

# RECORD OF PROCEEDINGS

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

OF THE

GVR METROPOLITAN DISTRICT

Held: Wednesday, November 16, 2011 at 6:30 P.M. at the  
GVR Metropolitan District Office, 18650 East 45<sup>th</sup>  
Avenue, Denver, Colorado.

### Attendance

The regular meeting of the Board of Directors of the GVR Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. Except where indicated, the following Directors, having confirmed their continued qualification to serve on the Board by affidavit filed with the District, were in attendance:

Anthony Noble, Treasurer  
Mary Schumer, Secretary  
Fenna Tanner, Director  
Earleen Brown, Director  
Chuck Britton, Director

Absent: Michael George and Michael Haskins (absences excused).

Also present were Andrew Pimental, District Manager, Micaela Duffy, District Accountant, GVR Metropolitan District; Barbara T. Vander Wall, Seter & Vander Wall, P.C., legal counsel; Chris Maj, Milt Johnson, Les Alexander, Eric Gravenson and Jim Tanner, District residents, Charlie Foster, Town Center Metropolitan District, and Denver Police Officer Tony Bruce\*.

[\*Departed when indicated.]

### Call to Order / Quorum

In the absence of Director Michael George, Director Anthony Noble agreed to serve as Acting Chair, and noted that a quorum of the Board existed with five directors present. Thereafter, Director Noble called the regular meeting of the Board of

{00001094}

## RECORD OF PROCEEDINGS

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Directors of the GVR Metropolitan District to order.

### Approval of Agenda

The Board reviewed the agenda, and by vote of four in favor, one opposed (Director Britton), the Board approved the agenda.

### 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 (with the exception of Director Britton) had been filed with the Secretary of State prior to the meeting.

Director Britton reported that he is in the process of filing a lawsuit against the homeowners association. No additional conflict disclosures were announced.

### Approval of Minutes

The minutes of the regular meeting of the Board of Directors held October 19, 2011, were read. Upon motion, second and vote of three in favor, one abstention (Director Schumer) and one opposed (Director Britton), the Board approved the minutes as presented.

### Public Comment Period:

#### - CAB:

There were no comments from the CAB at this time.

There were no other public comments brought before the Board at this time.

#### - HOA:

There were no comments from the HOA at this time.

#### - Denver Police Dept.:

Denver Police Officer Tony Bruce provided advice to reduce crime in the neighborhood during winter weather, including taking extra caution when warming up vehicles. He also cautioned people to remove ice and snow from the sidewalks within 24 hours of a snow storm to avoid City fines. He noted that the Denver Police Department offers on-line reporting for small issues at no charge, and which generates a copy of the report.

[\*Officer Bruce departed at this time.]

{00001094}

## RECORD OF PROCEEDINGS

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- Attorney's Report                      Ms. Vander Wall directed the Board members to her written legal report, which identifies outstanding items for the Board.
- Board Reports:  
- October Financials                      Mr. Noble presented to the Board the financial report for the District for the period ending October 31, 2011. He noted that property tax collections are at 97%, which is in line with collections from the prior year. He noted that programming fee revenues are down for 2011. Following discussion, and upon motion duly made, seconded and a vote of four in favor, one opposed (Director Britton), the Board accepted the October financials as presented.
- Claims Report                              Mr. Noble next reviewed with the Board the revised listing of claims payable through November 16, 2011. He noted that the report includes the December 1<sup>st</sup> bond payment, and the costs attributable to the 38<sup>th</sup> Avenue project. Upon motion duly made, seconded and vote of four in favor to one opposed (Director Britton), the Board approved the payment of claims as presented.
- District Manager Report                      Mr. Pimental referred the Board members to his written monthly report, and reported on the highlights. Mr. Pimental reported that City Councilman Chris Herndon has scheduled a forum at the Denver School of Science and Technology. The annual "Gobble Wobble" 5K race is scheduled for this weekend, hosted by the Citizens Advisory Board.
- 2012 Budget / Public Hearing                      Ms. Vander Wall noted that the meeting had been published as the District's hearing for its 2012 budget. Director Anthony Noble provided a summary of the District's proposed 2012 budget. He indicated that the budget reflects flat revenues for 2012, with the reduction in revenues from the decrease in assessed valuation being made up from District operating reserves. The budget also reflects some District structural changes. Following some analysis, the District is bringing its landscaping services in-house to achieve cost savings. The final assessed valuation for the District is expected in early December, 2012.
- Mr. Pimental noted that the property located at 48<sup>th</sup> and Himalaya has sold and is in the permitting process, which will trigger the

{00001094}

## RECORD OF PROCEEDINGS

---

payment of the District's system development fees. It is unknown at this time whether these fees will be received in 2011 or 2012.

As the acting Chairman of the Board, Anthony Noble opened the hearing for public comment on the District's proposed budget for 2012.

Mr. Chris Maj inquired about the proposed skate park at 42<sup>nd</sup> and Lisbon. Mr. Pimental explained that the design has been revised to convert the area into a disc golf course. Mr. Maj noted that he'd prefer to see the park left as is, and use the savings for trash pick up. Mr. Pimental stated that the projected and budgeted cost for the project is \$5,625 with minimal maintenance expenses. There are several similar disc golf courses in the metropolitan area but none in the local area.

Another neighbor stated that several foreclosures have occurred in his neighborhood, which have created empty homes and a decreased the value of his home.

Director Britton indicated that the taxes have not increased, but the District's expenses are increasing. He noted that the District employees are budgeted to receive a 2.7% increase in salaries. Director Noble explained that the 2.7% amount is an average, based upon comparables received from Mountain States Employers Council, per District personnel policy.

A comment was made from the public inquiring as to when the roadway located at 38<sup>th</sup> and Himalaya, east of Picadilly Road, will be completed. Mr. Foster responded that the area on the other side of 38<sup>th</sup> Ave. is in the City of Aurora; a portion of that roadway is the responsibility of the Majestic Corporation.

Mr. Maj inquired as to when the District's bonds are going to be paid off. The District's bonds mature in 2019; however, the District hopes to pay off the bonds early, as they can be paid off in December 2014, without penalty.

After hearing comments and responding to the specific questions from the public, Director Noble closed the public hearing.

## RECORD OF PROCEEDINGS

---

The Board then took up the proposed 2012 budget. It was noted that the District's SDF revenues would be shown in 2012. Following further discussion and upon motion by Director Schumer, seconded by Director Tanner, and a vote of four in favor, one opposed (Director Britton), subject to no significant changes in the District's assessed valuation, the Board approved the proposed budget, and approved the resolution adopting the 2012 budget, appropriating the funds and certifying the mill levy, as presented.

Director Britton refused to sign the accompanying budget resolution.

### Discussion Items / Unfinished Business:

- Discussion re District Investment Strategies

Director Noble indicated that he is looking at an 18-month collateralized CD option at a 0.50% interest rate. He will come back to the Board with additional information and with any other options as they are identified after the end of the year.

- Strategic Plan Update

Mr. Pimental reported that he received no comments on the proposed short-term goals. The next step is to finalize the District's vision statement. Mr. Pimental will be drafting a GOCO grant proposal for 2012; he will need to use community participation to make the vision statement stronger.

Director Britton inquired as to the difference between a "Strategic Plan" as being proposed by the District, and a "Master Plan," which is more constituent / user-based. Director Noble stated that the purpose of the master plan is to get community input and improve the District's public process.

Update re 38<sup>th</sup> Avenue Landscape Project

Mr. Pimental provided the Board with an update on the progress of the 38<sup>th</sup> Avenue landscape project. The project was delayed due to a deficient national supply of straw mulch. The proposed new date of completion is Monday, November 21, 2011. Mr. Pimental reminded the Board of the completion date and penalties included in the contract with All Phase Landscape.

Volunteer Recognition Event

Mr. Pimental reported that the District / HOA are again sponsoring the volunteer recognition event, scheduled for

{00001094}

## RECORD OF PROCEEDINGS

---

December 16, 2011. District and HOA volunteers, Board members, staff and their significant others are invited.

### Discussion Items / New

#### Business:

#### - Graham Golden Contract for Technical Services

The Board discussed the renewal of the contract with Graham Golden for technical services, including a small increase in rate. Mr. Pimental confirmed that the services provided have been satisfactory. Following motion by Director Tanner, second by Director Schumer, the Board agreed to renew the contract by a vote of four in favor to one against (Director Britton).

### Director Items

Director Britton commented that the District's sprinkler system was on recently; Mr. Pimental responded that the system was in the process of being blown out. He further inquired about jackets and mugs with the District's logo seen in the District's offices. Mr. Pimental responded the jackets were received last year for staff and Directors; the mugs were used at the volunteer recognition event. He noted that he feels that what the Metro District has done will not improve the value of his home. He stated that the airport is spreading exhaust fumes on lawns; the City of Centennial has published an article about Centennial airport's noise pollution. He restated his observation regarding the conveyance of a Mercury vehicle to the District.

No other Director items were brought forward at this time.

### Other Business

Mr. Pimental announced the impending birth of his new daughter in January, 2012, and some accommodating revisions in his work schedule immediately following her birth.

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 at approximately 8:25 p.m.

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Secretary for the Meeting

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