

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT
REGULAR MEETING NO. 819
MINUTES**

Call to order

A regular meeting of the Board of Directors of South Suburban Park and Recreation District was called to order at 5:40 pm, Wednesday, July 9, 2014 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: David Lorenz, Executive Director
Deanna Heyn, Deputy 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
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 the items on the posted agenda.

The Board paused at 7 pm and returned to the public meeting at 7:10 pm.

Special Announcements:

Government Finance Officers Association (GFOA) award announcement

Mr. Lorenz reported that the GFOA honored Mr. Shipley, Senior Accountant Linda Addison, and the Finance Department with a Distinguished Budget Presentation Award. The award acknowledges a lot of staff work. The volume of information is provided for the public's use, that will ensure the public that this organization is well managed. Mr. Shipley added his thanks to senior management, who prepared performance measures and goals for their departments to include in the book; and to Linda Addison, who again took this on, and this year changed the presentation of capital projects at the direction of a previous review of the 2013 book. Linda earned a special recognition from the GFOA.

Members and audience honored the Finance Department with a round of applause. Mr. Ostermiller thanked Mr. Shipley and stated he has been impressed with the South Suburban Finance Department since he became a Board Director.

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New Employee introductions

Ms. Cope introduced Melissa Kostic, the new graphic designer for the Communications Department. Ms. Kostic has twelve years of experience as graphic designer, and experience as a website/web-based promotion marketer and a writer.

Legal Counsel's report

Mr. Flynn referred the Board to Jim Collins' confidential written report in tonight's Board packet and offered to answer any questions.

Mr. Ostermiller asked about the status of the sale of the Jamison maintenance site to Stoneridge Homes and whether the purchaser/residential developer is meeting the benchmarks included in the most recent sale contract with the District. Mr. Lorenz reported that the developer is meeting the benchmarks. He reported on a conversation with a couple of homeowner association representatives from the area last week, who have concerns about the future impact of the proposed residential development to their properties. He had explained that the District just has a sales contract, and their concerns should be directed to the City of Littleton. He added the Stonebridge, the developer, is aware of the neighborhood's concerns and is planning a community meeting next week, and is confident that the proposed project will go through, because the City of Littleton wants development. To Mr. Anderson's question, Mr. Lorenz didn't have a final deadline in front of him; he added, the final deadlines are dependent on the City's timely approval of the project. Members talked about previous suggestions from the public regarding a parkland or a tree nursery on the site. Mrs. Eller remembered there is a non-binding agreement to refund the proceeds of the sale to the Cherry Hills Village fund. Mr. Flynn added, from his recent professional experience, he is finding some of these in-fill developments have become more marketable.

Minutes approval, June 2014

Board members had no corrections, additions, or changes. **Therefore, with no objections, the minutes of regular meeting no. 817, June 11, 2014 stood approved as presented.**

Board members had no corrections, additions, or changes. **Therefore, with no objections, the minutes of special meeting no. 818, June 19, 2014 stood approved as presented.**

Citizens' comments

No public came forward to speak tonight.

Consent Agenda items

Mr. Ostermiller explained that Consent Agenda items are provided for study in the Board's study packets and introduced in Study Session for the Board's review. They can be adopted by a single motion. All resolutions and proposed actions must be read by title prior to a vote on the motion. Any consent agenda item may be removed at the request of a Director and either tabled or heard separately.

- A. APPROVE ACCOUNTS PAYABLE FOR JUNE 2014 IN THE AMOUNT OF \$1,785,529**
- B. APPROVE A CONSTRUCTION CONTRACT WITH J. L. MELTON CONSTRUCTION, INC. IN THE AMOUNT OF \$658,418 FOR THE LITTLETON COMMUNITY TRAIL PHASE 3 PROJECT; AND APPROVE A TOTAL PROJECT BUDGET OF \$723,960, INCLUDING A 10% PROJECT CONTINGENCY.**
- C. APPROVE THE APPOINTMENT OF JESSICA WILLCOX TO THE SOUTH SUBURBAN PUBLIC ART COMMITTEE TO FILL AN OPEN POSITION FOR A ONE-YEAR TERM (2014-15).**

MRS. ELLER MOVED TO ACCEPT ITEMS A-C. Mrs. Rosser seconded the motion. There was no further discussion. Consent agenda items were approved unanimously (5-0).

