

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

PARK MEADOWS METROPOLITAN DISTRICT

Held: Monday, April 27, 2015 at 5:00 P.M. at the Lone Tree Civic Center, 8527 Lone Tree Parkway, Lone Tree, Colorado.

Attendance:

A regular meeting of the Board of Directors of the Park Meadows Metropolitan District was scheduled in compliance with the laws of the State of Colorado, with the following directors in attendance:

John Herbolich
Greg Kelly
Sharon Van Ramshorst
Tom Haning
Roger Pearson

Also present were:

Kim Monson and Harold Anderson, Lone Tree City Councilmembers; Fred Hammer, 9684 Brook Hill Place; Robin Price, The Brickman Group; John Cotten, TTG, Corp.; Bob Blodgett, Chuck Reid and Christine Harwell, CliftonLarsonAllen LLP; and Tamara Seaver, Icenogle Seaver Pogue, PC.

Call to Order/ Declaration of Quorum:

Director Herbolich, noting the presence of a quorum, called to order the regular meeting of the Board of Directors of Park Meadows Metropolitan District at 5:04 P.M.

Directors Matters/Disclosure Matters:

None.

Approval of Agenda:

After review and discussion, and upon motion of Director Van Ramshorst, which motion was seconded by Director Pearson, the Board of Directors approved the agenda as presented.

Public Comment For Matters Not on Agenda:

Mr. Hammer commended the Board for the appearance of the District's landscaping on the northwest corner of C-470 and Yosemite and then mentioned his appreciation of the

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Americana LEGO exhibit at the Park Meadows Mall.

Consent Agenda:

Director Kelly moved approval of the consent agenda, comprising minutes of the March 27, 2015 regular meeting and ratification of the Brickman Work Order for Mulch Application for Lincoln and Yosemite Medians in the amount of \$12,995. The motion was seconded by Director Pearson, and was thereafter approved by the Board of Directors

Discussion Agenda:

Denver Water Usage Report:

Director Herbolich asked about past Denver Water HOA water savings reports, noting he had not seen one recently. Mr. Blodgett recollected he had not seen such a report recently and committed to request one from Denver Water.

Landscape Maintenance/

Construction Items:

Backflow Preventer Replacements:

Mr. Blodgett reported on recent backflow preventer thefts for backflow preventers for taps shared between the District and the Fairways at Lone Tree Homeowner's Association, Inc. and The Enclave Homeowner's Association, Inc. Ms. Seaver reported on the license agreements and their relation to the thefts. Ms. Price discussed various methods of deterring future thefts for the shared taps and noted that she would study the number of shared taps, which she estimated at 10 or 11, and report back to the board at the May Board meeting. Following discussion, Director Herbolich moved that the Board ratify Mr. Blodgett's approval of the replacement of the stolen backflow preventer at the Fairways at Lone Tree Homeowner's Association, Inc. in the amount of \$2,695, which was done in advance of Board approval for health, safety and welfare reasons, and to approve the replacement of the stolen backflow preventer related to The Enclave Homeowner's Association, Inc. in the amount of \$3,466. Director Pearson seconded the motion which was approved unanimously by the Board of Directors. Mr. Blodgett will file insurance claims with the Special District Property and Liability Pool.

April Landscape Maintenance Report:

Ms. Price delivered the April landscaping report including updates regarding turf mowing, weed spraying and debris clean-out. She also reported regarding the condition and leaking of the water meter for the C-470/Yosemite project, reminding the Board that the District was using a relocated Denver Water meter. She noted that after a visit from

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Denver Water officials, Denver Water declined to replace the meter. Thereafter Ms. Price reported the results of Brickman's investigation and, based thereupon, sought Board approval for replacement of the yoke on the existing meter as a measure to be taken prior to renewing the request of Denver Water to replace the meter. The Board discussed the matter and concurred with Ms. Price's recommendation.

Ms. Price then reported on two main line breaks in the proximity of the Jubilee Church resulting from lightning strikes, showing the Board sections of the lines damaged by the strikes.

She then noted that approximately fifteen trees are being evaluated for their condition and she recommended removal of junipers in the medians at Lincoln and Lone Tree Parkway, to be replaced with Russian Sage. The Board then discussed Crooked Stick plant improvements, determined not to do them in 2015 and directed their line item of \$5,475 be removed from the proposed 2015 Brickman Budget. The Board tabled any discussion of the Heritage Estates and Lone Tree Parkway right of way replacement/improvement items for review at the next meeting, and directed Ms. Price to provide specific pricing for that meeting.

