

RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
PARK MEADOWS METROPOLITAN DISTRICT  
SEPTEMBER 22, 2014

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was held on Monday, September 22, 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; CliftonLarsonAllen LLP  
Tamara Seaver; Icenogle Seaver Pogue, P.C.  
Matt Beville, Devin Listerman and Scott Stoddard; The Brickman Group  
John Cotten; TST, Inc., of Denver  
Harold Anderson; Lone Tree City Council  
Pamela Schenk-Kelly; Park Meadows Mall  
Fred Hammer; 9684 Brook Hill Court  
Steve Parry; Enclave HOA

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.

Approval of  
Agenda

Director Herbolich asked the following items be added to the agenda:

1. Valerian Work Order for updating the cost estimate for the County Line Road landscape medians from I-25 to Quebec;

2. Move the TMA information item regarding County Line Road/Park Meadows Center Drive landscaping off the Consent Agenda to the Discussion Agenda; and
3. Defer the July 28<sup>th</sup> Board meeting minutes until a response from Mr. Griffith is received regarding Highlands Ranch Metropolitan District participation in projects within their boundaries.

The Board concurred.

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

Public Comments

Mr. Hammer discussed the future multi modal bridge over Yosemite at C470 and asked whether or not Heritage Hills Metropolitan District will be participating. He noted Heritage Hills Metropolitan District maintains approximately 1,000 feet of ROW frontage on the east side of Yosemite. The Board thanked Mr. Hammer for his comments.

CONSENT  
AGENDA

Per previous discussion, the July 28<sup>th</sup> regular meeting minutes and Item VI.B. the information from the TMA, were removed from the Consent Agenda.

Director Kelly noted the August 25<sup>th</sup> minutes needed to be amended to reflect that two of the votes were not unanimous as noted in the draft minutes.

Director Van Ramshorst stated she was not sure that the Board discussed including Omni Park Metropolitan District and Rampart Range Metropolitan District as possible contributors to the C470/Yosemite multi modal future bridge. After discussion, the Board left the minutes as drafted.

Director Van Ramshorst noted that South Suburban Park and Recreation District and the Heritage Hills Metropolitan District should contribute to the future pedestrian bridge over Lincoln Avenue to the RidgeGate open space.

After discussion, upon a motion duly made by Director Kelly, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved the Consent Agenda as amended and with the August 25<sup>th</sup> Board meeting minutes as amended.

- V. Review and Approve Minutes of the August 25, 2014 and July 28, 2014 Regular Meetings
- VI. Information Items

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- A. Ratify Letter from Director Herbolich to Art Griffith Regarding Participation in C470/Yosemite Overpass Trail in 2019
- B. Accept Information from Steve Klausung, TMA, Regarding the County Line Road/Park Meadows Center Drive Landscaping Project (SE Corner)
- C. Other

DISCUSSION  
AGENDA

VII. Denver Water Usage Report:

The Board accepted the Denver Water report.

VIII. Landscape Maintenance/Construction Items:

A. Accept September Landscape Maintenance Report

Mr. Listerman and Mr. Stoddard reviewed the report with the Board. The Board accepted the report.

B. Work Orders:

- 1. Confirm Approval of Lincoln Avenue Work Orders  
Approved at August 25, 2014 Meeting - \$29,000

The Board discussed the work order for the north side of Lincoln from Fairview to the District's west boundary. After discussion, the Board asked that two of the replacement areas for turf with mulch be removed. Upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board approved not to exceed \$8,000 for the remainder of this work order. Mr. Stoddard will revise the plans and the work order and resubmit to Mr. Blodgett tomorrow.

The Board reconfirmed the work order for \$18,436 for the work on the north side of Lincoln from Fairview to Remington.

The Board also noted there were two dead trees in the Park Meadows Drive medians. Mr. Stoddard indicated these are Kentucky Coffee Trees. He will submit a work order to replace them.

- 2. Consider Approval of Work Order C470/Yosemite Interchange (north side) Landscape Maintenance - \$2,120

Upon a motion duly made by Director Pearson, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved the work order for C470/Yosemite interchange landscape maintenance in the amount of \$2,120.

3. Consider Approval of Work Order for Park Meadows Drive Landscape Medians (Acres Green to Quebec) Landscape Maintenance - \$2,024

Upon a motion duly made by Director Pearson, seconded by Director Van Ramshorst, and upon vote unanimously carried, the Board approved the work order for Park Meadows Drive landscape medians (Acres Green to Quebec) landscape maintenance in the amount of \$2,024.

