

2023 Operating Plan

Bluebird Business Improvement District

2023 Bluebird Business Improvement District Operating Plan Overview

The Bluebird Business Improvement District (the “District”) was formed by the City Council in and for the City and County of Denver (the “City”) pursuant to Ordinance No. 292, Series 2013, on June 24, 2013. The District boundaries are bordered by St. Paul St. on the West, Colorado Blvd. on the East, 14th Avenue on the South and 16th Avenue on the North. The District consists of a total of nine East Colfax blocks. There are 47 individual property owners and 65 businesses within the 9-block District boundaries, a land area of 478,333 sq. ft. with an assessed valuation of \$48,203,800 as of August 25, 2021. The District will impose a mill levy of 10 mills for collection next year on all taxable commercial property located within its boundaries, projected to be approximately \$150,450.

2023 Bluebird Business Improvement District Operating Plan Statement

In general terms, the District’s operations facilitate, promote and oversee activities and actions to:

- Enhance the appearance and attractiveness of the nine block District for its customers, businesses, employees, neighbors and visitors;
- Provide a safe, clean and accessible shopping environment;
- Attract new businesses and retain contributing existing businesses;
- Promote the District and customer traffic to its constituent businesses through marketing, advertising, public relations and special events;
- Provide transparent fiduciary oversight and management of the District’s operating and capital budgets to enhance relationships with the District’s property and business owners, and public sector agencies providing City and State services;
- Work with the City and County of Denver to advocate for District right of way improvements to support City planning and investment for Colfax as a corridor for multi-modal use.

District operations and performance will be evaluated based on quantitative and qualitative measurements, including ongoing consumer, business and property owner and developer and real estate surveys, base retail sales data and year-end changes, additions of new businesses and expansion of existing businesses, website and social media penetration and media coverage.

Administrative operations will include seeking additional District funding through grant applications, fundraising and special events.

A. Marketing & Communications

- The District is committed to informing and updating its constituents on a timely basis through its interactive website and email system, social media, public board meetings, news releases, newsletters, calendar of events and by reporting City and State projects and programs pertinent to the District.
- From time to time, the District also will survey its constituents for their opinions on necessary District physical improvements and retail and business services and community-related issues, (e.g. public safety, pedestrian safety, vehicular and bike traffic, etc.)
- The District hosts many annual events each year that are designed to engage with the community and highlight area businesses. These events include Tasty Colfax and Boo and Brew. Usually, hundreds of participants visit area businesses to enjoy food, music and services in the district. The will employs an event coordinator to increase attendance, visibility and income from events and to help us think creatively about adjusting the events for safety.

B. Maintenance, Capital Improvements & Public Safety

- The District will maintain amenities that it owns as well as key streetscape amenities such as existing pedestrian lights, trees, trash cans and grates.
- The District will continue to make modest investments in streetscape improvements with capital investments and through additional grant funding (if awarded).
- The District will maintain relationships with the Denver Police Department and local community officers. The District will also build on relationships with the department of transportation and infrastructure to address infrastructure needs related to public safety.
- The District will work with property owners to ensure proper upkeep for recently planted trees.

C. Economic & Business Development

- The District Small Area Plan identifies priorities through investments that are targeted at supporting and boosting businesses. These programs include zoning and redevelopment support, improving the customer experience by enhancing the streetscape and improving pedestrian safety, promotions for area residents, support for business-sponsored events.

- The District will continue to support business owners who seek to redevelop vacant or underutilized parcels. The District will support development through community outreach and zoning technical support.
- The District will continue to promote the district and support businesses through events that bring visitors to the area. Events are focused at bringing visitors into establishments, while promoting community engagement and support for the District.
- The District will continue to work with the City and County of Denver on main street zoning revisions responsive to business and property owner input. This has the potential to reduce costs for developers and encourage development in the district.
- The District hosted or attended several meetings regarding bus rapid transit and transportation to support access to and through the district, which supports economic development. The District will continue to work with the Department of Transportation and Infrastructure on BRT planning initiatives. In 2023 we also plan to extensively survey owners about BRT to ensure they understand the project and we can take steps to ensure they are ready for implementation.

D. Administrative Services

- The District will continue to work with a team who provides legal, advisory services, marketing, placemaking, record keeping, bookkeeping, communication and implementation services to affect the operational plan and compliance requirements for the district.

