



RE: File No. 2016-0184-_)

October 16, 2024

City and County of Denver
c/o Denver City Clerk, Paul Lopez
201 W. Colfax Avenue Dept. 608
Denver, CO 80202

Dear Mr. Lopez:

The Five Points Business Improvement District (FPBID) submits the attached preliminary budget and operating plan for 2025.

The FPBID Board will hold a Public Hearing on the proposed 2024 Budget Amendment and 2025 Budget and Operating Plan on Wednesday, October 23, 2023⁴ and will proceed with the certification of property owner assessments prior to December 5th, 2024, pursuant to State Statute (C.R.S. 31-25-1211).

In addition to the 2024 Budget and Operating Plan, also attached are:

1. A copy of the 2024 year-to-date "budget to actual" financial reports, including projected 2024 year-end budget.
2. There were two notable departures from the 2024 Operating Plan this year. Initially, the Board started the year with \$140,109 dedicated to Maintenance. The projected expenditure for Maintenance in 2024 is \$128,141 Identified projects for 2024 included repairs to pedestrian streetlights, historical monuments and landscaping. After holding onsite evaluations, these maintenance projects will be reassessed and target completion in 2025.

The Second significant departure from the original 2024 Operating Plan was within Administrative expenditures to operate the District. The Board started the year with \$92,330 dedicated to Administration. In January of 2024 the Board

hired an Executive Director to lead the District. The projected expenditure for Administration in 2024 is \$122,652 which includes the salary of the Executive Director and additional staff the Board hired in October of 2024.

The hiring of an Executive Director and staff has provided the Five Points Business District with more operational capacity exhibited through the formation of three new committees (Events and Volunteer Committee, Business Support Committee, and the Corridor Development Activation Committee). In 2024, the Five Points Business District facilitated a series of community stakeholder meetings which included business owners, property owners and community members. The Five Points BID facilitated safety meetings which included representatives from the Denver Police Department, business owners, property owners and community members. The Five Points BID also conducted meetings with Council District 9 and the Mayor's Office.

In November of 2024, the Board and staff will facilitate a strategic planning retreat to galvanize the organization through setting short, mid and long term goals.

3. The Public Hearing notice-publication is scheduled to run in the October 18th edition of the Denver Weekly News. The Public Hearing at the October 23, 2024 FPBID Board Meeting will cover the 2024 Budget Amendment as well as the 2024 Budget and Operating Plan.
4. The FPBID has no planned or outstanding indebtedness.
5. A copy of the Audit Exemption application and form from the State of Colorado.
6. The Five Points BID organizational By-laws and Code of Conduct adopted in November of 2019.
7. A list of official BID Board motions and actions in 2024, to date, Minutes available upon request or at www.fivepointsbid.com.
8. A copy of the current Board of Directors list.
9. The 2024 FPBID Board Member attendance records, to date.
10. A list of activities performed in 2024 and planned for 2025.

11. In 2024, the FPBID continued to support activations and marketing efforts aimed at driving visitors to and consumer spending in the FPBID while also spotlighting the significance of the Five Points Historic Cultural District to support BID businesses. More information on activations completed throughout the year and planned for next year are included in the report.

12. Also attached are cleaning and maintenance records and amenities audits tracked by the BID in 2024, to date.

Please contact me at 720-318-0712 if you have questions or require additional information.

Sincerely,
Norman Harris

Executive Director - Five Points Business Improvement District
On behalf of the FPBID Board

Cc:
Michael Kerrigan, CCD Financial Analyst Specialist
Haroun Cowans, FPBID Board President
Vincent Martinez, FPBID Assistant Secretary and Administrative Manager
Ronald Fano, Spencer Fane LLP, FPBID Attorney

Five Points Business Improvement District
Budget vs Actual - By Program/Activity
For the period ended July 31, 2024

Category	Actual YTD	2024 Budget Annual	Variance to Actuals Favorable (Unfavorable)	Projected Amended Budget for 2024	Variance Actuals To Revised Budget
Beginning Fund Balance	\$329,355	\$140,946	\$188,409	\$329,355	\$188,409
Income and Other Sources					
Mill Levy Income-FPBID	329,656	311,444	18,212	329,656	18,212
DURA Payments	0	35,244	-35,244	35,244	0
Donations	0	0	0	0	0
Other Revenue (Interest)	2,294	0	2,294	7,748	7,748
Jazz Activation Grant	0	0	0	0	0
Transfer of funds from 14th Street LMD	0	0	0	0	0
Total Income and Other Sources of Funds	331,950	346,688	-14,738	372,648	25,960
Total Available Resources	\$661,304	\$487,634	\$173,670	\$702,003	214,369
Expenditures					
Maintenance	50,008	140,109	90,101	128,141	-11,968
Marketing/Branding	62,646	102,600	39,954	107,301	4,701
Administrative	46,073	92,330	46,257	122,652	30,322
Contingency Funds	0	5,000	5,000	5,000	0
Total Operating Expenditures	158,727	340,039	181,312	363,094	23,055
Capital Purchases	9,810	35,000	25,190	0	-35,000
Total Expenditures	\$168,537	\$375,039	\$206,502	\$363,094	(\$11,945)
Ending Fund Balance	\$492,767	\$112,595	\$380,172	\$338,909	\$226,314
Total Income / (Loss)	163,413	-28,351	-221,240	9,554	37,905

Five Points Business Improvement District			
FY2024 Budget Projections & Amendments and 2025 Draft Budget			
	2024 Proposed Budget	2024 Budget Projections & Amendments	2025 Proposed Budget
Beginning Cash and Fund Balance	\$107,946	\$329,355	\$338,909
Income and Other Sources of Funds			
Net Mill Levy Income	\$311,444	\$329,656	\$312,160
DURA Payments	\$35,244	\$35,244	\$35,461
Interest Income		\$7,748	\$10,000
Denver Water Activation Grant			\$5,000
Total Income and Sources of Funds	\$346,688	\$372,648	\$362,621
Total Available Resources	\$454,634	\$702,003	\$701,530
Expenditures			
<i>Maintenance</i>			
General Maintenance Contract	\$71,684	\$71,684	\$81,492
Other Maintenance	\$2,000	\$2,000	\$2,000
Plazas Maintenance	\$16,425	\$0	\$0
Snow Removal	\$20,000	\$41,141	\$40,000
Utilities	\$3,500	\$3,816	\$3,500
Pedestrian Streetlight Maintenance & Repairs	\$2,000	\$2,000	\$2,000
Historical Monuments Maintenance & Repairs	\$2,000	\$2,000	\$2,000
Irrigation Repairs	\$1,500	\$1,500	\$1,500
Tree & Landscape Maintenance	\$17,000	\$4,000	\$17,000
Total Maintenance	\$136,109	\$128,141	\$149,492
<i>Marketing/Branding</i>			
Marketing Administration	\$35,000	\$34,226	\$26,250
Marketing Collateral (Add Spends, Direct Mailers, Etc).		\$0	\$12,000
Former Event Activation Concepts			
Five Point Jazz Festival Sponsorship	\$10,000	\$10,000	
Juneteenth Music Festival Sponsorship	\$5,000	\$5,000	
Jazz in the Park	\$2,500	\$2,500	
Culture Crawl	\$0	\$2,500	
Holiday Stroll	\$12,500	\$12,500	
Jazz Roots (Black History Month Activation)	\$10,000	\$7,975	
Small Business Saturday	\$2,500	\$0	
New Event Activation Concepts			
First Friday Jazz Hop		\$0	\$22,407
Jazz Roots		\$0	\$3,904
St. Paddy's Day		\$3,500	\$809
Five Points Music Festival		\$0	\$7,461
Juneteenth		\$0	\$7,461
Chalk Art		\$0	\$1,733
Christmas Jazz Jamz		\$0	\$2,195
Jazz in the Park		\$0	\$13,860
District Marketing/Placemaking			
Constant Contact Email Service	\$600	\$600	\$600
Website Map & Listings (My City Bikes)	\$1,000	\$5,000	\$1,000
Holiday Lighting	\$15,000	\$15,000	\$15,000
Banners - Pedestrian Streetlights	\$3,500	\$0	\$3,500
Banners - Xcel Light Poles	\$5,000	\$8,500	\$5,000
Total Marketing/Branding	\$102,600	\$107,301	\$123,179
<i>Administrative</i>			
Director	\$80,000	\$86,650	\$90,370
Office Rent at the Lydian	\$5,200	\$4,719	\$4,920
Consulting Fees	\$2,500	\$0	\$0
Accounting Services	\$4,000	\$0	\$0
CFO/Bookkeeper/Accountant		\$7,500	\$32,812
Admin Assistant		\$480	\$2,362
Special Projects Admin		\$0	\$11,812
Project Strategist / Coordinator		\$9,180	\$35,700
BID Renewal Firm		\$0	\$30,000
Bank Charges & Fees	\$130	\$1,234	\$255
Dues & Memberships	\$700	\$1,590	\$700
Insurance	\$3,000	\$3,207	\$3,000
Legal Fees	\$2,000	\$8,092	\$4,000
Total Administrative	\$97,530	\$122,652	\$215,932
<i>Contingency Funds</i>	\$5,000	\$5,000	\$5,000
Total Ongoing Expenditures	\$341,239	\$363,094	\$493,603
<i>Capital Expenditures</i>			
2024 Test Activations (Yet to be named)	\$25,000	\$0	\$0
Security Expenditures	\$10,000	\$0	\$0
Tree Pruning (above now)	\$4,000	\$0	\$0
Total Capital Expenditures	\$39,000	\$0	\$0
Total Expenditures	\$380,239	\$363,094	\$493,603
Total Use of Reserve Funds	\$33,551	(\$9,554)	\$130,982
Ending Cash and Fund Balance	\$74,395	\$338,909	\$207,927



NOTICE OF PUBLIC HEARING ON PROPOSED 2024 BUDGET
(To Run in October 18 Denver Weekly News Editions)

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2025 has been submitted to the Five Points Business Improvement District ("District"). Such proposed budget will be considered at a Public Hearing and special board meeting of the Board of Directors of the District to be held via Zoom meeting, registration link:

https://us06web.zoom.us/webinar/register/WN_i5McGKw6Tx68fK1wm8xHrA

Wednesday, October 23, 2024 at 10:00 AM

The meeting is open to the public. Members of the public may attend and participate in the meeting via Zoom, and may obtain information regarding attendance and participation at least 24 hours prior to the meeting by contacting Norman Harris at Fivepointsbid@gmail.com

A copy of the proposed 2025 budget is available for public inspection on the Five Points BID website or at the Five Points BID office (2590 Welton St. Denver, CO.) Any interested elector within the District may, at any time prior to final adoption of the 2024 budget, register any objections thereto.

DATED: October 13, 2024.

FIVE POINTS BUSINESS

IMPROVEMENT DISTRICT

Norman Harris, Executive Director

On Behalf of the Five Points BID Board of Directors

APPLICATION FOR EXEMPTION FROM AUDIT

LONG FORM

NAME OF GOVERNMENT	Five Points Business Improvement District
ADDRESS	1515 Arapahoe St, Tower 3, Suite 100
	Denver, CO 80202
CONTACT PERSON	Beth Moyski
PHONE	303-571-8210
EMAIL	bmoyski@downtowndenver.com

For the Year Ended
12/31/2023
or fiscal year ended:

CERTIFICATION OF PREPARER

I certify that I am an independent accountant with knowledge of governmental accounting and that the information in the Application is complete and accurate to the best of my knowledge. I am aware that the Audit Law requires that a person independent of the entity complete the application if revenues or expenditure are at least \$100,000 but not more than \$750,000, and that independent means someone who is separate from the entity.

NAME:	Diane Wheeler
TITLE	District Accountant
FIRM NAME (if applicable)	Simmons & Wheeler, P.C.
ADDRESS	304 Inverness Way South, Suite 490 Englewood, CO 80112
PHONE	303-689-0833
RELATIONSHIP TO ENTITY	CPA engaged to prepare financial statements for the District

PREPARER (SIGNATURE REQUIRED)	DATE PREPARED
<i>Diane Wheeler</i>	Apr 5, 2024

Has the entity filed for, or has the district filed, a Title 32, Article 1 Special District Notice of Inactive Status during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]

YES	NO	If Yes, date filed:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

PART 1 - FINANCIAL STATEMENTS - BALANCE SHEET

* Indicate Name of Fund

NOTE: Attach additional sheets as necessary.

Line #	Description	Governmental Funds		Description	Proprietary/Fiduciary Funds		Please use this space to provide explanation of any items on this page
		General Fund	Debt Fund		Fund*	Fund*	
Assets				Assets			
1-1	Cash & Cash Equivalents	\$ 367,810	\$ -	Cash & Cash Equivalents	\$ -	\$ -	
1-2	Investments	\$ -	\$ -	Investments	\$ -	\$ -	
1-3	Receivables	\$ 947	\$ -	Receivables	\$ -	\$ -	
1-4	Due from Other Entities or Funds	\$ -	\$ -	Due from Other Entities or Funds	\$ -	\$ -	
1-5	Property Tax Receivable	\$ 311,482	\$ -	Other Current Assets [specify...]	\$ -	\$ -	
	All Other Assets [specify...]				\$ -	\$ -	
1-6	Lease Receivable (as Lessor)	\$ -	\$ -		\$ -	\$ -	
1-7	Prepaid expenses	\$ 2,993	\$ -	Capital & Right to Use Assets, net (from Part 6-4)	\$ -	\$ -	
1-8		\$ -	\$ -	Other Long Term Assets [specify...]	\$ -	\$ -	
1-9		\$ -	\$ -		\$ -	\$ -	
1-10		\$ -	\$ -		\$ -	\$ -	
1-11	(add lines 1-1 through 1-10) TOTAL ASSETS	\$ 683,232	\$ -	(add lines 1-1 through 1-10) TOTAL ASSETS	\$ -	\$ -	
Deferred Outflows of Resources:				Deferred Outflows of Resources			
1-12	[specify...]	\$ -	\$ -	[specify...]	\$ -	\$ -	
1-13	[specify...]	\$ -	\$ -	[specify...]	\$ -	\$ -	
1-14	(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS	\$ -	\$ -	(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS	\$ -	\$ -	
1-15	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ 683,232	\$ -	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ -	\$ -	
Liabilities				Liabilities			
1-16	Accounts Payable	\$ 42,394	\$ -	Accounts Payable	\$ -	\$ -	
1-17	Accrued Payroll and Related Liabilities	\$ -	\$ -	Accrued Payroll and Related Liabilities	\$ -	\$ -	
1-18	Unearned Revenue	\$ -	\$ -	Accrued Interest Payable	\$ -	\$ -	
1-19	Due to Other Entities or Funds	\$ -	\$ -	Due to Other Entities or Funds	\$ -	\$ -	
1-20	All Other Current Liabilities	\$ -	\$ -	All Other Current Liabilities	\$ -	\$ -	
1-21	(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES	\$ 42,394	\$ -	(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES	\$ -	\$ -	
1-22	All Other Liabilities [specify...]	\$ -	\$ -	Proprietary Debt Outstanding (from Part 4-4)	\$ -	\$ -	
1-23		\$ -	\$ -	Other Liabilities [specify...]:	\$ -	\$ -	
1-24		\$ -	\$ -		\$ -	\$ -	
1-25		\$ -	\$ -		\$ -	\$ -	
1-26		\$ -	\$ -		\$ -	\$ -	
1-27	(add lines 1-21 through 1-26) TOTAL LIABILITIES	\$ 42,394	\$ -	(add lines 1-21 through 1-26) TOTAL LIABILITIES	\$ -	\$ -	
Deferred Inflows of Resources:				Deferred Inflows of Resources			
1-28	Deferred Property Taxes	\$ 311,482	\$ -	Pension/OPEB Related	\$ -	\$ -	
1-29	Lease related (as lessor)	\$ -	\$ -	Other [specify...]	\$ -	\$ -	
1-30	(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS	\$ 311,482	\$ -	(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS	\$ -	\$ -	
Fund Balance				Net Position			
1-31	Nonspendable Prepaid	\$ 2,993	\$ -	Net Investment in Capital and Right-to Use Assets	\$ -	\$ -	
1-32	Nonspendable Inventory	\$ -	\$ -		\$ -	\$ -	
1-33	Restricted [specify...]	\$ 8,309	\$ -	Emergency Reserves	\$ -	\$ -	
1-34	Committed [specify...]	\$ -	\$ -	Other Designations/Reserves	\$ -	\$ -	
1-35	Assigned [specify...]	\$ -	\$ -	Restricted	\$ -	\$ -	
1-36	Unassigned:	\$ 318,054	\$ -	Undesignated/Unreserved/Unrestricted	\$ -	\$ -	
1-37	Add lines 1-31 through 1-36 This total should be the same as line 3-33 TOTAL FUND BALANCE	\$ 329,356	\$ -	Add lines 1-31 through 1-36 This total should be the same as line 3-33 TOTAL NET POSITION	\$ -	\$ -	
1-38	Add lines 1-27, 1-30 and 1-37 This total should be the same as line 1-15 TOTAL LIABILITIES, DEFERRED INFLOWS, AND FUND BALANCE	\$ 683,232	\$ -	Add lines 1-27, 1-30 and 1-37 This total should be the same as line 1-15 TOTAL LIABILITIES, DEFERRED INFLOWS, AND NET POSITION	\$ -	\$ -	

PART 2 - FINANCIAL STATEMENTS - OPERATING STATEMENT - REVENUES

Line #	Description	Governmental Funds		Description	Proprietary/Fiduciary Funds		Please use this space to provide explanation of any items on this page
		General Fund	Debt Fund		Fund*	Fund*	
Tax Revenue				Tax Revenue			
2-1	Property [include mills levied in Question 10-6]	\$ 260,698	\$ -	Property [include mills levied in Question 10-6]	\$ -	\$ -	
2-2	Specific Ownership	\$ 17,597	\$ -	Specific Ownership	\$ -	\$ -	
2-3	Sales and Use Tax	\$ -	\$ -	Sales and Use Tax	\$ -	\$ -	
2-4	Other Tax Revenue [specify...]:	\$ 68,830	\$ -	Other Tax Revenue [specify...]:	\$ -	\$ -	
2-5		\$ -	\$ -		\$ -	\$ -	
2-6		\$ -	\$ -		\$ -	\$ -	
2-7		\$ -	\$ -		\$ -	\$ -	
2-8	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ 347,125	\$ -	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ -	\$ -	
2-9	Licenses and Permits	\$ -	\$ -	Licenses and Permits	\$ -	\$ -	
2-10	Highway Users Tax Funds (HUTF)	\$ -	\$ -	Highway Users Tax Funds (HUTF)	\$ -	\$ -	
2-11	Conservation Trust Funds (Lottery)	\$ -	\$ -	Conservation Trust Funds (Lottery)	\$ -	\$ -	
2-12	Community Development Block Grant	\$ -	\$ -	Community Development Block Grant	\$ -	\$ -	
2-13	Fire & Police Pension	\$ -	\$ -	Fire & Police Pension	\$ -	\$ -	
2-14	Grants	\$ 10,000	\$ -	Grants	\$ -	\$ -	
2-15	Donations	\$ -	\$ -	Donations	\$ -	\$ -	
2-16	Charges for Sales and Services	\$ -	\$ -	Charges for Sales and Services	\$ -	\$ -	
2-17	Rental Income	\$ -	\$ -	Rental Income	\$ -	\$ -	
2-18	Fines and Forfeits	\$ -	\$ -	Fines and Forfeits	\$ -	\$ -	
2-19	Interest/Investment Income	\$ 1,346	\$ -	Interest/Investment Income	\$ -	\$ -	
2-20	Tap Fees	\$ -	\$ -	Tap Fees	\$ -	\$ -	
2-21	Proceeds from Sale of Capital Assets	\$ -	\$ -	Proceeds from Sale of Capital Assets			
2-22	All Other [specify...]:	\$ -	\$ -	All Other [specify...]:	\$ -	\$ -	
2-23		\$ -	\$ -		\$ -	\$ -	
2-24	Add lines 2-8 through 2-23 TOTAL REVENUES	\$ 358,471	\$ -	Add lines 2-8 through 2-23 TOTAL REVENUES	\$ -	\$ -	
Other Financing Sources				Other Financing Sources			
2-25	Debt Proceeds	\$ -	\$ -	Debt Proceeds	\$ -	\$ -	
2-26	Lease Proceeds	\$ -	\$ -	Lease Proceeds	\$ -	\$ -	
2-27	Developer Advances	\$ -	\$ -	Developer Advances	\$ -	\$ -	
2-28	Other [specify...]:	\$ -	\$ -	Other [specify...]:	\$ -	\$ -	
2-29	Add lines 2-25 through 2-28 TOTAL OTHER FINANCING SOURCES	\$ -	\$ -	Add lines 2-25 through 2-28 TOTAL OTHER FINANCING SOURCES	\$ -	\$ -	GRAND TOTALS
2-30	Add lines 2-24 and 2-29 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ 358,471	\$ -	Add lines 2-24 and 2-29 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ -	\$ -	\$ 358,471

IF GRAND TOTAL REVENUES AND OTHER FINANCING SOURCES for all funds (Line 2-29) are GREATER than \$750,000 -STOP- You may not use this form. An audit may be required. See Section 29-1-604, C.R.S., or contact the OSA Local Government Division at (303) 869-3000 for assistance.

PART 3 - FINANCIAL STATEMENTS - OPERATING STATEMENT - EXPENDITURES/EXPENSES

Line #	Description	Governmental Funds		Description	Proprietary/Fiduciary Funds		Please use this space to provide explanation of any items on this page
		General Fund	Debt Fund		Fund*	Fund*	
	Expenditures			Expenses			
3-1	General Government	\$ 301,270	\$ -	General Operating & Administrative	\$ -	\$ -	
3-2	Judicial	\$ -	\$ -	Salaries	\$ -	\$ -	
3-3	Law Enforcement	\$ -	\$ -	Payroll Taxes	\$ -	\$ -	
3-4	Fire	\$ -	\$ -	Contract Services	\$ -	\$ -	
3-5	Highways & Streets	\$ -	\$ -	Employee Benefits	\$ -	\$ -	
3-6	Solid Waste	\$ -	\$ -	Insurance	\$ -	\$ -	
3-7	Contributions to Fire & Police Pension Assoc.	\$ -	\$ -	Accounting and Legal Fees	\$ -	\$ -	
3-8	Health	\$ -	\$ -	Repair and Maintenance	\$ -	\$ -	
3-9	Culture and Recreation	\$ -	\$ -	Supplies	\$ -	\$ -	
3-10	Transfers to other districts	\$ -	\$ -	Utilities	\$ -	\$ -	
3-11	Other [specify...]:	\$ -	\$ -	Contributions to Fire & Police Pension Assoc.	\$ -	\$ -	
3-12		\$ -	\$ -	Other [specify...]	\$ -	\$ -	
3-13		\$ -	\$ -		\$ -	\$ -	
3-14	Capital Outlay	\$ 55,942	\$ -	Capital Outlay	\$ -	\$ -	
	Debt Service			Debt Service			
3-15	Principal (should match amount in 4-4)	\$ -	\$ -	Principal (should match amount in 4-4)	\$ -	\$ -	
3-16	Interest	\$ -	\$ -	Interest	\$ -	\$ -	
3-17	Bond Issuance Costs	\$ -	\$ -	Bond Issuance Costs	\$ -	\$ -	
3-18	Developer Principal Repayments	\$ -	\$ -	Developer Principal Repayments	\$ -	\$ -	
3-19	Developer Interest Repayments	\$ -	\$ -	Developer Interest Repayments	\$ -	\$ -	
3-20	All Other [specify...]: Trustee Fees	\$ -	\$ -	All Other [specify...]:	\$ -	\$ -	
3-21		\$ -	\$ -		\$ -	\$ -	
3-22	Add lines 3-1 through 3-21	\$ 357,212	\$ -	Add lines 3-1 through 3-21	\$ -	\$ -	
	TOTAL EXPENDITURES			TOTAL EXPENSES			GRAND TOTAL
3-23	Interfund Transfers (In)	\$ -	\$ -	Net Interfund Transfers (In) Out	\$ -	\$ -	\$ 357,212
3-24	Interfund Transfers Out	\$ -	\$ -	Other [specify...][enter negative for expense]	\$ -	\$ -	
3-25	Other Expenditures (Revenues):	\$ -	\$ -	Depreciation/Amortization	\$ -	\$ -	
3-26		\$ -	\$ -	Other Financing Sources (Uses) (from line 2-28)	\$ -	\$ -	
3-27		\$ -	\$ -	Capital Outlay (from line 3-14)	\$ -	\$ -	
3-28		\$ -	\$ -	Debt Principal (from line 3-15, 3-18)	\$ -	\$ -	
3-29	(Add lines 3-23 through 3-28)			(Line 3-27, plus line 3-28, less line 3-26, less line 3-25, plus line 3-24) TOTAL GAAP RECONCILING ITEMS	\$ -	\$ -	
3-30	Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures Line 2-29, less line 3-22, less line 3-29	\$ 1,259	\$ -	Net Increase (Decrease) in Net Position Line 2-29, less line 3-22, plus line 3-29, less line 3-23	\$ -	\$ -	
3-31	Fund Balance, January 1 from December 31 prior year report	\$ 328,097	\$ -	Net Position, January 1 from December 31 prior year report	\$ -	\$ -	
3-32	Prior Period Adjustment (MUST explain)	\$ -	\$ -	Prior Period Adjustment (MUST explain)	\$ -	\$ -	
3-33	Fund Balance, December 31			Net Position, December 31			
	Sum of Lines 3-30, 3-31, and 3-32			Sum of Lines 3-30, 3-31, and 3-32			
	This total should be the same as line 1-37.	\$ 329,356	\$ -	This total should be the same as line 1-37.	\$ -	\$ -	

IF GRAND TOTAL EXPENDITURES for all funds (Line 3-22) are GREATER than \$750,000 - STOP. You may not use this form. An audit may be required. See Section 29-1-604, C.R.S., or contact the OSA Local Government Division at (303) 869-3000 for assistance.

PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.

YES NO

Please use this space to provide any explanations or comments:

4-1	Does the entity have outstanding debt?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4-2	Is the debt repayment schedule attached? If no, MUST explain:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4-3	Is the entity current in its debt service payments? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4-4	Please complete the following debt schedule, if applicable: (please only include principal amounts)			
	Outstanding at beginning of year*	Issued during year	Retired during year	Outstanding at year-end
	General obligation bonds	\$ -	\$ -	\$ -
	Revenue bonds	\$ -	\$ -	\$ -
	Notes/Loans	\$ -	\$ -	\$ -
	Lease & SBITA** Liabilities (GASB 87 & 96)	\$ -	\$ -	\$ -
	Developer Advances	\$ -	\$ -	\$ -
	Other (specify):	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -

****Subscription Based Information Technology Arrangements**

*Must agree to prior year-end balance

Please answer the following questions by marking the appropriate boxes.		YES	NO	
4-5	Does the entity have any authorized, but unissued, debt [Section 29-1-605(2) C.R.S.]?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	How much?			
If yes:	Date the debt was authorized:			
4-6	Does the entity intend to issue debt within the next calendar year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes:	How much?			
	\$ -			
4-7	Does the entity have debt that has been refinanced that it is still responsible for?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes:	What is the amount outstanding?			
	\$ -			
4-8	Does the entity have any lease agreements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes:	What is being leased?			
	What is the original date of the lease?			
	Number of years of lease?			
	Is the lease subject to annual appropriation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	What are the annual lease payments?			
	\$ -			

PART 5 - CASH AND INVESTMENTS

Please provide the entity's cash deposit and investment balances.

AMOUNT TOTAL

Please use this space to provide any explanations or comments:

5-1	YEAR-END Total of ALL Checking and Savings accounts	\$ 367,810		
5-2	Certificates of deposit	\$ -		
		TOTAL CASH DEPOSITS	\$ 367,810	
Investments (if investment is a mutual fund, please list underlying investments):				
		\$ -		
		\$ -		
		\$ -		
		\$ -		
		TOTAL INVESTMENTS	\$ -	
		TOTAL CASH AND INVESTMENTS	\$ 367,810	

Please answer the following question by marking in the appropriate box		YES	NO	N/A	
5-4	Are the entity's Investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

Please answer the following question by marking in the appropriate box YES NO Please use this space to provide any explanations or comments:

- 6-1 Does the entity have capitalized assets? YES NO
- 6-2 Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.? If no, YES NO

MUST explain:

6-3 Complete the following Capital & Right-To-Use Assets table for GOVERNMENTAL FUNDS:

	Balance - beginning of the year*	Additions*	Deletions	Year-End Balance
Land	\$ -	\$ -	\$ -	\$ -
Buildings	\$ -	\$ -	\$ -	\$ -
Machinery and equipment	\$ -	\$ -	\$ -	\$ -
Furniture and fixtures	\$ 146,421	\$ 55,942	\$ -	\$ 202,363
Infrastructure	\$ -	\$ -	\$ -	\$ -
Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
Leased & SBITA Right-to-Use Assets	\$ -	\$ -	\$ -	\$ -
Intangible Assets	\$ -	\$ -	\$ -	\$ -
Other (explain):	\$ -	\$ -	\$ -	\$ -
Accumulated Amortization Right to Use Assets (Enter a negative, or credit, balance)	\$ (77,346)	\$ (28,116)	\$ -	\$ (105,462)
Accumulated Depreciation (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 69,075	\$ 27,826	\$ -	\$ 96,901

6-4 Complete the following Capital & Right-To-Use Assets table for PROPRIETARY FUNDS:

	Balance - beginning of the year*	Additions*	Deletions	Year-End Balance
Land	\$ -	\$ -	\$ -	\$ -
Buildings	\$ -	\$ -	\$ -	\$ -
Machinery and equipment	\$ -	\$ -	\$ -	\$ -
Furniture and fixtures	\$ -	\$ -	\$ -	\$ -
Infrastructure	\$ -	\$ -	\$ -	\$ -
Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
Leased & SBITA Right-to-Use Assets	\$ -	\$ -	\$ -	\$ -
Intangible Assets	\$ -	\$ -	\$ -	\$ -
Other (explain):	\$ -	\$ -	\$ -	\$ -
Accumulated Amortization Right to Use Assets (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
Accumulated Depreciation (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ -	\$ -	\$ -	\$ -

* Must agree to prior year-end balance
 * Generally capital asset additions should be reported at capital outlay on line 3-14 and capitalized in accordance with the government's capitalization policy. Please explain any discrepancy

PART 7 - PENSION INFORMATION

* YES NO Please use this space to provide any explanations or comments:

- 7-1 Does the entity have an "old hire" firefighters' pension plan? YES NO
- 7-2 Does the entity have a volunteer firefighters' pension plan? YES NO
- If yes: Who administers the plan? YES NO

Indicate the contributions from:

Tax (property, SO, sales, etc.):		\$	-
State contribution amount:		\$	-
Other (gifts, donations, etc.):		\$	-
TOTAL		\$	-
What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?		\$	-

PART 8 - BUDGET INFORMATION

Please answer the following question by marking in the appropriate box		YES	NO	N/A	Please use this space to provide any explanations or comments:										
8-1	Did the entity file a current year budget with the Department of Local Affairs, in accordance with Section 29-1-113 C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
8-2	Did the entity pass an appropriations resolution in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>											
If yes: Please indicate the amount appropriated for each fund separately for the year reported															
<table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr style="background-color: #cccccc;"> <th style="text-align: left; padding: 2px;">Governmental/Proprietary Fund Name</th> <th style="text-align: right; padding: 2px;">Total Appropriations By Fund</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">General Fund</td> <td style="text-align: right; padding: 2px;">\$ 361,286</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="text-align: right; padding: 2px;">\$ -</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="text-align: right; padding: 2px;">\$ -</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="text-align: right; padding: 2px;">\$ -</td> </tr> </tbody> </table>		Governmental/Proprietary Fund Name	Total Appropriations By Fund	General Fund	\$ 361,286		\$ -		\$ -		\$ -				
Governmental/Proprietary Fund Name	Total Appropriations By Fund														
General Fund	\$ 361,286														
	\$ -														
	\$ -														
	\$ -														

