

Filing No. 2015-0200-



9/29/2023

RINO BUSINESS IMPROVEMENT DISTRICT

1320 27th Street, Suite G
Denver, CO 80205

The following documents are provided in support of this submission:

1. Cover letter
2. 2024 Operating Plan
3. 2024 Budget
4. Public notice publication
5. 2022 Audit
6. Bylaws
7. Past year board minutes
8. List of BID board members
9. Board member attendance records
10. List of BID Activities



Mr. Michael Kerrigan
201 W. Colfax Ave. Department 1010
Denver, CO 80202

Dear Mr. Kerrigan,

Attached please find the 2024 Operating Plan and Budget for the RiNo Business Improvement District (BID), including our completed 2022 audit, information about our board, board members, and meetings. We believe that the 2024 budget offers a comprehensive and effective means to deliver the mission of the BID and support the activities of local creative, business, and residential communities in an equitable and sustainable manner. Notable items include:

- The BID is committed to communicating programs, projects, and initiatives and engaging the community on them. There is a budget increase to reflect an expansion of community engagement and communications (including translation and interpretation) to assist with building awareness and involvement.
- A new line item was added to address general maintenance and cleanliness of the public realm by contracting with an additional company who will focus on litter removal, clean-ups, and graffiti removal through a consistent and/or on-call basis. In addition, there was an increase in budget to expand the waste program through purchase, installation, and service of additional bins. For the waste program, the BID will continue to contract with Denver Day Works, a program through Bayaud Enterprises that provides low-barrier employment services and day labor jobs for individuals experiencing homelessness.
- The ArtPark has finished construction and through a partnership with Denver Parks & Recreation, it will be managed to achieve the ArtPark's mission to form a creative hub, sparking innovation, and bringing people together through powerful partnerships and pillars of access, affordability, collaboration, education, culture, and nature.
- An existing line item has been renamed and has an increased budget to continue the Urban Forest Initiative and explore implementation strategies to increase RiNo's tree canopy and contribute to RiNo's green initiatives.
- There is a budget increase for the RiNo DEI and Support Fund Contribution. This line item supports grant funding to local creatives and businesses, with a focus on diversity, equity, and inclusion. A large portion of the budget in this line item will be used to fund Social Impact Grants.
- A line item was added to support small and/or minority owned businesses through collaborative efforts with existing businesses, organizations, and neighborhood representatives.
- An existing line item has been renamed to Unhoused Resources to reflect continued support for unhoused and Housing First organizations, such as Showers for All.
- The BID will continue to plan for and support a diverse range of infrastructure projects and creative programming and initiatives.

This is our most recent Annual Report, providing a summary of our work. An updated report will be available in March 2024:

<https://ctycms.com/co-rino/docs/rino-annual-report-2022.pdf>

Please let me know if you have any further questions upon review of these documents.

Sincerely,

Sarah Cawrse
Director of Urban Strategy & Design

RiNo Business Improvement District (BID) 2024 Operating Plan and Budget

LEGAL AUTHORITY

A BID in Colorado is organized pursuant to the Business Improvement District Act, Section 31-25-1201 et seq., Colorado Revised Statutes. The RiNo BID was created by adoption of ORD 15-0304 on June 1, 2015.

Following the adoption of the BID ordinance by Denver City Council, a TABOR election must be held to authorize the BID mill levy. Owners of commercial property within the proposed BID area, as well as lessees and residents of commercial property within the proposed BID area, are eligible to vote. A simple majority of voters returning the ballot must vote in favor of the BID assessments. The RiNo BID was approved by TABOR election in November 2015.

ABOUT RINO

RiNo (River North) is an urban area just north of Downtown Denver comprised of industry and warehouses; an eclectic mix of small startups, restaurants, and creative businesses; and a state-certified art district that spans the once industrial corridor. Recently, the area has seen a strong influx of development from both the public and private sectors that is sparking change and concern over the future of RiNo, and what it will look like as it continues to grow. The RiNo BID Board is working hard to strategically manage this growth and development, retain the unique and industrial character of the area, and keep the focus on the arts in RiNo, understanding it is the creative nature of the place that drives economic activity, tourism and quality of life.

BID OBJECTIVES

This plan for the RiNo BID has been driven by the needs and voices of those invested in the art district. The BID intends to look holistically at the entire RiNo BID area, with the purpose of preserving the character, promoting economic strength of the creatives, entrepreneurs and properties located within and ensuring appropriate growth that promotes walkability, bikeability, sustainability and a cohesive community fabric. The BID's goals are to:

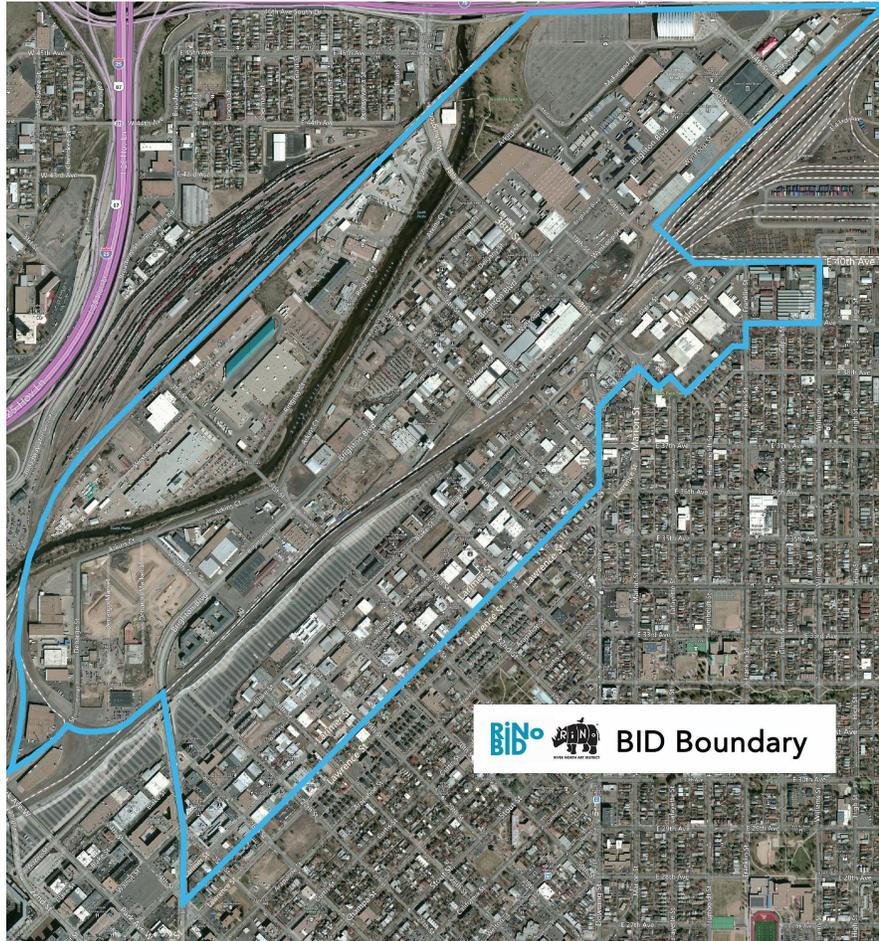
- Create a collective voice to accomplish the long-term goals of the art district.
- Purposefully improve and advance RiNo while keeping it affordable for creatives, entrepreneurs and small businesses.
- Be an advocate for RiNo to influence and direct policy, develop strategic partnerships, and leverage its budget by attracting grants and additional funding, thereby providing financial sustainability.
- Retain RiNo's unique urban and industrial character, and keep the creative entrepreneurial spirit at the heart of RiNo.
- Create an accessible, desirable area where people want to visit, engage and invest.

BID BOUNDARIES

The RiNo BID boundaries include a parcel of land lying in Sections 22, 23, 26, and 27, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

- Beginning at a point on the southerly right-of-way of I-70 at its intersection with the southeasterly property line of the Burlington Northern railroad, said point lying approximately 600 feet east of the South Platte River;
- Thence easterly, with the southerly right-of-way of I-70, to its intersection with the northwesterly property line of the Union Pacific railroad;
- Thence southwesterly, with the northwesterly property line of the Union Pacific railroad, to its intersection with the northeasterly right-of-way of vacated 40th Street, said right-of-way vacated by Ordinance 187 Series of 1925;
- Thence southeasterly, crossing the Union Pacific railroad property to the northerly right-of-way of 40th Avenue at its intersection with the northwesterly right-of-way of Blake Street;
- Thence easterly, with the northerly right-of-way of 40th Avenue, to its intersection with the centerline of Williams Street projected northerly;
- Thence southerly, with the centerline of Williams Street, to its intersection with the centerline of 39th Avenue;
- Thence westerly, with the centerline of 39th Avenue, to its intersection with the centerline of Franklin Street;
- Thence southerly, with the centerline of Franklin Street, to its intersection with the centerline of Lafayette Street;
- Thence westerly and southwesterly, with the centerline of Lafayette Street, to its intersection with the northeasterly property line of St. Charles Place Park;
- Thence northwesterly, southwesterly, and northwesterly, with the property lines of St. Charles Place Park, to the northernmost corner said park, and the rights-of-way of Walnut Street and Marion Street;
- Thence northwesterly, on a projection of the last line, to its intersection with the centerline of Walnut Street;
- Thence southwesterly, with the centerline of Walnut Street, to its intersection with the centerline of Downing Street;
- Thence southerly, with the centerline of Downing Street, to its intersection with the centerline, projected northeasterly, of the alley lying between Larimer Street and Lawrence Street;
- Thence southwesterly, with said alley centerline, to its projected intersection with the centerline of Broadway Street;
- Thence northerly, with the centerline of Broadway Street, to its intersection with the northwesterly property line of the Union Pacific railroad;
- Thence southwesterly and westerly, with the northwesterly and northerly property line of the Union Pacific railroad, to its intersection with the northwesterly right-of-way of Delgany Street;
- Thence southwesterly, with the northwesterly right-of-way of Delgany Street, to its intersection with the easterly property line of the Burlington Northern railroad;
- Thence northerly and northeasterly, with the easterly and southeasterly property lines of the Burlington Northern railroad;
- Thence northerly and northeasterly, with the easterly and southeasterly property lines of the Burlington Northern railroad, to the point of beginning.

The following map illustrates these boundaries:



BID SERVICES

The services that the BID plans to fund have been developed and prioritized by the property and business owners of RiNo, and include services as defined in Section 31-25-1212(1)(f) C.R.S. and improvements as defined in Section 31-25-1203(5), C.R.S.:

- ***RiNo Advocacy:*** The unified voice of RiNo on all matters related to preserving and advancing the district's unique character through representation, promotion of planning and development, policy and partnerships. This includes:
 - Dedicated staff that manage RiNo, advocate for RiNo needs, and focus on leveraging resources and improvements to the area.
 - Serving as advocate and champion for RiNo on issues important to ensuring long-term sustainable growth, and acting as the influential, unified voice for the district that can be heard by the public, elected officials, developers and businesses and community partners.
 - Advocating on local policy initiatives, planning and development issues to promote new solutions to RiNo's continued growth including accessibility, improved public transportation, regional parking solutions and shared parking alternatives (among other things) to ensure growth can be best managed.

- Promoting and developing activities and programs to encourage healthy, active lifestyles and create a truly walkable, bikeable district.
 - Leveraging partnerships and developing strategies to increase participation among community leadership, surrounding neighborhoods, business and the City and County of Denver.
 - Advocating for funding from the City and County of Denver, State of Colorado and other funding sources and grantors to address critical art district's objectives.
- **RiNo Branding, Marketing, Activation:** The BID shall facilitate the development of the RiNo brand, as well as creating and delivering an experience that encourages locals and visitors to explore RiNo through marketing, events and programming. Projects include:
 - Further developing the RiNo brand to uniquely identify the area's distinctive offer and future potential.
 - Producing targeted marketing and messaging on a local, regional and national level to promote visitation and investment in the area. This includes (but is not limited to) website and social media development and management.
 - Developing year-round programming and activities that bring in diverse demographic groups to experience and explore RiNo, including the development of signature RiNo events and activities.
 - Providing awareness, recognition, promotion and education about businesses and creatives in the district, including specific public and community relations in support of growing the RiNo Art district.
 - Working with, supporting and establishing partnerships with other art and creative districts in and around metro Denver and the State of Colorado.
- **RiNo Placemaking:** The BID shall work to retain the unique urban and industrial character of RiNo, integrating culture and creativity into the environment, delivering appropriate enhancements to the public realm, adding pedestrian amenities and activating the area. Projects include:
 - Advocating to the City and County of Denver for funding and prioritization of larger-scale infrastructure needs and investments in RiNo to ensure the district is safe, accessible and connected.
 - Investing in the development and implementation of a comprehensive RiNo-branded wayfinding program for vehicles, pedestrians and bicyclists, as well as distinctive gateways into RiNo to define and brand the district.
 - Improving the aesthetics and functionality of RiNo's public realm, sidewalks, streets and pedestrian areas. This includes (but is not limited to) adding amenities such as benches, bike racks and trash/recycling cans as well as public art, murals and creative projects to bolster the RiNo brand.
 - Working to leverage resources to improve the South Platte River, create parks, green spaces and public spaces, and implement sustainability investments and green stormwater solutions to provide a healthy community that encourages social interaction.
 - Undertaking creative enhancements and interventions, including activating alleyways and pedestrian walkways and developing interesting places and spaces.
 - Promoting upkeep (as necessary) throughout the district to enhance existing maintenance by the City and County of Denver and property owners, working to help ensure visitors have a safe and pleasant experience.

