TOWN OF PARKER COUNCIL AGENDA
February 3, 2020

Notes:
Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

1. TOWN COUNCIL MEETING SCHEDULE

A. 5:30 P.M. – Call to Order Town Council Meeting and Roll Call

B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)

C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.

2. SPECIAL PRESENTATIONS

3. PARKER CHAMBER OF COMMERCE UPDATES

4. DOWNTOWN BUSINESS ALLIANCE UPDATES

5. PUBLIC COMMENTS (No action will be taken on these items.) ***Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, Town Council will continue the comment period at the end of the meeting, prior to adjourning for those who signed up before the meeting.***

6. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

7. CONSENT AGENDA

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. APPROVAL OF MINUTES - January 21, 2020

B. ORDINANCE NO. 5.06.43 - First Reading
A Bill for an Ordinance to Amend Sections 8.08.040 and 8.11.040 of the Parker Municipal Code Concerning Legal Age for Tobacco or Vapor Products

Department: Town Attorney, Jamie Wynn
Second Reading: February 18, 2020

C. RESOLUTION NO. 20-002
A Resolution to Appoint Regular Members to the Parker Cultural and Scientific Commission, and to Appoint the Chair

Department: Cultural, Elaine Mariner

D. RESOLUTION NO. 20-006
A Resolution to Amend Resolution 15-018 Which Established the Town of Parker Roadside Memorial Signage Program

Department: Engineering/Public Works, Danny Smith

E. RESOLUTION NO. 20-007
A Resolution Stating the Town's Intent to Participate in the Douglas County Coordinated Election on November 3, 2020

Department: Town Attorney, Jim Maloney

F. CONTRACTS OVER $100,000

1. CentralSquare for TRAKIT Analytics Hosted/Cloud Solution

Amount: $110,140.00
Contractor: CentralSquare for TRAKIT Analytics Hosted/Cloud Solution
Department: Finance, Mike Aggson

2. 2020 Townwide Resurfacing Program (CIP20-001)

Amount: $1,426,125.10
Contractor: Aggregate Industries-WCR, Inc
Department: Engineering/Public Works, Danny Smith

3. 2020 Townwide Slurry/Chip Seal Program (CIP20-002)

Amount: $1,823,228.93
Contractor: Vance Brothers, Inc
Department: Engineering and Public Works, Danny Smith

4. *Purchase Two Cab and Chassis*

Amount: *$279,360*
Contractor: *McCandless*
Department: *Engineering and Public Works, Jim Gilbert*

5. *2020 Fleet Replacement Vehicle Purchases*

Amount: *$406,486*
Contractor: *Spradley Barr*
Department: *Engineering and Public Works, Jim Gilbert*

6. *Purchase Stormwater Pipe Inspection Camera System*

Amount: *$111,148.74*
Contractor: *Envirosight*
Department: *Engineering and Public Works, Jim Gilbert*

7. *2020 Upfit of Fleet Vehicles*

Amount: *$127,000.00*
Contractor: *L. A. W. S.*
Department: *Engineering and Public Works, Jim Gilbert*

8. *Vehicle Upfit - Dump Truck for Snow Plow Operations*

Amount: *$124,990.00*
Contractor: *OJ Watson*
Department: *Engineering and Public Works, Jim Gilbert*

8. PUBLIC HEARINGS

A. ORDINANCE NO. 3.262.1 - Rezoning - Second Reading (To be continued to 3/2/20)
A Bill for an Ordinance to Amend the Dransfeldt Place Development Guide, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith

Applicant: **Dan Myers, Colorado Steel Systems**
Location: **Generally located at the west side of Dransfeldt Road between Lincoln Meadows Parkway and Plaza Drive**
Department: **Community Development, BrieAnna Simon**
TRAKiT No.: **Z19-013**

9. ORDINANCES

A. ORDINANCE NO. 1.529.1 - Second Reading
A Bill for an Ordinance to Terminate and Vacate the Easement that was Granted by the Town to the Parker Water & Sanitation District for Lot 1, Salisbury Equestrian Park, and Recorded at Reception No.2019029507 in the Douglas County Clerk and Recorder's Office

Department: Engineering and Public Works, Alex Mestdagh

B. ORDINANCE NO. 1.542 - Second Reading
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water & Sanitation District for Lot 1, Salisbury Equestrian Park

Department: Engineering and Public Works, Alex Mestdagh

C. ORDINANCE NO. 9.283.1 - Second Reading
A Bill for an Ordinance to Approve the First Amendment to Intergovernmental Agreement Regarding the Design of Improvements to the High Plains Trail By and Between the Town of Parker and the Arapahoe County Board of County Commissioners

Department: Parks, Recreation and Open Space, Dennis Trapp

10. PUBLIC COMMENTS CONTINUED IF NECESSARY

11. ADJOURNMENT

Parker Town Council

Executive Session Agenda

February 3, 2020

"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)."

1. Intergovernmental Service Agreement between the Town and Parker Water and Sanitation District – Developer request for waiver

"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)."

2. Section 5.6 of the Charter Contract for American Academy Charter School (Traffic Management Plan) and Section 9 of the Lincoln Meadows Development Guide (Enforcement of Nuisances)

TOWN OF PARKER COUNCIL
MINUTES
JANUARY 21, 2020

Mayor Mike Waid called the meeting to order at 5:30 P.M. Councilmember Renee Williams was absent

Town Attorney Jim Maloney announced that there were five (5) items in Executive Session. Under C.R.S. § 24-6-402(4)(b) there were two items, the first was to hold a conference with the Town's attorney to receive legal advice on specific legal questions concerning Vista South LLC, et al., v. City of Centennial, et al, Douglas County District Court, Case No. 2018CV030354 and the second was to receive legal advice on specific legal questions concerning Town of Parker Background Policy/Section 6.4 of the Town of Parker General Operations Manual; under C.R.S. § 24-6-402(4)(e) there were three (3) items, the first was proposed Tax and Fee Assistance Agreement with Kilwins Parker, the second was proposed agreement Cottonwood Metropolitan District for right-of-way needed for widening of Cottonwood Bridge and the third was listing agreement for Town properties between NavPoint Real Estate Group and the Town (My Mainstreet), specifically Pace Lot 2 and the Schoolhouse.

EXECUTIVE SESSION

Debbie Lewis moved and Joshua Rivero seconded to go into Executive Session 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.

Cheryl Poage moved and Debbie Lewis seconded to come out of Executive Session at 6:47 P.M.

The motion was approved unanimously.

Joshua Rivero moved and Jeff Toborg seconded to recess the regular meeting at 6:52 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:02 P.M.

A young man named Korin led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

Chief King was presented a plaque with a certificate for his years of service to the Town of Parker.

PUBLIC COMMENTS

There were none.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. APPROVAL OF MINUTES - December 2, 2019 and January 6, 2020

B. ORDINANCE NO. 9.283.1 - First Reading
A Bill for an Ordinance to Approve the First Amendment to Intergovernmental Agreement Regarding the Design of Improvements to the High Plains Trail By and Between the Town of Parker and the Arapahoe County Board of County Commissioners

Department: *Parks, Recreation and Open Space, Dennis Trapp*
Second Reading: *February 3, 2020*

C. ORDINANCE NO. 1.529.1 - First Reading
A Bill for an Ordinance to Terminate and Vacate the Easement that was Granted by the Town to the Parker Water & Sanitation District for Lot 1, Salisbury Equestrian Park, and Recorded at Reception No.2019029507 in the Douglas County Clerk and Recorder's Office

Department: *Engineering and Public Works, Alex Mestdagh*
Second Reading: *February 3, 2020*

D. ORDINANCE NO. 1.542 - First Reading
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water & Sanitation District for Lot 1, Salisbury Equestrian Park

Department: *Engineering and Public Works, Alex Mestdagh*
Second Reading: *February 3, 2020*

E. ORDINANCE NO. 3.262.1 - Rezoning - First Reading
A Bill for an Ordinance to Amend the Dransfeldt Place Development Guide, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith

Applicant: *Dan Myers, Colorado Steel Systems*
Location: *Generally located at the west side of Dransfeldt Road between Lincoln Meadows Parkway and Plaza Drive*
Department: *Community Development, BrieAnna Simon*
TRAKiT No.: *Z19-013*
Second Reading: *February 3, 2020*

F. RESOLUTION NO. 20-004
A Resolution to Determine, Upon Recommendation of the Town Administrator, that the Public Interest Will Be Best Served By a Single Source Contract Concerning the Motsenbocker Road Shoulder Landscaping
Department: Engineering and Public Works, Tom Gill

G. RESOLUTION NO. 20-005
A Resolution Accepting the Conveyance of a Drainage Easement from Compark Land Company, for a Part of Tract A, Compark Village Filing No. 8
Department: Engineering and Public Works, Alex Mestdagh

H. CONTRACTS OVER $100,000

1. Professional Services Agreement for East/West Trail at Jordan Road Under Crossing Project
Amount: $151,129.00
Contractor: Felsburg Holt & Ullevig
Department: Engineering and Public Works, Bob Exstrom

Joshua Rivero moved and John Diak seconded to approve Consent Agenda Items 5A through 5H.

The motion was approved unanimously.

TOWN ADMINISTRATOR

It was noted that the Town Administrator's Report is available online.

ORDINANCES

A. ORDINANCE NO. 9.272 - Second Reading (Continued from 12/2/19)
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and the Board of County Commissioners of the County of Douglas Regarding Cost Sharing for Chambers Road Between Mainstreet and Lincoln Avenue
Department: Engineering, Chris Hudson

This item is for an ordinance to approve a proposed intergovernmental agreement (IGA) between Douglas County and the Town of Parker establishing the reimbursement amount and maintenance responsibilities for the recently completed Chambers Road widening project (Lincoln Avenue to Mainstreet) adjacent to the Newlin Crossing development.

Public Comment - None

Cheryl Poage moved to approve Ordinance No. 9.272 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 9.306 - Second Reading
A Bill for an Ordinance to Approve the Agreement Between the Board of County Commissioners of the County of Douglas, on Behalf of the Douglas County Sheriff's Office, and the Town of Parker, on Behalf of the Parker Police Department Concerning Access to the Sex Offender Registry Website (SOTAR™)

Department: Police, Jim Prior

The Parker Police Department previously entered into an Intergovernmental Agreement with Douglas County for the use of the SOTAR (Sex Offender Tracking and Registration) software that was developed by Douglas County. Access to this software allowed the Parker Police Department the ability to upload all sex offender registrants within the Town of Parker for public viewing and awareness.

Since its inception, use of SOTAR has been free to the Parker Police Department. The development and maintenance of the software has been the sole responsibility of Douglas County. Use of the program has grown to a statewide level, creating the need for a dedicated employee to manage the SOTAR software for Douglas County and all user agencies. Douglas County is now seeking user fees from participating agencies to assist with personnel costs of this much needed position. User fees are based on agency size and the stated cost for the Parker Police Department will be $2,500/year.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 9.306 on second reading.

Cheryl Poage seconded the motion.

PUBLIC COMMENTS CONTINUED IF NECESSARY

The meeting was adjourned at 7:23 P.M.

_____ _____

Carol Baumgartner, Town Clerk Mike Waid, Mayor

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jamie Wynn, Assistant Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 5.06.43 - First Reading**
A Bill for an Ordinance to Amend Sections 8.08.040 and 8.11.040 of the Parker Municipal Code Concerning Legal Age for Tobacco or Vapor Products

Department: **Town Attorney, Jamie Wynn**
Second Reading: **February 18, 2020**

EXECUTIVE SUMMARY

The purpose of these amendments are to update the Parker Municipal Code to be consistent with the changes to Federal law which went into effect on December 20, 2019, making it illegal to sell tobacco products to any individual under the age of twenty-one (21) years.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Section 8.08.040 of the Parker Municipal Code regulates substances that release toxic vapors. The proposed amendment to Section 8.08.040(d)(1) would modify the definition of a minor person for purposes of the Section to "any person under the age of twenty-one (21) years." Section 8.11.040 of the Parker Municipal Code regulates the distribution of cigarettes and tobacco products to minors. The proposed amendment to Section 8.11.040(b), (c), and (d) would modify the age for providing, consumption, possession, or purchase of cigarettes and tobacco products to twenty-one (21) years or older from the current age of eighteen (18) years. These amendments will ensure that the Parker Municipal Code is in compliance with the Federal law passed on December 20, 2019, with respect to tobacco products, e-cigarettes, and vaping products.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)

ATTACHMENTS

1. Ordinance No. 5.06.43

RECOMMENDED MOTION

I move to approve Ordinance No. 5.06.43 on first reading and to schedule second reading for February 18, 2020, as part of the consent agenda.

ORDINANCE NO. 5.06.43, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 8.08.040 AND 8.11.040 OF THE PARKER MUNICIPAL CODE CONCERNING LEGAL AGE FOR TOBACCO OR VAPOR PRODUCTS

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 8.08.040 of the Parker Municipal Code is amended to read as follows:

8.08.040 Toxic vapors.

(1) It shall be unlawful for any person to sell, give, deliver or furnish any substance releasing toxic vapors to any minor without the personal or written consent of a parent, guardian or other person having legal care or custody of such minor, except when the sale of one (1) tube of glue is made simultaneously with the sale, purchase and delivery of a hobby or model kit. As used in this Section, a *minor* is any person under the age of ~~**eighteen (18)**~~ **twenty-one (21)** years.

Section 2. Subsections 8.11.040(b), (c) and (d) of the Parker Municipal Code are amended to read as follows:

8.11.040 Distribution of cigarettes and tobacco products to minors.

* * *

(b) It is unlawful for any person ~~**eighteen (18)**~~ **twenty-one (21)** years of age or older to furnish to any person who is under ~~**eighteen (18)**~~ **twenty-one (21)** years of age, by gift, sale, offer for sale or other means any cigarettes or tobacco products as defined herein.

(c) It is unlawful for any person under the age of ~~**eighteen (18)**~~ **twenty-one (21)** years of age to consume, possess or to purchase or attempt to purchase, either directly or through an intermediary, or in any other manner obtain any cigarette or tobacco product as defined herein.

(d) No person shall sell or offer to sell any cigarettes or tobacco products by use of a vending machine or other coin-operated machine; except that cigarettes may be sold at retail through vending machines only in:

* * *

Any person who sells or offers to sell any cigarettes or tobacco products shall display a warning sign as specified herein. The warning sign shall be displayed in a prominent place in the building and on any vending or coin-operated machine at all times, shall have a minimum height of three (3) inches and a width of six (6) inches and shall read as follows:

WARNING

It Is Illegal For Any Person
Under ~~**Eighteen (18)**~~ **Twenty-One (21)** Years Of Age
To Purchase Cigarettes And Tobacco Products
And, Upon Conviction, A Three Hundred
Dollar ($300.00) Fine May Be Imposed.