PART 9 - TAX PAYER'S BILL OF RIGHTS (TABOR)

Please answer the following question by marking in the appropriate box		YES	NO	Please use this space to provide any explanations or comments:
9-1	Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]? <small>Note: An election to exempt the government from the spending limitations of TABOR does not exempt the government from the 3 percent emergency reserve requirement. All governments should determine if they meet this requirement of TABOR.</small>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

PART 10 - GENERAL INFORMATION

Please answer the following question by marking in the appropriate box		YES	NO	Please use this space to provide any explanations or comments:							
10-1	Is this application for a newly formed governmental entity? If yes: Date of formation: <input style="width: 150px; height: 30px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
10-2	Has the entity changed its name in the past or current year? If Yes: NEW name <input style="width: 400px; height: 25px;" type="text"/> PRIOR name <input style="width: 400px; height: 25px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
10-3	Is the entity a metropolitan district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
10-4	Please indicate what services the entity provides: <input style="width: 460px; height: 25px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
10-5	Does the entity have an agreement with another government to provide services? If yes: List the name of the other governmental entity and the services provided: <input style="width: 460px; height: 25px;" type="text"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
10-6	Does the entity have a certified mill levy? If yes: Please provide the number of <u>mills</u> levied for the year reported (do not enter \$ amounts):	<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tbody> <tr> <td style="padding: 2px;">Bond Redemption mills</td> <td style="text-align: right; padding: 2px;">0.000</td> </tr> <tr> <td style="padding: 2px;">General/Other mills</td> <td style="text-align: right; padding: 2px;">10.000</td> </tr> <tr style="background-color: #0056b3; color: white;"> <td style="padding: 2px;">Total mills</td> <td style="text-align: right; padding: 2px;">10.000</td> </tr> </tbody> </table>		Bond Redemption mills	0.000		General/Other mills	10.000	Total mills	10.000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bond Redemption mills	0.000										
General/Other mills	10.000										
Total mills	10.000										
10-7	NEW 2023! If the entity is a Title 32 Special District formed on or after 7/1/2000, has the entity filed its preceding year annual report with the State Auditor as required under SB 21-262 [Section 32-1-207 C.R.S.]? If NO, please explain. <input style="width: 460px; height: 40px;" type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							

Please use this space to provide any additional explanations or comments not previously included:

OSA USE ONLY

Entity Wide:		General Fund		Governmental Funds		Notes
Unrestricted Cash & Investments	\$ 367,810	Unrestricted Fund Balan	\$ 318,054	Total Tax Revenue	\$ 347,125	
Current Liabilities	\$ 42,394	Total Fund Balance	\$ 329,356	Revenue Paying Debt Service	\$ -	
Deferred Inflow	\$ 311,482	PY Fund Balance	\$ 328,097	Total Revenue	\$ 358,471	
		Total Revenue	\$ 358,471	Total Debt Service Principal	\$ -	
		Total Expenditures	\$ 357,212	Total Debt Service Interest	\$ -	
				Total Assets	\$ 683,232	
				Total Liabilities	\$ 42,394	
Governmental		Interfund In	\$ -	Enterprise Funds		
Total Cash & Investments	\$ 367,810	Interfund Out	\$ -	Net Position	\$ -	
Transfers In	\$ -	- Proprietary		- PY Net Position	\$ -	
Transfers Out	\$ -	- Current Assets	\$ -	- Government-Wide		
Property Tax	\$ 260,698	Deferred Outflow	\$ -	- Total Outstanding Debt	\$ -	
Debt Service Principal	\$ -	- Current Liabilities	\$ -	- Authorized but Unissued	\$ -	
Total Expenditures	\$ 357,212	Deferred Inflow	\$ -	- Year Authorized	\$ 1/0/1900	
Total Developer Advances	\$ -	- Cash & Investments	\$ -			
Total Developer Repayments	\$ -	- Principal Expense	\$ -			

PART 12 - GOVERNING BODY APPROVAL

Please answer the following question by marking in the appropriate box

YES

NO

12-1 If you plan to submit this form electronically, have you read the new Electronic Signature Policy?

Office of the State Auditor — Local Government Division - Exemption Form Electronic Signatures Policy and Procedures

Policy - Requirements

The Office of the State Auditor Local Government Audit Division may accept an electronic submission of an application for exemption from audit that includes governing board signatures obtained through a program such as DocuSign or Echosign. Required elements and safeguards are as follows:

- The preparer of the application is responsible for obtaining board signatures that comply with the requirement in Section 29-1-604 (3), C.R.S., that states the application shall be personally reviewed, approved, and signed by a majority of the members of the governing body.
- The application must be accompanied by the signature history document created by the electronic signature software. The signature history document must show when the document was created and when the document was emailed to the various parties, and include the dates the individual board members signed the document. The signature history must also show the individuals' email addresses and IP address.
- Office of the State Auditor staff will not coordinate obtaining signatures.

The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following three methods:

- 1) Submit the application in hard copy via the US Mail including original signatures.
- 2) Submit the application electronically via email and either,
 - a. Include a copy of an adopted resolution that documents formal approval by the Board, or
 - b. Include electronic signatures obtained through a software program such as DocuSign or Echosign in accordance with the requirements noted above.

Below is the certification and approval of the governing body. By signing, each individual member is certifying they are a duly elected or appointed officer of the local government. Governing members may be verified. Also by signing, the individual member certifies that this Application for Exemption from Audit has been prepared consistent with Section 29-1-604, C.R.S., which states that a governmental agency with revenue and expenditures of \$750,000 or less must have an application prepared by an independent accountant with knowledge of governmental accounting; completed to the best of their knowledge and is accurate and true. Use additional pages if needed.

MUST Print the names of ALL members of the governing body below.		A MAJORITY of the members of the governing body must sign below.	
1	Full Name Haroun Cowans	I, <u>Haroun Cowans</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u></u> Date: <u>Apr 5, 2024</u> My term Expires: <u>June 2024</u>	
2	Full Name Paul Brooks	I, <u>Paul Brooks</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u></u> Date: <u>Apr 5, 2024</u> My term Expires: <u>June 2024</u>	
3	Full Name Maedella Stiger	I, <u>Maedella Stiger</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: <u>June 2027</u>	
4	Full Name Nathan Beal	I, <u>Nathan Beal</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u></u> Date: <u>Apr 5, 2024</u> My term Expires: <u>June 2027</u>	
5	Full Name John Pirkopf	I, <u>John Pirkopf</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed <u></u> Date: <u>Apr 5, 2024</u> My term Expires: <u>June 2027</u>	
6	Full Name Fathima Dickerson	I, <u>Fathima Dickerson</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: <u>June 2024</u>	
7	Full Name Nina Rupp	I, <u>Nina Rupp</u> , attest that I am a duly elected or appointed board member, and that I have personally reviewed and approve this application for exemption from audit. Signed _____ Date: _____ My term Expires: <u>June 2024</u>	

Five Point BID 2023

Interim Agreement Report










2024-04-08


Created:	2024-04-05
By:	Diane Wheeler (diane@simmonswheeler.com)
Status:	Out for Signature
Transaction ID:	CBJCHBCAABAA4BVLjtcg7Wu0Wr2vBZq33ucg2IWHYXZH

Agreement History


Agreement history is the list of the events that have impacted the status of the agreement prior to the final signature. A final audit report will be generated when the agreement is complete.

"Five Point BID 2023" History


-  Document created by Diane Wheeler (diane@simmonswheeler.com)
2024-04-05 - 4:27:29 PM GMT
-  Document emailed to Diane Wheeler (diane@simmonswheeler.com) for signature
2024-04-05 - 4:29:34 PM GMT
-  Document emailed to haroun@goshendevlopment.com for signature
2024-04-05 - 4:29:34 PM GMT
-  Document emailed to pbooks@palisadepartners.com for signature
2024-04-05 - 4:29:34 PM GMT
-  Document emailed to maedellans@yahoo.com for signature
2024-04-05 - 4:29:35 PM GMT
-  Document emailed to stbernardproperties@gmail.com for signature
2024-04-05 - 4:29:35 PM GMT
-  Document emailed to jpirkopf@gmail.com for signature
2024-04-05 - 4:29:35 PM GMT
-  Document emailed to mimid_587@yahoo.com for signature
2024-04-05 - 4:29:35 PM GMT
-  Document emailed to ninarupp1@gmail.com for signature
2024-04-05 - 4:29:35 PM GMT

 Document e-signed by Diane Wheeler (diane@simmonswheeler.com)

Signature Date: 2024-04-05 - 4:29:42 PM GMT - Time Source: server

 Email viewed by haroun@goshendevlopment.com


2024-04-05 - 4:30:19 PM GMT

 Signer haroun@goshendevlopment.com entered name at signing as Haroun Cowans

2024-04-05 - 4:32:17 PM GMT

 Document e-signed by Haroun Cowans (haroun@goshendevlopment.com)

Signature Date: 2024-04-05 - 4:32:19 PM GMT - Time Source: server

 Email viewed by stbernardproperties@gmail.com

2024-04-05 - 4:36:41 PM GMT

 Signer stbernardproperties@gmail.com entered name at signing as NathanBeal

2024-04-05 - 4:37:15 PM GMT

 Document e-signed by NathanBeal (stbernardproperties@gmail.com)

Signature Date: 2024-04-05 - 4:37:17 PM GMT - Time Source: server

 Email viewed by pbooks@palisadepartners.com


2024-04-05 - 5:05:50 PM GMT

 Signer pbooks@palisadepartners.com entered name at signing as Paul Books

2024-04-05 - 5:06:06 PM GMT

 Document e-signed by Paul Books (pbooks@palisadepartners.com)


Signature Date: 2024-04-05 - 5:06:08 PM GMT - Time Source: server

 Email viewed by jpirkopf@gmail.com

2024-04-05 - 7:02:24 PM GMT

 Signer jpirkopf@gmail.com entered name at signing as John Pirkopf

2024-04-05 - 7:03:04 PM GMT

 Document e-signed by John Pirkopf (jpirkopf@gmail.com)

Signature Date: 2024-04-05 - 7:03:06 PM GMT - Time Source: server

FIVE POINTS BUSINESS IMPROVEMENT DISTRICT
BYLAWS

Preamble

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

Article I

General

Section 1. The name of the district shall be the "Five Points Business Improvement District", also known as the "Five Points BID" or the "FPBID".

Article II

Directors and Officers

Section 1. To serve on the FPBID Board of Directors, individuals must be "electors" of the BID, as such term is defined in Section 31-25-1203, C.R.S.

Section 2. The BID's Board of Directors (Board) shall be comprised of the number of directors provided by ordinance of the City and County of Denver.

Section 3. A vacancy on the Board occurs when a director ceases to be an elector of the Five Points BID, resigns, is removed from office as provided by law, or is deceased.

Section 4. A vacancy on the Board shall be filled in the manner provided by law.

Section 5. There shall be a Board president, two vice presidents serving as co-vice presidents, a secretary and a treasurer of the Board who shall be officers of the Five Points BID. The offices of secretary and of treasurer may be filled by one person. The Board may appoint an assistant secretary who need not be a member of the Board, and the Board may appoint an assistant secretary who is paid staff or a contractor to perform secretarial duties. Officers may be appointed by official action of the Board at any time.

Section 6. The Board president shall preside at all meetings of the Five Points BID Board, shall sign all documents on behalf of the Five Points BID upon approval by the Board, and shall have such other duties as the Board may direct. The president shall appoint such committees and task forces as are authorized by the Board.

Section 7. The vice-presidents shall perform the duties of the Board president in the absence of the Board president or in the event of the president's inability or refusal to act and shall have such other duties as the Board may provide.

Section 8. The secretary shall keep a record of all proceedings, minutes of meetings, certificates, contracts, and corporate acts of the Board.

Section 9. The treasurer shall keep permanent records containing accurate accounts of all money received by and disbursed on behalf of the Five Points BID and shall make all required reports. The treasurer shall have the care and custody of all Five Points BID moneys and shall deposit such moneys in the manner provided by law and as authorized by the Board.

Section 10. The Board may provide such additional duties for any officer as it deems necessary.

Section 11. A vacancy in any office shall be filled by the Board at its next regular or special meeting.

Section 12. Directors and officers shall receive no compensation for their service but may be reimbursed for expenses incurred in the performance of their duties in the manner provide by the Board by resolution.

Section 13. Directors shall disclose and act regarding potential conflicts of interest as required by Colorado law, including but not limited to C.R.S. § 18-8-308; 24-18-109; 24-18-110; and 24-18-201 to 206. Directors shall disclose potential conflicts of interest in writing at least 72 hours before a meeting of the Board in which the conflict will arise. Such disclosure is to be made to the Board secretary (or Manager on behalf of the secretary), and to the BID's attorney's office. At the start of the Board's discussion, directors shall verbally disclose any potential conflict, not attempt to influence the decision of other Board members and shall not vote on the matter, as applicable, unless permitted by law.

Article III

Personnel and Management

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

Article IV

Meetings

Section 1. The regular meetings of the Board shall be held monthly on a recurring designated day of the month and regular time, with such day and time determined by the Board

at the end of each calendar year for the next calendar year. The selected day and time for the regular meeting for any given month may be changed by vote of the Board, and the posting of corresponding notices as required by Colorado law. Meetings shall be held at the Board approved designated location unless otherwise noticed in advance in accordance with Colorado law. If the regular meeting date falls on a legal holiday, the regular meeting shall be held on the following week, same business day at the same time and place, unless otherwise noticed. Meetings shall be held in a public and accessible place. As they are made aware, the FPBID Board or Staff shall make every reasonable effort to assure that accommodations are made to support those with disabilities.

Section 2. The president or any two members of the Board may call a special meeting of the Board upon at least twenty-four hours' written notice to each member. Such notice shall state the purpose for which such special meeting is called.

Section 3. Public notice of all meetings of the Board shall be given as provided by law and shall contain the date, time, place and type of meeting, and specific agenda information where possible. Public notice of any meeting shall be posted at least twenty-four (24) hours in advance at such public place or places as the Board may designate annually at its first regular meeting in the fiscal year. If and when practical, the Board shall cause notice to be posted with more than 48 hours' notice. Notice of meetings may also be distributed electronically.

Section 4. A majority of the directors then serving on the Board shall constitute a quorum of the Board for conduction its business. Directors may attend any meeting in person or by a telephonic connection, but any such connection shall permit any director attending in person to hear all discussion concerning any item upon which action is to be taken and shall permit all persons in attendance to hear the director attending by telephone.

Section 5. When a quorum is in attendance, action may be taken by the Board upon an affirmative vote of a majority of the directors in attendance, but a majority of all directors then-serving shall be required to approve the annual budget and operating plan, to approve budget and appropriation resolutions and certification of mill levies and special assessments, to elect officers, to amend the bylaws, and to approve any contracts or agreements that are in excess of one thousand dollars (\$1,000).

Section 6. Voting on all questions except election of officers shall be by a roll call vote which shall be entered into or appended to the minutes of the meeting. Election of officers shall be by secret ballot. No director may abstain from voting except in the case of a conflict of interest which has been disclosed as provided by law. No proxy voting shall be permitted.

Section 7. Action on any item shall be taken only at a regular or special meeting by motion or by resolution. Resolutions shall be used for all actions of a general and permanent nature, shall be in writing, shall, upon adoption, be authenticated by the secretary, and shall be contained in a well-bound book, properly indexed. All motions shall be set forth in the minutes

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

Section 8. The Board may adopt a separate guiding document which outlines Board code of conduct for meetings, which may be amended by the Board.

Section 9. All meetings of the Board for any purpose whatsoever shall be open to the public; provided, however, that this section shall not limit the authority of the Board to enter into executive session as allowed by law.

The procedures to enter into an executive session are presented below: (This is only a summary, consult the attorney for the BID as questions arise.)

