

2022 Operating Plan

Bluebird Business Improvement District

2022 Bluebird Business Improvement District Operating Plan Overview

The Bluebird Business Improvement District (the “District”) was formed by the City Council in and for the City and County of Denver (the “City”) pursuant to Ordinance No. 292, Series 2013, on June 24, 2013. The District boundaries are bordered by St. Paul St. on the West, Colorado Blvd. on the East, 14th Avenue on the South and 16th Avenue on the North. The District consists of a total of nine East Colfax blocks. There are 47 individual property owners and 66 businesses within the 9-block District boundaries, a land area of 478,333 sq. ft. with an assessed valuation of \$14,936,750 as of August 25, 2021. The District will impose a mill levy of 10 mills for collection next year on all taxable commercial property located within its boundaries, projected to be approximately \$147,874.

2022 Bluebird Business Improvement District Operating Plan Statement

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

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

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

Administrative operations will include seeking additional District funding through grant applications, fundraising and special events. The Bluebird District was able to secure and additional \$50,000 in grant funding from DOLA to support business for losses due to COVID-19 closures, decreased demand or capacity and new expenses in response to the pandemic. The district also completed disbursing the initial \$500,000 in grant funding award for business support due to COVID-19 impacts.

A. Marketing & Communications

- The District is committed to informing and updating its constituents on a timely basis through its interactive website and email system, social media, public board meetings, news releases, newsletters, calendar of events and by reporting City and State projects and programs pertinent to the District.
- From time to time, the District also will survey its constituents for their opinions on necessary District physical improvements and retail and business services and community-related issues, (e.g. public safety, pedestrian safety, vehicular and bike traffic, etc.)
- The District hosts many annual events each year that are designed to engage with the community and highlight area businesses. All events are subject to the current COVID-19 restrictions, capacity of our businesses and also comfort and safety of patrons. Our annual events are subject to change or cancellation due to the pandemic. These events include Tasty Colfax and Boo and Brew. Usually, hundreds of participants visit area businesses to enjoy food, music and services in the district. The district will employ an event coordinator to increase attendance, visibility and income from events and to help us think creatively about adjusting the events for safety.
- The District has set up a grant administration portal on its website to disperse funds to businesses.
- The District has set up a Bluebird Bag program, which showcases our businesses by directly purchasing goods to assemble in bags that give purchasers incentives to visit the district with gift cards and coupons, and share the diverse goods available. These were sold on the My Sidewalk Platform for Denver.

B. Maintenance, Capital Improvements & Public Safety

- The District will maintain amenities that it owns as well as key streetscape amenities such as existing pedestrian lights, trees, trash cans and grates.
- The District will continue to make modest investments in streetscape improvements with capital investments and through additional grant funding (if awarded).
- The District will maintain relationships with the Denver Police Department and local community officers. The District will also build on relationships with the department of

transportation and infrastructure to address infrastructure needs related to public safety.

- The District will work with property owners to ensure proper upkeep for recently planted trees.

C. Economic & Business Development

- The primary focus of the BBID in recent months has been supporting businesses through COVID-19 impacts. This will continue to be a primary focus in 2022. We will continue to participate in the Economic Recovery and Resilience Committee and the Denver Business Improvement District Council to be up to speed on opportunities to support businesses. To date we have distributed thousands of free masks to businesses, purchased and provided care packages that include hand sanitizer and masks, sought multiple grant opportunities to support businesses and infrastructure and substantially increased our direct communication with business owners.
- The District Small Area Plan identifies priorities through investments that are targeted at supporting and boosting businesses. These programs include zoning and redevelopment support, improving the customer experience by enhancing the streetscape and improving pedestrian safety, promotions for area residents, support for business-sponsored events.
- The District will continue to support business owners who seek to redevelop vacant or underutilized parcels. The District will support development through community outreach and zoning technical support.
- The District will continue to promote the district and support businesses through events that bring visitors to the area. Events are focused at bringing visitors into establishments, while promoting community engagement and support for the District.
- The District will continue to work with the City and County of Denver on main street zoning revisions responsive to business and property owner input. This has the potential to reduce costs for developers and encourage development in the district.
- The District hosted or attended several meetings regarding bus rapid transit and transportation to support access to and through the district, which supports economic development. The District will continue to work with the Department of Transportation and Infrastructure on BRT planning initiatives.

D. Administrative Services

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

Operating Plan & Budget

Supporting Materials Table of Contents

1. 2021 Year to date “budget to actual” financial reports
2. Any materials departures from the 2021 Operating Plan, and an explanation
3. A copy of your Public Notice publication for the 2022 Budget public hearing
4. The status of any planned or outstanding indebtedness
5. The results of any audits conducted during the year, if not already submitted.
6. A copy of the By-laws, if any, in effect in 2021
7. A list of official board actions (motions) in the past year.
8. Current list of all Board members including name, address, phone, fax and e-mails as well as term appointment and expiration date.
9. Board members attendance records for the past year.
10. A list of activities performed and planned for 2021 (and planning for in 2022);
11. Documented tangible impacts and performance measures that your BID provides and tracks. For instance this could include trend occupancy rates, business or citizen surveys, crime rates, lease rates, taxable retail sales, number of jobs created, pedestrian/visitor counts, and business license revenues. Any additional information would be beneficial for the City Council budget approval process.

