

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
CHERRY CREEK VISTA PARK & RECREATION DISTRICT
HELD**

March 21, 2013

A regular meeting of the Board of Directors of the
Cherry Creek Vista Park & Recreation District was held at 6:00 p.m. on March 21, 2013 at
St. Peter's Lutheran Church, Greenwood Village, CO 80111.

The meeting was open to the public.

Attendance

In attendance were Directors:

Howard Buchalter, President (arrived at 7:40)
Eric Hook, Assistant Secretary
Bernie Gehris, Assistant Secretary
Melissa Wilson, Vice President
Brendan Adams, Treasurer (arrived at 7:05)

Also in attendance were:

Conner Shepherd, Circuit Rider of Colorado, LLC
Dawn Schilling, Schilling and Co.
Colin Mielke; Legal Counsel
Matt Mundy, MPM Recreation Management
Eric Plouffe; JBK Landscaping
Cindy Shepherd; Citizen
Rachel Oberly; Concessionaire
Rob Jump; Swim Team Representative (left at 6:17)
Mr. & Mrs. Vogel; Residents
Mrs. Azim; Resident

**Call to Order/
Agenda/Dec-
laration of Con-
flicts of Interest**

Director Wilson called the meeting to order at 6:12 p.m. and declared a quorum. She asked if there were any conflicts of interest that needed to be disclosed. **The Agenda was approved by acclamation acknowledging that items may be taken out of order.**

Tennis

Board directed Mr. Shepherd to negotiate a flat fee return versus a percentage of the gross revenues from the tennis program. With that, the Board authorized Mr. Shepherd to work with Ms. Daniels to reach a mutually agreeable sum and sign the Tennis Agreement on behalf of the District.

Concessions

Ms. Oberly was present to talk about the concessions at the pool. She said she will not be providing concession services this year at the pool. Discussion followed. Mr. Mundy said he knows of someone who might be

interested. Mr. Jump from the swim team said he could ask if there was interest from the team to manage the snack shack. Ms. Oberly noted that she is asking \$2,600 for equipment owned by her company, though the number is negotiable. When asked how much work was entailed, she said she worked 80-90 hours per week. She grossed \$25,000 last season and netted \$8,000-\$9,000 profit.

Trail

Mr. Shepherd gave the Board an update on trail construction. Mr. & Mrs. Vogel and Mrs. Azim were in attendance to discuss the fencing. Mr. Shepherd explained that bids have not come in on a fencing quote. Mr. Shepherd presented the proposal (bid) from Costwise Concrete, noting that the other bidder chose not to submit a bid. **Upon a motion by Director Wilson with a second by Director Buchalter, on a vote of 5-0, the Board approved the contract with Costwise Concrete in the amount of \$87,595.00 and authorized the District Manager to work with the contractor to proceed.**

Swim Team

Mr. Jump reported that the Swim Team conducted a survey. They found that social events were popular; older kids would like to have some evening practices on Tues-Thurs after 7pm. The Swim Team will be done with its events by the first week of July. Typically, practice begins the second week of May. In response to the older kids' request, starting in June, the team would have five weeks of evening practices of a 1-1:30 hour duration, between 7:15 – 8:30pm. The practices would be revenue neutral. Upon a motion by Director Wilson with a second by Director Gehris, the Board approved the Swim Team's request for evening practices.

Mr. Jump said some swim team members would like a swim team only membership. Discussion followed with no action taken.

