

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT  
REGULAR MEETING NO. 834  
MINUTES**

**Call to order**

A regular meeting of the Board of Directors of the South Suburban Park and Recreation District was called to order at a special time, 2 pm, on Wednesday, February 11, 2015 at the District Administration Building, 6631 South University Boulevard. Chair John Ostermiller presided. (Posting for the special start time had been accomplished per State statute. /ds)

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

**Senior management staff present:** David A. Lorenz, Executive Director  
Deanna Heyn, Deputy Executive Director

The posted purpose for the early start today was to develop plans for hiring a new executive director, following Dave Lorenz' retirement, anticipating his last day will be in late March/early April 2015. In addition, Mr. Lorenz presented the Board with the final draft of a proposed Agreement (discussed most recently during the January 14 and 20 sessions).

**Mary Carter Greenway at Riverside Downs, agreement review**

Mr. Lorenz requested that the Board review the proposed Construction, Operations and Maintenance Agreement, received this afternoon, and to consider approval during this evening's public meeting, during the report from Legal Counsel. Littleton Councilmember Brinkman is pushing for a quick start and completion on this project, and therefore his request for approval tonight is to accommodate the City's schedule. The goal for the current phase of construction would be to complete work by June 2015. He noted that the City has some restrictions to its delegation of construction project administration, due to the Arapahoe County Open Spaces funding requirements, where previously they were planning to utilize the District staff as the project administrators. The Littleton City Council and Hillside Downs, owner of the Riverside Downs shopping center, have agreed to the terms of the proposed agreement

As in the past, the District will maintain the east side of the recreation property, which includes the Mary Carter Greenway Trail and is adjacent to the Platte River. The plan calls for some recreation improvements, for an anticipated annual increase in District maintenance costs by \$3,000.

Mr. Anderson asked if the Agreement as written addresses all the phases of construction proposed in the recreation master plan (approved jointly by Littleton City Council and the District Board on January 20, 2015). He re-stated his previous concern: What if the shopping center does not maintain its part of the area to the District's and public's standards?

Mr. Lorenz stated that all phases of construction are not yet fully funded. If funds don't become available, then the agencies would implement only the portion of the master plan that the funds would cover. The master plan was approved in a joint meeting with the City Council, January 20, 2015. He believes that the current phase of construction will not reach the River. The Colorado Water Conservation Board (CWCB), owner of the Greenway property which the District programs and maintains, blessed the agreement, though informally. The CWCB is not a signatory of this agreement.

Mr. LaBrash asked about the property line through the recreation development. Mr. Lorenz and Mr. Ostermiller referred the group to the Exhibit. Maintenance west of the line will be on shopping center property and therefore the shopping center's responsibility. Also, the Agreement calls for development of easements (for a

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future approval) to address the District's concerns, allowing for some District access for maintenance as needed.

Mr. Lorenz noted, the project's working name has been Riverside Downs. Following staff discussion, the formal name will be the Mary Carter Greenway at Riverside Downs.

Then Mr. Lorenz left the study session, and the group turned their attention to the matter of hiring a new executive director.

### Executive director search process

Mrs. Heyn provided paper packets of several documents, previously shared by email, and added some items: previous meeting notes and the teleconference schedule to interview three prospective search firms this afternoon (Peckham & McKenney, Bob Murray & Associates, and Waldron). Mr. Ostermiller explained that the Board would move into Executive Session to take the interviews and would use part of the Executive Session scheduled later this evening to continue discussions, including some input from Mr. Lorenz regarding the search process. She summarized an opinion memorandum from Jim Collins, District Legal Counsel, noting that the names of finalist candidates for the executive director position eventually would become a matter of public information; and that the Board should decide today how to form the search committee, composed of a subset of the Board, the Board as a whole, or the Board plus some interested members of the public. Mrs. Heyn overviewed the prospective firms and suggested some questions that members could ask.

To Mr. Anderson's question, Mrs. Heyn noted Mr. Collins' observation, that the Executive Session is an appropriate time to discuss personnel matters and negotiations. The final decision as to which individual to offer the executive director position to, would be a topic for a public meeting.

Mr. Ostermiller stated that there hadn't been previous discussions regarding the formation of a search committee. He felt that the entire Board should be on the committee, as the individuals deserve to be heard. There was no disagreement.

The group turned to the matter of the schedule for each teleconference. Several members noted questions they wanted to ask. They intended to address the fee structures; how the search firms would ensure that the District conducts a national (rather than a local) search for qualified candidates; the appropriate relationship between the District, search firm and candidates insofar as "who works for whom"; and how the search firm would assess candidates' qualifications against what the District is looking for. Addressing the matter of "who works for whom," Mrs. Heyn assured the Board that the chosen search firm would be working for the District's interests, the District would be the employer and paying the bills, and therefore the District's needs would be paramount over the candidates (some of whom might have contracted with the search firm).

Mrs. Rosser expressed concern that the search should be national in order to find the most qualified individuals. Referring to the search firms' proposal packets and the past client lists, she wanted to know where previous job candidates were located when they were hired, perhaps in a map format. Mrs. Heyn will ask. Mrs. Rosser also wondered how the hiring process would be announced in Colorado—she assumed, by word of mouth initially. Mr. Ostermiller suggested that the process of applications for candidates needs to be put in place.

Mrs. Eller specifically referred to Mr. Collins' opinion: The list of finalist candidates would be a matter of public notice fourteen days prior to the District's appointing or employing one of the finalists. Members talked about a process for paring down the list of candidates to a handful of finalists; and also about preserving some confidentiality for the benefit of the candidates, until the legal requirements mandate an announcement.

Members also talked about the local job market for senior government positions and current salaries. It was noted that for public agencies, generally the salary information is available. Mrs. Heyn had collected some of the data already, but she suggested that the search firm would have better data and would share it. Typical benefits would include retirement benefits and a vehicle or a car allowance (in addition to other items).

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The group took a break at 2:50 pm.

### First Executive Session

At 2:55 pm, **MRS. ELLER MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO, OR, AS AUTHORIZED BY... C.R.S. SECTION 24-6-402(4), #**

**(E) FOR THE PURPOSES OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND INSTRUCTING NEGOTIATORS,**

**(F) FOR DISCUSSION OF A PERSONNEL MATTER**

**AND SPECIFICALLY REGARDING THE RECRUITMENT PROCESS FOR AN EXECUTIVE DIRECTOR. Mr. Anderson seconded the motion, which was approved unanimously (5-0).**

The Board paused briefly, continued into Executive Session at 2:55 pm, and returned at approximately 5:15 pm to call a recess. The Board reconvened at 5:30 pm, at Goodson Recreation Center, 6315 South University Boulevard.

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

**Legal Counsel:** Tim Flynn, Esq.

**Senior management staff present:** David Lorenz, Executive Director  
Deanna Heyn, Deputy Executive Director  
Brett Collins, Director of Planning & Development  
Jay Dikeman, Director of Hospitality Services  
JoAnn Gould, Director of Recreation & Community Services  
Mike MacLennan, Director of IT  
Rich Meredith, Executive Director, Hudson Gardens  
Bill Ramsey, Director of Golf  
Clay Shuck, Deputy Recreation Manager  
Steve Shipley, Director of Finance

Mr. Ostermiller reported to the group that the Board had conducted the Executive Session to conduct interviews with search firms, and no decision was made.

### Study Session

The group discussed the items on the posted agenda.

As previously announced, the Board of Directors will conduct a budget retreat on February 25 during the day. Boardmembers directed Shephard to cancel the February 25 evening sessions with a formal posting. The intent is to cover the budget retreat as well as regular session items during the day-long retreat. (See Announcements and Emergency Items below. /ds)

Mr. Flynn updated the Board on the progress of a prescriptive easement. To support the Jamison property redevelopment, they need a water and sewer easement. The homeowners association, property owner, has requested an extension of time to respond to the District's legal counsel. Mr. Ostermiller offered the observation, that the easement is needed in order for the District to sell the Jamison property at all.

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To Mrs. Eller's questions, Greg Howe, Forestry/Horticulture Supervisor reported on potential damage to District trees in Fall 2014 by the early freeze. Crews need to wait until the trees have budded out this spring to assess the real damage. Typically the damage would be to fruit trees, English oaks, some cottonwoods and other natives, and Siberian elms; evergreens should be affected less. It will be necessary to trim out tree crowns with dead branches for trail and park users' safety, at some considerable cost and staff time.

Members talked about the current and upcoming projects by Xcel Energy and its contractor, Wright Tree Service, to eliminate woody vegetation under the power lines in the south metro area; and the current work alongside Dry Creek Road by Holly Street (which is not District property). Mr. Lorenz and Mr. Howe reported on discussions to date about trimming out the trees under the lines on the Mary Carter Greenway. Mr. Howe reported that the rather dire previous communication from Xcel Energy representatives has been toned down. Xcel representatives were unaware that in the past few years, District crews have replaced more aggressively growing species under the lines with small and dwarf species, according to Xcel's direction, and so not all woody vegetation will have to be taken out. They will be touring and marking some more fast-growing plants under the lines for removal, as well as some trees alongside the lines that are "tipping in" as they grow. Some trees have been trimmed so much in the past that they need to be taken out for safety reasons. Mr. Howe explained the Xcel 25-foot clearance rule, and how that is interpreted; there was legislation in 2005 which required power companies to develop their own "vegetation management plan," and the current effort is in response to Xcel's plan. The next local area that Xcel will be looking at, is the Quebec greenbelt (also a District property).

At 6:54 pm, members recessed. The public meeting continued at 7:05 pm.

## PUBLIC MEETING, CONTINUED

### New employee introduction

Mr. Ramsey introduced Kristen Benson, the Golf Department Merchandise Coordinator. She has been with the District for about three months.

### Legal Counsel's report

Mr. Flynn referred the Board to the written report in tonight's Board packet. Boardmembers had no questions at this time.

### Mary Carter Greenway at Riverside Downs agreement, continued. Formal approval

Referring again to the proposed Riverside Downs proposed Construction, Operations and Maintenance Agreement, (See discussion above), Mr. Lorenz asked if the Board would approve the agreement at this time. Mr. Ostermiller asked if there should be any Board discussion; members had nothing. Mr. Flynn reported that legal counsel had been involved with the Agreement's review. **MRS. ELLER MOVED TO APPROVE THE CONSTRUCTION, OPERATIONS AND MAINTENANCE AGREEMENT WITH THE CITY OF LITTLETON AND HILLSIDE DOWNS, FOR THE MARY CARTER GREENWAY AT RIVERSIDE DOWNS RECREATION PROPERTY. Mr. LaBrash seconded the motion.** There was no further discussion, and **the motion was approved unanimously (5-0).**

Noting the second Executive Session scheduled later this evening, Mr. Ostermiller asked Mr. Flynn to remain.

### Minutes approval

January 14, 2015: Mrs. Eller noted two corrections, to update the meeting number in the pager footers, and regarding a discussion on page 10, to refer to Mr. Shannon *Carter*. **With no objections, the minutes of meeting no. 831, January 14, 2015 stood approved as revised.**

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January 20 and 28 minutes: Board members had no corrections, additions, or changes. **Therefore, with no objections, the minutes of meeting nos. 832 and 833, January 20 and 28, 2015 stood approved as presented.**

### Citizens' comments

No public had signed up to speak tonight.

### Consent Agenda items

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

- A. APPROVE ACCOUNTS PAYABLE FOR JANUARY 2015 IN THE AMOUNT OF \$1,925,140**
- B. APPROVE A CONSTRUCTION CONTRACT WITH AAA HOME IMPROVEMENT, INC. IN THE AMOUNT OF \$180,413.12, FOR THE BUCK COMMUNITY RECREATION CENTER SHINGLE RE-ROOF PROJECT.**

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

## NEW BUSINESS

There were no public hearings this evening.

### Goodson Recreation Center and Hudson Gardens. 2015-16 art on loan

Joyce Volp, Chairman of the South Suburban Public Art Committee and Melissa Reese-Thacker, Senior Park Planner presented. Mrs. Volp presented three sculptures for placement in 2015-16. For the Goodson Recreation Center plaza:

- The Catbird Seat, artist: Bill Noland
- Spirits in the Smoke, artist: Chris Powell

and for Hudson Gardens,

- Red Dress, artist: Shohini Ghosh.

To Boardmembers' questions, Ms. Volp reported the Red Dress sculpture would be placed in the Hudson Gardens amphitheater area. Mrs. Reese-Thacker thanked Mr. Meredith for working with the Committee and allowing them a little more freedom to place larger pieces in the Gardens, and putting in display pads where needed.

Mrs. Reese-Thacker reported that the honoraria for the artists would come from the Public Art Committee's 2014 budget. To Mr. Lorenz' question, Ms. Volp reported that the various pieces on loan to the District hadn't sold. She doesn't anticipate that the Committee will buy any of the 2014-15 pieces currently displayed. The proposed new installations on the Goodson plaza will occur in May 2015. Mrs. Volp explained the Committee's selection criteria includes requirements that a proposed art piece has to be for sale, and that the artist is a Colorado person. To Mr. Anderson's question, she reported that the artists do offer these various pieces to several art-on-loan programs, the Red Dress has been displayed in Douglas County and in Evergreen.

**MRS. ELLER MOVED APPROVE THE SOUTH SUBURBAN PUBLIC ART COMMITTEE'S RECOMMENDATION OF BILL NOLAND'S THE CATBIRD SEAT AND CHRIS POWELL'S**

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**SPIRITS IN THE SMOKE FOR THE 2015 ART-ON-LOAN PROGRAM AT THE GOODSON RECREATION CENTER. Mrs. Rosser seconded the motion. There was no further discussion, and the motion was approved unanimously (5-0).** Ms. Volp thanked the Board of Directors for their ongoing support to the Public Art Committee.

### Board of Directors items

Mr. Anderson, Mrs. Rosser, and Mr. Lorenz reported on the most recent Lone Tree Subcommittee meeting. Most of the discussion was directed to Mr. Lorenz' upcoming retirement and expressions of appreciation for his many years of work. Other discussion items included updates: the proposed Lincoln bridge project (which continues to move forward; the City has hired a contractor); the Entertainment District Park design; the Lone Tree Recreation Center attendance report; a future bridge project over Yosemite Street (this project has no funding yet); and the Fairways Park project (which is going forward). Lone Tree representatives reported that Douglas County is spending \$25 million for an extension of the RTD light rail by 2.2 miles; and the project has been funded in a Federal package.

Mrs. Eller reported. A Sheridan City Councilmember moved away from the City, and former District Board candidate Sally Daigle has been appointed Councilmember for Ward 2.

Mrs. Eller and Mr. Lorenz attended the quarterly South Suburban Park Foundation meeting. The Foundation is putting together a strategic planning workshop this spring. The Foundation is considering changing its mission, from building major trails, to advocating public use of trails and working on short trail connections. Possibly the Foundation has outlived its current charter and may dissolve. Mr. Jim Taylor presented information on a proposed Trustees memorial (engraved boulders), possibly to be placed in Littleton's Council Grove. The Grove may be moved to another location; currently it is located by the EchoStar campus.

Mrs. Rosser reported a conversation with a ladies on the Willow Creek Trail. A couple of years ago, they'd spoken against the trail improvements; now they are pleased with the improvements and have suggested some more work on a muddy section, on the west side. They complimented Melissa Reese-Thacker. They believe that the better trail has positively impacted their home values.

Mrs. Rosser and Mr. Lorenz attended a South Platte meeting on February 10. Tom Noel, a history professor at the University of Colorado, spoke.

Mrs. Rosser attended the Cherry Creek Republic Women's lunch on Wednesday. Some ladies from Lone Tree that she sat with are not happy about the \$25 that the Hospitality Department now charges for meals.

Mr. LaBrash attended the Special Olympics event at the South Suburban Ice Arena last weekend. The parents were very appreciative of Dirk Doty and all the Ice Arena staff. The parents had some definite suggestions to improve the Ice Arena, and Mr. LaBrash asked them to fill out survey cards. Mr. LaBrash asked Ms. Gould how many surveys have been returned to date; Ms. Gould didn't have a number; she noted that the surveys have been out only a week, and there are a few more weeks before results will be tabulated. In addition to the cards available to the general public in the Arena, staff has emailed the survey to a number of users.

