

RECORD OF PROCEEDINGS

FOOTHILLS PARK & RECREATION DISTRICT REGULAR BOARD OF DIRECTORS MEETING

June 23, 2020

The meeting was held as a Zoom webinar. There were 23 registrants and 17 attendees.

You are invited to a Zoom webinar.

When: Jun 23, 2020 06:00 PM Mountain Time (US and Canada)

Topic: Board Meeting 6/23/2020

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_38XtwT1kT6-yoW7mfR5JmQ

After registering, you will receive a confirmation email containing information about joining the webinar.

- I. CALL TO ORDER: Director James called the regular meeting to order at 6:01pm.
- 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 Butman:	Present
Director Bielkiewicz:	Present
Director Meyer:	Present
Director Bosanko:	Present
Director James:	Present

ALSO IN ATTENDANCE: Paul Rufien, District Counsel; Ronald Hopp, Executive Director; Dennis Weiner, Director of Finance and Administrative Services; Derek Eberhardt, Director of Operations; Barb Butler, Director of Recreation Programs; Colin Insley, Director of Parks, Planning and Construction; 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 June 23, 2020 agenda as submitted. Director Meyer seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye; Director James, aye. The motion was approved.

- V. APPROVAL OF MAY 26, 2020 MINUTES:

MOTION: Director Meyer moved that the Foothills Board of Directors approve the minutes of the May 26, 2020 board meeting as submitted. Director Bielkiewicz seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye; Director James, aye. The motion was approved.

- VI. COMMUNITY COMMENTS

Director James indicated this is going to be the first time the Board hosts community comments in this forum of Zoom, and explained the process. There were no comments.

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It was confirmed there were no questions or comments submitted to the Board prior to the meeting.

VII. DECISION ITEMS:

A. Jeffco Ballot Box at Foothills Fieldhouse Use Agreement

After the presidential primary election in March, the District was contacted by the Jefferson County Clerk and Recorder's office requesting to place another ballot box on District property, Derek Eberhardt explained according to the memo provided. He reminded the Board that the District currently has two ballot box locations, one on the south side of the Ridge Recreation Center and the other one in front of Lilley Gulch Recreation Center. The third ballot box would be placed at the Foothills Fieldhouse. Referring to information in the packet, Mr. Eberhardt pointed out visual representations of the locations in front of the Foothills Fieldhouse, and discussed the requirements.

Mr. Eberhardt talked about a Use Agreement with Jefferson County that Legal Counsel has reviewed and approved. Staff are recommending to grant the County the addition of a third ballot box to be located at Foothills Fieldhouse.

MOTION: Director Meyer moved that the Foothills Board of Directors approve the Use Agreement with Jefferson County for installation of ballot box at Foothills Fieldhouse as discussed, and reviewed and approved by staff and Legal Counsel. Director Butman seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye; Director James, aye. The motion was approved.

B. Jeffco Public Library Holds Locker & Vending Machine at Ridge IGA

Mr. Eberhardt indicated staff were contacted by Jefferson County Public Library in January and he and Mr. Hopp met with library staff, Padma Polepeddi and Kelly Duran. Referring to information in the packet, he discussed that the library currently has a vending machine and holds locker located in the Belmar parking garage. The Belmar library is undergoing a renovation and once that is complete and Belmar library opens, they would like to relocate this opportunity to one of the District's facilities. Mr. Eberhardt discussed that staff had met with county staff and came up with the proposed location at the south entrance of Ridge Recreation Center, and described the vending and holds machines to be installed.

Padma Polepeddi, Assistant Director of Library Experiences, thanked staff and the Board for this opportunity for the library to bring the holds locker and vending machine to the residents in the communities where they can have 24/7 access to library resources and materials. She indicated this was highly successful when placed in the City of Lakewood garage, and talked about the number of customers that have used these resources.