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NEW BUSINESS

South Suburban Youth Commission member appointments

Ms. Gould and Allison Boyd, Recreation Program and Facility Supervisor presented. The Board authorized the formation of the Commission and the charter during the April 9, 2014 meeting. Since then staff has promoted the new commission and solicited members.

Ms. Boyd presented Dong (Austin) Wook-Lee, Bailey Thompson, Amelia Rhea, Ali Abbas, Sam Hansen, Megan Bolt, and Sierra Kimes. Audrey Koenig, also a candidate, was unable to attend this evening.

Mr. Ostermiller thanked the youth for applying and bring a lot of experience to the District. He appreciated the fact that they are willing to get involved more with South Suburban than for a specific volunteer project.

To Mrs. Rosser's question, the youth reported they were residents of Littleton and Centennial.

Ms. Boyd reported the first meeting will be on July 29. Members wished them good luck.

MRS. ELLER MOVED TO APPOINT AUDREY KOENIG, DONG WOOK-LEE, BAILEY THOMPSON, AMELIA RHEA, ALI ABBAS, SAM HANSEN, MEGAN BOLT, AND SIERRA KIMES TO THE SOUTH SUBURBAN PARKS AND RECREATION YOUTH COMMISSION. Mr. LaBrash seconded the motion. There was no further discussion, and **the motion was approved unanimously.** The audience responded with a round of applause.

Members also expressed their thanks to the parents, for their assistance in getting the children to the upcoming meetings and instilling a sense of community involvement and the desire to contribute. They look forward to hearing the results of the Commission's work.

Solar array purchase. Approval of refundable deposit

Brett Collins introduced Kevin Morse with the Clean Energy Collective (CEC), which is owner of a solar farm under construction at 6th Avenue and Tower Road in Arapahoe County. He asked the Board to allow staff to make a 10%, refundable deposit (\$63K) for 725 solar panels to be placed at the CEC's Arapahoe County farm.

He reported on the history of the negotiation and the project's association with the energy performance contract consultation now underway. Staff had reviewed the details of this purchase with the Board during the Study Session on June 11. Staff-level discussion is ongoing regarding whether this project will be included in the group of projects for the energy performance contract, or managed separately.

The anticipated life of the solar panels is 50 years, and they are warrantied for 25 years. CEC will maintain the panels and replace them when necessary.

Brett noted that the City of Englewood has purchased 35 panels for a test project.

If the District decides to go forward with the purchase, the total price would be \$630K. Brett asked the Board to authorize Mr. Lorenz to write the deposit check.

Members talked about the payback and return on investment from the panels. Brett noted that inclement weather would reduce the power production. Further, the return on investment is based on an estimate of future-year Xcel cost increases. Mr. Morse explained that CEC had worked out a couple of payback scenarios for the use of District staff, and they believe that the District's payback period will be less than 7 years.

To Mrs. Eller's question, Mr. Morse explained the warranties. The solar panels are warrantied for 25 years. The inverter is warrantied for 10 years; and the District plans to purchase an additional 10-year warranty, for a total of 20 years.

Mr. Flynn asked if the District's refundable deposit (down payment) would be deposited by CEC into a trust or reported as a part of an asset account. Mr. Morse will review and respond.

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Mr. Ostermiller asked how the District would finance the solar panels. Mr. Shipley explained several options. The District would not own the panels outright for five years, and this would eliminate some possibilities for funding. Mr. Lorenz asked the Board to allow staff continue discussions with McKinstry and evaluate options before recommending a payment structure.

To Mr. Ostermiller's question, Mr. Morse reported that CEC has been assuming the District will close on the sale in September, but there is no looming deadline. Mr. Ostermiller stated it probably would take the District a while to make financing arrangements.

To Mr. LaBrash's question, Mr. Shipley reported staff is meeting with McKinstry next week and they will evaluate what removing the solar panels project from the energy performance contract would do to McKinstry's energy performance contract project. Staff will recommend a total package for the energy performance contract to the Board, most likely in August. He assured the Board again that the District has an array of financing options, and Mr. Lorenz assured them as well that the District is discussing a refundable deposit (only) tonight.

To Mrs. Rosser's question, Mr. Morse reported that the new solar farm will produce about 500 KW per day, and each panel is anticipated to produce 235W per day. (From this information, Mr. Ostermiller estimated that the District is purchasing about 40% of the array in the farm.)

MR. ANDERSON MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO SUBMIT A 10% REFUNDABLE DEPOSIT IN THE AMOUNT OF \$63,000, FUNDED TEMPORARILY FROM THE OPERATING CONTINGENCY, TO CLEAN ENERGY COLLECTIVE, FOR THE RESERVATION OF 725 SOLAR PANELS IN ITS ARAPAHOE COUNTY SOLAR ARRAY (6th AVENUE AND TOWER ROAD). Mr. LaBrash seconded the motion. There were no further questions or comments, and **the motion was approved unanimously (5-0).**

Proposed assisted living facility to be constructed at 6325 South University Boulevard, Centennial

The Board of Directors met on June 19, 2014 with Greg Wrench (in the audience tonight) and Chris Hines of CHAL, LLC (property owner and developer), and they had a detailed discussion about the proposed facility and its potential and anticipated impacts to the District's Goodson Center and deKoevend Park. At the conclusion of the meeting, Mr. Lorenz recalled, the Board directed Legal Counsel Jim Collins to draft a letter regarding the status of the proposed development. Mr. Lorenz requested the Board's direction to deliver the letter to Centennial Planner Amy Johnson, as it was drafted, or with modifications as directed by the Board tonight.

Mr. Ostermiller stated the Board had been made aware the City was asking for specific information from the District, and the Board directed staff to provide it. A draft of the letter was included in the packet for the Board's review in advance.

Mrs. Rosser asked about plans for public outreach. She expressed concern that, with this letter, the District would give up its only piece of power in the negotiations; and would a future public outreach effort be just to tell people this is the decision we made, or would there be a real discussion on this? Mr. Lorenz responded, the letter as drafted reports that the District would require certain items (negotiations) with the developer before the project proceeds.

Discussion ensued on the information provided by the developer to date, and what has not been provided; what areas of the developer's discussion need to stay with the City of Centennial at this time, and potentially the Centennial City Council; what the District should do, and when (if anything), regarding communicating with the public on this project; and concerns that other agencies have reported about the proposed project, as documented in their letters through the referral process to the City and through communications with District staff. At Mrs. Rosser's request, Brett Collins reviewed his memorandum in tonight's Board packet, explaining that there are potential alternate locations for 100-year floodplain alterations rather than deKoevend Park; however, Urban Drainage and SEMSWA have not looked at the other locations with engineering staff to

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determine that they definitely would work. Staffmembers concluded that CHAL has a number of issues to address and approvals to collect before the proposed project will be approved for construction. To Mrs. Eller's question, Brett reviewed another recent referral for an assisted living facility and its estimates of needed parking spaces in support of 120 beds. Mr. Anderson added, while he was unable to attend the June meeting, he has listened to the recording of the meeting and expressed appreciation for the Board's thoughtful and thorough discussion with the developer.

While it was agreed that the project as proposed will have impacts on the District properties, the majority of the members agreed that the project and contacts by concerned citizens should remain with the Centennial staff at this time. Mrs. Rosser acknowledged that her opinion was in the minority. She feels the square footage of the development on the site and the height of the building will be looming. The new layout would push parking spaces to the rear and side of the site, which will have an impact on Goodson, and she can't agree to this.

