



DENVER

Michael C. Johnston
Mayor

DEPARTMENT OF FINANCE

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Denver, CO 80202
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August 1, 2023

Mr. Nick LeMasters
President & CEO
Cherry Creek North Business Improvement District
299 Milwaukee Street, Suite 201
Denver, CO 80206

Dear Nick,

Filing No.

This letter is to remind you to submit your District's **2024 Operating Plan and Budget (OP&B)** for review and approval as required by State Statute (C.R.S. 31-25-1211) **by September 30, 2023**. Please file a copy of the OP&B with the City Clerk noting the City Clerk file number (i.e. **Filing No. 89-909-__**), so that the Clerk can then fill in the blank with the current extension letter. Also, please send an electronic copy to Michael.Kerrigan@denvergov.org and if mailed, to the same address above.

The City then has until December 5th to review and approve such items. If an OP&B is not submitted by the required date, your District is at risk of not receiving funds for 2024. In order for the Denver City Council to approve your District's OP&B for 2024 in accordance with the aforementioned State Statute, and in order to properly assess whether the OP&B is operating within the formal authority granted to the BID, City Council has requested the following items be provided on an annual basis:

1. 2023 year-to-date "budget to actual" financial reports, including projected 2023 year-end results.
2. Any material departures from the 2023 Operating Plan, and an explanation.
3. A copy of your District's Public Notice publication for the 2024 Budget (and, if necessary, 2023 Budget Amendment) public hearing
 - a. The City prefers BIDs to complete their public hearings prior to OP&B submission to the City. If the District cannot achieve this deadline, the District's public hearing should be held no later than November 1st.
4. The status of any planned or outstanding indebtedness.
5. The results of any audits or audit exemption application conducted during the year.
6. A copy of the By-laws, if any, in effect during 2023.
7. A list of official board actions (motions) in the past year, which may be copies of Board meeting minutes.
8. Current list of all Board members including name, address, phone, fax and email as well as term appointment and expiration date.
9. Board members' attendance records for the past year.
10. A list of activities performed to date in 2023 and planned for the remainder of 2023 and 2024.
11. Efforts the District has partaken in during 2023 or plans to partake in during 2024 to aide in homelessness resolution, if any.
12. Please provide readily available documentation of tangible impacts and performance measures that your District 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.
13. Any additional information that may be beneficial for the City Council budget approval process.

Please do not hesitate to contact me at 720-913-5550 if you have any questions or require additional information.

Sincerely,

Michael Kerrigan
Special Districts and Finance Administrator



LETTER OF SUBMITTAL

CHERRY CREEK NORTH

September 29, 2023

To: **Paul D. Lopez, City Clerk and Recorder**
City and County of Denver
201 West Colfax Avenue, Dept. 101
Denver, CO 80202

Dear Mr. Lopez,

Enclosed please find the 2024 Budget and Operating Plan for Cherry Creek North Business Improvement District No. 1. If you have any questions or need additional information, please feel free to contact me.

Respectfully,



Nick LeMasters | President & CEO
Cherry Creek North BID
2401 E. 2nd Ave, Suite 150 | Denver, CO 80206
Ph: 303.394.2904
Nick@cherrycreeknorth.com
www.cherrycreeknorth.com

Enclosures

CC: Michael Kerrigan, Senior Financial Management Analyst
Thuy Dam, CliftonLarsonAllen

**2023 YEAR TO DATE
“BUDGET TO ACTUAL”
FINANCIAL REPORTS
INCLUDING
PROJECTED 2023
YEAR END BUDGET**

Cherry Creek North Business Improvement District
BALANCE SHEET - GOVERNMENTAL FUNDS
August 31, 2023

	General Fund	Debt Service	All Funds
ASSETS			
Cash	\$ 299,577.82	\$ 0.00	\$ 299,577.82
Investments - Colotrust	1,936,003.47	1,422,854.72	3,358,858.19
Investments - 1st Bank	157,707.47	4.05	157,711.52
Investments - Alpine Bank	766,522.44	0.00	766,522.44
Receivable from County Treasurer	50,032.03	5,648.12	55,680.15
	<hr/>	<hr/>	<hr/>
TOTAL ASSETS	<u>\$ 3,209,843.23</u>	<u>\$ 1,428,506.89</u>	<u>\$ 4,638,350.12</u>
LIABILITIES AND FUND BALANCES			
LIABILITIES			
Accounts Payable	\$ 291,976.45	\$ 0.00	\$ 291,976.45
Unemployment Payable	355.09	0.00	355.09
Deferred Comp-Employee Contr	10,817.26	0.00	10,817.26
Deferred Comp-Employer Contr	8,488.71	0.00	8,488.71
Accrued PTO	70,644.17	0.00	70,644.17
Total liabilities	<hr/> 382,281.68	<hr/> 0.00	<hr/> 382,281.68
FUND BALANCES			
Fund Balance	2,077,561.55	1,428,506.89	3,506,068.44
Board-designated ending fund balance	750,000.00	0.00	750,000.00
Total fund balance	<hr/> 2,827,561.55	<hr/> 1,428,506.89	<hr/> 4,256,068.44
TOTAL LIABILITIES AND FUND BALANCES	<u>\$ 3,209,843.23</u>	<u>\$ 1,428,506.89</u>	<u>\$ 4,638,350.12</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Cherry Creek North Business Improvement District
 STATEMENT OF REVENUE, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
 FOR THE MONTH ENDED August 31, 2023

	Current Month			Year to Date			Year To Date	Annual	
	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance	%	Reforecasted Budget	Original Budget
REVENUE									
Property Taxes	\$ 21,492.04	\$ 1,209.74	20,282.30	\$ 5,192,399.96	\$ 5,229,395.16	(36,995.20)	(0.71) %	\$ 5,230,746.00	\$ 5,230,746.00
Specific Ownership Taxes	28,001.25	27,333.00	668.25	220,364.00	218,664.00	1,700.00	0.78 %	328,000.00	328,000.00
Interest Income	15,370.35	7,333.33	8,037.02	74,498.89	58,666.64	15,832.25	26.99 %	88,000.00	16,000.00
Reimbursed expenditures	0.00	0.00	0.00	27,380.84	27,381.00	(0.16)	(0.00) %	27,381.00	20,000.00
Events income	(5,000.00)	0.00	(5,000.00)	8,421.80	10,922.00	(2,500.20)	(22.89) %	15,000.00	0.00
Sponsorship Income	0.00	0.00	0.00	5,000.00	5,000.00	0.00	0.00 %	40,000.00	40,000.00
Hotel Tourism Fee	0.00	42,000.00	(42,000.00)	0.00	42,000.00	(42,000.00)	(100.00) %	210,000.00	0.00
Total revenue	<u>59,863.64</u>	<u>77,876.07</u>	<u>(18,012.43)</u>	<u>5,528,065.49</u>	<u>5,592,028.80</u>	<u>(63,963.31)</u>	<u>(1.14) %</u>	<u>5,939,127.00</u>	<u>5,634,746.00</u>
EXPENDITURES									
Administration	75,067.11	71,860.66	3,206.45	672,531.13	661,458.83	11,072.30	1.67 %	943,012.00	911,455.00
Marketing and Communications	77,647.21	170,644.71	(92,997.50)	904,183.00	921,561.93	(17,378.93)	(1.89) %	1,653,455.00	1,578,000.00
Operations	322,168.91	371,687.03	(49,518.12)	2,442,661.29	2,484,758.45	(42,097.16)	(1.69) %	3,676,873.00	3,548,430.00
Total expenditures	<u>474,883.23</u>	<u>614,192.40</u>	<u>(139,309.17)</u>	<u>4,019,375.42</u>	<u>4,067,779.21</u>	<u>(48,403.79)</u>	<u>(1.19) %</u>	<u>6,273,340.00</u>	<u>6,037,885.00</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	(415,019.59)	(536,316.33)	121,296.74	1,508,690.07	1,524,249.59	(15,559.52)	(1.02) %	(334,213.00)	(403,139.00)
OTHER FINANCING SOURCES (USES)									
Total other financing sources (uses)	\$ 0.00	\$ 0.00	0.00	\$ 0.00	\$ 0.00	0.00	0.00 %	\$ 0.00	\$ 0.00
EXCESS OF REVENUE & OTHER FINANCING SOURCES OVER EXPENDITURES & OTHER USES	(415,019.59)	(536,316.33)	121,296.74	1,508,690.07	1,524,249.59	(15,559.52)	(1.02) %	(334,213.00)	(403,139.00)
FUND BALANCE - BEGINNING				1,318,871.48	1,318,872.00	(0.52)	(0.00) %	1,318,872.00	1,182,256.00
FUND BALANCE - ENDING				<u>\$ 2,827,561.55</u>	<u>\$ 2,843,121.59</u>	<u>(15,560.04)</u>	<u>(0.55) %</u>	<u>\$ 984,659.00</u>	<u>\$ 779,117.00</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Cherry Creek North Business Improvement District
 STATEMENT OF REVENUE, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
 FOR THE MONTH ENDED August 31, 2023

EXPENDITURE DETAILS

	Current Month			Year to Date			Variance %	Annual	
	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance		Reforecasted Budget	Original Budget
	Administration								
Internal Office									
Bank Charges	\$ 0.00	\$ 20.00	20.00	\$ 27.55	\$ 67.55	40.00	59.22 %	\$ 148.00	\$ 1,470.00
Partnership Expense	0.00	0.00	0.00	2,010.35	2,010.35	0.00	0.00 %	3,261.00	5,000.00
Travel and Entertainment	658.36	500.00	(158.36)	2,089.97	2,208.60	118.63	5.37 %	4,082.00	6,000.00
Office operations	570.73	700.00	129.27	7,292.25	6,917.03	(375.22)	(5.42) %	12,718.00	17,400.00
Technology Expense	10,120.00	10,920.00	800.00	44,479.61	46,143.57	1,663.96	3.61 %	89,175.00	73,457.00
District Insurance	0.00	0.00	0.00	69,381.00	69,381.00	0.00	0.00 %	69,881.00	72,869.00
Memberships	0.00	775.00	775.00	29,690.50	30,465.50	775.00	2.54 %	32,765.00	23,087.00
Board and committee meeting expenses	595.91	300.00	(295.91)	2,254.30	1,821.58	(432.72)	(23.76) %	7,622.00	9,800.00
Education/travel expenses/seminars	1,032.00	4,700.00	3,668.00	3,911.48	7,882.48	3,971.00	50.38 %	8,683.00	14,000.00
Community organization support	540.32	6,800.00	6,259.68	31,327.82	26,087.50	(5,240.32)	(20.09) %	38,900.00	31,625.00
Occupancy costs	29,448.54	15,800.00	(13,648.54)	141,991.86	131,549.14	(10,442.72)	(7.94) %	199,849.00	197,540.00
County Treasurer's Fee	222.53	11.66	(210.87)	51,977.11	52,198.52	221.41	0.42 %	52,307.00	52,307.00
Total Internal Office	43,188.39	40,526.66	(2,661.73)	386,433.80	376,732.82	(9,700.98)	(2.58) %	519,391.00	504,555.00
Administration - Professional Services									
Accounting & payroll	10,368.16	10,833.00	464.84	84,219.22	86,430.51	2,211.29	2.56 %	130,000.00	130,000.00
Audit	0.00	0.00	0.00	8,800.00	8,800.00	0.00	0.00 %	8,800.00	8,500.00
Legal Services	3,454.50	1,000.00	(2,454.50)	24,975.00	19,986.50	(4,988.50)	(24.96) %	24,000.00	24,000.00
HR & Strategic planning	0.00	50.00	50.00	10,211.00	10,261.00	50.00	0.49 %	14,266.00	13,500.00
Total Administration - Professional Services	13,822.66	11,883.00	(1,939.66)	128,205.22	125,478.01	(2,727.21)	(2.17) %	177,066.00	176,000.00
Administration - Benefits/Salaries/Taxes									
Admin - Employee salaries	16,196.28	16,196.00	(0.28)	129,570.24	129,568.00	(2.24)	(0.00) %	194,352.00	184,200.00
Admin - Employee accrued PTO	(93.44)	0.00	93.44	3,418.80	3,700.00	281.20	7.60 %	3,700.00	3,300.00
Admin - Employee taxes	270.26	280.00	9.74	2,162.04	2,180.00	17.96	0.82 %	3,300.00	3,300.00
Admin - Employee benefits	1,682.96	2,975.00	1,292.04	22,741.03	23,800.00	1,058.97	4.45 %	45,203.00	40,100.00
Total Administration - Benefits/Salaries/Taxes	18,056.06	19,451.00	1,394.94	157,892.11	159,248.00	1,355.89	0.85 %	246,555.00	230,900.00
Total expenditures	\$ 75,067.11	\$ 71,860.66	(3,206.45)	\$ 672,531.13	\$ 661,458.83	(11,072.30)	(1.67) %	\$ 943,012.00	\$ 911,455.00

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Cherry Creek North Business Improvement District
 STATEMENT OF REVENUE, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
 FOR THE MONTH ENDED August 31, 2023

EXPENDITURE DETAILS

	Current Month			Year to Date			Variance %	Annual	
	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance		Reforecasted Budget	Original Budget
Marketing and Communications									
Marketing									
Event Production	1,401.50	12,572.00	11,170.50	46,714.70	45,324.67	(1,390.03)	(3.07) %	46,748.00	36,314.00
3rd Party Event Expense	1,000.00	1,000.00	0.00	2,000.00	2,000.00	0.00	0.00 %	2,000.00	0.00
Merchant Relations	393.09	50.00	(343.09)	2,880.36	2,470.45	(409.91)	(16.59) %	3,271.00	2,120.00
Travel and Entertainment	298.77	2,044.00	1,745.23	4,088.41	3,498.48	(589.93)	(16.86) %	4,912.00	2,544.00
Holiday	0.00	0.00	0.00	260.98	260.98	0.00	0.00 %	65,520.00	58,208.00
Signage & Collateral	26.00	5,000.00	4,974.00	16,527.08	19,782.35	3,255.27	16.46 %	48,978.00	62,651.00
Sponsorship Expense	0.00	0.00	0.00	3.24	0.00	(3.24)	0.00 %	10,000.00	10,000.00
Employee Development	974.55	2,500.00	1,525.45	3,474.55	3,295.00	(179.55)	(5.45) %	3,460.00	0.00
Digital	974.00	6,813.98	5,839.98	17,695.77	22,052.01	4,356.24	19.75 %	35,839.00	47,432.00
Tourism	924.77	27,939.59	27,014.82	51,900.50	56,452.01	4,551.51	8.06 %	96,331.00	122,829.00
Hotel Tourism	281.60	0.00	(281.60)	281.60	0.00	(281.60)	0.00 %	75,000.00	0.00
Public Relations	12,000.00	8,000.00	(4,000.00)	47,292.04	49,265.00	1,972.96	4.00 %	74,015.00	77,000.00
Advertising	11,362.20	54,548.14	43,185.94	349,440.36	347,877.71	(1,562.65)	(0.45) %	567,075.00	542,612.00
Marketing Research	0.00	300.00	300.00	12,720.00	13,020.00	300.00	2.30 %	42,265.00	19,890.00
Total Marketing	29,636.48	120,767.71	91,131.23	555,279.59	565,298.66	10,019.07	1.77 %	1,075,414.00	981,600.00
Marketing - Benefits/Salaries/Taxes									
Marketing - Employee salaries	40,675.04	40,764.00	88.96	284,065.18	282,308.22	(1,756.96)	(0.62) %	445,364.00	462,000.00
Marketing - Employee accrued PTO	(507.33)	0.00	507.33	3,465.55	11,046.00	7,580.45	68.63 %	11,046.00	8,600.00
Marketing - Employee taxes	685.92	713.00	27.08	4,760.43	4,803.65	43.22	0.90 %	7,655.00	8,100.00
Marketing - Employee benefits	7,157.10	8,400.00	1,242.90	56,612.25	58,105.40	1,493.15	2.57 %	113,976.00	117,700.00
Total Marketing - Benefits/Salaries/Taxes	48,010.73	49,877.00	1,866.27	348,903.41	356,263.27	7,359.86	2.07 %	578,041.00	596,400.00
Total expenditures	\$ 77,647.21	\$ 170,644.71	92,997.50	\$ 904,183.00	\$ 921,561.93	17,378.93	1.89 %	\$ 1,653,455.00	\$ 1,578,000.00

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Cherry Creek North Business Improvement District
 STATEMENT OF REVENUE, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
 FOR THE MONTH ENDED August 31, 2023

EXPENDITURE DETAILS

	Current Month			Year to Date			Variance %	Annual	
	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance		Reforecasted Budget	Original Budget
	Operations								
Operations									
Employee Development	\$ 2,884.21	\$ 0.00	(2,884.21)	\$ 2,884.21	\$ 0.00	(2,884.21)	0.00 %	\$ 4,000.00	\$ 0.00
Professional Services	9,000.00	3,000.00	(6,000.00)	28,715.00	23,115.00	(5,600.00)	(24.23) %	39,000.00	60,000.00
Public Safety and Security	69,346.08	71,379.00	2,032.92	475,742.73	498,777.81	23,035.08	4.62 %	780,960.00	780,960.00
Mobility	0.00	8,088.00	8,088.00	18,254.00	13,742.00	(4,512.00)	(32.83) %	44,879.00	10,000.00
Holiday Lights and Decor	110,000.00	104,000.00	(6,000.00)	161,396.50	158,896.50	(2,500.00)	(1.57) %	245,650.00	205,000.00
Travel and Entertainment	254.02	250.00	(4.02)	1,202.28	1,279.12	76.84	6.01 %	2,400.00	2,400.00
Streetscape, Hardscape Maintenance	39,158.13	83,324.00	44,165.87	406,958.28	451,545.25	44,586.97	9.87 %	836,292.00	774,945.00
Snow Removal	0.00	2,800.00	2,800.00	134,935.53	137,735.53	2,800.00	2.03 %	211,736.00	200,000.00
Landscape Repair and Maintenance	57,009.01	64,154.03	7,145.02	367,780.92	366,199.24	(1,581.68)	(0.43) %	522,335.00	532,025.00
Major Projects	0.00	0.00	0.00	549,500.00	550,000.00	500.00	0.09 %	550,000.00	550,000.00
Total Operations	287,651.45	336,995.03	49,343.58	2,147,369.45	2,201,290.45	53,921.00	2.45 %	3,237,252.00	3,115,330.00
Operations - Benefits/Salaries/Taxes									
Operations - Employee salaries	28,883.34	28,972.00	88.66	231,066.72	231,242.00	175.28	0.08 %	347,130.00	339,700.00
Operations - Employee accrued PTO	(47.32)	0.00	47.32	18,224.68	6,700.00	(11,524.68)	(172.01) %	6,700.00	6,300.00
Operations - Employee taxes	480.58	507.00	26.42	3,844.64	3,900.00	55.36	1.42 %	5,928.00	6,000.00
Operations - Employee benefits	5,200.86	5,213.00	12.14	42,155.80	41,626.00	(529.80)	(1.27) %	79,863.00	81,100.00
Total Operations - Benefits/Salaries/Taxes	34,517.46	34,692.00	174.54	295,291.84	283,468.00	(11,823.84)	(4.17) %	439,621.00	433,100.00
Total expenditures	\$ 322,168.91	\$ 371,687.03	49,518.12	\$ 2,442,661.29	\$ 2,484,758.45	42,097.16	1.69 %	\$ 3,676,873.00	\$ 3,548,430.00

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Cherry Creek North Business Improvement District
 STATEMENT OF REVENUE, EXPENDITURES AND
 CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
 FOR THE MONTH ENDED August 31, 2023

	Current Month			Year to Date			Variance	Annual
	Actual	Annual Budget	Summary	Actual	Annual Budget	Variance	%	Annual Budget
REVENUE								
Property Taxes	\$ 5,510.00	\$ 310.15	5,199.85	\$ 1,331,195.08	\$ 1,340,679.67	(9,484.59)	(0.71) %	\$ 1,341,026.00
Interest Income	5,746.74	583.33	5,163.41	28,905.62	4,666.64	24,238.98	519.41 %	7,000.00
Total revenue	11,256.74	893.48	10,363.26	1,360,100.70	1,345,346.31	14,754.39	1.10 %	1,348,026.00
EXPENDITURES								
Bond Principal - 2015 Series	0.00	0.00	0.00	0.00	0.00	0.00	0.00 %	1,040,000.00
Bond Interest - 2015 Series	0.00	0.00	0.00	139,880.00	139,880.00	0.00	0.00 %	279,760.00
Paying Agent Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00 %	500.00
Undesignated Contingencies	0.00	0.00	0.00	0.00	0.00	0.00	0.00 %	11,330.00
County Treasurer's fees	57.05	2.99	54.06	13,325.56	13,382.20	(56.64)	(0.42) %	13,410.00
Total expenditures	57.05	2.99	54.06	153,205.56	153,262.20	(56.64)	(0.04) %	1,345,000.00
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	11,199.69	890.49	10,309.20	1,206,895.14	1,192,084.11	14,811.03	1.24 %	3,026.00
OTHER FINANCING SOURCES (USES)								
Total other financing sources (uses)	\$ 0.00	\$ 0.00	0.00	\$ 0.00	\$ 0.00	0.00	0.00 %	\$ 0.00
EXCESS OF REVENUE & OTHER FINANCING SOURCES OVER EXPENDITURES & OTHER USES	11,199.69	890.49	10,309.20	1,206,895.14	1,192,084.11	14,811.03	1.24 %	3,026.00
FUND BALANCE - BEGINNING				221,611.75	232,139.00	(10,527.25)	(4.53) %	232,139.00
FUND BALANCE - ENDING				\$ 1,428,506.89	\$ 1,424,223.11	4,283.78	0.30 %	\$ 235,165.00

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

Cherry Creek North Business Improvement District
STATEMENT OF SALARIES, BENEFITS, AND TAXES - BUDGET AND ACTUAL
 FOR THE MONTH ENDED August 31, 2023

EXPENDITURE DETAILS

	Current Month			Year to Date			Variance %	Annual	
	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance		Reforecasted Budget	Amended Budget
Personnel expenses									
Salaries									
Admin - Employee salaries	16,196.28	16,196.00	(0.28)	129,570.24	129,568.00	(2.24)	(0.00) %	194,352.00	184,200.00
Marketing - Employee salaries	40,675.04	40,764.00	88.96	284,065.18	282,308.22	(1,756.96)	(0.62) %	445,364.00	462,000.00
Operations - Employee salaries	28,883.34	28,972.00	88.66	231,066.72	231,242.00	175.28	0.08 %	347,130.00	339,700.00
Total salaries	85,754.66	85,932.00	177.34	644,702.14	643,118.22	(1,583.92)	(0.25) %	986,846.00	985,900.00
Benefits									
Admin - Employee benefits	1,682.96	2,975.00	1,292.04	22,741.03	23,800.00	1,058.97	4.45 %	45,203.00	40,100.00
Admin - Employee accrued PTO	(93.44)	0.00	93.44	3,418.80	3,700.00	281.20	7.60 %	3,700.00	3,300.00
Marketing - Employee benefits	7,157.10	8,400.00	1,242.90	56,612.25	58,105.40	1,493.15	2.57 %	113,976.00	117,700.00
Marketing - Employee accrued PTO	(507.33)	0.00	507.33	3,465.55	11,046.00	7,580.45	68.63 %	11,046.00	8,600.00
Operations - Employee benefits	5,200.86	5,213.00	12.14	42,155.80	41,626.00	(529.80)	(1.27) %	79,863.00	81,100.00
Operations - Employee accrued PTO	(47.32)	0.00	47.32	18,224.68	6,700.00	(11,524.68)	(172.01) %	6,700.00	6,300.00
Total benefits	13,392.83	16,588.00	3,195.17	146,618.11	144,977.40	(1,640.71)	(1.13) %	260,488.00	257,100.00
Taxes									
Admin - Employee taxes	270.26	280.00	9.74	2,162.04	2,180.00	17.96	0.82 %	3,300.00	3,300.00
Marketing - Employee taxes	685.92	713.00	27.08	4,760.43	4,803.65	43.22	0.90 %	7,655.00	8,100.00
Operations - Employee taxes	480.58	507.00	26.42	3,844.64	3,900.00	55.36	1.42 %	5,928.00	6,000.00
Total taxes	1,436.76	1,500.00	63.24	10,767.11	10,883.65	116.54	1.07 %	16,883.00	17,400.00
Total personnel expenses	100,584.25	104,020.00	3,435.75	802,087.36	798,979.27	(3,108.09)	(0.39) %	1,264,217.00	1,260,400.00

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
Property Taxes Reconciliation
2023

	Current Year								Prior Year			
	Property Taxes	Delinquent Taxes, Rebates and Abatements	Specific Ownership Taxes	Interest	Treasurer's Fees	Due to County	Net Amount Received	% of Total Property Taxes Received		Total Cash Received	% of Total Property Taxes Received	
								Monthly	Y-T-D		Monthly	Y-T-D
						15,814.88						
January	\$ 199.50	\$ 99,645.40	\$ 26,918.65	\$ (42.77)	\$ (998.02)	\$ (15,814.88)	\$ 109,907.88	1.52%	1.52%	\$ 64,966.25	0.68%	0.68%
February	1,782,958.19	833.58	28,358.88	(8.64)	(17,837.83)	-	1,794,304.18	27.14%	28.66%	1,641,507.08	28.83%	29.51%
March	621,994.75	150.82	36,441.37	370.82	(6,225.18)	-	652,732.58	9.47%	38.13%	539,796.46	9.09%	38.60%
April	1,703,756.84	-	26,139.68	-	(17,037.61)	-	1,712,858.91	25.93%	64.05%	1,233,690.29	21.58%	60.18%
May	598,371.19	-	27,069.89	34.38	(5,984.08)	-	619,491.38	9.11%	73.16%	265,453.22	4.36%	64.54%
June	1,634,272.93	-	23,526.69	3,786.99	(16,380.59)	-	1,645,206.02	24.87%	98.03%	1,781,398.85	31.43%	95.97%
July	54,409.80	-	23,907.59	1,568.15	(559.78)	-	79,325.76	0.83%	98.86%	105,666.52	1.44%	97.41%
August	26,694.50	307.54	28,001.25	956.44	(279.58)	-	55,680.15	0.41%	99.27%	28,799.89	-0.08%	97.33%
September							-	0.00%	99.27%	23,789.77	0.02%	97.35%
October							-	0.00%	99.27%	22,769.78	0.00%	97.35%
November							-	0.00%	99.27%	21,122.61	-0.25%	97.10%
December							-	0.00%	99.27%	17,918.90	0.02%	97.12%
	\$ 6,422,657.70	\$ 100,937.34	\$ 220,364.00	\$ 6,665.37	\$ (65,302.67)	\$ -	\$ 6,669,506.86	99.27%	99.27%	\$ 5,746,879.62	97.12%	97.12%

	Taxes Levied	% of Levied	Property Taxes Collected	% Collected to Amount Levied
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Property Tax

General Fund	14.042	\$ 5,230,746.00	79.59%	\$ 5,192,399.96	99.27%
Debt Service Fund	3.600	1,341,026.00	20.41%	1,331,195.08	99.27%
	17.642	\$ 6,571,772.00	100.00%	\$ 6,523,595.04	99.27%

Specific Ownership Tax

General Fund	\$ 328,000.00	100.00%	\$ 220,364.00	67.18%
Debt Service Fund	-	0.00%	-	-
	\$ 328,000.00	100.00%	\$ 220,364.00	67.18%

Treasurer's Fees

General Fund	\$ 52,307.00	79.59%	\$ 51,977.10	99.37%
Debt Service Fund	13,410.00	20.41%	13,325.57	99.37%
	\$ 65,717.00	100.00%	\$ 65,302.67	99.37%

Interest

General Fund	79.59%	5,305.24
Debt Service Fund	20.41%	1,360.13
	100.00%	\$ 6,665.37

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Services Provided

Cherry Creek North Business Improvement District No. 1 (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado. The District was organized on November 28, 1988, and is governed according to the provisions of the Colorado Business Improvement Act (C.R.S. 31-25 part 12). The District's service area is located in Denver County, Colorado.

The District was established for the purpose of maintaining public improvements and planning developmental activities; promotion and marketing of District activity; organization, promotion, marketing, and management of public events; activities supporting business recruitment, management, and development; security for businesses and public areas located within the District; snow removal and refuse collection; and providing design assistance.

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions disclosed herein are those that the District believes are significant to the budget. There will usually be differences between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

Revenues

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the mill levy adopted by the District.

Specific Ownership Taxes

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District's share will be equal to approximately 5.0% of the property taxes collected.

