



## WEST COLFAX BUSINESS IMPROVEMENT DISTRICT 2021 OPERATING PLAN

### **WCBID background**

The West Colfax Business Improvement District (WCBID) was formed in 2006 as an outgrowth of the West Colfax planning process in order to implement the goals of the West Colfax Plan. The broadly supported plan sets out a vision for a revitalized West Colfax Avenue between Federal and Sheridan characterized by a pedestrian-friendly mixture of uses that continues to guide WCBID's objectives and activities.

### **Mission and Goals of WCBID**

The West Colfax Business Improvement District revitalizes West Colfax Avenue as Denver's sustainable Main Street by:

- promoting large-scale investment through land assembly and sustainable redevelopment
- supporting businesses and recruiting retail
- sponsoring improvements to the R-O-W that encourage pedestrian usage and multi-modal transportation

To achieve its mission, WCBID brings resources to West Colfax through:

- tax credits, incentives and rebates to increase business sustainability
- attracting investment in mixed-use development and amenities
- small business financing, licensing and Main Street code assistance
- market analysis, and
- targeted investments such as to the streetscape.

## Leadership

WCBID is very fortunate to be led by its engaged, knowledgeable and active board, comprised of property owners on West Colfax Avenue. Working closely with this engaged and diverse board, the Director Dan Shah, in collaboration with a range of partners, develops strategies and provides the day-to-day implementation required to achieve the organization's mission of revitalizing the West Colfax corridor. The district continues to be guided by board planning supplemented by periodic retreats with goals, justification, relation to community support, planning efforts and earlier efforts, and an assessment of required supports to achieve the goals.

## REAL ESTATE DEVELOPMENT AND LAND USE

Land Assembly and Development Promotion. These activities are intended to meet the challenge of redeveloping underutilized land characterized by limited depth and options for assembly, while also augmenting residential density through mixed-use.

- Partner with West Denver Renaissance Collaborative, to explore ways to address infrastructure, economic development and educational challenges facing Westside as a whole, including creating new financing tools.
- Undertake events promoting district and new development and businesses.
- Support rezoning & redevelopment to maximize density, high quality design and "rooftops" for retail including through the West NPI.
- Assist with city or state entitlement and other approvals, including navigating Main Street code to ensure all lots can be redeveloped, to expand rehab and redevelopment opportunities on Colfax.
- Serve as a resource for prospective investors.
- Maintain database of comparable sales, track assembly opportunities, site information, and occupancy to assist developers identify promising developments.
- Advocate for changes to zoning codes to preserve character of West Colfax and increase development viability.

## ECONOMIC DEVELOPMENT

- Promote district through printed and other materials demonstrating growth and momentum, including print and web-based district business listing, and interactive map of services and other amenities.
- In order to recruit missing services and amenities with unmet demand identified in market research, expand technical and legal assistance as recruitment tool:
  - promote strategies to provide long-desired community amenities with equitable access to entire neighborhood
  - provide assistance directly for business licensing and Main Street Zoning
- Provide primary and secondary market research in support of retail neighborhood serving retail.
- Business support and advocacy strategy focused on improving profitability, appearance and appeal to customers, increased customer traffic and job creation for existing businesses.

## **MARKETING AND EVENTS**

Promote WCBID, development and business activity to property and business owners, retailers, developers, and general public via:

- Social media (Facebook, Twitter, website) to highlight new projects, BID businesses, services and amenities.
- Direct, face-to-face contact with potential investors, business and property owners, and neighborhood organizations.
- Emails and e-newsletters to businesses and property owners and other correspondence to constituents.
- Businesses assistance social media promotion.
- Support for Sloans Farm & Flea, first ever event at Sloans, with social distancing protocols.

## **STREET**

These strategies are designed to improve the street and streetscape in order to create an attractive, pedestrian friendly environment that will be conducive to retail growth and job creation.

- Build on wayfinding and transit amenity project to modify West Colfax to promote safe and easy pedestrian and cycle access between neighborhood amenities, retail and public transit as foundation for consumer-driven revitalization of the corridor.
- Use Engineering, Walk Audits, Re-imagine W Colfax and Over the Colfax Clover design demonstration results to advocate for modifications to public R-O-W to improve safety, so walking and biking becomes more safe and appealing, enabling residents to rely on low-cost transportation and promoting greater use of district businesses, attracting new services and generating jobs. Expanding scope of efforts to include Colfax Viaduct.
- Support momentum and community voice to plans with DPW, CDOT/HTPE and others to support continued investment in interim and permanent modifications to W Colfax & Federal interchange based on community preferred design and land use preferences.
- Promote public safety and combat vagrancy and vice by engaging with police, residents, and businesses, including Crime Prevention through Environmental Design.

## **PUBLIC ART**

Build district identity through these strategies:

- Include art in mobility project and event design.
- Expand graphic design approach for buildings/vacancies/street to unify corridor and reinforce district identify.
- Continue mural match grants and search out other funding and opportunities to add public art to West Colfax corridor.
- Promote historic signage renovation. Work with other Colfax Denver districts to press for zone code amendments enabling creative signage in keeping with unique character of Colfax.

# **West Colfax BID**

## **Operating Plan & Budget**

### **Supporting Materials**

1. 2020 Year to date “budget to actual” financial reports. Please see Proposed 2020 budget with these reports.
2. Any materials departures from the 2020 Operating Plan, and an explanation WCBIID had material departures from the 2020 operating Plan, detailed in #10 activities under Covid-19 Response.
3. A copy of your Public Notice publication for the 2021 Budget, SEE ATTACHED.
4. The status of any planned or outstanding indebtedness. The District has no outstanding debt and but is considering taking on a line of credit to facilitate its grant making to district businesses, since Covid Relief funds are received from DOLA on a reimbursement basis.
5. The results of any audits conducted during the year, if not already submitted. Please see ATTACHED.
6. A copy of the By-laws, if any, in effect in 2019/2020. Please see ATTACHED.
7. A list of official board actions (motions) in the past year. Please see ATTACHED.
8. Current list of all Board members. Please see ATTACHED.
9. Board members attendance records for the past year. Please see ATTACHED (with board actions.)
10. List of activities and involvement 2020.

#### **Covid-19 Response & Business Support and Recruitment**

BBID had material departures from the 2020 Operating Plan arising from its response to Covid-19, in terms of business support, including a \$500,000 opt-in to the DOLA Covid Relief Fund.

This Covid-19 Response and mitigation services to businesses included:

(1) coordinating with the City and private sector through Economic Recovery and Relief Committees for PPE supplies for businesses, advocating for social distancing protocols for businesses (including moving ahead expeditiously with patio expansion in May);

(2) PPE purchase and distribution;

(3) developing communications on social distancing regulations and best practices for businesses to manage Covid-19;

(4) technical assistance to businesses implement Covid mitigation protocols;

(5) developing and disseminating via print, social media, web, and email communications on social distancing protocols to the public/customer base of district and Covid mitigation measures and social distancing protocols at businesses;

(8) developing and disseminating communications and providing technical support on Covid relief and recovery financing available to businesses, including PPE and EIDL, City and Energize Colorado grants.

(9) Communication via social media, web, and email communications of social distancing and Covid-19 mitigation to businesses.

(10) Most recently, we are in the process of re- granting most of the \$500,000 in Covid Relief opt-on funds from DOLA to district businesses to reimburse them for revenue losses and mitigation measure expenses.

This revenue and expense is reflected in the projected actuals for 2020. The possibility of further Covid Relief funding in 2021 is reflected in the 2021 budget. This grantmaking process has required formulating a secure grant application, distribution of opportunity to businesses, providing technical assistance on the application, review of applications, distribution of funds, and submitting expenditures for reimbursement to the district.

### **Other Business Support**

BID support for Sloans Farm & Flea socially distanced outdoor market. District business have participated and with our financial contribution, pay no fee.

BID engagement to inform City plans for GO bond funded Colfax-crossing enhancements (described under Capital Improvements).

We also recently received CDOT Revitalizing Mainstreets funding in order to add a temporary sidewalk expansion in front of Little Man Ice Cream and, once it opens Illegal Pete's, to increase the area available for social distancing and for bike and pedestrian travel modes.

### **Maintenance**

Program for landscape, shelter and sign maintenance, with extensive work on irrigation systems and shelters this year.

## Capital Improvements

We have provided significant input into the GO bond funded project for Colfax crossings (and also improved transit speed), from staff, consultants and members.

We have also continued to participate as a key stakeholder in the City led study of the Colfax & Federal Interchange study that we initiated through our Over the Colfax Clover project to rebuild and redevelop Colfax & Federal interchange with the goal to improve pedestrian and bicycle access and community connectivity in the area.

As an extension to that Cloverleaf project, we receive significant Community Mobility Planning and Implementation funding from DRCOG to study multi-modal options for the Colfax Viaduct. This project seeks to connect West Colfax to and from the east, and establish vertical connections between the viaduct and lower Colfax and Auraria campus.

More information on both of these projects is at [bit.ly/colfaxclover](https://bit.ly/colfaxclover).

We finalized implementation Xcel Energy Trust funding to add solar lighting to district-owned bus shelters.

