

**DUS METROPOLITAN DISTRICT NOS. 1-3**

450 E. 17<sup>th</sup> Avenue, Suite 400  
Denver, CO 80203  
Phone: 303-592-4380  
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<https://dusmetropolitandistricts.specialdistrict.net/>

**NOTICE OF REGULAR MEETING AND AGENDA**

DATE: November 2, 2022 (Wednesday)  
TIME: 8:00 a.m.

**You can attend the meetings in one of the following ways:**

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

<https://us02web.zoom.us/j/86934066908?pwd=RzVPQlc1bCtIM1VwamEwRINXeGRPdz09>

ACCESS:

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

- a. Meeting ID: 869 3406 6908
- b. Passcode: 105880

**Board of Directors**

Frank Cannon  
Amy Cara  
Mark Falcone  
Jay Lambiotte  
Vacancy

**Office**

President  
Treasurer  
Assistant Secretary  
Assistant Secretary

**Term Expires**

May 2023  
May 2023  
May 2025  
May 2023  
May 2025 / 2023

**I. ADMINISTRATIVE MATTERS**

A. Present disclosures of potential conflicts of interest and confirm quorum.

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B. Approve agenda; confirm location of meeting and posting of meeting notices.

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C. Public Comment.

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D. Acknowledge the resignation of Donna Blair effective June 3, 2022.

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- E. Discuss vacancy on the Boards of Directors and consider the appointment of eligible elector of the Districts to the Boards of Directors (Notice of Vacancy published October 13, 2022).
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- F. Consider appointment of officers:

President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Assistant Secretaries: \_\_\_\_\_

- G. Discuss business to be conducted in 2023 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution No. 2022-11-01 Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices (enclosure). [Suggested dates are May 24, 2023 and November 1, 2023 at 8:00 a.m.]
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## **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. Approve Minutes from the May 18, 2022 regular meeting (enclosures).
- B. Ratify approval of the Intergovernmental Agreement (Special District Security Services) by and between the City and County of Denver, Colorado acting by and through its Denver Police Department, DUS Metropolitan District No. 1, DUS Metropolitan District No. 2 and DUS Metropolitan District No. 3 (enclosure).
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## **III. FINANCIAL MATTERS**

- A. **District No. 1** - Review and discuss the unaudited financial statements for the period ending September, 2022, Schedule of Cash Position dated September 30, 2022, updated as of October 26, 2022 and Property Tax Reconciliation Reports (enclosure).
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B. **District No. 1** - Review and ratify / approve the payment of claims (enclosure).

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C. Discuss insurance renewals, insurance schedules, and renewal of Special District Association memberships (“SDA”).

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D. Conduct Public Hearings on the 2022 Budget Amendments and consider adoption of Resolutions Amending the 2022 Budgets of DUS Metropolitan District Nos. 1, 2 and 3, if necessary.

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E. Conduct Public Hearings on the proposed 2023 Budgets for DUS Metropolitan District Nos. 1, 2 and 3 and consider adoption of Resolutions to Adopt Budgets and to Appropriate Sums of Money and Resolutions to Set Mill Levies (enclosures – draft budgets and Resolutions).

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F. **District Nos. 2 and 3** - Discuss and consider adoption of Resolutions Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (enclosures).

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G. Authorize District Accountant to prepare, and appoint Board Member to sign, the DLG-70 Certification of Tax Levies forms (“Certifications”). Direct District Accountant to file the Certifications with the Denver Assessor and other interested parties.

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H. Review and consider approval of Statements of Work (“SOW”) between the Districts and CliftonLarsonAllen LLP (“CLA”) for 2023 accounting services (enclosures) and appoint CLA to prepare the 2024 Budgets.

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I. Discuss audit requirements. Consider the engagement of Simmons & Wheeler, P.C. to perform the 2022 Audits and/or consider appointment of CLA to prepare and file 2022 Audit Exemption Applications, as necessary.

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**IV. LEGAL MATTERS**

A. Discuss security matters. Adjourn to executive session pursuant to Section 24-6-402(4)(b), C.R.S., if necessary.

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B. **District No. 1** - Discuss and consider approval of Service Agreement for Security Services between DUS Metropolitan District No. 1 and Advantage Security, Inc. (to be distributed).

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C. Review and consider adoption of Resolution Calling May 2, 2023 Election for Directors, appointing Designated Election Official (“DEO”) and authorizing the DEO to perform all tasks required for the conduct of a mail ballot election. Self-Nomination Forms are due by February 24, 2023 (enclosure). Discuss the need for ballot issues and/or questions.

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D. Discuss requirements of Section 32-1-809, C.R.S. (Transparency Notice) and direct staff regarding compliance for 2023 (SDA and District websites).

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**V. CAPITAL IMPROVEMENTS**

A. Discuss capital enhancements to property within the Districts’ boundaries.

1. Report from Committee regarding status of Bike Station Grant (Directors Falcone and Cara and Matt Schartz). Discuss and consider authorizing contribution to Downtown Denver Leadership Program for art activation/beautification related to Bike Station in an amount not to exceed \$50,000.

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**VI. OPERATIONS AND MAINTENANCE MATTERS (District No. 1 Items)**

A. Discuss and consider approval of Change Order No. 1 to Service Agreement for Landscape Maintenance Services between District No. 1 and Sustainable Landscapes Colorado, LLC to extend term of services through 2023 (to be distributed).

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- B. Discuss and consider approval of Change Order No. 2 to Service Agreement for Holiday Lighting between District No. 1 and Elevation Holiday Lighting LLC for 2022/2023 services (to be distributed).
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C. Tail Tracks Plaza:

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1. Discuss and consider approval of Change Order No. 8 to Intergovernmental Agreement for Services between the Downtown Denver Business Improvement District and District No. 1 for 2023 services (to be distributed).

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  2. Discuss status of dog relief area and authorize necessary actions regarding same.
    - i. Ratify approval of Dog Relief Area Facilities Funding and Acquisition Agreement between DUS Metropolitan District No. 1 and Wynkoop Owner, LLC (enclosure).

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  3. Update regarding encroachment permit.

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  4. Discuss potential engagement of consultants for additional Tail Tracks Plaza services.
    - i. Discuss options to deter skateboarding on the planters within the Plaza.

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    - ii. Report from Art Installation Committee (Matt Schartz and Directors Falcone and Cara).
      - (1) Ratify engagement of Denver Biennial of the Americas Corporation for art activation.

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      - (2) Discuss activations in Tail Tracks Plaza and consider engagement of an urban designer to support and enhance future activations therein.
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iii. Discuss shade structure concepts in lieu of swings.

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iv. Discuss options for enhancing landscape wall surfaces.

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5. Discuss landscaping enhancements on north and south sidewalk areas.

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6. Update on vending policy.

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7. Discuss status of O&M Map.

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**VII. OTHER BUSINESS**

A. Acknowledge Annual Meeting pursuant to the Service Plans.

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**VIII. ADJOURNMENT**

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**There are no more regular scheduled meetings in 2022.**