

BY AUTHORITY

RESOLUTION NO. 22-1425
SERIES OF 2022

COMMITTEE OF REFERENCE:
Business, Arts, Workforce & Aviation Services

A RESOLUTION

By the Council of the City and County of Denver, sitting ex officio as the Board of Directors of the Gateway Village General Improvement District, approving a Work Plan, adopting a Budget and making appropriations for the Budget Year 2023 and approving a Mill Levy.

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

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

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

WHEREAS, the said Resolution No. 32, Series of 1995, also calls for the Advisory Board to prepare, deliver and recommend to the Board of Directors, at least once a year, a proposed Work Plan and Budget for the next succeeding fiscal year; and

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

WHEREAS, the Advisory Board has prepared, reviewed and recommended to the Council for its approval a District Work Plan and Budget for the 2023 Budget Year; and

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

WHEREAS, the eligible electors of the District have approved ballot issues authorizing the collection, retention and spending of the property tax and other revenues in the amounts specified in 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 DENVER,**
3 **IN ITS EX OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE GATEWAY VILLAGE**
4 **GENERAL IMPROVEMENT DISTRICT:**

5 **Section 1.** That the 2023 Budget and Work Plan for the District as filed in the Office of the City
6 Clerk on the 24th day of September 2022, under Filing No. 2005-0860-Y be and hereby is adopted and
7 approved for the budget year 2023. That the estimated revenues and expenditures for the District's
8 General Fund and the Capital Projects Fund for fiscal year 2023, as more specifically set forth in the
9 Budget, are adopted and approved.

10 **Section 2.** The sum of money identified for each fund in the 2023 Budget for expenditure in the
11 2023 Fiscal Year is hereby appropriated for such purpose.

12 **Section 3.** That a Mill Levy of 20.000 mills for general operating purposes is approved upon
13 each dollar of the total valuation for assessment of all taxable property within the District and certified
14 for levy and collection by the City and County of Denver in accordance with law.

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

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

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2 COMMITTEE APPROVAL DATE: November 9, 2022
3 MAYOR-COUNCIL DATE: November 15, 2022

4 **APPROVED BY THE CITY COUNCIL OF THE CITY AND COUNTY OF DENVER, SITTING EX**
5 **OFFICIO AS THE BOARD OF DIRECTORS OF THE GATEWAY VILLAGE GENERAL**
6 **IMPROVEMENT DISTRICT:**

7 PASSED BY THE COUNCIL: _____
8 _____ - PRESIDENT

9 ATTEST: _____ - CLERK AND RECORDER,
10 EX-OFFICIO CLERK OF THE
11 CITY AND COUNTY OF DENVER

12 PREPARED BY: Erb Law, LLC DATE: November 1, 2022
13 REVIEWED BY: Bradley Neiman, Assistant City Attorney DATE: November 23, 2022

14 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
15 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
16 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
17 § 3.2.6 of the Charter.

18 Kerry Tipper, Interim Denver City Attorney

19 BY: _____, Assistant City Attorney DATE: _____