

# RECORD OF PROCEEDINGS

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

**April 27, 2021**

Zoom Option:

You are invited to a Zoom webinar.

When: Apr 27, 2021 06:00 PM Mountain Time (US and Canada)

Topic: Board Meeting 4/27/2021 Register in advance for this webinar:

[https://us02web.zoom.us/webinar/register/WN\\_m91676pOTZKf-vValFFEHz](https://us02web.zoom.us/webinar/register/WN_m91676pOTZKf-vValFFEHz)

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; 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 27, 2021 agenda as submitted. 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.

- V. APPROVAL OF MARCH 9, 2021 MINUTES:

**MOTION:** Director Bosanko moved that the Foothills Board of Directors approve the minutes of the March 9, 2021 board meeting as submitted. 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.

Director James indicated there is a Zoom meeting going along with in-person and announced “*due to COVID-19 and the restrictions on the number of in-person attendees to our Board meetings, we are also providing a virtual attendance opportunity. We understand the complications related to the audio visual set up, and we are trying our best to ensure quality audio and visual. Just a reminder to all board members and staff members speaking to project your voices well and that the microphones are not on the tablets, they are situated centrally in the room. If*

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*any attendee on Zoom is not hearing, please raise your virtual hand and we will enable you to speak to let us know what you might need repeated".*

VI. COMMUNITY COMMENTS:

VII. DECISION ITEMS:

A. Ward 5 Board Member Appointment/Oath of Office

Ronald Hopp recalled at the March 9, 2021 board meeting, Director Bosanko announced that she was going to resign from the Board when a person would be appointed to replace her. According to the memo provided, Mr. Hopp said the vacancy was advertised on the District's website, Nextdoor in the Ward 5 area, there was an article in the Jeffco Transcript with a press release the District provided, and staff communicated the vacancy. One individual submitted a nomination form for the Ward 5 vacancy, Phillip Trimble. His application was verified as sufficient as an eligible elector and does reside in Ward 5. Mr. Hopp indicated the appointment would be for a one-year term, until May of 2022, when candidates can run for election for a one-year term until May of 2023. In 2023, Ward 5 will resume a four-year election term until May of 2027.

**MOTION:** Director Bielkiewicz moved that the Foothills Board of Directors appoint Phillip Trimble as the representative of Ward 5 for a one-year term, until the May, 2022 election, effective immediately. 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.

Recognizing Director Bosanko, Mr. Hopp listed accomplishments the District has had while she served on the Board. On behalf of the staff of the District, Mr. Hopp thanked Director Bosanko for her outstanding service to the District, and presented her with a plaque and card. Director Bosanko said it has been an honor to be a part of the board and recognized that everything on the list shows how hard everyone here and staff works for the District, and expressed her thanks. Director James, on behalf of the Board, expressed thanks to Director Bosanko.

Director James administered the Oath of Office to Phillip Trimble, who took his position as Secretary of the Board. The Oath was signed and notarized after the meeting.

B. Memorial Bench Application

Colin Insley pointed out memorial plaques and a map of Blue Heron Park provided in the packet. Michele Bourgeois has submitted an application for a memorial bench at Blue Heron Park. The plaques and bench are a memorial for her son who passed earlier this year. Mr. Insley indicated the site location lends itself very well for a bench within the park.

Michele Bourgeois, via Zoom, expressed thanks for the District's service. She indicated her son spent a lot of time at Blue Heron Park and he liked it for peace and meditation, and she talked about his passing. Ms. Bourgeois expressed appreciation for family, friends and people in the community. She expressed appreciation for the Board's consideration and people of the Blue Heron neighborhood. Director James communicated sincere condolences on behalf of the Board, and approval of the plaques.

**MOTION:** Director Meyer moved that the Foothills Board of Directors approve the request of placement of a memorial bench and the inclusion of two plaques from Michele Bourgeois to be installed at Blue Heron Park. Director Bielkiewicz seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Trimble, aye; Director James, aye. The motion was approved.

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### C. COP Financing Reimbursement Resolution

Mr. Hopp recalled the District has been having conversations about issuing a Certificate of Participation (COP) or a Bond Issue for several years now. With the decision to have the 2020 mill levy be a continuation of the existing mill from the previous bond, it gives more flexibility as opposed to a General Obligation Bond, he discussed. Finance counsel had brought to staff's attention that anything being spent currently towards projects that ultimately will be funded by the COP, with a resolution from the Board, can be reimbursed for those expenses prior to the COP. Referring to information in the packet, Mr. Hopp explained there is a resolution that would enable the District to be reimbursed from the proceeds from the COP when that is done. There is information included about what a \$25 million COP looks like, what a \$30 million COP looks like, and a timeline, Mr. Hopp discussed.

Based upon previous conversations and direction from the Board, Mr. Hopp discussed five projects being looked at: Foothills Clubhouse, Sixth Avenue West Pool, Columbine West Pool, Energy Services Contract (ESCO), Dutch Creek Trail Extension.

Mr. Hopp reiterated the only consideration for tonight is the resolution to allow for reimbursement to the District from the COP proceeds, any expenditures that have been made towards those projects between when they were started to when the funds are received in the middle of September. Regarding the timeline and cash flows, more detail will be provided starting with the June/July meetings, Mr. Hopp discussed. There was discussion and questions were answered. In answer to Director James, Dennis Weiner provided clarification on the cash flow spreadsheets.

**MOTION:** Director Trimble moved that the Foothills Board of Directors approve Resolution No. 21-004 allowing the District to reimburse itself with the proceeds of a tax-exempt lease-purchase financing for capital expenditures incurred, or to be incurred, subject to the dates outlined in the resolution, as discussed. Director Butman seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Trimble, aye; Director James, aye. The motion was approved.

### D. Park Renaming/Field Naming Request

Mr. Hopp recalled that in September there was a presentation made by Bob Easton with a request to rename the Columbine Hills Sports Park to the George Page Sports Park, after George Page who passed away in 2019. Referring to the memo provided, Mr. Hopp summarized background information. As part of the request, the Board was provided with the District's policy, map, photos, letter from Mr. Easton, nomination letter. Since then, staff have provided the Board other letters of support and additional information, Mr. Hopp explained. Examples of what other entities are doing in terms of park naming or field naming were provided. There was additional discussion at the October meeting and the Board decided to wait on the consideration of that request at that time. Mr. Hopp talked about additional information that was provided to the Board.

Mr. Hopp mentioned that since the March meeting, he had a telephone conversation with George Page Jr., who was on the call. Mr. Page expressed a desire to reach a conclusion and offered a suggestion as an alternative to renaming Columbine Sports Park, that potentially the northwest field of the Clement Park fourplex would also be appropriate, Mr. Hopp explained. He confirmed Mr. Easton has pledged to raise funds for signage, or any other changes, so there should be no cost to the District. Mr. Hopp outlined the options provided in the memo.

Addressing the Board, George Page Jr. said he and his brother would like to get something dedicated for their father who gave his life and soul to the Columbine Sports Park area and would like something for people to remember his name. They would love to have it done at Columbine Sports Park, but would be okay with the field at Clement Park.

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Director James expressed thanks to Mr. Page for the request and his father's service and their support of Foothills Park & Recreation throughout the years. Director James said as far as the renaming of Columbine Hills Sports Park to George Page Sports Park, does not feel comfortable at this time renaming a sports park to an individual's name, and would rather name a field.

Director Meyer communicated reservations about naming a sports complex or naming a field after a person without implementing a policy on how the Board decides to do that, and what criteria to go by. He acknowledged the Board has dedicated benches and trees but something as large as a sports complex, or even a field, gives him pause that the District seems to do it more ad-hoc than he would like. Director Meyer expressed opposition but would like to find something to honor Mr. Page's father. He assured it has nothing to do with this request, it has to do with how the District does it as a general policy and/or procedure. What is the District going to do the next time to be fair to residents, constituents, and do something to represent everyone who lives in the neighborhood? Director Meyer questioned should the District be naming fields after people at all. If the District is going to do that, should it be considering what that is based on. He advised getting a policy in place and would like Mr. Page's father to be considered. There was Board discussion.

Mr. Hopp confirmed the District has a current policy, but it hasn't been changed at this point in time. Staff provided examples of other entity's policies as examples and have asked for Board feedback as to when or how they would like to proceed. Mr. Hopp pointed out this request was given to the District under the auspices of the current policy, and felt the Board should make a decision on this request, and then can take a look at adopting a different policy or changing or amending the existing policy. Discussion continued. There was agreement to name a baseball field at Clement Park.

**MOTION:** Director Butman moved that the Foothills Board of Directors dedicate and name the northwest field of the Clement Park four-plex as the George Page Field. Director Bielkiewicz seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Trimble, aye; Director James, aye. The motion was approved.

With that resolved, Director Meyer requested a recommendation on a new policy from staff, and would be happy to work on that with anybody or evaluate it.

### E. Firearms in Facilities Policy

Mr. Hopp said the Board asked to have this agenda item placed on this board meeting to consider a policy related to firearms in District facilities. As a result, staff conducted due diligence with other entities. District Counsel, Paul Rufien, conducted legal research. Referring to the memo provided, Mr. Hopp listed what other similar type entities have implemented. Board discussion ensued.

Mr. Rufien discussed open carry and concealed carry. He had researched this subject 18 years ago and research he did this go around was to see if there are any updates or definitions or clarity added to it, and there hasn't been. There have been a few attempts to dial it back, each of those have failed, so the law has withstood each time it has been tested within the legislature, he discussed. He reiterated from what he has seen, consistent with what the policies the surveyed entities are adopting, the District can ban a whole lot of things from facilities, concealed carry firearms are not among them. There was discussion and questions were answered. Mr. Rufien suggested the District can build into the contracts, a prohibition against concealed carry, and elaborated. It was confirmed the District does not have a policy for no open carry, it is a law that a person cannot open carry. Discussion continued. Mr. Rufien discussed signage, and adding a provision to contracts. Mr. Hopp discussed whether signage is enforceable. He pointed out the Hyland Hills policy on page two of the memo. Open carry can be banned, but not concealed carry was discussed. Director Meyer recommended to ban open carry and in contracts, put no weapons. There was discussion about banning

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weapons on current contracts or moving forward. Director Bielkiewicz recommended enacting something worded like the Hyland Hills policy now and giving Mr. Rufien time to research the contract issue.

**MOTION:** Director Meyer moved that the Foothills Park & Recreation District prohibit carrying open firearms of any kind at all of its parks, buildings, and facilities pursuant to Colorado Revised Statute 29-11.7-104. Director Bielkiewicz seconded the motion. Poll of the Board: Director Butman, aye; Director Bielkiewicz, aye; Director Meyer, aye; Director Trimble, aye; Director James, aye. The motion was approved.

Mr. Hopp confirmed staff will figure out the signage and implementation strategy.

Director Meyer asked Mr. Rufien to follow up on what the District can do for contracts as they get renewed, what language to include, and whether anything can be done to implement it with existing contracts, whether it can be done through rules and regulations.

Mr. Hopp requested to defer the Executive Director's report to later in the meeting. There are consultants on the line who are ready to present, and people in the audience who are probably interested in later items.

## VIII. DISCUSSION ITEMS:

### A. 6<sup>th</sup> Avenue West Pool and Columbine West Pool Preliminary Concepts

Mr. Hopp said that consultants, Mira Theisen and Doug Cook, and staff members have been involved in preliminary concepts and designs related to both 6<sup>th</sup> Avenue West Pool and Columbine West Pool, at the direction of the Board. There are preliminary concepts and ideas, with the Board being the first stakeholder group to give feedback and make sure staff are proceeding in the right direction. The community and stakeholder groups will be engaged, then will proceed with the design.

Using Screen Share presentation, Mira Theisen, with Perkins & Will Architects, presented the two pool renovation projects they have been working on with staff. Beginning with an overview for both pools, she went over the preliminary concept plan specifically for Columbine West Pool. There was discussion and questions were answered. Ms. Theisen went over the preliminary concept plans for 6<sup>th</sup> Avenue West Pool. Equipment and mechanical systems were discussed; Doug Cook, with Counsilman-Hunsaker, answered questions from the Board. The pool configuration was discussed. Mr. Cook went over the pool features and play structures.

Mr. Hopp reminded that the Board is the first stakeholder group, staff will reach out to the public, show options, show the concepts, and get feedback. Discussion ensued. The Board agreed the concepts are a good start. Ms. Theisen talked about supply issues and material prices, and early cost estimates on the two projects. She emphasized things are expensive at the moment. Mr. Hopp offered adding things drives the cost, staff are trying to balance those things and will keep refining. Director Meyer agreed costs are a concern, but need to think long term.

### B. Foothills Golf Course Clubhouse Preliminary Concepts

Mr. Hopp said the District contracted with JNS to conduct programming and conceptual design for Foothills clubhouse. He emphasized these are very early concepts, staff will be reaching out to the clubs at Foothills Golf Course to get more feedback from them on details. The Board is the first stakeholder group, and staff wants to make sure this is thinking in the right direction. Mr. Hopp pointed out a letter provided by Heather Vasquez Johnson, with JNS, that recommends not to do anything with the existing clubhouse; don't try to restore it, don't try to add to it, don't try to renovate it, etc., he explained. Staff have moved forward with the assumption that the Board agrees with that, there has been that conversation in the past. Mr. Hopp asked the

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Board to provide feedback on that and confirm that we definitely don't want to restore, renovate, or add on to that facility.

Ms. Johnson reiterated this is very early in the process, there have been three meetings, with the first one being a kick-off meeting. That knowledge that was learned was incorporated into the programming and how the upcoming new design will start to be addressed. Using Screen Share presentation, Ms. Johnson walked through the process and items that have been presented to Mr. Hopp and staff over the past couple of meetings, and went over conceptual diagrams. The next step is to take the preferred scheme and advance the architecture on that concept, Ms. Johnson discussed.

There was Board discussion. Ms. Johnson said general feedback they have gotten from staff is that the use and the function and the purpose of this clubhouse is golfers first. She pointed out that Scheme E is easily dividable so after the course closes for the evening, and pro shop, the restaurant and bar can still be open and occupied for an event, she discussed.

Director James opened the floor for community comments on this topic.

Nancy Werkmeister, via Zoom, said she is one of the golf club representatives that will be meeting with the architects and staff and asked, when will those meetings begin? In all of these designs, what is the capacity, there could be 144 golfers at an event, will these facilities be able to handle that number? Ms. Johnson said one of the things they talked about with the restaurant space is having a minimum capacity of 200. That is the interior space and doesn't account for how much of that might spill out onto an event lawn, tents, things outside the structure. Mr. Hopp said in terms of outreach, that will be soon.

Mike Sexton, Foothills Men's Club, said designs like E are dramatic and have a real appeal. We should allow enough space for events and also need meeting rooms, enough size for handling the men's clubs, etc. He expressed this is really on the right track.

Katherine Madden, via Zoom, Foothills Women's Golf Association, asked when destruction of the existing clubhouse will start. Ms. Johnson indicated there is not an answer for that yet and discussed process before committing to a timeframe. Mr. Hopp reiterated there are a lot of factors and suggested it won't be this summer and likely won't be in 2021, but are going to move this along as quickly as possible and will keep people engaged and informed with what is going on.

Tom Woodard emphasized that it was taken into account that the priority was for golfers first. He pointed out and explained the meeting rooms on the concept floor plan.

### **C. Parks Planning Projects Update**

Colin Insley said this past year staff have been working on 2020 projects and planning for 2021 projects, and wanted to give the Board an update on numerous projects. Sean Kitners, Department Planner, went through the 2020 and 2021 parks projects using Screen Share presentation.

Mr. Insley gave an overview of the concept for the Clement Park Tennis and Pickleball Court project. He discussed it is a change from what it was originally. It is a bit simpler plan and one that is much more affordable. He indicated all the materials are going up in price, and discussed. Mr. Insley answered questions from the Board.

There are seven courts now, two are out of commission, so it is basically replacing what there is now, Mr. Hopp discussed. He added that staff would like to be able to do those other appurtenances like the

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playground. Mr. Hopp acknowledged this reduced scope is more in line with the budget and still over budgeted when all those other things are considered.

Regarding time-frame, Mr. Insley indicated it could be wrapped up by fall. Mr. Hopp reminded that this concept takes out the batting cages but the batting cages at Schaefer were doubly invested in, creating a greater capability with dual action with softball and baseball, and improved amenities. Mr. Hopp discussed making the batting cages revenue-generating; when possible, they will be permitted. The Board had no concerns with the seven versus eight courts.

Mr. Kitners talked about additional parks projects that are in progress. Mr. Hopp elaborated on the Lakehurst Park project. There was an initial meeting and there were people that had concerns about the District's approach. There was another meeting with individuals, including a representative from the HOA, and found ownership issues that need to be investigated. That could complicate the project enough that it is likely going to be a 2022 project. It's an extremely complicated ownership issue related to the sidewalks and access and things like that, Mr. Hopp explained.

## D. Finance Update

Dennis Weiner reported the financial update through March 31, 2021 as included in the packet. As in prior months, the common theme throughout the report is that the District has had to deal with challenges related to COVID-19. Mr. Weiner spoke about the highlights of the report including operating revenues, operating expenditures, net operating loss, non-operating revenue and expenditures. Looking at the bottom line, net revenue through March 31<sup>st</sup> was unfavorable to plan.

## E. COVID-19 Update

Using screen share presentation, Mr. Hopp talked about current jurisdictional orders. The state has relinquished control of the COVID dial and has now allowed counties to implement their own regulations, he discussed. Jefferson County is currently at blue. The District has received 5 Star approval at Ridge, Peak, and Lilley Gulch, it has not implemented currently; Jefferson County has suspended the program because there is really no benefit in the blue level. Mr. Hopp discussed the simplified dial that Jefferson County is doing, and talked about the next level, clear, phase one and phase two. Mr. Hopp outlined a snapshot of the different metrics showing COVID cases for Jefferson County.

Staff are continuing with financial mitigation, nothing really has changed. Mr. Hopp discussed the CARES Act funding and a grant received from the state for the licensed child care programs. He talked about the new stimulus American Rescue Plan Act. There is money designated for local government assistance; however, most of that seems to be specifically earmarked to counties, cities, and states. Mr. Hopp indicated the Special District Association is working hard with the Governor's Office, Department of Local Affairs and has sent letters to the Department of Treasury asking to make sure special districts are part of this local government assistance.

Mr. Hopp discussed status of parks, trails, golf courses, facility operations, programming. There is continued evaluation for summer events and facilities. It is planned to hold eight concerts in Clement Park. Red, White & You and Shakespeare Theatre is canceled. Staff are still planning to open all four outdoor pools, Mr. Hopp discussed. Clement Park Splash Park is planning to be opened and not fenced in.

This is the first year that staff are able to provide COVID related financial impacts, Mr. Hopp reported, and talked about the estimated revenue impact. He reported at this point in time, it is a little bit better than originally estimated.

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### **IX. EXECUTIVE DIRECTOR'S REPORT:**

Highlighting the report provided, Mr. Hopp said staff have had discussions in the past about not doing Red, White & You and questions have been posed to staff about doing just a fireworks show. Mr. Hopp pointed out a recommendation memo from Kate Dragoo attached to the report.

Mr. Hopp pointed out that he and Mr. Rufien had a meeting with Mesa View Estates and are still having conversations with them about the contract the District has with them, and discussed. There was a meeting on site with BMX. They are going to do some limited things and have outlined what they want to do.

Denver Synchronicity gave a 30-day notice on their office at Edge Ice Arena and are giving up their hours. The District will dedicate about 150 hours back to internal programming, which is what was given up to give to Foothills Hockey Association (FHA). Denver Synchronicity's office space was offered to FHA because they had indicated they wanted to use that office since they had moved to a smaller office with all the other changes, and they declined to move to that bigger office space.

Mr. Hopp brought to the Board's attention that staff were notified by homeowners concerned with some activity at Stony Creek Greenbelt. There were people using the site for remote control vehicles on the property and neighboring individuals expressed concern with that. Staff smoothed the area out and reseeded and will work with the neighborhood to get it revegetated, Mr. Hopp explained. Staff have received negative feedback from the RC club, and want the District to find them another spot.

Mr. Hopp said staff have put together a new job description and are currently advertising for two part-time park ranger positions. One will cover Clement Park and one will cover Urban Parks and Schaefer Athletic Complex, he explained. Mr. Hopp pointed out a picture of the mural at Ridge Recreation Center.

In addition to the pools, the District did contract with Perkins & Will to conduct a feasibility study on improvements at Edge Ice Arena including the addition of a third sheet of ice. Staff also studied the feasibility of expanding the performance training area. He pointed out an exhibit attached to the report. Mr. Hopp discussed staff are seeking direction from the Board to see if that is a priority at this point in time. There was discussion. Director James requested an update on hours and utilization with the contract with LHA and FHA and others with the next quarterly report. The Board agreed not to move forward with the third sheet.

Adding to the report, Mr. Hopp said in the past information was provided about a fitness court, staff had applied for a grant for Clement Park. The District did get the grant. More information was sent to the District about a resolution the Board had to approve and where other funding sources were going to come from. It required the District to commit more funds than what was believed to be the case, Mr. Hopp explained. It also committed the District to complete the project by the end of 2021. It was decided not to bring the resolution to the Board at this point in time. Mr. Hopp pointed out an organizational chart, including supervisors on up, that was provided to the Board.

Director James asked if the park ranger program could be a possibility for a volunteer program. Mr. Insley discussed and said it is something staff can think about.

### **X. ADJOURNMENT:**

The regular meeting was adjourned at 10:16pm. The next regular board meeting will be held at 6pm on Tuesday, May 25, 2021.

Submitted by: Richelle Riley, Recording Secretary