- 1. 2021 Year to date “budget to actual” financial reports.** Please see 2021 with this budget to actual report.

BBID Budget 2022 draft 9/15 revised and board approved					
		2020 Actuals	2021 Actuals projection	2021 Budget	2022 Proposed Budget
Beginning Funds Available		\$95,744	\$95,744	\$124,775	\$128,669
REVENUE					
Property Taxes		\$151,574	\$151,574	\$ 151,574	\$147,874
Ownership Taxes		\$8,253	\$8,253	\$ 5,400	\$8,253
Other Income (events + business support)		\$508,831	\$62,900	\$ 250,000	\$10,000
TOTAL REVENUE		\$668,658	\$222,727	\$ 406,974	\$ 166,127
EXPENSES					
Administration/Economic Develmt					
Bookkeeping		\$ 2,400	\$2,400	\$ -	\$2,400
Operations Director (at 50% ED)		\$ 22,343	\$17,460	\$ 21,668	\$19,074
Insurance		\$2,589	\$1,510	\$ 1,675	\$1,675
Legal		\$8,486	\$8,766	\$ 8,334	\$9,643
Accounting/Audit		\$500	\$ 500	\$ 1,200	\$727
Memberships		\$463	\$463	\$ 515	\$530
Advisory Services Consulting (at 70% ED)		\$ 15,985	\$16,560	\$ 15,696	\$18,216

Computer and Internet/Office	\$1,409	\$1,000	\$ 1,000	\$1,000
Legal Advertising	\$ 72	\$ 90	\$ 100	\$100
Placemaking design& services (at 100% ED)	\$ 1,127	\$1,127	\$ 250	\$1,000
Rent	\$0	\$1,200	\$ -	\$0
Covid Relief Grants	\$439,750	\$45,000	\$ 230,000	\$0
Covid Relief Services	\$ 36,903	\$ 5,000	\$ -	\$ -
-ECON DEVOPMT SUBTOTAL	\$ 500,141	\$ 71,449	\$ 22,071	\$ 22,288
ADMINISTN/ECON DEVOL TOTAL	\$532,027	\$101,077	\$ 280,438	\$ 54,365
CAPITAL IMPROVEMENTS				
Captial Improvements to streetscape	\$ -	\$33,955	\$ 39,335	\$38,763
TOTAL CAPTIAL IMPROVEMENTS	\$ -	\$33,955	\$ 39,335	\$38,763
Maintenance				
Trash, decorative lights, pressure wash, weeds, etc	\$27,732	\$ 22,420	\$ 39,000	\$33,350
Utilities	\$635	\$500	\$ 500	\$700
MAINTANCE TOTAL	\$28,367	\$22,920	\$ 39,500	\$ 34,050
MARKETING				
Advertising/PR/Communications	\$26,638	\$6,000	\$ 25,500	\$6,600
Meals/Entertainment	\$381	\$800	\$ 1,250	\$1,250

Printing/Office Supplies/postage	\$623	\$ 50	\$ 25	\$100
Events	\$2,537	\$25,000	\$ 21,000	\$30,000
Computer/website	\$1,409	\$ -	\$ -	\$1,000
MARKETING TOTAL	\$31,588	\$31,850	\$ 47,775	\$ 38,950
FUND TRANSFERS				
TABOR 3% Reserve	\$ -	\$ -	\$ -	\$0
Capital Reserve Fund	\$ -	\$ -	\$ -	\$0
TOTAL FUND TRANSFERS	\$ -	\$ -	\$ -	\$0
TOTAL EXPENSES	\$590,573	\$189,802	\$ 407,048	\$ 166,127
NETCHANGE IN FUNDS AVAILABLE	\$78,085	\$32,925	-\$74	\$0
ENDING FUNDS AVAILABLE	\$95,744	\$128,669	\$124,701	\$128,669

Notes:

Mill Levy shown net of collection fee

2016-22 Milly Levy: 10 mills

2. Any material departures from the 2021 Operating Plan, and an explanation.

BBID had material departures from the 2021 Operating Plan arising from its response to Covid-19, in terms of business support, including a \$50,000 opt-in to the DOLA Covid Relief Fund.

