

1 **BY AUTHORITY**

2 RESOLUTION NO. CR15-0770
3 SERIES OF 2015

COMMITTEE OF REFERENCE:
INFRASTRUCTURE & CULTURE

4 **A RESOLUTION**

5 **By the Council of the City and County of Denver, sitting ex officio as the Board**
6 **of Directors of the Denver 14th Street General Improvement District, approving**
7 **a Work Plan, adopting a Budget, imposing Capital Charges and Maintenance**
8 **Charges, and making appropriations for the 2016 Fiscal Year.**
9

10 **WHEREAS**, the Denver 14th Street General Improvement District (the “District”) was created
11 by Denver Ordinance No. 464, Series of 2009, (“Creation Ordinance”) and said Creation
12 Ordinance recognized the Council of the City and County of Denver as the Board of Directors of
13 the District (the “Board of Directors”), pursuant to C.R.S. 31-25-609, C.R.S.; and,

14 **WHEREAS**, the Board of Directors is authorized to approve the Work Plan and Budget and
15 impose Capital Charges and Maintenance Charges; and,

16 **WHEREAS**, Denver Ordinance No. 463, Series of 2009, established a District Advisory
17 Board (the “Advisory Board”) for the District, and specified that such Advisory Board should,
18 subject to the approval of the Board of Directors, conduct and manage certain affairs of the District
19 as the authorized agent of the Board of Directors including certain financial and legal affairs; and

20 **WHEREAS**, the said Ordinance No. 463 also calls for the Advisory Board to prepare, hold a
21 public hearing on, deliver and recommend to the Board of Directors, at least once a year, a Work
22 Plan, Budget, Capital Charges, and Maintenance Charges (as such terms are defined in the
23 Creation Ordinance) for the next succeeding fiscal year; and,

24 **WHEREAS**, following due notice, the Advisory Board held a public hearing on September
25 15, 2015, on the proposed Capital Charges, Maintenance Charges, Work Plan and Budget, and
26 has prepared, delivered and recommended to the Board of Directors for its approval of the District
27 Work Plan, Budget, Capital Charges, and Maintenance Charges for the 2016 Fiscal Year; and

28 **WHEREAS**, in an election held on November 3, 2009, the eligible electors of the District
29 approved ballot issues authorizing the creation of the District, and the collection, retention and
30 spending of revenues in the amounts not less than as specified in the proposed 2016 Work Plan
31 and Budget.

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1 **NOW, THERREFORE, AFTER HOLDNG A PUBLIC HEARING IN ACCORDANCE WITH**
2 **PUBLICATION, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF**
3 **DENVER, IN ITS EX OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE DENVER**
4 **14TH STREET GENERAL IMPROVEMENT DISTRICT:**

5
6 **Section 1.** That the 2016 Work Plan as filed in the Office of the City Clerk, ex-officio
7 Secretary of the District, in File No. 2009-0629-X, and the 2016 Budget as filed in the Office of the
8 City Clerk, ex-officio Secretary of the District, in File No. 2009-0629-Y be and hereby are adopted
9 and approved.

10 **Section 2.** The sum of money identified for each fund in the 2016 Budget for expenditure in
11 the 2016 Fiscal Year is hereby appropriated for such purpose.

12 **Section 3.** That the Capital Charges and Maintenance Charges set forth in the schedules
13 filed with the Office of the City Clerk, ex-officio Secretary of the District, are hereby imposed on
14 each property within the District boundaries and such amount of money, being necessary to be
15 raised from Capital Charges and Maintenance Charges for the purpose of the District’s expenses
16 as set forth in the 2016 Budget, is hereby approved.

17 **Section 4.** That the fiscal year of the District shall begin on the first day of January and end
18 on the last day of December each year.

19 **Section 5.** That the City Clerk of the City and County of Denver, acting ex officio as the
20 Secretary of the Board of Directors of the District, shall attest and affix the seal of the District to this
21 Resolution.

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1 COMMITTEE APPROVAL DATE: October 22, 2015 by consent

2 MAYOR-COUNCIL DATE: October 27, 2015

3 **APPROVED BY THE CITY COUNCIL OF THE CITY AND COUNTY OF DENVER, SITTING EX**
4 **OFFICIO AS THE BOARD OF DIRECTORS OF THE DENVER 14TH STREET GENERAL**
5 **IMPROVEMENT DISTRICT:**

6
7 PASSED BY THE BOARD OF DIRECTORS: _____, 2015

8
9 _____ - PRESIDENT OF CITY COUNCIL, EX-
10 OFFICIO PRESIDENT OF THE DISTRICT

11 ATTEST: _____ - CITY CLERK, EX-OFFICIO SECRETARY
12 OF THE DISTRICT

13 NOTICE PUBLISHED IN THE DAILY JOURNAL: October 27, 2015

14 PREPARED BY: Spencer Fane LLP DATE: October 29, 2015

15 REVIEWED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 29, 2015

16 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
17 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
18 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to
19 §3.2.6 of the Charter.

20
21 D. Scott Martinez, Denver City Attorney

22 By: _____, Assistant City Attorney DATE: _____, 2015