Mr. Ostermiller asked for a motion. **MRS. ELLER MOVED TO APPROVE THE LETTER TO THE CITY OF CENTENNIAL PLANNING STAFF, OUTLINING THE DISTRICT'S CONCERNS AND THE STATUS OF NEGOTIATIONS WITH CHAL, LLC REGARDING THE PROPOSED CHERRY HILLS ASSISTED LIVING FACILITY TO BE CONSTRUCTED AT 6325 SOUTH UNIVERSITY BOULEVARD. Mr. Anderson seconded the motion, which was approved by majority (4-1) with Mrs. Rosser voted against.** Mr. Ostermiller directed staff to send the letter to the City.

Discussion ensued again on a potential public input process initiated by the District. Mr. Lorenz asked if the Board wishes to make a final decision tonight and give staff some direction. Discussion included the City's rights to handle the proposal, the District's lack of control over the proposed project, the lack of detailed information available to share with the public, and potential impacts to the District's integrity in the eyes of the community, if District representatives do or do not communicate with the public at this point. Mr. Ostermiller again encouraged Boardmembers and staff to direct any public inquiries about the project to the Centennial City planner. Mr. Flynn added, the District's referral documents, along with the agencies' referral documents, will be in the City's file for public queries. At this time, District staff was not given direction to set up any communications with the public (either by documentation or by conducting meetings).

Citizen phone survey, award of contract to Public Opinion Strategies

Following discussion during Study Session, Mr. Lorenz asked the Board to approve a contract to go forward with a phone survey of citizens this month, regarding some potential TABOR ballot questions for the November 2014 election. Staff will continue to work with Ms. Lori Weigel, a principal of Public Opinion Strategies to complete the questions for the survey. Mrs. Rosser expressed the utmost faith in Ms. Cope and Ms. Weigel in the survey process and their past support of elections. The questions they have drafted need to be answered. Mr. Anderson stated the Board has to go on the best judgment of staff and their past experience with Public Opinion Strategies; it would be difficult for a Boardmember to interject direction to this. The contract is necessary to get the information in order for the Board to proceed.

To Boardmembers' questions, staff reported that the questions are nearly complete. Ms. Weigel anticipates conducting the survey in the July 15–17 period and about 400 citizens will be contacted. They anticipate Ms. Weigel will present the results on a special study session on July 21, 5:30 pm, at the Goodson Administration Building (with special posting to be accomplished).

MRS. ELLER MOVED TO AWARD THE SURVEY RESEARCH AGREEMENT TO PUBLIC OPINION STRATEGIES IN THE AMOUNT OF \$20,500, FOR A SURVEY OF DISTRICT RESIDENTS' PARK AND RECREATION PRIORITIES. Mrs. Rosser seconded the motion. Referring to the Study Session discussion, Mr. Ostermiller stated he'd like to have Ms. Weigel consider whether the survey should address only one potential ballot question, rather than two. **The motion was approved unanimously (5-0).**

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Mr. Ostermiller asked if there was a need at this time to continue the Study Session discussion on a potential election. Boardmembers indicated that the discussion was complete at this time.

Future agenda items and session dates

Mr. Ostermiller asked staff about a potential date for a 2015 Budget retreat. Staff was not prepared at this time to schedule the retreat, but Mr. Lorenz suggested a date in late September or early October. Mr. Lorenz will bring some possible dates to the July 23 Study Session for discussion.

Discussion continued on meeting dates in September. It was noted that Boardmembers would not be available on the second Wednesday in September due to the annual Special District Association conference. At this time, it's anticipated the September 10 regular sessions will be cancelled, and the Board will meet on September 17 and 24.

Boardmembers and staff reviewed deadlines for a potential November 2014 election. Should the Board decide to begin the process of a November 2014 election at the upcoming July 23 sessions, then Board and staff would plan to finalize the language of the ballot question or questions during the August 27 sessions.

