

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARKER JORDAN METROPOLITAN DISTRICT
HELD
JUNE 17, 2014**

A regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on June 17, 2014 at 5:00 p.m. at CliftonLarsonAllen LLP, located at 8390 E. Crescent Parkway, Suite 500, Greenwood Village, CO 80111.

Attendance

In attendance were Directors:

Bill Lambertson
Clint Waldron
Don Leyn (via telephone)
Kevin Pettway
Mark Hoover

Also in attendance were:

Bob Blodgett; CliftonLarsonAllen LLP
Rick Kron; Spencer Fane Britt & Browne LLP
Josh Cyboron; Emerald Isle Landscaping
Wayne Reed; Deputy City Manger, City of Centennial
Jeff Wohlfarth; Consilium (via telephone)

Call to Order

Director Lambertson called the meeting to order at 5:00 p.m.

Pledge of
Allegiance

Mr. Reed led the Board and audience in the pledge of allegiance.

Declaration of
Quorum/Director
Qualifications
Disclosure Matters

The Board was advised that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made of record, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of members present was necessary to obtain a quorum or otherwise enable the Board to act.

Director Lambertson reported that he had disclosed his interest as an owner of property located in the District. He is a director and owns a minority interest in Emerald Isle Landscaping, LLC, and family members have additional interests therein. Director Lambertson reported he is a co-signer

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on an equipment loan for Emerald Isle Landscaping, LLC. The disclosure is in association with the consideration and/or approval of agenda items which may affect his interests. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Waldron reported that he had disclosed his interest as an owner of property located in the District. Director Waldron is also a shareholder with White Bear Ankele Tanaka & Waldron which serves as general counsel to Cornerstar Metropolitan District. The disclosure is in association and/or approval of agenda items which may affect his interests. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Leyn reported that he owns a 50% interest in Universal Lighting Systems, LLC and owns a residence in the District. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Pettway reported that he is a homeowner in the Southcreek Subdivision within the District and is a member of the Board of the Southcreek Master HOA. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Director Hoover reported that he is a homeowner in the District, is a member of the Board of the South Creek Master HOA and a sales representative for Wagner Equipment Company. A written disclosure of his interests was filed with the Secretary of State prior to the meeting.

Consideration
of Agenda

Mr. Blodgett recommended the addition of the Work Order from Emerald Isle Landscaping for \$3,985 for deep root fertilization and watering as Item 7B. The Board concurred. Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved the Agenda as amended.

Public
Comment

None.

CONSENT AGENDA

Mr. Blodgett reviewed the Consent Agenda items with the Board. The current claims are \$63,642.56. Directors' Fees are \$923.50 for two Board meetings. Director Waldron recommended deferral of the Verizon service agreement revision to the July Board meeting. The Board concurred. After further discussion, upon a motion duly made, seconded, and upon vote unanimously carried, the Board approved the Consent Agenda as amended.

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- a. Approve Minutes of the June 9, 2014 Special Meeting and May 20, 2014 Regular Meeting
- b. Accept May 31, 2014 Financial Statements
- c. Accept June 17, 2014 Cash Position Report
- d. Approve Current 2014 Claims Totaling \$63,642.56 and Directors' Fees Totaling \$923.50
- e. Accept 27 Acre Open Space Planning Grant Final Report and Approve Reimbursement to Arapahoe County of \$31,600
- f. Approve Revised CORA Resolution

DISCUSSION AGENDA

Capital Projects

- a. Discuss Status of Cherokee Trail Stub Road Funds - \$300,000

Mr. Reed reviewed the recent discussions with Tagawa and MPIC regarding obtaining a survey for the future design of the stub road. Tagawa agreed to the easement proposed by Centennial. MPIC did not. After MPIC missed the City's deadline, the City sent MPIC a May 1st letter from City Manager, John Danielson indicating they were no longer pursuing the survey with MPIC. Mr. Reed informed the Board the City remains committed to design and construction of the stub road. They are willing to assist financially in the effort if the \$300,000 set aside in the IGA between the District and the City is not adequate. For now, the City will be patient regarding right-of-way obtainment until MPIC is willing to dedicate it.

After discussion, the Board authorized Mr. Blodgett to send Mr. Feters a letter indicating the District also was still committed to the trail stub project and the funds will be retained for that purpose in the future.

Mr. Reed also informed the Board that the fiber optic initiative of the City is proceeding. RFP's will be sought in July. The City Council hopes to hire a partner by end of year to develop a broadband network for businesses and residents with a 1GB capacity.

Mr. Reed further reported that Potomac Park will remain undeveloped for the unforeseeable future. Centennial is working with Arapahoe County regarding a future regional sports park analysis on this site and a nearby site.

The Board thanked Mr. Reed for his attendance at the Board meeting, and expressed appreciation for their partnership with the City.

- b. Discuss Future of Property Ownership by the District

Deferred until Directors Leyn, Waldron and Mr. Blodgett can meet with Mr. Carter on June 27th.

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c. RHRES Playground Improvement Project

Mr. Wohlfarth reviewed his status report provided to the Board today. He indicated that the site is partially within the floodplain. This means that Cherry Creek School District will submit a request for a floodplain permit to SEMSWA. This has not yet been submitted.

The Board expressed concern about the timing for the project. Contractor schedules are being filled for the summer, and taxes are increasing. The Board authorized Mr. Blodgett to contact Mr. Hawbacker and ask if the School District can go ahead and take bids on the project to determine what pricing and scheduling will be from contractors. Any amendments to the construction plans based on the SEMSWA floodplain permit review will be made when that is received. Mr. Blodgett will contact Mr. Hawbacker.

d. Other

None.

PJCOS Maintenance Items

a. Status of Maintenance Options for Cherry Creek Corridor (CCVEP, PJCOS 17 Mile House and Aurora Open Space)Arapahoe County Feedback

Deferred to the July Board meeting.

b. Discuss Recommendations for Tree Care and Replacement -- Emerald Isle and Arborist

Mr. Cyboron presented the results of the Swingle Tree care analysis of the District's trees. They recommended deep root watering and fertilization.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved the work order in the amount of \$3,985 with Emerald Isle for deep root watering and fertilization and authorized the removal of approximately ten trees that are clearly dead on the east side of the Cherry Creek Trail adjacent to the MPIC property. Mr. Cyboron noted the work order includes the trees adjacent to the trail and the trees at the fitness station. It does not include any cottonwood trees. Director Lamberton did not participate in the discussion and abstained from the vote.

c. Weed Removal

Mr. Cyboron presented a report on weed removal to the Board. He noted that much work remains to be done with the thistle in the 27 Acres. He noted that this is within their Emerald Isle contract. The Board authorized

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him to proceed. They noted that for next year, the pre-emergent application needs to be done in the spring so that the problem is not as severe in the summer.

d. PJCOS Tour with COC OSAB Members – Feedback

Mr. Blodgett reported the meeting went well. Directors Waldron and Pettway attended the OSAB meeting. Director Pettway attended the tour. The OSAB and Deputy Manager, Reed were very complimentary of the District's efforts in the PJCOS.

e. Other

None.

Legal

a. Status of Cornerstar Health Care Plaza Exclusion Request

Mr. Kron reported no petition has yet been received from Cornerstar Health Care Plaza.

b. *Executive Session (if necessary)

None.

Financial

a. Review and Consider Approval of Emerald Isle Landscaping, Inc. May Invoices - \$6,654.50

Upon a motion duly made, seconded, and upon vote, unanimously carried, the Board approved the May invoices submitted by Emerald Isle Landscaping in the amount of \$6,654.50. Director Lamberton did not participate and abstained.

b. Other

None.

Director's
Items

a. Review Draft Goals and Objectives

The Board tabled this discussion to the July Board meeting.

b. Website/Email Update – Director Leyn

Director Leyn indicated he hopes the website will be operational within the next few months.

c. Discuss Open Space/ACWWA Well Site Maintenance Issues Adjacent to River Run HOA

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After discussion, the Board authorized Mr. Blodgett to contact Ms. Whitehead and ask if she would work directly with ACWWA regarding reclamation of the ACWWA well site and re-seeding.

d. Status of Parker Radio Association June 27-28 Permit

The Board decided not to waive the application fee or deposit fee. Director Waldron recommended that in the future a lower application fee and a higher deposit (if needed), depending on the impact of the special event be considered. The Board concurred.

e. Confirm Quorum for Next Meeting – July 15, 2014 @ 5:00 p.m.

A quorum was confirmed.

Manager's
Items

a. Review Draft Newsletter

The Board reviewed the newsletter and made a number of suggested changes to the section regarding RHRES, 27 Acre Open Space, the future digital format newsletters, and asked that a statement be added regarding keeping dogs on leashes and observing leash laws within PJCOS. Mr. Blodgett will revise the newsletter and send a draft to the Board for review and final approval before being sent out in the ACWWA bills at the end of June.

b. Discuss Legal Services Agreement

Mr. Kron recommended the Board return to an hourly rate since he will not be attending Board meetings regularly in the future. The retainer is more expensive when he is not attending meetings. The Board concurred.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved a modification to the legal services agreement with Spencer Fane Britt & Browne to return to an hourly basis. Mr. Kron will submit for ratification at the July Board meeting.

c. Referrals

None.

d. Other

Mr. Blodgett reviewed the information from Mr. Ruhland regarding the SDA panel concerning the MPIC open records lawsuit against the District. Director Lamberton agreed to be on the panel. Mr. Blodgett will inform Mr. Ruhland. The panel is September 10th at the SDA Annual Conference.

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Other

Business

None.

Adjournment

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



Secretary for the Meeting