

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF SOUTH SLOAN'S LAKE METROPOLITAN DISTRICT NO. 2 HELD NOVEMBER 17, 2023

A regular meeting of the Board of Directors ("Board") of the South Sloan's Lake Metropolitan District No. 2 ("District") was held on Friday, November 17, 2023, at 1:00 p.m. This District Board meeting was held via Zoom Videoconference. The meeting was open to the public.

ATTENDANCE

Directors present and acting:

Beth Ellertson, President
Carl Koelbel, Treasurer
Sarah Lavery, Assistant Secretary
James Bettis, Assistant Secretary

Following discussion, upon motion made by Director Ellertson, seconded by Director Koelbel and, upon vote, unanimously carried, the absence of Director Joseph Iannuzzi was excused.

Also present were:

Ann Finn, District Manager; Public Alliance, LLC
Jon Hoistad, Esq.; McGeady Becher P.C.
Margaret Henderson and Peter Maleski; CliftonLarsonAllen LLP

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. Attorney Hoistad noted that disclosures of potential conflicts of interest were filed with the Secretary of State by the statutory deadline.

Agenda: Ms. Finn 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 Ellertson, seconded by Director Koelbel and, upon vote, unanimously carried, the Board approved the Agenda as presented.

RECORD OF PROCEEDINGS

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 Ellertson, seconded by Director Koelbel 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 has not received any objections to the format or any requests that the meeting format be changed by taxpaying electors within the boundaries of the District.

Public Comment: There was no public comment.

Minutes of July 28, 2023 Special Meeting and August 25, 2023 Work Session: The Board reviewed the Minutes of the July 28, 2023 Special Meeting and August 25, 2023 Work Session.

Following review, upon a motion duly made by Director Ellertson, seconded by Director Koelbel and, upon vote unanimously carried, the Board approved the Minutes as presented.

Town Hall Meeting: The Board entered into discussion regarding §32-1-903, C.R.S., 2023 Annual Meeting.

Following discussion, upon motion duly made by Director Ellertson, seconded by Director Koelbel and, upon vote, unanimously carried, the Board determined to schedule the 2023 Annual Meeting for December 15, 2023 at 12:30 p.m. via Zoom.

Resolution No. 2023-11-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices: Ms. Finn discussed with the Board Resolution No. 2023-11-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

The Board determined to meet at 1:00 p.m. on the third Friday of every month via Zoom video/telephone conference.

Following discussion, upon motion duly made by Director Koelbel, seconded by Director Ellertson and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-01 Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices.

RECORD OF PROCEEDINGS

§32-1-809, C.R.S. Reporting Requirements, Mode of Eligible Elector Notification for 2024: Ms. Finn discussed with the Board §32-1-809, C.R.S. reporting requirements and mode of eligible elector notification for 2024. Following discussion, the Board directed staff to post the Transparency Notice on the Special District Association’s website and the District’s website.

Insurance Matters:

Cyber Security and Increased Crime Coverage: The Board entered into discussion regarding cyber security and increased crime coverage.

Following discussion, upon motion duly made by Director Ellertson, seconded by Director Koelbel and, upon vote, unanimously carried, the Board approved the cyber security and increased crime coverage to \$100,000.

Insurance Committee: The Board entered into discussion regarding establishing an Insurance Committee to make final determinations regarding insurance. Following discussion, the Board determined an Insurance Committee is not necessary.

Renewal of the District’s Insurance and Special District Association (“SDA”) Membership for 2024: The Board entered into discussion regarding the renewal of the District’s insurance and SDA membership for 2024.

Following discussion, upon motion duly made by Director Ellertson, seconded by Director Koelbel and, upon vote, unanimously carried, the Board authorized the renewal of the District’s insurance and SDA membership for 2024.

**CONSENT
AGENDA**

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Finn, upon motion duly made Director Bettis, seconded by Director Ellertson, and upon vote, unanimously carried, the Boards took the following actions:

- Ratified approval of Change Order No. 17 to the Service Agreement with BrightView Landscaping Services, Inc. (“BrightView”) for irrigation and valve repair, in the amount of \$702.93.
- Ratified approval of Change Order No. 18 to the Service Agreement with BrightView for irrigation, mainline, elbow and ball valve repair, in the amount of \$743.61.

RECORD OF PROCEEDINGS

- Ratified approval of Service Agreement with Guizar Concrete Construction LLC for concrete repair services, in the amount of \$4,875.00.
- Ratified approval of the Raleigh Street Banners.

FINANCIAL MATTERS

Payment of Claims: Ms. Henderson presented for the Board's review and approval the payment of claims for the period from July 19, 2023 through October 17, 2023, in the amount of \$237,926.91.

Following discussion and review, upon a motion duly made by Director Ellertson, seconded by Director Koelbel and, upon vote unanimously carried, the Board approved the payment of claims as presented.

