

1 **BY AUTHORITY**

2 RESOLUTION NO. CR16-1064
3 SERIES OF 2016

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**
6 **of Directors of the Denver 14th Street General Improvement District, approving a**
7 **Work Plan, adopting a Budget, imposing Capital Charges and Maintenance**
8 **Charges, and making appropriations for the 2017 Fiscal Year.**

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

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

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

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

23 **WHEREAS**, following due notice, the Advisory Board held a public hearing on September 21,
24 2016, on the proposed Capital Charges, Maintenance Charges, Work Plan and Budget, and has
25 prepared, delivered and recommended to the Board of Directors for its approval of the District Work
26 Plan, Budget, Capital Charges, and Maintenance Charges for the 2017 Fiscal Year; and

27 **WHEREAS**, in an election held on November 3, 2009, the eligible electors of the District
28 approved ballot issues authorizing the creation of the District, and the collection, retention and
29 spending of revenues in the amounts not less than as specified in the proposed 2017 Work Plan and
30 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 DENVER,**
3 **IN ITS EX OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE DENVER 14TH**
4 **STREET GENERAL IMPROVEMENT DISTRICT:**

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6 **Section 1.** That the 2017 Work Plan and Budget for the District as filed in the Office of the
7 City Clerk, ex-officio Secretary of the District, in File No. 2009-0629-Z, be and hereby are adopted
8 and approved.

9 **Section 2.** The sum of money identified for each fund in the 2017 Budget for expenditure in
10 the 2017 Fiscal Year is hereby appropriated for such purpose.

11 **Section 3.** That the Capital Charges and Maintenance Charges set forth in the schedules
12 filed with the Office of the City Clerk, ex-officio Secretary of the District, are hereby imposed on each
13 property within the District boundaries and such amount of money, being necessary to be raised
14 from Capital Charges and Maintenance Charges for the purpose of the District’s expenses as set
15 forth in the 2017 Budget, is hereby approved.

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

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

21 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: November 10, 2016 by consent

2 MAYOR-COUNCIL DATE: November 15, 2016

3 **APPROVED THIS 21ST DAY OF NOVEMBER, 2016 BY THE CITY COUNCIL OF THE CITY AND**
4 **COUNTY OF DENVER, SITTING EX OFFICIO AS THE BOARD OF DIRECTORS OF THE**
5 **DENVER 14TH STREET GENERAL IMPROVEMENT DISTRICT:**

6
7 _____ - PRESIDENT OF CITY COUNCIL,
8 EX-OFFICIO PRESIDENT OF THE DISTRICT

9
10 ATTEST: _____ - CITY CLERK, EX-OFFICIO
11 SECRETARY OF THE DISTRICT
12

13 NOTICE PUBLISHED IN THE DAILY JOURNAL: November 14, 2016

14 PREPARED BY: Spencer Fane LLP DATE: November 17, 2016

15 REVIEWED BY: Jo Ann Weinstein, Assistant City Attorney DATE: November 17, 2016

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17 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the office of
18 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
19 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to
20 § 3.2.6 of the Charter.

21 Kristin M. Bronson, Denver City Attorney

22 BY: _____, Assistant City Attorney DATE: _____