

**SOUTH SUBURBAN PARK AND RECREATION DISTRICT
REGULAR MEETING NO. 871
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 5:36 pm, **Wednesday, July 13, 2016** at the Goodson Recreation Center, 6315 South University Boulevard, Centennial, Colorado. Chair John Ostermiller presided.

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

Legal Counsel: James P. Collins, Esq.

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

Study Session convened

After the call to order, Mr. Ostermiller convened the Study Session, and the group discussed the items on the posted agenda. The Board paused at 6:39 pm to take a group photo and returned to the public meeting at 7 pm.

PUBLIC MEETING CONTINUED

Citizens comments

None of the public present came forward to speak.

Executive Director's report

Special presentation: South Platte Park donor

Emery Slowther is a student at Mackintosh Academy. Each of the students were tasked with complete a project to support a project to maintain or protect a particular eco-system, of interest to the student. Emory chose to raise funds to support a project for the South Platte Park riverway and trails. He played the violin on the 16th Street Mall recently and raised money, and with a match from a

MINUTES

family member, presented the Board with \$251, to be used for a Park project. Boardmembers presented a plaque and expressed their gratitude to Emery for his work.

Executive Director's update

Mr. Hanna referred members to the Items of Interest presented during study session this evening. He offered to answer questions; there were none.

Legal Counsel's report

Jim Collins referred the Board to his written report in tonight's Board packet. For the benefit of the whole group present, he reported there's been progress in a negotiation with Denver Water. Work on several easements is ongoing. The Jamison property sale is coming along. The purchaser/developer has made another request for a sewer easement dedication. Mr. Hanna added, the purchaser/developer has asked to present plans to the Littleton City Council on August 8.

Members had no questions at this time.

Minutes approval

Board members had no corrections, additions, or changes. **Therefore, with no objections, the minutes of meeting no. 869, June 8, 2016 stood approved as presented.**

Board members had no corrections, additions, or changes. **Therefore, with no objections, the minutes of meeting no. 870, June 22, 2016 stood approved as presented.**

Consent Agenda items

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

- A. APPROVE ACCOUNTS PAYABLE FOR JUNE 2016 IN THE AMOUNT OF \$2,365,417.**
- B. APPROVE A CONSTRUCTION CONTRACT WITH JL MELTON CONSTRUCTION, INC. FOR THE WRITERS VISTA PARK IMPROVEMENTS IN THE AMOUNT OF \$172,702.50; AND TO APPROVE A TOTAL PROJECT BUDGET NOT TO EXCEED \$359,897.50, INCLUDING A 15% CONTINGENCY AND OTHER PROJECT RELATED EXPENSES.**
- C. APPROVE THE CONSTRUCTION CONTRACT WITH COLORADO ASPHALT SERVICES INCORPORATED FOR THE 2016 ASPHALT AND CONCRETE CIP PROJECT IN THE AMOUNT OF \$323,190.00, INCLUDING A 20% CONTINGENCY AND MISCELLANEOUS EXPENSE.**
- D. APPROVE THAT THE SOUTH SUBURBAN PUBLIC ART COMMITTEE TERM OF MEMBERSHIP BE CHANGED TO TWO THREE-YEAR TERMS, WITH A TERM LIMIT OF TWO CONSECUTIVE TERMS; AND THAT A SOUTH SUBURBAN PUBLIC ART COMMITTEE OPERATING BUDGET BE CONSIDERED DURING THE DISTRICT'S ANNUAL BUDGET PROCESS.**

MRS. ELLER MOVED TO ACCEPT ITEMS A, B, C, AND D. Mr. Anderson seconded the motion. There was no further discussion. Consent agenda items were approved unanimously (5-0).

MINUTES

NEW BUSINESS

There were no public hearings this evening.

Highlands 460 trail system. Revocable encroachment license agreement with City of Centennial

Brett Collins presented. The trail system now under construction is bounded by Dry Creek Road and University and Colorado boulevards, and it connects to the Big Dry Creek Trail. That area includes the Aurora water line easement and Arapaho Park. Brett presented the current and anticipated trail connections.

During the master plan process in March 2016 for the trail system, staff had presented a plan that included some of the trailway in one of the open space parcels. Due to some opposition by some neighbors to that alignment, staff has reworked part of the trail plan to use some Centennial City property and some sidewalk adjacent Arapaho Park. There is some existing informal footpath access to the previous alignment. The City of Centennial took ownership from Arapahoe County of the 18-acre parcel after incorporation, currently maintained as open space, and the District is asking for use of a 0.18 linear mile for trailway.

Following approval tonight, staff anticipates moving forward with the construction drawings and going to bid at the end of July. Staff strongly recommended to move forward with the plan as drawn.

To Mrs. Eller's question, the group discussed this type of agreement document (vs. a more typical easement) for the City's parcel, and whether it is likely that the City would revoke the right to use the property for trailway in the future. Jim Collins explained that his office sees these requests often, often initiated by cities, for a variety of reasons. He suggested it's unlikely that the City would revoke the agreement; Brett added, probably District staff would assist the City with any alternative plans and redesign. To Mr. Anderson's question, Brett reported that this is currently undeveloped open space, and there are limiting factors to any other (developed) use for the City parcel, particularly the Aurora water line easement.

Mr. Taylor suggested the trail design seemed disjointed; he wondered about staff's plans for signage to help pedestrians. Boardmembers asked about signing and lights for the South Monroe Way street crosswalk. Brett explained the plan for signage and for the crosswalk, and suggested this is a quiet neighborhood street. Mr. LaBrash stated that South Monroe Way is a well-known shortcut from Dry Creek Road to University Boulevard, and so the roadway is getting busier than staff has suggested. Mr. Ostermiller asked about plans for the unallocated funds, and suggested they could be used for a button-active flashing signal like the Prince Street at Lee Gulch crosswalk.

Mr. Anderson noted some current habit trails on the aerial map.

MRS. ELLER MOVED TO APPROVE THE REVOCABLE ENCROACHMENT LICENSE AGREEMENT WITH THE CITY OF CENTENNIAL FOR THE FUTURE CONSTRUCTION OF THE HIGHLANDS 460 TRAIL SYSTEM MASTER PLAN. Mr. LaBrash seconded the motion. There was no further discussion, and the motion was approved unanimously (5-0).

MINUTES

High Line Canal Bridge Replacements project, award of contract

Brett Collins presented. Last year, the District was able to get a joint projects grant through the Arapahoe County Open spaces program and the High Line Canal Working Group. Planning staff had proposed funding five bridges over the Canal with the grant. Of these,

- Two bridges in deKoevend Park/South Suburban Ice Arena and one near Bannock Street & Ridge Road were included in the current bid process.
- The bridge near Mineral Avenue was not included in the bid. The nearby Southbridge Swim & Tennis property is likely to be redeveloped with its upcoming sale, and the owner at this time was unwilling to enter negotiations for a permanent trail access through the property. After some decisions are made about the property's redevelopment, there may be an opportunity to negotiate later; in the meantime, the existing bridge is available for public use.
- In addition, staff didn't bid the Franklin Street bridge project (near the Elementary) because staff anticipated there might not be enough funding to cover costs for all the bridges. However, after the bid process, it appears that current funding will be adequate for a fourth bridge.

Canterbury Construction Management Services, Inc. was the low bidder for the three bridges. District planning staff hasn't used this company before, but after due diligence, staff was recommending that the Board accept the bid from Canterbury. Brett asked the Board to approve the entire budget amount; he reported that Arapahoe County staff is OK with South Suburban's moving forward with the first three bridges as bid, though the Arapahoe County Open Spaces Advisory Board would give final approval. Staff hopes to move forward with a construction start in October, working within Denver Water's approved timeline (between October and April) for any construction along the High Line Canal.

Mr. LaBrash asked if staff has any concerns about Canterbury's bid being so much lower than the others'. Brett explained that they sat down with the Canterbury representative and went through the numbers, and they were assured that the bid is reasonable. He added, typically Canterbury constructs large-scale water treatment facilities. Mr. Hanna added, the District will have the option of change-ordering in the Franklin bridge into this contract or to bid it out separately; to Mrs. Eller's question, Jim Collins reported to the Board that this proposed plan is acceptable.

Mr. Anderson asked if this contractor was on the list of Willow Creek playground bridge vendors. Brett stated it wasn't. Staff utilized Rocky Mountain E-Purchasing to put out the bid announcement and find potential bidders for the current project.

Mr. Ostermiller asked if staff is comfortable with the Canterbury bid, and Brett stated they are. Planning staff has been working with the company's owner; they have been reassured by Mr. Bill Canterbury; and the company's references are good. To Mr. LaBrash's question, Brett reported that Canterbury had done just a few projects of this small scale. To Mr. LaBrash's observation, Brett added, they had heard from several contractors that the timing of this smaller project was good for them.

Following discussion, **MR. TAYLOR MOVED TO AWARD A CONSTRUCTION CONTRACT TO CANTERBURY CONSTRUCTION MANAGEMENT SERVICES, INC. IN THE AMOUNT OF \$347,334.88 FOR THE HIGH LINE CANAL BRIDGE REPLACEMENT PROJECT; AND APPROVE A TOTAL PROJECT BUDGET OF \$629,862.91 INCLUDING A 15% CONTINGENCY, ARCHITECTURAL AND ENGINEERING FEES AND MISCELLANEOUS EXPENSES FROM THE 2010 1-MILL FUNDS. Mr. Anderson seconded the motion.** There was no further discussion, and the motion was approved unanimously (5-0).

MINUTES

Reynolds Landing Park, indemnity agreement with Meadowood Corporation for a water line easement

Brett Collins presented. Some upgrade work in the Park is under construction now. Plans include a flush restroom, which needs an easement for water service. The currently proposed alignment crosses three owners' properties. The original agreement the District has had with Meadowood Corporation did not include a utilities easement. Staff therefore approached Meadowood for the waterline easement; the Corporation owners were amenable to the concept but didn't want to take the liability for contaminated soil unearthed during the water line construction process, as required by Denver Water's easement document; they wanted the District to take on this liability.

