

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
MARCH 28, 2011**

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, March 28, 2011 at 5:00 p.m., at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado, 80124.

Attendance: In attendance were Directors:

John Herbolich
Mark Thomas
Roger Pearson
Greg Kelly

Also in attendance were:

Bob Blodgett; R.S. Wells LLC
Chuck Reid; R.S. Wells LLC
Matt Bevill; The Brickman Group
John Cotten; TST, Inc. of Denver
Susan Squyer; City of Lone Tree
Sharon Van Ramshorst; City of Lone Tree
Ed Icenogle; Icenogle Seaver Pogue, P.C.
Glen Neidert; resident

Call to Order

Director Herbolich called the meeting to order at 5:00 p.m. The Board excused the absence of Director Norblom.

Declaration of
Quorum/Director
Qualifications/
Disclosure Matters

A quorum was declared present, all Directors are qualified, and there are no disclosure matters.

RECORD OF PROCEEDINGS

Approval of Agenda

Upon a motion by Director Herbolich, seconded by Director Kelly, the Board approved the agenda as submitted.

Public Comments

None.

CONSENT AGENDA

Director Pearson asked that the March Landscape Maintenance Report be removed so that the Board could hear a review from Mr. Bevill.

The Board asked that the Landscape Maintenance Report be on the Discussion Agenda in the future and not the Consent Agenda.

After discussion, upon a motion made by Director Herbolich, seconded by Director Pearson the Board approved the Consent Agenda with the exception of Item VI A, Accept March Landscape Maintenance Report.

V. Review and Approve Minutes of the February 28, 2011 Regular Meeting and the February 25, 2011 Special Meeting..

VI. Landscape Maintenance/Construction Items

B. Approve Routine Work Orders

VII. Financial Items

A. Approve March 28, 2011 Cash Position

B. Approve February Claims - check numbers 3053 through 3065, totaling \$45,988.11. (Check numbers 3051 and 3052 were voided-not distributed)

VIII. Manager Items

A. Accept Listing of Prior PMMD Board Members

B. Accept Report of Prior PMMD Elections

C. Informational Items

VI. A. Accept March Landscape Maintenance Report

Mr. Bevill reviewed his monthly maintenance site report dated March 23, 2011. He reported that since there had been no weather delays in March, fertilization has been done and Brickman is ahead of schedule on their March monthly maintenance work.

RECORD OF PROCEEDINGS

Mr. Bevill noted there are two areas that need to be reviewed: 1) Park Meadows Drive from Yosemite to Acres Green, (the new medians that were completed in 2010) and; 2) the Sunningdale new landscaping in the ROW and medians.

Mr. Cotten reported these items are under a materials warranty, but not a maintenance warranty. Mr. Bevill stated Brickman thought they were under a maintenance warranty until the fall. That is when they are scheduled to begin work on them. He estimated approximately \$3,000 to complete maintenance work on Park Meadows Drive and Sunningdale until the fall of 2011, when their annual contract for these items begins.

Upon a motion duly made by Director Kelly, seconded by Director Pearson, and upon vote unanimously carried, the Board authorized Brickman not to exceed \$5,000 for immediate and ongoing maintenance of the Park Meadows Drive medians and Sunningdale ROW and medians effective immediately.

DISCUSSION AGENDA

IX. Construction Project Items

A. Lone Tree/PMMD Joint Cooperative Project Design and Constriction Projects

1. Under Construction

None

2. Under Design

a. Pedestrian Lights on the South Side of Lincoln (Yosemite to Highlands Ranch Boundary)

Mr. Cotten reported that these lights would be put out to bid in approximately two weeks. Construction should begin in May and be complete in July.

b. Parkway Drive Reconstruction

Mr. Cotten distributed copies of an exhibit indicating a reduction in the width of Parkway Drive, plus the construction of new landscaped medians to eliminate the possibility of trucks unloading vehicles in the street in the future. He

RECORD OF PROCEEDINGS

estimated the cost of raised medians with landscaping at \$150,000.

The Board asked what the cost would be for the flagstone standard of the district for the medians. Mr. Cotten estimated an approximate additional \$70,000 to do raised medians with flagstone. Mr. Cotten stated he was attempting to meet with the car dealers to discuss this project with them. After discussion, the Board decided to table any action until Mr. Cotten and the City could meet with the car dealers and discuss the reconstruction project, the narrowing of the street and the addition of medians and determine their feedback. The Board expressed concern that the project be as "business friendly" as possible. Action on the decision regarding construction of medians was deferred until the April board meeting.

3. Under Study

a. None

B. Other City of Lone Tree Projects

1. Park Meadows Center Drive Widening from 1 to 2 Lanes at Intersection with County Line Road

Mr. Cotten reported he is attempting to contact CDOT to discuss this project with them. TST has done some preliminary sketches. Director Kelly asked that this project be moved forward and returned to the Board in the future for additional review.

