

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
HELD
OCTOBER 28, 2013

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, October 28, 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:

Mark Thomas
Greg Kelly
Roger Pearson
Sharon Van Ramshorst

Also in attendance were:

Bob Blodgett and Christine Harwell; CliftonLarsonAllen LLP
Tamara Seaver; Icenogle Seaver Pogue, P.C.
Matt Beville; The Brickman Group
John Cotten and Taylor Goertz; TST, Inc., of Denver
Harold Anderson; Lone Tree City Council
Susan Squyer and Mr. Squyer; Lone Tree City Council
Kim Monson; Lone Tree City Council
Jackie Millet; Lone Tree City Council
Former Mayor, Jack O'Boyle and Margie O'Boyle; City of Lone Tree
Jack Hidahl; Lone Tree City Manager
Seth Hoffman; Future Lone Tree City Manager
Fred Hammer; 9684 Brook Hill Court
Susan Brown and Stacey Stickler; Valerian, LLC

Call to Order

Director Thomas called the meeting to order at 5:00 p.m. Director Thomas is serving as President of the Board meeting in the absence of Director Herbolich.

Declaration of
Quorum/Director
Qualifications/
Disclosure Matters

A quorum was declared present, all Directors are qualified, and there are no disclosure matters. Upon a motion duly made by Director Thomas, seconded

by Director Van Ramshorst, and upon vote unanimously carried, the Board excused the absence of Director Herbolich.

Approval of
Agenda

The Board agreed to move Mr. Hidahl's presentation to approximately 5:30 p.m. when he arrives at the meeting.

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

Public Comments

Mr. Hammer reported that October is Breast Cancer Awareness Month for women and November is Prostate Cancer Awareness Month for men. He urged all men over 50 in attendance to have a PSA check up. He stated he will address The Enclave maintenance project request later in the meeting. The Board thanked Mr. Hammer for his comments.

CONSENT AGENDA

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

- V. Review and Approve Minutes of the October 7, 2013 Special Meeting and September 23, 2013 Regular Meeting
- VI. Information Items

DISCUSSION AGENDA

- VII. Accept Denver Water Usage Report

Not discussed.

- VIII. Landscape Maintenance/Construction Items – Matt Bevill

- A. Accept October Landscape Maintenance Report

Mr. Bevill reviewed the October landscape maintenance report with the Board. After discussion, the Board accepted his report.

- B. Discuss Landscaping and Possible Curb and Gutter on Crooked Stick (South of the Heritage Estates Entrance) to the Bluffs Regional Park

Mr. Bevill reported vehicles are continually running over the landscape. He suggested a curb and gutter to solve this problem. Mr. Cotten reported the City would like to look at other options including a fence and other ways to mitigate the problems with vehicles driving onto the landscape, without necessarily using curb and gutter. Curb and gutter will change the historic drainage patterns and cause other issues to be addressed. Mr. Goertz reported it is approximately 950 feet from the south entrance at Heritage Estates on Crooked Stick to the Bluffs Regional Park. After discussion, Mr. Cotten stated he would review the issues and provide options for discussion by the Board at the November meeting.

C. Other

Mr. Blodgett reported Mr. Hammer requested that the District review the turf irrigation adjacent to The Enclave privacy wall on Yosemite and asked Brickman to provide a recommended solution. Mr. Bevill's work order is an approximate cost of \$14,000 to relocate the heads and provide two more feet of gravel rock mulch outside of the wall.

Mr. Hammer stated the Terraces on the east side of the wall within The Enclave are each about 4-5 feet in width and they are eroding gradually from the water seeping under the wall from the District's ROW irrigation. He asked that the District modify the irrigation to reduce this flow into The Enclave. He stated The Enclave would participate in the financial cost of a solution.

Director Thomas noted the irrigation is turned off until next spring and that may be a time to address the issue. Director Kelly suggested an under drain under the wall should be reviewed as an option. Mr. Goertz reported that has been utilized on some of the existing brick walls that the City constructed over the past few years.

After discussion, the Board appointed Directors Pearson and Kelly to a committee to meet with Mr. Hammer, Mr. Bevill and Mr. Cotten and tour the area and provide options for the Board's consideration at the November meeting if possible. Action on the Brickman work order was tabled.

IX. Construction Project Items

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

1. Under Construction

- a. C470/Yosemite Bridge Painting – October

Mr. Goertz reported this project is completed.

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

Mr. Goertz reported these lights would be turned on this week.

- c. Pedestrian Lights on West Side of Yosemite (Lincoln to Park Meadows Drive) – November

Mr. Goertz reported work is continuing with a completion date in November or early December

- d. Park Meadows Drive Reconstruction (Acres Green to Quebec) - November

Mr. Goertz reported the substantial completion date is November 22nd.

