

RECORD OF PROCEEDINGS

FOOTHILLS PARK & RECREATION DISTRICT REGULAR BOARD OF DIRECTORS MEETING

April 5, 2022

Virtual Option

You are invited to a Zoom webinar.

When: Apr 5, 2022 06:00 PM Mountain Time (US and Canada)

Topic: Board Meeting 4/5/2022 Register in advance for this webinar:

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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 |
| Director Trimble: | Present |
| Director James: | Present |
| 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; 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:

Ronald Hopp requested an addition to the agenda; consideration of a Resolution in Support of Kipling Villas Sub-District Ballot Issue.

MOTION: Director Trimble moved that the Foothills Board of Directors approve the April 5, 2022 agenda as amended. Director Bielkiewicz seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director James, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

V. APPROVAL OF MARCH 8, 2022 MINUTES:

MOTION: Director Butman moved that the Foothills Board of Directors approve the minutes of the March 8, 2022 board meeting as submitted. Director Trimble seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director James, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

VI. COMMUNITY COMMENTS:

VII. DECISION ITEMS:

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A. Foothills Clubhouse Initial Adolfson & Peterson Contract

Mr. Hopp indicated Chris Cooper and Todd Goulding were promoted to panelists because they had things to share. Mr. Hopp explained staff are seeking contract approval for the initial, small contract with Adolfson & Peterson as outlined in the memo provided in the packet. They would assist with getting the temporary clubhouse modular set up and utility hook-ups, and would perform the driving range restroom remodel. There is an earmarked amount for relocation and establishing a temporary transformer to allow for the abatement and demo; demolition of the existing clubhouse building and surrounding hardscapes; demolition of remaining portions of existing site. Mr. Hopp expressed staff would like to start the process of entering into some additional contracts with critical path subcontractors to secure material pricing because, as has been talked about throughout this whole process, those continue to escalate. Before asking for approval on those, Mr. Hopp indicated Todd Goulding, the District's Owner's Representative, will give a general overview. Chris Cooper, with Adolfson & Peterson, will give detail related to where we are with specifics related to subcontractors, value engineering items, etc.

Mr. Goulding said he had updated the overall project budget and went through it using screen share, pointing out what was changed. It brings the total project budget just under \$18.9 million, he discussed. Mr. Goulding explained the contract they will be asking to discuss and potentially approve tonight is with Adolfson & Peterson for just under \$500,000. He discussed by approving Exhibit A to the contract, we are moving forward on the project knowing we are at \$18.9 million, we will bring that number down a couple different ways.

Using screen share, Mr. Cooper detailed the timeline over the process that got us to the point we are today. He discussed the building size, spikes in the market and material escalation on the project, and trying to work to off-set the escalation. Getting to today, Mr. Cooper discussed the project cost, building size and discussed some scope of work incurred on the project through development of the documents and talking with authorities having jurisdiction that are going to add cost to the project. Mr. Cooper explained the parking lot, addition of water main loop and fire hydrant throughout, food service layout, structural foundations, transformer location are some of the big ticket items that have put the project in the wrong direction overall on construction costs. For the most part, those are necessary, he explained. They are working through some ideas they still have control over through the design and adjust costs back down, Mr. Cooper discussed the six to eight items and talked about contingency for escalation.

Director Meyer expressed thought that the Board is reasonably concerned about the cost but to some extent, it is what it is.

Mr. Hopp agreed and pointed out we are looking at everything that we can in an effort to try to reduce things. Short of going backwards and drastically reducing the size of the building or starting over, it probably is what it is. We wanted to make sure the Board is aware of these trends – this starts everything in motion, Mr. Hopp discussed, it starts the timeline that we are going to track towards. If the thought is to go backwards, recognizing that delays everything, the escalation keeps going up. He observed our constituents like the design, we like the design and like the direction that it's going. Mr. Hopp suggested we continue to try to push wherever we can to try to reduce costs where we can, without compromise, he discussed.

Mr. Goulding agreed, the market is tough right now. He added they don't see a softening in escalation in the near future, and predicts it will continue to climb before it plateaus.

Director Meyer asked if it is safe to say we can anticipate these prices are going to continue to escalate until we lock in subcontractor pricing. Mr. Goulding indicated part of the funds being asked for is to go under a preconstruction agreement and start locking subcontractors in on pricing, and explained.

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Mr. Cooper discussed the preconstruction contract allows for the subcontractors to say they have a legitimate project and can put a purchase order in to their manufactures and that will allow them to lock in pricing, to an extent, he explained. Until we go to GMP on the process and lock them in for the full amount, there is still some risk. Mr. Cooper said the other thing they are trying to do is get a place in line, and talked about lead time for decking. He discussed challenges for manufactures and suppliers. They are trying to mitigate it as best they can. In absence of having a full contract for the entire amount, for a subcontractor, this is the next best step.

Mr. Cooper indicated they were hoping that tonight would have been an Initial GMP discussion, where they would have an Initial Guaranteed Maximum Price. Their concern was given the dollar amount and some of the uncertainties, that they wanted to have this conversation first and have this initial amount of the \$494,812. That allows them to move forward with the work that is critical to allow for the temporary modular, restroom facility improvement, and building to be demolished. This still follows the timeline of the original construction schedule, Mr. Cooper discussed. In answer to Director Meyer, Mr. Cooper explained the IGMP allows them to continue to lock subcontractors under a contract.

Director Bielkiewicz agreed with as fast as this can get done, we don't want to see another \$5 million added to this.

Mr. Goulding detailed the schedule perspective, if we continue moving down the path we are moving in.

Mr. Hopp clarified that tonight, the Board is being asked to approve the contract with Adolfson & Peterson for the \$494,812 for those items that are outlined, it is considered Exhibit A to the already previously executed document of the AIA, A133. We would do addendums for the initial GMP and the final GMP. Mr. Hopp reiterated we wanted to talk through all of this because this starts the process going. Once we start this process, we are committing to abating and demolishing the existing clubhouse and building a new clubhouse. Short of starting the process over and going back and delaying time, approving this tonight will get the process going.

In answer to Director James, Dennis Weiner discussed where we are with pricing for the projects being done with the COP money. Mr. Hopp pointed out the two pool projects aren't experiencing commodity issues, at this point in time, we are hearing from the design team and CMGC that it is staying true to what was presented in the past. Mr. Hopp said the trail project is beginning and anticipate it is going to be on budget, and the ESCO project is already contracted. Mr. Weiner talked about funding sources earmarked to cover potential overages for these projects. Mr. Hopp said staff still feel like we can accomplish all the projects we have promised the public we were going to do. He added in 2023, 2024, 2025, 2026 there are no significant projects earmarked. Discussion ensued.

MOTION: Director James moved that the Foothills Board of Directors award an Initial Contract for the Foothills Golf Course Clubhouse Reconstruction Project in the amount of \$494,812 to Adolfson & Peterson Construction as discussed and authorize the Executive Director to execute the contract documents. Director Butman seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director James, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

B. Clubhouse Abatement Mitigation Contract Ratification

According to the memo provided, Mr. Hopp explained this is a ratification of a concurrence to start the contracting mechanisms. The District's CMGC, Adolfson & Peterson, did solicit proposals for abatement contractors and the low bidder was Orion, Mr. Hopp discussed. The Board did concur with that in an email and this is a ratification of that concurrence.

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MOTION: Director Trimble moved that the Foothills Board of Directors ratify the contract with Orion for asbestos abatement for the Foothills Golf Course Clubhouse project. Director Bielkiewicz seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director James, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

C. Resolution in Support of Kipling Villas Sub-District Ballot Issue

Mr. Hopp discussed the District is conducting a TABOR election on May 3, 2022. The Board had previously passed a resolution to have that election. It is asking to continue the current mill levy associated with the general obligation debt for Kipling Villas Sub-District, which is Sub-District B. It expires at the end of 2022. The election will be conducted as a mail ballot election in coordination with Community Resource Services of Colorado, who counts the ballots, reports the results, certifies the election. Mr. Hopp outlined the attached resolution.

Colin Insley discussed the number of sprinkler heads used in the greenbelts. Mr. Hopp clarified the seventh whereas on the resolution should be corrected to 4.105 mills. There was discussion and questions were answered.

MOTION: Director Bielkiewicz moved that the Foothills Board of Directors approve Resolution No. 22-005 in support of the mill levy continuation as discussed and amended. Director Butman seconded the motion. Poll of the Board: Director Bielkiewicz, aye; Director Trimble, aye; Director James, aye; Director Butman, aye; Director Meyer, aye. The motion was approved.

VIII. EXECUTIVE DIRECTOR'S REPORT:

Mr. Hopp did not have anything to add to the report or highlight, and welcomed any questions. There was discussion about the date for Hops in the Park.

IX. DISCUSSION ITEMS:

A. Colorado Early Childhood Stimulus Funding

Amber Stowe, Children's Programs Supervisor, shared a presentation with the Board and talked about the Colorado Department of Human Services and Office of Early Childhood grant the department will receive. \$271 million of Federal Stimulus Funds from the American Rescue Plan are being invested to support child care, Ms. Stowe explained. She discussed the funding, the stipulations of the funding, and their intentions of using the funding that is coming their way, \$1.2 million total. The grant money they are receiving for each location is based on a formula based on the size of the program, as well as their Colorado Shines ratings, Ms. Stowe explained. She outlined information for each Children's Programs location, and details about how the grant funds can be used. Ms. Stowe discussed funding priorities.

B. Employment Contract

Paul Rufien recalled that the Board suggested to explore possibilities of an employment contract for the Executive Director, and he was asked to gather information for that. Mr. Rufien said the District has historically not had an employment contract for the Executive Director. He discussed that a piece of evidence for this was Apex, another Jefferson County park and recreation district, is hiring a new Executive Director and we have come to learn that they are moving forward with a contract. Highland Hills, another large park and recreation district has employment contracts. South Suburban also has an employment contract, Mr. Rufien explained. He suggested perhaps Foothills is the last hold out in the industry for not having employment contracts for the Executive Director position. He said having a contract is probably more the

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norm than doing without the contract. Mr. Rufien indicated that after discussion, he would be looking for whether he goes forward with preparing such a contract and present it to the Board at a later meeting for consideration and approval, and discussed.

Mr. Rufien said Apex is in the process of figuring out what they are going to include. He found out about South Suburban's recently enough that he has not seen that one. That would be something to take a look at for the comparison between Foothills and South Suburban. Director Bielkiewicz agreed that would be key to be comparable. Mr. Rufien recognized the overall objective is long-term security for both the Executive Director and for the District; not be trail blazers but catch up to the industry and do something that makes perfect sense with what has been, in his perspective, a very well run machine both from the Board and the Manager.

Director Trimble expressed part of keeping Ron here is going to be to provide him with similar things he could have somewhere else. The Apex job came available and they were paying more. We would have competitive packaging and that includes an employment contract, the Board should consider that. Mr. Rufien confirmed there would be some protections and assurances that flow both ways.

Director Meyer agreed. He expressed interest in continuing the discussion, what the Board would like to do in terms of next steps in terms of whether to direct Mr. Rufien to do something and come back with a proposal. Director Butman agreed and would like to see a possible contract. Director Bielkiewicz expressed he would like it to be based on comparable contracts. Director James expressed that future attractiveness of this level of position, should there be a separation, should be able to attract the best candidates and also protect the continuity and culture that has been established over the last 14 years with Ron. There was discussion about succession planning.

Mr. Rufien discussed the drafting process; Directors James and Bielkiewicz agreed to be part of the drafting process. Mr. Rufien indicated we can track for the next board meeting, and there was discussion regarding possible need for Executive Session.

Director Meyer opened the floor for any missed community comments.

Nancy Werkmeister, Foothills Ladies 18, thanked the Board for their support of the new clubhouse. The Board expressed their appreciation and support as well.

X. ADJOURNMENT:

The regular meeting was adjourned at 7:34pm. The next regular board meeting will be held at 6pm on Tuesday, April 26, 2022.

Submitted by: Richelle Riley, Recording Secretary