Board of Directors items

Mr. Anderson reported on the Lone Tree Subcommittee monthly meeting, July 2. They received potential partnerships issues discussed previously (regarding upcoming capital projects). The City has indicated that the pedestrian and bicycle bridge project over Lincoln Boulevard is moving forward and is of the highest priority. Discussion regarding a District contribution to the cost will continue. Other items included as priorities are, the open space area and Entertainment District redevelopment, and the City representatives stated they'd appreciate the District's support in design and in handling floodplain matters.

The July 4 event at Sweetwater Park was very successful, and the fireworks were spectacular!, after six years of cancelled fireworks due to drought and other issues. The City was very happy about the event, and 10,000 people attended.

The District representatives reported on the plans for improving Willow Creek Trail; there was no indication that the City representatives weren't supportive of the improvement.

They talked about the City's grant with Kaiser Permanente, to build or improve bicycle/pedestrian paths around the City. They've initiated a \$99K study to look at improvements and the feasibility of the project, in both the older sections of the City and the newer (RidgeGate) sections. The City's study consultant is Fehr & Peers. There will be an open public process as the City moves forward with the study.

Mrs. Rosser added, they talked about current public encroachments on the District golf courses, with people running their dogs off-leash on the courses, and some nearby residents golfing for free after-hours. City representatives were sympathetic about the issue; District representatives asked them to get the word out in any way they can, including the City's media outlets, that while pedestrian activity after-hours is acceptable, the other uses are not encouraged. It was noted that this is a problem at several District courses, and not just at Lone Tree Golf Course.

She agreed the City is really serious about constructing the pedestrian bridge over Lincoln. They are anticipating a construction schedule in 2015, and they'd like to receive a contribution from the District. The City also has approached Douglas County for a contribution. The District representatives encouraged the City to approach Great Outdoors Colorado. Mr. Ostermiller noted the controversy around the construction of the pedestrian bridge built over Wadsworth Boulevard by Bowles Avenue. Mrs. Rosser added, the District can't really help fund this project substantially with its other responsibilities. In response, Mr. Anderson read sections of a Timberlines article on the project, noting that the consultant will present recommendations in 2015; he also noted the pedestrian bridge to be constructed at Quebec and C-470, which is going forward with multi-agency funding, concluding, these bridges can be built.

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She added, while the City wants to go forward with revamping the Entertainment District, it's a second priority, and the planning process is to be determined.

She added, Mr. Lorenz reported on spraying underway to eliminate weeds on City sidewalks. Councilmember Susan Squyers indicated she'd like some quick action on this maintenance problem.

Torie Brazitis, the new City recreation liaison attended this meeting. She will be working with the Citizens Recreation Advisory Committee and on other City efforts.

Mrs. Eller reported on the Arapahoe County Open Spaces grant event. She, Mr. Lorenz, Mr. Anderson, and Ms. Cope attended. The District received grants and recognition. County Open Space Manager Shannon Carter focused on the collaboration and money generated with these grants. The City of Sheridan received a grant to continue its trail improvements, begun several years ago with the Tri-County Health grant and with the assistance of South Suburban. Mrs. Eller noted an article in the Sheridan paper about these projects and expressed disappointment that the reporter didn't recognize the District's contribution.

The Sheridan paper also had an article on District interactions in Sheridan. She recognized Jamie DeBartolomeis, District Communications staffmember who drafted the article

Members discussed a news report, that Schomp Automotive has requested the City of Littleton to annex its properties south of C-470, comprising about 29 acres. One of the Schomp parcels is near the District's Ohlson property.

To Mr. Ostermiller's question, Mr. Lorenz reported he believes that Arapahoe County Open Space's shareback tax distributions to the local cities are up this year.

Mrs. Rosser reported on an issue she observed on the Russian River while vacationing in California, with similarities to the issues in the Platte River, with diminished flow due to the changes to the Chatfield Reservoir.

Mr. LaBrash and Mrs. Eller attended the Little's Creek art dedication recently. Mr. LaBrash was pleased with the placement.

