

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
PARKER JORDAN METROPOLITAN DISTRICT
HELD
JULY 15, 2014**

A regular meeting of the Board of Directors (the "Board") of the Parker Jordan Metropolitan District (the "District") was held on July 15, 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

Also in attendance were:

Bob Blodgett, Mat Mendisco, Scott McFadden & Kevin Collins;
CliftonLarsonAllen LLP
Rick Kron; Spencer Fane Britt & Browne (via telephone)
Josh Cyboron; Emerald Isle Landscaping (via telephone)
John R. Fetters III; MPIC

Call to Order Director Lamberton called the meeting to order at 5:00 p.m.

Pledge of Allegiance Mr. Mendisco 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

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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

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 \$200,818.51 and Directors' Fees total \$461.75. Director Waldron asked that in the future those claims that are available on Friday before the Board meeting be sent to the Board at that time. Additional claims can be sent on Tuesday of the meeting as needed. The Board concurred.

Upon a motion duly made, seconded, and upon vote unanimously carried, the Board approved the Consent Agenda as amended.

- a. Approve Minutes of the June 17, 2014 Regular Meeting
- b. Accept June 30, 2014 Financial Statements

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- c. Accept July 15, 2014 Cash Position Report
- d. Approve Current 2014 Claims Totaling \$200,818.51 and Directors' Fees Totaling \$461.75
- e. Approve Revised Legal Services Agreement

DISCUSSION AGENDA

Capital Projects

- a. RHRES Playground Improvement Project

The Board reviewed the current schedule for work. Mr. Mendisco reported the floodplain analysis indicates no impact on the floodplain by the playground. SEMSWA is currently reviewing this report and will approve it in the near future. He reported Bowman Vision Land proceeded on the no impact floodplain permit to continue to keep the project on schedule.

- 1. Approve Work Order with Bowman Vision Land for No Impact Floodplain Permit - \$4,800

Upon a motion duly made, seconded, and upon vote, unanimously carried, the Board approved the work order with Bowman Vision Land for No Impact Floodplain Permit for \$4,800.

- 2. Schedule

Previously discussed.

- b. Discuss Future of Property Ownership by the District

- 1. Review PJCOS Financial Information

Mr. Collins reviewed possible scenarios related to additional income from the sale of PJCOS. He also reviewed possible impacts on the District's mill levy if the \$75,000 annual maintenance costs are assumed by Arapahoe County.

- 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

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board adjourned into Executive Session at 6:45 p.m. per C.R.S. 24-6-402(4)(a) Concerning Transfer or Sale of a Real Property Interest and/or (e) Develop Negotiating Positions.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board came out of Executive Session at 7:15 p.m.

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The Board directed Mr. Blodgett to discuss with the City of Centennial and Arapahoe County the future ownership and maintenance options related to PJCOS.

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.

- b. Review Status

Mr. Mendisco reviewed two work orders provided by Emerald Isle Landscaping:

1. Removal and Replacement of Various Plant Materials in Median Island 9 - \$2,281
2. Removal and Replacement of Different Plant Materials in Median Island 9 - \$5,335

Mr. Cyboron indicated he does not have the work orders in front of him. He would provide additional information tomorrow to Mr. Mendisco. The Board asked that in the future, the bids clearly explain the work to be done, the location, and a map and/or pictures be included.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board approved the two work orders contingent on Mr. Cyboron providing additional information to Mr. Mendisco tomorrow. Mr. Mendisco will provide this information to the Board for final review.

Mr. Mendisco reviewed the proposed work order for boulder installation south of the concrete fence at the northeast corner of PJCOS adjacent to the Cherry Creek Trail in the amount of \$2,758. After discussion, the Board asked that the option of extending the concrete fence be reviewed and a cost provided at the August meeting. The Board discussed the emergency access to PJCOS from the northeast part of the property. The fence is intended to prevent illegal access onto the trail. Action was deferred to the August Board meeting.

- c. Other

The Board stated that the pet waste station approved by the Board at the May meeting for the southern end of the 27 acre open space is not installed. Mr. Mendisco indicated that Emerald Isle had sent a picture and email indicating it had been put in place. Mr. Mendisco will confirm with Emerald Isle.

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Director Pettway inquired about the "keep dogs on leash" signs. Mr. Mendisco indicated seven signs have been installed on the east side of Cherry Creek along the Cherry Creek Trail. Director Pettway asked if any of these were installed on the west side of Cherry Creek. Mr. Mendisco indicated that was not the recommendation from the City of Centennial.

Legal

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

Mr. Blodgett reported that the representative for the Cornerstar Health Care Plaza, Ms. Strong, has requested this be continued to the August 19th Board meeting so that the legal description and boundary of the site can be verified. The Board concurred.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board opened the public hearing at 6:30 p.m.

The Board made a unanimous motion to continue the public hearing to the August 19th regular Board meeting at 5:00 p.m. at CliftonLarsonAllen LLP, 8390 E. Crescent Pkwy., Suite 500, Greenwood Village, CO 80111.

- b. Consider Resolution Excluding Cornerstar Health Care Plaza from the District

Deferred to August 19th Board meeting.

Financial

- a. Review and Consider Approval of Emerald Isle Landscaping, Inc. June Invoices - \$10,840.

Upon a motion duly made, seconded, and upon vote, unanimously carried, the Board approved the June invoices submitted by Emerald Isle Landscaping in the amount of \$10,840. Director Lamberton did not participate and abstained.

- b. Other

None.

Director's
Items

- a. Discuss Request by MPIC for Refund of 2006 Bond Issuance Fees of \$200,000

Mr. Fetters requested a refund of the 2006 bond issuance fees in the amount of \$200,000. He stated the agreement between MPIC and the District did not indicate that MPIC could not receive a refund. The Board reported that other developers in the District have participated in the costs of the bond issuance fees and have not received a reimbursement. The Board thanked Mr. Fetters for his presentation.

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Mr. Collins distributed a summary of the total costs of the Cherry Creek Stream Reclamation and Open Space purchase to the Board and Mr. Fetters for review. Mr. Fetters thanked the Board for this information. The Board thanked Mr. Fetters for his presentation.

Mr. Fetters further reported the Vermilion Creek Project is currently on hold. He also stated he is attempting to work with the City of Centennial regarding the future Cherokee Trail Stub Road at the northern end of their property. The Board noted that the \$300,000 set aside by the District for this project are from Open Space sales tax revenues provided by the City and are not bond funds.

Upon a motion duly made, seconded, and upon a vote, unanimously carried, the Board voted not to refund any of the issuance fees of \$200,000.

- b. Discuss Request of Chaparral High School Marching Band for Waiver of \$100 Fee for August 23rd 5K Special Event

After discussion, the Board voted to change the application fee to \$25 and a deposit of \$250. Mr. Mendisco will revise the Rules and Regulations and post on the website.

The Board unanimously voted to inform Chaparral High School Marching Band their fee will be \$25 rather than \$100.

- c. Review Draft Goals and Objectives

Deferred to August 19th meeting.

- d. Website Update

No report.

- e. Approve Verizon Service Agreement Revisions

After discussion, the Board voted to terminate the Verizon service agreement if there are no cancellation fees. Mr. Mendisco will review the agreement. The Board noted that with the increasing availability of WiFi service, the Board members with iPads can utilize this service rather than the Verizon 4G service.

- e. Confirm Quorum for Next Meeting -- August 19, 2014 @ 5:00 p.m.

A quorum was confirmed.

Manager's
Items

- a. Referrals

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None.

b. Other

Mr. Blodgett asked the Board to review the SDA Annual Conference materials and let his office know if they would like to be registered for the conference.

Other
Business

Director Leyn noted that the ACWWA bill was sent to him on line. He asked if the District's newsletter also was sent electronically when ACWWA sends the bill electronically. Mr. Mendisco will check with ACWWA. Mr. Blodgett reported one resident of South Creek has signed up for the District's future electronic newsletters.

Director Waldron recommended the Board consider a work session at the beginning of each regular meeting to discuss agenda items and other issues for approximately 30 minutes. The Board concurred. The August 19th work session will be held from 5:00 p.m. – 5:30 p.m.. The Agenda items will begin at 5:30 p.m.

Adjournment

Upon a motion duly made, seconded, and upon vote, unanimously carried, the meeting adjourned at 7:25 p.m.



Secretary for the Meeting