

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
COMPARK BUSINESS CAMPUS METROPOLITAN DISTRICT
HELD
August 25, 2015**

A regular meeting of the Board of Directors of the Compark Business Campus Metropolitan District was held on Tuesday, August 25, 2015 at 12:15 p.m. at 8390 E. Crescent Parkway, Suite 500, Greenwood Village, CO 80111.

Attendance

In attendance were Directors:

Michael P. Vickers, President
Tom List, Vice-President/Secretary/Treasurer
Kevin Michalek, Asst. Secretary/Treasurer

Also in attendance were:

Bob Blodgett, Mathew Mendisco, Vy Nguyen and Janece Soendker;
CliftonLarsonAllen LLP
Rick Kron; Spencer Fane LLP

Call to Order

President Vickers called the meeting to order at 12:15 p.m.

Disclosures of
Potential Conflicts
Of Interest

The Board disclosed possible conflicts of interest. No additions were reported.

Discuss Board Vacancies

No report.

CONSENT AGENDA

- IV. Review and approve Minutes of the May 26, 2015 Regular Meeting
- V. Financial Items
 - A. Approve July Claims totaling \$180,287.41
 - B. Ratify May and June Claims Totaling \$81,747.76
 - C. Accept June 30, 2015 Continuing Disclosure Statement
- VI. Engineering Items

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VII. Attorney Items

- A. Ratify Approval of CBC Related Easements Pertaining to Main Street Project
 - 1. Permanent Slope Easement from CBC to CLC
 - 2. Grading and Permanent Access (Road) Easement from CBC to CLC
 - 3. Drainage Easement Agreement with the Town of Parker
 - 4. Temporary Construction Easement for a 30' Strip for Sanitary Sewer (Filing 8) from CBC to CLC
 - 5. Temporary Construction Easement Agreement Across Tract A, Filing 6 to/from the Detention Pond Site to the Compark Village Filing 8 Future Site of the IREA Detention Pond

VIII. Manager's Items

- A. Accept SVMD Meeting Information
- B. Accept SMWSA Meeting Information
- C. Accept SFE Water Rights Tracking Schedule (SVMD, LPMD, CBC)
- D. Information Items and Referrals

Director Vickers noted that Easements 1-3 will be changing and 4 and 5 were not distributed.

Following review, upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the Consent agenda as presented.

DISCUSSION AGENDA

IX. SVMD Updates

- A. Status of Master Plan for Water and Wastewater Facilities

Mr. Blodgett reported that Mr. Schlegel could not attend today's meeting. He spoke with him this morning. He indicated the master plan for water and wastewater is nearing completion. It should be available for the September SVMD Board meeting. He is anticipating Director Vickers presenting information on the potential Compark South inclusion into SVMD at the October Board meeting. Director Vickers asked to schedule a meeting with SVMD staff prior to the September SVMD Board meeting to review progress to date. Director Vickers will let Mr. Blodgett know when to schedule the meeting.

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- B. Approve Installation of Meter at SVMD Lift Station in Compark to Meter Compark Flow - \$19,616.00

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the installation of a flow meter at the SVMD Lift Station in Compark. Mr. Blodgett will contact Mr. Barnett to determine the schedule for the installation of the meter and to ensure that Mulhern MRE is administering the contract for the meter installation.

- C. Compark South Update

Director Vickers reported that he is working on a Service Plan for a new District. He will be presenting information to SVMD regarding inclusion at their October Board meeting.

- D. Discuss WTF and WWTF Capacity

Mr. Blodgett report that Mr. Schlegel asked that Compark provide documentation regarding their 25% ownership of capacity in the WTF and WWTF. Lincoln Park MD may have to do the same. Mr. Mendisco reviewed a Wastewater Treatment Plant 1998 IGA regarding construction of the plant and expansion between SVMD, CBCMD, and LPMD. It indicated the District owns 25% capacity. The Board asked that Mr. Mendisco find a similar document for the Water Treatment Facility and provide both of these to Mr. Kron. The Board asked Mr. Kron to send an email letter to SVMD indicating this is the required documentation for the District's capacity.

- E. Other

The Board asked Mr. Blodgett to contact Mr. Strauss and let him know the new traffic signal is being installed by the Town of Parker at the intersection of Compark and Chambers. Mr. Strauss should coordinate with the contractor to ensure they do not damage any of our landscape maintenance facilities and jeopardize our landscaping and trees.

- X. Engineering/Construction Items – Russ Burrows

Mr. Burrows was unable to attend the meeting.

- A. Filing 7 Main Street Detention Pond

This project is proceeding.

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B. Filing 8 IREA Detention Pond- Update

This project will not be built until 2016. Director Vickers reported that IREA desires that they make their payment in the 2nd quarter of 2016 instead of 2015.

C. Filing 3 AFW Detention Pond Acceptance and Maintenance by CBCMD – Update

Director Michalek reported that he reviewed the detention pond with Mr. Burrows. An AFW crew mowed the pond bottom. Mr. Burrows indicated to Mr. Blodgett and Director Michalek that additional work is needed to expand the trickle channel and other engineering design work. He has not yet provided a cost estimate to Director Michalek or Mr. Blodgett.

After discussion, upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board authorized Mr. Blodgett to coordinate with Mr. Burrows and receive a recommended proposal for work in the detention pond and circulate to the Board for approval. It will be ratified at the November Board meeting.

D. Discuss Sanitary Sewer Line Cost to Service Filing 8, a portion of Filing 9 and a portion of Filing 4

Director Vickers indicated this can be deferred.

E. Springstone Hospital Project - Update

Mr. Blodgett reported they paid their required tap fees for a 3" potable tap and 1 1/2" irrigation tap.

F. Other

None.

XI. Landscape Maintenance/Construction Report

A. Review and Consider Approval of Payment for Main Street Project Median in Chamber Road - \$205,049.67

Director Vickers recommended this project to be deferred until he can review this work with Plan West and the Town of Parker. He indicated that it will need to proceed prior to the November Board meeting. He will notify Mr. Blodgett so that he can inform the Board when the project is ready for bid and the current cost estimate.

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- B. Review Proposal for Removal and Replacement of Trees by Rocky Mountain Tree Care, Inc. -- \$35,492.00

Mr. Blodgett reported he spoke with Mr. Wessels at Rocky Mountain Tree Care, Inc. who indicated he will provide a 1 year warranty on the trees and they can be planted in September/October this year.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the proposal from Rocky Mountain Tree Care, Inc. in the amount of \$35,492.00

- C. Maintenance Updates

1. AFW Detention Pond

Previously discussed.

2. Other Detention Ponds

Atria Golf and Landscape has cleaned these ponds; they look good.

3. Western Gateway - \$15,000(est)

Director Vickers recommended this be deferred. The Board concurred.

- D. Other

Mr. Blodgett reported that CLA will invoice Century Link for the approximate \$10,000 in damages to the District's irrigation lines caused by their project for Lennar Homes. Mr. Strauss has made the necessary repairs. Mr. Mendisco will check with the District insurance company to see if any of these damages will be covered by property insurance.

XI. Financial Items

- A. Review and Approve June 30, 2015 Financial Statements and Cash Position Report

Ms. Soendker and Ms. Nguyen reviewed the June 30th Financial Statements and Cash Position Report with the board. After review, upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the June 30, 2015 Financial Statements and Cash Position Report.

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B. Discuss Capital Project Fund Budget and Future Priorities

Not discussed.

C. Other

None.

XII. Manager's Items

A. 2016 Budget Schedule

1. Call Public Hearing for November 24, 2015 Board Meeting to Review and Approve 2016 Budget
2. Review August 25th Preliminary AV (to be distributed)
3. Draft 2016 Budget due to Board on October 15

Mr. Blodgett reviewed with the Board. The Board concurred.

4. Appoint Janece Soendker as Budget Officer

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved Ms. Soendker as Budget Officer and Ms. Nguyen as Assistant Budget Officer.

B. Website Update

No report.

XIII. Attorney's Items

- A. Approve Offset Agreement with Compark Properties, LLC Re: Review for Compark North and South Work

Director Vickers and Ms. Soendker recommended amendments to the agreement to provide for a listing of the principal and interest payments, the effective dates of the agreement and what is owed going forward. They also recommended quarterly invoices be provided for tracking purposes.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the Offset Agreement subject to the modifications made by Director Vickers and Ms. Soendker. Mr. Kron will make the necessary changes.

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- B. Discussion and Possible Action Regarding SVMD/CBCMD IGA Issues

No report.

- C. Discussion and Possible Action Regarding Landowner Agreements with the District Regarding the Property South of C470

No report.

- D. Status of IREA Detention Pond Reimbursement Agreement

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the Detention Pond Reimbursement Agreement with IREA in the amount of \$162,000 subject to the payment being made at the end of the 1st quarter of 2016.

- E. November, 2015 Election

The Board decided one is not needed.

XIV. Director's Items

- A. Development Update

Director Vickers updated the Board on several recent contacts he's had for possible uses within the District, including a potential sports facility/field by Valor Christian High School.

- B. Confirm Quorum for November 24, 2015 Regular Meeting

A quorum was confirmed.

XVI. Adjournment

Upon a motion duly made by Director Vickers, seconded by Director List, and upon vote, unanimously carried, the Board adjourned the meeting at 1:35 p.m.

Respectfully submitted,


Secretary for the Meeting