



## **RiNo Business Improvement District (BID) 2016 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.

### **ABOUT RINO**

RiNo (River North) is an urban neighborhood 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 neighborhood. 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. Stakeholders in the RiNo neighborhood have come together to create the BID for RiNo in order to strategically manage this growth and development, retain the unique and industrial character of the neighborhood, 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 neighborhood. The BID intends to look holistically at the entire RiNo BID area, with the purpose of preserving neighborhood character, promoting economic strength of the creatives, entrepreneurs and properties located within and ensuring appropriate neighborhood growth that promotes walkability, bikeability, sustainability and a cohesive neighborhood fabric.

Formation of the BID allows RiNo to be strategically managed as it evolves and grows. The BID's goals are to:

- Create a collective voice to accomplish the long-term goals of the neighborhood.
- 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 6<sup>th</sup> 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 40<sup>th</sup> 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 40<sup>th</sup> Avenue at its intersection with the northwesterly right-of-way of Blake Street;
- Thence easterly, with the northerly right-of-way of 40<sup>th</sup> 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 39<sup>th</sup> Avenue;
- Thence westerly, with the centerline of 39<sup>th</sup> 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 neighborhood’s unique character through representation, promotion of planning and development, policy and partnerships. This includes:
  - Dedicated staff that can manage RiNo, advocate for RiNo needs, and focus on leveraging resources and improvements to the area. It is assumed that at the outset, the RiNo BID may assist in funding two (2) full-time staff to support the RiNo BID operations.
  - 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 neighborhood 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 neighborhood 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 neighborhood’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 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 neighborhood.
  - 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 neighborhood that encourages social interaction.
  - Undertaking creative neighborhood 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 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 RiNo 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. Specific work plans shall be developed annually by the RiNo BID Board, setting out the programs and budgets to be delivered in each fiscal year.

#### **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 2016, 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 BUDGET**

In its first year of operations, the RiNo BID shall raise approximately \$580,000. The proposed first year BID budget and projects are as follows:

| <b>Year One Proposed RiNo BID Services</b>  | <b>Budget Amount</b> |
|---|----------------------|
| <b>RiNo Advocacy (20%)</b> <ul style="list-style-type: none"> <li>– Establish working relationship with the City of Denver</li> <li>– Create priority list for RiNo funding needs, including but not limited to developing parking solutions and identifying critical infrastructure needs</li> <li>– Take a lead role in directing RiNo policy and planning initiatives</li> </ul> | \$116,000            |
| <b>RiNo Branding, Marketing and Activation (20%)</b> <ul style="list-style-type: none"> <li>– Establish local, regional, national marketing strategies</li> <li>– Develop year-round programming calendar and implement first events</li> <li>– Establish strategic partnerships with other creative districts</li> </ul>   | \$116,000            |
| <b>RiNo Placemaking (30%)</b>   | \$174,000            |

|   |                  |
|---|------------------|
| <ul style="list-style-type: none"> <li>- Develop and implement RiNo gateways and wayfinding program</li> <li>- Design and implement programs to install locally created benches, bike racks and trash cans throughout RiNo</li> </ul> |                  |
| <b>RiNo Creatives and Entrepreneurial Business Support (15%)</b>  | \$87,000         |
| <ul style="list-style-type: none"> <li>- Develop support program and grant/loan tools to support creatives and entrepreneurs</li> </ul>   |                  |
| <b>Administration and Operations (15%)</b>  | \$87,000         |
| <b>TOTAL</b>  | <b>\$580,000</b> |

*Note: Labor costs are incorporated into service areas.*

In addition to the resources identified in the BID budget above, the BID intends to leverage its funding by obtaining grants, donations, sponsorships, crowdsourcing and partnerships to provide a larger overall budget with which to advance and administer projects.

The BID Board will determine the annual budget and operating plan once the BID is formed. Each year the BID Board shall be responsible for presenting audited accounts for previous year's BID work. The BID Board will present a proposed budget and work plan for the upcoming year, to Denver City Council (no later than September 30 each year).

**BID BONDING**

The RiNo BID does not intend to issue bonds at the outset of BID operations. 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 initial 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 initial board members of the RiNo BID are:

| <b>RiNo BID Board Member</b> | <b>Affiliation</b>                 | <b>Governance Representation</b> | <b>Initial Term</b> | <b>Consecutive Term</b> |
|------------------------------|------------------------------------|----------------------------------|---------------------|-------------------------|
| Tracy Weil                   | RiNo Art District<br>Chair, Artist | RiNo Business<br>Owner           | 1 year              | 3 years                 |
| Justin Croft                 | RiNo Urban                         | Westside                         | 2 years             | 3 years                 |

|                  |  |  |         |         |
|------------------|--|--|---------|---------|
|                  | Improvement Committee Co-Chair, Zeppelin Development       | Property Owner                                   |         |         |
| Sonia Danielsen  | Bindery on Blake   | Artist/Creative Property Owner – Eastside        | 3 years | 3 years |
| Andrew Feinstein | RiNo Urban Improvement Committee Co-Chair, EXDO Management | Eastside Property Owner; Westside Property Owner | 3 years | 3 years |
| Bryan Slekes     | Great Divide Brewing Company                               | Westside Property Owner                          | 2 years | 3 years |
| Mike Mancarella  | Ironton Studios  | Artist/Creative Property Owner - Westside        | 1 year  | 3 years |
| Tai Beldock      | Erico Motorsports  | Eastside Property Owner                          | 1 year  | 3 years |
| Ari Stutz        | Downtown Property Services                                 | Eastside Property Owner                          | 2 years | 3 years |
| Josh Fine        | Focus Property Group                                       | Westside Property Owner; Eastside Property Owner | 3 years | 3 years |

The terms of office shall be staggered to encourage continuity in BID governance. 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 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 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) organization to deliver its services. RAD is a 501(c)(6) membership organization that supports the development of the RiNo neighborhood.

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



Board to deliver their services. The BID Board has engaged Centro Inc. for administrative management.

#### **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.