

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
JUNE 24, 2013

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, June 24, 2013 at 5:00 p.m., at the Lone Tree Civic Center, 8257 Lone Tree Parkway, Lone Tree, Colorado 80124.

Attendance: In attendance were Directors:

John Herbolich
Mark Thomas
Roger Pearson
Greg Kelly
Sharon Van Ramshorst

Also in attendance were:

Bob Blodgett and Lauren Robesky; CliftonLarsonAllen LLP
Matt Bevill; The Brickman Group
John Cotten; TST, Inc., of Denver
Jack Hidahl, City of Lone Tree
Harold Anderson; City of Lone Tree
Kim Monson; City of Lone Tree
Fred Hammer; The Enclave HOA
Diana Wening; 8185 Sweet Water Road, Lone Tree
David Kirchner; 7931 Eagle Feather Way, Lone Tree
Stephen Mikolajczak; 7561 Powderhorn Drive, Lone Tree

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.

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Approval of
Agenda

Mr. Blodgett reported the list of claims has been revised to include budgeted payments to the Park Meadows BID.

The Board approved the agenda as amended.

Public Comments

Director Herbolich reported that in the future HOA requests for landscaping enhancements will be first submitted to the District Manager, Mr. Blodgett, for review and then to the Board of Directors before any work is done by the District's landscape contractor or there is any commitment to financially participate by the District. The draft resolution is on the agenda later in the meeting for discussion.

Mr. Hammer distributed three sheets of information to the Board regarding HOA participation and partnerships in the past with the District. He also reviewed a flip chart noting that the residential community contributes approximately \$500,000 annually to the District's \$1,800,000 budget. Mr. Hammer recognizes the commercial properties contribute approximately 70% of the District's annual budget.

Councilmember Anderson indicated concern about the District taking on additional financial responsibility for water bills and other landscaping related expenditures. He noted the City Council needs the help of the District in the future on numerous transportation infrastructure projects that the City needs assistance with. The City is funded almost entirely with sales tax revenues. They do not have a property tax like the District.

Ms. Wening asked why the District is involved financially with HOAs. All do not benefit in the same manner. Mr. Kirchner provided similar comments. Mr. Mikolajczak indicated he was present to learn more about the District's activities and issues related to water and irrigation bills.

The Board thanked the residents for their comments.

CONSENT AGENDA

Upon a motion duly made by Director Pearson, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved the Consent Agenda as submitted.

- V. Review and Approve Minutes of the May 28, 2013 Special Meeting with the City of Lone Tree and Minutes of the May 20, 2013 Special Meeting.
- VI. Information Items

VII. Accept Denver Water Usage Report.

DISCUSSION AGENDA

VIII. Landscape Maintenance/Construction Items – Matt Bevill

A. Accept June Landscape Maintenance Report

Mr. Bevill reviewed the June Landscape Maintenance Report with the Board. He noted that changing the pop ups to rotors and increasing the height from four to six inches will improve the irrigation on the turf. He noted there are about 200 of these heads to be changed out at about \$37.00 each. The total cost is approximately \$7,400.

Upon a motion duly made by Director Pearson, seconded by Director Kelly, the Board asked Mr. Bevill to refine this expenditure and present a work order for review at the July Board meeting.

B. Work Orders

1. Discuss 2nd Revive Application - \$8,550

Mr. Bevill reported the first application has been applied throughout the District. He had hoped for better results; however, the weather has been extremely dry and hot. A second application would be applied just prior to the July Board meeting. He recommends the Board use the second application and then evaluate the results for 2014. The Board concurred.

Upon a motion duly made by Director Herbolich, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board authorized the 2nd Revive application in the amount of \$8,550.

2. Discuss Responsibility for Evergreen Trees – West Side of Crooked Stick, North of Heritage Estates Entrance

Mr. Bevill reported these trees are part of a strip of ROW approximately 320 feet long on the west side of Crooked Stick north of the Heritage Estates east entrance. He stated Brickman maintained this area with the Heritage Estates HOA contract through 2011. Brickman no longer provides maintenance for the Heritage Estates HOA. He did not know which contractor they use. Apparently the area has not been maintained since then. The complaint about the condition of the evergreen trees was

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forwarded to the City by a resident on the east side of Crooked Stick in the Rampart Range Metropolitan District. The City forwarded it to Mr. Blodgett and the Board for review.

Mr. Bevill indicated the trees need to be trimmed of dead material; however, they will not be attractive street trees even at that point. He reviewed pictures of the trees and the remainder of the ROW with the Board.

