

1 BY AUTHORITY

2 RESOLUTION NO. CR10-0887  
3 SERIES OF 2010

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

4 A RESOLUTION

5 **By the Council of the City and County of Denver, sitting ex officio as the Board of**  
6 **Directors of the Gateway Village General Improvement District, approving a Work**  
7 **Plan, adopting a Budget and making appropriations for the Budget Year 2011 and**  
8 **approving a mill levy.**  
9

10 WHEREAS, the Gateway Village General Improvement District ("the District") was created by  
11 Ordinance No. 551, Series 1994, and said Ordinance recognized the Council of the City and County  
12 of Denver as the Board of Directors of the District (the "Board of Directors"), pursuant to C.R.S. 31-  
13 25-609, C.R.S.; and

14 WHEREAS, Ordinance No. 551 also established a District Advisory Board (the "Advisory  
15 Board"), comprised of representatives of key agencies of the City and the individual signatories to  
16 the Petition for organization of the District, and specified that such Advisory Board should, subject to  
17 the approval of the Board of Directors, conduct and manage all affairs of the District as the  
18 authorized agent of the Board of Directors, including its financial and legal affairs; and

19 WHEREAS, by its Resolution No. 32, Series 1995, the Board of Directors delegated the  
20 authority to exercise certain of its powers under C.R.S. 31-25-601 et seq. and authorized the  
21 Advisory Board to enter into contracts not exceeding \$100,000 or as set forth in a Work Plan  
22 approved by the Board of Directors; and

23 WHEREAS, the said Resolution No. 32 also calls for the Advisory Board to prepare, deliver  
24 and recommend to the Board of Directors, at least once a year, a proposed Work Plan and Budget  
25 for the next succeeding fiscal year; and

26 WHEREAS, the Board of Directors is authorized to approve the Work Plan and Budget; and

27 WHEREAS, the Advisory Board has prepared, reviewed and recommended to the Council  
28 for its approval a District Work Plan and Budget for the 2011 Budget Year; and

29 WHEREAS, approval of the Work Plan does not authorize construction, purchase or  
30 approval of reimbursement for items on the Work Plan without prior approval and prioritization of  
31 each item by the Advisory Board; and

32 WHEREAS, the eligible electors of the District have approved ballot issues authorizing the  
33 collection, retention and spending of the property tax and other revenues in the amounts specified in  
34 the proposed budget.

1           **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY**  
2 **OF DENVER, IN ITS EX OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE**  
3 **GATEWAY VILLAGE GENERAL IMPROVEMENT DISTRICT:**

4           **Section 1.** That the 2011 Budget for the District as filed in the Office of the City Clerk on the  
5 12th day of October, 2010, Filing No. 05-860-M be and hereby is adopted and approved for the  
6 budget year 2011. That the estimated revenues and expenditures for the District's General Fund,  
7 the Debt Service Fund and the Capital Projects Fund for fiscal year 2011, as more specifically set  
8 forth in the Budget, are adopted and approved.

9           **Section 2.** That the following sums are hereby appropriated from the revenues of the  
10 District, for the purposes stated:

11           General Fund	\$322,013
12           Debt Service Fund	\$360,000
13           Capital Projects Fund	<u>      0</u>
14           Total Fund Appropriations	\$682,013

15           **Section 3.** That the amount of money necessary to be raised from property taxes for the  
16 purpose of the District's General Operating Expenses and Debt Service is \$575,493; that the total  
17 valuation for assessment in the District is \$17,707,480 and that a levy of 32.500 mills upon each  
18 dollar of the total valuation for assessment of all taxable property within the District is hereby  
19 approved and certified for levy and collection by the City and County of Denver in accordance with  
20 law.

21           **Section 4.** That the City Clerk of the City and County of Denver, acting ex officio as the  
22 Secretary of the Board of Directors of the District, shall attest and affix the seal of the District to this  
23 resolution.

24

1           **APPROVED THIS 25TH DAY OF OCTOBER, 2010 BY THE CITY COUNCIL OF THE CITY**  
2 **AND COUNTY OF DENVER, SITTING EX OFFICIO AS THE BOARD OF DIRECTORS OF THE**  
3 **GATEWAY VILLAGE GENERAL IMPROVEMENT DISTRICT.**

4 COMMITTEE APPROVAL DATE: (by Consent) October 14, 2010

5 MAYOR-COUNCIL DATE: October 19, 2010

6 PASSED BY THE COUNCIL: \_\_\_\_\_, 2010

7 \_\_\_\_\_ - PRESIDENT

8 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
9 EX-OFFICIO CLERK OF THE  
10 CITY AND COUNTY OF DENVER

11 PREPARED BY: SETER & VANDER WALL, P.C.

12 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of  
13 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
14 resolution. The proposed resolution **is not** submitted to the City Council for approval pursuant to  
15 §3.2.6 of the Charter.

16 DAVID R. FINE, City Attorney

17 BY: \_\_\_\_\_, Assistant City Attorney   DATE: \_\_\_\_\_, 2010