

Record of Proceedings

Foothills Park & Recreation District Regular Board of Directors Meeting

February 27, 2024

A Virtual attendance option was made available through Microsoft Teams.

Call to Order

Director Trimble called the regular meeting to order at 6:00 p.m.

Pledge of Allegiance

Director Trimble led those in attendance in the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

Director Hanson: Present, Director Lodice: Present, Director Daughtrey: Present (virtual), Director Writz: Present (virtual), Director Trimble: Present

Also in Attendance: Paul Rufien, District Counsel; Ronald Hopp, Executive Director; Becky Richmond, Director of Recreation; Dennis Weiner, Director of Finance and Administrative Services (virtual); 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).

Approval of Agenda

Motion: Director Lodice moved that the Foothills Board of Directors approve the February 27, 2024 agenda 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.

Approval of Previous Meeting Minutes

Motion: Director Hanson moved that the Foothills Board of Directors approve the minutes of the January 30, 2024 board meeting 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.

Community Comments

Justin Phillips and Gary Pokorn with the Foothills Foundation addressed the Board. Mr. Phillips explained that the purpose of the Foothills Foundation is to raise money for Foothills by doing fun events. He presented a check to the District for \$30,000 from their proceeds last year from their fundraising efforts with Summerset Festival; Red, White & You; and the Foothills Golf Tournament. The Foothills Foundation was thanked by the Board.

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Item 1: Part-time Scholarship Award Recipients

Mr. Hopp acknowledged that the scholarship program is an initiative made by Foothills Board of Directors who created the opportunity to financially help part-time staff pursue their goals towards higher education. Five part-time staff applied for the scholarship, and three were awarded. Recipients Justine Josupait and Jacob Bielkiewicz were present to receive their scholarship award. The third recipient, Ainsly Fowler, was not present.

Item 2: District Parks and Pride in Our Parks Presentation

Using a PowerPoint presentation, Sarah McAfee talked about what staff do in the Parks department and the Pride in Our Parks Program. She discussed the District's Regional Parks, Community Parks, Neighborhood Parks, Greenbelts, Trails Map, Core Services, Park Ranger Program, Parks Planning, and Fleet Services. Ms. McAfee talked about the Pride in Our Parks Program including volunteer information, Eagle Scout service projects, Tribute Tree and Memorial Bench program, grants, and student study opportunities. Ms. McAfee discussed the Arts in the Park projects.

Decision Items

Item 1: Jefferson County Right of Way Property Purchase

Referring to information in the packet, Colin Insley discussed that he received initial plans from Jefferson County for Pierce Street widening in front of Clement Park as part of street improvements they wish to perform. Pointing to an aerial map provided, Mr. Insley described what the County is planning for that area. In order to do the project, the County sent the District a proposal to purchase ground land from the District along Pierce Street. The construction time frame is going to be over the summer and possibly a little into fall, Mr. Insley explained. Mr. Insley pointed out the proposal for the parcel and the temporary easement during construction provided in the packet, as well the deed for the right of way and easement deed. Mr. Insley explained the documents are drafts, and staff recommend conditional approval upon final review by District Counsel and staff and adding any irrigation and site repairs to the agreement. Mr. Insley answered questions from the Board.

Motion: Director Hanson moved that the Foothills Board of Directors approve Jefferson County's offer for the purchase of right of way and temporary easement located at Robert F. Clement Park in the amount of \$25,156 plus irrigation and site repairs for the purpose of widening S. Pierce St. pending final review and approval of the District's legal counsel and District staff, and further authorize the Executive Director to execute the final documents. 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.

Item 2: Board Policy Manual Review/Update

Referring to information in the packet, Mr. Hopp reminded that staff and the Board are trying to update and revise the Board Policy Manual as needed and are currently in the category of Programs/Facilities/Golf. The three policies provided tonight for the Board's review and consideration are: Arts & Events Agency, staff are recommending no change; Clement Park Amphitheater Rental Receipts, staff are recommending no change; Golf Development and Improvement Fund, staff are recommending no change.

Motion: Director Lodice moved that in the effort to update the Board Policy Manual, the Foothills Board of Directors approve the attached policy recommendations as discussed. Director Hanson seconded the motion.

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

Executive Director's Report

Highlighting the report provided, Mr. Hopp indicated that Jefferson County Road and Bridge has offered to install new ADA bike ramps as part of the Dutch Creek Trail project.

Mr. Hopp thanked Directors Hanson, Writz and Daughtrey for attending the Foothills Clubhouse topping off ceremony and signing event on Friday. He said Director Trimble was able to sign the ridge vent a day early.

The Foothills Job Fair was Sunday, Mr. Hopp said, there were 85 plus attendees and as of this morning we have received about 120 applications for positions as the result of the job fair.

Mr. Hopp reminded that Regina Smith, with Arts & Events, sent an invitation to the Board for the opening night performance, or any performance, of The Foothills Theatre Company's *Almost, Maine*.

Mr. Hopp introduced his brother, Robert, from Montreal Canada attending the board meeting.

Discussion Items

Item 1: Trailhead Development Request

Mr. Insley recognized that in attendance was a group from the Trailhead community. Projecting an aerial map, he described a trail they would like to build across the District's property from their area to join with the Mossbrucker Trail.

Andrew Hughes, with Point Consulting, a land surveying, planning, civil engineering, landscape architecture firm, addressed the Board. He explained they are working with Grant Abbott, Eagle Scout candidate, on this project.

Grant Abbott, with Boy Scout Troop 448 and working on his Eagle Scout project, showed a PowerPoint presentation describing the trail project, explaining it would be important to this community. Grant talked about the Trailhead community and how the trail connection would benefit the neighborhood. Mr. Hughes answered questions from the Board. He clarified the concrete trail in that area would be for better connectivity with the residents, the neighborhood and surrounding community. It would be easier than going on the dirt path existing previously.

Mr. Hopp clarified these individuals approached the District to see if this would be of interest and at this point in time, they are driving the project and intending to fund it. It is on Foothills' property, so staff want to make sure that the Board is on board with it as an improvement. Because it is on Foothills' property, the intent is if they would build it, the District would give them an opportunity through a License to Occupy or construction easement to build that through their means and then dedicate it to the District. Any agreements that Paul Rufien thinks the District needs to work out with this entity, will be worked out. Mr. Hopp expressed we wanted to make sure the Board is in favor of staff continuing to dialogue and pursue this as an opportunity to support the Trailhead community. The group will be looking into the sewer easement and Mr. Insley said they would get any county permits required. There was Board consensus to move forward.

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Item 2: Finance Update

Dennis Weiner presented the District's finance update through January of 2024. He talked about some of the highlights starting with total District year-to-date operating revenues, total year-to-date operating expenditures, net operating loss, non-operating expenditures and revenues. Mr. Weiner outlined that net expenditures for the first month of the year were better than budget.

Item 3: Digital Accessibility for Board Information on Website

Referring to the memo provided, Mr. Hopp recalled that the Colorado State Legislature passed a law to expand the unlawful discrimination of individuals with a disability as it relates to technology. The District has been working very hard for a year or more to decipher that and the final guidelines have just recently come out. Mr. Hopp said staff have already started the process of updating the website, and the Golf website has already been updated. Staff have been working with the Community Pass vendor to become WCAG 2.2 compliant, and there are more vendors that staff need to continue to work with.

Mr. Hopp talked about the challenge of pdf documents on the website, they are very difficult to make compliant. A lot of the pdf documents on the website are specific to the Board of Directors. Making those accessible is very time-consuming, Mr. Hopp explained. Mr. Hopp recognized the unfortunate thing, and this will be across the board for many governmental entities, is that information is going to be removed from the website and it will appear the District is being less transparent with the information, but people can request information and it can be provided.

Mr. Hopp outlined what staff thinks should be done but wants the Board to be on board with that. By law, related to Board process, the District is required to post a meeting schedule, location and time and the agenda at least 24 hours prior to the meeting. Currently, the whole packet is being posted. Based upon what is legally required, Mr. Hopp talked about the recommendations in terms of the District's responsibility for website digital accessibility, as outlined in the memo provided, as well as the benefits of the recommendations.

Staff recommends that upcoming meeting agendas would be posted as html content, not pdf. Once the meeting is over, the agenda will be removed. Staff recommend posting the approved board meeting minutes as html content on a web page. The minutes would be accumulated into a full calendar year, he explained. For the financial statements and budgets, beginning in 2024, staff suggest posting two years of information in pdf format, we would pay to remediate that, Mr. Hopp discussed. The Board packets would be removed and no longer posted digitally. Staff would send the Board a link and ask if the Board has needs or requires assistance. Staff can also provide the Board with hard copies. There would be a statement prominently placed on the web page that states if any information is required to contact us. Mr. Hopp discussed the benefits of the recommendations and acknowledged that adjustments can be made as they come up.

Concern for lack of transparency was expressed. Mr. Hopp said our hope is that the statement that will be placed on the website that if an individual needs the agenda or minutes or any other information, they can contact the District and it will be provided helps, it may be a hard copy that is provided. Mr. Hopp agreed with concerns related to transparency and recognized the law is there for a reason and it is unfortunate that it is going to result in removal of information from websites like ours and other governmental entities. Mr. Hopp reiterated there would be the opportunity for somebody to contact us and we can provide information to

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them. Director Daughtrey expressed there has to be no charge to the public to be able to access that information, Mr. Hopp agreed that the District would not charge them.

Director Lodice observed that the District does not have a choice because of this new law that is in place unless we want to spend an excessive amount of resources and money. Mr. Hopp agreed we do not have a choice in terms of digital accessibility, we could devote more staff, time, resources, and money to doing more. We are finding that more and more entities are going to be like we are. Mr. Hopp reiterated we can massage this over time as we become more capable, or we find that there are services that can provide remediation to assist us with those things. Initially it is going to be challenging to do that, so this is where we recommend that we start, Mr. Hopp explained.

Director Trimble asked clarification that there would be a link sent to the directors in advance of the meeting. Kate Dragoo discussed that the Board will be provided with a link to view the information. It would not be a remediated document. If there were any member of the Board that would need accommodations, we would need to accommodate them and find other ways to provide them the information. She offered that packets could be printed out and delivered to their homes at least 24 hours before the board meeting. Ms. Dragoo pointed out that packets on average can be 75 -100 pages, and to send that out for remediation, we could not get it promised back to us in a 24-hour period.

Mr. Hopp recognized a Board member may need to be accommodated and staff will work through that. In answer to Director Daughtry, Mr. Hopp said staff have been monitoring how other entities are handling Board information. He gave an example for Apex Park & Recreation and indicated staff will continue to monitor the other major park & recreation districts that the District can be compared to. He pointed out that our recommendation is more generous with information on the website than what Apex is currently tracking towards.

Mr. Hopp said that if we find that we deviate somewhat or dramatically from this recommendation, we will let the Board know. We will continue to monitor those other entities. We'll start with this, monitor the impact on the community, what type of outreach we get, monitor the other entities and if we make changes, we will communicate that to the Board. The Board agreed.

Executive Session

Director Trimble announced the Board will move into Executive Session. When the Board comes out of Executive Session, there will be no further business. We will come back into the public meeting solely to adjourn the meeting.

Contract Negotiations per 24-6-402(4)(e), C.R.S.

Motion: Director Hanson moved that the Foothills Board of Directors move into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(e) for Contract Negotiations. 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.

The regular meeting adjourned at 7:20 p.m. Executive Session started at 7:23 p.m. and ended at 8:03 p.m. The regular meeting reconvened at 8:03 p.m.

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Adjournment

The regular meeting adjourned at 8:04 p.m. The next regular board meeting will be held at 6:00 p.m. on Tuesday, March 26, 2024.

Submitted by: Richelle Riley, Recording Secretary