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Foothills Park & Recreation District Regular Board of Directors Meeting

March 26, 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 (virtual), Director Lodice: Present, Director Daughtrey: Present, Director Writz: Present, Director Trimble: Present

Also in Attendance: Paul Rufien, District Counsel; Ronald Hopp, Executive Director; Becky Richmond, Director of Recreation; Derek Eberhardt, Assistant Director of Recreation; Dennis Weiner, Director of Finance and Administrative Services; 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 Daughtrey moved that the Foothills Board of Directors approve the March 26, 2024 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.

Approval of Previous Meeting Minutes

Motion: Director Lodice moved that the Foothills Board of Directors approve the minutes of the February 27, 2024 board meeting as submitted. 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.

Community Comments

Maureen Sielaff, district resident representing the Ridge at West Meadows Townhome Association, addressed the Board. Distributing a packet of information to the Board, Ms. Sielaff said she has previously been in touch with Foothills regarding run-off from a dirt hill on the doorstep of 12880 W. Burgundy Drive. She indicated it was created by Foothills in 2006 and elaborated. She asked that she be provided with a copy of the quoted grading plan as approved by Jefferson County. Ms. Sielaff said the Ridge is now faced with an \$80,000 construction project to replace their drainage system around that particular building. She said the flooding at 12880 W. Burgundy Drive by Foothills dirt has created a floodplain in that area and it is ineligible for flood insurance. Without major construction, this property is uninhabitable during rainstorms, Ms. Sielaff explained.

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She expressed that it is unconscionable for Foothills to deny ownership for the dirt hill. Ms. Sielaff requested that Foothills reimburse the Ridge for the \$3,000 - \$4,000 cost of constructing a drainage ditch at the bottom of the dirt hill or ask that Foothills dig the ditch and seed it with native grasses. Ms. Sielaff asked the Board to respond in writing by April 1st.

Colin Insley clarified that grading was done in conjunction with the ballfields across from Walmart. Dirt from that area, if needed, would have been taken for Phase 7, which is the Village Green area between the soccer fields and the ballfields.

Mr. Hopp explained staff have been in communication with Ms. Sielaff and he has been out on site. The development has been there since 2006. Whether there have been problems with drainage all that time or not, there's no denying there are drainage issues. Mr. Hopp said Mr. Rufien has been involved in some conversations with this and there probably needs to be a deeper conversation.

Paul Rufien confirmed he has seen the communications and has been involved a bit, it would take more for him to provide an answer. If directed by the Board, he could look deeper into the issue.

Director Trimble advised it would be best if the Board made a decision at a later meeting when there is enough information. Mr. Hopp pointed out that would make it difficult to respond by April 1st. Director Trimble observed the best we can do is have staff bring a recommendation as soon as possible, there is not enough information to make a decision tonight, or before April 1st.

Mr. Rufien questioned if we want this brought back to the Board. The quicker alternative would be to consider this an operational matter for staff and let them make the decision. As they do with anything, loop the Board in and have those conversations. The Board agreed. Director Trimble advised staff to loop the Board in on what is going on.

Decision Items

Item 1: Dutch Creek Regional Trail Construction Contract

Referring to information in the packet, Colin Insley discussed that 10 bids were received from various contractors in the Denver Metro area for the Dutch Creek Regional Trail, which will connect from Kipling to C470, and two bridges will be installed. Mr. Insley talked about the bids that were received, as outlined on the bid tab included in the packet, and provided detailed information about the lowest bid that was submitted. With those factors, staff are recommending Civil Specialties to be awarded the contract. Mr. Insley answered questions from the Board.

Motion: Director Lodice moved that the Foothills Board of Directors award the bid submitted by Civil Specialties, Inc. in the amount of \$2,216,888.60 to include the base bid, bid alternate #1 and bid alternate #2 for the Dutch Creek Regional Trail Project as discussed, and authorize the Executive Director to execute the final documents. Director Daughtrey 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: Dutch Creek Regional Trail Architerra Contract Amendment

Referring to information in the packet, Mr. Insley explained that the other part of the Dutch Creek Regional Trail project will be Contract Administration. He pointed out a proposal in the packet that explains in detail the

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type of work that will be part of this. Mr. Insley discussed this is the last contract amendment that we will have with the Architerra Group for the project. Mr. Insley answered questions from the Board.

Motion: Director Daughtrey moved that the Foothills Board of Directors approve the contract amendment for bidding and construction administration services in the amount of \$106,250 with the Architerra Group as discussed, and further authorize the Executive Director to execute the proposal and contract 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 3: Board Policy Manual Review/Update

Mr. Hopp discussed that in the effort to continue to update the Board Policy Manual, we are continuing with policies in the Programs/Facilities/Golf section of the manual.

Referring to information in the packet, Mr. Hopp pointed out the Fees and Charges Guidelines. The document is redlined with changes, it has not been updated since 2004, Mr. Hopp explained. He outlined Golf Lessons, staff recommends no change; Private Golf Carts, recommended update; Colorado Golf Association Tournaments, staff recommends no change; Golf Course Club policy, staff recommends no change; Active and Retired Military and Veteran Individuals Discount Policy, recommended update.

Director Daughtrey recommended adding retired military to the policy for the discounted green fee rate; it was agreed. There was discussion about the use of private golf carts on the courses. Becky Richmond answered questions regarding the Fees and Charges Guidelines.

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, with the addition of retired military to receive green fees discount to the Active and Retired Military and Veteran Individuals Discount Policy. 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.

Executive Director's Report

Adding to the report provided, Mr. Hopp mentioned that the Foothills Foundation Golf Tournament has been set up for Friday, August 16th at Foothills Golf Course to highlight the new clubhouse.

Mr. Hopp provided an update on the clubhouse. He added that staff are getting ready for an event that is scheduled there on April 5th.

Mr. Hopp said today is Colin Insley's 36-year work anniversary, and Derek's birthday is today.

There was discussion about graffiti.

Discussion Items

Item 1: Finance Update

Dennis Weiner presented the District's financial update through February 29th of this year. He talked about some of the highlights of the report starting with total District year-to-date operating revenues. He continued with total year-to-date operating expenditures, net operating loss, non-operating expenditures and revenues.

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Mr. Weiner concluded that as a result of all activity, net revenue for the first months of the year is better than the budget.

Item 2: 2017 Mill Levy Extension

Mr. Hopp went through a presentation outlining the 2017 mill levy and talked about options for an extension election. Using a PowerPoint presentation, Mr. Hopp gave background information for the 2017 mill levy election. He discussed the ballot language that included a 9-year sunset provision which means that if not extended, the mill levy will expire at the end of 2026. He talked about the revenue generated from the 2.75 mills since 2018, and the projected amount of revenue the District will not generate in 2027 if the mill levy is not extended. Mr. Hopp read the ballot language that was used in 2017, and detailed all that the additional revenue has funded, things that were promoted as part of the mill levy and accomplished. He noted that this does not include the major projects that were funded with the COP and outlined those projects. Mr. Hopp recognized that the mill levy, in addition to the COP, has allowed the District to do a lot of great projects throughout the whole community.

Using a spreadsheet provided, Mr. Weiner went through a 15-year financial forecast to show what the next 15 years look like both with an extension and if there is not an extension. Mr. Hopp reiterated that the 2027 deficit number shown is if the District were to have zero dollars in capital; with no capital spending, there still would be a deficit. He emphasized it is looking to be very critical to extend that mill levy.

Mr. Hopp discussed the opportunities for an election before the mill levy expires, and the pros and cons of each. He suggested the best opportunity would be November 2024 and elaborated. Mr. Hopp gave examples of ballot language that has been used and approved by voters. He indicated it is easier to extend an existing mill levy because it is without raising taxes, it is asking voters to extend what they are already paying. The District would continue to manage the budget well, it would be good through 2035. The District would continue to be conservative, efficient, hope to identify other revenue streams, and make investments in facilities during that time. This would take the District well into the future and be a great fiscal situation. Mr. Hopp explained that polling was not recommended by the polling consultant.

Mr. Hopp said staff are recommending and tracking towards a November of 2024 election, it would be coordinated with the county. He went over the steps that need to be taken, including compiling a list of projects. There was discussion and questions were answered. The Board agreed to move forward with the 2.75 mill extension in November.

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. The Board will come back into the public meeting to close the meeting.

Legal Matters Regarding Jefferson County/Red Rocks Ranch per 24-6-402(4)(b), C.R.S.

Motion: Director Daughtrey moved that the Foothills Board of Directors move into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b) to discuss Legal Matters regarding Jefferson County/Red Rocks Ranch. 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.

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The regular meeting adjourned at 7:30 p.m. Executive Session started at 7:36 p.m. and ended at 8:14 p.m. The regular meeting reconvened at 8:14 p.m.

Adjournment

The regular meeting adjourned at 8:15 p.m. The next regular board meeting will be held at 6:00 p.m. on Tuesday, April 23, 2024.

Submitted by: Richelle Riley, Recording Secretary