

## EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1580

SPONSOR: COUNCIL MEMBER MILLER

TITLE: A BILL FOR AN ORDINANCE PROHIBITING THE CITY OF NORTHGLENN FROM CREATING OR PARTICIPATING WITH OTHER ENTITIES IN THE CREATION OF ANY MULTIPLE-FISCAL YEAR DEBT OR OTHER MULTI-YEAR FINANCIAL OBLIGATION INCLUDING THE USE OF THE GENERAL FUND'S PRIOR YEAR'S UNRESERVED BALANCE FOR ANY PURPOSE, EXCEPT IMPROVEMENTS IN THE CURRENT PUBLIC R.O.W., IN A PORTION OF THE URBAN RENEWAL PROJECT AREA WITHOUT THE APPROVAL OF THE MAJORITY OF QUALIFIED ELECTORS VOTING IN FAVOR

PURPOSE: TO PROHIBIT THE CITY FROM ENTERING INTO MULTIPLE YEAR FINANCIAL OBLIGATIONS IN A PORTION OF THE URBAN RENEWAL PROJECT AREA WITHOUT VOTER APPROVAL

ADDITIONAL EXPLANATORY REMARKS:

THIS ORDINANCE CONTAINS THE TEXT OF THE PROPOSED INITIATED ORDINANCE FOR WHICH PETITION BLANKS HAVE BEEN ISSUED TO THE PETITIONERS' COMMITTEE BY THE CITY CLERK'S OFFICE, BUT WITH THE ADDITION OF A SUNSET PROVISION OF ONE YEAR.

SPONSORED BY: COUNCIL MEMBER MILLER

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1580  
Series of 2006

\_\_\_\_\_  
Series of 2006

A BILL FOR AN ORDINANCE PROHIBITING THE CITY OF NORTHGLENN FROM CREATING OR PARTICIPATING WITH OTHER ENTITIES IN THE CREATION OF ANY MULTIPLE-FISCAL YEAR DEBT OR OTHER MULTI-YEAR FINANCIAL OBLIGATION INCLUDING THE USE OF THE GENERAL FUND'S PRIOR YEAR'S UNRESERVED BALANCE FOR ANY PURPOSE, EXCEPT IMPROVEMENTS IN THE CURRENT PUBLIC R.O.W., IN A PORTION OF THE URBAN RENEWAL PROJECT AREA WITHOUT THE APPROVAL OF THE MAJORITY OF QUALIFIED ELECTORS VOTING IN FAVOR

WHEREAS, certificates of participation and other forms of multi-year debt require the pledging of municipal revenues and property as collateral; and

WHEREAS, the City's intent is to disperse debt by dividing the costs between other entities and/or activities that have already adversely impacted municipal services; and

WHEREAS, the City and NURA have already diverted over \$9.5 million dollars from the general fund and incremental property tax collections for activities in the area with an additional minimum of \$6 million dollars of activities planned; and

WHEREAS, Century Theaters has substantially violated its ground lease making it subject to default by the City; and

WHEREAS, the continued use of the General fund's unreserved balance has been a multi-year commitment in the project area.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council may not create or participate with any other entity, in the creation of any multiple-fiscal year direct or indirect debt or make a financial commitment that uses the prior year's audited unreserved General fund balance directly or indirectly for any purpose, except for improvements in the current public R.O.W., in the following restricted area without first obtaining the approval of the majority of electors voting in favor of the same at a special or regular election. The restricted area shall be that portion of the Urban Renewal project area located north of East 118<sup>th</sup> Avenue extended and west of Lincoln Street extended.

Section 2. Entities shall include but not be limited to the Northglenn Urban Renewal Authority, Northglenn Capital Leasing Corporation, municipalities, districts, corporations,

partnerships and individuals whether or not they issue or create any type of multi-year or other financial obligation.

Section 3. Forms of prohibited participation shall include but not be limited to all forms of financial assistance, the pledging of the good faith and credit of the City or its assets, licensed professional services and the conveyance, loaning or leasing of land or other property.

Section 4. The Ordinance shall be and remain effective from its effective date according to Section 4.9 of the Northglenn Home Rule Charter for a period of one year, and shall expire without further action by the Northglenn City Council at the expiration of said one year time period.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_,  
2006.

\_\_\_\_\_  
KATHLEEN M. NOVAK  
Mayor

ATTEST:

\_\_\_\_\_  
DIANA L. LENTZ, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2006.

\_\_\_\_\_  
KATHLEEN M. NOVAK  
Mayor

ATTEST:

\_\_\_\_\_  
DIANA L. LENTZ, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney