

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
FEBRUARY 27, 2012

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, February 27, 2012 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; CliftonLarsonAllen LLP
Tamara Seaver; Icenogle Seaver Pogue, P.C.
Matt Bevill; The Brickman Group
John Cotten; TST, Inc. of Denver
Jack Hidahl: Lone Tree City Manager
Susan Squyer; City of Lone Tree
John Mullins; Park Meadows BID Manager

Call to Order

Director Herbolich called the meeting to order at 5:00 p.m.

Declaration of
Quorum/Director
Qualifications/
Disclosure Matters

A quorum was declared present, all Directors are qualified, and there are no disclosure matters. The board excused the absence of Director Norblom.

Approval of
Agenda

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

Public Comments

There were none.

CONSENT AGENDA

Mr. Blodgett reported the landscape maintenance work orders are contained within the Brickman 2012 budget. Director Pearson asked if a police report had been filed on the trees in the Yosemite medians damaged by vehicles. Mr. Blodgett will check.

Upon a motion made by Director Pearson, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the Consent Agenda as presented.

- V. Review and Approve Minutes of the January 23, 2012 Regular Meeting
- VI. Approve Landscape Maintenance Work Orders
 - 1. Top Dress Tree Rings - \$11,920
 - 2. Three Tree Replacements in Yosemite Medians - \$4,710
 - 3. Top Dress Mulch - \$40,460
 - 4. Gypsum Application - \$4,944.80
- VII. Approve Capital Projects Report
- VIII. Information Items

DISCUSSION AGENDA

- IX. Landscape Maintenance/Construction Items
 - A. Accept February Landscape Maintenance Report

Mr. Bevill reviewed the February report with the Board. He reported that his staff will walk the District ROW and medians in March to review for possible snow removal damage that needs to be addressed later in the spring.

- B. Work Order Requests
 - 1. Replace 9 Rain Sensors - \$2,131

Mr. Bevill reviewed the proposal with the Board. He will determine if some of the sensors can be replaced under warranty.

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the work order to replace 9 rain sensors.

2. Discuss Pest Control Proposal - \$9,600

Mr. Bevill reported the pest control work would be performed by Quality Pest Control, Mr. Mueller. The Board noted the cost for the proposal by Patriot is approximately the same as the one from Brickman and Quality Pest Control. The Board noted Brickman's work would go from March to October. The Patriot work would start in April.

After discussion, upon a motion duly made by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the pest control proposal with Brickman and Quality Pest Control for \$9,600.

C. Status of Denver Water Tap Abandonment at 9067 Lincoln Avenue

Mr. Bevill reported that Denver Water has clarified that the District need only use 1,000 gallons of water between now and June 2012 to keep the tap active for another four years. The cost of the 1,000 gallons of water is approximately \$10.00. After discussion, the Board authorized Mr. Bevill to place this water in a water truck to use elsewhere in the District and retain this water tap on active status for another four years. Mr. Bevill will inform Denver Water.

D. Timberline Median Renovation Schedule (Lodgepole to Highlands Ranch Boundary)

Mr. Bevill reviewed the proposed Timberline median plans with the Board. He noted the District's budget contains \$180,000 for this work in 2012. This consists of approximately \$75,000 for the landscaped median work and \$105,000 for the hardscape work, which consists of additional splash back flagstone on the medians from Lodgepole to the Highlands Ranch boundary. Mr. Bevill reported he would like to begin this work in March and complete it in April so that the landscaping will have a full growing season in the medians. Mr. Cotten reported that TST will take the lead on the specifications and bids for the hardscape which can be performed later in the summer independent of the landscape installation work.

Upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the landscape maintenance work consisting of four work orders for medians A, B, C & D totaling \$75,269 with The Brickman Group and authorized TST to begin work on the design, bid and construction for the necessary flagstone hardscape work at an approximate cost of \$105,000.

The Board also asked that Mr. Blodgett send a letter on behalf of the District to the Montessori School, Eagle Ridge Elementary School, the Church on Timberline and the six HOA's consisting of Prominence Point, Terra Ridge, Ridgeview, The Charter, The Vista and Club Terrace informing them of the District's median renovation work.

D. Other

Mr. Bevill presented a work order for the enhancements to Lone Tree Parkway which was included in the 2012 budget. This converts the turf to drip irrigation with landscape planting similar to that in Lincoln and Yosemite. The cost is \$58,953 compared to the budget of \$60,000.

Upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board authorized The Brickman Group to proceed with the Lone Tree Parkway median renovation work.