This Covid-19 Response and mitigation services to businesses included:

(1) coordinating with the City and private sector through Economic Recovery and Relief Committees for PPE supplies for businesses, advocating for social distancing protocols for businesses (including moving ahead expeditiously with patio expansion in May);

(2) PPE purchase and distribution;

(3) developing communications on social distancing regulations and best practices for businesses to manage Covid-19;

(4) technical assistance to businesses implement Covid mitigation protocols;

(5) developing and disseminating via print, social media, web, and email communications on social distancing protocols to the public/customer base of district and Covid mitigation measures and social distancing protocols at businesses;

(8) developing and disseminating communications and providing technical support on Covid relief and recovery financing available to businesses, including PPE and EIDL, City and Energize Colorado grants.

(9) Communication via social media, web, and email communications of social distancing and Covid-19 mitigation to businesses.

(10) Most recently, we are in the process of re- granting most of the \$50,000 in Covid Relief opt-on funds from DOLA to district businesses to reimburse them for revenue losses and mitigation measure expenses.

This revenue and expense is reflected in the projected actuals for 2021. The possibility of further Covid Relief funding in 2022 is reflected in the 2022 budget. This grantmaking process required formulating a secure grant application, distribution of opportunity to businesses, providing technical assistance on the application, review of applications, distribution of funds, and submitting expenditures for reimbursement to the district.

- 3. A copy of your Public Notice publication for the 2022 Budget.**

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver)
State of Colorado)
)

The undersigned Nicole Maestas being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in Your Hub for Denver Downtown/East/West (including counties of Denver, Jefferson, Arapahoe, and Adams) on the following date(s):

September 23, 2021

Nicole Maestas
Signature

Subscribed and sworn to before me this 24 day of September, 2021.

Rosann Wunsch
Notary Public

ROSANN R WUNSCH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024002315
MY COMMISSION EXPIRES FEBRUARY 26, 2022

(SEAL)

NOTICE AS TO PROPOSED BUDGET

NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2022, has been submitted to the Bluebird Business Improvement District ("District"). Such proposed budget will be considered at the regular meeting of the Board of Directors of the District to be held in a meeting at **10:30 a.m. on Wednesday, October 20th, 2021, at 3100 E Colfax Ave**, with details on joining the meeting virtually at <http://www.bluebirdbeat.com/meet-the-bid-board/>.

Copies of such proposed budget for fiscal year 2022 are available for inspection by the public at the offices of the district, 3014 Forest St, Denver, Colorado, and at www.bluebirddistrict.org. Any interested elector within the District may, at any time prior to the final adoption of the proposed budget for the ensuing year 2022, file or register any objections thereto.

Dated September 15, 2021

BLUEBIRD
BUSINESS IMPROVEMENT DISTRICT

By: /s/ Tom Secrist/Treasurer

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

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

Bluebird Business Improvement District
Financial Statements

December 31, 2020

ACCOUNTANT'S COMPILATION REPORT

Board of Directors
Bluebird Business Improvement District

We have compiled the accompanying Balance Sheet – Governmental Fund and Account Groups of the Bluebird Business Improvement District as of December 31, 2020 and the related Statements of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Governmental Fund for the year then ended. We have not audited or reviewed the accompanying financial statements and, accordingly, we do not express an opinion or provide any assurance about whether the financial statements are in accordance with accounting principles generally accepted in the United States of America.

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial statements.

Our responsibility is to conduct the compilation in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The objective of a compilation is to assist the management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.

Management has elected to omit the Statements of Net Position, Statement of Activities, Management Discussion and Analysis and all of the disclosures required by accounting principles generally accepted in the United States of America. Accordingly, the accompanying financial statements are not intended to be used by readers who are not familiar with the District's financial affairs or informed about such matters that would be disclosed in complete financial statements.

Simmons & Wheeler P.C.

April 1, 2021

Bluebird Business Improvement District
 Balance Sheet - Governmental Fund
 December 31, 2020
 See Accountant's Compilation Report

	<u>General Fund</u>	<u>Total All Funds</u>
Assets		
Current assets		
Cash in checking	\$ 175,514	\$ 175,514
Cash in checking restricted	4,003	4,003
Cash with County Treasurer	576	576
Grant Receivable	52,853	52,853
Taxes receivable	<u>151,648</u>	<u>151,648</u>
	<u>384,594</u>	<u>384,594</u>
Total Assets	<u><u>\$ 384,594</u></u>	<u><u>\$ 384,594</u></u>
Liabilities and Equity		
Current liabilities		
Accounts payable	<u>\$ 59,117</u>	<u>\$ 59,117</u>
	<u>59,117</u>	<u>59,117</u>
Total liabilities	<u>59,117</u>	<u>59,117</u>
Deferred Inflows of resources:		
Deferred property taxes	<u>151,648</u>	<u>151,648</u>
Total Deferred Inflows of Resources	<u>151,648</u>	<u>151,648</u>
Fund Balances:		
Restricted:		
Emergencies	4,003	4,003
Assigned:		
Capital improvements	40,803	40,803
Unassigned	<u>129,023</u>	<u>129,023</u>
Total Fund Balances	<u>173,829</u>	<u>173,829</u>
	<u><u>\$ 384,594</u></u>	<u><u>\$ 384,594</u></u>

