

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
LINCOLN PARK METROPOLITAN DISTRICT
HELD
January 27, 2016

A regular meeting of the Board of Directors of the Lincoln Park Metropolitan District was held on Wednesday, January 27, 2016 at 5:30 p.m., at Stonegate Village Community Room, 10326 Stonegate Parkway, Parker, Colorado.

Attendance

In attendance were Directors:

Mason Mistrot
Arik Yoffe (by phone)
Jeni Reilly (by phone)
Patrick Curnalia (by phone)

Also in attendance were:

Mat Mendisco and Kim Herman; CliftonLarsonAllen LLP
Reiny Melchior; The Brickman Group

Call to Order

Director Mistrot called the meeting to order at 5:40 p.m. Upon a motion duly made by Director Mistrot, seconded by Director Yoffe and upon a vote, unanimously carried, the Board approved the Agenda as amended to include a discussion of the Stonegate Village Metropolitan District Easement Request for the WISE water pipeline and Managers Items an Executive Session Pursuant to C.R.S. 24-6-402(4)(e) to Discuss the Water Report Bishop Brogden. The Board excused the absence of Director Munn.

Public
Comment

None.

Disclosure of
Potential
Conflicts
of Interest

General conflicts of interest statements had been filed with the Secretary of State prior to the meeting on the Directors' behalf.

CONSENT AGENDA (ITEMS IV – V)

Upon a motion duly made by Director Mistrot, seconded by Director Reilly, and upon a vote, unanimously carried, the Board approved the Consent Agenda as presented.

- IV. Review and Approve Minutes of the December 2, 2015 Special Meeting
- V. Financial Items

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- A. Approve Current Claims Totaling \$47,176.80 represented by Check Numbers 4595 through 4608 and EFT payments to Century Link for \$180.79, IREA for \$1,336.21 and Xcel Energy for \$85.11.
- B. Ratify December Claims Totaling \$37,012.80 Represented by Check Numbers 4609 to 4619.
- C. Review and Accept the Cash Position Report.

DISCUSSION AGENDA (ITEMS VI - XII)

VI. Financial Items

- A. Review and Accept December 31, 2015 Financial Statements

Mr. Mendisco reviewed the financials with the Board. Upon a motion duly made by Director Mistrot, seconded by Director Yoffe, and upon a vote, unanimously carried, the Board accepted the Financial Statements.

- B. Other.

None.

VII. Maintenance Items

- A. Monthly Maintenance Site Report from The Brickman Group

Mr. Melchior reported due to the November and December storms moisture levels were within normal levels and no winter watering was recommended at this time. Mr. Melchior informed the Board that due to the nice weather crews had been onsite all week to finish the remaining fall cleanup. He also provided an update regarding ice build up at the bridge in the native section has been cleared and will be checked every two days to insure the ice does not build up.

Mr. Melchior presented information to the Board regarding the irrigation system and separating the system from its current connection with the Stonegate Village Metropolitan District. He reported that he had proposals from Weather Tech Maxicom. Mr. Melchior stated the system change would range from \$80,000 to \$95,000 for a total switch. The Board asked if the current system could remain in place for another year which Mr. Melchior stated it could remain in place. The Board asked management to have the expense considered for the 2017.

- B. Review and Consider Approval of Work Order(s)

No work orders were presented.

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C. Review and Consider Approval of Snow Removal Agreement with The Brickman Group

Upon a motion duly made by Director Reilly, seconded by Director Yoffe, and upon a vote, unanimously carried, the Board approved the Snow Removal Agreement with Brickman.

D. Pool Service RFP Results

Mr. Mendisco stated that staff was sending out proposals to be presented at the next regular meeting.

VIII. Manager's Items

A. SVMD Update and Easement Agreement Discussion for WISE pipe line.

Mr. Mendisco stated that he and legal were working with SVMD and there were two issues that were getting resolved which were:

1. The depth and width next to the line.
2. Working with SVMD to get them to fix the section of Road that was adjacent to the area where they were putting in the line in order to comply with Douglas County requirements to LPMD in order to turn over the road.

The Board asked if legal costs could be recovered and Mr. Mendisco stated that he checked with legal and the IGA with SVMD and LPMD does not provide for the recovery of those costs.

Upon a motion duly made by Director Mistrot, seconded by Director Yoffe, and upon a vote, unanimously carried, the Board approved the proposed easement agreement with SVMD and LPMD subject to final legal and management review as well as SVMD covering the costs of the road repairs within the easement being requested by Douglas County.

B. Discuss Engagement of Bishop-Brogden Associates, Inc. for Water Rights Investigation

Item reviewed in executive session.

C. Douglas County Road Turnover Update

Mr. Mendisco reported speaking with Douglas County regarding the status of the temporary easement agreement as well as the road turn over. He stated Douglas County will be sending him the agreement and from there a Public Bid Notice will be sent and management hopes the turn over will be complete by May 2016.

D. Discussion Regarding Wastewater Capacity.

None.

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- E. Review and Consider Approval of Brickman Letter Regarding Increase in Landscape Maintenance Contract to \$189,840.

Mr. Mendisco reported speaking with Mr. Melchior regarding the increase and was informed Brickman would offer a \$5,000 credit towards a landscaping projects in 2016 to help offset the increase in maintenance costs. Mr. Mendisco stated the presented increase was the first in the three years.

Upon a motion duly made by Director Reilly, seconded by Director Mistrot, and upon a vote, unanimously carried, the Board approved the Landscaping Maintenance Contract with the 3% increase subject to final legal and management review.

IX. Legal Items

- A. Review and Consider Approval of Resolution 2016-01-01 2016 Regular District Election Resolution.

Upon a motion duly made by Director Mistrot, seconded by Director Reilly, and upon a vote, unanimously carried, the Board approved Resolution 2016-01-01 2016 Regular District Election Resolution.

- B. Review and Consider Approval of Resolution 2016-01-02 2016 Annual Administrative Matters Resolution.

Upon a motion duly made by Director Mistrot, seconded by Director Reilly, and upon a vote, unanimously carried, the Board approved Resolution 2016-01-02 2016 Annual Administrative Matters Resolution.

- C. Executive Session Under Colorado Revised Statute §24-6-402(4)(b) and §24-6-402(4)(e), in Order to Confer with General Counsel to Receive Legal Advice on Specific Legal Questions, and to Determine Positions Relative to Matters Which May be Subject to Negotiations; to Develop Strategy for Negotiations and to Instructing Negotiators Related to the District's Negotiations and Agreements with Stonegate Village Metropolitan District, and the foregoing.

- D. Upon a motion duly made by Director Mistrot, seconded by Director Yoffe, and upon a vote, unanimously carried, the Board entered into Executive Session pursuant to §24-6-402(4)(b) and §24-6-402(4)(e), in Order to Confer with General Counsel to Receive Legal Advice on Specific Legal Questions, and to Determine Positions Relative to Matters Which May be Subject to Negotiations; to Develop Strategy for Negotiations and to Instructing Negotiators Related to the District's Negotiations and Agreements with Stonegate Village Metropolitan District, and the foregoing to discuss the Water Report from Bishop-Brogden.

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Upon a motion duly made by Director Mistrot, seconded by Director Yoffe, and upon a vote, unanimously carried, the Board adjourned out of Executive Session at 6:58 p.m.

No action was taken other than management providing the report in public session to the Board.

X. Director's Items

A. Confirm Next Regular Meeting Date – February 24, 2016

The Board confirmed availability to meet on February 24, 2016.


XI. Other Items

None.

XII. Adjournment

Upon a motion duly made by Director Mistrot, seconded by Director Yoffe, and upon a vote, unanimously carried, the meeting was adjourned at 7:01 p.m.

Respectfully submitted,


Secretary for the Meeting