## Art

Successful implementation of match program to incentivize business investment in murals.

## 11. Any documented tangible impacts and performance measures that your BID provides and tracks.

The district participated with residents and stakeholders in the NPI West, Colfax & Federal Interchange project and Westside Stadium District Collaborative on plans affecting the district.

Further workshops and surveying related to the Colfax Viaduct project will resume next year.

**Sales Tax Collections.** Sales tax collections decreased stable in the first 2 quarters of 2020 compared with 2019 figures due to closures and reduction in consumer demand from Covid-19 by 84%. **See attached.**

**Retail and other Business Openings.** Investment and retail openings on West Colfax ground to a virtual standstill through the first 3 quarters of 2020, due to the pandemic. However, Cheeba Hut opened in the beginning of the year and although some businesses remain temporarily closed, no closures have been reported.

**Jobs.** The District tracking of job has been somewhat complicated by Covid-19, with both lay-offs and re-hiring occurring at a rapid pace. Our best estimate show a loss of permanent net jobs within the district year to date of approximately 20-40 FTE. Additionally, with new

construction projects newly underway, an estimated 100 temporary full time construction jobs created in the district, expected to last into 2021.

**Average Rent Rates; Occupancy Rates and Vacant Square Footage.** Commercial rent rates are now \$28-30 per square foot NNN. However, many landlords have had to forebear or even forgive on rent collections during Covid-19. This phenomenon effectively reduces rent rates, and depending on the duration of the pandemic, we anticipate that vacancies will go up with a downward pressure on rent rates.

Nevertheless, occupancy rates remain at 3% of commercial square footage, with the number of vacant spaces amounting to approximately 14% of total.

**Crime Statistics.** As shown in the **ATTACHED** police statistics for the West Colfax corridor, overall crime reflects modest increases overall, in both the personal and property categories over the past years through 2019. This may reflect an increasing population and wealth gap in West Colfax. We will watch numbers in 2020 to monitor impacts from the Covid-19 pandemic. Surveying of some of the businesses about crime within the last year indicates that it is an ongoing challenge that they find ways to manage.

**CERTIFIED COPY OF  
RESOLUTION TO ADOPT 2021 BUDGET  
AND IMPOSE SPECIAL ASSESSMENTS  
WEST COLFAX BUSINESS IMPROVEMENT DISTRICT**

COMES NOW, the Secretary of the West Colfax Business Improvement District, and certifies that at a regular meeting of the Board of Directors of the District, held Tuesday the 15th day of September, 2020, at 4:00 p.m. by virtual communications, the following Resolution was adopted by the affirmative vote of a majority of the Board of Directors, to-wit:

A RESOLUTION SUMMARIZING REVENUES AND EXPENDITURES FOR THE DISTRICT'S GENERAL OPERATING FUND, **ADOPTING A BUDGET IMPOSING SPECIAL ASSESSMENTS FOR THE YEAR 2021**, TO HELP DEFRAY THE COSTS OF GOVERNMENT, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH HEREIN FOR THE WEST COLFAX BUSINESS IMPROVEMENT DISTRICT, CITY AND COUNTY OF DENVER, COLORADO, FOR THE CALENDAR YEARS BEGINNING ON THE FIRST DAY OF JANUARY, 2021, AND ENDING ON THE LAST DAY OF DECEMBER, 2021.

WHEREAS, the Board of Directors of the West Colfax Business Improvement District ("District") has authorized its staff to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board of Directors of the District for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with the law, said proposed budget was available for inspection by the public at a designated public office, a public hearing was held on September 15, 2020, and interested electors were given the opportunity to file or register any objections to said proposed budgets; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budgets remain in balance, as required by law; and

WHEREAS, at an election held on November 7, 2006, the District has eliminated the revenue and expenditure limitations imposed on governmental entities by Article X, Section 20 of the Colorado Constitution and Article and Section 29-1-301, C.R.S., as amended.



NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST COLFAX BUSINESS IMPROVEMENT DISTRICT OF THE CITY AND COUNTY OF DENVER, COLORADO:

Section 1. 2021 Budget Revenues and Expenditures. That the estimated revenues and expenditures for each fund in fiscal year 2021, as more specifically set out in the budget attached hereto as Exhibit A, are accepted and approved.

Section 2. Adoption of Budget for 2021. That the budget as submitted, and attached hereto and incorporated herein, and if amended, then as amended, is hereby approved and adopted as the budget of the West Colfax Business Improvement District for calendar year 2021.

Section 3. 2021 Imposition of Special Assessments. That for the purposes of meeting all general operating expenses of the District during the 2021 budget year, the District has adopted that certain resolution authorizing a special assessment upon real property located within the boundaries of the District dated September 15, 2020, and preparation of a local assessment roll in accordance with Section 31-25-1219(2), C.R.S. Based on the 2021 special assessment and other revenues, 2021 general revenues to the District are estimated to be approximately \$148,189.

Section 4. Designation of Reserves. That pursuant to Const. Colo. Article X, Section 20, the 2021 budget designates a sum equal to at least three percent (3%) of General Fund expenditures as a general reserve for future contingencies.

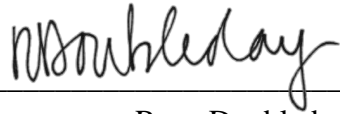
Section 5. Property Tax and Fiscal Year Spending Limits. That, being fully informed, the Board finds that the foregoing budgets do not result in a violation of any applicable fiscal year spending limitation.

Section 6. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budgets attached hereto, are hereby appropriated for the purposes stated and no other.

Section 7. Certification. That the budget shall be certified by the Secretary of the District, and be made a part of the public records of the District.

The foregoing is a true and accurate copy of the action taken by the governing body of the West Colfax Business Improvement District.

WEST COLFAX  
BUSINESS IMPROVEMENT DISTRICT

A handwritten signature in cursive script that reads "Rene Doubleday". The signature is written in black ink and is positioned above a horizontal line.

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Rene Doubleday, Secretary

(S E A L)

**WEST COLFAX**  
**BUSINESS IMPROVEMENT DISTRICT**  
3275 W. 14<sup>th</sup> Avenue, #202  
Denver, Colorado 80204

LETTER OF BUDGET TRANSMITTAL

Date: January 20, 2021  
To: Division of Local Government  
1313 Sherman Street, Room 521  
Denver, Colorado 80203

Attached is the 2021 budget and budget message for **WEST COLFAX BUSINESS IMPROVEMENT DISTRICT** in the City and County of Denver, Colorado, submitted pursuant to Section 29-1-116, C.R.S. These budgets were adopted on September 15, 2020. If there are any questions on these budgets, please contact:

Dan Shah, Executive Director  
3275 W. 14<sup>th</sup> Avenue, #202  
Denver, CO 80204  
Telephone number: 303-931-8680

Based on prior electoral approval, the property tax revenue IS NOT subject to statutory limitation.

I, Rene Doubleday, hereby certify that I am the duly elected and qualified Secretary of the West Colfax Business Improvement District, and that the attached is a true and correct copy of the budget and budget message for the fiscal year 2021, as duly adopted at a meeting of the Board of Directors for the West Colfax Business Improvement District held on the 15th day of September, 2020.



