

**MINUTES OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF THE  
COMPARK BUSINESS CAMPUS METROPOLITAN DISTRICT  
HELD  
NOVEMBER 26, 2019**

A special meeting of the Board of Directors of the Compark Business Campus Metropolitan District was held on Tuesday, November 26, 2019 at 11:00 a.m. at 8390 E. Crescent Parkway, Suite 300, Greenwood Village, CO 80111.

Attendance

In attendance were Directors:

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

Also in attendance were:

Bob Blodgett, Pat Shannon (via telephone) and Janece Soendker;  
CliftonLarsonAllen LLP  
Tom George (via telephone); Spencer Fane LLP  
Greg McIlvain; GM Consulting

Call to Order

President Vickers called the meeting to order at 11:00 a.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. Administrative Items

- A. Approve Minutes of the August 27, 2019 Regular Meeting
- B. Ratify Claims Totaling \$33,501.33
- C. Approve Current Claims - \$223,139.03
- D. Ratify September 30, 2019 Continuing Disclosure Statement
- E. Approve Stratagem Engagement Letter for 2019 Audit - \$3,850
- F. Accept Town of Parker Impact Fee Ordinance Summary
- G. Approve Resolution Concerning Annual Administrative Matter in 2020
- H. Approve District Insurance Renewal - \$TBD and SDA Membership
- I. Approve Transparency Notice and Mode of Eligible Elector Notification for 2019

## RECORD OF PROCEEDINGS

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- V. Engineering and Maintenance Items
  - A. Ratify Agreement with Flatirons Surveying for Filing 4 Work
  - B. Ratify Notice to Proceed with Iron Woman for Filing No. 8 Sanitary Sewer Line
  - C. Ratify Hydrocon for Erosion Control Work - \$19,809.49
  - D. Ratify GM Consulting Agreement for Construction of Sanitary Sewer Mainline Extension through Compark Filing No. 8 and Bore under E-470 for Water Line Extension \$55,000
  - E. Ratify AG Wassenaar for Construction Testing and Observation Services - \$8,281
  - F. Ratify Nationwide Permit Verification for Compark Village Filing No. 4 – Green Acres Tributary
  
- VI. Attorney Items
  - A. Approve CORA Resolution 2019-11-01
  - B. Approve Resolution 2019-11-02, Calling May 5, 2020 Directors' Election
  
- VII. Manager's Items
  - A. Accept SVMD Meeting Information
  - B. Information Items and Referrals

Upon a motion duly made by Director Vickers, seconded by Director List, and upon vote unanimously carried, the Board approved the Consent Agenda as submitted.

### DISCUSSION AGENDA

- VIII. SVMD Updates – Sarah Sjobakken, SVMD Manager

No report.

- IX. Engineering/Construction Items – Russ Burrows

- A. Filing 8 Sanitary Sewer Line Extension – Iron Woman Contract
  - 1. C.O. #1 Restocking Fee - \$3,700
  - 2. C.O. #2 Happy Canyon Creek Crossing Steel Encasement - \$18,000

Mr. McIlvain reviewed the status of the sanitary sewer line extension noting that the contractor hit ground water in the last two weeks. ACWWA is rebuilding the reservoir at Chambers and E-470 and adding a liner. ACWWA pumped 200,000 gallons per day into Happy Canyon Creek. There is too much for the District to keep up with, and they are shutting the project down temporarily until they are finished. It is scheduled to start construction with Iron Women on December 9<sup>th</sup>. He stated there are issues with the E-470 trail and have decided it is needed to be shut down during construction and would

## RECORD OF PROCEEDINGS

need to create 1,000 foot temporary trail. They will close the trail for two weeks. They cannot get a concrete truck down under the bridge to work the site, so they are going to change from concrete encasement to a steel encasement.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved C.O. #1 Restocking Fee for \$3,700 and C.O. #2 Happy Canyon Creek Crossing Steel Encasement for \$18,000.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved not to exceed \$20,000 for a water connection bore while on site.

B. Review SFE Water Rights Tracking Chart

Deferred.

C. Status of GAT Channel Erosion Control Work West of Filing 4

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved not to exceed \$2,000 for the Flatiron Surveying, and \$7,000 for Lighting Venture grading, and \$2,000 for Strauss Building Services for seeding and erosion control, and not to exceed total of \$15,000 for this work.

D. Discuss Status of Filing 3 AFW Detention Pond

Not discussed.

E. Other

Director Vickers reported Etkin Johnson is purchasing 4 acres next to Filing 4.

X. Landscape Maintenance/Construction Report – David Strauss

- A. Maintenance Updates and Proposals
- B. Tree Care
- C. Work Orders
- D. Other

No report.

XI. Financial Items

- A. Review and Accept September 30, 2019 Financial Statements and Cash Position Report Updated as of November 2019

## RECORD OF PROCEEDINGS

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Ms. Soendker reviewed with the Board. Upon a motion duly made by Director Vickers, seconded by Director Elzi, and upon a vote, unanimously carried, the Board accepted the September 30, 2019 Financial Statements and Cash Position Report.

B. Discuss Capital Project Fund Budget and Future Priorities

No report.

C. Approve 2020 Tap Fee Schedule

The Board confirmed present fee schedule with no changes.

D. Discussion and Possible Action to Approve Transfer of IREA Contribution Funds for Filing 8 Detention Pond

Director Vickers reported CLC is under contract to sell to Etkin Johnson and reminded the Board about the existing three-way agreement with Compark Land Company, Compark Business Campus Metro District and Etkin Johnson to build and fund a detention pond in Filing 8. CLC's conveyance of the property to Etkin Johnson will require a reallocation of costs under the agreement. Mr. Vickers also described how the agreement requires the District to utilize the IREA funds to fund a portion of the pond costs.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved an amendment to the agreement to allow Compark Land and Etkin Johnson to revise their contributions based on the proposed conveyance.

E. Discussion and Possible Action Regarding Funding and Reimbursement Agreement Between the District and Compark Land Company for the Filing 8 Detention Pond

Mr. George presented to the Board a proposed funding and reimbursement agreement for the District to fund Compark Land Company's portion of the Filing 8 Detention Pond costs. After discussion, upon a motion duly made, seconded, and upon a vote, unanimously carried with Director Vickers abstaining, the Board approved the proposed agreement on the conditions that Compark Land Company agree to pay \$2,500 to reimburse the District for its costs in preparing the agreement, that funds advanced accrue simple interest at 8% annually, and that the agreement be recorded against Compark Land Company's Property.

F. Status of Education Capital Solutions Payment

## RECORD OF PROCEEDINGS

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Mr. George reported that he exchanged emails with their attorneys. They said the District needs to take this up with the landlord. He noted there was discussion regarding pursuing litigation.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved to direct legal to initiate legal proceedings against ECS, subject to Director Vickers' approval of each step.

### XII. Manager's Items

#### A. Conduct Public Hearing to Consider Amending the 2019 Budget; Consider Adoption of Resolution to Amend 2019 Budget

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board opened the public hearing at 12:00 p.m.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board closed the public hearing at 12:01 p.m.

There were no public comments.

Ms. Soendker reviewed with the Board. Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved a Resolution amending the Debt Service Fund and Capital Projects Fund.

#### B. Conduct Public Hearing to Consider Adoption of 2020 Budget, Appropriate Expenditures and Set Mill Levy; Consider Adoption of Resolution to Adopt 2020 Budget, Appropriate Expenditures and Set Mill Levy

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board opened the public hearing at 12:02 p.m.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board closed the public hearing at 12:03 p.m.

There were no public comments.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the adoption of the 2020 Budget, Appropriate Expenditures and Set Mill Levy; and adopt Resolution to Adopt 2020 Budget, Appropriate Expenditures and Set Mill Levy, subject to reallocations as discussed.

#### C. Website Update

## RECORD OF PROCEEDINGS

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Mr. Blodgett reported the website is up-to-date.

D. Other

Mr. Blodgett reviewed the CLA 5% client technology support fee effective January 1, 2020 on all invoices.

XIII. Attorney's Items

A. Status of Regulatory Asbestos Contaminated Soil Covenant; Consider for Approval Notice of Environmental Use Restrictions

Mr. George reported that CDPHE has requested utilizing a Notice of Environmental Use Restrictions document instead of a covenant, but that the plat requires a covenant. Mr. George will continue to work with CDPHE to finalize the covenant.

B. Consider for Approval Tap Purchase Agreement for Tract E, Compark Village Filing No. 4 (Etkin Johnson)

Mr. George reviewed with the Board.

Upon a motion duly made by Director Vickers, seconded by Director List, and upon a vote, unanimously carried, the Board approved the Tap Purchase Agreement for Tract E, Compark Village Filing No. 4 as presented.

C. Discussion and Possible Action Regarding Stormwater Discharge and Conveyance Easement for Tract E, Compark Village Filing No. 4 (Filing 8 Stormwater Detention Pond)

Mr. George reviewed with the Board.

Upon a motion duly made by Director List, seconded by Director Vickers, and upon a vote, unanimously carried, the Board approved the stormwater discharge and conveyance easement for Tract E, Compark Village Filing No. 4 as presented.

XIV. Director's Items

A. Development Update

No report.

XV. Other Items

RECORD OF PROCEEDINGS

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- A. Confirm Quorum for 2020 Quarterly Meetings: 4<sup>th</sup> Tuesday of February, May, August and November at 11:00 a.m. at CliftonLarsonAllen, LLP, 8390 E. Crescent Parkway, Suite 300, Greenwood Village, CO

A quorum was confirmed.

B. Other

None.

XVI. Adjournment

Director Vickers adjourned the meeting at 12:42 p.m.

Respectfully submitted,

  
Secretary for the Meeting