Mr. Bevill also reported that Brickman is continuing to provide the maintenance for 14 Mutt Mitt stations within the District. The City of Lone Tree, South Suburban Park and Rec and RidgeGate also provide some maintenance of Mutt Mitt stations in Lone Tree.

X. Construction Project Items

A. Lone Tree/PMMD Joint Cooperative Projects

1. Under Construction

a. Parkway Drive – Completion in Spring

Mr. Cotten reported this project is currently on hold due to the weather.

2. Under Design

a. Parkway Drive Landscaped Medians – Completion in Spring/Summer

Mr. Bevill and Mr. Cotten reviewed the landscaped median proposal with the Board. Mr. Bevill noted he is recommending removal of the junipers and adding an additional species of trees. Mr. Cotten concurred.

The Board approved The Brickman Group and TST proceeding with the design, bidding and construction for the landscaped medians in Parkway Drive from Acres Green to Bozarth Way as provided in the 2012 District budget.

3. Under Study

- a. 1601 Projects (Park Meadows Center Drive and County Line Road) Status of IGA with City of Centennial

Mr. Cotten reported Lone Tree is close to completing an IGA with the City of Centennial. However, due to required processes for approval by CDOT and others, construction is most likely in 2013.

- b. Other - None

B. County Line Road Transportation Study

Mr. Cotten reported Douglas County is taking the lead on this study which will involve County Line Road from Quebec to Inverness Way. The City of Centennial, Arapahoe County, Douglas County and the City of Lone Tree will participate. Mr. Art Griffith, Douglas County Capital Projects Manager, anticipates the study being done in 2012. It should start in early summer.

C. Street Lighting Analysis – Residential Streets

The Board reviewed Mr. Hidahl's February 16th letter from the City of Lone Tree to Director Herbolich stating that the City has authorized a lighting and safety study of residential streets by the Public Works Department. Mr. Cotten reported this study is approximately half way done. This should be completed for a briefing by City Council in March and the Park Meadows Metropolitan District Board meeting on March 26th.

1. Timberline Pedestrian Lights – Discuss Budget Reallocation - \$275,000

Deferred.

2. Request for Ptarmigan (Lone Tree Parkway to Timberline) Pedestrian Lights by Ridgeview HOA

The Board asked that Mr. Blodgett send a letter to Mr. Joe Gennaro, Ridgeview HOA, Mr. Elton Winters, Ridgeview HOA and Mr. Rick Solomon, Terra Ridge HOA with Mr. Hidahl's February 16th letter, asking that the HOA's contact the City to provide input on the lighting study of residential streets.

- D. C470/Yosemite Multi Modal Overpass – Status of CDOT Grant Application

Mr. Cotten reported this project is still pending review and approval by DRCOG.

- E. Other

The Board congratulated Mr. Cotten on his work with the contractor to repair the letters on the Chuck E Cheese sign on the southeast corner of Quebec and County Line. They indicated the sign looks great.

XI. Financial Items

- A. Review and Approve the February 21, 2012 Cash Position Report

Mr. Blodgett reviewed the report with the Board. After discussion, upon a motion duly made by Director Pearson, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the report.

- B. Approve January Claims Totaling \$113,593.24 and Approve Directors' Fees Totaling \$471.75

Upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the January claims represented by checks 3242 through 3251 totaling \$113,593.24 and director fees represented by check numbers 3237 through 3241 totaling \$471.75, with the exception of Director Norblom's Director's fee check 3239 for tonight's meeting which will be voided

since he is absent. Upon a motion by Herbolich, seconded by Director Pearson, the Board approved payment of the Directors' fees less Director Norblom's fees since he was absent.

C. Denver Water Usage Report

Mr. Blodgett reviewed the report with the Board. The Board accepted the report.

D. Review 2012 Commercial and Residential Assessed Value Analysis

Mr. Blodgett reviewed this report with the Board. He noted that Park Meadows Mall pays approximately 25% of the District's overall property taxes. Collectively, all of the commercial property in the District pays approximately 66% of the District taxes, and residential property pays approximately 34%.

E. Discuss Proposal for Analysis of District's Assessed Valuation – Not to Exceed \$5,000

Director Pearson noted he had asked for this cost proposal from Ms. Harwell and Ms. Baumgartner. This would be a lot by lot review of all of the properties in the District to ensure that all are paying taxes to the Park Meadows Metropolitan District. After discussion, the Board decided that there was not an indication of failure to pay taxes presently, and this investment was probably not worth the effort. The proposal was not approved.