Operating Plan & Budget

Supporting Materials Table of Contents

1. 2022 Year to date “budget to actual” financial reports
2. Any materials departures from the 2022 Operating Plan, and an explanation
3. A copy of your Public Notice publication for the 2023 Budget public hearing
4. The status of any planned or outstanding indebtedness
5. The results of any audits conducted during the year, if not already submitted.
6. A copy of the By-laws, if any, in effect in 2022
7. A list of official board actions (motions) in the past year.
8. Current list of all Board members including name, address, phone, fax and e-mails as well as term appointment and expiration date.
9. Board members attendance records for the past year.
10. A list of activities performed and planned for 2022 (and planning for in 2023);
11. Documented tangible impacts and performance measures that your BID provides and tracks. For instance this could include trend occupancy rates, business or citizen surveys, crime rates, lease rates, taxable retail sales, number of jobs created, pedestrian/visitor counts, and business license revenues. Any additional information would be beneficial for the City Council budget approval process.

1. **2022 Year to date “budget to actual” financial reports.** Please see 2023 with this budget to actual report.

BBID Budget 2023 draft 9/21						
		2021 Actuals	2022 actuals projection	2022 Budget	2023 Proposed Budget	
Beginning Funds Available		\$173,829	\$193,845	\$193,845	\$216,875	
REVENUE						
Property Taxes		\$150,435	\$151,574	\$147,874	\$148,946	
Ownership Taxes		\$8,212	\$8,253	\$8,253	\$8,253	
Other Income (events + business support)		\$63,590	\$15,752	\$10,000	\$12,000	
TOTAL REVENUE		\$222,237	\$175,579	\$ 166,127	\$ 169,199	
EXPENSES						
Administration/Economic Develmt						
Bookkeeping		\$ 2,400	\$1,737	\$2,400	\$2,400	
Operations Director (at 50% ED)		\$ 20,340	\$19,074	\$19,074	\$28,125	
Insurance		\$2,578	\$1,682	\$1,675	\$1,700	
Legal		\$8,766	\$9,643	\$9,643	\$10,427	
Accounting/Audit		\$0	\$ 1,600	\$727	\$727	
Memberships		\$572	\$496	\$530	\$600	

Advisory Services Consulting (at 70% ED)		\$ 16,560		\$18,216		\$18,216		\$19,697
Office		\$144		\$100		\$1,000		\$150
Legal Advertising		\$ 151		\$ 151		\$100		\$160
Placemaking design& services (at 100% ED)		\$ -		\$0		\$1,000		\$0
Rent		\$0		\$0		\$0		\$0
Covid Relief Grants		\$73,827		\$0		\$0		\$0
Covid Relief Services		\$ 5,378		\$ -		\$ -		\$ -
-ECON DEVOPMT SUBTOTAL		\$ 100,967		\$ 22,288		\$ 22,288		\$ 27,850
ADMINISTN/ECON DEVOL TOTAL		\$130,716		\$52,699		\$ 54,364		\$ 63,985
CAPITAL IMPROVEMENTS								
Captial Improvements to streetscape		\$ -		\$25,000		\$38,763		\$100,000
TOTAL CAPTIAL IMPROVEMENTS		\$ -		\$25,000		\$38,763		\$100,000
Maintenance								

Trash, decorative lights, pressure wash, weeds, etc		\$41,923	\$ 38,000	\$33,350	\$45,000
Utilities		\$763	\$500	\$700	\$800
MAINTANCE TOTAL		\$42,686	\$38,500	\$ 34,050	\$ 45,800
MARKETING					
Advertising/PR/Communications		\$7,805	\$7,800	\$6,600	\$8,424
Meals/Entertainment		\$641	\$1,000	\$1,250	\$1,250
Printing/Office Supplies/postage		\$0	\$ 50	\$100	\$0
Events		\$18,506	\$25,000	\$30,000	\$25,000
Computer/website		\$1,867	\$ 2,500.00	\$1,000	\$2,500
MARKETING TOTAL		\$28,819	\$36,350	\$ 38,950	\$ 37,174
FUND TRANSFERS					
TABOR 3% Reserve	\$ -	\$ -	\$0	\$0	
Capital Reserve Fund	\$ -	\$ -	\$0	\$0	
TOTAL FUND TRANSFERS	\$ -	\$ -	\$0	\$0	
TOTAL EXPENSES		\$202,221	\$152,549	\$ 166,127	\$ 246,959
NETCHANGE IN FUNDS AVAILABLE		\$20,016	\$23,030	\$0	-\$77,760
ENDING FUNDS AVAILABLE		\$193,845	\$216,875	\$193,845	\$139,115

Notes:

Mill Levy shown net of collection fee

2016-22 Milly Levy: 10 mills

- 2. Any material departures from the 2022 Operating Plan, and an explanation.**
There were no material departures from the 2022 Operation Plan.