Referring to the IGA and visual representation attached, Mr. Eberhardt explained the County has agreed to pay for site improvements which would be extending some of the existing sidewalk to be ADA compliant, in addition to getting electrical to these locations.

Mr. Eberhardt said staff does recommend the approval of the installation of and placement of the vending and holds machine at the Ridge Recreation Center. Legal Counsel has reviewed and approved the Intergovernmental Agreement. There was board discussion and approval.

MOTION: Director Bielkiewicz moved that the Foothills Board of Directors approve the Intergovernmental Agreement with Jefferson County Public Library for installation and placement of library holds locker and vending machine at Ridge Recreation Center as discussed, and reviewed and approved by staff and Legal Counsel. Director Bosanko seconded the motion. Poll of the Board: Director Butman, aye; Director

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Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye; Director James, aye. The motion was approved.

C. Coronavirus Relief Fund Resolution

Dennis Weiner communicated that under the Cares Act, the U.S. congress mandated the Coronavirus Relief Fund. The fund allows local governments to receive reimbursements for necessary expenditures that were not accounted for in the most recent budget, Mr. Weiner explained as outlined in the memo provided. Participation requires the District to submit an opt-in form, along with a resolution to opt-in and agree to comply with program requirements. Mr. Weiner indicated the District has incurred, and expects to continue to incur, significant costs that were not included in the 2020 budget. Staff is recommending that the District opt-in to the program and is preparing to submit an application for funding of up to \$500,000 under the Fund, and those applications are due by July 7th.

Mr. Weiner discussed the process, and explained it is not a guarantee the District will get the funding. As long as not too many districts apply, it's highly likely the District will receive at least some portion of it. Talking about the requirements, Mr. Weiner discussed they have to be necessary expenditures to react to the COVID-19 pandemic; things that were unbudgeted, or budgeted items that were significantly different than what the original budget intent was. Mr. Weiner talked about items staff expects to submit.

MOTION: Director Bosanko moved that the Foothills Board of Directors approve Resolution No. 20-009 to approve and authorize the District to opt-in and comply with the terms of the Coronavirus Relief Fund, and further authorize the Executive Director and staff to submit the required application forms. Director Butman seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye; Director James, aye. The motion was approved.

VIII. EXECUTIVE DIRECTOR'S REPORT:

Highlighting the report provided, Mr. Hopp said the District has opened Weaver Hollow pool, Ridge lap and therapy pools, and staff are having conversations with the Foothills Swim Team to utilize Lilley Gulch pool. It has been challenging to staff the activity pool at the Ridge, the goal is to potentially get that back by early July.

Mr. Hopp reported that between the meeting on May 26th and this meeting, the District has executed an agreement with Foothills Hockey Association. The District had given FHA an agreement April 30th, and had hoped to hear back from them by May 26th and did not. A couple of days after that date, the District did hear from FHA and asked them if they could get the District a signed contract the following day, which they did, by 9pm on Friday, May 29th. The District did execute the agreement after reviewing it and some additional conversations, on June 3rd. Mr. Hopp confirmed they have executed a ten-year agreement and the District looks forward to having FHA at Edge Ice Arena.

Mr. Hopp reminded that the District did cancel the May election due to the impact of COVID-19 and planned to hold that election in November. He explained two options for how that election would be conducted. The District can hold its own election, or participate in the County coordinated election. Staff has had conversation with the District's election consultant who is of the opinion that probably being a participant in the County coordinated election will have a larger turnout than doing our own, costs would be comparable, and that may depend on how many people are participating as part of the County coordinated election. Mr. Hopp said the District needs to let the County know of intent to be part of the County coordinated election by Friday, July 24th. If the County is notified that the District will participate, the District would have to enter into an Intergovernmental Agreement, Mr. Hopp explained. It was decided to discuss later.

