

1 BY AUTHORITY

2  
3 RESOLUTION CR11-0714

COMMITTEE OF REFERENCE:  
4 Land Use, Transportation & Infrastructure

5 SERIES OF 2011

6  
7 **A RESOLUTION**

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10 **By the Council of the City and County of Denver, sitting ex officio as the Board of**  
11 **Directors of the Gateway Village General Improvement District, approving a Work**  
12 **Plan, adopting a Budget and making appropriations for the Budget Year 2012 and**  
13 **approving a mill levy.**

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

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

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

30 WHEREAS, the said Resolution No. 32 also calls for the Advisory Board to  
31 prepare, deliver and recommend to the Board of Directors, at least once a year, a

32 proposed Work Plan and Budget for the next succeeding fiscal year; and

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

35 WHEREAS, the Advisory Board has prepared, reviewed and recommended to the  
36 Council for its approval a District Work Plan and Budget for the 2012 Budget Year; and

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

40 WHEREAS, the eligible electors of the District have approved ballot issues  
41 authorizing the collection, retention and spending of the property tax and other revenues  
42 in the amounts specified in the proposed budget.

43 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND**  
44 **COUNTY OF DENVER, IN ITS EX OFFICIO CAPACITY AS THE BOARD OF**  
45 **DIRECTORS OF THE GATEWAY VILLAGE GENERAL IMPROVEMENT DISTRICT:**

46 **Section 1.** That the 2012 Budget for the District as filed in the Office of the City  
47 Clerk on the 27th day of September, 2011, Filing No. 05-860-N be and hereby is adopted  
48 and approved for the budget year 2012. That the estimated revenues and expenditures  
49 for the District's General Fund, the Debt Service Fund and the Capital Projects Fund for  
50 fiscal year 2012, as more specifically set forth in the Budget, are adopted and approved.

51 **Section 2.** That the following sums are hereby appropriated from the revenues of  
52 the District, for the purposes stated:

53	General Fund	\$230,000
54	Debt Service Fund	\$362,236
55	Capital Projects Fund	<u>\$ 0</u>
56	Total Fund Appropriations	\$592,236

57           **Section 3.** That the amount of money necessary to be raised from property taxes  
58 for the purpose of the District's General Operating Expenses and Debt Service is  
59 \$533,080; that the total valuation for assessment in the District is \$16,402,460 and that a  
60 levy of 32.500 mills upon each dollar of the total valuation for assessment of all taxable  
61 property within the District is hereby approved and certified for levy and collection by the  
62 City and County of Denver in accordance with law.

63           **Section 4.** That the City Clerk of the City and County of Denver, acting ex officio  
64 as the Secretary of the Board of Directors of the District, shall attest and affix the seal of  
65 the District to this resolution.

66           **APPROVED THIS 17TH DAY OF OCTOBER, 2011 BY THE CITY COUNCIL OF**  
67 **THE CITY AND COUNTY OF DENVER, SITTING EX OFFICIO AS THE BOARD OF**  
68 **DIRECTORS OF THE GATEWAY VILLAGE GENERAL IMPROVEMENT DISTRICT**

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70 COMMITTEE APPROVAL DATE: (by Consent) October 6, 2011

71 MAYOR-COUNCIL DATE: October 11, 2011

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73 \_\_\_\_\_ PRESIDENT OF CITY COUNCIL, EX-  
74 OFFICIO PRESIDENT OF THE DISTRICT

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77 ATTEST: \_\_\_\_\_ CITY CLERK, EX-OFFICIO SECRETARY  
78 OF THE DISTRICT

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80 PREPARED BY: SETER & VANDER WALL, P.C.

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

86  
87 Douglas J. Friednash, Denver City Attorney  
88 BY: \_\_\_\_\_, City Attorney   DATE: \_\_\_\_\_, 2011