

**BY AUTHORITY**

RESOLUTION NO. CR15-0772  
SERIES OF 2015

COMMITTEE OF REFERENCE:  
INFRASTRUCTURE & CULTURE

**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 2016 Fiscal 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 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 Work Plan and Budget and, if approved in the November 3, 2015 election, 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 will hold a public hearing on the proposed Work Plan and Budget, Capital Charges and Mill Levy and has prepared, delivered and recommended to the Board of Directors for its approval of the District Work Plan, Budget, Debt Issuance, Capital Charges, and Mill Levy for the 2016 Fiscal Year, subject to minor adjustment following said public hearing; and

**WHEREAS**, in an election to be held on November 3, 2015, the eligible electors of the District are being asked to approve 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 2016 Work Plan and Budget.

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1           **NOW, THEREFORE, AFTER HOLDNG 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 RINO**  
4 **DENVER GENERAL IMPROVEMENT DISTRICT:**

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6           **Section 1.** That the 2016 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. 2015-0201-D be and hereby is adopted  
8 and approved.

9           **Section 2.** The sum of money identified for each fund in the 2016 Budget for expenditure in  
10 the 2016 Fiscal Year is hereby appropriated for such purpose.

11           **Section 3.** That the issuance of debt as set forth in the 2015 or 2016 Operating Plan is  
12 approved.

13           **Section 4.** That imposition of Capital Charges in the aggregate amount of \$300,000, which  
14 are necessary for the purpose of the District’s expenses as set forth in the 2016 Budget, are  
15 hereby approved. The Capital Charge applicable to each property within the District boundaries  
16 shall be calculated by the Advisory Board once linear footages on Brighton Boulevard are verified,  
17 in accordance with the formula set forth in Section 12 of the Creation Ordinance, subject to minor  
18 adjustment following the Advisory Board public hearing.

19           **Section 5.** That a Mill Levy of 4.000 mills for general operating purposes is approved.

20           **Section 6.** That the fiscal year of the District shall begin on the first day of January and end  
21 on the last day of December each year.

22           **Section 7.** That the financial authorizations set forth herein shall not be effective if the  
23 authorization therefor is not approved in the November 3, 2015 election.

24           **Section 8.** That the City Clerk of the City and County of Denver, acting ex officio as the  
25 Secretary of the Board of Directors of the District, shall attest and affix the seal of the District to this  
26 Resolution.

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

1 COMMITTEE APPROVAL DATE: October 22, 2015 by consent

2 MAYOR-COUNCIL DATE: October 27, 2015

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**  
5 **IMPROVEMENT DISTRICT:**

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7 PASSED BY THE BOARD OF DIRECTORS: \_\_\_\_\_, 2015

8  
9 \_\_\_\_\_ - PRESIDENT OF CITY COUNCIL, EX-  
10 OFFICIO PRESIDENT OF THE DISTRICT

11 ATTEST: \_\_\_\_\_ - CITY CLERK, EX-OFFICIO SECRETARY  
12 OF THE DISTRICT

13 NOTICE PUBLISHED IN THE DAILY JOURNAL: October 27, 2015

14 PREPARED BY: Spencer Fane LLP DATE: October 29, 2015

15 REVIEWED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 29, 2015

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 D. Scott Martinez, Denver City Attorney

22 By: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2015