- e. PF Chang's Turn Pocket – River Rock Installation

Mr. Bevill reported this project is completed.

- 2. 2013-2014 Bid Package and Construction-Landscaping – Stacey Stickler, Valerian, LLC

- a. C470/Yosemite Interchange Landscaping

Ms. Stickler reviewed this preliminary design with the District. After discussion, the Board authorized continuing this design with the red sandstone rather than the buff sandstone in the median south of C470. Mr. Goertz reported that including the south side of the C470/Yosemite interchange it will cost about \$60,000. Mr. Blodgett reported this will need to be added to the budget.

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

Mr. Goertz reported this project cost has also increased approximately \$60,000 due to curb and gutter which will

have to be provided by the District rather than the City in a separate contract. The Board confirmed that this design should be red sandstone rather than the buff sandstone.

- c. Landscaped Median at Park Meadows Drive (Acres Green to Quebec) – 2013 Design/2014 Construction

Ms. Stickler reviewed this design with the Board. The Board confirmed the design and the inclusion of both deciduous and evergreen trees in this median. Ms. Stickler noted the landscaped median in Yosemite also contains both deciduous and evergreen trees.

After discussion, the Board authorized Valerian and TST to continue the design and finalize it for bidding in mid January, mid February to open to bid, award the contract in March and construction to start April 1, 2014.

- 3. 2013-2014 Bid Package – Maintenance

- a. Landscaped Median Rehabilitation Work

Mr. Goertz reported this project will be advertised in January with a February bid opening and awarding the bids in March. After discussion, the Board authorized paying for this work from the District's Capital Projects Fund instead of the General Fund. Ms. Harwell reported that as long as it extends the useful life of the asset this work can be capitalized. The Board concurred. Mr. Blodgett will modify the Capital Projects Fund budget for 2014.

- 4. Under Design

- a. Landscaped Median in parkway Drive (Acres Green /County Line Road – 2014 Design/2015 Construction

This project will not be designed until 2014 for construction in 2015. Mr. Goertz reported the plan is to construct the median in April to June of 2015 and the landscaped median in July to September 2015. The Board concurred.

- b. Landscaped ROW on East Side of Park Meadows Center Drive from East Mall Entrance to County Line/I-25 Interchange – 2013 Design/2014 Construction

Mr. Cotten reported the TMA is designing this project and constructing it. It will be bid in the spring of 2014 and constructed in the summer of 2014. The TMA will also maintain the landscaping once completed. He anticipates the District and the City of Lone Tree each paying \$30,000 towards the \$60,000 cost estimate share for the two entities.

5. Citizen Request

- a. Discuss Pedestrian Bridge Across Lincoln Avenue to Potential Site of a New Library

Mr. Cotten reported the City is continuing to review this option. He will provide additional input at the November meeting. He will let the District know if the City is requesting any participation in the future. He noted that Douglas County, the Rampart Range Metropolitan District, PMMD and Lone Tree are the likely participation partners if this project goes forward to serve the new library.

6. Under Study

- a. Timber Retaining Wall at Southwest Corner of Timberline and Lone Tree Parkway (Director Herbolich request) – Discuss Geotechnical Proposal - \$TBD

Mr. Blodgett reported that Director Herbolich asked him to review with the City the condition of these retaining walls. Mr. Goertz requested a geotechnical proposal to evaluate their condition. That proposal is not yet ready.

Mr. Cotten reported the walls seem to be in good condition at this time.

Director Kelly stated he is not concerned with the present condition of the retaining walls. Director Van Ramshorst

stated that maintaining the wall would be a public purpose in the future.

Mr. Blodgett reported that the walls are on private property presently. Neither the District nor the City presently has an easement for the ownership or maintenance. Ms. Seaver reported the District would have to have a public property interest to get involved in the ownership or maintenance in the future.

Further discussion was delayed until the November Board meeting.

- b. County Line Road Transportation Study (Yosemite to Inverness Drive S.) – Douglas County – 2013/2014

Mr. Goertz reported this study has not yet been released. The timeframe can be changed to 2014/2015.

- c. C470 Widening

Mr. Cotten reported that the C470 Coalition received \$100,000,000 in RAMP funding from CDOT. This was \$38,000,000 short of their request. The Coalition is evaluating what changes to make to the design. It is likely that the project west of Santa Fe will be delayed. Further discussion at the next Board meeting.

B. Review 2013-2017 Capital Improvement Project Plan

Not Discussed.

C. Other

None.

X. Financial Items

A. Approval of September 30, 2013 Financial Statements and Cash Position Report

Ms. Harwell reviewed with the Board. After discussion, upon a motion duly made by Director Thomas, seconded by Director Kelly,

and upon vote unanimously carried, the Board accepted the September 30, 2013 Financial Statements and Cash Position Report.