Section 3. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 4. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Elaine Mariner, Cultural Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-002**
A Resolution to Appoint Regular Members to the Parker Cultural and Scientific Commission, and to Appoint the Chair

Department: Cultural, Elaine Mariner

EXECUTIVE SUMMARY

The terms of five Commissioners expired on December 31, 2019 and three wish to be reappointed. Three Commissioners whose terms do not expire until December 31, 2020, have resigned. There are currently five vacancies on the Parker Cultural and Scientific Commission. The Commission is recommending three new Commissioners be appointed by Town Council.

The Chair's term expired December 31, 2019. The Chair wishes to be reappointed.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The two-year terms of Commissioners Judy Bazile, Mike Edwards, Lance Martin, Justin Raynor and Jeanne Ring expired December 31, 2019. Judy, Mike and Lance wish to be reappointed, while Justin and Jeanne no longer wish to serve on the Commission. The terms for Todd Hendreks, Katie Kendrick, and Susan Willis do not expire until December 31, 2020, but all three resigned from the Commission at the end of 2019.

The Town advertised for applications and received letters of application and resumes from six individuals. A Nominating Committee comprised of Chair Diane Roth, Mike Edwards, Judy Bazile and Councilmember Debbie Lewis conducted interviews with the candidates and forwarded three candidates to the full Commission for final consideration.

The Commission recommends that Annie Day and Alexis Watts be appointed to one-year terms expiring December 31, 2020, to fill the vacancies caused by the early resignations. The

Commission recommends that Terri Tilliss be appointed to a two-year term expiring December 31, 2021.

The Commission also recommends that Judy Bazile, Mike Edwards and Lance Martin be reappointed to two-year terms expiring December 31, 2021. The Commission recommends that two vacancies remain unfilled in the belief that a nine-member commission will be more effective and efficient at this time.

The Commission recommends re-appointing Diane Roth as Chair for a one-year term.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)

ATTACHMENTS

1. Resolution No. 20-002

RECOMMENDED MOTION

I move to approve Resolution No. 20-002, as part of the consent agenda.

RESOLUTION NO. 20-002, Series of 2020

TITLE: A RESOLUTION TO APPOINT REGULAR MEMBERS TO THE PARKER CULTURAL AND SCIENTIFIC COMMISSION, AND TO APPOINT THE CHAIR

WHEREAS, the terms of five (5) regular members of the Parker Cultural and Scientific Commission (the "Commission") expired on December 31, 2019;

WHEREAS, three (3) members (Todd Hendreks, Katie Kendrick and Susan Willis) whose terms expire December 31, 2020, resigned as of December 31, 2019;

WHEREAS, the Town Council of the Town of Parker desires to appoint four (4) regular members for the term ending December 31, 2021, as described herein;

WHEREAS, the Town Council of the Town of Parker desires to appoint two (2) regular members to fill two (2) of the three (3) vacancies for the term ending December 31, 2020, as described herein;

WHEREAS, Section 2.04.020 of the Parker Municipal Code provides that the Town Council shall appoint one member of the Commission to be the Chair; and

WHEREAS, the Town Council desires to appoint the Chair to the Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby appoints four (4) regular members to the Commission for the term ending December 31, 2021, as described in **Exhibit A**, which is attached hereto and incorporated by this reference.

Section 2. The Town Council of the Town of Parker hereby appoints two (2) regular members to fill two (2) of the vacancies to the Commission for the term ending December 31, 2020, as described in **Exhibit A**, which is attached hereto and incorporated by this reference.

Section 3. The Town Council of the Town of Parker hereby appoints Diane Roth as the Chair of the Commission.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

EXHIBIT A

1. Six (6) Regular Parker Cultural and Scientific Commission Board Members for a term up to and including December 31, 2020.

a. Lisa Hinz
b. Janine Jackson
c. Diane Roth
d. Annie Day
e. Alexis Watts
f. _____ (vacant)

2. Five (5) Regular Parker Cultural and Scientific Commission Board Members for a term up to and including December 31, 2021.

a. Judy Bazile
b. Michael G. Edwards
c. Lance Martin
d. Terri Tillis
f. _____ (vacant)

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Danny Smith, Streets Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-006**
A Resolution to Amend Resolution 15-018 Which Established the Town of Parker Roadside Memorial Signage Program

Department: **Engineering/Public Works, Danny Smith**

EXECUTIVE SUMMARY

Resolution 15-018, Series of 2015, which was approved by Town Council in 2015 established the Roadway Memorial Sign Program for the Town of Parker. The Roadway Memorial Sign Program was discussed with Town Council during the December 9, 2019 Town Council Study Session. Based on direction from Council, staff is proposing to make minor changes to the program and a resolution is needed to adopt these changes.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Roadside Memorial Sign Program was discussed with Town Council at the December 9, 2019 Town Council Study Session. Based on feedback from Town Council, modifications were requested to the existing program that was approved by resolution in 2015. Modifications to the program include the removal of the $100 fee and the addition of language to include fatalities that are the result of the improper use of a seat belt or car seat.

In addition, the program was modified to limit requests for a sign to three (3) years from the date of the fatality. Requests made after the three (3) year period will not be considered.

FINANCIAL IMPACT

There will not be any financial impacts. The $100 fee that is being proposed for removal was to be donated to the South Metro Safety foundation. The Town was still responsible for the fabrication and erection of the sign(s). The elimination of the $100 fee will not negatively impact the Town of the Engineering/Public Works Department budget.

STRATEGIC GOAL(S)

ATTACHMENTS

1. Resolution No. 20-006

RECOMMENDED MOTION

I move to approve Resolution No. 20-006, as part of the consent agenda.

RESOLUTION NO. 20-006, Series of 2020

TITLE: A RESOLUTION TO AMEND RESOLUTION 15-018 WHICH ESTABLISHED THE TOWN OF PARKER ROADSIDE MEMORIAL SIGNAGE PROGRAM

WHEREAS, the Town Council adopted Resolution No. 15-018 to establish the Town of Parker Roadside Memorial Signage Program (the "Program") to commemorate victims of DUI drivers and fatal crash victims not related to drugs or alcohol; and

WHEREAS, the Town Council desires to modify the Program to remove the fee associated with the Program and to expand the Program to include fatalities that are the result of the improper use of a seat belt or car seat.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council hereby amends the Town of Parker Roadside Memorial Signage Program and the program criteria, which is attached hereto as **Exhibit A** and incorporated by this reference.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

EXHIBIT A

TOWN OF PARKER
ROADSIDE MEMORIAL SIGNAGE PROGRAM CRITERIA

A sign must be requested by the victim's immediate family or sponsor with the consent of the victim's immediate family within Three (3) years of the fatal crash.

Signs may *only* be installed on Town roadways. Please note that Parker Road (State Highway 83) requests must go through CDOT.

Signage will be supplied at no cost. Up to three (3) names may be included on one sign with multiple victims.

The Town will fabricate, install and maintain the sign for eight (8) years from the date of initial installation. The Town will return the sign to the family after eight (8) years.

ADDITIONAL SPECIAL REQUIREMENTS FOR "DON'T DRINK AND DRIVE" SIGNS FOR FATAL ALCOHOL/DRUG (DUI) RELATED CRASHES

There must be a conviction of the driver involved in a fatal crash who was in violation of Colorado DUI laws, or a toxicology report must show the victim driver to have been in violation of Colorado's DUI laws **and** only with the permission of the crash victim's immediate family members.

Program information is available online at www.parkeronline.org *or* from the
Town of Parker
Public Works/Engineering Department
20120 E. Mainstreet
Parker, CO 80138
or by calling Town of Parker at (303) 840-9546

TOWN OF PARKER
ROADSIDE MEMORIAL SIGN APPLICATION **Please print information**

Name of person or group applying for sign:	Daytime phone number:	E-mail address:

Mailing address:	City:	State:	Zip code:

Date of fatal crash:	Location of crash (Town roadway and nearest intersection, if known):

Victim's name(s) (as they should appear on the sign)	Victim's name(s) (as they appear on the accident report)
1_____	**1**_____
2_____	**2**_____
3_____	**3**_____

Investigating law enforcement agency:	Name of the driver on the accident report:

Roadside Memorial Sign message to be included on the sign (please choose one):

- o DON'T DRINK AND DRIVE (Note specific requirements above)
- o PLEASE DRIVE SAFELY (for any fatalities)
- o PLEASE RIDE SAFELY (for motorcycle/bicycle fatalities)
- o PLEASE BUCKLE UP (for fatalities where victim was not wearing a seat belt or improper use of seatbelt/carseat)

Preferred sign location (please choose one):

- o LOCATION AS SHOWN ON THE ACCIDENT REPORT (provided by Town)
- o LOCATION AS SHOWN ON THE ATTACHED SKETCH (provided by applicant)

Victim's immediate family signature(s):	Applicant signature:

Date:	Date:

NOTE: Please keep the Town informed of any change of address.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 20-007**
A Resolution Stating the Town's Intent to Participate in the Douglas County Coordinated Election on November 3, 2020

Department: **Town Attorney, Jim Maloney**

EXECUTIVE SUMMARY

The coordinated election is scheduled for November 3, 2020. Pursuant to Section 2.1 of the Town of Parker Home Rule Charter and C.R.S. § 1-7-116, the Town has the option of participating in the Douglas County coordinated election.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town's regular election is scheduled for November 3, 2020. If the Town desires to coordinate its election with Douglas County, the Town is required to provide notice to Douglas County in the manner provided by the Uniform Election Code. Adoption of this Resolution will establish the Town's intent to participate in a coordinated election with Douglas County, on November 3, 2020.

FINANCIAL IMPACT

The Town Clerk has budgeted the funds for 2020 election.

STRATEGIC GOAL(S)

ATTACHMENTS

1. Resolution No. 20-007

RECOMMENDED MOTION

I move to approve Resolution No. 20-007, as a part of the consent agenda.

RESOLUTION NO. 20-007, Series of 2020

TITLE: A RESOLUTION STATING THE TOWN'S INTENT TO PARTICIPATE IN THE DOUGLAS COUNTY COORDINATED ELECTION ON NOVEMBER 3, 2020

WHEREAS, Douglas County is conducting a coordinated election on November 3, 2020;

WHEREAS, the Town is holding a regular election on November 3, 2020;

WHEREAS, pursuant to Section 2.1 of the Town of Parker Home Rule Charter and C.R.S. § 1-7-116, the Town has the option of participating in the Douglas County coordinated election; and

WHEREAS, the Town desires to participate in the Douglas County coordinated election.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town of Parker's November 3, 2020, regular election shall be coordinated with Douglas County.

Section 2. The Town Council hereby appoints the Town Clerk as the designated election official for purposes of performing acts required or permitted by law in connection with the election. Pursuant to C.R.S. § 1-1-111(2), all powers and authority granted to the Town Council may be exercised by the designated election official.

RESOLVED AND PASSED this _____ day of _____, 2020.

TOWN OF PARKER, COLORADO

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Mike Aggson, IT Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **CentralSquare for TRAKIT Analytics Hosted/Cloud Solution**

Amount:	**$110,140.00**
Contractor:	**CentralSquare for TRAKIT Analytics Hosted/Cloud Solution**
Department:	**Finance, Mike Aggson**

EXECUTIVE SUMMARY

This project allows for CentralSquare to host and house the suite of TRAKiT products and data. The project also includes Analytics reporting software at no cost, which is normally a $40,000 add-on, and we still receive a 12.5% price discount on the entire hosting solution.

By allowing CentralSquare to host our software and data, we place the responsibility of product uptime, data and network security, current product version, and hardware, software, and network maintenance on CentralSquare. This relieves the Town of Parker from data and security responsibility. Hardware costs and associated software licensing fees are eliminated. CentralSquare will be responsible for maintaining performance standards and software availability and will improve system performance. The Analytics product will enhance the Town's reporting and graphic capabilities. Departments will be able to more effectively evaluate and make recommendations for service delivery with the Analytics product.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

By allowing CentralSquare to host our software and data, we place the responsibility of product uptime, data and network security, current product version, and hardware, software, and network maintenance on CentralSquare. This relieves the Town of Parker from data and security responsibility. Hardware costs and associated software licensing fees are eliminated. CentralSquare will be responsible for maintaining performance standards and software availability and will improve system performance. The Analytics product will enhance the

Town's reporting and graphic capabilities. Departments will be able to more effectively evaluate and make recommendations for service delivery with the Analytics product. A key challenge today is the lack of quality and accurate data/analytics provided by current systems that are reflective of operations or provide functional support in changing processes. Real-time tracking and predictive analytics on service efficiency of all steps for review, issuance, and inspection of the project, permitting, and licensing processes from entitlement to construction and or completion will help ensure operational and organizational success. Moreover, it will offer additional insights on near-term process improvement opportunities that could help with financial stability.

The Town's ability to access and customize the software will remain intact. Increasing reliability and dependability, is crucial both in terms of customer satisfaction and for collecting funds online via payments for permits, projects, and licenses. From 2016-2018, eTRAKiT averaged $3,922,669 collected annually via online payments, indicating the importance of reliability, security, and customer access to the system 365 days per year, 24 hours a day. This does not include over the counter credit card transactions, checks, and cash collected through TRAKiT, which totaled an additional $16,667,410 in 2018.

FINANCIAL IMPACT

	2020	**2021**	**2022-2029**
Design			
Construction			
Purchases	$110,140.00	$93,625.00	$1,027,814.20
Total Expenditure			
Offsetting Revenue	$100,250.00	$22,737.50	$249,512.03

Detail by year for years 2022-2029:
2022: $100,178.75
2023: $107,191.26
2024: $114,694.65
2025: $122,723.28
2026: $131,313.91
2027: $140,505.88
2028: $150,341.29
2029: $160,865.18

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Danny Smith, Streets Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **2020 Townwide Resurfacing Program (CIP20-001)**

Amount: **$1,426,125.10**
Contractor: **Aggregate Industries-WCR, Inc**
Department: **Engineering/Public Works, Danny Smith**

EXECUTIVE SUMMARY

Award of trade contractor agreement to Aggregate Industries-WCR, Inc, for the 2020 Townwide Resurfacing Program (CIP20-001) for $1,426,125.10. The Town of Parker needs to maintain and enhance its roadway network through annual maintenance projects.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker publicly opened competitive bids on December 12, 2019, for the 2020 Townwide Resurfacing Program (CIP20-001). This program will include rotomilling and overlaying asphalt roadway pavement on Crown Crest Boulevard and Dransfeldt Road. Additional information for this project will become available on the Town's website. Staff will also be presenting additional information on this project at an upcoming Town Council Study session (anticipated for April).

