

# 2019 Operating Plan

## *Bluebird Business Improvement District*

### **2019 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 46 individual property owners and 64 businesses within the 9-block District boundaries, a land area of 478,333 sq. ft. with an assessed valuation of \$10,678,510 as of August 27, 2018. 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 \$106,785.

### **2019 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 guidelines 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. Hundreds of participants visit area businesses to enjoy foods, music and services in the district. The district will employ an event coordinator to increase attendance, visibility and income from events.
- The District has updated its logo and completed a website overhaul.
- The District will continue to use the street improvement designs to guide planned improvements along Colfax Ave.

#### 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, and grates.
- The District will continue to make modest investments in streetscape improvements with capital investments.
- In addition, it plans to continue its work with the Colfax Collaborative to obtain and guide outside funding that supports Small Area Plan recommended improvements to pedestrian and bicycle safety and access to the District and its businesses. This includes proposed crossing enhancements that were prioritized by district stakeholders and we succeed in getting on the ballot for GO bond funding.
- The District will maintain relationships with the Denver Police Department and local community officers. The District will also build on relationships with Public Works to address infrastructure needs related to public safety.
- The District is working with property owners to plant trees.
- The District is in the process of soliciting artists for the fabrication and installation of functional art to enhance district identity and a sense as a place.

### C. Economic & Business Development

- The District Small Area Plan identifies priorities through investment 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 focus on changes to the sign code, such as through an overlay district, that supports Colfax's unique character as Denver's historic Main Street, working collaboratively with other Colfax business districts and business owners.
- 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 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 Public Works on BRT planning initiatives.
- The District is engaged with the Denveright planning work and will continue to participate in focus groups and sessions to advocate for business and property owner needs and concerns.
- The District will continue to participate in the East Central Neighborhood Planning Initiative as steering committee members.

### 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.

2018 "budget to actual" Financial Report and 2019 Proposed Budget

		2017 Actuals	2018 Projected Actuals	2018 Approved Budget	2019 Proposed Budget
<b>Beginning Funds Available</b>		\$52,024	\$63,583	\$58,926	\$76,655
<b>REVENUE</b>					
Property Taxes		\$87,970	\$106,132	\$ 106,132	\$ 106,552
Ownership Taxes		\$6,861	\$5,400	\$ 5,400	\$ 5,400
PS You Are Here		\$440	\$0	\$ -	\$ -
Other Income ( events)		\$11,802	\$16,000	\$ 18,000	\$ 16,000
Interest income		\$186			
<b>TOTAL REVENUE</b>		<b>\$107,259</b>	<b>\$127,532</b>	<b>\$ 129,532</b>	<b>\$ 127,952</b>
<b>EXPENSES</b>					
<b>Administration/Economic Develmt</b>					
Bookkeeping		\$2,400	\$2,400	\$ 2,400	\$ 2,400
Operations					
Director (at 50% ED)		\$ 12,000	\$15,408	\$ 15,408	\$ 15,855
Insurance		\$1,912	\$1,010	\$ 1,675	\$ 1,675
Legal		\$7,200	\$7,704	\$ 7,704	\$ 7,927
Accounting/Audit		\$500	\$ 600	\$ 700	\$ 700
Memberships		\$415	\$449	\$ 560	\$ 500
Advisory Services Consulting (at 70% ED)		\$ 13,560	\$14,509	\$ 14,509	\$ 14,930
Computer and Internet/Office		\$881	\$720	\$ 1,000	\$ 1,000

Legal Advertising	\$ 110	\$ 250	\$ 250	\$ 250
Placemaking design& services (at 100% ED)	\$ 2,816	\$0	\$ 3,000	\$ 3,000
Rent	\$0	\$1,200	\$ -	\$ 1,200
-ECON DEVOPMT SUBTOTAL	\$ 18,308	\$ 17,860	\$ 20,860	\$ 21,378
<b>ADMINISTN/ECON DEVOL TOTAL</b>	<b>\$41,794</b>	<b>\$44,250</b>	<b>\$ 47,206</b>	<b>\$ 49,437</b>
<b>CAPITAL IMPROVEMENTS</b>				
Capitla Improvements	\$ 18,337	\$32,850	\$ 40,026	\$ 36,585
<b>TOTAL CAPTIAL IMPROVEMENTS</b>	<b>\$ 18,337</b>	<b>\$32,850</b>	<b>\$ 40,026</b>	<b>\$ 36,585</b>
<b>Maintenance</b>				
Streetscape	\$6,019	\$ 12,600	\$ 9,650	\$ 16,380
Utilities	\$1,217	\$1,000	\$ 1,200	\$ 1,200
<b>MAINTANCE TOTAL</b>	<b>\$7,236</b>	<b>\$13,600</b>	<b>\$ 10,850</b>	<b>\$ 17,580</b>
<b>MARKETING</b>				
Advertising/PR/Communications	\$2,400	\$4,000	\$ 4,000	\$ 4,000
Website	\$4,995	\$500	\$ 1,200	\$ -
Meals/Entertainment	\$870	\$1,250	\$ 1,250	\$ 1,250
Printing/Office Supplies	\$182	\$ 10	\$ -	\$ 100
Events	\$20,256	\$18,000	\$ 25,000	\$ 18,000
Computer	\$881	\$ -	\$ -	\$ 1,000
<b>MARKETING TOTAL</b>	<b>\$29,584</b>	<b>\$23,760</b>	<b>\$ 31,450</b>	<b>\$ 24,350</b>
<b>FUND TRANSFERS</b>				

TABOR 3% Reserve	\$	-	\$	-	\$	-	\$	-
Capital Reserve Fund	\$	-	\$	-	\$	-	\$	-
<b>TOTAL FUND TRANSFERS</b>	\$	-	\$	-	\$	-	\$	-
<b>TOTAL EXPENSES</b>		<b>\$96,951</b>		<b>\$114,460</b>	<b>\$</b>	<b>129,532</b>	<b>\$</b>	<b>127,952</b>
<b>NETCHANGE IN FUNDS AVAILABLE</b>		<b>\$10,308</b>		<b>\$13,072</b>		<b>\$0</b>		<b>\$0</b>
<b>ENDING FUNDS AVAILABLE</b>		<b>\$63,583</b>		<b>\$76,655</b>		<b>\$58,926</b>	<b>\$0</b>	<b>\$76,655</b>

Notes:

Mill Levy shown net of collection fee

2016-18 Milly Levy: 10 mills

# Operating Plan & Budget

## Supporting Material Table of Contents

1. 2018 Year to date “budget to actual” financial reports
2. Any materials departures from the 2018 Operating Plan, and an explanation
3. A copy of your Public Notice publication for the 2019 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 2018
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 2018 (and planning for in 2019);
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. 2018 Year to date “budget to actual” financial reports. Please see 2019 with this budget to actual report.



2. Any material departures from the 2018 Operating Plan, and an explanation.

BBID had no material departures from the 2018 Operating Plan.

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3. A copy of your Public Notice publication for the 2019 Budget, FORTHCOMING, will be sent separately.

**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 27, 2018

Nicole Maestas  
Signature

Subscribed and sworn to before me this 27 day of September, 2018.

Marlene Orozco  
Notary Public

MARLENE OROZCO  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20024004414  
MY COMMISSION EXPIRES 2/10/2019

(SEAL)

**NOTICE AS TO PROPOSED BUDGET**

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2019, 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 at **10:30 a.m. on Tuesday, October 16th, 2018, at 3121 E. Colfax Ave, Denver, Colorado.**

Copies of such proposed budget for fiscal year 2019 are available for inspection by the public at the offices of the District, 3121 E. Colfax Ave, Denver, Colorado, and at [www.bluebirddistrict.org](http://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 2019, file or register any objections thereto.

