



RE: File No. 2016-0184-_)

September 30, 2025

City and County of Denver
c/o Denver City Clerk, Paul Lopez
201 W. Colfax Avenue Dept. 608
Denver, CO 80202

Dear Mr. Lopez:

The Five Points Business Improvement District (FPBID) submits the attached preliminary budget and operating plan for 2026.

The FPBID Board will hold a Public Hearing on the proposed 2025 Budget Amendment and 2026 Budget and Operating Plan on Wednesday, October 22, 2025 and will proceed with the certification of property owner assessments prior to December 5, 2025, pursuant to State Statute (C.R.S. 31-25-1211).

In addition to the 2026 Budget and Operating Plan, also attached are:

1. A copy of the 2025 year-to-date "budget to actual" financial reports, including projected 2025 year-end budget.
2. The notable departures from the 2025 Operating Plan this year were initially, the Board projected total income and source funds for 2025 to be \$362,621 the amended projected total income and source funds for 2025 is \$553,887. The surplus in total projected income is from the BID earning sponsorships and grants for events and beautification projects.

Second, the Board projected expenditure for New Event Activation Concepts in 2025 was \$59,830, the amended projected total for New Event Activation Concepts is \$207,346. With increased revenue earned through sponsorships and grants, The Five Points BID was able to fund events which activated the Welton corridor with live music and increased foot traffic.

Third, the Board projected expenditure for Maintenance in 2025 was \$149,492, the amended projected total for Maintenance in 2025 is \$183,923. In 2025, the BID completed Maintenance projects including replacing historical markers and improving the streetscape through installing planters. The BID will also install three new murals and refurbish the "American Beauty" mural within the district in late October/ early November.

3. The Public Hearing notice-publication is scheduled to run in the October 3rd, October 10th and October 17th edition of the Denver Weekly News. The Public Hearing at the October 22, 2025 FPBID Board Meeting will cover the 2025 Budget Amendment as well as the 2025 Budget and Operating Plan.

4. The FPBID has no planned or outstanding indebtedness.

5. A copy of the Audit Exemption application and form from the State of Colorado.

6. The Five Points BID organizational By-laws and Code of Conduct adopted in November of 2019.

7. A list of official BID Board motions and actions in 2025, to date, Minutes available upon request or at www.fivepointsbid.com.

8. A copy of the current Board of Directors list.

9. The 2025 FPBID Board Member attendance records, to date.

10. A list of activities performed in 2025 and planned for 2026.

11. In 2025, the FPBID continued to support activations and marketing efforts aimed at driving visitors to and consumer spending in the FPBID while also spotlighting the significance of the Five Points Historic Cultural District to support BID businesses. More information on activations completed throughout the year and planned for next year are included in the report.

12. Also attached are cleaning and maintenance records and amenities audits tracked by the BID in 2025, to date.

Please contact me at 720-318-0712 if you have questions or require additional information.

Sincerely,
Norman Harris

Executive Director - Five Points Business Improvement District
On behalf of the FPBID Board

Cc:

Michael Kerrigan, CCD Financial Analyst Specialist

Haroun Cowans, FPBID Board President

Ronald Fano, Spencer Fane LLP, FPBID Attorney

Five Points Business Improvement District

Budget vs. Actual - By Program/Activity

For the period ended June 30,2025

Category	Actual YTD	2025 Budget Annual	Variance to Actuals Favorable (Unfavorable)	Projected Amended Budget for 2025	Variance Actuals to Revised Budget
Beginning Cash and Fund Balance	\$ 476,408.30	\$338,909	\$ 137,499.30	\$414,135.15	\$75,226.15
Income and Other Sources					
Mill Levy	\$272,448.40	\$312,160.00	(\$39,711.60)	\$312,160.00	\$0.00
DURA	\$33,767.13	\$35,461.00	(\$1,693.87)	\$35,461.00	\$0.00
Sponsorship/Grant	\$74,500.00	\$5,000.00	\$69,500.00	\$190,389.00	\$185,389.00
Interest Earned	\$8,970.43	\$10,000.00	(\$1,029.57)	\$15,876.63	\$5,876.63
Total Income and Other Sources of Funds	\$ 389,685.96	\$ 362,621.00	\$ 27,064.96	553,886.63	\$191,265.63
Total Available Resources	\$ 866,094.26	\$ 701,530.00	\$164,564.26	\$968,021.78	\$266,491.78
Expenditures					
Maintenance	\$ 81,559.93	\$ 149,492.00	(\$67,932.07)	\$183,923.17	\$34,431.17
Marketing/Branding	17,636.99	63,350.00	(\$45,713.01)	\$65,350.00	\$2,000.00
New Event Activation Concepts	\$87,345.50	\$59,830.00	\$27,515.50	\$207,345.50	\$147,515.50
Administrative	\$ 123,385.33	\$ 220,931.00	-97,545.67	240,401.85	\$19,470.85
Total Operating Expenditures	\$ 309,927.75	\$ 493,603.00	(\$183,675.25)	\$681,520.52	\$187,917.52
Total Income / (Loss)	\$ 79,758.21	-\$ 130,982.00	210,740.21	(\$127,633.89)	\$3,348.11
Ending Cash & Fund Balance	\$556,166.51	\$207,927.00	\$348,239.51	\$286,501.26	\$78,574.26

Five Points Business Improvement District			
FY2025 Budget Projections & Amendments and 2026 DRAFT Budget			
	2025 Proposed Budget	2025 Budget Projections & Amendments	Proposed 2026 Budget
Beginning Cash and Fund Balance	\$338,909	\$414,135	\$286,501
Income and Other Sources of Funds			
Net Mill Levy Income	\$312,160	\$312,160	\$276,101
DURA Payments	\$35,461	\$35,461	\$35,835
Sponsorship/Grants	\$5,000	\$190,389	\$125,000
Interest Earned	\$10,000	\$15,877	\$10,000
Total Income and Souces of Funds	\$362,621	\$553,887	\$446,937
Total Available Resources	\$701,530	\$968,022	\$733,438
Expenditures			
Maintenance			
Monthly Maintenance Contract	\$81,492	\$68,324	\$71,000
Other maintenance	\$2,000	\$2,000	\$4,500
Snow Removal	\$40,000	\$40,000	\$40,000
Utilities	\$3,500	\$3,905	\$4,000
Pedestrian Streetlight Maintenance & Repair	\$2,000	\$2,000	\$2,000
Historical Monuments Maintenance & Repair	\$2,000	\$38,317	\$0
Irrigation Repairs	\$1,500	\$6,391	\$5,000
Tree & Landscape Maintenance	\$17,000	\$22,987	\$17,000
Corridor Beautification Projects	\$0	\$0	\$15,000
Total Maintenance	\$149,492	\$183,923	\$158,500
Marketing/Branding			
Marketing Administration	\$26,250	\$26,250	\$26,250
Marketing Collateral (Add Spends, Direct Mailers etc)	\$12,000	\$3,000	\$3,000
District Marketing/Placemaking		\$0	
Banners - Pedestrians Streetlights	\$3,500	\$0	\$3,500
Banners - Xcel Light Poles	\$5,000	\$0	\$5,000
Constant Contact Email Service	\$600	\$600	\$600
Holiday Lighting	\$15,000	\$20,000	\$20,000
Wesite Map&Listings (My City Bikes)	\$1,000	\$0	\$0
Website Redesign	\$0	\$7,000	
Brand Development / Message Development	\$0	\$8,500	
Total Marketing/Branding	\$63,350	\$65,350	\$58,350
New Event Activation Concepts			
Chalk Art	\$1,733	\$0	\$0
Christmas Jazz Jamz	\$2,195	\$10,000	\$10,000
First Friday Jazz Hop	\$22,407	\$92,447	\$92,447
Five Points Music Festival / Hi Points	\$7,461	\$60,000	\$15,000
Jazz in the Park	\$13,860	\$15,000	\$10,000
Jazz Roots	\$3,904	\$22,438	\$15,000
St Paddy's Day	\$809	\$0	\$0
Juneteenth	\$7,461	\$7,461	\$7,500
Total New Event Activation Concepts	\$59,830	\$207,346	\$149,947
Administrative			
Office Rent at the Lydian	\$4,920	\$4,985	\$7,200
Executive Director	\$90,370	\$97,331	\$99,570
Accounting Services	\$0	\$1,246	\$1,246
Gusto	\$0	\$734	\$734
CFO/Bookkeeper/Accountant	\$32,812	\$39,852	\$39,852
Admin Assistant	\$2,362	\$13,590	\$13,903
Special Projects Admin	\$11,812		
Project Strategist/Coordinator	\$35,700	\$14,008	\$14,330
Sponsorship Procurement Firm		\$0	\$7,500
BID Renewal	\$30,000	\$45,000	\$0
Dues/Memberships/Subscriptions	\$700	\$14,323	\$14,323
Insurance	\$3,000	\$3,978	\$3,978
Legal Fees	\$4,000	\$5,000	\$5,000
Bank Charges & Fees	\$255	\$354	\$354
Miscellaneous	\$0		
Contingency Funds	\$5,000	\$0	\$5,000
Total Administrative	\$220,931	\$240,402	\$212,990
Total Ongoing Expenditures	\$493,603	\$681,521	\$579,787
Total Use of Reserve Funds	\$130,982	\$127,634	\$132,850
Ending Cash & Fund Balance	\$207,927	\$286,501	\$153,651



