

9TH AVENUE METROPOLITAN DISTRICT NOS. 1 AND 2

450 E. 17th Avenue, Suite 400
Denver, Colorado 80203
Phone: 303-592-4380

<https://9thavenuemetropolitandistricts.specialdistrict.net/>

NOTICE OF SPECIAL MEETING AND AGENDA

| <u>Board of Directors</u> | <u>Office</u> | <u>Term Expires</u> |
|----------------------------------|----------------------|----------------------------|
| Frank Cannon | President | May 2023 |
| Matthew P. Schartz | Secretary | May 2023 |
| Asher B. Werthan | Treasurer | May 2025 / 2023 |
| Mark Falcone | Assistant Secretary | May 2023 |
| Vacant | | May 2025 |

DATE: April 20, 2023

TIME: 9:00 a.m.

LOCATION: VIA ZOOM

You can attend the meetings in any of the following ways:

1. To attend via Zoom Videoconference, use the following link:

<https://us02web.zoom.us/j/86019493800?pwd=STg2Y0NLbUxPUmJRY0NwNkhMb3JqUT09>

2. To attend via telephone, dial 1-346-248-7799 and enter the following additional information:

- a. Meeting ID: 860 1949 3800**
- b. Passcode: 080961**

I. ADMINISTRATIVE MATTERS

A. Confirm quorum and present disclosures of potential conflicts of interest.

B. Approve agenda; confirm location of meeting, posting of meeting notices and designate 24-hour posting location.

C. Public Comment.

D. Discuss status of May 2, 2023 Regular Election (enclosure).

II. CONSENT AGENDA

These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event, the items will be removed from the Consent Agenda and considered in the Regular Agenda.

- A. Consider approval of November 15, 2022 Special Meeting Minutes (enclosures).
 - B. **District No. 1** - Ratify approval of Service Agreement for Security Services with Professional Security Consultants, Inc. (enclosure).
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III. FINANCIAL MATTERS

- A. Review and discuss unaudited financial statements for the period ending December 31, 2022 and the Schedule of Cash Position dated December 31, 2022, updated January 11, 2023 (enclosures).
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- B. **District No. 1** – Review and ratify / approve the payment of claims (enclosure).
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- C. **District No. 1** – Review proposal from Haynie & Co. for 2022 Audit Services and consider approval of same (enclosure).
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- D. Discuss the potential refinancing of the 9th Avenue Metropolitan District No. 2’s Limited Tax General Obligation Bonds, Series 2018.
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IV. OPERATIONS AND MAINTENANCE [District No. 1]

- A. Discuss Security Services.
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- B. Discuss District services for 2023 and consider approval of necessary service agreements for related services.
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V. LEGAL MATTERS

- A. **District No. 1** - Discuss and consider approval of Fourth Amendment to Operation Funding Agreement between 9th Avenue Metropolitan District No. 1 and 9th Avenue (Denver) Land, LLC, if needed.
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- B. **District No. 1** - Discuss status of conveyance/dedication of property and/or easements from 9th Avenue (Denver) Land, LLC, 9th Avenue (Denver) Block 7SL, and/or 9th Avenue (Denver) Residential II, LLC to District No. 1 and authorize necessary actions associated therewith (Block 8 park and Block 6 open space/park).
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- i. Adjourn to executive session pursuant to Sections 24-6-402(4)(a) and (b), C.R.S., to receive legal advice regarding the transfer or conveyance of real property (if necessary).
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- C. Discuss establishing non-commercial expression policies and procedures in cooperation with 9th Avenue Metropolitan District No. 3.
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- D. Discuss establishing special event policies and procedures in cooperation with 9th Avenue Metropolitan District No. 3.
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- E. Discuss establishing vending policies and procedures in cooperation with 9th Avenue Metropolitan District No. 3.
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VI. CONSTRUCTION MATTERS

- A. Report on status of development / construction.
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VII. OTHER BUSINESS

- A. Update on potential exclusions/inclusion of portions of property located within Block 5 and/or Block 6.
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VIII. ADJOURNMENT

Next Meeting is scheduled for Thursday, May 18, 2023 at 3:00 p.m. via Zoom