3. A copy of your Public Notice publication for the 2023 Budget.

NOTICE AS TO PROPOSED BUDGET

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2023, has been submitted to the Bluebird 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 in a meeting at **10:30 a.m. on Wednesday, October 19th, 2021, at 3237 E Colfax Ave, with details on joining the meeting virtually at <http://www.bluebirdbeat.com/meet-the-bid-board/>.**

Copies of such proposed budget for fiscal year 2023 are available for inspection by the public at the offices of the district, 3014 Forest St, Denver, Colorado, and at www.bluebirddistrict.org. Any interested elector within the District may, at any time prior to the final adoption of the proposed budget for the ensuing year 2023, file or register any objections thereto.

Dated September 21, 2022

BLUEBIRD
BUSINESS IMPROVEMENT DISTRICT

By: /s/ Tom Secrist/Treasurer

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):

September 29, 2022

Nicole Maestas
Signature

Subscribed and sworn to before me this 30 day of September, 2022.

Kay C. Dapice
Notary Public

KAY C. DAPICE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19944012554
MY COMMISSION EXPIRES AUGUST 19, 2026

(SEAL)

NOTICE AS TO PROPOSED BUDGET

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2023 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 4:30 p.m. on Tuesday, October 11, 2022, at 3275 W 14th Ave, #202, Denver, CO, or by videoconference with details to join at www.westcolfaxbid.org/calendar.

Copies of such proposed budget for fiscal year 2023 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. Any interested elector within the District may, at any time prior to the final adoption of the proposed budget for the ensuing year 2023, file or register any objections thereto.

Dated September 13, 2022.

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

- 4. The status of any planned or outstanding indebtedness.** The District has no outstanding debt and no plans for future debt acquisition at this time.

5. The results of any audits conducted during the year, if not already submitted. Please see ATTACHED.

Bluebird Business Improvement District
Financial Statements

December 31, 2021

ACCOUNTANT'S COMPILATION REPORT

Board of Directors
Bluebird Business Improvement District

We have compiled the accompanying Balance Sheet – Governmental Fund and Account Groups of the Bluebird Business Improvement District as of December 31, 2021 and the related Statements of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Governmental Fund 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 Statements of Net Position, Statement of Activities, 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.

March 30, 2022

Bluebird Business Improvement District
Balance Sheet - Governmental Fund
December 31, 2021
See Accountant's Compilation Report

	<u>General Fund</u>	<u>Total All Funds</u>
Assets		
Current assets		
Cash in checking	\$ 196,596	\$ 196,596
Cash in checking retriected	4,003	4,003
Cash with County Treasurer	568	568
Taxes receivable	<u>148,607</u>	<u>148,607</u>
	<u>349,774</u>	<u>349,774</u>
Total Assets	<u><u>\$ 349,774</u></u>	<u><u>\$ 349,774</u></u>
Liabilities and Equity		
Current liabilities		
Accounts payable	<u>\$ 7,322</u>	<u>\$ 7,322</u>
	<u>7,322</u>	<u>7,322</u>
Total liabilities	<u>7,322</u>	<u>7,322</u>
Deferred Inflows of resources:		
Deferred property taxes	<u>148,607</u>	<u>148,607</u>
Total Deferred Inflows of Resources	<u>148,607</u>	<u>148,607</u>
Fund Balances:		
Restricted:		
Emergencies	4,003	4,003
Assigned:		
Capital improvements	40,803	40,803
Unassigned	<u>149,039</u>	<u>149,039</u>
Total Fund Balances	<u>193,845</u>	<u>193,845</u>
	<u><u>\$ 349,774</u></u>	<u><u>\$ 349,774</u></u>

