

# **TOWN OF PARKER COUNCIL AGENDA**

## **July 12, 2021**

### **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.

**Public comment for items that are not on the agenda may be made in person, by Zoom or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person, electronically through the website or via Zoom, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments provided electronically through the website that are provided by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.**

**Virtual Public Participation by Zoom Webinar: Instructions on how to participate in the public comment or public hearing part of the meeting are available by viewing the individual Town Council meeting listings on the Town's online calendar at [www.parkeronline.org/calendar](http://www.parkeronline.org/calendar).**

**Public Viewing Only - Facebook Live: Town Council meetings may be viewed through Facebook Live from the Town of Parker website: [www.facebook.com/townofparkerco](http://www.facebook.com/townofparkerco).**

**PLEASE NOTE: Public participation is NOT available through Facebook Live.**

### **1. TOWN COUNCIL MEETING SCHEDULE**

- A. 5:00 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**

- Southeast Christian Church "Restart" Program Recognition - Mr. Jeff Percival, Creative Pastor**

### **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. Consent Agenda items discussed at study session can be viewed by clicking the following link: <https://parkerco.civicclerk.com/Web/Player.aspx?id=1753&key=-1&mod=-1&mk=-1&nov=0>*

A. *APPROVAL OF MINUTES - June 21, 2021*

B. *ORDINANCE NO. 3.193.5 First Reading*

*A Bill for an Ordinance Amending the Parker Auto Plaza Development Guide Pursuant to the Town of Parker Land Development Ordinance*

*Department: Community Development, Stacey Nerger*

*Second Reading: July 19, 2021*

C. *CONTRACTS OVER \$100,000*

*Parker Road (SH83) Multi-Use Trail (West Side) CIP 21-017 Professional Services Agreement*

*Amount: \$114,685.00*

*Contractor: Felsburg Holt & Ullevig*

*Department: Engineering and Public Works, Tom Gill*

8. **ORDINANCES**

A. **ORDINANCE NO. 3.01.125 - Second Reading (Continued from June 21, 2021)**

**A Bill for an Ordinance to Amend Section 13.03.030 of the Parker Municipal Code concerning Planning Department Adjustments**

**Department: Community Development, John Fussa**

B. **ORDINANCE NO. 5.28.26 - Second Reading**

**A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Relating to Fines for Violations of Liquor Code Violations**

**Department: Town Attorney, Jim Maloney**

9. **RESOLUTIONS**

**RESOLUTION NO. 21-034**

**A Resolution to Request that the Independent Congressional Redistricting Commission Modify the Preliminary Congressional District Map by Moving the District Boundary for Districts 6 and 7 to Place All of the Town of Parker into District 7 in Order to Preserve the Town of Parker's Whole Community of Interest with Douglas County and the Political Subdivisions Contained Within Douglas County that are All Exclusively Contained within District 7, as Provided by Colorado Constitution Article V, Section 44**

**Department:      Town Council**

10. **PUBLIC COMMENTS CONTINUED IF NECESSARY**

11. **ADJOURNMENT**

*Parker Town Council*

# **Executive Session Agenda**

July 12, 2021

“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).”

1. H.R. 1319, The American Rescue Plan Act of 2021 (Eligible Projects)

“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).”

2. Proposed amendment to the Anthology North Annexation Agreement to address the timing for the construction of Chambers Road
3. My Mainstreet proposed purchase of PACE Lot 2 and East Main parcels

**TOWN OF PARKER COUNCIL  
MINUTES  
JUNE 21, 2021**

Mayor Jeff Toborg called the meeting to order at 5 P.M. Councilmembers Joshua Rivero and Todd Hendreks were absent.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were three (3) items. Under C.R.S. § 24-6-402(4)(b) there was one (1) item which was to hold a conference with the Town's attorney to receive legal advice on specific legal questions regarding Resolution No. 08-098, Series of 2008, concerning Town Council approval of the filing of the articles of incorporation, IRA Form 1023, and the appointment of the initial board of directors for the Greater Parker Foundation. Under C.R.S. § 24-6-402(4)(e) there were two (2) items; the first item was concerning Section 13.07.140(c)(5) of the Parker Municipal Code and Parker Automotive Plaza Development Guide concerning use of Town land for park purposes; the second item was concerning the proposed assignment and assumption of the Amended and Restated Stroh/Hess Ranch Annexation Agreement (Southern Property) dated September 21, 2015.

**EXECUTIVE SESSION**

Cheryl Poage moved and Laura Hefta seconded to go into Executive Session at 5:01 P.M. 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); and 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).

The motion was approved unanimously.

Cheryl Poage moved and Laura Hefta seconded to come out of Executive Session at 6:15 P.M.

The motion was approved unanimously.

John Diak moved and Laura Hefta seconded to recess the regular Town Council meeting until 7 P.M.

The motion was approved unanimously.

**REGULAR MEETING**

Mayor Toborg reconvened the meeting at 7 P.M.

Amy Pfister with SECOR led the Pledge of Allegiance.

**SPECIAL PRESENTATIONS**

SECOR Cares was recognized with the Mayor presenting Executive Director Dennis Gorton with a Certificate of Recognition for the hard work and dedication SECOR Cares provides to the community.

The Mayor introduces District Attorney Kellner to Council. Attorney Kellner provided an update on the District Attorney's office and various statistics.

### **PUBLIC COMMENTS**

There are ten (10) written general public comments to be attached to the June 21, 2021 approved minutes.

Kenneth Ramsey, 3862 Elm Avenue, talked about the Zoom public comments from past meetings and Hanson's disease in prairie dogs.

Deanna Meyer, 1680 N. Highway 67, Sedalia, commented on prairie dogs and their management.

### **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**

Each Councilmember provided an update on meetings they attended since the last Town Council meeting.

### **CONSENT AGENDA**

#### *A. APPROVAL OF MINUTES - June 7, 2021*

#### *B. ORDINANCE NO. 5.28.26 - First Reading*

*A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Relating to Fines for Violations of Liquor Code Violations*

*Department: Town Attorney, Jim Maloney*

*Second July 12, 2021*

*Reading:*

#### *C. CONTRACTS OVER \$100,000*

##### *1. Parker Road (SH83) Multi-Use Trail (West Side) CIP 21-017*

*Amount: \$2,149,537.20*

*Contractor: Rumler Civil Construction, Inc.*

*Department: Engineering and Public Works, Tom Gill*

##### *2. 2021 Townwide Resurfacing Program (CIP21-004) Contract Modification*

*Amount: \$108,176.75*

*Contractor: Martin Marietta Materials, Inc.*

*Department: Engineering and Public Works, Danny Smith*

##### *3. Parker Pool Dehumidification Unit Replacement Project (CIP21-015)*

*Amount: \$310,686*

*Contractor: Holbrook Service, LLC*

*Department: Engineering and Public Works, Jim Gilbert*

4. *Hess Road Bridge Rail Rehabilitation CIP 21-0012*

*Amount: \$330,420.00*

*Contractor: Rumler Civil Construction, Inc.*

*Department: Engineering and Public Works, Danny Smith*

John Diak moved to approve Consent Agenda Items 5A through 5C.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

**ORDINANCES**

**A. ORDINANCE NO. 3.01.124 - Second Reading**

**A Bill for an Ordinance to Amend Sections 13.01.140, 13.07.060, 13.07.070, 13.07.080, 13.07.090 and 13.07.100 of the Parker Municipal Code Concerning Extensions of Time**

**Department: Community Development, Bryce Matthews**

The Town Administrator issued an Emergency Order in 2020 to respond to the COVID-19 pandemic. As the Town, state and country are recovering from the pandemic, staff proposed several amendments to the Municipal Code to establish a formal transition from the emergency orders back to pre-pandemic Code requirements that allowed for all land use approvals to receive an additional extension of four (4) months to obtain their Grading Permit or Building Permit, for a total of 16 months prior to expiration. The proposed ordinance will allow the Planning Director to administratively extend approvals to December 31, 2021, if requested by applicants. After December 31, 2021, the ordinance will sunset and approvals will revert back to the Code standard of 12 months with the option for a 90-day extension upon request.

On May 27, 2021, the Planning Commission unanimously recommended that the Town Council approve the proposed ordinance.

**Public Comment:** None.

Laura Hefta moved to approve Ordinance No. 3.01.124 on second reading.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

**B. ORDINANCE NO. 3.01.125 - Second Reading (Continue to July 12, 2021)**  
**A Bill for an Ordinance to Amend Section 13.03.030 of the Parker Municipal Code concerning Planning Department Adjustments**  
**Department: Community Development, Bryce Matthews**

John Diak moved to continue Ordinance No. 3.01.125 to a date certain to July 12, 2021, for second reading.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

**C. ORDINANCE NO. 3.324.3 - Second Reading**  
**A Bill for an Ordinance to Amend Section 13.09.040 of the Parker Municipal Code concerning Registration of Temporary Signs**  
**Department: Community Development, Bryce Matthews**

The Town Administrator issued a series of Emergency Orders in 2020 to respond to the COVID-19 pandemic. As the Town, state and country are recovering from the pandemic, staff proposes several amendments to the Municipal Code to establish a formal transition from the emergency orders back to pre-pandemic Code requirements. The purpose of this ordinance is to continue to support the business community through the busy summer season by not requiring temporary sign registration before a transition back to regular enforcement of the Sign Code. The Municipal Code currently suspends the registration requirement for temporary signs between October 1 and November 15 of each year. The proposed ordinance will also suspend the registration requirement for temporary signs between June 1 and September 30. The ordinance will sunset after September 30, 2021.

On May 27, 2021, the Planning Commission unanimously recommended that the Town Council approve the proposed ordinance.

**Public Comment:** None.

Cheryl Poage moved to approve Ordinance No. 3.324.3 on second reading.

Anne Barrington seconded the motion.

The motion was approved unanimously.

**D. ORDINANCE NO. 3.353.1 - Second Reading****A Bill for an Ordinance to Amend Sections 13.01.140 and 13.10.250 of the Parker Municipal Code Concerning Prairie Dog Management****Department: Community Development, John Fussa**

The proposed ordinance will amend the prairie dog management ordinance to provide a maximum 180-day administrative extension of land use approvals where an applicant undertakes relocation of prairie dogs. The purpose of the amendment is to provide an applicant with certainty that protects approvals and an incentive for relocation if feasible. The proposed ordinance also requires that humane extermination occur not less than 30 days after Town approval of a development application. The purpose of this amendment is to provide a limited due diligence period to support ordinance compliance before site disturbance such as grading occurs.

On May 27, 2021, the Planning Commission unanimously recommended that the Town Council approve the proposed ordinance.

**Public Comment:**

The following individuals spoke in favor of the ordinance:

Lynda Wilson, 11443 E. Regency Court, Parker

Ron Blidar, 6245 Riviera Court, Parker

Siobhan Cox, 42943 Vista Ridge Road, Parker

Kenneth Ramsey, 3862 Elm Avenue, Parker

Christine Horowitz, 6175 Massive Peak Circle, Castle Pines

Cheryl Poage moved to approve Ordinance No. 3.353.1 on second reading.

Anne Barrington seconded the motion.

The motion was approved unanimously.

