

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
REGULAR MEETING NO. 883  
MINUTES**

**Call to order/Roll call**

A regular meeting of the Board of Directors of South Suburban Park and Recreation District was called to order at 5:31 pm, **Wednesday, February 8, 2017** at the Goodson Recreation Center, 6315 South University Boulevard, Centennial, Colorado. Chair John Ostermiller presided.

**Present:** John K. Ostermiller  
Scott A. LaBrash  
Pamela M. Eller  
Michael T. Anderson  
James A. Taylor

**Legal Counsel:** James P. Collins, Esq.  
Kathryn G. Winn, Esq.

**Management Staff:** Rob Hanna, Executive Director  
Rich Meredith, Executive Director, Hudson Gardens  
Brett Collins, Director of Planning & Development  
Teresa Cope, Director of Communications  
Jay Dikeman, Director of Hospitality Services  
Andy Jennings, Director of Parks & Open Space  
Mike MacLennan, Director of IT  
Eileen Matheson, Director of Recreation Services  
Bill Ramsey, Director of Golf  
Steve Shipley, Director of Finance

**Study Session convened**

After the call to order, Mr. Ostermiller convened the Study Session, and the group discussed the items on the posted agenda.

The Board paused at 6:52 pm and returned to the public meeting at 7:03 pm.

**PUBLIC MEETING CONTINUED**

**Citizens' comments**

*Brandon Lish, 1677 Marsh Hawk Circle, Castle Rock* reported his 7-year-old son won a competition in the local Nuggets Skills Challenge (basketball). The District invited the son to a sectionals competition on Sunday, March 5; as they are members of the Latter-Day Saints, his son chooses not to participate in sports on Sundays. Mr. Lish reached out to District staff and tried to work out an alternate date, and he was told there wasn't availability in the gym. He estimated a setup for a sectional would take ten minutes and his son's participation would last another three minutes. District staff hasn't been flexible; his son has a right to compete; he asked for the Board's consideration.

**Executive Director's report**

**New employee introductions**

Dave Brueggeman, Park Maintenance Manager in the Parks & Open Space Department introduced

**John Tuepker**, Maintenance Technician-Turf

**James Lanciaux**, Maintenance Technician-Athletic Fields

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Mr. Ostermiller welcomed **Kathryn Winn, Esq.**, of Collins, Cockrel & Cole, who was introduced to the Board of Directors tonight during Study Session.

### Legal Counsel's report

Jim Collins referred the Board to his written report in tonight's Board packet.

He brought up the subject of Boardmembers and term limits. He asked if Boardmembers wished to discuss some changes at this time; they didn't.

Jim noted Mr. Ela's water rights report. They are still working on a staging yard license for a third-party's construction project. Mrs. Winn worked on the Clean Energy Collective item, to be presented for approval later this evening.

### Minutes approval

Board members had no corrections, additions, or changes. **Therefore, with no objections, the minutes of meeting no. 882, January 25, 2017 stood approved as presented.**

### Consent Agenda items

Mr. Ostermiller presented Consent Agenda for consideration by the Board.

#### **A. APPROVE ACCOUNTS PAYABLE FOR JANUARY 2017 IN THE AMOUNT OF \$1,990,803.**

**MR. ANDERSON MOVED TO ACCEPT ITEM A. Mr. Taylor seconded the motion.** There was no further discussion. **The consent agenda item was approved unanimously (5-0).**

## NEW BUSINESS

There were no public hearings this evening.

### High Line Canal Conservancy Vision Plan, resolution of support

Brett Collins presented. The High Line Canal Working Group has been working with the High Line Canal Conservancy on a vision plan, and how the Canal will be managed by the various metro-area agencies. The groups are asking the agencies for resolutions in support of the vision plan. The District Board of Directors reviewed a draft of the plan and resolution in late 2016; and staff was recommending approval of the resolution tonight. Brett noted that the document is now called the vision plan, removing any reference to an action plan, due to concerns of the partner agencies.

Brett presented a video prepared by the Conservancy, summarizing their planning activity. Their next steps will be to get agencies' endorsement resolutions and to continue on the master plan and projects. Brett strongly recommended that the Board endorse the plan tonight and move forward with the groups to make this vision a reality.

Mrs. Eller referred to estimated maintenance costs for the approximate 9.9 miles within the District; to her questions, Brett reported the District's management responsibility is within the cities of Littleton and Centennial (and a small section is in unincorporated Douglas County). Brett noted that proposed improvements in the South Suburban section include some more bathrooms, benches, and signs, somewhat more in annual maintenance costs than currently, but he doesn't anticipate anything substantial. Mrs. Eller suggested that South Suburban probably wouldn't have any major capital projects, from the Working Group's reports; and Brett agreed: The District would be focusing on maintaining the tree canopy and stormwater irrigation delivery systems at some point. Mr. Hanna

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believes the District's biggest expense is likely to be the trees: for instance establishing replacement trees without any irrigation water delivered by the canal. Re-treesing the whole 7 miles, in the report, could get expensive; but he doesn't think this section of the Canal will be a top-of-mind goal. Mrs. Eller added, and the Conservancy is very aware that the public generally, and specifically the jurisdiction representatives, want their money to be spent on their own sections of the Canal.

Mr. Taylor asked if the District had any remaining management/maintenance responsibility for the Canal through the cities of Cherry Hills Village and Greenwood Village, and staff affirmed that South Suburban doesn't.

Mr. Taylor asked if in 2017, the Canal would be used for irrigation runs. The diversion has been repaired. Denver Water has already reported the Canal will be used this year in the spring and fall. Denver Water's current commitments are contract users, not holders of water rights; and Denver Water is trying to get those users off the Canal delivery completely, instead irrigating through wells and other delivery systems.

Mr. Anderson asked if Denver Water is signing a similar resolution, and Mrs. Eller and staff believe it will. Mrs. Eller and Mr. Hanna will attend a group meeting initiated by Denver Water on February 17, and they will report back to the Board. On that agenda: roles & relationships, future plans, and funding & governance concerns. Mr. Hanna concluded, this resolution in support of the vision is not a binding commitment. Mr. LaBrash praised the Conservancy's and Working Group's recent public meetings: They were well attended, and there was good communication.

Mr. Ostermiller added, if this effort falls apart, the District still has its management agreement with Denver Water to maintain the Canal in the District; and what is being discussed really doesn't impact the District's plans, or create changes to the District's outlook. Hopefully, other agencies will work to bring their sections of Canal up to South Suburban's standards.

**MRS. ELLER MOVED TO APPROVE RESOLUTION # 2017-003, A RESOLUTION IN SUPPORT OF THE HIGH LINE CANAL VISION PLAN. Messrs. LaBrash and 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.)

### **Sheridan Community Park Irrigation Project, award of construction contract**

Mr. Jennings presented. Last year the District solicited bids for irrigation work, and four bids were received, with the lowest bid \$0.25 million over budget. Staff requested and the Board directed that all bids would be rejected; and the Board of Directors allowed Parks staff to negotiate with a preferred vendor for a better price. That negotiation was conducted, and Grandview Landscape-Irrigation Corporation quoted \$446,500, or about \$97K less than the 2016 low bid. With other costs and contingencies, the re-bid project will total \$525K, about \$125K below budget. Depending on upcoming weather, staff proposes to begin the project in March and complete it in mid-June 2017. Mr. Jennings asked for the Board's approval of the contract, based on the very good working relationship the District has had with Grandview in the past, and the quality of Grandview's work.

Mr. Taylor asked if this award would create a legal conflict with last year's low bidder. Jim Collins offered the opinion that it would not, as the Board rejected all bids. To Mr. Ostermiller's question, staff affirmed that Grandview didn't bid last year, as Grandview had already reached their maximum bonding capacity.

Mrs. Eller referred to the financial details and asked about the funds sources. Staff clarified, the rollover funds from the 2016 budget would come from the 2-mill fund, and the additional 2017 budget would come from the 1-mill fund.

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Mr. LaBrash asked if construction would conflict with any current athletic programming. Mrs. Matheson reported that athletic field uses could be adjusted and staff would work through it. There were no further questions.

