

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF  
SOUTH SLOAN'S LAKE METROPOLITAN DISTRICT NO. 2  
HELD  
May 20, 2022

A regular meeting of the Board of Directors ("Board") of the South Sloan's Lake Metropolitan District No. 2 ("District") was convened on Friday, May 20, 2022, at 9:30 a.m. This District Board meeting was held via Zoom Videoconference. The meeting was open to the public.

**ATTENDANCE**

Directors present and acting:

Cameron R. Bertron, President  
Sarah Lavery, Assistant Secretary  
Beth Ellertson, Assistant Secretary, for a portion of the meeting

Also present were:

AJ Beckman, District Manager, Public Alliance, LLC  
Noel Nail, Administrative Manager, Public Alliance, LLC  
Justin Janca, Landscape and Facilities Manager, Public Alliance, LLC  
Jon Hoistad, Esq., McGeady Becher P.C.  
Margaret Henderson, CliftonLarsonAllen LLP  
Christine McCleod, Haynie & Co.  
Stuart Miner, The Park Foundation  
Glen Witman, The Park Foundation  
Luke Cannon, Koelbel & Co.  
James Bettis, Member of the Public

**ADMINISTRATIVE  
MATTERS**

Disclosure of Potential Conflicts of Interest: Attorney Hoistad noted a quorum was present and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney Hoistad that disclosures of potential conflicts of interest were filed with the Secretary of State by the statutory deadline.

Agenda: The Board reviewed the Agenda for the meeting and following discussion, upon motion duly made by Director Bertron, seconded by Director Lavery and, upon vote, unanimously carried, the Board approved the Agenda as presented and excused the absence of Director Koelbel.

Meeting Location: The Board entered into discussions regarding the

requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, upon motion duly made by Director Bertron, seconded by Director Lavery and, upon vote, unanimously carried, the Board determined to conduct this meeting via Zoom videoconference. The Board noted that notice of this meeting and Zoom meeting information was duly posted on the District's website and the Board had not received any objections to the Zoom meeting or any requests that the meeting be changed by taxpaying electors within the District's boundaries.

May 3, 2022 Directors' Election: Mr. Beckman noted that the election was cancelled as allowed by Statute as there were not more candidates than seats available. Directors Ellertson and Koelbel were elected to three-year terms. It was noted that Oaths of Office were administered prior to the meeting and have been filed with the Denver County Clerk and Recorder.

Appointment of Officers: Director Bertron inquired if it was possible to appoint officers now and change the officer slate in summer or fall. Mr. Beckman noted that the Board can appoint officers at any time.

Following discussion, upon motion duly made by Director Bertron, seconded by Director Lavery and, upon vote, unanimously carried, the Board appointed the following slate of officers: Director Bertron as President, Director Koelbel as Treasurer, and Director Lavery and Director Ellertson as Assistant Secretaries.

Discuss Board Vacancies: Mr. Beckman noted that there has been interest from James Bettis, a resident of the District, in joining the Board. Attorney Hoistad reported that he has also been approached by an individual showing interest.

Attorney Hoistad reviewed the process of appointing a member to the Board. He explained that if Directors Bertron or Lavery decide to resign, they should submit a written resignation.

James Bettis joined the meeting at this time. He introduced himself and addressed the Board regarding his interest in becoming a Director.

February 18, 2022 Regular Meeting Minutes: Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Lavery and, upon vote unanimously carried, the minutes of the February 18, 2022 Regular Meeting were approved.

Public Comment: Mr. Bettis addressed the Board regarding landscaping in Chapel Plaza. He explained that there's a particular section near the Lakehouse where the ornamental grasses appear to be dying.

Mr. Beckman explained that the section mentioned is District Property. The area in question suffered from irrigation issues last year, which appears to have stressed the vegetation and which will likely need to be replaced. The District's landscaping contractor, BrightView Landscaping Services, Inc. ("BrightView"), will be providing replacement estimates.

## **FINANCIAL MATTERS**

2021 Budget Amendment: The President opened the public hearing to consider the proposed 2021 Budget and discuss related issues.

It was noted that Notice stating that the Board would consider amendment of the 2021 Budget and the date, time and place of the public hearing was published in a newspaper having general circulation within the District, in accordance with statutory requirements. No written objections were received prior to the public hearing.

Ms. Henderson reviewed the 2021 Budget Amendment with the Board. Following discussion, upon motion duly made by Director Bertron, seconded by Director Laverty and upon vote, unanimously carried, Resolution No. 2022-05-01 amending the 2021 Budget was adopted.

Director Bertron closed the public hearing.

2021 Audit: Ms. McCleod presented for the Board's review and consideration the 2021 Audit.

Following review, upon motion duly made by Director Bertron, seconded by Director Laverty and, upon vote unanimously carried, the Board approved the 2021 Audit and authorized execution of the Management Representations Letter.

Payment of Claims: Ms. Henderson presented for the Board's review and consideration a statement of claims. Following review, upon motion duly made by Director Bertron, seconded by Director Laverty and, upon vote, unanimously carried, the Board approved the payment of claims as presented.

