

RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
PARK MEADOWS METROPOLITAN DISTRICT  
HELD  
APRIL 11, 2012**

A special meeting of the Board of Directors (the "Board") of the Park Meadows Metropolitan District (the "District") was held on Wednesday, April 11, 2012, at 12:00 p.m. at the Lone Tree Golf Club, 9808 Sunningdale Boulevard, Lone Tree, Colorado, 80124.

Attendance: In attendance were Directors:

John Herbolich  
Mark Thomas  
Roger Pearson  
Greg Kelly  
Dale Norblom

Also in attendance was:

Bob Blodgett, Clifton Gunderson LLP  
Jane Reuter; Douglas County News Press  
Art Griffith; Douglas County Public Works  
Jack Hidahl; Lone Tree City Manager  
Sharon Van Ramshorst; Lone Tree City Council  
John Cotten; TST Denver, Inc.  
Pam Schenck-Kelly; Park Meadows Mall Manager

Call to Order Director Herbolich called the meeting to order at 12:00 p.m.

Declaration of Quorum/Director Qualifications/  
Disclosure Matters A quorum was declared present, all Directors are qualified, and there are no disclosure matters.

Approval of Agenda Upon a motion duly made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the agenda as submitted.

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### Discussion Item

#### IV. Discuss Request from CDOT to Increase District Contribution from \$400,000 to \$708,000 for C470/Yosemite Multi Modal Bridge Project

Director Herbolich summarized past actions of the Board related to this project. He noted the District approved \$400,000 in November of 2011 which included the District's share of \$334,000 (\$167,000 by PMMD and the \$167,000 share for the City of Lone Tree who is not able to contribute), plus an approximate 20% contingency as recommended by Director Kelly. Douglas County is contributing \$167,000. The total match submitted to CDOT was \$567,000 for the \$2,500,000 project.

Mr. Griffith informed Mr. Blodgett that CDOT is requesting additional funding for the local match due to requests of approximately \$43,000,000 for projects with only \$20,000,000 of CDOT proceeds available to assign to bridge safety projects.

CDOT requested a 46% local match. Mr. Griffith proposed to CDOT a 35% local match and 65% CDOT match. In order to meet a 35% match, this translates to \$708,000 without a 20% contingency. This means that the District's contribution of \$400,000 would need to increase to \$708,000. The Douglas County contribution remains at \$167,000 for a total of \$875,000 which is 35% of the estimated \$2,500,000 project.

Director Herbolich reported the question before the Board today is whether or not they want to increase their contribution by this requested amount, or some other amount, or leave it as is.

Mr. Griffith distributed a memorandum dated April 11, 2012 to Mr. Blodgett and the Board regarding the status of the FASTER Safety Program application for the C470 trail over Yosemite. The memo reported that he has asked CDOT to consider a slightly different split of 64% CDOT and a 36% local match. This would translate to \$733,000 by PMMD in addition to the \$167,000 by Douglas County for a total local match of \$900,000. CDOT would pay the remaining \$1,600,000 for the \$2,500,000 project.

Mr. Griffith reported the CDOT safety engineer rates this project very highly because of the risk of future accidents on southbound Yosemite with a free right turn to the westbound C470 onramp and potential conflicts with pedestrians and bicyclists.

Mr. Griffith reported that should the project be awarded, some of the design funds would be required in 2013. However, Douglas County could use their

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\$167,000 in design funds that year towards the total design budget of approximately \$200,000.

The remaining funds would be needed by July 1, 2014 for the fiscal year 2014-2015 year.

Councilmember Van Ramshorst reported she believed the City Council did not plan to reconsider their decision not to fund this project. There are many other priorities in the City that are more pressing and she does not anticipate this decision will change in the near future.

Director Herbolich suggested that a public stakeholder process is important with community input to ensure the District is spending money on a project that is a priority to Park Meadows Metropolitan District residents and property owners.

Directors Pearson and Thomas expressed concern about the City of Lone Tree not contributing any money to this project.

Director Kelly reported he is working with SPIMD to seek funds for approval through the SPIMID budget for the project. It is possible this amount could be anywhere from \$50,000 to \$250,000.

Director Kelly asked how much time is available for this decision? Mr. Griffith reported he has to respond to CDOT this week.

Director Herbolich asked if South Suburban Park and Recreation District could possibly contribute? Director Thomas asked if CDOT could contribute some of their own safety funds since they own the trail?

Mr. Griffith clarified that CDOT will own and maintain the bridge once completed.

After additional discussion, a motion was made by Director Pearson, seconded by Director Kelly, for the District to contribute an additional \$100,000 in 2013 for a total of \$500,000 which coupled with the \$167,000 from Douglas County, would be a total of \$667,000 or 26.68% of the project cost, and that the District would request the City Council to consider funding and matching the \$167,000 in the future, that the District would ask South Suburban Park and Recreation District to consider contributing funds and that public meetings to inform the public of the project would be held in the future.

Mr. Griffith noted that the NEPA process required for use of these funds by the State will require public notification and meetings in the future.

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Councilmember Van Ramshorst reported that the City has many other project priorities along County Line Road, Park Meadows Center Drive and other projects within the City. Director Thomas stated he would not consider contributing any additional funds without Lone Tree's contribution.

Ms. Schenk stated that this is a great project if the State is willing to support it with \$2,000,000. She hoped the District would continue with the current local match for the project at a minimum.

After further discussion, the motion failed by a vote of 2 to 3, with Directors Herbolich, Thomas and Norblom opposed.

Mr. Griffith reported he will inform CDOT this week that the local match contribution between the District and the County remains at \$567,000. Director Kelly reported he will contact SPIMD and inform the Board and Mr. Griffith as soon as possible if additional SPIMD contributions are available on top of this amount toward the project.

Director Herbolich asked that a letter be sent from the District to SSPRD requesting a financial contribution towards this recreational project which connects a regional trail. This would be a parallel effort to the SPIMD request for funding.

Other Business

Mr. Blodgett reported the May 28<sup>th</sup> board meeting is being moved to May 21<sup>st</sup> due to the Memorial Day holiday on the 28<sup>th</sup>. The Civic Center is not available on May 21<sup>st</sup>. Director Herbolich recommended use of the basement of the Lone Tree Golf Club for that Board meeting. Mr. Blodgett reported that it is available. The Board concurred. At the April 23<sup>rd</sup> meeting a special meeting for May 21<sup>st</sup> at the Lone Tree Golf Club will be called.

Adjournment

Upon a motion made by Director Herbolich, seconded by Director Pearson and upon vote unanimously carried, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

  
Secretary for the Meeting

Next Scheduled Meeting: The Next Regular Meeting is scheduled for April 23, 2012 at 5:00 p.m. at the Lone Tree Civic Center, Meeting Room A, 8527 Lone Tree Parkway, Lone Tree, Colorado.