Net Investment Income

Interest earned on the District's available funds has been estimated based on historical interest earnings.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Revenues - (continued)

Sponsorship Revenue

Sponsorship revenue includes income from any funds that may be received from corporations and other organizations in exchange for marketing and advertising in conjunction with a specific event.

Expenditures

Administration

These are administrative expenditures which include the estimated services necessary to maintain the District's administrative viability such as legal, accounting, rent, office equipment, and salaries of administrative personnel and management.

Marketing and Communications

These expenditures include the estimated services necessary to promote the District. This includes advertising, community and tourism outreach programs, special events, and salaries of marketing personnel.

Operations

Operation expenditures include the estimated services necessary to maintain the District's grounds and to promote a safe environment, and salaries of operations personnel. It also includes budgeted amounts for long-term infrastructure improvements and reserve funds to cover future replacement costs on its current assets.

Debt Service

The principal and interest payments are provided based on the debt amortization schedule from the District's General Obligation Refunding Bonds, Series 2015.

Debt and Leases

On December 8, 2015, the District issued \$16,460,000 in General Obligation Refunding Bonds, with an interest rate of 2.600%. The Bonds mature on December 1, 2030 and are not subject to redemption prior to maturity. The Bonds are subject to sinking fund redemption beginning on December 1, 2017. The proceeds were used to establish an irrevocable trust account (the "Refunding Escrow") to refund the Series 2008 and 2009 Bonds on the first date on which they may be redeemed prior to their maturities.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2023 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Debt and Leases - (continued)

On December 8, 2015, the District issued \$16,460,000 in General Obligation Refunding Bonds, with an interest rate of 2.600%. The Bonds mature on December 1, 2030 and are not subject to redemption prior to maturity. The Bonds are subject to sinking fund redemption beginning on December 1, 2017. The proceeds were used to establish an irrevocable trust account (the "Refunding Escrow") to refund the Series 2008 and 2009 Bonds on the first date on which they may be redeemed prior to their maturities.

The defeased bonds are not considered a liability of the District since sufficient funds were deposited in the Refunding Escrow and invested in U.S. government securities for the purpose of paying the principal and interest of the defeased bonds when due.

The Bonds are secured by and payable from revenue which consists of required mill levy revenues. The required mill levy is imposed upon all taxable property within the District each year in an amount, when combined with amounts on deposit in the Bond Fund, sufficient to pay the principal and interest, without limitation to rate or amount.

The District has no operating or capital leases.

Reserve Funds

The District has provided for an Emergency Reserve fund equal to at least 3% of fiscal year spending for 2023, as defined under TABOR.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2023 BUDGET FOOTNOTES**

1. Occupancy cost are lower due to no office construction projects in 2023.
2. Event Production is decreased due to change in annual event lineup and branding strategy.
3. Marketing Salaries increase due to an additional staff and an unfilled position.
4. Increase in Professional Services due to Digital Kiosk project.
5. Public Safety and Security includes expanded security coverage and off-duty Denver Police.
6. Major Project expenses are dedicated to converting pedestrian lighting to LED.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY**

Bonds and Interest Maturing in the Year Ending December 31,	\$16,460,000			Annual Debt Service
	General Obligation Refunding Bonds			
	Series 2015			
	Dated December 8, 2015			
	Interest Rate of 2.600%			
	Interest Payable			
	June 1 and December 1			
	Principal Payable December 1			
	Principal	Interest		
2023	\$ 1,040,000	\$ 279,760	\$	1,319,760
2024	1,110,000	252,720		1,362,720
2025	1,180,000	223,860		1,403,860
2026	1,255,000	193,180		1,448,180
2027	1,325,000	160,550		1,485,550
2028	1,780,000	126,100		1,906,100
2029	1,495,000	79,820		1,574,820
2030	1,575,000	40,950		1,615,950
	<u>\$ 10,760,000</u>	<u>\$ 1,356,940</u>	<u>\$</u>	<u>12,116,940</u>

No assurance is provided on these financial statements. Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances - governmental funds have been omitted.

**2023 MATERIAL
DEPARTURES FROM
OPERATING PLAN
AND EXPLANATION**

(NONE)

**2024
OPERATING
PLAN**

Cherry Creek North BID 2024 Operating Plan

CCN BID MISSION

To actively plan, manage and promote Cherry Creek North (CCN) as a premier destination for shopping, dining, living, working, and visiting.

Statement of Strategic Direction

The CCN BID will focus our highest level of attention and resources on these five priorities:

- Creating and maintaining a live, work, play and stay experience that is unique in the Denver Metro Area
- Communicating unique stories that strengthen the CCN brand.
- Advocating for improvements in CCN with key partners including the city of Denver, chambers of commerce, and Visit Denver.

2024 OPERATING PLAN

MARKETING/COMMUNICATIONS

Goal: Drive sales and foot traffic through strategic marketing initiatives

Objectives

- Draw visitors to the district through promotions, events, and activations as appropriate per state and local public health guidelines.
- Strategically promote CCN retail categories to relevant audiences through physical environment assets, local and tourism advertising, digital platforms, and public relations efforts.
- Seize seasonal opportunities and peak retail sales periods to target key audiences through enticing calls to action and reasons why they should visit.
- Bolster outreach and engagement to all district stakeholders to strengthen relationships and collaboration throughout the community.

ECONOMIC VITALITY

Goal: Support the success of businesses within CCN

Objectives

- Conduct, maintain, update and publish market, economic and demographic research.
- Evaluate and implement technology and innovation enhancements in CCN.
- Assist existing retailers by providing data, research, and other technical support to assist in their growth and success.
- Support property owners and developers in navigating the challenges of construction and the potential impact to the public Right of Way and customer experience.
- Work closely with local transportation authorities to ensure convenient multi-modal access to the district and nearby neighborhoods.

OPERATIONS

Goal: Provide quality services to protect, preserve and enhance the public environment

Objectives:

- Enhance the quality and care of the landscape.
- Develop an annual maintenance plan which will result in the well-kept appearance and operation of any and all physical environment assets.
- Ensure the highest level of public safety possible by growing our program, partnering with local civil authorities, and sharing information with stakeholders.
- Actively address perceived parking challenges, working with consultants and DOTI to solve issues and improve employee and customer access.

INTERNAL OPERATIONS

Goal: Increase organizational capacity to achieve CCN's mission

Objectives:

- Support Board and staff development and diversity.
- Expand and enhance stakeholder engagement opportunities and communication.
- Achieve results as defined in the 2024 operating plan and budget.
- Meet all regulatory requirements.
- Ensure adherence to standard accounting principles and full transparency.

**PUBLIC NOTICE
PUBLICATION**

AND

2024 DRAFT BUDGET

**NOTICE OF HEARING ON PROPOSED 2024 BUDGET
AND 2023 BUDGET AMENDMENT**

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2024 has been submitted to the Cherry Creek North Business Improvement District ("**District**"). Such proposed budget will be considered at a meeting and public hearing of the Board of Directors of the District to be held at 8:00 a.m. on September 27, 2023 at the Board Room located at 2401 E. 2nd Ave. Denver, CO 80206. Information regarding public participation by videoconference will be available at least 24 hours prior to the meeting and public hearing online at www.cherrycreeknorth.com OR by contacting Jeanne St. Onge, by email at jeanne@cherrycreeknorth.com or by telephone at 303/606-7338.

NOTICE IS FURTHER GIVEN that an amendment to the 2023 budget of the District may also be considered at the above-referenced meeting and public hearing of the Board of Directors of the District. A copy of the proposed 2024 budget and the amended 2023 budget, if required, are available for public inspection at the offices of CliftonLarsonAllen, LLP 8390 Crescent Pkwy, Suite 300, Greenwood Village, CO 80111. Any interested elector within the District may, at any time prior to final adoption of the 2024 budget and the amended 2023 budget, if required, file or register any objections thereto.

CHERRY CREEK NORTH
BUSINESS IMPROVEMENT DISTRICT

By: /s/ Lisa McInroy, Chair/President

Published: September 8, 2023 in The Daily Journal

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
ANNUAL BUDGET
FOR THE YEAR ENDING DECEMBER 31, 2024

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
SUMMARY
2024 BUDGET
WITH 2022 ACTUAL AND 2023 ESTIMATED
For the Years Ended and Ending December 31,

9/14/2023

	ACTUAL 2022	BUDGET 2023	ACTUAL 8/31/2023	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 1,944,452	\$ 1,414,395	\$ 1,540,484	\$ 1,540,484	\$ 1,260,587
REVENUES					
1 Property taxes	5,502,872	6,571,772	6,523,595	6,571,772	8,022,532
2 Specific ownership taxes	287,268	328,000	220,364	328,000	401,000
3 Interest income	53,557	23,000	103,405	140,000	125,000
4 Events income	124,241	-	8,421	15,000	-
5 Reimbursed expenditures	67,745	20,000	27,381	27,381	20,000
6 Sponsorship income	89,500	40,000	5,000	40,000	40,000
7 Lodging fee	-	-	-	210,000	500,000
Total revenues	<u>6,125,183</u>	<u>6,982,772</u>	<u>6,888,166</u>	<u>7,332,153</u>	<u>9,108,532</u>
Total funds available	<u>8,069,635</u>	<u>8,397,167</u>	<u>8,428,650</u>	<u>8,872,637</u>	<u>10,369,119</u>
EXPENDITURES					
General					
8 Administration	927,185	911,455	672,531	947,012	1,006,422
9 Marketing and Communications	1,587,986	1,578,000	904,183	1,654,495	2,525,449
10 Operations	2,721,331	3,548,430	2,442,661	3,676,873	4,145,459
Debt Service					
11 Bond interest 2015 Series	305,110	279,760	139,880	279,760	252,720
12 Bond principal 2015 Series	975,000	1,040,000	-	1,040,000	1,110,000
13 County Treasurer's fees	11,194	13,410	13,326	13,410	16,371
14 Paying agent fees	300	500	-	500	700
15 Undesignated contingencies	1,045	11,330	-	-	12,209
Total expenditures	<u>6,529,151</u>	<u>7,382,885</u>	<u>4,172,581</u>	<u>7,612,050</u>	<u>9,069,330</u>
Total expenditures and transfers out requiring appropriation	<u>6,529,151</u>	<u>7,382,885</u>	<u>4,172,581</u>	<u>7,612,050</u>	<u>9,069,330</u>
ENDING FUND BALANCES	<u>\$ 1,540,484</u>	<u>\$ 1,014,282</u>	<u>\$ 4,256,069</u>	<u>\$ 1,260,587</u>	<u>\$ 1,299,789</u>

No assurance provided. See summary of significant assumptions.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
PROPERTY TAX SUMMARY INFORMATION
2024 BUDGET
WITH 2022 ACTUAL AND 2023 ESTIMATED
For the Years Ended and Ending December 31,

9/14/2023

	ACTUAL 2022	BUDGET 2023	ACTUAL 8/31/2023	ESTIMATED 2023	BUDGET 2024
ASSESSED VALUATION - DENVER					
Commercial	\$ 355,228,070	\$ 352,195,030	\$ 352,195,030	\$ 352,195,030	\$ 475,506,210
Vacant Land	2,341,920	30	30	30	2,435,170
Personal Property	14,894,700	18,647,430	18,647,430	18,647,430	21,256,970
State Assessed	1,712,100	1,664,700	1,664,700	1,664,700	1,542,130
Contingency Adjustment	-	-	-	-	(46,000,000)
 Certified Assessed Value	 <u>\$ 374,176,790</u>	 <u>\$ 372,507,190</u>	 <u>\$ 372,507,190</u>	 <u>\$ 372,507,190</u>	 <u>\$ 454,740,480</u>
MILL LEVY					
GENERAL FUND	20.342	20.342	20.342	20.342	17.642
DEBT SERVICE FUND	3.100	3.600	3.600	3.600	3.600
TEMPORARY MILL LEVY REDUCTION	(8.300)	(6.300)	(6.300)	(6.300)	(3.600)
 Total Mill Levy	 <u>15.142</u>	 <u>17.642</u>	 <u>17.642</u>	 <u>17.642</u>	 <u>17.642</u>
PROPERTY TAXES					
GENERAL FUND	\$ 7,611,504	\$ 7,577,541	\$ 7,577,541	\$ 7,577,541	\$ 8,022,532
DEBT SERVICE FUND	1,159,948	1,341,026	1,341,026	1,341,026	1,637,066
TEMPORARY MILL LEVY REDUCTION	(3,105,667)	(2,346,795)	(2,346,795)	(2,346,795)	(1,637,066)
 Levied property taxes	 5,665,785	 6,571,772	 6,571,772	 6,571,772	 8,022,532
Adjustments to actual/rounding	(127,517)	-	(148,807)	-	-
Refund and abatements	(35,396)	-	100,630	-	-
 Budgeted Property Taxes	 <u>\$ 5,502,872</u>	 <u>\$ 6,571,772</u>	 <u>\$ 6,523,595</u>	 <u>\$ 6,571,772</u>	 <u>\$ 8,022,532</u>
BUDGETED PROPERTY TAXES					
GENERAL FUND	\$ 4,376,277	\$ 5,230,746	\$ 5,192,400	\$ 5,230,746	\$ 6,385,466
DEBT SERVICE FUND	1,126,595	1,341,026	1,331,195	1,341,026	1,637,066
	<u>\$ 5,502,872</u>	<u>\$ 6,571,772</u>	<u>\$ 6,523,595</u>	<u>\$ 6,571,772</u>	<u>\$ 8,022,532</u>

No assurance provided. See summary of significant assumptions.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
GENERAL FUND
2024 BUDGET
WITH 2022 ACTUAL AND 2023 ESTIMATED
For the Years Ended and Ending December 31,

9/14/2023

	ACTUAL 2022	BUDGET 2023	ACTUAL 8/31/2023	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 1,572,313	\$ 1,182,256	\$ 1,318,872	\$ 1,318,872	\$ 991,619
REVENUES					
1 Property taxes	4,376,277	5,230,746	5,192,400	5,230,746	6,385,466
2 Specific ownership taxes	287,268	328,000	220,364	328,000	401,000
3 Interest income	38,030	16,000	74,499	100,000	90,000
4 Events revenue	124,241	-	8,421	15,000	-
5 Reimbursed expenditures	67,745	20,000	27,381	27,381	20,000
6 Sponsorship revenue	89,500	40,000	5,000	40,000	40,000
7 Hotel tourism	-	-	-	210,000	500,000
Total revenues	<u>4,983,061</u>	<u>5,634,746</u>	<u>5,528,065</u>	<u>5,951,127</u>	<u>7,436,466</u>
Total funds available	<u>6,555,374</u>	<u>6,817,002</u>	<u>6,846,937</u>	<u>7,269,999</u>	<u>8,428,085</u>
EXPENDITURES					
General					
8 Administration	927,185	911,455	672,531	947,012	1,006,422
9 Marketing and Communications	1,587,986	1,578,000	904,183	1,654,495	2,525,449
10 Operations	2,721,331	3,548,430	2,442,661	3,676,873	4,145,459
Total expenditures	<u>5,236,502</u>	<u>6,037,885</u>	<u>4,019,375</u>	<u>6,278,380</u>	<u>7,677,330</u>
Total expenditures and transfers out requiring appropriation	<u>5,236,502</u>	<u>6,037,885</u>	<u>4,019,375</u>	<u>6,278,380</u>	<u>7,677,330</u>
ENDING FUND BALANCES	<u>\$ 1,318,872</u>	<u>\$ 779,117</u>	<u>\$ 2,827,562</u>	<u>\$ 991,619</u>	<u>\$ 750,755</u>
EMERGENCY RESERVE	\$ 149,500	\$ 169,000	\$ 165,800	\$ 178,500	\$ 223,100
BOARD RESERVE	600,500	581,000	584,200	571,500	526,900
UNDESIGNATED	568,872	29,117	2,077,562	241,619	755
TOTAL FUND BALANCES	<u>\$ 1,318,872</u>	<u>\$ 779,117</u>	<u>\$ 2,827,562</u>	<u>\$ 991,619</u>	<u>\$ 750,755</u>

No assurance provided. See summary of significant assumptions.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
GENERAL FUND EXPENDITURE DETAILS
2024 BUDGET
WITH 2022 ACTUAL AND 2023 ESTIMATED
For the Years Ended and Ending December 31,

9/14/2023

	ACTUAL 2022	BUDGET 2023	ACTUAL 8/31/2023	ESTIMATED 2023	BUDGET 2024	Footnotes
Administration						
Internal Office						
1 Bank charges	\$ 1,408	\$ 1,470	\$ 28	\$ 148	\$ 720	
2 Partnership expense	22,227	5,000	2,010	3,261	1,000	
3 Travel and entertainment	3,862	6,000	2,090	4,082	6,000	
4 Copier expense	8,041	-	-	-	-	
5 Technology expense	43,052	73,457	44,480	89,175	103,380	1
6 District insurance	63,387	72,869	69,381	69,881	82,320	2
7 Postage and shipping expense	664	-	-	-	-	
8 Telephone/fax/communications	11,848	-	-	-	-	
9 Office furniture and equipment	2,636	-	-	-	-	
10 Office operations	6,878	17,400	7,292	12,718	12,660	
11 Memberships	34,973	23,087	29,691	32,765	32,740	
12 Board and committee meeting expenses	2,801	9,800	2,254	7,622	9,850	
13 Education/travel expenses/seminars	6,327	14,000	3,911	8,683	3,000	
14 Community organization support	56,149	31,625	31,328	38,900	45,750	
15 Occupancy costs	215,814	197,540	141,992	199,849	207,447	
16 County Treasurer's fees	43,496	52,307	51,977	52,307	63,855	
17 Net interest on tax abatements	4,059	-	-	-	-	
Total Administration - Internal Office	527,622	504,555	386,434	519,391	568,722	
Administration - Professional Services						
18 Accounting services	111,672	130,000	84,219	130,000	137,000	
19 Audit fee	8,000	8,500	8,800	8,800	10,000	
20 Legal services	16,162	24,000	24,975	28,000	24,000	
21 HR & Strategic planning	50,235	13,500	10,211	14,266	15,000	
Total Administration - Professional Services	186,069	176,000	128,205	181,066	186,000	
Administration - Benefits/Salaries/Taxes						
22 Employee salaries	175,857	184,200	129,570	194,352	198,000	
23 Employee taxes	2,908	3,300	2,162	3,300	3,500	
24 Employee benefits	34,729	40,100	22,741	45,203	46,500	
25 Employee accrued PTO	-	3,300	3,419	3,700	3,700	
Total Administration - Benefits/Salaries/Taxes	213,494	230,900	157,892	246,555	251,700	
Total Administration	\$ 927,185	\$ 911,455	\$ 672,531	\$ 947,012	\$ 1,006,422	

No assurance provided. See summary of significant assumptions.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
GENERAL FUND EXPENDITURE DETAILS
2024 BUDGET
WITH 2022 ACTUAL AND 2023 ESTIMATED
For the Years Ended and Ending December 31,

9/14/2023

	ACTUAL 2022	BUDGET 2023	ACTUAL 8/31/2023	ESTIMATED 2023	BUDGET 2024	Footnotes
Marketing and Communications						
Marketing						
1 Event production	\$ 141,748	\$ 36,314	\$ 46,715	\$ 46,748	\$ 75,000	3
2 Third-party event expense	-	-	2,000	2,000	20,000	
3 Merchant relations	5,368	2,120	2,880	3,271	1,500	
4 Travel and entertainment	3,772	2,544	4,088	4,100	4,380	
5 Holiday	70,606	58,208	261	65,520	100,000	
6 Signage & collateral	50,008	62,651	16,527	48,978	53,444	
7 Sponsorship expense	36,516	10,000	3	10,000	10,000	
8 Employee development	-	-	3,475	3,500	10,000	
9 Digital	24,104	47,432	17,696	35,839	90,200	4
10 Tourism	100,153	122,829	51,901	96,331	119,200	5
11 Public relations	97,473	77,000	47,292	74,015	84,000	
12 Advertising	543,547	542,612	349,440	568,887	588,825	
13 Marketing research	51,643	19,890	12,720	42,265	43,400	
14 Hotel tourism expense	-	-	282	75,000	635,000	6
Total Marketing	<u>1,124,938</u>	<u>981,600</u>	<u>555,280</u>	<u>1,076,454</u>	<u>1,834,949</u>	
Marketing - Benefits/Salaries/Taxes						
15 Employee salaries	364,713	462,000	284,065	445,364	540,000	7
16 Employee taxes	6,239	8,100	4,760	7,655	8,800	
17 Employee benefits	90,064	117,700	56,612	113,976	132,100	
18 Employee accrued PTO	2,032	8,600	3,466	11,046	9,600	
Total Marketing - Benefits/Salaries/Taxes	<u>463,048</u>	<u>596,400</u>	<u>348,903</u>	<u>578,041</u>	<u>690,500</u>	
Total Marketing and Communications	<u>\$ 1,587,986</u>	<u>\$ 1,578,000</u>	<u>\$ 904,183</u>	<u>\$ 1,654,495</u>	<u>\$ 2,525,449</u>	
Operations						
Operations						
1 Employee development	\$ -	\$ -	\$ 2,884	\$ 4,000	\$ 4,000	
2 Professional services	15,000	60,000	28,715	39,000	32,000	
3 Public safety and security	516,337	780,960	475,743	780,960	923,666	8
4 Mobility	12,846	10,000	18,254	44,879	82,000	9
5 Holiday lights and décor	263,006	205,000	161,397	245,650	222,750	
6 Travel and entertainment	822	2,400	1,202	2,400	5,700	
7 Streetscape, hardscape maintenance	731,494	774,945	406,958	836,292	911,240	10
8 Snow removal	192,082	200,000	134,935	211,736	253,000	11
9 Landscape repair and maintenance	472,358	532,025	367,781	522,335	853,703	12
10 Major projects	105,487	550,000	549,500	550,000	320,000	13
Total Operations	<u>2,309,432</u>	<u>3,115,330</u>	<u>2,147,369</u>	<u>3,237,252</u>	<u>3,608,059</u>	
Operations - Benefits/Salaries/Taxes						
11 Employee salaries	326,583	339,700	231,067	347,130	418,100	14
12 Employee taxes	5,394	6,000	3,844	5,928	7,400	
13 Employee benefits	72,285	81,100	42,156	79,863	105,200	
14 Employee accrued PTO	7,637	6,300	18,225	6,700	6,700	
Total Staffing	<u>411,899</u>	<u>433,100</u>	<u>295,292</u>	<u>439,621</u>	<u>537,400</u>	
Total Operations	<u>\$ 2,721,331</u>	<u>\$ 3,548,430</u>	<u>\$ 2,442,661</u>	<u>\$ 3,676,873</u>	<u>\$ 4,145,459</u>	

No assurance provided. See summary of significant assumptions.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
DEBT SERVICE FUND
2024 BUDGET
WITH 2022 ACTUAL AND 2023 ESTIMATED
For the Years Ended and Ending December 31,

9/14/2023

	ACTUAL 2022	BUDGET 2023	ACTUAL 8/31/2023	ESTIMATED 2023	BUDGET 2024
BEGINNING FUND BALANCES	\$ 372,139	\$ 232,139	\$ 221,612	\$ 221,612	\$ 268,968
REVENUES					
1 Property taxes	1,126,595	1,341,026	1,331,195	1,341,026	1,637,066
2 Interest income	15,527	7,000	28,906	40,000	35,000
Total revenues	<u>1,142,122</u>	<u>1,348,026</u>	<u>1,360,101</u>	<u>1,381,026</u>	<u>1,672,066</u>
Total funds available	<u>1,514,261</u>	<u>1,580,165</u>	<u>1,581,713</u>	<u>1,602,638</u>	<u>1,941,034</u>
EXPENDITURES					
Debt Service					
3 Bond interest 2015 Series	305,110	279,760	139,880	279,760	252,720
4 Bond principal 2015 Series	975,000	1,040,000	-	1,040,000	1,110,000
5 County Treasurer's fees	11,194	13,410	13,326	13,410	16,371
6 Paying agent fees	300	500	-	500	700
7 Undesignated contingencies	1,045	11,330	-	-	12,209
Total expenditures	<u>1,292,649</u>	<u>1,345,000</u>	<u>153,206</u>	<u>1,333,670</u>	<u>1,392,000</u>
Total expenditures and transfers out requiring appropriation	<u>1,292,649</u>	<u>1,345,000</u>	<u>153,206</u>	<u>1,333,670</u>	<u>1,392,000</u>
ENDING FUND BALANCES	<u>\$ 221,612</u>	<u>\$ 235,165</u>	<u>\$ 1,428,507</u>	<u>\$ 268,968</u>	<u>\$ 549,034</u>

No assurance provided. See summary of significant assumptions.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2024 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Services Provided

Cherry Creek North Business Improvement District No. 1 (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado. The District was organized on November 28, 1988, and is governed according to the provisions of the Colorado Business Improvement Act (C.R.S. 31-25 part 12). The District’s service area is located in Denver County, Colorado.

The District was established for the purpose of maintaining public improvements and planning developmental activities; promotion and marketing of District activity; organization, promotion, marketing, and management of public events; activities supporting business recruitment, management, and development; security for businesses and public areas located within the District; snow removal and refuse collection; and providing design assistance.

The District prepares its budget on the modified accrual basis of accounting in accordance with the requirements of Colorado Revised Statutes C.R.S. 29-1-105 using its best estimates as of the date of the budget hearing. These estimates are based on expected conditions and its expected course of actions. The assumptions disclosed herein are those that the District believes are significant to the budget. There will usually be differences between the budget and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material.

Revenues

Property Taxes

Property taxes are levied by the District’s Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or, if in equal installments, at the taxpayer’s election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District.

The calculation of the taxes levied is displayed on the Property Tax Summary page of the budget using the mill levy adopted by the District.

Specific Ownership Taxes

Specific ownership taxes are set by the State and collected by the County Treasurer, primarily on vehicle licensing within the County as a whole. The specific ownership taxes are allocated by the County Treasurer to all taxing entities within the County. The budget assumes that the District’s share will be equal to approximately 5.0% of the property taxes collected.

Interest Income

Interest earned on the District’s available funds has been estimated based on historical interest earnings.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2024 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Revenues - (continued)

Sponsorship Revenue

Sponsorship revenue includes income from any funds that may be received from corporations and other organizations in exchange for marketing and advertising in conjunction with a specific event.

Hotel Tourism Fee

Hotel tourism fee includes income from a 1% fee charged for all hotel bookings in exchange for marketing and advertising related to tourism.

Expenditures

Administration

These are administrative expenditures which include the estimated services necessary to maintain the District's administrative viability such as legal, accounting, rent, office equipment, and salaries of administrative personnel and management.

Marketing and Communications

These expenditures include the estimated services necessary to promote the District. This includes advertising, community and tourism outreach programs, special events, and salaries of marketing personnel.

Operations

Operation expenditures include the estimated services necessary to maintain the District's grounds and to promote a safe environment, and salaries of operations personnel. It also includes budgeted amounts for long-term infrastructure improvements and reserve funds to cover future replacement costs on its current assets.

Debt Service

The principal and interest payments are provided based on the debt amortization schedule from the District's General Obligation Refunding Bonds, Series 2015.

Debt and Leases

On December 8, 2015, the District issued \$16,460,000 in General Obligation Refunding Bonds, with an interest rate of 2.600%. The Bonds mature on December 1, 2030 and are not subject to redemption prior to maturity. The Bonds are subject to sinking fund redemption beginning on December 1, 2017. The proceeds were used to establish an irrevocable trust account (the "Refunding Escrow") to refund the Series 2008 and 2009 Bonds on the first date on which they may be redeemed prior to their maturities.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2024 BUDGET
SUMMARY OF SIGNIFICANT ASSUMPTIONS**

Debt and Leases - (continued)

On December 8, 2015, the District issued \$16,460,000 in General Obligation Refunding Bonds, with an interest rate of 2.600%. The Bonds mature on December 1, 2030 and are not subject to redemption prior to maturity. The Bonds are subject to sinking fund redemption beginning on December 1, 2017. The proceeds were used to establish an irrevocable trust account (the "Refunding Escrow") to refund the Series 2008 and 2009 Bonds on the first date on which they may be redeemed prior to their maturities.

The defeased bonds are not considered a liability of the District since sufficient funds were deposited in the Refunding Escrow and invested in U.S. government securities for the purpose of paying the principal and interest of the defeased bonds when due.

The Bonds are secured by and payable from revenue which consists of required mill levy revenues. The required mill levy is imposed upon all taxable property within the District each year in an amount, when combined with amounts on deposit in the Bond Fund, sufficient to pay the principal and interest, without limitation to rate or amount.

The District has no operating or capital leases.

Reserve Funds

The District has provided for an Emergency Reserve fund equal to at least 3% of fiscal year spending for 2024, as defined under TABOR.

This information is an integral part of the accompanying budget.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
2024 BUDGET FOOTNOTES**

1. Technology expenses include funds for redesigning the district website.
2. District insurance includes expected premium increases and additional cyber security coverage.
3. Event production is expanding in the holiday event category and pivoting to a 3rd party event hosting strategy for various non-holiday events.
4. Digital marketing increase accounts for plan to complete a website overhaul in 2024.
5. Tourism marketing includes doubling tourism-specific ad/media buying, increased engagement with DMOs.
6. A new budget category, Hotel Tourism, has been added to track spending against the new stream of Hotel Fee revenue.
7. Marketing staffing is at full strength after 6 months of understaffing in 2023.
8. Public Safety and Security includes rate increases and funds for a consultant to complete a security assessment of the district.
9. Mobility includes funds for consulting work on district parking strategies.
10. Streetscape Hardscape Maintenance includes an increase in funds applied to district cleaning and implementing a new public reporting system for cleaning and safety concerns.
11. Snow Removal increased due to higher contract rates.
12. Landscape Repair and Maintenance increased to invest in district landscaping.
13. Major Projects funds are designated to replace lighting on Filmore.
14. Operations salaries increased to bring in an additional staff member. *Salary will be offset through a reduction in the use of third-party vendors.*

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY**

Bonds and Interest Maturing in the Year Ending December 31,	\$16,460,000		
	General Obligation Refunding Bonds		
	Series 2015		
	Dated December 8, 2015		
	Interest Rate of 2.600%		
	Interest Payable		
	June 1 and December 1		
	Principal Payable December 1		Annual Debt
	Principal	Interest	Service
2024	\$ 1,110,000	\$ 252,720	\$ 1,362,720
2025	1,180,000	223,860	1,403,860
2026	1,255,000	193,180	1,448,180
2027	1,325,000	160,550	1,485,550
2028	1,780,000	126,100	1,906,100
2029	1,495,000	79,820	1,574,820
2030	1,575,000	40,950	1,615,950
	<u>\$ 9,720,000</u>	<u>\$ 1,077,180</u>	<u>\$ 10,797,180</u>

No assurance provided. See summary of significant assumptions.

**PLANNED OR OUTSTANDING
INDEBTEDNESS**

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
 (A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
 SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY
 DECEMBER 31, 2022**

\$16,460,000 General Obligation Bonds
 Dated December 8, 2015
 Interest Rate of 2.600%
 Principal Due December 1
 Interest Payable December 1

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Service</u>
2023	\$ 1,040,000	\$ 279,760	\$ 1,319,760
2024	1,110,000	252,720	1,362,720
2025	1,180,000	223,860	1,403,860
2026	1,255,000	193,180	1,448,180
2027	1,325,000	160,550	1,485,550
2028	1,780,000	126,100	1,906,100
2029	1,495,000	79,820	1,574,820
2030	1,575,000	40,950	1,615,950
Total	<u>\$ 10,760,000</u>	<u>\$ 1,356,940</u>	<u>\$ 12,116,940</u>

**2022 AUDIT
(Submitted in March 2023)**

**CHERRY CREEK NORTH BUSINESS
IMPROVEMENT DISTRICT NO. 1
City and County of Denver, Colorado**

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

YEAR ENDED DECEMBER 31, 2022

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
TABLE OF CONTENTS
YEAR ENDED DECEMBER 31, 2022

INDEPENDENT AUDITOR'S REPORT	1
BASIC FINANCIAL STATEMENTS	
GOVERNMENT-WIDE FINANCIAL STATEMENTS	
STATEMENT OF NET POSITION	1
STATEMENT OF ACTIVITIES	2
FUND FINANCIAL STATEMENTS	
BALANCE SHEET – GOVERNMENTAL FUNDS	3
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS	4
RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES	5
GENERAL FUND – STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	6
NOTES TO BASIC FINANCIAL STATEMENTS	7
SUPPLEMENTARY INFORMATION	
DEBT SERVICE FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE – BUDGET AND ACTUAL	23
OTHER INFORMATION	
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY	25
SCHEDULE OF ASSESSED VALUATION, MILL LEVY, AND PROPERTY TAXES COLLECTED	26
GENERAL FUND – SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES – ACTUAL	27
TEN LARGEST TAXPAYERS OF TAXABLE PROPERTY (UNAUDITED)	28



INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Cherry Creek North Business Improvement District
City and County of Denver, Colorado

Opinions

We have audited the financial statements of the governmental activities and each major fund of Cherry Creek North Business Improvement District (the District), a component unit of the City and County of Denver, as of and for the year ended December 31, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of December 31, 2022, and the respective changes in financial position thereof, and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

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 the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

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Fiscal Focus Partners, LLC

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by this missing information.

Supplementary information and other information on pages 23 through 26

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplementary information as identified in the table of contents, and the other information on pages 25 and 26 (together, the information) is presented for purposes of additional analysis and legal compliance and is not a required part of the basic financial statements.

Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other information on pages 27 and 28

Management is responsible for the other information on pages 27 and 28 (the other information). Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.



Arvada, Colorado
March 22, 2023

BASIC FINANCIAL STATEMENTS

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
STATEMENT OF NET POSITION
DECEMBER 31, 2022

	Governmental Activities
ASSETS	
Cash and Investments	\$ 1,563,591
Cash and Investments - Restricted	372,649
Prepaid Expenses	68,805
Receivable - County Treasurer	17,919
Property Taxes Receivable	6,571,772
Capital Assets:	
Depreciable, Net	9,687,684
Total Assets	18,282,420
DEFERRED OUTFLOWS OF RESOURCES	
Cost of Refunding	834,517
Total Deferred Outflows of Resources	834,517
LIABILITIES	
Accounts Payable	341,748
Payable - County Treasurer	15,814
Accrued Liabilities	124,918
Accrued Interest Payable	23,313
Noncurrent Liabilities:	
Due Within One Year	1,165,063
Due in More than One Year	10,241,773
Total Liabilities	11,912,629
DEFERRED INFLOWS OF RESOURCES	
Property Tax Revenue	6,571,772
Total Deferred Inflows of Resources	6,571,772
NET POSITION	
Net Investment in Capital Assets	(884,635)
Restricted for:	
Emergency Reserves	147,500
Debt Service	198,299
Unrestricted	1,171,372
Total Net Position	\$ 632,536

See accompanying Notes to Basic Financial Statements.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2022

		Program Revenues			Net Revenues (Expenses) and Change in Net Position
FUNCTIONS/PROGRAMS	Expenses	Charge for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
Primary Government:					
Governmental Activities:					
General Government	\$ 3,516,421	\$ 213,741	\$ -	\$ -	\$ (3,302,680)
Operations	2,473,210	-	-	-	(2,473,210)
Interest on Long-Term Debt and Related Costs	481,362	-	-	-	(481,362)
Total Governmental Activities	\$ 6,470,993	\$ 213,741	\$ -	\$ -	(6,257,252)
 GENERAL REVENUES					
Property Taxes					5,502,872
Specific Ownership Taxes					287,268
Interest Income					53,557
Reimbursed Expenditures					67,745
Total General Revenues					5,911,442
 CHANGE IN NET POSITION					
					(345,810)
Cumulative Effect of a Change in Accounting Principle					36,417
Net Position - Beginning of Year					941,929
 NET POSITION - END OF YEAR					
					\$ 632,536

See accompanying Notes to Basic Financial Statements.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
BALANCE SHEET - GOVERNMENTAL FUNDS
DECEMBER 31, 2022

ASSETS	General	Debt Service	Governmental Funds
Cash and Investments	\$ 1,563,591	\$ -	\$ 1,563,591
Cash and Investments - Restricted	147,500	225,149	372,649
Receivable - County Treasurer	17,919	-	17,919
Prepaid Expenses	68,805	-	68,805
Property Taxes Receivable	5,230,746	1,341,026	6,571,772
Total Assets	\$ 7,028,561	\$ 1,566,175	\$ 8,594,736
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES			
LIABILITIES			
Accounts Payable	\$ 341,448	\$ 300	\$ 341,748
Payable - County Treasurer	12,577	3,237	15,814
Accrued Liabilities	124,918	-	124,918
Total Liabilities	478,943	3,537	482,480
DEFERRED INFLOWS OF RESOURCES			
Property Tax Revenue	5,230,746	1,341,026	6,571,772
Total Deferred Inflows of Resources	5,230,746	1,341,026	6,571,772
FUND BALANCES			
Nonspendable:			
Prepaid Amounts	68,805	-	68,805
Restricted for:			
Emergency Reserves	147,500	-	147,500
Debt Service	-	221,612	221,612
Assigned:			
Subsequent Year's Expenditures	403,139	-	403,139
Board Operations Reserve	602,500	-	602,500
Unassigned:			
General Government	96,928	-	96,928
Total Fund Balances	1,318,872	221,612	1,540,484
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 7,028,561	\$ 1,566,175	\$ 8,594,736
Fund Balances - Total Governmental Funds			\$ 1,540,484
Reconciliation of Balance Sheet - Governmental Funds to Statement of Net Position			
Capital assets are reported as assets on the Statement of Net Position but are recorded as expenditures in the funds.			
Capital Assets, Net			9,687,684
Other long-term assets are not available to pay for current period expenditures and, therefore, are deferred in the funds.			
Cost of Refunding			834,517
Long-term liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported in the funds.			
Bonds Payable			(10,760,000)
Lease Payable			(646,836)
Bond Interest Payable			(23,313)
Net Position of Governmental Activities			\$ 632,536

See accompanying Notes to Basic Financial Statements.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
GOVERNMENTAL FUNDS
YEAR ENDED DECEMBER 31, 2022**

	General	Debt Service	Total Governmental Funds
	<u> </u>	<u> </u>	<u> </u>
REVENUES			
Property Taxes	\$ 4,376,277	\$ 1,126,595	\$ 5,502,872
Specific Ownership Taxes	287,268	-	287,268
Interest Income	38,030	15,527	53,557
Reimbursed Expenditures	67,745	-	67,745
Events Income	124,241	-	124,241
Sponsorship Income	89,500	-	89,500
Total Revenues	<u>4,983,061</u>	<u>1,142,122</u>	<u>6,125,183</u>
EXPENDITURES			
Current:			
Administration	927,185	-	927,185
Marketing and Communications	1,587,986	-	1,587,986
Operations	2,721,331	-	2,721,331
Debt Service:			
County Treasurer's Fee	-	11,194	11,194
Bond Principal - 2015 Series	-	975,000	975,000
Bond Interest - 2015 Series	-	305,110	305,110
Paying Agent Fees	-	300	300
Undesignated Contingencies	-	1,045	1,045
Total Expenditures	<u>5,236,502</u>	<u>1,292,649</u>	<u>6,529,151</u>
NET CHANGE IN FUND BALANCES	(253,441)	(150,527)	(403,968)
Fund Balances - Beginning of Year	<u>1,572,313</u>	<u>372,139</u>	<u>1,944,452</u>
FUND BALANCES - END OF YEAR	<u><u>\$ 1,318,872</u></u>	<u><u>\$ 221,612</u></u>	<u><u>\$ 1,540,484</u></u>

See accompanying Notes to Basic Financial Statements.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
 (A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
 RECONCILIATION OF THE STATEMENTS OF REVENUES, EXPENDITURES, AND CHANGES
 IN FUND BALANCES OF THE GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
 YEAR ENDED DECEMBER 31, 2022**

Net Change in Fund Balances - Governmental Funds	\$ (403,968)
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the costs of these assets are depreciated over their estimated useful lives.	
Expenditures for Capital Assets	299,996
Current Year Depreciation and Amortization	(1,209,148)
The issuance of long-term debt (e.g., bonds) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of government funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of issuance costs, discounts, and similar items when debt is first issued as expenditures, whereas these amounts are deferred and amortized in the statement of activities.	
Bond Principal Payment	975,000
Lease Payment	128,360
Cost of Refunding Amortization	(138,163)
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.	
Accrued Interest on Bonds - Change in Liability	<u>2,113</u>
Change in Net Position of Governmental Activities	<u><u>\$ (345,810)</u></u>

See accompanying Notes to Basic Financial Statements.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE –
BUDGET AND ACTUAL
YEAR ENDED DECEMBER 31, 2022

	Budget Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Property Taxes	\$ 4,505,837	\$ 4,505,837	\$ 4,376,277	\$ (129,560)
Specific Ownership Taxes	283,000	283,000	287,268	4,268
Net Investment Income	5,000	5,000	38,030	33,030
Reimbursed Expenditures	-	-	67,745	67,745
Events Income	75,000	75,000	124,241	49,241
Sponsorship Income	100,000	100,000	89,500	(10,500)
Total Revenues	<u>4,968,837</u>	<u>4,968,837</u>	<u>4,983,061</u>	<u>14,224</u>
EXPENDITURES				
Administration	930,352	974,763	927,185	47,578
Marketing and Communications	1,634,552	1,577,138	1,587,986	(10,848)
Operations	2,597,647	2,843,059	2,721,331	121,728
Total Expenditures	<u>5,162,551</u>	<u>5,394,960</u>	<u>5,236,502</u>	<u>158,458</u>
NET CHANGE IN FUND BALANCES	(193,714)	(426,123)	(253,441)	172,682
Fund Balances - Beginning of Year	<u>1,451,991</u>	<u>1,572,313</u>	<u>1,572,313</u>	<u>-</u>
FUND BALANCES - END OF YEAR	<u>\$ 1,258,277</u>	<u>\$ 1,146,190</u>	<u>\$ 1,318,872</u>	<u>\$ 172,682</u>

See accompanying Notes to Basic Financial Statements.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 1 DEFINITION OF REPORTING ENTITY

Cherry Creek North Business Improvement District No. 1 (the District), is a quasi-municipal corporation and political subdivision of the state of Colorado. The District was organized on November 28, 1988 and is governed according to the provisions of the Colorado Business Improvement Act (C.R.S. 31-25 part 12). The District's service area is located in the city and County of Denver, Colorado (the City). The District was established for the purpose of maintaining public improvements and planning developmental activities; promotion and marketing of District activity; organization, promotion, marketing, and management of public events; activities supporting business recruitment, management, and development; security for businesses and public areas located within the District; snow removal and refuse collection; and providing design assistance.

The District follows the Governmental Accounting Standards Board (GASB) accounting pronouncements, which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the organizations governing body, ability to impose its will on the organization, a potential for the organization to provide specific financial benefits or burdens and fiscal dependency.

The District's annual budget is required to be submitted to and approved by the City, thus enabling the City to impose its will on the District. Consequently, the District is considered to be a component unit of the City.

The District has a 13-member Board of Directors (the Board) comprised of a chairperson, vice-chair person, secretary-treasurer, and eight additional members. In evaluating the District as a reporting entity, the Board has addressed all potential component units for which the District may or may not be financially accountable and, as such, be includable within the District's financial statements. The District is not financially accountable for any other organization.

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The more significant accounting policies of the District are described as follows:

Government-Wide and Fund Financial Statements

The government-wide financial statements include the statement of net position and the statement of activities. These financial statements include all of the activities of the District. The effect of interfund activity has been removed from these statements. Governmental activities are normally supported by property taxes.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-Wide and Fund Financial Statements (Continued)

The statement of net position reports all financial and capital resources of the District. The difference between the assets, deferred outflows, liabilities and deferred inflows of the District is reported as net position.

The statement of activities demonstrates the degree to which the direct and indirect expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds. Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the District considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. The major sources of revenue susceptible to accrual are property taxes and specific ownership taxes. All other revenue items are considered to be measurable and available only when cash is received by the District. Expenditures, other than interest on long-term obligations, are recorded when the liability is incurred or the long-term obligation is due.

The District reports the following major governmental funds:

The General Fund is the District's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The Debt Service Fund accounts for the resources accumulated and payments made for principal and interest on long-term debt of the governmental funds.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Adoption of New Accounting Standards

In June 2017, the Governmental Accounting Standards Board (GASB) issued GASB Statement No. 87, *Leases*. This standard requires the recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and as inflows of resources or outflows of resources to be recognized based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this standard, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources.

The District adopted the requirements of the guidance effective January 1, 2022, and has elected to apply the provisions of this standard to the beginning of the period of adoption.

Leases

The District determines if an arrangement is a lease at inception. Leases are included as right-to-use assets in capital assets and as leases payable in noncurrent liabilities in the Statement of Net Position.

Lease assets represent the District's control of the right to use an underlying asset for the lease term, as specified in the contract, in an exchange or exchange-like transaction. Lease assets are recognized at the commencement date based on the initial measurement of the lease liability, plus any payments made to the lessor at or before the commencement of the lease term and certain direct costs. Lease assets are amortized in a systematic and rational manner over the shorter of the lease term or the useful life of the underlying asset.

Lease liabilities represent the District's obligation to make lease payments arising from the lease. Lease liabilities are recognized at the commencement date based on the present value of expected lease payments over the lease term, less any lease incentives. Interest expense is recognized ratably over the contract term.

The lease term may include options to extend or terminate the lease when it is reasonably certain that the District will exercise that option.

The District has elected to recognize payments for short-term leases with a lease term of 12 months or less as expenses as incurred, and these leases are not included as lease liabilities or right-to-use lease assets on the statements of net position. For individual lease contracts where information about the discount rate implicit in the lease is not included, the District has elected to use the incremental borrowing rate to calculate the present value of expected lease payments.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Budgets

In accordance with Local Government Budget Law of Colorado and the Business Improvement District Law, the District's Board of Directors prepares an annual operating plan and budget that is submitted no later than each September 30 to the City for approval. The District's Board of Directors conducts a public hearing prior to adopting the final budget for the ensuing year, setting the mill levy, and appropriating sums of money within the Budget. The District then certifies its mill levy to the Assessor and the Council of the City and County of Denver prior to the statutory certification date, December 15. The District may modify the budget and the appropriation of sums of money within the budget. The appropriation is at the total fund expenditures level and lapses at year-end. The District's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification and publication requirements. The budget includes each fund on its basis of accounting unless otherwise indicated.

The District amended its budget for the year ended December 31, 2022.

Pooled Cash and Investments

The District follows the practice of pooling cash and investments of all funds to maximize investment earnings. Except when required by trust or other agreements, all cash is deposited to and disbursed from a single bank account. Cash in excess of immediate operating requirements is pooled for deposit and investment flexibility. Investment earnings are allocated periodically to the participating funds based upon each fund's average equity balance in the total cash.

Property Taxes

Property taxes are levied by the District's Board of Directors. The levy is based on assessed valuations determined by the County Assessor generally as of January 1 of each year. The levy is normally set by December 15 by certification to the County Commissioners to put the tax lien on the individual properties as of January 1 of the following year. The County Treasurer collects the determined taxes during the ensuing calendar year. The taxes are payable by April or if in equal installments, at the taxpayer's election, in February and June. Delinquent taxpayers are notified in August and generally sales of the tax liens on delinquent properties are held in November or December. The County Treasurer remits the taxes collected monthly to the District. Property taxes, net of estimated uncollectible taxes, are recorded initially as deferred inflows of resources in the year they are levied and measurable. The property tax revenues are recorded as revenue in the year they are available or collected.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Capital Assets

Capital assets are tangible and intangible assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the government-wide financial statements. Capital assets are defined by the District as assets with an initial, individual cost of more than \$2,500. Such assets are recorded at historical cost (except for intangible right-to-use lease assets, the measurement of which is discussed in *Leases*) or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

Capital assets which are anticipated to be conveyed to other governmental entities are recorded as construction in progress and are not included in the calculation of net investment in capital assets.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the life of the asset are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related fixed assets, as applicable.

Depreciation/amortization expense has been computed using the straight-line method over the following estimated economic useful lives:

Vehicles	5 to 7 Years
Office Furniture and Equipment	5 to 7 Years
Maintenance Equipment	5 to 7 Years
Right-to-Use Lease Building	10 Years
Leasehold Improvements	7 Years
Holiday Lights and Controllers	7 Years
Streets	20 Years

Amortization

In the government-wide financial statements, the cost of bond refunding is being amortized using the interest method over the life of the refunded bonds. The amortization amount is a component of interest expense and the unamortized deferred cost is reflected as a deferred outflow of resources.

Compensated Absences

The District has a policy that allows employees to accumulate unused Personal Time Off (PTO) benefits based on length of service. Employees are encouraged to use all of their PTO benefits earned each year. PTO carryover hours are limited to 240 hours per year, as specified in the Employee Handbook.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Deferred Inflow/Outflow of Resources

In addition to assets, the statement of net position reports a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period and so will not be recognized as an outflow of resources (expense/expenditure) until that time. The District has one item that qualifies for reporting in this category. Accordingly, the item, loss on refunding, is deferred and recognized as an outflow of resources in the period that the amount is incurred.

In addition to liabilities, the statement of net position reports a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time. The District has one item that qualifies for reporting in this category. Accordingly, the item, deferred property tax revenue, is deferred and recognized as an inflow of resources in the period that the amount becomes available.

Fund Equity

Net Position

For government-wide presentation purposes when both restricted and unrestricted resources are available for use, it is the government's practice to use restricted resources first, then unrestricted resources as they are needed.

Fund Balance

Fund balance for governmental funds should be reported in classifications that comprise a hierarchy based on the extent to which the government is bound to honor constraints on the specific purposes for which spending can occur. Governmental funds report up to five classifications of fund balance: nonspendable, restricted, committed, assigned, and unassigned. Because circumstances differ among governments, not every government or every governmental fund will present all of these components. The following classifications describe the relative strength of the spending constraints:

Nonspendable Fund Balance – The portion of fund balance that cannot be spent because it is either not in spendable form (such as prepaid amounts or inventory) or legally or contractually required to be maintained intact.

Restricted Fund Balance – The portion of fund balance that is constrained to being used for a specific purpose by external parties (such as bondholders), constitutional provisions, or enabling legislation.

Committed Fund Balance – The portion of fund balance that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, the Board of Directors. The constraint may be removed or changed only through formal action of the Board of Directors.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Equity (Continued)

Fund Balance (Continued)

Assigned Fund Balance – The portion of fund balance that is constrained by the government’s intent to be used for specific purposes but is neither restricted nor committed. Intent is expressed by the Board of Directors to be used for a specific purpose. Constraints imposed on the use of assigned amounts are more easily removed or modified than those imposed on amounts that are classified as committed.

Unassigned Fund Balance – The residual portion of fund balance that does not meet any of the criteria described above.

If more than one classification of fund balance is available for use when an expenditure is incurred, it is the District’s practice to use the most restrictive classification first.

NOTE 3 CASH AND INVESTMENTS

Cash and investments as of December 31, 2022, are classified in the accompanying financial statements as follows:

Statement of Net Position:

Cash and Investments	\$ 1,563,591
Cash and Investments - Restricted	<u>372,649</u>
Total Cash and Investments	<u><u>\$ 1,936,240</u></u>

Cash and investments as of December 31, 2022, consist of the following:

Deposits with Financial Institutions	\$ 547,961
Investments	<u>1,388,279</u>
Total Cash and Investments	<u><u>\$ 1,936,240</u></u>

Deposits with Financial Institutions

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

At December 31, 2022, the District’s cash deposits had a bank and carrying balance of \$547,961.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 3 CASH AND INVESTMENTS (CONTINUED)

Investments

The District has adopted a formal investment policy, which includes following state statutes regarding investments. It sets out the following priorities for investments: 1) safety of principal is the primary objective, 2) portfolio shall retain sufficient liquidity to meet all reasonably anticipated operating cash needs, 3) investment purchases and sales shall be managed in a manner consistent with the BID's financial management goals, and 4) attaining a market rate of return throughout interest rate cycles. The District will only use security dealers who meet specific requirements detailed within the policy.

The District generally limits its concentration of investments to those noted with an asterisk (*) below, which are believed to have minimal credit risk, minimal interest rate risk and no foreign currency risk. Additionally, the District is not subject to concentration risk or investment custodial risk disclosure requirements for investments that are in the possession of another party.

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors. Such actions are generally associated with a debt service reserve or sinking fund requirements.

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local governments may invest which include:

- . Obligations of the United States, certain U.S. government agency securities and securities of the World Bank
- . General obligation and revenue bonds of U.S. local government entities
- . Bankers' acceptances of certain banks
- . Commercial paper
- . Written repurchase agreements and certain reverse repurchase agreements collateralized by certain authorized securities
- . Certain money market funds
- . Guaranteed investment contracts
- * Local government investment pools

Fair Value Measurement and Application

The District categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs, and Level 3 inputs are significant unobservable inputs. Investments not measured at fair value and not categorized include governmental money market funds (PFM Funds Governmental Select series), money market funds (generally held by Bank Trust Departments in their role as paying agent or trustee), CSAFE which is recorded at amortized cost, and COLOTRUST which is recorded at net asset value.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 3 CASH AND INVESTMENTS (CONTINUED)

As of December 31, 2022, the District had the following investments:

<u>Investment</u>	<u>Maturity</u>	<u>Amount</u>
Colorado Local Government Liquid Asset Trust (COLOTRUST)	Weighted-Average Under 60 Days	\$ 1,388,279

COLOTRUST

The District invested in the Colorado Local Government Liquid Asset Trust (COLOTRUST) (the Trust) an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all state statutes governing the Trust. The Trust currently offers three portfolios – COLOTRUST PRIME, COLOTRUST PLUS+, and COLOTRUST EDGE.

COLOTRUST PRIME and COLOTRUST PLUS+, which operate similarly to a money market fund and each share is equal in value to \$1.00, offer daily liquidity. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper, and any security allowed under CRS 24-75-601.

COLOTRUST EDGE, a variable Net Asset Value (NAV) Local Government Investment Pool, offers weekly liquidity and is managed to approximate a \$10.00 transactional share price. COLOTRUST EDGE may invest in securities authorized by CRS 24-75-601, including U.S. Treasury securities, repurchase agreements collateralized by U.S. Treasury securities, certain obligations of U.S. government agencies, highest rated commercial paper, and any security allowed under CRS 24-75-601.

A designated custodial bank serves as custodian for the Trust's portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for the Trust's investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by the Trust. COLOTRUST PRIME and COLOTRUST PLUS+ are rated AAAM by Standard & Poor's. COLOTRUST EDGE is rated AA Af/S1 by FitchRatings. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST at net asset value as determined by fair value. There are no unfunded commitments, the redemption frequency is daily or weekly, and there is no redemption notice period.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 4 CAPITAL ASSETS

An analysis of the changes in capital assets for the year ended December 31, 2022 follows:

	Balance - December 31, 2021	Additions	Retirements	Balance - December 31, 2022
Capital Assets, Being Depreciated:				
Vehicles	\$ 35,826	\$ -	\$ -	\$ 35,826
Office Furniture and Equipment	76,799	19,020	-	95,819
Maintenance Equipment	30,725	-	-	30,725
Leasehold Improvements	162,045	32,855	-	194,900
Holiday Lights and Controllers	398,587	27,500	-	426,087
Street	18,019,855	220,621	-	18,240,476
Totals Capital Assets Being Depreciated	18,723,837	299,996	-	19,023,833
Lease Assets, Being Amortized:				
Right-to-Use Lease Building	-	1,248,635	-	1,248,635
Totals Lease Assets Being Amortized	-	1,248,635	-	1,248,635
Less Capital Asset Accumulated Depreciation:				
Vehicles	(35,825)	(1)	-	(35,826)
Office Furniture and Equipment	(57,822)	(6,463)	-	(64,285)
Maintenance Equipment	(29,473)	(743)	-	(30,216)
Leasehold Improvements	(83,202)	(27,061)	-	(110,263)
Holiday Lights and Controllers	(54,328)	(54,969)	-	(109,297)
Streets	(8,677,964)	(995,047)	-	(9,673,011)
Total Capital Asset Accumulated Depreciation	(8,938,614)	(1,084,284)	-	(10,022,898)
Less Lease Asset Accumulated Amortization:				
Right-to-Use Lease Building	-	(561,886)	-	(561,886)
Total Lease Asset Accumulated Amortization	-	(561,886)	-	(561,886)
Capital Assets, Net	<u>\$ 9,785,223</u>	<u>\$ (97,539)</u>	<u>\$ -</u>	<u>\$ 9,687,684</u>

As a result of implementation of GASB Statement No. 87 (GASB 87), *Leases*, \$1,248,635 in lease assets being amortized and \$437,022 in lease asset accumulated amortization were added as Right-to-Use Lease Building as presented above. The net cumulative effect of this change in accounting principle is presented in the Statement of Activities.

Depreciation/Amortization expenses were charged to functions/programs of the District as follows:

Governmental Activities:	
General Government	<u>\$ 1,209,148</u>

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 5 LONG-TERM OBLIGATIONS

The following is an analysis of the changes in the District's long-term obligations for the year ended December 31, 2022:

	Balance - December 31, 2021	Additions	Reductions	Balance - December 31, 2022	Amounts Due Within One Year
Bonds Payable					
Series 2015	\$ 11,735,000	\$ -	\$ (975,000)	\$ 10,760,000	\$ 1,040,000
Subtotal of Bonds Payable	11,735,000	-	(975,000)	10,760,000	1,040,000
Notes from Direct Borrowings and Direct Placements:					
Lease Payable	-	775,196	(128,360)	646,836	125,063
Subtotal of Notes from Direct Borrowings and Direct Placements	-	775,196	(128,360)	646,836	125,063
Total Long-Term Obligations	<u>\$ 11,735,000</u>	<u>\$ 775,196</u>	<u>\$ (1,103,360)</u>	<u>\$ 11,406,836</u>	<u>\$ 1,165,063</u>

As a result of implementation of GASB Statement No. 87 (GASB 87), *Leases*, \$775,196 was added to Lease Payable as presented above. The net cumulative effect of this change in accounting principle is presented in the Statement of Activities.

The details of the District's long-term obligations are as follows:

\$16,460,000 General Obligation Refunding Bonds, Series 2015

On December 8, 2015, the District issued \$16,460,000 in General Obligation Refunding Bonds, with an interest rate of 2.600%. The Bonds mature on December 1, 2030 and are not subject to redemption prior to maturity. The Bonds are subject to sinking fund redemption beginning on December 1, 2017. The proceeds were used to establish an irrevocable trust account (the Refunding Escrow) to refund the Series 2008 and 2009 Bonds on the first date on which they may be redeemed prior to their maturities.

The defeased bonds are not considered a liability of the District since sufficient funds were deposited in the Refunding Escrow and invested in U.S. government securities for the purpose of paying the principal and interest of the defeased bonds when due.

The Bonds are secured by and payable from revenue which consists of required mill levy revenues. The required mill levy is imposed upon all taxable property within the District each year in an amount, when combined with amounts on deposit in the Bond Fund, sufficient to pay the principal and interest, without limitation to rate or amount.

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 5 LONG-TERM DEBT (CONTINUED)

The District's Series 2015 Bonds principal and interest will mature as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 1,040,000	\$ 279,760	\$ 1,319,760
2024	1,110,000	252,720	1,362,720
2025	1,180,000	223,860	1,403,860
2026	1,255,000	193,180	1,448,180
2027	1,325,000	160,550	1,485,550
2028-2030	4,850,000	246,870	5,096,870
Total	<u>\$ 10,760,000</u>	<u>\$ 1,356,940</u>	<u>\$ 12,116,940</u>

At December 31, 2022, the District has issued all authorized indebtedness at a total of \$18,500,000.

Office Building Lease

The District leases office and parking spaces under an operating lease. The District entered into a lease agreement with UPI 2nd & Josephine LLC in 2018, which will expire June 1, 2028. The incremental borrowing rate at the commencement of the agreement was 5%.

The future minimum lease obligations and net present value of these minimum lease payments are as follows:

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 125,063	\$ 34,553	\$ 159,616
2024	121,789	41,419	163,208
2025	118,543	48,258	166,801
2026	115,329	55,066	170,395
2027	112,154	61,833	173,987
2028	53,958	33,934	87,892
Total	<u>\$ 646,836</u>	<u>\$ 275,063</u>	<u>\$ 921,899</u>

Right-to-use assets acquired through the outstanding lease are shown below:

Governmental Activities:

Right-to-Use Lease Building	\$ 1,248,635
Less: Lease Asset Accumulated Amortization	<u>(561,886)</u>
	<u>\$ 686,749</u>

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022**

NOTE 6 NET POSITION

The District has net position consisting of three components – net investment in capital assets, restricted and unrestricted.

Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. As of December 31, 2022, the District had net investment in capital assets calculated as follows:

Net Investment in Capital Assets:	
Capital Assets, Net	\$ 9,687,684
Current Portion of Long-Term Obligations	(1,165,063)
Noncurrent Portion of Long-Term Obligations	(10,241,773)
Cost of Refunding (Net of Accumulated Amortization)	834,517
Net Investment in Capital Assets	<u>\$ (884,635)</u>

The restricted component of net position includes assets that are restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation. The District had restricted net position as of December 31, 2022, as follows:

Restricted Net Position:	
Emergency Reserves	\$ 147,500
Debt Service	198,299
Total Restricted Net Position	<u>\$ 345,799</u>

The District's unrestricted net position as of December 31, 2022, totaled \$1,171,372.

NOTE 7 AGREEMENTS

Cherry Creek Area Business Alliance Management Agreement

The District entered into a management agreement with Cherry Creek Leadership Council (CCLC) (organized as Cherry Creek Area Business Alliance) dated October 7, 2022. Under this agreement, the District has agreed to manage the operations and programs of CCLC, including general administration, maintenance within the CCLC service area, and certain marketing, promotion and business support services. In exchange for these services, CCLC agrees to the pay compensation to the District in the amount for \$20,000 for each year of service. Upon execution, this Agreement shall continue for a period of one year and shall automatically continue for successive one-year periods thereafter.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 8 RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; thefts of, damage to, or destruction of assets; errors or omissions; injuries to employees; or acts of God.

The District is a member of the Colorado Special Districts Property and Liability Pool (the Pool). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials' liability, boiler and machinery and workers' compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The District pays annual premiums to the Pool for liability, property and public officials' liability coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

NOTE 9 DEFINED CONTRIBUTION PLANS

The District maintains the following defined contribution plans: The Social Security Replacement Plan and the District Retirement Plan. Both plans are in accordance with Internal Revenue Service Code Sections 457 and 401(a). The plans are administered by ICMA-RC dba MissionSquare Retirement:

1. Social Security Replacement Plan (required participation): The District has opted not to participate in the traditional federal Social Security program by providing a retirement program that privatizes the employee's and employer's social security deductions into individual accounts to be managed by the employee. Each pay period, 6.2% of the employee's check is deposited into a 401 individual retirement plan in conjunction with the District depositing an equal 6.2% contribution into an individual 401 retirement plan. Employees are fully vested from the start of employment.
2. District Retirement Plan (optional participation): The District offers an employer matching retirement plan for those full-time employees electing to participate. Participation requires that the employee elects to have 4% of their check deducted and placed into an individual 457 retirement account. If the employee elects to participate in the optional program, the District will contribute a matching 4% of the employee's check into an individual 401 retirement plan. Employees are fully vested from the start of employment.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
NOTES TO BASIC FINANCIAL STATEMENTS
DECEMBER 31, 2022

NOTE 9 DEFINED CONTRIBUTION PLANS (CONTINUED)

3. On September 10, 2014, the District's Board of Directors adopted another employee benefit program. The program consists of an employer contribution of up to 5% of each eligible employee's salary awarded at the end of each calendar year. The program requires three years of continuous employee service to receive 50% of the employer's contribution and five years of continuous service to receive 100%. Furthermore, the Board of Directors may elect at the end of each calendar year to partially or fully fund this program based on any reason they deem appropriate. Employees are 50% vested with three years of continuous service and 100% vested with five years of continuous service.

Employer contributions to the plans in 2021 and 2022 were \$117,912 and \$120,674, respectively. The funds are not available until termination, retirement, death, or unforeseen emergencies. The employer's portion of liability outstanding December 31, 2022 is \$47,523. There is no liability for benefits under the plan beyond the District's payments. Plan provisions and contribution requirements are established and may be amended by the District's Board of Directors.

NOTE 10 TAX, SPENDING, AND DEBT LIMITATIONS

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer's Bill of Rights (TABOR), contains tax, spending, revenue and debt limitations that apply to the state of Colorado and all local governments.

Spending and revenue limits are determined based on the prior year's Fiscal Year Spending adjusted for allowable increases based upon inflation and local growth. Fiscal Year Spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the Fiscal Year Spending limit must be refunded unless the voters approve retention of such revenue.

TABOR requires local governments to establish Emergency Reserves. These reserves must be at least 3% of Fiscal Year Spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases.

The District's management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits and qualification as an Enterprise will require judicial interpretation. The District has made certain interpretations of the amendment's language in order to determine its compliance.

On November 5, 1996, a majority of the District's electors authorized the District to collect and spend or retain in a reserve all currently levied taxes and fees of the District without regard to any limitations under TABOR. In 1999, the Colorado Attorney General determined that the District was exempt from TABOR.

SUPPLEMENTARY INFORMATION

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
DEBT SERVICE FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE – BUDGET AND ACTUAL
YEAR ENDED DECEMBER 31, 2022

	Original and Final Budget	Actual Amounts	Variance with Final Budget Positive (Negative)
REVENUES			
Property Taxes	\$ 1,159,948	\$ 1,126,595	\$ (33,353)
Interest Income	2,000	15,527	13,527
Total Revenues	1,161,948	1,142,122	(19,826)
EXPENDITURES			
County Treasurer's Fee	11,599	11,194	405
Bond Principal - 2015 Series	975,000	975,000	-
Bond Interest - 2015 Series	305,110	305,110	-
Paying Agent Fees	1,000	300	700
Undesignated Contingencies	12,291	1,045	11,246
Total Expenditures	1,305,000	1,292,649	12,351
NET CHANGE IN FUND BALANCES	(143,052)	(150,527)	(7,475)
Fund Balances - Beginning of Year	384,158	372,139	(12,019)
FUND BALANCES - END OF YEAR	\$ 241,106	\$ 221,612	\$ (19,494)

OTHER INFORMATION

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
SCHEDULE OF DEBT SERVICE REQUIREMENTS TO MATURITY
DECEMBER 31, 2022**

\$16,460,000 General Obligation Bonds
Dated December 8, 2015
Interest Rate of 2.600%
Principal Due December 1
Interest Payable December 1

<u>Year Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Service</u>
2023	\$ 1,040,000	\$ 279,760	\$ 1,319,760
2024	1,110,000	252,720	1,362,720
2025	1,180,000	223,860	1,403,860
2026	1,255,000	193,180	1,448,180
2027	1,325,000	160,550	1,485,550
2028	1,780,000	126,100	1,906,100
2029	1,495,000	79,820	1,574,820
2030	1,575,000	40,950	1,615,950
Total	<u>\$ 10,760,000</u>	<u>\$ 1,356,940</u>	<u>\$ 12,116,940</u>

**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
SCHEDULE OF ASSESSED VALUATION, MILL LEVY,
AND PROPERTY TAXES COLLECTED
DECEMBER 31, 2022**

<u>Year Ended December 31,</u>	Prior Year Assessed Valuation for Current Year Tax Levy	Mills Levied	Total Property Taxes			Percent Collected to Levied
			<u>Levied</u>	<u>Collected</u>		
2018	\$ 294,065,090	15.642	\$ 4,599,766	\$ 4,551,770	(1)	98.96 %
2019	310,367,110	15.142	4,699,579	4,597,008	(2)	97.82
2020	405,503,140	15.142	6,140,129	5,876,717	(3)	95.71
2021	406,014,270	15.142	6,147,868	6,052,399	(4)	98.45
2022	374,176,790	15.142	5,665,785	5,502,872	(5)	97.12
Estimated for the Year Ending December 31, 2023	\$ 372,507,190	17.642	\$ 6,571,772			

NOTE: Property taxes shown as collected in any one year include collection of delinquent property taxes or abatements of property taxes assessed in prior years.

- (1) Taxes were abated and refunded, amounting to \$8,155, in collection year ended 2018 per County.
- (2) Taxes were abated and refunded, amounting to \$52,386, in collection year ended 2019 per County.
- (3) Taxes were abated and refunded, amounting to \$101,645, in collection year ended 2020 per County.
- (4) Taxes were abated and refunded, amounting to \$38,522, in collection year ended 2021 per County.
- (5) Taxes were abated and refunded, amounting to \$35,396, in collection year ended 2022 per County.

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
ACTUAL
DECEMBER 31, 2022

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
REVENUES					
Property Taxes	\$ 3,300,484	\$ 3,291,557	\$ 4,673,585	\$ 4,813,300	\$ 4,376,277
Specific Ownership Taxes	265,514	346,049	317,197	334,555	287,268
Interest Income	26,359	20,845	3,861	113	38,030
Reimbursed Expenditures	-	76,667	-	49,451	67,745
Parking Garage Income	159,487	156,745	64,400	-	-
Events Income	94,298	116,745	5,000	101,946	124,241
Sponsorship Income	9,000	10,050	-	42,500	89,500
Management Fees - Parking	50,000	50,000	29,167	-	-
Miscellaneous Income	-	-	1,925	2,357	-
Gift Card Sales	37,167	33,820	4,638	-	-
Total Revenues	<u>3,942,309</u>	<u>4,102,478</u>	<u>5,099,773</u>	<u>5,344,222</u>	<u>4,983,061</u>
EXPENDITURES					
Current Operating					
Administration	553,304	769,299	847,513	794,927	927,185
Operations	3,149,671	3,259,123	3,505,317	3,684,342	1,587,986
Capital Outlay	146,544	233,316	601,314	567,836	2,721,331
Total Expenditures	<u>3,849,519</u>	<u>4,261,738</u>	<u>4,954,144</u>	<u>5,047,105</u>	<u>5,236,502</u>
NET CHANGE IN FUND BALANCES	92,790	(159,260)	145,629	297,117	(253,441)
Fund Balances - Beginning of Year	<u>1,196,037</u>	<u>1,288,827</u>	<u>1,129,567</u>	<u>1,275,196</u>	<u>1,572,313</u>
FUND BALANCES - END OF YEAR	<u>\$ 1,288,827</u>	<u>\$ 1,129,567</u>	<u>\$ 1,275,196</u>	<u>\$ 1,572,313</u>	<u>\$ 1,318,872</u>

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1
(A COMPONENT UNIT OF THE CITY AND COUNTY OF DENVER)
TEN LARGEST TAXPAYERS OF TAXABLE PROPERTY
(Unaudited)
(Assessed Valuation for 2022 Taxes Due in 2023)

<u>Taxpayer</u>	<u>Assessed Valuation</u>	<u>Percent of Total Assessed Valuation</u>
100 SAINT PAUL LLC	\$ 16,565,150	4.40%
MILWAUKEE BL LLC	15,447,370	4.10%
151 DETROIT STREET CF LLC	14,737,540	4.00%
SE BCC BUILDING LLC	14,029,730	3.80%
CCN GATEWAY LLC	13,050,000	3.50%
FILLMORE CHERRY CREEK LLC	12,653,840	3.40%
DIAMONDROCK CHERRY CREEK OWNER LLC	12,180,000	3.30%
WESTERN OFFICE PORTFOLIO PROPERTY OWNER LLC	10,894,840	2.90%
GW PROPERTY SERVICES LLC	10,631,320	2.90%
RB CHERRY CREEK LLC	9,901,700	2.70%
ALL OTHERS	<u>242,415,700</u>	<u>65.00%</u>
Total	<u><u>\$ 372,507,190</u></u>	<u><u>100.00%</u></u>

BY-LAWS

BYLAWS

OF

CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1

(A Business Improvement District created pursuant to the Colorado Business Improvement District Act, as amended, and Ordinance No. 741 (1988) of the Council of the City and County of Denver.)

AS AMENDED BY THE BOARD OF DIRECTORS January 8, 2020

ARTICLE 1

Offices

The principal office of the Cherry Creek North Business Improvement District No. 1, hereafter known as the "District", shall be at a location in Denver, Colorado as the Board of Directors may determine or as the affairs of the District may require from time to time.

ARTICLE II

Board of Directors

1. General Powers. Except as otherwise provided by law or these bylaws, the affairs of the District shall be governed by its Board of Directors, hereinafter sometimes known as the "Board".
2. Number. In accordance with City and County of Denver Ordinance No. 153 (Series of 1999), the Board shall consist of no fewer than nine (9) to no more than fifteen (15) members. Within this range, a majority vote of the Board may set the number of directors by resolution or by amendment of the District's Number of Board Members Governing Policy.

3. Composition. Each member of the Board shall be an elector of the District, and no more than one-half of the members of the board may be affiliated with one owner or lessee of taxable real or personal property in the District.
4. Appointment and Term of Office. In accordance with C.R.S. § 31-25-1209(b), the directors shall be appointed by the Mayor and approved by the City Council of the City and County of Denver, and shall serve at the pleasure of the Mayor and the City Council. Each year at the regular meeting of the Board during the month of November, the Board shall nominate a successor for each director whose term shall expire that year, except that the Board may propose to adjust the number of directors to be appointed in a given year in order to achieve staggered terms, so that approximately one-third of directors' terms expire in a given year. The nominations process shall be described in the District's Governing Policies. A copy of the slate recommended by the nominating committee shall be included in the notice to each director of any regular or special meeting at which the nomination of a director for proposal to the Mayor will take place. In selecting a nominee, the Board shall give such consideration as it may deem appropriate to the need for representation of the variety of commercial property owners and businesses, both in terms of the nature of goods or service provided and the relative size of the businesses, within the District. The Board shall also give consideration to the expressed commitment of a nominee to fulfill the obligations and commitments inherent in participation on the Board, as enumerated within these bylaws or in governing policies adopted by the Board. The Board shall propose its nominees to the Mayor confirming the term of the continuing members of the Board and recommending each nominee to fill a

vacancy created by an expiring term to serve for a term of three (3) years, for a maximum of two consecutive three year terms. Prospective directors recommended by the Board to the Mayor shall assume their role on January 1st, and shall have voting rights and be recognized as a formal Board member unless/until notification is received that they have not been approved by the City Council.

5. Vacancies. In the event that a vacancy created on the Board of Directors shall occur for any cause other than the expiration of the director's term, including removal, the Board of Directors shall nominate a succeeding director by a vote of a majority of the remaining directors (even if such a majority is less than a quorum) at any regular or special meeting of the board held within 75 days of the occurrence of such vacancy. In selecting a nominee, the Board shall give such consideration as it may deem appropriate to the need for representation of the variety of commercial property owners and businesses, both in terms of the nature of goods or service provided and the relative size of the businesses, within the District. The Board of Directors shall nominate to the Mayor a succeeding director to fill the vacancy.
6. Consultation with Electors. Each year, no later than 5 days before the scheduled date for the regular meeting of the Board during the month of September, the Secretary shall cause notice to be given to the electors (as defined in C.R.S. § 31-25-1203(4)(a), as may be amended) of all openings on the Board, which will occur that year as a result of the expiration of directors' terms. Such notice shall describe the number of openings on the Board; describe the term to be filled; and state that the Board intends to propose to the Mayor nominees to succeed to the position of those directors whose terms are expiring, or to fill such vacancies, created by causes other than

expiration of a director's term as may exist on the Board. Notice of any opening on the Board, whether created by expiration of a director's term or any other cause, shall be sent to each elector by first class mail at his or her last-known address, as disclosed by the tax records of the County of Denver, and shall be deemed to have been given 3 days after it is placed in the United States mail, postage prepaid. Such notice shall disclose the name of the members of the nominating committee as well as the mailing address of the District office and shall direct that the electors may mail any suggestions for potential nominees for directors to the members of the nominating committee. Such notice shall also state that the electors' suggestions must be received at the District office no later than 15 days from the date of such notice in order to be considered by the nominating committee.

7. Resignation. Any director may resign by submitting a written resignation to the Board. The Board will notify the City Council and the Mayor, and such resignation will take effect on the date specified therein.
8. Removal. The Board of Directors may, by an affirmative vote of three-quarters of the directors then in office, propose to the Mayor and City Council that a member of the Board be removed for cause, which for these purposes shall be defined as failure by the director, in the opinion of a majority of the Board, to abide by these Bylaws or the governing policies of the Board then in effect. Directors may also be removed in accordance with Colo. Rev. Stat. § 31-25-1209(1)(e) and (f), as such sections may be amended.
9. Compensation. The directors shall receive no compensation for services rendered in their capacity as directors, but may, under policies established by resolution of the Board, be reimbursed for their

reasonable expenses incurred in the performance of their official duties as directors. Nothing herein shall be construed to preclude any director from providing services within the District area in some other capacity and receiving compensation therefore.

10. Regular Meetings. The Board shall hold regular meetings on a monthly basis throughout the year. The date, time and location of each meeting shall be determined by the Board; provided, prior to the end of each calendar year or as soon as practicable thereafter, the Board shall establish the regular meeting schedule for the following calendar year. The regular meeting of the Board during the month of January shall be deemed the annual meeting of the Board of Directors. At each annual meeting the Board shall designate the public place at which public notice of meetings of the Board or its committees will be posted and may transact such other business as may properly come before the Board. Any scheduled meeting of the Board may be canceled and/or rescheduled by the Chair as necessary or appropriate in the Chair's reasonable discretion.

11. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the Chair or the written demand of any three (3) directors. Such special meeting shall be held at such date, place and time as may be determined by the person or persons authorized to call the special meeting. Notice of such special meeting shall state the purpose of the meeting.

12. Notice. Notice of any meeting of the Board, whether regular or special, shall be given to each director at least five (5) days prior to the meeting. Such notice may be given by personal telephone or e-mail communication to a director; by personal delivery of written notice to a director; by transmittal of a cable or telegram to a

director; or by deposit of a written notice to a director in the United States mail, postage prepaid. When notice to a director is given by mail, such notice shall be deemed to be given three (3) days after it is placed in the United States mail, postage prepaid.

13. Quorum. A majority of those actually serving on the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the directors are present at such meeting, a majority of the directors present may adjourn the meeting to a later date, provided that notice of the meeting shall be given in the manner provided in section 12 of this Article II to each director not present at the adjourned meeting.

14. Manner of Acting. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or these bylaws.

15. Proxies. Voting by proxies is prohibited.

16. Attendance/Absences. The Board may establish an attendance requirement, which will be articulated in governing policies. A director absent from more regularly scheduled meetings of the Board than is allowed for in the attendance requirement set forth in the Governing Policies will be deemed to have resigned from the Board. Such resignation shall be effective as of the date of the last regularly scheduled Board meeting missed by the Director.

ARTICLE III

Elected Officers

1. Officers. The officers of the District shall be a Chair, a Vice-Chair, Treasurer and a Secretary. The offices of Chair, Vice-Chair, Treasurer

and Secretary shall be elected from among the members of the Board of Directors; and, resignation or removal from the Board of the Chair, Vice-Chair, Treasurer or Secretary shall constitute resignation or removal from such office as well. The office of both Secretary and Treasurer may be filled by one person.

2. Election and Term of Office. The elected officers of the District shall be elected by the Board of Directors at the annual meeting of the Board and shall serve terms of one year, until the next annual meeting of the Board, or until such officer's successors has been elected. No individual may serve more than two consecutive one-year terms in a particular officer position.
3. Vacancies. A vacancy in any office due to death, resignation, removal, disqualification or other cause may be filled by the Board of Directors for the unexpired portion of the term.
4. Resignation. Any officer may resign at any time by giving written notice thereof to the Board of Directors. Such resignation shall take effect on the date specified therein and no acceptance of such resignation shall be necessary to render the same effective.
5. Removal. Any officer elected or appointed by the Board of Directors may be removed, by an affirmative vote of a majority of the remaining voting members of the Board, whenever in the Board's judgment the best interests of the District would be served thereby.
6. Chair. The Chair of the Board of Directors shall be the chief governing officer of the District. The Chair shall preside at all meetings of the Board of Directors and shall have other authority and responsibilities as may be designated by the Board of Directors in its governing policies.
7. Vice-Chair. In the absence, disability or refusal to act by the Chair, the Vice-Chair shall perform all the duties of the Chair, and when so

acting shall have all the powers of and be subject to all the restrictions upon the Chair.

8. Secretary. The Secretary shall keep, or cause to be kept, a record of all proceedings, minutes of meetings, current governing policies, certificates, contracts, and corporate acts of the Board, which shall be open to inspection by the electors of the District and other interested parties. The Secretary shall see that all notices are duly given in accordance with the provisions of these bylaws or as required by law; be custodian of the District records and of the seal of the District and see that the seal of the District is affixed to all documents as may be required or appropriate from time to time; and in general, shall perform all other duties as may be assigned to the Secretary by the President or by the Board of Directors from time to time.
9. Treasurer. In accordance with C.R.S. § 31-25-1209(2), as may be amended, the Treasurer shall keep permanent records containing accurate accounts of all money received by and distributed for and on behalf of the District and shall make such annual or other reports to the City and County of Denver as it may require. The Treasurer may work with District staff and consultants in fulfilling this obligation. The Treasurer shall make financial information available to the directors as necessary. The Treasurer shall perform all acts incident to the position of Treasurer subject to the control of the Board of Directors. The Treasurer shall report on the progress of his/her duties as necessary at each Board meeting.

ARTICLE IV

Chief Executive Officer

1. Employment. The Board of Directors shall employ a professional

manager who will be known as the President and Chief Executive Officer (President/CEO), with such duties, for such a length of time, and at such compensation as may be determined by the Board of Directors.

2. Duties. The President/CEO shall manage the day to day affairs of the District in accordance with these Bylaws, the Board's governing policies, and, as the Board may deem appropriate, an employment contract. The President/CEO shall be a non-voting, ex officio member of the Board of Directors. The President/CEO shall be responsible for the employment of any additional staff in a manner consistent with the Board's governing policies and budget. The President/CEO may establish operating committees comprised of Board members, his/her staff and/or other interested parties for purposes he/she may deem necessary or beneficial in the performance of his/her duties.

ARTICLE V

Board Committees

1. Establishment. The Board may establish committees from time to time in order to assist it in the fulfillment of its governance role. Committees established by the Board of Directors may be established by majority vote, with specific purposes, authority and time lines to be included in the resolution establishing such committees, to be recorded in the governing policies then in effect. When these bylaws or the resolution of the board does not specify the composition of a given committee, the Chair is empowered to appoint individuals to the committee. The designation of any Committee and the delegation of authority thereto shall not relieve the Board, or any member thereof, of any

responsibility imposed by law. Each member of a committee shall continue as such until the next annual meeting of the Board of Directors of the District and until a successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee.

2. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the Board of Directors of the District and until a successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee.
3. Chairman. One member of each committee shall be appointed chairman by the person or persons authorized to appoint the members thereof.
4. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.
5. Quorum. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

ARTICLE VI

Open Meetings

Any meeting of the Board of Directors, or of any committee having and exercising any authority of the Board of Directors, shall be subject to the open meetings provisions of the Colorado Open Meetings Law, Colo. Rev. Stat. § 24-6-401 *et seq.*, as it may be amended from time to time.

ARTICLE VII

Indemnification

The District shall indemnify its directors, officers, and employees to the fullest extent permitted by the laws of Colorado against all reasonable expenses incurred in connection with the defense of any litigation to which the individual may have been made a party because he or she is or was a director, officer or employee of the District.

ARTICLE VIII

Conflicts of Interest

Each member of the Board of Directors shall comply with the provisions of Colo. Rev. Stat. §§ 31-25-1209(3), 18-8-308, 24-18-108.5, 24-18-109(2), 24-18-109(3)(a), 24-18-201, and 24-18-202, as each may be amended. Without limiting the foregoing, each member of the Board of Directors shall disclose any potential conflicting interest in any transaction of the District pursuant to C.R.S. § 18-8-308. A member of the Board with a potential conflicting interest in a District transaction shall not participate in the consideration of or vote on the transaction, shall not attempt to influence any of the contracting parties, and shall not act directly or indirectly for the Board in the inspection, operation, administration, or performance of any contract related to the transaction. Ownership, in and of itself, by a Board member of property within the District shall not be considered a potential conflicting interest. In addition, the Board must comply with the District's Governance Policy 4.5 regarding Board Members' Code of Conduct, as the same may be amended from time to time.

ARTICLE IX

Contracts, Checks and Deposits

1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the District, to enter into any contract which the Board itself is authorized to make pursuant to Part 12 of Article 25 of Title 21 of the Colorado Revised Statutes; to execute and deliver any instrument in the name of and on behalf of the District, and such authority may be general or confined to specific instances.
2. Checks, Drafts, Etc. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the District, shall be signed in the manner provided by the statute or, in the absence of any applicable statute, shall be executed in accordance with internal controls as established in the Board's then-effective governing policies.
3. Deposits. All funds of the District shall be deposited from time to time to the credit of the District in such banks, trust companies or other depositories as the Board of Directors may select.

ARTICLE X

Books and Records

The District shall keep correct and complete books and records of account as well as minutes of the proceedings of its Boards of Directors at the principal office of the District, all in accordance with State law. Records of all proceedings, minutes of meetings, certificates, contracts, and corporate acts of the Board shall be open to inspection by the electors of the Districts and other interested parties, in accordance with the Colorado Open Records Act.

ARTICLE XI

Waiver of Notice

Whenever any notice is required to be given to the member of the Board of Directors under the law or under the provisions of these bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XII

Corporate Seal

The corporate seal shall be in such form as has been or shall be approved by resolution of the Board of Directors. Such seal may be used by causing it or a facsimile thereof to be impressed or affixed or in any other manner reproduced. The impression of the seal may be made and attested by the Secretary for authentication of document, contracts or other papers requiring the seal.

ARTICLE XIII

Fiscal Year

The fiscal year of the District shall begin on the first day of January and shall end of the last day of December in each year.

ARTICLE XIV

Amendments to the Bylaws

To the extent permitted by applicable law, the Board of Directors shall have the power to alter, amend, or repeal the bylaws or to adopt new bylaws. Such action may be taken by the affirmative vote of all voting directors, if notice of the proposed alteration or amendment is included in the notice of the meeting. All bylaws of the District shall be automatically amended to conform to any changes in the statutes on which the bylaws are based.

**ATTESTATION: These bylaws amended by vote of the Board of Directors
January 8, 2020:**

Secretary

**BOARD ACTIONS (MOTIONS)
Minutes and Resolutions**

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Michael Moore, Board Chair, called the meeting to order at 8:03 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Karrie Fletcher, Terri Garbarini, Dean Griffin, Sean Huggard, Matt Joblon, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore

Members absent: Stephen Sturm

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Molly Keech, Kat Libby, Mary Siegwalt

Representatives, Guests and/or Owners present:
CliftonLarsonAllen – Thuy Dam

Public Comment: There were no public attendees.

MONTHLY BUSINESS

Michael opened the meeting, then requested board approval of the August minutes.

Approval of Meeting Minutes: Motion by Karrie Fletcher to approve the meeting minutes of August 24, 2022. Second by Rosella Louis. Vote: Unanimous in favor.

COMMITTEES & TASK FORCE REPORTS

Finance Committee

Karrie stated the August financials and Executive Summary looked good despite a few areas underspent due to timing. Thuy Dam added the district is 5% under budget year-to-date but consistent with collections this time last year. Thuy discussed the small \$4,400 abatement from August, stating that property owners have the opportunity to go back a few years in protest of a property's assigned value.

BID staff then presented to the board the proposed 2023 Operating Budget. Operations is showing the largest expenditures due to increased public safety and the pedestrian light project that's expected to complete in 2023. Retail Support and Advertising attributed to 34.4% of the Marketing & Communications budget.

Thuy discussed the 17.642 mill levy funding increase previously proposed and unanimously approved by the board at the May 25, 2022 board meeting for the 2023 collection year. Of note, the mill levy was reduced in years 2015, 2018, and 2019, resulting in an approximate \$2,500,000 reduction over the course of 4 years. Thuy also

reminded the board of the statutory obligation to submit the 2023 budget to the city by the end of the month.

Citing C.R.S. Title 31, Section 31-25-1211 of the City and County of Denver's Statutory Special Districts Rules and Regulations, Board Chair Michael Moore officially opened the published budget hearing to provide members of the public the opportunity to comment on the proposed 2023 budget.

Moore prefaced the purpose of the public hearing was to: 1) adopt the 2023 budget and certify the mill levy as stated and 2) amend the 2022 budget re-forecasted amount. With no public comment related to the budget or amendment, the open period for remarks was then closed to public hearing and comment.

Pursuant to the same Title 31 C.R.S. statute, Moore requested the board to consider official approval of the 2022 budget amendment and approval adoption of the Fiscal Year 2023 budget submitted by the CCN BID.

Approval of August financials: Motion by Jennifer Anderson to approve the August financial statement. Second by Natalie Mahler. Vote: Unanimous in favor.

Approval of 2023 Operating Plan & Budget and 2022 Amended Budget: Motion by Andy Boian to approve the 2023 Operating Plan & Budget and 2022 Amended Budget. Second by Rosella Louis. Vote: Unanimous in favor.

CEO REPORT

CEO – Nick LeMasters

Nick stated that notification by letter and newsletter would distribute on Friday, September 30th for the two remaining board positions.

Sharing sales tax revenue from Q2 of this year, Nick cited the strong results for the Apparel and Accessories categories, increases in Restaurant/Hospitality and Personal Care/Services areas, with Home Furnishings down.

Nick and Richard met once more with the Cherry Creek Arts Festival team to present ideas for a festival providing increased access for merchants, residents, and guests. Staff will keep the board posted on future conversations and developments.

With Colorado voters approving Proposition 118 in November of 2020 for a state-wide FAML Paid Leave Program, Nick apprised the board of the robust benefit plan provided to BID staff, and the option for local governments to opt out of the program. Discussion ensued whereby the board of directors voted unanimously to opt-out of the Colorado FAML program.

Approval to Opt-Out: A motion was made by Jennifer Anderson to opt-out of the Colorado FAML program with unanimous approval by the board.

Operations – Richard Barrett

Richard discussed the positive feedback received for the increased security presence in the district. Richard also provided updates on various projects including landscape, the city's pay-by-phone parking conversion, digital kiosks, holiday, and district LED lighting. Richard attended the Denver Moves Cherry Creek Steering Committee meeting to look ahead and anticipate future multi-modal transportation solutions. Richard also added the city is working out permit regulations for restaurant patio expansion into October 2023.

Marketing – Lisa Voss

With the holidays around the corner, Lisa discussed the annual Winter Wonderland program and status of sponsorship sales. The Marketing team is conducting due diligence around the selection of a new branding campaign.

ADJOURN

Adjourn: With no further discussion, questions or comments, Board Chair, Michael Moore, called for a motion from the board to move into executive session for the purpose and discussion of proprietary issues.

Approval to Move into Executive Session: Motion by Natalie Mahler to approve moving into Executive Session. Second by Lisa McInroy. Vote: Unanimous in favor.

This Executive Session is held in accordance pursuant to Section 24-6-402(4)(e), C.R.S. The board unanimously approved moving into executive session at which time the regularly scheduled board meeting with staff and guests was adjourned at 9:27 a.m.

UPCOMING BOARD MEETING DATES:

- October 26, 2022
- November 16, 2022
- December 21, 2022

UPCOMING EVENTS:

- Small Business Weekend – November 25-27, 2022
- Winter Wonderland – November 17-December 24, 2022

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Michael Moore, Board Chair, called the meeting to order at 8:02 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Karrie Fletcher, Terri Garbarini, Dean Griffin, Sean Huggard, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Stephen Sturm

Members absent: Matt Joblon

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Molly Keech, Kat Libby, Mary Siegwalt

Representatives, Guests and/or Owners present:

Clifton Larson Allen – Thuy Dam, Accountant
Development Research Partners – Patty Silverstein, President

Public Comment: There were no public attendees.

MONTHLY BUSINESS

Michael opened the meeting, then requested board approval of the September minutes.

Approval of Meeting Minutes: Motion by Dean Griffin to approve the meeting minutes of September 28, 2022. Second by Karrie Fletcher. Vote: Unanimous in favor.

COMMITTEES & TASK FORCE REPORTS

Finance Committee

Karrie provided the board updates from the Finance Committee meeting held the week prior. Karrie stated property tax collection was tracking well and comparable to this time last year.

Approval of September financials: Motion by Dean Griffin to approve the September financial statement. Second by Sean Huggard. Vote: Unanimous in favor.

PRESENTATION**Development Research Partners – Patty Silverstein, President & Chief Economist
Cherry Creek North Economic Update**

Providing fiscal data for Cherry Creek North since 2013, Patty presented economic indicators and activity for the 2021 calendar period. Key areas of the presentation covered retail and office space, assessed valuations, sales tax, various retail performance categories, employment, and real estate.

Despite inflation levels at 8%, retail sales activity remained at a steady 7% increase resulting in a significant tax contribution from the CCN district to the City and County of Denver. The top 3 categories were 1) restaurants/hotels; 2) clothing/accessories; and 3) furniture/home. Performance varied by activity however, the largest increase was attributed to restaurant and hotels.

Pointing to the stability of the retail market sector, Patty cited a shift materializing from traditional retail usage to non-traditional retailer usage such as health and wellness, accounting, in addition to numerous other categories. Compared to other areas in Denver, lease rates are higher in the Cherry Creek neighborhood triggered by a reflection of higher-end stores and continued development. The district currently enjoys a very low vacancy rate in office real estate.

Discussing employment and wages, Patty cited the impact of financial industry employment having a huge influence on average wages in the district.

CEO REPORT**CEO – Nick LeMasters**

Nick discussed that board nominations are coming to a close and will update the board as the applicant process continues. The Cherry Creek Development Report is now complete listing development projects that are either completed, under construction or announced for future development.

Marketing – Lisa Voss

Lisa discussed brand positioning and new agency alignment that will provide a more comprehensive approach in elevating Cherry Creek North as a travel destination. The CCN holiday season will launch on November 17th with district tree lighting set to open Winter Wonderland. A myriad of events will also take place in December.

Lisa presented the branding agency contract to the board for review and approval.

Approval of Branding Agency Contract: Motion by Rosella Louis to approve the branding agency contract. Second by Karrie Fletcher. Vote: Unanimous in favor.

Digital Marketing Manager, Kat Libby, presented to the board. Kat's presentation showed tremendous growth in Instagram followers and other social media platforms since 2021. A new TikTok marketing initiative is being implemented to increase visibility for Cherry Creek North.

Operations – Richard Barrett

Richard presented the 2023 landscaping contract to the board for review and approval.

Approval of 2023 Landscaping Contract: Motion by Andy Boian to approve the 2023 landscaping contract. Second by Dean Griffin. Vote: Unanimous in favor.

Richard updated the board on the status of the Outdoor Places program that will replace current regulations for expanded patios and a curbside action plan. The city will continue to extend temporary permits until the new regulations are complete.

The test section of pedestrian LED lighting conversion is now complete. Results were better than expected at an average lighting increase of 45% meant to compliment safety and security. Richard will begin bidding out the full conversion that is set to occur in 2023.

Richard is also taking a look at mobility in the CCN area and will be meeting with DOTI and other transportation solution representatives later this afternoon.

ADJOURN

Adjourn: The meeting was adjourned at 9:42 a.m.

UPCOMING BOARD MEETING DATES:

- November 16, 2022
- December 21, 2022
- January 25, 2023

UPCOMING EVENTS:

- Small Business Weekend – November 25-27, 2022
- Winter Wonderland – November 17-December 24, 2022

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Michael Moore, Board Chair, called the meeting to order at 8:04 a.m. A quorum was confirmed.

Members present: Andy Boian, Dean Griffin, Sean Huggard, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Stephen Sturm

Members absent: Jennifer Anderson, Karrie Fletcher, Terri Garbarini, Matt Joblon

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Molly Keech, Kat Libby

Representatives, Guests and/or Owners present:

Clifton Larson Allen – Thuy Dam, Accountant

Mark Bagher – Oriental Rugs

Shears Adkins Rockmore Architects, Andy Rockmore, Principal

Property Markets Group (PMG), Dan Kaplan, Managing Partner and Adrienne Hartman, Senior Director of Pre-Development and Planning

CRL Associates, Inc., Sean Maley, Partner & Chief Business Development Officer

Public Comment: The Chair recognized Mark Bagher for public comments. Public comment was given expressing concerns with district contractors and CCN BID in-person answering service vs. voicemail.

MONTHLY BUSINESS

Michael opened the meeting, then requested board approval of the October minutes.

Approval of Meeting Minutes: Motion by Sean Huggard to approve the meeting minutes of October 26, 2022. Second by Lisa McInroy. Vote: Unanimous in favor.

COMMITTEES & TASK FORCE REPORTS

Finance Committee

Richard Barrett discussed budget and expenses tracking well despite property tax numbers unavailable when the committee met on November 10th. Nick LeMasters updated the board that the CCN BID was asked to present on the district at the November 9th City Council Finance Committee meeting for 2023 approval of budget and operating plans for the coming year.

Approval of September financials: Motion by Dean Griffin to approve the September financial statement. Second by Rosella Louis. Vote: Unanimous in favor.

PRESENTATION

**Shears Adkins Rockmore Architects – Andy Rockmore, Principal
2nd & Steele Development Update**

Specializing in the design of urban and mixed-use projects, Andy Rockmore and Property Management Group (PMG) principals presented to the board 5- and 8-story architectural concepts proposed for the property site located between St. Paul and Steele streets. Characteristics and challenges for the space were outlined as well as derived community benefits should zoning code plans proceed. The presenters requested CCN board support in amendment of the current zone code from five levels to eight in a transitional height design that would be compatible with height aesthetics of commercial properties on either side of the proposed site.

Board Chair, Michael Moore moved the board for support or denial of the proposed zone code change at 2nd & Steele.

Approval for Support of the Zone Code Change: Motion by Lisa McInroy to approve support for the zone code change. Second by Andy Boian. Vote: Unanimous in favor.

Moore additionally moved the board whether to accept the specified PMG design transitional height design concept as proposed for the 2nd & Steele location.

Approval of PMG Design Concept: Motion by Lisa McInroy to accept the transitional design concept as proposed. Second by Dean Griffin. Vote: Unanimous in favor.

CEO REPORT

CEO – Nick LeMasters

Nick discussed the importance for the board to be apprised of insight into development projects occurring within the district. Board applicant interview scheduling is also taking place with updates to be provided at December's meeting.

Marketing – Lisa Voss

Lisa talked about the November 17th opening launch of Winder Wonderland with a 6pm district lighting to be held live on CBS News. This year's holiday program will include a variety of entertainment, interactive art installation, holiday market, musical light walk, and much more.

Operations – Richard Barrett

Richard updated the board on extra patrol coverage over the holidays and will also be looking to add a bike unit patrol next year. Issues and challenges with delivery vehicles blocking merchant alleyways was discussed. Richard is also in conversations with the city to approve mid-block curb cuts in allowance of additional right of way entry.

Richard brought the board up to date on commercial cleaning contract bids and pricing for 2023. With the existing vendor's proposal remaining the most favorable, board approval would still be necessary to continue this service due to the value of the contract.

Approval of 2023 Commercial District Cleaning Contract: Motion by Lisa McInroy to approve the 2023 commercial cleaning contract for the district. Second by Dean Griffin. Vote: Unanimous in favor.

NEW BUSINESS

Michael Moore updated the board on the necessary one-year change authorization to the CEO employment agreement for vesting purposes. Moore motioned for the board to delegate negotiations with the CEO.

Approval to Delegate and Amend CEO Employment Agreement: Motion by Andy Boian to approve delegate negotiations for the agreement change. Second by Rosella Louis. Vote: Unanimous in favor.

ADJOURN

Adjourn: With no further discussion, questions or comments, Board Chair, Michael Moore, moved for the board to enter into executive session for the purpose and discussion of proprietary issues.

Approval to Move into Executive Session: Motion by Dean Griffin to approve moving into Executive Session. Second by Natalie Mahler. Vote: Unanimous in favor.

This Executive Session is held in accordance pursuant to Section 24-6-402(4)(e), C.R.S. The board unanimously approved moving into executive session at which time the regularly scheduled board meeting with staff and guests was adjourned at 9:26 a.m.

UPCOMING BOARD MEETING DATES:

- December 21, 2022
- January 25, 2023
- February 22, 2023

UPCOMING EVENTS:

- Small Business Weekend – November 25-27, 2022
- Winter Wonderland – November 17-December 24, 2022

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Michael Moore, Board Chair, called the meeting to order at 8:04 a.m. A quorum was confirmed.

Members present: Andy Boian, Karrie Fletcher, Dean Griffin, Sean Huggard, Matt Joblon, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Stephen Sturm

Members absent: Jennifer Anderson, Terri Garbarini

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Molly Keech, Kat Libby, Pat Allison, Mary Siegwalt

Representatives, Guests and/or Owners present:

Clifton Larson Allen – Thuy Dam, Accountant

MONTHLY BUSINESS

Michael opened the meeting, then requested board approval of the November minutes.

Approval of Meeting Minutes: Motion by Dean Griffin to approve the meeting minutes of November 16, 2022. Second by Andy Boian. Vote: Unanimous in favor.

COMMITTEES & TASK FORCE REPORTS

Finance Committee

Citing a clean year-end financial position, Karrie stated the committee did not feel the need to meet in December. Karrie did note a few categories underspent which offset uncollected property tax. Thuy Dam indicated a 97% collection rate due to a few small November abatements and software issues the city and county were experiencing.

Nick LeMasters made the board aware the BID team would be working with the accounting team on a comprehensive cash flow driven by current and future property demolitions and interim lost revenue until projects are completed to reassess valuations.

Approval of November financials: Motion by Lisa McInroy to approve the November financial statement. Second by Natalie Mahler. Vote: Unanimous in favor.

CEO REPORT

CEO – Nick LeMasters

Announcing another new development project at 2nd & University, Nick will continue to update the board as details unfold. Nick will be looking to replace current district kiosks with digitalized user-facing interactive kiosks. The project will go to bid in a few weeks' time.

In an Alliance update, Nick informed the board of the neighborhood boundary transition to District 5 represented by Councilmember Amanda Sawyer. The Alliance will be an effective

voice in communicating concerns on behalf of the CCN district, Cherry Creek Shopping Center, Cherry Creek Chamber, and the Cherry Creek Area Business Alliance.

Marketing – Lisa Voss

Presenting the 2023 marketing action plan and priorities, Lisa discussed deepening the CCN footprint and reach to the 800+ individuals currently working in the district. Lisa will be meeting with the media buying team in discussion of optimal strategies relevant to retargeted audiences through location-based marketing. Public relations efforts will include CCN becoming the “go-to” authority to local media on employment, development, dining, and other key areas impacting the district. Lisa also discussed the 30th anniversary celebration of *5280 Magazine* that Cherry Creek North will host on Fillmore Plaza in July of this year.

Operations – Richard Barrett

In discussion of district impact resulting from the Cherry Creek Arts Festival, Richard presented the board with a proposed festival site map in anticipation of the 2023 summer event. Richard will include the board’s recommendations when he and Nick meet with the festival team.

Richard discussed the renewal of the security contract for 2023 that would include increased hours, an additional security person, officers on bicycles and more visible uniforms.

Approval of Security Contract: Motion by Lisa McInroy to approve the 2023 security contract. Second by Karrie Fletcher. Vote: Unanimous in favor.

NEW BUSINESS

With the annual matriculation of Executive Committee board officers, outgoing Board Chair Michael Moore presented to the board Lisa McInroy as Chairperson, Andy Boian as Vice Chair, Natalie Mahler as Secretary / Treasurer with Michael Moore remaining as the Immediate Past Chair. Michael requested a motion to the board to accept all four positions.

Approval of 2023 Executive Committee board officers: Motion by Sean Huggard to approve the 2023 Executive Committee. Second by Dean Griffin. Vote: Unanimous in favor.

Moore also discussed the interview process the Executive Committee held for open board positions. On behalf of the Executive Committee’s decision, Michael stated the committee proposed nominating Cesar Orozco to fill one of the open positions on the Cherry Creek North board given his extensive and impressive background.

Approval of New Board Member: Motion by Andy Boian to approve the Executive Committee’s board nomination. Second by Dean Griffin. Vote: Unanimous in favor.

Nick thanked outgoing Board Chair Michael Moore for his commitment and will look forward to working with incoming Board Chair, Lisa McInroy. Nick also thanked board member Karrie Fletcher for six years of dedication and vision. Karrie will continue to remain involved with the Alliance initiative.

ADJOURN

Adjourn: With no further discussion, questions or comments, Board Chair, Michael Moore, moved for the board to enter into executive session for the purpose and discussion of proprietary matters.

Approval to Move into Executive Session: Motion by Dean Griffin to approve moving into Executive Session. Second by Andy Boian. Vote: Unanimous in favor.

This Executive Session is held in accordance pursuant to Section 24-6-402(4)(e), C.R.S. The board unanimously approved moving into executive session at which time the regularly scheduled board meeting with staff and guests was adjourned at 9:08 a.m.

UPCOMING BOARD MEETING DATES:

- January 25, 2023 – 8:00 am
- February 22, 2023 – 8:00 am
- March 22, 2023 – 8:00 am

UPCOMING EVENTS:

- Love, Cherry Creek North – February 1 – 14, 2023
- Denver Restaurant Week – March 3 – 12, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Lisa McInroy, Board Chair, called the meeting to order at 8:00 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Terri Garbarini, Dean Griffin, Sean Huggard, Matt Joblon, Natalie Mahler, Lisa McInroy, Cesar Orozco

Members absent: Rosella Louis, Michael Moore, Stephen Sturm

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Kat Libby, Pat Allison, Mary Siegwalt

Representatives, Guests and/or Owners present:

Clifton Larson Allen – Thuy Dam, Accountant
Commander Carlos Aragon, Denver Police District Three
Sergeant Matthew Mallo, Denver Police District Three

MONTHLY BUSINESS

Lisa opened the meeting to welcome newly elected board member, Cesar Orozco for a 3-year term commencing January 1, 2023. Also welcomed and introduced were guest speakers DPD Commander Aragon and Sergeant Mallo, City and County of Denver.

Returning to regular business, Lisa requested board approval of the December minutes.

Approval of Meeting Minutes: Motion by Andy Boian to approve the meeting minutes of December 21, 2022. Second by Dean Griffin. Vote: Unanimous in favor.

Lisa reminded the board that Colorado Revised Statute § 24-6-402 (2017) (CO Sunshine Law and Open Meetings Law) requires a vote at the first regular meeting of each calendar year for a designated public place to post meeting notices. The CCN BID's website was determined to be the most appropriate and continued location for public postings.

Approval of Public Meeting Notice Location: Motion by Andy Boian to approve the CCN BID website as the public posting location. Second by Dean Griffin. Vote: Unanimous in favor.

COMMITTEES & TASK FORCE REPORTS

Finance Committee

Lisa also welcomed Natalie Mahler to the role of Finance Committee Chair. Natalie will report on 2022 year-end and January financials at the February meeting.

PUBLIC SAFETY UPDATE

Commander Aragon discussed 2021-2022 criminal trends and activities encountered city-wide, within District 3 and the overall Cherry Creek North neighborhood. The Business Watch Program partnership between DPD and local business owners to increase the security of businesses within the district. Business registration through the Colorado Organized Retail Crime Alliance (COORCA) was also recommended. Similar to a BOLO (Be On the Lookout), COORCA was designed to help retail and law enforcement investigators share intelligence information relative to retail crimes in Colorado. The program is complimentary and an ideal location to post information to the public.

In relation to auto theft and tracking of vehicles, a vehicle tracking program is being developed to curb city-wide car theft and help find vehicles for those who may become victims of crime. Applying and signing a tracking consent form will pre-authorize enforcement to immediately track the location of a vehicle if it is ever stolen.

Cmdr. Aragon cited the CCN partnership, engagement, and safety commitment measures as reasons why statistics for Cherry Creek North looked good compared to the rest of the city. Bond reform issues, increased patrols, the combined effort of neighborhood security and business engagement, along with a text alert messaging system were also discussed.

CEO REPORT**CEO – Nick LeMasters**

Nick provided third quarter sales tax results from the Cherry Creek North BID area to the board. The economic data mainly focused on key business categories such as Furniture & Home, Health & Personal Care, Clothing & Accessories, Restaurants, Leisure & Hospitality along with Financial Services. The accumulative total revenue tax collected by the city from the Cherry Creek North district more than doubled. This incremental rise in revenue collections spoke to the strength of 2022 sales generated from the 16-block district. With a variety of strong business categories, Clothing (which includes jewelry) continued to be the largest contributor (41.6%) from a sales tax perspective. Another substantial contributor was the Restaurant/Leisure/Hospitality industry reflecting 19.5% in sales tax revenue for the city. Nick hopes to have Q4 results at either the March or April meeting.

Marketing – Lisa Voss

Lisa informed the board of the marketing and tourism position that will be coming available with a job description anticipated to post by month-end.

Currently in the process of interviewing public relations agencies, Lisa thanked Andy Boian and the Dovetail Solutions team for their PR and communications help during the transitional search period.

Operations – Richard Barrett

Richard reminded the board of the monthly Safety Committee meeting held the third Thursday of each month from 2-3pm that is open to the resident and retail community. Richard also discussed the advantages of bicycle security and high visibility uniforms.

Requests for proposals have gone out to integrate digital kiosks throughout the district. Richard expects to review the bids in February citing potential financial gain through advertising sales combined with marketing exposure through rotated content toward an enhanced shopping experience for visitors to the district.

Multiple vendors also bid on the LED retrofit conversion of existing district lighting. With a contractor decision made, Richard presented the cost and details to the board for their approval.

Approval of the LED Lighting Contract: Motion by Sean Huggard to approve the LED retrofit lighting contract. Second by Dean Griffin. Vote: Unanimous in favor.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 9:12am

UPCOMING BOARD MEETING DATES:

- February 22, 2023 – 8:00 am
- March 22, 2023 – 8:00 am
- April 26, 2023 – 8:00 am

UPCOMING EVENTS:

- Denver Restaurant Week – March 3 – 12, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Lisa McInroy, Board Chair, called the meeting to order at 8:00 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Dean Griffin, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Cesar Orozco

Members absent: Terri Garbarini, Sean Huggard, Matt Joblon, Stephen Sturm

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Kat Libby, Pat Allison, Mary Siegwalt

Representatives, Guests and/or Owners present:

Clifton Larson Allen – Thuy Dam, Accountant

East West Partners – Amy Cara, Managing Partner; Jenny Jacobs, Director of Development
Property Markets Group (PMG) – Sean Maley, Partner & Chief Business Development Officer

MONTHLY BUSINESS

Lisa welcomed the Cherry Creek West development team to provide a progress review update to the board.

Approval of Meeting Minutes: Motion by Michael Moore to approve the meeting minutes of January 25, 2023. Second by Andy Boian. Vote: Unanimous in favor.

COMMITTEES & TASK FORCE REPORTS

Finance Committee

Natalie turned the meeting over to Thuy Dam for a recap and discussion of the 2022 audit that was currently in progress.

Thuy updated the Board that audit fieldwork has started and the District anticipates receiving the auditor's opinion that is consistent with prior years. The draft audit will be discussed in great detail at the March 16th Finance Committee meeting and presented to the Board on March 22nd in anticipation of an April 1st filing deadline to the City. Thuy cited property tax collection for the year ended December 31, 2022 at 97% resulting in the overall revenue very close to the annual budget.

Variances in the Executive Summary were discussed whereby Richard Barrett expected to do a budget amendment citing the extra costs associated with snow and ice chipping in January along with electrical issues throughout the district. Thuy stated an evaluation of the electrical expenses will determine areas to allocate and realign the budget. The Operations team has meetings lined up with contractors in a determination of associated electrical costs for the project.

REDEVELOPMENT UPDATE

Amy Cara of east west partners updated the board on the progress to date with the city regarding the development project slated over the next several years for the west side of the Cherry Creek Shopping Center. Designated as Cherry Creek West, the project will stretch from University Blvd. on the west to Clayton Street as well as from 1st Avenue on the north to the Cherry Creek waterway on the backside of the 13-acre development area.

More information can be found at either cherrycreekwest.com or at ewpartners.com with available newsletter sign-up for project updates and community meetings.

CEO REPORT**CEO – Nick LeMasters**

Nick informed the board that the district will be embarking on a perception study to understand constituent and business viewpoints of the district. The research will focus on property owners, and retailers to determine areas of improvement with results presented to the board once the program is launched and qualitative results are complete.

Another project in the works is in collaboration with the hotel community to increase tourism dollars for the Cherry Creek North district. As the program evolves, advertising will be directed to targeted markets to transcend the brand throughout the country with focused tourism efforts specific to Cherry Creek North.

Nick also updated the board on the Alliance Leadership Council meeting held the day prior. One of the agenda items was House Bill 23-1118 where pros and cons of the Fair Workweek Employment Standards legislation had been presented to the council. Discussion ensued on the negative industry impact should the proposal pass for those employers having 250 or more employees. Nick reminded the board to save the date of Wednesday, March 15 for the Cherry Creek Alliance breakfast meeting to hear keynote speaker, J. J. Ament, President and CEO of the Denver Metro Chamber of Commerce.

Marketing – Lisa Voss

With a newly selected public relations firm in place, Lisa thanked Dovetail Solutions for their public and media relations expertise and other communication initiatives during the transitional process. The new agency will focus on brand consulting, public relations and related creative marketing services. Lisa also updated the board on the marketing and tourism job opportunity that will be posted in anticipation of filling that role some time in April.

Operations – Richard Barrett

Discussing safety and security, Richard updated the board on the redeployment of the security team's hours for increased response and service. In partnership with the Denver Police Department (DPD), a Business Watch safety meeting is scheduled in March to further engage merchants and businesses in the district. High visibility uniforms, bike patrol and a multi-faceted approach toward the expansion of the district camera system were also discussed.

Other district operations include a new construction project unfolding at 2nd & Clayton, inter-governmental agreements (IGA's) regarding maintenance on 1st Avenue and the 1st &

University gateway entrance to Cherry Creek North, alley-way clean-up, and the RFP re-release of the kiosk directory project for digital signage and advertising purposes.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 9:23 a.m.

