

RECORD OF PROCEEDINGS

FOOTHILLS PARK & RECREATION DISTRICT REGULAR BOARD OF DIRECTORS MEETING

July 27, 2021

Zoom Option:

You are invited to a Zoom webinar.

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

Topic: Board Meeting 07/27/2021 Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_z10KbnFsSCSXAW8RKd4o4w

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

- I. CALL TO ORDER: Director Meyer called the regular meeting to order at 6pm.
- II. PLEDGE OF ALLEGIANCE: Director Meyer led those in attendance in the Pledge of Allegiance to the Flag of the United States of America.
- III. ROLL CALL:
- | | |
|-----------------------|-----------------|
| Director Bielkiewicz: | Present virtual |
| Director Trimble: | Present |
| Director James: | Absent |
| Director Butman: | Present |
| Director Meyer: | 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 Trimble moved that the Foothills Board of Directors approve the July 27, 2021 agenda as submitted. Director Butman seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

- V. APPROVAL OF JUNE 22, 2021 MINUTES:

MOTION: Director Trimble moved that the Foothills Board of Directors approve the minutes of the June 22, 2021 board meeting as submitted. Director Bielkiewicz seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director Butman, abstain; Director Meyer, aye. The motion was approved.

- VI. COMMUNITY COMMENTS:

- A. Part-time Scholarship Award Recipients

Ronald Hopp discussed this scholarship had been implemented by the Board of Directors. Every year the District gives an award to employees of the District to help them with their education. Referring to the memo provided, Mr. Hopp said the Scholarship Committee would like to thank all the part-time staff who took the

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time and effort to apply for the scholarship. The five recipients were in attendance to receive their scholarship and were recognized by the Board: Taylor Legault, Adam Rodriguez, Luke Vander Horst, Nick Selfridge, Parker Blatt.

B. Community Comments

Bill Meyer said “It’s my expectation that there are people participating in tonight’s meeting as a result of some interest in discussion the Board recently had about concealed carry permits. The Board’s discussion on this began a couple months ago when we had an incident with an authorized carry concealed permit holder leaving a loaded firearm in the bathroom in one of our facilities where children were present and left it there for about 12 hours. Fortunately, our janitorial staff located it before a child found it, by the grace of God nobody was hurt, it wasn’t used in the commission of a crime and everything turned out relatively well along those regards. Some emails we received questioned timing of our discussion on this asking if it’s related to Governor Polis signing a recent bill into law related to districts, metro districts, park districts being able to implement these types of laws. That’s purely a coincidence, this is not tied to that. We were having discussions in several meetings in a row when legal counsel advised us at a meeting that the law had changed and it was an option. At that time, the last meeting, we said we would put it on the agenda for this meeting. We were going to talk about it, think about it, try to evaluate what sort of options we had and whether this was an issue that the Board wanted to take up. Since then, in part because not all of our board members are here tonight, in part because we want to keep thinking about it, keep talking about it, we tabled it and pushed it to our August board meeting as a potential agenda item. At this point, I want to thank everyone who has participated; we have received emails on both sides of the issue. I anticipate there are people here who came out tonight to talk about it, I appreciate that, you will have your opportunity to speak as well. I do want to confirm that the Board has not taken a position on this, we haven’t voted on this, no decisions have been made about this. I don’t believe there is a consensus of views on this and it is not an issue for decision tonight by the Board so we will not be voting on this tonight. Furthermore, unless there is an objection from the Board, it is my position and my recommendation that we table this issue indefinitely. At this point, I don’t know that we are in a position to take a firm position on this either way and it is again my recommendation that we table this unless another Board member objects to that. In that scenario, it would be my view that if this Board or a future Board wants to take up the issue, we certainly could; it would be published, it would be put on the agenda so that anybody who is interested in participating on either side can participate and have their voices heard as well. If there are no objections, I would then move to open this up to community comment with the understanding that we are not voting on this and that it is my intention, with the Board’s concurrence, that this just be tabled indefinitely regardless”. Directors Trimble and Butman concurred. “With Director Bielkiewicz being quiet, I would take that as not objecting either. With that clarification and confirmation, I will open it up to community comment, welcome people to come and speak on the topic, just understanding that we are not here to decide the issue, and we have tabled it indefinitely so we certainly respect your opinions and we want to hear your opinions. It likely will not affect a decision item in the foreseeable future”.

Director Meyer opened the floor for community comments.

Diane Suchomel, district resident, provided a Concealed Handgun Permit Requirements handout to the Board. Ms. Suchomel said after the last meeting, she didn’t know much about concealed carry and decided it was a real important topic and wanted to find out more about it. She let the Board know there is a lot of information out there, if you’re not real familiar with it, on the Sheriff’s Office website and it would be a good resource for information to study up if they ever do decide to take up the issue.

Steve MacGregor, non-district resident, said he did not know what the incident was that took place at the facility. He expressed shock as an instructor that potentially one of his students would commit an act like that of being very irresponsible with a firearm. Mr. MacGregor thanked the Board for tabling this.

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Gary McCombs, district resident, said he is glad the Board explained what happened here. It is quite disturbing to see that somebody who should have been responsible to take care of a firearm like that, did what he did. He expressed if the Board does consider a concealed carry question for a facility, think of all of the facilities in general.

John Ansted, district resident, said he was curious to know what the Board's announcement would be, other than just two days before an agenda item, to know when they might take this up again. He expressed he is disappointed and disturbed that Foothills is looking at taking away his unalienable rights to self-defense. He is bothered by the recent decision to ban open carry and then continuing to possibly ban concealed carry.

Keith Emerson, non-district resident, said that some numbers he ran a few years ago showed that one in nine Colorado adults have a concealed weapons permit. He said he is sure it wasn't mentioned how the concealed permit holder felt about leaving a weapon in the bathroom and expressed that person does feel very badly about it.

VII. DECISION ITEMS:

A. Certificates of Participation Parameters Resolution

Mr. Hopp recalled the District has been having conversations for multiple years now about capital projects and capital needs throughout the District. Now is the time to forge that process to issue Certificates of Participation (COPs) to generate funds to address capital needs. Mr. Hopp gave background information as outlined in the memo provided. The District had a successful mill levy conversion election November of 2020, converting the bond issue that was passed by the District's voters in 2000. The proceeds from that can be utilized to issue COPs to generate \$35 million to address capital needs. The projects that have been identified to address are: replacing the Foothills Golf Course clubhouse, renovating Columbine West Pool, renovating Sixth Avenue West Pool, extending the Dutch Creek Trail, and entering into a Phase II Energy Services Contract for energy efficiency and mechanical systems. Mr. Hopp indicated there would likely be other park and facility capital improvements consistent with the Vision 2030 Master Plan if there are additional funds. Many other documents have been provided to the Board for review. Mr. Hopp pointed out the resolution authorizes staff, legal counsel, bond counsel, finance consultants to issue the COPs and go through the process to get that done.

Michael Lund, with Stifel Finance, outlined what the process is after the resolution is considered by the Board and what the timeline would look like.

MOTION: Director Butman moved that the Foothills Board of Directors adopt Resolution No. 21-005 authorizing the financing of capital improvements pursuant to a lease-purchase financing with UMB Bank, n.a., as trustee; approving a Site Lease and Lease Purchase Agreement between the District and the trustee; approving an Official Statement; and providing other details and approving other documents in connection with the lease financing. Director Trimble seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

B. 2021 Neighborhood Parks Projects Contract

In addition to the memo provided, Colin Insley pointed out a bid form as well as a letter from The Architerra Group included in the packet. He discussed staff are getting ready for the 2021 parks projects which include Columbine Hills Park, Columbine Sports Park, Victory Park, Westbury Greenbelt, Westfield Park. The project was put out to bid early in July and three bids were received, Mr. Insley talked about the bids. In the best interest of the District, staff recommend Richdell Construction, he explained. Mr. Insley answered questions from the Board.