Dated September 19, 2018

BLUEBIRD BUSINESS IMPROVEMENT DISTRICT

By: /s/ Tom Sechrist, Secretary/Treasurer

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, 2017

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, 2017 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 31, 2018

Bluebird Business Improvement District  
Balance Sheet - Governmental Fund  
December 31, 2017  
See Accountant's Compilation Report

	<u>General Fund</u>	<u>Total All Funds</u>
<b>Assets</b>		
<b>Current assets</b>		
Cash in checking	\$ 75,128	\$ 75,128
Cash with County Treasurer	477	477
Prepaid Insurance	2,019	2,019
Other receivable	310	310
Taxes receivable	<u>106,552</u>	<u>106,552</u>
	<u>184,486</u>	<u>184,486</u>
<b>Total Assets</b>	<u><u>\$ 184,486</u></u>	<u><u>\$ 184,486</u></u>
<b>Liabilities and Equity</b>		
<b>Current liabilities</b>		
Accounts payable	<u>\$ 14,351</u>	<u>\$ 14,351</u>
	<u>14,351</u>	<u>14,351</u>
<b>Total liabilities</b>	<u>14,351</u>	<u>14,351</u>
<b>Deferred Inflows of resources:</b>		
Deferred property taxes	<u>106,552</u>	<u>106,552</u>
<b>Total Deferred Inflows of Resources</b>	<u>106,552</u>	<u>106,552</u>
<b>Fund Balances:</b>		
<b>Nonspendable:</b>		
Prepays	2,019	2,019
<b>Restricted:</b>		
Emergencies	3,513	3,513
<b>Assigned:</b>		
Capital improvements	41,902	41,902
Unassigned	<u>16,149</u>	<u>16,149</u>
<b>Total Fund Balances</b>	<u>63,583</u>	<u>63,583</u>
	<u><u>\$ 184,486</u></u>	<u><u>\$ 184,486</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, 2017  
General Fund

See Accountant's Compilation Report

	Annual <u>Budget</u>	<u>Actual</u>	Variance Favorable <u>(Unfavorable)</u>
<b>Revenues</b>			
Property taxes	\$ 86,686	88,861	\$ 2,175
Specific ownership taxes	5,400	6,861	1,461
PS You Are Here	-	440	440
Other income	25,000	11,802	(13,198)
Interest income	-	186	186
	<u>117,086</u>	<u>108,150</u>	<u>(8,936)</u>
<b>Expenditures</b>			
Accounting	700	500	200
Treasure's fees	-	891	(891)
Bookkeeping	2,400	2,400	-
Donations	-	500	(500)
Advisory Services Consulting	13,560	13,560	-
Operations director	12,000	12,000	-
Insurance	1,500	1,912	(412)
Legal	7,200	7,200	-
Legal advertising	500	110	390
Membership	500	415	85
Computer	1,452	881	571
Placemaking design & services	5,278	2,816	2,462
Capital improvements	38,146	18,337	19,809
Advertising	3,000	2,400	600
Website	5,000	4,995	5
Events	15,000	20,256	(5,256)
Office supplies	-	182	(182)
Streetscape	9,650	6,019	3,631
Utilities	1,200	1,217	(17)
	<u>117,086</u>	<u>96,591</u>	<u>20,495</u>
Excess (deficiency) of revenues over expenditures	-	11,559	11,559
Fund balance - beginning	<u>47,273</u>	<u>52,024</u>	<u>4,751</u>
Fund balance - ending	<u>\$ 47,273</u>	<u>\$ 63,583</u>	<u>\$ 16,310</u>

6. A copy of the By-laws, if any, in effect in 2018. 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 2017
  - i. Approved September board meeting minutes
  - ii. Approved September financial statements
  - iii. Approved adoption of 2018 budget
  - iv. Approved flat fee of \$4,000 for communication services
  - v. Approved \$8,935 to be used for tree installation
- b. November 2017
  - i. Approved October board meeting minutes
  - ii. Approved October financial statements
- c. December 2017
  - i. Approved November board meeting minutes
  - ii. Approved November financial statements
- d. January 2018
  - i. Approved December board meeting minutes
  - ii. Approved December financials
- e. February 2018
  - i. No presence of a quorum
- f. March 2018
  - i. No meeting
- g. April 2018
  - i. Approved January board meeting minutes
  - ii. Approved February- March financial statements
  - iii. Approved contract for Collaborative events for \$5,000 for both Tasty Colfax and Boo and Brew plus 10% for commission on sponsorships
  - iv. Approved additional trash can emptying by Front Range
  - v. Approved Front Range services not to exceed \$3,380 annually
  - vi. Approved funds, not to exceed \$6,000, annually for additional maintenance for washing the exterior and top of trash cans
- h. May 2018
  - i. No presence of quorum
- i. June 2018
  - i. Approved April board meeting minutes
  - ii. Approved April- May financial statements
- j. July 2018
  - i. Approved June board meeting minutes
  - ii. Approved June financials



- iii. Approved resolution to change the language Copy of Resolution Setting Forth Financial Management Procedures of Bluebird Business Improvement District, items 5.b 1.b, 3.a to set a \$2,500 per transaction limit to credit card.
- k. August 2018
  - i. No meeting
- l. September 2018
  - i. Approved July board meeting minutes
  - ii. Approved July financial statements
  - iii. Approved proposed 2019 budget

**8. Current list of all Board members**

**Don Novak, President**

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

[don@propagandalabs.com](mailto:don@propagandalabs.com)

Term: Appointed June 2013; re-appointed 2016 – term expires May 2020

**Tom Secrist, Treasurer and Secretary**

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

[secristproperties@gmail.com](mailto:secristproperties@gmail.com)

Term: Appointed June 2013; expired May 2014; re-appointed 2014; expires May 2018

**Sean Mandel, Vice President**

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

[seanmandel@gmail.com](mailto:seanmandel@gmail.com)

Term: Appointed June 2013; re-appointed 2016 - term expires May 2020

**Master Sung Hwan “Tiger” Kim**

1480 Steele Street  
Denver, CO 80206  
303--388--1408

[mastertigerkim@gmail.c](mailto:mastertigerkim@gmail.com)

[om](mailto:mastertigerkim@gmail.com)

Term: Appointed June 2013; re-appointed 2016 - term expires May 2020

**Richard “Buzz” Geller**

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

[buzzgeller@paradiselandco.c](mailto:buzzgeller@paradiselandco.com)

[om](mailto:buzzgeller@paradiselandco.com)

Term: Appointed June 2013; term expired May 2014; re-appointed June 2014; term expiring May 2022

**Filing No. 2013-0421-**

**Chris Swank**

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

Term: Appointed May 2016; expires May 2020

**Sean Buchan**

1477 Monroe St.  
Denver, CO 80206  
sean@cerebralbrewing.com

720-810-6562

Term: Appointed November 2017; term expires May 2021

**9. Board members attendance records for the past year (September 2016 to September 2017).**

**October 2017**

Attending directors:, Chris Swank, Don Novak, Tom Secrist and Sean Mandel. Directors not attending: Buzz Geller and Master Kim.

**November 2017**

Attending directors: Buzz Geller, Master Kim, Sean Buchan, and Sean Mandel. Directors not attending: Tom Secrist, Chris Swank and Don Novak.

**December 2017**

Attending directors: Tom Secrist, Chris Swank and Don Novak, and Buzz Geller. Directors not attending: Master Kim, Sean Buchan, and Sean Mandel.

**January 2018**

Attending directors: Tom Secrist, Chris Swank and Don Novak, and Buzz Geller. Directors not attending: Master Kim, Sean Buchan, and Sean Mandel.

**February 2018**

Attending directors: Tom Secrist, Don Novak, and Buzz Geller. Directors not attending: Master Kim, Chris Swank, Sean Mandel and Sean Buchan.

**March 2018**

No meeting held.

**April 2018**

Attending directors: Tom Secrist, Don Novak, Master Kim, Chris Swank, Sean Mandel and Buzz Geller. Directors not attending: Sean Buchan.