Bluebird Business Improvement District
Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds
Budget and Actual
For the Year Ended December 31, 2020
General Fund

See Accountant's Compilation Report

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	Variance Favorable (Unfavorable)
Revenues				
Property taxes	\$ 152,588	\$ 152,588	151,574	\$ (1,014)
Specific ownership taxes	5,400	5,400	8,253	2,853
Grant Income	-	500,000	508,831	8,831
Other income	16,000	-	-	-
	<u>173,988</u>	<u>657,988</u>	<u>668,658</u>	<u>10,670</u>
Expenditures				
Accounting	700	500	500	-
Bookkeeping	2,400	-	2,400	(2,400)
Advisory Services Consulting	15,239	14,509	15,985	(1,476)
Operations director	16,183	20,798	22,343	(1,545)
Insurance	1,675	1,510	2,589	(1,079)
Legal	8,091	8,091	8,486	(395)
Legal advertising	250	90	72	18
Membership	500	463	463	-
Meals/entertaining	1,250	800	381	419
Computer	2,000	1,000	1,409	(409)
Placemaking design & services	3,000	1,127	1,127	-
Rent	1,200	1,200	-	1,200
Capital improvments	75,375	10,000	-	10,000
Covid Relief Services	-	-	36,903	(36,903)
Advertising	4,369	20,307	26,638	(6,331)
Grants awarded	-	478,583	439,750	38,833
Events	21,000	6,000	2,537	3,463
Office supplies	100	23	623	(600)
Streetscape	19,656	17,000	27,732	(10,732)
Utilities	1,000	500	635	(135)
	<u>173,988</u>	<u>582,501</u>	<u>590,573</u>	<u>(8,072)</u>
Excess (deficiency) of revenues over expenditures	-	75,487	78,085	2,598
Fund balance - beginning	<u>99,416</u>	<u>99,416</u>	<u>95,744</u>	<u>(3,672)</u>
Fund balance - ending	<u>\$ 99,416</u>	<u>\$ 174,903</u>	<u>\$ 173,829</u>	<u>\$ (1,074)</u>

6. A copy of the By-laws, if any, in effect in 2021. Please see ATTACHED.

BLUEBIRD BUSINESS IMPROVEMENT DISTRICT BY-LAWS

These By-Laws of the Bluebird Business Improvement District are adopted by the Board of Directors of the District pursuant to Title 31, Article 25, Part 12, Colorado Revised Statutes and Ordinance No. CB13-0341, City and County of Denver. In the event of a conflict between these By-Laws and either the State Statute or City Ordinance, the Statute and/or Ordinance shall govern.

ARTICLE I THE DISTRICT

Section 1. Name of the District. The name of the District shall be the "Bluebird Business Improvement District" (District).

Section 2. Office of the District. The office of the District shall be located within the boundaries of the District at such place as the Board of Directors from time to time, shall by resolution, determine.

Section 3. Boundaries of the District. The Service Area boundaries of the District are East 16th Avenue on the north, East 14th Avenue on the south, Colorado Blvd. on the east and St. Paul Street on the west. The boundaries of the District include any taxable real and personal property located within the Service Area, which is not classified for tax purposes as either residential or agricultural. Such residential and agricultural property located within the Service Area is not located within the District until such time as such property changes classification to commercial. A map of the Service Area boundaries and the approximate District boundaries is maintained in the office of the District.

ARTICLE II OFFICERS

Section 1. Election of Officers and Terms. The officers of the District shall be a Chair, Vice Chair, Secretary and Treasurer who shall be elected from among the members of the Board at the first regular meeting of the fiscal year. The office of Secretary and Treasurer may be filled by one person. An assistant Secretary may be appointed to assist the Secretary in carrying out the duties of Secretary. Officers shall serve for a term of one year or until their successors are duly elected. The Board shall serve at the pleasure of the governing municipality.

Section 2. Chair. The Chair of the District shall preside at all meetings of the District; shall have such other duties as the Board may direct; and, shall have general supervision over the business and affairs of the District, as well as be responsible for day to day

operations. The Chair shall provide direction to personnel/contract staff for the District, and be available to such persons as needed for guidance and approval of operational activities. The Chair can assign varies duties as she/he see fit to hired consultants/employee's of the District to help with the day-to-day functions of the District.

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

Section 4. Secretary. The Secretary shall act as Secretary of the meetings of the District, shall record all votes, keep a record of the proceedings of the District, maintain a record of all resolutions adopted by the District, and perform all duties incident of this office. The Secretary shall keep in safe custody the seal of the District and shall have the power to affix such seal to all contracts and instruments authorized to be executed by the District.