Mr. Bevill reported the initial clean up costs are estimated at \$800 and annual maintenance costs would only be about \$500 by The Brickman Group.

Mr. Blodgett reported the current Heritage Estates landscape maintenance services agreement includes Lincoln frontage and the west side of Crooked Stick south of the east entrance. Crooked Stick north of the entrance had never been previously discussed by the HOA and the District. The District's maintenance of this north area would be consistent with the District's policy to maintain ROW's along collector and arterial streets throughout the City. Mr. Cotten noted the City did determine this was a collector street because of its access to The Bluffs Regional Park and its second point of access for Heritage Estates.

The Board expressed concern about taking responsibility for this ROW at this time. They asked that Mr. Blodgett refer the request to the Heritage Estates HOA for their action and resolution of the issue.

3. Replace Dead Materials in ROW and Median

- a. Shrubs - \$7,605
- b. Perennials - \$7,507
- c. Trees - \$28,750 (plus removal cost \$12,825)

Mr. Bevill reported he recently completed a survey of the District's ROW's and medians to review shrubs, perennials and trees which were under warranty and those which weren't and were dead or dying. The total estimated cost to replace all of the dead or dying shrubs, perennials and trees that are the District's responsibility and out of warranty is approximately \$56,000. He noted that Brickman can do the work in July and August, and they will warrant the work for one year after the installation of the new materials.

Mr. Bevill reviewed his annual budget. He noted approximately \$40,000 is currently available in unused budgeted funds from other projects. Mr. Blodgett reported the remaining \$16,000 can be found from either savings in the General Fund, use of the District's General Fund contingency or the General Fund reserve.

After further discussion, upon a motion by Director Pearson, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board authorized Brickman to replace the shrubs in the amount of \$7,605, perennials in the amount of \$7,507.50 and trees in the amount of \$28,750 plus removal costs of \$12,825.

C. Denver Water – Status of Letters to HOA's re Request for Water Allocation Budget

Mr. Blodgett reviewed the current status of approval of HOA water allocation budgets by Denver Water. Five HOA's received approval. The District has not heard from the other six. It is possible they have been submitted to Denver Water and are in a backlog.

Mr. Bevill reported those HOA's that do not have the water allocation budget will be restricted to Tuesdays and Fridays and he will coordinate accordingly. No action was taken by the Board.

D. Discuss Potential Muirfield HOA Water Conservation Landscaping Project - \$45,950

After discussion, upon a motion by Director Herbolich, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board voted to table consideration of this project until 2014. Mr. Blodgett reported he had notified the Muirfield HOA of this project this afternoon in case they were not aware. He has not received any feedback yet from them.

IX. Construction Project Items

A. Lone Tree/PMMD Joint Cooperative Projects – John Cotten

1. Under Construction

a. C470/Yosemite Bridge Painting – June

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Mr. Cotten reported the proposals were received last week for the additional painting. This work should be completed in July.

- b. Pedestrian Lights on East Side of Yosemite (Maximus to Park Meadows Drive) June-July

Mr. Cotten reported WL Contractors is coordinating this work to begin in July. The City has recently ordered the light fixtures.

- c. Pedestrian Lights on West Side of Yosemite (Lincoln to Park Meadows Drive) - June/September

Mr. Cotten reported WL Contractors is also hoping to begin this work in July.

- d. Parkway Drive Landscaped Median Plant Replacement - June

Mr. Bevill has reviewed and approved the replacement materials. This project is completed.

- e. Park Meadows Drive Reconstruction (Acres Green to Quebec) - July/October

Mr. Cotten reported this project has been delayed due to the water main break in Parkway Drive west of Acres Green. The Park Meadows Drive work will now begin soon. He is recommending that Parkway Drive reconstruction be advanced to the 2014 budget. The estimated cost is \$1,200,000. He asked the District to pay \$600,000 of this cost and the City will pay the other \$600,000. Mr. Blodgett will review the Capital Improvement Plan and modify it for discussion at the July 22nd Board meeting.

- f. PF Chang's Turn Pocket – June

Mr. Cotten reported the contractor installed the curb and gutter backwards. The contractor is removing and reinstalling soon.

2. Under Design

- a. C470/Yosemite Interchange Landscaping –
July/September

Ms. Stickler sent a revised schedule of add alternates to the Board prior to the meeting. The Board authorized the project to proceed with the revised add alternates. Mr. Cotten reported he has submitted the project to CDOT for review and approval and the appropriate permits. He reported he is still working on obtaining the water tap for the project.

