

FOOTHILLS PARK AND RECREATION DISTRICT
REGULAR BOARD OF DIRECTORS MEETING

September 22, 2009

The regular meeting of the Foothills Park and Recreation District was held at The Peak Community and Wellness Center, 6612 South Ward Street, Littleton, Colorado 80127.

- I. CALL TO ORDER: Director Maulik called the regular meeting to order at 6pm.
- II. PLEDGE OF ALLEGIANCE: Director Maulik led those in attendance in the Pledge of Allegiance to the Flag of the United States of America.
- III. ROLL CALL:
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| Director Maulik: | Present |
| Director Shangraw: | Present |
| Director Frankland: | Present |
| Director Sutton: | Present |
| Chairman Nunes: | Absent |

ALSO IN ATTENDANCE: Ronald Hopp, Executive Director; Paul Rufien, District Counsel; Tom Woodard, Director of Golf; Colin Insley, Director of Parks, Planning and Construction; Patricia Parkin, Director of Administrative Services; Barb Butler, Manager of Recreation Programs; Richelle Riley, Recording Secretary; other Foothills staff and members of the public.

IV. APPROVAL OF AGENDA:

MOTION: Director Shangraw moved that the Foothills Board of Directors approve the September 22, 2009 agenda as submitted. Director Maulik seconded the motion. Poll of the Board: Director Maulik, aye; Director Shangraw, aye; Director Frankland, aye; Director Sutton, aye. The agenda was approved as submitted.

V. APPROVAL OF SEPTEMBER 8, 2009 MINUTES:

MOTION: Director Shangraw moved that the Foothills Board of Directors approve the minutes of the September 8, 2009 Board meeting as submitted. Director Maulik seconded the motion. Poll of the Board: Director Maulik, aye; Director Shangraw, aye; Director Frankland, aye; Director Sutton, aye. The minutes were approved as submitted.

VI. COMMUNITY COMMENTS:

VII. OLD BUSINESS:

A. Update Policy for Review and Approval of Contracts

Ronald Hopp said at the last Board meeting we had a discussion about our policy for review and approval of contracts. Our current policy states there is a process to be followed up to \$50,000; the Board was made aware of the fact that Colorado Revised Statutes allow for contracts to go up to \$60,000 without a public bidding process. Our policy is not consistent with the current Colorado Revised Statute 32-1-1001(d)(1), and staff were directed to bring a revised policy that would be consistent with the Colorado Revised Statute. Director Shangraw asked if the statute will change over time, and can we add that the dollar amount can change. Mr. Rufien advised the language in the revised policy is intended to address what Director Shangraw described. The dollar amount was used in an attempt to mirror the statute; we could remove the \$60,000 from the heading. Director Frankland disagreed; each Board should have the ability to change the dollar amount if they wish. Director Maulik agreed she would rather set a dollar limit than leave it wide open. Mr. Hopp offered it was staff's opinion that the statute probably changes very infrequently; we could leave the policy this way and change it when the statute changes, unless the Board wanted to have more restrictions on the policy than the current statute. Mr. Rufien offered the statute has been modified once in his years of practice. Director Sutton recommended leaving it the way it is.

MOTION: Director Sutton moved that the Foothills Board of Directors approve the updated Policy for Review and Approval of Contracts to change the threshold amount to \$60,000 according to Colorado Revised State Statute requirements. Director Maulik seconded the motion. Poll of the Board: Director Maulik, aye; Director Shangraw, aye; Director Frankland, aye; Director Sutton, aye. The motion was approved.

B. Foothills Golf Course Tee Box Contract Addendum

Tom Woodard discussed that at the September 8th Board meeting, the Board approved staff's request to negotiate a contract with Landscapes Unlimited for \$48,935.25 to rebuild 12 tee boxes at the Foothills Golf Course. The Board approved an additional \$41,432.25 from the Golf Development and Improvement Fund (GDIF) beyond the \$7,500 that was approved with the 2009 budget to pay for rebuilding those tee boxes. The memo indicated the project was to start on September 21st. Approximately one hour ago, Mr. Woodard received the contracts via email from Landscapes Unlimited. Minor changes were proposed. A change they indicated was that their company name is Landscapes Unlimited of Nebraska. Mr. Woodard said the purpose of this memo is to request that the Board approve an addendum to the initial contract for \$10,518.75 to rebuild four additional tee boxes, and the GDIF be used to pay for these additional tee boxes. With the approval of this addendum, the total cost to rebuild the 16 tee boxes will be \$59,454.00. Mr. Woodard corrected his memo, indicating that the GDIF is projected to increase by \$270,000 next year rather than the \$255,000 previously stated. That would leave \$439,000 in available funding in 2010 after the tee boxes are rebuilt. Mr. Woodard said, weather pending, the contractor could get started tomorrow; we need to wait for Mr. Rufien's review. Mr. Rufien noted we are in compliance with the Board's policy and the Colorado Revised Statute.

MOTION: Director Shangraw moved that the Foothills Board of Directors approve the addendum to the contract with Landscapes Unlimited of Nebraska to rebuild four additional tee boxes at Foothills Golf Course, and appropriate an additional \$10,518.75 from the Golf Development and Improvement Fund for the project subject to review and approval of District's counsel and the Executive Director. Director Maulik seconded the motion. Poll of the Board: Director Maulik, aye; Director Shangraw, aye; Director Frankland, aye; Director Sutton, aye. The motion was approved.

VIII. NEW BUSINESS:

IX. EXECUTIVE DIRECTOR'S REPORT:

Mr. Hopp added to his report that staff have received, from Jefferson County Planning and Zoning, a referral for our review of an added park and recreation district in the Conifer area; Conifer Area Park and Recreation District. They have enclosed a service plan and proposed to satisfy the criteria established in the Colorado Revised Statutes for special districts. The submittal will be made available to the Board if they are interested in reviewing. Mr. Rufien added his best guess is that this is preceding an election. Mr. Hopp concurred it looks as though they are intending to establish a special district and then go to a mill levy vote of four mills in an effort to build a recreation center, etc. Mr. Insley indicated the document stated their election will be in 2010.

Regarding the future of the Sixth Avenue pool, Mr. Hopp indicated he told the Stingrays Swim Team that the budget recommendation for 2010 will include opening the pool in 2010. There may be a chance it would be open in 2011, but beyond that he had no guarantees. Mr. Hopp said he made sure they knew that our staff recommendation for 2010 is not final until the budget is finalized which won't happen until the first meeting in December.

X. DISCUSSION ITEMS:

A. Finance Update

Patricia Parkin mentioned that in August, the golf courses gained a lot of the lost revenue from earlier in the season. Net revenues for the first eight months of 2009 were \$5,501,506 compared to \$4,864,485 for the same period in 2008; and increase in net profit of \$637,021. She summarized that is due to salaries, wages, and benefits being less than in 2008; purchased services expenditures in Administrative Services are down; and utility costs are lower. We had some debt pay off which reduced our debt and interest expense by \$140,629. The balance is timing of reimbursements from Jefferson County Open Space for projects we are working on this year. Ms. Parkin reiterated that anticipated net profit will be approximately \$752,956 for the year; without election expenses we will probably do better than that. She expressed we are doing very good to meet our budget. Ms. Parkin added we are working on everyone's budgets for 2010; by the end of this week we may have preliminary numbers.

Director Maulik acknowledged staff have worked hard to decrease expenses, and have done an excellent job.

Director Shangraw expressed concern about the ice arena. Mr. Hopp agreed it is a concern and indicated we will probably adjust revenue projections fairly dramatically for 2010 to be more realistic. To improve the service we are providing, Mr. Hopp said we just hired an assistant manager position and are in the process of looking at a programming position. Of the four full time positions that were in place when he started with the District, there will be four new faces in the near future. He recognized the economy seems to be affecting the ice arena significantly, and mentioned that for an adult hockey team, the cost for a season is about \$7,000. A lot of it also stems from the fact that we have two major tenants: Foothills Hockey Association and the Colorado Select Girls. They have seen a significant decrease in their numbers and they make up so much of our ice usage time. Mr. Hopp said one of the things we are trying to focus on is a greater diversification of the entities that we are dealing with, as well as a focus on our own internal programming. In the past we have been so dependent on two major stakeholders. He expressed it is a work in progress, but feels better about the direction in which it is going.

B. Board Policy Updates

Mr. Hopp discussed we are in a strong effort to update our Board Policy Manual and to continue that progress we have the Senior Age Policy and Land Use Encroachment policy for the Board's review tonight.

1. Senior Age Policy

As stated in the attached memo, Mr. Hopp said in January of 1991 the Board made a unanimous decision that the senior age to receive a discount from our recreation programs and facility admissions would be 62; we are not requesting a change in the age. We are recommending that because the written policy does not include golf, and possibly other areas that might not be pigeon holed into admission and recreation programs, the Board approve that all senior discounts be offered for all facilities and programs, not just recreation. We are consistent when we offer senior discounts (age 62 across the board); the policy just needs to reflect that. It was clarified that the age 62 discount applies to resident and non-resident patrons at the golf courses. Mr. Hopp reiterated we are not changing any of our fee structures or practices, just cleaning up the written policy.

MOTION: Director Shangraw moved that the Foothills Board of Directors approve that all senior discounts offered for facility admissions and programs be effective at age 62. Director Maulik seconded the motion. Poll of the Board: Director Maulik, aye; Director Shangraw, aye; Director Frankland, aye; Director Sutton, aye. The motion was approved.

2. Land Use Encroachment Policy

Colin Insley explained that in 2004 the Board approved a land encroachment policy. It has been a welcome item for the parks department because for years we have had unwanted development, and issues with trespassing. Since then we have been able to clean up our parks and greenbelts. Mr. Insley proposed two changes in the policy. One is in regard to the items that are prohibited, specifically mowing and tree trimming. We have been asked by people who want to adopt a park if they could get our supervision and approval to do some mowing and some tree trimming. Mr. Insley advised it would require supervision of staff and pre-approval of staff because we are still maintaining our mowing policy in regard to maintaining our native areas. The second item which we did change through the budgeting process refers to the temporary access permits. When we issued them in the past, they were issued for free. There is staff time and some work involved with issuing those, so with the 2009 budget process we agreed to charge a fee of \$50 for residents and \$100 for commercial. Mr. Insley emphasized the balance of the policy has really worked well for staff and it has helped clean the areas. Director Shangraw suggested adding snowplowing with permission; Mr. Insley agreed. Regarding liability issues, Mr. Rufien said he would trust that staff's approval would take those into consideration, and gave an example. There was discussion concerning mowing behind the fence lines and aesthetics.

MOTION: Director Shangraw moved that the Foothills Board of Directors adopt the changes to the Land Use Encroachment Policy as discussed. Director Maulik seconded the motion. Poll of the Board: Director Maulik, aye; Director Shangraw, aye; Director Frankland, aye; Director Sutton, aye. The motion was approved.

C. Alpers Farm Playground/Clement Pier and Embankment Projects

Per the attached memo, Sean Kitners updated the Board regarding the Alpers Farm Playground project and the Pier and Embankment Repair project at Clement Park. He wanted to make the Board aware that the contracts will be presented for their approval at the October 13th Board meeting, and answer any questions ahead of time. He said the projects are out to bid; pre-construction meetings and bid openings are scheduled. Director Maulik emphasized the Board would like as much data as possible so they can be ready to make a decision at the next meeting; she wants that meeting to be strictly budget. Mr. Insley offered the Alpers Farm project may come in under \$60,000, and may not need to be brought to the Board.

Mr. Kitners gave a general overview of the projects. For the Alpers Farm Playground, they will be upgrading the acre of land and developing the park site. As soon as the site is ready, the playground will be installed. Regarding the Pier and Embankment project, Mr. Kitners said there are safety issues around the lake where the concrete is collapsing; the main focus will be repairing those. The contractor will need to do the work between mid October to mid November; the reservoir will begin to be filled mid November.

Mr. Hopp asked what questions will the Board have in anticipation of contract approval on October 13th. He explained we want to devote as much time on October 13th to the budget as possible, but timing looked like we couldn't get the contracts approved at this Board meeting, so we wanted to provide all the information tonight.

Director Shangraw responded she does not have a problem with it; the money has already been allocated and donated by the developer. Director Maulik agreed, and pointed out it will be reviewed by Mr. Rufien and the Executive Director.

XI. ADJOURNMENT:

The regular meeting was adjourned at 6:41pm. The next Board meeting will be held at 6pm on Tuesday, October 13, 2009, at The Peak Community and Wellness Center, 6612 South Ward Street, Littleton.

Submitted by:

Richelle Riley, Recording Secretary