UPCOMING BOARD MEETING DATES:

- March 22, 2023 – 8:00 am
- April 26, 2023 – 8:00 am
- May 24, 2023 – 8:00 am

UPCOMING EVENTS:

- Denver Restaurant Week – March 3 – 12, 2023
- Cherry Creek North Supper Club Series – March 2023
- Passport to Cherry Creek – April 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Lisa McInroy, Board Chair, called the meeting to order at 8:03 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Terri Garbarini, Dean Griffin, Sean Huggard, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Cesar Orozco, Stephen Sturm

Members absent: Andy Boian, Matt Joblon

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Patrick Allison, Kat Libby

Representatives, Guests and/or Owners present:

Clifton Larson Allen – Thuy Dam, Accountant

Fiscal Focus Partners – Eric Barnes, CPA Partner; Lisa Pastore, CPA Partner

MONTHLY BUSINESS

Approval of Meeting Minutes: Motion by Rosella Louis to approve the meeting minutes of February 22, 2023. Second by Michael Moore. Vote: Unanimous in favor.

Lisa McInroy discussed the interview process held by the Executive Committee for the remaining open board position. On behalf of the Executive Committee's decision and mayoral approval, Lisa stated the committee proposed nominating Johnny DeBrito to fill the position on the Cherry Creek North board.

Approval of New Board Member: Motion by Michael Moore to approve the Executive Committee's board nomination. Second by Natalie Mahler. Vote: Unanimous in favor.

COMMITTEE REPORTS

Finance Committee

Thuy Dam stated the February financials reflected the re-forecasted budget. An additional \$160K in unspent funds from 2022 carried over into 2023 which will allocate toward snow removal and other district infrastructure needs. Property tax collection for the first two months in 2023 was consistent with this time last year. The overall expenditure compared to the budget was approximately 1% under. Two more re-forecasts are expected to be completed this year.

2022 AUDIT OVERVIEW

Eric Barnes and Lisa Pastore of Fiscal Focus Partners presented the annual independent audit in accordance with generally accepted auditing standards (GAAS). Both stated there were no issues of substance to report to the board. The auditor's opinion was that internal financial controls were in place with the financials materially correct. A new auditing

standard implemented this year, capital assets will now include the lease of office space in accordance with GASB (Governmental Accounting Standards Board).

With no material weakness in controls and proposing no adjustments, the auditor offered an unqualified or "clean opinion" for the 2022 audit and thanked the CCN BID and CLA teams for their preparation and fair presentation of the financial statements. As requested, the final audit will be presented to the city on or before March 31, 2023.

Approval of the CCN 2022 Independent Audit: Motion by Stephen Sturm to approve the auditor's report. Second by Jennifer Anderson. Vote: Unanimous in favor.

CEO REPORT

CEO – Nick LeMasters

Nick discussed real estate panels he recently moderated, providing key takeaways from brokers and developers, one of which positioned Cherry Creek North as a strong area of growth in the retail sector. Denver is noted as a developed and established real estate market and categorized as a Tier 1 city. As a result, retail sales at 30-35% in the Cherry Creek North district have been attributed to tourist traffic. The Cherry Creek hotels are doing phenomenally well and contribute to the brand identification of the district as a specific and unique travel destination. Discussion ensued regarding the resurgence of the retail real estate market and benefits derived for the district.

Nick updated the board on the Alliance Executive Committee meeting held the day prior regarding the Mayoral and Council elections. The Alliance will be hosting a Mayoral Forum on May 3rd at Bromwell Elementary from 6:30-7:30pm with complimentary tickets to the community and with limited seating.

Marketing – Lisa Voss

Lisa discussed the CCN brand positioning workshop held the week prior. The board will be presented with identity and concept points at next month's meeting as part of the initial formation of the new brand architecture. Media buy for April and May was active through a variety of social media platforms. Kat Libby presented promotions from February and March that leveraged Denver Restaurant Week to drive added dining awareness for the district.

Operations – Richard Barrett

Richard discussed upcoming spring projects that involved wood refinishing, painting, landscaping, and concrete replacement. A newly organized Business Watch public safety meeting will be held monthly to engage merchants and businesses in the district. Richard is also in discussions with vendors and garage management teams regarding camera system implementation. Lisa McInroy recommended quarterly meetings between law enforcement and community members in discussion of safety issues and other matters.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 9:06 a.m.

UPCOMING BOARD MEETING DATES:

- April 26, 2023 – 8:00 am
- May 24, 2023 – 8:00 am
- June 28, 2023 – 8:00 am

UPCOMING EVENTS:

- Live & Local Music Series – June 3, 10, 17, 24, 2023
- Smash Fine Arts Festival – June 10-11, 2023
- Cherry Creek Arts Festival – July 1-3, 2023
- Bastille Day – French Fest – July 14-15, 2023
- Cherry Creek North Sidewalk Sale – July 14-16, 2023
- 5280 *Top of the Town* (30th Anniversary) – July 20, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Lisa McInroy, Board Chair, called the meeting to order at 8:01 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Johnny DeBrito, Terri Garbarini, Dean Griffin, Sean Huggard, Matt Joblon, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Cesar Orozco

Members absent: Stephen Sturm

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Patrick Allison, Kat Libby

Representatives, Guests and/or Owners present:

CliftonLarsonAllen (CLA) – Thuy Dam, Principal / Accountant, State & Local Government
The Pachner Company, Amy O'Brien, Senior Strategy Officer
TRYBA Architects - Bill Moon, Principal / Sarah Komppa, Associate Principal

MONTHLY BUSINESS

Approval of Meeting Minutes: Motion by Andy Boian to approve the meeting minutes of March 22, 2023. Second by Rosella Louis. Vote: Unanimous in favor.

COMMITTEE REPORTS

Finance Committee

Thuy Dam stated first quarter financials were consistent this time last year at 38% in property tax collection. Total revenue collected for the year is at 30.5% with expenditures at 20%, resulting in a \$900K surplus for the year to date. With approximately ten development projects, current and future over the next seven years, key assumptions related to assessed value and impact to the district were also discussed.

233 CLAYTON REDEVELOPMENT

Matt Joblon presented property design renderings for the surrounding retail area west of Clayton Lane, excluding Whole Foods. The project is intended to transform the vacant Sears location, loading docks and parking garage to include multi-family units, pedestrian-friendly retail space with small-format boutique shops, and unique restaurant concepts.

CEO REPORT

CEO – Nick LeMasters

Presenting Q4 sales tax results, Nick reflected on the strength of the businesses within the district and the overall performance of \$5.7 million in sales compared to \$3.2 million the prior year prompting continued favorable headwinds for the remainder of 2023. Nick also discussed participation and agreement of lodging fees with the hotel community to

generate district revenue in support of the tourism focus on Cherry Creek North. The board was reminded of the upcoming May 3rd Mayoral Forum hosted by the Alliance.

Marketing – Lisa Voss

Lisa updated the board on progress made with the new branding agency and will share results with the board at the next meeting. Summer events were also discussed that will kick off with the June Live & Local music series each Saturday during the month. Lisa also indicated the open senior tourism position is getting close to being filled.

Operations – Richard Barrett

Richard discussed the LED lighting expansion for the district coming up this year along with two other planned projects: outdoor digital directories and parking. The district is currently in the RFP process for the kiosk replacements and working with the city on right-of-way variance permissions. Discussions are also in progress with a consulting firm to explore and develop a series of strategies related to parking, pricing, and best practices for the district.

Partnership in the district has begun with businesses in collaboration of public safety and security. Bike patrols will commence in May and a second Business Watch meeting is planned along with another Coffee with a Cop public meeting. Discussion ensued regarding engagement of district residential communities in addition to the business community.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 9:36 a.m.

WENT INTO EXECUTIVE SESSION

UPCOMING BOARD MEETING DATES:

- May 24, 2023 – 8:00 am
- June 28, 2023 – 8:00 am
- July 26, 2023 – 8:00 am

UPCOMING EVENTS:

- Live & Local Music Series – June 3, 10, 17, 24, 2023
- Smash Fine Arts Festival – June 10-11, 2023
- Cherry Creek Arts Festival – July 1-3, 2023
- Bastille Day – French Fest – July 14-15, 2023
- Cherry Creek North Sidewalk Sale – July 14-16, 2023
- 5280 Top of the Town (30th Anniversary) – July 20, 2023
- Smash Fine Arts Festival – August 12-13, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Lisa McInroy, Board Chair, called the meeting to order at 8:00 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Johnny DeBrito, Terri Garbarini, Dean Griffin, Sean Huggard, Matt Joblon, Natalie Mahler, Lisa McInroy, Michael Moore, Cesar Orozco, Stephen Sturm

Members absent: Rosella Louis

Staff present: Nick LeMasters, Richard Barrett, Jeanne St. Onge, Kat Libby

Representatives, Guests and/or Owners present:

CliftonLarsonAllen (CLA) – Thuy Dam, Principal / Accountant, State & Local Government

MONTHLY BUSINESS

Approval of Meeting Minutes: Motion by Michael Moore to approve the meeting minutes of April 26, 2023. Second by Cesar Orozco. Vote: Unanimous in favor.

COMMITTEE REPORTS

Finance Committee

Thuy Dam updated the board of property tax collections at 64% through April of this year compared to 62% this time last year. Variances and balance carryover from the executive summary were discussed with Marketing underspent in staffing until the position is filled. A semi-annual bond payment with 50% of annual interest will be paid this week to meet the June 1st due date. The remainder will be paid at year-end with principal and interest.

CEO REPORT

CEO – Nick LeMasters

Reintroducing the subject of lodging fee participation and agreement with the Cherry Creek North hotel community from last month's meeting, Nick discussed the board's motion for a resolution to adopt C.R.S. §30-11-107.5 for the purpose of implementing a lodging fee to support local tourism in the Cherry Creek North district.

Approval of Lodging Fee Resolution: Motion by Dean Griffin to approve a lodging fee initiative in support of the CCN district. Second by Matt Joblon. Vote: Unanimous in favor.

Nick discussed an outreach to CCN residential properties for their backing and support of district and safety services currently enjoyed without the added expense.

The success of the May 3rd Alliance-hosted mayoral forum was discussed. Effective July 17, 2023, Councilwoman Sawyer will represent District 5 which includes the Cherry Creek North district.

Marketing – Lisa Voss

On behalf of Marketing VP Lisa Voss who is attending the IPW tourism conference in San Antonio, TX, Kat Libby shared a presentation of summer campaign events filled with arts, music, and culture. An Industry Insights marketing forum will be held on June 8 in collaboration with industry experts for Cherry Creek North merchants and businesses.

Operations – Richard Barrett

Richard provided a status on retrofit parts to start the LED lighting project. Also discussed were tree replacement and canopy challenges, safety measures in the district including increased merchant networking efforts, Coffee with a Cop meetings and security bike patrol starting next week. An update was provided on digital kiosk conversations with the city. Richard will keep the board apprised of decisions and changes as conversations progress.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 8:58 a.m.

UPCOMING BOARD MEETING DATES:

- June 28, 2023 – 8:00 am
- July 26, 2023 – 8:00 am
- August 23, 2023 – 8:00 am

UPCOMING EVENTS:

- Live & Local Music Series – June 3, 10, 17, 24, 2023
- Smash Fine Arts Festival – June 10-11, 2023
- Cherry Creek Arts Festival – July 1-3, 2023
- Bastille Day – French Fest – July 14-15, 2023
- Cherry Creek North Sidewalk Sale – July 14-16, 2023
- 5280 Top of the Town (30th Anniversary) – July 20, 2023
- Smash Fine Arts Festival – August 12-13, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Lisa McInroy, Board Chair, called the meeting to order at 8:01 a.m. A quorum was confirmed later in the meeting.

Members present: Andy Boian, Dean Griffin, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Cesar Orozco

Members absent: Jennifer Anderson, Johnny DeBrito, Terri Garbarini, Sean Huggard, Matt Joblon, Stephen Sturm

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Patrick Allison, Mary Siegwalt

Representatives, Guests and/or Owners present:

CliftonLarsonAllen (CLA) – Thuy Dam, Principal / Accountant, State & Local Government
62Above – Gregory Carson, President
Explore Communications, Mindy Gantner, President
Cherry Creek Oriental Rugs, Mark Bagher, Owner

Public Comment: The Chair recognized Mark Bagher for comments. No public comment was given.

MONTHLY BUSINESS

Approval of Meeting Minutes: Motion by Andy Boian to approve the meeting minutes of June 28, 2023. Second by Michael Moore. Vote: Unanimous in favor.

COMMITTEE REPORTS

Finance Committee

Thuy Dam cited property tax collections through May that were ahead at 73% compared to 65% this time last year. Thuy will not have adjusted numbers until July in anticipation of starting the 2024 budget process. In recapping revenue and expenditures, Thuy discussed debt service and bond payments with half of the interest due June 1st and the remainder paid the end of November including annual principal.

Approval of May financials: Motion by Dean Griffin to approve the May financial statement. Second by Rosella Louis. Vote: Unanimous in favor.

CEO REPORT

CEO – Nick LeMasters

Nick advised the board of the open board position that will become available in August upon Jennifer Anderson's retirement. In discussing the upcoming CherryArts festival, Nick shared positive feedback regarding the unfettered access to 3rd Avenue, allowing for

greater accessibility to merchants remaining open during the July 1-3 period. Parking, signage, and ticketing through license plate recognition were also discussed.

Marketing – Lisa Voss

Lisa shared the new rebranding program and introduced 62Above to discuss brand and creative strategies. Research, discovery, and key insights were presented as part of the brand architecture journey in guiding CCN communications toward a greater strategic marketplace positioning. With a “*Life is Sweet!*” campaign, Cherry Creek North will be marketed as a place for emotional, physical, financial, and intellectual wellness as a signature part of the overall communications blueprint. A media plan was presented by Explore Communications to include local and mass media strategies at the airport and during peak seasonal tourism times to complement other Visit Cherry Creek placements such as signage, banners, and online video.

Operations – Richard Barrett

Richard updated the board on the tremendous progress made related to district light replacement, tree and plant material enhancements, and public safety. Daily outreach is made to merchants and businesses for awareness of existing safety programs and services including the Business Watch program. New officer recruits at the District 3 academy were recently taken through the district for an understanding of the neighborhood while getting an opportunity to connect with the BID and services offered. Officer bike patrol will continue with occasional horseback patrol from the Denver police.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 9:27 a.m.

UPCOMING BOARD MEETING DATES

- July 26, 2023 – 8:00 am
- August 23, 2023 – 8:00 am
- September 27, 2023 – 8:00 am

UPCOMING EVENTS:

- Smash Fine Arts Festival – August 12-13, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

On behalf of Board Chair Lisa McInroy, Vice Chair Andy Boian called the meeting to order at 8:00 a.m. A quorum was confirmed.

Members present: Jennifer Anderson, Andy Boian, Johnny DeBrito, Terri Garbarini, Sean Huggard, Matt Joblon, Rosella Louis, Natalie Mahler, Michael Moore, Cesar Orozco, Stephen Sturm

Members absent: Dean Griffin, Lisa McInroy

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Cynthia Ord, Patrick Allison, Mary Siegwalt, Kat Libby

Representatives, Guests and/or Owners present:

CliftonLarsonAllen (CLA) – Curtis Bourgouin, Assistant Controller, Business Operations
Spencer Fane LLP – Tom George, Partner – Municipal and Local Government
Finwater Advisors LLC - David Erlich, Principal

Public Comment: There were no members from the public

MONTHLY BUSINESS

Approval of Meeting Minutes: Motion by Cesar Orozco to approve the meeting minutes of June 28, 2023. Second by Michael Moore. Vote: Unanimous in favor

COMMITTEE REPORTS

Finance Committee

Discussing the June financials, Curtis Bourgouin cited 98.03% in property tax collections with no material variances noted. The current year-to-date and actual-to-budget expenses will be re-forecasted in the 2024 budget and presented to the committee for review and approval at the August 17th budget planning meeting. The final submission of the 2024 Operating Plan and Budget for review and approval by the city is required by State Statute (C.R.S. 31-25-1211) and due by September 30, 2023. The board will have final review and approval at the September 27th, 2023 board meeting prior to submission of the final packet materials.

Approval of June financials: Motion by Cesar Orozco to approve the June financial statement. Second by Stephen Sturm. Vote: Unanimous in favor.

CEO REPORT – Nick LeMasters

Nick acknowledged and thanked Jennifer Anderson for her board service since January 2021. With Jennifer's impending retirement, and board resignation acceptance, the board will evaluate the open seat replacement.

Operations – Richard Barrett

Richard stated Walker Consultants had been engaged to provide guidance on both garage and street parking accommodation. The landscape of ride apps, mobility options, electric vehicles and parking facilities are characteristics that will be included in the study to accommodate vehicular usage patterns that are both cost-effective, practical, and user-friendly for Cherry Creek North parking and visitor convenience. Garage fee consistency, wayfinding signage, valet service options, circular shuttle service, alleyway and lighting standards throughout the district were discussed as best practice measures for the overall consumer parking and visitor experience.

In support of the Denver Police Foundation, Richard updated the board on the *Back the Blue* fundraiser to be held on Fillmore Plaza September 14th from 5-8pm. The ticketed event hosted by the foundation is intended to raise funds toward the purchase of body-armored ballistic vests.

Marketing – Lisa Voss

Lisa introduced Cynthia Ord as the new Sr. Marketing & Tourism Manager. With agency and tourism background, Cynthia brings a wealth of experience and knowledge to this key role and will focus specifically on Cherry Creek North as a destination of choice through strategic partnerships and execution of competitive marketing strategies.

In other marketing updates, a survey will be distributed to merchants and employees in the district aiming to identify areas of improvement and gain insight into district preferences and expectations. Lisa, along with Cynthia, will be working with the hotel community in Cherry Creek as tourism initiatives gain momentum and new visitor source markets are identified.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: With no further discussion, questions or comments, Vice Chair Andy Boian, moved the board to enter executive session for the purpose and discussion of proprietary matters.

Approval to Move into Executive Session: Motion by Jennifer Anderson to approve the Executive Committee's entry into Executive Session. Second by Cesar Orozco. Vote: Unanimous in favor.

The Executive Session is held in accordance pursuant to Section § 24-6-402(4)(b), C.R.S. The board unanimously approved moving into executive session at which time the regularly

scheduled board meeting with staff and guests was adjourned at 8:24am. With legal counsel present, the Executive Session was conducted and concluded at 9:15am

UPCOMING BOARD MEETING DATES

- August 23, 2023 – 8:00 am
- September 27, 2023 – 8:00 am
- October 25, 2023 – 8:00 am

UPCOMING EVENTS:

- Smash Fine Arts Festival – August 12-13, 2023
- Cherry Creek North Small Business Weekend – November 24 – 26, 2023
- Cherry Creek North Winter Wonderland – November 16 – December 24, 2023

CALL TO ORDER | OPEN FORUM

Call to Order / Open Forum

Board Chair, Lisa McInroy, called the meeting to order at 8:02 a.m. A quorum was confirmed.

Members present: Andy Boian, Johnny DeBrito, Terri Garbarini, Dean Griffin, Sean Huggard, Matt Joblon, Rosella Louis, Natalie Mahler, Lisa McInroy, Michael Moore, Cesar Orozco, Stephen Sturm

Members absent: All members present

Staff present: Nick LeMasters, Richard Barrett, Lisa Voss, Jeanne St. Onge, Cynthia Ord, Patrick Allison, Mary Siegwalt, Kat Libby

Representatives, Guests and/or Owners present:

CliftonLarsonAllen (CLA) – Thuy Dam, Principal, State & Local Government

Cherry Creek North Neighborhood Association (CCNNA) – Lou Radars, President; Linda Barker, Vice President

Public Comment: The Chair recognized Lou Radars and Linda Baker for comment. Public comment provided by Lou Radars was limited to the issue of the board's position on zoning within the Cherry Creek North district.

MONTHLY BUSINESS

Lisa McInroy opened the meeting, then requested board approval of the July minutes.

Approval of Meeting Minutes: Motion by Andy Boian to approve the meeting minutes of July 26, 2023. Second by Stephen Sturm. Vote: Unanimous in favor

COMMITTEE REPORTS

Finance Committee

Thuy Dam updated the board on the prior week's 2024 budget meeting stating the first draft would be refined and presented to the board for approval at the September 27th board meeting. Thuy stated there were no significant variances in the Executive Summary with property tax collection strong at 98.6% compared to this time last year at 97.1%. Assuming the board's approval at the September board meeting, the operating plan will be presented to the city no later than September 29.

In correlation with Hotel Tourism expenses, a new revenue line item will be noted for lodging fee collections that took effect August 1, 2023.

Approval of July financials: Motion by Johnny DeBrito to approve the July financial statement. Second by Michael Moore. Vote: Unanimous in favor.

CEO REPORT – Nick LeMasters

Nick introduced discussion of the Prop HH property tax ballot measure that will go before voters on the November ballot. Tax calculations having both residential and commercial property impact were discussed along with potential impact to taxpayer refunds (TABOR - Taxpayer's Bill of Rights) should the measure pass. Nick extended an invitation to the BID board to attend the September 26th Alliance Leadership Council meeting that will hear debate from both sides on Proposition HH measures.

The Executive Committee will be interviewing a potential board applicant after today's meeting with updates provided to the board at the September 27th meeting.

Operations – Richard Barrett

Richard updated the board on the great interactions the security bike patrol was having with merchants combined with the decrease in larceny offenses. With upcoming development projects breaking ground, Richard will be working on increasing parking enforcement and street closure limitations due to the foreseen impact construction may have on parking and delivery access. While larger landscape projects are wrapping up, holiday lighting work will commence September 1st with construction sites asked to put lighting on fences for added lighting and pedestrian safety measures.

Marketing – Lisa Voss

With summer events concluded, and the success of 5280's *Top of the Town* 30th anniversary event held on Fillmore Plaza, Lisa will be in further talks with 5280 Publishing regarding 2024 event collaboration. The marketing team is coordinating the activations for the 2023 Winter Wonderland holiday season with additional planning around 2024 calendar events. Lisa will present the plans to the board in the next few months and will also be meeting with hoteliers in the next week to discuss production and media planning for 2024 tourism initiatives.

NEW BUSINESS

No new business was reported at this time.

ADJOURN

Adjourn: The meeting was adjourned at 9:11am

UPCOMING BOARD MEETING DATES

- September 27, 2023 – 8:00 am
- October 25, 2023 – 8:00 am
- November 15, 2023 – 8:00 am

UPCOMING EVENTS:

- Cherry Creek North Small Business Weekend – November 24 – 26, 2023
- Cherry Creek North Winter Wonderland – November 16 – December 24, 2023
- Saturday Night Lights – December 2, 9, & 16, 2023

**RESOLUTION OF THE BOARD OF DIRECTORS OF
CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
IMPOSING A LODGING FEE**

WHEREAS, the Cherry Creek North Business Improvement District (the "BID") is a duly organized business improvement district organized within the City and County of Denver (the "City") pursuant to Section 31-25-1201, *et seq.*, C.R.S.;

WHEREAS, the BID's boundaries generally encompass the northern portion of the Cherry Creek community extending 16 blocks from 1st Avenue to 3rd Avenue, and from University Boulevard to Steele Street in the City (as used herein, "Cherry Creek North");

WHEREAS, the BID's stated mission is to actively plan, manage and promote Cherry Creek North as a premier destination for shopping, dining, living, working and visiting, which mission is carried out through day-to-day maintenance and operations, annual local and tourism marketing and advertising, constituent outreach, signature events including holidays, and other initiatives and activities;

WHEREAS, among the BID's authorized powers and primary purposes is carrying out activities in support of business recruitment, management, and development;

WHEREAS, the BID is authorized pursuant to Section 31-25-1212(1)(k) C.R.S., to fix, and from time to time increase or decrease, rates, tolls, or charges for any services or improvements furnished by the BID; and

WHEREAS, there are a number of lodging service providers (as further defined herein, the "Lodge(s)") located within the BID's boundaries which provide overnight accommodation and other services for travelers, tourists, visitors and other guests;

WHEREAS, the Board of Directors of the BID (the "Board") recognizes that the services provided by the Lodges benefit and enhance Cherry Creek North;

WHEREAS, the BID desires to undertake certain advertising, marketing and other promotional activities to support and promote the lodging services available to travelers, tourists, visitors and other guests within Cherry Creek North (the "Lodging Marketing Activities") apart from and in addition to the BID's marketing activities in support of the Cherry Creek North business community in general;

WHEREAS, in order to fund the Lodging Marketing Activities, the BID desires to establish a BID Lodging Fee as further set forth herein;

WHEREAS, the Board finds and declares that the Lodges and the BID's provision of the Lodging Marketing Activities will provide a benefit to the Lodges as well as the BID's property owners, business owners, and constituents, and the Cherry Creek North business community, and will provide added and continuing value to Cherry Creek North; and

WHEREAS, the BID is willing to provide the Lodging Marketing Activities in exchange for reasonable fees to defer the costs of such services as set forth herein.

NOW, THEREFORE, the Board hereby resolves as follows:

1. The recitals above are incorporated herein by reference.
2. As used in this Resolution, the term “Lodge” means any commercial lodging facility such as a hotel, lodge, motel, inn, bed & breakfast, short term vacation rental or similar commercial establishment in which furnished rooms are provided to itinerant customers for consideration, including without limitation any such rooms rented through a third-party facilitator such as, without limitation, Expedia, Orbitz, Priceline, Trivago, VRBO or Airbnb.
3. Commencing July 1, 2023, the BID hereby imposes on each of the Lodges, which Lodges are specifically identified in **Exhibit A**, a fee to defray the cost of the provision of the Lodging Marketing Activities, including but not limited to the administrative and all other costs related thereto (the “BID Lodging Fee”), as follows:
 - a. The BID Lodging Fee shall be imposed on each Lodge at the rate of one percent (1%) on the gross receipts received for each overnight lodging transaction that occurs at each Lodge (each a “Lodging Transaction”).
 - b. Each Lodge, or each Lodge’s manager, proprietor or other applicable operator, may collect the BID Lodging Fee from the customer, guest, lessee or licensee with respect to each Lodging Transaction that occurs at such Lodge or may pay it directly, in its discretion.
 - c. Whether or not collected from customers, guests, lessees or licensees, each Lodge, or each Lodge’s manager, proprietor or other applicable operator, shall pay the BID Lodging Fee to the BID monthly, in arrears, with respect to all Lodging Transactions initiated, consummated, conducted, transacted or otherwise occurring during the immediately preceding monthly period from or within each Lodge during such monthly payment period.
 - d. The BID Lodging Fee will be due and payable without notice within twenty (20) days after the close of each monthly payment period and each Lodge will pay the same directly to the BID.
 - e. Each Lodge will report Lodging Transactions and remit the BID Lodging Fee to the BID on a monthly basis when such Lodge reports and remits sales taxes to the State of Colorado (or any other governmental entity or agency which assumes under applicable law responsibility for collection of sales taxes levied with respect to the Lodge), employing reporting forms and following the procedures reasonably required by the BID from time to time.

f. Any reports or other information received by the BID associated with lodging transactions will remain confidential and be used only for purposes of collecting the BID Lodging Fee payments due, enforcing the Lodges' obligations hereunder, and otherwise monitoring compliance with the provisions of this Resolution. Such reports and information will be kept confidential and will not be disclosed or otherwise published by any person except for such disclosures or publications as may be required by applicable laws.

g. The BID Lodging Fee will be calculated and imposed on Lodging Transactions at the percentage rate established pursuant to this Resolution prior to the calculation and assessment of any sales taxes or lodging taxes required to be imposed by law, meaning the BID Lodging Fee will be added to, and be considered part of, the gross receipts for each Lodging Transaction prior to the calculation of all sales taxes or lodging taxes that are levied thereon.

4. The Board finds it is in the best interests of the BID to impose the BID Lodging Fee uniformly upon all of the Lodges and each Lodging Transaction to pay costs associated with the provision of the Lodging Marketing Activities.

5. The BID Lodging Fee shall be imposed, due and payable on a monthly basis; provided, the Board may in its discretion modify the payment cycle of the BID Lodging Fee as an administrative matter at any time without the need to amend or modify this Resolution.

6. The BID Lodging Fee is subject to future adjustments from time to time as necessary and as determined by the Board.

7. All revenues derived from the BID Lodging Fee shall be used by the BID, in the discretion of the Board, to fund the Lodging Marketing Activities, including administrative or other costs related thereto.

8. The BID Lodging Fee, until paid, constitutes a statutory and perpetual lien on and against each of the Lodges pursuant to Section 31-25-1212(1)(k), C.R.S., such lien being a charge imposed for the provision of the Lodging Marketing Activities to the Lodges. The lien shall be perpetual in nature as defined by the laws of the State of Colorado and shall run with the land.