NOTICE IS HEREBY GIVEN that the proposed budget for the ensuing year of 2026 has been submitted to the Five Points Business Improvement District ("District"). Such proposed budget will be considered at a Public Hearing and special board meeting of the Board of Directors of the District to be held via Zoom meeting, registration link:

https://us06web.zoom.us/webinar/register/WN_Bx3oUQ1WTkW1z5V3DItd3A

Wednesday, October 22, 2025 at 10:00 AM

The meeting is open to the public. Members of the public may attend and participate in the meeting via Zoom, and may obtain information regarding attendance and participation at least 24 hours prior to the meeting by contacting Norman Harris at Fivepointsbid@gmail.com

A copy of the proposed 2026 budget is available for public inspection on the Five Points BID website or at the Five Points BID office (2590 Welton St. Suite 200 Denver, CO.) Any interested elector within the District may, at any time prior to final adoption of the 2025 budget, register any objections thereto.

DATED: September 30, 2025.

FIVE POINTS BUSINESS
IMPROVEMENT DISTRICT

Norman Harris, Executive Director

On Behalf of the Five Points BID Board of Directors

Five Points Business Improvement District | 2590 Welton St. Suite 200, Denver, CO 80205
(720) 831-9324 | FivePointsBID.com | FivePointsBID@gmail.com

APPLICATION FOR EXEMPTION FROM AUDIT

LONG FORM

NAME OF GOVERNMENT
ADDRESS

Five Points Business Improvement District
2590 Welton Street
Suite 200
Denver, CO 80205
Diane Wheeler
303-981-0386
Diane@simmonswheeler.com

For the Year Ended
12/31/2024
or fiscal year ended:

CONTACT PERSON
PHONE
EMAIL

CERTIFICATION OF PREPARER

I certify that I am an independent accountant with knowledge of governmental accounting and that the information in the Application is complete and accurate to the best of my knowledge. I am aware that the Audit Law requires that a person independent of the entity complete the application if revenues or expenditure are at least \$100,000 but not more than \$750,000, and that independent means someone who is separate from the entity.

NAME:
TITLE
FIRM NAME (if applicable)
ADDRESS
PHONE
RELATIONSHIP TO ENTITY

Diane Wheeler
District accountant
Simmons & Wheeler, P.C.
304 Inverness Way South, Suite 490, Englewood, CO 80112
303-981-0386
CPA engaged to prepare exemption for the District

PREPARER (SIGNATURE REQUIRED)

DATE PREPARED
(No exemption shall be granted prior to the close
of said fiscal year)

Diane R. Wheeler

Has the entity filed for, or has the district filed, a Title 32, Article 1 Special District Notice of Inactive Status during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]

YES

NO

☐

☒

If Yes, date filed:

PART 1 - FINANCIAL STATEMENTS - BALANCE SHEET

* Please indicate the name of the fund (i.e., General Fund, Debt Service Fund, etc.)

NOTE: Attach additional sheets as necessary.

		Governmental Funds (Modified Accrual Basis)					Proprietary/Fiduciary Funds (Cash or Budgetary Basis)	
Line #	Description	General Fund	Fund*	Fund*	Description	Fund*	Fund*	
Assets					Assets			
1-1	Cash & Cash Equivalents	\$ 365,194	\$ -	\$ -	Cash & Cash Equivalents	\$ -	\$ -	
1-2	Investments	\$ -	\$ -	\$ -	Investments	\$ -	\$ -	
1-3	Receivables	\$ 995	\$ -	\$ -	Receivables	\$ -	\$ -	
1-4	Due from Other Entities or Funds	\$ -	\$ -	\$ -	Due from Other Entities or Funds	\$ -	\$ -	
1-5	Property Tax Receivable	\$ 312,160	\$ -	\$ -	Other Current Assets [specify...]	\$ -	\$ -	
All Other Assets						\$ -	\$ -	
1-6	Lease Receivable (as Lessor)	\$ -	\$ -	\$ -	Total Current Assets	\$ -	\$ -	
1-7	Other [specify...]	\$ -	\$ -	\$ -	Capital & Right to Use Assets, net (from Part 6-4)	\$ -	\$ -	
1-8		\$ 2,993	\$ -	\$ -	Other Long Term Assets [specify...]	\$ -	\$ -	
1-9		\$ -	\$ -	\$ -		\$ -	\$ -	
1-10		\$ -	\$ -	\$ -		\$ -	\$ -	
1-11	(add lines 1-1 through 1-10) TOTAL ASSETS	\$ 681,342	\$ -	\$ -	(add lines 1-1 through 1-10) TOTAL ASSETS	\$ -	\$ -	
Deferred Outflows of Resources:					Deferred Outflows of Resources			
1-12	[specify...]	\$ -	\$ -	\$ -	[specify...]	\$ -	\$ -	
1-13	[specify...]	\$ -	\$ -	\$ -	[specify...]	\$ -	\$ -	
1-14	(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS	\$ -	\$ -	\$ -	(add lines 1-12 through 1-13) TOTAL DEFERRED OUTFLOWS	\$ -	\$ -	
1-15	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ 681,342	\$ -	\$ -	TOTAL ASSETS AND DEFERRED OUTFLOWS	\$ -	\$ -	
Liabilities					Liabilities			
1-16	Accounts Payable	\$ 6,146	\$ -	\$ -	Accounts Payable	\$ -	\$ -	
1-17	Accrued Payroll and Related Liabilities	\$ -	\$ -	\$ -	Accrued Payroll and Related Liabilities	\$ -	\$ -	
1-18	Unearned Revenue	\$ -	\$ -	\$ -	Accrued Interest Payable	\$ -	\$ -	
1-19	Due to Other Entities or Funds	\$ -	\$ -	\$ -	Due to Other Entities or Funds	\$ -	\$ -	
1-20	All Other Current Liabilities	\$ -	\$ -	\$ -	All Other Current Liabilities	\$ -	\$ -	
1-21	(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES	\$ 6,146	\$ -	\$ -	(add lines 1-16 through 1-20) TOTAL CURRENT LIABILITIES	\$ -	\$ -	
1-22	All Other Liabilities [specify...]	\$ -	\$ -	\$ -	Proprietary Debt Outstanding (from Part 4-4)	\$ -	\$ -	
1-23		\$ -	\$ -	\$ -	Other Liabilities [specify...]	\$ -	\$ -	
1-24		\$ -	\$ -	\$ -		\$ -	\$ -	
1-25		\$ -	\$ -	\$ -		\$ -	\$ -	
1-26		\$ -	\$ -	\$ -		\$ -	\$ -	
1-27	(add lines 1-22 through 1-26) TOTAL LIABILITIES	\$ 6,146	\$ -	\$ -	(add lines 1-22 through 1-26) TOTAL LIABILITIES	\$ -	\$ -	
Deferred Inflows of Resources:					Deferred Inflows of Resources			
1-28	Deferred Property Taxes	\$ 312,160	\$ -	\$ -	Pension/OPEB Related	\$ -	\$ -	
1-29	Lease related (as lessor)	\$ -	\$ -	\$ -	Other [specify...]	\$ -	\$ -	
1-30	(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS	\$ 312,160	\$ -	\$ -	(add lines 1-28 through 1-29) TOTAL DEFERRED INFLOWS	\$ -	\$ -	
Fund Balance					Net Position			
1-31	Nonspendable Prepaid	\$ 2,993	\$ -	\$ -	Net Investment in Capital and Right-to Use Assets	\$ -	\$ -	
1-32	Nonspendable Inventory	\$ -	\$ -	\$ -				
1-33	Restricted emergency	\$ 8,309	\$ -	\$ -	Emergency Reserves	\$ -	\$ -	
1-34	Committed [specify...]	\$ -	\$ -	\$ -	Other Designations/Reserves	\$ -	\$ -	
1-35	Assigned [specify...]	\$ -	\$ -	\$ -	Restricted	\$ -	\$ -	
1-36	Unassigned:	\$ 351,734	\$ -	\$ -	Undesignated/Unreserved/Unrestricted	\$ -	\$ -	
1-37	Add lines 1-31 through 1-36 This total should be the same as line 3-36 TOTAL FUND BALANCE	\$ 363,036	\$ -	\$ -	Add lines 1-31 through 1-36 This total should be the same as line 3-36 TOTAL NET POSITION	\$ -	\$ -	
1-38	Add lines 1-27, 1-30 and 1-37 This total should be the same as line 1-15 TOTAL LIABILITIES, DEFERRED INFLOWS, AND FUND BALANCE	\$ 681,342	\$ -	\$ -	Add lines 1-27, 1-30 and 1-37 This total should be the same as line 1-15 TOTAL LIABILITIES, DEFERRED INFLOWS, AND NET POSITION	\$ -	\$ -	

