

# RECORD OF PROCEEDINGS

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## FOOTHILLS PARK & RECREATION DISTRICT REGULAR BOARD OF DIRECTORS MEETING

September 22, 2020

The meeting was held in the Pinyon and Spruce rooms with a Zoom webinar option.

You are invited to a Zoom webinar.

When: Sep 22, 2020 06:00 PM Mountain Time (US and Canada)

Topic: Board Meeting 9/22/2020. Register in advance for this webinar:

[https://us02web.zoom.us/webinar/register/WN\\_V5sdRQseQtyCc7E73\\_UzBA](https://us02web.zoom.us/webinar/register/WN_V5sdRQseQtyCc7E73_UzBA)

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

- I. CALL TO ORDER: Director Butman called the regular meeting to order at 6pm.
- II. PLEDGE OF ALLEGIANCE: Director Butman 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 arrived 6:07pm

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; 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 Meyer moved that the Foothills Board of Directors approve the September 22, 2020 agenda as submitted. Director Bosanko seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye. The motion was approved.

- V. APPROVAL OF AUGUST 25, 2020 MINUTES:

**MOTION:** Director Meyer moved that the Foothills Board of Directors approve the minutes of the August 25, 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. The motion was approved.

- VI. COMMUNITY COMMENTS:

- VII. DECISION ITEMS:

- A. Resolution in Support of November 3, 2020 Ballot Issue

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The District is having a coordinated election with Jefferson County on November 3<sup>rd</sup>, Ronald Hopp said. The District is asking to continue a currently existing mill levy associated with the General Obligation Debt that expires in 2020, and was approved by voters in the year 2000. Mr. Hopp reminded that the Board has approved a resolution authorizing the election and approved a resolution authorizing approving the ballot language. This is a resolution in support of the ballot issue. Mr. Hopp explained it is the only advocacy that the Board can do as a Board. The Board can advocate as individuals. Mr. Hopp indicated the resolution would be posted on the website.

**MOTION:** Director Bosanko moved that the Foothills Board of Directors approve Resolution No. 20-012 in support of the mill levy continuation as discussed. Director Butman seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Bosanko, aye. The motion was approved.

## B. Colorado Select Girls Hockey Association Agreement

According to the memo provided, Mr. Hopp explained Colorado Select Girls Hockey Association has approached the District seeking a 10-year agreement for ice rental, very similar to the other 10-year agreements the District has with Littleton Hockey Association and Foothills Hockey Association. The previous 10-year agreements were entered into administratively, Mr. Hopp, pointed out. Because the Board recently approved a board policy that requires Board approval for any revenue contract or agreement over \$150,000 or over four years, the agreement needs to be approved by the Board. Previous agreements were year to year. Mr. Hopp talked about the agreement and acknowledged Brigette Swartz, President of the association was in attendance.

There was discussion, Ms. Swartz answered questions from the Board. Referring to a force majeure in the contract that generically lists epidemic, Director Meyer questioned if it should say anything more specific about COVID-19 versus a general epidemic. Paul Rufien discussed a determination was made not to have that, it was considered.

**MOTION:** Director Bosanko moved that the Foothills Board of Directors authorize to proceed with the Ice Rental Agreement as discussed and further authorize the Executive Director to execute the Ice Rental Agreement. 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.

## C. 2020 Neighborhood Parks Projects Contract

Referring to information in the packet, Colin Insley said bids were put out the end of August and were received back on September 11 for Alper's Farm Park, Eagle Meadows Park, and Woodmar Square Park. Mr. Insley outlined the improvements for each site. There were seven bidders for the project, he explained. Staff and consultants recommend awarding the bid to SaBell's Civil and Landscape, the lowest and best bid. Mr. Insley pointed out SaBell's did all of the 2019 neighborhood parks projects. Mr. Insley answered questions from the Board. He indicated construction would start this fall and would finish up with seeded play areas and trees, etc. in the spring.

**MOTION:** Director Meyer moved that the Foothills Board of Directors award the construction contract in the amount of \$1,458,313.75 to SaBell's Civil and Landscape for the purpose of providing park improvements to Alper's Farm Park, Eagle Meadows Park and Woodmar Square Park, and further authorize the Executive Director to execute the construction agreement subject to legal counsel and staff review. 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.

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## D. 2020 Trails Projects Contract

Mr. Insley described two trails projects that were put out to bid, referring to the memo provided. The lowest and best bid was Metro Pavers. Mr. Insley discussed Metro Pavers has done a lot of work for the District, most recently around the batting cages. He indicated a bid form from Metro Pavers was provided in the Tuesday folders. Mr. Insley added that staff feels confident these would get wrapped up before the year's end.

