

ORDINANCE NO. 948

AN ORDINANCE SUBMITTING TO A VOTE  
OF THE QUALIFIED ELECTORS THEREIN  
THE QUESTION OF CREATING A DOWNTOWN  
DEVELOPMENT AUTHORITY, SETTING THE  
SPECIAL ELECTION THEREON FOR  
FEBRUARY 7, 1984

WHEREAS, the City Council has determined that it is necessary to establish a Downtown Development Authority for the public health, safety, prosperity, security and welfare and to halt and prevent deterioration of property values in the central business district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. That pursuant to part 8, Article 25 of Title 31, Colorado Revised Statutes, there be submitted to the qualified electors (as that term is defined in said part 8) of the District hereinafter described at a special election to be held within the District on February 7, 1984, in the City of Golden, the following question, to wit:

"Shall a Downtown Development Authority be formed within the area which is bounded as follows:

Beginning at the intersection of the center line projected of East Street with the center line of Clear Creek; thence southerly along the center line projected of East Street to the center line of 14th Street; thence westerly along the center line of 14th Street to the center line of Ford Street; thence southerly along the center line of Ford Street to the center line of 19th Street; thence westerly along the center line of 19th Street to the center line of Washington Avenue; thence northerly along the center line of Washington Avenue to the center line of 16th Street; thence westerly along the center line of 16th Street a distance of 185 feet to the center line projected of the north/south alley in Block 60 (South Golden); thence northerly along the center line of the north/south alleys in Blocks 60 and 53 (South Golden) to the center line of the east/west alley in said Block 53; thence westerly along the center line of the east/west alley in said Block 53 to the westerly property line projected of Lot 10, Block 53 (South Golden); thence northerly along the westerly property line projected of said Lot 10 to the

center line of 14th Street; thence westerly along the center line of 14th Street to the center line of Arapahoe Street; thence northerly along the center line of Arapahoe Street to the center line of 13th Street; thence westerly along the center line of 13th Street to the westerly line projected of Lots 11 and 2, Block 24 (South Golden); thence northerly along the westerly line projected of said Lots 11 and 2 to the center line of 12th Street; thence westerly along the center line of 12th Street to the westerly line projected of Lot 10, Block 5 (South Golden); thence northerly along the westerly line projected of said Lot 10 to the center line of the east/west alley in said Block 5; thence easterly along the center line of the east/west alley in said Block 5 to the westerly line projected of Lot 1, Block 5 (South Golden); thence northerly along said westerly line projected of Lot 1 to the center line of 11th Street; thence westerly along the center line of 11th Street to the center line of Cheyenne Street; thence northerly along the center line projected of Cheyenne Street to the center line of Clear Creek; thence easterly along the center line of Clear Creek to point of beginning; all within the City of Golden, County of Jefferson, State of Colorado."

Section 2. If the Downtown Development Authority is approved, an ad valorem tax not to exceed 5 mills within the boundaries of the Authority may be assessed, levied and collected by the City Council of the City of Golden for the use and benefit of the Authority in accordance with the provisions of said part 8. Further, also as provided in said part 8, the Authority may adopt a development plan and defray the expense thereof through tax increment financing, if the same is approved by City Council.

Section 3. A special election is hereby called by the City Council to be held on the 7th day of February, 1984, between the hours of 7:00 a.m. and 7:00 p.m. of said day, to permit "qualified electors" to vote on said question of whether a Downtown Development Authority should be formed. The election of said question on the adoption of the Downtown Development Authority shall be held at a single polling place as follows:

Mitchell Elementary School  
700 12th Street

Section 4. No vote, either for or against the question to be submitted at said special election, shall be received or permitted by the judges of election unless the person offering the same shall be a "qualified elector" of the proposed District.

A "qualified elector" of the proposed District is one who, upon the date of the election, is either a resident, a landowner, or a lessee, as said terms are hereinafter defined. Any landowner or lessee which is not a natural person may vote only if it designates by some official action a representative thereof to cast his ballot. No qualified elector is permitted to cast more than one vote, even though any person qualified or lawfully designated may be entitled to cast the vote of more than one qualified elector.