Please use this space to provide explanation of any item on this page

PART 2 - FINANCIAL STATEMENTS - OPERATING STATEMENT - REVENUES

		Governmental Funds			Proprietary/Fiduciary Funds		
Line #	Description	General Fund	Fund*	Fund*	Description	Fund*	Fund*
Tax Revenue					Tax Revenue		
2-1	Property [include mills levied in question 10-7]	\$ 328,841	\$ -	\$ -	Property [include mills levied in question 10-7]	\$ -	\$ -
2-2	Specific Ownership	\$ 16,234	\$ -	\$ -	Specific Ownership	\$ -	\$ -
2-3	Sales and Use Tax	\$ -	\$ -	\$ -	Sales and Use Tax	\$ -	\$ -
2-4	Other Tax Revenue [specify...]	\$ -	\$ -	\$ -	Other Tax Revenue [specify...]	\$ -	\$ -
2-5		\$ -	\$ -	\$ -		\$ -	\$ -
2-6		\$ -	\$ -	\$ -		\$ -	\$ -
2-7		\$ -	\$ -	\$ -		\$ -	\$ -
2-8	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ 345,075	\$ -	\$ -	Add lines 2-1 through 2-7 TOTAL TAX REVENUE	\$ -	\$ -
2-9	Licenses and Permits	\$ -	\$ -	\$ -	Licenses and Permits	\$ -	\$ -
2-10	Highway Users Tax Funds (HUTF)	\$ -	\$ -	\$ -	Highway Users Tax Funds (HUTF)	\$ -	\$ -
2-11	Conservation Trust Funds (Lottery)	\$ -	\$ -	\$ -	Conservation Trust Funds (Lottery)	\$ -	\$ -
2-12	Community Development Block Grant	\$ -	\$ -	\$ -	Community Development Block Grant	\$ -	\$ -
2-13	Fire & Police Pension	\$ -	\$ -	\$ -	Fire & Police Pension	\$ -	\$ -
2-14	Grants	\$ -	\$ -	\$ -	Grants	\$ -	\$ -
2-15	Donations	\$ -	\$ -	\$ -	Donations	\$ -	\$ -
2-16	Charges for Sales and Services	\$ -	\$ -	\$ -	Charges for Sales and Services	\$ -	\$ -
2-17	Rental Income	\$ -	\$ -	\$ -	Rental Income	\$ -	\$ -
2-18	Fines and Forfeits	\$ -	\$ -	\$ -	Fines and Forfeits	\$ -	\$ -
2-19	Interest/Investment Income	\$ 9,258	\$ -	\$ -	Interest/Investment Income	\$ -	\$ -
2-20	Tap Fees	\$ -	\$ -	\$ -	Tap Fees	\$ -	\$ -
2-21	Proceeds from Sale of Capital Assets	\$ -	\$ -	\$ -	Proceeds from Sale of Capital Assets	\$ -	\$ -
2-22	All Other [specify...] Events	\$ 9,852	\$ -	\$ -	All Other [specify...]	\$ -	\$ -
2-23		\$ -	\$ -	\$ -		\$ -	\$ -
2-24	Add lines 2-9 through 2-23 TOTAL REVENUES	\$ 364,185	\$ -	\$ -	Add lines 2-9 through 2-23 TOTAL REVENUES	\$ -	\$ -
Other Financing Sources					Other Financing Sources		
2-25	Debt Proceeds	\$ -	\$ -	\$ -	Debt Proceeds	\$ -	\$ -
2-26	Lease Proceeds	\$ -	\$ -	\$ -	Lease Proceeds	\$ -	\$ -
2-27	Developer Advances	\$ -	\$ -	\$ -	Developer Advances	\$ -	\$ -
2-28	Other [specify...]	\$ -	\$ -	\$ -	Other [specify...]	\$ -	\$ -
2-29	Add lines 2-25 through 2-28 TOTAL OTHER FINANCING SOURCES	\$ -	\$ -	\$ -	Add lines 2-25 through 2-28 TOTAL OTHER FINANCING SOURCES	\$ -	\$ -
2-30	Add lines 2-24 and 2-29 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ 364,185	\$ -	\$ -	Add lines 2-24 and 2-29 TOTAL REVENUES AND OTHER FINANCING SOURCES	\$ -	\$ -
2-31					GRAND TOTALS (ALL FUNDS) \$ 364,185		

IF GRAND TOTAL REVENUES AND OTHER FINANCING SOURCES FOR ALL FUNDS (LINE 2-31) ARE GREATER THAN \$750,000 - STOP.
 You may not use this form. An audit may be required. See Section 29-1-604, C.R.S., or contact the OSA Local Government Division at (303) 869-3000 for assistance.

Please use this space to provide explanation of any item on this page

PART 3 - FINANCIAL STATEMENTS - OPERATING STATEMENT - EXPENDITURES/EXPENSES

Line #	Description	Governmental Funds			Description	Proprietary/Fiduciary Funds	
		General Fund	Fund*	Fund*		Fund*	Fund*
	Expenditures				Expenses		
3-1	General Government	\$ 324,195	\$ -	\$ -	General Operating & Administrative	\$ -	\$ -
3-2	Judicial	\$ -	\$ -	\$ -	Salaries	\$ -	\$ -
3-3	Law Enforcement	\$ -	\$ -	\$ -	Payroll Taxes	\$ -	\$ -
3-4	Fire	\$ -	\$ -	\$ -	Contract Services	\$ -	\$ -
3-5	Highways & Streets	\$ -	\$ -	\$ -	Employee Benefits	\$ -	\$ -
3-6	Solid Waste	\$ -	\$ -	\$ -	Insurance	\$ -	\$ -
3-7	Contributions to Fire & Police Pension Assoc.	\$ -	\$ -	\$ -	Accounting and Legal Fees	\$ -	\$ -
3-8	Health	\$ -	\$ -	\$ -	Repair and Maintenance	\$ -	\$ -
3-9	Culture and Recreation	\$ -	\$ -	\$ -	Supplies	\$ -	\$ -
3-10	Transfers to other districts	\$ -	\$ -	\$ -	Utilities	\$ -	\$ -
3-11	Other [specify...]	\$ -	\$ -	\$ -	Contributions to Fire & Police Pension Assoc.	\$ -	\$ -
3-12		\$ -	\$ -	\$ -	Other [specify...]	\$ -	\$ -
3-13		\$ -	\$ -	\$ -		\$ -	\$ -
3-14	Capital Outlay	\$ 6,310	\$ -	\$ -	Capital Outlay	\$ -	\$ -
	Debt Service				Debt Service		
3-15	Principal (should match amount in 4-4)	\$ -	\$ -	\$ -	Principal (should match amount in 4-4)	\$ -	\$ -
3-16	Interest	\$ -	\$ -	\$ -	Interest	\$ -	\$ -
3-17	Bond Issuance Costs	\$ -	\$ -	\$ -	Bond Issuance Costs	\$ -	\$ -
3-18	Developer Principal Repayments	\$ -	\$ -	\$ -	Developer Principal Repayments	\$ -	\$ -
3-19	Developer Interest Repayments	\$ -	\$ -	\$ -	Developer Interest Repayments	\$ -	\$ -
3-20	All Other [specify...]	\$ -	\$ -	\$ -	All Other [specify...]	\$ -	\$ -
3-21		\$ -	\$ -	\$ -		\$ -	\$ -
3-22		\$ -	\$ -	\$ -		\$ -	\$ -
3-23		\$ -	\$ -	\$ -		\$ -	\$ -
3-24	Add lines 3-1 through 3-23 TOTAL EXPENDITURES	\$ 330,505	\$ -	\$ -	Add lines 3-1 through 3-23 TOTAL EXPENSES	\$ -	\$ -
3-25					GRAND TOTAL (ALL FUNDS)	\$	330,505
3-26	Interfund Transfers (In)	\$ -	\$ -	\$ -	Net Interfund Transfers (In) Out	\$ -	\$ -
3-27	Interfund Transfers Out	\$ -	\$ -	\$ -	Other [specify...][enter negative for expense]	\$ -	\$ -
3-28	Other Expenditures (Revenues)	\$ -	\$ -	\$ -	Depreciation/Amortization	\$ -	\$ -
3-29		\$ -	\$ -	\$ -	Other Financing Sources (from line 2-28)	\$ -	\$ -
3-30		\$ -	\$ -	\$ -	Capital Outlay (from line 3-14)	\$ -	\$ -
3-31		\$ -	\$ -	\$ -	Debt Principal (from line 3-15, 3-18)	\$ -	\$ -
3-32	(Add lines 3-26 through 3-31) TOTAL TRANSFERS AND OTHER EXPENDITURES	\$ -	\$ -	\$ -	(Add lines 3-27, 3-30, and 3-31, subtract lines 3-28 and 3-29) TOTAL GAAP RECONCILING ITEMS	\$ -	\$ -
3-33	Excess (Deficiency) of Revenues and Other Financing Sources Over (Under) Expenditures Line 2-30, less line 3-24, less line 3-32	\$ 33,680	\$ -	\$ -	Net Increase (Decrease) in Net Position Line 2-30, less line 3-24, plus line 3-32, less line 3-26	\$ -	\$ -
3-34	Fund Balance, January 1 from December 31 prior year report	\$ 329,356	\$ -	\$ -	Net Position, January 1 from December 31 prior year report	\$ -	\$ -
3-35	Prior Period Adjustment (MUST explain)	\$ -	\$ -	\$ -	Prior Period Adjustment (MUST explain)	\$ -	\$ -
3-36	Fund Balance, December 31				Net Position, December 31		
	Sum of Lines 3-33, 3-34, and 3-35				Sum of Lines 3-33, 3-34, and 3-35		
	This total should be the same as line 1-37.	\$ 363,036	\$ -	\$ -	This total should be the same as line 1-37.	\$ -	\$ -

