



April 23, 2010

Foothills Park & Recreation District
Board of Directors
6612 S. Ward Street
Littleton, Colorado 80127

Dear Board Of Directors:

We were disappointed that the District stopped negotiating with us last fall in our efforts to improve the quality of Estates Park and the services we obtain from the District. Seeing no viable alternative, we have continued our efforts to secede from the District, but we want to ensure that the lines of communication remain open. We are still open to the resolution we proposed last year. At that time, we understood we were in agreement on two of the three points, and were only separated by a numerical amount on the third point.

From our previous correspondence and meetings, it was clear that Foothills was willing to convey ownership-like control of Estates Park to the Mesa View Estates HOA (through one of several vehicles you proposed), and that future mill levy increases would be allocated proportionally to our park in the same ratio as was agreed for allocating current property tax revenues. The only unresolved issue was the actual ratio for allocating current property tax revenues. Our position remains that 80% of Mesa View area property tax revenue should be dedicated to the Mesa View area, considering, among other things, our extreme distance from your other facilities.

Our desire is to have Estates Park maintained and improved for the betterment of our neighborhood and the enjoyment of our approximately 639 home owners and families. By way of background, it is a matter of record that Estates Park was conveyed to the District for free, with all of its existing improvements, approximately 20 years ago. Since then, as you know, we have been dissatisfied

12265 W. Bayaud Ave.
Suite 110
Lakewood, CO 80228
phone 303.233.4646
fax 303.233.1018



with the level of maintenance and dedication of resources Estates Park has received. Although the District has collected approximately \$2 million in revenues from Mesa View residents over that last 20 years, it has reinvested only a fraction of that amount. Even in economically strong years, while your other parks have been exemplary models of what a park system can provide, our park has languished from lack of maintenance and generally looked shabby.

Our experience with the District's maintenance of Estates Park has been consistent: the park is not watered or mowed enough, maintenance of the facilities is Spartan at best, and the playground equipment is usually in disrepair. Last year for example, the District's only noteworthy maintenance was the replacement of a tennis court net that had worn out years before. Additionally the District forced Mesa View Estates to pay half of the District's cost to repair dangerous pot holes in its parking lot. While we appreciate these minimal efforts, we are no longer willing to accept such minimal maintenance of the park for the amount we are paying into the District.

The numbers are well known. This year we will pay into Foothills Park & Recreation district \$107,000+ in special district taxes, for which you will expend about \$25,000 in minimal maintenance of our park. The remainder of our taxes will go to your operating budget to pay for the operation of facilities fifteen miles from Mesa View that, you concede, are seldom used by our residents.

We recognize that in these difficult financial times you are making budget sacrifices in order to maintain solvency. However, the reality is that historically you never dedicated any measurable resource to our neighborhood park and now you are even more unlikely to due to your operating budget circumstances. This in conjunction with your decision to increase your staff salaries, while failing to maintain our park and forcing us to pay to repair your potholes, does not lead us to believe that there will be any change in your future funding priorities.

Our other pending dispute stems from our belief that the District acted improperly in implementing its ward redistricting. We believe, as you likely know, that the redistricting primarily was done to limit dissent from areas of the District that do not receive a benefit commensurate to what they contribute, and to ensure that one or two wards can control the lion's share of tax revenue generated by the District. We, again, request that you delay implementation of the ward system until the pending

12265 W. Bayaud Ave.
Suite 110
Lakewood, CO 80228
phone 303.233.4646
fax 303.233.1018



litigation can be resolved on the merits. It goes without saying, however, that we remain hopeful that we can reach a mutually beneficial global resolution of all our differences, including the pending litigation.

We also are greatly concerned about the extremely unequal funding levels within the wards. The District has stated that the wards were implemented to ensure equality and fairness based on population areas. Presumably this means that budgetary spending allocations should be spread evenly too, with approximately 20% of the District's revenues spent in each of the five Wards. Generally, this is true of Federal tax dollars, which are returned to states via Federal spending such that each state tends to receive between 80% and 120% back of what its residents paid in Federal taxes.

Our calculations, however, show that ward 1, which we are in, receives only approximately 1% of your spending— significantly below 20%. It is worth noting that ward 3 receives approximately 58% of all expenditures and ward 4 receives 33%, both well above their 20% equity baseline. Wards 2 and 5 are commensurately underfunded, at approximately 7% and 1% respectively.

It is this regional per-capita kind of gross inequity that we have been trying to rectify for years, particularly considering how far we are from wards 3 and 4, and the tremendously low usage statistics from our area, some 1/100th as much usage as average. The District provides deluxe amenities for those who live in Wards 3 and 4, but turns a blind eye toward providing them equally across the District.

We were disappointed that none of the candidates for wards 3 and 4 accepted our invitation to meet with us to discuss our concerns as District members (or even contact us to decline). Such apparent indifference belies the message that ward-based directors will represent all District members, and it illustrates that candidates are only beholden to those who actually vote for them. We are nonetheless glad that you will now be taking a look at expenditures on a ward-by-ward basis and trying to introduce more fairness.

In the interest of furthering our discussions and as previously stated to you, we would be willing to entertain remaining part of the District on the following conditions:

12265 W. Bayaud Ave.
Suite 110
Lakewood, CO 80228
phone 303.233.4646
fax 303.233.1018



- 1) the District will contractually turn over ownership-like control of Estates Park to the Mesa View Estates HOA, as was previously deemed acceptable;
- 2) the District will dedicate 80% of all tax revenues it collects from our subdivision to be spent at the Mesa View Estates HOA's discretion on maintenance and improvements in our subdivision, now and in the future; and
- 3) the District will repeal the wards voting system.

We have explained previously how we arrived at the 80% figure and continue to believe it is a fair and justifiable number. To date, you have never provided an explanation of your opposition to our request—other than the District simply wants our money. All such funds would be made available to Mesa View Estates HOA to be used toward the maintenance and development of the Estates Park. As in the past, there were other considerations with which we were in general agreement and would again need to be addressed.

If you would like to pursue this please let us know. We, again, invite you all to meet with us to discuss this further.

Sincerely,

Andrew Burt, President

Mesa View Estates Board of Directors

Cc: BOD

12265 W. Bayaud Ave.
Suite 110
Lakewood, CO 80228
phone 303.233.4646
fax 303.233.1018