

**TOWN OF PARKER COUNCIL
MINUTES
JULY 15, 2019**

Mayor Waid called the meeting to order at 5:34 p.m. All Councilmembers were present.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were two items under C.R.S. § 24-6-402(4)(e), the first was the Purchase and Sale Agreement—Pine Curve, and the second item was the Second Amendment and Restated Establishing Contract for the E-470 Public Highway Authority (Paragraphs 6 and 8 unanimous ratification/approval). There were two items pursuant to C.R.S. § 24-6-402(4)(b), the first item was to receive legal advice on specific legal questions concerning Section 13.04.180(10), Home occupations/short-term rentals, of the Parker Municipal Code; and the second item was to receive legal advice on specific legal questions concerning Fair Campaign Practices Act (FCPA), C.R.S. § 1-45-101, et seq.

EXECUTIVE SESSION

Renee Williams moved and Debbie Lewis seconded to go into Executive Session at 5:37 p.m. to hold a conference with the Town's attorney to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e); and to hold a conference with the Town's attorney to receive legal advice on specific legal questions pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Renee Williams moved to come out of Executive Session at 6:39 p.m. Cheryl Poage seconded the motion.

The motion was approved unanimously.

Debbie Lewis moved to recess the Town Council meeting at 6:39 p.m. until 7:00 p.m. Renee Williams seconded the motion.

The motion was approved unanimously.

Mayor Waid reconvened the meeting at 7:00 p.m.

PARKER CHAMBER OF COMMERCE UPDATES

No one from the Chamber was present to provide an update.

PUBLIC COMMENTS

There were none.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Councilmembers reported on meetings they each attended since the last meeting.

CONSENT AGENDA

A. APPROVAL OF MINUTES - July 8, 2019

B. KOA ENCLAVE PROPERTY ANNEXATION and ZONING

Department: Community Development, Stacey Nerger

Second Reading: August 5, 2019

- 1. ORDINANCE NO. 2.267 - First Reading
A Bill for an Ordinance Approving and Accomplishing the Annexation of
Contiguous Unincorporated Territory Known as the KOA Enclave Property in
Douglas County*
- 2. ORDINANCE NO. 3.346 - First Reading
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker,
Colorado, Known as the KOA Enclave Property to A-Agriculture District
Pursuant to the Town of Parker Land Development Ordinance and Amending the
Zoning Ordinance and Map to Conform Therewith*

C. HESS RANCH METROPOLITAN DISTRICTS NOS. 4 - 8

Department: Town Attorney, Kristin Schledorn

Second Reading: August 5, 2019

- 1. ORDINANCE NO. 9.294 - First Reading
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the
Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 4*
- 2. ORDINANCE NO. 9.295 - First Reading
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the
Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 5*
- 3. ORDINANCE NO. 9.296 - First Reading
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the
Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 6*
- 4. ORDINANCE NO. 9.297 - First Reading
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the
Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 7*
- 5. ORDINANCE NO. 9.298 - First Reading
A Bill for an Ordinance Approving the Intergovernmental Agreement Between the
Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 8*

Cheryl Poage moved to remove Items 5A and 5B from the consent agenda.

Jeff Toborg seconded the motion.

The vote was 2-3. Cheryl Poage and Jeff Toborg voted yes. John Diak, Debbie Lewis and Renee Williams voted no. The motion failed.

Renee Williams moved to approve Items 5A through 5C on the consent agenda.

Debbie Lewis seconded the motion.

The vote was 4-1. Cheryl Poage voted no. The motion passed.

TOWN ADMINISTRATOR'S REPORT

The summer edition of the Town Administrator's Report is available on the Town's website.

PRESENTATION OF CAFR BY CLIFTONLARSONALLEN LLP

Mary Lou Brown introduced Jake Huolihan of CliftonLarsonAllen, LLP. He explained what the Comprehensive Annual Financial Report (CAFR) is and stated that the Town's financials are fair, clear and concise and gave the Town an unmodified opinion. The CAFR can be found on the Town's web site.