The Town of Parker received six (6) sealed bids from contractors, with Aggregate Industries-WCR, Inc being the lowest responsible bidder. Aggregate Industires - WCR, Inc has performed as a prime contractor and completed projects in the past with the Town of Parker. The bid included three (3) bid alternates which staff decided to exercise and include in the contract. Staff negotiated the changes to the bid with Aggregate Industries-WCR, Inc. Therefore, Town staff recommends moving forward with this contract award.

The bids were as follows:

1. Aggregate Industries-WCR - $1,426,125.10
2. Schmidt Construction - $1,554,477.95
3. Brannan Sand & Gravel - $1,569,164.20
4. Asphalt Specialties - $1,645,519.40
5. Martin Marietta - $1,659,332.60
6. Elite Surface Infrastructure - $1,764,042.20

Engineers Estimate - $1,310,000.00

FINANCIAL IMPACT

Funding for this project has been appropriated in the Engineering and Public Works/Streets Division repair and maintenance (R&M) general fund account (101-4310).

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Danny Smith, Streets Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **2020 Townwide Slurry/Chip Seal Program (CIP20-002)**

Amount: **$1,823,228.93**
Contractor: **Vance Brothers, Inc**
Department: **Engineering and Public Works, Danny Smith**

EXECUTIVE SUMMARY

The Town of Parker negotiated a contract with Vance Brothers, Inc., for the 2020 Townwide Slurry/Chip Seal Program (CIP20-002). The 2019 contract, which was publicly advertised and competitively bid, included the option for two (2) contract renewals which the Town would exercise with the approval of this contract. In addition, the renewal option was approved by Town Council by Resolution No. 19-096 on December 2, 2019, by Town Council. The contract amount for the 2020 program is $1,823,228.93.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Staff negotiated the 2020 contract with Vance Brothers, Inc. Pricing provided for the contract by Vance Brothers, Inc., is fair with a 5% increase for slurry seal and a 33% decrease for chips seal, which provides a significant savings for the chip seal application. Additional information for this project will be available on the Town's website. Town staff will also be presenting more information on the 2020 streets maintenance program at an upcoming Town Council Study Session.

FINANCIAL IMPACT

Funding for this contract has been appropriated in the Public Works/Streets Division repair and maintenance (R&M) general fund accounts.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jim Gilbert, Deputy Director of Operations

Reviewed By: Michelle Kivela, Town Administrator

Title: **Purchase Two Cab and Chassis**

Amount:	**$279,360**
Contractor:	**McCandless**
Department:	**Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Fleet Division requests approval to purchase two 2020 International cab and chassis units as replacements for current units within the Town of Parker Fleet. The current units have been evaluated based on the criteria defined in the Town's Fleet Replacement Policy and which clearly meet the conditions required for replacement, including age and mileage. These trucks are being purchased for the use of the Town's Streets Division and Parks Division (one each). The Streets' unit will be outfitted with a plow and snow and ice removal equipment. The Parks' unit will be outfitted as a standard dump body.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Parker's Financial and Budget Policy includes provisions for the Town to acquire goods and services without competition using contracts based on competitive solicitations received by other government agencies. These cab and chassis will be purchased using the Colorado Department of Transportation's (CDOT) Award #311001623 with McCandless Truck Center LLC (based on CDOT Invitation to Bid # IFB 19-030 MMRFX - 7001063 for Class 8 Cab and Chassis Tandems to be acquired as needed over a three-year period).

The Town's Fleet Replacement Policy provides that:

It is the policy of the Town to equip staff with the tools needed to provide services to our citizens in a professional, competent and safe manner. Among the biggest "tools" in

accomplishing this task are vehicles and other fleet equipment (“Fleet Unit”). In addition, these items represent a substantial financial investment and must be handled in the most economic manner, both in their operation and in maximizing their disposal value.

The purpose of this policy is to establish procedures to ensure that the decision to replace fleet is in the best interest of the Town, financially and economically. This policy recognizes that extending the life of the fleet beyond the proper time for replacement only shifts the funding of fleet from being capital to operational in nature, and may actually increase expenses overall if repair costs surpass the cost to replace.

This policy recognizes that each Fleet Unit has a number of “lives."

-- Service life – amount of time a unit is capable of rendering service
-- Economic life – amount of time the unit’s average total cost is at a minimum
-- Technological life – amount of time the relative productivity of the unit is comparable to newer models

The following costs and other factors should be considered in determining Fleet Unit replacement recommendations.

-- Operation/maintenance costs
-- Repair costs
-- Parts availability
-- Downtime
-- Technological obsolescence
-- Condition
-- Safety

FINANCIAL IMPACT

Funding for these items was approved as part of the 2020 budget. There are no additional financial impacts anticipated.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jim Gilbert, Deputy Director of Operations

Reviewed By: Michelle Kivela, Town Administrator

Title: **2020 Fleet Replacement Vehicle Purchases**

Amount: **$406,486**
Contractor: **Spradley Barr**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Town of Parker's Fleet Maintenance division is requesting the authorization to proceed with the purchase of multiple replacement vehicles. These vehicles were identified and approved through the 2020 budget process. This request is for the purchase of eleven (11) vehicles from this vendor.

The vehicles include six (6) pickup trucks and five (5) police vehicles. Each of these units were identified through the fleet replacement criteria as outlined later in this request. These vehicles will replace existing equipment in the Police, Stormwater, Streets, Parks, Forestry, and Custodial divisions.

The quotes provided by the vendor are based on a 2020 competitively bid contract with Arapahoe County. This contract includes a cooperative capacity which allows the Town of Parker the ability to purchase items that have been competitively bid and are available to other entities for the same pricing. This is an efficient means of purchasing equipment and has been an acceptable practice.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Parker's Financial and Budget Policy includes provisions for the Town to acquire goods and services using contracts based on competitive solicitations received by other government agencies. Arapahoe County issued an award to Spradley Barr for the purchase of 2020 model

year vehicles which includes various vehicle makes and models. The vehicles specified are included on this award and reflect a competitive bid price, defined options, and required minimum service requirements.

The vehicles included in this appropriation include

- Four (4) Police Interceptors @ $39,485 each
- One (1) Police Expedition @ $39,777
- One (1) Sprinter van @ $24,432
- One (1) 1/4 ton pick up @ $24,429
- One (1) 1/2 ton pick up @ $29,309
- One (1) 3/4 ton pick up @ $42,189
- Two (2) 1 ton pick ups
  -- One @ $41,369 (Regular Cab)
- -- One @ $43,941 (Extended Cab)

The Town's Fleet Replacement Policy provides that:

It is the policy of the Town to equip staff with the tools needed to provide services to our citizens in a professional, competent and safe manner. Among the biggest “tools” in accomplishing this task are vehicles and other fleet equipment (“Fleet Unit”). In addition, these items represent a substantial financial investment and must be handled in the most economic manner, both in their operation and in maximizing their disposal value.

The purpose of this policy is to establish procedures to ensure that the decision to replace fleet is in the best interest of the Town, financially and economically. This policy recognizes that extending the life of the fleet beyond the proper time for replacement only shifts the funding of fleet from being capital to operational in nature, and may actually increase expenses overall if repair costs surpass the cost to replace.

This policy recognizes that each Fleet Unit has a number of “lives."

-- Service life – amount of time a unit is capable of rendering service
-- Economic life – amount of time the unit’s average total cost is at a minimum
-- Technological life – amount of time the relative productivity of the unit is comparable to newer models

The following costs and other factors should be considered in determining Fleet Unit replacement recommendations.

-- Operation/maintenance costs
-- Repair costs
-- Parts availability

-- Downtime
-- Technological obsolescence
-- Condition
-- Safety

FINANCIAL IMPACT

These vehicles were identified as part of the 2020 fleet replacement plans and previously approved through the budget process. No additional financial impacts are anticipated.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jim Gilbert, Deputy Director of Operations

Reviewed By: Michelle Kivela, Town Administrator

Title: **Purchase Stormwater Pipe Inspection Camera System**

Amount:	**$111,148.74**
Contractor:	**Envirosight**
Department:	**Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

The Town is mandated to have an inspection and maintenance program for Stormwater infrastructure. This camera equipment will allow the Town of fulfill this obligation in a more effective and safe manner than the current inspection practice. It is also more cost effective to purchase this equipment and utilize Town staff rather than contracting through outside vendors/companies.

The purchase of this equipment is through a Sourcewell competitively bid award.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town has over 113 miles of storm pipe (596,640 feet) and the Department's goal is for staff to inspect approximately 25% of this pipe on an annual basis. Currently there is over 306,000 feet of the storm pipe which under 36-inches in diameter which is difficult to visually inspect. Town staff enters manholes and/or inlets to inspect this smaller diameter pipe, but has limited visibility since they cannot physically enter the pipe. This allows for visual inspection of only 20-30 feet of the pipe from the manholes and/or inlet structures. Most pipe runs are 300 feet or longer in between structures. The current inspection method results in a large portion of the storm pipe not being properly inspected and many unknown deficiencies. Based on current bids, contracted pipe inspection is approximately $1.75 per foot. The average yearly cost of contracting camera inspection to meet the Department's inspection goal would be approximately $133,875.

Provide Reliable Infrastructure and Effective Mobility: A pipe camera will allow Town crews to inspect storm pipes and infrastructure in a more complete manner, thereby identifying issues with integrity before they become much larger problems. This will provide the Town with indicators of aging and stress on underground infrastructure and plan for maintenance or rehabilitation projects prior to catastrophic failures.

Promote a Safe and Healthy Community: The pipe camera will allow Town crews to identify capacity issues with pipes due to sediment or any other foreign objects blocking flow which could result in backups and surface flooding. This will provide the Town with an opportunity to find issues and clear blockages prior to heavy rainfall/runoff events, thereby, keeping the public safe from unnecessary flooding.

FINANCIAL IMPACT

Funding for this equipment is approved through the 2020 budget process. No additional funding is anticipated for 2020.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jim Gilbert, Deputy Director of Operations

Reviewed By: Michelle Kivela, Town Administrator

Title: **2020 Upfit of Fleet Vehicles**

Amount: **$127,000.00**
Contractor: **L. A. W. S.**
Department: **Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

Replacement and additions to the fleet require substantial installation of equipment and placement of logos to make them ready for operation. This includes safety and emergency lighting, radio and computer equipment, and other attachments related to the operational function for each piece of equipment. The Town's Fleet division is not staffed or equipped to perform this work in-house efficiently and has sub-contracted this work in the past. The Town is able to contract this work through an Arapahoe County cooperative bid solution to LAWS. LAWS is located in Englewood Colorado making this an effective method to prepare these vehicles for operations as well as perform future repairs as needed.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The replacement equipment for 2020 includes sixteen (16) vehicles which will require substantial installation of the aforementioned equipment. These vehicles serve the Parks and Recreation, Police, and Public Works Departments in their respective daily operations.

There is a substantial amount of work performed to complete an installation of the equipment for each of these vehicles. If the Town were to perform this work using in-house resources, it would detract from Fleet's core function of keeping the fleet operational.

This solution also provides for warranty and repair functions to be performed by the vendor as well as limiting the Town's liability to complete this work. While there are several vendors in

the front range, their proximity to the Town of Parker is a determining factor. Additional transportation time to deliver or retrieve vehicles would be detrimental.

FINANCIAL IMPACT

These expenses were included in the replacement and capital budget submittal for 2020. No further impact to the budget is anticipated.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as a part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Jim Gilbert, Deputy Director of Operations

Reviewed By: Michelle Kivela, Town Administrator

Title: **Vehicle Upfit - Dump Truck for Snow Plow Operations**

Amount:	**$124,990.00**
Contractor:	**OJ Watson**
Department:	**Engineering and Public Works, Jim Gilbert**

EXECUTIVE SUMMARY

Staff is requesting authorization to proceed with the approved 2020 budget for the purchase of a dump truck with snow plow equipment. This purchase requires the construction and installation of specialized equipment onto a separately purchased cab and chassis. This up-fit of equipment is through OJ Watson and provides the Town with a consistent and proven fleet of snow removal equipment which serves the primary and secondary snow removal routes throughout the Town of Parker.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

This equipment build proposal is for one tandem axel dump truck used for snow plow and streets maintenance operations. The cab and chassis is being purchased through a separate vendor (McCandless International). This purchase is for the body, plow, and spreader to be installed on the unit.

This is a replacement unit for a piece of equipment that was determined to be at the end of service life in the 2020 budget process.

This vendor was awarded a competitively bid contract with City and County of Denver to perform this work. The Town has evaluated this awarded bid and found it to meet our specifications at a competitive price.

FINANCIAL IMPACT

The funding for this project was approved as part of the 2020 fleet replacement budget. No additional impacts are anticipated.

STRATEGIC GOAL(S)

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as part of the consent agenda.

PARKER
COLORADO

Request for Town Council Action

Date:	February 3, 2020
Submitted By:	BrieAnna Simon, Associate Planner John Fussa, Community Development Director
Reviewed By:	Michelle Kivela, Town Administrator
Title:	**ORDINANCE NO. 3.262.1 - Rezoning - Second Reading (To be continued to 3/2/20)** **A Bill for an Ordinance to Amend the Dransfeldt Place Development Guide, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith**

Applicant:	**Dan Myers, Colorado Steel Systems**
Location:	**Generally located at the west side of Dransfeldt Road between Lincoln Meadows Parkway and Plaza Drive**
Department:	**Community Development, BrieAnna Simon**
TRAKiT No.:	**Z19-013**

EXECUTIVE SUMMARY

The applicant, Colorado Steel Systems, is proposing to amend the Dransfeldt Place Planned Development (PD) zoning to permit certain light industrial uses as a use by right. The intent of the PD zoning amendment is to better align the permitted uses with the Parker 2035 Master Plan which designates the property as part of the Light Industrial Character Area. The current zoning for the subject property was adopted at annexation in 2008 and requires a use by special review approval for all industrial uses. The proposal will improve the zoning by reflecting the light industrial character of the area and better implementing the Master Plan designation for land use.

The applicant was unable to provide the required public notice for the February 3, 2020 Town Council public hearing. Therefore, the applicant is required to continue the matter to the March 2, 2020 Town Council meeting so they may provide the required public notice before the public hearing.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property was originally annexed and zoned as part of the Dransfeldt Place Planned Development in 2008. At that time, the 21-acre property was platted to create 12 lots. In 2016, Town Council approved a use by special review application for a self-storage/mini-storage facility on Lot 8A and a recreational vehicle (RV) storage facility on Lot 10A. These uses have since been developed and are active businesses.

Lots 3A and 3B are under construction with a new light industrial building and the remaining lots are vacant. The site plan application for the new light industrial building resulted in discussions between the applicant and staff to amend the PD zoning to permit light industrial uses as a use by right. Staff requested that the applicant coordinate with the other property owners in the Dransfeldt Place PD to obtain support for the proposed rezoning application. The applicant has been able to obtain the support of most property owners and, based upon this effort, the Community Development Department has co-signed the rezoning application as permitted by Section 13.04.240 of the Municipal Code.