4. Review List of Denied/Tabled Work Orders for 2015 Budget Discussion

The Board reviewed this list. Mr. Listerman will update it for the next Board meeting.

5. Valerian Work Order for Updating the Cost Estimates on the County Line Road Medians from I-25 to Quebec - \$980

The Board asked that this be revised to also include a new concept plan and drawings. Mr. Blodgett will inform Valerian. It will be brought back at the October Board meeting.

6. Southeast Corner of County Line Road and Park Meadows Center Drive Landscaping by the TMA

Mr. Blodgett reviewed the recent correspondence from the TMA and the City of Lone Tree. The District informed TMA that they and Lone Tree would not put any more funds into the project until the initial construction was completed. Mr. Cotten stated the TMA decided to go ahead and spend another \$20,000 on additional plants and shrubs without boulders. The Board thanked Mr. Cotten for his work on this project.

C. None.

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. Cotten reported this project would be complete by the end of the month.

Director Kelly reported there are dead trees on the east side of the project that should be replaced prior to the warranty period starting.

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

Mr. Cotten reported the final walk through and completion of this project would be done this month.

2. Under Design

None

- B. Status of County Line Road Report by URS (Yosemite to Inverness Drive)

Mr. Cotten reported this study will be approved by the County Commissioners in October. It will be an approximate nine month study.

- C. Accept 2014-2018 Capital Improvement Project Plan

Mr. Blodgett reviewed with the Board. Mr. Cotten stated that he would update the March 2014 Lone Tree CIP report prior to the October meeting. The Board asked that the Park Meadows Center Drive northbound second exit lane at County Line Road be added to the schedule. Mr. Blodgett will do so. Director Kelly reported the Board may need to consider another bond issue in the future to complete all of the priority projects within the District.

- D. Discuss Final Payment to WL Contractors for Pedestrian Lights on West Side of Yosemite - \$40,000

Mr. Cotten reported that after review with WL, they were credited for 80 delay days. The final recommendation is that \$40,000 of the \$55,000 retention be paid to WL. After discussion, upon a motion duly made by Director Herbolich, seconded by Director Van Ramshorst, and upon vote

unanimously carried, the Board approved the \$40,000 final payment to WL Contractors. This will be made at the October Board meeting.

E. Other

Ms. Schenke-Kelly reported she has met with Mr. Hoffman and Mr. Cotten. Mr. Cotten has agreed to take the lead on the committee meeting regarding transportation improvement priorities around the mall and the commercial area. The meeting will include the City of Lone Tree, PMMD, Douglas County and the Park Meadows Mall BID. Director Kelly asked that the City of Centennial and Arapahoe County be considered as participants also. This meeting will be set prior to the October Board meeting if possible.

X. Financial Items

A. Approve September 24, 2014 Cash Position Report

Mr. Blodgett reviewed with the Board. After discussion, the Board approved the report.

B. Approval of August Claims Totaling \$67,626.48

Mr. Blodgett reviewed with the Board. Upon a motion duly made by Director Pearson, seconded by Director Herbolich, and upon vote unanimously carried, the Board approved the August claims totaling \$67,626.48.

C. Other

None.

XI. Manager's Items

A. Review 2015 Landscape Maintenance Services Contract Proposals

Mr. Blodgett and Ms. Seaver reported to the Board of Directors that 9 proposals were submitted in response to the District's request for proposals. Ms. Seaver then reported that four of the proposals (Canyon Landscape Design, Emerald Isle Landscaping, Keesen Landscape Management and Metco Landscape) failed to submit required financial statements, and the failure entitled the Board to reject their proposals as non-conforming with the RFP requirements.

Director Kelly moved that the Board reject the proposals received from Canyon Landscape Design, Emerald Isle Landscaping, Keesen Landscape Management and Metco Landscape. The motion was seconded by Director Haning, and approved unanimously by the Board.

Upon a motion duly made by Director Van Ramshorst, seconded by Director Herbolich, and upon vote unanimously carried, the Board determined to form a landscape maintenance proposal review committee to evaluate the remaining proposals, which committee would consist of Directors Kelly and Haning. Directors Kelly and Haning accepted their nominations to so serve.

Director Kelly asked for an analysis of the special services costs by Brickman in the past few years be prepared as this is also a significant cost of the future work for the new contractor.

Mr. Blodgett was directed by the Board to send a letter to the nine proposers revealing the disqualifications and the appointment of the Board committee to further evaluate the remaining proposals in anticipation of consideration of a contract award at the October meeting.