Bluebird Business Improvement District
Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds
Budget and Actual
For the Year Ended December 31, 2021
General Fund

See Accountant's Compilation Report

	Original & Final <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
Revenues			
Property taxes	\$ 151,574	150,435	\$ (1,139)
Specific ownership taxes	5,400	8,212	2,812
Event income	-	12,529	12,529
Grant Income	<u>250,000</u>	<u>51,061</u>	<u>(198,939)</u>
	<u>406,974</u>	<u>222,237</u>	<u>(184,737)</u>
Expenditures			
Accounting	1,200	-	1,200
Bookkeeping	-	2,400	(2,400)
Advisory Services Consulting	15,696	16,560	(864)
Operations director	21,668	20,340	1,328
Insurance	1,675	2,578	(903)
Legal	8,334	8,766	(432)
Legal advertising	100	151	(51)
Membership	515	572	(57)
Meals/entertaining	1,250	641	609
Computer	1,000	1,867	(867)
Placemaking design & services	250	-	250
Capital improvements	39,335	-	39,335
Covid Relief Services	230,000	-	230,000
Advertising and marketing	25,500	7,805	17,695
Grant administration	-	5,378	(5,378)
Grants awarded	-	73,827	(73,827)
Event marketing	21,000	18,506	2,494
Office supplies	25	144	(119)
Streetscape	39,000	41,923	(2,923)
Utilities	<u>500</u>	<u>763</u>	<u>(263)</u>
	<u>407,048</u>	<u>202,221</u>	<u>204,827</u>
Excess (deficiency) of revenues over expenditures	(74)	20,016	20,090
Fund balance - beginning	<u>124,775</u>	<u>173,829</u>	<u>49,054</u>
Fund balance - ending	<u>\$ 124,701</u>	<u>\$ 193,845</u>	<u>\$ 69,144</u>

6. A copy of the By-laws, if any, in effect in 2022. Please see ATTACHED.

BLUEBIRD BUSINESS IMPROVEMENT DISTRICT BY-LAWS

These By-Laws of the Bluebird 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. CB13-0341, 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 "Bluebird 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 East 16th Avenue on the north, East 14th Avenue on the south, Colorado Blvd. on the east and St. Paul Street 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 to commercial. 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 Chair, Vice Chair, Secretary and Treasurer who shall be elected from among the members of the Board at the first regular meeting of the fiscal year. The office of Secretary and Treasurer may be filled by one person. An assistant Secretary may be appointed to assist the Secretary in carrying out the duties of Secretary. 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. Chair. The Chair 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 Chair 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 Chair 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.

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

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 Chair 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 Chair.

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 Chair, 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 four members, if all Board seats are filled. If vacancies exist, a majority constitutes a quorum, but must be no less than three 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 Directors 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 Chair. 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. District checks, in excess of \$1,000, shall require two Board member signatures. All checks of lesser amounts can be signed by one Board member.

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 _____ 2013

7. A list of official board actions (motions) in the past year.

- a. October 2021
 - i. Approved September board meeting minutes
 - ii. Approved September financial statements
 - iii. Approved Resolution and 2022 Annual Budget
- b. November 2021
 - i. No motions.
- c. December 2021
 - i. No motions.
- d. January 2022
 - i. Approved December board meeting minutes.
 - ii. Approved January financial statements
 - iii. Approved meeting notice posting location.
 - iv. Approved proposal for events management services form Classic Events.
- e. February 2022
 - i. Approved December board meeting minutes
 - ii. Approved January financial statements
 - iii. Approved new location for monthly meeting notice posting
 - iv. Approved purchase and installation of Bluebird District window decals
 - v. Approved Michelle Valeri's 2021 contract
- f. March 2022
 - i. Approved the February board meeting minutes
 - ii. Approved the February financials
 - iii. Approved the date, printing budget and stipend for participating businesses for Tasty Colfax Event.
- g. April 2022
 - i. Approved consolidated parking variance
- h. May 2022
 - i. No quorum
- i. June 2022
 - i. Approved April board meeting minutes
 - ii. Approved May financials
 - iii. Approved payment for a replacement lumineer and settlement amount
 - iv. Approved planting 10 additional trees and the cost.
- j. July 2021
 - i. No meeting.
- k. August 2022
 - i. Approved June board meeting minutes

- ii. Approved July financials
- iii. Approved cost for bike racks
- iv. Approved cost for flatwork repairs
- v. Approved memorial contribution
- I. September 2022
 - i. No motions

8. Current list of all Board members

Sean Mandel, President

1478 Birch Street
Denver, CO 80220
303---520---7154

seanmandel@gmail.com

Term: re-appointed August 3, 2020; expires June 3, 2024

Jareb Parker, Vice President

3301 E Colfax Ave
Denver, CO 80206

jareb@middlemanbar.com

Term: Appointed Sept 21, 2021; expires May 31, 2025

Tom Secrist, Treasurer and Secretary

1532 Milwaukee Street
Denver, CO 80206
303---523---9681

secristproperties@gmail.com

Term: Appointed July 17, 2018; Expires June 3, 2022 (reapplication in process)

Don Novak

3121 East Colfax Avenue
Denver, CO 80206
720---326---6246

don@propagandalabs.com

Term: re-appointed August 3, 2020; Expires June 3, 2024

Richard "Buzz" Geller

1430 Larimer Square, #304
Denver, CO 80202
303---399---0508

buzzgeller@paradiselandco.com

Term: Appointed June 22, 2018; expires June 3, 2022 [application pending]

Chris Swank

1950 Forest Parkway
Denver, CO 80220
cswank@nipp.com

Term: Appointed August 2020; expires May 2024

John Chapman

3225 E. Colfax Ave.
Denver, CO 80206
ichampmaniv@gmail.com

Term: Appointed November 2021; expires June 2025

9. Board members attendance records for the past year (October 2020 to September 2021).

October 2021

Attending directors: Sean Mandel, Don Novak, TBuzz Geller, Tom Secrist, Chris Swank, and Jareb Parker

Not attending: N/A

November 2021

No quorum.

December 2021

No meeting.

January 2022

No meeting.

February 2022

Attending directors: Don Novak, Sean Mandel, John Chapman and Tom Secrist

Not attending: Chris Swank, Jareb Parker and Buzz Geller

March 2022

Attending directors: Sean Mandel, Buzz Geller, John Chapman, Tom Secrist, Chris Swank and Jareb Parker

Not attending: Don Novak

April 2022

Attending directors: Sean Mandel, Buzz Geller, Tom Secrist, John Chapman and Jareb Parker

Not attending: Don Novak and Chris Swank

May 2022

No quorum

June 2022

Attending directors: John Chapman, Tom Secrist, Don Novak, Sean Mandel, Jareb Parker, Buzz Geller (joining later in meeting)

Not Attending, Chris Swank

July 2022

No meeting.

August 2022

Attending directors: Buzz Geller, Tom Secrist, Sean Mandel, Don Novak, and Jareb Parker

Not attending: Chris Swank and John Chapman

September 2022

Attending directors: Tom Secrist, Sean Mandel, John Chapman

Not attending: Buzz Geller, Jareb Parker, Don Novak and Chris Swank

10. List of activities and involvement 2022 and plans for 2023:

- **BRT Participation:** The staff and board members are participating in the ongoing planning of the bus rapid transit on Colfax. This includes frequent meetings with CCD staff on progress and project updates, and input to the City on business access, streetscape development and construction mitigation funding. In 2023, we are planning extensive outreach to businesses to ensure they are fully apprised of the project as it moves ahead and that all their concerns are documented and shared.
- **Bluebird Bags:** The district continued to support businesses by purchasing and reselling business goods and gift cards in a mixed bag in order to both directly purchase materials from businesses and also promote businesses by offering incentives to visit the district in the bags.
- **Colfax Collaboration participation:** The Colfax Collaborative of the Mayfair Business Improvement District, Bluebird Business Improvement District, Colfax Business Improvement District and West Colfax Business Improvement Districts continues to address areas of common concern. This focus points include adaptive reuse and investment in BRT and streetscape. Although activity on these priorities was somewhat on hold in 2022, we anticipate further work in 2023, especially with the City resuming planning and rules to advance those projects.
- **GO Bond Funding:** The District continues to engage with the City--as possible--- on designs for enhanced crossing and streetscape improvements now combined BRT as bond-funded projects. These \$20 million in funds support our ongoing efforts, as outlined in our Small Area Plan, to improve connectivity and access for multi-modal users in the district.
- **District Communication:** We continue to publish a monthly newsletter, with district updates and information on topics relevant to visitors, business owners and residents. Additionally, we post more frequent social media updates weekly. We mailed an annual newsletter to all business and property owners in the district.

- Streetscape: The District planted a number of additional street trees in the area and we are now installing custom bike racks. We have also increased trash collections in our branded receptacles to better meet demand. In 2023, we are budgeting for the expansion of pedestrian lighting further east from Madison towards Harrison.
- Maintenance: The District has invested in sidewalk cleaning, trash removal, graffiti removals and pedestrian light upkeep. We have purchased replacement parts to upkeep the existing pedestrian lighting.
- District Discount Card: Participating businesses are listed on our website and we continue to partner with the RNOs in the area for distribution.
- District Branding: We continue to create and distribute (including for sale) wearable merchandise with district branding.
- District Events: The District hosted Tasty Colfax and subsidized business participation by paying for supplies for all participating businesses. Boo and Brew will also be hosted in 2022. For both the district supports these with professional events management and communication and outreach. Tasty Colfax sold out and brought hundreds of people to the businesses and area. Finally we are considering adding another event in 2023 focused on the district's music scene.

11. Please provide any documented tangible impacts and performance measures that your BID provides and tracks. For instance this could include trend occupancy rates, business or citizen surveys, crime rates, lease rates, taxable retail sales, number of jobs created, pedestrian/visitor counts, and business license revenues.

Sales Tax Revenues

Sales tax collections are down to comparing Q1-2 2022 to 2021, by 6%. This might be attributable to ongoing labor shortage issues and inflationary impacts on spending. **SEE ATTACHED.**

New Business Openings in 2022 to date

Business openings and closures were minimal in 2022, indicating relative stability in the retail market.

Openings occurring or anticipated in 2022 include:

- Himchuli Indian & Nepali (replacing Annie's Cafe)
- Misfit Ukrainian Restaurant (to replace To the Wind)

Average Rent and Vacancy Rates

BBID began tracking rent rates in 2015. Currently, rates average \$35NNN.

Currently there are 5 commercial spaces with vacancies, representing 6.5% of building square footage within the district. Of this, 4.9% of the total vacant area is from the abandoned motel on Colorado Blvd. Occupancy rates currently stand at over 97% of commercial units excluding the abandoned motel on Colorado, reflecting the strong demand for the district by retailers and replacement of closed businesses like Annie's with Himchuli. Vacancy rates by square foot is effectively 1%. The district has a healthy mix of commercial uses. Retail and restaurants are the top uses, followed by supermarket, automotive services, office space, personal care, gas stations, miscellaneous improvements and a theater.

Crime Statistics

Please **SEE ATTACHED** crime statistics through 2021, showing increases in theft from and of motor vehicles and aggravated assault, but fewer robberies. With crime and homelessness and issue throughout the City we have taken a more active role in preventing encampments, and also plan to advocate for better holistic solutions to homelessness.

Bluebird Business Improvement District

	2022	2022	2022
	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>
NAICS			
445000	24,084.00	21,557.00	25,957.00
722000	70,225.00	77,064.00	94,491.00
All Others	62,979.00	61,672.00	74,637.00
Grand Total	157,288.00	160,293.00	195,085.00

	2021	2021	2021
	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>
NAICS			
445000	22,705	22,214	26,984
722000	56,263	58,780	71,201
All Others	64,995	63,848	85,249
TOTAL	143,963	144,842	183,434

2022	2022	2022	2022	2022	2022	2022
<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>
24,043.00	24,312.00	15,169.00				
95,451.00	82,307.00	51,998.00				
67,533.00	59,477.00	24,346.00				
187,027.00	166,096.00	91,513.00	-	-	-	-

2021	2021	2021	2021	2021	2021	2021
<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>
24,604	25,101	27,581	24,361	23,581	25,521	22,828
76,106	84,526	86,513	86,673	83,628	83,259	89,150
77,966	69,783	72,514	72,374	67,892	77,002	71,951
178,676	179,410	186,608	183,408	175,101	185,782	183,929

