

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 21
(Series of 2020)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
CALLING A SPECIAL ELECTION FOR NOVEMBER 3, 2020, TO BE COORDINATED
WITH EAGLE COUNTY, AND SUBMITTING A BALLOT QUESTION TO QUALIFIED
ELECTORS AT THE SPECIAL ELECTION TO CREATE A DOWNTOWN DEVELOPMENT
AUTHORITY

WHEREAS, the Town Council, by ordinance, may submit the question of the establishment of a downtown development authority ("DDA") pursuant to C.R.S. § 31-25-801, *et seq.*, to the qualified electors within the proposed DDA boundary; and

WHEREAS, the Town Council finds and determines that: it is necessary to establish a DDA to develop and redevelop the Town's central business district; that a DDA will serve a public use; that a DDA will promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the people of the State of Colorado; that a DDA will halt or prevent deterioration of property values or structures within the Town's central business district; that a DDA will halt or prevent the growth of blighted areas within the central business district; that a DDA will assist the Town in the development and redevelopment of the central business district and in the overall planning to restore or provide for the continuance of the health thereof; and that a DDA will be of special benefit to the property within the DDA boundary.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Status. Upon formation, the DDA shall be a body corporate and political subdivision with all the purposes and powers now or hereafter authorized by C.R.S. § 31-25-801, *et seq.*, and all additional and supplemental powers necessary or convenient to carry out and effectuate its purposes, and such other powers and authority as provided by law.

Section 2. Establishment of Boundaries. The area within the boundaries of the proposed DDA as described in **Exhibit A**, attached hereto and incorporated herein by this reference, is and traditionally has been the location of the principal business, commercial, financial, service, and government center of the Town, and is and has been zoned and used accordingly. Such area is established as being within the "central business district" and "downtown" area of the Town as defined by C.R.S. § 31-25-801, *et seq.*

Section 3. Election Call. A special election of qualified electors of the proposed DDA shall be conducted on November 3, 2020, pursuant to the authority and requirements of the Eagle Town Charter and C.R.S. § 31-25-801, *et seq.* No person will receive a ballot in the election unless the person is a qualified elector of the proposed DDA, as defined in C.R.S. § 31-25-802(9), and has signed a written oath before voting swearing that they meet each qualification required to vote on the ballot issue. The election shall be coordinated with Eagle County.

Section 4. Ballot Question. At the November 3, 2020 special election, there shall be submitted to the qualified electors of the proposed DDA the following ballot question:

Ballot Question No. 1

SHALL THE EAGLE DOWNTOWN DEVELOPMENT AUTHORITY BE ORGANIZED PURSUANT TO PART 8, ARTICLE 25, TITLE 31, COLORADO REVISED STATUTES, TO EXERCISE ALL POWERS AUTHORIZED THEREIN WITHIN THE BOUNDARIES OF THE AREA DESCRIBED AS DEPICTED ON THE MAP ATTACHED AS EXHIBIT A TO TOWN OF EAGLE ORDINANCE 21, SERIES 2020?

Yes _____ No _____

Section 5. Future Action. In the event the DDA is approved by a majority of the qualified electors voting thereon, the Town Council shall comply with the requirements of C.R.S. § 31-25-807, *et seq.*, for the organization of the DDA, including appointing members to the DDA board to promptly adopt a plan of development for the DDA and promulgate rules governing its procedures. The board of the DDA may, after formation and approval of the Town Council, adopt a plan of development that provides for tax increment financing for property tax and/or sales tax, as authorized by C.R.S. § 31-25-807(3).

Section 6. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 7. Safety. This ordinance is deemed necessary for the protection of the public health, safety and welfare.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON AUGUST 11, 2020.

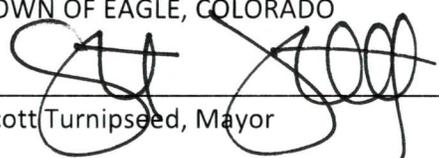
ATTEST:



Jenny Rakow, Town Clerk



TOWN OF EAGLE, COLORADO



Scott Turnipseed, Mayor