B. Review 2015 Draft Budget

Mr. Blodgett reviewed the draft budget with the Board. After discussion, upon a motion duly made by Director Herbolich, seconded by Director Pearson, and upon vote unanimously carried, the Board appointed Directors Van Ramshorst and Pearson to the 2015 budget committee. They will meet with Ms. Harwell prior to the October meeting.

C. 2015 Budget Schedule

1. Review Budget at October 27<sup>th</sup> Meeting

This date was confirmed.

2. Call Public Hearing for November 24, 2014 Regular Meeting to Review and Approve 2015 Budget

Upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board called a public hearing for the November 24, 2014 meeting to review and approve the 2015 budget.

D. Referrals

1. COLT Referral – Morningstar (RidgeGate Section 15, Filing 21, Lot 1), Project #SP13-30R

The Board decided to respond with no comment. Mr. Blodgett will do so.

E. Other

None.

XII. Attorney's Items

- A. The Board elected to table the Executive Session listed on the agenda related to the City of Lone Tree and HOA Water Use.

After discussion regarding the timing of executive sessions and open session votes following executive sessions, Director Van Ramshorst moved that the District hold future executive sessions at the end of Board meetings, following all other business items and further that the Board refrain from immediate post-executive session voting at the same meeting once the Board returns to open session. The motion was seconded by Director Haning and the Board voted 3 to 2 to approve it. (Directors Kelly and Herbolich voted against the motion.) The Board reserved the right to make exceptions and adjustments to the policy if needed in the best interest of the District.

- B. Status of HOA landscape Maintenance Services Agreements

Ms. Seaver reviewed the status of the present agreements with the Board. Mr. Cotten noted there is an HOA summit meeting on Thursday, September 25<sup>th</sup>. The Board will have a representative at this meeting. The Board decided not to take any further action on the landscape maintenance services agreements until after the summit meeting. After discussion, the Board appointed Director Van Ramshorst as the District's representative to attend the HOA summit on the Board's behalf.

The Board also determined that it would be beneficial to all to continue the present relationships and partnerships with HOA's, with the HOA's continuing to pay for water and electricity and the District continuing to pay for maintenance and minor irrigation repairs to the property that the HOA owns or is within City ROW's, (including the cost of a smart controller and the annual smart controller subscription).



- C. Approve Task Order with City of Lone Tree for PMMD Contribution to I-25/Lincoln Eastbound Ramp Improvements - \$180,000

Ms. Seaver reported that the task order will take the form of the addendum to the Public Improvement IGA approved by the City and the District earlier in the year. Upon a motion duly made by Director Herbolich, seconded by Director Kelly, and upon vote unanimously carried, the Board approved the task order.

- D. Other

None.

### XIII. Director's Items

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

After discussion, the Board voted unanimously to continue with their service plan jurisdiction in Douglas County instead of the City of Lone Tree. Mr. Blodgett will draft a letter for Director Herbolich to Mayor Gunning regarding the Board's decision.

- B. Review District Postcard Information Mailing Costs – Director Herbolich

After discussion, the Board decided not to expend funds on a postcard mailing. They determined the website should be kept current and up to date for residents to utilize regarding District information. Director Haning asked whether or not the District considered using the City's facebook page or twitter? After discussion, the Board decided to continue with the website only as the social media vehicle for the District at this time.

- C. Discuss Designated Media Spokesperson – Director Herbolich

Director Herbolich as President will represent the District with the media.

- D. Discuss HOA Summit Representative – Director Herbolich

As previously discussed, Director Van Ramshorst will be the Summit representative for the District.

- E. Discuss Chamber of Commerce Representative – Director Herbolich

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After discussion, the Board designated Director Pearson as the Chamber of Commerce representative.

F. Discuss Community Input to Board Members - All

After discussion, the Board determined that Board members should inform the Board regarding significant community input from residents prior to or at the next Board meeting. Board members should use their judgment regarding what is a material comment versus other comments that do not need to be passed on to the entire Board.

G. Other

None.

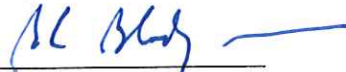
XIV. Other Items

None.

XV. Adjournment

Upon a motion duly made by Director Kelly, seconded by Director Pearson, and upon vote unanimously carried, the Board adjourned the meeting at 8:20 p.m.

Respectfully submitted,



Secretary for the Meeting

Next Scheduled Meeting: The Next Meeting is a Regular Meeting scheduled for October 27, 2014, at 5:00 p.m. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado