

## ORDINANCE NO. 3653

### **AN ORDINANCE SUBMITTING TO A VOTE THE QUESTION OF MODIFYING THE PURPOSES OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY, EXTENDING THE LIFE THEREOF IN ACCORDANCE WITH STATE LAW, AUTHORIZING AN INCREASE IN MAXIMUM INCURRED DEBT AND INCLUDING THE ENSTROM PROPERTY INTO THE BOUNDARY OF THE DISTRICT**

Recitals.

In 1977 the City Council of the City of Grand Junction, Colorado determined that it was necessary to establish a Downtown Development Authority (DDA) for the public health, safety, prosperity, security and welfare and to assist in preventing deterioration of property values and eliminating slum and blight in the central business district of the City. The DDA was formed in 1977 and has actively and effectively achieved its mission since that time.

By this ordinance the City, by and through the DDA, seeks to modify the purpose of the DDA and to extend the life thereof pursuant to State law and to increase the maximum authority to incur debt for DDA projects.

Furthermore, this ordinance serves to amend the boundaries of the DDA by the inclusion of the Enstrom property. The owners of the property described in the petition for inclusion having shown evidence satisfactory to the Board of their intent to annex to the District and the Board having approved the inclusion application, the City Council does hereby re-describe the District so as to include the additional property as described in the petition. From the effective date of this ordinance the included property shall be subject to any taxes imposed for the use and benefit of the DDA.

The approval of the ballot question will not create any new taxes. The DDA is principally funded by borrowing and paying the principal, interest and any premiums due in connection with issuing bonds or indebtedness. DDA projects are financed by the issuance of debt. That debt is repaid by the pledge and collection of a portion of the property taxes and City sales taxes collected in the DDA. Those taxes are known as the Tax Increment Fund.

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

1. That pursuant to Part 8 of Article 25 of Title 31, Colorado Revised Statutes, there be submitted to the qualified electors (as that term is defined in Part 8) of the district hereinafter described at the general election to be held within the district on the 2<sup>nd</sup> day of November 2004 in the City of Grand Junction, the following question:

"SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$18,000,000.00 WITH A REPAYMENT COST OF \$20,000,000.00, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; AND SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW?"

YES  
NO

2. That there is sufficient evidence that the owners of the property described in the petition for inclusion have shown their intent to annex to the district and the DDA Board having approved the inclusion application; the boundary of the DDA is hereby re-described to include the boundary as it existed as of the date of first reading of this ordinance together with the additional property as described in the inclusion petition.

3. That from the effective date of this ordinance the property within the boundary shall be subject to any taxes imposed for the use and benefit of the DDA.

4. That to the extent necessary or required, this ordinance shall be deemed to amend and/or repeal prior ordinances inconsistent herewith.

INTRODUCED ON FIRST READING and ORDERED PUBLISHED this 21<sup>st</sup> day of July 2004.

PASSED and ADOPTED this 4<sup>th</sup> day of August 2004.

/s/ Bruce Hill  
Bruce Hill  
President of the Council

Attest:

/s/ Stephanie Tuin  
Stephanie Tuin  
City Clerk

**A RESOLUTION CALLING AN ELECTION AND SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT A QUESTION FOR MODIFYING THE PURPOSES OF THE GRAND JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY, EXTENDING THE LIFE THEREOF IN ACCORDANCE WITH STATE LAW AND AUTHORIZING AN INCREASE IN MAXIMUM INCURRED DEBT OF THE DISTRICT**

**RECITALS.**

In 1977 the City Council of the City of Grand Junction, Colorado determined that it was necessary to establish a Downtown Development Authority (DDA) for the public health, safety, prosperity, security and welfare and to assist in preventing deterioration of property values and eliminating slum and blight in the central business district of the City. The DDA was formed in 1977 and has actively and effectively achieved its mission.

At the time the DDA was established State law established a 25 year life for such authorities. That law has subsequently been amended to allow an additional five years. The Grand Junction DDA desires to extend its operations as now allowed by law. The DDA was established with a maximum allowed debt of \$10 million dollars to be spent on pedestrian and travel improvements. That limit must be increased to allow additional borrowing and spending over the added five year life of the authority.

Furthermore, the DDA seeks to modify the purpose of the DDA to allow it to make capital expenditures for all statutorily allowed purposes.

To accomplish these purposes the DDA Board does by this resolution call for an election at which the following ballot question will be submitted to the qualified electors of the District.

The approval of the ballot question will not create any new taxes. The DDA is principally funded by borrowing and paying the principal, interest and any premiums due in connection with issuing bonds or indebtedness. DDA projects are financed by the issuance of debt. That debt is repaid by the pledge and collection of a portion of the property taxes and City sales taxes collected in the DDA. Those taxes are known as the Tax Increment Fund.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GRAND

JUNCTION DOWNTOWN DEVELOPMENT AUTHORITY THAT:

1. Authorization of the continued development, redevelopment and reinvestment in downtown Grand Junction by the Downtown Development Authority is an important question worthy of the qualified electors consideration.
2. An election shall be called and the following question be submitted to the qualified electors on November 2, 2004:

Ballot Question Number

“SHALL CITY OF GRAND JUNCTION DEBT BE INCREASED \$18,000,000.00 WITH A REPAYMENT COST OF \$20,000,000.00, WITHOUT RAISING ADDITIONAL TAXES, TO FINANCE STREETS, PARKS, PLAZAS, PARKING FACILITIES, PLAYGROUNDS, CAPITAL FACILITIES, PEDESTRIAN MALLS, RIGHTS-OF-WAY, STRUCTURES, WATERWAYS, BRIDGES, ACCESS ROUTES TO ANY OF THE FOREGOING, DESIGNED FOR USE BY THE PUBLIC GENERALLY OR USED BY ANY PUBLIC AGENCY WITH OR WITHOUT CHARGE; SUCH DEBT TO BE EVIDENCED BY BONDS, LOANS, ADVANCES OR INDEBTEDNESS PROVIDED THAT THE SPECIFIC TERMS OF THE DEBT, INCLUDING A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM, AND THE PRICE AT WHICH IT WILL BE SOLD SHALL BE DETERMINED BY THE CITY AS NECESSARY AND PRUDENT; AND SHALL THE PLEDGE OF THE TAX INCREMENT FUND TO SUCH DEBT BE AUTHORIZED FOR A PERIOD NOT TO EXCEED THE MAXIMUM TIME PERMITTED BY LAW?”

YES

NO

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Adopted this \_\_\_ day of July 2004.

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Chairman of the Board

ATTEST:

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Secretary



200 SOUTH SEVENTH STREET  
POST OFFICE BOX 1088 ZIP CODE 81502  
GRAND JUNCTION  
COLORADO  
UNITED STATES OF AMERICA

July 15, 2004

Mr. Harold Stalf  
Downtown Development Authority  
248 S. 4<sup>th</sup> Street  
Grand Junction, CO 81501

Dear Harold:

This letter is to request the addition of our new facility in its entirety to the Downtown Development Authority TIF district.

We currently occupy block number 128 in downtown Grand Junction. The property is owned by ENSIM Partnership, LLP of which Jamee and I are the only managing partners, and it is leased to Enstrom Candies, Inc.

Thank you very much for your attention to this matter and please let me know if you should require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas S. Simons". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Douglas S. Simons  
President

DSS/nb