

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT
REGULAR MEETING NO. 894
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(Note to the minutes: The Board of Directors held a special Study Session on July 31, 2017 at the Inn at Hudson Gardens and Events Center, 6115 South Santa Fe Drive, Littleton. The purpose was to conduct a joint planning and budget discussion with the Hudson Foundation Board of Directors. Special posting had been accomplished per State Statute.)

1. Call to Order

- 1.1. A regular meeting of the Board of Directors of South Suburban Park and Recreation District was called to order at 5:40 pm on **Wednesday, August 9, 2017** at the Goodson Recreation Center, 6315 South University Boulevard, Centennial, Colorado. Chair John Ostermiller presided.

Board of Directors: John K. Ostermiller
Scott A. LaBrash
Pamela M. Eller
Michael T. Anderson
James A. Taylor

Legal counsel: James P. Collins, Esq.

Management staff: Rob Hanna, Executive Director
Mike Braaten, Deputy Executive Director
Rich Meredith, Executive Director, Hudson Gardens
Dave Brueggeman, Park Maintenance Manager
Brett Collins, Director of Planning & Development
Jay Dikeman, Director of Hospitality Services
Mike MacLennan, Director of Information Technology
Eileen Matheson, Director of Recreation
Bill Ramsey, Director of Golf
Steve Shipley, Director of Finance
Erich WonSavage, Director of Human Resources

2. Study Session

Topics included the following.

- 2.1. Monthly Department Reports
2.2. The Hudson Gardens Executive Director's monthly report
2.3. Meeting updates from staff liaisons
2.4. South Suburban Bar & Grill grand opening report

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Consent agenda items for review included:

- 2.5. Accounts payable, July 2017 in the total amount of \$3,030,064
- 2.6. Resolution # 2017-016 to apply for an active grant, for the Progress Park Improvements project
- 2.7. Cancellation of the September 27, 2017 regular Board sessions

In addition, the Board discussed

- 2.8. The June 2017 monthly financial overview
- 2.9. Drafts of proposed ballot questions for the November 2017 coordinated special election
- 2.10. Look Ahead (A review of future agendas, special sessions and quorum events.)

The Board paused at 6:54 pm and returned to the public meeting at 7:05 pm.

3. Public Meeting

- 3.1. Formal roll call
- 3.2. Pledge of allegiance
- 3.3. Unscheduled public comments
No public were present to speak this evening.
- 3.4. Employee introductions
Mrs. Matheson presented Brad Stafford, formerly the Family Sports Center Dome Manager, who has been promoted to District Athletics Manager.
- 3.5. Legal Counsel's report
Jim Collins referred to his confidential monthly report in tonight's packet. There will be an executive session this evening. He had some comments regarding item 3.12 the proposed Open Records resolution.
Mr. Ostermiller asked if there are any potential problems with the anticipated Lone Tree inclusion. Jim Collins and Mr. Hanna reported that agency representatives are working out the obligations, finances, timing, and which details belong to the master plan development and which to the inclusion action. A meeting is planned with the City and developer. Mr. LaBrash reported, conversations with City representatives have been positive.
- 3.6. Other Executive Director's report items
Mr. Hanna reported on a meeting with Matt Sturgeon, the new Centennial City Manager. He anticipates a great continuing relationship. Mr. Anderson asked if the District would pursue a meeting with City representatives before the end of the year; and Mr. Hanna suggested a meeting after November 7

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(Election Day) would be beneficial. The goal will be for the District representatives to meet with all the cities at least once a year.

3.7. Minutes approval – Meeting No. 892, July 12, 2017

There were no changes. Without further objection, the minutes stood approved as presented.

3.8. Minutes approval – Meeting No. 893, July 26, 2017

There were no changes. Without further objection, the minutes stood approved as presented.

3.9. Consent agenda items approval

Related to tonight's items 2.5, 2.6 and 2.7:

- a. Approving the Accounts Payable for July 2017 in the total amount of \$3,030,064
- b. Approving Resolution # 2017-016 and an application for funds for the 2017 Arapahoe County Open Spaces Fall Special Cycle Grant Program, for improvements at Progress Park
- c. Cancelling the September 27, 2017 Regular Board Sessions due to the lack of a quorum.

