

BY AUTHORITY

ORDINANCE NO. ORD 15-0402
SERIES OF 2015
AS AMENDED 6-29-15

COUNCIL BILL NO. CB15-0402
COMMITTEE OF REFERENCE:
BUSINESS DEVELOPMENT

A BILL

For an ordinance referring to the ballot at the November 3, 2015 coordinated election a question concerning the approval of an Amendatory Intergovernmental Agreement between the City and County of Denver and Adams County governing the development and use of certain property at Denver International Airport.

WHEREAS, the City and County of Denver and Adams County previously entered into an Intergovernmental Agreement on Annexation and an Intergovernmental Agreement on a New Airport, both dated April 21, 1988, providing for the detachment of territory from Adams County and the annexation of that land into Denver County pursuant to Sec. 30-6-109.5, C.R.S., and

WHEREAS, Adams County voters approved the 1988 Agreements at a special election on May 17, 1988; and

WHEREAS, the 1988 Agreements provided for, among other things, certain land use regulations on and around the airport; and

WHEREAS, certain municipalities located in Adams County are identified as third-party beneficiaries to the 1988 Agreements; and

WHEREAS, the parties and the third-party beneficiaries are proposing to amend the land use regulations in the 1988 Agreements to provide greater opportunities for businesses to locate on airport property, in exchange for sharing a portion of the city tax revenue derived from such businesses, with the overall objective of promoting regional economic development on and around Denver International Airport; and

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.



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City & County of Denver

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

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

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Referred Question _____

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15 “Shall the City and County of Denver be authorized to amend the intergovernmental
16 agreements between Denver and Adams County that originally provided for the
17 annexation and development of Denver International Airport (DIA); with the purpose
18 of the amendments being to provide additional opportunities for commercial
19 development at DIA, to share with Adams County one-half of the available tax
20 revenue derived by Denver from such development **without imposing any new tax**
21 **or increasing any tax rate**, and generally to promote economic development and job
22 creation in and around DIA in both Denver and Adams County; and with Denver’s
23 commitment to share tax revenue with Adams County being treated as a multiple
24 fiscal year financial obligation within the meaning of Article X, Section 20(4)(b) of the
25 Colorado Constitution?”

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

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Section 2. If and only if the question set forth in Section 1 is approved by Denver voters, and Adams County voters likewise grant their approval, the Mayor shall be authorized to execute the proposed Amendatory Intergovernmental Agreement between the City and County of Denver and County of Adams, in the words and figures contained and set forth in that document as available for public inspection in the office and on the web page of City Council, and filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, under City Clerk's Filing No. ~~2015-0264~~ **2015-0264-A**.

COMMITTEE APPROVAL DATE: June 9, 2015
MAYOR-COUNCIL DATE: June 16, 2015

PASSED BY THE COUNCIL: June 29, 2015

Judy H. Montero - PRESIDENT PRO-TEM

APPROVED: [Signature] - MAYOR 6/30, 2015

ATTEST: [Signature] - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: JUN 25, 2015; JUL 6, 2015

PREPARED BY: David Broadwell, Assistant City Attorney DATE: June 18, 2015

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. The bill must pass no later than August 31, 2015 to meet the deadline for the November ballot.

D. Scott Martinez, City Attorney for the City and County of Denver

BY: [Signature], Assistant City Attorney
2015

DATE: June 18,