IF GRAND TOTAL EXPENDITURES FOR ALL FUNDS (Line 3-25) ARE THAN \$750,000 - STOP.

You may not use this form. An audit may be required. See Section 29-1-604, C.R.S., or contact the OSA Local Government Division at (303) 869-3000 for assistance.

Please use this space to provide explanation of any item on this page

PART 4 - DEBT OUTSTANDING, ISSUED, AND RETIRED

Please answer the following questions by marking the appropriate boxes.		Yes	No	Please use this space to provide any explanations or comments	
4-1	Does the entity have outstanding debt? <i>(If 'No' is checked, skip to question 4-5)</i> <i>(If 'Yes' is checked, please attach a copy of the entity's debt repayment schedule)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
4-2	Is the debt repayment schedule attached? If no, MUST explain: <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>		
4-3	Is the entity current in its debt service payments? If no, MUST explain: <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div>	<input type="checkbox"/>	<input type="checkbox"/>		
4-4	Please complete the following debt schedule, if applicable: (please only include principal amounts) (enter all amounts as positive numbers)				
	General obligation bonds	\$ -	\$ -	\$ -	\$ -
	Revenue bonds	\$ -	\$ -	\$ -	\$ -
	Notes/Loans	\$ -	\$ -	\$ -	\$ -
	Lease & SBITA** Liabilities (GASB 87 & 96)	\$ -	\$ -	\$ -	\$ -
	Developer Advances	\$ -	\$ -	\$ -	\$ -
	Other (specify):	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -

**Subscription-Based Information Technology Arrangements

*Must agree to prior year-end balance

Please answer the following questions by marking the appropriate boxes.		Yes	No
4-5	Does the entity have any authorized but unissued debt as of its fiscal year-end [Section 29-1-605(2) C.R.S.]?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	How much? Date the debt was authorized:		
	<div style="border: 1px solid black; width: 100%; text-align: center;">\$ -</div> <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div>		
NEW 4-6	Is the authorized but unissued debt further limited by the entity's most recent Service Plan?	<input type="checkbox"/>	<input type="checkbox"/>
If yes:	How much? Date of the most recent Service Plan:		
	<div style="border: 1px solid black; width: 100%; text-align: center;">\$ -</div> <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div>		
4-7	Does the entity intend to issue debt within the next calendar year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	How much?		
	<div style="border: 1px solid black; width: 100%; text-align: center;">\$ -</div>		
4-8	Does the entity have debt that has been refinanced that it is still responsible for?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	What is the amount outstanding?		
	<div style="border: 1px solid black; width: 100%; text-align: center;">\$ -</div>		
4-9	Does the entity have any lease agreements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes:	What is being leased? What is the original date of the lease? Number of years of lease? Is the lease subject to annual appropriation? What are the annual lease payments?		
	<div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div> <div style="border: 1px solid black; width: 100%; text-align: center;">\$ -</div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

PART 5 - CASH AND INVESTMENTS

Please provide the entity's cash deposit and investment balances.		Amount	Total	Please use this space to provide any explanations or comments
5-1	YEAR-END Total of All Checking and Savings accounts	\$ -		
5-2	Certificates of deposit	\$ -		
	TOTAL CASH DEPOSITS		\$ -	
5-3	Investments (If investment is a mutual fund, please list underlying investments):			
		\$ -		
		\$ -		
		\$ -		
		\$ -		
	TOTAL INVESTMENTS		\$ -	
	TOTAL CASH AND INVESTMENTS		\$ -	

Please answer the following questions by marking in the appropriate box.		Yes	No	N/A
5-4	Are the entity's investments legal in accordance with Section 24-75-601, et. seq., C.R.S.?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5-5	Are the entity's deposits in an eligible (Public Deposit Protection Act) public depository (Section 11-10.5-101, et seq. C.R.S.)? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<div style="border: 1px solid black; height: 15px; width: 100%; margin-top: 5px;"></div>			

PART 6 - CAPITAL AND RIGHT-TO-USE ASSETS

Please answer the following questions by marking in the appropriate box.		Yes	No	Please use this space to provide any explanations or comments
6-1	Does the entity have capitalized assets? <i>(If 'No' is checked, skip the rest of Part 6)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

6-2	Has the entity performed an annual inventory of capital assets in accordance with Section 29-1-506, C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

6-3	Complete the following Capital & Right-To-Use Assets table for GOVERNMENTAL FUNDS:	Balance - beginning of the year [*]	Additions [^]	Deletions	Year-End Balance
	Land	\$ -	\$ -	\$ -	\$ -
	Buildings	\$ -	\$ -	\$ -	\$ -
	Machinery and equipment	\$ -	\$ -	\$ -	\$ -
	Furniture and fixtures	\$ 202,363	\$ 6,310	\$ -	\$ 208,673
	Infrastructure	\$ -	\$ -	\$ -	\$ -
	Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
	Leased & SBITA Right-to-Use Assets	\$ -	\$ -	\$ -	\$ -
	Intangible Assets	\$ -	\$ -	\$ -	\$ -
	Other (explain):	\$ -	\$ -	\$ -	\$ -
	Accumulated Amortization Right to Use Assets (Enter a negative, or credit, balance)	\$ (105,462)	\$ (28,116)	\$ -	\$ (133,578)
	Accumulated Depreciation (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ 96,901	\$ (21,806)	\$ -	\$ 75,095

6-4	Complete the following Capital & Right-To-Use Assets table for PROPRIETARY FUNDS:	Balance - beginning of the year [*]	Additions [^]	Deletions	Year-End Balance
	Land	\$ -	\$ -	\$ -	\$ -
	Buildings	\$ -	\$ -	\$ -	\$ -
	Machinery and equipment	\$ -	\$ -	\$ -	\$ -
	Furniture and fixtures	\$ -	\$ -	\$ -	\$ -
	Infrastructure	\$ -	\$ -	\$ -	\$ -
	Construction In Progress (CIP)	\$ -	\$ -	\$ -	\$ -
	Leased & SBITA Right-to-Use Assets	\$ -	\$ -	\$ -	\$ -
	Intangible Assets	\$ -	\$ -	\$ -	\$ -
	Other (explain):	\$ -	\$ -	\$ -	\$ -
	Accumulated Amortization Right to Use Assets (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
	Accumulated Depreciation (Enter a negative, or credit, balance)	\$ -	\$ -	\$ -	\$ -
	TOTAL	\$ -	\$ -	\$ -	\$ -