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Rene Doubleday, Secretary

EXHIBIT A  
COPY OF ADOPTED 2021 BUDGET

|  | <u>2019 Actuals</u> | <u>2020 Projections</u> | <u>2020 Budget</u> | <u>2021 Budget</u> |
|--|---------------------|-------------------------|--------------------|--------------------|
| <b>Beginning Year Unrestricted Fund Balances</b>   | \$ 270,468          | \$ 325,187              | \$ 358,947         | \$ 358,947         |
| <b>Revenue</b>                                     |                     |                         |                    |                    |
| <i>Operating Revenue</i>                           |                     |                         |                    |                    |
| Assessment (net of 1% CCD fee)                     | \$ 139,417          | \$ 127,689              | \$ 133,198         | \$ 127,689         |
| Bank Interest/Rewards                              | \$ 757              | \$ 500                  | \$ 230             | \$ 500             |
| Fee for service/grants                             | \$ 13,250           | \$ 25,000               | \$ 32,000          | \$ 20,000          |
| Insurance payouts                                  | \$ 7,925            | \$ 69,416               | \$ -               | \$ -               |
| Event Income                                       | \$ 2,530            | \$ -                    | \$ 4,500           | \$ -               |
| <b>Subtotal operating</b>                          | <b>\$ 163,879</b>   | <b>\$ 222,605</b>       | <b>\$ 169,928</b>  | <b>\$ 148,189</b>  |
| <i>Project Based Revenue</i>                       |                     |                         |                    |                    |
| Mobility Grants                                    | \$ 117,500          | \$ 97,500               | \$ 94,375          | \$ 125,000         |
| Covid Relief Grant                                 |                     | \$ 500,000              | \$ -               | \$ 240,000         |
| <b>Subtotal project based</b>                      | <b>\$ 117,500</b>   | <b>\$ 597,500</b>       | <b>\$ 94,375</b>   | <b>\$ 365,000</b>  |
| <b>Total Revenue</b>                               | <b>\$ 281,379</b>   | <b>\$ 820,105</b>       | <b>\$ 264,303</b>  | <b>\$ 513,189</b>  |
| <b>Expenses</b>                                    |                     |                         |                    |                    |
| <i>Operating Expenses</i>                          |                     |                         |                    |                    |
| Accounting   | \$ 500              | \$ 500                  | \$ 600             | \$ 600             |
| Business Support (including Covid Relief regrants) | \$ -                | \$ 474,800              | \$ 7,395           | \$ 230,000         |
| Charitable Contributions                           | \$ -                | \$ -                    | \$ 500             |                    |
| Contract Administrative Support                    | \$ 500              | \$ 1,460                | \$ 2,500           | \$ 1,500           |
| Design Guidelines/Engineering                      | \$ 2,435            | \$ 3,498                | \$ 3,498           | \$ 3,500           |
| Dues   | \$ 409              | \$ 702                  | \$ 575             | \$ 702             |
| Events and Marketing                               | \$ 9,375            | \$ 6,310                | \$ 5,800           | \$ 6,500           |
| ED Salary & Benefits                               |                     |                         |                    |                    |
| economic development alloc                         | \$ 86,919           | \$ 92,226               | \$ 86,226          | \$ 88,555          |
| administration alloc                               | \$ 21,730           | \$ 23,057               | \$ 21,557          | \$ 22,139          |
| Infrastructure Improvements                        | \$ -                | \$ 7,000                | \$ 7,000           | \$ -               |
| Insurance Premiums                                 | \$ 3,353            | \$ 3,131                | \$ 3,131           | \$ 3,131           |
| Legal Advertising                                  | \$ 1,140            | \$ 745                  | \$ 745             | \$ 745             |
| Maintenance with irrigation                        | \$ 5,783            | \$ 90,516               | \$ 18,000          | \$ 20,000          |
| Office Expenses                                    | \$ 1,658            | \$ 2,500                | \$ 2,500           | \$ 2,500           |

|  |           |                |           |                |           |                |           |                 |
|--|-----------|----------------|-----------|----------------|-----------|----------------|-----------|-----------------|
| Rent   | \$        | 7,500          | \$        | 7,500          | \$        | 7,500          | \$        | 7,500           |
| Training-travel-reimbursables                  | \$        | 1,091          | \$        | 2,400          | \$        | 2,400          | \$        | 2,400           |
| <b>Subtotal operating</b>                      | <b>\$</b> | <b>142,393</b> | <b>\$</b> | <b>716,345</b> | <b>\$</b> | <b>169,927</b> | <b>\$</b> | <b>389,771</b>  |
| <i>Project Based Expenses</i>                  |           |                |           |                |           |                |           |                 |
| Arts & Signage Projects                        | \$        | 5,683          | \$        | - *            | \$        | -              | \$        | -               |
| Mobility Projects (multi-year)                 | \$        | 73,976         | \$        | 70,000 *       | \$        | 94,375         | \$        | 100,000         |
| Pass through projects (multi-year)             | \$        | 4,608          | \$        | - *            | \$        | -              | \$        | -               |
| <b>Subtotal project based</b>                  | <b>\$</b> | <b>84,267</b>  | <b>\$</b> | <b>70,000</b>  | <b>\$</b> | <b>94,375</b>  | <b>\$</b> | <b>100,000</b>  |
| <b>Total Expenditures</b>                      | <b>\$</b> | <b>226,660</b> | <b>\$</b> | <b>786,345</b> | <b>\$</b> | <b>264,302</b> | <b>\$</b> | <b>489,771</b>  |
| <b>Temporarily Restricted Fund Transfers</b>   | <b>\$</b> | <b>-</b>       | <b>\$</b> | <b>-</b>       | <b>\$</b> | <b>-</b>       | <b>\$</b> | <b>(23,418)</b> |
| <b>Fund Transfer (TABOR 3% reserve)</b>        | <b>\$</b> | <b>-</b>       | <b>\$</b> | <b>-</b>       | <b>\$</b> | <b>-</b>       | <b>\$</b> | <b>-</b>        |
| <b>Total Expenditures requiring allocation</b> | <b>\$</b> | <b>226,660</b> | <b>\$</b> | <b>786,345</b> | <b>\$</b> | <b>264,302</b> | <b>\$</b> | <b>513,189</b>  |
| <b>Net Change in Funds Available</b>           | <b>\$</b> | <b>54,719</b>  | <b>\$</b> | <b>33,760</b>  | <b>\$</b> | <b>0</b>       | <b>\$</b> | <b>(0)</b>      |
| <b>Ending Funds Available</b>                  | <b>\$</b> | <b>325,187</b> | <b>\$</b> | <b>358,947</b> | <b>\$</b> | <b>358,947</b> | <b>\$</b> | <b>358,947</b>  |

Notes:

1. Special Assessment method: current level psf = \$0.1352

2. Restricted fund balance (TABOR) for 2021 **\$4,594**

3. Board assigned balances for 2021  
**maintenance=\$20,912**  
**capital improvements=\$33,643**  
**business support=\$13,279**  
**grant matching funds=\$10,745**

**WEST COLFAX BUSINESS IMPROVEMENT DISTRICT**  
**City and County of Denver, Colorado**

**A RESOLUTION AUTHORIZING THE IMPOSITION OF CERTAIN ANNUAL SPECIAL ASSESSMENTS UPON REAL PROPERTY WITHIN THE BOUNDARIES OF THE DISTRICT TO FUND DISTRICT IMPROVEMENTS AND SERVICES AS DESCRIBED IN THE OPERATING PLAN AND BUDGET**

**WHEREAS**, the Board of Directors of the West Colfax Business Improvement District (the "Board") adopted a resolution on August 11, 2020 (the "August Resolution") setting the date, time and location for a public hearing on the question of the imposition of special assessments upon real property located within the boundaries of the West Colfax Business Improvement District (the "BID"); and

**WHEREAS**, the public hearing required by statute was scheduled to be held on Tuesday, September 15, 2020, at 4:00 p.m. by virtual communication; and

**WHEREAS**, the August Resolution included the form of notice of the said public hearing, as required by Section 31-25-1219(2)(a), C.R.S.; and

**WHEREAS**, the notice of public hearing was published once in The Denver Post/Your HUB, a newspaper of general circulation within the BID; and

**WHEREAS**, an affidavit of publication is attached hereto as Exhibit A; and

**WHEREAS**, the Board caused notice of the public hearing to be mailed by first class mail to all owners of property within the BID; and

**WHEREAS**, the certificate of mailing of the notice of public hearing is attached hereto as Exhibit B; and

**WHEREAS**, no remonstrance petition objecting to the special assessments to be imposed by the BID was filed with the Board prior to or at the public hearing conducted on September 15, 2020; and

**WHEREAS**, the Board did on September 15, 2020, conduct a public hearing on this matter, taking evidence regarding the substantive issue of the desirability of and the need for providing the improvements and services identified in the BID's Proposed 2021 Operating Plan and Budget, and determining the special benefits to be received by the properties to be assessed, in accordance with Section 31-25-1219(2)(b), C.R.S., at which hearing all interested parties were afforded an opportunity to be heard, including those who submitted the remonstrance petition; and

**WHEREAS**, the Board has fully considered the proposed methodology of calculating the special assessments and all testimony and other evidence presented to it in this matter;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the West Colfax Business Improvement District, City and County of Denver, Colorado as follows:

Section 1. That the funding for BID improvements and services (as set forth in the Operating Plan and Budget) will be raised through an annual assessment (the "Annual Assessment"). Based upon evidence adduced at the September 15, 2020 hearing, the Board has concluded that the assessment methodology set forth in this Resolution equitably distributes the costs of providing the improvements and services identified in the BID's Operating Plan and Budget, and will provide an equitable basis for funding the same in future operating years.

Section 2. That the Annual Assessment shall be based upon commercial land area square footage at a rate of point thirteen fifty-two cents (\$.1352) per square foot of land area on property classified for property tax purposes as commercial within the boundaries of the BID.

Section 3. That the Secretary of the BID is hereby authorized and directed to prepare a local assessment roll for the Special Assessment set in Section 2 of this Resolution, as required by § 31-25-1219(2)(b), C.R.S, and shall provide a copy of the local assessment roll to the Denver City Treasurer on or before November 30, 2020. The Secretary of the BID may delegate the responsibility for preparation of the local assessment roll to an outside third party.


Section 4. The Annual Assessment authorized by this Resolution is to be collected by the Denver City Treasurer. The BID assessments will be included property tax statements due and payable without demand in one installment on or before the last day of February. Any amount not paid by March 1, shall draw interest at the rate established pursuant to § 31-25-1219, C.R.S, from the date of delinquency until paid in full. The assessments shall constitute a perpetual lien in the amount assessed against each lot or tract of land until paid in full.

Section 5. Should any one or more sections or provisions of this Resolution be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, the intention being that the various sections and provisions hereof are severable.

ADOPTED AND APPROVED this 15<sup>th</sup> day of September, 2020.

ATTEST:

  
Dennis Gonzalez, Treasurer

  
Rene Doubleday, Secretary

Attachments:

- Exhibit A - affidavit of publication of notice of public hearing
- Exhibit B - certificate of mailing regarding notice of public hearing



The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver )
State of Colorado )

The undersigned Nicole Maestas being first duly sworn under oath, states and affirms as follows:

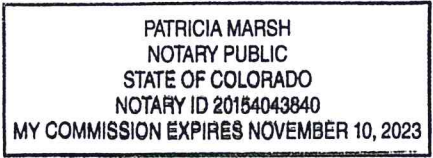
- 1.He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in Your Hub for Denver Downtown/East/West (including counties of Denver, Jefferson, Arapahoe, and Adams) on the following date(s):

August 27, 2020

Nicole Maestas
Signature

Subscribed and sworn to before me this 28 day of August, 2020.

Patricia Marsh
Notary Public



(SEAL)

NOTICE AS TO PROPOSED BUDGET

OF INTENT TO IMPOSE SPECIAL ASSESSMENTS UPON REAL PROPERTY LOCATED IN THE WEST COLFAX BUSINESS IMPROVEMENT DISTRICT, CITY AND COUNTY OF DENVER, FOR THE PURPOSE OF FUNDING IMPROVEMENTS AND SERVICES TO BE FURNISHED BY THE SAID DISTRICT, AND OF A PUBLIC HEARING THEREON

1. All owners of real property hereinafter described, and all persons generally, are hereby notified that the Board of Directors of the West Colfax Business Improvement District, City and County of Denver ("WCBID"), has adopted a Resolution proposing to impose special assessments to defray the cost of improvements and services to be furnished by WCBID against the property specially benefited by such services, all as more particularly set forth herein.

2. The Board of Directors will hold a PUBLIC HEARING for the purpose of considering the desirability of and the need for providing the service and imposing the assessments therefore and determining the special benefits to be received by the properties to be assessed, on September 15th, 2019, at 4:00pm by videoconference, with link to join at www.westcolfaxbid.org/calendar.

3. The property on which the assessments are to be levied consists of the real property classified for property tax purposes as commercial within the boundaries of WCBID, which is described as follows:

The property abutting both sides of West Colfax Avenue from Federal Boulevard to Sheridan Boulevard and the former St. Anthony Hospital campus as legally described in City Clerk File No. 06-694-D, as more specifically shown on the map of the District boundaries attached hereto as Exhibit A. The boundaries of the BID include all properties within the service area perimeter which are classified as commercial property as defined in the Business Improvement District Act, Section 31-25-1203(2), C.R.S.

4. The purpose of the special assessments is to defray the cost of the improvements and services to be furnished by WCBID, which may include the following:

Economic development services including:

- New and existing business support, including Covid relief & strategies
Business attraction
Consumer marketing
Promotion
Ratepayer communication
Street improvements such as banners or planters and infrastructure improvements to enhance the retail environment and accessibility by all modes of transit
Special events

Enhanced Safety Programs such as:

- Partnerships with Denver Police Department
Community and business watch programs

Advocacy on Behalf of Corridor Property and Business Owners such as:

- Efforts to promote Main Street Zoning on West Colfax
Implementation of West Colfax Plan, Development of West NPI
Advocacy for policies and issues that affect West Colfax

BID Operations including:

- Design and/or implement business programs to promote West Colfax
Coordinate outreach to potential developers and businesses
Maintain communication with City Council and other civic leaders, other BIDs and constituencies as needed
Manage and support safety programs
Be a point of contact for assessment payers through periodic newsletters and web page enhancements, in store visits, and meetings and forums to keep assessment payers apprised of the district's activities

Maintenance

- Maintain of R-O-W improvements, such as bus shelters and other public art, wayfinding signage, and landscaping installed and owned by the BID.

The Board of Directors of WCBID may amend program activities in subsequent years within the general categories of improvements and services authorized by state law. Final programs and budgets will be subject to the annual review and approval of the Board of Directors of WCBID.

5. The proposed method of assessment is set forth as follows:

The special assessment shall be \$.1352 per square foot of commercial property within the District as set forth in the 2021 Operating Plan and Budget. The 2021 assessment represents no increase over the 2020 assessment.

Table with 2 columns: Assessment (based on 10,000 square foot lot), Current year and proposed Assessment at \$1352 per square foot of land, \$1,352

In future years annual adjustments shall not exceed five percent (5%) annually, up to a maximum of \$.15 per square foot of commercial property plus any TABOR allowed increases.

WCBID will conduct the September 15, 2020 public hearing described above to consider the desirability of and the need for providing the improvements and services set forth in its Operating Plan and Budget, and imposing the special assessment set forth above to fund the same. WCBID will also determine the special benefits to be derived by the properties upon which the assessment will be imposed, if any, for fiscal year 2021. In order to provide adequate funding for the costs of providing its services and improvements in subsequent years, WCBID shall be authorized, without the necessity to conduct the formal special assessment process and hearings required for the initial assessment, to increase the rates of assessment set forth above not more than five percent (5%) each year, on a cumulative basis. The assessments will be collected by the City Treasurer of the City and County of Denver, Colorado (the "Treasurer") pursuant to an agreement between the BID and the Treasurer, which will retain one percent (1%) of the assessment collections as an administrative fee.

WCBID assessments will be included in property tax statements due and payable without demand in one installment on or before the last day of February. Any amount not paid by March 1st will draw interest at the rate established pursuant to § 31-25-1219, C.R.S., from the date of delinquency until paid in full. The assessments shall constitute a perpetual lien in the amount assessed against each lot or tract of land until paid in full.

The owners of property to be assessed shall have the right to file a remonstrance petition. No assessment can be imposed if a remonstrance petition objecting to the assessment and signed by the owners of the property which would bear more than one-half of the proposed assessment is filed with the Board of Directors prior to or at the hearing.

DATED as of August 11, 2020.

(SEAL)

/s/ Rene Doubleday, Secretary

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver )  
State of Colorado )  
)

The undersigned Nicole Maestas being first duly sworn under oath, states and affirms as follows:

- 1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
- 2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
- 3. The notice that is attached hereto is a true copy, published in Your Hub for Denver Downtown/East/West (including counties of Denver, Jefferson, Arapahoe, and Adams) on the following date(s):

August 27, 2020

Nicole Maestas  
Signature

Subscribed and sworn to before me this 28 day of August, 2020.

Patricia Marsh  
Notary Public

PATRICIA MARSH  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20154043840  
MY COMMISSION EXPIRES NOVEMBER 10, 2023

(SEAL)

**NOTICE AS TO PROPOSED BUDGET**

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2021 has been submitted to the West Colfax Business Improvement District ("District"). Such proposed budget will be considered at the regular meeting of the Board of Directors of the District to be held at 4:00 p.m. on Tuesday, September 15, 2020, at by videoconference with the link to join at [www.westcolfaxbid.org/calendar](http://www.westcolfaxbid.org/calendar).

Copies of such proposed budget for fiscal year 2021 are available for inspection by the public at the offices of the District, 3275 W. Colfax Avenue, #202, Denver, Colorado, and at [www.westcolfaxbid.org](http://www.westcolfaxbid.org). Any interested elector within the District may, at any time prior to the final adoption of the proposed budget for the ensuing year 2021, file or register any objections thereto.

Dated August 11, 2020.

WEST COLFAX  
BUSINESS IMPROVEMENT DISTRICT  
By: /s/ Rene Doubleday, Secretary

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver )  
State of Colorado )  
)

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*August 27, 2020*

*Nicole Maestas*  
Signature

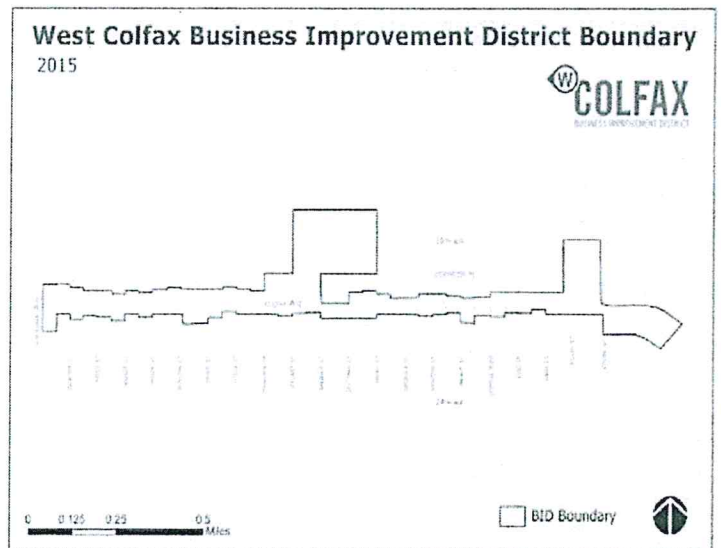
Subscribed and sworn to before me this 28 day of August, 2020.