Proposed Work Orders:

Direction Herbolich moved approval of Brickman's proposed work order for tree removal and replacement in the medians at Lincoln and Yosemite in the amount of \$3,607.75 as well as the yoke replacement on the meter related to the C-470/Yosemite landscaping in the amount of \$1,768. The motion was seconded by Director Pearson and approved unanimously by the Board.

Other:

Mr. Cotten reported to the Board that Chancery Construction's work is nearly complete and that with a change order, the first median on Park Meadows Drive, or more, might be accomplished in 2015. The Board discussed the matter and agreed they wished to maximize median rehabilitation progress in 2015. Thereafter, Director Pearson moved that the Board of Directors authorize an amount not to exceed \$100,000 to allow Chancery to perform additional median repairs under their 2015 contract, to be reflected in a change order or other contract amendment as appropriate. The motion was seconded by Director Kelly and approved unanimously by the Board.

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Construction Project Items:

Mr. Cotten reported on various joint projects noting with respect to the Lincoln Avenue Pedestrian Bridge that the City is about to embark on the process of gathering public input and that Mr. Cotten will seek permission from the City to share more information on those efforts at the May Board meeting. Mr. Blodgett then reported that there were no changes to the 2015-2019 Capital Improvement Plan.

Mr. Hammer departed the meeting at this time.

Financial Items:

2014 Audit:

Ms. Harwell reviewed the 2014 draft Audit Report with the Board of Directors, noting that the report was an unmodified opinion, commonly referred to as a "clean" opinion. Following Ms. Harwell's review, Director Pearson moved that the Board approve the 2014 Audit, which motion was seconded by Director Van Ramshorst and approved unanimously by the Board.

March 31, 2015 Financial Statements, Cash Position and Property Tax Report

Ms. Harwell then presented the March 31, 2015 financial statements, as well as the District's cash position and property tax collections. Director Pearson asked how the management, counsel and accounting billings compared to the budget. Mr. Blodgett reported that management was in excess of budget but that he expected to rectify the overage. Ms. Harwell and Ms. Seaver noted that their billings are not even each month and the early months of each year are higher than later months, with both believing they were on track to be on budget for the year. Following discussion, Director Herbolich moved to accept the March 31, 2015 Financial Statements which motion was seconded by Director Haning.

March Claims

Director Van Ramshorst expressed concern with the March CliftonLarsonAllen bill with respect to management fees, noting she was unable to ascertain with precision the time spent on each matter and was concerned with the amount of time spent for several matters, as well as billing for management attendance at luncheons and other such events. The Board concurred that the District should not pay for consultant attendance at such events and that Mr. Blodgett should organize his billing by subject item. Mr. Blodgett agreed to pull his bill from the payables and re-submit a revised bill in May. Following discussion, Director Pearson moved that Board of Directors approved the March claims in the amount of \$263,916.86, with the understanding that Mr.

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Blodgett would further review the CLA March management services bill and provide additional credits for all work done on the management proposal and attendance at the Lone Tree Economic Forecast Breakfast meeting. This will be presented on their April 2015 bill. The motion was seconded by Director Kelly and approved unanimously by the Board of Directors.

Manager's Items:

Mr. Blodgett asked the Board if they wished to schedule a formal board property tour with Ms. Price. The Board indicated they preferred to contact Ms. Price individually for such tours. Mr. Blodgett then noted the upcoming Special District Association regional workshops. Mr. Blodgett then noted the upcoming Lone Tree State of the City Annual Luncheon and the Denver South Economic Development Partnership Annual meeting. During the discussion, Director Haning left the meeting.

Attorney Items:

Agreement with Park
Meadows Business
Improvement District for
ROW Landscaping
Maintenance Services:

Ms. Seaver reviewed with the Board the revised intergovernmental agreement with the Park Meadows Business Improvement District for right-of-way landscaping in proximity to the Park Meadows Mall, with a 3-year term and annual not-to-exceed payment of \$18,583, billed in equal monthly installments. Following Ms. Seaver's review, Director Herbolich moved that the Board approve the agreement, which motion was seconded by Director Kelly and approved unanimously by the Board.

Director's Items:

Executive Session:

Director Herbolich moved for the Board to convene into executive session pursuant to C.R.S. Section 24-6-402(4)(e)(I), for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to District management. The motion was seconded by Director Van Ramshorst, and the Board unanimously approved the motion. The Board retired into executive session at 7:04 P.M.

Messrs. Reid, Anderson and Cotten, and Mss. Price, Monson, Harwell and Seaver, left the meeting at this time. Mr. Blodgett was asked to remain for the executive session.

At 7:50 P.M. upon the motion of Director Herbolich, and

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second of Director Kelly, the Board voted unanimously to come out of executive session.

Other Business:

None.

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 7:51 P.M.


Secretary