During an open meeting:

1. Announce the detailed topic and legal authority for the Executive Session – the announcement must cite the specific law that allows the session (see the list a-h below). If the topic is not on the list, the Board is prohibited from entering the executive session.
2. Board vote – need 2/3 vote of quorum present in favor of the session.
3. Exclude public and all others at the Board’s discretion.
4. Record the executive session discussions electronically – keep the recording secret unless ordered otherwise by a court or the Board consents. No recording is required if the topic is attorney-client privileged (attorney must be present and must state on the record or attest that the discussion is privileged).
5. THE BOARD MUST TAKE NO ACTION, NO VOTE, NO DECISION IN EXECUTIVE SESSION.
6. Come out of executive session back into public session.
7. Complete the meeting.

Post executive session:

- a. If required for an attorney-client matter, have the attorney sign an attestation or other documentation concerning the content of the session.
- b. DESTROY EXECUTIVE SESSION RECORDING AFTER 90 DAYS UNLESS NEEDED FOR COURT.

The allowed purposes for an Executive Session are listed in §24-6-402(4), C.R.S.

- a. Purchase, acquire, lease, transfer or sale of real, personal or other property interest, but not to conceal a conflict of interest.
- b. Consult or receive advice from attorney on specific legal questions.

c. Confidential items per federal or state law, rules, regulations. Cite the statute or rule before session begins.

d. Security details – investigations – defenses against terrorism or to prevent disclosing items that could be used to commit crime or avoid prosecution.

e. Develop negotiating positions, strategy, or instruct negotiators.

f. Personnel matters, except about directors, an elected official, board appointments, general personnel policies, one employee if the employee requests an open meeting or if more than one employee is involved, then all request open meeting.

g. Documents to be kept secret according to the Colorado Open Records Act (such as medical information; confidential commercial data; names, addresses, and financial information about users of District facilities or services).

Article V

Fiscal Matters

Section 1. The fiscal year of the Five Points BID shall be the calendar year.

Section 2. The Board shall establish limits on the check writing authority of officers, employees, and agents of the Five Points BID, but two signatures shall be required on all checks One Thousand and No/100 Dollars (\$1,000.00) or over. The order of preference for Board member signature is as follows: 1. treasurer, 2. president, and 3. vice-president/secretary.

Section 3. The Board may authorize an officer, employee, or agent of the Five Points BID to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Five Points BID. Any such authorization shall specify the contract or instrument, or the category of contracts or instruments, so authorized.

Section 4. No loan or advance shall be made or contracted on behalf of the Five Points BID and no note, bond, or other evidence of indebtedness shall be executed or delivered in its name except in the manner provided by law and as authorized by the Board.

Article VI

Amendments

Section 1. These bylaws may be amended or repealed, and new bylaws adopted, by the Board at any regular or special meeting subject to the requirements of Section 5 Article IV of these bylaws.

Article VII

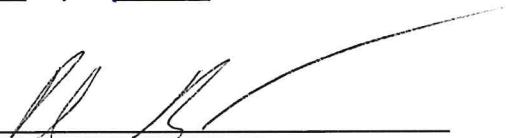
Indemnification

Section 1. The Five Points BID shall indemnify any director, officer, employee, or agent or any former director, officer, employee, or agent for any expense actually incurred in connection with any action, suite, or proceeding or for any loss or claim resulting from any such action, suit, or proceeding in which such person has been made a party by reason of being or having been such director, officer, employee, or agent, including any matter as to which such person is adjudged to be liable in such action, suite, or proceeding except for such person's willful and wanton acts or omissions in the performance of official duties.

Section 2. The Five Points BID is authorized to obtain such policy or policies of insurance for providing such indemnification and for such other purposes as the Board deems necessary.

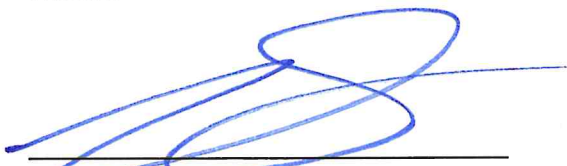
Section 3. The indemnification provided in this article does not constitute a waiver, either partial or complete, of any immunities or limitations on judgments provided by law with respect to the Five Points BID or its directors, officers, employees, or agents.

6th Adopted by the Board of Directors of the Five Points Business Improvement District this
day of NOVEMBER 2019.



President of the Board

Attest:



Director/Witness



CODE OF CONDUCT

Mission: The Five Points Business Improvement District unites businesses and commercial property owners by maintaining the business corridor and catalyzing inclusive economic development and cultural preservation.

The following code of conduct and meeting protocol are authorized pursuant to the Five Points BID By-laws, Article IV, Section 9 – and may be amended from time to time and separately from the approved By-laws by the sitting FPBID Board of Directors.

Code of Conduct and Meeting Protocol:

- The meetings shall be conducted within the allowed 90 minutes established by the agenda.
 - If a FPBID Board of Director meeting time exceeds the 90 minutes, a Board member must move to extend the meeting beyond the end time to a time increment that is certain, or move to table the item(s) that have not been addressed by the Board of Directors until the next regular meeting or specially called Board of Directors meeting.
- A Sargent of Arms may be appointed by the Board of Directors, if requested.
- The President of the Board, or their appointee, is responsible for running the meeting and recognizing those requesting to speak.
- Time for public comment shall be provided on every agenda.
 - All comments must be limited in subject matter to matters pertaining to the FPBID and/or the FPBID Board of Directors.
 - In order to treat each person equally and impartially, each person is allotted a total of 3 minutes in which to offer their comments. No one may yield their time to another.
- Invited and guest speakers making presentations to the Board of Directors shall limit presentations to no longer than ten (10) minutes, with written materials provided to the Board for review and consideration at least twenty-four (24) hours prior to the scheduled meeting.
 - Exceptions to the time limits must be approved by the Board of Directors.
- There shall be no drugs or alcohol permitted or present during Board meetings.
- Board members are expected to be courteous and respectful to each other, customers, staff, and consultants, and vice versa. Any Board Member may bring a perceived lack of courtesy or respect to the attention of the Board.

2024 Board Actions – to Date. (Note: copies of the Minutes are available via www.fivepointsbid.com or upon request):

January 2024:

- Approved December 12, 2023 Board Meeting Minutes
- Announcement of Norman Harris as new Five Points BID Executive Director.
- Renewal of Maintenance Agreement with CSG
- Renewal of MarCom Agreement with DDP

February 2024:

- Approved January 10, 2024 Meeting Minutes
- Approved Treasurer's Report
- Approved \$400 for office space.
- Approved up to up \$1,800 to purchase a new computer
- Approved \$3,500 sponsorship of St. Patrick's Day Event

March 2024:

- Approved February 12, 2024 Board Meeting Minutes
- Approved December 2023 Treasurer's Report
- Approved to use Gusto for payroll services
- Approved Employment Agreement for the Executive Director
- Approved the submittal of an Audit Exemption Application

April 2024:

- No official Board actions taken in April.

May 2024:

- Approved of the March 13, 2024 and April 10, 2024 Board Meeting Minutes.
- Approved March Treasurer's Report
- Approved opening an interest paying Money Market Account

June 2024:

- Approved May 8, 2024 Board Meeting Minutes
- Approved April Treasurer's Report
- Approved to create RFP for website design
- Approved proposal to move tree planters to 20th and Welton St.

July 2024:

- Quorum not met, meeting canceled. No official Board actions taken in July.

August 2024:

- Approved June 12, 2024 Board Meeting Minutes
- Approved May and June Treasurer's Report

September 2023:

- Quorum not met. No official Board actions taken in September.

Note: New Board Appointees and Re-Appointees were not completed before the transition of Mayoral administrations and a hold was placed on all Board and Commission appointments. All new and renewed Appointees are expected to be approved by City Council at the October 9, 2023 City Council Meeting.



