



RE: File No. 2016-0184-_____

September 29, 2023

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 2023.

The FPBID Board will hold a Public Hearing on the proposed 2024 Budget and Operating Plan on Friday, October 13, 2023; and will proceed with the certification of property owner assessments prior to December 5th, 2023, pursuant to State Statute (C.R.S. 31-25-1211).

In addition to the 2022 Budget and Operating Plan, also attached are:

1. A copy of the 2023 year-to-date "budget to actual" from March 2023, the last approved financial report by the Board. Once the Board is able to make quorum in October and approves financial reports through August the document will be updated. See note in item 2 regarding Board Appointee delays for further explanation.
2. Notable departures from the 2023 Operating Plan this year related to shifts in business inventory and involvement of BID stakeholders in Board Committees. Initially, the Board started the year with \$41,000 dedicated to new activations in the district that would be produced directly by BID Board and volunteer committees. However, the close of 2022 and start to 2023 saw the closing of a number of businesses along the corridor. With the closures, stakeholders questioned the focus on activations over tending to immediate needs regarding safety and business recruitment.

In response, after holding the multi-weekend event, Jazz Roots, during Black History Month, the Board put a pause on all other events. Because the Jazz Roots event was partially funded through a DOTI Neighborhood Activation Grant the event was already committed and planning well underway. After the event though the Board hosted an in-person stakeholder input meeting to discuss

direction of the BID and desires of not only the property and business owners of the BID but area residents as well.

At the meeting the Board also released a survey for stakeholders to respond to and give input. The survey also asked respondents to consider their priorities in relation to operating budget and then rank priorities based on available resources.

The Board also released a new committee structure for stakeholders to participate in and help guide Board decisions at the Stakeholder Input Meeting. The new committee structure added the Business Engagement Committee and Community Engagement Committee to the existing Marketing Committee. The committees will help develop work plans and eventually aid a new Executive Director in achieving work plan goals.

Also causing some deviation from the 2023 Operating Plan was the delay in getting the appointments for the two open Board seats and re-appointments of three Board Members. The appointments did not make it to City Council for approval prior to the change of Mayoral administrations and the pause on all Board and Commission appointments. City Council is expected to approve the appointments at the October 9, 2023 Council Meeting. Areas where this delay has caused issues are noted below and in the document.

3. The Public Hearing notice-publication is scheduled to run in the October 5th and 12th editions of the Denver Weekly News. The Public Hearing at the October 13, 2023 FPBID Board Meeting will cover 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 2023, to date, Minutes available upon request or at www.fivepointsbid.com.
8. A copy of the current Board of Directors list.
9. The 2023 FPBID Board Member attendance records, to date.
10. A list of activities performed in 2023 and planned for 2024.
11. Direct funding support for homeless outreach services is beyond the FPBID's resource capacity. In 2024 BID personnel and contractors will continue to identify

needs for outreach and inform city agencies and outreach partners of opportunities to provide outreach to those in need.

12. Also attached are cleaning and maintenance records and amenities audits tracked by the BID in 2023, to date as well as a recap of the Jazz Roots Event.

Please contact me at 303.571.8226 if you have questions or require additional information.

Sincerely,



Beth Moyski

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
March 2023

	Actual YTD	Amended Budget YTD	Variance YTD Favorable (Unfavorable)	Amended Budget Annual	Variance Annual Favorable (Unfavorable)
Beginning Fund Balance	\$ 328,097	\$ 210,618	\$ 117,479	\$ 210,618	\$ 117,479
Income and Other Sources					
Mill Levy Income-FPBID	104,630	264,943	(160,313)	264,943	(160,313)
DURA Payments	-	30,000	(30,000)	30,000	(30,000)
Donations	-	-	-	-	-
Other Revenue	30,654	-	30,654	-	30,654
Jazz Activation Grant	10,000	-	10,000	-	10,000
Transfer of funds from 14th Street LMD	-	-	-	-	-
Total Income and Other Sources of Funds	145,284	294,943	(149,659)	294,943	(149,659)
Total Available Resources	\$ 473,381	\$ 505,561	\$ (32,180)	\$ 505,561	\$ (32,180)
Expenditures					
Maintenance	25,069	32,080	7,011	128,320	103,251
Marketing/Branding	5,590	28,884	23,294	115,536	109,946
Administrative	1,617	15,208	13,591	60,830	59,213
Contingency Funds	-	1,250	1,250	5,000	5,000
Total Ongoing Expenditures	32,275	77,422	45,146	309,686	277,411
Capital Purchases	31,366	12,900	(18,466)	51,600	20,235
Small Business Relief Grants	-	-	-	-	-
Total Expenditures	\$ 63,641	\$ 90,322	\$ 26,681	\$ 361,286	\$ 297,645
Ending Fund Balance	\$ 409,740	\$ 415,240	\$ 5,499	\$ 144,275	\$ (265,465)