Section 5. Treasurer. The Treasurer shall take care and have custody of the funds and financial records of the District, and shall deposit District funds in such bank or banks as the District may select. The Board may also, as they see fit, engage the services of an accountant to assist with the financial duties of the District.

Section 6. Additional Duties. The officers shall, from time to time, perform additional duties as assigned by resolution or the Chair of the Board. The primary function of the Board, with the exception of the duties assigned in these By-Laws, is to determine policy for the District. The board can assign varies duties as they see fit to hired consultants/employee's of the District to help with the day-to-day functions of the District.

Section 7. Vacancies. Should any officer position become vacant, such vacancy shall be filled, for the remainder of the unexpired term, by a qualified candidate who has been appointed by the Mayor of the City and County of Denver and confirmed by ordinance.

Section 8. Expenses. Members shall receive no compensation for services but may be reimbursed for expensed incurred on behalf of the District pursuant to authorization by the Chair.

Section 9. Staffing. The District may employ personnel, or contract personnel, as necessary to perform the functions of the District. Such persons shall be appointed by the Board, and serve at the pleasure of the Board. Selection and compensation shall be determined by the Board. A committee may be formed to interview and make recommendations regarding the hiring of personnel if the Board desires.

ARTICLE III MEETINGS AND CONDUCT

Section 1. Meetings. At the first meeting of the fiscal year, the Board shall determine the schedule for the regular meetings for the remainder of the year, including the time and location of the meetings and the posting place for such meetings. Special meetings can be called as deemed necessary and by the provisions in these By-Laws and in accordance with state statute.

Section 2. Special Meetings. The Chair, or any two members of the Board, may call a special meeting when determined necessary or expedient. At least 24 hours notice must be given for a Special Meeting.

Section 3. Quorum. At all meetings of the Board, a quorum must be present for the Board to take District action and set policy. A quorum is comprised of four members, if all Board seats are filled. If vacancies exist, a majority constitutes a quorum, but must be no less than three members at any time. When a quorum is in attendance, action may be taken by the District upon affirmative vote of the majority of the Directors present. Directors may be in attendance in person or by telephone, but physical presence is necessary for the purposes of achieving a quorum.

Section 4. Manner of Voting. Voting shall be called for after a motion has been made and seconded, and any desired discussion taken place. All nay votes and abstentions shall be recorded by Director name in the minutes. All Directors are entitled to vote, including the Board Chair. Voting by proxy is not permitted.

Section 5. Conflict of Interest. Board members are required to disclose any potential conflicts of interest in any transaction before the Board. In the case where Board action will promote financial gain of individual Board Members, Members must disclose their financial involvement and abstain from voting on such motion or attempting to include any of the contracting parties in such transaction.

Section 6. Open Meetings. All meetings of the Board of Directors shall be open to the public, pursuant to C.R.S. Section 24-6-402. The Board may go into executive session, as permitted under 24-6-402 by a vote of two-thirds of the quorum of the Board members in attendance.

The Board shall take no action during an executive session, and will only hold them pursuant to the criteria listed in C.R.S. Section 24-6-402.

Section 7. Resolutions. The Board shall act pursuant to either resolution or motion. Resolutions shall be used for all actions of a general or permanent nature. Motions may be used for acts of a temporary character or statements of general policy. All resolutions shall be in writing, recorded and authenticated by the signature of the Secretary, and shall be kept on file in the District offices. All motions shall be set forth in the minutes of the District. Resolutions and motions shall be effective immediately unless otherwise stated.

ARTICLE IV FISCAL MATTERS

Section 1. Fiscal Year. The fiscal year of the District shall be the same as a calendar year.

Section 2. Checks. District checks, in excess of \$1,000, shall require two Board member signatures. All checks of lesser amounts can be signed by one Board member.

Section 3. Execution of Instruments. The Board of Directors may authorize an officer, employee, or any other agent of the District to enter into any contract or execute and deliver any instrument in the name of and on behalf of the District. Any such authorization shall specify the particular contract or instrument, or the category of contracts of instruments, authorized to be so executed.

The Treasurer or Designee shall have the care and custody of all funds of the District and shall deposit same in the name of the District in such bank or banks as the District may select.

Section 4. Loans. No loan or advance shall be contracted on behalf of the District, and no note, bond or other evidence of indebtedness shall be executed or delivered in its name, except as may be authorized by the Board of Directors.

ARTICLE V AMENDMENTS

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the District at any regular meeting or special meeting of the District by affirmative vote of the majority of Directors.

