

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, March 20, 2013, at 6:30 P.M. at the GVR  
Metropolitan District Office, 18650 East 45th Avenue,  
Denver, Colorado.

### Attendance

The regular meeting of the Board of Directors of the GVR Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Michael George, President  
Fenna Tanner, Vice President  
Mary Schumer\*, Secretary  
Anthony Noble, Treasurer  
Michael Haskins, Director  
Elaine Smith, Director

Absent: Roger Rohrer (absence excused).

Also present were Andrew Pimental, District Manager, and Micaela Duffy, District Accountant, GVR Metropolitan District; Barbara T. Vander Wall, Seter & Vander Wall, P.C., legal counsel; Jim Tanner, Eric Gravenson, Mariann Toomey, Reuben Espinosa, Jen Zerra, and John Foote, District residents; Charlie Foster, Town Center Metropolitan District; and Jim Hartman\*, Clean Energy Collective.

[\*Arrived / departed when indicated.]

### Call to Order

Director George noted that a quorum of the Board was present with six directors present. Thereafter, Director George called the regular meeting of the Board of Directors of the GVR Metropolitan District to order.

### Approval of Agenda

The Board reviewed the agenda; Mr. Pimental suggested the Board allow the Clean Energy Collection presentation to begin at 7:00 p.m., which may be different from the actual location on the agenda. The Board agreed, and upon motion, second and

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unanimous vote, the Board approved the agenda with the potential modification noted.

## Conflict of Interest / Disclosure Matters

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. Legal counsel advised that written disclosures of the conflicts of interest for each Director had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

## Approval of Minutes

The minutes of the special meetings of the Board of Directors held March 5, 2013, and March 6, 2013, were read. Upon motion, second, and unanimous vote, the Board approved both sets of meeting minutes as presented.

## Public Comment Period:

### - Public Comment

Mr. Reuben Espinosa introduced himself as an HOA District Delegate. He is attending the meeting to learn more about the Clean Energy Collective proposal. He believes the proposal will provide an economic benefit to be taken advantage of.

### - HOA

Mr. Jim Tanner stated that the detention pond project is continuing. Some lumber was taken from the project site, which has delayed the project. He noted that Denver is requiring original plans for the pond; however, the HOA does not have any such plans.

[\*Mary Schumer arrived at this time.]

### - CAB

Ms. Toomey reported that the CAB's quarterly meeting is scheduled for the second Tuesday in April.

### - Other

There was no other public comment at this time.

## Attorney's Report

Ms. Vander Wall directed the Board members to her written legal report included in the meeting materials. She updated the Board on specific bills of interest which have been brought to the Colorado legislature.

## Board Reports:

### February Financials

Director Noble presented to the Board the District's financial report for the period ending February 28, 2013. Following discussion, and upon motion duly made, seconded and

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unanimous vote, the Board accepted the February financials as presented.

## Claims Report

Director Noble next reviewed with the Board the listing of claims payable through current date. Upon motion duly made, seconded and unanimous vote, the Board approved the payment of claims as presented.

## District Manager's Report

Mr. Pimental referred the Board members to his written monthly report and reported on the highlights. He announced that the District-coordinated car show will take place on Saturday, June 1, 2013, from 4:00-8:00 p.m., as recommended by the community events subcommittee, created to organize this community event. The District is in the process of reviewing applications for the hiring of part-time seasonal landscape staff. Enrollment for the District's Spring youth camp is significantly higher than in prior years. Finally, Mr. Pimental reported that Denver, as well as other jurisdictions, is expecting to announce stage 2 drought restrictions in the very near future, which will impact the District's irrigation operations starting in April.

[\*Jim Hartman, Clean Energy Collective, arrived at this time.]

## Discussion Items / New Business:

Per prior discussion, the Board agreed to rearrange the agenda to address the discussion of "New Business" at this time.

## - Presentation by Clean Energy Collective

Mr. Jim Hartman introduced himself as a representative of the Clean Energy Collective. He presented a proposal which involves the District leasing the 41<sup>st</sup> & Ensenada detention pond site to the Clean Energy Collective, and use of the site for the installation of solar panels, which would collect energy for use by Xcel Energy. The District, and other District residents, would have the right to purchase solar panels, allowing a return on the investment over a 25-50 year period, reflected on Xcel energy bills.

Members of the public and the Board were invited to ask questions regarding the proposal and concept details. There were questions regarding impact on home values, visual aesthetics and affordability of the panels. Other comments included potential obsolescence of the technology and appropriate use of District property.

Mr. Hartman outlined the process for the project, which includes a due diligence period, execution of a site lease, and submittal of

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the proposal to Xcel Energy. There is no guaranty that the proposal would be awarded by Xcel.

After conclusion of the presentation and follow up discussion, the Board thanked Mr. Hartman for his presentation.

[\*Mr. Hartman departed at this time.]

- Distribution of 2013 work plan for District staff

Mr. Pimental distributed to the Board members copies of the proposed 2013 work plan for review.

- Other

There were no other new business items brought for discussion at this time.

Discussion Items / Old Business:

- District Master Plan for Parks and Recreation

Mr. Pimental reminded the Board that Greenplay had presented the final draft of the proposed parks and recreation master plan for the District at the March 6, 2013 special meeting. The proposed master plan is now up for consideration for approval and adoption by the Board. There were many questions as to whether the plan presented at the special meeting was in fact a “final” plan, or whether additional changes were anticipated. The Board also discussed to what purpose the final plan would serve the District. It was acknowledged that the final master plan would benefit the District by providing community input for future grant applications, for obtaining leverage with Denver, and assisting in identifying community projects.

After further discussion, Mr. Pimental agreed to ask the contractor to finalize the work plan with a few minor changes, incorporating comments raised at the March 6, 2013 special meeting, and present for the Board to adopt at the April meeting.

- Consider updated personnel manual

Mr. Pimental reminded the Board that the draft updated personnel manual was distributed to all Board members at the last meeting. He reviewed the summary memo which accompanied the draft manual. After discussion, and upon motion, second and unanimous vote, the Board approved the updated personnel manual as presented.

- Follow up re Proposed Demonstration Garden

Mr. Pimental revisited the proposed demonstration garden with the Board, with modifications based on Board comments received at the last meeting. The garden site has been reduced in

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size from 80' x 80' to a 60' x 60' plot. The net cost for the garden is approximately \$3,486, with a gross cost of \$7,086. There are savings generated from in-kind contributions, reuse of turf grass sod, HOA financial contribution, and additional savings in irrigation costs. Following further discussion, and upon motion to proceed with the community demonstration garden project as proposed, seconded and a vote of three in favor (Directors Smith, Tanner and Schumer), two against (Directors Noble and Haskins), and one abstention (Director George), the motion passed.

- Review of Commercial Building Inspection Report

The Board reviewed the commercial building inspection report prepared by Inspection Perfection Inc., for the District administration building. Mr. Pimental reviewed the areas of concern which include the recommendations for roof replacement. The building is reported to be in generally sound condition.

- Agreement for Services with Alpha Roofing, LLC

Next, Mr. Pimental discussed the proposed agreement for services with Alpha Roofing, LLC, for replacement of the administration building roof for the amount of \$12,215. After discussion, and upon motion, second and unanimous vote, the Board approved the agreement, with the spelling correction noted, on page 2.

- Painting of Admin Building

Mr. Pimental next advised the Board that the administrative building is in need of painting. He had obtained quotes last fall in the range of \$6,000 - \$8,000. He will proceed with getting new quotes with some modifications, based on the results of the inspection report, and bring the quotes back to the Board for consideration at the May meeting.

- Discussion re Future District Projects / Funding Issues

On behalf of the Planning Committee, Director Noble presented the Board with a memo requesting Board direction on identifying and funding future projects, relative to the District's future budgeting process and policies. It was acknowledged that when the District retires its bonds, the debt service mill levy will no longer be required. It was also acknowledged that the District has transferred a portion of its general fund revenues to supplement its debt service fund in order to allow the District to pay off its bonded indebtedness earlier. The Board also acknowledged that any major project will require the use of funds generated from the District's existing operations and maintenance tax revenues, from a reserve fund created from additional tax revenues, or from the issuance of additional debt,

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depending upon the cost of the project. The Planning Committee is requesting that the Board provide some direction with regard to future projects and funding in order that it may provide adequate recommendations. The conversation revolved around whether the Board wanted to consider allowing for an increase in its O&M mill levy in an amount less than the debt service mill levy, which will expire in two years. Potential projects include the projects identified in the park and rec master plan, a new or renovated administration building, and similar projects. The Board agreed to continue discussion of this item at the next meeting.

- Other

There were no other new business items brought for discussion at this time.

Director Items:

There were no Director items brought at this time for discussion.

Other Business

There was no other business for discussion at this time.

Adjournment

There being no further business to come before the Board, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

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Secretary for the Meeting