Five Points Business Improvement District			
FY2023 Budget Projections & Amendments and 2024 Draft Budget			
	2023 Approved Budget	2023 Budget Projections & Amendments	2024 Proposed Budget
Beginning Cash and Fund Balance	\$ 209,618	\$ 228,623	\$ 158,046
Income and Other Sources of Funds			
Net Mill Levy Income	\$ 264,943	\$ 264,943	\$ 311,444
DURA Payments	\$ 30,000	\$ 33,657	\$ 35,244
Jazz Activation Grant	\$ -	\$ 10,000	
Total Income and Sources of Funds	\$ 294,943	\$ 308,600	\$ 346,688
Total Available Resources	\$ 504,561	\$ 537,223	\$ 504,734
Expenditures			
Maintenance			
General Maintenance Contract	\$ 68,270	\$ 68,270	\$ 71,684
Other Maintenance	\$ 2,000	\$ 2,000	\$ 2,000
Plazas Maintenance	\$ 15,000	\$ 15,000	\$ 16,425
Snow Removal	\$ 20,000	\$ 20,000	\$ 20,000
Utilities	\$ 3,500	\$ 3,500	\$ 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	\$ 14,050	\$ 14,050	\$ 17,000
Total Maintenance	\$ 128,320	\$ 128,320	\$ 136,109
Marketing/Branding			
Marketing Administration	\$ 50,000	\$ 52,000	\$ 35,000
Marketing Programs	\$ 5,000	\$ 5,000	\$ -
Events & Activations Grant Fund	\$ 7,500	\$ -	\$ -
Event Sponsorships/District Advertising			
Five Point Jazz Festival Sponsorship	\$ 8,000	\$ 8,000	\$ 10,000
Juneteenth Music Festival Sponsorship	\$ 5,000	\$ 5,000	\$ 5,000
First Friday Jazz Hop Sponsorship	\$ 2,500	\$ 2,500	\$ 2,500
Five Points Atlas Advertising	\$ 3,336	\$ 3,336	\$ -
FPBID Managed Activations			
Holiday Stroll	\$ 10,000	\$ 10,000	\$ 12,500
Jazz Roots (Black History Month Activation)	\$ -	\$ -	\$ 10,000
Small Business Saturday	\$ -	\$ -	\$ 2,500
District Marketing/Placemaking			
Constant Contact Email Service	\$ 600	\$ 540	\$ 600
Website Map & Listings (My City Bikes)	\$ 600	\$ 950	\$ 1,000
Holiday Lighting	\$ 15,000	\$ 15,000	\$ 15,000
Banners - Pedestrian Streetlights	\$ 3,500	\$ 3,500	\$ 3,500
Banners - Xcel Light Poles	\$ 2,500	\$ 2,500	\$ 5,000
Media Blitz Campaign	\$ 2,000	\$ -	\$ -
Total Marketing/Branding	\$ 115,536	\$ 108,326	\$ 102,600
Administrative			
Director	\$ 55,000	\$ 22,000	\$ 80,000
Consulting Fees			\$ 2,500
Accounting Services			\$ 4,000
Bank Charges & Fees	\$ 130	\$ 130	\$ 130
Dues & Memberships	\$ 700	\$ 673	\$ 700
Insurance	\$ 3,000	\$ 3,000	\$ 3,000
Legal Fees	\$ 2,000	\$ 2,000	\$ 2,000
Total Administrative	\$ 60,830	\$ 27,803	\$ 92,330
Contingency Funds	\$ 5,000	\$ 5,000	\$ 5,000
Total Ongoing Expenditures	\$ 309,686	\$ 269,449	\$ 336,039
Capital Expenditures			
Activations 1 time (assess what works and consider for future. See Test Activations Tab)	\$ 41,600	\$ 15,000	\$ -
2024 Test Activations (Yet to be named)	\$ -	\$ -	\$ 25,000
Security Expenditures	\$ 10,000	\$ -	\$ 10,000
Total Capital Expenditures	\$ 51,600	\$ 15,000	\$ 35,000
Reserve Funds			
Gateway signage	\$ -	\$ 30,000	\$ -
Xcel Pole Banner Brackets & Banners	\$ -	\$ 20,000	\$ -
Historical Monument Repairs & Reprint	\$ -	\$ 12,728	\$ -
Pedestrian Streetlight Restoration & Replacement	\$ -	\$ 28,000	\$ -
Holiday Sound System	\$ -	\$ 4,000	\$ -
Tree Pruning	\$ -	\$ -	\$ 4,000
Total Use of Reserve Funds	\$ -	\$ 94,728	\$ 4,000
Total Expenditures	\$ 361,286	\$ 379,177	\$ 375,039
Ending Cash and Fund Balance	\$ 28,041	\$ 158,046	\$ 129,696



NOTICE OF PUBLIC HEARING ON PROPOSED 2024 BUDGET

(To Run in October 5th and 12th Denver Weekly News Editions)

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2024 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://us02web.zoom.us/webinar/register/WN_jFdfA8diRpuxRyORxaBidQ Friday, October 13, 2023 at 10:00 a.m.

