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

I. CALL TO ORDER: Director James called the regular meeting to order at 6:04pm.

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

III. ROLL CALL: Director Bosanko: Present
Director Farrar: Present
Director Esolen: Present
Director Meyer: Present arrived 6:35pm
Director James: Present

ALSO IN ATTENDANCE: Ronald Hopp, Executive Director; Colin Insley, Director of Parks, Planning and Construction; Derek Eberhardt, Director of Operations; Barb Butler, Director of Recreation Programs; Tom Woodard, Director of Golf; Dennis Weiner, Director of Administrative Services; 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 December 13, 2016 agenda as submitted. Director Esolen seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, aye; Director Esolen, aye; Director James, aye. The motion was approved.

V. APPROVAL OF NOVEMBER 15, 2016 MINUTES:

MOTION: Director Esolen moved that the Foothills Board of Directors approve the minutes of the November 15, 2016 board meeting as submitted. Director Bosanko seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, aye; Director Esolen, aye; Director James, aye. The motion was approved.

VI. COMMUNITY COMMENTS:

A. Staff Introduction - IT

Dennis Weiner introduced Seth Sams, Senior Systems Administrator. Seth has extensive experience in working with the many tools used in the IT environment.

B. Staff Introduction – Aquatics

Derek Eberhardt introduced Amanda Hatch, Aquatics Specialist. Amanda has over 20 years of experience in aquatic management.

John Sheffield, who represents the Church of Jesus Christ of Latter-day Saints, Columbine Stake, wished the Board Merry Christmas. Mr. Sheffield expressed gratitude to work with Foothills again this year. Director James expressed appreciation to the LDS Columbine Stake and all that they do with Foothills.

VII. OLD BUSINESS:

A. 2017 Budget

Ronald Hopp recalled that in September, a preliminary budget was presented based upon preliminary budgetary assessments provided to the District by Jefferson County, and best estimates at that point in time in terms of revenue and expenditures. In October and
November, budget presentations were provided related to the four major program areas – Golf, Leisure Services, Parks, and Administration.

Referring to information in the packet, Mr. Hopp talked about expenditures and revenues that have changed since the preliminary budget was presented in September. Mr. Hopp noted that the assessed valuations went down very slightly which means the County was pretty much right on in August with the preliminary assessments.

Using Power Point, Mr. Hopp talked about what has changed overall from the 2016 budget to the 2017 budget. Going over long term debt, Mr. Hopp pointed out the 2010 General Obligation Bond that expires in 2020; it might provide an opportunity for this community to potentially grant extension of that bond. Mr. Hopp outlined operating revenues and expenditures for each department, as well as each cost center. He outlined net operating expenditures and property tax revenues for the District, showing a balanced budget of zero.

Mr. Hopp acknowledged that once approved by the Board, the budget will be submitted to Jefferson County and the State of Colorado, and described three resolutions for the Board’s consideration. A Notice for Public Hearing has been published in the Columbine Courier, Mr. Hopp explained.

There was discussion about the bid that was taken related to the Clement Park project. Mr. Hopp explained there are six alternates and that number is included in the budget in the event those six items are included. Director Esolen suggested those six alternate projects be included.

- **Public Hearing**

  Director James opened the Public Hearing to take comments on the 2017 Proposed Budget at 6:45pm.

  Tina Gurdikian, District Resident, mentioned an article in the Columbine Courier about properties that may be sold, expressed curiosity about how that fits in the budget, and questioned why those properties need to be sold. Mr. Hopp explained that it is not part of the budget because it is not realized revenue, and provided history of the parcel sales. Director James added there are no new parcels for sale and additional land sales are not anticipated. He mentioned the District may ask for a mill levy in November of 2017 which the Board will be discussing next Monday. Seeing no further comments, Director James closed the Public Hearing at 6:51 pm.

- **Resolutions**

  **MOTION:** Director Esolen moved that the Foothills Board of Directors approve Resolution No. 16-009 to adopt the 2017 Budget for the Foothills Park & Recreation District; Resolution No. 16-010 to Appropriate the 2017 Budget for the Foothills Park & Recreation District; and Resolution No. 16-011 to Levy 2017 Property Taxes for the Foothills Park & Recreation District. I further move that the Foothills Board of Directors approve inclusion of the additional items, one through six, for the Clement Park project, and further move that the Foothills Board of Directors approve the proposed expenditures for the Golf Development and Improvement Fund as presented in the 2017 Budget. Director Farrar seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, aye; Director Esolen, aye; Director Meyer, aye; Director James, aye. The motion was approved.

B. **Mile High BMX**

Mr. Hopp recalled at the October 25, 2016 board meeting, the Board asked staff to place the BMX track discussion back on the agenda for this meeting, and asked staff to bring additional information related to the discussion. Referring to information included in the packet, Mr. Hopp pointed out a timeline of events, the original agreement that was approved by the Board unanimously on February 28, 2012, the red-lined agreement that was considered by the Board and not approved on June 21, 2016. He made clear staff have made no edits or changes to that red-lined agreement. Mr. Hopp indicated there is a copy of all of the collected signatures by members of the BMX community. Two other sites that staff evaluated were detailed – Fehringer Ranch and Easton Regional Park, and were compared to the Schaefer
Athletic Complex site. Mr. Hopp talked about concerns that were brought up by members of the community in the past including grandstands, dust, lights, noise, fencing, parking. Using Power Point, Mr. Hopp showed a concept for additional parking at Schaefer Athletic Complex, which was also included in the packet.

Jason Miller, board member of Mile High BMX, thanked the Board and their predecessors, Mr. Hopp and Mr. Insley for their continued patience and professionalism working through this. Mr. Miller announced that one of their board members, Bill Turner, has stepped down to a consulting capacity. Mr. Miller explained that overall, their goal is to provide a youth sports program as an amenity to the District, and also the greater Denver area. As far as additional information and signatures, Mr. Miller asked the Board what questions they have for Mile High BMX. In answer to Director Meyer, Mr. Miller described a cadence device and testing that was done.

Director James recognized the original agreement was done by a different Board; those five members are no longer on the Board. The original agreement expires in three weeks and it was not renewed at the June meeting. Director James questioned if this BMX item is something that the Board would want to revisit in 2017; create a brand new agreement from this Board. There was discussion about noise and decibel levels and how those terms are made enforceable and clearly defined. In regard to moving forward with a new agreement and making a decision tonight or not, Director Bosanko acknowledged the Board has tried to find as much middle ground and reasonableness possible, the District now owns the Foothills Fieldhouse so parking can be managed better, two alternative properties have been examined, an option for parking has been added, a buffer with trees has been added, and expressed support. Director Esoilen agreed and proposed after hearing feedback from the community, if there are new things that haven’t been heard, after those comments a decision can be made tonight; Directors Farrar and Meyer agreed. Director James acknowledged board support of a new agreement that is similar to the June, 2016 red-lined agreement, and is open for revising.

In answer to Director Meyer, Mr. Miller said Mile High BMX has the funds for a performance guarantee and funds to pay for construction as well as dedicated donors lined up for the equipment and operators.

Director James opened the floor for community comments.

Earl Watkins, district resident, indicated the park is so close to the properties it is going to devaluate the property, and the suggested parking lot is right across the street from his home. Mr. Watkins expressed feeling that it is an invasion, and is concerned about encroachment.

Mike LeBlanc, district resident, said he is currently a Dakota Ridge High School mountain bike coach and described the value of this sport. He said people will park long distances and ride their bikes in, and talked about Ruby Hill enhancing its surrounding properties.

Pam Courtney, district resident, indicated it is wonderful for kids to get out and do sports, but people are coming from all over Denver and don’t have to see the park go down the tubes. The park will be 15 feet from homes and Ms. Courtney and wishes that would be taken into consideration.

Grace, district resident, expressed concern for where the track is and how close it is to the families there.

Brian Pollock, non-district resident, said his family loves going to all the tracks and expressed concern that this comes under such intense scrutiny. He suggested it is something that brings the community together.

Zach Rehder, non-district resident, said as far as noise, it’s during the day and no lights; maybe two hours on weekends there is announcing, and doesn’t think noise is an issue.

Kristie Shaw, non-district resident, expressed the money has been raised, people have donated their time and effort and their own money. It isn’t noisy, it is a family sport; it is pedaling, not loud motors.

Brooke Martin, district resident, representing about 60 other voting age adults in the Blue Acres, West Jefferson, South Field Street, South Garrison area explained there are a total of five BMX facilities in the State of Colorado; one in Dacono is 40 miles away from the
Denver metro area and County Line BMX is 17 miles away. Ms. Martin talked about the process going on so long and said the people along Garrison did not get proper notice. Ms. Martin expressed concern that Director Meyer may have a potential conflict of interest. She concluded this BMX facility is not appropriate for the area.