**May 2018**

Attending directors: Don Novak, Sean Mandel and Buzz Geller. Directors not attending: Sean Buchan, Tom Secrist, Master Kim, Chris Swank

**June 2018**

Attending directors: Don Novak, Sean Buchan, Tom Secrist and Buzz Geller. Directors not attending: Sean Buchan, Sean Mandel, Master Kim, and Chris Swank.

July 2018

Attending directors: Don Novak, Tom Secrist, Sean Mandel, , Master Kim and Buzz Geller. Directors not attending: Sean Buchan, and Chris Swank.

**August 2018**

No meeting held.

**September 2018**

Attending directors: Don Novak, Tom Secrist, Master Kim and Buzz Geller. Directors not attending: Sean Buchan, Sean Mandel and Chris Swank.

## 10. List of activities and involvement 2018:

- Tasty Colfax: Tickets for the Tasty Colfax sold out, bringing many visitors to area businesses. Tasty Colfax is a restaurant and pub crawl through the eclectic business, entertainment, and arts districts on E Colfax Ave between York and Colorado Blvd. This event features numerous district eateries, showcasing their delectables, ranging from Thai food to the best biscuits in Denver. The extended block party was expanded this year so that it now fuses urban energy with small town community, and includes live street music, fine and urban art all along your favorite main street, Colfax Avenue. Bluebird supported the event through promotions and financial support.
- Boo n' Brew: The District hosts this Halloween neighborhood event. There is facepainting, haunted houses, pumpkin carving, candy, brews for the adults and music. This block party draws out the neighborhood while supporting local businesses.
- Bluebird District Small Area Plan: The Bluebird District Small Area Plan has continued to be invaluable in guiding district initiatives. The plan has proven to be a valuable reference for decision making and prioritization. The District has also used this plan to communicate with Denver right planning initiatives to provide a nuanced understanding of the District.
- Colfax Collaboration participation: The Colfax Collaborative is the convening of the Mayfair Business Improvement District, Bluebird Business Improvement District, Colfax Business Improvement District and West Colfax Business Improvement Districts. These entities are working together to find ways to collaborate and improve their districts given that they face common issues and concerns. Through this group the BBID has participated in the CIP process and GO Bond process with success, set up a group website, built the group outreach and fostered efficiencies through shared needs.
- Denver CIP funding: Building off of the District's engineered designs, we are working through the Colfax Collaborative with Denver Public Works use the \$500,000 in funding we helped secure to bring designs for enhanced crossings up to 30%.
- GO Bond Funding: The District continues to engage with the City on designs for enhanced crossings as they are being combined with BRT as bond-funded projects. This includes attending meetings, and significant outreach to stakeholders and councilmembers.. 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.
- Bus Rapid Transit: The City has been working on plans for BRT in our district. This bus will offer faster speed service in upgraded busses and improved stops along Colfax. The plan initially had the route moving through, but not stopping in the district. Area residents, business owners and the BBID advocated for a BRT stop within the district

and public works is working with us to make this happen. The first step will be to improve 15L bus stops.

- **District Newsletter:** A newly enhanced and updated newsletter to businesses and a separate letter to all area stakeholders provides relevant updates on new businesses, business opportunities, events, development and area programs.
- **East Central Neighborhood Planning Initiative:** The District is represented on the steering committee for the East Central NPI. Members are committed to attending steering committee meetings, sharing resources with stakeholders and providing input on the process and outcomes that will impact the District for years to come.
- **Streetscape:** The District is in the process of installing additional trash cans and trees in our continued efforts to enhance the streetscape.
- **Maintenance:** The District has invested in sidewalk cleaning, holiday light installation and pedestrian light upkeep.
- **Public Functional Art:** The District is in the process of developing a functional art project in the district. An example of this may be an artistically designed bench or bike rack.

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.