**MOTION:** Director Bielkiewicz moved that the Foothills Board of Directors award the contract in the amount of \$361,636.63 to Metro Pavers for the purpose of providing trail improvements to the Stoney Creek and Williamsburg 1 Greenbelts, and further authorize the Executive Director to execute the construction agreement subject to legal counsel and staff review. 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.

## E. Colorado Parks and Wildlife Grant Application

According to the memo provided, Mr. Insley said continuation of the Dutch Creek Trail is something the District has been looking at for quite some time and is included in the District-wide Master Plan. There is an opportunity to apply for planning grant funds for that, Mr. Insley discussed. The trail is completed along Dutch Creek from Pierce, going west to just west of Kipling. He explained staff would like to take a look at providing some planning as well as community involvement, concept plans, environmental assessments, cost estimates, etc. for that trail section from just west of Kipling to C470 and the Centennial Trail. Mr. Insley pointed out a budget that was laid out by Architerra showing the scope that would be covered under this grant. The District would have to match 30 percent to the grant, Mr. Insley explained. He discussed it would take care of the due diligence, planning and cost, up to construction plans. The grant is due October 21<sup>st</sup>, the award would be in June of 2021. As part of the grant application for Colorado Parks and Wildlife, a Resolution of Support is needed, Mr. Insley discussed.

**MOTION:** Director Meyer moved that the Foothills Board of Directors approve Resolution No. 20-013 for the purpose of submitting a grant application to Colorado Parks and Wildlife for the 2021 Non-Motorized Trail Grant to seek funding to complete planning the Dutch Creek Regional Trail, and further authorize the Executive Director to execute the required documents subject to legal counsel and staff review. Director Bosanko 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.

## F. Park Renaming Request

Mr. Insley indicated staff received a request from Robert Easton, who was in attendance, to rename Columbine Sports Park to George Page Sports Park per the memo and information provided in the packet. He pointed out a vicinity map, photos of existing memorials, letter from Mr. Easton requesting the name change, nomination letter from Mr. Easton, letter of support from South Jeffco Sports Association, photos of Mr. Page, and email of support from the Columbine Civic Association HOA. Mr. Easton is raising funds to pay for the cost of changing the park sign, Mr. Insley said.

Regarding the existing dedications, Director Bielkiewicz questioned if anyone has contacted those families, and suggested it would be a courtesy to let them know the request has been made. Director Meyer expressed he is not opposed to it, but would like more time to think about it. He indicated it seems like a big name change for one of the District's bigger park complexes. Mr. Page certainly seems worthy, are there other worthy people that should be considered also?

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Director James recalled the District did a dedication or naming of a field on the east side. Mr. Insley confirmed he had brought that before the Board for one of the fields in honor of a former coach for South Jeffco Sports Association. He added that every one of those fields are dedicated to somebody in connection with Columbine Sports Association or what is now South Jeffco, and pointed out that is the Columbine Hills Park side of the complex. Mr. Insley clarified the George Page Athletic Complex would be the west side, which is Columbine Sports Park.

Referring to the summary provided in the packet, Mr. Easton talked about Mr. Page's history with the park and the District. He mentioned that Mr. Page was a long-time supporter and champion of anything that Foothills did. Mr. Easton discussed that Mr. Page's involvement in the parks and recreation profession extended beyond that neighborhood and beyond this agency.

Recognizing that two families have fields named there, and Director Meyer's desire to have more time to consider the request, Director James suggested the Board table this item until the next meeting, as far as a formal vote on the renaming of the complex. Director Bosanko requested a background check be completed as part of the process. Director James made clear the Board's request to do a background check, contact families, have more time to think and bring the request back to the October meeting. Director Meyer added the issue isn't so much about whether or not Mr. Page seems appropriate for it, it's more a matter of the District approaching this in the right way; conceptually, how should it be approached.

## VIII. EXECUTIVE DIRECTOR'S REPORT:

Mr. Hopp expressed pleasure that the District is able to do the mill levy projects this year. He recognized that earlier this year with the onset of COVID-19, it was talked about not doing the mill levy projects. He thanked the Board for their support of those and for their commitment to continue to provide the funding.

Highlighting the report provided, Mr. Hopp said he and Paul Rufien were involved with some virtual meetings with the Board of County Commissioners. He discussed that staff had requested inclusion of property adjacent to Deer Creek Golf Course that was outside of the District. Simultaneously, there was a consideration by the county for the approval of a service plan for a metropolitan district that would serve this development. Mr. Hopp recalled the reason that the county would not grant inclusion for the Red Rocks Subdivision was because there was a metro district in place that had park and recreation powers and would not provide a consent resolution to have an overlapping agreement. Mr. Hopp and Mr. Rufien had asked the Board of County Commissioners to not grant the metro district with park and recreation powers and that would solve the problem for potential inclusion. The Board of County Commissioners voted to keep park and recreation powers in it. Consequently, inclusion of the properties was denied due to the fact that the district that was being formed had park and recreation powers.

Mr. Hopp pointed out a project that was part of the mill levy was the Columbine Trail. The District built the northeastern portion of the trail and the southwestern portion is on the Corps of Engineers property. The Colorado Department of Transportation is going to fund that portion of the trail, Mr. Hopp discussed.

Mr. Hopp talked about installation of the library holds locker and vending machine, they were installed this past weekend. They are on the south entrance side of Ridge Recreation Center.

Referring to information provided, Mr. Hopp brought the Board up to date with the McKinstry audit. He pointed out a summary document of types of projects they think that they can do. Mr. Hopp outlined four different types of scenarios and what projects would be addressed for each scenario. He indicated staff are progressing with McKinstry, still identifying projects; there is at least a package out there that staff believes could be funded with the guaranteed savings of energy.

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Mr. Hopp asked if the Board had any feedback on the mural on the back side of the amphitheater at Clement Park, staff are planning to move forward with that; the Board agreed.

Mr. Hopp recalled that at the August meeting, the Board approved a memorial bench. The location that was determined where it was going to be was at Governor Grant Park. After that, more people got involved and didn't like the location of where it was going to be in the park. Mr. Hopp discussed a bench will be put where the location was determined, and a plaque will be put on a bench that is existing; the end result is the same.

## IX. DISCUSSION ITEMS:

### A. Finance Update

Dennis Weiner reported the financial update through August 31<sup>st</sup> provided in the information packets. Once again, the common theme throughout the report is that the District has had to deal with some significant challenges related to COVID-19 throughout the year.

Highlighting the report, Mr. Weiner discussed operating revenues were lower than budget, and outlined the reduction. The total year-to-date operating expenditures for the District were better than the budget, Mr. Weiner explained. Net operating loss was unfavorable to plan. Net non-operating revenue was better than budget, Mr. Weiner outlined.

As a result of all operating activity through August 31<sup>st</sup>, Mr. Weiner concluded net revenue was better than plan.

### B. COVID-19 Update

Mr. Hopp acknowledged staff have been doing updates since COVID-19 began in March. It is giving the Board an idea of how staff have managed the financial aspect of COVID-19, how staff and programs have been managed.

Using screen share, Mr. Hopp talked about the jurisdictional orders, most recently the state ordered an extension on the mask order and implemented a Coronavirus dial guide, Mr. Hopp demonstrated. Jefferson County is currently on level 2, Mr. Hopp explained showing the guidelines and restrictions. They are pretty much in line with the variance from June 7<sup>th</sup>, Mr. Hopp outlined. He talked about steps taken, and said the District was awarded a Coronavirus relief fund. The District recently found out that Jefferson County is also doing a local government COVID-19 relief fund, Mr. Hopp discussed.

Mr. Hopp provided an update on furloughs and updated status of parks, golf courses, facilities, and program areas. In answer to Director Meyer, Barb Butler and Derek Eberhardt discussed whether staff have had any challenges related to people being respectful with wearing masks and physical distancing.

Mr. Hopp discussed the financial aspect of COVID-19. He recalled the original estimate making a determination of how much revenue staff thought would be down in Leisure Services and Golf. Leisure Services has performed slightly not as good as staff thought, but Golf has performed much better than thought. Mr. Hopp recalled the best and worse-case scenarios, reporting that the District is to the good and based upon those numbers have released capital money for capital projects that had been delayed. He observed the District is looking at \$1.57 million to the good versus \$1.8 million to the bad. It is a reversal from where staff thought the District could be with the best case scenario back in March; staff have done a really good job managing the budget throughout the year. Staff are still being cautious, Mr. Hopp discussed. There is a version, Scenario B2, this would be that non-golf revenue would be down through September and December, he explained. September through December represents a new programming time-frame.