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 Vincent Martinez at vmartinez@downtowndenver.com.

A copy of the proposed 2024 budget is available for public inspection on the Five Points BID website (fivepointsbid.com) or at the administrative offices of the Five Points BID c/o Downtown Denver Partnership, 1515 Arapahoe Street, Tower 3, Suite 100, Denver, Colorado. Any interested elector within the District may, at any time prior to final adoption of the 2024 budget, register any objections thereto.

DATED: September 26, 2023.

FIVE POINTS BUSINESS IMPROVEMENT DISTRICT

Vincent Martinez, Assistant Secretary & Administrator
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, CO80202
CONTACT PERSON	Beth Moyski
PHONE	303-571-8210
EMAIL	bmoyski@downtowndenver.com

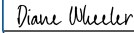
For the Year Ended
12/31/2022
or fiscal year ended:

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
DATE PREPARED	3/28/2023
RELATIONSHIP TO ENTITY	CPA engaged to prepare financial statements for the District

PREPARER (SIGNATURE REQUIRED)

DocuSigned by:  88E7771D1553413						
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.]	<table><tr><td>YES</td><td>NO</td><td rowspan="2">If Yes, date filed:</td></tr><tr><td>☐</td><td>☒</td></tr></table>	YES	NO	If Yes, date filed:	☐	☒
YES	NO	If Yes, date filed:				
☐	☒					

PART 1 - FINANCIAL STATEMENTS - BALANCE SHEET

* Indicate Name of Fund

NOTE: Attach additional sheets as necessary.

		Governmental Funds		Proprietary/Fiduciary Funds		Please use this space to provide explanation of any items on this page	
Line #	Description	General Fund	Fund*	Description	Fund*		Fund*
Assets				Assets			
1-1	Cash & Cash Equivalents	\$ 334,822	\$ -	Cash & Cash Equivalents	\$ -		\$ -
1-2	Investments	\$ -	\$ -	Investments	\$ -		\$ -
1-3	Receivables	\$ -	\$ -	Receivables	\$ -		\$ -
1-4	Due from Other Entities or Funds	\$ 947	\$ -	Due from Other Entities or Funds	\$ -		\$ -
1-5	Property Tax Receivable	\$ 264,943	\$ -	Other Current Assets [specify...]			
	All Other Assets [specify...]				\$ -		\$ -
1-6	Lease Receivable (as Lessor)	\$ -	\$ -	Total Current Assets	\$ -		\$ -
1-7	Prepaid expenses	\$ 3,561	\$ -	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	\$ 604,273	\$ -	(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	\$ 604,273	\$ -	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ -	\$ -	
Liabilities				Liabilities			
1-16	Accounts Payable	\$ 11,233	\$ -	Accounts Payable	\$ -	\$ -	
1-17	Accrued Payroll and Related Liabilities	\$ -	\$ -	Accrued Payroll and Related Liabilities	\$ -	\$ -	
1-18	Unearned Property Tax 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	\$ 11,233	\$ -	(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	\$ 11,233	\$ -	(add lines 1-21 through 1-26) TOTAL LIABILITIES	\$ -	\$ -	
Deferred Inflows of Resources:				Deferred Inflows of Resources			
1-28	Deferred Property Taxes	\$ 264,943	\$ -	Pension/OPEB Related	\$ -	\$ -	
1-29	Lease related (as lessor)	\$ -	\$ -	Other [specify...]	\$ -	\$ -	
1-30	(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS	\$ 264,943	\$ -	(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS	\$ -	\$ -	
Fund Balance				Net Position			
1-31	Nonspendable Prepaid	\$ -	\$ -	Net Investment in Capital Assets	\$ -	\$ -	
1-32	Nonspendable Inventory	\$ -	\$ -				
1-33	Restricted [specify...]	\$ -	\$ -	Emergency Reserves	\$ -	\$ -	
1-34	Committed [specify...]	\$ -	\$ -	Other Designations/Reserves	\$ -	\$ -	
1-35	Assigned [specify...]	\$ -	\$ -	Restricted	\$ -	\$ -	
1-36	Unassigned:	\$ -	\$ -	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	\$ -	\$ -	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	\$ 276,176	\$ -	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	Fund*		Fund*	Fund*	
	Tax Revenue			Tax Revenue			
2-1	Property [include mills levied in Question 10-6]	\$ 291,267	\$ -	Property [include mills levied in Question 10-6]	\$ -	\$ -	
2-2	Specific Ownership	\$ 16,779	\$ -	Specific Ownership	\$ -	\$ -	
2-3	Sales and Use Tax	\$ -	\$ -	Sales and Use Tax	\$ -	\$ -	
2-4	Other Tax Revenue [specify...]:	\$ -	\$ -	Other Tax Revenue [specify...]:	\$ -	\$ -	
2-5	Taxes from DURA	\$ 30,311	\$ -		\$ -	\$ -	
2-6		\$ -	\$ -		\$ -	\$ -	
2-7		\$ -	\$ -		\$ -	\$ -	
2-8	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ 338,357	\$ -	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	\$ -	\$ -	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	\$ -	\$ -	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 [Misc]:	\$ 9,999	\$ -	All Other [specify...]:	\$ -	\$ -	
2-23		\$ -	\$ -		\$ -	\$ -	
2-24	Add lines 2-8 through 2-23 TOTAL REVENUES	\$ 348,356	\$ -	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	\$ 348,356	\$ -	Add lines 2-24 and 2-29 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ -	\$ -	\$ 348,356

