

BY AUTHORITY

RESOLUTION NO. CR21-1271
SERIES OF 2021

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 and making appropriations for the 2022 Budget Year.

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 Section 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 22, 2021, and is scheduled to hold a public hearing on the proposed Capital Charges on December 1, 2021 (as conducted, the “Capital Charges Hearing”), all for the 2022 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 2022 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 2022 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, IN ITS EX OFFICIO CAPACITY AS THE BOARD OF DIRECTORS OF THE RINO DENVER GENERAL IMPROVEMENT DISTRICT:

1 **Section 1.** That the 2022 Work Plan and Budget for the District as filed in the Office of the
2 City Clerk, ex-officio Secretary of the District, in File No. 2015-0201-K be and hereby is adopted and
3 approved.

4 **Section 2.** The sum of money identified for each fund in the 2022 Budget for expenditure in
5 the 2021 Fiscal Year is hereby appropriated for such purpose.

6 **Section 3.** That imposition of Capital Charges which are necessary for the purpose of the
7 District's expenses as set forth in the 2022 Work Plan and Budget, are hereby approved. Any
8 changes to the Capital Charges approved by the Advisory Board at the Capital Charges Hearing
9 that increase the Capital Charges above what is included in the 2022 Work Plan and Budget filed in
10 the office of the City Clerk, ex-officio Secretary of the District, in File No. 2015-0201-K, shall be
11 considered by the Board of Directors as an amendment to the 2022 Work Plan and Budget in
12 accordance with applicable law at such time as the District's 2023 Work Plan and Budget is
13 considered for approval by the Board of Directors.

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

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

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

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

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1 COMMITTEE APPROVAL DATE: November 3, 2021

2 MAYOR-COUNCIL DATE: November 9, 2021

3 **APPROVED THIS 22ND DAY OF NOVEMBER, 2021, BY THE CITY COUNCIL OF THE CITY AND**
4 **COUNTY OF DENVER, SITTING EX OFFICIO AS THE BOARD OF DIRECTORS OF THE RINO**
5 **DENVER GENERAL IMPROVEMENT DISTRICT:**

6
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

13 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, _____

14 PREPARED BY: Spencer Fane LLP DATE: November 10, 2021

15 REVIEWED BY: Bradley T. Neiman, Assistant City Attorney DATE: November 18, 2021

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17 Pursuant to section 13-9, 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
22 Kristin M. Bronson, Denver City Attorney

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24 BY: _____, Assistant City Attorney DATE: _____