

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT
REGULAR MEETING NO. 855
MINUTES**

Call to order

A regular meeting of the Board of Directors of South Suburban Park and Recreation District was called to order at 5:38 pm on Wednesday, October 14, 2015 at the Goodson Recreation Center, 6315 South University Boulevard, Centennial, Colorado. Chair John Ostermiller presided.

(Note to the minutes file: The usual regular sessions to be held on September 23, 2015 were cancelled. Special posting had been accomplished, per State statute. /ds)

Present: John K. Ostermiller
Susan M. Rosser
Pamela M. Eller
Scott A. LaBrash
Michael T. Anderson—*absent/excused*

Legal Counsel: James P. Collins, Esq.

Management Staff: Rob Hanna, Executive Director
Deanna R. Heyn, Deputy Executive Director
Dave Brueggeman, Acting Director of Parks & Open Space
Brett Collins, Director of Planning & Development
Teresa Cope, Director of Communications
Jay Dikeman, Director of Hospitality Services
JoAnn Gould, Director of Recreation & Community Services
Kristin Kolstedt, HR Manager
Mike MacLennan, Director of IT
Bill Ramsey, Director of Golf
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. In addition, Mrs. Eller reported on the most recent Special District Association conference, held in Keystone in September. During a future meeting, Mrs. Rosser asked for an update on plans for the upcoming “Hudson Holidays” event at Hudson Gardens.

The agenda included a discussion regarding the lease for the Lorenz Regional Park parcel owned by Arapahoe County (the old landfill property), to expire in 2016. District staff will move forward to answer the questions raised tonight; and a master plan for the whole park will be part of future-year planning efforts. Members also discussed the ongoing going issue of settling athletics fields built over the buried landfill, and possible changes to uses, for sports activities that can be played on smaller fields, allowing the District to program portions of the existing fields that have not settled dramatically. Staff reported that Arapahoe County staff would like a letter from the District no later than May 1, 2016 and reporting whether the District wishes to renew/extend the lease, purchase the landfill property, or end the lease relationship.

The Board paused at 6:50 pm and returned to the public meeting at 7:02 pm.

Employee introductions

Ms. Cope introduced Jan Woodcock, announcing her promotion to full-time Registration Specialist. Part of Mrs. Woodcock’s duties will be as assistant supervisor in the Registration area. Mrs. Woodcock was promoted from the part-time catalog specialist position, which she has held for nine years. Mrs. Woodcock’s relationship

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with the District is really 40 years and counting, as she is the widow of Bill Woodcock, the District's retired Manager of Planning & Construction; and they knew everybody on staff for many years.

Legal Counsel's report

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

He noted that staff was requesting an Executive Session at the end of the evening. Discussion at that time will include review of an updated proselytizing policy (free speech policy), which would replace and expand on the "Policy Regarding Dissemination of Informational and Advertising Materials at District Facilities," implemented in 1992. Discussion will also include an update on the Jamison property litigation and a potential settlement with the neighboring homeowners association and Stoneridge Homes.

Mr. Collins noted the discussion during Study Session this evening about the Arapahoe County landfill property (See Study Session above. /ds). He suggested, a letter to continue the lease probably would be adequate if the terms will be about the same as before.

Finally, he noted, water rights matters discussions continue to move along slowly.

Boardmembers had no questions at this time.

Minutes approval

September 9, 2015

Mrs. Rosser directed Shephard to revise her comments, on page 10, Board of Directors Items: The proper name of the Greenwood Village facility is the Greenwood Village Arts and Cultural Center. **With no objections, the minutes of Meeting No. 854, September 9, 2015 stood approved as corrected.**

Citizens' comments

No public came forward to speak at this time.

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 SEPTEMBER 2015 IN THE AMOUNT OF \$1,839,280; AND**
- B. ALLOCATE AN ADDITIONAL \$20,000 TO THE CREEKSIDE EXPERIENCE PARK PROJECT, AND APPROVE A TOTAL PROJECT BUDGET OF \$574,193.**

MRS. ELLER MOVED TO ACCEPT ITEMS A–B. Mrs. Rosser seconded the motion. There was no further discussion. **Consent agenda items were approved unanimously (4-0).**

NEW BUSINESS

PUBLIC HEARING: 2016 Budget presentation. Citizens requests and comments

(Note to the file: There was a special Study Session/Board retreat on October 5, at the Lone Tree Clubhouse, to review the drafts of sections of the proposed 2016 Budget. Special posting was accomplished per Statute. /ds)

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Mr. Shipley presented the proposed 2016 budget. By State Law, staff must present it October 15. For the benefit of the public present, he reported the Boardmembers' and staff's goals and priorities for this budget, which are:

- No fee increases
- Deferred maintenance projects
- Maintaining existing facilities
- Reinvesting in our employees
- Leveraging funds with our municipal partners
- Enhancing our facilities and parks.

Copies of the proposed 2016 Budget were available tonight for the public.

Mr. Shipley anticipates making some minor updates and presenting the 2016 Budget for final approval to the Board of Directors during the November 11, 2015 public meeting. The proposed budget is a total of \$59,469,633, and it is a balanced budget. No fee increases are requested. The proposal is based on an anticipated increase in property taxes from 2015 of about \$3 million; proposed capital funding of about \$11 million, of which about \$8 million would be from District funds and \$3 million from partner matches; an unfunded capital list of \$6.7 million; debt service of \$5.3 million; employees merit increase of \$400K, new position requests totaling \$250K; and employee healthcare premiums cost increase of \$240K.

Boardmembers had no questions at this time.

Mr. Ostermiller opened the public hearing.

Cornerstone Regional Park athletic fields

Pete Barrett, home address: 2464 Park Lane, Littleton; and Executive Director of the Littleton Soccer Club (LSC) requested the District repurpose two playfields in Cornerstone Regional Park by installing artificial turf and lights during the next budget year.

He noted that the Lorenz Regional Park artificial fields have provided residents more opportunity to get out and use them throughout the year and are providing opportunities they don't have otherwise. South Suburban is using the Lorenz fields for rentals as well, and generating additional income: Fall 2015 use on the fields has been about 80% for South Suburban programs and 20% for rentals. The fields at Lorenz, however, can't be set up with permanent lighting systems.

LSC has booked fields through 7:30 pm during the fall. As of this week, sunset is at 6:22 pm. LSC will continue to use the fields for team play till mid-November and for tournaments and other events through the first week of December, and LSC's use will start again in January 2016 with tournaments and training sessions. Often, they could use the fields in January and February until about 7:30 pm, as the evenings are warm enough, and Front Range weather in March is more problematic.

Mr. Barrett provided members with a copy of a page from the Gold Medal final report, Goal 5 (District Gold Medal Citizens Committee Report, May 2014, page 22): "There is a continuing need for additional baseball and multipurpose fields within the District." He noted the changing demographics in the Littleton area and a construction boom throughout the south metro area. There is more need for sports programs for adults and children; and even two lighted fields is very important and would provide additional play hours ten months out of the year.

Cornerstone Regional Park would be an ideal location for the development of two fields, without disruption to the other current fields. Cornerstone Regional Park would have the western-most lighted fields in Arapahoe County—the nearest fields are in eastern Centennial and in Aurora—and would meet demand of District residents from Littleton, Centennial, and Lone Tree. Redevelopment of the Cornerstone fields was considered

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and priced at one time, and while costs probably have gone up, lighting equipment technology has improved. Adjacent housing faces east and west, and field lighting would be coming from the north.

LSC has supported development of two fields in the last eight years, both with letters of support and financially, and they propose to partner again. Their support of the fields at Lorenz Regional Park didn't benefit their program particularly, but it was the right thing to do. He asked the Board for serious consideration of this repurposing in 2016, or whenever the District can do it.

Mr. Ostermiller suggested that Mr. Barrett meet with Mr. Hanna.

Mr. Hanna added, the proposed 2016 Budget includes significant dollars to develop a lot of District planning and to identify the plans that will meet the District's overall needs; and no doubt, a need for athletic fields will rise to the top. The District needs to figure out how to fund the projects, including with debt and partnership capabilities. He hopes that Mr. Barrett will be part of this planning process. Mr. Barrett stated he was honored to serve on the Gold Medal Committee and looks forward to future service. He added, the majority of the LSC Boardmembers are District residents and are focused on the greater good.

No further public came forward to speak at this time.

Email and US mail requests

In addition to Mr. Barrett's testimony, there have been a number of emails directed to staff with requests for the 2016 Budget. A summary of the most recent communication follows. These were included in the Board packet for the October 14 meeting.

	Request from	Facility. Requests
20	Bruce McOuat	Family Sports Center. a) Improve/replace/upgrade the shower and bathrooms. Not enough showers, and are broken and dirty; need to be upgraded. b) Security cameras facing down the hall where lockers are, to deter theft while players are on the ice.
21	Frank Acara	Family Sports. Upgrades to locker rooms and showers
22	Allan Watters	Family Sports ice hockey. a) Dry land facility, equipment & skills equipment for practice. b) Shooting station area. c) Facility improvements—locker room doors, bathroom stalls, cores keys and locks, whiteboard in the locker rooms. d) Key lock boxes in the rink area for coaches to the locker rooms.
23	Tim Shay	Family Sports. Dryland training facility.
24	Jay Hardy	Family Sports. a) All of the locker rooms need to be renovated, especially bathrooms and showers: bad smells. b) Other restrooms need to be renovated, especially new stalls; some of the stall doors don't work properly. c) New flooring/carpet throughout the whole center. d) Hold birthday parties in one location—lots of chaos on weekends when hockey & parties are going on at same time.
25	John Connolly	Family Sports. a) Paint ice arena in navy and maize for the Warrior team. b) Purchase dryland skating treadmill.
26	Michael Maciolek	Family Sports locker room. Water is not always hot, shower heads are hit & miss, cement tile is filthy.

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	Request from	Facility. Requests
27	John Allison	Family Sports. a) A room or area specifically for dryland training. b) Skating treadmill and other dryland training equipment; might be a breakeven investment.
28	Erika Whitmore	Family Sports. a) Update carpet, showers, and locker rooms. b) New carpet for restaurant. c) Sell healthy food in the snack stand.
29	Amy and Tyler McPherson-Wiman	Family Sports. a) Updated locker rooms, perhaps using materials easier to clean, to remove the hockey stink; not enough room for players and their gear. b) Area for dryland warmups. c) Update area with games, including more big-kid games like air hockey, ping-pong and pool. d) Better viewing area away from ice for parents—bigger windows and more seating at end of both rinks, so they don't get cold; metal seats are uncomfortable and freezing.
30	Vincent J. Stellino Jr.	Family Sports. Bring up facility to 1st-class standards for current hockey programs and other ice programs. a) Change location of dry-erase boards from behind doors, on a more visible wall. b) Improve locker room showers; replace missing shower heads. c) Fresh coat of paint and some logos on the rinks. d) Replace boards and doors, if not already done. e) Provide dedicated dryland facility.
31	Karl Dufresne	Family Sports. a) Clean showers that work correctly, with proper shower heads. b) Painting.
32	Laura Mebes	Family Sports. a) Cleaner and updated bathrooms. b) For ice rink stands, overhead heaters and benches with either wood or plastic seats, as the metal gets very cold.
33	Joe Ladd	Family Sports. a) Something to stop glass from fogging over. b) Designated warmup area for hockey kids. c) Updated appearance/paint. d) Get rid of marijuana smell at the front door. e) New scoreboard and system.
34	B. J. Ambrose	Family Sports ice facility. a) Dryland facility. b) Update bathrooms. c) New paint. d) New carpet.
35	Mike Ganse	Family Sports ice facility. a) Separate dressing room for coaches and officials. b) Larger coaches' dressing room, with newer lockers for storing pucks/gear. c) Area that can be used for dryland training: shooting area with nets, and synthetic ice for shooting/passing/stick handling. d) Bathrooms and showers in locker rooms need to be updated and maintained.
36	Jason K. Ackerman	Family Sports. Supported Vince and Allen's comments. In addition/summary, a) Short term: training tool availability, including stick handling, belts for power-skating drills, skating treadmill; and dryland training space, inclusive of a shooting area. Longer-term (if the Colorado Avalanche builds their own rink/complex): and the Avs' space would be repurposed for Arapahoe Youth Hockey League purposes, including home team locker room, dryland area, meeting rooms. Position the Arapahoe Youth Hockey League and Family Sports to benefit from additional ice availability in the community.