Mr. Beckman noted that the District has incurred significant snow removal costs to date. Director Bertron asked for an update on the status of the snow removal machine the Board previously authorized for purchase. Mr. Beckman advised the Board that a Kubota utility vehicle has been ordered, but due to supply chain disruption, is not expected to be delivered until September.

Mr. Bettis inquired about storage for the machine, and suggested that the Lakehouse building might be an option. Mr. Beckman discussed the existing plan to lease a parking space owned by Koelbel and Company for storage.

Unaudited Financial Statements: Ms. Henderson presented for the Board's review and consideration the unaudited financial statements. She reported that the cash position for the District is strong.

Upon a motion duly made by Director Bertron, seconded by Director Laverty and, upon vote unanimously carried, the unaudited financial statements were approved as presented.

Master Service Agreement and Statement of work with CliftonLarsonAllen, LLP ("CLA"): Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Laverty and, upon vote unanimously carried, the Master Service Agreement and Statement of Work with CLA was ratified.

## **LEGAL MATTERS**

Special Warranty Deed, Tract F: Attorney Hoistad presented for the Board's review and acceptance a Special Warranty Deed for Tract F from EFG-South Sloan's Lake I, LLC. Following review, upon a motion duly made by Director Bertron, seconded by Director Laverty and, upon vote unanimously carried, the Board acknowledged and accepted the Deed as presented.

## **OPERATIONS MATTERS**

BrightView Change Order No. 1: Mr. Beckman presented for the Board's review and ratification Change Order No. 1 to the Service Agreement ("Agreement") for Landscape Services between the District and BrightView for 2022 Tree Replacements in the amount of \$21,913.90.

Mr. Beckman noted that the 17 trees have been selected for replacement by the District. The replacements include three trees previously under warranty with Environmental Designs, Inc., however, the warranty is void due to the change in maintenance contracts.

Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Ellertson and, upon vote unanimously carried, Change Order No. 1 was ratified.

BrightView Change Order No. 2: Mr. Beckman presented for the Board's review and ratification Change Order No. 2 to the Agreement with BrightView for Annual Color in the amount of \$7,850.00.

Following discussion and review, upon a motion duly made by Director Laverty, seconded by Director Bertron and, upon vote unanimously carried, Change Order No. 2 was ratified.

BrightView Change Order No. 3: Mr. Beckman presented for the Board's review and consideration Change Order No. 3 to the Agreement with Brightview for 2022 Tree Healthcare in the amount of \$15,971.43.

Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Ellertson and, upon vote unanimously carried, the Board approved Change Order No. 3.

BrightView Change Order No. 4: Mr. Beckman presented for the Board's review and consideration Change Order No. 4 to the Agreement with Brightview for the 17<sup>th</sup> Street Beautification in the amount of \$120,175.37.

Mr. Beckman noted that the designs are intended to be pet resistant, as the District's biggest landscaping impact is from dogs. He reported that BrightView's approach is to provide a place for pet relief while also having vegetation.

Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Ellertson and, upon vote unanimously carried, the Board approved Change Order No. 4.

BrightView Change Order No. 5: Mr. Beckman presented for the Board's review and consideration Change Order No. 5 to the Agreement with BrightView for Block 3, Quitman Street Beautification, in the amount of \$34,299.25.

Discussion ensued regarding artificial turf and mitigating pet smell. Mr. Beckman noted that BrightView has proposed alternate solutions to its destruction to try this season.

Following discussion and review, upon a motion duly made by Director Bertron, seconded by Director Laverty and, upon vote unanimously carried, the Board approved Change Order No. 5.

Pet station servicing and pet scooping services: Mr. Beckman presented to the Board for discussion three quotes from various pet scooping services and a plan for increasing, and more strategically placing, pet stations throughout the District.

Discussion ensued regarding the District taking control of all pet waste stations in the streetscape areas. Mr. Beckman recommended that this matter be deferred until more information on expense and scope of work is known. No action was taken by the Board at this time.

**BOARD MEMBER  
ITEMS**

Director Ellertson inquired about the use of the utility vehicle in power washing the sidewalks in the District. Mr. Beckman informed her that the

vehicle will be fitted with a mobile power washer for this purpose. He will follow up with BrightView regarding their cost for the service.

**OTHER ITEMS**

Park Foundation Presentation: Glen Witman and Stuart Winer from the Park Foundation introduced themselves to the Board. Mr. Witman provided statistics regarding South Sloan's Lake, noting that the lake has diminished in depth by seven feet in the last ten years due to global warming, and other environmental factors. The Park Foundation was formed to raise money to preserve the lake. Mr. Winer noted that the foundation coordinates with Denver Parks and Recreation, and they hold multiple fundraisers throughout the year. He asked the Board for support with outreach.


Director Bertron suggested that contact information for the various Homeowners Associations could be obtained through Mr. Beckman, and suggested that he contact him to coordinate outreach efforts. He further explained that the District could make the Chapel Plaza available for events, which may be easier than planning events on city property.

**ADJOURNMENT**

There was no other business to come before the Board, and upon a motion duly made by Director Bertron, seconded by Director Ellertson, and upon vote unanimously carried, the meeting was adjourned at 11:18 a.m.

The foregoing record constitutes a true and correct copy of the Minutes of the above referenced meeting.

DocuSigned by:

  
Secretary

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