"Landowner" means the owner in fee of any undivided interest in real property or any improvement permanently affixed thereto within the boundaries of the proposed District. "Owner in fee" includes a contract purchaser obligated to pay general taxes, an heir, and a devisee under a will admitted to probate and does not include a contract seller of property with respect to which the contract purchaser is deemed to be the owner in fee.

"Lessee" means the holder of a leasehold interest in real property within the boundaries of the proposed District. "Leasehold interest" does not include a license or mere contract right to use property within the boundaries of the proposed District.

"Resident" means one who is a citizen of the United States and a resident of the State of Colorado, 18 years of age or older, who makes his primary dwelling place within the boundaries of the proposed District.

Section 5. Votes at said special election, except those cast by absentee voters, shall be registered on voting devices at the polling place. On each voting device at the polling place the ballot label shall contain the question as set forth in Section 1 herein. On each such voting device there shall be areas which will permit the qualified elector to indicate his vote "FOR THE FORMATION OF THE DOWNTOWN DEVELOPMENT AUTHORITY" or "AGAINST THE FORMATION OF THE DOWNTOWN DEVELOPMENT AUTHORITY" on the question submitted. There shall be provided at the polling place two sample ballots which shall be arranged in the form of the ballot

pages as they will appear on each voting device after the official ballot pages are inserted for this election. The judges of the election shall comply strictly with the provisions of the Colorado Municipal Election Code, as amended, as the same relate to electronic voting systems. The election on the question of the formation of the Downtown Development Authority shall be held and conducted, the votes cast on the question declared in the same manner and as nearly as may be provided by law for the return, canvass and the declaration of the result of votes cast in any general municipal election in the City of Golden. Notice of said election shall be as prescribed by the Colorado Municipal Election Code of 1965, and the requirements of Section 31-25-801, et seq, Colorado Revised Statutes. The City Clerk is hereby charged with the duty of giving said notice of said election as provided by law and to be in form approved by the City Attorney.

Section 6. When any qualified elector on the day of the election, shall be absent from the City, or by reason of his or her work or the nature of his or her employment is likely to be absent or fears that he or she will be absent from the City on said day, or because of serious illness or physical disability or for reasons based upon the doctrines of established religions shall be unable to attend the polls, or for any other reason authorized by law said elector is authorized to vote by absentee ballot, he or she may vote by absentee ballot, in accordance with the provisions of the Colorado Municipal Election Code of 1965, as amended.

The City Clerk is directed to provide a form of absentee ballot which shall contain the question as provided in Section 4 herein. Application for an absentee ballot shall be filed with the City Clerk not later than the close of business on the Friday immediately preceding the election. The Application may be in the form of a letter, stating the applicant's residence address and the reasons for which such absentee ballot is required.


Section 7. The appropriate city officers and officials are directed to comply with all provisions of the Colorado Municipal Election Code of 1965, as amended, except as provided by Charter or Ordinance, in conducting said municipal election.

Introduced, read and ordered published this 10th day of November, 1983.

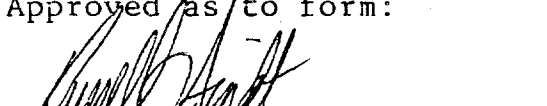
Adopted, approved and ordered published this 28th day  
of November, 1983.



  
By: Ruth A. Maurer  
Mayor

  
Sharon L. Bennetts  
City Clerk

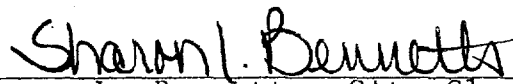
Approved as to form:

  
Russell J. Sindt  
City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said City, held on the 10th day of November, 1983, and was published as a proposed ordinance in the Colorado Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 28th day of November, 1983, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 29th day of November, 1983.



Attest:   
Sharon L. Bennetts, City Clerk of  
the City of Golden, Colorado