The group shared pieces of the history of the Reynolds Landing and Superchi properties acquisitions and development. The previous owner used the Reynolds Landing site to store various construction equipment, and there was some soil contamination. Currently the District continues to monitor for soil contamination. Because the location of the easement is off the Park property, staff believes the construction crew is unlikely to unearth any contaminated soil. No contamination was encountered while the adjacent Breckenridge Brewery campus was under construction recently. If the District doesn't sign the indemnity agreement, it's unlikely that District staff will be able to obtain water service for a flush bathroom in the Park.

To Mr. Ostermiller's question about Denver Water requirements for the alignment, Brett explained that the current proposed alignment is the quickest and least costly route to the restroom. Mr. Ostermiller asked, if something happens, would the District's Special District Association Pool insurance policy cover it? Mr. Collins suggested a discussion in Executive Session; the Pool may not cover it. Mr. Taylor suggested that the risk is light, and the District is performing the monitoring now. To Mr. Anderson's question, Brett reported that the monitoring has found some negligible amounts of chemicals on the property that had contaminated the groundwater; he explained some of the details of the monitoring process. Mr. Taylor expressed some optimism that there would be no issue.

Executive Session called

At 8:37 pm, related to the Reynolds Landing discussion, Jim Collins suggested the Board of Directors enter into an Executive Session to receive legal advice.

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

- (B) FOR THE PURPOSE OF CONFERENCES WITH DISTRICT LEGAL COUNSEL, TO RECEIVE LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS.**

The motion was approved unanimously (5-0). The Board entered in Executive Session at 8:38 pm at returned at 8:40 pm. **MR. TAYLOR MOVED TO GO BACK FROM EXECUTIVE SESSION INTO THE REGULAR AGENDA FOR THE EVENING, and Mr. LaBrash seconded the motion, which was approved unanimously (5-0).** For the public present, Mr. Ostermiller affirmed that the purpose of the session was to receive a legal opinion from the District's attorney.

MR. TAYLOR MOVED TO APPROVE THE INDEMNITY AGREEMENT WITH MEADOWOOD CORPORATION FOR THE REYNOLDS LANDING WATERLINE SERVICE. Mrs. Eller seconded the motion. There was no further discussion, and **the motion was approved unanimously (5-0).** To Mrs. Eller's question about the legal description, Mr. Collins affirmed that the subsequent easement document would be signed by Meadowood Corporation and Denver Water (and not the District).

MINUTES

Board of Directors' comments and community meetings updates

Mr. Anderson reported on the most recent Lone Tree Subcommittee meeting. Incoming City Councilmembers Cathie Brunnick and Jay Carpenter are the City's new representatives for these monthly meetings. Topics of discussion included the District's new master and strategic action planning processes. City Manager Seth Hoffman reported that the Lincoln bridge construction should be starting towards the end of the summer. Mr. Anderson and Mr. Hanna expressed confidence in the new Councilmembers' interest and enthusiasm; both have been regular users of District facilities and programs for several years.

He also reported that John Herbolich, long-time Chairman/President of Park Meadows Metropolitan District, retired after he reached the term limit. Mr. Herbolich was recognized with a Special District Association Outstanding Director Award in 2014. The current Boardmembers are Greg Kelly, Roger Pearson, Sharon Van Ramshorst, Thomas Haning, and Steve Parry.

Mrs. Eller reported the Sheridan CANDO meeting for July was cancelled.

She noted the upcoming next round of High Line Conservancy meetings. The closest meeting will be at the Eisenhower Recreation Center on July 21.

Mr. Ostermiller reported on project site visits with Great Outdoors Colorado representatives yesterday.

He noted the recent successful dedication event at Province Park. Members discussed the history behind the inclusion of the neighborhood into the District, which also pays taxes to Highlands Ranch, staff believes. Mr. Ostermiller thanked staff for their work on the dedication.

Mr. Ostermiller asked staff to acquire a better sound system for the outdoor speaking events.

Announcements and emergency items

Members reviewed proposed meetings with local councils. The Sheridan City Council and District Board are planning on a joint session the evening of September 19, topics to be determined. The special joint session with the Littleton City Council, previously scheduled for August 23, has been cancelled due to the Council's schedule.

Mr. Taylor noted that early-bird registration rates for the National Recreation and Parks Association annual conference would end on August 16. At this time, Boardmembers Taylor and Anderson and several District staff plan to attend the sessions, October 5–8 in St. Louis.

Mr. Ostermiller announced the Board's special study session on July 25, start time: 8 am, at the Lone Tree Clubhouse, 9808 Sunningdale Boulevard. The main topic of discussion will be the 2017 Budget. Mr. Hanna is planning to have staff deliver the Board meeting packet on July 20.

Adjournment

There being no further business to come before the Board, the group adjourned for the evening at 8:55 pm.

Donna Shephard
Executive Assistant

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