Unaudited Financial Statements: Ms. Henderson presented the unaudited financial statements dated September 30, 2023, for the Board's review and acceptance.

Following discussion and review, upon a motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote unanimously carried, the Board accepted the unaudited financial statements dated September 30, 2023, as presented.

2023 Audit: The Board considered the engagement of Wipfli LLP to prepare the 2023 Audit.

Following discussion, upon motion duly made by Director Ellertson, seconded by Director Koelbel and, upon vote, unanimously carried, the Board approved the Engagement Letter with Wipfli LLP to perform the 2023 Audit, for an amount not to exceed \$5,500.00.

2023 Budget Amendment Hearing: Director Ellertson opened the public hearing to consider the amendment of the 2023 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider the amendment of the 2023 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received, and the public hearing was closed.

Following discussion, it was determined that no amendment to the 2023 Budget was required.

Public Hearing on 2024 Budget: The President opened the public hearing to consider the proposed 2024 Budget and discuss related issues.

RECORD OF PROCEEDINGS

It was noted that publication of Notice stating that the Board would consider adoption of the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to or at this public hearing. No public comments were received, and the President closed the public hearing.

Ms. Henderson reviewed the estimated year-end 2023 revenues and expenditures and the proposed 2024 estimated revenues and expenditures. Following discussion and review, upon a motion duly made by Director Koelbel, seconded by Director Ellertson and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-02 to Adopt the 2024 Budget and Appropriate Sums of Money, and Resolution No. 2023-11-03 to Set Mill Levies (14.000 mills to the General Fund and 24.444 mills to the Debt Service Fund, for a total of 38.444 mills), and authorized the execution of the Certification of Budget, subject to adjustments needed to remain revenue neutral. The District Accountant was directed to transmit the Certification of Tax Levies to the Denver Assessor not later than December 15, 2023. The District Manager was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2024.

Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan: The Board reviewed Resolution No. 2023-11-04 Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Koelbel and, upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-04, Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.

2025 Budget Preparation: The Board discussed preparation of the 2025 Budget.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Koelbel and, upon vote, unanimously carried, the Board appointed the District Accountant to prepare the 2025 Budget.

CliftonLarsonAllen LLP 2024 Statements of Work: Ms. Henderson reviewed with the Board the 2024 Statements of Work from CliftonLarsonAllen LLP.

Following discussion, upon motion duly made by Director Ellertson, seconded by Director Bettis and, upon vote, unanimously carried, the Board approved the 2024 Statements of Work from CliftonLarsonAllen LLP.

RECORD OF PROCEEDINGS

**OPERATIONS
MATTERS**

Task Order No. 2 to the Service Agreement with Matrix Design Group, Inc. for Reinspection of Hines Stormwater Vault: The Board reviewed Task Order No. 2 to the Service Agreement with Matrix Design Group, Inc. for reinspection of Hines Stormwater Vault.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Koelbel and, upon vote, unanimously carried, the Board approved Task Order No. 2 to the Service Agreement with Matrix Design Group, Inc. for reinspection of Hines Stormwater Vault, in the amount of \$3,500.00.

Inspection Report dated September 26, 2023: Ms. Finn noted Hines Investment Management LLC will be attending the next meeting to request acceptance of a vault for ownership and maintenance. She also noted that Matrix Design Group will be attending as well to respond to questions concerning the vault.

Service Agreement for Holiday Lighting from Diggable Designs Landscape Construction, LLC d/b/a Diggable Decor Holiday Lighting: The Board reviewed a Service Agreement for holiday lighting from Diggable Designs Landscape Construction, LLC d/b/a Diggable Decor Holiday Lighting.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement for holiday lighting from Diggable Designs Landscape Construction, LLC d/b/a Diggable Decor Holiday Lighting.

Electrical Issues: Ms. Finn noted for the Board the electrical outlets will need to be repaired prior to installation of the holiday lights.

Proposal from BrightView for the 16th Street AstroTurf Removal and Replacement with Pavers: The Board reviewed a proposal from BrightView for the 16th Street AstroTurf Removal and Replacement with Pavers.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved the proposal from BrightView for the 16th Street AstroTurf Removal and Replacement with Pavers, for the amount of \$27,364.33.

2023/2024 Service Agreements for 2024 Maintenance Services:

Snow Removal Services for 2023/2024: The Board entered into discussion regarding the 2023/2024 snow removal services.

RECORD OF PROCEEDINGS

Service Agreement with BrightView for 2023/2024 Snow Removal Services: The Board reviewed a Service Agreement with BrightView for 2023/2024 snow removal services.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement with BrightView for 2023/2024 snow removal services. The Board directed staff to check on pet friendly ice melt and requested the ice melt be spread more evenly on the sidewalks.