ARTICLE VI INDEMNIFICATION

Section 1. Indemnification. The District shall indemnify any Director, officer, employee or former Director, officer or employee of the District, against any expenses actually and reasonably incurred by him or her in connection with the defense of any action, suit or proceeding, or for any loss or claim resulting from any such action, suit or proceeding, in which he or she is made a party by reason of being or having been a Director, officer, or employee including any matter as to which he or she is adjudged in

such action, suit or proceeding, to be liable for negligence in the performance of his or her duty to the District, so long as such Director, officer or employee (past or present) conducted himself or herself in good faith and either in the best interest of the District or at least not opposed to the District's best interest. Such indemnification shall not extend to criminal acts that the Director, officer or employee knows or should have known were illegal.

Section 2. Insurance. The District is authorized to obtain such policy or policies of insurance for the purpose of providing such indemnification of the Directors, officers, and employees of the District and for other purposes as needs may arise.

Section 3. No Waiver. The indemnification provided for under this article does not constitute a waiver, either partial, or complete, or any immunities or limitations on judgments applicable to the District or any of its Directors, officers, or employees and provided for by law or otherwise.

ARTICLE VII RULES OF ORDER/PROCEDURES

In the absences of rules governing points of procedure of the meetings and actions of the Board of Directors of the District, the latest revised edition of "Roberts Rules of Order" shall govern the actions of the Board.

Adopted on _____ 2013

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

- a. October 2020
 - i. Approved September board meeting minutes
 - ii. Approved September financial statements
 - iii. Approved letter of support for the East Area Plan
 - iv. Approved reallocation of event funds for Facebook marketing
- b. November 2020
 - i. Approved October board meeting minutes
 - ii. Approved October financial statements
 - iii. Approved funding for administrative support for the DOLA COVID Response Grant Funds
 - iv. Approved direct funds to non-eligible COVID Response Grant Fund Businesses in the amount of \$25,000
 - v. Approved the BID MOU document
- c. December 2020
 - i. Approved November board meeting minutes
 - ii. Approved November financial statements
 - iii. Approved letter of support for adaptive reuse policy
- d. January 2021
 - i. No motions
- e. February 2021
 - i. Approved December board meeting minutes
 - ii. Approved January financial statements
 - iii. Approved new location for monthly meeting notice posting
 - iv. Approved purchase and installation of Bluebird District window decals
 - v. Approved Michelle Valeri's 2021 contract
- f. March 2021
 - i. Approved the February board meeting minutes
 - ii. Approved the February financials
 - iii. Approved the gift certificates to support the Transportation Management Authority Survey
 - iv. Approved joining the Denver Streets Partnership Coalition
- g. April 2021
 - i. Approved March board meeting minutes
 - ii. Approved March financial statements
 - iii. Approved the Collaborative Events Proposal for Boo n Brew and Tasty Colfax

- h. May 2021
 - i. Approved April board meeting minutes
 - ii. Approved April financials
 - iii. Approved business incentive to participate in Tasty Colfax
- i. June 2021
 - i. Approved May board meeting minutes
 - ii. Approved May financials
 - iii. Approved additional funds for Tasty Colfax
 - iv. Approved the 2020 Compiled Financial Statement
- j. July 2021
 - i. Approved June board meeting minutes
 - ii. Approved June financials
 - iii. Approved funds for design and install of up to 10 bike racks
 - iv. Approved funds for tree planting and watering
- k. August 2021
 - i. Approved July board meeting minutes
 - ii. Approved July financials
 - iii. Approved a 5% grant management fee
 - iv. Approved spending \$1,500 for Bluebird Bag purchases
 - v. Approved purchase of red tree well crusher fines
 - vi. Approved cost for tree trimming
- l. September 2021
 - i. Approved August board meeting minutes
 - ii. Approved August financials
 - iii. Approved 2022 budget resolution
 - iv. Approved new meeting notice posting location

8. Current list of all Board members

Sean Mandel, President

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

seanmandel@gmail.com

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

Jareb Parker, Vice President

3301 E Colfax Ave
Denver, CO 80206

jareb@middlemanbar.com

Term: Appointed August 19, 2019; expires June 3, 2021 (extension approved by Mayor, being

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processed until 2025 through City Council)

Tom Secrist, Treasurer and Secretary

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

secristproperties@gmail.com

Term: Appointed July 17, 2018; Expires June 3, 2022

Don Novak

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

don@propagandalabs.com

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

Richard "Buzz" Geller

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

buzzgeller@paradiselandco.com

Term: Appointed June 22, 2018; expires June 3, 2022

Chris Swank

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

Term: Appointed August 2020; expires May 2024

Alison Leavey

1340 Fillmore St.
Denver, CO 80206
aleavey@msn.com

Appointed August 3, 2020; expires June 3, 2024; Resigned September 2021 (replacement John Chapman III currently being processed)

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

October 2020

Attending directors: Sean Mandel, Alison Leavey, Don Novak, Tom Secrist, Chris Swank, and

