

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARK MEADOWS METROPOLITAN DISTRICT
JULY 28, 2014

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, July 28, 2014 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
Roger Pearson
Greg Kelly
Tom Haning
Sharon Van Ramshorst

Also in attendance were:

Bob Blodgett and Stephany Juneau; CliftonLarsonAllen LLP
Tamara Seaver; Icenogle Seaver Pogue, P.C.
Fred Hammer; Enclave HOA
Shamus Pahl; Devin Listerman and Eric Keesen; The Brickman Group
John Cotten and Taylor Goertz ; TST, Inc., of Denver
Art Griffith; Douglas County Engineering
Steve Parry; 9659 Brook Hill Lane
Harold Anderson; Lone Tree City Council
Kim Monson; Lone Tree City Council
Rick Solomon; Terra Ridge HOA
Roger Borcharding; 9723 Cypress Pt. Cir

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.

Director Pearson reported he received an email on July 25th from Mr. Hammer. Mr. Hammer expressed concerned to the Board that there were 8 work orders requested for Heritage Estates and Crooked Stick. He expressed his view that Crooked Stick is not an arterial or main road. He also said that the Enclave is taking care of its own voles in the ROW.

RECORD OF PROCEEDINGS

Approval of
Agenda

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

Public Comments

Mr. Borcharding asked that the District relieve the HOA's of their responsibility for paying for irrigation water in the rights of way.. Director Van Ramshorst explained that Douglas County approved each of the developments and in the context of that approval Douglas County didn't accept responsibility for these areas but left it to the developers who then passed it on to each HOA. She explained that originally all the HOAs were responsible for the maintenance, water and electricity for all the ROW landscaping. The District, County and the City did not perform this function. Eventually, the City, agreed to assist the HOAs with this function and, for a few years, the City paid the District to perform the landscape maintenance, leaving water costs with the HOAs. The City asked the District to take over payment of the maintenance costs and the District has been paying them since 2008. In each situation the City and District only paid for the ROW maintenance; the HOA's continued to pay for the water and electricity. The City and District felt this was a fair balance of responsibilities since neither had the obligation to take on any of these costs.

Mr. Parry asked that the District clarify who owns the area between the curb and the privacy wall - the HOA or the City? The HOA cannot provide an easement over property it does not own. The Board and Ms. Seaver concurred. Ms. Seaver noted that Mr. Goertz is preparing a map to indicate clearly which property between the curb and the wall is owned by the City and by the HOA. The exhibits will be revised accordingly to reflect the HOA providing an easement only on property they own.

Mr. Hammer distributed copies of a report noting three items: (1) Letter to the Lone Tree Voice following the District Board election, (2) An acknowledgment of the recent article about the District in the Lone Tree Voice and his appreciation for the educational sign at the District's current construction projects indicating the City of Lone Tree and the District partnership in completing them and (3) his concerns about the work orders being considered for Crooked Stick ROW improvements.

The Board thanked Mr. Borcharding , Mr. Parry, and Mr. Hammer for expressing their input.

CONSENT
AGENDA

Mr. Blodgett reported that Brickman has performed the necessary backflow prevention inspections required by Denver Water referenced in Information Items. Mr. Keesen verified this work has been done.

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

V. Review and Approve Minutes of the June 23, 2014 Regular Meeting

VI. Information Items

DISCUSSION
AGENDA

VII. Denver Water Usage Report:

The Board accepted the report.

VIII. Landscape Maintenance/Construction Items:

A. Accept July Landscape Maintenance Report

Mr. Pahl reviewed the report with the Board. Director Van Ramshorst and other Board members expressed concerns about the condition of the District's turf along Lincoln and Yosemite. It is dead or dying in many places. This is not the case with turf maintained by other Metropolitan Districts along Yosemite and in the vicinity. Mr. Pahl explained a water meter had been turned off on Yosemite. There was also a broken valve on the turf adjacent to Jubilee Church on Lincoln. Regardless, Brickman acknowledged that they will pay more attention to the turf issues in a timely manner in the future. Mr. Keesen reported the irrigation technician approved by the Board was not hired this year. However, they are still devoting a like amount of hours to the irrigation control efforts. The Board thanked Brickman for their response and asked that they address dead turf, tree and plant material issues immediately.

Director Pearson asked that future monthly landscape reports again contain the summary of the work orders performed for the year. Mr. Bevill had done this previously. The current report indicates only the work order completed since the last Board meeting. Brickman will do so.

Director Kelly asked that Brickman remove a dead tree in the Taos open space west of Yosemite. Brickman will do so.

After discussion, the Board accepted the report.

Work Orders:

1. Infill Beds East of Heritage Estates - \$9,347

After discussion, the Board decided to defer consideration of this improvement until 2015.

2. West Heritage Estates Entry
 - a. Water Conservation Plan Improvements – \$15,480
 - b. Replacements – 7,768

Mr. Pahl reported that the proposal includes all the items in the replacement proposal. He noted this could be consider a water conservation landscape project since the turf is being removed and less water will be required for the new plant material. Director Van Ramshorst can support the \$15,480 work order if it includes the removal and the replacement of the dead sod between the sidewalk and curb along Lincoln on the east side of the Heritage Estates entrance. Mr. Pahl indicated Brickman will do so since they allowed it to die.

After discussion, upon a motion duly made by Director Van Ramshorst seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the work on the west side of Heritage Estates entrance as a water conservation landscaping project in the amount of \$7,712 and replacement material in the amount of \$7,768 for a total of \$15,480 with the understanding that the dead sod along Lincoln on the east side of Heritage Estates between the curb and sidewalk will be replaced also. It was unanimously approved. The Board decided to review the east side infill beds in 2015.

3. Replace Missing Plants in Crooked Stick ROW- \$5,475
4. Install Maples in Crooked Stick ROW - \$6,695
5. Crooked Stick ROW Improvements
 - a. Split Rail Fence – \$25,493.60
 - b. Curb and Gutter – \$32,910.25
 - c. Boulders – \$21,125

The Board decided to defer consideration of any work orders on Crooked Stick until the parking lot construction and striping is finished at the Bluffs open space. This is being done presently. It is anticipated it will be finished prior to the August 25th meeting. These items will be considered at the August Board meeting.

6. Tree Pruning Lone Tree Parkway and Timberline Medians and ROW – \$5,850

Mr. Blodgett reported that the current contract states Brickman will provide tree pruning up to 12 feet. Brickman indicated this pruning is above that level.

After discussion, upon a motion duly made by Director Kelly, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the tree pruning by Brickman on Lone Tree Parkway and Timberline medians and ROW in the amount of \$5,850 subject to Ms. Seaver verifying the contract has a 12 foot height limit.

7. Park Meadows Center Drive Median

- a. Replace Yuccas – \$6,600
- b. Replace Yuccas with Other Plants – \$6,390

Mr. Pahl reported that the present Yuccas have been in place approximately 15 years and many have died out. They are recommending replacement with the feather reed material similar to those plants in the other medians throughout the District.

Mr. Pahl indicated if approved these should be planted in mid August before the next Board meeting.

After discussion, upon a motion duly made by Director Kelly, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved replacement of the Yuccas with the other materials in the amount of \$6,390. The work order replacing Yuccas with more Yuccas was denied.

8. Median Shrub and Perennial Replacements:

- a. Lincoln - \$15,428.50
- b. Yosemite - \$9,428.50
- c. Parkway Drive - \$4,984
- d. Park Meadows Drive - \$1,874.50
- e. Lone Tree Parkway - \$10,329.50
- f. Timberline - \$4,519
- Total - \$46,558.50

Director Kelly recommended that the median shrubs and perennials be replaced in Parkway Drive and Lone Tree Parkway. He stated these are the worst conditions presently of all the

medians. Director Van Ramshorst concurred and also recommended the daylilies on Yosemite be filled in the gaps. Mr. Pahl reported the Yosemite daylilies proposal is for approximately 50 daylilies at \$23 each, for \$1,150. He stated this work has not been done in 4-5 years and missing or dead shrubs and perennials have accumulated over time.

After discussion, upon a motion duly made by Director Kelly, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved Median Shrub and Perennial Replacements in Parkway Drive in the amount of \$4,984, Lone Tree Parkway in the amount of \$10,329.50 and 50 daylilies in Yosemite for \$1,150. Director Van Ramshorst noted the items under warranty should be replaced in the Park Meadows Drive median. Mr. Pahl concurred.

9. ROW and Median Tree Replacement – \$7,415

Upon a motion duly made by Director Van Ramshorst, seconded by Director Haning, and upon vote unanimously carried, the Board approved ROW and Median Tree Replacement in the amount of \$7,415. Mr. Pahl noted those trees under warranty will also be replaced at no cost by Brickman.

10. Status of Turf Repair Adjacent to Pedestrian Lights on West Side of Yosemite – \$8,535

Mr. Goertz reported that all the turf has been replaced and has been successful with the exception of one pedestrian light. W.L. Contractors will replace this at no cost to the District. The Board tabled indefinitely any action on the work order to replace turf at the lights in the amount of \$8,535 by Brickman.