9. Failure to make payment of the BID Lodging Fee due hereunder shall constitute a default in the payment of such Fee. Upon a default, interest shall accrue on such total amount of the Fee due at the rate of twelve percent (12%) per annum and the BID shall be entitled to institute such remedies and collection proceedings as may be authorized under Colorado law, including but not limited to foreclosure of its perpetual lien. The defaulting property owner shall pay all costs, including attorneys' fees, incurred by the BID in connection with the foregoing. In foreclosing the lien, the BID will enforce the lien only to the extent necessary to collect unpaid fees, interest and costs.

10. In addition to any other remedies available to the BID as set forth in this Resolution or applicable law, any unpaid BID Lodging Fees, including any interest or applicable costs related thereto, may, in the BID Board's sole and absolute discretion, be at any time imposed on the Lodges as special assessments pursuant to the provisions of the Business Improvement District Act, Section 31-25-1219, C.R.S, *et seq.*, and in particular Section 31-25-1219, C.R.S., and may collected by the BID and/or the City consistent therewith.

11. If any clause or provision of this Resolution is adjudged invalid and/or unenforceable by a court of competent jurisdiction or by operation of any law, such clause or provision shall not affect the validity hereof as a whole, but shall be severed herefrom, leaving the remaining terms intact and enforceable.

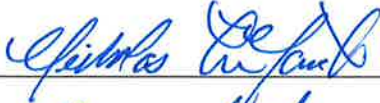
12. This Resolution shall be recorded in the real property records of the City and County of Denver, Colorado, and shall apply to the Lodges located within the BID's boundaries as set forth in **Exhibit A** attached hereto and incorporated herein by this reference.

13. This Resolution may be amended from time to time in the sole and absolute discretion of the Board, including, but not limited to, in order to amend Exhibit A to identify additional Lodges.

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ADOPTED AND APPROVED EFFECTIVE THE 24th DAY OF May, 2023.

**CHERRY CREEK NORTH BUSINESS
IMPROVEMENT DISTRICT**

By: 
Name: NICHOLAS LEMASTERS
Title: PRESIDENT & CEO

ATTEST:


By: 
Name: Jeanne St. Onge
Title: Business Project Manager

Exhibit A
List of Lodges

CHERRY CREEK NORTH HOTELS:

Clayton Members Club & Hotel
233 Clayton Street
Denver, CO 80206

HALCYON, a hotel in Cherry Creek
245 Columbine Street
Denver, CO 80206

Hotel Clio, A Luxury Collection Hotel
150 Clayton Lane
Denver, CO 80206

The Jacquard Hotel & Rooftop
222 Milwaukee Street
Denver, CO 80206

Moxy Denver Cherry Creek
240 Josephine Street
Denver, CO 80206

SHORT TERM RENTALS:

- 219 North Detroit Street, Denver CO 80206
- 350 North Detroit Street, #414, Denver CO 80206



06/28/2023 07:45 AM
City & County of Denver
Electronically Recorded

R \$38.00
RES

D \$0.00

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CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
IMPOSING A LODGING FEE**

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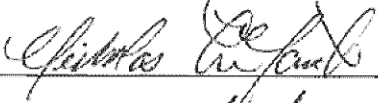
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[remainder of page intentionally left blank; signature page follows]

ADOPTED AND APPROVED EFFECTIVE THE 24th DAY OF May, 2023.

**CHERRY CREEK NORTH BUSINESS
IMPROVEMENT DISTRICT**

By: 
Name: NICHOLAS LEMASTERS
Title: PRESIDENT & CEO

ATTEST:

By: 
Name: Jeanne St. Onge
Title: Business Project Manager

**Exhibit A
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240 Josephine Street
Denver, CO 80206

SHORT TERM RENTALS:

- 219 North Detroit Street, Denver CO 80206
- 350 North Detroit Street, #414, Denver CO 80206

BOARD MEMBERS

Roster

Term Appointments

Attendance Records

<p>Lisa McInroy Chair</p> <p><i>Western Asset Services, LLC</i> 200 Fillmore Street, Suite 400 Denver, CO 80206</p> <p>P: 303.321.5702 LMcInroy@westdevgrp.com</p>	<p>Andy Boian Vice Chair</p> <p><i>Dovetail Solutions</i> 210 University Blvd., #310 Denver, CO 80206</p> <p>P: 303.868.0085 Aboian@dovetailsolutions.com</p>	<p>Natalie Mahler Secretary / Treasurer</p> <p><i>Stifel</i> 201 Columbine St., #250 Denver, CO 80206</p> <p>P: 913.219.7024 MahlerN@stifel.com</p>
<p>Johnny DeBrito</p> <p><i>LIV Sotheby's International Realty</i> 100 St. Paul Street, Suite 200 Denver, CO 80206</p> <p>P: 718.753.0967 jdebrito@livsothebysrealty.com</p>	<p>Terri Garbarini</p> <p><i>Garbarini</i> 239 Detroit Street Denver, CO 80206</p> <p>P: 303.333.8686 TerriGarbarini@gmail.com</p>	<p>Dean Griffin</p> <p><i>Hotel Clio, a Luxury Collection Hotel</i> 150 Clayton Lane Denver, CO 80206</p> <p>P: 602.430.4611 Dean.Griffin@hotelclio.com</p>
<p>Sean Huggard</p> <p><i>Blue Island Oyster Bar & Seafood</i> 2625 East 2nd Avenue Denver, CO 80206</p> <p>P: 303.929.8028 SeanHuggard@gmail.com</p>	<p>Matt Joblon</p> <p><i>BMC Investments</i> 205 Detroit Street, Suite 400 Denver, CO 80206</p> <p>P: 508.344.2557 Matt@bmcinv.com</p>	<p>Rosella Louis</p> <p><i>Angel Lou Investments, LLC</i> 235 Vine Street Denver, CO 80206</p> <p>P: 303.548.3545 RosellaLou@gmail.com</p>
<p>Cesar Orozco</p> <p><i>CIBC Private Wealth Mgmt.</i> 100 St. Paul St., Suite 700 Denver, CO 80206</p> <p>P: 213.220.8019 Ces.Orozco@gmail.com</p>	<p>Stephen Sturm</p> <p><i>Alder Companies</i> 3033 E. 1st Ave., #300 Denver, CO 80206</p> <p>P: 720.284.8225 ssturm@aldercos.com</p>	<p>Michael Moore Immediate Past Chair</p> <p><i>Moore for Life</i> 3035 East 3rd Avenue Denver, CO 80206</p> <p>P: 303.484.1857 Michael@mooreforlife.com</p>

	MEMBER	PROFESSIONAL REPRESENTATION	TERM	YEAR
1.		JA Replacement	1 st Term	2023 - 2027
2.	*Boian, Andy	PR / Communications Industry	1 st Term	2022 - 2024
		INCOMING CHAIR		
3.	DeBrito, Johnny	Real Estate Industry	1 st Term	2023 - 2026
4.	Garbarini, Terri	Retail Industry	1 st Term	2020 - 2021
			2 nd Term	2022 - 2024
5.	Griffin, Dean	Hospitality Industry	1 st Term	2020-2022
			2 nd Term	2023 - 2025
6.	Huggard, Sean	Restaurant Industry	1 st Term	2021 - 2021
			2 nd Term	2022 - 2024
7.	Joblon, Matt	Property Development / Mgmt.	1 st Term	2020 - 2021
			2 nd Term	2022 - 2024
8.	Louis, Rosella	Investor / Retail	1 st Term	2019 – 2021
			2 nd Term	2022 - 2024
9.	*Mahler, Natalie	Brokerage & Investment	1 st Term	2022 - 2024
		COMMITTEE CHAIR		
10.	*McInroy, Lisa	Property Development / Mgmt	1 st Term	2020 - 2022
		2023 BOARD CHAIR	2 nd Term	2022 - 2024
11.	*Moore, Michael	Retail & Professional Services	1 st Term	2020 - 2021
		IMMEDIATE PAST CHAIR	2 nd Term	2022 - 2024
12.	Orozco, Cesar	Wealth & Investment	1 st Term	2023 - 2025
13.	Sturm, Stephen	Banking & Financial Investment	1 st Term	2022 - 2024

*Executive Committee

Note: Thirteen is the maximum number of BID Board members per Cherry Creek North Bylaws.

Board Members:

Lisa McInroy - Chair
Andy Boian – Vice Chair
Natalie Mahler – Secretary / Treasurer
Jennifer Anderson (Retired August 2023)
Johnny DeBrito
Terri Garbarini
Dean Griffin
Sean Huggard
Matt Joblon
Rosella Louis
Cesar Orozco
Stephen Sturm
Michael Moore – Immediate Past Chair

Board Meeting Date

Members Absent

January 25, 2023	Rosella Louis, Michael Moore, Stephen Sturm
February 22, 2023	Terri Garbarini, Sean Huggard, Matt Joblon, Stephen Sturm
March 22, 2023	Andy Boian, Matt Joblon
April 26, 2023	Stephen Sturm
May 24, 2023	Rosella Louis
June 28, 2023	Jennifer Anderson, Johnny DeBrito, Terri Garbarini, Sean Huggard, Matt Joblon, Stephen Sturm
July 26, 2023	Dean Griffin, Lisa McInroy
August 23, 2023	No absences this month
September 27, 2023	Michael Moore, Cesar Orozco, Stephen Sturm
October 25, 2023	
November 15, 2023	
December 23, 2023	

**PLANNED AND PERFORMED
ACTIVITIES
2023 and 2024**



2023 CCN BID Planned and Performed Operations Activities for the District

The BID ensures that Cherry Creek North is a premier destination through day-to-day maintenance operations, cleaning, public safety, snow removal, quality control, contractor compliance, parking management and improvements to the public right-of-way, including streetscape and landscape. All operational initiatives ensure strategic goals are met through a tactical approach.

2023 Operation Department Projects

- Cleaning of the district, creating a wonderful environment to increase visitor traffic in support of retail merchants and tourism
- Public Safety services to ensure the district maintains a high level of safety, while critical information is being consistently shared with stakeholders
- Conduct monthly public safety meetings to include business, residential and other neighborhood community partners
- Conduct monthly construction coordination meetings with any and all contractors associated with major projects and property development within the CCN boundaries
- Introduced Safety and Security Bike Patrol to the District
- Partnership with DOTI to ensure the needs of the district are considered when bagging meters
- Partnership with DOTI on ROW construction inspections to ensure the ROW is restored correctly
- Supplemental snow removal
- Concrete replacement including damaged sidewalks and alley entrances
- Repair and replacement of Brick Pavers in the ROW to mitigate any trip hazards
- Maintenance and refurbishment of public seating throughout the district
- Repairs and recoating of corner planter walls throughout the district
- Cleaning and repair to sculptures throughout the district
- Landscape maintenance throughout the district including lawn care, plant health care, tree trimming and bed maintenance
- Removal and replacement of dead trees throughout the district
- Seasonal floral program
- Landscape improvements in a variety of locations throughout the district
- Install and maintain winter lighting throughout the district
- Install and maintain holiday decorations throughout the district
- Transition BID pedestrian lighting to LED
- Paint district trashcans
- Repairs and regular maintenance performed to the BID electrical infrastructure
- Paint district light poles located in the ROW
- Work with partners and the city to replace our static directories with digital kiosk



2024 CCN BID Planned Operations Activities for the District

2024 Operation Department Projects

- Enhance landscaping in areas of need throughout the district
- Execute an agreement with the City to maintain the medians in and adjacent to the district
- Landscape maintenance throughout the district including lawn care, tree trimming and bed maintenance
- Turf and Mulch replacement
- Seasonal floral program
- Cleaning and repair to sculptures throughout the district
- Replace concrete to remove potential safety hazards throughout the district
- Repair brick pavers as needed throughout the district
- District supplemental snow removal
- Install and maintain winter lighting throughout the district
- Install and maintain holiday decorations throughout the district
- Partner with DOTI to ensure construction parking isn't impacting the neighborhood
- Work with property owners and developers to reduce the impact of construction on the community
- Replace the RBGW LED lighting on Fillmore Plaza
- Continue to focus on public safety deploying private security and off-duty Denver Police to patrol the district
- Complete a risk assessment of the district

**HOMELESSNESS and
RELIEF EFFORTS**

Cherry Creek North BID

2023 EFFORTS UNDERTAKEN TO AIDE HOMELESSNESS

Cherry Creek North has developed a comprehensive safety team that includes all members of our cleaning, security, and off-duty Denver Police staff. The focus of this team is to ensure all members of our inclusive community are safe and can enjoy the district. Our Public Safety team interacts with unhoused community members each and every day. Our focus is ensuring our unhoused community members are safe and receive support as needed. We routinely receive and respond to calls from private property owners with concerns over unhoused citizens attempting to sleep on private property. Our team will respond and ensure the individuals understand private property rules and then direct individuals to available services. Our team will routinely be the first on scene for unhoused individuals experiencing a mental health crisis or adverse reactions to substance abuse. Our team is able to play an important role in de-escalation and connecting services to those in need.

Services we direct individuals to include.

- Support Team Assistance Response (STAR) van service (business hours Mon-Fri) in response to community members who are experiencing problems related to mental health, depression, poverty, homelessness and/or substance use issues
- Assist with resources to help with housing and a job for those in need
- Assist with resources to help with substance abuse for those in need
- Assist with resources to help with medical services for those in need

IMPACTS and PERFORMANCE MEASURES

- Occupancy rates**
- Business or citizen surveys**
- Crime rates**
- Lease rates**
- Taxable retail sales**
- Number of jobs created**
- Pedestrian / visitor counts**
- Business license revenues**



CHERRY CREEK
ALLIANCE

2023

CHERRY CREEK

DEVELOPMENT REPORT



RESIDENTIAL UNITS

6,326

TOTAL RESIDENTIAL
UNITS IN 2022

FUTURE PROJECTED
TOTALS:

6,917 UNITS

591 BEING PLANNED



HOTEL ROOMS

1,054

TOTAL HOTEL
ROOMS IN 2022

FUTURE PROJECTED
ROOMS:

1,204 ROOMS

250 BEING PLANNED



OFFICE SPACE

3.4

MILLION SF

TOTAL OFFICE
SPACE IN 2022

FUTURE PROJECTED
TOTAL:

4,172,450 SF

746,110 SF PLANNED



RETAIL SPACE

2.1

MILLION SF

TOTAL RETAIL
SPACE IN 2022

FUTURE PROJECTED
TOTALS:

1,464,971 SF

88,783 SF PLANNED



CHERRY CREEK
ALLIANCE

ABOUT THE CHERRY CREEK ALLIANCE

The Cherry Creek Alliance is a partnership of three key neighborhood entities – Cherry Creek North, Cherry Creek Shopping Center, and the Cherry Creek Chamber of Commerce to advocate on behalf of the greater Cherry Creek business community.



CHERRY
CREEK
CHAMBER OF COMMERCE

CHERRY
CREEK
NORTH

CHERRY CREEK
SHOPPING CENTER



2019-2023

DEVELOPMENT PROJECTS

COMPLETED

PROJECT NAME	ADDRESS	USE	DESCRIPTION	COMPLETED
01	6th & Saint Paul	Residential	3 Residences	2019
02	260 North	Office/Retail	55,364 SF Office / 11,043 SF Retail	2019
03	Financial House	Office/Retail	70,000 SF Office / 5,000 SF Retail	2019
04	Laurel Cherry Creek	Residential/Retail	71 Residences / 3,787 SF Retail	2019
05	Affinity Luxury Flats	Residential	12 Units	2020
06	Gables Vista	Residential	255 Residences	2020
07	UHealth Cherry Creek Medical Center	Medical Office	88,000 SF Office	2020
08	The Cassidy	Residential	37 Residences	2020
09	The Clayton Hotel & Members Club	Hotel / Retail	63 Hotel Rooms (26 new rooms)	2021
10	240 Saint Paul	Office/Retail	73,000 SF Office / 33,000 SF Retail	2021
11	North Pointe Ten - Cherry Creek	Residential	10 Residences	2021

UNDER CONSTRUCTION

PROJECT NAME	ADDRESS	USE	DESCRIPTION	COMPLETED
12	200 Clayton	Office/Retail	67,800 SF Office / 5,600 SF Retail	2023
13	Modera Cherry Creek	Residential	95 Apartment Homes	2022
14	Acoya Cherry Creek	Residential	Senior Housing / 137 Units	2023
15	300 Fillmore	Office/Retail	41,250 SF Office / 9,000 SF Retail	2023
16	300 University	Office/Retail	50,060 SF Office / 9,653 SF Retail	2023
17	255 Fillmore	Office/Retail	90,000 SF Office / 9,130 SF Retail	2023
18	2nd + Adams	Office/Retail	52,000 SF Office / 7,400 SF Retail	2023

ANNOUNCED

PROJECT NAME	ADDRESS	USE	DESCRIPTION	COMPLETED
19	242 Milwaukee	Office/Retail	90,000 SF Office / 10,000 SF Retail	2023
20	250 Clayton	Office	215,000 SF Office	2024
21	AC Hotel Cherry Creek	Hotel	150 Guestrooms	2024
22	201 Fillmore	Office/Retail	140,000 SF Office / 8,000 SF Retail	2025
23	185 Steele	Residential/Retail	38 Condo Homes	TBD
24	Clayton Lane	Retail/Residential	TBD	TBD
25	Cherry Creek West	Office/Retail/Residential	TBD	TBD
26	329 Detroit	Residential/Retail	18 Condo Homes	TBD
27	231 Detroit	Residential/Retail	TBD	TBD
28	299 Milwaukee St	Residential/Retail	156 Luxury Residences / 30,000 SF Retail	TBD
29	5 Cook Street	Residential/Retail	TBD	TBD
30	50 South Steele	Residential/Retail	TBD	TBD
31	Bayaud & Madison	Residential/Retail	TBD	TBD
32	Modera Cook Street	Residential	110 Apartment Homes	TBD



**CHERRY CREEK
ALLIANCE**



INTER-DEPARTMENT CORRESPONDENCE

TO: Carlos Aragon, Commander, District 3

FROM: Lacinda Jaynes, Director, Analytical Support Bureau

DATE: September 12, 2023

SUBJECT: Reported Offenses – Cherry Creek North Business Improvement District

As requested, the attached report summarizes the reported offenses in the Cherry Creek North Business Improvement District for January-August 2022 compared to January-August 2023. The statistics are summarized by offense type, day-of-week, month, and hour.

SUMMARY

- Overall, the number of crimes occurring in January-August decreased by 19.6% (-30) comparing 2022 to 2023
 - Theft from motor vehicle offenses decreased by 58.1% (-25)
 - Larceny offenses decreased by 35.3% (-12)
 - Burglary offenses increased by 166.7% (+10)
- The average number of offenses per day was highest on Thursday with 0.66 in 2023.
- By occurred hour in 2023, 5:00 pm led with 15 offenses.
- By month, August was down 61.9% (-13) in 2023 compared to 2022.

If you have any questions, please do not hesitate to call.

Cc: Ron Thomas, Chief of Police
Regina Matlack, Crime Analyst, District 3

**REPORTED OFFENSES
CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT
JANUARY-AUGUST 2022 AND 2023**

TYPE OF CRIME		JAN-AUG 2022		JAN-AUG 2023		CHANGE	
		#	%	#	%	#	%
CRIMES AGAINST PERSONS	Murder	0	0.0%	0	0.0%	0	N/A
	Aggravated Assault	0	0.0%	4	3.3%	4	N/A
	Forcible Sex Offenses	0	0.0%	0	0.0%	0	N/A
	Non-forcible Sex Offenses	0	0.0%	0	0.0%	0	N/A
	Kidnapping/Abduction	0	0.0%	0	0.0%	0	N/A
	Simple Assault	6	3.9%	5	4.1%	-1	-16.7%
	Intimidation	2	1.3%	2	1.6%	0	0.0%
	SUBTOTAL	8	5.2%	11	8.9%	3	37.5%
CRIMES AGAINST PROPERTY	Arson	2	1.3%	0	0.0%	-2	-100.0%
	Bribery	0	0.0%	0	0.0%	0	N/A
	Burglary	6	3.9%	16	13.0%	10	166.7%
	Counterfeiting/Forgery	3	2.0%	3	2.4%	0	0.0%
	Criminal Mischief/Damaged Property	15	9.8%	18	14.6%	3	20.0%
	Embezzlement	0	0.0%	0	0.0%	0	N/A
	Extortion	0	0.0%	0	0.0%	0	N/A
	Fraud	6	3.9%	8	6.5%	2	33.3%
	Larceny	34	22.2%	22	17.9%	-12	-35.3%
	Theft from Motor Vehicle	43	28.1%	18	14.6%	-25	-58.1%
	Motor Vehicle Theft	21	13.7%	17	13.8%	-4	-19.0%
	Robbery	7	4.6%	3	2.4%	-4	-57.1%
Stolen Property	0	0.0%	0	0.0%	0	N/A	
	SUBTOTAL	137	89.5%	105	85.4%	-32	-23.4%
CRIMES AGAINST SOCIETY	Drug/Narcotics Violations	2	1.3%	0	0.0%	-2	-100.0%
	Gambling	0	0.0%	0	0.0%	0	N/A
	Child Pornography	0	0.0%	0	0.0%	0	N/A
	Prostitution	0	0.0%	0	0.0%	0	N/A
	Weapon Law Violations	1	0.7%	0	0.0%	-1	-100.0%
	SUBTOTAL	3	2.0%	0	0.0%	-3	-100.0%
ALL OTHER OFFENSES	Fraud - NSF-Closed Account	0	0.0%	1	0.8%	1	N/A
	Curfew	0	0.0%	0	0.0%	0	N/A
	Disorderly Conduct/Disturbing the Peace	0	0.0%	0	0.0%	0	N/A
	Family Offenses/Nonviolent	0	0.0%	0	0.0%	0	N/A
	Liquor Law/Drunkenness	0	0.0%	0	0.0%	0	N/A
	Other Sex Offenses	0	0.0%	0	0.0%	0	N/A
	Violation of a Restraining/Court Order	1	0.7%	0	0.0%	-1	-100.0%
	Harassment	2	1.3%	1	0.8%	-1	-50.0%
	Criminal Trespassing	2	1.3%	5	4.1%	3	150.0%
	All Other Offenses	0	0.0%	0	0.0%	0	N/A
	SUBTOTAL	5	3.3%	7	5.7%	2	40.0%
GRAND TOTAL		153	100.0%	123	100.0%	-30	-19.6%

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.

PREPARED TO DEPARTMENT OF SAFETY PUBLIC INFORMATION STANDARDS

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

Based on NIBRS Standards.



2023 CCN BID Performed Activities for the District

DIGITAL MARKETING

Newsletters

- *News from the North*
 - Sent monthly to the general public (including past event-attendees, constituents, and subscribers who have opted in)
 - Distributed information about upcoming events hosted by CCN and/or CCN businesses, news stories about CCN, and more.
- *CCN Insider*
 - Sent monthly to constituents to update them on events, construction, resources, and more.

Social Media

- Maximized social media marketing efforts to maintain awareness and attract new visitors across the following platforms:
 - Facebook
 - Instagram
 - LinkedIn
 - Pinterest

Website

- Website updated daily to promote merchant calendar of deals, promotions, and events happening at CCN businesses.
- Website listings for all constituents are updated regularly and accurately.
- Refreshed website to reflect new "Life is Sweet" brand messaging.

EVENTS

Summer Event Traffic Numbers June 3-August 13, 2023:

- 572.9K visitors
- 1.4M visits
- 217 minutes average dwell time

Winter Event Traffic Numbers November 16-December 24, 2022:

- 367.8k visitors
- 741.5k visits
- 186 minutes average dwell time

Produced Distinct events that highlight & benefit core business categories:

- *Live & Local*

- First Annual Live & Local series partnering with Athena Project, a local Colorado non-profit, to bring live music and art around the District every Saturday in June.
- *Sidewalk Sale*
 - 53rd Annual Sidewalk Sale featured over 40 participating CCN merchants.

Currently planning and promoting holiday event lineup to generate awareness and drive traffic to CCN:

- *Winter Wanderland -- November-December 2023*
 - *Saturday Night Lights*
 - *Small Business Weekend*
 - *Cherry Creek Holiday Market (3rd Party Event)*
 - *Chanukah Celebration (3rd Party Event)*

Worked with local event producers to host a variety of events on Fillmore Plaza:

- *5280 Magazine's Top of The Town – July 2023*
- *Smash Fine Arts Festival – June*
- *Smash Fine Arts Festival – August 2023*
- *Cherry Creek Arts Festival -- July 2023*
- *Cherry Creek Holiday Market – November-December 2023*
- *Chanukah Celebration – December 2023*

ADVERTISING & PUBLIC RELATIONS

Advertising: Digital Campaigns

- Health + Fitness Influencer Campaign
- Love, Cherry Creek (promoting Valentine's Day gift ideas, dining options, and hotel packages)
- Cherry Creek Supper Club (supported Denver Restaurant Week)
- Fall Fashion Influencer Campaign
- Social Media Partnerships & Giveaways

Advertising Placements: Sidewalk Sale + Summer Events Campaign

- Visit Denver eNewsletter
- Boosted Social Media Posts
- Colorado Expression
- Denver Life
- Travel + Leisure
- 5280 Magazine
- Glendale Chronicle
- Colorado Home and Lifestyles
- Visit Denver Boosted Facebook Ad + Instagram Post
- Wash Park Profile
- Life on Capitol Hill
- Centennial Citizen
- Park Hill Front Porch

Advertising Placements: Winter Wanderland

- 5280 Magazine – Full Page Print Ad
- 5280 Magazine eNewsletter Inclusions

- 5280 Magazine Instagram Post
- Colorado Community Newspaper Placements
- Glendale Chronicle
- (4) OOH Billboards
- Visit Denver Mile High Holidays Campaign
- Visit Denver Blog Post
- Visit Denver eNewsletter Inclusions
- Visit Denver Instagram Posts
- NextDoor Newsfeed Ads
- Intermountain Jewish News
- KOSI Radio Partnership
- Traffic Radio
- Broadcast TV Partnership

Advertising Placements: Brand Awareness Campaign

- (4) OOH Billboards
- 5280 Magazine - Digital & Print Placements
- Cherry Creek Magazine Partnership
- Colorado Community Media Newspaper Placements
- Targeted Social Display Ads
- NextDoor Ad Placements
- Traffic Radio
- Broadcast TV Partnership

Content Library / Branding

- Officially filed a copyright for our refreshed logo and “Life is Sweet” tagline
- Worked with a new Branding Agency (62 Above) to create a fresh look for event campaigns and branding.
- Planned and executed multiple photoshoots and video shoots to build a content library for social media, advertising placements, website, and collateral.

Public Relations

- Feature articles and editorial inclusions placed in key local publications throughout the year including 303 Magazine, Denver Post, Denver Business Journal, Cherry Creek Magazine among others.
- Broadcast segments covering CCN events featured on local news stations CBS4, Denver 7, 9News, and KDVR/FOX 31.

TOURISM

Visit Cherry Creek (partnership between Cherry Creek North & Cherry Creek Shopping Center)

- Partnered with Cherry Creek Shopping Center to expand and grow awareness of Visit Cherry Creek
- Placed advertising campaigns with Visit Denver and the Colorado Tourism Office to promote Visit Cherry Creek and increase tourism in the Cherry Creek neighborhood.

Engaged with Visit Denver and the Colorado Tourism Office:

- Attended Visit Denver MAC Meetings, Digital Media Roundtable, and C.H.A.T networking events.
- Visit Denver Hall of Fame Presenting Sponsor

- Represented Cherry Creek North on the Colorado Tourism Office's International Promotions Committee

Attended tourism trade shows and conferences:

- IPW (June)
- Colorado Governor's Tourism Conference (September)

Tourism PR Efforts:

- Hosted multiple International Media Tours and FAM Trips throughout the year.
- Partnered with CCN hotels and Visit Denver to host Instagram giveaways featuring Cherry Creek getaway packages.

Tourism Advertising Placements:

- Video advertising (digital OOH) at DEN Airport
- Display banners online – targeting Travelers coming to Denver.
- Online video – targeting travelers coming to Denver.

