

DUS METROPOLITAN DISTRICT NOS. 1-3

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<https://dusmetropolitandistricts.specialdistrict.net/>

NOTICE OF SPECIAL MEETING AND AGENDA

| <u>Board of Directors</u> | <u>Office</u> | <u>Term Expires</u> |
|----------------------------------|----------------------|----------------------------|
| Frank Cannon | President | May 2027 |
| Asher Werthan | Secretary | May 2025 |
| Amy Cara | Treasurer | May 2027 |
| Mark Falcone | Assistant Secretary | May 2025 |
| Jay Lambiotte | Assistant Secretary | May 2027/2025 |

DATE: November 21, 2023
TIME: 1:15 p.m.
PLACE: Via Zoom

1. To attend via Zoom Videoconference, use the following link:
<https://us02web.zoom.us/j/85370013323?pwd=QW9BQlJGYUEyVFJueUc1UzBZSWZZUT09>
2. To attend via telephone, dial 1-719-359-4580 and enter the following additional information:
 - a. Meeting ID: 853 7001 3323
 - b. Passcode: 974983

I. ADMINISTRATIVE MATTERS

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

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

- C. Public Comment. Members of the public may express their views to the Board on matters that affect the Districts. Comments will be limited to three (3) minutes.

- D. Review and consider approval of the June 6, 2023 special meeting minutes (enclosures).
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- E. Discuss business to be conducted in 2024 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices (enclosure). [Suggested dates are Wednesdays, June 19, 2024 and November 20, 2024]
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- F. Insurance Discussion (enclosures)
1. Cyber Security and Increased Crime Coverage.
 2. Establish Insurance Committee to make final determinations regarding insurance, if necessary.
 3. Authorize renewal of District's insurance and Special District Association (SDA) membership for 2024.
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II. 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 status of Service Agreement for Security Services between DUS Metropolitan District No. 1 and Advantage Security, Inc.
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- C. Discuss requirements of Section 32-1-809, C.R.S., and direct staff regarding compliance for 2024 (District Transparency Notice).
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- D. Discuss and consider adoption of Resolution Amending Policy on Colorado Open Records Act Requests (enclosure).
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III. FINANCIAL MATTERS

- A. **District No. 1** - Review Unaudited Financial Statements for the period ending September 30, 2023 and Schedule of Cash Position dated June 30, 2023, updated as of October 3, 2023 (enclosure).
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- B. **District No. 1** - Review and ratify / approve the payment of claims (enclosure).
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- C. Conduct Public Hearing to consider amendment of the 2023 Budget. If necessary, consider adoption of Resolution to Amend the 2023 Budget.
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- D. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt the 2024 Budget and to Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures – Preliminary AVs, draft budgets and Resolutions).
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- E. **District Nos. 2 and 3** - Discuss and consider adoption of Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan (enclosures).
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- F. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form (the “Certification”) and direct District Accountant to file the Certification with the Board of County Commissioners and other interested parties.
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- G. Review and consider approval of Statement of Work between the District and CliftonLarsonAllen LLP (“CLA”) for 2024 accounting services (enclosures) and appoint CLA to prepare the 2025 Budget.
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- H. **District No. 1** – Discuss and consider the engagement of Simmons & Wheeler, P.C. to perform the 2023 Audit (enclosure).
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- I. **District Nos. 2 and 3** – Discuss and consider appointment of CLA to prepare and file 2023 Audit Exemption Application.
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IV. CAPITAL IMPROVEMENTS

- A. Discuss capital enhancements to property within District boundaries.
1. Report from Committee regarding status of Bike Station Grant (Directors Falcone and Cara and Matt Schartz).
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2. Discuss urban redesign of The Plaza of the Americas and potential memorandum of understanding among District No. 1, Downtown Denver Partnership, and Bike Hub, Inc. regarding funding and authorize necessary actions in connection therewith.
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V. OPERATIONS AND MAINTENANCE MATTERS (District No. 1 only)

- A. Discuss and consider approval of Change Order No. 9 to Intergovernmental Agreement for Services between the Downtown Denver Business Improvement District and District No. 1 for 2024 services.
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- B. Discuss and consider approval of Change Order No. 2 to Service Agreement for Landscape Maintenance Services between District No. 1 and Sustainable Landscapes Colorado LLC to extend term of services through 2024 (enclosure).
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- C. Discuss and consider approval of Change Order No. 3 to Service Agreement for Holiday Lighting between District No. 1 and Elevation Holiday Lighting LLC for 2023/2024 services (enclosure).
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D. The Plaza of the Americas (f/k/a Tail Tracks Plaza) (the “Plaza”):

1. Discuss status of dog relief area and Dog Relief Area Facilities Acquisition Agreement between Wynkoop Owner, LLC and District No. 1. Authorize necessary actions regarding the same.
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2. Update regarding encroachment permit.
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3. Report from Art Installation Committee (Matt Schartz and Directors Falcone and Cara).

- i. Discuss activations in the Plaza and consider engagement of an urban designer to support and enhance future activations therein.
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4. Discuss potential engagement of consultants for additional Plaza services.

- i. Discuss options to deter skateboarding on the planters within the Plaza.

- ii. Discuss shade structure concepts in lieu of swings.

- iii. 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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VI. OTHER BUSINESS

A. Other.

VII. ADJOURNMENT

There are no more regular meetings scheduled for 2023.