11. Remington ROW Turf Repair Options (Northwest corner Lincoln and Yosemite) - \$14,639.50

Mr. Goertz reviewed the design which includes a new concrete pad at the bus stop. The Brickman design includes cobble stone and plant material around the pad in the amount of \$14,639.50. The Board noted this project will prevent several thousand dollars of costs annually replacing dead turf at this location along Lincoln.

Upon a motion duly made by Director Van Ramshorst, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the Remington ROW Turf Repair order in the

amount of \$14,639.50. Mr. Cotten stated the City of Lone Tree will pay for the concrete pad at the bus stop.

12. Discuss Landscape Services Agreement with Jubilee Fellowship Church (Northeast corner Lincoln and Lone Tree Parkway)

Mr. Blodgett and Ms. Seaver noted that the church is watering some of the District maintained turf in the ROW. This had not been previously known by the District. Ms. Seaver recommended a landscape services agreement with Jubilee Fellowship Church similar to the HOA agreements. The Board concurred.

B. Other

Director Van Ramshorst expressed concerns about the Median Rehabilitation Contractor placing their sign on top of turf over the weekend. This will kill the turf underneath it. Mr. Goertz and Mr. Cotten will address this with the contractor.

Director Van Ramshorst asked which of the above projects must be approved by the City Council? Mr. Cotten reported that the Remington ROW project will need Council approval and perhaps the Heritage Estates water conservation landscape project and plant replacements west of Heritage Estates entry. He will proceed with the City Council to obtain the necessary approvals.

IX. Construction Project Items

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

1. Under Construction

- a. C470/Yosemite Interchange (North Side)
Landscaping – September Completion

Mr. Goertz reported Valerian is recommending that the plant materials not be installed until the weather is cooler. This could be in late August or early September. In the meanwhile Mr. Goertz requested that the contractor clean up the debris and demolished concrete and the piles of dirt on the site.

Director Herbolich asked the Board and consultants to review the seating wall on the southwest corner of the C470 on ramp from Yosemite. He recommended it be

extended 10 ft further to the South and possibly the west. This will be discussed further at the August Board meeting.

b. Landscaped Median in Park Meadows Drive
(Acres Green to Quebec)

Mr. Goertz reported this project is complete. He will conduct a final walk through for final acceptance with Brickman in the near future

c. Landscaped Median Rehabilitation – TBD
Completion

Mr. Goertz indicated Lincoln is completed and the contractor is working on Yosemite. He anticipates they will spend their budget before they reach Lone Tree Parkway. He recommended \$10,000 be withheld from the contract to address the buckled stones in several medians. The Board concurred.

2. Under Design

None

B. Status of County Line Road RFP (Yosemite to Inverness Drive)-
Art Griffith (invited)

Mr. Griffith reported URS is being hired as the consultant to conduct the study of County Line Road. The Board decided that Director Kelly will be the District's representative for the Transportation Management Agency of SPIMD. Mr. Griffith will add Director Kelly and Mr. Blodgett to his email distribution list for updates on this project. He welcomes the Board's input regularly on the study in the future.

C. Accept 2014-2018 Capital Improvement Project Plan

Director Kelly recommended that a minimum of \$100,000 be provided each year for the median renovation project beginning in 2015. The Board concurred. Mr. Blodgett will revise the plan.

1. Status of C470/Yosemite Multi Modal Overpass

Mr. Griffith reported that DRCOG is conducting its annual TIP process related to future federal funding of multimodal projects in the 2016-2019 timeframe. \$21 million is available and 16%

RECORD OF PROCEEDINGS

needs to be spent for multimodal improvements. He is recommending that the multimodal overpass on the North side of C470 be a City and District priority. It is estimated to cost \$3 million. He is requesting \$400,000 from the District and \$400,000 from Lone Tree. Mr. Cotten indicated Lone Tree will use their \$400,000 for architectural enhancements for the pedestrian bridge. Mr. Griffith stated the funds will be needed in the 2017-2018 timeframe. He asked the Board to make a decision at the August 25th meeting related to this project. Director Kelly indicated he is a strong proponent of this project and expressed support.

The Board asked Mr. Griffith why Highlands Ranch Metropolitan District is not participating in this or other pedestrian bridge projects in the corridor? Mr. Griffith indicated that the Highlands Ranch Metropolitan District (HRMD) is not currently participating financially in the Yosemite grade separation or other bicycle/pedestrian proposed improvements on the C470 trail; but they have partnered with the County on other bicycle/pedestrian improvements that are wholly within their boundaries.

X. Financial Items

A. Approve June 30, 2014 Financial Statements

Mr. Blodgett reviewed with the Board. After discussion, upon a motion duly made by Director Pearson, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the June 30, 2014 Financial Statements.