Pool Report

Discussion of Member Numbers and Fees

Mr. Mundy distributed a pool report. He pointed out that the number of resident family memberships was down considerably in 2012. He said membership sign-ups begin April 8, 2013 in conjunction with swim team memberships. He suggested ways to generate more income for the pool beginning with the discontinuation of early-bird rates. He said members will continue to receive 10 guest passes. Discussion followed. Discussion followed regarding the cost of running the pool and the fees charged for registration. Sundance Hills is at \$305. Its non-residential fee is \$555. A-Lakes is the least expensive in the area with non-residential rates at \$450. Hills West is at \$475. Director Buchalter emphasized the need to make necessary improvements around the pool. Director Adams pointed out that

with the renegotiated cell tower lease a certain amount of income would not be forthcoming annually. Mr. Shepherd stressed that the budget hasn't anticipated any improvement costs, yet the pool is operating at a \$20,000/year deficit. Fees for pool users have not increased since 2008. Upon a motion by Director Wilson with a second by Director Gehris, the Board approved the rates proposed by Mr. Mundy.

Discussion followed regarding other fees. Upon a motion by Director Wilson with a second by Director Buchalter, the Board agreed to negotiate a flat fee with the Tennis contractor (see above), receive 3% gross revenues from swim lessons, and negotiate a fair and practical cut from the concessionaire. In addition, upon a motion by Director Wilson with a second by Director Adams, the Board authorized the re-keying of the tennis courts. When existing residents return their keys they will pay \$20 for new keys. Those without old keys will be charged \$25.

Legal Items

Renegotiated Contract for Cell Tower

Discussion followed regarding a contract extension for the cell tower lease. Director Gehris observed that this is in lieu of an annual revenue stream. Mr. Mielke presented the proposal from Crown Castle. Discussion followed. **Upon a motion by Director Buchalter with a second by Director Wilson, the Board approved the Crown Castle contract 3-2 subject to them agreeing to screen additional facilities with appropriate landscaping and subject to final negotiations by legal counsel and the District Manager.** Excess funds after the current capital project costs will be designated as a reserve fund balance.

Landscape Report

Mr. Plouffe presented the landscape report. He said that all contracted services are being performed on schedule. Discussion followed relative to the seasonal drought/water use restrictions announced by Denver Water. Mr. Plouffe said he believes the District will use 1/3rd less water than in 2012. He also provided suggestions for potential cost savings for 2013. Discussion followed. **By acclamation, the Board thanked Mr. Plouffe for his efforts and accepted the suggestions he made to reduce the landscape contract pricing for 2012 except for trash removal and the use of pre-emergent weed applications. Poo bags will only be charged on actual cost.**

Financial Matters:

Claims

Mr. Shepherd presented the Claims in the amount of \$108,197.08 for the period to February 28, 2013. **Upon a motion by Director Gehris with a second by Director Wilson, the Board approved the payment of Claims on a 4-0 vote.**

Financial Statements

Ms. Schilling presented the Financial Statements for the period ending February 28, 2013. The various governmental funds have the following fund balances: General Fund \$104,213; Fence Fund \$14,305; Debt Service Fund \$350,140; Debt Service Fence Fund \$233,793; and, the Capital Projects Fund \$245,866. The Pool Enterprise Fund has a fund balance of \$28,042. Discussion followed. **Upon a motion by Director Buchalter with a second by Director Wilson, the Board accepted the financial statements.**

Administrative & Manager Items:

Minutes of January and February

[Tabled until the next Regular Meeting]

Pool, Park & Open Space:

Park Maintenance Items

Mr. Shepherd said he would like the Board's permission to enter into a contract with Poo-Free-Parks to supply dog poop disposal stations and maintain the stations with refills at an initial cost of \$185 per station with no additional cost to the District. **Upon a motion by Director Hook with a second by Director Wilson, the Board authorized Mr. Shepherd to negotiate the final contract with Poo Fee Parks and sign the Agreement on the District's behalf.**

Board Member Items:

none.

Adjournment:

Upon a motion by Director Hook with a second by Director Wilson, the meeting was adjourned at 9:03 p.m. The next meeting of the Cherry Creek Park & Recreation District is scheduled to be held on April 18, 2013 at 9300 East Belleview Ave., St. Peter's Lutheran Church, Greenwood Village, CO 80111. The meeting is open to the public.

Secretary for the Meeting:

Conner W. Shepherd