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Jareb Parker

Not attending: Buzz Geller

November 2020

Attending directors: Sean Mandel, Buzz Geller, Alison Leavey, and Tom Secrist

Not attending: Chris Swank, Jareb Parker and Don Novak

December 2020

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

Not attending: N/A

January 2021

Attending directors: Chris Swank, Alison Leavey, Jareb Parker

Not attending: Sean Mandel, Don Novak, Buzz Geller and Tom Secrist

February 2021

Attending directors: Sean Mandel, Chris Swank, Alison Leavey, Tom Secrist and Jareb Parker

Not attending: Don Novak, Buzz Geller

March 2021

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

Not attending: N/A

April 2021

Attending directors: Sean Mandel, Buzz Geller, Alison Leavey and Jareb Parker

Not attending: Tom Secrist, Don Novak and Chris Swank

May 2021

Attending directors: Buzz Geller, Tom Secrist, Alison Leavey, Don Novak and Jareb Parker

Not attending: Chris Swank, Sean Mandel

June 2021

Attending directors: Buzz Geller, Tom Secrist, Alison Leavey, Chris Swank and Jareb Parker

Not attending: Don Novak, Sean Mandel

July 2021

Attending directors: Buzz Geller, Tom Secrist, Alison Leavey, Chris Swank, Sean Mandel and Jareb Parker

Not attending: Don Novak

August 2021

Attending directors: Buzz Geller, Tom Secrist, Sean Mandel, and Chris Swank

Not attending: Don Novak, Alison Leavey, and Jareb Parker

September 2021

Attending directors: Don Novak, Tom Secrist, Alison Leavey, and Jareb Parker, Sean Mandel, and Chris Swank

Not attending: Buzz Geller

10. List of activities and involvement 2021:

- COVID-19 relief activities outlined in #2.
- BRT Participation: The staff and board members are participating in the ongoing planning of the bus rapid transit on Colfax. This includes frequent meetings with CCD staff on progress and project updates.
- Bluebird Bags: The district supported businesses by purchasing and reselling business goods and gift cards in a mixed bag on the Shop Sidewalk platform. This was to both directly purchase materials from businesses and also promote businesses by offering incentives to visit the district in the bags.
- Colfax Collaboration participation: The Colfax Collaborative of the Mayfair Business Improvement District, Bluebird Business Improvement District, Colfax Business Improvement District and West Colfax Business Improvement Districts continues to address areas of common concern. This focus points include adaptive reuse and investment in BRT and streetscape. Although activity on these priorities was somewhat on hold in 2021, we anticipate further work in 2022, especially with the City resuming planning and rules to advance those projects.
- GO Bond Funding: The District continues to engage with the City--as possible--- on designs for enhanced crossings as they are being combined with BRT as bond-funded projects. These \$20 million in funds support our ongoing efforts, as outlined in our Small Area Plan, to improve connectivity and access for multi-modal users in the district.
- Mainstreet Revitalization DRCOG Grant: The district applied for, and was awarded, a grant to improve pedestrian safety by adding additional bulbs outs at intersections along Colfax. Implementation was expected in 2021. Unfortunately, the City and County of Denver did not approve the designs and the funds were returned.
- District Communication: We continue to publish a monthly newsletter, with district updates and information on topics relevant to visitors, business owners and residents. Additionally, we post more frequent social media updates weekly. We mailed an annual newsletter to all business and property owners in the district.
- Streetscape: The District planted additional street trees in the area and additional branded trash cans and we are designing additional bike racks for install.

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- **Maintenance:** The District has invested in sidewalk cleaning, trash removal, graffiti removals and pedestrian light upkeep. We have purchased replacement parts to upkeep the existing trashcans.
- **District Discount Card:** This year we updated the discount card to include more businesses and ensure that it is more broadly available. Participating businesses are listed on our website and we continue to partner with the RNOs in the area for distribution.
- **District Branding:** We have purchased and installed branded logos for shop doors and windows to support the District identity.
- **District Events:** The District hosted Tasty Colfax and subsidized business participation by paying for supplies for all participating businesses. Boo and Brew will also be hosted in 2021. For both the district supports these with professional events management and communication and outreach. Tasty Colfax sold out and brought hundreds of people to the businesses and area.

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

Sales Tax Revenues

Sales tax collections more than doubled comparing Q1-2 2020 to 2021, by 127%, bouncing back from closures and increased consumer demand from Covid-19 . **SEE ATTACHED.**

New Business Openings in 2021 to date

- Boba Touch
- Base 6 (reopening of Tough Mudder)
- Organized Corp 3200 E Colfax Ave B, Denver, CO 80206
- All in a Dream comics (also closed)
- Whole Lotta Love boutique
- Corner House events

Average Rent and Vacancy Rates

BBID began tracking rent rates in 2015. Currently, rates average \$31NNN.

