FOOTHILLS PARK & RECREATION DISTRICT
REGULAR BOARD OF DIRECTORS MEETING

April 26, 2016

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

I. CALL TO ORDER: Director Bradley called the regular meeting to order at 6:01pm.

II. PLEDGE OF ALLEGIANCE: Director Bradley led those in attendance in the Pledge of Allegiance to the Flag of the United States of America.

III. ROLL CALL:  Director Bielkiewicz: Present via conference phone
Director Bosanko: Present
Director James: Present
Director Sutton: Present
Director Bradley: Present

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

Potential conflicts of interest were disclosed pursuant to Colorado Revised Statutes 18-8-308(2), 24-18-109(3)(a), 24-18-110, and 32-1-902(3).

IV. APPROVAL OF AGENDA:

MOTION: Director Bosanko moved that the Foothills Board of Directors approve the April 26, 2016 agenda as submitted. Director Sutton seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Bosanko, aye; Director James, aye; Director Sutton, aye; Director Bradley, aye. The motion was approved.

V. APPROVAL OF MARCH 8, 2016 MINUTES:

MOTION: Director Sutton moved that the Foothills Board of Directors approve the minutes of the March 8, 2016 board meeting as submitted. Director Bosanko seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Bosanko, aye; Director James, aye; Director Sutton, aye; Director Bradley, aye. The motion was approved.

VI. COMMUNITY COMMENTS:

A thank you letter from Parks Committee Co-Chairs, Annie Berger and Kathy Hofstra, with the Columbine Knolls South/Estates HOA was read to the Board by Ms. Hofstra thanking the Foothills Board of Directors for approving $60,000 towards the cost of a new playground in West Laurel Park. The Columbine Knolls South/Estates HOA also approved spending $35,000 towards the new playground. Their Parks Committee recognized Colin Insley, Gary Ramos, and Stan Davis for their prompt attention to all matters of concerns to both Foothills and their neighborhood. It was recognized that members of the Columbine Stake of the Church of Jesus Christ of Latter Day Saints will provide labor for the playground build on Saturday, August 6th.

A. Children’s Programs Staff Introductions

Amber Stowe, Children’s Programs Supervisor, introduced Michelle Lowe, who has taken a School Age Specialist position. Michelle will oversee five Before and After School programs and six summer camps this year.

Also introduced was Alec Stoncius who has been working for the District part-time and now will be starting a full-time role as Traveling Site Director. Alec will work with Lilley Gulch Camp Hoppers this summer, and will travel to all the Before and After School sites during the school year.
Emily Tabb, Site Director at Patterson International Elementary School, was unable to attend.

B. Golf Staff Introductions

Paul Janosik, Golf Course Superintendent, introduced Tara Franch and Andrew Rains, new full-time Golf Maintenance Specialists at Foothills Golf Course.

C. Eagle Scout Recognitions

Brenda Nix, Park Operations and Planning Coordinator, recognized Tyler Erickson for his work implementing a fishing line recycling program at Clement Park. Also recognized was Hunter Robinson, for his work on drainage improvements at Ridge Recreation Center.

The Eagle Scouts and their parents were commended by the Board.

D. District Showcase – Adaptive Aquatics Program

Kim Henderson, Aquatics Supervisor, provided background about the Adaptive Aquatics Program which started in 2004. In 2013, Alison Tamborlane, who has extensive experience in the adaptive swimming program field, became the Adaptive Aquatics Coordinator, and the program has grown and changed significantly. Ms. Tamborlane distributed photos to the Board and talked about her education and history in aquatics. She provided information about the Adaptive Aquatics Program and how it has grown. Director Bradley recognized the District is very fortunate to have this program.

VII. OLD BUSINESS:

A. Clement Park Design Contract Revision

At the last board meeting, Colin Insley indicated the Board allowed staff to proceed with the core building design, core plaza, interactive fountain, and Phase I and Phase II restroom restorations at Clement Park. After that meeting, Mr. Insley explained, staff thought it made sense in an efficiency standpoint and coordination standpoint to add the ballfield lights, security and parking lights on the eastern side of the park, referred to as Phase I, and also Field 5. The consultants revised the proposal, and a copy is included in the packet. The amount that was approved at the last board meeting was $211,802; the revised proposal would be $239,802. It would provide grading for Field 5 and electrical design for lighting, and fold those into this particular project.

MOTION: Director James moved that the Foothills Board of Directors authorize staff to proceed with EV Studio’s contract for design development, construction services and construction administrative services and ratify the current design contract increase from $211,802 to $239,802, and further authorize the Executive Director to execute the contract documents upon completion of staff and legal counsel negotiations, review and approval. Director Sutton seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Bosanko, aye; Director James, aye; Director Sutton, aye; Director Bradley, aye. The motion was approved.

B. Purchase & Sale Agreement/Columbine & Wadsworth

For the Board’s consideration, Ronald Hopp submitted a Purchase and Sale agreement for the Southwest corner of Columbine and Wadsworth. Referring to the attached memo, Mr. Hopp provided background information on parcels in the District that have been marketed and sold. Mr. Hopp explained the Columbine and Wadsworth parcel was under a Purchase and Sale agreement with a previous developer and the contract was terminated; it was for $455,000. The parcel went back on the market and another developer has offered $503,000, Mr. Hopp explained. He indicated the Purchase and Sale agreement is contingent upon extensive County processes and public processes.

Mr. Hopp concluded before the Board is the consideration of a Purchase and Sale agreement for $503,000. It is with Evergreen Devco, Inc. and their intent is to look at potential rezoning for some residential and some light commercial uses on that particular piece of land. It would be part of county and public processes. Mr. Hopp pointed out there is a resolution as part of that and a resolution authorizing the Executive Director to execute all documentation
needed with the County. Mr. Hopp anticipated that closing probably wouldn’t happen until 2017, and explained. He pointed out this is the last of the six parcels that were identified in 2008 to improve the District’s overall financial picture. There were comments from the Board and questions answered. Director Bradley observed this is a good example of the District being proactive instead of reactive.

MOTION: Director Sutton moved that the Foothills Board of Directors approve Resolution No. 16-004 authorizing the Chair of the Foothills Park & Recreation District to execute a Purchase and Sale Agreement for the two land parcels located at the SWC of South Wadsworth Blvd. and Columbine Drive as discussed. I further move to approve Resolution16-005 authorizing the Executive Director to execute all documents necessary to have Jefferson County approve the specific governmental processes and also authorize the Executive Director to sign and execute all real estate closing documents on behalf of the District. Director James seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Bosanko, aye; Director James, aye; Director Sutton, aye; Director Bradley, aye. The motion was approved.

C. RMRHL Compromise & Settlement Agreement

Referring to the memo provided, Mr. Hopp explained Rocky Mountain Roller Hockey League, Inc. (RMRHL) entered into a site lease with the District in January of 2003 for land located in the District’s Schaefer Athletic Complex. RMRHL financed and constructed a roller hockey facility on that leased property. Mr. Hopp outlined the agreement and addendums that were done over the years related to the agreement. In October of 2014, the trustee of their loan agreement declared the agreement in default and commenced a civil action against the debtor. On November 2, 2014, RMRHL filed a voluntary Chapter 11 petition in the U.S. Bankruptcy Court for the District of Colorado. Since filing the bankruptcy, Mr. Hopp said staff have been monitoring the proceedings since the District is a creditor because it receives rent from RMRHL, and the facility is built on district property. Staff came to the realization that possibly the best entity to utilize that building would be the District; almost anything else would be a competing organization. Using power point, Mr. Hopp provided detail about the facility.

Mr. Hopp indicated for the Board’s consideration is a Compromise and Settlement Agreement. Through continual conversation with the bank and RMRHL, all three parties have agreed on terms. If the terms contained in the Compromise and Settlement Agreement are acceptable by all parties and the court, all parties would execute their obligations and would move towards a transfer of ownership. Mr. Hopp talked about potential programming the District would have in accordance with the agreement, and a likely Memorandum of Understanding between the District and RMRHL. He showed examples of indoor turf facilities of other agencies such as Highland Hills, Apex, and Parker. As part of the Compromise and Settlement Agreement, Mr. Hopp said the District’s obligations are to spend $1,400,000 to acquire the facility; the District would enter into a Memorandum of Understanding with RMRHL regarding use of the facility for the roller hockey leagues. If successful and approved by all parties, staff would likely want to convert one of the rinks to synthetic turf, would like to look at new lighting throughout the facility, and there would be some operational needs – computers, furniture, phone, internet, etc. There is a small concession stand that in the future could be an enhancement as well.

Mr. Hopp called attention to the Compromise and Settlement Agreement included in the packet. He said the hope would be to close 15 days after the court would deem it to be settled, and the acquisition could be finalized. He suggested this provides a lot of unique opportunities to the District and within a reasonable amount of time will see cash flow and net revenues. The price is right related to value and what it would cost to build that facility. Securing the building and making sure that another entity could not potentially compete with the District is worth making the investment. Mr. Hopp proposed that staff enter into the Compromise and Settlement Agreement, and talked about the funding sources.

Concerning insurance monies mentioned in the agreement, Mr. Hopp explained RMRHL had a catastrophic roof failure a couple years ago and they got a settlement from their insurance company that allowed for the roof to be replaced and some inside improvements, and they got some loss of business proceeds from the insurance company. The remainder of all the insurance proceeds will go to the bank to help settle their overall deficiency related to the bankruptcy. Mr. Hopp indicated that allowed, in part, for the District to be able to acquire the building at such a low amount.
Mr. Hopp reiterated that RMRHL had agreed to consolidate all of their utilization related to roller hockey to one side of the building, that is 1,352 hours the District has committed to them for one year. For a roller hockey user, it may be a fairly seamless transition, they would be playing on one rink as opposed to another one, the service is still being provided for roller hockey. Mr. Hopp described items in the Memorandum of Understanding, which will replace the existing lease.

Barb Butler discussed current uses of the Foothills Sports Arena, and possibilities for the RMRHL building; there was discussion.

MOTION: Director Sutton moved to authorize the Executive Director to execute the Compromise and Settlement Agreement as discussed subject to staff and legal counsel approval, and further authorize staff to fulfill the obligations outlined in the Compromise and Settlement Agreement which will result in the District acquiring the Rocky Mountain Roller Hockey facility located in Schaefer Athletic Complex. Director Bradley seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Bosanko, aye; Director James, aye; Director Sutton, aye; Director Bradley, aye. The motion was approved.

VIII. NEW BUSINESS:

IX. EXECUTIVE DIRECTOR’S REPORT:

Referring to the report provided, Mr. Hopp discussed the successful launch of the CommunityPass program registration system, as well as the GolfNow POS system. Mr. Hopp mentioned staff were hoping to launch the new website simultaneously with the registration, and explained why it is being delayed until June 20. Mr. Hopp pointed out there was snow damage related to the batting cages at Clement Park and Schaefer that will take some time to repair.

Mr. Hopp discussed staff are working diligently on the ‘Refrain from Smoking’ effort. Representatives from Jefferson County Health Department have been engaged. A slogan that has been developed is ‘Play Healthy’, which could be followed by ‘Refrain from Smoking’ and ‘Smoke Free Zone’ messaging. Mr. Hopp said the county health department folk are big on tobacco in general, and asked the Board’s thoughts on smoking, vaping, chewing being other things for refrain, the Board agreed. Mr. Hopp suggested the biggest delineation of refraining versus prohibition is the inability to enforce.

Mr. Hopp added there is a board election going on, the deadline is May 3. He acknowledged candidate, Scott Kennerly, who was in attendance. At the May board meeting, new board members will be installed, and new officers will be elected.

All of the Bergen reservoirs are full, Mr. Hopp reported. Regarding the Belleview Acres Park project using SB35 funds that had been discussed, staff felt the timing would be better in 2017. Mr. Hopp explained. Mr. Hopp said he has been invited to meet next week with the City Manager and Assistant City Manager for the City of Littleton to talk about services being provided to TrailMark. Mr. Hopp discussed the Department of Labor proposal mentioned in the report is being monitored by staff; it is currently in the review period.

X. DISCUSSION ITEMS:

A. Finance Update

According to the report provided for the period ending March 31, 2016, the District continues to have a strong start to the year in a financial perspective, Dennis Weiner reported. Total district year-to-date operating revenues were higher than plan due to several factors that Mr. Weiner outlined. Total district year-to-date expenditures were favorable to plan, Mr. Weiner explained as detailed in the report. Net revenue was favorable to plan due to the higher net operating revenues and net proceeds received in March for the sale of vacant land.

B. Departmental Quarterly Reports

1. Administrative Services

Referring to the 2016 first quarter report for Administrative Services, Mr. Weiner explained total operating revenues were higher than planned and total operating expenditures were lower than planned. Total net non-operating revenues were higher than
planned, mainly property tax collection due to faster than anticipated collection by the County. Mr. Weiner outlined activities going on within Administrative Services including Finance, Human Resources, and Information Technology as described in the report.

2. Leisure Services

Outlining the report provided for the first quarter 2016, Barb Butler reported Leisure Services’ revenues were more than projected in a variety of program areas. Expenses came in less than projected, most of that in purchased services and utilities, Ms. Butler explained. Overall, Leisure Services performed better than planned with increases in revenue and lower expenses. Ms. Butler highlighted items for Arts and Special Events, Children’s Programs, District Athletics, Fitness and Wellness. Referring to the report for Facility Operations, Derek Eberhardt provided highlights for Aquatics, Edge Ice Arena, Facility Maintenance, and Facility Operations which includes Lilley Gulch, Peak Community & Wellness Center, Ridge and Climbing Wall, and babysitting.

3. Golf

Outlining the report provided for the first quarter 2016, Tom Woodard indicated Golf was above projected budget, mostly in admission fees. Mr. Woodard talked about factors contributing to rounds being below the previous three-year average. On the expenditure side, Mr. Woodard explained an increase occurred during the first quarter; net is favorable to plan. Mr. Woodard indicated all of the Golf Development and Improvement projects that were approved by the Board during the budget cycle have been completed except the bunker on the 11th green at Meadows Golf Course. Mr. Woodard summarized department achievements for the first quarter.

4. Parks Planning and Construction

Referring to the report provided, Colin Insley explained how operating revenues and non-operating revenues as well as operating expenses and non-operating expenses were tracking for the 2016 first quarter. Mr. Insley highlighted items for Parks Administration, Fleet Services, Urban Parks, Kipling Villas, Regional Parks, and Clement Park.

5. Marketing and Community Outreach

Mr. Hopp talked about the new website, and indicated the magazine went out in the first quarter.

XI. EXECUTIVE SESSION

A. Legal Matters per 24-6-402(4)(b), C.R.S.

**MOTION:** Director James moved that the Foothills Board of Directors move into Executive Session to discuss Legal Matters pursuant to Colorado Revised Statute 24-6-402(4)(b). Director Bosanko seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Bosanko, aye; Director James, aye; Director Sutton, aye; Director Bradley, aye. The motion was approved.

The regular meeting adjourned at 8:35pm. Executive Session started at 8:40pm and ended at 9:15pm. The regular meeting reconvened at 9:15pm.

XII. ADJOURNMENT:

The regular meeting was adjourned at 9:16pm. The next regular board meeting will be held at 6pm on Tuesday, May 24, 2016, at Peak Community & Wellness Center, 6612 South Ward Street, Littleton.

Submitted by:

Richelle Riley, Recording Secretary