

RESOLUTION 2287

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN IN SUPPORT OF THE QUESTIONS APPEARING ON CERTAIN NOVEMBER 5, 2013 BALLOTS RELATED TO THE GOLDEN DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the funding for the Golden Urban Renewal Authority (“GURA”) within the Downtown Urban Renewal Area will expire upon the payment of 2014 property and sales taxes in 2015; and

WHEREAS, the GURA’s use of tax increment financing to implement the Downtown Urban Renewal Plan has been a key factor in remediating blight and contributing to the revitalization of the downtown area of the City of Golden, Colorado’s (the “City”); and

WHEREAS, this loss of funds will result in an absence of long-term, dedicated funding to continue to remedy and prevent blight by maintaining the amenities, levels of service, and beautification, and continue projects to redevelop and revitalize the downtown area of the City as have existed over the past two decades; and

WHEREAS, the Task Force considered and evaluated various legal entities to finance and oversee future downtown projects and recommended that the City Council approve, create and establish a downtown development authority in the City; and

WHEREAS, the Task Force determined that, without the formation of a downtown development authority, it is possible that the currently successful City downtown resurgence could slow, fade and eventually deteriorate; and

WHEREAS, Article X, Section 20 of the Colorado Constitution (“TABOR”) requires voter approval for any multiple-fiscal year obligation, such as the issuance of bonds or a multi-year loan; and

WHEREAS, Part 8 of Article 25 of Title 31, Colorado Revised Statutes (“C.R.S.”) (the “Downtown Development Authority Act” or “Act”) requires voter approval for the creation of a downtown development authority; and

WHEREAS, based upon the Task Force’s recommendation and other evidence presented at the public hearing, on July 11, 2013, the City Council adopted Ordinance No. 1946, approving the creation and establishment of the Golden Downtown Development Authority (the “Authority”) pending a vote of the qualified electors; and

WHEREAS, based upon the Task Force’s recommendation and other evidence presented at the public hearing, on July 11, 2013, the City Council also adopted Ordinance No. 1947, submitting one question and for ballot issues asking qualified electors to approve: 1) creation of the Authority; 2) exemption of revenues collected by or on behalf of the Authority from Article X, Section 20 of the Colorado Constitution (“TABOR”); 3) authorization of the incurrence of multiple-fiscal year obligations for the Authority by the City; and 4) authorization to levy 5 mills of ad valorem property taxes within the boundaries of the proposed Authority; and

WHEREAS, the referred ballot question and ballot issues for the election on November 5, 2013 will only be on the ballots of qualified electors of the Authority (defined in the Act as a resident, a landowner or a lessee, but 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 its ballot); and

WHEREAS, the City Council believes that the creation of the Authority and approval of the related ballot question and ballot issues will promote the public health, safety, prosperity, security and general welfare in order to halt or prevent deterioration of property values or structures within the downtown and will halt or prevent the growth of blighted areas within the downtown; and

WHEREAS, the City Council believes that the creation of the Authority will assist in the development and redevelopment of the downtown and in the overall planning to restore or provide for the continuance of the health of the downtown, and that it will be of special benefit to the properties within the boundaries of the Authority; and

WHEREAS, the Authority would focus on projects that provide tangible benefits for residents, merchants and property owners such as high-quality redevelopment, public infrastructure and maintenance, multi-interest community events, and business attraction and retention through area-wide support; and

WHEREAS, the City Council believes that the creation of the Authority is vital to ensuring that the City downtown continues to thrive and prosper and remain the heart of the City for residents, business and visitors; and


WHEREAS, therefore, the City Council believes that the creation of the Authority will benefit the public health, safety and welfare.


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

City Council hereby declares its full support of, and urges a YES vote for the ballot question and issues related to the Golden Downtown Development Authority the November 5, 2013 ballot.

Adopted this 12th day of September, 2013.




Susan M. Brooks, MMC
City Clerk


Marjorie N. Sloan
Mayor

APPROVED AS TO FORM:

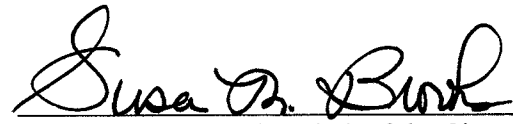


David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular business meeting thereof held on the 12th day of September, 2013.



ATTEST:



Susan M. Brooks, City Clerk of the City of
Golden, Colorado