2022
Nov

2022
Dec

SEMI-ANNUAL TOTAL

YEAR OVER YEAR COMPARISON

- -

957,302.00

94%

2021
Nov

2021
Dec

21,669

25,326

78,087

82,697

59,211

77,959

158,967

185,982

1,016,933

**Part 1 Crimes
in the Bluebird BID
By Year: 2010-2021**

Crime Type		2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
PART 1 PERSONS	Homicide	0	0	0	0	0	0	0	0	0	0	0	2
	Sexual Assault	4	2	2	3	0	1	5	4	2	3	0	3
	Robbery	5	10	8	4	5	5	5	7	2	4	7	0
	Aggravated Assault	8	13	12	4	1	10	10	3	13	16	6	15
	SUBTOTAL	17	25	22	11	6	16	20	14	17	23	13	20
PART 1 PROPERTY	Burglary	13	20	20	16	7	16	19	22	15	24	20	24
	Larceny	19	24	26	35	26	39	24	32	32	35	44	41
	TFMV	26	38	26	28	16	24	20	25	43	41	34	64
	Auto Theft	18	7	10	12	8	18	14	24	15	17	38	54
	Arson	0	0	0	0	0	0	0	0	0	1	3	0
	SUBTOTAL	76	89	82	91	57	97	77	103	105	118	139	183
GRAND TOTAL		93	114	104	102	63	113	97	117	122	141	152	203

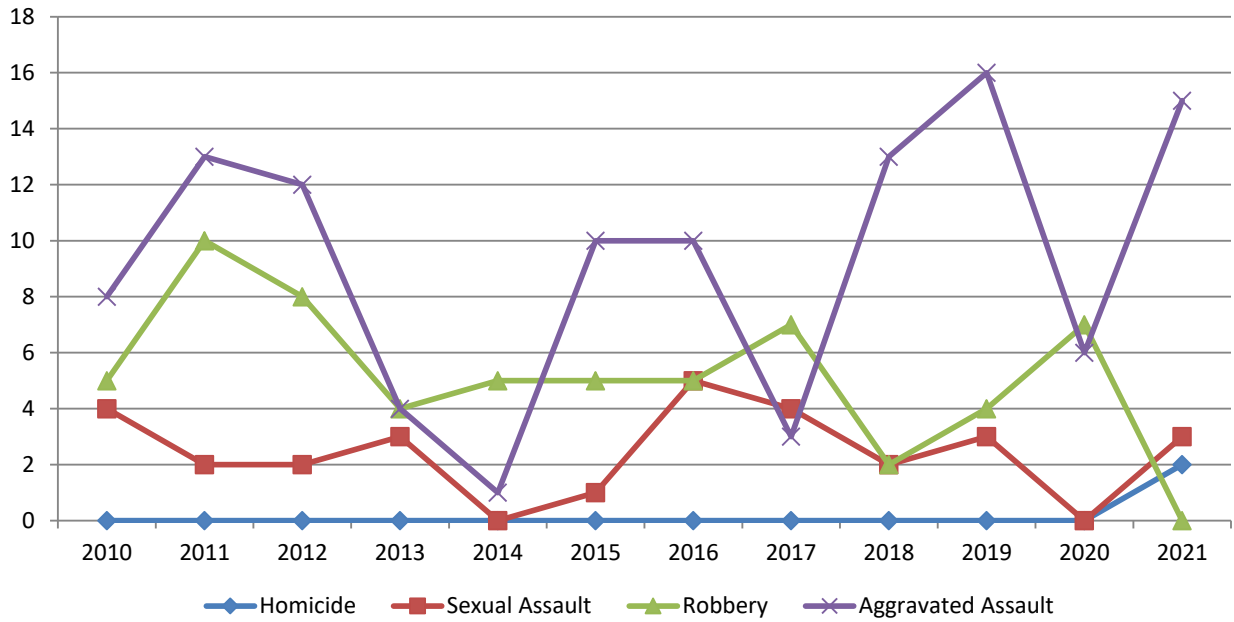
All files utilized in the creation of this report are dynamic. Dynamic files allow additions, deletions and/or modifications at any time, resulting in more complete and accurate records in the databases. Due to continuous data entry after reports are compiled, numbers may vary in previous or subsequent 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 Bluebird BID is from Steele St to Colorado Blvd, 13th Ave to 17th Ave.

**Reported Person Crimes
in the Bluebird BID
By Year: 2010 - 2021**



**Reported Property Crimes
in the Bluebird BID
By Year: 2010 - 2021**

