

ORDINANCE/RESOLUTION REQUEST

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: 10/13/2015

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: **An ordinance concerning operation and management of a hotel facility constituting an Airport Facility of the City and County of Denver; providing for the administration of certain hotel revenues and the creation of certain funds and accounts in connection therewith; ratifying action previously taken; and providing the effective date of this ordinance.**

3. Requesting Agency: Department of Aviation

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- Name: Amy Raaz
- Phone: (303) 342-2201
- Email: Amy.Raaz@flydenver.com
- or-
- Name: Kevin Cain / Gisela Shanahan
- Phone: (303)342-2541 (Kevin Cain) / (303)342-2458 (Gisela Shanahan)
- Email: kevin.cain@flydenver.com / gisela.shanahan@flydenver.com

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor Council and who will be available for first and second reading, if necessary.)*

- Name: Kevin Cain / Gisela Shanahan
- Phone: (303)342-2541 (Kevin Cain) / (303)342-2458 (Gisela Shanahan)
- Email: kevin.cain@flydenver.com / gisela.shanahan@flydenver.com

6. General description of proposed ordinance including contract scope of work if applicable:

***Please complete the following fields: (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. Contract Control Number: N/A
- b. Duration: Continuing
- c. Location: DIA
- d. Affected Council District: 11
- e. Benefits: Allows for the administration of hotel revenue related to the Westin and Denver International Airport in accordance with the existing Hotel Management Agreement between the City and County of Denver and the hotel operator.
- f. Costs: None.
- g. Date Goals Assigned: N/A
- h. Goals: N/A

7. Is there any controversy surrounding this ordinance? *(Groups or individuals who may have concerns about it?)* Please explain. **None known.**

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

Executive Summary:

Ordinance No. 626, Series of 1984 (as amended and supplemented from time to time, the "General Bond Ordinance" or "GBO") Section 501, provides that, subject to certain limitations (not relevant here), separate, additional accounts and subaccounts may be created within the Airport System Fund by Supplemental Ordinance. The proposed Ordinance will, as permitted by the General Bond Ordinance, establish certain funds/accounts necessary to fulfill obligations under the Hotel Management Agreement between the City and County of Denver and Westin DIA Operator, LLC, approved by Council in April 2011. The proposed Ordinance provides for the administration of hotel revenues in accordance with the terms of the Hotel Management Agreement.

Essentially, the proposed Ordinance deals with how revenue is treated under the General Bond Ordinance. Once the airport hotel begins generating a revenue stream, the revenues would be considered Gross Revenues of the Airport System and the General Bond Ordinance outlines how they must be applied in the airport's flow of funds. The proposed Ordinance establishes the ability to deposit the hotel revenue stream into the fund already created by a separate ordinance (the "Fund Ordinance", submitted October 2, 2015, on Consent Agenda October 13, 2015). This approach is a deviation from the treatment of Gross Revenues under the GBO, and requires an ordinance under the GBO. The proposed Ordinance defines how the revenues may be used once deposited into the fund created by the Fund Ordinance. So, the Fund Ordinance has created a fund for hotel revenue, and the proposed Ordinance allows revenue to go into the fund.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____