BID Board Members Contact Info

Executive Committee	
<p>Board President: Haroun Cowans, Founder & President Goshen Development Representing: Agave Shore 1881 16th Street Denver, CO 80202 haroun@goshendevlopment.com 720.394.2341 2nd Term Expires: June 12, 2027</p>	<p>Board Co-Vice-President: Paul Books, President and Founder Palisade Partners 2700 S. Broadway Street, Suite 200 Englewood, CO 80113 pbooks@palisadepartners.com 720.248.7252 3rd Term Expires: June 12, 2027</p>
<p>Board Co-Vice-President: Maedella Stiger, Property Owner 2755 Welton Street Denver, CO 80205 maedellans@yahoo.com 303.295.9055 3rd Term Expires: June 12, 2027</p>	<p>Board Treasurer: Nathan Beal St. Bernard Properties 3021 E. 7th Avenue Denver, CO 80206 stbernardproperties@gmail.com 303.667.2801 3rd Term Expires: June 12, 2027</p>
Board Members	
<p>John Pirkopf, Property Owner 2649 Champa Street Denver, CO 80205 jpirkopf@gmail.com 303.219.0044 3rd Term Expires: June 12, 2027</p>	<p>Fathima Dickerson, Owner Welton Street Café 2208 Marion Street Denver, CO 80205 mimid_587@yahoo.com 303.919.7229 2nd Term Expires: June 12, 2027</p>
<p>Nina Rupp, Manager Marble Empire, LLC 2032 Welton Street Denver CO 80205 Ninarupp1@gmail.com 303.257.9866 2nd Term Expires: June 12, 2027</p>	



2024 FPBID Board of Directors board meeting attendance

Present = P									
Absent = A									
Board Member	1/10/2024	2/14/2024	3/13/2024	4/10/2024	5/8/2024	6/12/2024	No July Meeting	8/14/2024	9/27/2024
Haroun Cowans	P	P	P	P	P	A		P	P
Paul Books	P	P	P	P	A	P		P	P
Maedella Stiger	A	A	A	A	A	A		A	A
Nathan Beal	P	P	P	P	P	P		P	P
John Pirkopf	P	P	P	P	P	P		P	P
Fathima Dickers	P	P	P	P	P	P		P	P
Nina Rupp	A	P	A	P	P	P		P	P

List of Activities for October 2023 – September 2024:

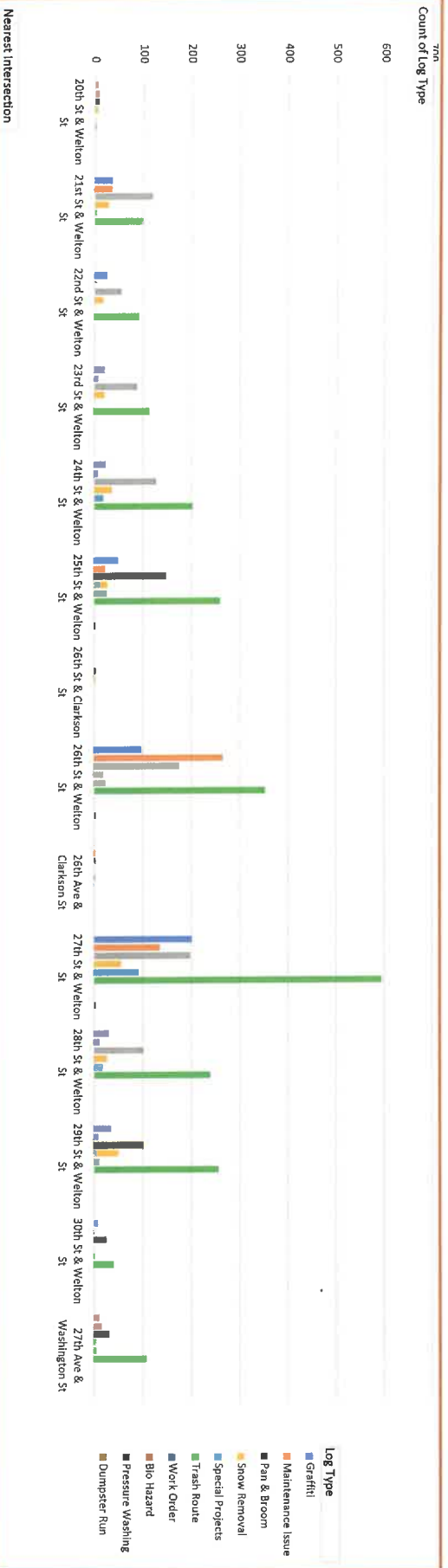
- Held Public Hearing to receive input on proposed 2023 Budget Amendment and 2024 Budget.
- Held 2024 St. Paddy's Day Pet Parade and Bar Crawl which activated Welton Street with 200+ pet owners and 500+ bar crawl participants..
- Installed (November 2023) and removed corridor holiday lighting and banners (January 2024).
- Held the Five Points Holiday Stroll providing a passport to visitors, encouraging them to visit participating businesses on Saturday, December 10, 2023 to drive pedestrian traffic to and increase consumer spending in the FPBID.
- Held Jazz Roots on February 17 and February 24 activating 16 businesses and venues within the Five Points BID with live music and spoken word.
- Committed sponsorship funding for Five Points Jazz Festival, Juneteenth Music Festival, First Friday Jazz Hop and Urban Leadership Foundation of Colorado "Culture Crawl" to assist in driving people to local business during those events.
- Held stakeholders' meeting to gather input to refocus work plan from activations to retail recruitment strategies to address recent uptick in closures.
- Conducted survey of FPBID stakeholders to determine priorities and adjust operating plan and budget.
- Established three new committees, Events & Volunteer Committee, Business Support Committee, Corridor Development and Activation Committee, to allow stakeholders additional avenues to guide Board decision making process.
- Managed community gathering area, The Point at 27th and Welton by providing set up and shut down services.
- Hired Executive Director, Norman Harris on January 7, 2024.
- Resolutions Passed:
 - 2023-01: Setting date, time and location of the public hearing for proposed Fiscal Year 2024 Budget. (To be voted on when full Board is approved by City Council October 9th)
- Conducted special maintenance projects in the District:
 - Installed two new Pedestrian lights at 25th and Welton where original lights had been removed to replace lost lights on Welton.
 - Hand watering boxed trees at the pedestrian plaza at the Five Point Intersection.
 - Replaced damaged and missing backflow preventers on the 2700 block of Welton.

- Support for the various activities conducted by the FPBID for setup and event strikes.
- Planned for remainder of 2024:
 - Public Hearing re: proposed 2025 Operating Plan and Budget, October 24, 2024
 - Installation of holiday lighting on 2600 and 2700 blocks of Welton and decorations on remaining blocks of Welton in the BID.
 - Hold 4th Annual Holiday Celebration in December. Proposal for additional elements to enhance day of and month-long experience under consideration by the Board.
 - Onboard Five Points BID staff consisting of CFO, Administrative Assistant, Special Projects Administrator, Marketing Manager and Special Projects Coordinator.
 - Facilitate Five Points BID Board and Staff Strategic Planning Retreat

FPBID Planned Activities for 2025:

- Continuing to provide for the cleanliness and safety of the District with power washing and pan and brooming of the sidewalks, servicing and care of customized trash receptacles and bike racks, tree health management, identification of trip hazards, pedestrian lighting management, upkeep of Five Point Intersection Pedestrian Plaza and trouble-shooting unexpected issues.
- Continuing to market the corridor through banners, newsletters, activations along the corridor, social media and traditional media outlets.
- Implement public–private partnership led Security Program.
- Allot sponsorship funding to 40 events and activations on the Welton corridor.
- Test new yet to be named activations for potential to draw visitors to the district and district businesses.

FIVE POINTS BUSINESS IMPROVEMENT DISTRICT TOTAL MAINTENANCE - YTD 2023





Homelessness Resolution

In 2024, the Five Points Business Improvement District supported the development of two multi-use affordable housing development projects on the Welton corridor to aid in homelessness resolution. In 2025, The Five Points Business Improvement District will work to support and attract affordable housing developers to construct projects within the Five Points Business Improvement District.



Measuring Tangible Impacts

For 2025, the Five Points Business Improvement District (BID) plans to conduct **regular surveys** of the businesses and residents within the corridor. These surveys provide valuable qualitative insights into the needs and experiences of our community, which helps inform our decision-making and guides us in developing more responsive and effective strategies for the BID's growth and sustainability.

Additionally, the BID will continue its partnership with the **Denver Police Department** to monitor and address public safety concerns. This collaboration allows us to track crime rates and improve security efforts within the district, which directly benefits both businesses and visitors. By combining data from Placer.ai and crime statistics, we will be able to assess the overall health of the BID more holistically.