

## RECORD OF PROCEEDINGS

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MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF THE  
LITTLETON VILLAGE METROPOLITAN DISTRICT NO. 2  
HELD  
APRIL 25, 2023

A special meeting of the Board of Directors (the “Board”) of the Littleton Village Metropolitan District No. 2 (the “District”) was convened on Tuesday, April 25, 2023, at 5:30 p.m. via Zoom. The meeting was open to the public.

### ATTENDANCE

Directors In Attendance:

Phil Cernanec, President  
Maria McAfee, Treasurer  
Holly Bundschu, Assistant Secretary  
Jim Bowlby, Jr., Assistant Secretary

Also In Attendance:

AJ Beckman and Geol Scheirman; Public Alliance  
Joan Fritsche, Esq.; Fritsche Law, LLC  
Jason Carroll; CliftonLarsonAllen LLP (“CLA”) (for a portion of the meeting)  
Dennis Bedford; BrightView Landscaping  
Lynne Christensen; Resident  
\*Michael Bakarich; Moraine Bakarich, CPAs (where noted)

### ADMINISTRATIVE MATTERS

**Call to order and approval of agenda:** Chairman Cernanec called the meeting to order at 5:32 p.m. Following review, upon a motion made by Director Bundschu, seconded by Director McAfee and, upon vote, unanimously carried, the Board approved the agenda, as amended and excused Director Tedeschi.

**Disclosures of potential conflicts of interest:** None.

**Quorum, location of meeting and posting of meeting notices:** A quorum of the Board was present, and the meeting location (Zoom) and meeting notice posting were confirmed.

**Public comment:** Ms. Christensen requested that basketball courts be added to the list of improvements that could be requested for neighborhood grants. She noted that the City is offering grant funding for social activities. She suggested that the Board investigate further and possibly pursue funding for a community basketball court.

### CONSENT AGENDA

The Board reviewed the consent agenda items:

- Minutes from the January 24, 2023 Regular Board Meeting

## RECORD OF PROCEEDINGS

---

- BrightView proposal for Irrigation Repairs
- BrightView proposal for Edging Replacement

Following review, upon a motion duly made by Chairman Cernanec, seconded by Director McAfee and, upon vote, unanimously carried, the Board approved and/or accepted the Consent Agenda items, as presented.

### MANAGER MATTERS

**Manager Report:** Chairman Cernanec asked about the schedule for ice mitigation by the City of Littleton (“the City”). Mr. Scheirman advised the Board that the City has advised him it can be flexible with the days of the week it chooses to take action for ice accumulation. Directors expressed concern about changing the weekday for ice removal based on the street signage and resident expectations. Chairman Cernanec requested that Public Alliance follow up with the City to express the Board’s concern for lack of action and request that they find a solution to resolve the ice accumulation issue.

Director Bundschu inquired about the status of sink hole repairs by the City and the possibility of the City addressing the related sinking around the dog park. Director Cernanec asked if Attorney Fritsche or Director Bowlby has seen construction plans. Director Bowlby advised the Board that the plans he has reviewed indicate that the City’s construction would not go beyond the sidewalk. Mr. Bedford noted that he has been in contact with AMLI Residential (“AMLI”) regarding plans to expand the dog park.

Director Bowlby asked when edging would be replaced in certain areas. Mr. Bedford noted it will be fixed or replaced starting next week working under a not to exceed proposal. Director Bowlby also noted that he would like BrightView to propose xeric plant replacements.

**Social Committee Discussion:** Director Bundschu suggested inviting food trucks to the neighborhood, and asked if she could check organizing food trucks for future community events. The Board expressed a general desire to create a Social Committee. The Board requested that Public Alliance solicit participants via an eblast.

**Process for Tree Replacements:** Discussion ensued regarding expedited approval for homeowners replacing dead trees. Mr. Beckman suggested that minimum standards be established regarding tree size and species. Director Cernanec suggested trees conforming to the list provided by BrightView for consideration at today’s meeting be approved for expedited approval.

Following discussion, upon a motion duly made by Director Bowlby, seconded by Chairman Cernanec and, upon vote, unanimously carried, the Board

## RECORD OF PROCEEDINGS

---

authorized expedited approval for homeowners replacing dead trees once confirmed they match the species and size noted on the February 28<sup>th</sup> proposal provided by BrightView.

**Landscape Report:** Mr. Bedford reviewed with the Board.

Discussion ensued regarding the addition of mulch in various planted beds in common areas. Director McAfee requested that BrightView provide proposals for xeriscape replacements before mulch replacements are considered as the improvement may be part of one overarching plan. Mr. Bedford discussed installation of shrubs as a priority for current and future improvements. Director McAfee asked that the shrubs be considered for suitability to the area and low water consumption. Mr. Bedford noted that he will work on a list of appropriate shrubs.

**2023 Tree Installation:** Mr. Bedford reviewed with the Board. Director McAfee asked if the trees being considered are native species and if a warranty would be included. Mr. Bedford explained that all of the noted listed trees are commonly planted in Colorado and explained that the trees will have a one-year warranty from the time of planting. Mr. Bedford also recommended that tree health care services be added.

Following discussion, upon a motion duly made by Director Bowlby, seconded by Chairman Cernanec and, upon vote, unanimously carried, the Board approved the proposal from BrightView for 2023 tree installation, in an amount not to exceed \$21,816.