Poly Edge and Poly Wings on the Ventrac: The Board entered into discussion regarding purchasing and installation of a poly edge and poly wings on the Ventrac.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved the purchase and installation of a poly edge and poly wings on the Ventrac, for the amount of \$940.00.

Landscape Maintenance Services/Day Porter Services: The Board entered into discussion regarding landscape maintenance and day porter services. Director Ellertson noted issued with BrightView and requested Public Alliance to oversee/police their services.

Proposal from BrightView for 2024 Annual Color: The Board reviewed a proposal from BrightView for 2024 Annual Color.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved the proposal from BrightView for 2024 Annual Color, for the amount of \$8,804.07.

Proposal from BrightView for 2024 Landscape Services: The Board reviewed a proposal from BrightView for 2024 landscape services.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved the proposal from BrightView for 2024 landscape services, for the amount of \$40,992.00.

Interior Site Lighting in the Chapel: The Board entered into discussion regarding installing interior site lighting in the Chapel. Following discussion, the Board directed Public Alliance to obtain proposals.

Tree Care Services: The Board entered into discussion regarding tree care services.

RECORD OF PROCEEDINGS

Proposals for Tree Care Services: The Board reviewed proposals for tree care services from BrightView (\$16,597.22) and Rocky Mountain Tree Care, Inc. (\$10,335.00).

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved the proposal from Rocky Mountain Tree Care, Inc. for tree care services, in the amount of \$10,335.00.

Proposal for Tree Pruning Services from BrightView: The Board deferred discussion and directed staff to obtain a proposal from Rocky Mountain Tree Care, Inc.

Maintenance Services for Doggie Stations: The Board entered into discussion regarding maintenance services for doggie stations.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved replacing 10-gallon receptacles with 22-gallon receptacles for 8 stations and relocate 8-gallon receptacles to other locations to create tandem receptacles, for an estimated amount of \$1,000.00.

Proposal for Power Washing the Sidewalk on Stuart Street between West Colfax Avenue and West Conejos Place: The Board reviewed a proposal for power washing the sidewalk on Stuart Street between West Colfax Avenue and West Conejos Place.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Ellertson and, upon vote, unanimously carried, the Board approved the proposal for power washing the sidewalk on Stuart Street between West Colfax Avenue and West Conejos Place, for the amount of \$985.00. The Board further directed staff to check on cost sharing with the Alamo Draffhouse Cinema.

Design Review Committee and Design Review Services Agreement: The Board entered into discussion regarding the status of the Design Review Committee and Design Review Services Agreement. Ms. Finn noted the District will need a new contract with MIG, Inc. The Board directed Ms. Finn to reach out to MIG, Inc. for a proposal.

**BOARD MEMBER
ITEMS**

Reserve Study: Director Bettis requested Public Alliance, LLC the Reserve Study and determine if it needs to be updated.

Signage: Ms. Finn asked Board if they would like to install signage at the plaza regarding obtaining permits, posting Rules and Regulations and

RECORD OF PROCEEDINGS

installing a pollinator bed at the community garden. Following discussion, the Board requested more information and costs related to these items.

BrightView: Director Ellertson noted she is unsatisfied with BrightView services. The Board directed Ms. Finn to contact Leigh DuFresne with BrightView.

Concrete/Paver Repairs: Directors Bettis and Ellertson directed Ms. Finn to obtain proposals for concrete/paver repairs.

Outside Electrical Outlets: Director Bettis expressed concerns about electric cars/trailers hooking up to outside electrical outlets. He inquired about securing the electrical outlets. Ms. Finn and Mr. Janca will check on the ownership of the electrical outlets.

Graffiti: Director Bettis reported to the Board there's graffiti on the white stone planter and benches.

Fall Clean Up: Directors Ellertson and Bettis requested BrightView to schedule fall clean up.

CAPITAL MATTERS

None.

LEGAL ITEMS

Form Waiver of Liability Concerning Snow Removal Services: The Board reviewed a form Waiver of Liability concerning snow removal services. Following discussion, the Board determined not to allow any waivers on District maintained sidewalks.

Addendum to the Management Services Agreement with Public Alliance LLC for Management Services: The Board reviewed an Addendum to the Management Services Agreement with Public Alliance LLC for management services.

Following discussion, upon motion duly made by Director Bettis, seconded by Director Koelbel and, upon vote, unanimously carried, the Board approved the Addendum to the Management Services Agreement with Public Alliance LLC for management services.

OTHER MATTERS

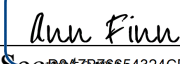
Annual Meeting for Property Owners: Ms. Finn reported that the 2023 Annual Property Owners Meeting Notice was provided to all property owners on October 17, 2023 per the Service Plan.

RECORD OF PROCEEDINGS

ADJOURNMENT

There was no other business to come before the Board and upon a motion duly made by Director Ellertson, seconded by Director Koebel and, upon vote unanimously carried, the meeting was adjourned.

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

DocuSigned by:

Secretary