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	Fund*		Fund*	Fund*	
	Expenditures			Expenses			
3-1	General Government	\$ 247,505	\$ -	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	\$ 8,848	\$ -	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...]:	\$ -	\$ -	All Other [specify...]:	\$ -	\$ -	
3-21		\$ -	\$ -		\$ -	\$ -	
3-22	Add lines 3-1 through 3-21	\$ 256,353	\$ -	Add lines 3-1 through 3-21	\$ -	\$ -	
	TOTAL EXPENDITURES			TOTAL EXPENSES			
3-23	Interfund Transfers (In)	\$ -	\$ -	Net Interfund Transfers (In) Out	\$ -	\$ -	
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			
	TOTAL TRANSFERS AND OTHER EXPENDITURES	\$ -	\$ -		\$ -	\$ -	
3-30	Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures			Net Increase (Decrease) in Net Position			
	Line 2-29, less line 3-22, less line 3-29	\$ 92,003	\$ -	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			Net Position, January 1 from December 31 prior year report			
		\$ 234,367	\$ -		\$ -	\$ -	
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.	\$ 326,370	\$ -	This total should be the same as line 1-37.	\$ -	\$ -	

GRAND TOTAL

\$ 256,353

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?	☐	☒	
4-2	Is the debt repayment schedule attached? If no, MUST explain:	☐	☒	
4-3	Is the entity current in its debt service payments? If no, MUST explain:	☒	☐	
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
	General obligation bonds	\$ -	\$ -	\$ -
	Revenue bonds	\$ -	\$ -	\$ -
	Notes/Loans	\$ -	\$ -	\$ -
	Lease Liabilities	\$ -	\$ -	\$ -
	Developer Advances	\$ -	\$ -	\$ -
	Other (specify):	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -

*must agree to prior year ending 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.]?	☐	☒	
	How much?	\$ -		
If yes:	Date the debt was authorized:			
4-6	Does the entity intend to issue debt within the next calendar year?	☐	☒	
If yes:	How much?	\$ -		
4-7	Does the entity have debt that has been refinanced that it is still responsible for?	☐	☒	
If yes:	What is the amount outstanding?	\$ -		
4-8	Does the entity have any lease agreements?	☐	☒	
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?	☐	☒	
	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	\$ 334,822		
5-2	Certificates of deposit	\$ -		
	TOTAL CASH DEPOSITS		\$ 334,822	
	Investments (if investment is a mutual fund, please list underlying investments):			
		\$ -		
		\$ -		
5-3		\$ -		
		\$ -		
	TOTAL INVESTMENTS		\$ -	
	TOTAL CASH AND INVESTMENTS		\$ 334,822	

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.?	☒	☐	☐
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:	☒	☐	☐

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?			☒	☐	
6-2	Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.? If no, MUST explain:			☒	☐	
6-3	Complete the following Capital & Right-To-Use Assets table for GOVERNMENTAL FUNDS:					
		Balance - beginning of the year ¹	Additions ²	Deletions	Year-End Balance	
	Land	\$ -	\$ -	\$ -	\$ -	
	Buildings	\$ -	\$ -	\$ -	\$ -	
	Machinery and equipment	\$ -	\$ -	\$ -	\$ -	
	Furniture and fixtures	\$ 137,573	\$ 8,848	\$ -	\$ 146,421	
	Infrastructure	\$ -	\$ -	\$ -	\$ -	
	Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -	
	Leased Right-to-Use Assets	\$ -	\$ -	\$ -	\$ -	
	Intangible Assets	\$ -	\$ -	\$ -	\$ -	
	Other (explain):	\$ -	\$ -	\$ -	\$ -	
	Accumulated Amortization Right to Use Leased Assets (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -	
	Accumulated Depreciation (Enter a negative, or credit, balance)	\$ (49,230)	\$ (28,116)	\$ -	\$ (77,346)	
	TOTAL	\$ 88,343	\$ (19,268)	\$ -	\$ 69,075	
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 Right-to-Use Assets	\$ -	\$ -	\$ -	\$ -	
	Intangible Assets	\$ -	\$ -	\$ -	\$ -	
	Other (explain):	\$ -	\$ -	\$ -	\$ -	
	Accumulated Amortization Right to Use Leased 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?	☐	☒	
7-2	Does the entity have a volunteer firefighters' pension plan?	☐	☒	
If yes:	Who administers the plan?	☐	☒	
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:	☒	☐	☐										
8-2	Did the entity pass an appropriations resolution in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:	☒	☐	☐										
If yes: Please indicate the amount appropriated for each fund separately for the year reported														
<table><tr><th>Governmental/Proprietary Fund Name</th><th>Total Appropriations By Fund</th></tr><tr><td>General Fund</td><td>\$ 355,650</td></tr><tr><td></td><td>\$ -</td></tr><tr><td></td><td>\$ -</td></tr><tr><td></td><td>\$ -</td></tr></table>						Governmental/Proprietary Fund Name	Total Appropriations By Fund	General Fund	\$ 355,650		\$ -		\$ -	
Governmental/Proprietary Fund Name	Total Appropriations By Fund													
General Fund	\$ 355,650													
	\$ -													
	\$ -													
	\$ -													

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)]?	☒	☐	
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.				

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:									
10-2	Has the entity changed its name in the past or current year?	☐	☒						
If Yes: NEW name									
PRIOR name									
10-3	Is the entity a metropolitan district?	☐	☒						
10-4	Please indicate what services the entity provides:								
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:									
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):									
<table><tr><td>Bond Redemption mills</td><td>0.000</td></tr><tr><td>General/Other mills</td><td>10.000</td></tr><tr><td>Total mills</td><td>10.000</td></tr></table>		Bond Redemption mills	0.000	General/Other mills	10.000	Total mills	10.000		
Bond Redemption mills	0.000								
General/Other mills	10.000								
Total mills	10.000								
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	\$	334,822	Unrestricted Fund Balan	\$	-	Total Tax Revenue	\$ 338,357
Current Liabilities	\$	11,233	Total Fund Balance	\$	-	Revenue Paying Debt Service	\$ -
Deferred Inflow	\$	264,943	PY Fund Balance	\$	234,367	Total Revenue	\$ 348,356
			Total Revenue	\$	348,356	Total Debt Service Principal	\$ -
			Total Expenditures	\$	256,353	Total Debt Service Interest	\$ -
			Interfund In	\$	-		
Governmental			Interfund Out	\$	-	Enterprise Funds	
Total Cash & Investments	\$	334,822	- Proprietary			Net Position	\$ -
Transfers In	\$		- Current Assets	\$		PY Net Position	\$ -
Transfers Out	\$		Deferred Outflow	\$		Government-Wide	
Property Tax	\$	291,267	- Current Liabilities	\$		Total Outstanding Debt	\$ -
Debt Service Principal	\$		Deferred Inflow	\$		Authorized but Unissued	\$ -
Total Expenditures	\$	256,353	- Cash & Investments	\$		Year Authorized	1/0/1900
Total Developer Advances	\$		- Principal Expense	\$	-		
Total Developer Repayments	\$						

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.

Print the names of ALL members of the governing body below.

A MAJORITY of the members of the governing body must complete and sign in the column below.

	Full Name	
1	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>[Signature]</u> Date: <u>3/30/2023 6:45:32 AM PDT</u> My term Expires: <u>May 2023</u>
2	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>[Signature]</u> Date: <u>3/30/2023 9:43:34 PM PDT</u> My term Expires: <u>May 2023</u>
3	Paul Books	I, <u>Paul Books</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>[Signature]</u> Date: <u>3/31/2023 12:20:44 PM MDT</u> My term Expires: <u>May 2023</u>
4	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>May 2023</u>
5	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>[Signature]</u> Date: <u>3/31/2023 10:13:35 AM PDT</u> My term Expires: <u>May 2024</u>
6		I, _____, 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: _____
7		I, _____, 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: _____

Certificate Of Completion

Envelope Id: 7CE5AD6E333241529378DBAD9CE8D41A

Status: Sent

Subject: Complete with DocuSign: Application for Exemption From Audit - DRAFT.pdf

Source Envelope:

Document Pages: 9

Signatures: 5

Envelope Originator:

Certificate Pages: 5

Initials: 0

Vince Martinez

AutoNav: Enabled

1515 Arapahoe St.

Envelopeld Stamping: Enabled

Tower 3, Ste 100

Time Zone: (UTC-07:00) Mountain Time (US & Canada)

Denver, CO 80202

vmartinez@downtowndenver.com

IP Address: 174.63.116.83

Record Tracking

Status: Original

Holder: Vince Martinez

Location: DocuSign

3/30/2023 6:42:49 AM

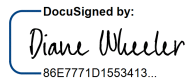
vmartinez@downtowndenver.com

Signer Events

Diane Wheeler

diane@simmonswheeler.com

District Accountant

Security Level: Email, Account Authentication
(None)**Signature**DocuSigned by:

86E7771D1553413...Signature Adoption: Pre-selected Style
Using IP Address: 96.87.58.121**Timestamp**

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Resent: 3/31/2023 11:12:10 AM

Viewed: 3/31/2023 11:16:37 AM

Signed: 3/31/2023 11:16:51 AM

Electronic Record and Signature Disclosure:

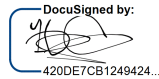
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ID: 11b97c06-1704-4312-ae70-06696aaa6ffe

Haroun Cowans

haroun@goshendevlopment.com

Founder/ President

Security Level: Email, Account Authentication
(None)DocuSigned by:

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Signed using mobile

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Signed: 3/31/2023 11:13:35 AM

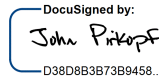
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John Pirkopf

jpirkopf@gmail.com

Security Level: Email, Account Authentication
(None)DocuSigned by:

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Signed using mobile

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Signed: 3/30/2023 10:43:34 PM

Electronic Record and Signature Disclosure:

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ID: 610349eb-1e99-4cd3-af5a-ac0213a8473b

Maedella Stiger

maedellans@yahoo.com

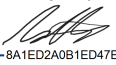
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Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Signer Events	Signature	Timestamp
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Paul Books pbooks@palisadepartners.com President Palisade Partners Inc Security Level: Email, Account Authentication (None)	DocuSigned by:  6CF2D6DDCC7B45E... Signature Adoption: Pre-selected Style Using IP Address: 69.139.44.0 Signed using mobile	Sent: 3/30/2023 6:57:25 AM Resent: 3/31/2023 11:12:11 AM Viewed: 3/31/2023 12:20:26 PM Signed: 3/31/2023 12:20:44 PM
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Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
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Signing Complete	Security Checked	3/31/2023 12:20:44 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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

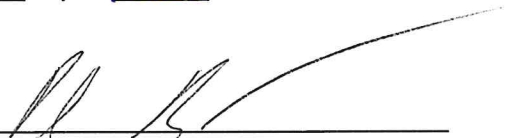
Indemnification

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.

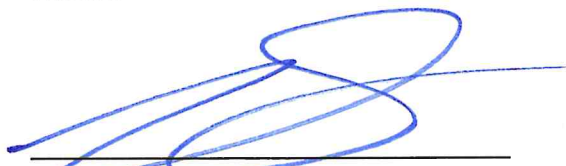
Section 3. The indemnification provided in this article does not constitute a waiver, either partial or complete, of any immunities or limitations on judgments provided by law with respect to the Five Points BID or its directors, officers, employees, or agents.

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 exists to strengthen and enhance the efforts of business and property owners who live, work in, or contribute to the Historic Five Points neighborhood of Denver. Our District Board's mission is to positively influence financial accountability and cultural responsibility as the area undergoes redevelopment and growth. The Five Points Business Improvement District will hold true to the best values of the past, embrace inclusive opportunities of the present and look forward to a vibrant future.

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.



2023 Board Actions – to Date. (Note: copies of the Minutes are available via www.fivepointsbid.com or upon request):

January 2023:

- Approved new slate of Board Officers and Board resignations of Past President, Ryan Cobbins, and Co-Vice Chair, LaSheita Sayer. New President: Haroun Cowans, New Co-Vice Chair, Paul Books.
- Approved October 12 & November 9, 2022 Board Meeting Minutes. December Board Meeting was cancelled due to lack of Quorum.
- Approved the September, October and November 2022 Financial Reports.
- Ratification of December email votes in lieu of meeting:
 - Certification of Final Mill Levy rate of 10 mills confirming assessment revenue of \$264,943
 - Hold Next Board Meeting on January 11, 2023
 - Renew Administration and MarCom Agreements with the DDP
 - Accept DDP's recommendation to subcontract with ZoZo Group for MarCom services
- Motion and approval to set the regular Board Meetings on every second Wednesday of the month from 10:00 to 11:30 AM by Zoom, for the time being and post meeting notice on website and at monument in the Five Points Intersection Plaza.
- Motion and approval to accept maintenance agreement with Consolidated Services Group (CSG) for custodial, maintenance and snow removal services in the BID.

February 2023:

- Held special Stakeholder Input Meeting to reevaluate 2023 work plan based on recent business closures. No formal Board action taken at the meeting.
- Approved adding President Haroun Cowans as bank signer.
- Motion and approval of the December 2022 Financial Report.
- Motion and approval to approve renewal of contract for tree health services with Mountain High SavATree.

March 2023:

- Approved the January 11 and February 8, 2023 Board Meeting Minutes.
- Motion and approval of the January 2023 Financial Report.

April 2023:

- Approved the March 8, 2023 Board Meeting Minutes.
- Motion and approval of the February 2023 Financial Report.
- Motion and approval to ratify the online vote in favor of submitting the 2022 Audit Exemption Application

May 2023:

- Approval of the April 12, 2023 Board Meeting Minutes.
- Motion and approval of the March 2023 Financial Reports.

June 2022:

- No Board Meeting; No official Board actions taken in June.

