

**A Resolution of the Scientific and Cultural Facilities District
Pertaining to Defining Tier II Regional Service and Impact**

WHEREAS, the enabling legislation creating the Scientific and Cultural Facilities District, C.R.S. §§32-13.101-112 describes the public origin of the funds to be distributed and the public expectations for their use, as emphasized by the bolded language herein; and

WHEREAS, C.R.S. §32-13-107(3)(b)(I)(A) requires that to be eligible for SCFD Tier II funds, an organization must be a 501(c)(3) nonprofit and have as its *primary purpose* “of enlightening and entertaining the *public* through the production, presentation, exhibition, advancement or preservation of visual arts, performing arts, cultural history, natural history, or natural sciences including earth, life, or physical sciences, as such terms are defined by the board, or shall be an agency of local government that has such primary purpose”; and

WHEREAS, C.R.S. §32-13-107(3)(b)(I)(B) requires that “any such facility shall have its principal office within the district, shall conduct the majority of its activities within the state of Colorado, and shall *principally benefit the residents of the district*; and

WHEREAS, C.R.S. §32-13-107(3)(b)(I)(B) also requires that “any such facility shall demonstrate its *regional service and impact according to criteria established by the board*”; and

WHEREAS, the SCFD Board of directors voted to define “region” as the State of Colorado at their March 23rd regular monthly Board of Directors meeting; and

WHEREAS, C.R.S. §32-13-104 states “The area comprising the district shall consist of all of the area with the boundaries of the counties of Adams, Arapahoe, Boulder, and Jefferson, all of the area within the boundaries of the city and county of Broomfield and the city and county of Denver, and all of the area within the county of Douglas; except that the area within the boundaries of the town of Castle Rock and the area within the boundaries of the town of Larkspur in the county of Douglas shall not be included in the district”; and

WHEREAS, Tier II funding distributions are comprised of sales and use tax revenue collected in all seven counties of the District; and

WHEREAS, §32-13-106(2)(d) authorizes the SCFD Board of Directors to engage staff to assist the Board in its duties and develop such procedures and instructions to implement board policy; and

WHEREAS, SCFD staff conducted a series of surveys, discussions, and meetings with all current Tier II organizations to provide feedback and consensus on meeting a regional requirement; and

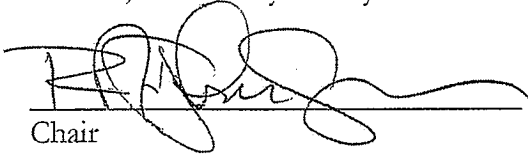
WHEREAS, SCFD issued notice to all Tier II organizations of this proposed policymaking process and afforded an opportunity for public comment at its regular monthly board meetings on March 23rd, April 27th and May 25th, 2017;

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SCIENTIFIC AND CULTURAL FACILITIES DISTRICT AS FOLLOWS:

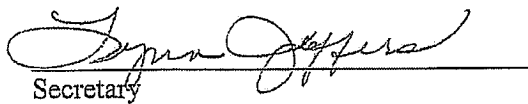
Section 1. Commencing in distribution year 2019, for purposes of Tier II Qualification, all organizations must meet the following regional criteria:

To determine regional service and impact, at least 15% of an organization's total Colorado attendance must be comprised of individuals residing outside the organization's home county. Should an organization fall below the threshold, a three-year rolling average will apply.

Introduced and approved at a regular meeting of the Board of Directors of the Scientific and Cultural Facilities District, the 25th day of May 2017.


Chair

ATTEST:


Secretary