^{*} Must agree to prior year-end balance
[^] Generally capital asset additions should be reported as capital outlay on line 3-14 and capitalized in accordance with the government's capitalization policy. Please explain any discrepancy

PART 7 - PENSION INFORMATION

Please answer the following questions by marking in the appropriate box.		Yes	No	Please use this space to provide any explanations or comments
7-1	Does the entity have an "old hire" firefighters' pension plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7-2	Does the entity have a volunteer firefighters' pension plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

If yes:	Who administers the plan?	
	Indicate the contributions from:	
	Tax (property, SO, sales, etc.):	\$ -
	State contribution amount:	\$ -
	Other (gifts, donations, etc.):	\$ -
	TOTAL	\$ -
	What is the monthly benefit paid for 20 years of service per retiree as of Jan 1?	\$ -

PART 8 - BUDGET INFORMATION

Please answer the following question by marking in the appropriate box.				Yes	No	N/A	Please use this space to provide any explanations or comments	
8-1	Did the entity file a current year budget with the Department of Local Affairs, in accordance with Section 29-1-113 C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
8-2	Did the entity pass an appropriations resolution in accordance with Section 29-1-108 C.R.S.? If no, MUST explain:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
If yes: Please indicate the amount appropriated for each fund separately for the year reported (Please make sure each individual fund's appropriation agrees to how the budget was adopted. Do not combine funds)								
		Governmental/Proprietary Fund Name	Total Appropriations By Fund					
		General Fund	\$	375,039				
			\$	-				
			\$	-				
			\$	-				
			\$	-				

PART 9 - TAX PAYER'S BILL OF RIGHTS (TABOR)

Please answer the following question by marking in the appropriate box.			Yes	No	Please use this space to provide any explanations or comments
9-1	Is the entity in compliance with all the provisions of TABOR [State Constitution, Article X, Section 20(5)]?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<i>Note: An election to exempt the entity from the spending limitations of TABOR does not exempt the entity from the 3 percent emergency reserve requirement. All entities should determine if they meet this requirement of TABOR.</i>					

PART 10 - GENERAL INFORMATION

Please answer the following questions by marking in the appropriate box.			Yes	No	Please use this space to provide any explanations or comments
10-1	Is this application for a newly formed governmental entity?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes: Date of formation: <div style="border: 1px solid black; width: 150px; height: 20px; display: inline-block;"></div>					
10-2	Has the entity changed its name in the past or current year?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes: Please list the NEW name: <div style="border: 1px solid black; width: 340px; height: 20px; display: inline-block;"></div> Please list the PRIOR name: <div style="border: 1px solid black; width: 340px; height: 20px; display: inline-block;"></div>					
10-3	Is the entity a metropolitan district?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10-4	Please indicate what services the entity provides:				
10-5	Does the entity have an agreement with another government to provide services?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes: List the name of the other governmental entity and the services provided: <div style="border: 1px solid black; width: 470px; height: 30px; display: inline-block;"></div>					
10-6	Has the district filed a Title 32, Article 1 Special District Notice of Inactive Status during the year? [Applicable to Title 32 special districts only, pursuant to Sections 32-1-103 (9.3) and 32-1-104 (3), C.R.S.]		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If yes: Date filed: <div style="border: 1px solid black; width: 340px; height: 20px; display: inline-block;"></div>					
10-7	Does the entity have a certified mill levy?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If yes: Please provide the number of <u>mills</u> levied for the year reported (do not report \$ amounts):					
			Bond redemption mills	-	
			General/other mills	10.000	
			Total mills	10.000	
			Yes	No	N/A
10-8	If the entity is a Title 32 Special District formed after 7/1/2000, has the entity filed its preceding year annual report with the State Auditor as required under SB 21-262 [Section 32-1-207 C.R.S.]? If NO , please explain.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please use this space to provide any additional explanations or comments not previously included

OSA USE ONLY

Entity Wide:		General Fund		Governmental Funds	
Unrestricted Cash & Investments	\$	-	Unrestricted Fund Balan \$	351,734	Total Tax Revenue \$ 345,075
Current Liabilities	\$	6,146	Total Fund Balance \$	363,036	Revenue Paying Debt Service \$ -
Deferred Inflow	\$	312,160	PY Fund Balance \$	329,356	Total Revenue \$ 364,185
			Total Revenue \$	364,185	Total Debt Service Principal \$ -
			Total Expenditures \$	330,505	Total Debt Service Interest \$ -
					Total Assets \$ 681,342
			Interfund In \$	-	Total Liabilities \$ 6,146
			Interfund Out \$	-	
Governmental			Proprietary		Enterprise Funds
Total Cash & Investments	\$	365,194	- Current Assets \$		- Net Position \$ -
Transfers In	\$		- Deferred Outflow \$		- PY Net Position \$ -
Transfers Out	\$		Current Liabilities \$		- Government-Wide
Property Tax	\$	328,841	- Deferred Inflow \$		- Total Outstanding Debt \$ -
Debt Service Principal	\$		Cash & Investments \$		- Authorized but Unissued \$ -
Total Expenditures	\$	330,505	- Principal Expense \$		- Year Authorized 1/0/1900
Total Developer Advances	\$		- Total Expenses \$		
Total Developer Repayments	\$				

PART 11 - GOVERNING BODY APPROVAL

Please answer the following question by marking in the appropriate box.

Yes

No

11-1 If you plan to submit this form electronically, have you read the Electronic Signature Policy?

☒

☐

Office of the State Auditor — Local Government Division - Exemption Form Electronic Signature Policy and Procedures

Policy - Requirements

The Office of the State Auditor Local Government Audit Division may accept an electronic submission of an application for exemption from audit that includes governing board signatures obtained through a program such as DocuSign or Echosign. Required elements and safeguards are as follows:

- The preparer of the application is responsible for obtaining board signatures that comply with the requirement in Section 29-1-604 (3), C.R.S., that states the application shall be personally reviewed, approved, and signed by a majority of the members of the governing body.
- The application must be accompanied by the signature history document created by the electronic signature software. The signature history document must show when the document was created and when the document was emailed to the various parties, and include the dates the individual board members signed the document. The signature history must also show the individuals' email addresses and IP address.
- Office of the State Auditor staff will not coordinate obtaining signatures.

The application for exemption from audit form created by our office includes a section for governing body approval. Local governing boards note their approval and submit the application through one of the following two methods:

- 1) Submit the application in hard copy via the US Mail including original signatures.
- 2) Submit the application electronically via email and either,
 - a. Include a copy of an adopted resolution that documents formal approval by the Board, or
 - b. Include electronic signatures obtained through a software program such as DocuSign or Echosign in accordance with the requirements noted above.

Below is the certification and approval of the governing body. By signing, each individual member is certifying they are a duly elected or appointed officer of the local government. Governing members may be verified. Also by signing, the individual member certifies that this Application for Exemption from Audit has been prepared consistent with Section 29-1-604, C.R.S., which states that a governmental agency with revenues and expenditures of more than \$100,000 but not more than \$750,000 must have an application prepared by an independent accountant with knowledge of governmental accounting; completed to the best of their knowledge and is accurate and true. Use additional pages if needed.

**Print or type the names of ALL members of the governing body below.
A MAJORITY of the members of the governing body must sign below.**

Board Member's Name:	
Board Member 1	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: _____</p>
	<p>Haroun Cowans</p> <p>Signature <u>Haroun Cowans</u> (May 1, 2025 10:52 EDT)</p> <p>Date <u>05/01/2025</u></p>
Board Member 2	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: <u>2027</u></p>
	<p>John Pirkopf</p> <p>Signature <u>John Pirkopf</u> (Apr 30, 2025 12:45 PDT)</p> <p>Date <u>04/30/2025</u></p>
Board Member 3	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: _____</p>
	<p>Paul Books</p> <p>Signature <u>Paul Books</u> (Apr 30, 2025 09:51 MDT)</p> <p>Date <u>04/30/2025</u></p>
Board Member 4	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: <u>2027</u></p>
	<p>Nathan Beal</p> <p>Signature <u>Nathan Beal</u> (Apr 30, 2025 09:01 MDT)</p> <p>Date <u>04/30/2025</u></p>
Board Member 5	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: <u>2027</u></p>
	<p>Maedella Stiger</p> <p>Signature _____</p> <p>Date _____</p>
Board Member 6	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: <u>2027</u></p>
	<p>Nina Rupp</p> <p>Signature <u>Nina Rupp</u> (Apr 30, 2025 11:00 MDT)</p> <p>Date <u>04/30/2025</u></p>
Board Member 7	<p>I attest that I am a duly elected or appointed board member, and that I have personally reviewed and approved this application for exemption from audit.</p> <p>My term expires: <u>2027</u></p>
	<p>Fathima Dickerson</p> <p>Signature _____</p> <p>Date _____</p>

2024 Five Points BID exemption

Interim Agreement Report










2025-05-02


Created:	2025-04-30
By:	Diane Wheeler (diane@simmonswheeler.com)
Status:	Out for Signature
Transaction ID:	CBJCHBCAABAArtGmiyGml6_VvTLnOqgikdkV4PrcrB4v

Agreement History


Agreement history is the list of the events that have impacted the status of the agreement prior to the final signature. A final audit report will be generated when the agreement is complete.