- **Business Support for RiNo Creatives and Entrepreneurs:** The BID shall take a leadership role in keeping RiNo affordable and promoting its local talent, creatives and entrepreneurs through advocacy, programming and direct support, amplifying the creative and cultural offer in the district and promoting economy vitality. Projects include:
 - Sustaining and supporting the existing and developing creative and entrepreneurial community to protect their interests in the RiNo Art District as development progresses.
 - Developing programs to collaboratively fund business needs, including grants and no/low-interest loan programs to support small businesses and entrepreneurialism in RiNo, and keep the cost of doing business in RiNo affordable.
 - Supporting local creatives through collaborative projects, professional development, and artist-to-artist programs and networking.
 - Advocacy and funding for creatives and artists, including support for current and future studios and live/work space.
 - Promoting local businesses and creatives to increase their sales and profitability and creating community event and exhibition spaces.
 - Facilitating a space clearinghouse to refer creatives and entrepreneurs to available spaces.

This list of services provides overarching direction on where the BID will invest its resources.

BID REVENUE

The RiNo BID shall utilize an assessment method that is based upon a percentage of assessed value. The RiNo BID assessment rate may never exceed .004 (4 mills) on the assessed value of real property (business personal property is excluded). In Colorado, assessed value of commercial property is 29% of actual value. **In 2024, the RiNo BID assessment rate shall be 4 mills on the assessed value of real property.** Only commercially assessed properties are assessed through the BID. Residential properties are not assessed in a BID.

In future years, the RiNo BID Board may decrease (and subsequently increase) the mill levy (so long as it never exceeds 4 mills). In order to do so, the following shall occur:

- The RiNo BID Board shall send out a notification to each commercial property owner in the RiNo BID notifying them of the proposed change and of a public meeting to be held.
- The RiNo BID Board shall then hold a public meeting to present the proposed mill levy change and reasons for the change and hear comment.
- After that time, the BID Board may recommend a proposed mill levy change. This change must occur in line with the annual BID reporting period to Denver City Council (approved no later than December 5 of each year) and must be approved by City Council before the change occurs.

Each year, the RiNo BID Board will go through a process to certify the assessment rolls and determine each property owner's yearly assessment, as well as the total RiNo BID budget. This occurs through the following:

- Each May, the City and County of Denver shall provide very preliminary new assessed value data, which the BID may use to preliminarily plan the budget for the coming year.
- By August 25, refined preliminary assessed value data shall be provided to the RiNo BID Board by the City and County of Denver.
- By September 30, the RiNo BID Board must file the operating plan and budget with the City and County of Denver for the next year.

- The City and County of Denver has 30 days after receipt of all required information from the BID to approve the operating plan. The City and County of Denver may request further information from the RiNo BID Board as needed. All final information must be filed and approved no later than December 5.
- By December 10, final assessed value data must be provided to the RiNo BID Board.
- By December 15, the RiNo BID Board must complete a public hearing, adoption of the budget and operating plan and final certification of the mill levy.
- The final budget of the RiNo BID must be filed with the State of Colorado by January 31.

BID BONDING

The RiNo BID does not intend to issue bonds in 2024. However, as allowed by law, the BID may issue bonds or other multiple year financial obligations if it is authorized to do so by its voters in a future election and a future operating plan. The election must comply with all applicable Federal, State and municipal requirements, including the TABOR Amendment, and the election would limit the amount of debt that may be issued to the amount that is approved by the BID voters.

BID GOVERNANCE

The BID statute allows for a board of 5 to 11 members who are BID electors. The RiNo BID board consists of nine (9) appointed members from the RiNo BID area. The following members are to be included in this mix:

- At least two (2) property owners from the Eastside of the RiNo BID area
- At least two (2) property owners from the Westside of the RiNo BID area
- At least two (2) artist/creative property owners – one (1) from the Eastside of the RiNo BID area, and one (1) from the Westside of the RiNo BID area
- At least one (1) RiNo business owner

NOTE: The determination of the Eastside/Westside designation is determined by location in relation to the railroad tracks that divide the district.

The above mix is not specifically set out in the BID Ordinance of Creation. Subject to resolution, the BID may revisit the above mix in order to ensure equitable representation.

The current board members of the RiNo BID are:

RiNo BID Board Member	Affiliation	Governance Representation	Initial Term	Consecutive Term
Diana Merkel	P.S. Design	RiNo Business Owner/Eastside Property Owner	2022	2025
Carla Mestas	CIRCLE Organization	RiNo Business Owner	2023	2026
Jevon Taylor	Green Spaces	RiNo Business Owner	2024	2027
Obadiah Ariss	The Preservery Foundation	RiNo Business Owner	2024	2027
Adam Larkey	Zeppelin Development	Westside Property Owner	2024	2027

The length of the term is three (3) years and the consecutive term limit shall be two (2) terms. After a member has fulfilled two consecutive terms, that person may not be a member of the RiNo BID governing body for three (3) years before being reappointed.

The BID shall inform the City and County of Denver of any RiNo BID Board vacancy that comes to its attention. Appointment to the BID Board in future years shall occur as follows:

- The RiNo BID Board shall accept submissions of interest for the vacancy.
- The RiNo BID Board shall provide posted notice of a public hearing, hold a public hearing, and thereafter provide the City and County of Denver with one or more recommended nominees to fill the vacancy, taking into account the qualifications thereof, the desired diversity of the Board, and the nominee's willingness to serve.
- The City shall review the recommendation and may require additional information from the Board or the nominee. The Mayor and City Council will approve all BID appointments.

BID MANAGEMENT STRUCTURE

The RiNo BID expects to contract with the RiNo Art District (RAD) and Keep RiNo Wild (KRW) organizations to deliver its services. RAD is a 501(c)(6) membership organization that supports the development of the RiNo Art District and Keep RiNo Wild is a 501(c)(3) non-profit organization.

Each year the RiNo BID Board shall develop a work plan and budget for the RiNo BID. Once agreed upon, the RiNo BID Board would expect to execute a services contract with the RAD and KRW Boards to deliver their services.

The BID may enter into one or more contracts, agreements, or other arrangements with the RiNo Art District, Keep RiNo Wild, and/or the RiNo Denver General Improvement District regarding the support, planning, design, construction, financing and/or operation of the project known as the RiNo ArtPark Community Hub including the reconstruction and operation of the City's Police Building and Interstate Building.

BID TERM

BIDs in Colorado may be perpetual. However, the RiNo BID shall have an initial ten-year term. This allows for property owners to evaluate the BID's effectiveness prior to the end of the term.

The BID Board shall provide notice and conduct a public hearing during the ninth year of the BID's existence to obtain property owner comments on the BID's effectiveness and success. If the BID is deemed successful, the BID Board shall request that the City Council renew the BID by giving public notice, holding a hearing, and adopting an ordinance prior to the end of the ten-year initial term. If the BID is not considered to be successful, it shall sunset at the end of the initial term and terminate in accordance with all applicable laws and requirements. This process shall repeat every ten (10) years.

CITY SERVICES

BID services shall be designed to supplement existing City services and will be in addition to City services that are currently provided in RiNo. BID services shall not replace any existing City services.

ADDITION OF PROPERTIES TO THE BID

Additional property may be added to the BID only after a petition is signed by the property owner, filed with the City of Denver, and approved by the Denver City Council after public notice and hearing pursuant to C.R.S. 31-25-1220.

DISSOLUTION

Under Colorado law, the BID may be dissolved following a public hearing if property owners representing at least 50% of acreage within the BID and at least 50% of total assessed value within the BID submit petitions for dissolution to City Council. City Council also retains discretion to initiate dissolution proceedings if the BID fails to submit an operating plan and budget for two successive years.

**DRAFT RiNo Business Improvement District
Summary
2024 Budget as Proposed
With 2023 YTD Actual + Estimated Remaining
For the Years Ended and Ending December 31**

	Actual Prior Year 2022	Adopted Budget Year 2023	2023 YTD Actual + Estimated Remaining	Proposed 2024
ESTIMATED RESOURCES				
Beginning Fund Balance, Jan 1	\$ 499,917.17	\$ 677,296.02	\$ 677,296.02	\$ 490,052.74
Estimated Fund Revenue:				
District 135-Business Impro	\$ 2,313,446.68	\$ 2,330,521.88	\$ 2,282,927.78	\$ 2,743,483.90
DURA District 142-Ironworks	\$ 37,000.00	\$ 37,000.00	\$ 25,888.21	\$ 21,805.00
Specific Ownership Tax Dist	\$ 60,000.00	\$ 60,000.00	\$ 104,580.45	\$ 68,819.48
Interest Income/Other	\$ 80.00	\$ 80.00	\$ 421.21	\$ 95.00
Total Revenue	\$ 2,410,526.68	\$ 2,427,601.88	\$ 2,413,817.65	\$ 2,834,203.38
Total Funds Available	\$ 2,910,443.85	\$ 3,104,897.90	\$ 3,091,113.67	\$ 3,324,256.12
EXPENDITURES				
Administrative	\$ 620,000.00	\$ 954,111.23	\$ 707,074.00	\$ 793,490.42
Advocacy	\$ 181,750.00	\$ 196,000.00	\$ 175,449.00	\$ 347,308.44
Activation & Marketing	\$ 177,500.00	\$ 280,000.00	\$ 250,000.00	\$ 190,000.00
Infrastructure	\$ 912,100.00	\$ 1,122,965.00	\$ 928,537.93	\$ 998,258.63
Support	\$ 475,000.00	\$ 575,000.00	\$ 540,000.00	\$ 813,967.24
Total Expenditures	\$ 2,366,350.00	\$ 3,128,076.23	\$ 2,601,060.93	\$ 3,143,024.73
ENDING FUND BALANCE	\$ 544,093.85	\$ (23,178.33)	\$ 490,052.74	\$ 181,231.39

**NOTICE OF HEARING ON PROPOSED BUDGET
AND
NOTICE CONCERNING BUDGET AMENDMENT**

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2024 has been submitted to the RiNo Business Improvement District ("District"). Such proposed budget will be considered at a special meeting and public hearing of the Board of Directors of the District to be held at Collegiate Peaks Bank, 3655 Brighton Blvd., Denver, CO 80216, at 3:00 p.m. on Wednesday, September 27, 2023.

NOTICE IS FURTHER GIVEN that an amendment to the 2023 budget of the District may also be considered at the above-referenced meeting and public hearing of the Board of Directors of the District. A copy of the proposed 2024 budget and the amended 2023 budget, if required, are available for public inspection at the RiNo offices, 1320 27th St, Suite G, Denver, CO 80205. Any interested elector within the District may, at any time prior to final adoption of the 2024 budget and the amended 2023 budget, if required, file or register any objections thereto.

RiNo BUSINESS IMPROVEMENT DISTRICT
By: /s/ Diana Merkel, Board Chair

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RiNo BUSINESS IMPROVEMENT DISTRICT
City and County of Denver, Colorado

BASIC FINANCIAL STATEMENTS

December 31, 2022

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Supplemental Information

FINANCIAL SECTION



JOHN CUTLER & ASSOCIATES

Board of Directors
RiNo Business Improvement District
City and County of Denver, Colorado

INDEPENDENT AUDITORS' REPORT

Report on the Financial Statements

Opinions

We have audited the financial statements of the governmental activities and each major fund, of the RiNo Business Improvement District (the "District") as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the RiNo Business Improvement District as of December 31, 2022, and the respective changes in financial position and, where applicable, cash flows, thereof for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the RiNo Business Improvement District and to meet our ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with the accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgement made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgement and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures of the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion of the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgement, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the required budgetary information on page 13 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board (GASB) who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has not presented the management's discussion and analysis that governmental accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion is not affected by this missing information.

Appendix A is presented for the purpose of additional analysis and is not a required part of the basic financial statements. This information has not been subjected to auditing procedures applied in the audit of the basic financial statements and accordingly we express no opinion.

