

# RECORD OF PROCEEDINGS

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## MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SOUTHLANDS METROPOLITAN DISTRICT NO. 1 HELD APRIL 18, 2023

A Regular 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 Tuesday, the 18<sup>th</sup> day of April, 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.

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### ATTENDANCE

#### Directors In Attendance Were:

Martin Liles  
Joyce Rocha  
April Elliott

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

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

Thuy Dam; CliftonLarsonAllen, LLP

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### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts of Interest:** Ms. Finn noted that a quorum was present and 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. Ms. Finn 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.

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### ADMINISTRATIVE MATTERS

**Agenda:** Ms. Finn noted she had distributed for the Board’s review and approval a proposed Agenda for the District’s Regular Meeting.

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

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**Minutes:** The Board reviewed the Minutes of the February 14, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director Liles, seconded by Director Rocha and, upon vote, unanimously carried, the Minutes of the February 14, 2023 Regular Meeting were approved, as presented.

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**PUBLIC COMMENTS** There were no public comments at this time.

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**CONSENT AGENDA** The Board considered the following actions:

- Ratify approval of proposal from Wolf's Site Services for the removal of holiday banners and re-installing the standard banners, in the amount of \$8,800.

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**

**Claims:** The Board considered ratifying approval of the payment of claims for the period ending as follows:

Fund	Period Ending Feb. 28, 2023	Period Ending March 31, 2023
General	\$ 275,243.18	\$ 190,548.47
Debt Service	\$ -0-	\$ -0-
Capital Projects	\$ -0-	\$ -0-
<b>Total Claims</b>	<b>\$ 275,243.18</b>	<b>\$ 190,548.47</b>

Following review, upon motion duly made by Director Elliott seconded by Director Liles and, upon vote, unanimously carried, the Board ratified approval of claims, subject to final review of the snow removal invoices by Director Elliott.

**Financial Statements:** Ms. Dam reviewed with the Board the unaudited financial statements of the District for the period ending February 28, 2023 and Cash Position Schedule, dated February 28, 2022 and Operations Fee Report.

Following discussion, upon motion duly made by Director Elliott, seconded by Director Liles and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District for the period ending February 28, 2023 and Cash Position Schedule, dated February 28, 2023 and Operations Fee Report.

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**2022 GO Fees Reconciliation:** The Board entered into discussion regarding 2022 GO Fees Reconciliation.

Following discussion, upon motion duly made by Director Elliott, seconded by Director Liles and, upon vote, unanimously carried, the Board determined not to issue refunds and use the fees for monument and street repair work.

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### **LEGAL MATTERS**

**Mid-Session Legislative Summary:** Attorney Waldron discussed with the Board proposed legislation affecting special districts.

**May 2, 2023 Election:** Attorney Waldron advised the Board that the May 2, 2023 election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were no more candidates than positions available on the Board of Directors. It was noted that Director Liles was deemed elected to a 4-year term ending in May, 2027.

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### **OPERATIONS AND MAINTENANCE**

**Access Permit for the E-470 Monument Signs:** Ms. Finn reviewed with the Board proposals from Merrick & Company, Inc. and Aztec Consultants, Inc. for land surveying services.

*Engagement of a Surveyor:* The Board entered into discussion regarding the engagement of a surveyor. Following discussion, upon motion duly made by Director Elliott, seconded by Director Liles and, upon vote, unanimously carried the Board engaged Aztec Consultants, Inc., for an amount not to exceed \$10,000.

**Retaining Wall Repair Work:** Ms. Finn noted she is waiting on the Engineer's Report and will schedule a final inspection.

*Request from Service Street Auto Repair Regarding Damaged Landscaping:* Ms. Finn advised the Board that Service Street has requested the District repair the damaged landscaping along the retaining wall behind their shop. Director Liles noted he would request a proposal from Keesen Landscape Management, Inc. for the repair work.

**Main Street Monument lighting enhancements (YESCO):** Director Liles noted the project is ongoing.

*Proposal from Principal Services Integration Simplified for Remote Technical Support and Programming Update:* The Board reviewed a proposal from Principal Services Integration Simplified for remote technical support and programming update.

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Following discussion, upon motion duly made by Director Liles, seconded by Director Elliott and, upon vote, unanimously carried, the Board ratified approval of the proposal from Principal Services Integration Simplified for remote technical support and programming update, for the amount of \$800.

**Independent Contractor Agreement between the District and Yesco LLC for Main Street Monument Lighting Enhancements:** The Board reviewed an Independent Contractor Agreement between the District and Yesco LLC for Main Street Monument lighting enhancements.

Following discussion, upon motion duly made by Director Rocha, seconded by Director Elliott and, upon vote, unanimously carried, the Board ratified approval of the Independent Contractor Agreement between the District and Yesco LLC for Main Street Monument lighting enhancements.

**Proposal from Alliance Commercial Maintenance for Striping:** The Board reviewed a proposal from Alliance Commercial Maintenance for striping services.

Following discussion, upon motion duly made by Director Rocha, seconded by Director Elliott and, upon vote, unanimously carried, the Board approved the proposal from Alliance Commercial Maintenance for striping services, for the amount of \$15,187.72.

**Proposal from Sunland Asphalt & Construction Inc. for Master Seal Sealer and Striping a Portion of Main Street:** The Board entered into discussion regarding a proposal from Sunland Asphalt & Construction Inc. for master seal sealer and striping a portion of Main Street.

Following discussion, upon motion duly made by Director Rocha, seconded by Director Elliott and, upon vote, unanimously carried, the Board approved the proposal from Sunland Asphalt & Construction Inc. for master seal sealer and striping a portion of Main Street, for the amount of \$14,001.21.

**2023 Special Events Permit from M&J Wilkow:** Director Rocha noted the Indemnification Agreement is currently under review by M&J Wilkow's attorney.

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### **CAPITAL IMPROVEMENTS**

**Wayfinding Signs:** Director Liles noted the design phase is ongoing.

**Proposal from Keesen Landscape Management, Inc. for the Renovation of the Islands Internally Along Orchard:** The Board reviewed a proposal from Keesen Landscape Management, Inc for renovating the median islands along Orchard Road.

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Following discussion, the Board determined they need additional information before taking action.

### OTHER MATTERS

**Holiday Décor:** The Board directed staff to invite the holiday décor contractor to the next Board meeting.

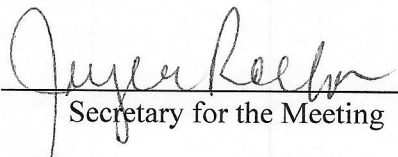
**Security and Common Area Cleaning Issues:** Director Liles discussed with the Board security and common area cleaning issues. No action was taken by the Board at this time.

### ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Rocha, seconded by Director Elliott and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By:

  
Secretary for the Meeting