Bill Turner, former BMX board member, said he resigned from that position in November. He indicated he represents over 2,000 BMX members in the State of Colorado and all the young people in the District. Mr. Turner explained that his company hired a law firm that Director Meyer works for; Mr. Turner nor his staff worked with Director Meyer. That occurred last year, those services have been paid for and no time since then has his company had any dealings with Director Meyer. Mr. Turner talked about the value BMX has had for his family. He expressed having this amenity within the District will be invaluable; cycling is experiencing massive growth across the country.

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Chris Holodny, district resident, reiterated there is a track 17 miles away and emphasized a track doesn’t fit there. He talked about the berms, and the proximity of the track to the homes. Mr. Holodny made clear the track is too big and doesn’t belong there.

Christopher Larson, non-district resident, acknowledged there is a track 17 miles away and reiterated it is not a loud sport. He suggested to think about the kids and generations this could help; it’s much bigger than a PA system or parking lot.

Marrian Herdener, district resident, talked about what Mile High BMX was asked to do at a previous meeting in order to be reconsidered. Ms. Herdener said the bottom line is the neighborhood doesn’t want it.

Jim Herdener, district resident, said when he saw a sign for zoning and development, 90 percent of the neighbors did not know it was a grading permit and didn’t know this was going to take place. He proposed the need is provided, and doesn’t see the hurry for it right now.

Discussion ensued regarding appropriate use for the property with which the neighborhood would feel more comfortable. Director James recognized the neighborhood is next to a regional park. The Federal Corrections Institute leased this property to the District indefinitely. The District is here to provide a service to the community and the residents.

Director Esolen made clear the property is not being sold to Mile High BMX; it is a three-year lease.

Tina Gurdikian, district resident, indicated the Board members need to be really looking at what it is the constituents want, especially when talking about going after a mill in 2017. Constituents want the Board to be very conscientious with what is done with the open space. Ms. Gurdikian encouraged the Board to look back at survey results to see what Foothills community members really want.

Courtney Machamer, non-district resident, said she grew up in the Foothills District. She proposed the track isn’t as big as people think it is going to be, and said races are not loud.

Brian Umerski, non-district resident, said he has traveled all over the United States racing BMX. It usually ends up being a benefit for the community, no different than ballfields. He reiterated it is not loud, it is a family sport.

Glenn Daly, district resident, said his 12 year old son is interested in BMX and they haven’t had the time to drive to other tracks in the area. This track would be close so the kids could ride their bikes there.

Thomas Bailey, non-district resident, said he is looking to move to this area, waiting for this track. He said his six year old daughter won the national championship in Oklahoma. Tracks don’t allow smoking and drinking. Mr. Bailey proposed cycling, in general, would bring a lot of money to the County.

There was discussion about the site development approval process that allowed a BMX track to be at this site that happened in 2005, before Mile High BMX was involved. Mr. Turner
indicated the current track as designed is completely approved by the Jeffco Planning Department and the Building Department, and discussed size of the berms and elevation.

In answer to Director Esolen, the percentage of the 400 signatures adjacent to the park is not known. Regarding Mile High BMX having the funds to do the project, Director Esolen pointed out the performance guarantee is intended to guarantee that Mile High BMX can perform under the terms of the contract.

Discussion ensued. Director Esolen acknowledged the Board has to do what it thinks is right for the District as a whole, and talked about the Master Plan in which BMX is one of the things the community identified for the District. There was discussion regarding past notifications by Jefferson County for the site development.

**MOTION:** Director Farrar moved that the Board look at another option, the Easton Park option, and see if Foothills can foot the bill for all of the expenses that would be involved. Director James asked clarification of that position, referring to the information and costs provided in the memo. There was discussion and Mr. Miller said at this time, Mile High BMX is not interested in continuing to look at other sites within the District.

Director Meyer expressed favor for this site and to the extent there wasn’t notice ten or five years ago, everyone is involved in the discussion now and it has not gone forward. He pointed out that being on the board a short time, this is the fourth meeting listening to both sides and doesn’t know that going to another meeting does anybody any good. There was discussion, and because Mile High BMX was not interested, the Easton Park motion was retracted.

**MOTION:** Director Bosanko moved that the Foothills Board of Directors move forward with the three year lease as outlined in the packet with an addition to item 4. h. regarding noise, that ‘per County Ordinances’ is added. Director Esolen seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, nay; Director Esolen, aye; Director James, aye; Director Meyer, abstain. The motion was approved.