**District member project input and support.**

1. **Letter of Support: District members were integral** to building strong support for including Colfax funding in the GO Bond package at the end of 2017. They submitted thousands of letters to area council members to voice support for the proposed project funding.
2. **BRT Survey.** With a split at the board level about supporting BRT, the district conducted its own survey of owner perceptions and support for the proposed BRT on East Colfax. We received 19 responses from businesses (and another 8 from the public who visit, work or live in the area) and established that a high percentage of business and property owners who responded to the survey are in support of the project.

**Sales Tax Revenues**

The District began tracking sale tax revenues in July of 2013, following its formation. The comparison between the latest quarterly data available (2018 Q1 to 2018 Q2) is up 5% over the prior year. The revenue increase indicates that more visitors are spending more money in the district. This is also due to the decrease in vacant storefronts and upgrades to existing buildings. **SEE ATTACHED.**

**New Business Openings in 2018 to date**

- Q House
- Machete
- Lula Rose General Store
- Lawrence & Larimer
- Robert Anderson Gallery
- SloHi Bike Co
- Middle Man

Together these represent more than 23 full time jobs.

**Average Rent and Vacancy Rates**

BBID began tracking rent rates in 2015. Currently, rates average \$30NNN.

Occupancy rates currently stand at over 98% of commercial units excluding the abandoned motel on Colorado, reflecting the strong demand for the district by retailers. Occupancy rates by square foot is effectively 0%. 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.

With additional space being brought online to meet retail demand, vacancy rates declined compared to the same period in 2017. This is notwithstanding new development, which absorbing 7000 square feet of new space.

**Crime Statistics**

Please **SEE ATTACHED** crime statistics through 2017. From 2016 to 2017 the district saw a slight increase of in overall reported crimes. The increase is reflected in crimes against property, with a decrease in crimes against persons.



**Bluebird BID Sales Tax Collections**

	<b>2017</b>	<b>2017</b>	<b>2017</b>	<b>2017</b>	<b>2017</b>
	<b><u>Jan</u></b>	<b><u>Feb</u></b>	<b><u>Mar</u></b>	<b><u>Apr</u></b>	<b><u>May</u></b>
<b>Food &amp; Beverage Tax</b>	73,585	73,597	88,493	85,655	85,303
<b>Other Tax</b>	44,427	39,417	48,722	48,745	46,957
<b>TOTAL</b>	<b>118,012</b>	<b>113,014</b>	<b>137,215</b>	<b>134,400</b>	<b>132,260</b>

	<b>2018</b>	<b>2018</b>	<b>2018</b>	<b>2018</b>	<b>2018</b>
	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>
<b>Food &amp; Beverage Tax</b>	74,163	73,056	97,164	93,934	99,714
<b>Other Tax</b>	48,472	37,064	50,808	45,387	39,383
<b>TOTAL</b>	<b>122,635</b>	<b>110,120</b>	<b>147,972</b>	<b>139,321</b>	<b>139,097</b>

**Note:**

Food & Beverage tax is charged on prepared food, this tax is primarily  
 Other tax is sales tax at the general (3.62%) rate.

2017	2017	2017	2017	2017	2017	2017	2017
<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>TOTAL</u>
85,666	82,190	83,301	82,895	85,372	79,670	94,354	1,000,081
48,344	48,572	44,267	52,178	41,930	37,466	45,397	546,422
<b>134,010</b>	<b>130,762</b>	<b>127,568</b>	<b>135,073</b>	<b>127,302</b>	<b>117,136</b>	<b>139,751</b>	<b>1,546,503</b>

2018	2018	2018	2018	2018	2018	2018	2018
<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>TOTAL</u>
97,739	97,161						632,931
46,453	44,586						312,153
<b>144,192</b>	<b>141,747</b>	-	-	-	-	-	<b>945,084</b>

y remitted by restaurants.

pro rata 2018 \$1,620,144  
increase 5%

**Part 1 Crimes  
in the Bluebird BID  
By Year: 2010 - 2017**

<b>Crime Type</b>		<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>PART 1 PERSONS</b>	Homicide	0	0	0	0	0	0	0	0
	Sexual Assault	4	2	2	3	0	1	5	4
	Robbery	5	10	8	4	5	5	5	7
	Aggravated Assault	8	13	12	4	1	10	10	3
	<b>SUBTOTAL</b>	17	25	22	11	6	16	20	14
<b>PART 1 PROPERTY</b>	Burglary	13	20	20	16	7	16	19	22
	Larceny	19	24	26	35	26	39	24	32
	TFMV	26	38	26	28	16	24	20	25
	Auto Theft	18	7	10	12	8	18	14	24
	Arson	0	0	0	0	0	0	0	0
	<b>SUBTOTAL</b>	76	89	82	91	57	97	77	103
<b>GRAND TOTAL</b>		93	114	104	102	63	113	97	117

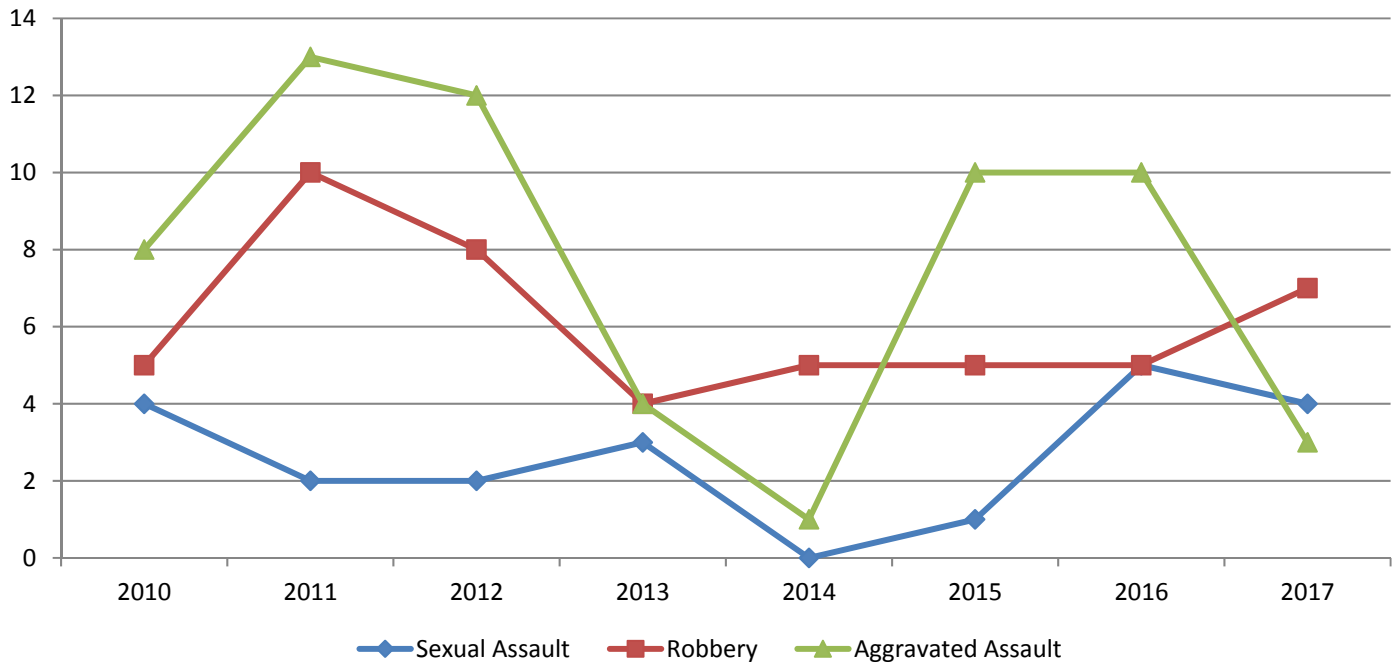
All files utilized in the creation of this report are dynamic. Dynamic files allow additions, deletions and/or modifications at any time, resulting in more complete and accurate records in the databases. Due to continuous data entry after reports are compiled, numbers may vary in previous or subsequent 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 - 2017**



**Reported Property Crimes  
in the Bluebird BID  
By Year: 2010 - 2017**