**E. ORDINANCE NO. 9.335 - Second Reading****A Bill for an Ordinance Approving the Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Cottonwood Meadows Tributary By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District and the Town of Parker (Agreement No. 21-05.15 Project No. 108520)****Department: Engineering and Public Works, Michael Grabczyk**

The Town of Parker and the MHFD have partnered previously to design and construct several major drainage projects within the Town. This reach was originally constructed in the early 1980s and has been identified as an area of concern for storm water quality and flood conveyance due to updates in design standards and regulations since its original construction.

Due to the older design strategy, this reach has experienced severe aggradation or sediment accumulation over time causing a reduction in flood conveyance and decrease in the water

quality of Cherry Creek. Additionally, this drainage way is considered a Waters of the United States and as such any dredging or sediment removal for maintenance requires federal permitting, which is difficult to obtain with the channel's current configuration. This project is anticipated to propose the installation of channel improvements such as outfall forebays, a natural low-flow channel, increased flood conveyance, and a formalized connection to Cherry Creek. Construction of this project in conjunction with the MHFD will also enter the reach into their Maintenance Eligibility Program (MEP), which allows the Town to leverage funds from the MHFD for both routine maintenance and more intensive maintenance activities. This IGA will fund a final design in 2021 and contribute towards partial construction funding in 2022.

**Public Comment:** None.

Laura Hefta moved to approve Ordinance No. 9.335 on second reading.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

## **RESOLUTIONS**

### **RESOLUTION NO. 21-031**

#### **A Resolution to Appoint One Regular Member and One Alternate Member to Fill Vacancies on the Town of Parker Planning Commission**

**Department:** Community Development, Bryce Matthews

The Planning Commission has a total of 10 members, seven (7) regular and three (3) alternates, with terms of varying length.

On June 8, 2021, Commissioner John Howe resigned from his position on the Planning Commission leaving a vacant position. The now vacant position expires on June 30, 2023. The purpose of this resolution is to appoint an applicant to fill the open Planning Commission position as recommended:

- The current Alternate Planning Commissioner Anthony Matthews be promoted from an alternate to the open regular position on the Commission to replace Commissioner John Howe. This term will expire on June 30, 2023.
- Nicholas Metz be appointed as an Alternate Planning Commissioner for a one (1) year term that will expire on June 30, 2022.

This action is taken in accordance with the Parker Land Development Ordinance which provides that the Town Council appoint candidates to the Planning Commission including the Chair, regular members and alternate members.

**Public Comment:** None.

Anne Barrington moved to approve Resolution No. 21-031.

John Diak seconded the motion.

The motion was approved unanimously.

**ADJOURNMENT**

Cheryl Poage moved and John Diak seconded to adjourn the meeting at 8:39 P.M.

The motion was approved unanimously.

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Chris Vanderpool, Acting Town Clerk

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Jeff Toborg, Mayor



## Request for Town Council Action

**Date:** July 12, 2021

**Submitted By:** Stacey Nerger, Senior Planner  
John Fussa, Community Development Director

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **ORDINANCE NO. 3.193.5 First Reading**  
**A Bill for an Ordinance Amending the Parker Auto Plaza Development Guide Pursuant to the Town of Parker Land Development Ordinance**  
**Department: Community Development, Stacey Nerger**  
**Second July 19, 2021**  
**Reading:**

### **EXECUTIVE SUMMARY**

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The Town of Parker is proposing to amend the Parker Auto Plaza Planned Development (PD), First Amendment zoning to support park improvements adjacent to the Baldwin Gulch Trail and Open Space that traverses the area. The proposed zoning amendment will revise the list of permitted uses in the PD zoning to add parks and active recreation as a permitted use.

### **STAFF RECOMMENDATION**

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Approve

### **BACKGROUND/DISCUSSION**

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The Town is proposing a rezoning application to revise the list of permitted uses within the Parker Auto Plaza PD, Open Space Planning Area, to allow parks, playgrounds and other outdoor recreation uses. The purpose of the proposed rezoning is to support park improvements along the Baldwin Gulch Trail and Open Space that traverses the area. The planned park improvements would be funded, installed and maintained by the developer of a multi-family residential complex located in the adjacent Eisenberg property within the Parker and Pine Mixed-Use PD at the southwest corner of the intersection of Parker Road and Pine Lane.

For background, the Eisenberg property that is located at southwest corner of Parker Road and Pine Lane was rezoned from Parker Auto Plaza PD to the Parker and Pine Mixed-Use PD in 2020. The approved Parker and Pine Mixed-Use PD zoning permits a range of commercial and residential uses with multi-family residential housing allowed as a use by-right in Planning Area 4. The Development Plan for the PD zoning locates Planning Area 4 in the southwestern section of the property fronting Twenty Mile Road and Baldwin Gulch.

The property owner and their development partner have submitted a site plan application to

develop multi-family residential housing consisting of four (4) buildings in Planning Area 4 as permitted by the Parker and Pine Mixed-Use PD. Under Section 13.07.140 of the Land Development Ordinance (LDO), the development of a residential use requires the dedication of parks, trails, open space and schools. The property owner may address this requirement by dedicating land for parks on-site or, subject to Town Council approval, make a cash in-lieu of land payment of equivalent monetary value or donate recreational facilities if there is insufficient land available in a residential development.

The property owner and their development partner have determined that there is insufficient land available within Planning Area 4 to fully address the LDO park land dedication requirement on-site. As a result, they have proposed and staff has been working with them on a concept to use approximately one (1) acre of Tract A in the adjacent Parker Auto Plaza PD as a supplemental park site. In this concept, the property owner would be required to cover all costs for the design, installation and maintenance of park improvements on Tract A as well as the payment of a fee to the Town for using Tract A. For the reason that the Town will retain ownership of Tract A, the obligation of the property owner and their development partner to construct the park improvements will be incorporated into a subdivision agreement and their obligation to maintain the park improvements will be contained in a license agreement. The concept plan for a park on Tract A is attached for review.