Currently there are 2 commercial spaces with vacancies, representing 5.1% of building square footage within the district. Of this, 4.9% of the total vacant area is from the abandoned motel on Colorado Blvd. Occupancy rates currently stand at over 98% of commercial units excluding the abandoned motel on Colorado, reflecting the strong demand for the district by retailers. Vacancy rates by square foot is effectively 0%. The district has a healthy mix of commercial uses. Retail and restaurants are the top uses, followed by supermarket, automotive services, office space, personal care, gas stations, miscellaneous improvements and a theater.

Crime Statistics

Please **SEE ATTACHED** crime statistics through 2020, showing increases in property crime.

**Part 1 Crimes
in the Bluebird BID
By Year: 2010-2020**

Crime Type		2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
PART 1 PERSONS	Homicide	0	0	0	0	0	0	0	0	0	0	0
	Sexual Assault	4	2	2	3	0	1	5	4	2	3	0
	Robbery	5	10	8	4	5	5	5	7	2	4	7
	Aggravated Assault	8	13	12	4	1	10	10	3	13	16	6
	SUBTOTAL	17	25	22	11	6	16	20	14	17	23	13
PART 1 PROPERTY	Burglary	13	20	20	16	7	16	19	22	15	24	20
	Larceny	19	24	26	35	26	39	24	32	32	35	42
	TFMV	26	38	26	28	16	24	20	25	43	41	33
	Auto Theft	18	7	10	12	8	18	14	24	15	17	38
	Arson	0	0	0	0	0	0	0	0	0	1	3
	SUBTOTAL	76	89	82	91	57	97	77	103	105	118	136
GRAND TOTAL		93	114	104	102	63	113	97	117	122	141	149

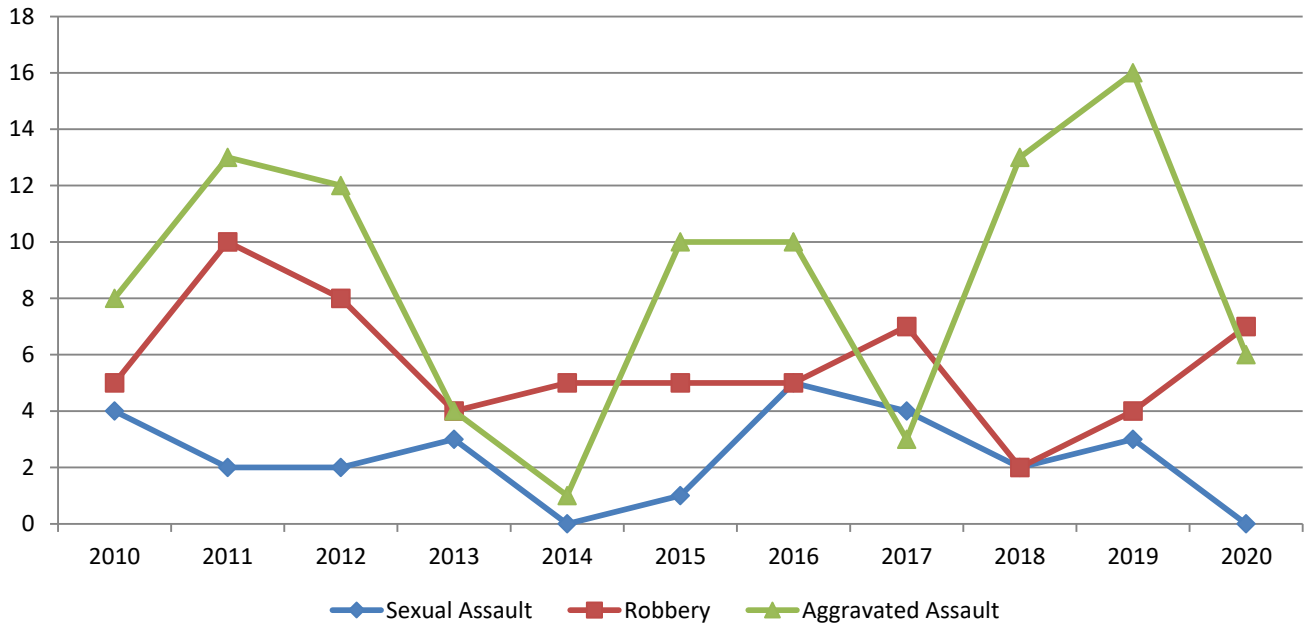
All files utilized in the creation of this report are dynamic. Dynamic files allow additions, deletions and/or modifications at any time, resulting in more complete and accurate records in the databases. Due to continuous data entry after reports are compiled, numbers may vary in previous or subsequent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

PREPARED TO DEPARTMENT OF SAFETY PUBLIC INFORMATION STANDARDS

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

The Bluebird BID is from Steele St to Colorado Blvd, 13th Ave to 17th Ave.

Reported Person Crimes in the Bluebird BID By Year: 2010 - 2020



Reported Property Crimes in the Bluebird BID By Year: 2010 - 2020

