BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB19-0744

SERIES OF 2019 COMMITTEE OF REFERENCE:

Finance & Governance

A BILL

For an ordinance approving the East Colfax Corridor Urban Redevelopment Plan and the creation of the East Colfax Corridor Urban Redevelopment Area and the East Colfax Corridor Property Tax Increment Area and Sales Tax Increment Area.

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

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

WHEREAS, the City and the Authority are cooperating on the redevelopment of the East Colfax corridor area in Denver and desire to create an urban redevelopment area through the adoption of this East Colfax Corridor Urban Redevelopment Plan to facilitate redevelopment of the area as more fully set forth in the East Colfax Corridor Urban Redevelopment Plan; and

WHEREAS, there has been prepared and referred to the Council of the City and County of Denver ("City Council") for its consideration and approval a copy of the East Colfax Corridor Urban Redevelopment Plan filed with the Denver City Clerk on the 15th day of August, 2019, in City Clerk File No. 20190068; and

WHEREAS, the East Colfax Corridor Urban Redevelopment Plan has been approved by the Board of Commissioners of the Authority; and

WHEREAS, the Denver Planning Board, which is the duly designated and acting official planning body of the City, has submitted to the City Council its report and recommendations respecting the East Colfax Corridor Urban Redevelopment Plan for the East Colfax Corridor Urban Redevelopment Area and certifies that the East Colfax Corridor Urban Redevelopment Plan conforms to the general plan for the City as a whole, and the City Council duly considered the report, recommendations and certifications of the Planning Board; and

WHEREAS, in accordance with the requirements of § 31-25-107(9.5) of the Act, School District No. 1 in the City and County of Denver shall negotiate and enter into one or more agreements with the Authority (collectively, the "DPS Agreement") and the Urban Drainage and Flood Control District shall negotiate and enter into one or more agreements with the Authority (collectively, the "UDFCD Agreement"); and

WHEREAS, after notice as required by Colorado Revised Statutes, a public hearing has been held concerning the East Colfax Corridor Urban Redevelopment Plan ("Public Hearing").

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

Section 1. That it be and is hereby found and determined, based upon the evidence presented at the Public Hearing, in the Conditions Study, and testimony at the Public Hearing, that the East Colfax Corridor Urban Redevelopment Area consists of a "blighted area," which is appropriate for one or more urban redevelopment projects according to the Act, and which, by reason of the following factors, constitutes "blight" (as defined in the Act), constitutes an economic and social liability, and is a menace to the public health, safety, morals and welfare: (i) slum, deteriorated, or deteriorating structures, (ii) unsanitary or unsafe conditions, (iii) deterioration of site or other improvements, (iv) unusual topography or inadequate public improvements or utilities, and (v) existence of health, safety or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

Section 2. That it be and is hereby found and determined that the East Colfax Corridor Urban Redevelopment Plan conforms to the Denver Comprehensive Plan 2040, as supplemented, and is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.

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

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

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

Section 6. That if business concerns are displaced by the adoption or implementation of East Colfax Corridor Urban Redevelopment Plan, a feasible method exists for the relocation of those business concerns in accordance with the Act.

Section 7. That it be and is hereby found and determined that reasonable efforts have been taken by the Authority and the City to provide written notice of the Public Hearing to all property

owners, residents and owners of business concerns in the East Colfax Corridor Urban Redevelopment Area at least thirty (30) days prior to the date hereof.

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

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

Section 10. That it be and hereby is found that the DPS Agreement and the UDFCD Agreement satisfy of the requirements of § 31-25-107(9.5) of the Act.

Section 11. That the City and County of Denver can adequately finance any additional City and County of Denver infrastructure and services required to serve development within the East Colfax Corridor Urban Redevelopment Area for the period during which City and County of Denver property taxes are paid to the Authority.

Section 12. That the East Colfax Corridor Urban Redevelopment Plan, having been duly reviewed and considered, be and hereby is approved.

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COMMITTEE APPROVAL DATE: July 30, 2019

MAYOR-COUNCIL DATE: August 6, 2019

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: August 15, 2019

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 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____