

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2011

COUNCIL BILL NO. CB11-0692  
COMMITTEE OF REFERENCE:  
4 Business, Workforce & Sustainability

5 **A BILL**

6 **For an ordinance approving petitions requesting continuance of the Downtown**  
7 **Denver Business Improvement District for a ten year period.**  
8

9 **WHEREAS**, the Downtown Denver Business Improvement District was initiated by petition filed  
10 with the City Clerk, ex-officio Clerk of the City and County of Denver, City Clerk File No. 92-546A and  
11 was created and established pursuant to Ordinance No. 501, Series of 1992; and

12 **WHEREAS**, the Downtown Denver Business Improvement District Service Plan directs that the  
13 District shall have perpetual existence unless, in the tenth year after its creation and every tenth year  
14 thereafter, the district fails to file with the City Council a petition requesting continuance signed by  
15 persons who own real and personal property in the District's service area having a valuation for  
16 assessment of not less than fifty percent of the valuation for assessment of all real and personal  
17 property in the service area and who own at least fifty percent of the acreage in the District; and

18 **WHEREAS**, the Downtown Denver Business Improvement District Service Plan directs further  
19 that the City Council shall determine whether the petition threshold has been met and may upon the  
20 filing of any challenge to the signatures, hold a public hearing to determine whether the petition  
21 threshold has been met; and

22 **WHEREAS**, on August 2, 2001, the Downtown Denver Business Improvement District filed a  
23 Petition For The Continuance of The Downtown Denver Business Improvement District In The City  
24 And County Of Denver which was approved by City Council pursuant to Ordinance No. 880, Series of  
25 2001, which extends the Downtown Denver Business Improvement District through 2011; and

26 **WHEREAS**, The Board of Directors of the Downtown Denver Business Improvement District  
27 circulated a petition for the continuance of the Downtown Denver Business Improvement District for an  
28 additional 10 year period through 2021; and

29 **WHEREAS**, the Board of Directors of the Downtown Denver Business Improvement District  
30 passed a resolution on August 4, 2011 which determined that the petitions signed by persons who  
31 own real and personal property in the District were in excess of the required percentages for the  
32 valuations of assessment of all real and personal property in the service area of the District as well as  
33 the required percentage of acreage in the District; and  
34

1           **WHEREAS**, on or about September 6, 2011, the Downtown Denver Business Improvement  
2 District filed petitions and a request for continuance with the City, which may be found at City Clerk  
3 File No. 01-1026-A, which includes the Board’s Resolution and request that City Council adopt an  
4 Ordinance for the continuance of the Downtown Denver Business Improvement District for an  
5 additional ten year period; and

6           **WHEREAS**, the petitions filed by the Downtown Denver Business Improvement District meet  
7 and exceed the threshold required by the Service Plan and demonstrate overwhelming support for  
8 continuation of the District for another ten-year period by persons who own real and personal property  
9 in the District’s service area.

10 **NOW, THEREFORE,**

11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12           **Section 1.** The petitions filed by the Downtown Denver Business Improvement District in  
13 accordance with its approved Service Plan, which were filed in the office of the Clerk and Recorder,  
14 Ex-Officio Clerk of the City and County of Denver, City Clerk File No. 01-1026-A, were signed by  
15 persons who own real and personal property in the District’s service area having a valuation for  
16 assessment of not less than fifty percent of the valuation for assessment of all real and personal  
17 property in the service area and who own at least fifty percent of the acreage in the service area, meet  
18 and exceed the threshold established by the District Service Plan for continuation of the district for  
19 another ten-year period through 2021; and, in reliance upon the Resolution of the Downtown Denver  
20 Business Improvement District’s Board of Directors, which presents the petitions to City Council and  
21 requests that City Council approve the continuation of the Downtown Denver Business Improvement  
22 District, the City Council hereby approves continuation of the Downtown Denver Business  
23 Improvement District for an additional ten year period through 2021.

24

1 COMMITTEE APPROVAL DATE: October 19, 2011

2 MAYOR-COUNCIL DATE: October 25, 2011

3 PASSED BY THE COUNCIL \_\_\_\_\_ 2011

4 \_\_\_\_\_ - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2011

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER  
9

10 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2011; \_\_\_\_\_ 2011

11 PREPARED BY: JO ANN WEINSTEIN, ASSISTANT CITY ATTORNEY, October 27, 2011

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13 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
14 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
16 3.2.6 of the Charter.

17  
18 Douglas J. Friednash, City Attorney

19  
20 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2011

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