Mrs. Eller moved to approve items 2.5, 2.6, and 2.7 (a, b, and c). Mr. LaBrash seconded the motion. There was no further discussion, and the motion was approved unanimously (5-0). (A copy of the Resolution is attached hereto and made part of the permanent record.)

3.10. There were no public hearings tonight.

3.11. Resolution # 2017-017 to hold a coordinated election, November 7, 2017, and to appoint the Designated Election Official

Following previous discussions during study sessions this year, Mr. Braaten presented the resolution to hold the November 2017 election. Staff anticipates presenting the language of the questions for approval during the August 23 public meeting. Mr. Ostermiller asked about anticipated election costs; Mr. Braaten reported, the line item budget for the November 2017 election is \$250K, and the counties' costs will vary based on several factors.

Mr. LaBrash moved to approve Resolution # 2017-017 to hold a special coordinated mail ballot election on November 7, 2017, and appointing Micki Mills of Collins, Cockrel & Cole as the District's Designated Election Official. Mr. Anderson seconded the motion, which was approved unanimously (5-0). (A copy of the Resolution is attached hereto and made part of the permanent record.)

3.12. Proposed Resolution # 2017-018. Discussion regarding revising the policy on Responding to Open Records Requests

Mr. Braaten presented. Due to the change of job title for Ms. Shephard to District Records Clerk and to bring the resolution in conformity with recent

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legislative changes, Mr. Braaten prepared a proposed resolution in tonight's packet.

Jim Collins explained that the Legal Counsel staff has been developing a standard template resolution in conformity with updated Colorado Revised Statutes. Recent changes include: Should the requestor have a complaint about the District's response (information provided) to a Colorado Open Records Act request, then the requestor is obligated to a 14-day cool-off period as well as to confer with the District official. There is some clarification on the provision of electronic records, in a sortable form where possible. There are some new provisions for copyright and license rights.

Mr. Collins will prepare a new resolution; and he asked the Board's wishes in moving forward. Mr. Ostermiller stated he would prefer that legal counsel write the Resolution for adoption and therefore the Board would approve another Resolution in a future meeting. Therefore, Jim suggested the Board could adopt the change in personnel tonight.

Mr. Taylor moved to appoint Donna Shephard as the Official Custodian of Records. Mrs. Eller seconded the motion, which was approved unanimously (5-0). To Boardmembers' questions about the frequency of open records requests, Mr. Hanna explained the history and current need for these changes, adding, the District may receive some open records requests during the upcoming election cycle.

At 7:27 pm, the Board of Directors returned to Study Session to complete discussions regarding the proposed ballot questions. At 8:10 pm, Mr. Ostermiller returned to the Public Meeting agenda.

3.13. Board of Directors comments, and committee meeting updates

Mr. Anderson reported on the most recent Lone Tree Subcommittee meeting. Mr. Ostermiller and Lone Tree Mayor Jacquie Millet were invited to attend. Representatives from Design Workshop spoke on the City's process for a master plan. Other topics included construction of the Lincoln (Leaf) pedestrian bridge, the planning process for the Entertainment District Park, and the inclusion activity discussion with the developer. Overall, the discussions were positive. Mr. Anderson expressed appreciation to Mr. Hanna for pulling together the large meeting. Mr. Ostermiller expressed his appreciation for the invitation.

Mr. Ostermiller stated, as the pedestrian bridge project comes to completion, there will be some pressure to improve nearby trail connections. Is this funded in the District's 2018 draft budget? Mr. Hanna reported that the City of Lone Tree is budgeting funds and is thinking about designing and implementing a sign program. Mr. Hanna believes that wayfinding signage around the bridge will be important, and also this is a good opportunity to design a sign system for the larger area.

Mr. Ostermiller still is thinking about connectivity of trails on both sides of the bridge. Mr. Hanna added, the City may wish to turn Willow Creek into a concrete trail. Brett Collins referred to the City's plan; and District staff will

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coordinate with the City on the connections. Mr. Ostermiller noted, the Lone Tree Mayor said, the bridge has to be used and has to be significant.

Mrs. Eller followed up on her report in July regarding the most recent High Line Canal Working Group meeting.

- Regarding the defective trees to be removed from the trailway: Denver Water is committing funds over the next two years. There are 107 trees identified to be removed, about a \$300K commitment. It's anticipated, as South Suburban already works with Denver Water on the safety and aesthetics of the Canal trees, that other agencies are looking at what we do, to clarify their future requirements for this kind of work. Now the tree inventory is complete, there probably is some liability.
- There will be a request for a voluntary contribution, similar to the contribution the District made towards the tree inventory project. Brett Collins reported the District has been asked to consider a \$25K contributions over two years, and possibly the donation can be split between South Suburban and the cities of Centennial and Littleton. Mrs. Eller added, Arapahoe County has indicated they'll consider leveraging any funds the Working Group can pool. The donations would be \$12-25K per jurisdiction payable over two years - it isn't much.
- The Working Group talked about how funds would be collected and spent. Mrs. Eller wondered if the District might be expected to fund other agencies' management/maintenance obligations on the Trailway. Mr. Hanna stated that is his question regarding pooling money; the District spends a substantial amount on the trees along the Canal annually. He wondered if the District will get credit for its ongoing efforts over many years. The goal has been for jurisdictions to take responsibility for their own sections. Mr. Hanna added, he plans to attend future meetings of the Working Group.
- Mrs. Eller added, some of the representatives were uncomfortable about informing their constituents about potentially pooled funds. Brett Collins explained that the intention is not for other agencies to pay for a given project outside of their area. He believes, the agencies can identify some in-kind as part or all of their match; the Task Team had agreed this would be an appropriate approach; then if more funds are needed e.g. from the District, then we can talk about a pool of funds contributed by Centennial, Littleton, and South Suburban.
- Mrs. Eller continued. Currently, each jurisdiction has a different intergovernmental agreement with Denver Water for management of their sections of the Canal. At some point, the High Line Canal Working Group or Conservancy will have to consolidate these into one agreement before Denver Water can relinquish ownership of the Canal, or whatever it turns out Denver Water does.

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- Following on the Cherry Hills Village pilot drip irrigation project to establish some new trees, which has been successful, Denver Water has extended the intergovernmental agreement with the City and will see how the project goes. Mrs. Eller noted, the City already had a water tap to use for this project.
- In the City of Denver's Bible Park, they will replace all three bridges along the Canal and will convert a Denver Water utility road to a crusher fines trail. As part of its bond issue, the City will build a pedestrian tunnel at Holly.

Mrs. Eller noted that all the local YourHub editions don't include all the same information about South Suburban. In July, her edition of YourHub reported on the meteor shower and what South Platte Park is doing – she believed that article only showed in YourHub for the western section of the District. The article about the Sports Dome was published in the east-side YourHub editions only. She hopes the District will negotiate including the interviews of future Board candidates in her edition of YourHub (for the Columbine Valley area).

Mr. LaBrash reported on the South Suburban Golf Course Clubhouse grand opening. He heard really good comments; lots of influential local people attended, and they couldn't get over the dynamic renovation to the building.

Mr. LaBrash referred the recent Board retreat with the Hudson Gardens Foundation Board (July 31). It was a very good meeting; topics included the next steps and how to work together a little closer.

Mr. LaBrash added to Mr. Anderson's report on the Lone Tree Subcommittee meeting. Regarding the proposed inclusion east of I-25 into the District, the City's Council and management seem to be all on board. This inclusion will be a big thing for the District, and there are a lot of new tax dollars on the line.

Mr. Taylor reported on the most recent South Platte Working Group meeting. There were three major topics. While input was offered, the group didn't come to a conclusion on any of the topics. They will meet again in September, and they plan to finalize some issues.