Jake did say that there needed to be a better process and procedure for the approvals for P-Cards. Mary Lou stated that processes are being implemented to address the P-Card approval process. Approvals will be required by employees as well as supervisors. Training will be done with each new employee and will be required for all employees on an annual basis.

PUBLIC HEARINGS

A. ORDINANCE NO. 1.523.3 - Second Reading

A Bill for an Ordinance to Adopt the 2019 Revised Budget for the Town of Parker and to Make Appropriations for the Same

**Department: Finance, Mary Lou Brown
Finance Rhonda Willey**

7:21 PM

The purpose of this budget revision is to amend the appropriated funds for 2019. The total budget amendment is a net increase of \$42,330. This includes a net decrease in the Parks and Recreation fund of \$492,670, and increase in the Cultural Fund of \$6,300, an increase in the Recreation Fund of \$3,700, and an increase in the Capital Improvements Fund of \$525,000. Details for this supplemental can be found on Exhibit A of the ordinance.

Public Comment: None

John Diak moved to approve Ordinance No. 1.523.3 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES**A. ORDINANCE NO. 1.533.1 - Second Reading**

A Bill for an Ordinance Amending Ordinance No. 1.533, Series 2019, Finally Adopted and Approved on May 23, 2019, Relating to the Leasing of Certain Town Property and the Execution and Delivery By the Town of a Site Lease, a Lease Purchase Agreement and Other Financing Documents in Connection Therewith

**Department: Finance, Mary Lou Brown
Finance, Rhonda Willey**

The ordinance originally approved by Council on May 23, 2019, has been revised to reflect a change in the amount of appropriations necessary for the debt refunding. Due to this change in appropriations, the General Fund cash balance can no longer support a contribution of \$4 million toward the reduction of the principal amount on the new Certificates of Participation. As a result of the increased principal amount, the amount of the annual repayment cost and the total repayment cost are being revised.

Public Comment: None

Cheryl Poage moved to approve Ordinance No. 1.533.1 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 8.30 - Second Reading

A Bill for an Ordinance to Add a New Chapter 4.11, Entitled Impact Fees, to the Parker Municipal Code

**Department: Town Attorney, Kristin Schledorn
Town Administrator, Dannette Robberson**

This ordinance establishes impact fees, at the maximum supportable fee amount, as identified in the Development Impact Fee Study, for the following categories: general government, police, courts, public works, parks and recreation, and transportation. Fees will be paid at the time of building permit, at which time credit will be given for excise taxes paid.

If passed, this ordinance will become effective on September 1, 2019, and will be repealed if the excise tax increase is passed by the voters on November 5, 2019.

Public Comments:

Heidi Williams with the Home Builders Association stated this ordinance will impact the home builders greatly and will be difficult to implement by September 1, 2019. The impact of the ordinance will make it more difficult for middle income people to buy a home. She asked that the effective date be pushed to February 1, 2020, to give the industry more time to prepare and implement a plan.

Public Comment was closed at 7:39 p.m.

Cheryl Poage moved to approve Ordinance No. 8.30 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. EXCISE TAX

**Department: Town Attorney, Kristin Schledorn
 Town Administrator, Dannette Robberson**

Ordinance No. 1.534 proposes to amend Section 4.07 of the Parker Municipal Code, to increase the excise tax on new residential development, subject to approval by the voters at the special election on November 5, 2019.

The purpose of the excise tax would be to fund streets, parks and recreation, law enforcement and public safety services, and administrative facilities for the Town.

Resolution No. 19-017.1 amends Resolution No. 19-017 to add as a purpose of the special election to be held on November 5, 2019, a ballot question to raise additional revenue through an increase in the excise tax imposed on new residential development.

Public Comment: None

The Public Hearing was closed at 7:45 p.m.

