Redevelopment Plan and the creation of the Emily Griffith Opportunity School**
8 **Redevelopment Area and the Emily Griffith Opportunity School Tax Increment**
9 **Area.**

10
11 **WHEREAS**, the City and County of Denver ("City") is a consolidated city and county
12 government pursuant to Article XX, Section 1 of the Constitution of the State of Colorado; and

13 **WHEREAS**, the Denver Urban Renewal Authority ("Authority") is a body corporate organized by
14 the Colorado Urban Renewal Law, § 31-25-101, *et seq.*, Colorado Revised Statutes ("Act"); and

15 **WHEREAS**, the City and the Authority are cooperating on the redevelopment of the Emily
16 Griffith Opportunity School area of Denver and desire to create an urban redevelopment area through
17 the adoption of this Emily Griffith Opportunity School Urban Redevelopment Plan ("EGOS Urban
18 Redevelopment Plan") to facilitate redevelopment of the area as more fully set forth in the EGOS
19 Urban Redevelopment Plan; and

20 **WHEREAS**, there has been prepared and referred to the Council of the City and County of
21 Denver ("City Council") for its consideration and approval a copy of the EGOS Urban Redevelopment
22 Plan filed with the Denver City Clerk on the 3rd day of August, 2017, in City Clerk File No. 2017-0363;
23 and

24 **WHEREAS**, the EGOS Urban Redevelopment Plan has been approved by the Board of
25 Commissioners of the Authority; and

26 **WHEREAS**, the Denver Planning Board, which is the duly designated and acting official
27 planning body of the City, has submitted to the City Council its report and recommendations
28 respecting the EGOS Urban Redevelopment Plan for the EGOS Urban Redevelopment Area and
29 certifies that the EGOS Urban Redevelopment Plan conforms to the general plan for the City as a
30 whole, and the City Council duly considered the report, recommendations and certifications of the
31 Planning Board; and

32 **WHEREAS**, in accordance with the requirements of § 31-25-107(9.5) of the Act, School District
33 No. 1 in the City and County of Denver has entered into an agreement with the Authority (the "DPS
34 Agreement") and the Urban Drainage and Flood Control District entered into an agreement with the
35 Authority (the "UDFCD Agreement"); and

1 **WHEREAS**, after notice as required by Colorado Revised Statutes, a public hearing has been
2 held concerning the EGOS Urban Redevelopment Plan ("Public Hearing").

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

5 **Section 1.** That it be and is hereby found and determined, based upon the evidence
6 presented at the Public Hearing, in the Conditions Study, and testimony at the Public Hearing, that the
7 EGOS Urban Redevelopment Area consists of a "blighted area," which is appropriate for one or more
8 urban redevelopment projects according to the urban renewal law of the State of Colorado, C.R.S. §
9 31-25-101, *et seq.* ("Act"), and which, by reason of the following factors, constitutes "blight" (as
10 defined in the Act), constitutes an economic and social liability, and is a menace to the public health,
11 safety, morals and welfare: (i) slum, deteriorated, or deteriorating structures, (ii) unsanitary or unsafe
12 conditions, (iii) deterioration of site or other improvements, (iv) environmental contamination of
13 buildings or property, and (v) existence of health, safety or welfare factors requiring high levels of
14 municipal services or substantial physical underutilization or vacancy of sites, buildings, or other
15 improvements.

16 **Section 2.** That it be and is hereby found and determined that the EGOS Urban
17 Redevelopment Plan conforms to the Denver Comprehensive Plan 2000, as supplemented, and is
18 necessary and appropriate to facilitate the proper growth and development of the community in
19 accordance with sound planning standards and local community objectives.

20 **Section 3.** That it be and is hereby found and determined that the EGOS Urban
21 Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City as
22 a whole, for the rehabilitation and redevelopment of the EGOS Urban Redevelopment Area by private
23 enterprise.

24 **Section 4.** That it be and is hereby found and determined that the conditions of blight in the
25 EGOS Urban Redevelopment Area constitute an economic and social liability and a menace to the
26 public health, safety, morals, or welfare.

27 **Section 5.** That if any individuals or families are displaced from dwelling units as a result of
28 adoption or implementation of the EGOS Urban Redevelopment Plan, a feasible method exists for the
29 relocation of those individuals or families in accordance with the Act.

30 **Section 6.** That if business concerns are displaced by the adoption or implementation of
31 EGOS Urban Redevelopment Plan, a feasible method exists for the relocation of those business
32 concerns in accordance with the Act.

33 **Section 7.** That it be and is hereby found and determined that reasonable efforts have been

1 taken by the Authority and the City to provide written notice of the Public Hearing to all property
2 owners, residents and owners of business concerns in the EGOS Urban Redevelopment Area at least
3 thirty (30) days prior to the date hereof.

4 **Section 8.** That it be and is hereby found and determined that no more than one hundred
5 twenty (120) days have passed since the commencement of the Public Hearing for the EGOS Urban
6 Redevelopment Plan.

7 **Section 9.** That it be and is hereby found and determined that the EGOS Urban
8 Redevelopment Plan contains no property that was included in a previously submitted urban renewal
9 plan that was not approved by the City Council.

10 **Section 10.** That it be and is hereby found and determined that the EGOS Urban
11 Redevelopment Plan conforms to the Denver Comprehensive Plan 2000, as a whole, and is
12 necessary and appropriate to facilitate the proper growth and development of the community in
13 accordance with sound planning standards and local community objectives.

14 **Section 11.** That it be and hereby is found that the DPS Agreement and the UDFCD
15 Agreement have been entered into in satisfaction of the requirements of Section 31-25-107(9.5) of the
16 Act.

17 **Section 12.** That the City and County of Denver can adequately finance any additional City
18 and County of Denver infrastructure and services required to serve development within the EGOS
19 Urban Redevelopment Area for the period during which City and County of Denver property taxes are
20 paid to the Authority.

21 **Section 13.** That the EGOS Urban Redevelopment Plan, having been duly reviewed and
22 considered, be and hereby is approved.

23

1 COMMITTEE APPROVAL DATE: July 25, 2017

2 MAYOR-COUNCIL DATE: August 1, 2017

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

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 ordinance has been reviewed by the office of the
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
14 3.2.6 of the Charter.

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

17 BY: _____, Assistant City Attorney DATE: _____