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## C. Proposed 2021 Budget Estimates

Using screen share, Mr. Hopp outlined the proposed budget for 2021. He said right now, revenues are estimated at \$28,787,502 and estimated expenditures are \$28,787,502 and is a balanced budget. For the purposes of the statute, that is what is required to be provided as far as preliminary budget, but more detail is provided in the packet and is being presented. Mr. Hopp explained the number is generally reflective of a normal year, staff thinks a good starting point is a normal year.

For property tax revenues, Mr. Hopp explained typically by the end of August, the District gets preliminary valuations from the county, they now have until October 15<sup>th</sup> to provide that. At this point, staff have estimated valuations to be flat, the same as 2020. He reiterated there are no board actions tonight. The minutes need to reflect the Board has received the summary document containing budget estimates for 2021. Mr. Hopp went through line items for the proposed 2021 budget.

Regarding COVID-19, Mr. Hopp discussed staff looked at various options to formulate the budget and suggested to budget for a normal year. If it's a matter of not knowing if there are going to be restrictions or not, staff would rather error on the side of assuming that that there will be, then manage the impacts in 2021 like they have been managed in 2020, Mr. Hopp discussed that and other options. He reiterated if staff absolutely know something is going to be impacted, that change will be made in the budget. For now, staff would like to assume everything is normal and manage the budget, after authorization, through 2021 like staff has done in 2020. Mr. Hopp reminded we have between now and December to make any adjustments that are necessary.

Director Meyer asked clarification, treat it like a normal budget and then if it has to be adjusted, it will be adjusted. He asked is the normal budget based on March through current this year where there is probably a good indication of what quarter one and two look like next year? Mr. Hopp clarified the direction given to staff was to give budget numbers based on a normal year without any Coronavirus restrictions. He expressed belief that they were conservative in their estimates as part of that process knowing that there probably will be restrictions. Discussion ensued and questions were answered. Dennis Weiner emphasized there would be a fairly healthy capital budget based on the full year being at full capacity in this version of the budget. It would leave around \$2 million in capital funds that staff would be fairly conservative with to start the year and for some time until it is known what the COVID-19 impacts would be. Much like what was done to manage the financials this year, staff would like to manage the budget using the capital number. There was discussion.

Director James recognized the District and management have shown themselves to be fiscally responsible and sees continuing as is and expressed comfort with the regular budget. Mr. Hopp emphasized adjustments can be made between now and December. Mr. Hopp pointed out if staff estimates a 30 percent reduction in revenues and does a 30 percent across the board reduction in expenditures, it would impact services, impact staff, and impact what is being provided to the community, maybe needlessly. If then everything is ramped up back to normal and staff have to spend more of the budget, the District would have to do a supplemental budget at the end of the year to determine that staff spent more than was initially allocated. The other scenario is if staff have a \$28 million budget that is authorized, it doesn't mean that has to be spent, staff could spend \$22 million through that process. In a normal year, if things come back to normal, then staff are already authorized and move forward with the budget, that's the concept. Other than that, Mr. Hopp reiterated, staff have no idea what the reduction would be.

The board agreed to proceed in that manner at this point in time.

The preliminary 2021 budget was provided to the Board and it is available at the front desk at the Peak Community & Wellness Center.

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## D. Mill Levy Extension Projects

Mr. Hopp acknowledged the District is having an election in November. As part of the factual information to provide to the public, staff wanted to give them a sense of the types of projects that is believed would be funded when the election is successful. Mr. Hopp listed the projects according to the information provided in the packet. He proposed the District do only \$12 million worth of projects until it is known that the other mill levy can get extended, and discussed. The Board agreed with a conservative approach of \$12 million and this kind of platform of projects.

## X. EXECUTIVE SESSION

- A. Legal Matters Regarding Red Rocks Ranch Litigation per 24-6-402(4)(b), C.R.S.
- B. Legal Matters to Seek Legal Advice from Counsel per 24-6-402(4)(b), C.R.S.

**MOTION:** Director Bosanko moved that the Foothills Board of Directors go into Executive Session to discuss Legal Matters Regarding Red Rocks Ranch Litigation per Colorado Revised Statutes 24-6-402(4)(b) and Legal Matters to Seek Legal Advice from Counsel per Colorado Revised Statutes 24-6-402(4)(b). 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.

## XI. ADJOURNMENT:

The regular meeting adjourned at 7:36pm.

Executive Session started at 7:40pm and ended at 8:16pm.

The regular meeting reconvened at 8:17pm.

The regular meeting was adjourned at 8:20pm. The next regular board meeting will be held at 6pm on Tuesday, October 27, 2020.

Submitted by:

Richelle Riley, Recording Secretary