The proposed rezoning application has been submitted to the Town to allow certain light industrial uses to be processed as a use by right. This will provide applicants and small businesses with appropriate uses to have a more efficient and predictable process to obtain approvals. The applicant also proposes to clean-up the list of permitted uses by eliminating uses that are redundant, incompatible with the Master Plan or that have been poorly worded. In addition, the PD zoning amendment would eliminate an obsolete build-to line standard along Dransfeldt Road and replace it with a requirement that all buildings along this frontage meet the Town's new Development Design Standards.

The Parker 2035 Master Plan indicates that the Dransfeldt Place PD is located in the Light Industrial Character Area. The proposed zoning amendment is consistent with the Master Plan because it would more readily permit appropriate light industrial development proposals as a use by right in furtherance of the Town's land use policy that this area should be light industrial in character.

Staff has also reviewed the proposed rezoning application against the nine (9) criteria for rezoning contained in the Land Development Ordinance and determined that the criteria for approval have been satisfied.

The January 23, 2020 Planning Commission public hearing will be continued to February 13, 2020. The Commission will make a recommendation to the Town Council at that time.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)

ATTACHMENTS

1. Vicinity Map
2. Ordinance No. 3.262.1
3. PC Staff Report

RECOMMENDED MOTION

I move to continue Ordinance No. 3.262.1 to March 2, 2020 for second reading.

Vicinity Map

ORDINANCE NO. 3.262.1, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO AMEND THE DRANSFELDT PLACE DEVELOPMENT GUIDE, PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE, AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Finding of Fact.

a. Application has been made for amending the PD-Planned Development zoning for the "Dransfeldt Place Development Guide," approved by the Town Council on June 21, 2008, and recorded in the Office of the Douglas County Clerk and Recorder's Office on July 25, 2008, at Reception No. 2008052666, pursuant to the Town of Parker Land Development Ordinance.

b. Public notice has been given of such zoning by publication on the Town's website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the Property for fifteen (15) consecutive days prior to said hearing.

e. The requirements contained in Section 13.04.240(b) of the Parker Land Development Ordinance for amending the PD-Planned Development zoning the property described in **Exhibit A,** which is attached hereto and incorporated by this reference (the "Property"), have been satisfied.

Section 2. The Hess Ranch PD Development Guide - First Amendment for the Property is hereby amended as provided in the "Dransfeldt Place Development Amendment No. 1 Development Guide," which is attached hereto as **Exhibit B** and incorporated by this reference (the "First Amendment"). The uses permitted for the Property are specifically described in the First Amendment.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning change to the property.

Section 4. Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it

is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

A parcel of land located in the west half of Section 15, Township 6 south, Range 66 west of the 6th Principal Meridian, County of Douglas, State of Colorado, and being more particularly described as follows:

Lots 1 through 10, and Tracts A through C,

Dransfeldt Place Minor Development Plat

According to that map recorded July 6, 2016, at Reception No. 2016043917,

County of Douglas,

State of Colorado,

Containing 915,430 square fee or 21.015 acres, more or less.

Exhibit B to Ordinance Zoning Property

Dransfeldt Place Development Amendment No. 1

An integrated office and light industrial development In the Town of Parker, Colorado

Development Guide

The PD - Planned Development Zoning Regulation for a Commercial Development on Dransfeldt Road adjacent to Lincoln Meadows in the Town of Parker

Version: 18 December 2019

Dransfeldt Place Development Guide

Version:
18 December 2019

Table of Contents

Section I: **Introduction** **Pages 3 - 4**

A guide to the commonly used terms within this guide, exclusive of definitions found in the Town of Parker Land Development Code, as amended.

Section II: **General Provisions** **Page 5**

The rules, authority, and effect of the Dransfeldt Place Development Plan and Guide

Section III: **LI: Light Industrial Use Areas** **Pages 6 - 8**

Uses and Development Standards for the LI Land Use Areas as defined on the Dransfeldt Place Plan and Guide

Exhibit Attachments

A List of important Exhibit Attachments to this Development Guide

Exhibit 1 - Zoning Map
Exhibit 2 - Legal Description

Section I: Introduction

A. Statement of Purpose

This Development Guide provides site-specific development standards for the 20.006 acre Dransfeldt Place Development Planned Development. Located on Dransfeldt Road approximately one-quarter of mile south of Lincoln Avenue, this project consists of a light industrial unified campus with an emphasis on professional office workspace which can include sales, service, accessories and retail buildings that accommodate a variety of services.

Thus, the purpose of these Development Guidelines is to establish standards for the comprehensive development and improvement of the property.

B. Common Definitions

This Section defines terms, words and phrases used in this Development Guide. Words, terms and phrases used herein shall be interpreted in accordance with these definitions. All other terms, words or phrases not specifically defined herein shall be given their meaning as outlined in the Land Development Ordinance.

Abutting or Contiguous Land:
A parcel of land that has a common boundary line with another parcel of land.

Commercial Retail:
A commercial use characterized by the selling of tangible goods, wares and merchandise directly to the consumer.

Commercial Service:
A commercial use characterized by the selling of services and intangibles directly to the consumer.

Common Area or Common Element, Commercial:
The total area and structures within a commercial or industrial project which are designed, designated and maintained for common use and enjoyment by the owners and tenants of the project and their invitees, such as parking facilities and their appurtenances, enclosed and open malls, sidewalks, landscaped areas, public toilets and service facilities.

Construction:
The actual placement and fastening of construction materials in a fixed position. If a basement is being excavated, such excavation shall be deemed to be actual construction. If demolition or removal of any existing building or structure has commenced preparatory to construction, such demolition or removal shall be deemed to be actual construction. The term construction shall apply to buildings, roadways, utilities, other structures and landscaping.

Courtyard:
A space open and unobstructed to the sky, located at or above grade level on a lot bounded on three (3) or more sides by walls of a building.

Covered Parking:
Parking facilities that are protected by a roof or enclosed within a structure.

Driveway:
A private vehicular passageway for the exclusive use of the owners and occupants of the lot(s) or project and their invitees.

Educational Facility:
Private or public schools, colleges, universities, technical schools or libraries qualified to offer general academic and/or specialized education.

Garage, Private:
A building, or portion thereof, used primarily for the parking of motor vehicles belonging to the occupants of the land upon which it is situated and their invitees.

Garage, Public:
A building or portion thereof, other than a private garage, used for the parking of motor vehicles.

Hotel/Motel:
Any building arranged, designed and intended as a temporary lodging place for human beings, with or without meals; in which there are six (6) or more guest rooms or suites; and in which no provision is made for cooking in any individual room or suite. A Motel use differs only in that is caters toward users traveling by automobile.

Joint Use of Parking:
The shared use of off-street parking facilities by more than one type of land use where the same parking spaces are taken into account in satisfaction of the parking requirements of each use.

Laboratory:
A building or portion of a building devoted to the experimental study of the science of testing and analysis of chemicals, drugs, explosives, minerals, etc.

Laboratory -Medical or Dental:
A building or a portion of a building devoted to the use of providing bacteriological, biological, medical, x -ray, pathological and similar analytical or diagnostic services to doctors or dentists and where no fabrication is conducted on the premises, except the custom fabrication of dentures.

Landscaping:
Improvement to an area of land by the planting of a combination of trees, shrubs and ground cover, or the installation of other materials such as rock, bark, retaining walls, or sprinkler systems.

Lot Area:
The total horizontal area within the lot lines of a lot.

Lot, Corner:
A lot of which at least two (2) adjacent sides abut for their full length upon a public street.

Lot, Double Facing:
A lot of which the front and rear property lines abut for their full length upon a public street.

May:
A right or election to do so, not a requirement.

Major Facilities of a Public Utility:
A transmission line, power plant, switching station, substation of electrical facilities, pipelines and storage areas of utilities providing natural gas or petroleum derivatives.

Mobile Office:
A vehicle, with or without self-motive power, designed and equipped for human occupancy for industrial, commercial or professional purposes, including but not limited to, temporary offices for the sale of homes, temporary construction management and supervisor trailers.

Motel:
A hotel primarily used for transients traveling by automobile.

Office:
A place of business containing offices.

Protective Covenants:
A written agreement, duly recorded, binding upon a specified group of property owners and their successors, heirs or assigns wherein certain restrictions and conditions are established to promote and protect the value, desirability and development of the subject property.

Public or Quasi-Public Facilities:
Facilities intended for public use including but not limited to: educational facilities, fire stations, police stations, public parks, public recreational facilities, public utilities and public roadways.

Recreation Vehicle Storage:
An area of land and associated structures arranged, designed and intended to accommodate the temporary parking or storage of unoccupied recreation vehicles.

Setback Line-Front:
A line parallel to the front lot line and tangent to that part of the building situated on the lot that is closest to the front lot line

Setback Line-Rear:
A line parallel to the rear property line and tangent to that part of building situated on the lot that is closest to the rear property line

Setback Line-Side:
A line parallel to the side property line and tangent to that part of the building situated on the lot which is closest to the side property line (excluding open fire escapes or stairways, eaves, overhangs, chimneys, uncovered patios and decks, fences and courtyards).

Shall:
Mandatory responsibility or requirement.

Structure:
Anything constructed or erected in, under, over or upon the land, or attached to something in, under, or upon the land.

Structure, Temporary:
A structure that is not a permanent structure, or one, which is constructed for a special purpose in contemplation of removal upon accomplishment of such purpose.

Temporary Construction Yard:
A place for temporary offices and temporary storage of materials used for the construction of any structure permitted.

Transitional Uses:
Property that is in the interim period between annexation/ rezoning and development.

SECTION II: General Provisions

A. Purpose
The purpose of this Dransfeldt Place Development Guide (hereinafter referred to as the "Development Guide") is to establish standards for the development of property in an efficient and orderly fashion.

Innovative, yet consistent, design standards shall be encouraged. The property shall be developed as a community with common themes throughout and strong attention paid to existing drainage ways.

B. Application Adoption & Effect
This Development Guide shall apply to all lands described in Exhibit B, "Legal Description of Property," and shall become effective upon the approval and adoption of same by the Town Council of the Town of Parker. From that date forward, all uses of the property shall be in conformance with this Development Guide.

C. Authority
The authority of this Development Guide is outlined in the Town of Parker Municipal Code, as amended.

D. Enforcement
The provisions of this Development Guide related to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or equity, by the Town of Parker.

E. Modifications
Any modification of this Development Guide which substantially changes the intent of this development or the overall density, in so far as maximum density or commercial and office intensity, shall be processed through the Town of Parker as a Rezoning and meet all the requirements of a Rezoning as outlined in the Town of Parker Municipal Code, as amended.

F. Relationship to Development Plan
Together with this Development Guide, a Dransfeldt Place Planned Development has been prepared and serves as the graphic representation of these provisions. This Dransfeldt Place Planned Development is a part hereof and is incorporated herein by this reference with everything shown thereon and all amendments thereto.

G. Relation to the Town of Parker Subdivision and Site Plan Regulations
All provisions of the Town of Parker Subdivision Regulations and Site Plan standards, and any amendments thereto as may be made from time to time, are by this reference incorporated herein as if fully set forth.

H. Conflicting Provisions
The provisions of this Development Guide shall prevail and govern the development of Dransfeldt Place, except where these provisions do not clearly address a specific subject, or are in conflict with a specific provision defined within the Town of Parker Municipal Code, as amended. In such situations, the provisions of the Town of Parker Municipal Code, as amended, shall prevail, when applicable.

I. Land Use Boundaries & Density

1) Boundary Calculation:
   All land use areas shall be considered to include all of the land within the perimeters indicated on the Dransfeldt Place Planned Development and one-half of any adjacent streets.

2) Final Boundary Configuration:
   The Dransfeldt Place Planned Development is intended to depict general locations and illustrate concepts of the provisions of the Development Guide.

J. Dedication Requirements
All dedications of Public Facilities, including but not limited roadways, utility easements and drainage facilities and easements, shall be made at the time of final platting of the specific project area.

Section lll: LI: Light Industrial Use Areas

A. Intent

This section establishes the standards for the commercial use areas designated on the plan, which will provide for planned, orderly development, meeting the automotive and retail needs of the community as it develops. All roof-mounted equipment, except solar collectors and heaters, shall be properly screened.

B. Uses Permitted and Uses by Special Review (UbSR")

Listed uses are identified as either "Permitted, or "Use by Special Review (UbSR) with an "X" in the appropriate column in the matrix below. Uses not listed in the matrix will be at the Community Development Director's determination as to whether they are Permitted, or UbSR in accordance with the Town of Parker Municipal Code, as amended:

General Commercial Uses		
Type of Use	**Permitted**	**UbSR**
Offices: general, medical, dental, and professional	X	
Financial Services: including banks and brokerages	X	
Retail Shopping Establishments	X	
Personal and Convenience Services	X	
Research and Development Facilities	X	
Convenience Service Establishments with Gas Pumps		X
Building Material Sales	X	
Small Animal Veterinary Clinic, with or without kenneling		X
Dog Training and Grooming, with or without kenneling		X
Greenhouses and Plant Nurseries		X
Mini- Storage Warehouses, including Recreational Vehicle Storage*		

*** <u>Mini Storage Warehouses, including Recreational Vehicle Storage</u>**

Storage, self storage, outdoor self storage and warehouse uses are prohibited under the Town of Parker's Land Development Ordinance "Storage Uses and Overlay District". Those uses and structures that were in existence and were permitted prior to March 7, 2016, the effective date of the "Storage Uses and Overlay District" shall be allowed to continue as a nonconforming use under the Town of Parker Municipal Code, as amended.

New storage, self storage, outdoor self storage and warehouse uses or the expansion of existing storage uses and structures will not be reviewed or considered in the Dransfeldt Place Planning Area while the Storage Uses and Overlay District remains in effect. In the event the Storage Uses and Overlay District is repealed by the Town Council (other than as part of an ordinance that repeals and replaces such ordinance), all new and expanded storage, self storage, outdoor self storage and warehouse uses will be classified as a Use by Special Review and reviewed as such.

Eating, Drinking, and Entertainment Establishment Uses		
Type of Use	**Permitted**	**UbSR**
Restaurant, with indoor or outdoor seating, with or without alcoholic beverage sales	X	
Fast Food restaurants, with or without drive-thru facility	X	
Take out and Delivery Food Service	X	
Indoor Movie Theater**		X
Indoor Recreation Facility		X
Public Park or Playground	X	
Trail or Trailhead	X	
Instructional Services/ Studios	X	

Automotive Uses		
Type of Use	**Permitted**	**UbSR**
Automobile Sales, Leasing, and Rental (new and used)		X
Automobile and Truck Service and Repair	X	
Tire Sales and Repair	X	
Motorized Equipment Sales, Leasing, Rental, Service and Repair (if "Service and Repair" are an accessory use to the principal use of sales, leasing and rental)	X	
Car Wash		X
Light Machinery Repair	X	
Light Manufacturing or Assembly of Small Equipment, Parts or Supplies	X	
Automobile Body Shop	X	
Sales of Automotive Gasoline or Fuel		X
Distribution Facilities	X	
Contractors Offices with Accessory Equipment and Trailer Storage	X	

Institutional Uses		
Type of Use	**Permitted**	**UbSR**
Places of Religious Assembly**	X	
Government Uses Less Than or Equal To 5,000 Square Feet**	X	
Government Uses More Than 5,000 Square Feet**		X
Ambulance Service**		X
Conference Center or Meeting Hall **	X	

**** Light Industrial Conservation Overlay District**

Uses shall comply with the regulations and limitations outlined within the Town of Parker Municipal Code Light Industrial Conservation Overlay District, as amended.

C. Design Standards, all lots

Design Standards		
Principal Structure Setbacks	From Dransfeldt Road	30 Feet
	From Internal Streets	15 Feet
	From Rear Or Side Lot Line	0 Feet
Principal Building Separation	Edge of Building to Edge of Building	15 Feet
Seperation From Residential Uses	Edge of Building to Edge Of Residential Lot	100 Feet
All Structures	Maximum Building Height	45 Feet
	Heights Greater Than 45 Feet	UBSR

D. Design Criteria for Commercial Lots within Parker Gateway:

1) On-site lighting will comply with the requirements of the Town of Parker Municipal Code, as amended

2) Building materials, material colors, pedestrian orientation, and building placement on lots shall be done in accordance with the "Town of Parker, Commercial, Industrial & Multi-Family Design Guideline Standards", as amended.

3) For lots which abut Dransfeldt Road, the commercial design standards shall apply, as outlined within the Commercial, Industrial, and Multi-Family Residential Design Standards.

Exhibit 1
Zoning Map

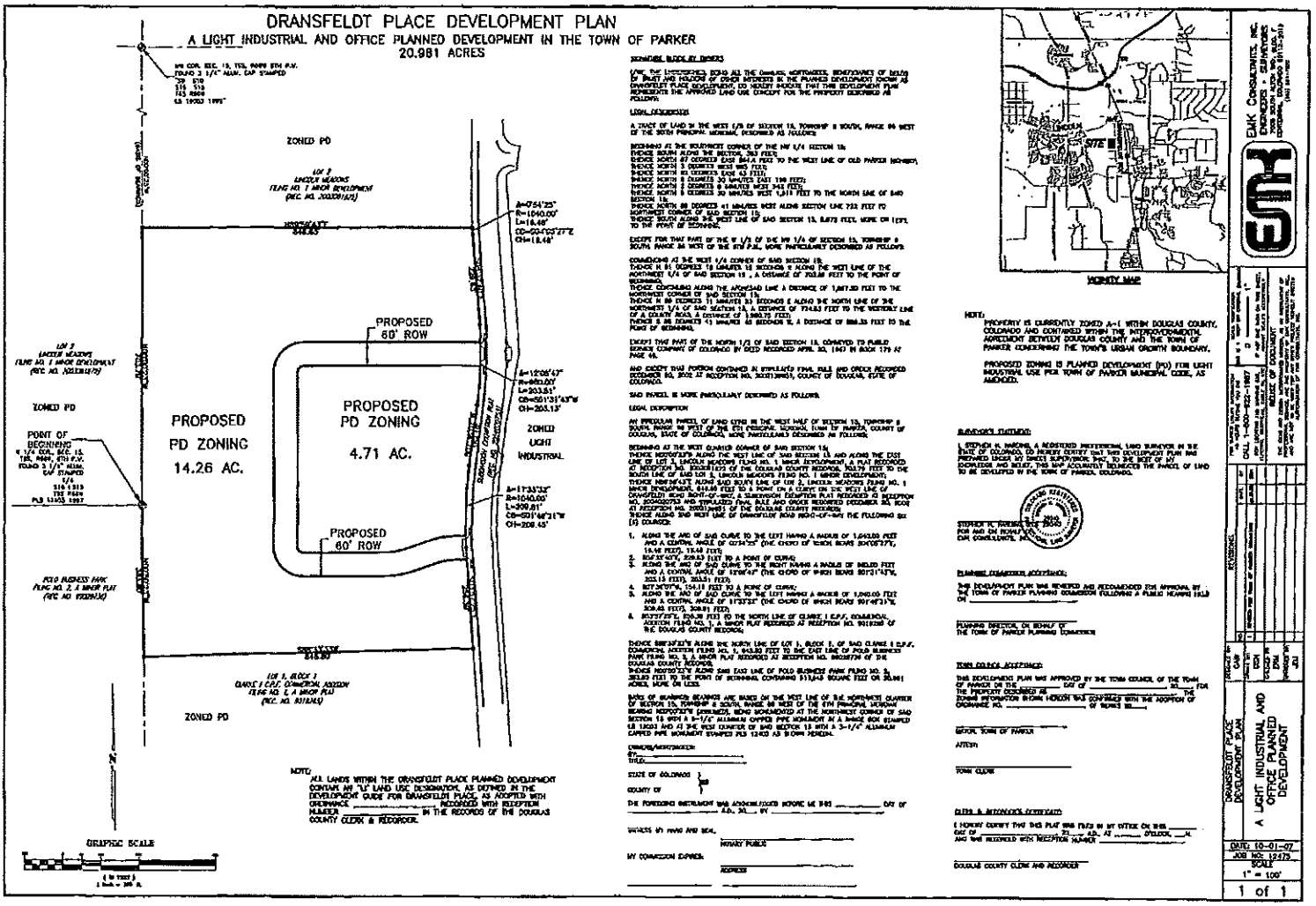


Exhibit 2

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 10, AND TRACTS A THROUGH C,

DRANSFELDT PLACE MINOR DEVELOPMENT PLAT

ACCORDING TO THAT MAP RECORDED JULY 6, 2016 AT RECEPTION NO. 2016043917

COUNTY OF DOUGLAS,

STATE OF COLORADO

CONTAINING 915,430 SQUARE FEET OR 21.015 ACRES, MORE OR LESS.

Planning Commission Staff Report

Planning Commission Date:	**1/23/2020**
Town Council Date:	**2/3/2020**
Hearing Type:	**Public Hearing** **DRANSFELDT PLACE PLANNED DEVELOPMENT – Rezone (Continued to February 13, 2020)** **TRAKiT No.: Z19-013**
Location:	**12404 N Pine Drive**
Project Planner:	**BrieAnna Simon, Associate Planner**
Applicant:	**Dan Myers, Colorado Steel Systems**
Executive Summary:	**The applicant, Colorado Steel Systems, is proposing to amend the Dransfeldt Place Planned Development (PD) to allow certain Light Industrial Uses as a Use by Right. The site is located on the west side of Dransfeldt Road between Lincoln Meadows Parkway and Plaza Drive. The public notice requirement was not met to meet the January 23, 2020 public hearing. Therefore, this application is asking to be continued to February 13, 2020 to meet the public hearing requirements.**
Staff Recommendation:	**Continue to February 13, 2020**

RECOMMENDED MOTION

"I move the Planning Commission vote to continue the Dransfeldt Place Planned Development rezone request to February 13, 2020."

I. BACKGROUND/DISCUSSION

The property was original annexed and zoned as part of the Dransfeldt Place Development in 2008. In 2008, the approximate 21-acre property was platted to create twelve lots. In 2016, Town Council approved a use by special review for mini-storage warehouse on Lot 8 and recreational vehicle (RV) storage facility with garages on Lot 10. Both sites have been fully constructed with the approved use.

Lots 3A and 3B are under construction with a new light industrial building and the remaining lots are vacant. The site plan application for the new light industrial building started the discussion with Community Development staff to amend the PD to allow for light industrial uses to be a use by right. The Town required the applicant to coordinate with the other property owners within the development and get the support of

the association in order to submit an application for the rezone. Based on this effort, the Town's Community Development Department has co-signed the application per Section 13.04.240 of the Town of Parker Municipal Code. The intent of the proposed rezoning is to align the PD with the Parker 2035 Master Plan. Currently all industrial uses require a use by special review.

The proposed rezoning has been submitted to the Town to allow certain light industrial uses to be changed from a use by special review to a use by right. Also, the list of uses has been consolidated to reduce redundant uses, uses not compatible with the light industrial have been removed, and uses have been reworded to align with those found in the current Town of Parker Municipal Code. Additionally, the build-to line along Dransfeldt Road has been removed and replaced with a requirement for all buildings along Dransfeldt Road to meet the Commercial Development Design standards. For the storage uses that exist today with the Dransfeldt Place PD, the proposed amendment does not alter the status of these uses. These storage uses remain as a nonconforming use as outlined in Section 13.04.230 in the Town's Municipal Code.

The Parker 2035 Master Plan shows these properties in the Light Industrial Character Area, the proposed rezoning will allow for limited light industrial uses by right on the properties which aligns with the Master Plan. Staff has reviewed this proposed against the nine (9) criteria for rezoning set forth in the Land Development Ordinance and has determined that the criteria have been met.

Vicinity Map

II. PRIOR ACTIONS

Date	Action
7/21/2008	Annexation
7/21/2008	Dransfeldt Place Planned Development Approval
12/15/2008	Dransfeldt Place Minor Development Plat Approval
4/18/2016	Dransfeldt Place MiniStorage UbSR (Z16-004) Approval for both Lot 8A Blue Mountain Storage and Lot 10A RV Vault Parker Garage Storage
5/1/2017	Dransfeldt Place Plat Amendment No. 2 – Vacation and Replat of Lot 3A
6/19/2017	Dransfeldt Place Light Industrial Use (Z17-006) Approval for Lot 2A JD Steel
1/17/2018	Dransfeldt Place Plat Amendment No. 3 – Subdivide Lot 3A in two parcels
6/17/2019	Dransfeldt Place Site Plan – Multi-tenant Building Light Industrial Uses

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development
Overlay District	Light Industrial Conservation Industrial District
PD & Plan Area	Dransfeldt Place – Planned Development
Master Plan Area	Light Industrial
Site Acreage	21 Acres
Subdivision	Dransfeldt Place
Existing Use	Two of the twelve properties have been approved and developed with storage uses through a use by special review. Lots 3A and 3B are under construction with a new light industrial building and the remaining lots are vacant.

Surrounding Uses			
	Master Plan Land Use	**Zoning**	**Existing Use**
North	Light Industrial	PD - Planned Development	Institutional Use – Parker Police Department Vacant Industrial Land
South	Light Industrial	PD - Planned Development	Light Industrial Uses – Medtronic and OraLabs
East	Light Industrial	LI - Light Industrial	Light Industrial and Car Repair, Auto Body Shop and Garbage Company Operations Facility
West	Light Industrial	PD - Planned Development	Institutional Use – American Academy Light Industrial – Self Storage Facility, Contractor's Yard and Nursery

IV. PARKER 2035 MASTER PLAN

Parker 2035 Master Plan | Town of Parker - Official Website

MASTER PLAN CONSISTENCY	
Master Plan Designation	Light Industrial ☒ **Consistent** ☐ **Inconsistent**
Master Plan Character Discussion	The Light Industrial District is centrally located with properties that generally serve smaller local light industrial businesses that supply local, regional and sometimes national markets. This character area is intended to provide a location for a variety of work processes such as manufacturing, machine shops, production facilities, distribution facilities, flex office, commercial services and other uses of similar research and development, high tech and medical device manufacturing firms that have a synergistic relationship. Processes and land uses within this character area will be low impact in nature and not create or cause fumes, odor noise, vibration or other impacts which are detrimental to abutting properties or land uses. Special care should be taken to ensure that uses not compatible with the light industrial uses proposed within the character area are located in other more appropriate areas of Town. Public Facilities are appropriate within the character area.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.C Community Appearance and Design 3 Community Appearance and Design 5.C
Inconsistent Goals/Strategies	**None**
Staff Analysis	The property is located within the Light Industrial Character Area of the Parker 2035 Master Plan. The Master Plan identifies the Light Industrial Character Area as providing for a variety of work processes such as manufacturing, machine shops, production facilities, distribution facilities, flex office, commercial services and other uses of similar research and development, high tech and medical device manufacturing firms that have a synergistic relationship. Special care should be taken to ensure that uses not compatible with the light industrial uses proposed within the character area are located in other more appropriate areas of Town. The proposed PD Amendment seeks to permit uses typically found within a light industrial district by right and restrict uses not compatible with this character area.

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

This property has vehicular access from Dransfeldt Road. There are no proposed changes to the existing vehicular access or traffic circulation.

VI. APPROVAL CRITERIA

Title 13.04.240.f. Criteria for approval for amendments to the land use ordinance or zoning map:

1. A need exists for the proposal;

Applicant analysis and findings:

The Dransfeldt Place Subdivision is in the middle of the only 2035 Master Plan Light Industrial area, and is currently the only developed subdivision with undeveloped lots in the Town. We are having many potential clients approaching to us about light industrial facilities, and are having trouble in the surrounding areas finding available lots for their use.

Staff analysis and findings:

The proposed properties are located within and completely surround by the Light Industrial Character Area described in the Parker 2035 Master Plan. The proposed Planned Development amendment allows for uses that are in harmony and compatible with the character of the surrounding neighborhood and uses. The proposed amendment will better serve the public and Town by meeting the intent of the Town's Master Plan.

Therefore, staff has determined that, subject to conditions, this criterion can be satisfied.

2. The particular parcel of ground is indeed the correct site for the proposed development;

Applicant analysis and findings:

As mentioned above, this subdivision is in the 2035 Master Plan light industrial development area, but there are only 2 industrial uses by right in the current PD. That deters development, and increases the work load for Town of Parker going through the UBSR process for every lot in the subdivision.

Staff analysis and findings:

The proposed properties are located within and completely surrounded by the Light Industrial Character Area of the Town's Master Plan. The Master Plan identifies land uses within this character area to generally serve smaller local light industrial businesses that supply local, regional and sometimes national markets. The proposed amendment will align the permitted uses in the PD with the those typically found within a Light Industrial zoning district and provide compatibility with the surrounding land uses.

Therefore, staff has determined that this criterion can be satisfied.

3. There has been an error in the original zoning; or
   Applicant analysis and findings:
   We are not requesting a zoning change. We believe for the reason stated above that amending the PD will expand and encourage opportunities for development within the subdivision.

   Staff analysis and findings:
   There was not an error in the original zoning.

4. There have been significant changes in the area to warrant a zone change;
   Applicant analysis and findings:
   Again, it is not a zoning change, just a correction in the PD approved light industrial uses by right. There has been large demand in recent years for industrial sites, and most of the industrial zoned areas are full. All but a few lots of industrial zoned land in Castle Rock has been purchased by a single developer. There are a few sites in Dove Valley but they are too expensive for many potential clients. Some lots are available in Aurora, but the soil is so bad, that it makes the sites too expensive to develop for many clients. We know of a couple lots in Denver. The closest available larger tracts of industrial land to the North are in Adams County, and we have had several clients back out of those because of the travel distance for their employees. This makes Parker a very desirable area for industrial development.

   Staff analysis and findings:
   The properties were annexed, zoned and platted just prior to the 2008 recession. Since then construction within the PD has included an RV storage facility and a self-storage facility on Lots 8 and 10. Lots 3A and 3B are under construction with a new light industrial building and the remaining lots are vacant. Much of the recent development within the Light Industrial Character Area, outside of Dransfeldt Place have not been light industrial in nature. The Town continues to be concerned about accommodating future industrial uses that provide direct economic benefits and employment to the Town. The proposed amendment provides limited industrial uses by right, which addresses many of the Towns continued concerns.

   Therefore, staff has determined that this criterion can be satisfied.

5. Adequate circulation exists and traffic movement would not be impeded by development; and.
   Applicant analysis and findings:
   The subdivision was built as an industrial subdivision so all circulation was designed with this in mind. All uses must meet development standards which includes traffic studies.

   Staff analysis and findings:
   This development has vehicular access from Dransfeldt Road. The proposed uses are not anticipated to generate significant traffic volumes beyond what the development has been designed for or lead to congestion which might result in undue traffic hazards.

   Therefore, staff has determined that this criterion can be satisfied.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

   Applicant analysis and findings:

   Same as above. There would be no additional municipal service costs

   Staff analysis and findings:

   The overall development was established expecting industrial uses. This light industrial character is not anticipated to generate demand for additional municipal services (police, street maintenance, drainage facility maintenance, etc.) beyond which the Town currently provides. Therefore, the proposed uses will not require a level of community facilities and services greater than presently available to serve the properties.

   Therefore, staff has determined that this criterion can be satisfied.

7. There are minimal environmental impacts or impacts can be mitigated.

   Applicant analysis and findings:

   Same as above. Subdivision was designed for this use, so environmental impacts will not change. All uses must meet development standards, which includes environmental impact mitigation.

   Staff analysis and findings:

   The property is located within the light industrial area of the Town. The existing development and area was designed and built for light industrial uses. This character area is intended to provide a location for a variety of work processes such as manufacturing, machine shops, production facilities, distribution facilities, flex office, commercial services and other uses of similar research and development, high tech and medical device manufacturing firms that have a synergistic relationship. Proposed uses by right are intended to be low impact in nature and not create or cause fumes, odor noise, vibration or other impacts which are detrimental to abutting properties or land uses and will be reviewed through the Town's Site Plan process. All uses will be required to meet the Town of Parker Municipal Code in order to minimize and/or mitigate any environmental impacts.

   Therefore, staff has determined that, subject to conditions, this criterion can be satisfied.

8. The proposal is consistent with the Town Master Plan maps, goals and policies.
   Applicant analysis and findings:
   Same as above. Subdivision is in an industrial area, and the changes we are requesting are consistent with the current zoning.

   Staff analysis and findings:
   The proposed properties are located within and completely surround by the Light Industrial Character Area of the Parker 2035 Master Plan. Amending the PD to permit light industrial uses as by right uses is supported by the Town's Master Plan. The uses within the proposed PD take into consideration those uses such as day cares and schools which are not compatible with such light industrial uses by removing them from the PD. The proposed PD meets the intent of the character and uses as outlined in the Town's Master Plan for the Light Industrial District.

   Therefore, staff has determined that this criterion can be satisfied.

9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.
   Applicant analysis and findings:
   The subdivision was designed as an industrial subdivision, so all services were taken into consideration for an industrial area.

   Staff analysis and findings:
   The Town has planned for development in this area to include light industrial uses. This light industrial character is not anticipated to generate demand for additional municipal facilities (parks, recreation center usage, etc.) beyond which the Town currently provides. Therefore, the proposed uses will not require a level of community facilities and services greater than presently available to serve the properties.

   Therefore, staff has determined that this criterion can be satisfied.

VII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Comprehensive Planning	The addition of certain light industrial uses as uses by right is supported by the Master Plan. It is recommended that certain sensitive uses, such as schools and day cares, not be permitted within the district. Please be aware that this property will remain subject to the Storage Overlay District and the Light Industrial Conservation District as described in Section 13.04 of the Land Development Ordinance.
Economic Development	No comment.
Fire Life Safety	No comment.
IREA	No comment.
Parker Water and Sanitation District	No comment.
Police	No comment.
Public Service Company	Please be advised that Public Service Company has existing natural gas distribution within the areas indicated in this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.
South Metro Fire	No comment.
Tri-County Health	The additional land uses proposed for Use by Right, including convenience stores with gas pumps, automobile and truck service and repair, and daycare facilities, have varying impacts on environmental and public health. TCHD may have more specific comments as the site is developed.
Town of Parker - Engineering	The traffic study that was approved for the Dransfeldt Place development assumed light industrial land uses, which generate relatively low traffic volumes. Several of the uses now proposed to be allowed as a Use by Right (convenience store, indoor recreation, etc.) would generate far more traffic than originally assumed. The applicant and all property owners within the development should be aware that should this rezoning be approved, any applications proposing such uses will be required to submit a revised traffic study and any impacts must be mitigated per the criteria set forth in the Town's Roadway Design and Construction Criteria Manual.

VIII. CONCLUSION

The proposed rezoning will allow for limited light industrial uses by right on the properties to bring the property into alignment with the Parker 2035 Master Plan. Staff has reviewed this proposal against the nine (9) criteria for rezoning set forth in the Land Development Ordinance and has determined that the criteria have been met. After evaluating the information provided by the applicant against the nine approval criteria, staff recommends that Planning Commission recommend that Town Council approve the request.

IX. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission vote to continue the Dransfeldt Place Planned Development Ordinance No. 3.262.1 rezone request to February 13, 2020.

X. ATTACHMENTS

1. Applicant's Project Narrative
2. Proposed Planned Development Guide

Report Approved By: Bryce Matthews, Planning Manager

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.529.1 - Second Reading**
A Bill for an Ordinance to Terminate and Vacate the Easement that was Granted by the Town to the Parker Water & Sanitation District for Lot 1, Salisbury Equestrian Park, and Recorded at Reception No.2019029507 in the Douglas County Clerk and Recorder's Office

Department: **Engineering and Public Works, Alex Mestdagh**

EXECUTIVE SUMMARY

This ordinance proposes to terminate an easement that was granted to Parker Water and Sanitation District (PWSD) over a Town-owned property, Lot 1, Salisbury Equestrian Park. This termination is proposed concurrently with the dedication of a new replacement easement to PWSD to account for a minor change in the constructed location of a waterline.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On May 29, 2019, the Town granted a waterline easement to Parker Water and Sanitation District (PWSD) over a portion of Lot 1, Salisbury Equestrian Park. This easement was requested to cover a new waterline that was proposed to increase capacity from PWSD's regional storage facility within Salisbury to existing water facilities east of the area.

This new waterline was approved and installed over the summer. When PWSD conducted as-built surveys documenting the final location of the constructed waterline, it was discovered that a small area of the waterline was installed outside the dedicated easement. This ordinance proposes to vacate the existing easement, and concurrently approve an ordinance to dedicate a new easement cover the true alignment of the waterline. The new easement alignment is largely identical to the original, and will result in a .045 acre increase in the easement area.

FINANCIAL IMPACT

This easement is proposed to be dedicated as part of an ongoing easement exchange between the Town and PWSD with no direct payment.

STRATEGIC GOAL(S)

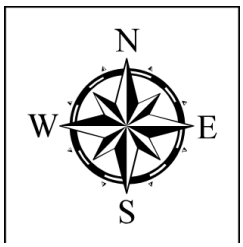
ATTACHMENTS

1. Vicinity Map
2. Ordinance 1.529.1

RECOMMENDED MOTION

I move to approve Ordinance No. 1.529.1 on second reading.

Parker Water and Sanitation District Easement Termination Vicinity Map



ORDINANCE NO. 1.529.1 , Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO TERMINATE AND VACATE THE EASEMENT THAT WAS GRANTED BY THE TOWN TO THE PARKER WATER AND SANITATION DISTRICT FOR LOT 1, SALISBURY EQUESTRIAN PARK, AND RECORDED AT RECEPTION NO. 2019029507 IN THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE

WHEREAS, the Town Council of the Town of Parker granted an easement to the Parker Water and Sanitation District across Lot 1, Salisbury Equestrian Park, for Salisbury Equestrian Park Minor Development, pursuant to Ordinance No. 1.529, Series of 2019; and

WHEREAS, the water waterline that was the subject of this easement was not installed within the easement area, necessitating the termination of the easement and the granting of a new easement for the area occupied by the water pipeline, pursuant to Ordinance No. 1.542, Series of 2019.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby terminates and vacates the Water Pipeline Easement Agreement that was approved by the Town Council pursuant to Ordinance No. 1.529.1, Series of 2019, and approves the Termination of Easement Agreement and Vacation of Easement, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Termination of Easement Agreement and Vacation of Easement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

EXHIBIT 1

TERMINATION OF EASEMENT AGREEMENT
AND
VACATION OF EASEMENT

The Parker Water and Sanitation District, a Colorado special district and political subdivision, and the Town of Parker, a Colorado home rule municipality, do hereby terminate the Easement Agreement recorded on May 29, 2019 at Reception # 2019029507 of the real estate records of the Clerk and Recorder of Douglas County, Colorado. From and after the date hereof, the easement granted thereunder shall be vacated, released, remised, and of no force and effect whatsoever.

Dated this ___ day of _____, 2020.

PARKER WATER AND SANITATION DISTRICT,
a Colorado special district and political subdivision

By: _____
Ron R. Redd, P.E., District Manger

State of Colorado)
) ss
County of Douglas)

Subscribed and sworn before me this ____ day of _____, 20__, by Ron R. Redd, as District Manager, of the Parker Water and Sanitation District.

My commission expires: _____
_____, Notary Public

TOWN OF PARKER,
a Colorado home rule municipality

By: _____
Mike Waid, Mayor

State of Colorado)
) ss
County of Douglas)

Subscribed and sworn before me this ____ day of _____, 20__, by Mike Waid, as Mayor, of the Town of Parker.

My commission expires: _____

_____, Notary Public

PARKER
COLORADO

Request for Town Council Action

Date: February 3, 2020

Submitted By: Alex Mestdagh, Engineering Service Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.542 - Second Reading**
A Bill for an Ordinance Conveying Certain Real Property by Easement to Parker Water & Sanitation District for Lot 1, Salisbury Equestrian Park

Department: **Engineering and Public Works, Alex Mestdagh**

EXECUTIVE SUMMARY

This ordinance proposes to dedicate a new waterline easement to Parker Water and Sanitation District (PWSD) over a Town-owned property, Lot 1, Salisbury Equestrian Park. This easement would replace an existing PWSD easement that is proposed to be concurrently terminated. This replacement has been requested to account for a minor change in the constructed location of a waterline.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

On May 29, 2019, the Town granted a waterline easement to PWSD over a portion of Lot 1, Salisbury Equestrian Park. This easement was requested to cover a new waterline that was proposed to increase capacity from PWSD's regional storage facility within Salisbury to existing water facilities east of the area.

This new waterline was approved and installed over the summer. When PWSD conducted as-built surveys documenting the final location of the constructed waterline, it was discovered that a small area of the waterline was installed outside the dedicated easement. This ordinance proposes to dedicate a new easement to cover the true alignment of the waterline, and a concurrent ordinance proposes to vacate the existing easement. The new easement alignment is nearly identical to the first, and proposed an increase of .045 acre in the easement area.

FINANCIAL IMPACT

This easement is proposed to be dedicated as part of an ongoing easement exchange between the Town and PWSD with no direct payment.

STRATEGIC GOAL(S)

ATTACHMENTS

1. Vicinity Map
2. Ordinance No. 1.542

RECOMMENDED MOTION

I move to approve Ordinance No. 1.542 on second reading.

Parker Water and Sanitation District Easement Dedication Vicinity Map

ORDINANCE NO. 1.542, Series of 2020

TITLE: A BILL FOR AN ORDINANCE CONVEYING CERTAIN REAL PROPERTY BY EASEMENT TO PARKER WATER AND SANITATION DISTRICT FOR LOT 1, SALISBURY EQUESTRIAN PARK

WHEREAS, the Town Council of the Town of Parker desires to convey certain real property to Parker Water and Sanitation District for Salisbury Equestrian Park Minor Development; and

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the subject Easement Agreement.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the Water Pipeline Easement Agreement by the Town of Parker conveying certain property to Parker Water and Sanitation District for Lot 1, Salisbury Equestrian Park, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to execute the Easement Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

EXHIBIT 1

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is dated this _____ day of _____, 20__, by and between THE TOWN OF PARKER, COLORADO, a Colorado home rule municipality (hereafter referred to as "Grantor"), having an address at 20120 E. Mainstreet, Parker, Colorado 80138, and THE PARKER WATER AND SANITATION DISTRICT (hereafter referred to as "Grantee"), a Colorado special district and political subdivision, having an address at 18100 E. Woodman Drive, Parker, Colorado 80134.

WHEREAS, Grantee desires to install water pipeline in certain real property owned by Grantor and situate in Douglas County, Colorado, which real property is more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein (the "Easement Property"); and

WHEREAS, Grantor is willing to grant an easement to Grantee in the Easement Property for the aforesaid purposes, subject to the terms and provisions hereof.

NOW, THEREFORE, for good and valuable consideration to Grantor by Grantee, and for the additional consideration of the performance by the parties of the terms and conditions hereof, the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant to Grantee, and Grantee accepts from Grantor, the following Easement as hereinbelow set forth:

1. Grant of Easement. Grantor does hereby grant and convey to Grantee, its successors, assigns, lessees, licensees and agents, a nonexclusive perpetual easement upon, over, under, across and through the Easement Property for the purpose of Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline required by Grantee from time to time. Grantee shall have the right of ingress and egress over and across the adjacent lands of Grantor to and from the Easement Property as may be necessary in connection with Grantee's construction, reconstruction, operation, maintenance and removal of the water pipeline.

2. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor and its successors and assigns as follows:

(A) Grantee shall protect the Easement Property and the adjacent lands of Grantor over which Grantee has rights of ingress and egress from damage caused in whole or in part by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents. Grantee shall clean, cure and correct any such damage to any elements of the Easement Property or the above-referenced adjacent lands, including, but not limited to, all pavement, curbs, gutters, walks, streets, other utilities, structures and other improvements situate therein or thereon, and shall keep all of such property reasonably clean and clear of equipment, building materials, dirt, debris and similar materials. If Grantee fails to clean, cure or correct such damage within fourteen (14) days after notice thereof from Grantor, then Grantor may do so, at Grantee's expense;

(B) In all activities undertaken on property belonging to Grantor, Grantee and/or its employees, agents, contractors, subcontractors, successors, assigns, lessees and/or licensees shall conduct and construct all work in a good and workmanlike manner; and

(C) Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants, as defined by the Clean Water Act and any amendments thereto, to be dumped, spilled, released, permanently stored, or deposited on, over or beneath the Easement Property. Any hazardous, toxic or flammable substances used by Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline shall be utilized in a lawful manner and in compliance with all federal, state and local requirements relating to protection of health or the environment.

(D) Grantee hereby acknowledges that the easement area is currently used by the Grantor for the purposes of growing and cultivating trees, shrubs, and other plant materials, and that all such items shall be permitted within the easement area in perpetuity.

3. Grantor's Right of Relocation. In the event that the construction of any other utilities, roadways, or other improvements upon, over, under or across the Easement Property necessitates the relocation and/or encasement of the water pipeline, then Grantor shall, at its sole cost and expense, timely perform or cause the performance of such relocation and/or encasement of the water pipeline.

4. Indemnification of Grantor by Grantee. Grantee agrees, and hereby does, to the extent permitted by law, indemnify and hold harmless Grantor, any directors, officers employees and agents of Grantor, and any successors or assigns of Grantor, from any costs, expenses, damages, claims or demands incurred or asserted against Grantor as a result of or arising out of the activities of Grantee, its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees in the construction, reconstruction, operation, maintenance or removal of the water pipeline or otherwise relating to the Grantee's use of the Easement Property.

5. Miscellaneous.

(A) Except as otherwise expressly provided for herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective parties, their heirs, successors and assigns.

(B) This Easement constitutes the entire agreement between the parties.

(C) This Easement shall be of no force and effect until the same is duly and validly executed by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Easement by their respective duly authorized officers as of the date and year first above set forth.

GRANTOR:

Town of Parker, Colorado

By: _____
Mike Waid, Mayor

ATTEST:

By:_____
Carol Baumgartner, Town Clerk

GRANTEE:

Parker Water & Sanitation District, a Colorado special district and political subdivision.

By:_____
Ron R. Redd, P.E., District Manager

ATTEST:

By:_____
Maleia Good, Engineering Secretary

STATE OF COLORADO)
) ss
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____ , 20__, by Mike Waid, Mayor of the Town of Parker, Colorado.

WITNESS my hand and official seal.

My commission expires: _____

_____
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by Ron R. Redd, P.E., District Manager of the Parker Water and Sanitation District.

WITNESS my hand and official seal.

My commission expires: _____

_____
Notary Public

EXHIBIT A

LOCATED IN THE NORTH HALF OF SECTION 27. TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

A 30 FOOT WATER EASEMENT, OVER AND ACROSS A PORTION OF THE N.E. ¼ OF SECTION 27 AND A PORTION OF LOT 1, SALISBURY EQUESTRIAN PARK AS RECORDED AT RECEPTION NO. 20044061175, DATED JUNE 11, 2004 IN THE RECORDS OF DOUGLAS COUNTY CLERK AND RECORDER, LOCATED IN THE NORTH ONE HALF OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SE ¼ OF THE NW ¼ OF SAID SECTION 27 TO BEAR S 89°38'42" W, A DISTANCE OF 1324.06 FEET BETWEEN FOUND 3-1/4" ALUMINUM CAP, STAMPED "T6S R66W C ¼ S 27 1999 PLS 19003" AND A FOUND NO. 6 REBAR, WITH A 3-1/4" ALUMINUM CAP, STAMPED "AZTEC CONSULTANTS INC. W 1/16 C-C S 27 2009 LS 22561", AND ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.

COMMENCING AT THE C-W 1/16 CORNER OF SAID SECTION 27; THENCE N 00°17'06" W, ALONG THE WEST LINE OF THE SE ¼ OF THE NW ¼ OF SAID SECTION, A DISTANCE OF 450.77'; THENCE DEPARTING SAID SECTION LINE, N 89°42'54" E, A DISTANCE OF 49.07' TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N32°47'51"W. A DISTANCE OF 20.87'; THENCE N 08°12'28'W, A DISTANCE OF 61.13'; THENCE N 36°47'32' E, A DISTANCE OF 20.25'; THENCE N 72°47'52" E, A DISTANCE OF 182.93'; THENCE N 73°04'18' E, A DISTANCE OF 113.22', THENCE N 71°34'13" E, A DISTANCE OF 79.94'; THENCE N 72°47'02" E, A DISTANCE OF 140.75'; THENCE N 74°10'09" E, A DISTANCE OF 127.47'; THENCE N 71°09'57" E, A DISTANCE OF 84.89'; THENCE N 65°24'27" E, A DISTANCE OF 155.44'; THENCE N 66°50' 53" E, A DISTANCE OF 251.38'; THENCE N 63°50'07" E, A DISTANCE OF 150.39'; THENCE N 61°22'04" E, A DISTANCE OF 189.23'; THENCE N 63°01'53" E, A DISTANCE OF 251.36'; THENCE N 62°05'08" E, A DISTANCE OF 130.12'; THENCE N 82°13'22" E, A DISTANCE OF 45.19'; THENCE S 08°52'40" E, A DISTANCE OF 50.28'; THENCE S 81°07'20" W, A DISTANCE OF 30.00'; N 08°52'40" W, A DISTANCE OF 20.85'; THENCE S 82°13'22" W, A DISTANCE OF 10.38'; THENCE S 61°51'22" W, A DISTANCE OF 70.51'; THENCE S 62°05'08" W, A DISTANCE OF 130.42'; THENCE S 63°01'53" W, A DISTANCE OF 251.17'; THENCE S 61°22"04" W, A DISTANCE OF 189.45'; THENCE S 63°50'07" W, A DISTANCE OF 151.82'; THENCE S 66°50'53" W, A DISTANCE OF 251.80', THENCE S 65°24'27" W, A DISTANCE OF 156.57'; THENCE S 71°09'57" W, A DISTANCE OF 87.18'; THENCE S 74°10'09" W, A DISTANCE OF 127.89'; THENCE S 72°47'02" W, A DISTANCE OF 140.07'; THENCE S 71°34'13" W, A DISTANCE OF 80.01'; THENCE S 73°04'18" W, A DISTANCE OF 113.54'; THENCE S 72°47'52" W, A DISTANCE OF 171.73'; THENCE S 08°12'28" E, A DISTANCE OF 41.02'; THENCE S 81°03'23" E, A DISTANCE OF 85.53'; THENCE S 08°56'37" W, A DISTANCE OF 29.94'; THENCE N 81°03'23" W, A DISTANCE OF 98.96' TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 64691 SQ.FT, OR 1.485 ACRES, MORE OR LESS.

I, MICHAEL J. MUIRHEID, A REGISTERED PROFESSIONAL LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF CENTENNIAL LAND SURVEYING, THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVISION OF LAND IN VIOLATION OF STATE STATUTE.

MICHAEL J. MUIRHEID
COLORADO P.L.S. NO. 37909

THIS IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY THE CLIENT.

CENTENNIAL LAND SURVEYING
12655 BLACK FOREST RD.
COLO. SPGS., CO 80908
(719) 492-6540

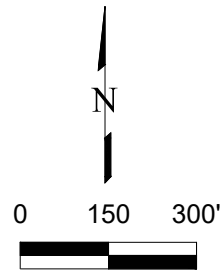
PROJECT: WATER LINE EASEMENT		
DATE: 12/16/19	BY: RFM	CHKD: MJM
JOB NO. 190409	SHEET NO. 1 OF 2	

EXHIBIT A

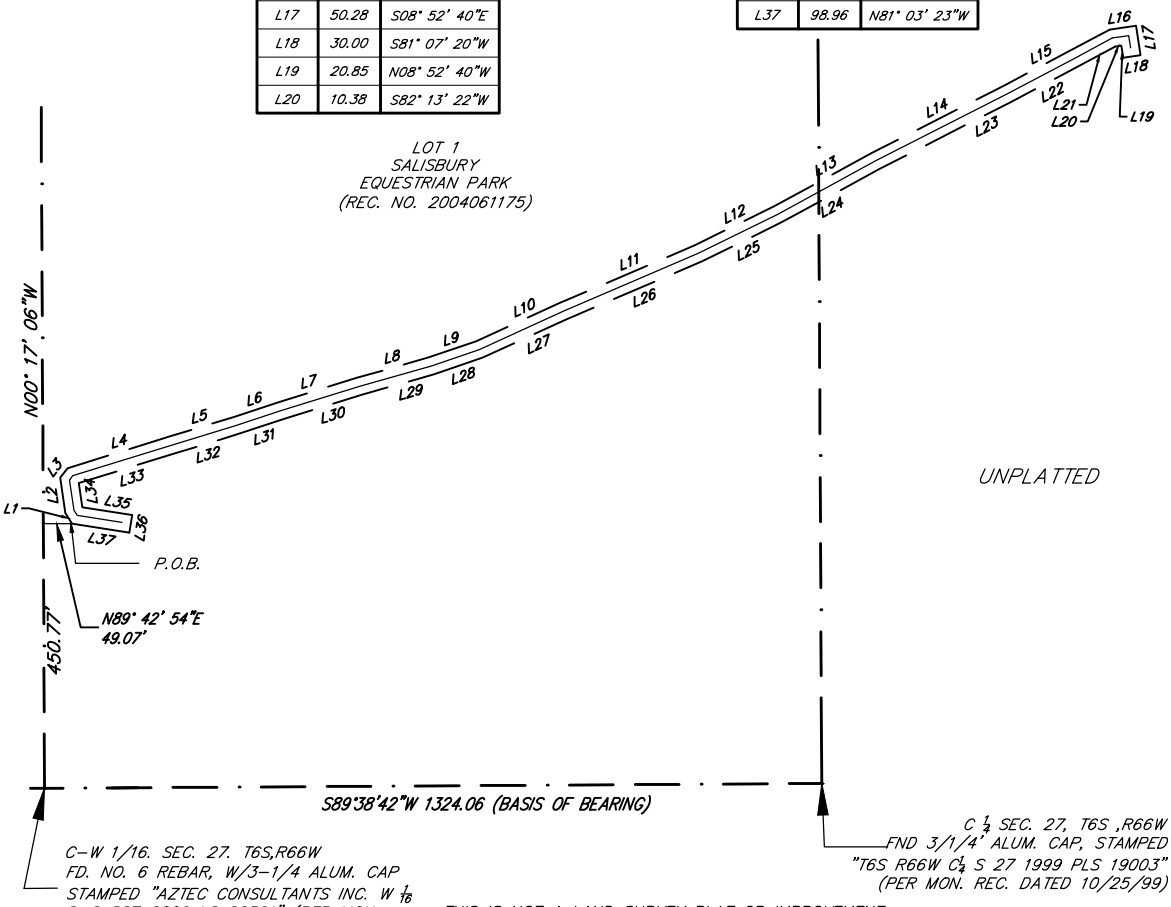
LOCATED IN THE NORTH HALF OF SECTION 27. TOWNSHIP 6 SOUTH, RANGE 66 WEST
OF THE 6TH PRINCIPAL MERDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

Line Table		
Line #	Length	Direction
L1	20.87	N32° 47' 51"W
L2	61.13	N08° 12' 28"W
L3	20.25	N36° 47' 32"E
L4	182.93	N72° 47' 52"E
L5	113.22	N73° 04' 18"E
L6	79.94	N71° 34' 13"E
L7	140.75	N72° 47' 02"E
L8	127.47	N74° 10' 09"E
L9	84.89	N71° 09' 57"E
L10	155.44	N65° 24' 27"E
L11	251.38	N66° 50' 53"E
L12	150.39	N63° 50' 07"E
L13	189.23	N61° 22' 04"E
L14	251.36	N63° 01' 53"E
L15	130.12	N62° 05' 08"E
L16	45.19	N82° 13' 22"E
L17	50.28	S08° 52' 40"E
L18	30.00	S81° 07' 20"W
L19	20.85	N08° 52' 40"W
L20	10.38	S82° 13' 22"W

Line Table		
Line #	Length	Direction
L21	70.51	S61° 51' 22"W
L22	130.42	S62° 05' 08"W
L23	251.17	S63° 01' 53"W
L24	189.45	S61° 22' 04"W
L25	151.82	S63° 50' 07"W
L26	251.80	S66° 50' 53"W
L27	156.57	S65° 24' 27"W
L28	87.18	S71° 09' 57"W
L29	127.89	S74° 10' 09"W
L30	140.07	S72° 47' 02"W
L31	80.01	S71° 34' 13"W
L32	113.54	S73° 04' 18"W
L33	171.73	S72° 47' 52"W
L34	41.02	S08° 12' 28"E
L35	85.53	S81° 03' 23"E
L36	29.94	S08° 56' 37"W
L37	98.96	N81° 03' 23"W



SCALE: 1" = 300'



C–W 1/16. SEC. 27. T6S,R66W
FD. NO. 6 REBAR, W/3–1/4 ALUM. CAP
STAMPED "AZTEC CONSULTANTS INC. W 1/16
C–C S27 2009 LS 22561" (PER MON.
REC. DATED 8/29/09)

C 1/4 SEC. 27, T6S ,R66W
FND 3/1/4" ALUM. CAP, STAMPED
"T6S R66W C1/4 S 27 1999 PLS 19003"
(PER MON. REC. DATED 10/25/99)

THIS IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY THE CLIENT.