B. Approve July 25, 2014 Cash Position Report

Mr. Blodgett reviewed with the Board. After discussion, upon a motion duly made by Director Pearson, seconded by Director Kelly, and upon vote unanimously carried, the Board accepted the July 25, 2014 cash position report.

C. Approval of Current Claims Totaling \$598,030.34

Mr. Blodgett reviewed with the Board. They consist of \$ 597,568.59 of claims plus \$461.75 of Board of Director meeting fees. After discussion, upon a motion duly made by Director Kelly, seconded by Director Pearson, and upon vote unanimously carried, the Board approved the current claims.

D. Other

None.

XI. Manager's Items

A. Review Comments on Revised HOA Landscape Maintenance Services Agreements

1. Roger Borcharding – Centennial Ridge, Country Club Estates and Cypress Green HOA's
2. Rick Solomon – Terra Ridge HOA
3. Tom Wengh – Ridgeview HOA
4. Harvey Field – Lone Tree Terrace HOA
5. Steve Parry – Enclave HOA
6. David Graf – Heritage Estates HOA

Mr. Blodgett and Ms. Seaver reported on their discussion with the HOA representatives. Primary discussion centered around the issue of which property is owned by the HOA and which is owned by the City. Mr. Goertz is reviewing HOA information and will revise the exhibits to reflect clearly HOA owned property. Revised exhibits will be sent to each HOA.

Mr. Blodgett reported the Terra Ridge HOA has signed the agreement and has returned it to the District. He reported that Mr. Solomon signed the agreement on behalf of the Terra Ridge HOA but added a note regarding "consultation with the HOA" prior to the District proceeding on modifications within their ROW. The Board will consider this at a future meeting.

He also noted that the Lone Tree Terrace HOA does not have a smart controller and this language is being added to their new agreement. He recommended the smart controller to be acquired for the Lone Tree Terrace HOA in an amount not to exceed \$3,000.

After discussion, upon a motion duly made by Director Van Ramshorst, seconded by Director Kelly, and upon vote unanimously carried, the Board approved a smart controller for the Lone Tree Terrace HOA not to exceed \$3,200. They asked that this proceed immediately prior to the next Board meeting.

B. Website Update

No Report.

C. Referrals

None.

D. Discuss SDA Annual Conference, September 10th – 12th,
Keystone, Colorado

No Report.

E. Discuss 2015 Landscape Maintenance Services Contract

After discussion, the Board decided to seek proposals for the 2015 Landscape Maintenance Services Contract. Mr. Blodgett reported he will have a draft RFP with an exhibit reflecting the current scope of work for the landscape maintenance for the District, a list of potential contractors and schedule for review at the August 25th meeting. Ms. Seaver will assist in preparing the RFP.

F. Other

Director Van Ramshorst expressed concerns regarding items being thrown over the fence from residents within the HOA into the City ROW which the District maintains. She noted there is a pile of limbs on the other side of the fence along Ptarmigan. Mr. Cotten will have the City take care of this.

Ms. Seaver reported the District does have the ability to levy charges and/or fine individuals in order to collect the costs for the pick up of these materials if the District performs the work.

Mr. Cotten reported he is working on a task order with Ms. Seaver for \$180,000 for District participation in the new Lincoln on ramp at North bound I25. The District will have an agreement with Lone Tree. Lone Tree will provide the funds to Douglas County who will provide funds to CDOT per the financial agreements. This will be available for the August 25th meeting for approval. The Board concurred. Mr. Cotten stated he hopes that the East bound ramp work will begin in 2014

XII. Attorney's Items

A. Executive Session

Deferred to the August 25th meeting.

B. Summary of 2014 Legislation

Ms. Seaver noted for the Board that a memorandum prepared by her office and summarizing the 2014 legislation was included in the packet for the Board's information.

C. Discuss HOA landscape Maintenance Services Agreements

Previously discussed.

D. Other

None.

XIII. Director's Items

A. Discuss Changes to Service Plan Jurisdiction from Douglas County to the City of Lone Tree – Director Pearson

Deferred to the August 25th meeting.

B. Review District Postcard Information Mailing Costs – Director Herbolich

Deferred to the August 25th meeting.

C. Discuss Designated Media Spokesperson – Director Herbolich

Deferred to the August 25th meeting.

D. Discuss HOA Summit Representative – Director Herbolich

Deferred to the August 25th meeting.

E. Discuss Community Input to Board Members – Director Pearson

Deferred to the August 25th meeting.

F. Other

None.

XIV. Other Items

None.

RECORD OF PROCEEDINGS

XV. Adjournment

Director Herbolich adjourned the meeting at 8:15p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Meeting is a Regular Meeting scheduled for August 25, 2014, at 5:00 p.m. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado