

BY AUTHORITY

RESOLUTION NO. 22-1426
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 RiNo Denver General Improvement District, approving a Work Plan, adopting a Budget, imposing Capital Charges and Maintenance Charges, approving a Mill Levy, and making appropriations for the 2023 Fiscal Year, and approving an Amended Work Plan, adopting an Amended Budget, and making appropriations for the 2022 Fiscal Year, as necessary.

WHEREAS, the RiNo Denver General Improvement District (the “District”) was created by Denver Ordinance No. 15-0309, Series of 2015 (“Creation Ordinance”), and said Creation Ordinance recognized the Council of the City and County of Denver as the ex officio Board of Directors of the District (the “Board of Directors”), pursuant to C.R.S. 31-25-609, C.R.S.; and

WHEREAS, the Board of Directors is authorized to approve the District’s Work Plan and Budget and to issue debt and collect Capital Charges and a Mill Levy; and

WHEREAS, the Creation Ordinance established a District Advisory Board (the “Advisory Board”) for the District, and specified that such Advisory Board should, subject to the approval of the Board of Directors, conduct and manage certain affairs of the District as the authorized agent of the Board of Directors including certain financial and legal affairs; and

WHEREAS, the Creation Ordinance also calls for the Advisory Board to hold a public hearing on, and deliver and recommend to the Board of Directors, at least once a year, a Work Plan, Budget, Capital Charges, and Mill Levy (as such terms are defined in the Creation Ordinance or state law) for the next succeeding fiscal year; and

WHEREAS, following due notice, the Advisory Board held a public hearing on the proposed Work Plan, Budget, and Mill Levy on September 28, 2022, and is scheduled to hold a public hearing on the proposed Capital Charges on November 29, 2022, all for the 2023 Fiscal Year, and has prepared, delivered and recommended to the Board of Directors for its approval the District Work Plan, Budget, Capital Charges, and Mill Levy for the 2023 Fiscal Year; and

WHEREAS, in an election held on November 3, 2015, the eligible electors of the District approved a ballot issue authorizing the issuance of debt, property taxes, and collection, retention and spending of revenues in the amounts not less than as specified in the proposed 2023 Work Plan.

NOW, THEREFORE, AFTER HOLDING A PUBLIC HEARING IN ACCORDANCE WITH PUBLICATION, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER,

1 **IN ITS EX OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE RINO DENVER**
2 **GENERAL IMPROVEMENT DISTRICT:**

3 **Section 1.** That the 2023 Work Plan and Budget for the District as filed in the Office of the
4 City Clerk, ex-officio Secretary of the District, in File No. 2015-0201-L be and hereby is adopted and
5 approved.

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

8 **Section 3.** That imposition of Capital Charges which are necessary for the purpose of the
9 District's expenses as set forth in the 2023 Work Plan and Budget, are hereby approved.

10 **Section 4.** That a Mill Levy of 4.000 mills for general operating purposes is approved.

11 **Section 5.** That the fiscal year of the District shall begin on the first day of January and end
12 on the last day of December each year.

13 **Section 6.** The financial authorizations set forth herein shall continue to be effective as
14 provided in the November 3, 2015 election.

15 **Section 7.** That the City Clerk of the City and County of Denver, acting ex officio as the
16 Secretary of the Board of Directors of the District, shall attest and affix the seal of the District to this
17 Resolution.

18 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: November 9, 2022

2 MAYOR-COUNCIL DATE: November 15, 2022

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

6 PASSED BY THE COUNCIL _____

7 _____ - PRESIDENT

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

11 PREPARED BY: Spencer Fane LLP

DATE: October 28, 2022

12 REVIEWED BY: Bradley T. Neiman, Assistant City Attorney

DATE: November 23, 2022

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

17 Kerry Tipper, Interim Denver City Attorney

18 BY: Anshul Bagga, Assistant City Attorney

DATE: Nov 23, 2022