**MRS. ELLER MOVED TO APPROVE A CONSTRUCTION CONTRACT WITH GRANDVIEW LANDSCAPE-IRRIGATION CORP. FOR THE SHERIDAN COMMUNITY PARK IRRIGATION PROJECT IN THE AMOUNT OF \$446,500, AND APPROVE A TOTAL PROJECT BUDGET OF \$524,975, INCLUDING 15% FOR CONTINGENCY AND MISCELLANEOUS PROJECT EXPENSES. Mr. LaBrash seconded the motion.** There was no further discussion, and the motion was approved unanimously (5-0).

### **Clean Energy Collective (CEC) Pay-As-You-Go Project. Community solar program approval**

Brett Collins introduced *Kevin Morse, Vice President of Sales, CEC.*

Tonight, staff asked the Board to consider approving and signing the capacity commitment (master) agreement; and three solar production agreements for the Adams 1, Adams 2, and Arapahoe 3 facilities, in order to commit certain solar panels to the District.

The Adams 1 and 2 and Arapahoe 3 solar farms are not yet constructed. On completion, the solar power produced will be allocated against three Xcel Energy billings to the District: for the Buck (Adams 1), Goodson (Adams 2), and Lone Tree (Arapahoe 3) recreation centers. The District can reallocate the percentages differently, or can change the District locations receiving the credits altogether (an administrative change with CEC) if it wishes in the future.

The program requires no up-front investment by the District.

Xcel will apply credits against a facility's billing, a month in arrears; CEC will invoice the District monthly; and the District will write CEC a check for approximately 90% and retain 10%. Solar production and energy costs and therefore earnings will fluctuate annually, and if the net increase of energy costs is less than 2% in a given year, then the District would be paying somewhat more than it would have without this program. The estimated total income, from the 10% retained over the next 20 years, is estimated to be \$673K.

Brett noted that the Gold Medal 2020 Citizens Committee and the Board of Directors have made sustainability a priority in recent years, and so staff was recommending approval.

Mrs. Eller asked if all the panels would go online at the same time. Staff and Mr. Morse explained that the three sites are three separate construction projects, but all are scheduled for completion in third quarter 2017.

Referring to the template contract for solar production agreement, Mr. Taylor noted there is a requirement for 90 days' advance notice (# 9) for transferring credits to different District facilities. He asked, if there was a catastrophe at a particular facility and it was shut down until reconstruction occurs, would CEC still require 90 days? Mr. Morse said they would not, and that CEC would work with the District; if for instance a particular facility is no longer a customer of Xcel Energy, the credit could be transferred at any point. Mr. Taylor also asked how the "force majeure" paragraph (solar production agreement, # 14) would play into this scenario. Jim Collins reported, this is the "stuff happens" provision: The District and CEC would have to regroup.

Mr. Ostermiller asked Mrs. Winn if she reviewed and approved the solar production agreements. Mrs. Winn reported that she had, and the documents are ready for signature.

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Mrs. Eller concluded, that there is some risk in signing these contracts, and likely to be either that 1) the utility bill doesn't increase (by at least 2%) annually, and if so the District would still be locked into the program and paying a little more for energy; and 2) the solar panels may not produce as much energy as estimated.

**MR. TAYLOR MOVED TO APPROVE THE CAPACITY COMMITMENT AGREEMENT WITH THE CLEAN ENERGY COLLECTIVE, FOR THE COMMUNITY SOLAR REWARDS (PAY-AS-YOU-GO) PROGRAM. Mr. LaBrash seconded the motion. Mr. Ostermiller suggested a friendly amendment, to include AND THE THREE SOLAR PRODUCTION AGREEMENTS (ADAMS 1, ADAMS 2, AND ARAPAHOE 3). Messrs. Taylor and LaBrash accepted the friendly amendment, and the amended motion was approved unanimously (5-0).**

To Mr. LaBrash's question, Teresa Cope reported that Communications staff would be placing some public relations information in the local media about the acquisition. Mr. Ostermiller added, that this is a very high priority to the citizens.

### **Hudson Foundation, Inc. Ratification of Board of Directors**

Mr. Hanna presented. As reported during the last meeting, the Foundation wishes to renew the board seats of Loehfelm, Martin, and Reynolds for additional 3-year terms (January 2017-January 2020). Per the District's & Gardens' management agreement, the District Board ratifies the Foundation boardmembers. He offered to answer any questions; there were none.

**MR. TAYLOR MOVED TO REAPPOINT COURTNEY LOEHFELM, RON MARTIN, AND DENNIS REYNOLDS FOR ADDITIONAL 3-YEAR TERMS TO THE HUDSON FOUNDATION, INC. Mrs. Eller seconded the motion. There was no further discussion, and the motion was approved unanimously (5-0).** Mr. Meredith will report the action to the Foundation Board.

### **Board of Directors items**

Mr. LaBrash, Mrs. Eller, and Mr. Anderson reported on the South Platte Park volunteers dinner at the Lone Tree Clubhouse. The event was very well done, and they forwarded compliments to Hospitality staff and South Platte Park Manager Skot Latona. They were impressed by the volunteers: how many there are, their lengths of service to the Park, and the breadth of their knowledge. Some of the volunteers were very surprised and pleased for their own recognitions. It's impressive how many volunteers commit many hours to learn about the Center and Park in detail. Nature's Educators provided a very interesting presentation of three raptors.

Mrs. Eller reported on the South Suburban Park Foundation's quarterly meeting in January. Trails consultant Bob Searns has terminated his working agreement with the Foundation, for now, for planning work on the proposed MetroTrail. There has been not much going on; there have been communication problems, and the planning grant application for the Southern Tier Trail was not approved. Overall the Foundation is still struggling to find its identity; has no funds, and has no (other) big projects in the works.

Mrs. Eller also reported on the most recent High Line Canal Working Group meeting. Consultant Will Singleton has prepared a list of current projects, which she offered to share.

Messrs. Anderson and LaBrash reported on the Lone Tree Subcommittee. It was very cordial, and there was no particular agenda this month. Lone Tree representatives reported on the Lincoln Bridge: It is being fabricated and assembled in Texas, and erection onsite will to be completed yet in 2017. District representatives reported on the development of the Entertainment District Park, the current master/strategic plans project, and the potential mill levy or bond.

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To Boardmembers' questions, Mr. Hanna reported the Lone Tree City Council has re-named the old Lone Tree Library building, The Lone Tree Hub. Mrs. Matheson reported, the construction (remodel) for a community center is to be completed on April 28 and recreation programming will begin the first part of May 2017.

Mr. Ostermiller reported on the most recent Legislative Action Committee (South Metro Chamber of Commerce) meeting. The discussion was focused on four proposed construction litigation and construct defect bills now in Colorado chambers. There are also two or three bills proposing reductions in personal property tax.

Mr. Ostermiller reported on the most recent Littleton City Council actions regarding hiring a new city manager. After deliberating over three finalists in a previous session, the Council decided last night to re-open the process and solicit more candidates. To members' questions, Rob Hanna reported that the City of Centennial now is collecting resumes for its City Manager position as well.

### **Announcements and emergency items**

To members' questions, Messrs. Hanna and Jennings reported on the status of the South Platte Park master plan update. Staff still anticipates that the City Council and District Board will hold a joint meeting in the short-term, and will jointly approve the plan.

Mr. LaBrash asked about a referral to the District for the Ensor property development. As apparently the development will require a property rezoning change, the District as a neighboring agency should receive a referral. The current developer proposes single-family housing and a small commercial area. Mr. Ostermiller noted that this discussion (regarding the Ensor and Santa Fe developments) is being closely watched and commented on through Nextdoor. Over 100 citizens attended the recent public meeting at Hudson Gardens.

Mr. Ostermiller reported that staff proposed to cancel the February 22 regular sessions, due to the lack of any time-sensitive agenda items. Boardmembers had no agenda items as well. **MR. LABRASH MOVED TO CANCEL THE FEBRUARY 22 BOARD MEETING. Mr. Anderson seconded the motion, which was approved unanimously (5-0).**

### **Adjournment**

There was no Executive Session this evening.

There being no further business to come before the Board, the group adjourned for the evening at 8:10 pm.

Donna Shephard  
District Records Clerk

/ds

**South Suburban Park and Recreation District  
Resolution # 2017-003**

**A Resolution in Support of the High Line Canal Vision Plan**

WHEREAS, the historic High Line Canal (the “Canal”) has always faced challenges as an irrigation delivery system due in part to its water right low priority and high rate of seepage; and

WHEREAS, despite its challenges as an irrigation delivery system, the Canal is a cherished part of the lives of millions of people of all ages and backgrounds, serving as a natural respite from the urban experience: The Canal’s 71 meandering miles are vitally important to the region’s citizens; and

WHEREAS, data indicates that more than 350,000 residents reside within one mile of the Canal, and more than 500,000 people use the Canal each year; and

WHEREAS, in 2010, the High Line Canal Working Group, a collaborative effort initiated by Arapahoe County to secure funding for, and implement, projects that help enhance and protect the unique recreational experience along the High Line Canal, entered into the High Line Canal Working Group Statement of Purpose (attached as Exhibit A); and

WHEREAS, the High Line Canal Core Management Team was established in 2012 and includes Denver Water, Arapahoe County, the City of Aurora, the City and County of Denver, and Douglas County. As explained in the Core Team Memorandum of Understanding, the Core Team’s focus is to coordinate and catalyze the many different processes that are needed to develop and implement a future vision for the Canal. The Core Team’s primary objective is to achieve maximum possible beneficial public uses for the Canal; and

WHEREAS, as the Canal owners, Denver Water has supported the region’s recreational use of the Canal Trail for over 40 years and has partnered in creating this transformational long-term vision for the Canal’s future, while continuing to meet its water delivery obligations; and

WHEREAS, in 2016, Douglas County, Highlands Ranch Metropolitan District, the City of Littleton, the City of Centennial, Arapahoe County, South Suburban Park and Recreation District, the City of Greenwood Village, the City of Cherry Hills Village, the City and County of Denver, the City of Aurora, which are all of the counties, cities and districts along the Canal, joined together with Denver Water and the High Line Canal Conservancy to support an *extraordinary and diverse public outreach* process that reached over 100,000 citizens, and engaged over 3,500 residents across the Denver metro region through public meetings, more than 25 community events, and two online surveys; and

WHEREAS, through this unprecedented public input process, the High Line Canal Conservancy, in partnership with the counties, cities and districts along the Canal and with support from Denver Water, developed the High Line Canal Vision Plan (the “Vision Plan”); and

WHEREAS, the Vision Plan recognizes that each of the jurisdictions along the Canal previously have adopted local management and planning strategies that address uses

and activities of the Canal within their jurisdictions, and these differences are acknowledged and respected by the Vision Plan;

NOW THEREFORE BE IT RESOLVED, that the undersigned governmental entity supports the High Line Canal Vision, as stated below:

The High Line Canal’s 71 meandering miles will be preserved and enhanced as a cherished greenway that connects people to nature and binds varied communities together from the foothills to the plains.

BE IT FURTHER RESOLVED, that the undersigned supports these guiding principles for the future of the Canal. These guiding principles are:

Natural: To preserve the natural character of the Canal, ensuring it continues to be a natural refuge for the region’s population and wildlife. The Canal’s natural, scenic beauty is integral to its identity;

Connected & Continuous: To maintain and increase the connectivity of the Canal along all 71 miles, preserving and enhancing the Canal’s use as an important continuous resource and regional environmental and trail network;

Varied: To respect the variety of communities and experiences along the Canal and to preserve its various physical characteristics through the course of its 71 miles;

Managed: To work together in order to preserve and support a long-term, sustainable future for generations to come. Our Canal is a critical, cherished asset for the region;

Enhanced: To enhance the enjoyment and use of the Canal in keeping with its natural and varied character.

BE IT FURTHER RESOLVED, that the undersigned affirm the “High Line Canal Working Group Statement of Purpose” to reinforce their continuing collaborative efforts (Exhibit A).

PASSED, APPROVED, AND ADOPTED this 8th day of February, 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

\_\_\_\_\_  
John K. Ostermiller, Chairman

ATTEST:

**SIGNED**

\_\_\_\_\_  
Pamela M. Eller, Secretary  
/bc ds