John Luther & Associates, LLC

March 27, 2023

BASIC FINANCIAL STATEMENTS

RiNo BUSINESS IMPROVEMENT DISTRICT

STATEMENT OF NET POSITION

As of December 31, 2022

	Governmental Activities	
	2022	2021
ASSETS		
Cash and Investments	\$ 677,296	\$ 516,472
Accounts Receivable	10,965	46,744
Prepaid Expenses	129,885	-
Property Taxes Receivable	2,330,522	2,313,447
TOTAL ASSETS	<u>3,148,668</u>	<u>2,876,663</u>
LIABILITIES		
Accounts Payable	54,998	52,253
Accrued Liabilities	454	316
TOTAL LIABILITIES	<u>55,452</u>	<u>52,569</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred Revenues - Property Taxes	2,330,522	2,313,447
NET POSITION		
Restricted for Emergencies	68,500	54,000
Unrestricted	694,194	456,647
TOTAL NET POSITION	<u>\$ 762,694</u>	<u>\$ 510,647</u>

The accompanying notes are an integral part of the financial statements.

RiNo BUSINESS IMPROVEMENT DISTRICT

STATEMENT OF ACTIVITIES
Year Ended December 31, 2022

	Governmental Activities	
	2022	2021
EXPENSES		
Governmental Activities		
General Government	\$ 2,027,762	\$ 1,841,253
TOTAL EXPENSES	<u>2,027,762</u>	<u>1,841,253</u>
REVENUES		
GENERAL REVENUES		
Property Taxes	2,159,973	1,703,892
Specific Ownership Taxes	119,800	95,717
Interest Income	36	55
TOTAL REVENUES	<u>2,279,809</u>	<u>1,799,664</u>
CHANGE IN NET POSITION	252,047	(41,589)
NET POSITION, Beginning	<u>510,647</u>	<u>552,236</u>
NET POSITION, Ending	<u>\$ 762,694</u>	<u>\$ 510,647</u>

The accompanying notes are an integral part of the financial statements.

RiNo BUSINESS IMPROVEMENT DISTRICT

BALANCE SHEET
GOVERNMENTAL FUNDS
As of December 31, 2022

	GENERAL FUND	
	2022	2021
ASSETS		
Cash and Investments	\$ 677,296	\$ 516,472
Accounts Receivable	10,965	46,744
Property Taxes Receivable	2,330,522	2,313,447
Prepaid Expenses	129,885	-
TOTAL ASSETS	<u>\$ 3,148,668</u>	<u>\$ 2,876,663</u>
LIABILITIES AND FUND EQUITY		
LIABILITIES		
Accounts Payable	\$ 54,998	\$ 52,253
Accrued Expenses	454	316
TOTAL LIABILITIES	<u>55,452</u>	<u>52,569</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred Revenues - Property Taxes	<u>2,330,522</u>	<u>2,313,447</u>
FUND EQUITY		
Fund Balance		
Nonspendable	129,885	-
Restricted for Emergencies	68,500	54,000
Unassigned	564,309	456,647
TOTAL FUND EQUITY	<u>762,694</u>	<u>510,647</u>
TOTAL LIABILITIES, DEFERRED INFLOWS, AND FUND EQUITY	<u>\$ 3,148,668</u>	<u>\$ 2,876,663</u>

The accompanying notes are an integral part of the financial statements.

RiNo BUSINESS IMPROVEMENT DISTRICT

STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS
Year Ended December 31, 2022

	GENERAL FUND	
	2022	2021
REVENUES		
Property Taxes	\$ 2,159,973	\$ 1,703,892
Specific Ownership Taxes	119,800	95,717
Other	36	55
	<u>2,279,809</u>	<u>1,799,664</u>
TOTAL REVENUES		
EXPENDITURES		
Current		
Administrative Expenses	607,535	602,374
Program Expenses	1,420,227	1,238,879
	<u>2,027,762</u>	<u>1,841,253</u>
TOTAL EXPENDITURES		
NET CHANGE IN FUND BALANCES	252,047	(41,589)
FUND BALANCES, Beginning	<u>510,647</u>	<u>552,236</u>
FUND BALANCES, Ending	<u>\$ 762,694</u>	<u>\$ 510,647</u>

The accompanying notes are an integral part of the financial statements.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The RiNo Business Improvement District (the “District”), is a public or quasi-municipal corporation of the State of Colorado was organized by order and decree of the District Court for the City and County of Denver on June 1, 2015, and is governed pursuant to provisions of the Improvement Districts in Municipalities (1949 Act) of Title 31, Article 25, Part 6 of the Colorado Revised Statutes. The District’s service area is located in the City and County of Denver (the “City”), Colorado. The District was established to provide funding towards projects and programming in four key areas: Advocacy, Placemaking, Marketing, and Branding and Support for the District’s Artists and Creatives.

The accounting policies of the District conform to generally accepted accounting principles as applicable to governments. The following is a summary of the more significant policies:

Reporting Entity

In accordance with governmental accounting standards, the District has considered the possibility of inclusion of additional entities in its financial statements.

The definition of the reporting entity is based primarily on financial accountability. The District is financially accountable for organizations that make up its legal entity. It is also financially accountable for legally separate organizations if District officials appoint a voting majority of the organization’s governing body and either it is able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits to, or to impose specific financial burdens on, the District. The District may also be financially accountable for organizations that are fiscally dependent upon it.

Based on the application of these criteria, the District does not include additional organizations in its reporting entity.

The District is reported as a component unit of the City and County of Denver (the “City”).

Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of Net Position and the statement of activities) report information on all of the nonfiduciary activities of the District. For the most part, the effect of interfund activity has been removed from these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Government-Wide and Fund Financial Statements (Continued)

The statement of activities demonstrates the degree to which the direct expenses of the given function or segments are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when the liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current *financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collected within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Service fees, grants, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the District.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

When both restricted and unrestricted resources are available for use, it is the District's practice to use restricted resources first, then unrestricted resources as they are needed.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting, and Financial Statement Presentation
(Continued)

In the fund financial statements, the District reports the following major governmental fund:

The *General Fund* is the District's primary operating fund. It accounts for all financial resources of the District, except those required to be accounted for in another fund.

Cash and Investments

Cash equivalents include investments with original maturities of three months or less. The District does not hold any investments at December 31, 2022.

Deferred Inflows of Resources

In addition to the liabilities, the statement of financial position and balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position and fund balance that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Accounting Estimates

The preparation of financial statements in conformity with Generally Accepted Accounting Principles (GAAP) requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Property Taxes

Property taxes are levied on December 15 based on the assessed value of property certified by the County Assessor on December 10. The property tax may be paid in total by April 30 or one-half payment by February 28 and the second half by June 15. The County Treasurer's Office collects property taxes and remits to the District on a monthly basis.

Since property tax revenues are collected in arrears during the succeeding year, a receivable and corresponding deferred inflow of resources are recorded at December 31. As tax is collected in the succeeding year, the deferred inflow of resources is recognized as revenue and the receivable is reduced.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 1: **SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES** (Continued)

Net Position

The government-wide and business-type fund financial statements utilize a net position presentation. Net position is categorized as investment in capital assets, restricted, and unrestricted.

Investment in Capital Assets is intended to reflect the portion of net position which are associated with non-liquid, capital assets less outstanding capital asset related debt. The net related debt is the debt less the outstanding liquid assets. The District does not hold any capital assets at December 31, 2022.

Restricted Net Position are liquid assets, which have third party limitations on their use.

Unrestricted Net Position represent assets that do not have any third-party limitation on their use. While District management may have categorized and segmented portion for various purposes, the District Board of Directors has the unrestricted authority to revisit or alter these managerial decisions.

Fund Balance Classification

The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the District is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

- Nonspendable – This classification includes amounts that cannot be spent because they are either not in a spendable form (such as inventories and prepaid amounts) or are legally or contractually required to be maintained intact. The District has classified its prepaid expenses as nonspendable fund balance as of December 31, 2022.
- Restricted – This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors (such as through a debt covenant), grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation. The District has classified Emergency Reserves as being restricted because their use is restricted by State Statute for declared emergencies.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Fund Balance Classification (Continued)

- Committed – This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the Board of Directors. These amounts cannot be used for any other purpose unless the Board of Directors removes or changes the specified use by taking the same type of action (ordinance or resolution) that was employed when the funds were initially committed. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements. The District did not have any committed resources as of December 31, 2022.
- Unassigned – This classification includes the residual fund balance for the General Fund. The Unassigned classification also includes negative residual fund balance of any other governmental fund that cannot be eliminated by offsetting of Assigned fund balance amounts.

The District would typically use restricted fund balances first, followed by Committed resources, and then Assigned resources, as appropriate opportunities arise, but reserves the right to selectively spend Unassigned fund balance.

Comparative Data

Comparative total data for the prior year has been presented in the accompanying financial statements in order to provide an understanding of changes in the District's financial position and operations. However, complete comparative data in accordance with generally accepted accounting principles has not been presented since its inclusion would make the financial statements unduly complex and difficult to read.

NOTE 2: STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgets and Budgetary Accounting

The District follows these procedures in establishing the budgetary data reflected in the financial statements:

- On or before October 15, District Management submits to the Board of Directors a proposed operating budget for the fiscal year commencing the following January 1. The operating budget includes proposed expenditures and the means of financing them.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 2: STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY(Continued)

Budgets and Budgetary Accounting (Continued)

- Public hearings are conducted to obtain taxpayer comments.
- Prior to December 31, the budget is legally enacted through passage of a resolution.
- District Management is authorized to transfer budgeted amounts between departments within any fund. However, any revisions that alter the total expenditures of any fund must be approved by the Board of Directors.
- Budgets are legally adopted for all funds of the District on a basis consistent with GAAP.
- Budgeted amounts in the financial statements are as originally adopted or as amended by the Board of Directors. All appropriations lapse at year end.

NOTE 3: CASH AND INVESTMENTS

Deposits

Custodial Credit Risk – Deposits

Custodial credit risk is the risk that in the event of a bank failure, the government's deposits may not be returned to it. The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulations. At December 31, 2022, State regulatory commissioners have indicated that all financial institutions holding deposits for the District are eligible public depositories.

Amounts on deposit in excess of federal insurance levels must be collateralized by eligible collateral as determined by the PDPA. PDPA allows the financial institution to create a single collateral pool for all public funds held. The pool is to be maintained by another institution or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be at least equal to 102% of the uninsured deposits. The District has no policy regarding custodial credit risk for deposits.

At December 31, 2022, the District had deposits with financial institutions with a carrying amount of \$677,296. The bank balances with the financial institutions were \$685,824. Of these balances \$250,000 were covered by federal depository insurance and \$435,824 were covered by collateral held by the authorized escrow agents in the financial institutions name (PDPA).

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 3: CASH AND INVESTMENTS (Continued)

Investments

Interest Rate Risk

The District does not have a formal investment policy; however, the District follows state statutes regarding investments.

Credit Risk

Colorado statutes specify in which instruments the units of local government may invest which include:

- Obligations of the United States and certain U.S. government agency securities
- General obligation and revenue bonds of U.S. local government entities
- Local government investment pools
- Written repurchase agreements collateralized by certain authorized securities
- Certain money market funds
- Guaranteed investment contracts

As of December 31, 2022, the District did not hold any investments.

NOTE 4: RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees, or natural disasters. The District carries commercial insurance to cover these risks. For the year ended December 31, 2022, the District did not have any claims that exceeded insurable amounts in the last three years.

RINO BUSINESS IMPROVEMENT DISTRICT

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2022

NOTE 5: COMMITMENTS AND CONTINGENCIES

Management Agreement

In January of 2018 the District entered into a management agreement with RiNo Art District (RAD) to provide operations, programs, and general management services to the District. In January of 2022 the District entered into an additional management agreement with RiNo Gives Back dba Keep RiNo Wild (KRW) to provide operations, programs, and general management services to the District. During the year ended December 31, 2022, the District paid \$377,028 to RAD and \$198,696 to KRW under the terms of the management agreements. The management agreements were renewed for 2023 where the District agreed to pay \$362,580 to RAD and \$300,000 to KRW for services to be provided under the new management agreements.

Tax Payer Bill of Rights (TABOR) Amendment

TABOR Amendment - Colorado voters passed an amendment to the State Constitution, Article X, Section 20, which has several limitations, including revenue raising, spending abilities, and other specific requirements of state and local government. The Amendment is complex and subject to judicial interpretation. The District believes it is in compliance with the requirements of the Amendment.

The District has established an emergency reserve, representing 3% of fiscal year spending (excluding debt service), as required by the Amendment. At December 31, 2022, the emergency reserve of \$68,500 was recorded as a restriction of fund balance in the General Fund.

NOTE 6: SUBSEQUENT EVENTS

Potential subsequent events were considered through March 27, 2023. It was determined that the following event is required to be disclosed through this date.