Director Meyer expressed he doesn’t believe he has a conflict of interest, it was something he had raised before so it is not something discovered or nefarious, but out of respect for the concern, abstained. He added he wholeheartedly supports this.

Director Bosanko pointed out that Mile High BMX has had a five year lease, the Board is renewing the lease for three years. Mile High BMX has the money and has worked hard. The Board has heard both sides and have done everything possible to try to mitigate the concerns for the neighbors.

Mr. Hopp clarified that the additional parking is not part of this; that is a conceptual plan that can be evaluated as time goes on. Funding for that has not been addressed; Mr. Hopp suggested that staff do their best to try to mitigate any potential parking issues.

A break was taken at 8:57pm and the meeting resumed at 9:04pm.

**VIII. NEW BUSINESS:**

A. Chat Kipling LLC Easement

Colin Insley introduced Tom Ethington, who represents a developer doing a development called Ken Caryl Retail Center. Mr. Insley provided details for the drainage easement located in the Dakota Station subdivision, and easement deed with Jefferson County as provided in the packet. He indicated Foothills has no plans to do any development on that particular piece of property. There was discussion and questions were answered. Mr. Hopp pointed out the District will get property taxes from the development. Liability was discussed; the grantee has the responsibility to maintain the easement improvements.

**MOTION:** Director James moved that the Foothills Board of Directors approve the Drainage Easement Agreement with Chat Kipling LLC and further more approve the Easement Deed with Jefferson County. Director Esolen seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, aye; Director Esolen, aye; Director Meyer, aye; Director James, aye. The motion was approved.
B. South Suburban’s TrailMark Facility-Use IGA

For the Board’s consideration, Mr. Hopp referred to an Intergovernmental Agreement (IGA) with South Suburban provided in the packet. He explained it is like the Vintage Reserve, Bowles Metro District and Roxborough IGAs. Residents of the TrailMark subdivision, which is part of the South Suburban Park and Recreation District, would have access to Foothills’ facilities and programs, and the District would bill South Suburban for the differential between resident rates and non-resident rates, Mr. Hopp explained. He pointed out that TrailMark is in the City of Littleton as it is also in South Suburban.

Director Esolen recommended that staff have a system to monitor and see if District residents are finding that an area or program is being over populated or overused as a result of these agreements.

Director Meyer suggested adding language to clarify that the users are not residents. It was discussed to implement that in the renewal process for all of the IGAs.

MOTION: Director Bosanko moved that the Foothills Board of Directors authorize the Executive Director to execute an Intergovernmental Agreement with South Suburban’s TrailMark subdivision as discussed subject to final negotiations and approval from District Staff and Legal Counsel. Director Meyer seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, aye; Director Esolen, aye; Director Meyer, aye; Director James, aye. The motion was approved.

C. 2017 Board Meeting Schedule/Posting Locations

This is the requirement to set the board meeting schedule and board meeting posting locations for 2017. Mr. Hopp detailed the dates and locations per the memo and resolution included in the packet. There was discussion whether there is adequate meeting notice coverage for Ward 1; meeting agendas can be sent to Mesa View HOA. Being one of the posting locations, it was brought up that the Columbine Library could possibly close for remodeling construction sometime in 2017; the situation can be monitored.

MOTION: Director Esolen moved that the Foothills Board of Directors approve the recommended meeting dates for 2017 and also approve Resolution No. 16-012 to establish posting locations for the year 2017 as discussed. Director Farrar seconded the motion. Poll of the Board: Director Bosanko, aye; Director Farrar, aye; Director Esolen, aye; Director Meyer, aye; Director James, aye. The motion was approved.

IX. EXECUTIVE DIRECTOR’S REPORT:

Highlighting the attached report, Mr. Hopp said there was a preconstruction meeting today with ECI, which is the low bidder on the Clement Park project. The artificial turf is in at the Foothills Fieldhouse, Mr. Hopp discussed. Information that will be provided at the mill levy workshop next week was discussed.

X. DISCUSSION ITEMS:

XI. ADJOURNMENT:

The regular meeting was adjourned at 9:42pm. The next regular board meeting will be held at 6pm on Tuesday, January 24, 2017, at Peak Community & Wellness Center, 6612 South Ward Street, Littleton.

Submitted by: Richelle Riley, Recording Secretary