

## 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 JUNE 18, 2024

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 June, 2024, 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

Quincy Hudspeth; M&J Wilkow Properties, LLC and Board Candidate

#### 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 Regular 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 amended.

**Minutes:** The Board reviewed the Minutes of the April 23, 2024 Special Meeting.

Following discussion, upon motion duly made by Director Rocha, seconded by Director Elliott and, upon vote, unanimously carried, the Minutes of April 23, 2024 Special Meeting were approved, as presented.

**Vacancy on the Board:** The Board considered the appointment of qualified individual, Mr. Hudspeth to the Board of Directors to fill a current vacancy (Notice was published on May 30, 2024).

Following discussion, and upon motion duly made by Director Liles, seconded by Director Elliott and, upon vote, unanimously carried, the Board appointed Mr. Hudspeth to the Board of Directors as the Assistant Secretary.

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### **PUBLIC COMMENTS**

There were no public comments.

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

- Ratified approval of Independent Contractor Agreement with Facility Solutions Group, Inc. for site lighting maintenance services.
- Ratified approval of proposal from Alliance Commercial Maintenance for concrete work, for the amount of \$6,816.14.
- Ratified approval of proposal from Anthem Erosion and Landscape to remove winter banners and install summer banners, for the amount of \$8,800.
- Approved Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer.

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:** Ms. Dam presented the Board with claims for April 30, 2024 through June 12, 2024, in the amount of \$353,272.86. She discussed with the Board the debit card charges and noted going forward all charges will be included on the claims list.

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Following discussion, upon a motion duly made by Director Liles, seconded by Director Elliott and, upon vote unanimously carried, the Board approved the claims, as presented and authorized all Directors to use the District’s debit card. Ms. Dam noted all debit card receipts will need to be submitted to her office so they can be included on the claims list for Board approval.

**Financial Statements:** Ms. Dam reviewed with the Board the unaudited financial statements of the District for the period ending April 30, 2024 and Cash Position Schedule, dated April 30, 2024, updated June 5, 2024 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 April 30, 2024 and Cash Position Schedule, dated April 30, 2024, updated June 5, 2024, and Operations Fee Report.

**2023 Audit:** Ms. Dam presented the 2023 Audit to the Board.

Following discussion, upon motion duly made by Director Elliott, seconded by Director Liles and, upon vote, unanimously carried, the Board approved the 2023 Audited Financial Statements and authorized execution of the Representations Letter, subject to final legal review and receipt of an unmodified opinion letter by the Auditor.

**2025 Budget Hearing:** The Board discussed the 2025 Budget Hearing.

Following discussion, upon motion duly made by Director Rocha, seconded by Director Elliott and, upon vote, unanimously carried, the Board determined to hold the public hearing to consider adoption of the 2025 Budget on December 3, 2024, at 9:30 a.m., to be held at Southlands Shopping Center, Management Office, 6155 South Main Street, Suite 260, Aurora, Colorado 80016.

### **LEGAL MATTERS**

**License for the E-470 Monuments and Sublicense Agreement with Southlands TC, LLC and Southlands PC, LLC:** The Board deferred action at this time.

*Irrevocable License Agreement by and among E-470 Public Highway Authority, Southlands TC LLC and Southlands PC LLC:* The Board reviewed an Irrevocable License Agreement by and among E-470 Public Highway Authority, Southlands TC LLC and Southlands PC LLC. No action was taken by the Board.

**Legislative Memorandum:** Attorney Stutz reviewed with the Board the Legislative Memorandum.

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**Form License Agreement for Signage:** The Board reviewed a Form License Agreement for Signage.

Following discussion, upon motion duly made by Director Liles, seconded by Director Elliott and, upon vote, unanimously carried, the Board approved the Form License Agreement for Signage and determined to impose a fee of \$250 per sign/per year.

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### **OPERATIONS AND Ongoing Maintenance Items:** **MAINTENANCE**

**Floral Program:** Ms. Finn noted Director Liles and Hudspeth are meeting with Tim Flanagan with Sustainable Landscapes Colorado LLC at 11:00 a.m., to discuss issues concerning the flowers.

**Irrigation:** There are no irrigation issues to report at this time.

**Tree Replacements:** The Board entered into discussion regarding tree replacements. The Board authorized Ms. Finn to obtain proposals for tree replacements.

**Asphalt and Concrete Repairs:** Mr. Hudspeth noted he received three bids for the asphalt and concrete repairs.

Following discussion, upon motion duly made by Director Liles, seconded by Director Rocha and, upon vote, unanimously carried, the Board authorized Directors Liles and Hudspeth to review the proposals and award the contract, in an amount not to exceed \$250,000, subject to ratification by the Board.

**Inspection Report for Detention Pond 950 from Independent District Engineering Services (“IDES”):** Ms. Finn reviewed an Inspection Report for Detention Pond 950 from IDES. She noted IDES is obtaining proposals for the maintenance work.

**Task Order No. 1 from Stormwater Asset Protection for Additional Work for the Sams Club Detention Pond:** No action was taken by the Board until the Board can confirm the responsible party for maintaining the Sam’s Club detention pond. Legal Counsel to confirm the responsible party.

**Information from Flock Safety for the Installation of License Plate Readers and Cameras:** Director Liles reviewed with the Board information from Flock Safety for the installation of license plate readers and cameras. No action was taken at this time.

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### CAPITAL IMPROVEMENTS

**2024 Median Renovations Project (“Project”)**: Ms. Finn noted the bid opening was held on June 17, 2024 and two bids were submitted for the Project.

*Award Contract for the 2024 Median Landscape Renovation Project*: Following discussion, the Board determined they needed more time to review the bids and deferred awarding the contract at this time.

**Floral Bed Renovation Design Plans from Merrick & Company**: The Board deferred discussion at this time.

**Monument and Wayfinding Sign Improvements**: Director Liles notes YESCO is working on a new design for the monuments.

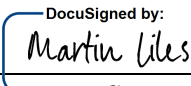
### OTHER BUSINESS

There were no other matters 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 Liles and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By  \_\_\_\_\_  
Secretary for the Meeting