2. IKEA Centennial Impact Coordination Projects

Mr. Cotten reported that IKEA has requested that the City of Centennial and the City of Lone Tree and other agencies not do any road construction near the IKEA project until after July 2011. Lone Tree and Centennial will honor this request. Accordingly, the southbound hard right turn ramp from I-25 to County Line Road and the additional turn bay in County Line Road adjacent to PF Chang's projects will be delayed until 2012.

3. Other

Director Herbolich asked that Mr. Cotten provide recommendations for lighting of the Chuck E. Cheese sign at the southeast corner of County Line Road and Quebec at the April Board meeting.

X. Manager's Report

A. Proposed Median Rehabilitation 5 Year Plan

Mr. Reid reviewed his March 23rd report to the Board regarding the scope of work to bid for median rehabilitation within the District.

The Board asked that a list of all the medians be provided as well as a map and graphic indicating those which have been worked on by Mr. Turner in the past, and those which the District is requesting work on in the future as a part of the bid. Director Kelly noted that Exhibit A is still needed with the bid package.

The Board discussed the use of breeze versus mortar for repair purposes.

The Board noted there is a pilot project being completed along Yosemite to measure the impacts of breeze versus mortar repairs in 2011. Director Kelly moved that mortar be used in the 2011 repair work pending the outcome of the pilot project. The Board concurred.

The Board agreed to obtain a proposal from Mr. Turner for the breeze versus mortar pilot project in 2011.

After discussion, Mr. Reid recommended that he work with TST to modify the bid package and exhibits and bring this back to the Board at the April meeting. The Board concurred.

B. Approve Revised 2011 Capital Budget and Revised 5 Year Capital Improvement Budget

Mr. Blodgett reviewed with the Board the original 5 Year Capital Improvement Plan approved at the February 2011 Board meeting, and the revised plan dated March 22, 2011 submitted for this

RECORD OF PROCEEDINGS

Board meeting. This reflects changes made at the February Board meeting.

Mr. Blodgett noted this will be further revised to reflect the County Line off ramp hard right turn lane and County Line mall entrance median being delayed until 2012. He will provide another revised plan at the April meeting.

C. Discuss Request by Park Meadows Mall to Use Their Contractor for Landscape ROW Maintenance

Mr. Blodgett reviewed Ms. Kelly's email request that the District allow Park Meadows Mall to use their new landscape contractor to maintain both their private property as well as the landscaped ROW surrounding the mall. This request arises since the mall decided to change their contractor from Brickman to Keesen effective in 2011.

Mr. Bevill reported that although Brickman would not want to lose the approximate \$14,000 in revenue (the mall ROW maintenance portion of their contract), there are advantages to a single contractor and point of coordination for all of the landscape work adjacent to the mall. The ROW delineation is not clear around the mall and significant coordination between the two different contractors would be necessary at times.

Mr. Blodgett noted that the Board has made two exceptions in the past; 1) for Carriage Club, and; 2) for the Enclave to use their own contractors. However, after experimentation with this effort, the Board's current policy is that all of the ROW maintenance will be performed by the District's contractor, with the understanding that if a property owner wants to use their own contractor they do so at their own expense.

The Board noted Mr. Bevill's recommendation to use a single contractor at the mall, the fact that the mall property is unique compared to other commercial and residential properties in the District, and the mall is the single largest District tax payer.

After discussion, upon a motion duly made by Director Kelly, seconded by Director Thomas, and upon vote unanimously carried, the Board approved Park Meadows Mall utilizing their own contractor for ROW landscape maintenance adjacent to the mall property with the District contracting with either the mall owner or the mall Business Improvement District (BID) at the

RECORD OF PROCEEDINGS

current price quoted by Brickman of approximately \$14,000, monthly invoices to be provided, and the same scope of work and standards to be completed in their ROW as Brickman does for the remaining ROW within the District.

Mr. Blodgett will notify Ms. Kelly tomorrow of the Board's decision.

The Board approved this motion subject to development of an acceptable contract between General Growth or the mall BID and the District.

XI Attorney's Report

A. Senate Bill 11-057

Mr. Icenogle reported this bill affects only the districts with over 10,000 registered voters. Presently, this is only the Highlands Ranch Metropolitan District and the Pueblo West Metropolitan District. It does not affect PMMD.

XII. Director's Items

A. Status of Joint Project Coordination Committee Meetings with Lone Tree

Directors Pearson and Herbolich will represent the District at the next meeting. After discussion, the Board agreed upon Wednesday, May 25, 2011 at 1:30 p.m. for the Quarterly Joint Project Coordination Meeting with Lone Tree.

B. Confirm Quorum for April 25, 2011 Board Meeting

The quorum was confirmed. Director Kelly will not be able to attend.

C. Other

None.

XIII. Other Items

None.

RECORD OF PROCEEDINGS

XIV. Adjournment

Upon motion by Director Herbolich, seconded by Director Thomas, having no further business to discuss, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Regular Meeting is scheduled for April 25, 2011 at 5:00 p.m. at the Lone Tree Civic Center, Meeting Room A, 8527 Lone Tree Parkway, Lone Tree, Colorado.