

9TH AVENUE METROPOLITAN DISTRICT NOS. 1-3

450 E. 17th Avenue, Suite 400

Denver, Colorado 80203

Tel: (303) 592-4380

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

NOTICE OF A REGULAR MEETING AND AGENDA

<u>District Nos. 1 & 2</u>	<u>District Nos. 1 & 2</u>	<u>District No. 3</u>	<u>District No. 3</u>	<u>Term/Expiration:</u>
<u>Board of Directors:</u>	<u>Office:</u>	<u>Board of Directors:</u>	<u>Office:</u>	
Frank Cannon	President	Frank Cannon	President	2027/May 2027
Matthew Schartz	Secretary	Matthew Schartz	Asst. Secretary	2027/May 2027
Asher Werthan	Treasurer	Asher Werthan	Treasurer	2025/May 2025
Mark Falcone	Asst. Secretary	Mark Falcone	Asst. Secretary	2027/May 2027
Vacant	-	Jim Alexander	Secretary	2025/May 2025

DATE: February 20, 2025

TIME: 3:00 P.M.

LOCATION: VIA ZOOM

Join Zoom Meeting

<https://us02web.zoom.us/j/83289666271?pwd=rWD9HB1XoFbmPwnv65Rje31uscaftD.1>

Meeting ID: 832 8966 6271

Passcode: 022270

Dial-In: 1-719-359-4580

I. ADMINISTRATIVE MATTERS

- A. Confirm quorum and present Disclosures of Potential Conflicts of Interest.
- B. Approve agenda, confirm location of the meeting, posting of meeting notice and designate 24-hour posting location.
- C. Public Comment. Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes.
- D. Review and consider approval of minutes from the November 21, 2024 statutory annual meeting and regular meeting.

II. FINANCIAL MATTERS

- A. Review unaudited financial statements and schedule of cash position through the period ending December 31, 2024.
- B. **District No. 1** - Review and ratify / approve the payment of claims.

- C. Update regarding prior approval of reimbursement of 9th Avenue (Denver) Land, LLC (“Developer”) pursuant to Operation Funding Agreement between Developer and 9th Avenue Metropolitan District No. 1, as amended, and Facilities Funding and Acquisition Agreement between Developer and 9th Avenue Metropolitan District No. 1.

III. LEGAL MATTERS

- A. **District No. 1** - Ratify approval of Partial and Final Assignment and Assumption Agreement (9CO Sale – Block 6) regarding that certain Redevelopment Agreement, as defined therein, by and between 9th Avenue (Denver) Land, LLC and 9th Avenue Metropolitan District No. 1.
- B. **District No. 1** - Ratify approval of Partial and Final Assignment and Assumption Agreement (9CO Sale – Block 8) regarding that certain Redevelopment Agreement, as defined therein, by and between 9th Avenue (Denver) Residential II, LLC and 9th Avenue Metropolitan District No. 1.
- C. **District No. 1** - Ratify approval of Termination of Operation Funding Agreement by and between 9th Avenue Metropolitan District No. 1 and 9th Avenue (Denver) Land, LLC.
- D. **District No. 1** - Ratify approval of Termination of Operation Funding Agreement – Retail Sales Fee Revenue by and between 9th Avenue Metropolitan District No. 1 and 9th Avenue (Denver) Land, LLC.
- E. **District No. 1** - Discuss and consider approval of Termination of Facilities Funding and Acquisition Agreement by and between 9th Avenue Metropolitan District No. 1 and 9th Avenue (Denver) Land, LLC and authorize necessary actions associated therewith.
- F. **District No. 1** - Discuss and consider approval of Operation Funding Agreement – Retail Sales Fee Revenue by and between 9th Avenue Metropolitan District No. 1 and Nine CO Blvd JV LLC and authorize necessary actions associated therewith.

IV. OPERATIONS AND MAINTENANCE

- A. **District No. 1** - Ratify approval of Termination of Service Agreement for Property and Facilities Management by and between 9th Avenue Metropolitan District No. 1 and 9th Avenue (Denver) Land, LLC.
- B. **District No. 1** - Review responses to invitation to bid for property and facilities management services. Consider award of contract for services and approve Service Agreement for Property and Facilities Management and authorize necessary actions associated therewith.

V. CONSTRUCTION MATTERS

- A. Report on status of development / construction.

VI. OTHER BUSINESS

- A.

ADJOURNMENT

The next regular meeting is scheduled for March 20, 2025 at 3:00 p.m. via Zoom.