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MOTION: Director Bielkiewicz moved that the Foothills Board of Directors award the contract for the 2021 Neighborhood Park Improvements Project to Richdell Construction in the amount of \$1,335,500 and authorize the Executive Director to execute the contract documents. Director Trimble seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

VIII. EXECUTIVE DIRECTOR'S REPORT:

Highlighting the report provided, Mr. Hopp said staff are working with Jefferson County Health Department to allow some vaccination sites throughout the District at various park sites.

Mr. Hopp discussed that staff met with Kipling Villas Homeowner's Association. They are part of Sub-District B of the District. They have a bond that was approved in 2002 that made improvements throughout their greenbelts, he explained. That bond is coming to an end at the end of 2022. They have an interest in potentially having a conversion election to continue that mill. It would be utilized for additional capital improvements, and additional operations and maintenance into perpetuity. There is about 900 homes in that area, it would be a Foothills election for that sub-district, Mr. Hopp discussed. They are interested in considering a May, 2022 election and because all of the election documentation and processes would have to be approved by the Board, they were told staff would broach the subject with the Board to make sure the Board is interested in pursuing that. Mr. Hopp pointed out Kipling Villas is part of Ward 3 of the District and there is potentially a Board election for Ward 3 in 2022. It would just be an additional question for those individuals in Sub-District B for that Ward. Mr. Hopp answered questions from the Board. The Board expressed no concern with that.

Regarding capital projects, Mr. Hopp discussed there is a mechanism called CM/GC which is a Construction Manager/General Contractor. A CM/GC type of relationship would be beneficial probably for both the clubhouse project as well as the pool projects, he explained. Mr. Hopp added the design firms staff are working with would prefer to use that, and described the process. With the Board's concurrence, staff would like to go through the RFQ/RFP process, solicit proposals, bring a contract back to the Board, and get a general contractor on board earlier as opposed to later. Mr. Hopp answered questions from the Board. Paul Rufien offered the process is expressly allowed by the state statutes, it complies with all the bidding requirements; it just shifts everything to the early stages for efficiency sake. The Board expressed agreement. Mr. Hopp confirmed staff will issue RFPs for both the clubhouse project and the pool projects.

Mr. Hopp pointed out there is an end of summer picnic at Clement Park on August 5.

IX. DISCUSSION ITEMS:

A. Finance Update

Dennis Weiner reported the financial update through June 30, 2021 as included in the packet. Highlighting the report, Mr. Weiner discussed year-to-date operating revenues, operating expenditures, net operating loss, non-operating revenue and expenditures. Looking at the bottom line through June 30th, net revenue was better than the plan.

B. 2022 Budget Guidelines

Mr. Hopp described the budget preparation process according to the memo provided. Staff will present preliminary numbers at the September board meeting. At the October meeting, two of the four major departments will present their budgets and in November, the two other departments will present to the Board. The December 14th meeting will be final consideration of the 2022 budget. Mr. Hopp said if there are any concerns, thoughts, requests, or changes from the Board, those are needed before the December 14th meeting, as that is when mill levies are certified, and there are several motions associated with that.

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Mr. Hopp pointed out that last year for the 2021 budget, the Board was supportive of the concept of staff preparing and presenting a budget as if it were a normal year. It's easier from staff's perspective and seems to be playing out okay for 2021 to develop the budget as if it were a normal year and manage it, he explained. Staff are proposing to do that again for the 2022 budget. Mr. Hopp summarized the bullet points for guidelines attached. He mentioned the guidelines will be distributed to staff, and outlined the 2022 Proposed Budget Schedule. Dennis Weiner discussed the bottom levels of the pay scale, and minimum wage increase projections for 2022. Staff are proposing to accelerate the bottom of the pay scale, it has a consequence on each step above it, he explained.

The Board had no concerns with the approach or bullet points that were outlined. Director Butman expressed if were feasible, he wouldn't mind the minimum wage going up more. Mr. Hopp indicated when the statement of wage comes out, that is something that can be evaluated.

Mr. Hopp pointed out the quarterly reports are in the information portion of the packet.

X. ADJOURNMENT:

The regular meeting was adjourned at 7:02pm. The next regular board meeting will be held at 6pm on Tuesday, August 24, 2021.

Submitted by: Richelle Riley, Recording Secretary