July 2023:

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

August 2023:

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

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	
Board President: Haroun Cowans, Founder & President Goshen Development Representing: Agave Shore 1881 16 th Street Denver, CO 80202 haroun@goshendevelopment.com 720.394.2341 1 st Term Expires: June 20, 2024	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 2 nd Term Expires: June 20, 2024
Board Co-Vice-President: Maedella Stiger, Property Owner 2755 Welton Street Denver, CO 80205 maedellans@yahoo.com 303.295.9055 3 rd Term Expires: June 12, 2027	Board Treasurer: Nathan Beal St. Bernard Properties 3021 E. 7 th Avenue Denver, CO 80206 stbernardproperties@gmail.com 303.667.2801 3 rd Term Expires: June 12, 2027
Board Members	
John Pirkopf, Property Owner 2649 Champa Street Denver, CO 80205 jpirkopf@gmail.com 303.219.0044 3 rd Term Expires: June 12, 2027	Vacant 1 st Term Expires: June 20, 2024
Vacant 1 st Term Expires: June 20, 2024	



2021 FPBID Board of Directors board meeting attendance:

Present = **P**

Absent = **A**

Board Member	10/12/22	11/9/21	12/7/21*	1/11/23	2/8/23	3/8/23	4/12/23	5/10/23	6/7/23*	7/12/23 No Quorum	8/9/23*	9/26/23 No Quorum
Ryan Cobbins^	P	P										
LaSheita Sayer^	P	P										
Maedella Stiger	P	A		A	A	P	P	P		A		
Nathan Beal	P	P		A	P	P	P	A		A		
Paul Brooks	P	P		P	P	A	P	P		P		P
Haroun Cowans	P	P		P	P	P	P	P		A		P
John Pirkopf	P	P		P	P	P	P	P		P		

Board Member	10/13/23	11/7/23	12/12/23
Haroun Cowans			
Paul Brooks			
Maedella Stiger			
Nathan Beal			
Fathima Dickerson'			
John Pirkopf			
Nina Rupp'			

Notes:

^Resigned Board Position 01.01.2023

*Meeting Cancelled

'Expected to be officially approved at October 9, 2023 City Council Meeting

List of Activities for October 2022 – September 2023:

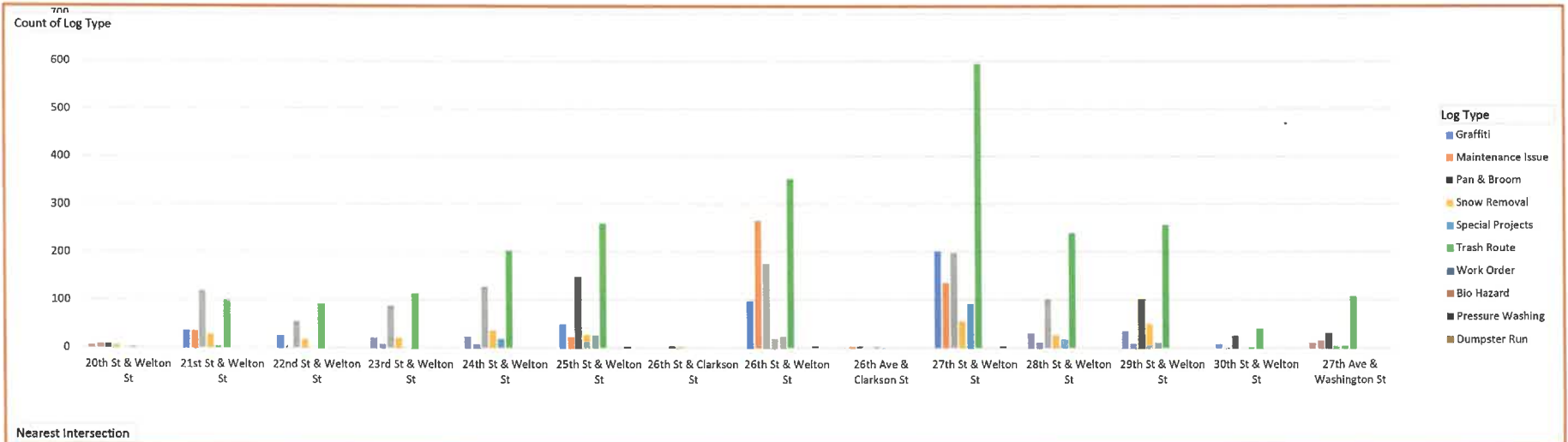
- Continued to coordinate with City of Denver Department of Transportation and Infrastructure (DOTI) on final install of intersection improvements in 2600 – 2800 blocks of Welton and the new pedestrian plaza at the Five Points Intersection. Opened in August, official kickoff planned for October First Friday.
- Held Public Hearing to receive input on proposed 2023 Budget Amendment and 2024 Budget.
- Held Wakanda on Welton week-long event to celebrate release of Black Panther: Wakanda Forever with tribute movie props and selfie opportunities throughout district.
- Applied for DOTI Neighborhood Activation Grant to support several activations throughout 2024. Received funding for Jazz Roots event during Black History Month.
- Installed (November 2022) and removed corridor holiday lighting and banners (January 2023).
- 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.
- Committed sponsorship funding for Five Points Jazz Festival, Juneteenth Music Festival and First Friday Jazz Hop 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 two new committees, Business Engagement and Community Engagement, to allow stakeholders additional avenues to guide Board decision making process.
- Managed community gathering area, Soul Street on Clarkson by providing set up and shut down services.
- Released position posting for Executive Director. Goal start: late 2023/January 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 back flow preventers on the 2700 block of Welton.
- Support for the various activations conducted by the FPBID for setup and event strikes.
- Planned for remainder of 2023:
 - Public Hearing re: proposed 2024 Operating Plan and Budget, October 13, 2023
 - 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 Stroll December 9th. Proposal for additional elements to enhance day of and month-long experience under consideration by the Board.
 - Coordination with City permitting and desibl Studio for Tier 2 permit necessary for installation of entry sign at 20th and Welton. Engineering site survey is next step, aiming for installation by end of 2023/Q1 of 2024.
 - Printing and installation of banners for the 77 Xcel streetlight poles in the FPBID along the Welton Street Corridor in time for Holiday Stroll.
 - Repair and restore the graphic elements of the historical monuments in Cousins Plaza and the Five Points Intersection Plaza and replace self-guided damaged walking tour plaques.
 - Hold interviews for and name first ever Executive Director of the Five Points Business Improvement District.