REQUIRED SUPPLEMENTARY INFORMATION

RiNo BUSINESS IMPROVEMENT DISTRICT

GENERAL FUND
 BUDGETARY COMPARISON SCHEDULE
 Year Ended December 31, 2022

	2022		VARIANCE Positive (Negative)	ACTUAL 2021
	ORIGINAL AND FINAL BUDGET	ACTUAL		
REVENUES				
Property Taxes	\$ 2,350,447	\$ 2,159,973	\$ (190,474)	\$ 1,703,892
Specific Ownership Taxes	60,000	119,800	59,800	95,717
Other	80	36	(44)	55
TOTAL REVENUES	<u>2,410,527</u>	<u>2,279,809</u>	<u>(130,718)</u>	<u>1,799,664</u>
EXPENDITURES				
Current				
Administrative Expenses				
Management and Administration	495,600	499,822	(4,222)	495,600
Accounting and Tax Services	39,969	35,857	4,112	36,400
Occupancy	45,000	45,583	(583)	45,000
Legal Expenses	15,020	2,449	12,571	2,112
Insurance	4,671	805	3,866	4,441
Treasurer Fees	17,705	21,249	(3,544)	17,149
Office Supplies and Miscellaneous	2,035	1,770	265	1,672
Program Expenses				
Advocacy	181,750	168,718	13,032	164,104
Branding, Marketing, Activation	177,500	179,581	(2,081)	142,695
Infrastructure	912,100	644,271	267,829	563,433
Business Support	475,000	427,657	47,343	368,647
TOTAL EXPENDITURES	<u>2,366,350</u>	<u>2,027,762</u>	<u>338,588</u>	<u>1,841,253</u>
NET CHANGE IN FUND BALANCE	44,177	252,047	207,870	(41,589)
FUND BALANCE, Beginning	<u>510,647</u>	<u>510,647</u>	<u>-</u>	<u>552,236</u>
FUND BALANCE, Ending	<u>\$ 554,824</u>	<u>\$ 762,694</u>	<u>\$ 207,870</u>	<u>\$ 510,647</u>

See the accompanying independent auditors' report.

APPENDIX A



9/28/2022

RINO BUSINESS IMPROVEMENT DISTRICT

3525 Walnut Street, Suite 40
Denver, Co 80205

List of 2022 Activities 2022 and 2023 (planned)

- Contribute to ArtPark Phase 2, the interstate Building, which is due to commence construction Q4 2022. This is a partnership between RiNo and the City and County of Denver to create a flexible venue space within the recently completed Arkins Park, adjacent to Brighton Boulevard. ArtPark Phase 1 was completed in September 2021 and accommodates a branch of Denver Public Library, eight affordable Artist Studios, and a social enterprise commissary kitchen
- Promote and market local artists, businesses, and creatives through website and social media channels to support the local economy.
- Expand the recycling and landfill program to support neighborhood cleanliness and continue to provide employment opportunities to those affected by homelessness.
- Fund a range of creative events including the Denver Fringe, to support the local creative community and also to draw visitors to the area.
- Contribute towards the RiNo Mural Program, invigorating the built environment with vibrant murals, providing valuable funding to local artists, and ensuring RiNo remains a destination in Denver (bringing knock-on economic benefits to local businesses).
- Partner with the City and County of Denver in the development of curb lane management activities, which are scheduled to be rolled out in Summer 2023.
- Contribute towards the Art RiNo festival. Following success in the inaugural year of 2022, the event will return in 2023.
- Roll out the RiNo Urban Forest project, which will plan, locate, install, and maintain new trees in order to improve shade, walkability, and overall quality of environment.

3525 Walnut Street • Suite 40 • Denver, Colorado 80205 • 303.437.5129 • rinoartdistrict.org

artwork by @detour303

RiNo Business Improvement District Bylaws

PREAMBLE

These bylaws are adopted pursuant to the laws of the State of Colorado and the ordinances of the City and County of Denver. In the event of a direct conflict between these bylaws and state law or city ordinance, the state law or city ordinance shall govern.

ARTICLE I

General

- Section 1. The name of the district shall be known as the “RiNo Business Improvement District”, also known as the “RiNo BID”.
- Section 2. The office of the RiNo BID shall be located within or near the boundaries of the RiNo BID at such place as the RiNo BID Board (the “Board”) shall, by resolution, determine.

ARTICLE II

Directors and Officers

- Section 1. There shall be the number of directors provided by ordinance of the City and County of Denver on the Board of the RiNo BID.

- Section 2. A vacancy on the Board occurs when a director ceases to be an elector of the RiNo BID, resigns, is removed from office as provided by law, or dies.
- Section 3. A vacancy on the board shall be filled in the manner provided by the Ordinance which states: The BID and the City shall inform each other of any Board vacancy that comes to its attention. The BID Board will promptly provide posted notice of a public hearing, hold a public hearing, and thereafter provide the City with one or more recommended nominees to fill the vacancy, taking into account the qualifications thereof, the desired diversity of the Board, and the nominee's willingness to serve. The City shall review the recommendation and may require additional information from the Board or the nominee, shall take action as required to fill the vacancy, and inform the Board of the appointment
- Section 4. There shall be a president, a secretary and a treasurer of the board who shall be officers of the Board.
- Section 5. Officers shall be elected annually by the board at the first regular meeting of the fiscal year and shall serve a term of one year or until their successor is elected. Officers may serve more than one consecutive term.
- Section 6. The president shall preside at all meetings of the Board, shall sign all documents on behalf of the RiNo BID upon approval by the board, and shall have other duties as the board may direct. The president shall appoint such committees and task forces as are authorized by the board.
- Section 7. The secretary shall keep a record of all proceedings, minutes of meetings, certificates, contracts and corporate acts of the board and shall be custodian of the seal of the RiNo BID which shall be affixed to all contracts and instruments authorized by the board. The secretary shall be the "official custodian" of records for the purposes of the Colorado Open Records Act and may delegate duties thereof to the Manager or others.
- Section 8. The treasurer shall keep permanent records containing accurate documents of all money received by and disbursed on behalf of the RiNo BID and shall make all required reports. The treasurer shall have the care and custody of all RiNo BID moneys and shall deposit such moneys in the manner provided by law and

as authorized by the board. The treasurer shall be, ex-officio, the “official custodian” for purposes of the Public Deposit Protection Act (PDPA).

- Section 9. The board may provide such additional duties for any officer as it deems necessary.
- Section 10. A vacancy in any office shall be filled by the board at its next regular meeting for the remainder of the unexpired term, in the manner by which is set out in the Ordinance.
- Section 11. Directors and officers shall receive no compensation for their service but may be reimbursed for expenses incurred in the performance of their duties in the manner provided by the board by resolution.
- Section 12. Directors shall disclose potential conflicts of interest as required by C.R.S. Section 18-8-308 and shall voluntarily disclose pursuant to C.R.S. Section 24-18-111. Verbal disclosure shall be made prior to the discussion of an item involving a conflict, the Board member shall not advocate for or against a decision, and unless necessary for a quorum, shall not vote on the item.
- Section 13. Resignation from the board must be in writing and received by the President.
- Section 14. Any director may be removed, with or without cause, by a majority vote of the Board of Directors then serving, excepting the director who is the subject of removal. Any director whose removal has been proposed by the Board of Directors shall be given the opportunity to be heard at the meeting at which this removal is to be voted upon.
- Section 15. Directors shall perform their duties in accordance the RiNo BID Ordinance, and state and local laws. Pursuant to C.R.S. Section 7-128-401 Directors shall perform their duties in good faith, in a manner they believe to be in the best interests of the BID, and with the care of an ordinarily prudent person in a like position would exercise under similar circumstances.



ARTICLE III

Personnel and Management

- Section 1. The RiNo BID may employ such personnel or contract for such services as it deems necessary to exercise its powers and perform its duties and function. The terms and conditions of such employment or contracts, together with the duties to be performed, shall be determined by the board in conformance with the law.

ARTICLE IV

Meetings

- Section 1. The regular meetings of the Board shall be held at the District Office or as otherwise approved by the Board. If the regular meeting date falls on a legal holiday, the regular meeting shall be held on the next succeeding business day at the same time and place.
- Section 2. Public notice of all meetings of the board shall be given as provided by law and shall contain the date, time and place of meeting, and specific agenda information where possible. Public notice of any meeting shall be posted at least twenty-four hours in advance at such public place or places as the board may designate annually at its first regular meeting in the fiscal year.
- Section 3. A majority of the directors in office shall constitute a quorum of the board for the purpose of conducting business. Directors may be in attendance at any meeting in person or by electronic means, but any such connection shall permit any director not attending in person to hear all discussion concerning any item upon which action is to be taken and shall permit all persons in attendance to hear the director attending by electronic means.
- Section 4. When a quorum is in attendance, action may be taken by the board upon an affirmative vote of a majority of the directors in attendance, but a majority of all directors shall be required to approve the annual budget and operating

plan, to approve budget and appropriations resolutions and certification of mill levies and special assessments, to elect officers, to amend the bylaws, and to approve any contracts or agreements in excess of Ten Thousand and No/100 Dollars (\$10,000).

- Section 5. No director may abstain from voting except in the case of a conflict of interest which has been disclosed as provided by law. No proxy voting shall be permitted.
- Section 6. All meetings of the board for any purpose whatsoever shall be open to the public; provided, however, that the Board may enter into executive session as a local public body using the procedures, and for the purposes allowed by the Colorado Open Meetings Act, C.R.S. Section 24-6-402.
- Section 7. As provided in the Colorado Open Meetings Act, except during a properly called, noticed, and held meeting of the Board, no more than two board members shall discuss District business in person, by telephone, or other electronic means.
- Section 8. In order for the Manager to take action in the best interests of the District between board meetings, the Manager may, by electronic means, poll each member of the Board to request tentative approval of the proposed action. Such electronic means may take the form an email sent to the Board members requesting a response to the Manager only which, when the Manager has responses from a majority of the Board members in office, may be acted upon by the Manager. At the next meeting of the Board, the Board shall have a full discussion of the action and, in public session, shall vote to ratify or not. Ratification will be deemed to be approval as of the date of the poll. The denial of ratification shall be authorization for the Manager to take any reasonable action that may be required to terminate the activity.
- Section 9. Final action on any item shall be taken only at a regular or special meeting by motion or by resolution. Resolutions shall be used for all actions of a general and permanent natures, shall be in writing, shall, upon adoption, be authenticated by the secretary, and shall be contained in a well-bound book, properly indexed. All motions shall be set forth in the minutes of the meeting.

Resolutions and motions shall become effective on the day of adoption unless otherwise stated.

- Section 10. The Mayor's office shall be informed if a Board Member fails to attend three consecutive regular meetings of the Board without the Board having entered upon its minutes an approval for the absence or absences; except that such absence or absences shall be excused for temporary mental or physical disability or illness.

ARTICLE V

Fiscal Matters

- Section 1. The fiscal year of the RiNo BID shall be the calendar year.
- Section 2. The board shall establish limits on the check writing and bank transfer authority of officers, employees and agents of the RiNo BID, but two signatures shall be required on all checks and bank transfers over Five Thousand and No/100 Dollars (\$5,000) on contracts not approved by the Board Chair and Directors, and at least one of the signatures should be that of a board member who is a registered signer on the bank account.
- Section 3. The board may authorize an officer, employee, or agent of the RiNo BID to enter into any contract or execute and deliver any instrument in the name of and on behalf of the RiNo BID. Any such authorization shall specify the particular contract or instrument, or the category of contracts or instruments, so authorized.
- Section 4. No loan or advance shall be made or contracted on behalf of the RiNo BID and no note, bond, or other evidence of indebtedness shall be executed or delivered in its name except in the manner provided by law and as authorized by the board.



ARTICLE VI

Amendments

- Section 1. These bylaws may be amended or repealed, and new bylaws adopted, by the board at any regular or special meeting.

ARTICLE VII

Indemnification

- Section 1. To the extent allowed by the law, the RiNo BID shall indemnify any director, officer, employee, or agent or any former director, officer, employee, or agent for any expense actually incurred in connection with any action, suit, or proceeding or for which any loss or claim resulting from any such action, suit, or proceeding in which such person has been made a party by reason of being or having been such director, officer, employee or agent, including any matter as to which such person is adjudged to be liable in such action, suit, or proceeding except for such person's willful and wanton acts or omissions in the performance of official duties.
- Section 2. The RiNo BID is authorized to obtain such policy or policies of insurance for the purpose of providing such indemnification and for such other purposes as the board deems necessary.
- Section 3. The indemnification provided in this article does not constitute a waiver, either partial or complete, of any immunities or limitations on judgements provided by law with respect to the RiNo BID or its directors, officers, employees, or agents.



Adopted by the Board of the RiNo Business Improvement District this ____ day of _____,
2020.

President, RiNo BID

ATTEST:

Secretary, BID

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, August 24, 2022, at 3:00 p.m., ArtPark

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Rachel Rabun
Adam Larkey
Jevon Taylor
Tom Kiler
Carla Mestas
Obe Ariss

Also, in attendance were Tracy Weil, John Deffenbaugh, Dori Suess, and Adrienne Villa with RiNo Art District.

Director Levi Johnsen was absent.

