



**CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT  
MONTHLY BOARD MEETING  
Gart Conference Room  
299 Milwaukee Street  
November 18, 2009  
7:30 a.m.**

**Board members in attendance:**

Roy Weinstein  
Dan Feldman  
Lisa Tyler  
Chris Crosby (1)  
David Steel (1)  
Rosella Louis  
Mark Bagher  
Melissa Oster (2)  
Don Sturm (3)  
Casey Rosen (2)

**Staff:**

Julie Bender  
Toni Anderson  
Kristi Omdahl  
Kevin Wrede  
Lori Cowan  
Marcia Black

**Guests:**

Dick Marshall, Nolte Associates

**Absent:**

Amar Singh (2)

**Call to Order**

Roy Weinstein, Secretary/Treasurer, called the meeting to order at 7:38 a.m.

**Open Forum**

There were no comments.

**Consent Agenda**

***Roy Weinstein called a motion to approve the consent agenda. Casey Rosen made a motion to approve the consent agenda and Lisa Tyler seconded the motion. The motion was unanimously approved.***

**Presentation: Community Futures, Inc., Shawne Ahlenius**

Julie Bender introduced Shawne Ahlenius with Community Futures, Inc. as a consultant to the District. She works closely with the City and County of Denver in obtaining sales tax numbers on behalf of the BID. Shawne's presentation included the January through April 2009 sales tax update, showing significant changes such as "clicks over bricks" with consumers doing more online shopping, people purchasing more private label brands vs. name brands, and consumers looking for "value" retailers.

Lisa Tyler asked if we could encourage the City and County of Denver to get us more current sales tax numbers. Shawne indicated the City has laid off a significant amount of its workers, extending their "90 day turn around" of the numbers.

## **Reports/Updates**

### **Chair's Report**

Roy Weinstein announced that Don Larrance has submitted his resignation from the board effective November 19, 2009. ***Don Sturm made a motion to have the Board of Directors officially thank Don Larrance for his service and efforts as the Board Chair. Mark Bagher seconded the motion and the motion was unanimously approved.***

### **President & CEO Report**

Julie Bender stated the Cherry Creek Steering Committee will be involved with the update of the Cherry Creek Area Plan and that a new group will be formed that will have equal representation between residences and business in Cherry Creek. Julie asked anyone interested in serving on the new group to submit their names to her for consideration by Council Woman Robb. The District has made progress with the City regarding the ADA issues and the location of the smart meters in the District. Julie acknowledged Kevin Wrede's second anniversary with the District in December. Kevin Wrede presented to the Board the "State of the Environment".

## **Committee Reports**

### **Audit & Finance**

Roy Weinstein presented the September 2009 financial highlights. Roy presented the BID's letter of intent to the City and County of Denver notifying them of the BID's intent to increase the Clayton Lane Parking Garage's rates effective in 2010. The City requires 90 days written notice for any increase in the rates. The new rates for 2010 will be \$50 for uncovered parking and \$60 for covered parking. ***Dan Feldman made a motion to accept the intent letter to increase the parking rates. Chris Crosby seconded the motion and the motion was unanimously passed.***

### **Physical Environment**

Dick Marshall of Nolte Associates presented his monthly project manager report.

### **Marketing**

David Steel, Mike Blake and Kristi Omdahl presented the holiday 2009 campaign, Cherry Creek North Pole.

### **Outreach**

Roy Weinstein asked board members to attend the next outreach merchant meeting on Friday, November 20, 2009. It will be a breakfast for the merchants and a kickoff to the holiday season.

### **Board Development Committee**

David Steel presented the Board Development Committee recommendations for 2010 Officers as follows: Roy Weinstein, Board Chair; Dan Feldman, Vice-Chair; and Amar Singh, Secretary/Treasurer. The Board of Directors unanimously approved the above.

David Steel presented the Committee's recommendations for appointments to the Cherry Creek Steering Committee as follows: Julie Bender, Dan Feldman, and Roy Weinstein. The Board of Directors unanimously approved the above.

David Steel presented the Committee's recommendations for new (First Term) Board of Director Members as follows: Lee Driscoll; David Hadsell; and Mike Case. The Board of Directors unanimously approved the above.

### **Unfinished Business**

Melissa Oster asked the Board to discuss the role of the BID in recruiting new businesses to the District. David Steel said that the BID is attending the annual meeting of the International Council of Shopping Centers. Chris Crosby stated we should have collateral packets to be handed out to possible tenants and also should have information available electronically via the Cherry Creek North website. David Steel indicated an informal survey showed a 20% vacancy rate in the District based upon the number of stores and not square footage. David suggested that the Marketing Committee discuss the BID's role in business recruitment and make a recommendation to the Board next year. Lisa Tyler suggested approaching businesses with name recognition.

Chris Crosby asked if the Board of Directors was taking an official position on medical marijuana businesses in the District. According to the City, medical marijuana outlets are a "use by right" in the Cherry Creek North zoning as retail operations. The Board declined to take a position on this subject.

### **New Business**

Dan Feldman presented proposed changes under Policy Governance, specifically to Policy 4.7 to add a 5<sup>th</sup> item, ***...The composition of all Board Committees for the following year shall be presented to the Board for a vote during the December meeting by a group consisting of the current Board chair, the incoming Board chair, and the chair of the Board Development Committee.*** Policy 4.4, to add item F, ***...The Board chair shall be the party responsible for hearing the complain(s) of any staff member who has exhausted his/her internal grievance procedures setup by the CEO for any grievance that the employee feels needs to be heard by the Board. It is up to the Board chair to determine how that grievance should be forwarded to the full Board and it is the responsibility of the Board chair to see to it that there is a Board response to that grievance in a timely manner. Dan Feldman asked for a motion to approve the policy changes. Don Sturm moved to approve the policy changes. Melissa Oster seconded the motion. The motion was unanimously approved.***

### **Adjourn**

The meeting was adjourned at 9:26 a.m.

The next Board of Directors Meeting is Wednesday, December 16, 2009 at 7:30 a.m.