- 1. ORDINANCE NO. 8.20.4 - Second Reading
A Bill for an Ordinance Repealing Chapter 4.11 of the Parker Municipal Code,
Entitled Impact Fees, and Amending Chapter 4.07 of the Parker Municipal
Code, Entitled Development Excise Tax, Subject to the Approval of the
Registered Electors of the Town at the Special Election on November 5, 2019**

Debbie Lewis moved to approve Ordinance No. 8.20.4 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

- 2. ORDINANCE NO. 1.534 - Second Reading
A Bill for an Ordinance Submitting a Ballot Question to the Registered
Electors of the Town of Parker at the November 5, 2019, Special Election to
Raise Additional Revenue Through an Increase in the Excise Tax Imposed on
New Residential Development**

Debbie Lewis moved to approve Ordinance No. 1.534 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

3. RESOLUTION NO. 19-017.1

A Resolution to Amend Resolution No. 19-017, Series of 2019, a Resolution Calling a Special Town Election on November 5, 2019, Concerning the Provision of High-Speed Internet Services, Telecommunication Services and/or Cable Television Services Within the Town of Parker and to Amend Certain Sections of the Town of Parker Home Rule Charter, to Add as a Purpose of the Special Election a Ballot Question to Raise Additional Revenue Through an Increase in the Excise Tax Imposed on New Residential Development

Renee Williams moved to approve Resolution No. 19-017.1.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

D. ORDINANCE NO. 9.292 - Second Reading

A Bill for an Ordinance to Approve the Delegation and Participation Agreement By and Between the Town of Parker and the City and County of Denver for the Metro Mortgage Assistance Plus Program

Department: Community Development, Bryce Matthews

The City and County of Denver has launched an updated down payment assistance program called metroDPA in partnership with the Metro Mayors' Caucus and is making it available to all Denver Metro Area communities. In order to participate, the Town Council must approve a Delegation and Participation Agreement allowing the City and County of Denver to offer the program in Parker. If approved, it will provide down payment assistance to eligible homebuyers in Parker at no cost or liability to the Town.

Public Comment: None

Debbie Lewis moved to approve Ordinance No. 9.292 on second reading.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

E. ORDINANCE NO. 1.535 - Second Reading

A Bill for an Ordinance to Approve the Memorandum of Understanding Among the Board of County Commissioners of the County of Douglas, the Douglas County Mental Health Initiative, Caring Communities of Colorado, LLC, the Town of Parker and the Douglas County Sheriff's Office Concerning a Community Response Team

Department: Police, Jim Tsurapas

This ordinance would approve the Memorandum of Understanding (MOU) with the Douglas County Board of County Commissioners, the Douglas County Mental Health Initiative and Caring Communities of Colorado, LLC, to ensure that a qualified clinician is available to accompany law enforcement in responding to mental health calls, in order to provide residents with the professional support they need in these situations.

Public Comment: None

Cheryl Poage moved to approve Ordinance No. 1.535 on second reading.

Jeff Toborg seconded the motion.

The motion was approved unanimously.

F. ORDINANCE NO. 9.293 - Second Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Douglas County Clerk and Recorder and the Town of Parker Regarding the Conduct and Administration of the November 5, 2019, Coordinated Election

**Department: Town Attorney, Jim Maloney
 Town Clerk, Carol Baumgartner**

The Town's special election will be conducted as a coordinated election with Douglas County. The Town and Douglas County are required to enter into an intergovernmental agreement to govern the conduct of the election, pursuant to C.R.S. § 1-7-116(2). The cost to the Town to participate in the coordinated election is estimated by Douglas County to be \$62,190.80. Ballot space costs more as there are ten (10) ballot questions. There are only three entities participating in this year's election so the cost is more.

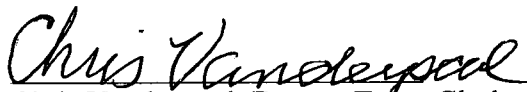
Public Comment: None

Debbie Lewis moved to approve Ordinance No. 9.293 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:00 PM.


Chris Vanderpool, Deputy Town Clerk


Mike Waid, Mayor