CALL TO ORDER:

Director Merkel noted for the record that a quorum was present, and on behalf of the Board, called the meeting to order.

CONSENT AGENDA - MINUTES AND FINANCIALS:

The minutes from the July 26th meeting as well as the July 2022 financials were reviewed by the Board prior to the meeting and approved unanimously by vote.

Mr. Weil advised the Board that Ms. Suess will review the financials at each board meeting.

INTRODUCING NEW EXECUTIVE DIRECTOR:

Mr. Weil introduced [Charity Von Guinness](#) to the Board. Ms. Von Guinness will step into the role of Executive Director and work with Mr. Weil until the end of September to ensure a smooth transition. Mr. Weil shared that he would join the RiNo Art District and Keep RiNo Wild Boards.

RECORD OF PROCEEDINGS

RiNo Denver Business Improvement District

August 24, 2022

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With this transition, Mr. Weil stated that the BID Board will need to vote to update the signees on the BID bank account. The Board motioned to approve to remove all current signees and add the following: Ms. Charity Von Guinness, Director Diana Merkel, Director Adam Larkey, and Mr. John Deffenbaugh, effective immediately. After a brief discussion, the Board unanimously approved this change.

REVIEW OF 2023 ANNUAL BID BUDGET:

Mr. Deffenbaugh stated that the preliminary budget is based on last year's actuals. We have one month to finalize the BID budget summary and will present it to City Council. The final budget will be submitted at the end of the year. Mr. Deffenbaugh also shared that there was a finance committee meeting that consisted of the treasurers and board chairs from RiNo Art District, RiNo BID, RiNo GID and Keep RiNo Wild.

Here are the key items that Mr. Deffenbaugh reviewed with the Board:

- General Business Expenses: Management & Admin this is for staff. It is noted that Ms. Pangburn will be resigning at the end of September and her role will be filled.
- Audit – the City requires an audit every year
- Attorney Fee: we currently work with Tom George at Spencer Fane
- General Hospitality – we will be able to ramp this up in 2023
- Public Relations: We have a good working relationship with SideCar PR for all social media. SideCar will be attending BID Board Meetings, as well as staff meetings (once a month). They will continue to promote the neighborhood and provide advocacy for local businesses. It is noted that we may need extra funds for the social media & First Fridays promotions. We can have SideCar present this at an upcoming board meeting.
- Ms. Von Guinness stated Ms. Ross is recreating the membership benefit levels
- RiNo Week: This is a cause that we would like to continue in 2023. Unfortunately, we did not partner with Mr. Dave Johnson and The Katie Adamson Conservation Fund in 2022 and the feedback from Mr. Johnson was that it was not as successful without our help.
- RiNo Talks: Ms. Von Guinness and Ms. Sharpe will continue to promote this event in 2022 as well as bigger plans for 2023, due to more socialization post-covid. Thank you to Director Taylor and Green Spaces for hosting this month.
- Support Fund: is listed under advocacy (general business & BIPOC work) as well as RiNo Support Fund. During Covid, we distributed funds to business who applied for help. There is \$100,000 for social impact grants. The more money we can put into this, the better. There is currently \$50,000 left for 2022, in which Ms. Von Guinness will work with Ms. Sharpe, Ms. Villa and Ms. Paillet to work on a plan to distribute by year end. Ms. Von Guinness stressed the point of increasing this amount every year.

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RiNo Denver Business Improvement District

August 24, 2022

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- Annual Report: this is issued every year at the Annual Meeting
- Annual Meeting: will be scheduled in Spring 2023 for the community, staff, and all board members to attend. We held the Annual Meeting at EXDO in 2022, with food from Hop Alley and Dochi Donuts, entertainment from AristiCO Dance Company and DJ Marquee.
- Data Collection: We would like to explore other options other than Placer AI. The RiNo BID is up for renewal in 2026 so we would like to start collecting this information now.
- Website, Internet & social media: this includes funds for Eva and SideCar PR
- RiNo PR: Mr. Weil will get a cost projection for the rest of 2022 and there will be a formal ask to the BID for 2023
- Member Activity Supplies: this is for the membership coordinator's use
- Signage & Wayfinding: Mr. Weil is submitting a permit app for the fifth phase of plan; we have added funds for the ArtPark and Promenade signage as well as parking. Director Mestas would like to see historical context added.
- 38th St Blake Mobility Hub: providing infrastructure – we would like to remove graffiti from planters & benches
- Trash Cans Program: this may be combined with Brighton Boulevard to increase the frequency of cleaning
- Underpass Utilities: BID agreed to pay for this however it is not working at this time and will need to be repaired
- 35th Cross Funding: we may ask for the money back on this project
- General Projects: these funds are not allocated to any particular project
- Park Buildings Construction: contribution to pay down the debt with bank
- Cycle Racks: part of a trial with the City to standardize design across the district
- Circulator – Mobility: working with Denver Street Partnerships
- Larimer St Design: interim step to use horse trough planters, cost has been shared with business owners and we are moving in the right direction that they would split the costs
- Sanitary products in ArtPark restrooms
- Showers for All will not be in 2023 but we will see the RiNo logo on their facilities
- Mural Program – Bimmer Torres is working on the Silos right now and Sarah is working across the street from Park Burger. Ms. Pangburn will be underspending in 2022.
- Denver Fringe, OddKnock, Side Stories Projector, Artists Outreach & Support will be combined into Creative Support. Artists could submit for an ask.
- ArtPark Programming – This is what Ms. Paillet is working on
- Art Festival – [Art RiNo](#)
- Art Studios – Studios on Blake – Ms. Pulford is fundraising for this as well
- Artist in Residencies – No Vacancy – Director Merkel met with Parker and looked at buildings, currently in brainstorm phase. A lot of fun ideas – fashion show, light

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RiNo Denver Business Improvement District

August 24, 2022

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installments, muralists, etc. An idea that was noted was to use past residences to help choose the new ones – less artists, more time

- EDENS – started artist residency with Detour and artist from Dallas, going to try to plug him into No Vacancy at IMAC Building

OTHER BUSINESS:

Director Mestas shared that [CIRCLE](#) is looking for student sponsorships. Please reach out to Director Mestas for information.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, November 16, 2022, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Rachel Rabun
Jevon Taylor
Tom Kiler
Carla Mestas
Obe Ariss

Also, in attendance were Charity Von Guinness, John Deffenbaugh, Dori Suess, and Marian Pulford with RiNo Art District.

Director Levi Johnsen and Director Adam Larkey were absent.

CALL TO ORDER:

Director Merkel noted for the record that a quorum was present, and on behalf of the Board, called the meeting to order.

ICEBREAKER:

Director Merkel led the board in an icebreaker question.

THE CARING FOR DENVER FOUNDATION:

Mr. Lorez Meinhold – Executive Director, Caring for Denver presented The Caring For Denver Foundation to the board. Here are few key points.

- .25% sales tax increase in 2018, started 2019. Address mental health and substance issue needs.
- Goal is to support orgs that are doing good work around Denver. Director Kiler: “How do you get people to keep coming back for help if they are transient or dealing with a lot of issues, how do you build trust?” Mr. Lorez: “It is challenging, we try to go upstream,

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RiNo Denver Business Improvement District

November 16, 2022

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support young people, people on the edge of homelessness. Embed support in homeless serving agencies. Providing supports, temporary housing, helps people be more open to help when they are in that place. STAR program helps make a connection multiple times.”

- Youth grants- young people review the grants, if they wouldn't use it they won't fund.
- Do not fund workforce development, but would embed mental health services in the workforce development of other orgs. Circles of Change - youth who have touched justice system. Don't fund housing, workforce development, etc directly.
- Director Taylor asked what does embedding services look like?” Mr. Lorez: LCSWs on staff, help developing curriculum, facilitate relationships rather than telling people how to create services. Many sizes fits all approach.
- Director Merkel wanted to know if there are other programs similar to CHOW for musicians. Yes, Colorado artists in recovery, D3 arts, Youth on Record- now part owners of Underground Music Showcase, Lincoln Park , Platteforum

LARIMER STREET – 2900 BLOCK UPDATE:

Committed to keeping block closed, what can the design look like, how do we have a long term permit with the city.

Worked with [REDACTED] for a semi-permanent layout for the street.

- Main change is that emergency vehicle access is straight down the middle.
- Could be a 5 year pilot, then if it is successful it will be a permanent closure.

[REDACTED] has been acting as the block leader. Closure was an absolute lifeline in 2020, and the other 10 f&b businesses on that block. Took the lead, helped organize all the other businesses on the block. [REDACTED] put a lot of money in to make a habitable place, a lot of the other neighbors decided not to because of the 90 day permit renewal, seemed uncertain.

Guaranteeing a year helped people spend more money.

Need a bigger tree canopy, that would help the whole block feel more established. Has been beneficial for non f&b businesses as well. Redbull is a tenant.

Director Kiler asked about the difference between the permits Larimer Square has vs. what we have. The main difference is that we are not within the boundaries of Downtown Denver Partnership's advocacy.

[REDACTED]

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RiNo Denver Business Improvement District

November 16, 2022

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Director Kiler also wants to know if the adjacent blocks are supportive. [REDACTED] says mixed, different responses out loud and behind closed doors. [REDACTED]

[REDACTED] Concerns have dissipated over time.

Director Kiler: are there other areas in the district where we can do a road diet, taking away parking spots, doing something similar at the VOA site. This is something to have a community wide discussion about. What ways are there to team up as a neighborhood.

Director Merkel: design plans are about \$115,000, do we have to wait until we have all of it? \$60,000 is raised so far, can we get started?

- No contribution from west side of the block.
- There will have to be a study within the next year, will need to talk about the funding for the study in the near future.

Director Mestas: there are 18 different candidates for mayor right now, we should start thinking about where politically our connections and within city council we will get support from mayoral candidates and city council candidates.

- Start going to the city council meetings. There will be residents of the neighborhoods at city council meetings and RNO meetings, would be good to get support there.

CONSENT AGENDA - MINUTES AND FINANCIALS:

The minutes from the September 28th meeting as well as the September 2022 financials were reviewed by the Board prior to the meeting and approved unanimously by vote.

ARTPARK – INTERSTATE BUILDING UPDATE:

Director Kiler asked about a timeline for CoCuA opening.

Director Mestas raised the issue of accessibility to the mezzanine level in the Interstate Building. Ms. Von Guinness and Ms. Pulford will look into funding for a lift.

Director Mestas says if Focus Points is struggling financially can the BID provide financial support. Can they come present a funding need to the BID board. Mr. Deffenbaugh states that we are providing support because the space is provided at cost, but we can of course do both.

OTHER BUSINESS:

[Chicano Mural Project](#)- History Colorado is doing a preservation project/ exhibition on Wednesday the 30th.

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RiNo Denver Business Improvement District

November 16, 2022

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Hiring for Alex's position- role has changed slightly, curatorial decisions will not sit with RiNo, we will have a public art committee and the community will decide who gets the walls. Will announce the hire next week. Have hired Ms. Hasti Soltani.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board

RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, February 1, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Adam Larkey
Rachel Rabun
Jevon Taylor
Tom Kiler
Obe Ariss

Also, in attendance were Charity Von Guinness, John Deffenbaugh, Dori Suess, and Marian Pulford with RiNo Art District.

Director Carla Mestas was absent.

CALL TO ORDER:

Director Merkel noted for the record that a quorum was present, and on behalf of the Board, called the meeting to order.

CONSENT AGENDA - MINUTES AND FINANCIALS:

The minutes from the November 16th meeting as well as the December 2022 financials were reviewed by the Board prior to the meeting and approved unanimously by vote.

DENVER WALLS:

Director Merkel motioned to approve \$125,000 from the Art Festival budget line to support Denver Walls. The board unanimously approved this motion.

OTHER BUSINESS:

There is no other business to discuss.

ADJOURN:

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RiNo Denver Business Improvement District

February 1, 2023

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There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, March 22, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Adam Larkey
Carla Mestas
Jevon Taylor
Tom Kiler

Members Absent: Rachel Rabun, Obe Ariss

Staff Present: Charity Von Guinness, Adrienne Villa, and John Deffenbaugh with RiNo Art District.

CALL TO ORDER:

Director Merkel noted for the record that a quorum was present, and on behalf of the Board, called the meeting to order.

APPROVAL OF MEETING MINUTES:

The minutes from the February 1st meeting were reviewed by the Board prior to the meeting and approved unanimously by vote.

APPROVAL OF FINANCIALS:

Ms. Suess stated that the balance of the BID bank account is \$677,000. The budget is 96% accurate and aligns with past years.

A few key notes:

- Money market is restricted by CCD for emergencies.
- We received the December tax payments.
- There were many pre-paid works such as the wayfinding signs by Junoworks.

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RiNo Denver Business Improvement District

March 22, 2023

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- Not much variance in General Business but see large variance in Infrastructure. We are over budget for the park buildings, but this was planned. The construction was started before we planned; however, we received a grant to pay for this.

