

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SOUTHLANDS METROPOLITAN DISTRICT NO. 1 HELD OCTOBER 27, 2023

A Special Meeting of the Board of Directors (referred to hereafter as "Board") of the Southlands Metropolitan District No. 1 (referred to hereafter as "District") was convened on Friday, the 27<sup>th</sup> day of October, 2023, at 9:30 a.m. at Southlands Shopping Center, Management Office, 6155 South Main Street, Suite 260, Aurora, Colorado 80016. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Martin Liles  
Joyce Rocha  
April Elliott

#### Also In Attendance Were:

Ann Finn; Public Alliance LLC

Erin Stutz, Esq.; White Bear Ankele Tanaka & Waldron P.C.

Thuy Dam; CliftonLarsonAllen, LLP

#### DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST

Disclosures of Potential Conflicts of Interest: Ms. Finn noted that a quorum was present. Attorney Stutz reported that disclosures for those Directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Attorney Stutz asked the Board whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

#### ADMINISTRATIVE MATTERS

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director Elliott, seconded by Director Rocha and, upon vote, unanimously carried, the Agenda was approved, as presented.

**Minutes:** The Board reviewed the Minutes of the September 7, 2023 Special Meeting.

Following discussion, upon motion duly made by Director Liles, seconded by Director Rocha and, upon vote, unanimously carried, the Minutes of the September 7, 2023 Special Meeting were approved, as presented.

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### **PUBLIC COMMENTS**

There were no public comments.

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### **CONSENT AGENDA**

The Board considered the following actions:

- Ratify approval of proposal from Full Spectrum Lighting to repair electrical wiring on circuit, in the amount of \$11,426.
- Ratify approval of proposal from Wolfs Site Services for the replacement of the summer banners for the holiday banners at Southlands Mall.

Following discussion, upon motion duly made by Director Liles, seconded by Director Elliott and, upon vote, unanimously carried, the Board approved and ratified approval of the Consent Agenda items.

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### **FINANCIAL MATTERS**

**2024 Budget Workshop:** Ms. Dam presented the draft 2024 Budget for the Board's review. No action was taken by the Board.

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### **LEGAL MATTERS**

**License for the E-470 Monuments and Sublicense Agreement with Southlands TC, LLC and Southlands PC, LLC:** Attorney Stutz reported to the Board negotiations are ongoing.

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### **OPERATIONS AND MAINTENANCE**

**Maintenance Services for 2024:**

*Independent Contractor Agreement ("ICA") with CDI Environmental Contractor for Snow Removal Services:* The Board entered into discussion regarding an Independent Contractor Agreement with CDI Environmental Contractor for snow removal services. Following discussion, Attorney Stutz noted the current ICA does not expire until 2025. No action was taken by the Board.

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Independent Contract Agreement between the District and Pool Doctor, Inc. for Fountain Maintenance Services: The Board entered into discussion regarding an Independent Contract Agreement between the District and Pool Doctor, Inc. for fountain maintenance services. Following discussion, the Board determined fountain maintenance services are not needed at this time.

Crime and Additional Security for the District: Director Liles reported crime has been increasing within the District. He noted he is looking into security cameras and other security options.

### CAPITAL IMPROVEMENTS

Design Work for the Wayfinding Signs: The Board deferred discussion.

2024 Median Project: There was no report at this time.

Proposal from Architerra Group for Preparation of Landscape Plans and Obtaining Approval for the City of Aurora: The Board deferred discussion.

Warranty Walk for the 2022/2023 Median Project and Release of Retainage to Keesen Landscape Management, Inc.: The Board deferred discussion.

2024 Monument and Floral Bed Landscape Renovations: The Board reviewed an Independent Contract Agreement between the District and Merrick & Company for Design Work.

Following discussion, upon motion duly made by Director Liles, seconded by Director Elliott and, upon vote, unanimously carried, the Board approved the Independent Contract Agreement between the District and Merrick & Company for monument and floral bed renovation design work, for the amount of \$25,000, subject to final review by Director Liles.

Proposal from Sunland Asphalt & Construction, LLC to Make Repairs to the Failing Asphalt: The Board reviewed a proposal from Sunland Asphalt & Construction, LLC to make repairs to the failing asphalt.

Following discussion, upon motion duly made by Director Liles, seconded by Director Elliott and, upon vote, unanimously carried, the Board approved the proposal from Sunland Asphalt & Construction, LLC to make repairs to the failing asphalt, for an amount not to exceed \$68,310.

### OTHER BUSINESS

November 14, 2023 Meeting: The Board determined to cancel the November 14, 2023 meeting and reschedule the Budget Hearing for December 5, 2023 at 9:30 a.m. at Southlands Shopping Center, Management Office, 6155 South Main Street, Suite 260, Aurora, Colorado 80016.