- b. Landscaped Median in Yosemite (Park Meadows Drive to C470) 2013 Design/2014 Construction

No report.

- c. Lincoln Avenue Median Rehabilitation Project

Mr. Cotten reported Mr. Goertz is out of town and he was not able to reach him for a status report.

- d. Landscaped ROW on East Side of Park Meadows Center Drive from East Mall Entrance to County Line/I-25 Interchange

Mr. Cotten reported he is still working with the TMA on this project. He hopes the TMA will contribute \$50,000, the City \$50,000 and PMMD \$50,000. Mr. Blodgett reported \$60,000 is in the preliminary budget for 2013. Mr. Cotten asked that that amount remain as is. The Board concurred.

3. Under Study

- a. County Line Road Transportation Study
(Yosemite to Inverness Drive S.) – Douglas
County

Mr. Cotten reported Mr. Griffith has not yet released the RFP. Mr. Griffith hopes to do so by the third quarter of 2013.

B. Review 2013-2017 Capital Improvements Project Plan

Mr. Blodgett reviewed with the Board. He will modify regarding the Parkway Drive improvements for the July meeting.

C. Other

Mr. Cotten reported he made a presentation to the City recently regarding monument signs. The estimated schedule and cost are not yet known. This will be brought to the District when ready.

Mr. Cotten reported there is interest in funding in the 2014 budget a shuttle from Sky Ridge Medical Center and the Schwab Campus to the Mall and/or the Entertainment District. The OmniPark Metropolitan District, Sky Ridge, Charles Schwab, Kaiser and the CU Hospital are interested in participating. He will update the Board at a later date as to whether any District participation is requested.

X. Financial Items

A. Approve June 17, 2013 Cash Position Report

Mr. Blodgett reviewed the cash position report with the Board. After discussion, upon a motion duly made by Director Herbolich, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the June 17, 2013 cash position report.

B. Approve May Claims Totaling \$76,105.75 and Approve Directors' Fees Totaling \$461.75

Mr. Blodgett reviewed the claims with the Board. Upon a motion duly made by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the May claims totaling \$76,105.75.

Upon a motion duly made by Director Thomas, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the Directors' fees totaling \$461.75.

C. Other

None.

XI. Manager's Items

A. Website Updates

Mr. Blodgett reported the website is updated.

B. Referrals

None.

C. Other

None.

XII. Attorney's Report

A. Review and Consider Approval of Resolution Establishing Policies Governing District Requests Received from Owner's Associations for Landscape Enhancements

The Board discussed the draft resolution. Director Van Ramshorst stated her concern that the District was not originally created to provide landscape maintenance in ROW's nor consider enhancements. The District needs to discuss its future direction related to this function and transportation improvement services. Director Pearson noted that any resolution or action by the Board should affect all owner associations including commercial and business properties, not just homeowner's associations.

Director Kelly noted that this applies to the District's expenditures and projects and affects all residents, not just HOA representatives.

Director Pearson noted the Brickman spreadsheet regarding landscaped maintenance contract and repair and maintenance responsibilities total approximately \$550,000. This is a major expenditure of the District annually.

The Board stated that regardless of a resolution, any future requests by owner associations for landscape ROW enhancements should be submitted to the District Manager, Mr. Blodgett, first for review and placement on the Board agenda before any work is undertaken by the District's consultants or landscape contractor.

After further discussion, upon a motion duly made by Director Kelly, seconded by Director Herbolich, and upon vote unanimously carried, the Board voted to reject the resolution. The Board directed Mr.

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Blodgett to update the process for consideration of future requests on the District's website.

B. Status of "Umbrella" IGA with COLT Regarding Future Joint Projects

Tabled to July Board meeting.

XIII. Director's Items

A. Discuss Attendance at SDA Conference and University September 19 – 20, 2013 in Keystone

Directors Pearson and Kelly stated they could probably not attend the conference this year. Others were not clear. Mr. Blodgett's office will coordinate with the Board regarding registration if it is available prior to the July meeting.

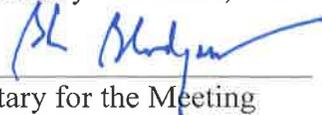
XIV. Other Items

None.

XV. Adjournment

Upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the meeting adjourned at 7:15 p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Meeting is a Regular Meeting scheduled for July 22, 2013 at 5:00 p.m. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado