

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2025

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

**A Bill**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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