Director Merkel motioned to approve the December 2022 financials. The board unanimously voted and approved.

APPROVAL OF 2022 BID DRAFT AUDIT:

Ms. Suess stated that the audit is due on April 1st. She also noted that the independent auditors report states that everything is presented fairly and is requesting the board to approve. The audit will remain in draft form until approval.

Ms. Von Guinness noted the supplemental information that Mr. Deffenbaugh submits to the City every year. Ms. Suess also wanted to acknowledge that the funds are insured up to \$250,000 by FDIC and PDPA.

The motion was seconded, and the board unanimously approved the draft audit.

URBAN FOREST UPDATE:

Mr. Deffenbaugh shared an update on the Urban Forest project. We are currently in Phase I of the plan. Ms. Anna Cawrse and Ms. Jordan Pulling presented an update on the community survey. The survey was broken into three parts - **Identifying** – we need to acknowledge both sides of the tracks, **Inventory** – how we broke out the survey results – whatever we develop can be used outside the RiNo boundaries, and **Inventory** – it is property owners' responsibility to maintain what is on their sidewalks.

Mr. Deffenbaugh notes that we are trying to obtain the planters from 16th Street Mall.

FIVE POINTS ALLIANCE:

The Five Points Alliance introduced themselves and their mission to the BID Board. Mr. Gerald Horner, Mr. Norm Harris, and Mr. Ryan Cox shared that the alliance is currently looking for board members for the Historic Five Points Board, which would be a quarterly commitment. The meeting dates have not been scheduled until the board is created. If you have any questions or are interested, please contact Mr. Deffenbaugh.

SHOWERS FOR ALL TRAILER UPDATE:

In Early 2022, the RiNo BID donated \$60,000 to the Showers for All organization. Ms. Jenn Kloebel presented an update to the board on what the funds were spent on. Ms. Kloebel shared that 10,000 guests have used the facilities since the creation of the mobile trailer. They currently have three employees and welcome all volunteers. The monthly operating cost is \$24,800. SFAT is currently looking for new locations to park the trailer at that has proper hose

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RiNo Denver Business Improvement District

March 22, 2023

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connections. They are also in need of a second truck, operational support and would like to increase the staff.

PUBLIC ART – 3601 CHESTNUT PLACE:

Mr. Deffenbaugh shared that there is an affordable housing development being constructed at 3601 Chestnut Place. The developer, Mr. Jeff Shanahan, is working with local artists to work on benches, cycle racks and public art for this project. Mr. Deffenbaugh is asking for financial support from the BID for this project, given that it is an affordable housing project in public domain. The total budget is \$170,000 but the developer is not asking for the full amount. Mr. Deffenbaugh noted that the funds could be pulled from the General Projects budget. The board asked who the artists would be as well as specifics such as artist stipend, costs, etc. Mr. Deffenbaugh noted that he would set up a meet & greet with Mr. Shanahan and the BID Board in the next few weeks.

LARIMER ST DEBRIEF:

Mr. Deffenbaugh reminded the Board that Larimer Street has been reopened to vehicles. The closure was met with opposition from a few business owners as well as proponents of this closure. Mr. Deffenbaugh and Ms. Von Guinness met with members of DOTI and a group of the business owners who do not support the closure, as they voiced their concerns to RiNo in January 2023. Mr. Deffenbaugh noted that most businesses have seen an increase in pedestrian traffic with the addition of extra outdoor seating and greenery. He also noted that this is a local stakeholder decision. We are working with the City and County of Denver to ensure we are following all regulations and working with local businesses as we need to.

OTHER BUSINESS:

Ms. Von Guinness advised the Board that the RiNo Annual Survey results will be discussed at the Board Retreat.

Director Merkel shared that a call for artists for No Vacancy at IMAC was sent out.

Director Kiler announced that the Spring Women’s Market is being held on 3/25 and the Greenspaces Market will be held 4/1.

Director Larkey asked what the latest is with Denver Walls. Ms. Von Guinness shared that we would schedule another committee meeting for this. The event will be officially announced at the RiNo Annual Meeting on April 13th.

Director Mestas shared that the 2nd annual CIRCLE fundraiser will be held at Raices Brewing Company on May 4th.

There is no other business to discuss.

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RiNo Denver Business Improvement District

March 22, 2023

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ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, May 24, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Adam Larkey
Carla Mestas
Jevon Taylor
Tom Kiler
Obe Ariss

Members Absent: Rachel Rabun

Staff Present: Charity Von Guinness, Adrienne Villa, and Alye Sharp with RiNo Art District and Dori Suess.

CALL TO ORDER:

Director Merkel noted for the record that a quorum was present, and on behalf of the Board, called the meeting to order.

APPROVAL OF MEETING MINUTES:

The minutes from the March 22nd meeting were reviewed by the Board prior to the meeting and approved unanimously by vote.

APPROVAL OF FINANCIALS:

Ms. Suess gave a brief update on the financials for April 2023. There is currently an \$870,000 bank balance with a net income of \$587,000.

- YTD v Annual – 55% of annual tax payment received by April 30th, slightly ahead of 2022, which was 53%. We received \$2,500 more than last year. Currently, we do not know the projection for property tax due to the increase.
- General Business – spent 34%, right on track.

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RiNo Denver Business Improvement District

May 24, 2023

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- Advocacy – includes Rhino Week \$5,000 which was paid in late May.

APPROVAL OF BID BANK CHANGES:

Ms. Von Guinness stated that with the departure of Mr. John Deffenbaugh from the RiNo Art District staff, the BID Board would need to vote to remove Mr. Deffenbaugh from the BID bank account. She also noted that once his replacement is hired, the Board would need to vote to add another signer. Director Merkel motioned to approve that Mr. Deffenbaugh is removed as a signer from the BID bank account at Collegiate Peaks Bank RiNo. The motion was seconded, and the board unanimously approved.

Director Kiler inquired about the Urban Orchard budget line item 8357. Ms. Von Guinness explained the tree canopy and would share further info with him via email.

DENVER WALLS:

Ms. Ally Grimm has not spent any of the funds that were dispersed to Denver Walls. Denver Walls is scheduled from September 22 – September 30. We currently have sponsorships from EDENS, Urban Green HOA, and White Claw. There is also interest from Yardbird for a mural. If you have/know an organization or individual who would like to be a sponsor, please contact Ms. Von Guinness.

IMPORTANT UPCOMING DATES:

The next Rino Talks will be June 8th at OMF from 4:30-6:30 PM. It would be great to have all Board Members attend.

Starting June 2nd, RiNo First Fridays are back with a party at No Vacancy with a DJ and food.

The VIP Preview at Truss House will be on June 22nd. There will be an invitation sent to all board members for the ribbon cutting in the morning and the VIP opening in the evening with OddKnock Productions.

2900 LARIMER STREET BLOCK CLOSURE:

Ms. Von Guinness welcomed three presenters to the BID Board Meeting to discuss the 2900 Larimer Street block closure. The presenters came to discuss their opposition of this topic. Ms. Von Guinness gave a brief update on the closure and what has been done to date in the block. The permit was extended after COVID restrictions and renewed by the City until the end of 2023, this was after a comprehensive mobility study and survey was completed. Here are some of the key grievances brought to the BID Board:

- Permit validity is in question.
- Corner of 30th & Larimer has become an Uber drop-off.

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RiNo Denver Business Improvement District

May 24, 2023

Page 3

- Too much trash after each weekend
- Increase in traffic near Crema & Barcelona
- One of the main streets into the neighborhood, Larimer, is blocked.
- Increase of Lyme scooters
- The City is charging property tax on parking lot that is closed – no revenue for property owner.

Ms. Von Guinness wants to ensure that we are capturing community sentiments and not just property owners, therefore a survey sent out to all effected stakeholders would be ideal (property owners, tenants, small businesses, organizations, etc.). Director Merkel added that this is an important step as the demographics are changing at a rapid pace due to all the new tenants in the area. Director Mestas wants to ensure that the survey questions age, race, ethnicity, ownership, tenant status, etc. and that the survey is accessible to everyone, with or without Wi-Fi or access to a computer or mobile device.

Ms. Von Guinness noted that this is a community decision, not the RiNo BID. The BID does hold the closure permit; however, we must advocate for all residents and businesses. The BID Board approved moving forward with a community survey.

NO VACANCY FUND REQUEST:

Ms. Sharp gave a brief update on No Vacancy at the IMAC Building, located at 2550 Larimer. This is a partnership with EDENS. Ms. Sharp added that we have been given an opportunity to extend the residency through July. She would like to request \$15,000 from the BID Board for this extension. The cost would pay pro-rated artist stipends which would include artist pop-ups within the installed arts and a funeral at the end of the No Vacancy residency.

It was noted that we have \$250,000 allotted, of which \$175,000 was for Denver Walls. With that said, there is \$75,000 that has not been earmarked for any project. With this request, we would have \$60,000 in that budget line item remaining. Director Larkey motioned to approve an additional \$15,000 for No Vacancy. The board seconded the motion and unanimously approved. Director Kiler will help with inviting developers to tour the space so they can get a better understanding of the program for future vacant spots.

THE BURRELL SUPPORT:

Ms. Von Guinness is requesting funds for commissioned artwork at the Burrell Building, which is an affordable housing unit across from Flora. Orange Mitch was commissioned to do the artwork. She stated that there is no specific ask, and the total budget is \$173,093.

All the artwork that Orange Mitch is working on is based on the history of the neighborhood. Director Merkel noted that there should be limitations and a standard, similar to the Mural Program, when these types of requests are asked. After a brief discussion, Director Merkel

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RiNo Denver Business Improvement District

May 24, 2023

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motioned to expand the Mural Program to support this project and was awarded \$10,000. The motion was seconded, and the board unanimously approved.

OTHER BUSINESS:

There is no other business to discuss.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, July 26, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Carla Mestas, via phone
Tom Kiler

Members Absent: Adam Larkey, Jevon Taylor, Obe Ariss

Staff Present: Charity Von Guinness, Alye Sharp, Sarah Cawrse, Ed Rapp with RiNo Art District

Others Present: Tom Picarsic, EDENS, Tai Beldock, Erico Motorsports, John Beldock, Erico Motorsports, and Tom Kiler, former BID board member

CALL TO ORDER:

Director Merkel called the meeting to order, noting that they don't have a quorum.

APPROVAL OF MEETING MINUTES:

Due to there not being a quorum, the May 24th meeting minutes will be voted and approved via email.

DENVER WALLS UPDATE:

Ms. Grimm of Denver Walls came to give an update to the Board.

She presented the final artist lineup and noted that they're just finishing last minute details now; the event lineup including gallery shows, workshops, and Secret Walls; and tech and additional installs including a 'scavenger hunt', AR sculpture garden, and School of Motion collaboration for free online courses for four high schoolers.

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RiNo Denver Business Improvement District

July 26, 2023

Page 2

Ms. Grimm walked through the budget, noting that they've raised \$336K total so far. She stated that they currently need \$27K to meet their goal.

Mr. Kiler asked about things left to wrap up in the last eight weeks, to which Ms. Grimm said it's mostly permitting, ROW closures, insurance, and marketing/getting it out to the community. Director Merkel asked about communication to business owners, galleries, etc. so they're in the know, and to see if they want to participate or donate to gift bags, to which Ms. Grimm said that Brittany Ross from the RiNo team has been helping her.

INTRO OF NEW RINO STAFF:

Ms. Von Guinness introduced the new Director of Urban Strategy & Design, Sarah Cawrse and new CFO, Ed Rapp.

Ms. Cawrse noted that she has both a background in the private and public sector that will be applied well in RiNo Art District.

Ms. Von Guinness then introduced Ed Rapp, RiNo's new CFO. Mr. Rapp said that he is an artist as well and is passionate about the mission of RiNo Art District and wants to help empower creatives and teach them some accounting skills.

APPROVAL OF FINANCIALS:

No quorum to approve the BID minutes, June financials, or necessary bank account adjustments, so Ms. Von Guinness and Director Merkel will send these out via email to vote.

FINANCIAL UPDATE:

Ms. Von Guinness noted that the BID got its last big tax payment in June.

She highlighted the following:

Mobility line item is still at \$100,000

Urban Forest initiative is at \$45,000

These will need to be spent this year. Ms. Cawrse said that she thinks the consultant, Sasaki, should be able to spend down the Urban Forest funds by the end of the year.

Ms. Cawrse has applied for a grant that would be \$600K/year for three years, so these Mobility dollars will be used in 2023 if this grant happens. Ms. Cawrse is exploring electric shuttles that would help connect the District as part of this grant.