Mr. LaBrash asked about the pine trees on Lone Tree Golf Course. Mr. Ramsey and Greg Howe, Forestry & Horticulture Supervisor explained there's a problem City-wide. Several issues have impacted the pines for a number of years, and there is a die-off this year. The District has taken down several trees in the last three weeks; District forestry and golf staff visited a tree farm and tagged several trees for planting this fall. Some of the pines have recovered somewhat, and staff is waiting to see how they do.

There are also five dead walnut trees at Littles Creek Park. Mr. Howe reported on the Thousand Canker Disease, which is fatal for walnut trees, which has been in the State for some time and has finally killed off these particular trees. The walnuts will be replaced with a different species, also in Fall 2014.

To Mrs. Rosser's question, Mr. Howe is working on an article on Emerald Ash Borer for the local newsletters and other media distribution. To date, the District hasn't found any adult Borer insects in the traps. Members discussed media reports, regular states' regulations on firewood transport and other potential sources of infestation, including packing materials.

Responding to Mr. Ostermiller's question, Ms. Cope reported that the trail safety event is scheduled for Saturday, July 12, 8 am-11 am, on Mary Carter Greenway by the Hudson Gardens coffee shop. She hoped that Boardmembers would be able to participate. The District and City of Littleton are co-sponsors of the event.

To Mr. Ostermiller's request, Mr. Lorenz reported on a meeting and discussion with the City of Littleton on several proposed South Platte enhancement projects. Mr. Lorenz explained this redevelopment is part of the South Platte Working Group effort. Littleton Councilmember Debbie Brinkman arranged for the City of Littleton to fund a study to improve trail connections to the Riverside Downs development near Belleview Avenue. DHM Design, the City's contractor has been developing a plan of additional trails into the commercial

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area and creating new River access; the design process has been underway for a while, without an opportunity for the District to participate. The District holds the contract with Colorado Water Conservation Board for maintenance to that area. Now the District, DHM, and City representatives are planning to meet and discuss the proposed redevelopment project. The enhancements will have to be approved by a number of agencies.

Ms. Brinkman also wants to improve Reynolds Landing Park, and Mr. Lorenz agrees. The City of Littleton is willing to pay for these design costs as well. The plan is to add recreation facilities. Again this project will have to be approved by several agencies.

Urban Drainage and Flood Control District has designed some preliminary improvements. The Working Group would like to tie the two projects together, with phases 2 and 3 starting this fall. There will be some match funds from Arapahoe County Open Space.

To Mrs. Eller's question, Mr. Lorenz explained that Arapahoe County Open Space is allowing the Working Group to undergo a simplified application process for funding.

Mr. Ostermiller added, the City and the Councilmember understand that the District isn't planning on contributing funds to the trail enhancements, as the District will be maintaining the redeveloped site. Mr. Lorenz suggested the District may want to approach the City for some maintenance funding.

Mr. Ostermiller and Mr. Lorenz discussed whether more than 20% of the cities' Arapahoe County annual shareback funds can be used for maintenance, if the funds are allocated by a city to a third agency (South Suburban). Mr. Lorenz added, in the past, this hasn't been a discussion; the cities have retained their funds for maintenance for their own facilities and have offered development funds to the District only. Mr. Ostermiller asked Mr. Lorenz to research the matter. Mr. Lorenz agreed, the District needs to keep talking to the cities when they give the District project money.

Announcements and emergency items

Mr. Ostermiller announced:

- A special session on July 21, 2014, 5:30 pm at the District Administration Building, 6631 South University Boulevard; and
- Continuation of the regular meeting at 7 pm on July 23, 2014, at the Goodson Recreation Center Board Room. The main topic will be a potential November 4, 2014 TABOR election; with appropriate posting to be accomplished.

There was no need for an executive session this evening.

It was noted that all of the Boardmembers plan to attend the Special District Association annual conference, September 10-12, in Keystone, Colorado.

Adjournment

There being no further business to come before the Board, the group adjourned for the evening at 9:15 pm.

Donna Shephard
Executive Assistant

/ds