

BY AUTHORITY

RESOLUTION NO. CR16-1066
SERIES OF 2016

COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

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 2017 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 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 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 2017 Fiscal Year, subject to minor adjustment following said public hearing; 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 2017 Work Plan and 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 RINO DENVER**
4 **GENERAL IMPROVEMENT DISTRICT:**

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6 **Section 1.** That the 2017 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-F be and hereby is adopted and
8 approved.

9 **Section 2.** The sum of money identified for each fund in the 2017 Budget for expenditure in
10 the 2017 Fiscal Year is hereby appropriated for such purpose.

11 **Section 3.** That imposition of Capital Charges in the aggregate amount of \$300,000, which
12 are necessary for the purpose of the District’s expenses as set forth in the 2017 Budget, are hereby
13 approved. The Capital Charge applicable to each property within the District boundaries shall be
14 calculated by the Advisory Board once linear footages on Brighton Boulevard are verified, in
15 accordance with the formula set forth in Section 12 of the Creation Ordinance, subject to minor
16 adjustment following the Advisory Board public hearing.

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

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

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

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

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

1 COMMITTEE APPROVAL DATE: November 10, 2016 by consent

2 MAYOR-COUNCIL DATE: November 15, 2016

3 **APPROVED THIS 21st DAY OF NOVEMBER, 2016 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:**

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7 _____ - PRESIDENT OF CITY COUNCIL,
8 EX-OFFICIO PRESIDENT OF THE DISTRICT

9
10 ATTEST: _____ - CITY CLERK, EX-OFFICIO
11 SECRETARY OF THE DISTRICT

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13 NOTICE PUBLISHED IN THE DAILY JOURNAL: November 14, 2016

14 PREPARED BY: Spencer Fane LLP DATE: November 17, 2016
15 REVIEWED BY: Jo Ann Weinstein, Assistant City Attorney DATE: November 17, 2016

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17 Pursuant to section 13-12, 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 Kristin M. Bronson, Denver City Attorney

22 BY: _____, Assistant City Attorney DATE: _____