Staff believes that allowing the property owner and their development partner to construct park improvements on one (1) acre of Tract A is preferable to accepting a cash in-lieu of land payment. The reason for this is that the cash in-lieu of land option may not be sufficient to fund the development of a park and even if it was there is no guarantee that a future park would be accessible from Baldwin Gulch Trail and Open Space or be directly accessible to the multi-family residential housing proposed in Planning Area 4 of the Parker and Pine Mixed-Use PD.

For the reasons discussed above, the Town has therefore submitted the proposed rezoning to allow park improvements to be constructed on adjacent Tract A of the Parker Auto Plaza PD.

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## **FINANCIAL IMPACT**

None

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## **STRATEGIC GOAL(S)**



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## **ATTACHMENTS**

1. VicinityMap
2. Ordinance No. 3.193.5

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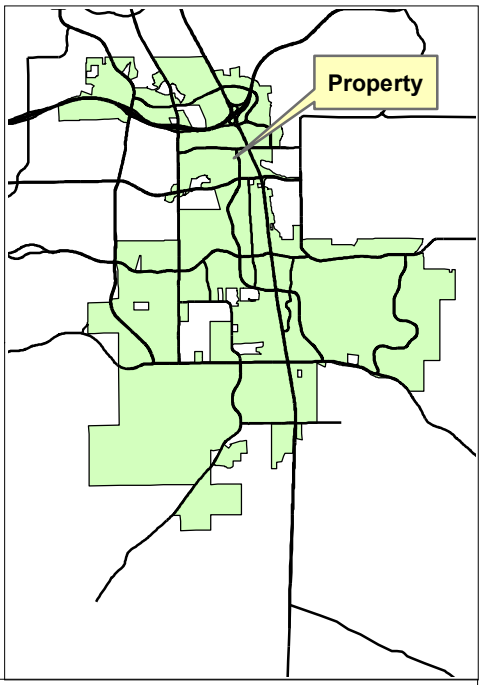
## **RECOMMENDED MOTION**

I move to approve Ordinance No. 3.193.5 on first reading and to schedule second reading for July 19, 2021, as part of the consent agenda.



**Parker Auto Plaza Planned Development  
Rezoning**

Zoning  
Case No. Z21-010



**Legend**

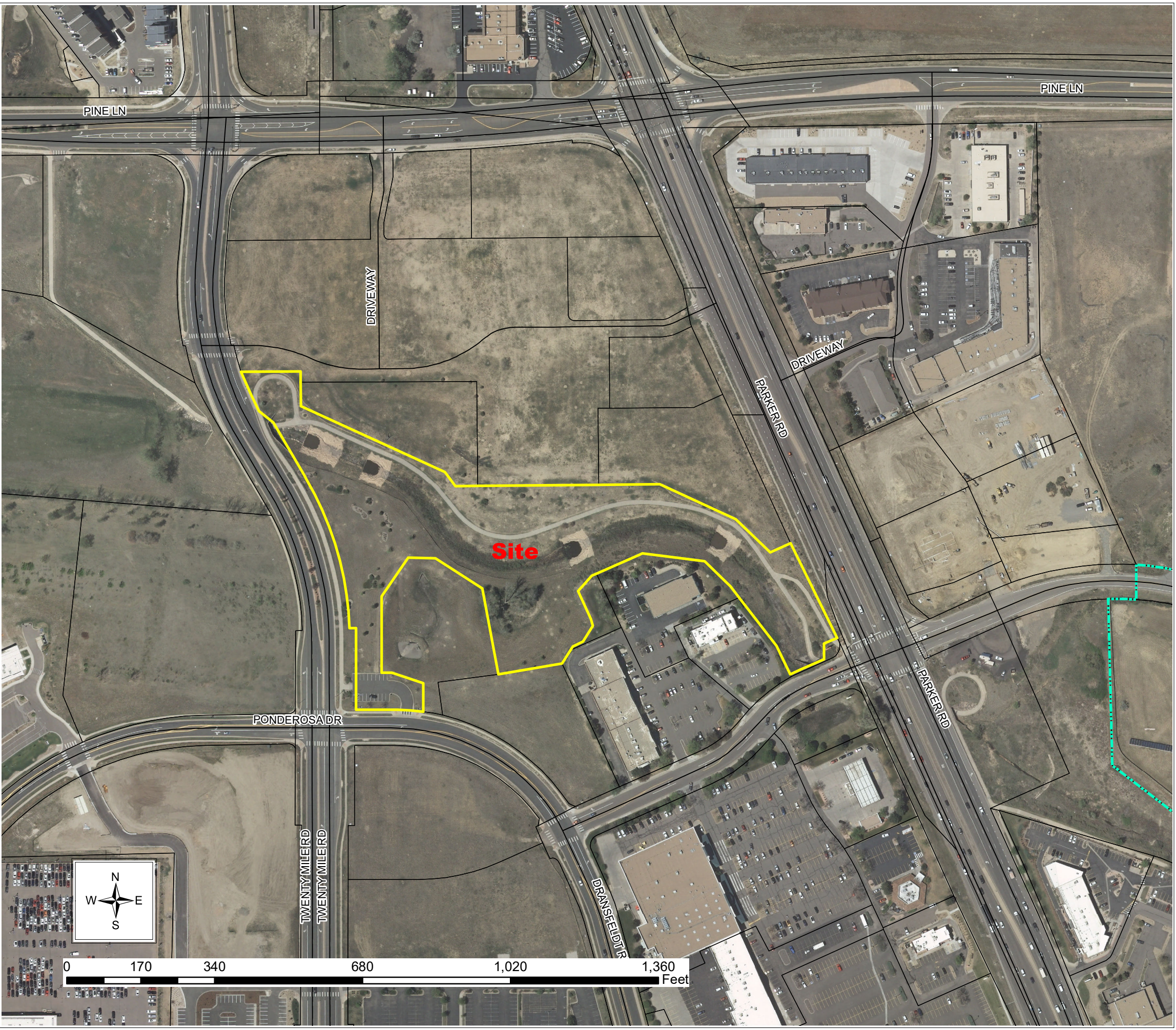
-  Site
-  Roads

**Narrative:**  
Proposed Planned Development Amendment to allow active parks and recreation uses within the open space Planning Area of the Parker Auto Plaza PD.