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LARIMER STREET CLOSURE SURVEY:

Ms. Cawrse said they've contracted a third party consultant to develop, distribute, and analyze a community survey. The survey would look for:

- How the community feels the street is functioning today
- Potential improvements that could be made
- The community's desire to move forward, or not, into the Pilot Street Closure permitting process

Director Merkel asked about the timeline, to which Director Cawrse said the hope is the survey will go out by the end of next month. Director Merkel asked about outreach, to which Ms. Cawrse said they're open to suggestions, but it would be via email, social media, RNOs, etc. Ms. Sharp added that the survey will cast a wider net, then be able to pare down data. Ms. Cawrse said there will also be a need to translate the survey to Spanish.

Director Merkel asked about next steps depending on the results. Ms. Cawrse said post-survey, if there is a desire to move forward, then a mobility study would come next.

Director Merkel asked about if there are other options such as closure only at night, etc. to which Ms. Cawrse said she'd have to talk to City staff, because there would be a whole other set of requirements and parameters for the next stage beyond the temporary permit closure.

2024 BUDGET KICK-OFF:

Ms. Von Guinness noted that this is a high level brainstorm for 2024 because the BID won't get the new preliminary assessed values until August.

She reviewed the following:

Management and Administration has gone up because some contractors have been brought in-house. The rest of general business expenses will stay the same, except for accounting, which fell a bit by bringing accounting in house, and legal which was raised going into the BID and GID renewal year.

- Other bigger changes: DEI and support fund contributions has gone up - social impact grants and stipends for DEI committee.
- Branding, marketing, and activation will stay mostly the same with website, social media, PR, and member activity supplies.
- Infrastructure - wayfinding will be completed this year, so mostly just maintenance going forward. Interstate building, 38th and Blake mobility hub, 38th Street underpass, and other projects have also been completed and won't be in the 2024 budget.
- Ms. Cawrse said it was noted that the BID might explore increasing the frequency of trash and recycling pick-up, and possibility of one-off clean ups. Ms. Cawrse added there

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was also a possibility of cleaning up the 35th Street ped bridge since the frequency that the City cleans it isn't sufficient.

- Urban Orchard (Urban Forest) - may need more money here. Ms. Cawrse thinks this is an important project to advance in the coming year given that DDP is doing an urban forest project this year as well.
- Anticipating keeping mural program funding the same.
- All the one off event and artist support will fall into one big 'Creative Support' bucket which will be raised from \$100K to \$150K.
- New Truss House programming line item - \$50K
- Art Festival line item - can be discussed w/ Denver Walls
- Artist in Residencies - expanding the NO VACANCY program
- Art Studios - raising this line item because they had a deficit this past year that was covered by an individual donor.

OTHER BUSINESS:

Director Merkel informed the Board that Rachel Rabun has termed out of her board position and Mockery Brewing (Director Rabun's business) will be closing. So, there is a position open, as well as others. RiNo will open the board seat and send out the application via social media, newsletter, and Board member networks.

Ms. Von Guinness reminded the Board that RiNo Talks is August 10, 4:30 PM at Public Label.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, August 17, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Jevon Taylor
Adam Larkey
Obe Ariss
Carla Mestas

Staff Present: Charity Von Guinness, Alye Sharp, Adrienne Villa, Sarah Cawrse, Ed Rapp with RiNo Art District

Other Attendees: Tai Beldock and John Beldock with Erico Motorsports

CALL TO ORDER:

Director Merkel called the meeting to order.

APPROVAL OF FINANCIALS & BOARD MEETING MINUTES:

The July 26th board meeting minutes as well as the July 2023 financials were reviewed by the Board prior to the meeting and approved unanimously by vote.

PROJECT AND PROGRAM UPDATES:

Truss House – Ms. Von Guinness shared that RiNo should receive the certificate of occupancy in the next two weeks. She also shared that RiNo will be hiring a Facilities and Events Manager who will be managing the day to day operations at the ArtPark and facilitating Truss House Events. Ms. Von Guinness announced that RiNo is a finalist for the Urban Land Institute Impact Awards 2023, in which she purchased a table to attend. It was also noted that we continue to receive requests from wedding planners to use the Truss House for upcoming nuptials.

2900 Block Larimer Street Closure – Ms. Cawrse gave a brief background story of the closure

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RiNo Denver Business Improvement District

August 17, 2023

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and what is next for the block. The street closure is operating through a temporary permit through the end of 2023. Ms. Cawrse shared that RiNo will begin the pilot street closure permitting process to identify if a permit may be obtained in 2024. This process will confirm support from stakeholders and the community to continue to keep the street closed and confirm feasibility of keeping the street closed. Ms. Cawrse reviewed the timeline for August-December 2023 and discussed the standards/requirements that the Pilot Street Closure Permit process will need such as balance between public & private spaces, streetscape furnishings, patios & shade structures, planters, and barricades. Ms. Cawrse noted that the planters would need to be movable and would like to see a variety of planters throughout the closure.

Ms. Cawrse added that until approval, the closure will remain if we submit the request by the end of year as there is a grace period.

Ms. Beldock noted that the Empire Building is currently zoned for IMX3 and could be turned into a residential bldg. She also shared that the corner of 29th & Blake is up for sale, 29th & Walnut will be sold to a developer, and the three city blocks combined will bring in an additional 1200 apartments.

2024 BUDGET DISCUSSION:

With the 2024 BID budget meetings scheduled for September, Ms. Cawrse asked the Board to reference to the Strategic Plan, as this will be the basis of what RiNo will be working on.

THE PLAN 2022-2027

- 1 Foster a healthy, welcoming, and inclusive art district**
 - 1.1 Cultivate community connections to enhance safety in RiNo
 - 1.2 Engage stakeholders and implement a strategy to maintain a clean environment
 - 1.3 Steward growth to help maintain RiNo's unique character
 - 1.4 Foster an inclusive art district
- 2 Cultivate creative programming for all**
 - 2.1 Deliver a large-scale annual art event and support grassroots events held by others
 - 2.2 Nurture ArtPark as a creative hub through programs, relationship building, and partnerships
 - 2.3 Support and expand creative programming
- 3 Increase affordable creative and small business space**
 - 3.1 Advocate for affordable creative and small business space through policy and community organizing
 - 3.2 Create and steward RiNo-operated affordable spaces
 - 3.3 Partner with property owners, brokers, corporations, and developers to identify and create access to space
- 4 Nurture RiNo's public realm with art, infrastructure, mobility, and green initiatives**
 - 4.1 Improve mobility and accessibility
 - 4.2 Ensure art is incorporated into all relevant infrastructure projects
 - 4.3 Increase the tree canopy and support the delivery of sustainable urban landscaping practices
- 5 Strengthen relationships and communication with RiNo's stakeholders**
 - 5.1 Implement outreach and communication strategies to specific stakeholder groups
 - 5.2 Use RiNo's marketing and communications platforms to support and inform

What is one project or initiative the BID has funded that you feel has been successful? Why?

- Social Impact Grants
- No Vacancy

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August 17, 2023

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- Branded trash cans
- Walnut St/Blake St conversion
- ArtPark
- Mural Projects

Ms. Cawrse presented the following questions to the Board and asked them to respond via Menti.com. Let's think about the BID's goals for 2024.

The following questions are intended to generate ideas that may influence the 2024 budget or could be considered for future projects and initiatives. These ideas can be centered around things that are working well, should receive more funding, or new ideas to achieve goals. Think about short term quick wins, or efforts that may take coordination, collaboration, and consensus in 2024.

What do you feel are ways to better achieve Strategy #1?

Strategy #1: Foster a healthy, welcoming, and inclusive art district.

- Trying to connect all three sections of the neighborhood more
- As population grows, making sure there are plans in place to grow trash, cleanup, and safety initiatives.
- Bilingual communications
- Making more walkable areas – Director Taylor
- Increase funding for the social impact grants – Director Mestas
- Increased green spaces – Director Larkey
- Provide accessible studio space for artists, lease, or purchase grant – Director Ariss
- Inclusive survey strategies – Director Taylor
- Continue to add trash receptables
- Continue to organize district meetings
- Creating strategies that increase the number of spaces for minority owned business beyond short term leases – Director Taylor
- Communication from community garden in Globeville is bilingual – Director Ariss
- We need to add accessibility to our website

What do you feel are ways to better achieve Strategy #2?

Strategy #2: Cultivate creative programming for all.

- expanding No Vacancy
- Include Globeville in creative programming – Director Taylor
- Renting Truss House
- Bringing support to the people and not requiring them to come to us
- Seek more opportunities like No Vacancy & Art Park to bring creatives and their work together with community members
- Programming towards kids & youths
- Funding orgs or spaces that are building spaces for inclusive programming – Director Taylor

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- Increasing & welcoming diverse artists – Director Mestas

What do you feel are ways to better achieve Strategy #3?

Strategy #3: Increase affordable creative and small business space.

- Solidarity economy and financial literacy for artists to become stakeholders in the district – learning co ownership models
- Prioritize the availability of smaller spaces for purchase by artists and small businesses. Subsidize affordable studio leases through grant programs
- Expansion of subsidized studio
- Educating developers on participation in opportunities. And perhaps grant funding.
- District will need to partner with private stakeholders to temp activate vacant units.
- Act as a lobbying force with the City to help get property tax relief for commercial spaces that offer affordable space for artists
- Tapping into the capacities that exist within the community to provide education, resources, and other support like financial literacy/equity and community wealth bldg.

What do you feel are ways to better achieve Strategy #4?

Strategy #4: Nurture RiNo's public realm with art, infrastructure, mobility, and green initiatives.

- Improved sidewalks and tree plans
- Outreach to property owners to do their part
- More trash cans
- Make the larger businesses and developers have more skin in the game and not all on RiNo BID.
- Shutting down streets for cars on First Fridays
- Platte River clean up
- Accessible sidewalks
- Greenspaces
- Innovative opportunities to display art & bring people together
- Circulator and continuing to expand on bike lanes
- Consistent programming through the year
- Funding test projects for mobility studies ?

What do you feel are ways to better achieve Strategy #5?

Strategy #5: Strengthen relationships and communication with RiNo's stakeholders.

- As many community meetings as possible, community events at Art Park, direct outreach
- Research orgs such as Denver Urban Gardens, Platteforum, Circle, etc.
- Board should have a list of stakeholders and a plan for personal outreach

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August 17, 2023

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Out of everything that was discussed, what rose to the top as something that you would be excited to provide funding/additional funding for?

- Affordability & responsible growth
- Social Impact Grants
- Denver Walls

OTHER BUSINESS:

Director Taylor shared that the Reopening of GreenSpaces will be September 23rd.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, September 13, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Jevon Taylor
Adam Larkey
Obe Ariss
Carla Mestas

Staff Present: Charity Von Guinness, Alye Sharp, Adrienne Villa, Sarah Cawrse, Brittany Ross, Ed Rapp with RiNo Art District

Other Attendees: Anna Cawrse and Brian Wethington with Sasaki

CALL TO ORDER:

Director Merkel called the meeting to order.

APPROVAL OF FINANCIALS & BOARD MEETING MINUTES:

The minutes from the August 17th meeting were reviewed by the Board prior to the meeting and approved unanimously by vote.

Financials were not sent out prior to the meeting. Director Merkel has not received the financials since June 2023 and would like to receive prior to the next meeting. The August financials were not approved.

PROJECT UPDATE:

Two representatives from Sasaki joined the conversation to discuss the projects that they have been consultants on.

35th Street – Platte River to Wazee had a plan but there has been confusion on how the plan could be implemented prior to ArtPark being constructed. Great Divide will be under

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construction but is unknown at this time.

2900 Block Larimer – there is a Pilot Permit Program for this project. The current permit ends at the end of 2023, and the City requires a variety of community involvement along with concepts & design submittal for the pilot permit program. The City has advised Ms. Cawrse that as long as we have this plan rolling they will continue the street closure. Ms. Cawrse believes we can resubmit by EOY which will trail into 2024. Director Larkey wants to ensure that expectations are clearly shared with ALL stakeholders.

35th Street Design – request is for \$105,000 which would fund 100% design of ROW adjacent to ArtPark. The BID received \$127,000, which was returned from the City as the project could not be completed.

Maintenance – this request is for two full time or part time maintenance people on RiNo staff. RiNo currently works with Denver Dayworks on the trash cans only. Director Taylor added that this could be added as a perk of business membership.

Ms. Von Guinness reminded the Board that BID needs to spend down the budget for the rest of 2023. Supports the addition of maintenance vehicle and lighting for safety purposes.

Director Merkel shared that she is uncomfortable with the fact that Truss House is overbudget. Ms. Von Guinness added that she received invoices this week from Mark Young Construction for the change orders. Director Larkey requested that a representative from Mark Young Construction should attend the next BID meeting to discuss budget. We have not paid the last 2 invoices from Mark Young Construction as Ms. Von Guinness needs to discuss with Executive Committee. There are key items that need to be added to Truss House – ADA and key cards. We are currently \$2,000 over contingency and are dealing with issues after 3 months of building being “completed”.

The representatives from Sasaki presented the Urban Forest Phase 4 timeline and shared that every tree in RiNo has been inventoried at this time. Sasaki shared that they have been looking at other cities, such as San Francisco, where they are planning and planting a nursery in the middle of the city to be self-sustaining. Every tree requires some type of water irrigation – water trucks, planter beds, irrigation system, etc.

