

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
AUGUST 8, 2012**

A special meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Wednesday, August 8, 2012 at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

Attendance: In attendance were Directors:

John Herbolich
Mark Thomas
Greg Kelly
Sharon Van Ramshorst

Also in attendance were:

Bob Blodgett; CliftonLarsonAllen LLP
Tamara Seaver; Icenogle Seaver Pogue, P.C.
John Cotten and Taylor Goertz; TST, Inc. of Denver
Harold Anderson and Kim Monson; City of Lone Tree

Call to Order

Director Herbolich called the meeting to order at 11:00 a.m. The absence of Director Pearson was noted and excused.

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

Mr. Blodgett recommended the addition of approval of director fee claims for this board meeting. The Board concurred.

Upon a motion duly made by Director Kelly, seconded by Director Thomas, and upon a vote unanimously carried, the Board approved the agenda as revised.

Public
Comments

None.

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V. Discuss Possible Responsibility for the Tuckpoint Work in Flagstone Medians

A. Construction Contract Drafting and Bidding Process

Ms. Seaver reviewed the potential issues involved if the District assumes responsibility for the contract bidding, advertising, letting and construction management. She outlined her role as general counsel in this process.

Mr. Cotten described several options regarding the work to be done by TST on behalf of the City of Lone Tree; (1) as is done presently, or; (2) alternatively, the work to be done by the District if they let the contract. Mr. Cotten indicated he was comfortable continuing to serve as the District's engineer through the City. He recommended the District let the tuckpoint contract in its name. TST can handle the specifications, bidding, bid review and construction management.

Director Kelly stated Option 1 may work this year. Director Herbolich would like to ensure that specific information on the inspection process is provided to the District Board at regular intervals. This will be provided to Director Kelly.

Mr. Goertz noted that the first phase of the tuckpoint work is approximately \$43,000 on Lincoln Avenue from Lone Tree Parkway to Lone Tree Parkway.

The Board noted that it may be best to tackle this smaller segment in 2012 and use it as a pilot for more ambitious projects in 2013 and future years.

Director Kelly suggested that the responding bidders could be asked to do a sample area of work first to be reviewed by the District and TST before the final decision on the contract is made.

Mr. Cotten noted that there are a number of contractors who perform this type of work. TST will ensure they are contacted regarding bidding on the project. Director Kelly concurred.

Ms. Seaver noted that if the project budget is under \$60,000 the contract does not have to be bid.

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The Board also discussed possible one year extensions with the contractor for future work if the work is performed well.

After additional discussion, upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board decided that TST will draft the bid documents and specifications. Ms. Seaver will approve these on behalf of the District since the District will be the prime contacting entity. TST will perform the construction management inspection. Director Kelly will review the specifications and plans first and also reports that are provided by TST while the work is being performed.

B. Construction Manager/Engineer Oversight Proposals

Previously discussed.

C. Schedule

TST will prepare as much of this information as possible for the August 27th Board meeting. It is possible the contract may be ready for review and the list of proposed bidders. The Board discussed the possibility of a special meeting to review and approve the construction bid if it is not available until some time after the August 27th meeting but prior to the September Board meeting.

D. City of Lone Tree's Role in the Process

Previously discussed.

E. Reporting Responsibility for the District's Contractors (to the Construction Manager, District Manager, Board member(s), City and/or other) and General District Oversight of the Work

Previously discussed.

F. Estimated District Costs to Direct the Project

Ms. Seaver estimated \$3,000 to \$4,000 to prepare the contract documents.

G. City of Lone Tree Fees to be Paid?

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Mr. Cotten indicated since TST will be involved in the construction management for the District, no separate fees will be required.

H. Other Coordination Issues

None.

I. Other

None.

VI. Street Lights on Timberline and Ptarmigan

A. Review Lone Tree Study Recommendations

Mr. Cotten reported the study prepared by TST recommended lights at each of the intersections on Timberline between Lone Tree Parkway and the Highlands Ranch border. He estimated this to be about six or seven lights. On Ptarmigan, there are also lights at each intersection and additional lights on the west side by the open space area. This may be approximately four or five lights. He estimates the total cost at less than \$40,000.

B. Consider Approval to Proceed with Installation at PMMD Expense

The Board decided that they would like to request the City Council to approve proceeding with street light installations on Timberline and Ptarmigan at the District's expense.

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board authorized Mr. Cotten to inform the City of this position. Mr. Cotten will meet with the City Council and let the Board know.

C. Discuss Public Meeting with HOA's/Residents

Mr. Cotten will ask the City Council if they would like the District to first hold a public meeting with affected residents and HOA's along Timberline and Ptarmigan before proceeding.

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D. Other

Mr. Cotten will discuss with City Council and let the Board know prior to the August 27th meeting.

VII. Discuss Yosemite Pedestrian Lights (West Side – Lincoln to Maximus)

Mr. Cotten indicated the City Council is supportive of proceeding with these pedestrian lights since they are on the City's master plan and they are on an arterial street. The lights on the east side of Yosemite have been completed from the Heritage Hills northern boundary to Lincoln.

After discussion, upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board approved moving forward with pedestrian lights on the west side of Yosemite from Lincoln to Maximus. The Board discussed the possibility of meeting with the apartment owners at The Lodge and other property owners to advise them of the pedestrian lighting project. Mr. Cotten will discuss that with the City Council also. Mr. Cotten will also provide a revised cost estimate for this work.

VIII. Director Items

Mr. Blodgett discussed the various landscaped median projects the District may pursue in the future. These will be further discussed during the 2013 budget process.

Director Kelly recommended that a landscaped median be provided in Yosemite from C470 to Park Meadows Drive. The Board concurred. This will be added to the project list and an estimate of cost developed.

IX. Other Items

Ms. Seaver asked about attendance at the SDA Conference. Directors Pearson and Van Ramshorst are attending. Director Thomas is not yet sure. Director Herbolich is not attending.

Upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the claims totaling \$377.40 for the four director fees for today's special board meeting.

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X. Adjournment

Upon a motion duly made by Director Van Ramshorst, seconded by Director Herbolich, and upon vote unanimously carried, the Board adjourned the meeting at 12:50 p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Board Meeting is a Regular Meeting scheduled for August 27, 2012 at 5:00 p.m. at the Lone Tree Civic Center, Meeting Room A, 8527 Lone Tree Parkway, Lone Tree, Colorado.