

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT
REGULAR MEETING NO. 840
MINUTES**

Call to order

A regular meeting of the Board of Directors of South Suburban Park and Recreation District was called to order at 5:37 pm, Wednesday, April 22, 2015 at the Goodson Recreation Center, 6315 South University Boulevard, Centennial, Colorado. Chair John Ostermiller presided.

Present: John K. Ostermiller
Susan M. Rosser
Pamela M. Eller
Michael T. Anderson
Scott A. LaBrash

Legal Counsel: Tim Flynn, Esq.

Management Staff: Deanna R. Heyn, Acting Executive Director
Brett Collins, Director of Planning & Development
Teresa Cope, Director of Communications
Jay Dikeman, Director of Hospitality Services
JoAnn Gould, Director of Recreation & Community Services
Mike MacLennan, Director of IT
Rich Meredith, Executive Director, Hudson Gardens (*absent*)
Jim Priddy, Director of Parks & Open Space
Bill Ramsey, Director of Golf
Clay Shuck, Deputy Recreation Manager
Steve Shipley, Director of Finance

Study Session

After the call to order, Mr. Ostermiller convened the Study Session, and the group discussed most of the items on the posted agenda. (See remaining items, below.) In addition, members discussed the retirement of Jim Priddy, Director of Parks & Open Space. This was Mr. Priddy's final attendance of a board meeting in the role of Director of Parks & Open Space. Mr. Priddy will attend post retirement for acknowledgement by the Board tentatively scheduled for June 2015.

The Board moved into the public meeting at 7:05 pm. There were several public in attendance.

Citizens' comments

Mr. Ostermiller asked that remarks from the public be limited to 5 minutes and address topics not on the published agenda.

Jackie Kitzelman, 6465 S. Prince St came forward as Board member of the citizen volunteer group for the Littleton Crabapple Trail Inc. Ms. Kitzelman announced Littleton is now the official Crabapple capital in the State of Colorado with 6,727 flowering crabapple trees. She introduced the Crabapple Trail Board of Directors in attendance: Larry Borger and Mary Gardinier. Also in attendance Ms. Gardinier's son Tom Gardinier. Board members not in attendance include Pam Nissler, Karla Langton and Dick Dugdale. She added the amount of crabapple trees planted could be attributed to the relationship with the City of Littleton and South Suburban for forty years. She reported an unlucky year where there was a frost this past November and many ups and downs of the temperature throughout the winter season killed several young trees that had been planted in 2014. The Crabapple trail group will be replacing and planting new trees beginning Saturday, April 25, utilizing a discount afforded to them by O'Tooles Garden Center. She stated the group has lost their contact to South Suburban and the City of Littleton with the recent retirements of David Lorenz and Charlie Blosten. They would like South Suburban to consider a location along the Littleton Community Trail for them to plant new crabapple trees. Maintenance and irrigation the responsibility of South Suburban. Mr. Ostermiller introduced Deanna Heyn,

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Acting Executive Director as their contact for South Suburban and that she will facilitate further discussion with the appropriate staff. To Mrs. Eller's question, Ms. Kitzelman confirmed they will have trees for planting in the Fall, they are to be ordered from O'Toole's. Mrs. Rosser asked if the plantings this Saturday were replacements of those killed in the Winter to which Ms. Kitzelman responded yes, the majority of trees to be planted are replacements. Lastly, Ms. Kitzelman added for consideration that the group is spending time and money to help with trimming and also that there are hybrid trees that produce very small crabapples with less mess.

Larry Borger, 6188 S. Elati Ct is a board member of the Littleton Crabapple Trail, Inc. added that in 2013 South Suburban awarded the group a grant of \$1830. The money purchased 29 trees in four parks. He was pleased to report all trees from that project made it through the winter just fine and are in bloom. In response to the Board's question regarding the planting on Saturday, he stated that South Suburban was helping their planting by lending and delivering tarps to the group for easy cleanup.

NEW BUSINESS

There were no public hearings this evening.

Approve easement, access and construction, and subordination agreements and temporary construction easement agreement with CHAL LLC. Related to redevelopment of the property at 6325 South University Boulevard and adjacent Goodson Recreation Center and deKoevend Park.

Melissa Reese-Thacker asked the Board to approve three agreements: an easement access and construction agreement previously discussed during Executive session, a subordination agreement and a temporary construction easement with CHAL, LLC owner and developer of the property. She introduced Greg Wrench and Chris Hynes from CHAL LLC in attendance to answer questions or otherwise observe the proceedings.

Mrs. Thacker stated an agreement was reached concerning Parcel 6, the parcel behind the Goodson Recreation Center. The agreement for a revocable license agreement, rather than an easement, that allows CHAL staff to park on Parcel 6. The maintenance and capital work of the lot is 100% South Suburban's responsibility after construction.

Mrs. Eller asked for a reminder regarding the difference between a revocable license as opposed to an easement. Mr. Flynn explained that a license is the right to use someone else's property for a specific purpose, listed in the contract. An easement is an interest in property and right to use the property while giving the holder of the easement possessionary right to the land that is burdened by the easement. An easement is not really revocable, whereas a revocable license can be terminated.

To Mrs. Eller's question, Mr. Flynn explained that it is written that South Suburban is responsible for maintenance of the property and will bill CHAL. CHAL could hire a third party for maintenance and bill South Suburban but only after having given South Suburban notice and a right to remedy the issue.

The temporary construction easement allows CHAL to do work in the Big Dry Creek, in deKoevend Park. Bank stabilization is required by the Southeast Metro Stormwater Authority (SEMSWA), and work is to be done on both CHAL and South Suburban properties. CHAL has agreed to pay \$450 compensation for each landscape tree that must be removed in order to stabilize the bank. The funds will be used to purchase and plant trees in deKoevend park at a later date. All access to the construction site will be on CHAL's property. A 6' chain-link fence will be around the entire site to keep equipment in and park patrons out. Work is tentatively scheduled for June 2015. In summary, all the expenses related to design and construction will be the responsibility of CHAL, LLC.

Melissa Reese Thacker noted a change in recommendation, that the Board approve the easement access and construction agreement, *subordination agreement*, and temporary construction easement with *CHAL LLC* and

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direct staff to deliver the temporary construction easement to CHAL for signature only after the easement access and construction agreement, including the subordination agreement is fully executed and recorded.

Mrs. Eller asked who would be completing the planting, putting back cottonwood poles and willow bundles. Mrs. Reese-Thacker replied a contractor hired by CHAL would be responsible.

Mrs. Reese-Thacker clarified an item on page 1, number 4 that CHAL will contribute 5% of the total costs of future capital improvements to the access road.

Mrs. Rosser asked if the 14 parking spaces in Parcel 4, designated to CHAL, will be clearly marked. Mrs. Reese-Thacker stated that some type of signage would be included but hasn't been determined as of yet. It has not been determined if the parking will be employee or resident parking. Mrs. Eller asked what would happen if our patrons park in those parking spots. Mr. Wrench responded that they anticipate a learning curve for patrons to understand the changes in parking. After the spots have been indicated for a period of time, they would leave letters on the vehicles of South Suburban patrons who are parking in the CHAL designated locations. Mr. Flynn noted there is a provision that states South Suburban will receive communication for problems such as that.

Mr. Ostermiller asked if there would be a District communication distributed to Park and Center patrons regarding the construction work at the creek. Mrs. Reese-Thacker stated there would be noise, and provisions have been setup in our park rental system to communicate to patrons who rent deKoevend Park, shelter C of the construction and potential for noise, dust etc. Shelter C should be the only shelter that is affected by the construction. Goodson Recreation Center activities could be impacted as well with potential detours through the parking lot. Staff will do their best to get information out to patrons in a timely manner. In response to Mr. Ostermiller, Clay Shuck responded that questions from patrons have been minimal up to this point but he would expect an increase as work begins. Mrs. Reese-Thacker noted that work will begin in the next week or two. Xcel Energy will be cutting the gas supply to the existing church building and will need to cut up a piece of the parking lot to access the line.

Mr. Anderson asked if the construction agreement limits days of the week or time of the day construction is allowed. Mrs. Reese-Thacker stated City of Centennial regulates those items. To Mrs. Rosser's question, Mrs. Reese-Thacker reported the City wouldn't limit hours of operation on the proposed loading dock; however, as previously discussed by District and CHAL representatives, they've talked about using the dock during the nights whenever possible; this item isn't written into the agreement. Mr. Ostermiller added, he believes the City would limit hours for trash removal and some other services. Mrs. Rosser added, the previous discussions about the loading dock were about restricting deliveries to hours *after* a certain time of day (and therefore limiting impacts to District patrons).

Mr. Flynn thanked Melissa Reese-Thacker for all her work. He noted he would review all the documents and personally record them to ensure the order they are recorded and correct.

MRS. ELLER MOVED TO APPROVE THE EASEMENT ACCESS AND CONSTRUCTION AGREEMENT, SUBORDINATION AGREEMENT AND A TEMPORARY CONSTRUCTION EASEMENT AGREEMENT WITH CHAL LLC; AND DIRECT STAFF TO DELIVER THE TEMPORARY CONSTRUCTION EASEMENT AGREEMENT TO CHAL FOR SIGNATURE ONLY AFTER THE EASEMENT ACCESS AND CONSTRUCTION AGREEMENT INCLUDING SUBORDINATION AGREEMENT IS FULLY EXECUTED AND RECORDED. Mr. LaBrash seconded the motion, which was approved unanimously (5-0).

Future Board session topics (from the Study Session agenda)

Members had no additional items at this time.

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Board of Directors items

Mr. LaBrash attended Tantalizing Tastes at the Lone Tree Golf Club. Well done event, so much so that Mrs. LaBrash would like to attend all of them for the season.

Mr. LaBrash reported the Centennial State of the City address was a very good event as well.

Mr. Anderson reported he and Mrs. Rosser attended the Colorado Business Roundtable Water Summit at the Lone Tree Cultural Arts Center. He noted attendees James Eklund (Director of Colorado Conservation Board), Eric Hecox (Executive Director of the South Metro Water Supply Authority), Jill Repella (Douglas County Commissioner), Marc Marlowe (Director of Castle Rock Utilities) and John Kaufman (General Manager of Centennial Water and Sanitation District) provided comments towards a strategy for water management for the South Metro area. He was most impressed with the commitment to work with one another and that issues dealt with in a timely and cost efficient manner.

Mrs. Rosser echoed Mr. Anderson's report and included that they watched an excellent documentary, "Droughtland." She added, some discussion was about water being an essential part of growth.

Mrs. Rosser also reported on the Centennial State of the City event. It was uplifting to hear Mayor Noon talk about how healthy the City is.

Mrs. Rosser reported on the Silver Tsunami all-day retreat she attended with Mrs. Heyn. Presentation and discussion was about the services needed for the aging population, specifically how the City of Littleton and the South Metro area will provide for the great number of people waiting for subsidized housing and other services. It was also pointed out that sales tax revenues decrease when households are not buying goods and services for a growing family. This will be a serious problem for everybody.

Mrs. Rosser gave kudos to Jay Dikeman, other South Suburban staff, and Heritage High School volunteers who provided amazing hospitality to the TLC Meals on Wheels annual fundraiser: a very successful, fun and energetic event.

Mrs. Eller reported on the recent Western Arapahoe Republican Forum meeting and discussions regarding proposed urban renewal in the City of Littleton. The presenter, Carol Brzeczek, spoke on local urban renewal and the local citizens' efforts to shut down the City's LIFT program. Other communities, in the State and nationally, have contacted this citizens' group for more information. Mrs. Rosser noted that tax funds from economic development are desperately needed to pay for the services needed in Littleton, and Mrs. Eller agreed. Mr. Ostermiller noted that State HB 1348 is being considered at this time, and it would require including a representative each from the local county commissioners, recreation district boards, and board of education on their urban renewal authority to approve urban renewal projects which would take away some tax income from those agencies; Mrs. Eller and Mrs. Ostermiller talked about the counties' support for this proposed measure. Mrs. Eller expressed concern about the message from Ms. Brzeczek, the audience's positive reception to the message, and a general level of misunderstanding surrounding urban renewal and TIF funds. Also, Mrs. Eller was not allowed to respond to Ms. Brzeczek's assertions regarding the District's 2014 election question and the District's discussions with the City regarding some agricultural property proposed for urban redevelopment in 2014-15.

Mrs. Rosser noted a recent controversy regarding a piece of property proposed for high-density residential development, near the Big Dry Creek Trail and north of Littleton High School. There's a need for the housing, but nobody wants it in their back yard.

To Mrs. Eller's question, Mr. Ostermiller reported that Bill Hopping was appointed and has been sworn in as the new Littleton City Councilmember. Mr. Hopping will run for the seat in November 2015.

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Announcements and emergency items

Mr. Ostermiller announced:

- The National Recreation and Parks Association (NRPA) annual conference registration opens May 1. It will be held September 15-17 in Las Vegas, NV. He suggested that Boardmembers look at reserving hotel rooms next to the convention center right away. Staff will research costs and cancellation fees for the next meeting.
- An April 28, 2015 quorum event and celebration: Jim Priddy' retirement party, 4:30-7pm. Lone Tree Golf Clubhouse, 9808 Sunningdale Blvd, Lone Tree
- A May 19, 2015 quorum event. Lone Tree State of the City. Start time: 11:30 am, at the Lone Tree Arts Center, 10075 Commons St.

Adjournment

There being no further business to come before the Board, the group adjourned for the evening at 8:00 pm.

Mindy Albert
Administrative Office Coordinator

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