

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
REGULAR MEETING NO. 880  
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 5:40 pm on **Wednesday, December 14, 2016** at the Goodson Recreation Center, 6315 South University Boulevard, Centennial, Colorado. Chair John Ostermiller presided.

(Note to the file: The November 23 regular sessions were cancelled due to the lack of any pressing agenda items. Special posting had been accomplished, per State statute. /ds)

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

**Legal Counsel:** James P. Collins, Esq.

**Management Staff:** Rob Hanna, Executive Director  
Brett Collins, Director of Planning & Development  
Teresa Cope, Director of Communications  
Jay Dikeman, Director of Hospitality Services  
JoAnn Gould, Director of Recreation Facilities  
Andy Jennings, Director of Parks & Open Space  
Mike MacLennan, Director of IT  
Eileen Matheson, Director of Recreation Services  
Bill Ramsey, Director of Golf  
Melissa Reese-Thacker, Planning Manager  
Steve Shipley, Director of Finance

**STUDY SESSION CONVENED**

After the call to order, Mr. Ostermiller immediately convened the Study Session, and the group discussed most of the items on the posted agenda. Staff requested a revised motion for the Linksvue Park easement, in consent agenda items below. (See also the continuing discussion of study session agenda items in the public meeting below.)

The Board paused at 6:52 pm and returned to the public meeting at 7:01 pm.

**Public meeting continued**

**Citizens' comments**

No public came forward to speak tonight.

**Executive Director's report**

**New employee introductions**

Mrs. Matheson introduced

- *Mark Scruggs*, the new Tennis Pro. He will be working at the Littleton Tennis Center as well as at the Lone Tree and Holly tennis facilities.

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Shawn Wissel, Grounds, Trails & Natural Open Space Manager introduced

- *Ben Schenburn*, Maintenance Technician for Parks & Open Space, Grounds Maintenance Crew, and
- *Dante Lugan-Weddel*, Maintenance Technician for Parks & Open Space, Trails Division.

### Legal Counsel's report

Jim Collins referred the Board to his confidential report in tonight's Board packet. For the public present, he announced the sale of the Jamison property (the old District shop property) to the developer in November.

Legal staff was involved in several items included on tonight's public agenda and gave staff comments on them. He referred the Board of Directors to the water rights report in the Board packet.

### Minutes approval

Members reviewed the November 9 draft minutes. Mrs. Eller provided corrections:

- On page 7, under the Big Dry Creek East Trailhead discussion, sentences should be corrected to read ... he suggested the District should *award* the contract ... and Mr. Anderson actually thought this project was built ....
- On page 9, referring to her report on the CANDO Committee meeting and discussion about Sheridan Recreation amenities, Mrs. Eller asked for a revision. The Sheridan School District is not actually applying for funds for a school upgrade (at this time). They may look at a site for a new school some time in the future. She asked Shephard to review the source notes and update the narrative.

**Without objection, the minutes of meeting no. 879, November 9, 2016 stood approved as corrected.**

### Consent Agenda items approval

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

- A. APPROVE ACCOUNTS PAYABLE FOR NOVEMBER 2016 IN THE AMOUNT OF \$3,416,013.**
- B. APPROVE A NON-EXCLUSIVE PERMANENT WATER LINE EASEMENT WITH DENVER WATER IN LINKSVIEW PARK, INCLUDING TECHNICAL MODIFICATIONS AS APPROVED BY LEGAL COUNSEL, AND TO DIRECT THE EXECUTIVE DIRECTOR TO SIGN THE FINAL DOCUMENT.**
- C. ACCEPT THE PUBLIC TRAIL EASEMENT WITH THE CITY OF CENTENNIAL FOR THE SOUTH FRANKLIN STREET BRIDGE PROJECT ON THE HIGH LINE CANAL TRAIL.**
- D. APPROVE AN INDEPENDENT CONTRACTOR AGREEMENT WITH PUBLIC OPINION STRATEGIES, FOR AN AMOUNT NOT TO EXCEED \$28,500; AND TO DIRECT THE EXECUTIVE DIRECTOR TO SIGN THE FINAL CONTRACT.**

**MR. ANDERSON MOVED TO ACCEPT ITEMS A–D. Mr. Taylor seconded the motion. There was no further discussion. Consent agenda items were approved unanimously (5-0).**

## MINUTES

### NEW BUSINESS

#### **Proclamation in recognition of JoAnn Gould's 30 years of service to the District**

Mrs. Eller read the proclamation into the record. (See the proclamation, attached hereto as part of the permanent record.)