*Patricia Marsh*  
Notary Public

PATRICIA MARSH  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20154043840  
MY COMMISSION EXPIRES NOVEMBER 10, 2023

(SEAL)

EXHIBIT A



Notes: parcels classified as residential and agricultural and those owned by non-profits are exempt properties for BID revenue raising purposes. Source: City and County of Denver, Public Works and Policy Planning, Version 1.0.416

West Colfax Business Improvement District  
Financial Statements

December 31, 2019

ACCOUNTANT'S COMPILATION REPORT

Board of Directors  
West Colfax Business Improvement District

We have compiled the accompanying Balance Sheet/ Statement of Net Position as of December 31, 2019 and the related Statements of Revenues, Expenditures and Changes in Fund Balance/Statement of Activities for the year then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, we do not express an opinion or provide any assurance about whether the financial statements are in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist the management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Management has elected to omit the Management Discussion and Analysis and all of the disclosures required by accounting principles generally accepted in the United States of America. Accordingly, the accompanying financial statements are not intended to be used by readers who are not familiar with the District's financial affairs or informed about such matters that would be disclosed in complete financial statements.

*Simmons & Wheeler P.C.*

April 14, 2019

## West Colfax Business Improvement District

### BALANCE SHEET/STATEMENT OF NET POSITION GOVERNMENTAL FUNDS

December 31, 2019

See Accountant's Compilation Report

|   | <u>General</u>    | <u>Total</u>      | <u>Adjustments</u> | <u>Statement<br/>of<br/>Net Position</u> |
|---|-------------------|-------------------|--------------------|--|
| <b>ASSETS</b>   |                   |                   |                    |  |
| Cash and investments  | \$ 310,299        | \$ 310,299        | \$ -               | \$ 310,299                               |
| Cash and investments - restricted                                     | 4,594             | 4,594             | -                  | 4,594                                    |
| Assessment taxes receivable   | 133,198           | 133,198           | -                  | 133,198                                  |
| Prepaid expenses  | 625               | 625               | -                  | 625                                      |
| Capital assets, net of accumulated depreciation                       | <u>-</u>          | <u>-</u>          | <u>395,447</u>     | <u>395,447</u>                           |
| Total Assets  | <u>\$ 448,716</u> | <u>\$ 448,716</u> | <u>395,447</u>     | <u>844,163</u>                           |
| <b>LIABILITIES</b>  |                   |                   |                    |  |
| Accounts payable  | <u>\$ 34,305</u>  | <u>\$ 34,305</u>  | <u>-</u>           | <u>34,305</u>                            |
| Total Liabilities   | <u>34,305</u>     | <u>34,305</u>     | <u>-</u>           | <u>34,305</u>                            |
| <b>DEFERRED INFLOWS OF RESOURCES</b>                                  |                   |                   |                    |  |
| Deferred assessment taxes   | <u>133,198</u>    | <u>133,198</u>    | <u>-</u>           | <u>133,198</u>                           |
| Total Deferred Inflows of Resources                                   | <u>133,198</u>    | <u>133,198</u>    | <u>-</u>           | <u>133,198</u>                           |
| <b>FUND BALANCES/NET POSITION</b>                                     |                   |                   |                    |  |
| Fund Balances:  |                   |                   |                    |  |
| Nonspendable:   |                   |                   |                    |  |
| Prepays   | 625               | 625               | (625)              | -  |
| Restricted:   |                   |                   |                    |  |
| Emergencies   | 4,594             | 4,594             | (4,594)            | -  |
| Assigned:   |                   |                   |                    |  |
| Maintenance reserve   | 20,912            | 20,912            | (20,912)           | -  |
| Business support  | 13,279            | 13,279            | (13,279)           | -  |
| Capital projects  | 33,643            | 33,643            | (33,643)           | -  |
| Matching grants   | 10,745            | 10,745            | (10,745)           | -  |
| Unassigned  | <u>197,415</u>    | <u>197,415</u>    | <u>(197,415)</u>   | <u>-</u>                                 |
| Total Fund Balances   | <u>281,213</u>    | <u>281,213</u>    | <u>(281,213)</u>   | <u>-</u>                                 |
| Total Liabilities, Deferred Inflows of Resources<br>and Fund Balances | <u>\$ 448,716</u> | <u>\$ 448,716</u> |                    |  |
| Net Position:   |                   |                   |                    |  |
| Net investment in capital assets                                      |                   |                   | 395,447            | 395,447                                  |
| Restricted for:   |                   |                   |                    |  |
| Emergencies   |                   |                   | 4,594              | 4,594                                    |
| Unrestricted  |                   |                   | <u>276,619</u>     | <u>276,619</u>                           |
| Total Net Position  |                   |                   | <u>\$ 676,660</u>  | <u>\$ 676,660</u>                        |

**West Colfax Business Improvement District**

STATEMENT OF REVENUES, EXPENDITURES AND  
CHANGES IN FUND BALANCES/STATEMENT OF ACTIVITIES  
GOVERNMENTAL FUNDS

For the Year Ended December 31, 2019

See Accountant's Compilation Report

|                                     | <u>General</u> | <u>Total</u> | <u>Adjustments</u> | <u>Statement<br/>of<br/>Activities</u> |
|-------------------------------------|----------------|--------------|--------------------|--|
| <b>EXPENDITURES</b>                 |                |              |                    |  |
| Accounting                          | \$ 500         | \$ 500       | \$ -               | \$ 500                                 |
| Art and Signage Project             | 5,683          | 5,683        | -                  | 5,683                                  |
| Contract Labor                      | 500            | 500          | -                  | 500                                    |
| Dues                                | 409            | 409          | -                  | 409                                    |
| Design Guidelines/Engineering       | 2,435          | 2,435        | -                  | 2,435                                  |
| Event                               | 9,375          | 9,375        | -                  | 9,375                                  |
| Pass through grant                  | 4,608          | 4,608        | -                  | 4,608                                  |
| Legal Advertising                   | 1,140          | 1,140        | -                  | 1,140                                  |
| Liability & Property insurance      | 3,353          | 3,353        | -                  | 3,353                                  |
| Maintenance                         | 5,783          | 5,783        | -                  | 5,783                                  |
| Maintenance - other                 | 43,974         | 43,974       | -                  | 43,974                                 |
| Office Supplies-Equip               | 1,658          | 1,658        | -                  | 1,658                                  |
| Payroll                             | 108,649        | 108,649      | -                  | 108,649                                |
| Pedestrian Mobility                 | 73,976         | 73,976       | -                  | 73,976                                 |
| Reimb-Purchases-Travel-Training     | 1,091          | 1,091        | -                  | 1,091                                  |
| Rent                                | 7,500          | 7,500        | -                  | 7,500                                  |
| Depreciation                        | -              | -            | 42,689             | 42,689                                 |
| Total Expenditures                  | 270,634        | 270,634      | 42,689             | 313,323                                |
| <b>PROGRAM REVENUES</b>             |                |              |                    |  |
| Mobility Grant                      | 117,500        | 117,500      | -                  | 117,500                                |
| Fee for service                     | 13,250         | 13,250       | -                  | 13,250                                 |
| Event income                        | 2,530          | 2,530        | -                  | 2,530                                  |
| Total Program Revenues              | 133,280        | 133,280      | -                  | 133,280                                |
| Net Program Income (Expenses)       | (137,354)      | (137,354)    | (42,689)           | (180,043)                              |
| <b>GENERAL REVENUES</b>             |                |              |                    |  |
| Assessment taxes                    | 139,417        | 139,417      | -                  | 139,417                                |
| Insurance reimbursement             | 7,925          | 7,925        | -                  | 7,925                                  |
| Interest income                     | 757            | 757          | -                  | 757                                    |
| Total General Revenues              | 148,099        | 148,099      | -                  | 148,099                                |
| <b>NET CHANGES IN FUND BALANCES</b> | 10,745         | 10,745       | (10,745)           |  |
| <b>CHANGE IN NET POSITION</b>       |                |              | (31,944)           | (31,944)                               |
| <b>FUND BALANCES/NET POSITION:</b>  |                |              |                    |  |
| BEGINNING OF YEAR                   | 270,468        | 270,468      | 438,136            | 708,604                                |
| END OF YEAR                         | \$ 281,213     | \$ 281,213   | \$ 395,447         | \$ 676,660                             |

