

1 BY AUTHORITY

2  
3 RESOLUTION CR12-0779  
4  
5 SERIES OF 2012

COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

6  
7 **A RESOLUTION**

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9 **By the Council of the City and County of Denver, sitting ex officio as the Board**  
10 **of Directors of the Gateway Village General Improvement District, approving a**  
11 **Work Plan, adopting a Budget and making appropriations for the Budget Year**  
12 **2013 and approving a mill levy.**

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

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

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

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

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

31 WHEREAS, the Advisory Board has prepared, reviewed and recommended to the Council for  
32 its approval a District Work Plan and Budget for the 2013 Budget Year; and

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

36 WHEREAS, the eligible electors of the District have approved ballot issues authorizing the  
37 collection, retention and spending of the property tax and other revenues in the amounts specified in  
38 the proposed budget;.

1           **NOW, THEREFORE, AFTER HOLDING 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**  
4 **GATEWAY VILLAGE GENERAL IMPROVEMENT DISTRICT:**

5           **Section 1.** That the 2013 Budget for the District as filed in the Office of the City Clerk on the  
6 10th day of October, 2012, Filing No. 05-860-O be and hereby is adopted and approved for the  
7 budget year 2013. That the estimated revenues and expenditures for the District's General Fund, the  
8 Debt Service Fund and the Capital Projects Fund for fiscal year 2013, as more specifically set forth in  
9 the Budget, are adopted and approved.

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

12           General Fund	\$220,730
13           Debt Service Fund	\$361,676
14           Capital Projects Fund	<u>          0</u>
15           Total Fund Appropriations	\$582,406

16           **Section 3.** That the amount of money necessary to be raised from property taxes for the  
17 purpose of the District's General Operating Expenses and Debt Service is \$527,824; that the total  
18 valuation for assessment in the District is \$16,240,740 and that a levy of 32.500 mills upon each  
19 dollar of the total valuation for assessment of all taxable property within the District is hereby  
20 approved and certified for levy and collection by the City and County of Denver in accordance with  
21 law.

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

25

1           **APPROVED THIS 29TH DAY OF OCTOBER, 2012 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**

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5 \_\_\_\_\_ PRESIDENT OF CITY COUNCIL, EX-  
6 OFFICIO PRESIDENT OF THE DISTRICT

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8  
9 ATTEST: \_\_\_\_\_ CITY CLERK, EX-OFFICIO SECRETARY  
10 OF THE DISTRICT

11  
12 NOTICE OF PUBLIC HEARING PUBLISHED IN THE DAILY JOURNAL OCTOBER 22, 2012

13  
14 PREPARED BY: SETER & VANDER WALL, P.C.

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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.

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21 DOUGLAS J. FRIEDNASH, City Attorney

22 BY: \_\_\_\_\_ - \_\_\_\_\_ City Attorney

23 DATE: \_\_\_\_\_, 2012