#### **Proclamation in recognition of the Professional Golf (PGA) of America's 100<sup>th</sup> anniversary**

Mr. Ramsey came forward with District golf pros Todd Marley, Ed Leuppe, John Tolan, and Bill Hancock.

Mr. Anderson read the proclamation into the record. (Please see the proclamation, attached hereto and made part of the permanent record.)

#### **2017 Youth Commission approval**

Mrs. Matheson presented. She reported on the history of the Commission, which started in 2014. These members advise staff on important issues for youth and teens, and they give back to the community where they can, performing volunteer projects. They raised funds and attended the Youth Summit held by the CPRA, where the focus was on leadership skills. Each of tonight's candidates submitted an application and resume, they went through an interview process, and they did very well.

Ms. Matheson thanked staff liaisons Keely Sorensen and Sarah Nielsen (Athletics Division) for their work. Keely and Sarah introduced candidates:

Alex Peepgrass, Arapahoe High School  
Amelia Rheas, Heritage High School  
Aubrey Weaver, Euclid Middle School  
Bailey Thompson, Arapahoe High School  
Blake Kennedy, Newton Middle School  
Elise Mutz, Heritage High School  
Elizabeth (Libby) Stroup, Heritage High School  
Gage Voss, Arapahoe High School  
Janie Egan, Arapahoe High School, and  
Jake Swartwout Heritage High School

They noted that Audrey Koenig, who was unable to attend this evening, was applying to return for another year of service.

They recommended appointment of the Youth Commission members, to take effect on January 1, 2017.

Mr. Ostermiller thanked the youth and teens for applying and for being interested in South Suburban and the Youth Commission. He also thanked the parents for raising their children to be interested in community and volunteer work, which makes all our lives better.

**MRS. ELLER MOVED TO APPOINT ALEX PEEPGRASS, AMELIA RHEAS, AUBREY WEAVER, AUDREY KOENIG, BAILEY THOMPSON, BLAKE KENNEDY, ELISE MUTZ, ELIZABETH STROUP, GAGE VOSS, JANIE EGAN AND JAKE SWARTWOUT FOR THE 2017 SOUTH SUBURBAN PARKS AND RECREATION YOUTH COMMISSION. Mr. LaBrash seconded the motion. There was no further discussion, and the motion was approved unanimously (5-0).**

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Mr. Ostermiller hoped that the youth and teens would find the experience enjoyable, and that hopefully would change their lives and help them to appreciate these District activities. Mr. LaBrash assured them that the Board does take their information seriously and is looking to them to help the District connect to the community.

### **Mill levy certifications**

Mr. Shipley presented the prepared resolutions and certifications for Board approval. The documents will be filed, per State law, on December 15. For fiscal year 2017, staff was recommending 8.643 mills: This is a slight decrease from 2016, as a result of slight decreases in the abatement and debt service mills. Assessed valuations have decreased 0.24%. The 2017 property tax revenue is estimated to generate \$23,859,912.

**MR. ANDERSON MOVED TO APPROVE RESOLUTION NOS. 2016-014, -015, AND -016 TO SET THE TAX LEVIES; AND TO APPROVE THE CERTIFICATION OF TAX LEVIES, WITH ARAPAHOE, DOUGLAS, AND JEFFERSON COUNTIES. Mr. LaBrash seconded the motion.** There was no further discussion, and **the motion was approved unanimously (5-0).** (Copies of the three resolutions are attached hereto and made part of the permanent record.)

### **Foothills Park and Recreation District. TrailMark residents, special fee structure approval, and Resolution and Intergovernmental Agreement**

Mr. Hanna presented the resolution and IGA for approval. He explained the history of the decision. The Littleton City master plan process completed this year had collected comments from TrailMark residents, who were pretty vocal about not having some additional recreational opportunities in the extreme southwest quadrant of the District. The estimated number of households in this subdivision is 800–900, and while the demographics wouldn't substantiate building new South Suburban facilities, the proposed IGA with the Foothills Park and Recreation District would offer TrailMark residents their in-district admission rates to recreation centers and golf courses closer to their subdivision. South Suburban will remit the difference between Foothills nonresident and resident rates directly to Foothills on a monthly basis for the previous month's admissions.

While there isn't a solid estimate of the future costs to refer to, Mr. Hanna noted that the current, similar program for Bowles Metro. District residents is costing its district an average of \$500/month. Mr. Hanna concluded, this is great solution for the TrailMark residents. The Foothills board of directors had approved the arrangement the previous evening.

The approved arrangement would go in place on January 1, 2017. Participants will collect a Foothills card. South Suburban will be billed monthly for the fee differential.

Mr. Taylor asked how frequently Mr. Hanna would provide updates to the District Board regarding costs and any changes made to the program. Mr. Hanna suggested he could provide a monthly report in the first year of operation. He added, the proposed motion has included some language to allow the Executive Director to make minor modifications where needed.

Mr. LaBrash stated, the IGA is long overdue, and he didn't know why the District hadn't done it sooner. In the past, the subdivision had been very vocal. He praised staff's work. He asked if the District has approached the homeowners association yet and if they're amenable to this arrangement. Mr. Hanna reported that the work had been as a result of the Littleton master plan. Next, staff will be contacting the HOA management company and arranging for an announcement of the benefit. Mr. LaBrash asked staff if they could communicate with the homeowners before year-end. Discussion continued. In conclusion Mr. Ostermiller asked staff to prepare a letter to each household, for his and Mr. Hanna's signatures and to be delivered before year-end, to some direction on how to take

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advantage of the new benefit. Mr. Hanna noted that South Suburban will provide Foothills staff with a spreadsheet of TrailMark District residents, and that could be used for the mailing as well.

**MRS. ELLER MOVED TO APPROVE DISTRICT RESOLUTION 2016-017, “AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN SOUTH SUBURBAN’S TRAILMARK RESIDENTS USE OF FoothILLS’ RECREATION AMENITIES”; AND TO DIRECT THE EXECUTIVE DIRECTOR TO SIGN THE RESOLUTION AND AGREEMENT DOCUMENTS ON BEHALF OF THE DISTRICT; AND FURTHER, TO DIRECT THE EXECUTIVE DIRECTOR TO NEGOTIATE AND SIGN ADDENDA TO THIS INTERGOVERNMENTAL AGREEMENT IN THE FUTURE. Mr. LaBrash seconded the motion. There was no further discussion, and the motion was approved unanimously (5-0).** (A copy of the Resolution is attached hereto and made part of the permanent record.) Mr. Ostermiller thanked Mr. Hanna for putting this together.

At this time, Board and staff returned to the remaining agenda items from Study Session.

### **High Line Canal. Review of the High Line Canal Conservancy’s vision and action plan drafts**

Brett Collins presented. As the Conservancy is wrapping up its initial work, they are asking local agencies to formally endorse the vision developed by the Conservancy for the future Canal at this time. He thanked Mrs. Eller for her ongoing work with the Working Group and for keeping the Board up to date on the meetings.

Tonight, staff presented the Executive Summary in the packet, and additionally the entire 90-page vision document as an addendum. He explained that the Conservancy requested that staff collate the District reviewers’ notes and to forward them by early January. South Suburban staff also is reviewing the documents and preparing comments. Following his to-date review, Brett reported that he isn’t seeing anything that is either controversial or would force the District to do something in the future.

The Conservancy is also asking the agencies for a resolution of support for the vision and action plan, and a draft was included in tonight’s packet for the Board’s review as well. Staff anticipates presenting a final resolution to the South Suburban Board next February.

To Mrs. Eller’s question, Brett Collins and Mr. Hanna affirmed that the South Suburban Park Foundation has participated in the Conservancy discussions as a stakeholder, but not as a funding partner.

Mrs. Eller referred to the discussions and some concerns about governance and financial commitments. Mr. Hanna reported he is also trying to absorb the entire document, but so far, he is OK with the Executive Summary as it was written. He will ask Jim Collins to review the resolution of support, to make sure that it is clear that the District will support the concept but won’t allow the Conservancy to tie our hands.

Mrs. Eller will continue her review. She noted, one of the clear concerns residents expressed is that their contributions be spent on their section of the High Line Canal.

Mr. LaBrash asked if the current documents address signage at all, and Brett responded that they didn’t: There is a task team working on signage, and staff is discussing ideas with the Conservancy directly. Mr. Hanna explained that his concern: that the Conservancy can provide some guidelines, but the Conservancy shouldn’t dictate sign standards—that’s the purview of local municipalities. Mrs. Eller noted a recent presentation by the Trust for Public Land—and that it quickly became apparent that participants didn’t support the TPL’s suggestions for uniform sign standards. Several agreed, there have been past discussions about trying to achieve some consistency in signage throughout the trail systems. Brett suggested that signage will be addressed in the next step, with the drafted master plan.

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Mrs. Eller noted the discussion about improvements for four bridges, and she asked if these are the only Canal bridges within the District. Brett reported that there are more bridges, and they are in the same condition (i.e., they need some maintenance). Regarding the standards for the bridges, staff reported that the Conservancy has adopted South Suburban's standards.

Mr. Anderson suggested, if our conclusion is that the governance section of action plan is fine as it is, then staff should include a review comment to that effect—so in case another review group wants to change the governance section, then the District's opinion would be on record, that this is the right framework and the one that South Suburban is supportive of.

### **Look ahead (future Board sessions and quorum events)**

Members reviewed the current events list. For the Economic Forecast in January (sponsored by the South Metro Chamber), all five Boardmembers expressed some interest in attending. Staff will arrange for staff representation that morning at the regular CANDO Committee meeting, so that Mrs. Eller can attend the breakfast.

### **Board of Directors items**

Mrs. Eller announced Well done! on the article in the Villager and SDA news clippings about the South suburban energy audit process.

Mrs. Eller attended the annual Sheridan holiday lunch. She praised the work of staff. The lunch was well attended, and everyone seemed to have a good time.

She's received really positive feedback about the new application process for the tennis block time. Players are finding it easy to navigate.

Mr. Anderson forwarded Kudos to Mr. Dikeman and the Hospitality staff for the most recent Tantalizing Tastes. He praised the food and the community-building event. He asked Hospitality staff to maintain the quality of the event.

He noted that the Board and several staffmembers toured the Rocky Mountain Arsenal National Wildlife Refuge the previous week. He noted that the Arsenal park staff deals with a number of the same issues as South Platte Park staff: trying to protect wildlife, to keep the space open to visitors, and for visitors to learn from natural experiences. Boardmembers thanked Mr. Anderson for arranging the tour.

Mr. Ostermiller noted that Communications staff is arranging a photo shoot on the completion of improvements at Arapaho and Writer's Vista parks, probably next week. The photo shoot will include Arapahoe County representatives and Boardmembers.

The Hudson Gardens Board's regularly monthly board meeting for December was cancelled.

Mr. Ostermiller has been asked to serve again on the South Metro Chamber's Legislative Action Committee. He has asked Mr. LaBrash to serve as his alternate.

Mrs. Eller also reported on the recent Arapahoe County citizens' meeting for a trails master plan. Quite a few people attended this session. She asked Melissa Reese-Thacker to update the Board about substantial happenings in the future. County GIS staff is collecting in-depth data about sidewalks; and this data would be a resource for District staff, for planning trail connections and similar improvements into the future.

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Mr. Ostermiller updated the group on the City of Littleton.

- Following on a 6.5-hour meeting, the City has decided to retain its urban renewal authority (a/k/a LIFT); however, the City has kept only one geographic area in the program: the Columbine Square property. The District will receive a refund of taxes paid on the three previous urban renewal areas.
- The City is about to announce the names of finalists for the City Manager position.

### **Announcements and emergency items**

Mr. Ostermiller announced two potential quorum events:

- Thursday, December 15. For the South Platte Park Management Plan, there will be a citizens information meeting; 6-8 pm; at the Carson Nature Center in South Platte Park.
- Friday, January 13, 2017. The South Metro Denver Chamber is holding their 2017 Economic Forecast Breakfast; starting at 7:30 am; at the Hyatt Regency Denver Tech Center, 7800 Tufts Avenue.

Then Mr. Ostermiller announced, it had been suggested that the December 28 regular sessions could be cancelled. **MR. TAYLOR MOVED TO CANCEL THE DECEMBER 28 REGULAR MEETING. Mr. LaBrash seconded the motion, which was approved unanimously (5-0).**

Mr. Ostermiller added, this likely would be the last meeting of the year. He wished everyone present, Happy Holidays! He thanked the group for a very successful year.

### **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  
Executive Assistant

/ds



## **Proclamation in recognition of service to the District by JoAnn Gould, retiring December 31, 2016**

**WHEREAS**, JoAnn worked for South Suburban Park and Recreation District for 30 years, beginning as Supervisor of Athletics on April 8, 1986 and retiring from her career as the Director of Recreation Facilities.

**Here are highlights of JoAnn's career** that we want to mention especially tonight:

1. JoAnn provided guidance and oversight to a large and diverse department. She most recently provided leadership for 530 full and part-time employees and guided the management of the Goodson, Buck, Sheridan and Lone Tree Recreation Centers, Family Sports Center and South Suburban Ice Arena, Aquatics Facilities, Colorado Journey Mini Golf and Batting Cages and multiple programs including Licensed Child Care, Swimming, and Active Older Adults.
2. JoAnn has actively participated with state and national organizations including the Special District Association, the National Recreation and Park Association, the Colorado Parks and Recreation Association, and the Drennen's Dreams Foundation, a local foundation which focuses on promoting pool safety.
3. JoAnn has continuously shared her passion for parks and recreation. Over the years, she has served as a mentor to numerous employees and has championed the District's Step-up Leadership Academy, designed to teach District staff leadership and supervisory skills to promote their careers at South Suburban. In Spring and Summer 2014, she established a Youth Commission, providing a voice for teens in the community to learn about local government and help shape parks and recreation in their community.
4. JoAnn was an innovator and advanced her knowledge through the Colorado Parks and Recreation Association's Rocky Mountain Revenue Management School, and in 2008 she graduated from Harvard University's prestigious John F. Kennedy School of Government. She was one of the first people in the country to be recognized by NRPA with certification as a Certified Park and Recreation Executive. And in 2014, the Special District Association recognized JoAnn as Manager of the Year.

**And WHEREAS**, JoAnn has served the larger park and recreation community and has distinguished herself professionally both locally and nationally. JoAnn is a positive role model and wonderful example for others in the field of parks and recreation;

**NOW THEREFORE**, the Board of Directors of South Suburban Park and Recreation District recognizes the contributions of JoAnn Gould for the past 30 years, and offer her, Congratulations!

GIVEN this 14<sup>th</sup> day of December 2016, by the Board of Directors of the South Suburban Park and Recreation District.

**SIGNED**

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Scott A. LaBrash,  
Vice Chairman

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John K. Ostermiller,  
Chairman

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Pamela M. Eller,  
Secretary

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Michael T. Anderson,  
Treasurer

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James A. Taylor,  
Assistant Secretary/  
Assistant Treasurer



## Proclamation in recognition of the Professional Golf Association (PGA) of America's 100<sup>th</sup> Anniversary

**WHEREAS**, the PGA of America is one of the world's largest sports organizations. Founded April 10, 1916 in New York City, as the first nationwide all-professional golf association, the PGA of America has grown from its original 78 members to more than 28,000 men and women professionals today; and

**WHEREAS**, The PGA's mission has been twofold: to establish and elevate the standards of the profession and to grow interest and participation in the game of golf.

The PGA elevates the public's interest in the game, the desire to play and enjoy golf, and ensures accessibility to the game for everyone, everywhere.

By establishing and elevating the standards of the golf profession through world-class education, career services, marketing and research programs, the Association enables PGA Professionals to maximize their performance in their respective career paths and showcases them as experts in the game and in the multi-billion dollar golf industry.

South Suburban Parks and Recreation is pleased to have among its staff ten PGA professionals who are not only schooled in the game of golf, but have business acumen as well and share their expertise and love of the game with others;

**NOW THEREFORE**, the Board of Directors of South Suburban Park and Recreation District recognize the value of golf in meeting the recreational and social needs of thousands of our residents. The Board also recognizes the contributions of the PGA, and congratulates the PGA on its centennial anniversary. We look forward to another 100 years of golf throughout the District.

**GIVEN** this 14th day of December, 2016, by the Board of Directors of the South Suburban Park and Recreation District.

**SIGNED**

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Scott A. LaBrash,  
Vice Chairman

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John K. Ostermiller,  
Chairman

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Pamela M. Eller,  
Secretary

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Michael T. Anderson,  
Treasurer

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James A. Taylor,  
Assistant Secretary/  
Assistant Treasurer

SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
RESOLUTION No. 2016-014 TO SET MILL LEVIES  
ARAPAHOE COUNTY

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2016, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, COLORADO, FOR THE 2017 BUDGET YEAR.

WHEREAS, the Board of Directors of the South Suburban Park and Recreation District has adopted the annual budget in accordance with the Local Government Budget Law, on November 9, 2016; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, for District Code 4650, the mills necessary to balance the budget for general operating expenses are 6.417 mills, plus 0.063 refund and abatement mills; and

WHEREAS, for District Code 4650, the mills necessary to balance the budget for the Parks, Open Space, and Trails Tax expenses, as approved by voters, are 1.000 mills;

WHEREAS, for District Codes 4650, 4648 (CHV), and 4647 (GWV), the mills necessary to balance the budget for debt retirement expenses are 1.163 mills; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of the South Suburban Park and Recreation District during the 2017 budget year for District Code 4650, there is hereby levied a tax of 6.417 mills, plus 0.063 refund or abatement mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 2. That for the purpose of meeting all Parks, Open Space, and Trail Tax expenses of the South Suburban Park and Recreation District during the 2017 budget year for District Code 4650, as approved by voters, there is hereby levied a tax of 1.000 mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 3. That for the purpose of meeting all debt retirement expenses of the South Suburban Park and Recreation District during the 2017 budget year for District Codes 4650, 4648 (CHV), and 4647 (GWV), there is hereby levied a tax of 1.163 mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 4. That the Chairman of the Board is hereby authorized and directed to immediately certify to the County Commissioners of Arapahoe County, Colorado, the mill levies for the South Suburban Park and Recreation District as hereinabove determined and set.

PASSED, APPROVED, AND ADOPTED this 14th day of December, 2016 by the Board of Directors of the South Suburban Park and Recreation District, by a vote of 5 for and 0 against.

South Suburban Park and Recreation District, by

**SIGNED**

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

ATTEST:

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Pamela M. Eller, Secretary

SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
RESOLUTION No. 2016-015 TO SET MILL LEVIES  
DOUGLAS COUNTY

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2016, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, COLORADO, FOR THE 2017 BUDGET YEAR.

WHEREAS, the Board of Directors of the South Suburban Park and Recreation District has adopted the annual budget in accordance with the Local Government Budget Law, on November 9, 2016; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, the mills necessary to balance the budget for general operating expenses are 6.417 mills, plus 0.063 refund and abatement mills; and

WHEREAS, the mills necessary to balance the budget for the Parks, Open Space, and Trails Tax expenses, as approved by voters, are 1.000 mills;

WHEREAS, the mills necessary to balance the budget for debt retirement expenses are 1.163 mills; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of the South Suburban Park and Recreation District during the 2017 budget year there is hereby levied a tax of 6.417 mills, plus 0.063 refund or abatement mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 2. That for the purpose of meeting all Parks, Open Space, and Trail Tax expenses of the South Suburban Park and Recreation District during the 2017 budget year, as approved by voters, there is hereby levied a tax of 1.000 mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 3. That for the purpose of meeting all debt retirement expenses of the South Suburban Park and Recreation District during the 2017 budget year, there is hereby levied a tax of 1.163 mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 4. That the Chairman of the Board is hereby authorized and directed to immediately certify to the County Commissioners of Douglas County, Colorado, the mill levies for the South Suburban Park and Recreation District as hereinabove determined and set.

PASSED, APPROVED, AND ADOPTED 14th day of December, 2016 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**

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Pamela M. Eller, Secretary

SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
RESOLUTION No. 2016-016 TO SET MILL LEVIES  
JEFFERSON COUNTY

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2016, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, COLORADO, FOR THE 2017 BUDGET YEAR.

WHEREAS, the Board of Directors of the South Suburban Park and Recreation District has adopted the annual budget in accordance with the Local Government Budget Law, on November 9, 2016; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, the mills necessary to balance the budget for general operating expenses are 6.417 mills, plus 0.063 refund and abatement mills; and

WHEREAS, the mills necessary to balance the budget for the Parks, Open Space, and Trails Tax expenses, as approved by voters, are 1.000 mills;

WHEREAS, the mills necessary to balance the budget for debt retirement expenses are 1.163 mills; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, COLORADO:

Section 1. That for the purpose of meeting all general operating expenses of the South Suburban Park and Recreation District during the 2017 budget year there is hereby levied a tax of 6.417 mills, plus 0.063 refund or abatement mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 2. That for the purpose of meeting all Parks, Open Space, and Trail Tax expenses of the South Suburban Park and Recreation District during the 2017 budget year, as approved by voters, there is hereby levied a tax of 1.000 mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 3. That for the purpose of meeting all debt retirement expenses of the South Suburban Park and Recreation District during the 2017 budget year, there is hereby levied a tax of 1.163 mills, upon each dollar of the total valuation for assessment of all taxable property within the District for the year 2016.

Section 4. That the Chairman of the Board is hereby authorized and directed to immediately certify to the County Commissioners of Jefferson County, Colorado, the mill levies for the South Suburban Park and Recreation District as hereinabove determined and set.

PASSED, APPROVED, AND ADOPTED 14th day of December, 2016 by the Board of Directors of the South Suburban Park and Recreation District, by a vote of 5 for and 0 against.

South Suburban Park and Recreation District, by

**SIGNED**

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

ATTEST:

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Pamela M. Eller, Secretary

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
RESOLUTION No. 2016-017**

**AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT  
FOR SOUTH SUBURBAN'S TRAILMARK RESIDENT USE OF THE  
FOOTHILLS PARK AND RECREATION DISTRICT'S RECREATION AMENITIES**

This Intergovernmental Agreement for South Suburban's TrailMark Resident Use of the Foothills' Recreation Amenities ("**Agreement**") is entered into by and between South Suburban Park and Recreation District ("**South Suburban**") and Foothills Park & Recreation District ("**Foothills**"). South Suburban and Foothills are referred to collectively as the "**Parties**" or individually as a "**Party**".

**WHEREAS**, each Party is a political subdivision of the State of Colorado, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide park and recreation services to residents within, and to individuals passing through, their respective jurisdictions. The Parties are authorized pursuant to C.R.S. § 29-1-201, *et seq.* to cooperate and contract with one another to provide any lawfully authorized function, service, or facility; and

**WHEREAS**, in order to enhance each Party's provision of park and recreation services to its residents, and to promote mutually beneficial collaboration between the Parties, the Parties desire to cooperate with one another for the purpose of allowing South Suburban's TrailMark residents to access Foothills' Recreation Amenities ("**Recreation Amenities**") on the terms and conditions provided herein.

**NOW, THEREFORE**, the Parties agree to allow South Suburban's TrailMark residents to access the Recreation Amenities as follows:

1. **Use of Recreation Amenities.** Beginning on January 1, 2017, Foothills will allow South Suburban's TrailMark residents to access the Recreation Amenities at the Resident Rates for admission and recreation programs that Foothills otherwise charges for Foothills residents, as such rates may be amended from time to time in Foothills' sole discretion ("**Resident Rates**"). Individuals living within the TrailMark subdivision of South Suburban may pay the Recreation Amenities' daily general admission at the Residents Rates ("**Daily Admission**"), or may purchase a Recreation Amenities seasonal, three month or annual pass at the Resident Rates ("**Multi-Visit Admission**"), or may participate in recreation programs or classes by paying the Resident Rates.

Daily Admission access will include the Recreation Amenities drop-in amenities and activities that Foothills otherwise grants to Foothills residents who pay the daily general admission rate ("**Included Amenities**"), as shown on the attached Exhibit A. Multi-Visit Admission access will include the Included Amenities, as well as such additional amenities and activities as Foothills may determine ("**Multi-Visit Amenities**").

2. **Photo I.D. Card.** In order to access the Recreation Amenities at the Resident Rates, South Suburban's TrailMark residents must acquire a Foothills Photo I.D. Card on the same terms and conditions as Foothills otherwise provides for Foothills residents. South

Suburban will provide Foothills with a list of TrailMark addresses eligible to acquire a Foothills Photo I.D. Card, and will strive to update such list on an annual basis or as mutually agreeable. Foothills will allow South Suburban's TrailMark residents to begin acquiring Photo I.D. Cards on January 1, 2017.

3. **Reimbursement to Foothills.** For each South Suburban's TrailMark resident who accesses the Recreation Amenities at the Resident Rates, or participate in a program or class at the Resident Rates, South Suburban will reimburse Foothills for the difference between the Resident Rates and the admission rates that Foothills otherwise charges for all non-Foothills residents ("Non-Resident Rates"), as such rates may be amended from time to time in Foothills' sole discretion ("**Rate Differences**"). Foothills shall invoice South Suburban monthly for the Rate Differences attributable to the actual number of TrailMark residents who accessed the Recreation Amenities in the preceding month, along with an accounting of such charges, and South Suburban shall remit payment to Foothills within 30 calendar days of receiving an invoice. Invoices for the Rate Differences will be mailed to SSPRD Attn: Steve Shipley, Finance Director 6631 S. University Blvd. Centennial, Colorado 80121.

4. **Effective Date.** This Agreement shall be effective as of the date the last Party signs this Agreement ("**Effective Date**").

5. **Term and Termination.** The initial term of this Agreement shall commence on January 1, 2017 and continue through December 31, 2017 ("**Initial Term**"). Thereafter, this Agreement shall automatically renew for successive one year periods ("**Renewal Term(s)**") on the same terms and conditions set forth herein. Notwithstanding the foregoing, this Agreement may be terminated by either Party at any time during the Initial or any Renewal Term upon 30 calendar days prior written notice to the other Party ("**Notice Period**"). Foothills' obligation to invoice South Suburban and South Suburban's obligation to reimburse Foothills, for the Rate Differences attributable to the actual number of TrailMark residents who access the Recreation Amenities during the Notice Period shall survive such termination and be subject to the terms of this Agreement.

6. **Governmental Immunity.** This Agreement is not intended, and shall not be construed, as a waiver of the limitations on damages or any of the privileges, immunities, or defenses provided to, or enjoyed by, the Parties and their directors, officers, and employees/volunteers under federal or state constitutional, statutory, or common law, including but not limited to the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*

7. **Notice.** Whenever under this Agreement one Party is required to give notice to the other Party, such notice shall be given by personal delivery or certified/registered mail, postage prepaid, and addressed as follows:

South Suburban:

South Suburban Park and Recreation District  
Attn: Executive Director  
6631 S. University Blvd  
Centennial, Colorado 80121

Foothills:

Foothills Park & Recreation District  
Attn: Executive Director  
6612 S. Ward Street  
Littleton, Colorado 80127

If notice is provided by certified/registered mail, it shall be deemed given 72 hours after the date and time it is placed in the mail.

8. **Non-Appropriation.** All direct and indirect financial obligations of a Party under this Agreement are subject to appropriation, budgeting, and availability of funds to discharge such obligations. If a Party's governing body fails to appropriate funds for that Party's obligations under this Agreement for a calendar year, this Agreement shall terminate immediately, and no Party shall have any further obligation under this Agreement. No provision of this Agreement shall be construed or interpreted (a) to directly or indirectly obligate a Party to make any payment in any fiscal year in excess of amounts appropriated for such fiscal year; (b) as creating a debt or multiple fiscal year direct or indirect debt or other financial obligation whatsoever of a Party within the meaning of Article XI, Section 6 or Article X, Section 20 of the Colorado Constitution or any other constitutional or statutory limitation or provision; or (c) as a delegation of governmental powers by a Party.

9. **No Third Party Beneficiaries.** This Agreement is not intended to, and shall not, confer rights on any person or entity not named as a party to this Agreement, expressly including enforcement of any of the terms and conditions of this Agreement; all rights of action relating to such enforcement shall be strictly reserved to the Parties.

10. **Relationship of the Parties.** By entering into this Agreement, the Parties are not creating, and shall not be construed as creating, a joint venture, partnership, authority, or any other type of relationship between the Parties, and each Party shall remain a separate and distinct entity for all purposes under this Agreement.

11. **Additional Terms.** Colorado law governs this Agreement. Exclusive jurisdiction and venue of any proceeding concerning this Agreement shall be in the Jefferson County District Court. This Agreement constitutes the entire agreement between the Parties, and all prior and contemporaneous conversations, negotiations, possible alleged agreements, representations, covenants, and warranties concerning the subject matter hereof are merged herein. Other than amendments to the Resident Rates and Non-Resident Rates as provided in Paragraphs 1 and 3 above, this Agreement may be amended only by a document signed by the Parties. Course of performance, no matter how long, shall not effect an amendment to this Agreement. If any provision of this Agreement is held invalid or unenforceable, all other provisions shall continue in full force and effect. Waiver of a breach of this Agreement shall not operate or be construed as a waiver of any subsequent breach of this Agreement. This Agreement is not assignable. In any dispute arising from or relating to this Agreement, the prevailing Party shall be awarded its reasonable attorneys' fees, costs, and expenses, including any attorneys' fees, costs, and expenses incurred in collecting upon any judgment, order, or award. This Agreement may be executed in several counterparts and by facsimile or electronically by PDF, each of which shall be deemed an original and all of which shall constitute one and the same instrument.

**South Suburban Park and Recreation District**

\_\_\_\_\_  
Rob Hanna, Executive Director

Date: \_\_\_\_\_

**SIGNED**

**Foothills Park & Recreation District**

\_\_\_\_\_  
Ronald Hopp, Executive Director

Date: \_\_\_\_\_

**RESOLUTION No. 2016-017** WAS PASSED, APPROVED, AND ADOPTED 14th day of December, 2016 by the Board of Directors of the South Suburban Park and Recreation District, by a vote of 5 for and 0 against.

**SIGNED**

Donna Shephard, Minutes Secretary  
South Suburban Park and Recreation District  
Date: December 14, 2016

## EXHIBIT A

### Foothills Park and Recreation District Recreation Amenities

#### Included Amenities:

Peak Community & Wellness Center  
6612 S Ward Street, Littleton CO

Lilley Gulch Recreation Center  
6147 S Holland Way, Littleton CO

Deer Creek Pool  
8637 S Garrison Street, Littleton CO

Weaver Hollow Pool  
12750 W Stanford Ave., Littleton CO

Meadows Golf Course  
7007 Meadows Golf Club Drive, Littleton CO

Edge Ice Arena  
6623 S. Ward Street, Littleton, CO

Ridge Recreation Center  
6613 S Ward Street, Littleton CO

Columbine West Pool  
7046 S Webster Street, Littleton CO

Sixth Avenue West Pool  
400 Holman Way, Littleton CO

Foothills Golf Course  
3901 S Carr Street, Denver CO

Foothills Fieldhouse  
3606 S. Independence Street,  
Denver, CO