## West Colfax Business Improvement District

### STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND

For the Year Ended December 31, 2019

See Accountant's Compilation Report

|   | Final<br><u>Budget</u> | <u>Actual</u>     | Variance<br>Favorable<br><u>(Unfavorable)</u> |
|---|------------------------|-------------------|---|
| <b>REVENUES</b>                           |                        |                   |   |
| Assessment taxes                          | \$ 144,843             | \$ 139,417        | \$ (5,426)                                    |
| Insurance reimbursement                   | -                      | 7,925             | 7,925   |
| Mobility Grant                            | 100,000                | 117,500           | 17,500  |
| Fee for Service                           | 15,000                 | 13,250            | (1,750)                                       |
| Event income                              | 2,500                  | 2,530             | 30  |
| Multifamily or general grant contribution | 4,450                  | -                 | (4,450)                                       |
| Interest income                           | <u>230</u>             | <u>757</u>        | <u>527</u>                                    |
| Total Revenues                            | <u>267,023</u>         | <u>281,379</u>    | <u>14,356</u>                                 |
| <b>EXPENDITURES</b>                       |                        |                   |   |
| Accounting                                | 600                    | 500               | 100   |
| Art and Signage Project                   | 13,164                 | 5,683             | 7,481   |
| Donations                                 | 500                    | -                 | 500   |
| Improvement                               | 2,000                  | -                 | 2,000   |
| Contract Labor                            | 2,500                  | 500               | 2,000   |
| Dues                                      | 575                    | 409               | 166   |
| Design Guidelines/Engineering             | 3,000                  | 2,435             | 565   |
| Event                                     | 5,800                  | 9,375             | (3,575)                                       |
| Pass through grant                        | -                      | 4,608             | (4,608)                                       |
| Legal Advertising                         | 745                    | 1,140             | (395)   |
| Liability & Property insurance            | 3,131                  | 3,353             | (222)   |
| Maintenance                               | 18,000                 | 5,783             | 12,217  |
| Office Supplies-Equip                     | 2,500                  | 1,658             | 842   |
| Payroll                                   | 104,608                | 108,649           | (4,041)                                       |
| Pedestrian Mobility                       | 100,000                | 73,976            | 26,024  |
| Reimb-Purchases-Travel-Training           | 2,400                  | 1,091             | 1,309   |
| Rent                                      | <u>7,500</u>           | <u>7,500</u>      | <u>-</u>                                      |
| Total Expenditures                        | <u>267,023</u>         | <u>226,660</u>    | <u>40,363</u>                                 |
| <b>NET CHANGE IN FUND BALANCE</b>         | -                      | 54,719            | 54,719  |
| <b>FUND BALANCE:</b>                      |                        |                   |   |
| BEGINNING OF YEAR                         | <u>194,475</u>         | <u>270,468</u>    | <u>75,993</u>                                 |
| END OF YEAR                               | <u>\$ 194,475</u>      | <u>\$ 325,187</u> | <u>\$ 130,712</u>                             |



## **WEST COLFAX BUSINESS IMPROVEMENT DISTRICT BY-LAWS**

These By-Laws of the West Colfax Business Improvement District are adopted by the Board of Directors of the District pursuant to Title 31, Article 25, Part 12, Colorado Revised Statutes and Ordinance No. 06-598, City and County of Denver. In the event of a conflict between these By-Laws and either the State Statute or City Ordinance, the Statute and/or Ordinance shall govern.

### **ARTICLE I THE DISTRICT**

**Section 1. Name of the District.** The name of the District shall be the "West Colfax Business Improvement District" (District).

**Section 2. Office of the District.** The office of the District shall be located within the boundaries of the District at such place as the Board of Directors from time to time, shall by resolution, determine.

**Section 3. Boundaries of the District.** The Service Area boundaries of the District are West 17th Avenue on the north, West 14th Avenue on the south, Federal Blvd. on the east and Sheridan Avenue on the west. The boundaries of the District include any taxable real and personal property located within the Service Area, which is not classified for tax purposes as either residential or agricultural. Such residential and agricultural property located within the Service Area is not located within the District until such time as such property changes classification. A map of the Service Area boundaries and the approximate District boundaries is maintained in the office of the District.

### **ARTICLE II OFFICERS**

**Section 1. Election of Officers and Terms.** The officers of the District shall be a President, Vice President, Secretary and Treasurer who shall be elected from among the members of the Board at the first regular meeting of the fiscal year, or as soon thereafter as the Board of Directors may determine. The office of Secretary and Treasurer may be filled by one person.. Officers shall serve for a term of one year or until their successors are duly elected. The Board shall serve at the pleasure of the governing municipality.

**Section 2. President.** The President of the District shall preside at all meetings of the District; shall have such other duties as the Board may direct; and, shall have general supervision over the business and affairs of the District, as well as be responsible for day to day operations. The President shall provide direction to personnel/contract staff for the District, and be available to such persons as needed for guidance and approval of operational activities. The President can assign varies duties as she/he see fit to hired consultants/employee's of the District to help with the day-to-day functions of the District. The President. shall preside over all meetings of the

District.

**Section 3. Vice President.** The Vice President shall preside over all meetings of the District in the absence of the President or in any event of his/her inability or refusal to act and shall have the powers and perform the duties of the President in the event the office of President is vacant or in the temporary absence of the President.

**Section 4. Secretary.** The Secretary shall act as Secretary of the meetings of the District, shall record all votes, keep a record of the proceedings of the District, maintain a record of all resolutions adopted by the District, and perform all duties incident of this office. The Secretary shall keep in safe custody the seal of the District and shall have the power to affix such seal to all contracts and instruments authorized to be executed by the District.

**Section 5. Treasurer.** The Treasurer shall take care and have custody of the funds and financial records of the District, and shall deposit District funds in such bank or banks as the District may select. The Board may also, as they see fit, engage the services of an accountant to assist with the financial duties of the District.

**Section 6. Additional Duties.** The officers shall, from time to time, perform additional duties as assigned by resolution or the President of the Board. The primary function of the Board, with the exception of the duties assigned in these By-Laws, is to determine policy for the District. The board can assign varies duties as they see fit to hired consultants/employee's of the District to help with the day-to-day functions of the District.

**Section 7. Vacancies.** Should any officer position become vacant, such vacancy shall be filled, for the remainder of the unexpired term, by a qualified candidate who has been appointed by the Mayor of the City and County of Denver and confirmed by ordinance.

**Section 8. Expenses.** Members shall receive no compensation for services but may be reimbursed for expensed incurred on behalf of the District pursuant to authorization by the President.

**Section 9. Staffing.** The District may employ personnel, or contract personnel, as necessary to perform the functions of the District. Such persons shall be appointed by the Board, and serve at the pleasure of the Board. Selection and compensation shall be determined by the Board. A committee may be formed to interview and make recommendations regarding the hiring of personnel if the Board desires

### **ARTICLE III MEETINGS AND CONDUCT**

**Section 1. Meetings.** At the first meeting of the fiscal year, the Board shall determine the schedule for the regular meetings for the remainder of the year, including the time and location of the meetings and the posting place for such meetings. Special meetings can be called as deemed necessary and by the provisions in these By-Laws and in accordance with state statute.

**Section 2. Special Meetings.** The President, or any two members of the Board, may call a special meeting when determined necessary or expedient. At least 24 hours' notice must be given for a Special Meeting.

**Section 3. Quorum.** At all meetings of the Board, a quorum must be present for the Board to take District action and set policy. A quorum is comprised of three members, if all Board seats are filled. If vacancies exist, a majority constitutes a quorum, but must be no less than two members at any time. When a quorum is in attendance, action may be taken by the District upon affirmative vote of the majority of the Director's present. Directors may be in attendance in person or by telephone, but physical presence is necessary for the purposes of achieving a quorum.

**Section 4. Manner of Voting.** Voting shall be called for after a motion has been made and seconded, and any desired discussion taken place. All nay votes and abstentions shall be recorded by Director name in the minutes. All Directors are entitled to vote, including the Board President. Voting by proxy is not permitted.

**Section 5. Conflict of Interest.** Board members are required to disclose any potential conflicts of interest in any transaction before the Board. In the case where Board action will promote financial gain of individual Board Members, Members must disclose their financial involvement and abstain from voting on such motion or attempting to include any of the contracting parties in such transaction.

**Section 6. Open Meetings.** All meetings of the Board of Directors shall be open to the public, pursuant to C.R.S. Section 24-6-402. The Board may go into executive session, as permitted under 24-6-402 by a vote of two-thirds of the quorum of the Board members in attendance.

The Board shall take no action during an executive session, and will only hold them pursuant to the criteria listed in C.R.S. Section 24-6-402.

**Section 7. Resolutions.** The Board shall act pursuant to either resolution or motion. Resolutions shall be used for all actions of a general or permanent nature. Motions may be used for acts of a temporary character or statements of general policy. All resolutions shall be in writing, recorded and authenticated by the signature of the Secretary, and shall be kept on file in the District offices. All motions shall be set forth in the minutes of the District. Resolutions and motions shall be effective immediately unless otherwise stated.

## **ARTICLE IV FISCAL MATTERS**

**Section 1. Fiscal Year.** The fiscal year of the District shall be the same as a calendar year.

**Section 2. Checks and Financial Controls.** District shall impose such financial controls and restrictions on check signing authority as the Board of Directors from time to time, shall

by resolution, determine.

**Section 3. Execution of Instruments.** The Board of Directors may authorize an officer, employee, or any other agent of the District to enter into any contract or execute and deliver any instrument in the name of and on behalf of the District. Any such authorization shall specify the particular contract or instrument, or the category of contracts of instruments, authorized to be so executed.

The Treasurer or Designee shall have the care and custody of all funds of the District and shall deposit same in the name of the District in such bank or banks as the District may select.

**Section 4. Loans.** No loan or advance shall be contracted on behalf of the District, and no note, bond or other evidence of indebtedness shall be executed or delivered in its name, except as may be authorized by the Board of Directors.

## **ARTICLE V AMENDMENTS**

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the District at any regular meeting or special meeting of the District by affirmative vote of the majority of Directors.