**Planner:** Stacey Nerger  
**Hearing Schedules:**

**Planning Commission:**  
July 8, 2021

**Town Council:**  
July 12, 2021 (1st Reading)  
July 19, 2021 (2nd Reading)



**ORDINANCE NO. 3.193.5, Series of 2021**

**TITLE: A BILL FOR AN ORDINANCE AMENDING THE PARKER AUTO PLAZA DEVELOPMENT GUIDE PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE**

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

**Section 1.**     Finding of Fact.

a. Application has been made for rezoning the Parker Auto Plaza Planned Development as described in Ordinance No. 3.193, Series of 2002, for the property described in the attached **Exhibit A**, within the Town of Parker, Colorado, (the “Property”), pursuant to Town of Parker Land Development Ordinance.

a. Public notice has been given of such rezoning by publication on the Town of Parker’s website, at least fifteen (15) days prior to the public hearing of such rezoning.

b. Written notice was sent by first class mail to all owners of property that abuts 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 factors contained in Section 13.04.240(b)(6)(f) of the Parker Land Development Ordinance for rezoning of the Property have been satisfied.

**Section 2.**     Section IV.B. of the Parker Auto Plaza Development Guide is hereby amended to add a new subparagraph 9) to provide: “9) parks, playgrounds and other recreational uses.”

**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 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 \_\_\_\_\_,  
2021.

\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney

## **EXHIBIT A**

### **Legal Description**

LOT 1 BLOCK 3, PARKER AUTO PLAZA FILING NO. 1, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 3, PARKER AUTO PLAZA FILING NO. 1 AS RECORDED AT RECEPTION NO. 2004113377 OF THE DOUGLAS COUNTY RECORDS;

THENCE FOLLOWING THE BOUNDARY OF SAID LOT 1 THE FOLLOWING TWENTY-TWO (22) COURSES:

1. NORTH 89°55'03" EAST, 105.03 FEET TO A POINT OF TANGENT CURVATURE;
2. EASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, THE RADIAL LINE TO THE CENTER POINT BEARS NORTH 00°04'57" WEST A RADIUS OF 5,785.00 FEET, THRU A CENTRAL ANGLE OF 05°27'44", AN ARC LENGTH OF 551.51 FEET, WHOSE CHORD BEARS NORTH 87°11'11" EAST A LENGTH OF 551.29 FEET;
3. SOUTH 05°32'41" EAST, 7.00 FEET TO A POINT OF NONTANGENT CURVATURE;
4. EASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, THE RADIAL LINE TO THE CENTER POINT BEARS SOUTH 05°32'41" EAST, A RADIUS OF 153.00 FEET, THRU A CENTRAL ANGLE OF 44°14'53", AN ARC LENGTH OF 118.16 FEET, WHOSE CHORD BEARS SOUTH 73°25'14" EAST A LENGTH OF 115.24 FEET;
5. SOUTH 29°43'18" EAST, 66.60 FEET;
6. SOUTH 23°56'20" EAST, 264.14 FEET;
7. SOUTH 10°49'51" EAST, 88.19 FEET;
8. SOUTH 23°56'20" EAST, 553.91 FEET;
9. SOUTH 66°06'54" WEST, 51.46 FEET;
10. NORTH 45°24'20" WEST, 109.52 FEET;
11. NORTH 64°44'06" WEST, 193.03 FEET;
12. SOUTH 89°59'52" WEST, 417.86 FEET;
13. NORTH 00°00'08" WEST, 240.75 FEET;
14. NORTH 89°42'09" WEST, 404.78 FEET;
15. NORTH 00°17'51" EAST, 25.00 FEET;
16. NORTH 89°42'09" WEST, 136.54 FEET TO A POINT OF NONTANGENT CURVATURE;
17. NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT, THE RADIAL LINE TO THE CENTER POINT BEARS NORTH 72°03'06" EAST, A RADIUS OF 625.00 FEET, THRU A CENTRAL ANGLE OF 05°51'30", AN ARC LENGTH OF 63.90 FEET, WHOSE CHORD BEARS NORTH 15°01'09" WEST A LENGTH OF 63.88 FEET;
18. SOUTH 86°37'09" WEST, 6.07 FEET TO A POINT OF NONTANGENT CURVATURE;
19. NORTHERLY ALONG THE ARC OF A CURVE TO THE RIGHT, THE RADIAL LINE TO THE CENTER POINT BEARS NORTH 77°59'36" EAST, A RADIUS OF 631.00 FEET, THRU A CENTRAL ANGLE OF 17°27'40", AN ARC LENGTH OF 192.30 FEET, WHOSE CHORD BEARS NORTH 03°16'34" WEST A LENGTH OF 191.56 FEET;
20. NORTH 05°27'16" EAST, 123.41 FEET TO A POINT OF NONTANGENT CURVATURE;
21. NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, THE RADIAL LINE TO THE CENTER POINT BEARS SOUTH 84°33'45" EAST, A RADIUS OF 132.96 FEET, THRU A CENTRAL ANGLE OF 84°26'53", AN ARC LENGTH OF 196.05 FEET, WHOSE CHORD BEARS NORTH 47°40'43" EAST A LENGTH OF 178.76 FEET;
22. NORTH 00°04'57" WEST, 2.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (694,869 SQUARE FEET) 15.9520 ACRES, MORE OR LESS.



## Request for Town Council Action

**Date:** July 12, 2021

**Submitted By:** Tom Gill, Associate Project Manager

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **Parker Road (SH83) Multi-Use Trail (West Side) CIP 21-017 Professional Services Agreement**

**Amount:** **\$114,685.00**

**Contractor:** **Felsburg Holt & Ullevig**

**Department:** **Engineering and Public Works, Tom Gill**

### EXECUTIVE SUMMARY

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This agenda item is for the approval of a professional services agreement with Felsburg Holt & Ullevig for the construction management and material testing services for the Parker Road (SH83) Multi-Use Trail (West Side) project.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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Requests for proposals were sent out to engineering firms that are on the Town's on-call list for construction management and material testing services for the Parker Road (SH83) Multi-Use Trail (West Side) project. After reviewing the RFPs, Felsburg Holt & Ullevig is most qualified, available to meet the contractor's anticipated schedule and is best suited for this particular project. Felsburg Holt & Ullevig is currently providing construction management and material testing on the Cottonwood Drive Widening project and is performing very well.

### FINANCIAL IMPACT

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Funding for this agreement has been appropriated in the Highway and Streets Capital Projects Fund (301-4310).

### STRATEGIC GOAL(S)

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SUPPORT AN  
ACTIVE COMMUNITY



PROMOTE A SAFE AND  
HEALTHY COMMUNITY



INNOVATE WITH  
COLLABORATIVE  
GOVERNANCE



DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH

### ATTACHMENTS

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None

**RECOMMENDED MOTION**

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



## Request for Town Council Action

**Date:** July 12, 2021

**Submitted By:** John Fussa, Community Development Director

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **ORDINANCE NO. 3.01.125 - Second Reading (Continued from June 21, 2021)**  
**A Bill for an Ordinance to Amend Section 13.03.030 of the Parker Municipal Code concerning Planning Department Adjustments**  
**Department: Community Development, John Fussa**

### EXECUTIVE SUMMARY

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The Town Administrator issued a series of Emergency Orders in 2020 to respond to the COVID-19 pandemic. As the Town, state and country are recovering from the pandemic, staff proposes several amendments to the Municipal Code to establish a formal transition from the emergency orders back to pre-pandemic Code requirements. The proposed ordinance would exclude certain temporary site plan changes, such as marking pick-up/delivery parking spaces, from the requirement for Site Plan Adjustment approval by the Town. If approved, this ordinance will be in effect through December 31, 2021.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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The purpose of this ordinance is to continue to support the business community through the summer by allowing them to operate temporary pick-up parking and other temporary changes to their site to accommodate drive up, pick-up and delivery services. The Municipal Code requires that any change to a commercial site receive Town approval. Minor changes of less than 15 percent qualify to receive a site plan adjustment approval, which entails a limited review process. The requirement for approval would normally apply to designating certain parking spaces for pick-up and delivery, painting new private crosswalks and other changes to site plans that have been necessary for businesses to adjust their business operations during the pandemic. The proposed exclusion from the site plan adjustment process will be extended through December 31, 2021 and sunset thereafter.

The Planning Commission did consider and made a recommendation on a similar ordinance at the May 27, 2021 meeting. Town Council continued the ordinance at the June 7 Council meeting to add temporary patios and to seek a recommendation from the Planning Commission on the changes. On June 24, 2021, the Planning Commission unanimously recommended that

the Town Council approve the proposed ordinance.

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**FINANCIAL IMPACT**

None

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**STRATEGIC GOAL(S)**

DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH



ENHANCE ECONOMIC  
VITALITY

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**ATTACHMENTS**

1. PC Staff Report
2. Ordinance No. 3.01.125

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**RECOMMENDED MOTION**

I move to approve Ordinance No. 3.01.125 on second reading.



## **Planning Commission Staff Report**

**Planning Commission Date:** 5/27/2021

**Town Council Date:** 6/21/2021

**Hearing Type:** **Public Meeting**  
**A Bill for an Ordinance to Amend Section 13.03.030 of the Parker Municipal Code Concerning Planning Department Adjustments**

**Location:** **Townwide**

**Project Planner:** **Bryce Matthews, Planning Manager**

**Applicant:** **Town of Parker**

**Executive Summary:** The Town Administrator issued a series of executive orders in 2020 to respond to the COVID-19 pandemic. The proposed ordinance would exclude certain temporary site plan changes, such as marking pick-up/delivery parking spaces, from the requirement for Site Plan Adjustment approval by the Town. This ordinance will be in effect through September 30, 2021.

**Staff Recommendation:** **Approval**

### **RECOMMENDED MOTION**

***“I move the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding suspending certain Planning Department Adjustment requirements through September 30, 2021.”***

### **ALTERNATIVE MOTIONS**

***“I move the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding suspending certain Planning Department Adjustment requirements through September 30, 2021 with the following conditions:”***

***-List proposed conditions***

***“I move the Planning Commission recommend Town Council deny an ordinance to amend the Parker Municipal Code regarding suspending certain Planning Department Adjustment requirements through September 30, 2021:”***

***-List criteria not met (either by staff or Planning Commission)***

*“I move the Planning Commission vote to continue an ordinance to amend the Parker Municipal Code regarding suspending certain Planning Department Adjustment requirements through September 30, 2021.”*

## **I. BACKGROUND/DISCUSSION**

The Town administrator issued a series of Executive Orders in response to the COVID-19 pandemic including an Executive Order to exclude certain temporary commercial site improvements from the requirement to seek a Planning Department Adjustment approval. The purpose of this Ordinance is to continue to support the business community through the summer by allowing them to operate temporary pick up parking and other temporary changes to their site to accommodate drive up, pick-up and delivery services. The Parker Municipal Code requires that any change to a commercial site receive Town approval. Changes less than 15%, qualify to receive a Site Plan Adjustment approval which is a shorter review process. This requirement for approval would normally apply to designating certain parking spaces for pick up/delivery, painting new crosswalks and other changes to site plans that have been necessary for businesses to facilitate changes to their business model during the pandemic. This exclusion from the Site Plan Adjustment process will be extended through September 30, 2021.

