

BY AUTHORITY

RESOLUTION **136**

COMMITTEE OF REFERENCE:

SERIES OF 2009

Public Works

A RESOLUTION

By the Council of the City and County of Denver, sitting ex officio as the Board of Directors of the Gateway Village General Improvement District, approving an amended 2009 Budget.

WHEREAS, the Gateway Village General Improvement District ("the District") was created by Ordinance No. 551, Series 1994, and said 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, Ordinance No. 551 also established a District Advisory Board (the "Advisory Board"), comprised of representatives of key agencies of the City and the individual signatories to the Petition for organization of the District, and specified that such Advisory Board should, subject to the approval of the Board of Directors, conduct and manage all affairs of the District as the authorized agent of the Board of Directors, including its financial and legal affairs; and

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

WHEREAS, the said Resolution No. 32 also calls for the Advisory Board to prepare, deliver and recommend to the Board of Directors an amended Budget, if necessary, for the present fiscal year; and

WHEREAS, the Board of Directors is authorized to approve the amended Budget; and

WHEREAS, the Advisory Board has prepared, reviewed and recommended to the

33 Council for its approval an amended 2009 Budget.

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

37 **Section 1.** That the amended 2009 Budget for the District as filed in the Office of
38 the City Clerk on the 30th day of October, 2009, Filing No. **05-860-K** be and hereby is
39 adopted and approved for the budget year 2009.

40 **Section 2.** That the amended 2009 Budget increases the Debt Service Fund from
41 \$569,900 to \$2,547,055.

42 **Section 3.** That the City Clerk of the City and County of Denver, acting ex officio
43 as the Secretary of the Board of Directors of the District, shall attest and affix the seal of
44 the District to this resolution.

45 APPROVED THIS _____ DAY OF _____, 2009 BY THE CITY
46 COUNCIL OF THE CITY AND COUNTY OF DENVER, SITTING EX OFFICIO AS THE
47 BOARD OF DIRECTORS OF THE GATEWAY VILLAGE GENERAL IMPROVEMENT
48 DISTRICT

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50 COMMITTEE APPROVAL DATE: October 20, 2009

51 MAYOR-COUNCIL DATE: October 27, 2009

52 Jaane Robb PRESIDENT OF CITY COUNCIL, EX-
53 OFFICIO PRESIDENT OF THE DISTRICT
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57 ATTEST: Stephanie Haley CITY CLERK, EX-OFFICIO SECRETARY
58 OF THE DISTRICT

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

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

66
67 DAVID R. FINE, City Attorney

68 BY: [Signature] - Asst. City Attorney

69 DATE: 12 Nov., 2009