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The Arts department gets SCFD funding for a variety of performing arts programming and events. Mr. Hopp indicated the District typically uses that funding for the concert series, Shakespeare in the Park, Foothills Theatre programs. He said staff has come up with some different ideas such as murals on designated walls in parks, drive-in movie night where social distancing could be insured, virtual scavenger hunt, etc. Staff is holding out some hope that the District may be able to do some concerts in August or early September. Mr. Hopp noted that the numbers that are allowed in gatherings don't really allow for that.

There was discussion about Hops in the Park that was designated for October 10, 2020, Mr. Hopp mentioned it is probably prudent to delay that until 2021.

Regarding the coordinated election for the bond extension, Director James indicated his original thoughts were because of the financial impact of COVID on the financial status of the community, that's why he voted to defer it in May. He expressed thought that the economy is coming back but also still hesitant in a lot of markets, and is hesitant to go forward at this point in time. In answer to Director Bielkiewicz, there was discussion about cost to coordinate with the County. Director Bielkiewicz expressed the District would have a hard time getting anything approved right now. Mr. Hopp reminded that it would be a continuation of an existing mill, it would not be an increase; there would be no additional taxes, it would be a continuation of a tax people have been paying for 20 years.

Director Meyer expressed thought that the District doesn't have anything to lose, it should be put out there. He added this is the best opportunity to say the District is not raising taxes, it's just a continuation, the District needs it. Director Bosanko agreed, it's one of the only opportunities to say the District is extending and not asking for additional tax revenue. Director Bosanko recognized the District is already hurting because of COVID so it's going to be a struggle with our without it.

Paul Rufien added it is the last opportunity to extend the mill levy; anything subsequent to November would be a tax increase rather than an extension of what is there. Director Butman agreed that the District should go with it. He expressed the District does have something to lose in the sense that it could use continued help with park maintenance and expressed feeling that everyone is pretty supportive right now of the parks regarding the ability to still use them. Director Meyer added the presidential election year is probably a good time to try too. Mr. Hopp reiterated the District isn't fully committed until entering into an IGA with the County. The County just has to be notified prior to July 24th that the District would intend to participate, the IGA would make it official.

Mr. Rufien reiterated the District has until the end of July to notify the County. If no action is taken tonight, July will be a full meeting in terms of election considerations. In addition to the IGA with the County, there will be the District's election resolution. He explained usually the reason to get out in front of things is campaigning related. Mr. Rufien made clear the District's window to campaign closes when the ballot language is certified which would come probably in early September. There would still be a window between July and September to get some information out and advocate. After that, the only information distributed by the District has to be completely factual, not a position of advocacy.

Director James requested staff to provide a spreadsheet as far as projections out over the next 10 years as far as budgets, revenues, forecasts, etc. Mr. Hopp recalled through all the exercises that staff have done over the last two plus years, the intent of the bulk of this funding in the near years was for capital improvements to improve facilities, golf courses, parks, and make the community facilities even better than they are today; not so much focused on operational aspects. As time goes on, it could transfer to operational, Mr. Hopp explained. He pointed out when the District decided not to have the May election due to the impact of COVID-19, recognizing that the District's citizens may be suffering financially, Highland Hills Park & Recreation District continued with their election in May and it passed overwhelmingly. Assuming the economy and things continue to improve, it seems like November would be a better time and the District can be optimistic given that Highland Hills was successful with theirs in May.

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Director James confirmed the Board had a count of three to two moving forward with the intent of putting it on the November ballot and going with the bond extension.

Ideas for SCFD funding were discussed including drive-in movie night outdoors, and murals.

Director James extended thanks to the entire Foothills Park & Recreation District staff and community, this has been a tough time for all of us, a new normal. He recognized the Golf department for getting the District through some rough times. There were a couple of months where nothing was really going on in the District and Golf kept going. He extended thanks to Tom Woodard and all the Golf staff for stepping up and being part of the public. Director James thanked the whole Foothills team as far as doing all the deep cleaning of the facilities. He expressed thanks that the pools have been opening and thanked the Aquatics team and lifeguards. Director James thanked Children's Programs; the Board welcomed back those furloughed employees and recognized there are some openings now with some positions for part-time staff. He thanked Mr. Hopp and the directors for leading the way and reopening and doing our best to help not have a resurgence.