FPBID Planned Activities for 2024:

- 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 Soul Street on Clarkson, and troubleshooting 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 Five Points Jazz Festival, Juneteenth Music Festival and First Friday Jazz hop.
- 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



Count of Log Type	Column Labels										
Row Labels	Graffiti	Maintenance Issue	Pan & Broom	Snow Removal	Special Projects	Trash Route	Work Order	Bio Hazard	Pressure Washing	Dumpster Run	Grand Total
20th St & Welton St	6	8	9	6	1	3			1		34
21st St & Welton St	37	36	119	28	4	98			2	1	325
22nd St & Welton St	26	1	55	18	1	91		2	2		196
23rd St & Welton St	21	9	87	21	1	113		1	2		255
24th St & Welton St	24	9	127	37	19	203			1		420
25th St & Welton St	50	24	146	28	26	260		2	3	1	540
26th St & Clarkson St		1	5	3		1					10
26th St & Welton St	97	267	175	21	25	354	1		5		945
26th Ave & Clarkson St	2	5	5		3	2					17
27th St & Welton St	202	136	198	56	91	595			4		1282
28th St & Welton St	30	13	102	27	18	240			2		432
29th St & Welton St	35	10	101	50	11	257		1	2		467
30th St & Welton St	8	2	25		3	41			2		81
27th Ave & Washington St	11	15	31	6	6	107					176
Grand Total	549	536	1185	301	209	2365	1	6	26	2	5180

JAZZ ROOTS - PROMOTION



Saturday,
February 18
Saturday,
February 25



MEDIA — CHANNEL 7 & KUVO

The screenshot shows the KUVO JAZZ website. The header includes the KUVO JAZZ logo (DENVER 89.3 • BRECKENRIDGE 89.7), a play button icon, and a "Now Playing" section featuring "Martha's Prize - Eric Reed". Navigation links include LISTEN, DONATE NOW, PLAYLIST, and GET OASIS E-NEWS. A blue navigation bar contains links for PLAYLIST, COMMUNITY RESOURCES, SHOWS, DISCOVER, EVENTS, SUPPORT, and STATION INFO, along with social media icons. The main content area features a "Jazz Roots in Five Points — Black History Month" event. The event details include: "This event has passed.", "Saturday, February 18" and "Saturday, February 25", "Date: February 18", "Time: 1:00 pm - 6:00 pm", and "Venue: Five Points Denver, 2401-2736 Welton St, Denver, CO 80205 + Google Map". A photo of three people dancing is shown, along with the "Jazz roots IN FIVE POINTS" logo. The text "Jazz music. Jazz dance. Jazz history." is at the bottom of the event section.

KUVO JAZZ
DENVER 89.3 • BRECKENRIDGE 89.7

Now Playing: Martha's Prize - Eric Reed

[LISTEN](#) [DONATE NOW](#)
[PLAYLIST](#) [GET OASIS E-NEWS](#)

[PLAYLIST](#) [COMMUNITY RESOURCES](#) [SHOWS](#) [DISCOVER](#) [EVENTS](#) [SUPPORT](#) [STATION INFO](#)

[f](#) [t](#) [i](#) [v](#) [m](#)

[All Events](#)

Jazz Roots in Five Points — Black History Month

This event has passed.

Details

Date: February 18
Time: 1:00 pm - 6:00 pm

Venue
[Five Points Denver](#)
2401-2736 Welton St
Denver, CO 80205 + [Google Map](#)

Jazz music. Jazz dance. Jazz history.

5. Explore the history of Jazz in Denver's Five Points neighborhood during the Jazz Roots music festival

Explore the history of Jazz music in Denver's Five Points neighborhood and its connection to some of the genre's most notable musicians and singers. The event is free and open the public. [More info. here.](#)

