1	BY AUTH	<u>ORITY</u>
2	RESOLUTION NO. CR17-0721	COMMITTEE OF REFERENCE:
3	SERIES OF 2017	Finance & Governance
4	<u>A RESOLUTION</u>	
5 6 7 8	Approving the inclusion of Denver property located within the CCP Metropolitan Districts' Inclusion Area into the boundaries of CCP Metropolitan District Nos. 3 and 4.	
9	WHEREAS, CCP Metropolitan District Nos. 1 and 2 (f/k/a GCC Metropolitan District Nos. 1	
10	and 2, the "Denver Districts") are quasi-municipal corporations and political subdivisions of the	
11	State of Colorado and operate pursuant to their respective Service Plans ("Denver Service Plans")	
12	approved by the City Council of the City and County of Denver ("City") on July 14, 2014, pursuant	
13	to Ordinance No. 0390, Series of 2014, and found at	City Clerk File Nos. 2014-0548 and 2014-0548-
14	A; and	
15	WHEREAS, CCP Metropolitan District Nos.	3 and 4 (f/k/a GCC Metropolitan District Nos. 3
16	and 4, the "County Districts" and, collectively with	the Denver Districts, the " Districts ") are quasi-

municipal corporations and political subdivisions of the State of Colorado and operate pursuant to
their respective Service Plans ("County Service Plans" and, collectively with the Denver Service
Plans, the "Service Plans") approved by the Board of County Commissioners of the County of
Adams ("Adams County") on July 22, 2014, pursuant to Resolution 2014-311; and

WHEREAS, the Districts were organized to establish a uniform, coordinated district governance structure for the Globeville Commerce Center redevelopment project (the "**Project**") generally located at the northwest corner of East 51st Street and Washington Street running north to East 55th Street; and

25 **WHEREAS**, the Project contains property within both the City and Adams County; and

WHEREAS, Section III and Exhibit B of each of the Service Plans identify the entirety of the Project as the "Inclusion Area," and Sections III and IX of the Service Plans specifically provide that any of the property within the Inclusion Area may be added to any of the Districts regardless of the jurisdiction in which such property is located; and

30 WHEREAS, Section IX of each of the Service Plans acknowledges that inclusion and/or 31 exclusion proceedings shall be conducted in accordance with Section 32-1-401, et seq., C.R.S., and 32 Section 32-1-501, et seq., C.R.S., as applicable; and

WHEREAS, Section 32-1-401(4), C.R.S., requires the governing body of a city and county to adopt a resolution of approval to allow the inclusion of property located in the city and county into a special district if the service plan has not been approved by such jurisdiction; and

1	WHEREAS, the Districts have always contemplated the inclusion and exclusion of property
2	within the Inclusion Area as authorized pursuant to the Service Plans; and

3 WHEREAS, in satisfaction of Section 32-1-401(4), C.R.S., the City Council of the City desires 4 to formally acknowledge and approve the authorization set forth in the Service Plans for the County 5 Districts to include any of the property located within the Inclusion Area within the boundaries of any 6 of the Districts regardless of the jurisdiction in which such property is located; and

7 WHEREAS, Section 32-1-207(2)(a), C.R.S., provides that where a special district changes its 8 boundaries to include territory located in a county or municipality with no other territory within the special district, the district shall notify the governing body of the county or municipality of such 9 10 inclusion and that the governing body may review such inclusion and determine whether the 11 inclusion constitutes a material modification of the district's service plan; and

12 WHEREAS, City Council has determined that any inclusion of property within the Inclusion 13 Area into any of the Districts does not constitute a material modification of the Service Plans.

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

15 **Section 1.** The foregoing Recitals are incorporated into and made a substantive part of this Resolution. 16

17 **Section 3.** That, in accordance with the requirements of Section 32-1-401, et seq., C.R.S., 18 and as authorized pursuant to the Service Plans, the City shall and does hereby approve the inclusion of any of the property located in the Inclusion Area into the boundaries of any of the 19 20 Districts.

COMMITTEE APPROVAL DATE: June 27, 2017 by Consent 21

22 MAYOR-COUNCIL DATE: July 4, 2017 by Consent

July 10, 2017 PASSED BY THE COUNCIL: _____ 23 Al B.K. - PRESIDENT 24 ATTEST: _______ - CLERK AND RECORDER, 25 26 **EX-OFFICIO CLERK OF THE** 27 CITY AND COUNTY OF DENVER DATE: July 6, 2017

28 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney

29 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the Office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed 30 31 resolution. The proposed resolution is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter. 32 33

34 Kristin M. Bronson, Denver City Attorney

35 36

BY: ______, Assistant City Attorney DATE: ______ Jul 5, 2017