

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2025

COUNCIL BILL NO. 25-1223
COMMITTEE OF REFERENCE:
Finance and Business

6 **A Bill**

8 **For an ordinance amending Ordinance No. 0304, Series of 2015, which created
9 and established the RiNo Business Improvement District, to increase the
10 number of members of the Board of Directors to be appointed and to increase
11 the number of Board Members required for a quorum.**

12
13 **WHEREAS**, the Board of Directors of the RiNo Business Improvement District ("District") has
14 requested that the City Council of the City and County of Denver, Colorado increase the number of
15 Directors on the District's Board of Directors (each a "Director") from nine (9) members to eleven (11)
16 members and change the number of Directors required for a quorum of the District's Board of Directors
17 from five (5) to a majority of the then-current Directors.

18 **NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF
19 DENVER:**

20 **Section 1. Findings.** That upon consideration of the request of the Board of Directors of the
21 RiNo Business Improvement District, the City Council finds:

22 (a) **Initial Board of Directors.** That the District was created by Ordinance No. 0304,
23 Series of 2015 (the "Creation Ordinance"), which in Section 6 authorized the Board of
24 Directors of the District ("Board of Directors") to have nine (9) members, with staggered
25 terms, and which in Section 7 specified in part that a quorum consists of five (5) members of
26 the Board of Directors.

27 (b) **Renewal and Extension.** That the District was extended for an additional ten-
28 year period by Ordinance No. 640, Series of 2025, through December 31, 2035.

29 (b) **Compliance with Act.** That the Business Improvement District Act, Sections 31-
30 25-1201, *et seq.*, C.R.S. (the "Act"), and specifically Section 31-25-1209(l)(b), C.R.S. provides
31 that the City Council may, at any time, provide by ordinance for a Board of Directors consisting
32 of not fewer than five members, and the City Council hereby finds that an increase in the
33 number of directors from nine (9) to eleven (11) and the other amendments set forth herein
34 comply with the Act.

35 **Section 2. Amendment to Creation Ordinance.** Section 2 of the Creation Ordinance
36 provides that, in part, "[any] amendments to this Ordinance shall be approved by City Council." City

1 Council hereby amends the Creation Ordinance as provided herein. All other provisions of the
2 Creation Ordinance not expressly amended herein shall remain unchanged and in full force and
3 effect.

4 **Section 3. Eleven Member Board of Directors.** The first sentence of Section 6 of the
5 Creation Ordinance, starting on Page 4 and Line 24 of the Creation Ordinance, is hereby amended
6 and restated in its entirety as follows:

7 "Pursuant to Section 31-25-1209(1)(b), C.R.S., the Board of Directors of the District (the
8 "Board") shall consist of eleven (11) electors of the District, appointed by the Mayor and confirmed by
9 City Council resolution, and all Board members shall continue to serve until the later to occur of: 1)
10 the expiration of their respective terms; or 2) until a successor is appointed by the Mayor and
11 confirmed by City Council resolution. All terms shall last through December 31 of the year of the
12 applicable term, and any appointments to fill vacancies shall last only through the end of the term
13 filled. The terms of all currently-appointed and serving members of the Board are hereby extended
14 through December 31 of the last year of their current terms, as applicable."

15 **Section 4. Quorum and Vacancies.** Section 7 of the Creation Ordinance, starting on Page
16 5 and Line 21 of the Creation Ordinance, is hereby amended and restated in its entirety as follows:

17 "In accordance with Section 31-25-1209(1)(b), C.R.S., members of the Board shall serve at
18 the pleasure of the Mayor. Meetings of the Board shall be subject to the Colorado Open Meetings
19 Law. A majority of the then-current Directors shall constitute a quorum and an affirmative vote of a
20 majority of the quorum is required for District action. Officers of the District shall include a President,
21 Secretary, and Treasurer and such other officers as the Board may appoint. The Directors shall elect
22 the District's officers. Vacancies on the Board shall be filled by appointments by the Mayor and
23 confirmed by resolution of City Council as soon as practicable or as otherwise provided by applicable
24 law."

25 **Section 5. Repealer.** All acts, orders, resolutions, ordinances, or parts thereof, in conflict
26 with this Ordinance are hereby repealed, except that this section shall not be construed so as to
27 revive any act, order, resolution, or ordinance, or part thereof previously repealed.

28 **Section 6. Headers.** The headings on each section hereof are for convenience of reference
29 only and shall not be deemed to expand or limit the scope of any section.

30 **Section 7. Recordation.** This ordinance shall be recorded among the records of the Clerk
31 and Recorder of the City and County of Denver, State of Colorado by the City Clerk.

1 COMMITTEE APPROVAL DATE: August 26, 2025 By Consent
2 MAYOR-COUNCIL DATE: September 2, 2025
3 PASSED BY THE COUNCIL: _____
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;
10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: September 4, 2025
11 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.
15 Katie J. McLoughlin, Interim City Attorney
16 BY: Jonathan Griffin, Assistant City Attorney DATE: 09/04/2025