F. Other – None.

XII. Manager's Items

A. Director's Election Update

Mr. Blodgett reported Mr. Herbolich has submitted his self nomination form. Ms. Van Ramshorst called last week indicating she would pick up a form and submit it at tonight's Board meeting. Since she was not present, Mr. Blodgett will provide this form to her tomorrow. To date, no one else has submitted a self nomination form. If Mr. Herbolich and Ms. Van Ramshorst are the only two candidates for the two vacancies, the election will be cancelled on March 6th.

B. Referrals - None

XIII. Attorney's Report

A. Executive Session to Discuss Matters Subject to Negotiation and to Receive Legal Advice related to Timberline Discussions with the City of Lone Tree (Sections 24-6-402(4)(b) and 24-6-402(4)(e) C.R.S.)

Upon a motion duly made by Director Pearson, seconded by Director Kelly, and upon vote unanimously carried, per C.R.S. Sections 24-6-402(4)(b) and 24-6-402(e), the Board moved into executive session at 6:51 p.m. to receive legal advice and discuss matters subject to negotiation.

Upon a motion duly made by Director Kelly, seconded by Director Pearson, and upon vote unanimously carried, the Board adjourned the executive session at 7:45 p.m.

No action was taken.

B. Discuss Official Newspaper for Publication of Legal Notices

Ms. Seaver reported that the Douglas County News Press should remain as the District's official newspaper since it is the only paper of general circulation in Douglas County. The Board asked that all legal publications also be placed in the Lone Tree Voice in the future.

XIV. Director's Items

A. SDA Leadership Academy

Director Herbolich reported he and Mr. Blodgett attended this lunch meeting approximately two weeks ago. They were informed they had also enrolled in the SDA Leadership Academy and approximately six other lunch meetings for the remainder of the year. Forty-one individuals are members of this academy. Director Pearson asked if other Board members could attend for Director Herbolich or Mr. Blodgett if they cannot attend meetings. Mr. Blodgett will check.

B. Long Range Capital Projects Plan

Director Herbolich reported that he would like to meet with Mr. Cotten and the City in May, after the City and District elections to look ahead at future capital projects over the next four to five years. He noted the District will have an additional \$1.1 million in 2014 and future years once its debt is retired and if it does not lower its mill levy. The Board

would like to begin planning for what future infrastructure needs should be funded with these monies.

C. Results of Meeting with Manager

Director Kelly reported that he and Director Thomas had a positive meeting with Mr. Blodgett. They discussed having the Board meet every other month to save money. They discussed cost control issues in the District management budget, which Mr. Blodgett is addressing. Director Kelly indicated that Mr. Blodgett is utilizing other staff in the office at a lower pay grade to save on the hourly cost of District work. Director Kelly stated the Board should consider paying District management services on a fixed fee retainer each month equal to their budget, with special work approved outside of that retainer amount. Mr. Blodgett reported he would still maintain time sheets in either event.

Directors Kelly and Thomas did not recommend bidding out management services for the District due to Mr. Blodgett's experience and historical knowledge which saves the District money.

The Board discussed the frequency of meetings and determined that monthly meetings should continue for the time being.

D. Results of Meeting with Accountant

Director Pearson reported Director Norblom and he met with Ms. Baumgartner and Ms. Harwell. He noted that Ms. Harwell is utilizing other staff in the office in order to keep the hourly accounting rate down. However, she gets involved when necessary including ensuring that the annual mill levy certification on December 15th of each year is filed properly. If the District fails to meet this deadline, they cannot collect their property taxes in the following year.

Director Pearson also thanked the accounting staff for their STIP investment analysis work.

Director Pearson and Director Norblom did not recommend bidding out accounting services for the District.

XV. Other Items

Director Kelly asked about the status of the tuck point repair work. Mr. Cotten indicated he will contact Directors Pearson and Kelly (the Board Committee) to walk through the Breeze and mortar test program in the

spring after the snow melts to determine the recommendations for 2012 tuck point repair work.

Director Herbolich recommended a memento for Director Norblom in recognition of his eight years of service on the Board. He will contact Director Norblom to ask for suggestions as to what will be meaningful for him and let Mr. Blodgett and the Board know.

XVI.

Adjournment

Upon motion by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, having no further business to discuss, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Regular Meeting is scheduled for March 26, 2012 at 5:00 p.m. at the Lone Tree Civic Center, Meeting Room A, 8527 Lone Tree Parkway, Lone Tree, Colorado.