



FIVE POINTS BUSINESS IMPROVEMENT DISTRICT
BOARD OF DIRECTORS REGULAR MEETING
May 13, 2020
MINUTES

Meeting Held: Wednesday, May 13, 2020 at 2:30 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
Dr. Renee C. King, 1st Vice President
John Pirkopf, 2nd Vice President
Nathan Beal, Treasurer
Excused absence:
Maedella Stiger

BID Staff: Vincent Martinez, Downtown Denver Partnership

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

No potential conflicts related to Agenda items were reported by FPBID Board Members in attendance.

Special Board Action

Do to the COVID-19 pandemic state of emergency the Board Meeting was not able to be held in person, in a public location, in the district. In order to officially hold business, Dr. King made a motion to make a resolution to provide for virtual/electronic meetings during events of a declared emergency. Mr. Beal seconded. Vote: unanimous in favor, motion passed.

Approval of Board Minutes – March 11, 2020

With no discussion or corrections needed of the March 11th Meeting Minutes, Mr. Beal motioned to accept the March Board Meeting Minutes, Mr. Pirkopf seconded. Roll call vote: three in favor, Dr, King abstained as she was absent, motion passed.

Treasurer’s Report – February and March, 2020

Mr. Beal reported the February, 2020 Financial Report to the board. In February, there were a total of \$28,296 in expenditures. In March expenditures totaled \$4,966. Final account cash balance at the end of March totaled \$233,741. Mr. Books asked that revenue from assessment

payment be tracked to help understand if the budget needs to be adjusted because of delayed assessment payments from COVID-19 economic impacts. With no issues of concern, Dr. King motioned to accept the February and March, 2020 Treasurer's Report, Mr. Pirkopf seconded the motion. Roll call vote: unanimous in favor, motion passed.

COVID-19 Response - Emergency Action

Dr. King reported on the development of a Small Business Grant Program Proposal she and Mr. Books have working on together. The proposal provides for grant funding to businesses located in properties paying into the Five Points BID assessment, in operation before January 1, 2020 and suffering business losses as a result of the COVID-19 quarantine. Dr. King presented two potential options to provide funding. Both options divided businesses into two categories, Small and Large. In both options the defining measure was square footage of the commercial space. Eligible uses of funds include general operating expenses. The proposal estimates 60 eligible businesses in the corridor and would carry an estimated budget of about \$60,000 for either option.

Mr. Books then opened the floor for discussion amongst the Board and included comments sent through the online public forum option. Discussion centered on three main topics, the timing and outreach plan for the program, encouraging applications by businesses truly affected by the pandemic quarantine and related economic downturn, and if a two-tier funding system is appropriate for this program.

After discussion concluded, Dr. King motioned to create a fund that dedicates up to \$1,000 for each commercial business located in a Five Points BID assessment paying property, that was in operation as of January 1, 2020 and still in existence. Additionally, the application process for the grant program shall be a simple process that also verifies economic hardships resulting from the COVID-19 pandemic response. Mr. Pirkopf seconded the motion. Roll call vote: unanimous in favor, motion passed.

Old Business

A. Ratification of Budget Adjustment for Irrigation Repairs

Final estimates for the repair work to the irrigation lines were received in the period between Board Meetings. In order to expedite the process and have time to plant new trees in early June the board was asked to increase the original not to exceed amount from \$3,000 for all 4 blocks of irrigation lines to \$8,000. The current bids for both concrete demo and repour and plumbing repairs come to \$4,000. The email vote that was open between May 1st and 6th was unanimous in favor. Mr. Pirkopf made a motion for a resolution to accept the outcome of the email vote approving an increase in a not to exceed amount to \$8,000 for irrigation repairs. Mr. Beal seconded the motion. Roll call vote: unanimous in favor, motion passed.

B. MCB Digital Solutions Virtual Walking Tour App

Due to MS. Wallace's absence the item was tabled until the June 10, 2020 Board Meeting.

New Business

A. Five Points Jazz Festival Update

Brooke Dilling of the City of Denver's Office of Special Events updated the Board on the new virtual format for this year's Five Points Jazz Festival. The event will be held Saturday

the 16th but will be held virtually with two different airings on both Rocky Mountain PBS and KUVU radio. Eight local bands will be playing and throughout the broadcast videos will play with info on the history, shops and culture of the Five Points Corridor. The live broadcast on Rocky Mountain PBS will air from 6 – 8 PM as well as on the Denver Arts and Venues website. KUVU will replay the broadcast on the radio immediately after the live broadcast.

MarCom Update

In Ms. Wallace's absence, Mr. Martinez provided a quick overview of the last Marketing and Branding Committee meeting.

A. Bike Racks and Trash Receptacles

Work continues on the fabrication of the amenities. There was a slight issue regarding height of the receptacles and changes needed to the base plate. Desibl Studios has addressed the issues and is moving forward with obtaining final permits for installation in June.

B. Xcel Banners

Procedures for obtaining a banner permit from Xcel to place banners on the poles in the BID with banner arms currently attached, have been received. Mr. Martinez noted that poles with banner arms are only located between Park and 28th and not all poles there have banner arms. Because all the light pole types are the same in the BID, Mr. Martinez believes banner arms could be added to the poles between 20th and Park as well as to the additional poles between park and Downing. Based on the survey conducted, Mr. Martinez also believes that many of the arms still located on poles will need to be replaced by Xcel.

In the permit application, the BID will need to identify the poles they wish to attach banners to and Xcel will then inspect to determine current conditions and if banners can be placed on the requested poles.

C. Gateway and District Signage

Mr. Martinez did not give an update as there was no new information to share since the March meeting.

District Maintenance & Administrative Update

A. SDA Membership Renewal

Mr. Martinez informed the Board that Mr. Beal, as Treasurer, has updated the administrative account for the FPBID with the Colorado Special District Association and renewed membership dues. Doing so also renews the FPBID's insurance coverage as well. Mr. Martinez will follow up to see if Ms. Moyski can set up an administrative account as the listed primary contact.

B. Open Board Seats

City Council last Fall approved the expansion of the FPBID Board to seven members. There are now three open Board seats as Dr. King will be stepping down from her Board position at the end of her first term in June. The Mayor's Director of Boards and Commissions has submitted three names for approval. New members will be sworn in by the July meeting.

C. Holiday Lighting Contracting

Mr. Martinez has contacted the contractor that was used for lighting the trees during the holidays in 2019, Denver Illuminations. He has asked for a proposal to light all the trees on both sides of the street from 26th to 28th Streets. These are the only tree pits that have power readily accessible in the BID corridor. Mr. Martinez reminded the Board that there was a mix up last year resulting in only one side of the street being lit. Once a proposal is received, they can bring in others to compare. They will need to determine if Denver Illuminations has the ability to light the trees along the track side of the block as well.

D. Irrigation Updates

Contractors have been selected for the repair work on the 2600 block of Welton. The work should be completed in one day. Permits will be secured, and work done in late May/early June so that trees can be planted in mid-June at the latest. The 2700 block irrigation on the track side is running again and small leaks have already been found. The team is not expecting to find any big problems and is expecting to have the system running very soon.

E. Tree Planting Plan

Mr. Martinez informed the board that he is having trouble finding the not to exceed amount set by the Board in the past for tree plantings and replacements. Mr. Books noted that he believes it was originally set at about \$1,200 per tree and it may be in 2017 meeting minutes. Mr. Martinez will continue to look and will inform the Board if the not to exceed amount needs to be updated. His team is meeting with their Tree Health Contractor to pull together a menu of species and estimated costs. If the not to exceed amount needs to be adjusted, he will inform the Board.

F. Downed Pedestrian Light

The pedestrian light that was damaged by a contractor doing work on the 2600 block of Welton, related to some pothole testing they were doing in April, is being addressed. Mr. Martinez met with the contractor on site to discuss damages. He is currently waiting for the manufacturer to get back with a cost to repair/replace the light. Because there has been no response yet, it is assumed the shop is closed due to COVID restrictions. Mr. Martinez let the Board know they will continue to try and give an estimated value to the contractor as soon as he can to help move forward with the process.

