

**BROADWAY PARK NORTH  
METROPOLITAN DISTRICT NOS. 1, 2 AND 3**

450 E. 17<sup>th</sup> Avenue, Suite 400  
Denver, CO 80203  
Phone: 303-592-4380  
<https://www.broadwayparkmd.com>

**NOTICE OF SPECIAL MEETING AND AGENDA**

<b><u>Board of Directors District Nos. 1 and 2</u></b>	<b><u>Board of Directors District No. 3</u></b>	<b><u>Office</u></b>	<b><u>Term Expires</u></b>
Daniel Cohen	Daniel Cohen	President	May, 2027
Chris Waggett	Chris Waggett	Secretary	May, 2027
Donna Chan	Donna Chan	Treasurer	May, 2025
James Frank	James Frank	Assistant Secretary	May, 2025
Warren Cohen	Vacancy	Assistant Secretary	May, 2025

**DATE:**           **November 15, 2023**

**TIME:**           **1:00 p.m.**

**VIA ZOOM:**

- 1. To attend via Zoom Videoconference, use the following link:**  
<https://us02web.zoom.us/j/84685117832?pwd=bWpkL2hUeU42bExZM3JEVTNXYYXdpQT09>
- 2. To attend via telephone, dial 1-719-359-4580 and enter the following additional information:**
  - a. Meeting ID: 864 8511 7832**
  - b. Passcode: 129610**

**I. ADMINISTRATIVE MATTERS**

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

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

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C.     Public Comment.

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**II. CAPITAL IMPROVEMENTS / OPERATIONS & MAINTENANCE**

- A. **[District No. 1]** Review and consider approval of Rules and Regulations and Events Policy for Bayer Square and adopt Resolution regarding same (to be distributed).
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- B. **[District No. 1]** Discuss and consider approval of Service Agreement for Maintenance Services between District No. 1 and CFPM, LLC (to be distributed).
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**III. LEGAL MATTERS**

- A. **[District No. 1]** Discuss status of lawsuit: Consolidated Electrical Distributors, Inc. v. PPFAs MLI Broadway Park, LLC, Broadway Park North Metropolitan District No. 1, et. al., Case No. 2023CV032758, District Court, City and County of Denver, Colorado (the “CDI Lawsuit”) and authorize necessary actions in connection therewith. **Convene in executive session pursuant to Section 24-6-402(4)(b), C.R.S. to receive legal advice related to the CDI Lawsuit (if necessary).**

1. Ratify engagement of Spencer Fane LLP as special counsel (enclosure).
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- B. **[District No. 1]** Discuss and consider approval of the Termination of Facilities Funding and Acquisition Agreement between District No. 1, TI – Grand Crossing, L.L.C., PDG Denver Design LLC, TGI – Denver Design District, L.L.C. (enclosure).
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- C. **[District No. 1]** Report on status of Lease Agreement for Open Space and Recreational Amenities by and between District No. 1 and BMP Northwest LLC (enclosure).
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- D. **[District No. 1]** Acknowledge Declaration of Covenants Concerning Payment in Lieu of Taxes by BMP Northwest LLC for the benefit of District No. 1 (enclosure).
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**IV. FINANCIAL MATTERS**

- A. **[District No. 1]** Ratify / approve the payment of claims for the period of August 29, 2023 through September 30, 2023 and October 1, 2023 through November 1, 2023 (enclosures).
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- B. Discuss and consider approval of Master Service Agreement and Statements of Work with CliftonLarsonAllen LLP for 2024 Accounting Services (enclosures).
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- C. Conduct Public Hearing on the 2023 Budget Amendment and consider adoption of Resolution Amending the 2023 Budget (enclosures – District Nos. 2 and 3 Resolutions Amending General Fund).
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- D. Conduct Public Hearing on the proposed 2024 Budget and consider adoption of Resolution to Adopt Budget and to Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures).
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- E. Discuss and consider adoption of Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan, if necessary.
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- F. Authorize District Accountant to prepare and to sign the DLG-70 Certification of Tax Levies form (“Certification”). Direct District Accountant to file the Certification with the Denver Assessor and other interested parties.
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**V. OTHER MATTERS**

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**VI. ADJOURNMENT**

**There are no more regular meetings scheduled in 2023.**