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	Request from	Facility. Requests
37	Patrick Naper	Family Sports rink area. a) Simple upgrade to bathrooms, to include a water bottle-specific dispenser. b) Rubber matting on both sides where they end, to the lobby doors, on south side of each rink—concrete is hard on blades.
38	Richard Furia	Family Sports. Convert over party seating area near Hamilton Rink to a dry ice puck shooting room.
39	Jason Howard	Family Sports. a) Ice skate-safe flooring completely around all rinks; b) second score board on Hamilton rink visible from stands; c) move second score board on Avs rink to wall opposite stands, so spectators can view it; d) increase stands on Avs side, maybe by relocating the ice office; e) upgrade showers, at least make them all work; f) New coaches white boards in the locker room; g) white boards behind each bench, both rinks; h) larger locker rooms would be good, but at least improve them, small cubbies above the bench, hooks for helmets etc.; i) better accommodations for the score keepers, better seating, maybe a space heater on a timer so doesn't hamper with ice staying frozen; j) location for kids to practice shooting; k) dryland facilities like other teams within south suburban have; l) improved sound system; m) girls locker room; n) a couple extra nets; o) water bottle fillers; p) better equipment to use for video reviews with team; q) heaters over the stands; r) mildew removed from ceilings; s) flooring on the players benches in need of repair; t) Starbucks, or better coffee in general, maybe a little coffee cart. And added, "These suggestions can be for any of the south suburban facilities, but my focus was on issues I have noticed at Family Sports."
40	George Kohake	Clarkson Park. Doggie water fountain put in with regular fountain.
41	Raj Verma	Sheridan Recreation Center, upgrades to tennis facilities in accordance with 2013-15 strategic action plan. Condition of courts is sub-par, especially compared to other District tennis facilities. Cracking, uneven surface alignment, and lack of quality texture (which leads to skidding and potential for injury). Tennis nets are worn, tube lighting has deteriorated rapidly from weather damage, and windscreens have withered. Regular users are providing maintenance. Some players are opting to play elsewhere, or choose not to return based on poor condition of court surface. Summary: a) resurface one or more of four courts with post-tension surfacing. b) Replacement of tools needed to keep courts clean and dry.
42	Sean Leonard	Family Sports. a) Move off-ice sessions to a safe area: warm-up and dryland. b) Help identify FSC as the home rink of Arapahoe Warrior program: suggested logos painted on the walls, or team colors on the walls and lobby, and/or banners.
43	Danny Pomirchy	Family Sports. For Arapahoe U8 teams: Team uniforms; emphasis on passing training; and having a scrimmage at least once per week.

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	Request from	Facility. Requests
44	Chris Frances	Family Sports. a) Paint locker rooms, each in a different color to match Arapahoe Hockey club colors. b) New dry erase hockey boards on the doors in the locker rooms. c) Area for dryland training. d) Change home and visitor signs on benches to read correctly with the time clock. e) Water bottle faucets in the bathrooms.
45	Leon Hartness	Sheridan tennis courts. Improve half for tennis play and half for pickleball, if Board decides to upgrade the facility.
46	Connie Lindsay	Sheridan outdoor tennis courts. Repairs to court surface, and a couple striped/netted courts set up for pickleball players. Currently pickleball players have to bring their own nets.

2016 employee benefits package, annual presentation and formal approval of renewal

Mrs. Heyn presented Laurie Gerdes, Senior Vice President and Kandy Biesterfeld, also Senior Vice President of Mesirow Financial (the District's benefits consultant). Summarizing previous presentations to the Board this year, Mrs. Heyn asked the Board to grant final approval of the 2016 financial proposal, which entails an increase in benefits costs of nearly \$260K as well as using part of the current insurance benefits reserve (\$75K), in order to keep medical insurance contributions down a little bit. Overall, the proposed benefits package will result in a 14% increase of insurance premium contributions by individual employees as well as by the District, the largest increase in a while. Expenses are increasing in the healthcare world again. One additional program is proposed, a vision insurance option, at a cost of about \$6K annually to the District.

Medical insurance plans and premiums

Mrs. Eller referred to the chart of estimated increases for the various insurance program choices, which reported on medical plan contributions ("high" vs. "low"): The increase in the low medical plan would be about \$6, while the employee-plus-family plan would be more like \$89; Mrs. Heyn clarified, that would be per-month, and that would be the employee's cost; the District will be paying more. To Mr. Ostermiller's question, Mrs. Heyn affirmed that the co-pay and deductible costs are anticipated to remain the same in 2016.

Mr. Ostermiller asked, given the range of medical insurance options, which options most employees take. The group referred the Board of Directors to the spreadsheets: Most employees take employee-only coverage with either the high or low plan. About 70% of employees choose the high plan, though some employees have migrated to the low plan for cost savings reasons.

Proposed employee holiday from medical insurance premium payments

Mrs. Eller asked about a proposed employees' holiday, possibly for one or more paychecks during future years. The consultant group emphasized, HR staff and consultants are considering this option only and want to be careful not to create employee expectations at this point. Probably a holiday would be considered only if "the program is doing very well financially."

Mr. Hanna explained that the District should avoid creating any employees expectations from an ongoing discount in their medical plan contributions, and then to impose a large jump in regular premiums in a future year. A holiday would be a way to share the benefit of well-managed healthcare costs with employees who are

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participating in the program. Mr. LaBrash asked how widely the concept of a holiday is used by employers, and members responded that they've seen it in several self-funded programs managed by Mesirow. Mr. Hanna emphasized, there was no need for the Board to make a decision about the idea tonight; staff is testing the waters.

Mrs. Eller asked if the District would set a "hard dollar amount" to trigger a holiday. Mrs. Heyn suggested that part of the decision would be if claim costs are coming in lower than expected.

Large claims year, a definition

Mrs. Eller asked if one or two employees with large claims could seriously affect the claims level; she suggested that with a program the size of South Suburban's, a couple of employees might hit the \$70K stop-loss level in a given year. The consultants responded, there were three high claims as of July 2015. A few years ago, there had been as many as eight; and more like eight high claims would constitute a major impact to the District program in a given year.

Proposed vision insurance program

Mr. LaBrash asked the consultants about their confidence in the estimated employee participation in the proposed vision insurance option. While the estimate is still a guess at this point, for some time, surveyed employees have shown interest in adding a vision plan, and given the employer contributions, they felt they had provided a reasonable estimate.

Mrs. Rosser asked how extensive the VSP network of providers is. Mrs. Heyn reported that the network was a major deciding factor; and of the two top candidates, VSP seemed to have the best network. VSP is more focused on private providers but also has some major chains as well. She expressed confidence that VSP would provide an adequate network and serve the employees well.

To Mr. LaBrash's question, staff reported that District employees aren't yet aware of this potential benefit; HR staff is awaiting the results of the discussion with the Board. The vision plan will be a voluntary benefit. Mr. LaBrash stated he believed the estimate of participation in the plan is pretty accurate; and while he had no imminent need in the past, he has participated through his employer for the last several years (at a low cost).

MRS. ELLER MOVED TO APPROVE THE FINAL EMPLOYEE BENEFITS RENEWAL PROPOSAL, RESULTING IN AN ESTIMATED INCREASE TO THE 2016 BUDGET OF \$259,054, PLUS AN ANTICIPATED \$75,000 BUY-DOWN FROM THE BENEFIT RESERVE ACCOUNT, FOR THE BENEFIT PLAN YEAR JANUARY TO DECEMBER 2016. Mr. LaBrash seconded the motion.

Mrs. Eller asked for an explanation of the potential maximum liability. The consultants explained that CIGNA, the District's medical insurance provider, has a defined maximum level that CIGNA would insure if "the plan blew up and everybody got sick." The District has hit the maximum once in the last seven years, and so it's important to make sure the District is well protected from that type of year. **Mrs. Eller's motion was approved unanimously (4-0).**

Highlands 460 open space and trail. Dragon's Eye vacant parcel purchase

Brett Collins presented. Dragon's Eye Corporation, a local speculative enterprise, is in the process of dissolution and so is liquidating some assets acquired. Ralph Taylor, President of Dragon's Eye approached the District regarding purchasing a 0.163-acre parcel in the Highlands neighborhood, at the southeast corner of East Otero Avenue and South Fillmore Way. The parcel is immediately adjacent to property owned by the District. In 2016, District Planning staff anticipates constructing trailway in that area to extend the Highlands 460 Trail, partnering with the City of Centennial; one alignment is planned for an area on the south side of the parcel, and so the District would have been trying to obtain a trailway easement on this parcel anyway. Staff obtained a

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value for the land, and they believe the asking price of \$1,500 is for a \$7,500 parcel. There is no structure currently on this parcel; and probably, other development on the parcel than for a trailway will be very limited, as the parcel contains underground easements. Probably the parcel is not a good location for a trailhead; but possibly it could hold a couple of small playfields or an asphalted area, as long as construction doesn't disturb the depth of the soil cover. Adjacent to the parcel, Xcel Energy owns a small parcel with a utility cabinet/building. Brett explained the locations of current and proposed trailway in the area.

To Mrs. Rosser's question about how the District acquired the adjacent property, Mr. Brueggeman believed the acquisition was part of the Highlands 460 residential development dedication for park land.

MRS. ELLER MOVED TO APPROVE THE PURCHASE OF 0.163 ACRES OF LAND LOCATED AT THE SOUTH EAST CORNER OF E. OTERO AVE AND S. FILLMORE WAY, FROM DRAGON'S EYE CORPORATION FOR \$1,500; AND AUTHORIZE THE EXECUTIVE DIRECTOR TO COMPLETE THE TRANSACTION WITH THE SELLER. Mrs. Rosser seconded the motion. There was no further discussion, and **the motion was approved unanimously (4-0).**

Mr. LaBrash asked staff to try to find out when and how Dragon's Eye originally purchased the property.

Goodson Recreation Center, projects, requests for funds. Pool deck improvements. Sanitary sewer repair. Structural posts repairs

Melissa Reese-Thacker, Senior Park Planner presented the three situations and funding requests for consideration.

1. Work on the Goodson indoor pool deck has been ongoing. The concrete pour was completed. Originally, the Board approved \$30,550 for contingency expenses; additional work to be paid from project contingency has totaled \$39,181 to date. Because the original Board motion authorizing the project included a not-to-exceed amount, additional project funds cannot be change-ordered in; but the contractor has agreed to continue additional work, subject to Board approval of an additional amount tonight. Mrs. Reese-Thacker requested the Board fund an additional \$25K for project contingency. \$16,369 would be available for additional unforeseen conditions.
2. As work proceeded on the pool deck, the Center had a sewer backup. Staff discovered a blocked sewer line in the area of the pool space, and arranged for a cleanout. In the process, they camera'd the line and found the sewer pipe was deteriorating. Replacement work has proceeded, and the repair was completed at a cost of \$32K as an emergency item. Mrs. Reese-Thacker added, it was fortunate that the need for a repair was discovered at this time, because a later failure and emergency repair probably would have required the District to remove and replace the new deck. She explained some of the complexities of the project. At the same time, staff camera'd a second line near the pool area and found that it was sound.

To Mrs. Rosser's question, Mrs. Reese-Thacker assured her that the first sewer pipe was cleaned out and is functioning now. Staff was requesting an appropriation for the cleanout and repairs tonight in the amount of \$35,943. Mrs. Reese-Thacker added, pool chemicals tend to break down pipe. To Mr. Ostermiller's question, she reported that staff camera'd the two lines from the interior of the building and all the way out, and didn't see the need to replace the lines outside the building; but when there is a future issue, then the outside lines would be simpler to access.

To Mrs. Eller's question, Mrs. Reese-Thacker reported she was comfortable in directing the contractor to continue work on the pool deck in the area away from the main line. To Mr. LaBrash's question, Mrs. Reese-Thacker reported that the original pool deck project was to be completed October 27; and with the additional conditions and repairs, they don't know the finish date at this time.

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3. Mrs. Reese-Thacker displayed photos of the bases of two structural columns which have been uncovered during the deck improvements. There are a total of five columns in the pool area that carry the load of the glulam roof and second-floor running track deck. The first two columns are in poor condition, and work is proceeding to assess all five columns. Staff has taken some temporary precautions, including closing the upstairs track; finding a company to put in shores and take the weight off the structural columns; and engaging the services of a structural engineer. It is anticipated that all five columns will be repaired, and some of the recently-poured concrete will have to be removed and replaced later.

To Mrs. Rosser's questions regarding the repairs that will be made, staff suggested some options, subject to the structural engineer's recommendation. It is unknown at this time what the costs will be. To Mr. LaBrash's question, Mrs. Reese-Thacker isn't able yet to pinpoint the cause of the damage.

Mr. Hanna added, the pool closure is starting to impact Goodson customer service and revenue, and staff will work with the contractor to keep the projects moving forward efficiently. With the limited information available tonight, the group discussed whether the Board could take some action to support a speedy repair process. Mr. Collins offered the opinion, that the column repairs would be under \$60K, and a simple motion recognizing the problem, authorizing the repair, and directing staff to provide a report would be adequate—recognizing that the Board would like to keep moving for several reasons. To members' questions, Mr. Shipley reported the District contingency has a \$260K balance.

MRS. ELLER MOVED TO ALLOCATE AN ADDITIONAL \$25,000 FROM THE DISTRICT'S CONTINGENCY FUNDS TO THE GOODSON RECREATION CENTER POOL DECK REPLACEMENT PROJECT TO INCREASE THE PROJECT CONTINGENCY, AND APPROVE A TOTAL PROJECT BUDGET FOR THE POOL DECK REPLACEMENT OF \$375,610; AND ADDITIONALLY, THAT THE BOARD AUTHORIZE THE ALLOCATION OF \$35,943 FROM THE DISTRICT'S CONTINGENCY FUNDS, TO FUND THE GOODSON RECREATION CENTER SANITARY SEWER SERVICE REPLACEMENT PROJECT, AND ADDITIONALLY, TO AUTHORIZE THE EXECUTIVE DIRECTOR TO PROCEED WITH EMERGENCY REPAIRS TO THE FIVE SUPPORT COLUMNS (IN THE GOODSON RECREATION CENTER POOL AREA), WITH FUNDS TO COME OUT OF THE DISTRICT CONTINGENCY FUNDS, WITH A REPORT BACK TO THE BOARD; WITH A TOTAL ALLOCATION (FOR ALL THREE PROJECTS) OF \$60,943 PLUS EMERGENCY FUNDS. Mr. LaBrash seconded the motion.

Mrs. Eller asked about the calculation of the original 10% construction contingency amount, in staff's comments. Mrs. Reese-Thacker explained that a construction contingency is calculated as a percentage of the construction contract only and doesn't include other project costs.

To the Board's questions, Mr. Collins offered the opinion that Mrs. Eller's motion is sufficient. **The motion was approved unanimously (4-0).** Mr. Ostermiller directed staff to make the repairs. Mrs. Eller noted a "lesson learned," when beginning upgrades and repairs to older properties. Mr. LaBrash added, the pool deck has been on the unfunded capital projects list for several years.

Board of Directors items

NRPA annual congress and exposition/Top Golf

Mr. LaBrash reported on the National Recreation & Parks Association (NRPA) annual conference held in Las Vegas, in September. He appreciated the NRPA accreditation session, which detailed the amount of staff time and effort to obtain such accreditation.

He reported on a session about "addressing the age gap," specifically about a park & recreation provider in a Texas city, and the difference from the District in its operating environment, the quality level of facilities

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provided, and the focus on the current senior population. The City anticipates building separate centers for children “across the street” in the future when there is a need.

Mrs. Rosser reported that the NRPA presenters rarely mentioned NRPA ProRagis (data collection software) this year, where it was mentioned constantly several years ago. The opening sessions created good energy. One presentation had focused on the historic uses of parks: Where in the past, parks were someplace to stroll, now they have evolved to provide very different recreation opportunities. There’s a need for a park & recreation provider to make good use of social media and other communications to get their message out. John Crompton’s session this year was on repositioning and selling park & recreation providers and getting their name out to the public; and how to sell their story. She noted a recent Denver Parks & Recreation weekend, which provided tours of parks and reports on how they’re re-visioning the parks and planning future activity.

Mrs. Rosser concluded, she didn’t like the Las Vegas venue, the costs were too high and there was competition with other conferences in the facilities.

Mr. Ostermiller continued the report on the NRPA conference. He also concentrated on the certification session and agreed that a certification process would be a big undertaking, and discussion with Mr. Hanna needs to continue on how to work with other schedules and what has to be done before proceeding. He was surprised how the requirements had been written towards park & recreation providers in cities and counties. Mrs. Rosser responded, a lot of the agencies that have received accreditation are special districts.

Mr. Ostermiller also attended a session on municipal golf courses. It was reported in the session how few of the courses cover typical major costs. At the end of the session, the presenter asked attendees to fill out a questionnaire, and Mr. Ostermiller was able to report that District courses cover their costs and yield a profit to support other operations. This is certainly a testament to District golf operations staff. Mr. Ostermiller added, the instructor has a bet with Mr. Ramsey that “Top Golf will destroy Family Sports.” He expressed doubt, as did Mr. Ramsey.

Mrs. Rosser reported on a visit to Top Golf recently. She was surprised at the number of customers, both for golf and for dining, in the middle of the business day. Mr. Ramsey had conducted a similar visit and it was very crowded; he believes few of the guests are serious golfers. Mr. LaBrash agreed, that people go to Top Golf for the social aspect.

The next NRPA conference will be held in St. Louis in 2016.

Lone Tree Subcommittee meeting

Mrs. Rosser reported on the Lone Tree Subcommittee’s most recent meeting. The group visited the future Entertainment District Park site. Chad Giron, District Planner II presented two options for the future park. Mrs. Rosser anticipates the final plan will be a combination of the two, and it will be an expensive development project. That area is building up in density, and there is very little open space.

Members talked about the current funding commitment for this construction. The District has committed \$500K only. The City has committed \$250K. There may be some additional allocation from the arts money. Mr. Hanna suggested the project can be phased, and any additional funding available could be used to expand Phase I. The first goal would be to approve a master plan by year end, and then to put together cost estimates and get a contractor on board to finalize cost estimates. Members noted that the Lincoln bridge construction project, a higher priority for the City and slated to be constructed first, will be expensive as well. Mrs. Rosser suggested that the current allocated funds will be just the start.

Subcommittee members also talked about the lights for the Lone Tree Tennis Center (on Lone Tree Golf Course property). The lights have acted up over the last several years, and a number of complaints have been received, and so they have to be re-done. Mr. Hanna reported on the letter he sent today, outlining the costs and asking the

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City to fund the project to 50%. He explained the major issue was an outdated control system. Staff is proposing to install a Musco lighting system at this facility (as well as other tennis facilities in the District, in 2016). The Musco system can be programmed remotely. Mrs. Rosser asked for clarification, that the new lighting system would stay off after a certain time of night unless a user turns it on at the court; staff confirmed this is the case.

City of Sheridan

Mrs. Eller reported on the Veterans' Park dedication in Sheridan, held October 12. District staff did a very nice job. The Park has improved the corner. When the trees mature and bud out, they'll be beautiful. Mrs. Eller noted there had been a workshop planning activity, similar to the "Safe Routes to School" activity. During the workshop she had felt the park plans were adequate and pretty, but a middle-school participant thought the park was stupid, because there was nothing to do! Different perspectives.

South Suburban Park Foundation/Breckenridge Brewery

Mrs. Eller announced the South Suburban Park Foundation is the first funding recipient of community outreach money from the new Breckenridge Brewery campus. Through the end of December, \$3 tours of the brewery will yield a dollar to the Foundation; and the Brewery has scheduled two "friends and family" nights in October and November, and 100% of those proceeds will be donated to the Foundation. She encouraged the group to attend the November event. At this time, it's unknown how much the Foundation will receive in total.

Littleton election/Littleton parks and recreation master plan

Mr. Ostermiller attended two of the Littleton City Council candidates forums. He was surprised how often South Suburban was mentioned, by candidates and City officials. He also watched a Council meeting, and South Suburban was mentioned. He suggested that the current City parks & recreation master planning effort is making them more aware of the District, and is giving the District some credit for what we're doing. He added, generally the candidates are supportive of District parks, trails, and open space; they aren't mentioning District facilities.

For the upcoming public input meetings for the parks & recreation master plan, Mr. Ostermiller cautioned Boardmembers to attend as observers only and to allow the City's consulting staff to take the lead. As it's anticipated that a quorum of directors will NOT attend these sessions, he directed Shephard not to post the sessions. He added, the published focus groups meetings are by invitation only.

Announcements and emergency items

Mr. Ostermiller announced:

- The continuation of the regular October 28 sessions to include a full public meeting at 7 pm, primarily for a public hearing regarding the potential inclusion of certain properties within the City of Lone Tree. Petitioners: City of Lone Tree, Rampart Range Metro District No. 1, RidgeGate Investments Inc., and SpringGate LLC.
- The Board of Directors is cancelling the November 25 and December 23 regular Board sessions.

Executive Session

At 8:45 pm, Mr. Ostermiller announced there was a request for an executive session.

MRS. ELLER MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO, OR, AS AUTHORIZED BY C.R.S. SECTION 24-6-402(4), #

- (A) CONCERNING THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF ANY REAL, PERSONAL, OR OTHER PROPERTY INTEREST,**

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- (B) **FOR THE PURPOSE OF CONFERENCES WITH DISTRICT LEGAL COUNSEL, TO RECEIVE LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS,**
- (E) **FOR THE PURPOSES OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS,**

AND SPECIFICALLY, THE JAMISON PROPERTY SALE, NEGOTIATIONS REGARDING A PROPOSED NEW PARK IN THE CITY OF SHERIDAN, AND A PROPOSED POLICY ALLOWING THE PUBLIC’S USE OF DISTRICT FACILITIES TO DISSEMINATE INFORMATION AND WRITTEN MATERIALS. MR. LABRASH SECONDED THE MOTION. THE MOTION WAS APPROVED UNANIMOUSLY (4-0); and the Board of Directors and designated staff immediately moved into Executive Session.

The Board returned from Executive Session at 9:25 pm.

Public meeting continued. Approval of free speech policy

For the benefit of the public still present tonight, Jim Collins summarized an ongoing conversation with the Board of Directors. In the past, local politicians have wanted to have a delivery point at District public facilities for election materials, for public pickup; and the current proposed process would allow for the same process as before (a table). Further, the new proposed policy responds to a second, recent request from a church group who wants to stand quietly, take questions from people, and hand out material if the public ask for it—and in the past, the District hasn’t had a policy specific to this activity. Legal counsel and staff have been working on a draft resolution with updated rules & regulations for the last two months, and there has been a lot of discussion. Tonight, Mr. Collins had reported to the Board on First Amendment rights and what the Supreme Court has determined, and what the parameters are regarding what the Board can do in the passing of a free speech policy.

Mr. Collins provided the public with a copy of the proposed resolution for adoption. Mr. Ostermiller added, the Board is adding some language, to add “trails” collectively. Mr. Ostermiller asked for a motion.

MRS. ELLER MOVED TO ACCEPT A RESOLUTION, ADOPTING RULES AND REGULATIONS CONCERNING FREE SPEECH AT THE DISTRICT FACILITIES AND ATTACHED RULES & REGULATIONS AS AMENDED TONIGHT, TO INCLUDE TRAILS. Mrs. Rosser seconded the motion, which was approved unanimously (4-0). (Copies of “A Resolution Adopting Rules and Regulations Concerning Speech at District Facilities” and “Exhibit A: Rules and Regulations Concerning Speech at the South Suburban Park and Recreation District Facilities” are attached hereto and made part of the permanent record.)

Adjournment

There being no further business to come before the Board, the group adjourned for the evening at 9:28 pm.

Donna Shephard
Executive Assistant

/ds

SOUTH SUBURBAN PARK AND RECREATION DISTRICT

A RESOLUTION ADOPTING RULES AND REGULATIONS CONCERNING SPEECH AT DISTRICT FACILITIES

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, pursuant to Section 32-1-1001(1)(m), C.R.S., the Board of Directors of the District (“Board”) is authorized to adopt and enforce rules and regulations for carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, the District owns and operates recreation facilities, such as recreation centers, golf courses, trails, and parks, and the sidewalks adjacent thereto (collectively, the “SSPR Facilities”); and

WHEREAS, the intended purpose of the SSPR Facilities is to provide recreational activities for members of the public; and

WHEREAS, the SSPR Facilities are not a place of unrestricted public access; and

WHEREAS, the Board recognizes that, under the First Amendment to the United States Constitution (“First Amendment”), its ability to regulate public communications and expressive activities (collectively, “Speech Activities”) on District property depends on the type of “forum” or government property at issue; and

WHEREAS, the United States Supreme Court has identified three categories of fora for First Amendment purposes, namely, public fora, limited public fora, and nonpublic fora, the characteristics of which are described in *U.S. Postal Serv. v. Council of Greenburgh Civic Ass’n*, 453 U.S. 114, 129 (1981), *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37 (1983), and *U.S. v. Kokinda*, 497 U.S. 720 (1990); and

WHEREAS, after studying this issue and reviewing the characteristics of each type of forum, the Board has determined that the SSPR Facilities, except for public parks and trails, are “nonpublic fora” for purposes of the First Amendment, because recreation facilities have not traditionally been made available for Speech Activities; the District has not intentionally opened the SSPR Facilities for Speech Activities; and Speech Activities are generally incompatible with the usual functioning of the SSPR Facilities; and

WHEREAS, furthermore, the Board has determined that, pursuant to the United States Supreme Court’s analysis in *Kokinda*, the District-owned sidewalks adjacent to the

SSPR Facilities are also a “nonpublic forum,” because they are not a public thoroughfare; they were constructed solely to provide for the passage of individuals using the SSPR Facilities; and the District has not dedicated such sidewalks to Speech Activities; and

WHEREAS, because the SSPR Facilities (excluding public parks) are a nonpublic forum, the Board can impose viewpoint neutral prohibitions or restrictions on Speech Activities at the SSPR Facilities that are reasonably related to a legitimate District purpose; and

WHEREAS, public parks may be a traditionally public forum, however, the District’s parks have not traditionally been open for public speech and the main purpose of the District’s parks is to provide recreational opportunities for District residents and visitors; and

WHEREAS, even if the District’s parks are classified as a traditionally public forum, the District may impose viewpoint-neutral restrictions on time, place and manner of speech that are necessary in order to serve the compelling interest in maintaining the primary purpose of the parks as recreation sites for District visitors and residents; and

WHEREAS, the District has a substantial interest in preserving the aesthetic quality of its parks, protecting the health and integrity of its trees, and preventing any harm or injury to its residents and visitors; and

WHEREAS, distribution of materials on parked vehicles at SSPR Facilities often creates litter; and

WHEREAS, the Board hereby finds and determines that adopting rules and regulations concerning the time, place, and manner of speech activities at SSPR Facilities is appropriate and necessary to preserve the normal function, use and operation of the SSPR Facilities and to protect the rights of others to use, enjoy and move freely about the SSPR Facilities for their intended purpose, which is recreation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the South Suburban Park and Recreation District as follows:

1. **Adoption of Rules and Regulations Concerning Speech Activities.** The rules and regulations concerning speech activities at SSPR Facilities described in **Exhibit A**, attached hereto and incorporated herein, are hereby adopted.
2. **Severability.** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

3. **Effect on Prior Policies.** This Resolution amends and replace any prior policies concerned Speech Activities at SSPR Facilities, including the Policy Regarding Dissemination of Informational and Advertising Materials at District Facilities adopted in the Spring of 1992.
4. **Effective Date.** This Resolution shall take effect and be enforced immediately upon its approval by the Board.

ADOPTED this 14th day of October, 2015

South Suburban Park and Recreation District

SIGNED

By: _____

John K. Ostermiller, President

Attest:

Pamela M. Eller, Secretary

EXHIBIT A

RULES AND REGULATIONS CONCERNING SPEECH AT THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT FACILITIES

The following rules and regulations apply to the public facilities owned and operated by the South Suburban Park and Recreation District (the “District”), including the District’s recreation centers, golf courses, parks and trails, and the District-owned sidewalks and trails adjacent thereto (collectively, the “SSPR Facilities”).

1. Unsolicited, verbal communications intended to persuade or attempt to persuade another person to the speaker’s point of view, including petitioning, picketing, leafleting, campaign activities, proselytizing, the sale and distribution of newspapers, carrying of placards, and the display of signs, banners, or other written materials (collectively, “Speech Activities”), are permitted at SSPR Facilities only in designated areas (“Speech Areas”) at a time, place and in a manner consistent with these Rules and Regulations and as approved by the Executive Director or designee.
2. The Executive Director or other designee shall identify Speech Areas for the SSPR Facilities. Such areas must be outside of any building, and generally should be at least 100 feet from the entrances to any building or active use area, safe for both the speakers and users of SSPR Facilities, and allow adequate room for passage. A bulletin board, counter, or table top may be provided upon request within a public area of a District building for the display of written materials. In order to prevent the disruption of District operations, the size of any sign, leaflet, handbill, or distribution of any kind may be limited to a maximum size of 8 ½ x 11 inches.
3. Those engaging in Speech Activities in designated Speech Areas are not permitted to:
 - (a) Create a dangerous or hazardous condition, interfere with access and use of the SSPR Facilities, damage property, or create an unnecessary maintenance expense for the District;
 - (b) Post promotional materials (i.e. banners, materials, signs, etc.) on trees or other natural features within SSPR Facilities, or post promotional materials on man-made features within SSPR Facilities without prior approval from the Executive Director or his/her designee;

- (c) Distribute promotional materials on vehicles parked at SSPR Facilities;
 - (d) Have more than two speakers in the Speech Area at any time, except with prior approval from the Executive Director or other designee;
 - (e) Hinder, impede, block the passage of District patrons, employees or visitors;
 - (f) Harass or continue to impose upon, follow, shout at or against, mark for approach by others or otherwise press an issue after having been advised of the patron's, employee's, or visitor's lack of interest in an opposing viewpoint and/or desire to be left alone;
 - (g) Surround or make repeated approaches to a District patron, employee, or visitor;
 - (h) Incite or promote arguments with or among District patrons, employees, or visitors;
 - (i) Incite or promote imminent acts of violence;
 - (j) Present, impose, or otherwise impress upon District patrons, employees, or visitors obscene materials or materials, photographs, or demonstrative exhibits generally offensive in the community; or
 - (k) Violate these Rules and Regulations or any additional time, place and manner restrictions imposed by the District.
4. The following are exempt from these Rules and Regulations, except that all signs, banners and other materials displayed shall be inoffensive and family-friendly, and the District reserves all rights related to review and enforcement thereof:
- (a) The District may display signs, banners or other materials;
 - (b) Individuals and organizations who rent a meeting room at SSPR Facilities may display a sign in a location designated by the Executive Director or an appointed designee for informational purposes that states the name of the individual or organization, and the date, time and location of the meeting;
 - (c) Individuals and organizations who pay a sponsorship fee to support the District's facilities, activities, events, and/or operations may display promotional materials (i.e. banners, materials, signs, etc.) in

a location designated by the Executive Director or an appointed designee; and

- (d) Nonprofits and governmental entities that partner with the District to provide information to the public and for which the District receives reciprocal benefits may display promotional materials (i.e. banners, materials, signs, etc.) in a location designated by the Executive Director or an appointed designee.
5. Any individual who violates these Rules and Regulations will first be given a verbal warning. If the violation does not cease, such individual will be escorted off District property without receiving a refund for any entrance or program fees paid. Violations may also result in the revocation of the right to utilize the SSPRD Facilities and programs.
 6. If a violation of these Rules and Regulations also constitutes a violation of federal, state, or local law (e.g., trespass, disorderly conduct, nuisance), the individual will be subject to all applicable penalties under such law.
 7. The Executive Director or an appointed designee is responsible for the administration of these Rules and Regulations.