Director Butman added that he had the chance to get a few days in at Weaver Hollow pool. The staff there is doing an amazing job. It was very relaxed, Director Butman expressed thanks for that.

IX. DISCUSSION ITEMS:

A. Finance Update

Dennis Weiner referred to the finance update through May 31st which has been included in the board packet. The major common theme throughout the update is facility closures experienced throughout the District through the month of May related to the COVID-19 pandemic. It has had significant impact on the District's financial performance.

Highlighting the report, Mr. Weiner discussed the total year-to-date operating revenues were lower than the budget, mainly due to admission fee revenues. He pointed out Golf admission fees were higher than planned year-to-date, and noted the increased participation in the sport of Golf. Golf is the only revenue-producing department within the District that is on track right now as of May 31st to meet or potentially exceed their operating budget. The total year-to-date operating expenditures were lower than the plan, Mr. Weiner explained according to the report.

The net operating loss was unfavorable to the plan through May 31st. Net non-operating revenue was better than the budget, Mr. Weiner explained.

Through May 31st, Mr. Weiner reported net revenue was lower than the plan year-to-date.

Director Bielkiewicz indicated he expected the numbers to be worse and suggested it is a testament to how the District is fiscally put together.

B. COVID-19 Update

Screen sharing the presentation, Mr. Hopp reviewed jurisdictional orders reminding that the District originally closed all facilities on March 14th. Mr. Hopp discussed there have been a variety of state orders from Governor Polis, and Jefferson County has also issued their own orders. Mr. Hopp talked about the meeting he had with multiple park and recreation agency directors and they were part of the development of some guideline suggestions that they submitted to Jefferson County, and they ultimately submitted to the State asking for some variances. The State Public Health Department approved that on June 7th. Mr. Hopp said

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Jefferson County has recently submitted a second variance request, the only thing that may affect the District is they are a little more relaxed on the number of people who can use lap lanes in a lap swimming pool.

Mr. Hopp talked about the variances and what they speak to. He said from June 7th until today, staff have been working very hard making sure they can wade through all the restrictions and provide things safely for the community. He outlined steps that have been taken including furlough of part-time employees, reduced seasonal park and golf maintenance, deferred capital projects, issued a hiring freeze and are closely evaluating employee recalls, evaluate all expenditures, look for opportunities to generate revenue, have used as much as possible full-time and part-time core employees from Leisure Services and other areas to help offset some part-time wages. The Board approved a resolution to request SB-35 funds to assist with 2019 and 2020 capital projects. Mr. Hopp recognized the District does have some reserve funds. The District continues to assess all orders moving forward and staff have been bringing back services and programs as quickly as possible. Mr. Hopp listed some of the park projects that were accomplished with staff helping from other areas, and said staff worked in the Golf department assisting wherever they could. Staff are now starting to get back into their own areas.

Mr. Hopp gave an update on the furloughs and recalling of staff, and gave a status of what is open in the District now. He reiterated the District has canceled Red, White & You, Shakespeare in the Park, concerts through July 30th, and postponed Hops in the Park until 2021. Mr. Hopp went over restrictions being required of patrons entering facilities and spoke to programming restrictions and parameters. He listed all the programs that are being offered, and acknowledged staff has done an amazing job of making sure the District is resuming as many services as possible for the community.

Mr. Hopp discussed the spreadsheet showing Scenario A, Scenario B, and Worse Case Scenario. He pointed out it appears the District is in Scenario A and discussed. Looking at the assumptions, Mr. Hopp outlined the things that have happened differently. Staff originally estimated reserves would have to be dipped into and because of all the mitigation efforts and because of the revenue streams, staff now thinks if things continue on the same path and trajectory, reserves may not need to be dipped into. If this number continues to get better, it's possible staff can reconsider addressing some of the capital projects that have been eliminated or possibly not have to rely on SB-35 funds quite as heavily as originally anticipated. Mr. Hopp discussed revenue Golf has generated. He reiterated all of the District staff have been doing an amazing job. Golf has the advantage of having a measurement of success with revenue and they are knocking it out of the ballpark. Mr. Hopp observed the May numbers are some of the best May numbers that the Golf course has ever experienced. He reiterated Golf was better than what was originally estimated and expressed appreciation for the Golf department., and recognized the community is supporting that function.

Mr. Hopp expressed appreciation for the hard work of all of the staff. He made clear some staff have the benefit of a measurement of success with revenues, others don't, but everybody has worked really hard. He expressed appreciation for the Board's support of all the staff members. It is clear that all of the staff is locked into making sure that the District is providing excellent services for the community.

Mr. Hopp talked about the Splash Park, if staff can find a way to utilize it and provide that service to the community, it should be provided. He discussed the biggest hindrance is the number of people and the inability to control that. He proposed fencing, additional staff, pre-registration process limiting sessions, clean and sanitize between sessions. Mr. Hopp suggested, because of additional costs associated with fencing, additional staff, there could be a nominal fee for registration. Staff have contacted GOCO and Jefferson County Open Space and asked if they had any concerns with fencing in the Splash Park and collecting a nominal fee per person; neither one of them had a concern with that. They were both encouraged to know the District is figuring out a way to provide that service to the community. Mr. Hopp indicated staff would like to move forward if the Board likes the concept, and can start the process of opening the Splash Park by early July. Discussion ensued, the Board agreed with proceeding to open the Splash Park.

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Director James asked if there is a way to monitor people who have gotten sick, or are there any protocols if a patron reports getting sick later. Mr. Hopp explained everybody is pre-registered so if anybody had anything, it would be known when they were here, what time they were here, etc. That would go to the Jefferson County Health Department for their contact tracing process. The Splash Park would be the same if everybody is pre-registered, there is all of that information. Director James asked if basketball and Pickleball will be a registration process. Mr. Hopp answered yes, and Derek Eberhardt explained staff are in the process of transferring over to a new reservation system, Sign Up Genius, and will hopefully have it released in the next day or so. Mr. Eberhardt discussed the process for the reservation system.

Director James opened the floor for any community comments. There were no comments.

X. EXECUTIVE SESSION:

- A. Contract Negotiations Regarding Cell Tower Easements/Agreement per 24-6-402(4)(e), C.R.S.
- B. Potential Real Property Acquisition per 24-6-402(4)(a), C.R.S.
- C. Consult with Attorney Regarding Red Rocks Ranch Litigation per 24-6-402(4)(b), C.R.S.
- D. Consult with Attorney Regarding Potential Litigation per 24-6-402(4)(b), C.R.S.

MOTION: Director Bosanko moved that the Foothills Board of Directors move into Executive Session pursuant to Contract Negotiations Regarding Cell Tower Easements/Agreement per Colorado Revised Statute 24-6-402(4)(e); Potential Real Property Acquisition per Colorado Revised Statute 24-6-402(4)(a), Consult with Attorney Regarding Red Rocks Ranch Litigation per Colorado Revised Statute 24-6-402(4)(b), Consult with Attorney Regarding Potential Litigation per Colorado Revised Statute 24-6-402(4)(b). Director Bielkiewicz seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye; Director James, aye. The motion was approved.

Director James thanked everybody for attending tonight.

The regular meeting adjourned at 7:42pm.

Executive Session started at 7:46pm and ended at 9:22pm.

The regular meeting reconvened at 9:23pm.

XI. ADJOURNMENT:

The regular meeting was adjourned at 9:24pm. The next regular board meeting will be held at 6pm on Tuesday, July 28, 2020.

Submitted by:

Richelle Riley, Recording Secretary