



FIVE POINTS BUSINESS IMPROVEMENT DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
January 13, 2021
MINUTES

Meeting Held: Wednesday, January 13, 2021 at 2:32 PM,
Virtual meeting held on ZOOM.US

Attendance: The meeting of the Board of Directors of the Five Points Business Improvement District, City and County of Denver, Colorado was called and held as shown above in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:
Paul Books, President
John Pirkopf, Vice President
Nathan Beal, Treasurer
Ryan Cobbins
Haroun Cowans
LaSheita Sayer
Maedella Stiger

BID Staff: Vincent Martinez, Downtown Denver Partnership
Olivia Omega Wallace, Wallace Marketing Group

The meeting was called to order by Board President, Paul Books at 2:32 PM.

Ms. Sayer noted that she has a potential conflict of interest regarding the Electric Vehicle Charging Stations which will be voted on later. Ms. Sayer's Firm, ZoZo Group is serving as the City's contractor in coordinating BIDs' involvement and preparing the grant applications for those that seek grant funding. Ms. Sayer will abstain from any votes on the matter.

No other potential conflicts related to Agenda items were reported by any of the FPBID Board Members.

Approval of Board Minutes – November 11, 2020 and December 9, 2020

Due to a lack of a quorum at the time the minutes were discussed at the December Board Meeting, the acceptance of the November minutes was tabled until this month's Board Meeting. No discussion of the November Board Minutes was requested. Mr. Cobbins moved to accept the November 2020 Board Meeting Minutes as presented. Mr. Beal seconded the motion. Vote: unanimous in favor, motion passed.

No discussion over the December Board Meeting Minutes was requested. Mr. Cobbins motioned to accept the December 2020 Board Meeting Minutes as presented. Ms. Sayer seconded the motion. Vote: unanimous in favor, motion passed.

Treasurer's Report – October and November 2020

In Mr. Beal's absence Mr. Martinez gave the October 2020 Financial Report to the board at the December Meeting. However, because there was no quorum at the time when this was discussed, the Board was not able to formally accept until this month. A total of \$23,777 in expenditures were made for the month of November, which were then listed individually. The final account cash balance at the end of the month totaled \$239,374. With no questions regarding the November or October 2020 financial report, Ms. Sayer made a motion to accept both the October and November, 2020 Treasurer Reports. Mr. Cobbins seconded the motion. Vote: unanimous in favor, motion passed.

As a matter of annual business, the Board selects the location for public posting of the regular monthly Board Meetings in January for the calendar year. In years past, the location has been the front door of the Rossonian Hotel building. Ms. Sayer motioned to continue to post notice for the regular monthly meeting to the front door of the Rossonian Hotel building. Mr. Cowans seconded the motion. Vote: unanimous in favor, motion passed.

Old Business

A. Washington Street Monument Replacement Discussion

Kelly Crum with the City of Denver gave an update to the Board on phase 3 of the 27th Street Storm Drain Interceptor Project. Since the last update, the project team was able to reroute the storm water drain improvements so that they did not go through the five point intersection. The new route for phase three improvements turns on California at 27th and then turns on 26th to cross Welton. The improvements crossing Welton will be done by tunneling so there will be no disturbance to vehicular traffic or light rail operations. The improvements will then tie into Washington Street storm drain lines.

Phase three is currently out to bid and construction is expected to begin this Summer and continue through Spring of 2022.

Ms. Sayer asked if the businesses at that the intersection of 26th Street will be cut off from their parking lot. Ms. Crum noted that the local construction team will work with owners to provide local access to their parking lot. Pedestrian access will also be available for those businesses at that intersection as well.

A later phase, yet to be funded, will also connect the Washington storm system from 25th Avenue to Welton, which will further provide flooding relief to the area.

More public information meetings are planned related to the phase three work once a contractor is hired.

The Monument on Washington at 25th Ave will be coming down and Councilwoman C'deBaca will be looking for input from the community on potential designs. Her office was not on the Zoom as originally scheduled. Ms. Sayer noted that the cultural significance of the area should be considered in the design. Mr. Books noted that the Board will work to get the Councilwoman's office back on the issue in a future meeting.

B. Welton Street Renaissance Introduction

Rob Anderson joined the meeting to introduce the Board to a concept developed by the 2020 class of the Downtown Denver Leadership Program. He introduced Major Morgan who was also part of the 2020 cohort and is helping the with the fundraising goals of the project. Every year the cohort is tasked with a project theme to work on over the program. With the social justice and pandemic events of 2020, the class shifted its focus mid-year to Five Points with a desire to activate the Welton Street Corridor specifically through music, art, education and cultural awareness.

Mr. Anderson shared renderings the cohort created for their report to help vision goals of the project. The cohort's intention is to make sure this effort is community driven and will continue to draw feedback through a variety of outreach efforts.

The group is currently in the fundraising phase with funds going through a new non-profit managed by the Downtown Denver Partnership. The group has been reaching out to the business and corporate community, especially those that are recently new to the area, to help them develop roots into the overall Denver Community. At the core of the goals are arts, economic development and cultural history for the project.

Mr. Anderson also shared the website weltonstreetrenaissance.com to view their informational video. They would like to be able to have some long-range goals accomplished in time for a Juneteenth announcement. They are hopeful to gain some large upfront corporate contributions to hire a fulltime staff person to drive this effort. Mr. Anderson noted that there was also a good amount of feedback on the importance of Cousins Plaza and Sonny Lawson Park.

C. EV Charging Stations Follow Up Discussion & Vote

Ms. Sayer reviewed some of the information she shared at the December Board Meeting regarding the Curbside EV Charging program of the City's Office of Climate Action, Sustainability and Resiliency. The ask of the Board is to vote to approve moving forward with participation in the City-wide program. She wants to stress that the process is lengthy to go through the State's Charge Ahead grant program and moving through the process will take 8 – 10 months. On that sort of timeline, it will likely take a year to get to the point of installing the charging stations. Ms. Sayer is proposing that the BID approve moving forward with the process to participate in the program that will provide grant funding of up to 80% to install the equipment.

Mr. Books tried to summarize the overall ask at this time and asked for confirmation that approval at this time means the BID will move forward in applying to the program but is not a final approval as a true budget impact needs to be investigated further.

Mr. Cowans asked about site selection to this point. Ms. Sayer went over the map she described last month which showed the 9 optimal sites in the FPBID. There still needs to be a further investigation with Xcel energy to determine if the nine locations that meet initial standards have the capacity to take on the power load of the charging stations.

Ms. Sayer showed charging station examples in other cities. The BID is able to set the cost for the use of the stations which can help recoup some of the cost to host and maintain the stations. EV drivers use a variety of tools to find out where stations are located which can help draw potential customers. It is possible to sign the spot for the charging station limiting

its use to EVs only and also limit the time that EVs can use the charging station. Charging can take anywhere from 20 minutes to 2 hours.

Estimated cost per pole is about \$8,000, installed or about \$1800 per pole after the Charge Ahead grant reimbursement. The cost for ZoZo group as project manager is also paid for through their contract with the City. She noted the stations are too new to give a life span estimate at this time. There are warranties available through the manufacturer.

Mr. Books noted that the amount of revenue if the BID charged for use, would not be a realistic revenue driver but more of a tool to help cover the cost of the electricity being used.

Mr. Cobbins made a motion to approve moving forward with the State's Charge Ahead grant program. Mr. Cowans gave a second to the motion. Vote: Ms. Sayer abstained because of conflict of interest, 5 in favor 2 abstentions, motion passed.

D. Ratification of Email Vote RE: Five Points Seating Area

In between the December and January Board Meetings the Board needed to do an emergency vote to allow the BID's insurance to be used on the permit for the proposed Five Points drive thru lane / seating area. The motion that was voted one read:

Allow the Five Points BID to act as the primary permit holder for the use of an outdoor seating area / drive thru lane on Clarkson Street between 26th Avenue and 28th Street and as such allow the use of the BID's insurance with the listed parties in the agreement as additional insured as well.