## **II. PARKER 2035 MASTER PLAN**

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

| <b>MASTER PLAN CONSISTENCY</b>          |                                                                                                                                                              |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Master Plan Designation</b>          | Choose an item.<br><input type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent <input checked="" type="checkbox"/> Not Applicable              |
| <b>Master Plan Character Discussion</b> | N/A                                                                                                                                                          |
| <b>Consistent Goals/Strategies</b>      | N/A                                                                                                                                                          |
| <b>Inconsistent Goals/Strategies</b>    | None                                                                                                                                                         |
| <b>Staff Analysis</b>                   | Amending the code to temporarily exclude certain activities from the requirement for a Site Plan Adjustment is not addressed in the Parker 2035 Master Plan. |

## **III. CONCLUSION**

Staff recommends that the Planning Commission recommend that Town Council approve an ordinance that will exclude businesses that are making temporary site plan changes, such as marking pick-up/delivery parking spaces, from the requirement for Site Plan Adjustment approval by the Town. This ordinance will be in effect through September 30, 2021.

## **IV. RECOMMENDED CONDITIONS**

None

## **V. ATTACHMENTS**

Draft Ordinance

**Report Approved By: Bryce Matthews, Planning Manager**

ORDINANCE NO. 3.01.125, Series of 2021

**TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.03.030 OF THE PARKER MUNICIPAL CODE CONCERNING PLANNING DEPARTMENT ADJUSTMENTS**

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

**Section 1.** Section 13.03.030 of the Parker Municipal Code is amended by the addition of new Subsections (e) and (f) to read as follows:

**13.03.030 Planning Department adjustments.**

\* \* \*

**(e) Adjustments to allow retail and service businesses to provide pick-up/delivery of personal, tangible property, parking, and other adjustments to previously approved site plans to facilitate temporary activities related to the operation of such businesses shall not be considered an adjustment requiring the review and approval of the Director under the provisions of this Section or any other Section concerning site plan amendments.**

**(f) Where a property owner or business has received approval of a temporary use permit from the Town for a temporary patio, the property owner or business may continue to use the approved patio through December 31, 2021. The approved patio shall not be subject to the requirements of this Section or any other Section concerning site plan amendments and shall not be considered an adjustment under the provisions of this Section.**

**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.

**Section 5.** This Ordinance shall sunset on December 31, 2021, and be of no further force or effect after this date.

INTRODUCED AND PASSED ON FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney



## Request for Town Council Action

**Date:** July 12, 2021

**Submitted By:** Jim Maloney, Town Attorney

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **ORDINANCE NO. 5.28.26 - Second Reading**  
**A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Relating to Fines for Violations of Liquor Code Violations**  
**Department: Town Attorney, Jim Maloney**

### EXECUTIVE SUMMARY

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Senate Bill 20-110, which was enacted last year, authorizes the Town as a local liquor licensing authority to impose a fine for a liquor code violation, without suspending or revoking a liquor license. The purpose of this Ordinance is to authorize the Special Licensing Authority to impose fines, as provided by Senate Bill 20-110.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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Prior to the General Assembly's enactment of Senate Bill 20-110, state and local licensing authorities could only impose a fine for liquor code violations if the licensee requested a fine in lieu of revocation or suspension. If the Town Council adopts Ordinance No. 5.28.26, the Special Licensing Authority will be authorized to impose a fine without suspending or revoking a liquor license. The fines under Senate Bill 20-110 range from \$500.00 to \$100,000.00. The Colorado Department of Revenue has issued regulations to serve as guidance to local licensing authorities in implementing these new fines, including categories of violations; methods of calculating fines; and aggravating and mitigating factors. The Special Licensing Authority reviewed Ordinance No. 5.28.26 and recommends the Town Council approve.

### FINANCIAL IMPACT

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None.

### STRATEGIC GOAL(S)

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PROMOTE A SAFE AND  
HEALTHY COMMUNITY

### ATTACHMENTS

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1. Ordinance No. 5.28.26

**RECOMMENDED MOTION**

---

I move to approve Ordinance No. 5.28.26 on second reading.

ORDINANCE NO. 5.28.26, Series of 2021

**TITLE: A BILL FOR AN ORDINANCE TO AMEND CHAPTER 5.02 OF THE PARKER MUNICIPAL CODE RELATING TO FINES FOR VIOLATIONS OF LIQUOR CODE VIOLATIONS**

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

**Section 1.** Subsection 5.02.210(e) of the Parker Municipal Code is amended as follows:

(e) In the event that a license is renewed by the Special Licensing Authority, such renewal will not affect a pending show cause order which relates to an incident that occurred prior to the date of the renewal. The Authority shall be authorized to take whatever action is necessary against a licensee either in the form of suspension or revocation of the liquor license or imposition of a fine for individual violations regardless of when such license has been renewed.

**Section 2.** Section 5.02.800 of the Parker Municipal Code is hereby repealed in its entirety.

**Section 3.** Section 5.02.860 of the Parker Municipal Code is hereby amended as follows:

**5.02.860 Definitions.**

\* \* \*

*Fine* means a form of discipline imposed pursuant to this Chapter ~~in lieu of a suspension. Any fine shall be the equivalent of twenty percent (20%) of the retail licensee's estimated gross revenues from sales of alcohol beverages during the period of the proposed suspension, except that the fine shall be not be less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00)~~ five hundred dollars (\$500.00) nor more than one hundred thousand dollars (\$100,000.00).