**Handrailing Repair:** Mr. Scheirman reviewed proposals from Santee Metal Works and Commercial Fence and Iron Works with the Board.

Following discussion, upon a motion duly made by Director McAfee, seconded by Director Bundschu and, upon vote, unanimously carried, the Board approved the proposal for handrail repair from Commercial Fence & Iron Works, in the amount of \$1,106.

**Other:** Ms. Christensen requested that Public Alliance look for weeds in yards. She also asked if BrightView is picking up trash in retention ponds. Ms. Christensen then advised the Board of grant opportunities. Mr. Bedford confirmed that they are picking up trash. Director Bundschu asked about graffiti in District No. 3. Mr. Bedford advised the Board that he is working with management for District No. 3 to expedite graffiti removal.

**2022 Draft Audit:** Mr. Carroll reviewed the 2022 draft Audit with the Board.

**FINANCIAL  
MATTERS**

## RECORD OF PROCEEDINGS

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Following discussion, upon a motion duly made by Director McAfee, seconded by Chairman Cernanec and, upon vote, unanimously carried, the Board approved the 2022 draft Audit, subject to final review by Counsel and the receipt of an unmodified opinion by the Auditor.

**Accounts Payable Through January 17, 2023:** Mr. Carroll presented the list of accounts payable. Following review and discussion, upon a motion duly made by Director McAfee, seconded by Director Cernanec and, upon vote, unanimously carried, the Board ratified approval of the accounts payable totaling \$155,871.07.

**Schedule of Cash Position dated December 31, 2022, updated as of April 17, 2023:** Mr. Carroll presented to the Board the Schedule of Cash Position dated December 31, 2022, updated as of April 17, 2023.

Following review and discussion, upon a motion duly made by Director McAfee, seconded by Director Cernanec and, upon vote, unanimously carried, the Board approved the Schedule of Cash Position dated December 31, 2022, updated as of April 17, 2023.

**2022 Budget Amendment Hearing:** Ms. Fritsche noted that Notice of the 2022 Budget Hearing was published in a newspaper having general circulation within the District pursuant to statute. No written comments were received prior to the public hearing.

Chairman Cernanec opened the public hearing to consider the proposed 2022 Budget Amendment. No public comments were received, and Chairman Cernanec closed the public hearing.

Mr. Carroll reviewed the 2022 Budget amendment with the Board.

Following discussion, upon motion duly made by Director McAfee, seconded by Chairman Cernanec and, upon vote, unanimously carried, the Board adopted the 2022 Budget Amendment Resolution, as presented.

Following the conclusion of this portion of the meeting Mr. Carrol excused himself from the meeting.

**Accounting and Accounts Payables Services:** Mr. Bakarich joined the meeting at this time.

Mr. Bakarich reviewed various options for implementation of software packages to enable the transfer of billing and accounting services from CLA. Mr. Bakarich discussed the cost and timing for new systems implementation. Following discussion it was determined that additional discussion between

## RECORD OF PROCEEDINGS

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Director McAfee, Mr. Beckman and Mr. Bakarich would be necessary. Once additional information is acquired and a potential transition plan is better defined, a revised proposal for accounting services will be presented to the Board.

**Other:** None.

### **LEGAL MATTERS**

**Update on 2023 Directors Election:** Ms. Fritsche updated the Board on the May 2, 2023 election. The election was canceled as there were not more candidates than open positions.

**Acceptance of Tracts A and B, Littleton Village Replat No. 1:** Ms. Fritsche reviewed the April 19, 2023 Memorandum regarding Tracts A and B, Ownership Summary and Background with the Board. Chairman Cernanec's recollection was that acceptance of Tracts A and B was made by Littleton Village Metro District No 1.

Following discussion, upon motion duly made by Chairman Cernanec, seconded by Director Bowlby and, upon vote, unanimously carried, the Board authorized and directed Ms. Fritsche to record the Special Warranty Deed conveying Tracts A and B, Littleton Village Replat No.1, to the District.

**Other:** None.

### **DIRECTOR MATTERS**

**Board Meeting Frequency:** The Board determined to move the July Board meeting to Tuesday, July 18, 2023 and to continue with quarterly meetings.

**Other:** Chairman Cernanec advised the Board that he has provided grant information to Director McAfee and Mr. Scheirman. The funds would be awarded through the City of Littleton.

City of Littleton Development Notifications - Chairman Cernanec advised the Board that City notifications are the responsibility of the Developers. He requested that Public Alliance contact the City and confirm that the District is listed to receive notifications update their records, making the District's office the recipient to receive notifications of development proposals and public hearings.

Director Bowlby briefly discussed basketball court proposals, noting that they were obtained in 2022 and the cost was over \$30,000.

## RECORD OF PROCEEDINGS

---

### OTHER BUSINESS

**Other:** Chairman Cernanec notified the Board that the Littleton Rotary Club is offering scholarships for leadership programs for middle school and high school students and encouraged applications.

### ADJOURNMENT

There being no further business to come before the Board at this time, Director Cernanec adjourned the meeting at 8:15 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

DocuSigned by:

*Erick Pedeschi*

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Secretary for the Meeting

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