Mr. Cobbins motioned to ratify the vote and Mr. Pirkopf seconded the motion. Vote 6 – 1 in favor, motion passed

E. Five Points Seating Area Discussion

Mr. Cobbins then gave an update of the program and a description of the area. Mr. Cobbins has been working with the City to brainstorm possible seating arrangements similar to Larimer Square and others where streets have been closed to allow for seating and activations so area restaurants to have places for their customers to eat because of limited capacity restrictions related to COVID-19 guidelines.

The team is currently in the permitting process and the next stage is to design the space and then lastly will be to bring the funding piece, which he is in discussion with the City of potential grant funding to help offset costs. The area is meant to be a community outdoor dining space to help visitors enjoy area businesses.

Ms. Stiger asked if the set up will have an impact on the parking lot that is adjacent to the lane. Mr. Cobbins explained that this would not blend into the lot and will not have an impact on those operations. By City guidelines, the space will have to be monitored, cleaned and marked. The City is working to potentially offer funding assistance and fee waivers for permitting in order to assist the community effort.

The BID is now involved because of the need to provide a central point of contact for the permit as well as to be able to provide insurance coverage. Participating restaurants are required to include the BID as an additional insured as well on their individual policy. Additionally, if the BID holds the permit, then multiple restaurants can use the Space, If an

individual restaurant applies for the seating area only that single restaurant is allowed to use the expanded area. Legal issues related to liquor permits are still being worked through.

With potential funding assistance available from the City, it made the most sense to have the BID act as the permit holder as they can provide for the district on a community-wide project like this. For the City to provide funding to the BID is more desirable than to an individual business.

The overall goal is to provide a seating area for customers of Welton eateries to provide an eating area but also encourage visitors to extend their stay in the BID and potentially visit non-eateries as well.

New Business

A. Renewal of DDP Administrative Management Agreement

Mr. Martinez began to explain the current agreement and noted that there is an option to extend by one year. Mr. Cobbins asked if there is a vote or if this is just a review of activities from the last year. The agreement itself was not in the Board Meeting Packet but a listing of accomplishments related to the Scope of Services was included. Mr. Books noted that nothing is changing in the Administrative Agreement's Scope of Services and is in essence a renewal of the agreement which is done annually because state statute does not allow for agreements over a year in term.

Mr. Cobbins would like to have more time to review the agreement and offer comments. Mr. Books explained that the Board has the option to extend for the year and modify the contract as necessary later or they could also accept the agreement for a month more and review and vote later to extend beyond for the year.

Mr. Cobbins motioned to approve extending the Administrative Agreement with the Downtown Denver Partnership through the end of February and then vote on a year long agreement in February after there is time to review the current agreement. Mr. Cowans seconded the motion. Vote: unanimous in favor, motion passed.

B. Renewal of DDP MarCom Management Agreement

In the prior discussion on the Administrative Agreement, Mr. Books announced that Ms. Wallace will be stepping down as the DDP's MarCom subcontractor. Mr. Books informed the Board that the DDP has indicated they are able to continue as the manager of this contract for the FPBID and is able to manage the search process in whatever manner the Board choose to fill the MarCom Contract.

Mr. Books suggested that the Board extend the MarCom Agreement with the DDP for a short time frame while the Board adjusts the Scope of this agreement and then go through a hiring and onboarding process in that short-term extension period. Mr. Cobbins agreed with that idea and noted that there a number of area marketing experts that will have interest in this role whether it be an individual or established firm. The structure of the agreement provides a small management fee for DDP and the rest is set for the MarCom contractor. Mr. Books noted that it is helpful to have one point of contact for the contractor and one option is to update the Administrative Agreement to oversee a Marketing contractor as well.