Streetscape Master Plan Updates – this funding request includes the overlay for permits, operations, and maintenance.

REMAINING FUNDS FOR 2023:

Ms. Cawrse discussed how we could spend remaining funds for 2023. She is requesting to use the funds that was sent back from the City on the following items:

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	Line Item	BID
Electric LSV	Mobility	\$28,000
35 th Street	35 th Street Design	\$38,000
Larimer Street	Mobility	\$45,000
Mobility Study	Mobility	\$20,000

The BID received \$60,000 and the request would be \$38,000 which is an estimated amount from Sasaki. She noted that Sasaki has already been contracted for Larimer Street & 35th Street projects.

Mobility is unknown consultants and Electric LSV is unknown at this time but could be purchased immediately.

Ms. Cawrse added that she will reach out to Denver Dayworks and Denver Downtown Partnership to research salary for a maintenance staff. Director Mestas suggested that the Department of Labor is doing a huge initiative to develop workforce for facility & trades, this would be a good opportunity to work with that department. She added that this could potentially lead to a bigger team with 1-2 vehicles. She wants to ensure that we think about the capacity of the current RiNo staff and if they could manage this team.

35th St Design – there is currently \$66,000 left for the Truss House. The AV is not setup and HVAC is not working properly – it is so loud that you cannot hold a meeting in there. Ms. Von Guinness added that GID is paying operating budget of Truss House in 2024. We don't own any of these buildings, but we are on the hook for all maintenance costs.

Director Merkel motioned to approve electric LSV for \$28,000. The board seconded and approved unanimously.

Director Merkel motioned to approve Larimer Street Mobility and Mobility Study for \$65,000. The board seconded and approved unanimously.

The board did not approve the 35th Street until further information is shared with BID.

2024 BUDGET:

Ms. Von Guinness and Ms. Cawrse gave a presentation on the 2024 BID Budget.

Ms. Von Guinness reminded the Board that the RiNo BID is up for renewal in 2024. The funds will be going up by \$430,000 in 2024.

Social Impact Grant - \$125,000 which would include stipends for equity council and community navigators. Social Impact Grants are given out at the end of the year.

RiNo Talks - will be held monthly, that is the reason for the fund increase.

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Creative Entrepreneurial – individual artists want to do something in RiNo i.e., Denver Fringe, Black Love, etc. and Social Impact is for anyone.

Due to time, the Director Merkel requested that RiNo staff schedule a 2nd meeting via Zoom to finish the 2024 BID Budget Discussion.

OTHER BUSINESS:

There is no other business to discuss.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, September 19, 2023, at 1:30 p.m., via Zoom

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Jevon Taylor
Adam Larkey
Obe Ariss
Carla Mestas

Staff Present: Charity Von Guinness, Alye Sharp, Adrienne Villa, Sarah Cawrse, and Ed Rapp with RiNo Art District

CALL TO ORDER:

Director Merkel called the meeting to order.

2024 BID BUDGET APPROVAL:

Director Merkel suggested that we review the budget line by line. Mr. Rapp stated that he would review the budget summary and review the Actual YTD & Remaining 2023 Budget and focus on the Proposed 2024 Budget.

Management & Admin – Mr. Rapp stated that the change in these funds is due to the replacement of the accounting consultant and bringing on other resources. Ms. Von Guinness noted that accounting was moved internally, would like to hire internally for marketing.

Director Mestas asked how the contractors are different than line item 8210 which is \$150,000. Ms. Von Guinness stated that the line item 8210 could potentially be lowered if Management and Admin was approved as is. She also stated that we need clarity among roles, and she wants to lessen the confusion. The clarification between the two lines items 8210 & 7311 is that line item 8210 would decrease if we would continue paying contractors. This is a projection.

Advocacy –

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Director Merkel noted that PR is listed twice - 8113 & 8250. Ms. Von Guinness shared that a portion of this is for SideCar PR when they work on press releases for social impact grants or any other advocacy release.

Ms. Von Guinness reminded the Board that RiNo will be applying for SCDF funding in 2024 and we want to ensure that our programs are useful to the community. We must budget for Data Collection. Director Larkey suggests [Placer AI](#).

Director Taylor gave brief explanation of community navigators.

Ms. Von Guinness requested that Website, Internet & Social Media 8210 be lowered to \$75,000 and we hire someone internally for this role. Director Merkel asked if raises have been factored into this and Director Larkey asked if staff has medical, dental & 401k. The answer is yes.

Infrastructure: Ms. Von Guinness shared that BID needs to end the year showing that we have spent this down by the end of 2023. Ms. Cawrse suggested cleaning services and Larimer Street could be paid in 2023. Ms. Von Guinness also added that we need an AV system at Truss House.

Showers for All – Director Ariss shared that this item is important to help support the unhoused effort that Mayor Johnston is working on.

Creative Entrepreneurial - a lot of these are zeroed out for 2024. OddKnock & Denver Fringe were added to line item 8424. Ms. Sharp and the Programs team are working on an application process to ensure money is being spent wisely.

Art Festival – Denver Walls will need to expand the festival and we hope to increase it year by year and we should be prepared to sponsor this event.

Art Studios – lease increased, with the maintenance issues we had to create a buffer. This is being covered in 2023.

Artist in Residencies – this is an extension of No Vacancy+

Small &/or Minority Owned Business – reactivate retail spaces, pilot program, fair, set aside funds to support businesses.

Mr. Rapp will change line item 8210 from \$150,000 to \$75,000 on the final budget for formal approval at next board meeting.

Ms. Sharp shared that the public notice for the public hearing was completed by Spencer Fane and was published last week in the daily journal across the city.

OTHER BUSINESS:

There is no other business to discuss.

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September 19, 2023

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ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

Secretary to the Board



RECORD OF PROCEEDINGS
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
RiNo BUSINESS IMPROVEMENT DISTRICT

HELD:

Wednesday, September 27, 2023, at 3:00 p.m., Collegiate Peaks Bank RiNo

ATTENDANCE:

The meeting of the Board of Directors of the RiNo Business Improvement District, City and County of Denver, Colorado was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Diana Merkel
Jevon Taylor
Adam Larkey
Obe Ariss
Carla Mestas

Staff Present: Charity Von Guinness, Alye Sharp, Sarah Cawrse, and Ed Rapp with RiNo Art District

Other Attendees:

CALL TO ORDER:

Director Merkel called the meeting to order.

APPROVAL OF BOARD MEETING MINUTES:

Director Ariss made a motion to approve the minutes, seconded by Director Larkey; minutes approved unanimously by the Board.

BID + GID CAPITAL CONTRIBUTIONS:

Ms. Von Guinness updated the Board on Truss House construction, noting that the GID asked for a detailed breakdown once the project was closed out, which will be provided. She also informed the Board that Truss House received its TCO (temporary occupancy certificate) this week. Finally, she noted that RiNo will have to increase the amount paid to Tres Birds since they are getting 13% of project fee, which has, to this date, been based on the early estimates of \$1.6-\$1.8M.

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Ms. Von Guinness added that the project was \$7K over the construction contingency budget, which was approved by the BID. She noted that otherwise everything is in really good shape.

OTHER BUSINESS:

Ms. Von Guinness mentioned that Denver Walls is in full-swing and there are events all week.

Director Larkey requested if we can have a recap presentation of Denver Walls at a future BID board meeting, to which Ms. Von Guinness noted that Ms. Ally Grimm plans to come in November to present.

Director Merkel said she is hosting an art opening at her studio this Thursday, Friday, and Saturday night and invited everyone to stop by.

Director Mestas told the Board that CIRCLE is hosting their student leadership conference at CSU Spur - over 300 students - on 10/6. They are still looking for sponsors for t-shirts and lunches for the students.

Director Ariss added that it would be good to start setting up a partnership with Garden Place Academy.

ADJOURN:

The BID Board Meeting was adjourned.

PUBLIC HEARING AND BID 2024 BUDGET, WORK PLAN AND MILL LEVY PRESENTATION:

Director Merkel opened the public hearing, but no members of the public were present. Mr. Rapp reviewed the 2024 budget, noting that all the comments from the BID board were incorporated, and walked through the line items that were changed.

Director Merkel closed the public hearing and reopened the BID Board Meeting.

BID 2024 BUDGET, WORK PLAN AND MILL LEVY APPROVAL:

Director Larkey made a motion to approve the 2024 operating plan, budget, and continue the mill levy at 4 mills, which was seconded by Director Taylor and approved unanimously by the Board.

ADJOURN:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Board of Directors of the RiNo Business Improvement District.

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RiNo Denver Business Improvement District

September 27, 2023

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Secretary to the Board

RiNo Business Improvement District Board Information 2022-2023

Name	Address	Email	Phone	Initial Term Ends	Consecutive Term Ends
Diana Merkel	P.S. Design, 2921 Walnut Street, Denver, CO 80205	diana@ps.design	303-875-0401	2022	2025
Rachel Rabun	Mockery Brewing, 3501 Delgany St, Denver, CO 80216	rachel@mockerybrewing.com	303-885-8928	2020	2023
Adam Larkey	Zeppelin Development, 3455 Ringsby Court, Ste 100, Denver, CO 80205	adam@zeppelinplaces.com	720-440-1019	2025	2027
Carla Mestas	CIRCLE Organization, 3457 Ringsby Ct., Denver, CO 80216	carlammestas@gmail.com	303-669-9782	2023	2026
Tom Kiler	Great Divide Brewing, 2201 Arapahoe St., Denver, CO 80205	tkiler@edens.com	202-360-3337	2023	2026
Jevon Taylor	GreenSpaces, 2590 Walnut Street, Denver, CO 80205	jevon@greenspaces.com	720-212-4972	2024	2027
Obe Ariss	The Preservary, 3040 Blake Street, #101, Denver, CO 80205	obe@thepreservary.com	303-917-1106	2025	2027

**resigned*

RiNo BID									
Attendance September 2022 - August 2023									
BOARD MEMBERS	11/16/22	2/1/23	3/22/23	5/24/23	7/26/23	8/17/23	9/13/23	9/27/23	TOTAL MEETINGS ATTENDED
Diana Merkel	X	X	X	X	X	X	X	X	8
Rachel Rabun**	X	X							2
Carla Mestas	X		X	X	X	X	X	X	7
Tom Kiler*	X	X	X	X	X				5
Jevon Taylor	X	X	X	X		X	X	X	7
Levi Johnsen***									0
Adam Larkey		X	X	X		X	X	X	6
Obe Ariss	X	X		X		X	X	X	6
						Budget	Budget	Public Hearing	

* resigned August 2023, moved to RAD Board

** termed out June 2023

*** resigned



9/29/2023

RINO BUSINESS IMPROVEMENT DISTRICT

1320 27th Street, Suite G
Denver, CO 80205

List of Activities for 2023 and 2024 (planned)

- Program and maintain the ArtPark to achieve the ArtPark's mission and ensure it is activated throughout the year with a balance of events and initiatives.
- Promote and market local artists, businesses, and creatives through website and social media channels to support the local economy.
- Expand the waste program and incorporate additional maintenance to support neighborhood cleanliness and continue to provide employment opportunities to those experiencing homelessness.
- Fund a range of creative events and programs to support the local creative community and to draw visitors to the area, such as art festivals, the RiNo Mural Program, subsidized art studios, and the artist in residencies program known as No Vacancy.
- Support small and/or minority owned businesses and build awareness around opportunities for them.
- Move to the next phase of the Urban Forest Initiative, which will include identifying implementation strategies and executing the next steps of procuring and installing trees.
- Procure and install additional streetscape furnishings, such as bike racks and benches.
- Create a Long-term Implementation plan that will utilize RiNo's Strategic Plan for 2022-2027, staff expertise, and incorporate board and community feedback to develop an approach for projects and initiatives, including an approach for phasing, funding, and implementation strategies. This plan will include steps for coordination, collaboration, and funding needs for the next five years and will be intended to be updated yearly.
- Work with community navigators to ensure an equitable and inclusive approach is taken for RiNo's work and that community engagement is reaching a diverse audience representative of the community's voice.
- Award social impact grants to local organizations working directly with the BIPOC community championing social justice, equity, and the eradication of discrimination.
- Continue to maintain existing wayfinding and signage, and implement new signage as needed.
- Expand communications and community engagement, such as increasing the number of RiNo Talks and creating a language access plan that identifies needs for translation and interpretation.
- Create communications packets for property owners, business owners, and residents to create a protocol and awareness around waste/litter, maintenance, graffiti, and safety with in the district.
- Collaborate with developers/property owners on opportunities for artists and small businesses.
- Continue design reviews of new development/projects through the Design Review Committee to encourage compliance with RiNo's Design Standards.
- Collaborate and coordinate with the city and organizations to implement a mobility circulator or other microtransit options.