## **ARTICLE VI INDEMNIFICATION**

**Section 1. Indemnification.** The District shall indemnify any Director, officer, employee or former Director, officer or employee of the District, against any expenses actually and reasonably incurred by him or her in connection with the defense of any action, suit or proceeding, or for any loss or claim resulting from any such action, suit or proceeding, in which he or she is made a party by reason of being or having been a Director, officer, or employee including any matter as to which he or she is adjudged in such action, suit or proceeding, to be liable for negligence in the performance of his or her duty to the District, so long as such Director, officer or employee (past or present) conducted himself or herself in good faith and either in the best interest of the District or at least not opposed to the District's best interest. Such indemnification shall not extend to criminal acts that the Director, officer or employee knows or should have known were illegal.

**Section 2. Insurance.** The District is authorized to obtain such policy or policies of insurance for the purpose of providing such indemnification of the Directors, officers, and employees of the District and for other purposes as needs may arise.

**Section 3. No Waiver.** The indemnification provided for under this article does not constitute a

waiver, either partial, or complete, or any immunities or limitations on judgments applicable to the District or any of its Directors, officers, or employees and provided for by law or otherwise.

**ARTICLE VII**  
**RULES OF ORDER/PROCEDURES**

In the absences of rules governing points of procedure of the meetings and actions of the Board of Directors of the District, the latest revised edition of "Roberts Rules of Order" shall govern the actions of the Board.

*Adopted on February 9, 2016*

## WCBID Board Actions & Attendance 2020

### **January 22**

In attendance: Cameron Bertron, Tom Defrancia, Win King, Dennis Gonzalez and Rene Doubleday

Approved December minutes and financials.  
Designated Notice Posting Location at 3275 W 14<sup>th</sup> Ave, Denver, CO 80204

Contract for Gordon Sign restoration for \$8464.

### **February 11**

In attendance: Cameron Bertron, Tom Defrancia, Dennis Gonzalez, Win King, and Rene Doubleday

Approved January minutes and financials.

### **March 10**

In attendance: Cameron Bertron, Dennis Gonzalez, Rene Doubleday and Win King

Approved February minutes and financials.

Authorized restriction of final 2019 surplus towards leveraging outside funds,

#### **Agreements approved:**

- a. Simmons & Wheeler 2019 complied financial statement review not-to exceed \$800.
- b. Westside Stadium Community Coalition CBA MOU, as first steps towards for Stadium District community benefits agreement by formalizing coalition members' relationship-approved in substantially the form as presented.
- c. Frontrange Services updated pricing schedule @\$290 every other week, with maintenance on landscaping undertaken throughout the year.

### **March 20th**

In attendance: Cameron Bertron, Rene Doubleday & Win King

### **April 21**

In attendance: Cameron Bertron, Win King, and Rene Doubleday were in attendance,

Approved March 10 & 22 minutes; financials tabled.

2019 Complied financials approved.

Authorized the Executive Director to use UMB Bank on-line bill pay until such time as board deems it to be unnecessary-- subject to prior review and approval in writing by an authorized signatory of the board, and two signatories for amounts greater than \$1000 retroactive to 4.14.2020.

Authorized letter to Mayor requesting expedited rules on temporary patio expansions.

## **May 12**

In attendance: Rene Doubleday, Dennis Gonzalez, Tom DeFrancia, Win King, Cameron Bertron

Approved April minutes; financial tabled.

Authorized

Authorized Dan Shah to sign a letter to the Governor on behalf of the district requesting devolution of liquor permitting to localities.

Approved license for facemask artwork from Pat Milbery of \$375, and spending on masks not-to-exceed \$2500 on fabrication

Authorized waiver \$5,246.54 assessment on Sloan's Block 3 BID Parcel ID 02314-34-016-000 due to misclassification by assessor.

## **June 9**

In attendance: Cameron Bertron, Dennis Gonzalez, Rene Doubleday, Tom Defrancia and Win King.

Approved May minutes, and 2<sup>nd</sup> quarter financials.

Authorized contracts:

Frontrange Services irrigation repairs (hourly at \$65-\$85/hr), glass storage (\$50/mo).

Project Joy Bomb parade with WCBID mask giveaway with \$500 donation to the Handsome Little Devils.

## **July 14**

Cameron Bertron, Win King, and Rene Doubleday, and Dennis Gonzalez were in attendance.

Approved June minutes and & July financials.

Authorized \$200,000 NMPI contract administered by CDOT, and approve up to \$22,477 in district funds for the balance of the match, if and when needed.

### **August 11**

In attendance: Cameron Bertron, Rene Doubleday, Win King, and Dennis Gonzalez

Approved July minutes and & July financials.

Approved draft 2021 budget and preliminary assessment resolution for Sept. 15<sup>th</sup> hearing, assuming no increase in the annual assessment and \$500000 Covid Relief grant.

Certified a Federal funds policy.

Supported the proposed zone change on the Boy's and Girls property at 3325 W. 16<sup>th</sup> Ave.

### **September 15**

In attendance: Rene Doubleday, Win King, Dennis Gonzalez, Cameron Bertron

Approved 2021 budget resolution and 2021 assessment resolution.

Authorized Dan Shah to advance grant in phases based on available reserves pending DOLA CVRF reimbursement.

Approved \$1355 SeeSaw Addendum: [website design for secure CVRF application](#),



|   |                  |  |
|---|------------------|--|
| <b>Dan Shah, Executive Director</b> (District Management)<br>Director of Economic Development<br>West Colfax BID<br>3275 West 14 <sup>th</sup> Ave # 202, Denver 80204    | M<br>C<br>F<br>E | 303.623.3232<br>303.931.8680<br>303.951-3484<br><a href="mailto:dshah@westcolfaxbid.org">dshah@westcolfaxbid.org</a> |
| <b>Tom DeFrancia</b><br>Property: Alamo Drafthouse Cinema<br>Thomas DeFrancia<br>2605 4th street<br>Boulder, CO 80304<br>Term Expires: 10/3/20                            | W<br>C<br>E      | 303-589-4409<br>tommydef@drafthouse.com  |
| <b>Dennis Gonzalez, Treasurer</b><br>Property Owner<br>4253 Stuart Street<br>Denver, CO 80212<br>Term Expires: 10/3/20  | W<br>H<br>E      | 303-968-4678<br>720-294-9525<br>iamgonzoman@gmail.com  |
| <b>Win King</b><br>Property Owner, 3610west.com & King Commercial Properties<br>14390 Foothills Raod<br>Golden, CO 80401<br>Term Expires: 10/3/21                         | W<br>C<br>E      | 303- 877-5889<br>same<br>kingcommercialre@gmail.com  |
| <b>Cameron Bertron, President</b><br>EnviroFinance Group, LLC (master developer for Anthony's)<br>4601 DTC Blvd<br>Suite 130<br>Denver, CO 80237<br>Term Expires: 10/3/22 | W<br>C<br>E      | 303 996-0840<br>720- 201-7248<br>cbertron@efg-bp.com   |
| <b>Rene Doubleday Secretary</b><br>Thinkgenerator & Littleman Ice Cream<br>3725 Meade St<br>Denver, CO 80211<br>Term Expires: 10/3/21                                     | C<br>W<br>E      | 303-884-8158<br>same<br>rene@thinkgenerator.com  |
|   | W<br>C<br>E      |  |
| <b>Diane Wheeler, Auditor</b><br>Simmons & Wheeler, PC<br>304 Inverness Way South, Suite 490<br>Englewood, CO 80112   | W<br>C<br>E      | 303-689-0833<br>Cell 303-981-0386<br>diane@simmons-wheeler.com   |

**WEST COLFAX BUSINESS IMPROVEMENT DISTRICT**

City and County of Denver,  
Colorado

**Date Formed:**

**Employer Identification No.:**

**Sales Tax Identification No.:**

**PDPA Number**

**Term Limits Eliminated:**

Minutes – No

September 15, 2006  
Ordinance 598, Series of 2006  
35-2284356  
98-18430-0000  
100086005101

Revised Sept, 2019

**De-Tabored**

**REGULAR MEETINGS:** Second Tuesday of every month, 4:30 P.M. at 3275 West 14<sup>th</sup> Ave, #202 , Denver, CO

**DESIGNATED POSTING PLACE:** District Offices, 3275 West 14<sup>th</sup> Ave, #202 Denver, CO

**West Colfax Business Improvement District**

| <b>2020</b>        | <b><u>Jan</u></b> | <b><u>Feb</u></b> | <b><u>Mar</u></b> | <b><u>Apr</u></b> |
|--------------------|-------------------|-------------------|-------------------|-------------------|
| <b>441000</b>      | 25,560.00         | 29,032.00         | 22,243.00         | 7,428.00          |
| <b>445000</b>      | 11,166.00         | 10,785.00         | 13,412.00         | 17,861.00         |
| <b>722000</b>      | 33,621.00         | 32,146.00         | 25,880.00         | 21,234.00         |
| <b>All Others</b>  | 120,364.00        | 115,063.00        | 132,407.00        | 118,826.00        |
| <b>Grand Total</b> | 190,711.00        | 187,026.00        | 193,942.00        | 165,349.00        |

| <b>NAICS</b>     | <b>2019</b>       | <b>2019</b>       | <b>2019</b>       | <b>2019</b>       |
|------------------|-------------------|-------------------|-------------------|-------------------|
|                  | <b><u>Jan</u></b> | <b><u>Feb</u></b> | <b><u>Mar</u></b> | <b><u>Apr</u></b> |
| <b>441</b>       | 18,760            | 18,771            | 33,096            | 32,789            |
| <b>445</b>       | 10,839            | 10,680            | 12,021            | 12,572            |
| <b>722</b>       | 30,141            | 27,438            | 32,780            | 32,061            |
| <b>All Other</b> | 125,621           | 112,356           | 140,963           | 139,557           |
| <b>TOTAL</b>     | <b>185,361</b>    | <b>169,245</b>    | <b>218,860</b>    | <b>216,979</b>    |