Mr. Books asked Mr. Cobbins if he will team up with Ms. Sayer as chairs of this effort to build a Scope of Services of the contractor and management of this role. Ms. Wallace noted that the description is varied and covers a variety of areas beyond just marketing. An important first step is to get the scope developed soon so that the search process can begin as quickly as possible. Mr. Books noted that the scope was adjusted for 2020 but has continued to evolve. Ms. Sayer mentioned concerns over the seemingly quick turnaround to bring in a new contractor and wondered to what level the overall board needs to be involved in the final selection. Mr. Books suggested extending the MarCom agreement for a three-month timeframe to help oversee the search process and then reevaluate once a new contractor is in place.

Discussion of the role led to a wrap up thought that this role will need to be the person on the street representing the BID and the face on the street while also tending to the marketing efforts already in place.

Ms. Sayer motioned to extend the MarCom agreement with the DDP for three months pending the review of a new contractor for the role. Mr. Cobbins seconded the motion. Vote: unanimous in favor, motion passed.

MarCom Update

Before passing to Ms. Wallace, Mr. Books thanked her for the work that she has done for the BID and the assistance she has provided to raise the BID to a higher level in its early formative years. Ms. Wallace thanked the board and shared the enjoyment she has had working for the Five Points area which will always be a special place for her. Ms. Wallace then gave an update on the progress made on the projects she has been leading.

Bike racks and trash receptacles look to be ready for final approval in the coming days and install is expected within the month. She is also working to identify the responsible party for the monument at Cousins Plaza. She is hopeful to get repairs made to the sign from damages that had this summer. She will also be placing info signage in tree pits of dead trees to note that their replacement is coming. Ms. Sayer asked for a map of the proposed rack and receptacle locations to help make businesses aware. She reiterated the importance of keeping BID businesses well informed of the BID's activities overall.

Ms. Wallace then noted that the newsletter is coming out monthly now and gave info on how to connect with the various FPBID social media resources.

She then updated the Board on an initiative the marketing committee is developing as an activation for Black History Month involving selfies at the area historical markers, murals and cultural sites. She is planning a social media PR effort to encourage this activity and is asking the Board to approve a \$500 social media ad buy which helps increase the reach of a posts. Ms. Sayer offered some comments to help reinforce the importance and effectiveness of this buy for a successful activation.

Ms. Sayer motioned to approve a \$500 social media ad spend for the Black History Month activation. Mr. Cobbins seconded. Vote: unanimous in favor, motion passed.

Ms. Wallace also shared her overview of accomplishments for 2020 which included a variety of projects and events and the COVID-19 Small Business Relief Grant Fund. Ms. Wallace encouraged Board Members to visit the FPBID's Instagram account to see photos for the year in review.

District Maintenance & Administrative Update

Mr. Martinez reported that his team is finalizing both the maintenance and snow removal contractor RFP as well as the Tree Health RFP. He will reach out to the Board after this meeting to find up to two volunteers to serve on the selection committee of both of these RFPs.

Mr. Martinez noted that to date about \$4935 was spent on the Holiday Stroll event. The contractor who supplied the Christmas tree will not be charging for the tree as it did not meet the BID's expectations. Mr. Martinez noted working with Two Keys this Spring to start working on ideas and give him so strong direction.

Mr. Martinez noted the lights out on the 2400 block and some of the research he has done. Mr. Books noted that the City's view in the past has been to keep the power off because of use of power outlets by the general public. He added that Mr. Cobbins is meeting with City officials soon and this is an item for discussion. The Board noted the need to frame this issue as a safety concern which trumps any inconvenience of use of power outlets.

Ms. Sayer asked if there were any updates on the replacement of the trees by the City. Mr. Martinez noted that he has not gotten a final confirmation from City Forestry on their plans.

A question was asked about the status of the Jazz Hop event funding that was committed by the BID. Mr. Books noted that he has been in communication with the event coordinator and he has been assured that the plan is to resume the event when COVID allows and the funds committed by the BID to the activation are still available.

Public Comments

Because the meeting ran over time public comments were held until February.

With no further business, Mr. Cobbins move to adjourn which Mr. Pirkopf seconded. The meeting adjourned at 4:42 PM.

The forgoing minutes constitutes a true and correct copy of the Five Points Business Improvement District. Approved this 10th day of February 2021.

FPBID Board President

Attest:
