

RECORD OF PROCEEDINGS

**MINUTES OF A CONTINUED REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARKER JORDAN METROPOLITAN DISTRICT
HELD
OCTOBER 14, 2014**

A continued regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on October 14, 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 Lamberton
Clint Waldron
Don Leyn
Kevin Pettway
Mark Hoover (arrived at 7:25 p.m.)

Also in attendance were:

Bob Blodgett, Mat Mendisco & Kevin Collins; CliftonLarsonAllen LLP
Wayne Reed; City of Centennial
Norman Sheldon; Previous Board Member

Call to Order

Director Lamberton 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 Lamberton 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 Lamberton reported he is a co-signer on an equipment loan for Emerald Isle Landscaping, LLC. The disclosure is in association with the consideration and/or approval of agenda items

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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 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.

Director Waldron stated he continues to live within the District but he now is a tenant rather than a property owner in the Creekview Subdivision.

Board
Work
Session

Not needed.

Consideration
of Agenda

Director Leyn recommended that a discussion of the December 2013 MRE invoice from December 13th be added under the Financial Items 11 B. 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 reported the current claims \$18,447.66 and Directors' fees total \$923.50. Upon a motion duly made, seconded, and upon vote unanimously carried, the Board approved the Consent Agenda as submitted.

- a. Approve Minutes of the September 16, 2014 Regular Meeting
- b. Accept September 30, 2014 Financial Statements
- c. Accept October 14, 2014 Cash Position Report

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- d. Approve Current Claims Totaling \$18,447.66 and Directors' Fees Totaling \$923.50

DISCUSSION AGENDA

Capital Projects

- a. RHRES Playground Improvement Project Construction -- Status

Mr. Blodgett reviewed Mr. Wolfarth's status report and Mr. Wurdeman's letter to the families of the RHRES which were included in the packet. Work began in October. Weather permitting, the playground construction will be complete in 2-3 months. Mr. Collins reported the required escrow has been deposited with the Cherry Creek School District with the 20% contingency. Director Leyn asked if this would be returned if it is not utilized. Mr. Collins indicated yes, it would.

- b. Cherokee Trail Stub Road

1. Discuss Request by the City of Centennial to Amend the 2010 IGA with the City to Provide for a Full Access Intersection at Broncos Parkway and Broncos Parkway Trailhead/Tagawa Drive Entrance Instead of the Cherokee Trail Stub - \$300,000

Mr. Reed reported that the City of Centennial will consider this preliminary design and IGA Amendment at their October 20th City Council meeting. If the City Council approves moving forward, a final design will ensue which will consider the recommendations of the Board regarding utilizing additional right of way on the south side of Broncos Parkway for an accel/decel lane and reducing the impact on the medians. The City's intent is to build the project in the spring of 2015.

The Board asked that requirements in the IGA reference restoring the landscaped medians to their original condition. Mr. Reed indicated this can be covered in the construction contract.

Mr. Blodgett reported that transferring the \$300,000 from the Cherokee Trail Stub to the Broncos Parkway Trailhead Access Improvement Project will remove the responsibility by the District for the Cherokee Trail Stub. This will be with the property owner and the City. If the project costs exceed \$300,000, any additional costs will be paid by the City of Centennial for the revised project.

2. Review Draft IGA Amendment

Mr. Blodgett reported Mr. Kron and the City's attorney have reviewed this amendment. It will be finalized at the November Board meeting.

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Upon a motion duly made, seconded, and unanimously carried, the Board tentatively approved the transfer of \$300,000 to the Broncos Parkway Trailhead Improved Access Project and the draft IGA Amendment. These will be brought back at the November Board meeting for final approval pending approval by the City at their October 20th City Council meeting.

3. Schedule

Previously discussed.

c. Discuss Future of Property Ownership by the District

1. Discuss Results of October 9th Meeting with Arapahoe County and City of Centennial

Director Waldron summarized the results of the meeting last week with representatives of Arapahoe County and the City of Centennial regarding the future ownership and maintenance of the Parker Jordan Centennial Open Space (PJCOS). All parties agreed that common maintenance by Arapahoe County makes the most sense. The County maintains the CCVEP and 17-Mile House on the north and south sides of PJCOS and other open space tracts throughout the county. They have a staff and should be the most efficient and effective doing this work. The entities discussed the County assuming this responsibility on January 1, 2015 with the City and District funding the County on a monthly basis out of the 2015 PJCOS Budget so the County can track their costs for future reference.

Director Waldron reported that the City has indicated they are okay with the District proceeding with Arapahoe County to attempt to sell the property to the County.

After further discussion, the Board authorized Mr. Blodgett to draft a letter for Director Lamberton's signature to Arapahoe County offering to sell the District's ownership in PJCOS for \$250,000 to Arapahoe County. The revenues will be committed for park, recreation and open space purposes within the District. The District would like to close the transaction by December 31, 2014.

2. Possible Executive Session Under C.R.S. 24-6-402(4)(a) Concerning Transfer or Sale of a Real Property Interest and/or (e) Develop Negotiating Positions

Not needed.

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3. Other

None.

PJCOS
Maintenance
Items

a. Weed Maintenance Update

The Board reviewed the update report from Emerald Isle. No action was taken.

b. Review Work Orders for Removal of Trees in Medians - \$990

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved the work order for the removal of trees in the medians. Director Lamberton did not participate and abstained.

c. Review Work Order for Removal and Replacement of Dead Trees in PJCOS - \$TBD

Emerald Isle is recommending that the trees be reviewed in the spring of 2015 before a final determination is made as to which ones are dead and need to be removed. If they are dead, they will be under warranty and replaced by Emerald Isle at no cost to the District. The Board concurred.

d. Review RFP Responses for 2015 Landscape Maintenance Work

Mr. Mendisco reviewed the responses for the 2015 work. Bids were received from the following vendors with a total of three schedules as follows:

Terracare - \$57,816
Metco - \$28,210
Valley Crest/Brickman - \$45,496
Emerald Isle - \$55,451
Cox Landscaping - \$27,505

The Board asked Mr. Mendisco to prepare a spreadsheet indicating the schedules for each vendor for the median maintenance, open space maintenance and weed maintenance along with the summary totals. After further discussion, the Board appointed Directors Pettway and Hoover to a Landscape Maintenance RFP Review Committee to review the proposals with CliftonLarsonAllen (CLA) and/or the vendors and provide a recommendation at the Board's November budget meeting.

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e. Controlled Burn Within PJCOS

The Board asked Mr. Mendisco the status. Mr. Mendisco indicated he had discussed with the South Metro Fire Department and they are willing to consider doing a burn. They have to prepare a burn plan for approval by various entities. A notice to adjacent homeowners will also need to be provided.

Board members noted the 17-Mile House has a controlled burn periodically. They asked how information is disseminated to surrounding property owners on that burn?

The Board decided the controlled burn should be in the southwest corner of the 27 acre open space.

Director Lamberton indicated a controlled burn can assist in eradicating weeds even into April of next year presuming the ground is dry at the time.

The Board asked that Emerald Isle provide an area map with the prospective burn area and circulate to the Board for approval. Mr. Mendisco will meet with the Fire Department and ask them to proceed with the burn plan with the area designated by the Board. The Board also asked that information from South Metro Fire Department be obtained about door hangers or other notices they provide to adjacent properties when they are doing a controlled burn.

Legal

a. Continued Public Hearing - Discussion and Possible Action on the Cornerstar Health Care Plaza Exclusion Request

The Board decided to close the public hearing given the lack of a final submittal for review. Once Cornerstar Healthcare Plaza is ready to proceed again, the public hearing will need to be re-advertised at their expense.

Financial

a. Review and Consider Approval of Emerald Isle Landscaping, Inc. September Invoices - \$6,736

Upon a motion duly made, seconded, and upon vote, unanimously carried, the Board approved the September invoices submitted by Emerald Isle Landscaping in the amount of \$6,736. Director Lamberton did not participate and abstained.

b. December 2013 Mulhern MRE Invoices

Director Leyn expressed concern regarding the lack of prompt consideration of these invoices. Mr. Blodgett indicated that CLA was partially at fault for not processing these promptly at the time. Actions have been taken to ensure all vendors know which individual to contact

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within CLA to process their invoices and provide a status report on them when needed. The Board asked Mr. Blodgett to work with the consultants to ensure this does not happen again.

Director's Items

a. Status of Regional Community Center and Pool Facility

Director Waldron reported that the Cottonwood Metropolitan District (CMD) certified a ballot issue and missed the TABOR notice requirements, so the election had to be cancelled. He reported the E-470 Potomac Metropolitan District properly certified a ballot issue. However, they cancelled their election also when CMD was forced to cancel.

Director Waldron would like to see additional information on the project developed, including possible sites and costs for consideration in the November 2015 election cycle. Director Pettway indicated his support for further considering this concept. Director Leyn indicated he is concerned about developing other facilities within the District when we are selling PJCOS. He is also concerned about the continuing maintenance costs. Director Waldron indicated the plan is that maintenance and operating costs are paid by the users of the facility. It is also a regional facility such that at least two other Districts are contributing to the cost along with PJMD residents. Mr. Collins recommended if the Board is going to consider this, that some funding be provided in the 2015 Budget when it is approved. After discussion, the Board decided to further discuss this issue at a Budget Workshop prior to adoption of the 2015 Budget.

b. Discuss October 21st Board Meeting -- Cancel or Possible Budget Workshop

The Board decided to cancel the October 21st meeting. They decided to have a Budget Workshop meeting on Friday, November 14th from 10:00 a.m. – 12:00 p.m. at CLA as a special meeting. Mr. Blodgett will notify the Board and other consultants.

c. Confirm Quorum for Next Meeting (Budget Public Hearing) – November 18, 2014 at 5:00 p.m.

A quorum was confirmed for the November 18, 2014 regular meeting at 5:00 p.m. at CliftonLarsonAllen LLP, 8390 E. Crescent Pkwy., Ste. 500, Greenwood Village, CO 80111.

d. Other

None.

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Manager's
Items

a. 2015 Budget Process

1. Discuss 2015 Goals

Not discussed.

2. Draft Budget Reviewed at October 14, 2014 Board Meeting

Mr. Collins reviewed the draft budget with the Board. He noted the mill levy is maintained at 21.5 mills. Further discussion ensued regarding the General, Debt Service and Capital Funds. The Board decided to further discuss the budget items at the November 14th Budget Workshop.

3. Call Public Hearing to Review and Approve at the November 18, 2014 Meeting

The Board called a Public Hearing for the November 18, 2014 meeting to review and approve the 2015 Budget.

b. Discuss Posting Locations

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved the Broncos Parkway Trailhead as a third posting location and eliminated the UPS/FedEx/US Postal Service boxes on East Hinsdale Drive east of Jordan Road.

c. CCBWG – October 17, 2014 Meeting at 10:00 a.m. at Arapahoe County Open Space

Mr. Blodgett reported the October 17, 2014 is cancelled. The next meeting is in January 2015.

d. Referrals

None.

e. Other

None.

Other
Business

None.

Adjournment

Upon a motion duly made, seconded, and upon vote, unanimously carried, the meeting was adjourned at 7:40 p.m.

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DL King

Secretary for the Meeting