Mr. LaBrash forwarded an appreciation to the South Suburban Ice Arena staff. Littleton Public Schools staff had reported that the current Arena staff is, by far, the easiest and best staff they've ever worked with regarding scheduling and other matters.

Mr. Ostermiller reported on the bridge ribbon-cutting event a few weeks ago, at the High Line Canal crossing at Franklin Street. During the event, the Littleton mayor commented to several that the Elati Street crossing is not as nice as the Franklin crossing and he wondered if staff knows what the City is looking for. He wondered if there might be some funds leftover for further improvements; Brett Collins reported staff had closed out the grant. Mr. Braaten had a conversation with the Littleton Mayor Bruce Beckman and the new City Manager about improving the Elati connection, and on conclusion, he doesn't know exactly what the City wants. Mr. Ostermiller noted, the Mayor mentioned the gate by Elati, a Denver Water requirement; he

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suggested, once the need for the gate is explained, then the City should understand that this is not the District's decision. Possibly, they may want some trailway to be put in asphalt or concrete. Brett Collins has asked for a written request from the City so that District planning staff can look into it. Mr. Braaten added, the relationship with the City and District has transitioned to the City's Public Works Department, and it may take a while to get a response.

Mr. Ostermiller also reported a good joint session with the Hudson Gardens Board, July 31. He encouraged staff to plan a co-session fairly frequently, at least once a year or every two years - more than in the past, so we're all on the same page. The Hudson Gardens Board is the managing entity of the Gardens and has been doing the work that the District hired them to do, similar to the City of Littleton's relationship with the District for South Platte Park.

3.14. Announcements and emergency items

Mr. Ostermiller announced a probable quorum event: the National Recreation and Parks Association Annual Conference; at the Ernest N. Morial Convention Center, New Orleans; Tuesday-Thursday, September 26-28. (Per the consent agenda items approval this evening, the regular sessions on Wednesday, September 27 have been cancelled.)

4. **Executive Session called**

At 8:29 pm, Mr. Ostermiller reported a request for an executive session.

Mrs. Eller moved to enter into Executive Session per C.R.S. Section 24-6-402(4), #

- (e) For the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Mr. LaBrash seconded the motion, which was approved unanimously (5-0).

The Board continued into Executive Session at 9:02 pm.

5. **Adjournment**

The group returned from Executive Session at 8:38 pm and for the evening.

Donna Shephard
District Records Clerk

/ds

SOUTH SUBURBAN PARK AND RECREATION DISTRICT

RESOLUTION # 2017-016 TO ENDORSE APPLICATION FOR FUNDS

WHEREAS, the South Suburban Park and Recreation District (“the District”), as part of its mission statement acquires and improves land within the District boundaries to develop and provide park and recreation facilities for the public;

WHEREAS, Arapahoe County Open Spaces provides funding for such projects through distribution of its Open Space Grant monies;

WHEREAS, the District provides park and recreation services to the residents of the cities of Bow Mar, Centennial, Columbine Valley, Littleton, Lone Tree, and Sheridan and portions of Arapahoe, Douglas and Jefferson Counties;

WHEREAS, the Progress Park Improvements Project is an outdoor park facility open to the general public.

NOW THEREFORE, be it resolved that the South Suburban Park and Recreation District Board of Directors shall and hereby does endorse the following:

- 1: The Board of Directors of the District strongly supports the grant application for the Progress Park Improvements Project.
- 2: The Board of Directors of the District has appropriated 25% of the overall project cost in matching cash funds for said Arapahoe County Open Spaces Grant and authorizes the expenditure of funds necessary to meet the terms and obligations of the awarded grant.
3. The District commits to completing the Progress Park Improvements Project if the grant is awarded.
- 4: The project site is owned by the City of Littleton and South Suburban Park and Recreation District is the park provider for the City by intergovernmental agreement.
- 5: The South Suburban Park and Recreation District will maintain the Progress Park Improvements Project in a high quality condition and will appropriate funds for maintenance in its annual budget.
- 6: If the grant is awarded, the South Suburban Park and Recreation District Board of Directors hereby authorizes the Executive Director to sign the grant agreement with Arapahoe County.

