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FOOTHILLS PARK & RECREATION DISTRICT REGULAR BOARD OF DIRECTORS MEETING

August 22, 2023

Virtual Option

You are invited to a Teams webinar.

When: Aug 22, 2023, 6:00PM Mountain Time (US and Canada)

Topic: Foothills Park & Recreation District Board Meeting 8/22/2023 Register in advance for this webinar:

<https://events.teams.microsoft.com/event/974e1ab0-7398-40e8-bdb2-dbe497e01cbe@e0c4bd9d-9b50-4d79-937d-213d59e132e8>

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

- I. CALL TO ORDER: Director Trimble called the regular meeting to order at 6:00pm.
- II. PLEDGE OF ALLEGIANCE: Director Trimble led those in attendance in the Pledge of Allegiance to the Flag of the United States of America.
- III. ROLL CALL:

Director Hanson:	Present
Director Lodice:	Present
Director Daughtrey:	Present
Director Writz:	Present
Director Trimble:	Present

ALSO IN ATTENDANCE: Paul Rufien, District Counsel; Ronald Hopp, Executive Director; Derek Eberhardt, Director of Operations; Colin Insley, Director of Parks, Planning and Construction; Randy Meyers, Director of Golf; Dennis Weiner, Director of Finance and Administrative Services; 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 Daughtrey moved that the Foothills Board of Directors approve the August 22, 2023 agenda as submitted. Director Lodice seconded the motion. Poll of the Board: Director Hanson, yes; Director Lodice, yes; Director Daughtrey, yes; Director Writz, yes; Director Trimble, yes. The motion was approved.

V. APPROVAL OF JULY 25, 2023 MINUTES:

MOTION: Director Daughtrey moved that the Foothills Board of Directors approve the minutes of the July 25, 2023 board meeting as submitted. Director Hanson seconded the motion. Poll of the Board: Director Hanson, yes; Director Lodice, yes; Director Daughtrey, yes; Director Writz, yes; Director Trimble, yes. The motion was approved.

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VI. COMMUNITY COMMENTS:

Kerry Schaper, Church of Jesus Christ of Latter-day Saints, invited the Board to join them at their annual project with the District. She said their church has partnered with Foothills annually since 2011. The project date is Saturday, September 9, 8am to 2pm, at Eagle Meadows Park. Ms. Schaper talked about the projects they will be doing at the park including building a new playground.

VII. DECISION ITEMS

A. Feeding Many/Jovial Concepts Agreement

Colin Insley recalled that at the July board meeting, staff had introduced Dr. Shirl Smith from Feeding Many who operates the orchard at Weaver Creek Park and Kristina Welch with Jovial Concepts. They had presented to the Board and also attended the meeting tonight. Referring to information in the packet, Mr. Insley said management of the orchard is changing from Feeding Many to Jovial Concepts. Mr. Insley talked about changes in the agreement, and pointed out the site plan attached. Mr. Insley answered questions from the Board.

MOTION: Director Writz moved that the Foothills Board of Directors approve the License Agreement for Jovial Concepts, and further authorize the Executive Director to execute the document as discussed. Director Lodice seconded the motion. Poll of the Board: Director Hanson, yes; Director Lodice, yes; Director Daughtrey, yes; Director Writz, yes; Director Trimble, yes. The motion was approved.

Mr. Hopp thanked Dr. Smith for her years with Feeding Many. Dr. Smith thanked the Board for having this project in the District.

B. Clement Park Cell Tower Agreement

Referring to information in the packet, Mr. Insley pointed out a map showing the cell tower site in Clement Park as well as the agreement. He said the original agreement and cell tower was built in 1999 and the Crown Castle agreement started in 2007. The term of the current agreement ends in 2024. They have sublets who would like to continue the terms of the agreement, expiring in 2049. Mr. Insley discussed the monthly rent and rent escalations. Director Daughtrey recommended there be a provision that the District be named as an additional insured. In answer to Director Hanson, Mr. Insley will look into the lessee being responsible for moving that tower if improvements were to be made in Clement Park between now and 2049. Director Trimble asked if there is any provision for the District to terminate the lease if we want to do something with that land, Mr. Insley will check on that as well.

MOTION: Director Daughtrey moved that the Foothills Board of Directors approve the Second Amendment to the Option and Site Sublease Agreement with STC FIVE LLC subject to legal review and the additions or corrections as discussed. Director Writz seconded the motion. Poll of the

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Board: Director Hanson, yes; Director Lodice, yes; Director Daughtrey, yes; Director Writz, yes; Director Trimble, yes. The motion was approved.

C. Jeffco Trails 2024 Partnership Grant

Mr. Insley said the Jeffco 2024 Trails Partnership grant from Jefferson County Open Space is the same grant in which the District was able to get funding for Dutch Creek Trail. He indicated staff are working on a wayfinding sign plan that is part of the Dutch Creek Trail project. Referring to the memo and an example in the packet, Mr. Insley said Jefferson County Open Space has asked if the District would apply for funds to do this throughout the District on the regional trails. It doesn't bind the District to anything, it is a 50 percent match. The District was encouraged to apply for the grant because wayfinding is also part of the Jeffco plan, Mr. Insley explained. He pointed out a resolution to include with the grant application. Mr. Insley answered questions from the Board.

MOTION: Director Lodice moved that the Foothills Park & Recreation District Board of Directors approve Resolution No. 23-003 to apply for the 2024 Jeffco Open Space Trails Partnership Program for funding to develop and install wayfinding signage along District regional trails as discussed. Director Hanson seconded the motion. Poll of the Board: Director Hanson, yes; Director Lodice, yes; Director Daughtrey, yes; Director Writz, yes; Director Trimble, yes. The motion was approved.

D. Employee Handbook Update

Frannie Masters referred to the memo in the packet summarizing what was talked about at the June meeting. It also includes the answers to the questions that came up at the meeting, as well as the revised version of the Drug and Alcohol Policy correcting a typo it had. Ms. Masters invited questions from the Board, there were no questions.

MOTION: Director Daughtrey moved that the Foothills Board of Directors adopt the updated Employee Handbook as presented and discussed. Director Writz seconded the motion. Poll of the Board: Director Hanson, yes; Director Lodice, yes; Director Daughtrey, yes; Director Writz, yes; Director Trimble, yes. The motion was approved.

VIII. EXECUTIVE DIRECTOR'S REPORT

Highlighting the report provided in the packet, Mr. Hopp thanked Directors Lodice and Hanson for attending the employee barbeque. He thanked Director Trimble and former Director Meyer for playing in the Foothills Foundation Golf Tournament.

Mr. Hopp pointed out that probably at the September meeting, staff will go through a methodical approach updating the Board Policy Manual, and explained the process.

Mr. Hopp indicated August 11th was Barb Butler's last day so the July board meeting was her last board meeting. He recognized that Ms. Butler had a great career with the District, 28 years. He wished her the best of luck in her retirement.

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Mr. Hopp reminded the Board if there are any members who would like to visit any project sites, some have, to contact him. The pools are getting closer to being completed, he discussed, and explained that Sneak Peak Open Houses for the public are in the planning stages. Mr. Hopp showed a video of a test of the water feature at Columbine West Pool, and gave an update on the pools.

Director Trimble shared that some people he plays golf with occasionally, who primarily play at South Suburban, played at Foothills golf course and very favorably compared our soon-to-be new clubhouse with the one they redid at South Suburban about four years ago, and were very impressed.

IX. DISCUSSION ITEMS:

A. Finance Update

Mr. Weiner presented the District's financial update through July 31st for this year, and went through details in the report. He highlighted total District year-to-date operating revenues, total year-to-date operating expenditures, net operating loss, non-operating revenues and expenditures. He concluded that net revenue through July 31st was better than budget.

B. Cyber Risk Assessment Update

Preston Malcolm explained that the Information Technology department has identified that there are a lot of unique challenges as far as IT security. There have been more and more vulnerabilities pop up in different systems and a lot more attacks that are happening than have happened in past years. Mr. Malcolm said the IT department has been trying to mitigate these risks more quickly and implement some best practices to help keep the District from becoming subject to one of these attacks, and protect the District's digital assets as best as possible.

Using a PowerPoint presentation, Mr. Malcolm talked about what the IT department is doing, what they have done and what they are planning on doing.

In 2022, the District was provided an opportunity by the Colorado Special Districts (CSD) Pool to undergo a cyber-audit, Mr. Malcolm explained. NetDiligence did an external analysis of the District's current state as far as information systems, he described the process. NetDiligence built a report giving the District recommendations for what should change. A print-out of the report was provided to the Board.

Mr. Malcolm explained that this opportunity from the CSD Pool was offered to the District as a method for increasing the District's insurance limits for cyber related incidents. The final report has a current rating in several categories for how the District is doing, as well as suggestions for improvements and how the District can improve that rating in future years.

The CSD Pool asked staff to present to the Board the District's exposure for Personally Identifiable Information (PII); share some of the progress made towards the recommendations; share a 12-

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month plan for some of the other recommendations not yet completed. Staff plans to address things the audit is recommending with a 12-month plan, Mr. Malcolm explained.

Personally Identifiable Information (PII); staff have identified a majority of the District's PII's are processed by third party vendors and not kept locally, Mr. Malcolm discussed. The District's current risk for PII exposure stems from three possible scenarios staff have identified and are working to protect against, he outlined. Mr. Malcolm detailed mitigations currently in place to help limit PII exposure.

Mr. Malcolm discussed staff have made improvements based on the audit's recommendations and also improvements based on general best practices, and detailed those improvements. He discussed other cybersecurity enhancements for managed detection and response services, cybersecurity training and testing program, monitor and remediate potential malicious emails reported by staff.

Mr. Malcolm said staff do plan to address everything in the audit report, and outlined things identified that need to be prioritized and things staff are planning on completing within the next 12 months.

A video was played showing progress of the Foothills Golf Course Clubhouse that Randy Meyers had recorded from his drone. Mr. Hopp invited the Board to see the site. He indicated this project is slated to be finished probably the end of January; the pools will be able to open next year.

X. ADJOURNMENT:

The regular meeting adjourned at 7:10pm. The next regular board meeting will be held at 6pm on Tuesday, September 26, 2023.

Submitted by: Richelle Riley, Recording Secretary