"2024 Five Points BID exemption" History


-  Document created by Diane Wheeler (diane@simmonswheeler.com)
2025-04-30 - 2:30:03 PM GMT- IP address: 96.87.58.121
-  Document emailed to Diane Wheeler (diane@simmonswheeler.com) for signature
2025-04-30 - 2:35:37 PM GMT
-  Document emailed to haroun@goshendevlopment.com for signature
2025-04-30 - 2:35:37 PM GMT
-  Document emailed to jpirkopf@gmail.com for signature
2025-04-30 - 2:35:38 PM GMT
-  Document emailed to pbooks@palisadepartners.com for signature
2025-04-30 - 2:35:38 PM GMT
-  Document emailed to ninarupp1@gmail.com for signature
2025-04-30 - 2:35:38 PM GMT
-  Document emailed to stbernardproperties@gmail.com for signature
2025-04-30 - 2:35:38 PM GMT
-  Document emailed to mimid_587@yahoo.com for signature
2025-04-30 - 2:35:39 PM GMT
-  Document emailed to maedellans@yahoo.com for signature
2025-04-30 - 2:35:39 PM GMT

 Email viewed by ninarupp1@gmail.com


2025-04-30 - 2:35:50 PM GMT- IP address: 74.125.212.199

 Document e-signed by Diane Wheeler (diane@simmonswheeler.com)

Signature Date: 2025-04-30 - 2:35:53 PM GMT - Time Source: server- IP address: 96.87.58.121

 Email viewed by jpirkopf@gmail.com

2025-04-30 - 2:36:35 PM GMT- IP address: 146.75.154.0

 Email viewed by stbernardproperties@gmail.com

2025-04-30 - 2:38:04 PM GMT- IP address: 146.75.203.1

 Signer ninarupp1@gmail.com entered name at signing as Nina Rupp

2025-04-30 - 2:59:48 PM GMT- IP address: 24.128.57.124

 Document e-signed by Nina Rupp (ninarupp1@gmail.com)

Signature Date: 2025-04-30 - 2:59:50 PM GMT - Time Source: server- IP address: 24.128.57.124

 Signer stbernardproperties@gmail.com entered name at signing as Nathan Beal

2025-04-30 - 3:01:25 PM GMT- IP address: 97.122.78.197

 Document e-signed by Nathan Beal (stbernardproperties@gmail.com)

Signature Date: 2025-04-30 - 3:01:27 PM GMT - Time Source: server- IP address: 97.122.78.197

 Email viewed by maedellans@yahoo.com

2025-04-30 - 3:29:50 PM GMT- IP address: 67.176.125.186

 Email viewed by pbooks@palisadepartners.com

2025-04-30 - 3:51:08 PM GMT- IP address: 74.125.212.198

 Signer pbooks@palisadepartners.com entered name at signing as Paul Books

2025-04-30 - 3:51:30 PM GMT- IP address: 75.166.88.47

 Document e-signed by Paul Books (pbooks@palisadepartners.com)

Signature Date: 2025-04-30 - 3:51:32 PM GMT - Time Source: server- IP address: 75.166.88.47

 Signer jpirkopf@gmail.com entered name at signing as John Pirkopf


2025-04-30 - 7:45:02 PM GMT- IP address: 64.79.133.109

 Document e-signed by John Pirkopf (jpirkopf@gmail.com)

Signature Date: 2025-04-30 - 7:45:04 PM GMT - Time Source: server- IP address: 64.79.133.109

 Email viewed by haroun@goshendevlopment.com

2025-05-01 - 2:50:32 PM GMT- IP address: 172.56.162.80

 Signer haroun@goshendevlopment.com entered name at signing as Haroun Cowans

2025-05-01 - 2:52:46 PM GMT- IP address: 172.56.162.80





Document e-signed by Haroun Cowans (haroun@goshenddevelopment.com)

Signature Date: 2025-05-01 - 2:52:48 PM GMT - Time Source: server- IP address: 172.56.162.80



Adobe Acrobat Sign

FIVE POINTS BUSINESS IMPROVEMENT DISTRICT
BYLAWS

Preamble

These bylaws are adopted pursuant to the laws of the State of Colorado and the ordinances of the City and County of Denver. In the event of a direct conflict between these bylaws and state law or city ordinance, the state law or city ordinance shall govern.

Article I

General

Section 1. The name of the district shall be the "Five Points Business Improvement District", also known as the "Five Points BID" or the "FPBID".

Article II

Directors and Officers

Section 1. To serve on the FPBID Board of Directors, individuals must be "electors" of the BID, as such term is defined in Section 31-25-1203, C.R.S.

Section 2. The BID's Board of Directors (Board) shall be comprised of the number of directors provided by ordinance of the City and County of Denver.

Section 3. A vacancy on the Board occurs when a director ceases to be an elector of the Five Points BID, resigns, is removed from office as provided by law, or is deceased.

Section 4. A vacancy on the Board shall be filled in the manner provided by law.

Section 5. There shall be a Board president, two vice presidents serving as co-vice presidents, a secretary and a treasurer of the Board who shall be officers of the Five Points BID. The offices of secretary and of treasurer may be filled by one person. The Board may appoint an assistant secretary who need not be a member of the Board, and the Board may appoint an assistant secretary who is paid staff or a contractor to perform secretarial duties. Officers may be appointed by official action of the Board at any time.

Section 6. The Board president shall preside at all meetings of the Five Points BID Board, shall sign all documents on behalf of the Five Points BID upon approval by the Board, and shall have such other duties as the Board may direct. The president shall appoint such committees and task forces as are authorized by the Board.

Section 7. The vice-presidents shall perform the duties of the Board president in the absence of the Board president or in the event of the president's inability or refusal to act and shall have such other duties as the Board may provide.

Section 8. The secretary shall keep a record of all proceedings, minutes of meetings, certificates, contracts, and corporate acts of the Board.

Section 9. The treasurer shall keep permanent records containing accurate accounts of all money received by and disbursed on behalf of the Five Points BID and shall make all required reports. The treasurer shall have the care and custody of all Five Points BID moneys and shall deposit such moneys in the manner provided by law and as authorized by the Board.

Section 10. The Board may provide such additional duties for any officer as it deems necessary.

Section 11. A vacancy in any office shall be filled by the Board at its next regular or special meeting.

Section 12. Directors and officers shall receive no compensation for their service but may be reimbursed for expenses incurred in the performance of their duties in the manner provide by the Board by resolution.

Section 13. Directors shall disclose and act regarding potential conflicts of interest as required by Colorado law, including but not limited to C.R.S. § 18-8-308; 24-18-109; 24-18-110; and 24-18-201 to 206. Directors shall disclose potential conflicts of interest in writing at least 72 hours before a meeting of the Board in which the conflict will arise. Such disclosure is to be made to the Board secretary (or Manager on behalf of the secretary), and to the BID's attorney's office. At the start of the Board's discussion, directors shall verbally disclose any potential conflict, not attempt to influence the decision of other Board members and shall not vote on the matter, as applicable, unless permitted by law.

Article III

Personnel and Management

Section 1. The Five Points BID may employ such personnel or contract for such services as it deems necessary to exercise its powers and perform its duties and function. The terms and conditions of such employment or contracts, together with the duties to be performed, shall be determined by the Board in conformance with the law.

Article IV

Meetings

Section 1. The regular meetings of the Board shall be held monthly on a recurring designated day of the month and regular time, with such day and time determined by the Board

at the end of each calendar year for the next calendar year. The selected day and time for the regular meeting for any given month may be changed by vote of the Board, and the posting of corresponding notices as required by Colorado law. Meetings shall be held at the Board approved designated location unless otherwise noticed in advance in accordance with Colorado law. If the regular meeting date falls on a legal holiday, the regular meeting shall be held on the following week, same business day at the same time and place, unless otherwise noticed. Meetings shall be held in a public and accessible place. As they are made aware, the FPBID Board or Staff shall make every reasonable effort to assure that accommodations are made to support those with disabilities.