7: This resolution is in full force and effect from and after its passage and approval.

PASSED, APPROVED, AND ADOPTED this 9th day of August, 2017 by the Board of Directors of the South Suburban Park and Recreation District, by a vote of 5 for and 0 against.

South Suburban Park and Recreation District, by

SIGNED

John K. Ostermiller, Chairman

ATTEST:

Pamela M. Eller, Secretary

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT
RESOLUTION # 2017-017**

**A RESOLUTION CALLING FOR A NOVEMBER 7, 2017
SPECIAL ELECTION AND APPOINTING
DESIGNATED ELECTION OFFICIAL**

WHEREAS, the South Suburban Park and Recreation District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, the Board of Directors of the District has determined and hereby determines and declares that the interest of the District and the public interest and necessity require that the District extend its current general operating property tax levy, without increasing the property tax levy, with regard to the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution (“TABOR”), to carry out the objects and purposes of the District; and

WHEREAS, it is necessary to submit to the eligible electors of the District the question of extending its general operating property tax levy, and the Board hereby determines that such question should be presented to the District’s eligible electors at the **election to be held on November 7, 2017** (“Election”), in accordance with the provisions of the Special District Act (“Act”), the Uniform Election Code of 1992 (“Code”), and TABOR; and

WHEREAS, the Election is required to be conducted as a coordinated election, and the Douglas, Arapahoe and Jefferson County Clerk and Records (“County Clerks”) are the Coordinated Election Officials for the Election and shall be responsible for mailing the notice required pursuant to Article X, Section 20 of the Colorado Constitution (“TABOR Notice”); and

WHEREAS, the District is required to enter into an Intergovernmental Agreement with each of the County Clerks, regarding the conduct of the Election and mailing of the TABOR Notice, on or before August 29, 2017; and

WHEREAS, the District intends to cooperate with the County Clerks to provide all necessary ballot title and notices and various agreements with the County Clerks for the conduct of the Election and mailing of the TABOR Notice.

NOW, THEREFORE, be it resolved by the Board of Directors of the South Suburban Park and Recreation District in the Counties of Douglas, Arapahoe and Jefferson, State of Colorado that:

1. A special election of the eligible electors of the District shall be held on Tuesday, November 7, 2017.

2. The Board hereby designates **Micki L. Mills**, of Collins Cockrel & Cole, the Designated Election Official for the conduct of the Election on behalf of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of the Act, Code, TABOR or other applicable laws. The Election shall be conducted in accordance with the Act, Code, TABOR, and other applicable laws. Among other matters, the Designated Election Official shall arrange for the required notices of election, including the TABOR Notice, and direct that all other appropriate actions be accomplished.

3. The Board hereby approves and authorizes the Designated Election Official or Board officers to execute and enter into the Intergovernmental Agreement with each of the Counties of Douglas, Arapahoe and Jefferson, Colorado, on behalf of the District, regarding the conduct of the Election and the mailing of the TABOR Notice. The Election and mailing of the District's TABOR Notice shall be in accordance with the provisions of such Intergovernmental Agreements.

4. The Election shall be conducted in coordination with the Douglas, Arapahoe and Jefferson County Clerk and Recorders in accordance with all relevant provisions of the Code. The County Clerks are the Coordinated Election Officials for the Election and shall be responsible for mailing the TABOR Notice.

5. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

6. Any and all actions previously taken by the Designated Election Official or the officers of the Board of Directors or any other persons acting on their behalf pursuant to the Act, the Code or other applicable laws, are hereby ratified and confirmed.

7. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

The provisions of this Resolution shall take effect immediately.

PASSED, APPROVED, AND ADOPTED this 9th day of August, 2017, by the Board of Directors of the South Suburban Park and Recreation District, by a vote of 5 for and 0 against.

SOUTH SUBURBAN PARK AND
RECREATION DISTRICT

SIGNED

By _____
John K. Ostermiller, Chairman

ATTEST:

Pamela M. Eller, Secretary