CENTENNIAL LAND SURVEYING
12655 BLACK FOREST RD.
COLO. SPGS., CO 80908
(719) 492-6540

PROJECT: WATER LINE EASEMENT

DATE: 12/16/19	BY: RFM	CHKD: MJM
JOB NO. 190409	SHEET NO. 2 OF 2	

PARKER
COLORADO

Request for Town Council Action

Date:	February 3, 2020
Submitted By:	Jim Cleveland, Acting Deputy Town Administrator/Parks, Recreation and Open Space Director Dennis Trapp, Projects Administrator
Reviewed By:	Michelle Kivela, Town Administrator
Title:	**ORDINANCE NO. 9.283.1 - Second Reading** **A Bill for an Ordinance to Approve the First Amendment to Intergovernmental Agreement Regarding the Design of Improvements to the High Plains Trail By and Between the Town of Parker and the Arapahoe County Board of County Commissioners**
Department:	**Parks, Recreation and Open Space, Dennis Trapp**

EXECUTIVE SUMMARY

The High Plains Trail (HPT) project is a regional partnership between Douglas County, Arapahoe County, Aurora and Parker (The Partners Group) to design, construct and maintain this regional trail connection (see Attachment 1). The current Intergovernmental Agreement (IGA) between the Town and Arapahoe County in the amount of $200,000 was approved on December 3, 2018, and addressed initial design and engineering efforts. This cost was evenly shared between Arapahoe County and the Town. The proposed first amendment to this IGA addresses additional funding in the amount of $360,000 to complete all design and engineering documentation up to and including final construction documents. Similar to the original IGA, Arapahoe County and the Town will evenly share this cost with the Town's portion being $180,000.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The HPT will provide a critical link between the existing regional trail along the west side of the E-470 Tollway north of the Arapahoe/Douglas County line to various regional trails west of Parker Road. This one-mile trail segment will be 10-feet wide and includes a grade-separated

pedestrian overpass of Parker Road. This overpass will provide access to both the Cherry Creek and Centennial trails thereby providing trail users the opportunity to access major open space and recreational amenities such as Cherry Creek State Park, Chatfield State Park and Castlewood Canyon State Park. In addition this trail overcrossing will also provide Parker residents, along with residents of Douglas and Arapahoe County's, access to open space areas and other regional trails located within Aurora.

The Partners Group is coordinating design and various funding efforts to construct Segments I, II and IV of the trail. A private party (Kings Pointe Development) will construct Segment III as part of its existing development obligation with the City of Aurora (see Attachment 1).

FINANCIAL IMPACT

The financial impacts of the HPT project fall into three major categories. These include; 1) Design and Engineering Fees, 2) Construction Costs, and 3) Long-Term Maintenance Obligations.

Design and Engineering Fees are addressed as part of the first amendment to the IGA between Arapahoe County and the Town which is the subject of this staff report and the attached ordinance and IGA.

Construction Costs are estimated to be between seven and eight million dollars. This cost will be updated based on the finalization of all construction documentation and any additional technical information that may be necessary. To date The Partners Group has raised approximately $7.6 million including both secured amounts such as grants plus individual commitments from The Partners Group member jurisdictions and the E-470 Authority. This group is continuing to seek additional funding sources.

Long-Term Maintenance Obligations for the project will be shared between The Partners Group and memorialized in a future IGA. The Town will assume maintenance of the existing E-470 Regional Trail (Centennial Trail) located within the Town, upon completion of HPT per the IGA approved in 2016 between the E-470 Authority and the Town. The annual maintenance cost for this trail segment will be approximately $10,000.

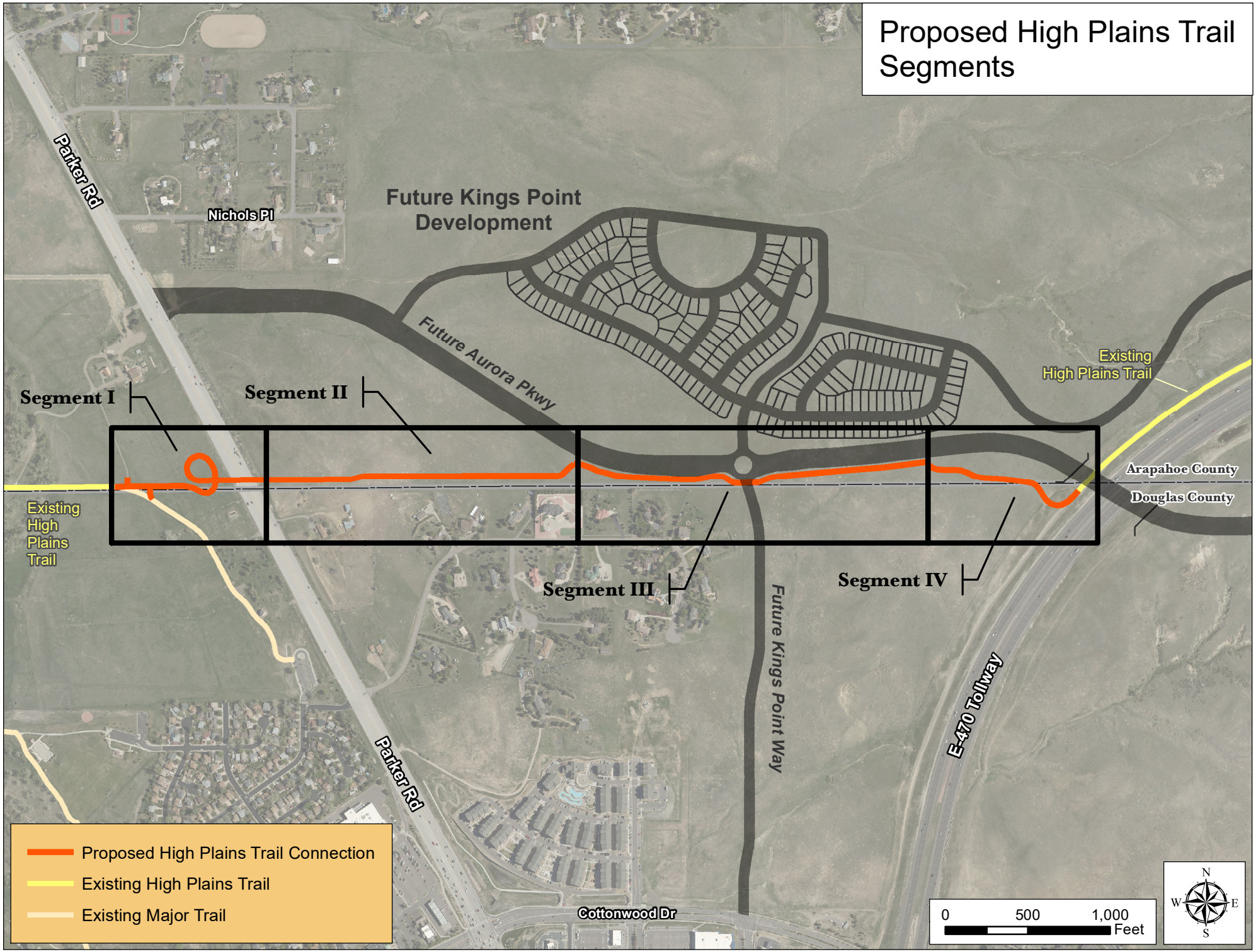
STRATEGIC GOAL(S)

ATTACHMENTS

1. High Plains Trail Segments
2. Ordinance No. 9.283.1

RECOMMENDED MOTION

I move to approve Ordinance No. 9.283.1 on second reading.


Proposed High Plains Trail Segments
Parker Rd
Nichols Pl
Future Kings Point Development
Future Aurora Pkwy
Existing High Plains Trail
Segment I
Segment II
Arapahoe County
Douglas County
Existing High Plains Trail
Segment III
Segment IV
Future Kings Point Way
E-470 Tollway
Parker Rd
Cottonwood Dr
Proposed High Plains Trail Connection
Existing High Plains Trail
Existing Major Trail
0
500
1,000
Feet
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ORDINANCE NO. 9.283.1, Series of 2020

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT REGARDING THE DESIGN OF IMPROVEMENTS TO THE HIGH PLAINS TRAIL BY AND BETWEEN THE TOWN OF PARKER AND THE ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the First Amendment to Intergovernmental Agreement by and between the Town of Parker and the Arapahoe County Board of County Commissioners concerning the High Plains Trail, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

EXHIBIT 1

FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT REGARDING THE DESIGN OF IMPROVEMENTS TO THE HIGH PLAINS TRAIL

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (the "First Amendment") is made and entered into this _____ day of _____, 2020, by and between the Town of Parker, a Colorado home rule municipality ("Parker"), and the Arapahoe County Board of County Commissioners ("Arapahoe") (collectively, the "Parties").

RECITALS:

A. Parker and Arapahoe entered into the Intergovernmental Agreement Regarding the Design of Improvements to the High Plains Trail (the "Agreement") on January 2, 2019.

B. The Agreement, in part, provided for the conceptual design and initial design of Segments I, II, and IV of the Project described in the Agreement.

C. Paragraph 3.E. of the Agreement provides that "[t]he final design of the Project will be addressed by future amendment to this Agreement."

D. The Parties desire to amend the Agreement by this First Amendment to provide for the final design of the Project.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are mutually acknowledged, the Parties hereto agree to this First Amendment as follows:

Section 1. Paragraph 5 of the Agreement is hereby amended by amending subparagraphs A and B, and to add a new subparagraph C to provide as follows:

5. PROJECT COSTS AND ALLOCATION OF COSTS.

A. The Parties agree that, for the purposes of this Agreement, the Project costs shall consist of and be limited to the following:

1) Conceptual design services;

2) Initial design services;

3) Final design and engineering services;

4) Preparation of final construction drawings;

5) Design services during construction;

6) Overall project design contingency;

7) Preparation of design to facilitate raising the existing power line along east side of Parker Road;

8) Construction of improvements; and

9) Construction management services.

B. It is understood that the Project costs for components three, four, five, six and seven, as defined above, are not to exceed $360,000 without amendment to this Agreement.

Project costs for the various elements of the effort as of the date of this First Amendment are estimated as follows. It is anticipated that funds for additional design work, related construction costs and construction management services costs may be added to the Agreement in the future.

Project costs for the various elements of the effort as of the date of this First Amendment are estimated as follows. It is anticipated that funds for additional design work and related construction costs may be added to the Agreement at a future date.

ITEM	AMOUNT
Segments I and II (60% design)	$ 61,641
Segments I and II (90% design)	137,175
Segments I and II (100% design/construction drawings)	41,666
Segments I and II (design services during construction	28,796
Raising power line along east side of Parker Road (estimated design cost)	25,000
Subtotal	$294,278
Overall project design contingency (approx. 22%)	65,722
Total	$360,000

This estimated breakdown of costs is for planning purposes only. Costs may vary between the specific elements of the effort without amendment to the Agreement, as long as the total expenditures do not exceed the maximum contribution by all Parties, plus accrued interest, if applicable, as provided by Paragraph 6.

C. Based on total Project estimated costs for conceptual and initial design, the maximum percent and dollar contribution by each party shall be:

	Percentage Share	Maximum Contribution
PARKER	50%	$180,000
ARAPAHOE	50%	$180,000
TOTAL	100%	$360,000

Section 2. Paragraph 6 of the Agreement, is amended to provide as follows:

6. MANAGEMENT OF FINANCES.

A. Conceptual and Initial Design. The cost sharing shall be calculated after any state, federal, or other funding from third-party sources are deducted. Payment of each Party's full share (Parker: $100,000; Arapahoe: $100,000) for Conceptual and Initial Design of Segments I, II and IV shall be made to Parker subsequent to execution of this Agreement and within thirty (30) days of request for payment by Parker. The payments by the Parties shall be held by Parker in a reserved fund to pay for increments of the Project as authorized by the Parties, and as defined herein. Parker shall provide Arapahoe with a periodic accounting of the Project funds as well as a periodic notification of any unpaid obligations. Any interest earned by the monies contributed by the Parties shall be accrued to the reserved fund established by Parker for the Project and such interest shall be used only for the Project upon approval by the contracting officers identified in Paragraph 14. Within one (1) year of completion of the Project, each party shall receive a share of any remaining monies, including interest earned, that are not committed, obligated, or disbursed. These shares shall be computed as were the original shares. Any disbursement from remaining Project funds must define the reserve fund from which the disbursement will be paid.

B. Final Design Services. The cost sharing shall be calculated after any state, federal, or other funding from third-party sources are deducted. Payment of each Party's full share (Parker: $180,000; Arapahoe: $180,000) for Final Design of Segments I, II and IV shall be made to Parker subsequent to execution of this Agreement and within thirty (30) days of request for payment by Parker. The payments by the Parties shall be held by Parker in a reserved fund to pay for increments of the Project as authorized by the Parties, and as defined herein. Parker shall provide Arapahoe with a periodic accounting of the Project funds as well as a periodic notification of any unpaid obligations. Any interest earned by the monies contributed by the Parties shall be accrued to the reserved fund established by Parker for the Project and such interest shall be used only for the Project upon approval by the contracting officers identified in Paragraph 14. Within one (1) year of completion of the Project, each party shall receive a share of any remaining monies, including interest earned, that are not committed, obligated, or disbursed. These shares shall be computed as were the original shares. Any disbursement from remaining Project funds must define the reserve fund from which the disbursement will be paid.

Section 3. Paragraph 7 of the Agreement is retitled "Conceptual, Initial and Final Designs" and amended by the addition of a new subparagraphs C, D, E, F and G to read as follows:

7. CONCEPTUAL, INITIAL AND FINAL DESIGNS. * * *

* * *

C. Final Design and Engineering Services.

1) Preparation of a work plan schedule identifying the timing of major elements in the design.

2) Preparation of sixty percent (60%) of the construction plans and specifications. Preparation of an estimate of probable construction costs of the work covered by the plans and specifications.

3) Preparation of ninety percent (90%) of the construction plans and specifications. Preparation of an estimate of probable costs of the work covered by the plans and specifications.

4) Incorporation of all applicable review comments received from Douglas County, Arapahoe County and the City of Aurora, pertaining to the design and engineering tasks described above.

D. Preparation of Final Construction Drawings.

1) Preparation of a work plan schedule identifying the timing of major elements in the design.

2) Preparation of one hundred percent (100%) of the construction plans and specifications (Construction Drawings).

3) Preparation of an estimate of probable construction costs of the work covered by the plans and specifications.

4) Preparation and assistance in producing all appropriate construction bid documentation.

E. Design Services During Construction. The provision of Project Design Service during construction addressing items, such as, but not limited to, project changes orders; requests for information; plans and specifications changes or clarifications; comments from other agencies, jurisdictions or service providers; provision of material samples; overseeing design and engineering subconsultants, and updates to the overall project budget and schedule.

F. Overall Project Design Contingency. The Overall Project Design Contingency provides funding to address changes and refinements of the project design, engineering and specifications, or other unanticipated material changes to the Project Design.

G. Raising Power line Along East Side of Parker Road.

1) Coordination with the appropriate utility provider to determine specific impacts of the High Plains Trail overcrossing and the impact of the existing overhead power lines along the east side of Parker Road.

2) Prepare plans and specifications to address the raising of this power line consistent with the requirements of the utility provider.

3) Provide an updated cost estimate and schedule to complete this task.

Section 4. The Town and the County acknowledge and agree that the Agreement has not been amended, except as provided in this First Amendment.

IN WITNESS WHEREOF, this First Amendment is executed by the Parties hereto as of the date first written above.

TOWN OF PARKER, COLORADO

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE

_____
Shannon Carter, Director, Intergovernmental Relations and Open Spaces, pursuant to Resolution No. 190049

ATTEST:

_____
Deputy Clerk