Section 2. The president or any two members of the Board may call a special meeting of the Board upon at least twenty-four hours' written notice to each member. Such notice shall state the purpose for which such special meeting is called.

Section 3. Public notice of all meetings of the Board shall be given as provided by law and shall contain the date, time, place and type of meeting, and specific agenda information where possible. Public notice of any meeting shall be posted at least twenty-four (24) hours in advance at such public place or places as the Board may designate annually at its first regular meeting in the fiscal year. If and when practical, the Board shall cause notice to be posted with more than 48 hours' notice. Notice of meetings may also be distributed electronically.

Section 4. A majority of the directors then serving on the Board shall constitute a quorum of the Board for conduction its business. Directors may attend any meeting in person or by a telephonic connection, but any such connection shall permit any director attending in person to hear all discussion concerning any item upon which action is to be taken and shall permit all persons in attendance to hear the director attending by telephone.

Section 5. When a quorum is in attendance, action may be taken by the Board upon an affirmative vote of a majority of the directors in attendance, but a majority of all directors then-serving shall be required to approve the annual budget and operating plan, to approve budget and appropriation resolutions and certification of mill levies and special assessments, to elect officers, to amend the bylaws, and to approve any contracts or agreements that are in excess of one thousand dollars (\$1,000).

Section 6. Voting on all questions except election of officers shall be by a roll call vote which shall be entered into or appended to the minutes of the meeting. Election of officers shall be by secret ballot. No director may abstain from voting except in the case of a conflict of interest which has been disclosed as provided by law. No proxy voting shall be permitted.

Section 7. Action on any item shall be taken only at a regular or special meeting by motion or by resolution. Resolutions shall be used for all actions of a general and permanent nature, shall be in writing, shall, upon adoption, be authenticated by the secretary, and shall be contained in a well-bound book, properly indexed. All motions shall be set forth in the minutes

of the meeting. Resolutions and motions shall become effective on the day of adoption unless otherwise stated.

Section 8. The Board may adopt a separate guiding document which outlines Board code of conduct for meetings, which may be amended by the Board.

Section 9. All meetings of the Board for any purpose whatsoever shall be open to the public; provided, however, that this section shall not limit the authority of the Board to enter into executive session as allowed by law.

The procedures to enter into an executive session are presented below: (This is only a summary, consult the attorney for the BID as questions arise.)

During an open meeting:

1. Announce the detailed topic and legal authority for the Executive Session – the announcement must cite the specific law that allows the session (see the list a-h below). If the topic is not on the list, the Board is prohibited from entering the executive session.
2. Board vote – need 2/3 vote of quorum present in favor of the session.
3. Exclude public and all others at the Board's discretion.
4. Record the executive session discussions electronically – keep the recording secret unless ordered otherwise by a court or the Board consents. No recording is required if the topic is attorney-client privileged (attorney must be present and must state on the record or attest that the discussion is privileged).
5. THE BOARD MUST TAKE NO ACTION, NO VOTE, NO DECISION IN EXECUTIVE SESSION.
6. Come out of executive session back into public session.
7. Complete the meeting.

Post executive session:

- a. If required for an attorney-client matter, have the attorney sign an attestation or other documentation concerning the content of the session.
- b. DESTROY EXECUTIVE SESSION RECORDING AFTER 90 DAYS UNLESS NEEDED FOR COURT.

The allowed purposes for an Executive Session are listed in §24-6-402(4), C.R.S.

- a. Purchase, acquire, lease, transfer or sale of real, personal or other property interest, but not to conceal a conflict of interest.
- b. Consult or receive advice from attorney on specific legal questions.

c. Confidential items per federal or state law, rules, regulations. Cite the statute or rule before session begins.

d. Security details – investigations – defenses against terrorism or to prevent disclosing items that could be used to commit crime or avoid prosecution.

e. Develop negotiating positions, strategy, or instruct negotiators.

f. Personnel matters, except about directors, an elected official, board appointments, general personnel policies, one employee if the employee requests an open meeting or if more than one employee is involved, then all request open meeting.

g. Documents to be kept secret according to the Colorado Open Records Act (such as medical information; confidential commercial data; names, addresses, and financial information about users of District facilities or services).

Article V

Fiscal Matters

Section 1. The fiscal year of the Five Points BID shall be the calendar year.

Section 2. The Board shall establish limits on the check writing authority of officers, employees, and agents of the Five Points BID, but two signatures shall be required on all checks One Thousand and No/100 Dollars (\$1,000.00) or over. The order of preference for Board member signature is as follows: 1. treasurer, 2. president, and 3. vice-president/secretary.

Section 3. The Board may authorize an officer, employee, or agent of the Five Points BID to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Five Points BID. Any such authorization shall specify the contract or instrument, or the category of contracts or instruments, so authorized.

Section 4. No loan or advance shall be made or contracted on behalf of the Five Points BID and no note, bond, or other evidence of indebtedness shall be executed or delivered in its name except in the manner provided by law and as authorized by the Board.

Article VI

Amendments

Section 1. These bylaws may be amended or repealed, and new bylaws adopted, by the Board at any regular or special meeting subject to the requirements of Section 5 Article IV of these bylaws.

Article VII

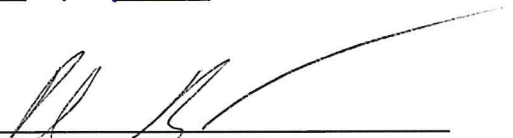
Indemnification

Section 1. The Five Points BID shall indemnify any director, officer, employee, or agent or any former director, officer, employee, or agent for any expense actually incurred in connection with any action, suite, or proceeding or for any loss or claim resulting from any such action, suit, or proceeding in which such person has been made a party by reason of being or having been such director, officer, employee, or agent, including any matter as to which such person is adjudged to be liable in such action, suite, or proceeding except for such person's willful and wanton acts or omissions in the performance of official duties.

Section 2. The Five Points BID is authorized to obtain such policy or policies of insurance for providing such indemnification and for such other purposes as the Board deems necessary.

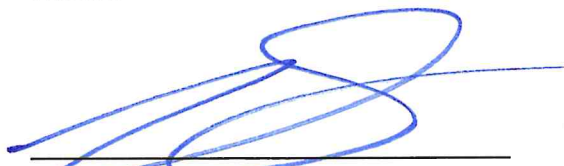
Section 3. The indemnification provided in this article does not constitute a waiver, either partial or complete, of any immunities or limitations on judgments provided by law with respect to the Five Points BID or its directors, officers, employees, or agents.

6th Adopted by the Board of Directors of the Five Points Business Improvement District this
day of NOVEMBER 2019.



President of the Board

Attest:



Director/Witness



CODE OF CONDUCT

Mission: The Five Points Business Improvement District unites businesses and commercial property owners by maintaining the business corridor and catalyzing inclusive economic development and cultural preservation.

The following code of conduct and meeting protocol are authorized pursuant to the Five Points BID By-laws, Article IV, Section 9 – and may be amended from time to time and separately from the approved By-laws by the sitting FPBID Board of Directors.

Code of Conduct and Meeting Protocol:

- The meetings shall be conducted within the allowed 90 minutes established by the agenda.
 - If a FPBID Board of Director meeting time exceeds the 90 minutes, a Board member must move to extend the meeting beyond the end time to a time increment that is certain, or move to table the item(s) that have not been addressed by the Board of Directors until the next regular meeting or specially called Board of Directors meeting.
- A Sargent of Arms may be appointed by the Board of Directors, if requested.
- The President of the Board, or their appointee, is responsible for running the meeting and recognizing those requesting to speak.
- Time for public comment shall be provided on every agenda.
 - All comments must be limited in subject matter to matters pertaining to the FPBID and/or the FPBID Board of Directors.
 - In order to treat each person equally and impartially, each person is allotted a total of 3 minutes in which to offer their comments. No one may yield their time to another.
- Invited and guest speakers making presentations to the Board of Directors shall limit presentations to no longer than ten (10) minutes, with written materials provided to the Board for review and consideration at least twenty-four (24) hours prior to the scheduled meeting.
 - Exceptions to the time limits must be approved by the Board of Directors.
- There shall be no drugs or alcohol permitted or present during Board meetings.
- Board members are expected to be courteous and respectful to each other, customers, staff, and consultants, and vise versa. Any Board Member may bring a perceived lack of courtesy or respect to the attention of the Board.

