

## RECORD OF PROCEEDINGS

### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF SOUTH SLOAN'S LAKE METROPOLITAN DISTRICT NO. 2 HELD APRIL 19, 2024

A Regular Meeting of the Board of Directors ("Board") of the South Sloan's Lake Metropolitan District No. 2 ("District") was held on Friday, April 19, 2024, 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  
Sarah Lavery, Assistant Secretary  
James Bettis, Assistant Secretary  
Joseph Iannuzzi, Assistant Secretary

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

##### **Also present were:**

Ann Finn; Public Alliance LLC  
Jon Hoistad, Esq.; McGeady Becher P.C.  
Margaret Henderson; CliftonLarsonAllen LLP (for a portion of the meeting)  
Josh Sampon and Brad Lewis; Gum Pop Presents  
Dan Shah; West Colfax BID  
Kevin Eddy; Tap & Burger  
Dawn Sienicki; Resident

#### **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 necessary 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.

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Following discussion, upon motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board approved the Agenda.

**Meeting Location:** The Board entered into discussion 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 Iannuzzi and, upon vote, unanimously carried, the Board determined to conduct this meeting via Zoom videoconference. The Board noted that notice of this meeting and the Zoom meeting information was duly posted on the District's website and the Board has not received any objections to the meeting format or any requests that said format be changed by taxpaying electors within the boundaries of the District.

**Public Comment:** Ms. Sienicki presented a letter from property owners to request landscape improvements along West 16<sup>th</sup> Avenue between Perry Street and Quitman Street. The Board noted that they will consider the request and directed Ms. Finn to obtain design plans and cost estimates for the improvements.

Mr. Lewis and Mr. Sampon addressed the Board regarding the requirements of the District's proposed Special Events Policy (signage, trash removal, storage of signs and road barricades and fees). Mr. Shah and Mr. Eddy informed the Board that they are in favor of having special events within the District, noting that the events typically help local businesses. Following discussion, the Board authorized Directors Bettis and Ellertson to meet with Mr. Shah and Mr. Sampon on site to discuss requirements of the proposed Special Events Policy and possible solutions.

**Minutes of March 15, 2024 Regular Meeting:** The Board reviewed the Minutes of the March 15, 2024 Regular Meeting.

Following review, upon a motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board approved the Minutes of the March 15, 2024 Regular Meeting.

### **CONSENT AGENDA**

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Finn, the Board deferred approval at this time. Director Ellertson requested the number of hours that BrightView Landscape Services, Inc. spent on additional trash removal.

- Ratify approval of proposal from BrightView Landscape Services, Inc. for additional cleaning services due to windstorm, for a not to exceed amount of \$1,000.

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**FINANCIAL  
MATTERS**

**Payment of Claims:** Ms. Henderson presented for the Board's consideration the payment of claims for the period from February 9, 2024 through April 15, 2024, for the amount of \$44,983.62.

Following review, upon a motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board ratified approval of the payment of claims for the period from February 9, 2024 through April 15, 2024, for the amount of \$44,983.62.

**Unaudited Financial Statements:** Ms. Henderson presented the unaudited financial statements, dated March 31, 2024, for the Board's review and acceptance.

Following review, upon a motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board accepted the unaudited financial statements, dated March 31, 2024.

**OPERATIONS  
MATTERS**

**Proposals from BrightView Landscape Services, Inc. for Flowerpots, Irrigation Modifications, Plant Material and Maintenance Services:** The Board reviewed proposals from BrightView Landscape Services, Inc. for installation of flowerpots, boulders, irrigation modifications, plant material and maintenance services.

Following discussion, upon a motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board approved the proposals from BrightView Landscape Services, Inc. for the installation of flowerpots (to match existing flowerpots), boulders, irrigation modifications, plant material and maintenance services.

**Paver Repair Project:** The Board reviewed a proposal from BrightView Landscape Services, Inc. for the paver repair project.

Following discussion, upon a motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board approved the proposal from BrightView Landscape Services, Inc. for the paver repair project, for the amount of \$13,500.

**Concrete Work Project:** Ms. Finn discussed the status of the concrete work project, noting that Sarah Warner, of Public Alliance LLC, is meeting with contractors to obtain bids.

**Amendment to the Events Policy, Permit and Facilities Management Fee:** The Board deferred consideration of the Amendment to the Events Policy, Permit and Facilities Management Fee, pending resolution of issues discussed during the Public Comment portion of the meeting.

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*Feedback from the Community Concerning the Events:* The community provided feedback during the Public Comments portion of the meeting.

*Applications for Event Permits from TBW Enterprises LLC d/b/a Gum Pop Presents:* The Board deferred discussion of this matter.

**Posting Signage at the Community Garden and Chapel Plaza:** The Board entered into discussion regarding signage at the Community Garden and Chapel Plaza.

Following discussion, upon a motion duly made by Director Ellertson, seconded by Director Iannuzzi and, upon vote, unanimously carried, the Board authorized the posting of QR codes in the community garden and at the Chapel Plaza directing users to the District's website. The Board also requested signage be posted throughout the District directing residents to the District's website so they can report a problem.

**Landscaping Committee:** The Board entered into discussion regarding the appointment of a landscaping committee. Following discussion, the Board determined not to appoint a landscape committee.

**BOARD MEMBER ITEMS**

The Board extensively discussed the quality of landscape maintenance within the District, with Director Ellertson noting that there is trash, graffiti, dead trees and weeds throughout the District.

**LEGAL ITEMS**

None.

**OTHER MATTERS**

Ms. Finn informed the Board that irrigation repairs are underway, the pump has been repaired, trees have been pruned and recommended that additional trash cans be installed throughout the District. The Board agreed with the recommendation for additional trash cans and requested that pricing be obtained for the trash cans. It was noted the Board will need to determine the specific locations for the installation of the new trash cans.

**ADJOURNMENT**

There being no further business to come before the Board at this time, the meeting was adjourned.

DocuSigned by:

*Ann Finn*

Secretary