Mr. Ostermiller reported on the Hudson Gardens Board meeting last week. The Board and staff have finalized a new master plan for the property, and a lot of exciting things are coming. The City of Littleton is helping fund a number of project startups, and Gardens representatives are showing the master plan to some potential grant providers. The Gardens has filed its 2014 Tier II report with the Scientific and Cultural Facilities District (SCFD): currently, there are 26 SCFD Tier II agencies in Colorado. Gardens revenue was up 9.91%, to \$52,059,245 in 2014. They are almost finished with the remodel of the house for office space, hopefully by March 2015; delays on the remodel have been due to issues with subcontractors and obtaining mechanical permitting.

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### Announcements and emergency items

Mr. Ostermiller announced:

- Quorum gathering. Special District Association, Lunch and Learn event, topic: the Colorado Lottery, February 18, 11:30 am–1:30 pm, at the Inn at Hudson Gardens. Attendance is by invitation.
- Special study session, February 25 at the Lone Tree Clubhouse, 9808 Sunningdale Boulevard, start time 8 am. Members will review budget items and proposed capital projects as well as to conduct regular business. The regular sessions scheduled for February 25, 2015, 5:30 pm at Goodson Recreation Center are cancelled.
- Quorum gathering. Littleton Community Trail dedication, March 8 at 9:45 am. Boardmembers and the public will congregate by the municipal courthouse, on Littleton Boulevard next door to the Buck Community Recreation Center). This event is open to the public.

Members noted the range of 125<sup>th</sup> anniversary events planned by the City of Littleton throughout 2015, with a focus on March 7 and 8. Most events are free and open to the public.

Following tonight's discussions, Mr. Ostermiller also announced:

- Quorum gathering: 2015 FirstBank Community Leaders Forum, February 19, 7 am, at Arapahoe Community College.

Mrs. Rosser asked if there was information available yet about the local mayors' annual state of the city talks.

### Second Executive Session

At 7:41 pm, 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,**
- (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,**
- (F) **FOR DISCUSSION OF A PERSONNEL MATTER**

**AND SPECIFICALLY, TO CONFERENCE WITH THE ATTORNEY, REVIEW PERSONNEL MATTERS, AND DISCUSS LEASE RENEWALS IMPACTING THE FAMILY SPORTS CENTER AND LORENZ REGIONAL PARK. Mr. LaBrash seconded the motion, which was approved unanimously (5-0).** The Board continued into Executive Session immediately and returned to public meeting at about 9:15 pm.

### Public meeting, continued

Following discussions during sessions this evening, Mr. Ostermiller asked for a motion. **MRS. ELLER MOVED TO DIRECT MRS. HEYN TO PERFORM DUE DILIGENCE BACKGROUND CHECKS (REFERENCES); AND ANTICIPATING A SATISFACTORY OUTCOME, AND WITH LEGAL COUNSEL'S ADVICE, FOR THE DISTRICT TO ENTER INTO A CONTRACT WITH PECKHAM & MCKENNEY, BASED ON THEIR PROPOSAL AS WELL DISCUSSIONS DURING THE INTERVIEW CONDUCTED ON FEBRUARY 11, 2015; FOR AN AMOUNT NOT TO EXCEED \$18,500 PLUS AN ESTIMATED \$7,500 IN EXPENSES, TO SEARCH FOR AN EXECUTIVE DIRECTOR. Mr. Anderson seconded the motion.**

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Mr. Ostermiller requested that staff publish a press release as soon as the services agreement is signed, announcing that Peckham & McKenney is representing the District and there will be a national search for the new executive director. **Mrs. Eller's motion was approved unanimously (5-0).**

Members noted the upcoming Hudson Gardens concert schedule will include artists Clint Black, Lynyrd Skynyrd, and Credence Clearwater. The VIP feature for summer concerts isn't yet available; Boardmembers expressed interest.

### **Adjournment**

There being no further business to come before the Board, the group adjourned for the evening at about 9:20 pm.

Donna Shephard, Executive Assistant

/ds