CHERRY CREEK NORTH

Cherry Creek North 2024 Marketing Calendar							
	January	February	March	April/May	June/July/August	September/October	November/December
THEME	Wellness/Better You	Love, Cherry Creek North	Cherry Creek Supper Club	In Bloom	Art, Music & Culture	Fall Fresh	Winter Wanderland
PROMOTION	New Year's Resolutions; promoting our over 70 spas, salons, fitness +	Buying Guides, dining, atmosphere (1m lights)	Denver Restaurant Week tie-in	Mother's Day Brunches (May); Wellness -- 2nd push); Spring Fashion	Outdoor patios & Rooftops; Arts	Denver Beer Week tie-in (beer cocktails); Art/Home décor (readying for the holidays)	Shopping guides; Holiday Traditions: Winter Wanderland
SECONDARY THEME			Women's History Month	Sustainability (Earth Day in April)		Fall Fashion	Small Business Weekend (Nov)
PROMOTION			CCN Women-owned Businesses	Rebagging: resale, Eileen Fisher, Nic & Zoe; ReVampt		New styles for Fall/Winter	Denver's largest collection of independent shops
BRAND	Brand Awareness						
TOURISM	Go West Conference (Feb); Tourism buy			IPW Conference, Visit Denver/CTO buys, Visit Cherry Creek buys	Visit Denver/CTO/Visit Cherry Creek buys	Governor's Conference of Tourism,	Holiday tourism
HOTEL TOURISM	CCN Hotel awareness campaign, seasonal group sales; seasonal leisure travel						
EVENTS	Cherry Creek Wellness Collective		Culinary Experiences (~5-7)		June Live & Local, Sidewalk Sale, Smash Arts Festival, Cherry Arts Festival, Bastille Day/French Fest, 5280's TOTT,	Fall Fete (TBD)	Million Light Plug-in; Small Business Weekend; Holiday Market; Saturday Night Lights
BIZ CATEGORY	Wellness	Fashion, Dining, Galleries, Retail, other	Dining, Fashion, Dining Events	Dining, Fashion, Wellness	Dining, Galleries, Events	Galleries, Home, Dining, Fashion	Retail, Dining, Events



Placer.ai

Property Overview

Jan 1 - Sep 3, 2023

Property:

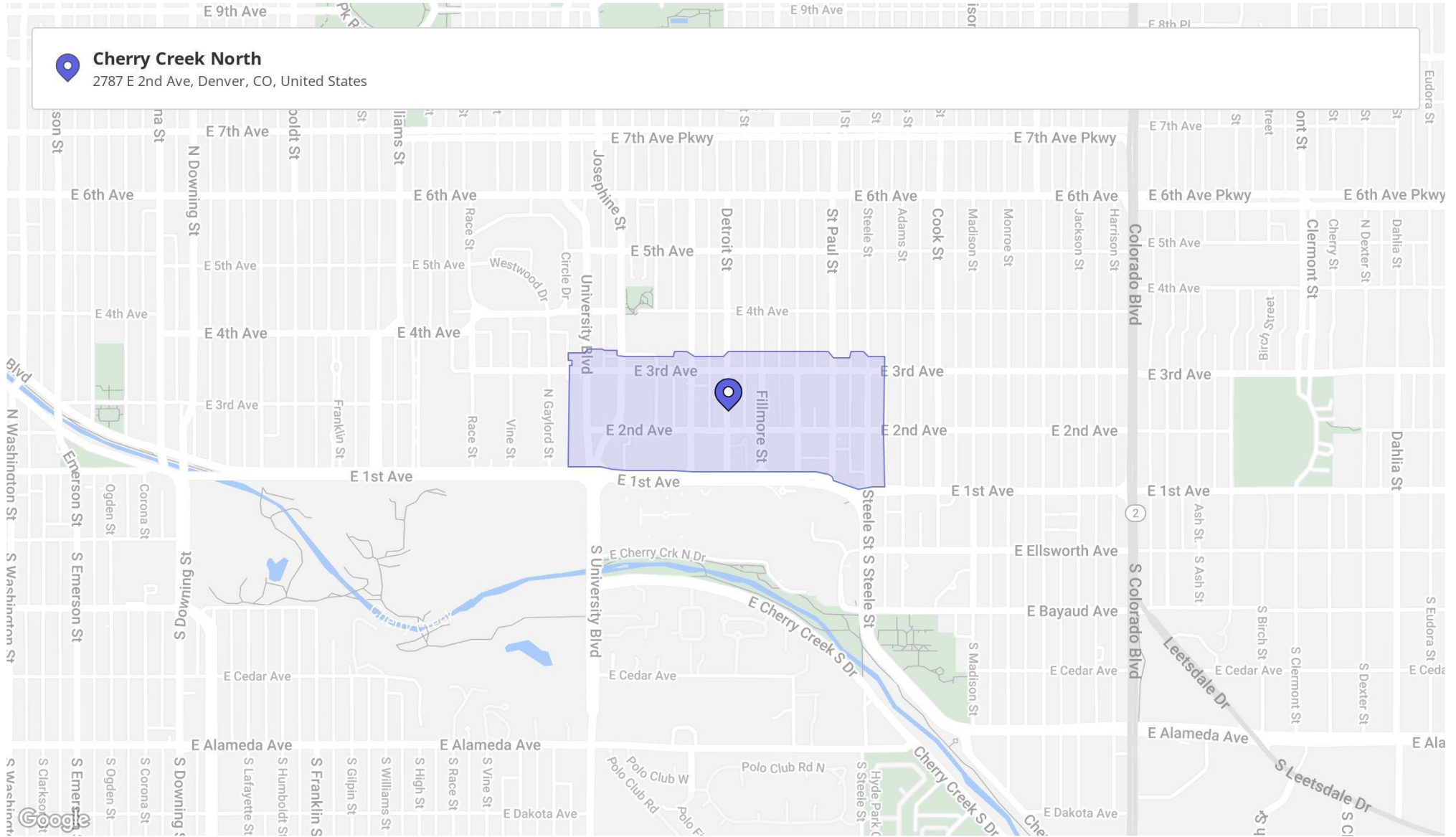


Cherry Creek North

2787 E 2nd Ave, Denver, CO 80206

Property Overview

Jan 1 - Sep 3, 2023



Cherry Creek North

2787 E 2nd Ave, Denver, CO, United States



Property Overview

Jan 1 - Sep 3, 2023

Metrics

Cherry Creek North

2787 E 2nd Ave, Denver, CO 80206

Visits	4.5M	Visits YoY	-1.6%
Visitors	1.2M	Visits Yo2Y	-2.2%
Visit Frequency	3.81	Visits Yo3Y	+30.1%
Avg. Dwell Time	209 min		

Jan 1st, 2023 - Sep 3rd, 2023

Data provided by Placer Labs Inc. (www.placer.ai)

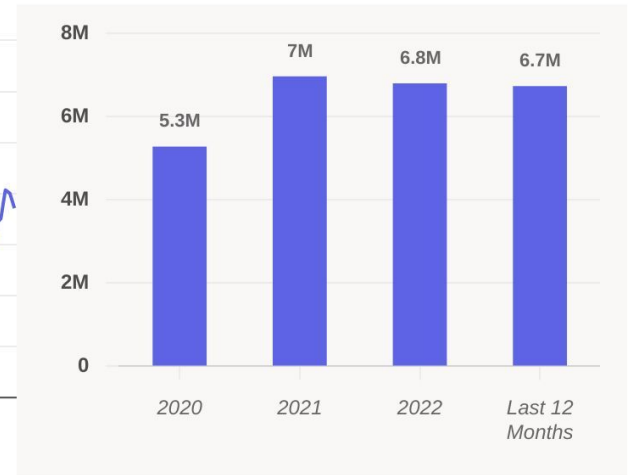
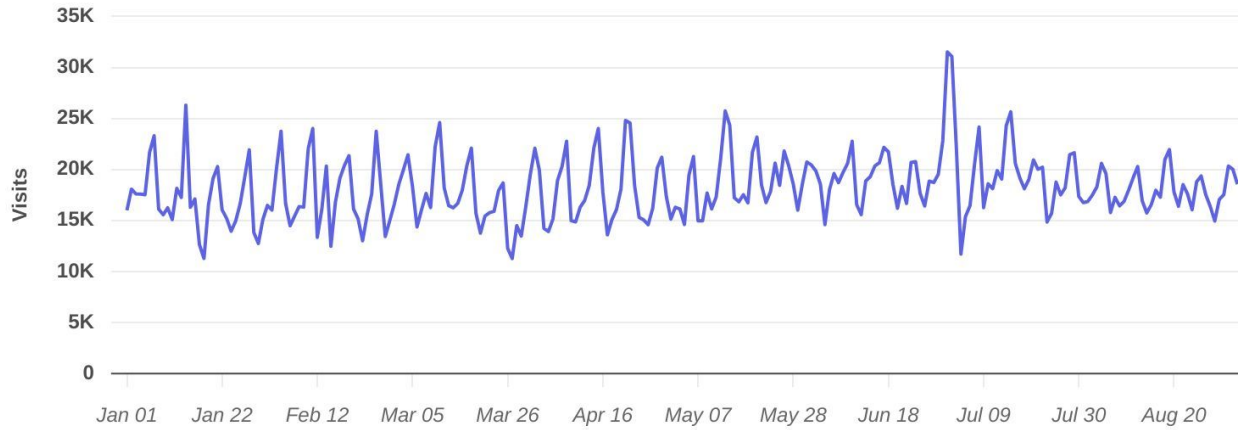


Property Overview

Jan 1 - Sep 3, 2023

Visits Trend

Cherry Creek North
E 2nd Ave, Denver, CO



Daily | Visits | Jan 1st, 2023 - Sep 3rd, 2023
Data provided by Placer Labs Inc. (www.placer.ai)





Property Overview

Jan 1 - Sep 3, 2023

Audience Overview

Summary

Property	Median Household Income	Bachelor's Degree or Higher	Median Age	Most Common Ethnicity	Persons per Household
 Cherry Creek North E 2nd Ave, Denver, CO	\$84.6K	59.0%	38.2	White (63.9%)	2.08
 Colorado	\$81.3K	42.7%	38.5	White (68.8%)	2.51

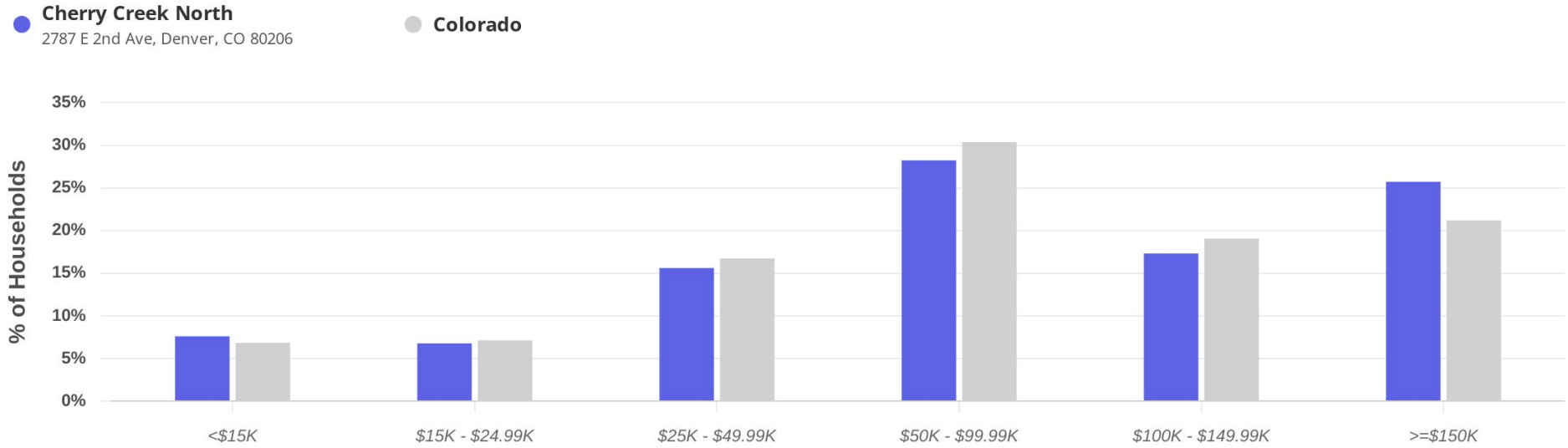
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Data provided by Placer Labs Inc. (www.placer.ai)



Property Overview

Jan 1 - Sep 3, 2023

Household Income



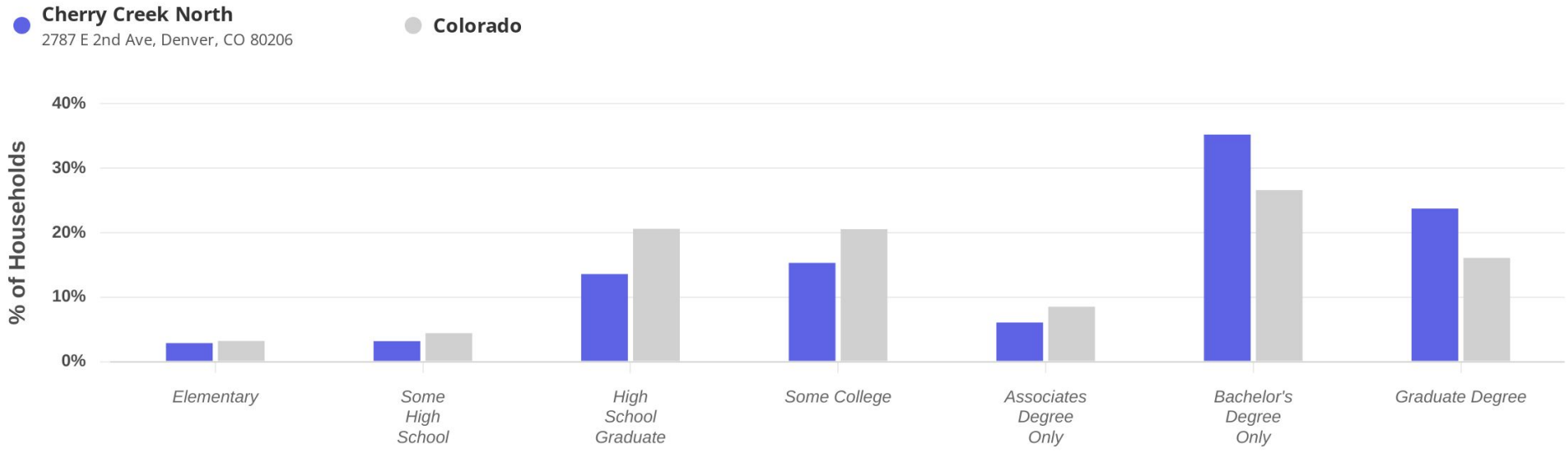
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Data provided by Placer Labs Inc. (www.placer.ai)



Property Overview

Jan 1 - Sep 3, 2023

Education

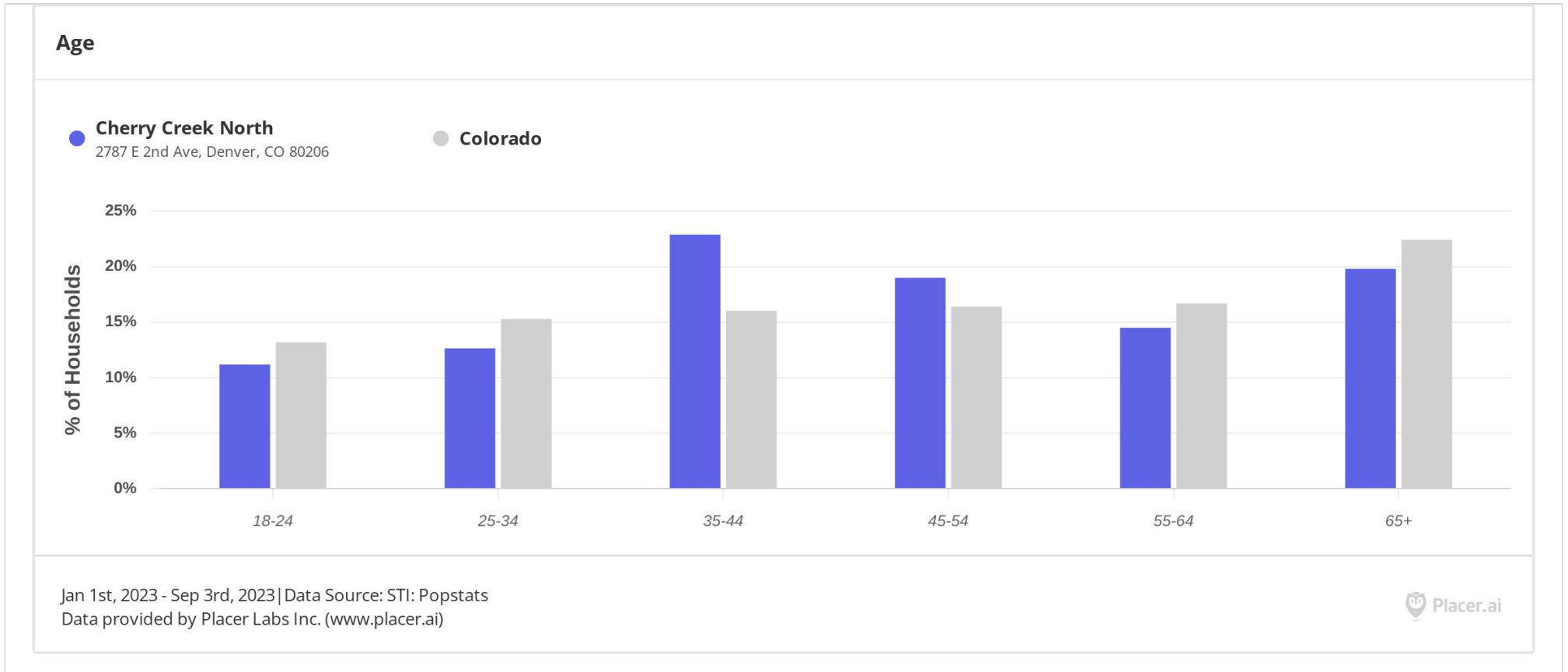


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Data provided by Placer Labs Inc. (www.placer.ai)



Property Overview

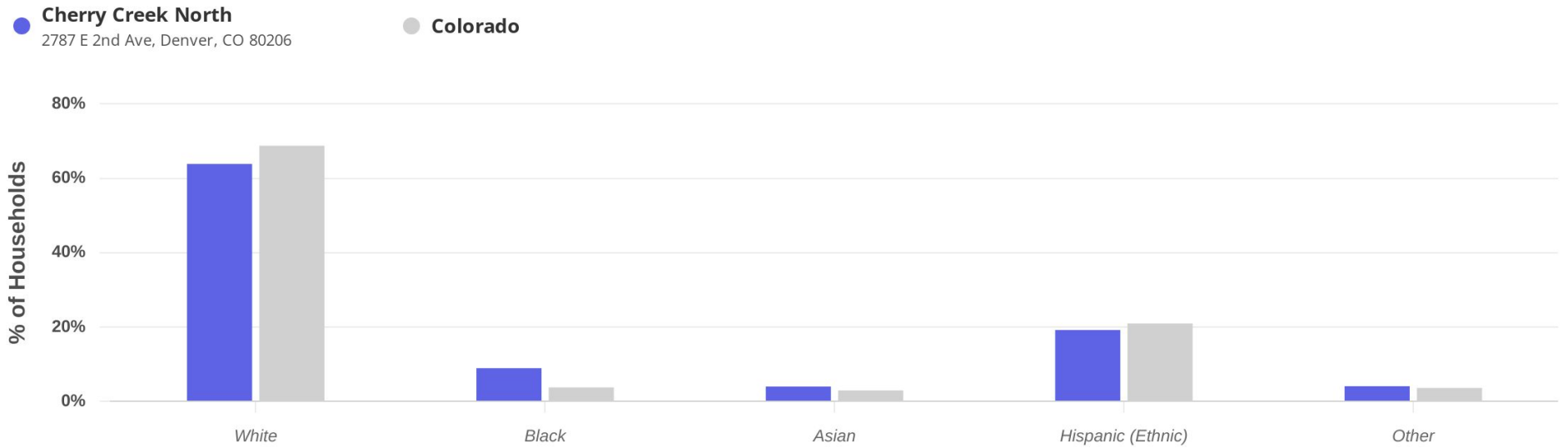
Jan 1 - Sep 3, 2023



Property Overview

Jan 1 - Sep 3, 2023

Ethnicity



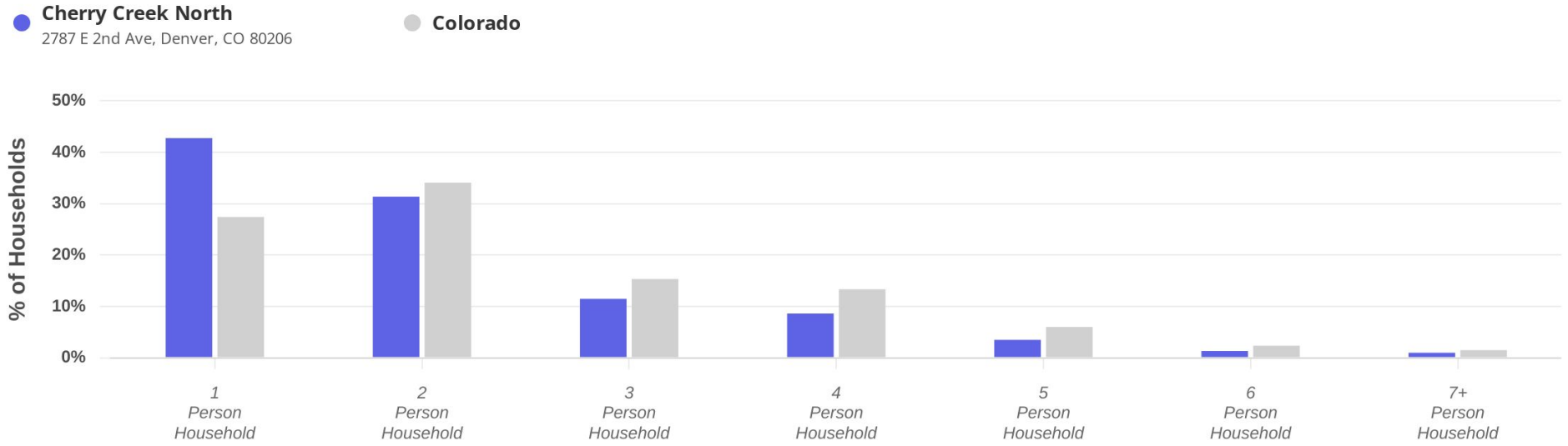
Jan 1st, 2023 - Sep 3rd, 2023 | Data Source: STI: Popstats
Data provided by Placer Labs Inc. (www.placer.ai)



Property Overview

Jan 1 - Sep 3, 2023

Household Size



Jan 1st, 2023 - Sep 3rd, 2023 | Data Source: STI: Popstats
Data provided by Placer Labs Inc. (www.placer.ai)

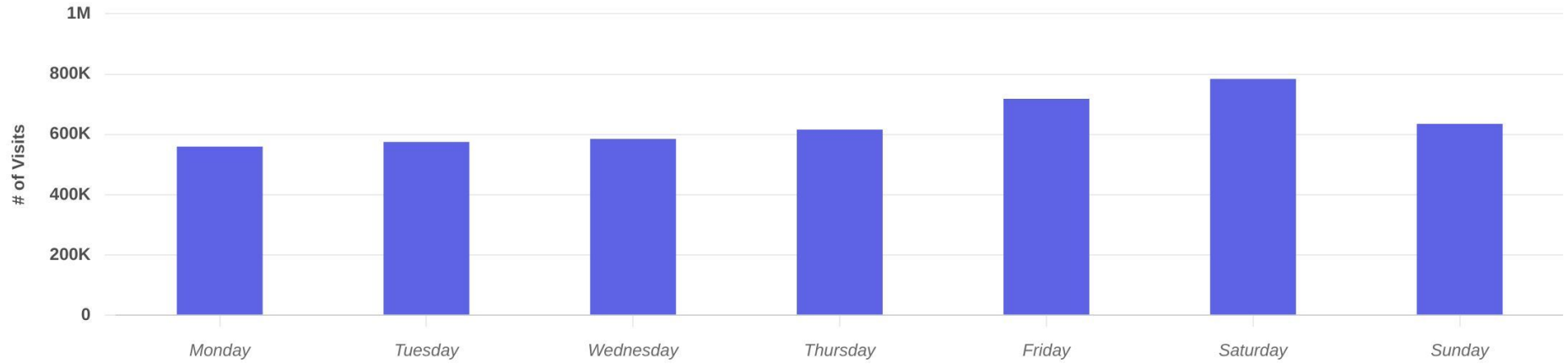


Property Overview

Jan 1 - Sep 3, 2023

Daily Visits

Cherry Creek North
2787 E 2nd Ave, Denver, CO 80206



Visits | Jan 1st, 2023 - Sep 3rd, 2023
Data provided by Placer Labs Inc. (www.placer.ai)

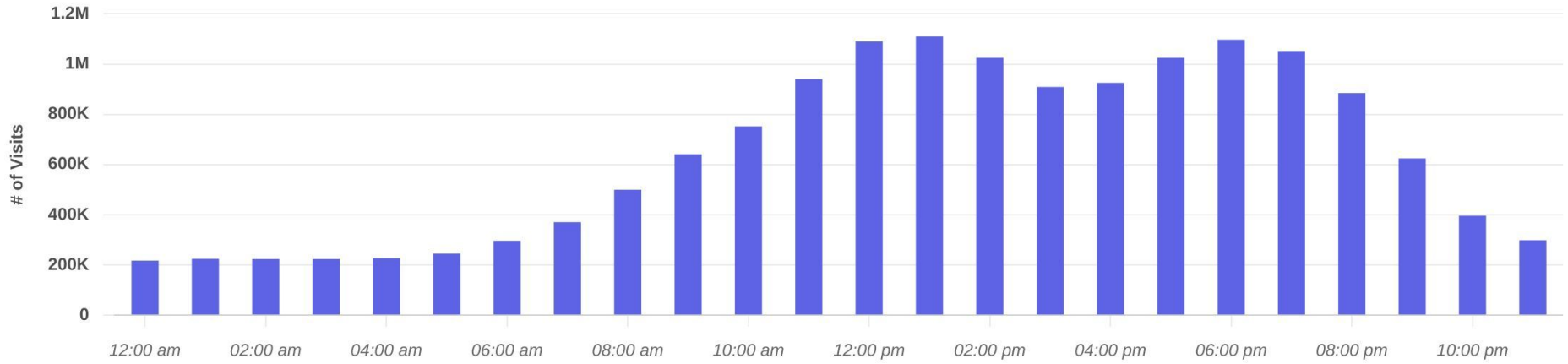


Property Overview

Jan 1 - Sep 3, 2023

Hourly Visits

Cherry Creek North
2787 E 2nd Ave, Denver, CO 80206



Visits | Jan 1st, 2023 - Sep 3rd, 2023
Data provided by Placer Labs Inc. (www.placer.ai)

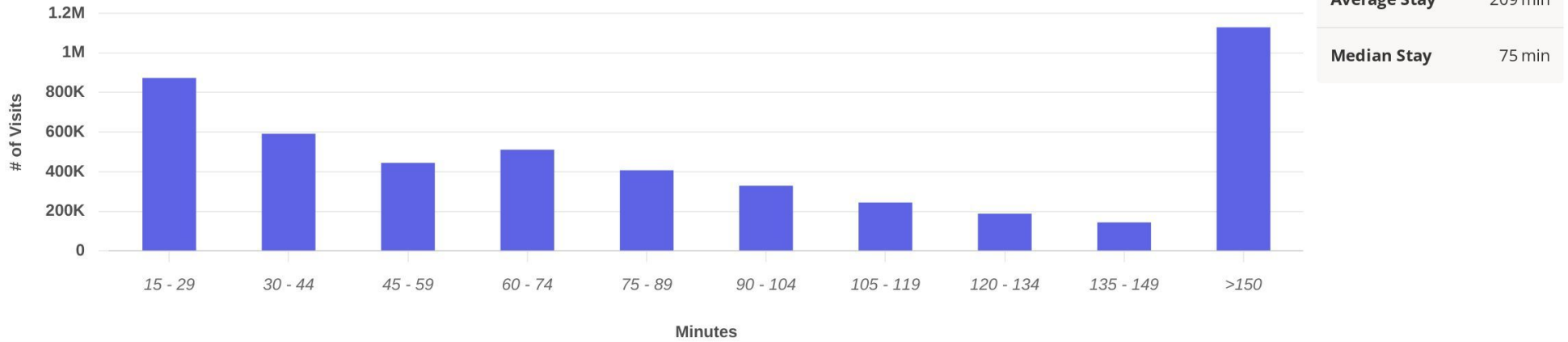


Property Overview

Jan 1 - Sep 3, 2023

Length of Stay

● **Cherry Creek North**
2787 E 2nd Ave, Denver, CO 80206



Visits | Jan 1st, 2023 - Sep 3rd, 2023
Data provided by Placer Labs Inc. (www.placer.ai)