B. Approve September Claims Totaling \$397,129.83 and Approve Directors' Fees Totaling \$369.40

Mr. Blodgett reviewed with the Board. After discussion, upon a motion duly made by Director Pearson, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved the September claims totaling \$397,290.23.

Upon a motion duly made by Director Thomas, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the Directors' fees totaling \$369.40.

C. Discuss 2013 Audit Proposals

Mr. Blodgett reported Director Herbolich had asked that Ruben Brown be considered for the District's 2013 audit. Mr. Burt Bondi, partner in Ruben Brown, was the former auditor of the Southgate Water and Sanitation District.

Ms. Harwell reported that the cost to change auditors is approximately \$1,500 to \$2,300 the first year due to start up costs. She has been pleased with the work of Haynie and Company and does not recommend changing auditors at this time. Mr. Blodgett reported that should the District change auditors, Ruben Brown and others recommended by Ms. Harwell would receive a Request for Proposal.

After further discussion, upon a motion duly made by Director Van Ramshorst, seconded by Director Kelly, and upon vote unanimously carried, the Board decided to continue with Haynie and Company for the 2013 audit and not seek proposals.

D. Other

None.

XI. Manager Items

A. 2014 Budget Process

1. 2014-2023 Financial Projections

Ms. Harwell reviewed the future financial projections with the Board. She noted approximately \$6,000,000 of uncommitted available funds over the next 10 year period at the present mill levy of 6.387 mills.

The Board thanked Ms. Harwell for her report.

2. Discuss Draft 2014 Budget

Mr. Blodgett reported the draft budget contains the current mill levy of 6.387 mills. The District's debt service is paid on December 15, 2013. The District will not have a debt service fund in 2014. Ms. Harwell recommended that the District's general fund contain a minimum balance of \$100,000 prior to transferring funds to the capital projects fund in the future. Mr. Blodgett reported the 2014 budget public hearing will be at the November 25th Board meeting.

3. November 25th Meeting – Public Hearing to Review and Approve 2014 Budget

The Board confirmed the public hearing for the 2014 budget at this meeting. The Board meeting will be held at the Lone Tree Golf Club since the Civic Center is not available.

B. Website Updates

No report.

C. Referrals

Mr. Blodgett reported one referral from Douglas County on zoning resolution amendments. He will forward that to the Board.

D. Other

None.

XII. Attorney's Items

A. Review and Consider Approval of Revised Resolution Designating an Official Custodian for Purposes of the Colorado Open Records Act, Sections 24-72-201, *et seq.*, C.R.S.

Upon a motion duly made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the Board approved the Revised Resolution Designating an Official Custodian for Purpose of the Colorado Open Records Act (CORA). Ms. Seaver reported that as the District's CORA official custodian, Director Pearson also adopted updated CORA rules based on 2013 legislative changes.

B. Other

The Board discussed the 2014 director's election. They asked that the election resolution be on the November agenda for discussion. They asked for an analysis of the cost of conducting a polling place election versus a mail ballot election. Mr. Blodgett and Ms. Seaver's office will coordinate preparing this information. Ms. Seaver noted that a number of residents have automatic mail ballot status so they will receive a mail ballot with a polling place election.

Mr. Blodgett's office will also provide the election calendar for the May 6, 2014 director's election at the November meeting.

XIII. Director's Items

A. Consider Approval of Resolution Expressing Appreciation to Jack Hidahl, Lone Tree City Manager, 1995 – 2013

Director Thomas read the resolution of Appreciation into the record for Mr. Hidahl. Lone Tree City Council members Millett, Monson, Anderson and Squyer were present to recognize Mr. Hidahl. Mayor Gunning was at work. Former Mayor, Jack O'Boyle also was present to honor Mr. Hidahl.

The Board presented him with an appreciation award of a 20th Anniversary framed piece of dirt from the Rockies infield. The Board thanked Mr. Hidahl for "fielding" all of their projects in the past. Mr. Hidahl thanked Mr. Cotten, Mr. Goertz and the City Council for the work they did in responding to the District's requests in the past. The Board noted that the City, District and Douglas County received a 2011 Collaboration Award from the Special District Association in recognition of Mr. Hidahl and the City Council's collaborative efforts.

B. Other

None.

XIV. Other Items

Director Kelly asked the Board to consider in the future providing bus shelters at the designated bus stops along Lincoln and Yosemite within the District. He stated RTD does not pay for these shelters. Director Pearson asked about the cost of the shelters? Discussion was tabled to a future Board meeting.

XV. Adjournment

Upon a motion duly made by Director Pearson, seconded by Director Thomas, and upon vote unanimously carried, the meeting adjourned at 7:30 p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Meeting is a Special Meeting scheduled for November 25, 2013 at 5:00 p.m. at the Lone Tree Golf Club, 9808 Sunningdale Boulevard, Lone Tree, Colorado