

BY AUTHORITY

RESOLUTION **137**

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 a Work Plan, adopting a Budget and making appropriations for the Budget Year 2010 and approving a mill levy.

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, at least once a year, a proposed Work Plan and Budget for the next succeeding fiscal year; and

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

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

34 Council for its approval a District Work Plan and Budget for the 2010 Budget Year; and

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

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

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

44 **Section 1.** That the 2010 Budget for the District as filed in the Office of the City
45 Clerk on the 30th day of October, 2009, Filing No. **05-860-L** be and hereby is adopted and
46 approved for the budget year 2010. That the estimated revenues and expenditures for
47 the District's General Fund, the Debt Service Fund and the Capital Projects Fund for
48 fiscal year 2010, as more specifically set forth in the Budget, are adopted and approved.

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

51	General Fund	\$340,000
52	Debt Service Fund	\$360,000
53	Capital Projects Fund	\$ <u>0</u>
54	Total Fund Appropriations	\$700,000

55 **Section 3.** That the amount of money necessary to be raised from property taxes
56 for the purpose of the District's General Operating Expenses and Debt Service is
57 \$573,690; that the total valuation for assessment in the District is \$17,652,360 and that a
58 levy of 32.500 mills upon each dollar of the total valuation for assessment of all taxable
59 property within the District is hereby approved and certified for levy and collection by the
60 City and County of Denver in accordance with law.

61 **Section 4.** That the City Clerk of the City and County of Denver, acting ex officio
62 as the Secretary of the Board of Directors of the District, shall attest and affix the seal of

63 the District to this resolution.

64 APPROVED THIS _____ DAY OF _____, 2009 BY THE CITY
65 COUNCIL OF THE CITY AND COUNTY OF DENVER, SITTING EX OFFICIO AS THE
66 BOARD OF DIRECTORS OF THE GATEWAY VILLAGE GENERAL IMPROVEMENT
67 DISTRICT

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69 COMMITTEE APPROVAL DATE: October 20, 2009

70 MAYOR-COUNCIL DATE: October 27, 2009

71 Joanne Robb

PRESIDENT OF CITY COUNCIL, EX-
OFFICIO PRESIDENT OF THE DISTRICT

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75 ATTEST: Alphonse Macey

CITY CLERK, EX-OFFICIO SECRETARY
OF THE DISTRICT

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

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

84
85 DAVID R. FINE, City Attorney

86 BY: [Signature] - Asst City Attorney

87 DATE: 12 Nov., 2009