2025 Board Actions – to Date. (Note: copies of the Minutes are available via www.fivepointsbid.com or upon request):

January 2025:

- Approved December 11, 2024 Board Meeting Minutes

February 2025:

- Approved January 8, 2025 Meeting Minutes
- Approved Treasurer's Report
- Approved SOW with Denver Arts & Denver

March 2024:

- Approved February 12, 2025 Board Meeting Minutes
- Approved Treasurer's Report

April 2024:

- Approved March 12, 2025 Board Meeting Minutes

May 2024:

- Approved of the April 9, 2025 Board Meeting Minutes
- Approved March Treasurer's Report

June 2024:

- No Board Meeting in June

July 2025:

- Approved May 14, 2025 Board Meeting Minutes
- Approved Report


August 2025:

- Approved July 9. 2025 Board Meeting Minutes



BID Board Members Contact Info

Executive Committee	
Board President: Haroun Cowans, Founder & President Goshen Development Representing: Fifth Coffee 1881 16 th Street Denver, CO 80202 haroun@goshendevelopment.com 720.394.2341 2nd Term Expires: February 28, 2029	Board Co-Vice-President: Paul Books, President and Founder Palisade Partners 2700 S. Broadway Street, Suite 200 Englewood, CO 80113 pbooks@palisadepartners.com 720.248.7252 3rd Term Expires: February 28, 2029
Board Co-Vice-President: Maedella Stiger, Property Owner 2755 Welton Street Denver, CO 80205 maedellans@yahoo.com 303.295.9055 3 rd Term Expires: June 12, 2027	Board Treasurer: Nathan Beal St. Bernard Properties 3021 E. 7 th Avenue Denver, CO 80206 stbernardproperties@gmail.com 303.667.2801 3 rd Term Expires: June 12, 2027
Board Members	
John Pirkopf, Property Owner 2649 Champa Street Denver, CO 80205 jpirkopf@gmail.com 303.219.0044 3 rd Term Expires: June 12, 2027	Fathima Dickerson, Owner Welton Street Café 2208 Marion Street Denver, CO 80205 mimid_587@yahoo.com 303.919.7229 1 st Term Expires: June 12, 2027
Nina Rupp, Manager Marble Empire, LLC 2032 Welton Street Denver CO 80205 Ninarupp1@gmail.com 303.257.9866 1 st Term Expires: October 1, 2027	

								
2025 FPBID Board of Directors board meeting attendance								
Present = P								
Absent = A								
Board Member	1/8/2025	2/12/2025	3/12/2025	4/9/2025	5/12/2025	No June Meeting	7/9/2025	8/13/2025
Haroun Cowans	A	P	P	A	P		P	P
Paul Books	P	P	P	P	P		P	P
Maedella Stiger	A	A	A	A	A		A	A
Nathan Beal	P	P	P	P	P		P	P
John Pirkopf	P	P	P	P	P		P	A
Fathima Dickerson	P	P	P	A	P		P	P
Nina Rupp	P	P	P	P	P		P	P

List of Activities for October 2024 – July 2025:

- Held Public Hearing to receive input on proposed 2024 Budget Amendment and 2025 Budget.
- Installed holiday lights on light poles and trees along the Welton corridor
- Installed holiday lights on 20 storefronts
- Won DURA STAND Grant (\$48,390) to install murals and planters along Welton street
- Held Jazz Roots Black History Celebration on Feb. 15 and Feb 22, 2025 which attracted 9,000 visitors to Welton Street and programmed 18 venues with live jazz music
- Committed sponsorship funding Juneteenth Music Festival, First Friday Jazz Hop and Hi Points Music Festival
- Held monthly stakeholders' meetings to gather input from property owners, business owners and community members.
- Hosted Five Points Stakeholder Summit which gathered 60+ property owners, business owners and community members
- Installed planters and plants at The Point
- Replaced 3 stolen backflow preventers
- Hosted First Friday Five Points Jazz Hop event series May 2025 - September 2025, attracting 20,000+ visitors, activating 9 businesses and venues each month with live jazz
- Pruned trees along Welton Street

- Resolutions Passed:
 - 2025-01: Setting date, time and location of the public hearing for proposed Fiscal Year 2025 Budget.

- Planned for remainder of 2025:
 - Public Hearing re: proposed 2026 Operating Plan and Budget, October 22, 2025
 - Installation of holiday lighting and decorations on remaining blocks of Welton in the BID.
 - Welton Holiday Jazz Jam celebration

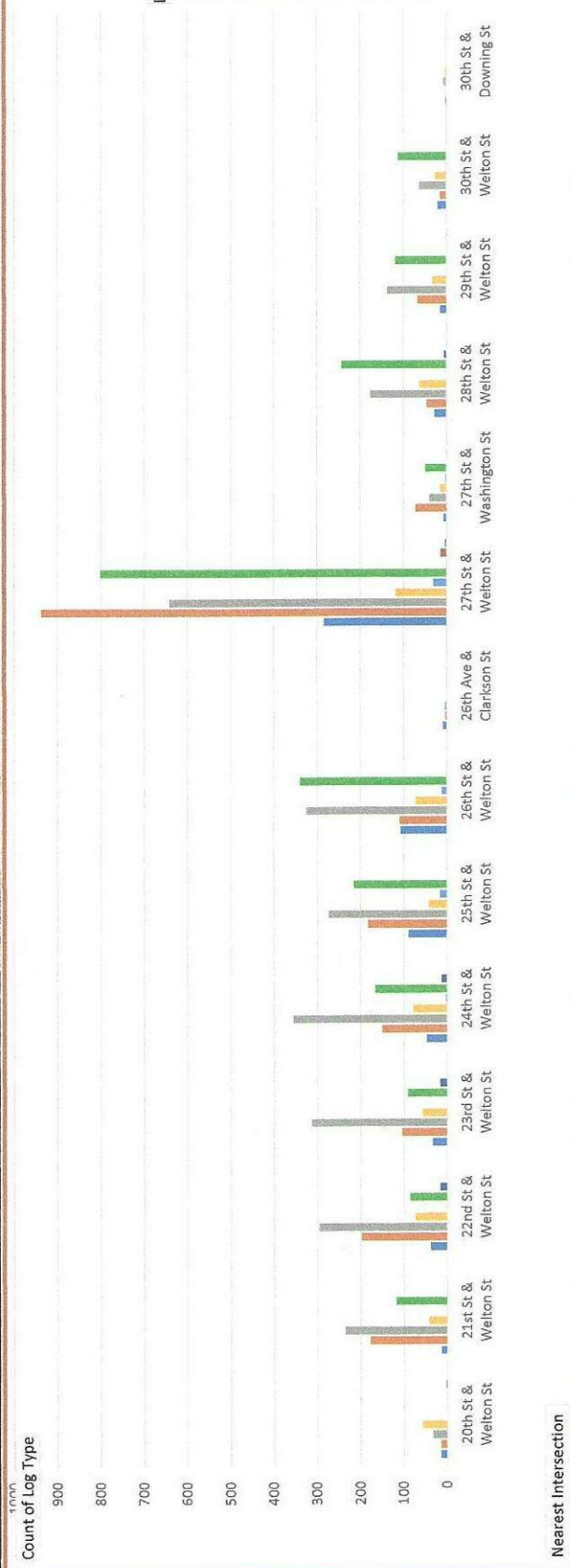
FPBID Planned Activities for 2026:

- Continuing to provide for the cleanliness and safety of the District with power washing and pan and brooming of the sidewalks, servicing and care of customized trash receptacles and bike racks, tree health management, identification of trip hazards, pedestrian lighting management, upkeep of Five Point Intersection Pedestrian Plaza and trouble-shooting unexpected issues.

- Continuing to market the corridor through banners, newsletters, activations along the corridor, social media and traditional media outlets.

- Installation of three new murals
- Refurbishment of the "American Beauty Mural"
- Renewal of the Five Points BID
- First Friday Five Points Jazz Hop event series (9 months)

FIVE POINTS BUSINESS IMPROVEMENT DISTRICT YTD 2025 AUGUST





Homelessness Resolution

In 2025, the Five Points Business Improvement District welcomed the ongoing development of two multi-use affordable housing development projects on the Welton corridor to aid in homelessness resolution. In 2026, The Five Points Business Improvement District will work to support and attract affordable housing developers to construct projects within the Five Points Business Improvement District.



Measuring Tangible Impacts

For 2026, the Five Points Business Improvement District (BID) plans to conduct **regular surveys** of the businesses and residents within the corridor. These surveys provide valuable qualitative insights into the needs and experiences of our community, which helps inform our decision-making and guides us in developing more responsive and effective strategies for the BID's growth and sustainability.

Additionally, the BID will continue its partnership with the **Denver Police Department** to monitor and address public safety concerns. This collaboration allows us to track crime rates and improve security efforts within the district, which directly benefits both businesses and visitors. By combining data from Placer.ai and crime statistics, we will be able to assess the overall health of the BID more holistically.