## SEMI-ANNUAL TOTALS

## YEAR OVER YEAR COM

MayJun

|            |            |
|------------|------------|
| 31,407.00  | 32,694.00  |
| 17,031.00  | 14,652.00  |
| 26,993.00  | 31,178.00  |
| 160,449.00 | 147,789.00 |
| 235,880.00 | 226,313.00 |

**1,199,221**

84%

**2019****2019****2019**MayJunJul

|                |                |                |
|----------------|----------------|----------------|
| 17,208         | 26,080         | 22,010         |
| 12,566         | 12,885         | 13,418         |
| 34,464         | 33,096         | 32,957         |
| 142,503        | 137,515        | 147,784        |
| <b>206,741</b> | <b>209,576</b> | <b>216,169</b> |

**1,422,931**

IPARISION

**Part 1 Crimes  
on the West Colfax Corridor  
By Year: 1995 - 2019**

| Crime Type             |                    | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|------------------------|--------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| <b>PART 1 PERSONS</b>  | Homicide           | 0    | 4    | 6    | 3    | 3    | 1    | 1    | 0    | 2    | 2    | 1    | 0    | 1    | 5    | 0    | 0    | 1    | 2    | 1    | 2    | 0    | 1    | 0    | 2    | 2    |
|                        | Sexual Assault     | 10   | 13   | 12   | 11   | 6    | 9    | 5    | 8    | 4    | 5    | 10   | 12   | 9    | 10   | 14   | 8    | 4    | 6    | 11   | 10   | 12   | 16   | 13   | 15   | 13   |
|                        | Robbery            | 24   | 17   | 25   | 39   | 22   | 23   | 40   | 27   | 33   | 51   | 37   | 30   | 26   | 18   | 25   | 26   | 32   | 28   | 32   | 16   | 25   | 29   | 27   | 19   | 28   |
|                        | Aggravated Assault | 54   | 53   | 51   | 35   | 38   | 38   | 35   | 37   | 44   | 68   | 56   | 65   | 62   | 52   | 52   | 35   | 48   | 53   | 43   | 41   | 48   | 75   | 88   | 78   | 81   |
|                        | <b>SUBTOTAL</b>    | 88   | 87   | 94   | 88   | 69   | 71   | 81   | 72   | 83   | 126  | 104  | 107  | 98   | 85   | 91   | 69   | 85   | 89   | 87   | 69   | 85   | 121  | 128  | 114  | 124  |
| <b>PART 1 PROPERTY</b> | Burglary           | 119  | 122  | 107  | 92   | 93   | 79   | 91   | 94   | 127  | 129  | 92   | 117  | 76   | 73   | 86   | 85   | 70   | 71   | 51   | 65   | 56   | 67   | 71   | 88   | 69   |
|                        | Larceny            | 105  | 134  | 102  | 90   | 82   | 99   | 90   | 79   | 91   | 106  | 82   | 83   | 76   | 68   | 74   | 56   | 74   | 75   | 85   | 81   | 87   | 85   | 138  | 133  | 122  |
|                        | TFMV               | 121  | 91   | 97   | 76   | 90   | 84   | 114  | 91   | 93   | 128  | 143  | 92   | 76   | 98   | 78   | 76   | 96   | 85   | 63   | 67   | 59   | 78   | 92   | 111  | 121  |
|                        | Auto Theft         | 128  | 143  | 136  | 158  | 153  | 159  | 167  | 205  | 162  | 161  | 153  | 136  | 85   | 93   | 74   | 69   | 81   | 73   | 48   | 70   | 79   | 92   | 88   | 86   | 86   |
|                        | Arson              | 8    | 8    | 10   | 6    | 7    | 10   | 7    | 3    | 13   | 5    | 8    | 2    | 6    | 4    | 3    | 2    | 3    | 3    | 1    | 5    | 4    | 2    | 8    | 2    | 1    |
|                        | <b>SUBTOTAL</b>    | 481  | 498  | 452  | 422  | 425  | 431  | 469  | 472  | 486  | 529  | 478  | 430  | 319  | 336  | 315  | 288  | 324  | 307  | 248  | 288  | 285  | 324  | 397  | 420  | 399  |
| <b>GRAND TOTAL</b>     | 569                | 585  | 546  | 510  | 494  | 502  | 550  | 544  | 569  | 655  | 582  | 537  | 417  | 421  | 406  | 357  | 409  | 396  | 335  | 357  | 370  | 445  | 525  | 534  | 523  |      |

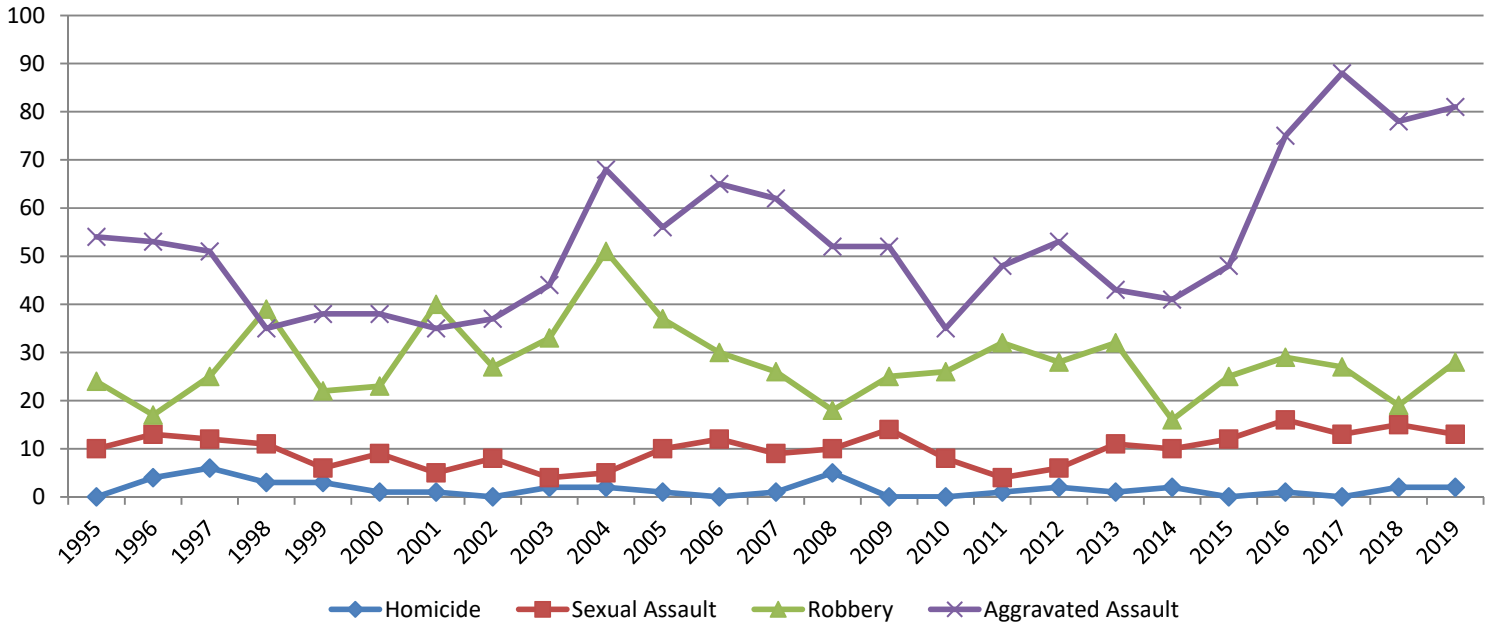
All files utilized in the creation of this report are dynamic. Dynamic files allow additions, deletions and/or modifications at any time, resulting in more complete and accurate records in the databases. Due to continuous data entry after reports are compiled, numbers may vary in previous or subsequent reports. Based on Uniform Crime Reporting Standards.

PREPARED TO DEPARTMENT OF SAFETY PUBLIC INFORMATION STANDARDS

Excludes runaways, traffic offenses, unfounded reports and non-criminal activity.

The West Colfax Corridor is from Federal Blvd to Sheridan Blvd, 13th Ave to 17th Ave.

### Reported Person Crimes on the West Colfax Corridor By Year: 1995 - 2019



### Reported Property Crimes on the West Colfax Corridor By Year: 1995 - 2019