G. Quality Control Report

CSG continues their regular maintenance work and Mr. Martinez' team continues their QC efforts in the district during the COVID-19 shut down. In the month of March his team spent about 24 hours on QC and 18 hours in April. In April, his team was also in the FPBID working on other items such as the irrigation repairs, the fallen pedestrian light and tree inventories taking the team to closer to 30 total hours in the district. CSG is emphasizing disinfecting of high touch surfaces in the BID corridor.

H. Maintenance Statistics

The written report from CSG regarding their time spent in the district was included in the Meeting Packet.

Review of Public Comments in Chat

Mr. Books mentioned a crowdfunding campaign that the Board is looking into forming with the help of a volunteer. The information was just received yesterday so more investigation is needed,

but the plan is to potentially develop a similar program to what the Colfax BID has done recently on a similar program.

Mr. Martinez read into the record an email received from Lynne Bruning, who owns a property at 2955 and 2975 Welton regarding the zoning case for the Charity's House Apartments project at 3020, 3022 and 3026 Welton. A copy of the full email is included as an attachment to the minutes.

Mr. Books informed that representatives have presented to the Board for informational purposes. He also informed the group that there is a separate design review group that was associated with the Five Points Business District group that has typically handled matters like this. Mr. Books was not sure of the status of this committee or if they gave any recommendations. While information was presented to the BID Board the Board does not typically take formal action in this type of situation. Attachments that were included with Ms. Bruning's email will be included in the meeting hand out record file.

A question regarding maintenance vehicles in the district was also asked. It was noted that the vehicle in question is owned by the RTD contractor cleaning the light rail platforms on the corridor.

Dr. King moved to adjourn, seconded by Mr. Pirkopf. Vote: unanimous in favor, meeting adjourned at 4:07 PM

The forgoing minutes constitutes a true and correct copy of the Five Points Business Improvement District. Approved this 10th day of June 2020.

FPBID Board President

Attest:

Attachment A:
Lynne Bruning Email
RE: Zoning BOA Case 32-20 Charity's House Apartments LLP

From: lynne bruning <lynnebruning@gmail.com>
Sent: Wednesday, May 13, 2020 12:44 PM
To: Vincent Martinez <vmartinez@downtowndenver.com>
Cc: Paul Books <pbooks@palisadepartners.com>; Nathan Beal <st.bernardproperties@gmail.com>; Maedella Stiger <maedellans@q.com>
Subject: Privilege of the Floor Statement for today's Board Meeting

Four PDF's attached for ease of printing.

Dear Chairman Books,

Thank you for the May 13, 2020 email notification for today's meeting. This email did not contain any time restrictions on submitting a Privilege of the Floor statement.

Please read my statement during Privilege of the Floor at today's Board Meeting.
Please include this statement and supplemental documents included with the online minutes.

April 28, 2020 the Welton Corridor Registered Neighborhood Association, of which I am the contact, received Zoning Board of Adjustment Application Case 32-20 for Charity's House Apartments LLLP at 3020, 3022 and 3026 Welton Street. This is the first I learned of the Project.

Charity's House Apartments consists of 36 units for 30% Average Mean Income residents and is deficient the required 22 parking spaces and landscaping. The Project address is outside of the Five Points Cultural Historic District therefore it does not adhere to the overarching Design Guidelines providing continuity and strength to our vibrant community.

The four page Application and 5 page Site Plan as provided by City of Denver is attached for your convenience. The deadline for comments is Monday May 18th at 8:00AM and the Public Hearing is scheduled for May 19th. Virtual opportunities are provided on Cisco Webex.

Did the Applicant perform community outreach with the FPBID Board?
Does the Board have full and complete understanding of the Project?
Does the FPBID provide letters of support/denial for construction projects within its boundaries?

If I can be of assistance to the Board or my neighbors in understanding the Project and the Zoning Board of Appeals application please do not hesitate to contact me 720-272-0956.

The neighbors along 29th and 30th Welton look forward to your response at today's Board Meeting.

Thank you for your time and assistance.

Regards,

Lynne Bruning
2955 and 2975 Welton
720-272-0956
lynnebruning@gmail.com