\* \* \*

**Section 4.** Section 5.02.870 of the Parker Municipal Code is hereby repealed and reenacted to read as follows:

**5.02.870 Penalty for Violation.**

(a) Any licensee who violates the terms of this Chapter may be subject to suspension or revocation of his or her liquor license pursuant to Section 44-3-601, C.R.S. or may be subject to the imposition of a fine.

(b) Whenever ~~a~~ the decision of the Authority suspending a license ~~for fourteen (14) or fewer days or permit~~ becomes final, whether by failure of the licensee to appeal the decision or by exhaustion of all appeals and judicial review, the licensee may, before the operative date of the suspension ~~or such earlier date as the licensing authority may designate in its decision~~, petition for permission to pay a fine in lieu of the license or permit suspended for all or part of the suspension period. ~~The licensing authority~~ Upon the receipt of the petition, the Authority may, in its sole discretion, stay the proposed suspension ~~in part or in whole~~ and cause any investigation to be made that it deems desirable and may, in its sole discretion, grant the petition if it ~~finds, after any investigation that it deems desirable, that is satisfied~~:

(1) ~~The~~ That the public welfare and morals would not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes; and

(2) ~~The~~ That the books and records of the licensee are kept in such a manner that the loss ~~during the proposed suspension of sales of alcohol beverages that the licensee would have suffered had the suspension gone into effect~~ can be determined with reasonable accuracy ~~therefrom; and~~.

(3) ~~The licensee has not had its license suspended or revoked nor had any suspension stayed by payment of a fine during the two (2) years immediately preceding the date of the motion or complaint which has resulted in a final decision to suspend the license.~~

(c) The fine for individual violations shall be not less than five hundred dollars (\$500.00) nor more than one hundred thousand dollars (\$100,000.00).

(d) The fine accepted in lieu of suspension shall be the equivalent to twenty percent (20%) of the licensee's estimated gross revenues from sales of alcohol beverages during the period of the proposed suspension; except that the fine shall be not less than five hundred dollars (\$500.00) nor more than one hundred thousand dollars (\$100,000.00).

~~(e)(e)~~ Payment of any fine pursuant to the provisions of Subsection (c) or (d) above shall be in the form of cash or in the form of a certified check or a cashier's check made payable to ~~the licensing authority~~. ~~Such fine shall be paid into the general fund of the Town.~~

~~(d) The licensing authority may grant such conditional or temporary stays as are necessary for it to complete its investigations, to make its findings as specified in Subsection (b) above, and to grant a permanent stay of the entire or part of the suspension. If no permanent stay is granted, the suspension shall go into effect on the operative date finally set by the licensing authority.~~

(f) Upon payment of the fine pursuant to Subsection (d) above, the Authority shall enter its further order permanently staying the imposition of

**the suspension. The Town Council shall cause such money to be paid into the general fund of the Town.**

**(g) In connection with any petition pursuant to Subsection (b) above, the power of the Authority is limited to the granting of such stay as necessary for it to complete its investigation and make its findings and, if it makes such findings, to the granting of an order permanently staying the imposition of the entire suspension or that portion of the suspension not otherwise conditionally stayed.**

**(h) If the Authority does not make the findings required by Subsection (b) above and does not order the suspension permanently stayed, the suspension shall go into effect on the operative date finally set by the Authority.**

**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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney



## Request for Town Council Action

**Date:** July 12, 2021

**Submitted By:** Jim Maloney, Town Attorney

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 21-034**  
**A Resolution to Request that the Independent Congressional Redistricting Commission Modify the Preliminary Congressional District Map by Moving the District Boundary for Districts 6 and 7 to Place All of the Town of Parker into District 7 in Order to Preserve the Town of Parker's Whole Community of Interest with Douglas County and the Political Subdivisions Contained Within Douglas County that are All Exclusively Contained within District 7, as Provided by Colorado Constitution Article V, Section 44**

**Department:** Town Council

### EXECUTIVE SUMMARY

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The preliminary Congressional District Map splits the Town into Districts 6 and 7. The purpose of the Resolution is to request that all of the Town be placed in District 7 in order to preserve the Town's whole community of interest with Douglas County and the political subdivisions contained within Douglas County.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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The Independent Congressional Redistricting Commission prepared a preliminary Congressional District Map that splits the Town into Districts 6 and 7. However, Colorado Constitution Article V, Section 44.3, provides that the Independent Congressional Redistricting Commission "must preserve whole communities of interest and whole political subdivisions, such as counties, cities and towns." The purpose of the Resolution is to request that the Independent Congressional Redistricting Commission modify the preliminary Congressional District Map by (1) putting all of the Town of Parker in one District; (2) putting the Town in District 7 due to the Town's community of interest with Douglas County and the political subdivisions contained within Douglas County which are contained within District 7; and (3) provide a solution to the Independent Congressional Redistricting Commission, which will result in eliminating municipal splits for the Town, Littleton and Bow Mar.

**FINANCIAL IMPACT**

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None.

**STRATEGIC GOAL(S)**

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**ATTACHMENTS**

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1. Resolution No. 21-034

**RECOMMENDED MOTION**

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I move to approve Resolution No. 21-034.

**RESOLUTION NO. 21-034, Series of 2021**

**TITLE: A RESOLUTION TO REQUEST THAT THE INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION MODIFY THE PRELIMINARY CONGRESSIONAL DISTRICT MAP BY MOVING THE DISTRICT BOUNDARY FOR DISTRICTS 6 AND 7 TO PLACE ALL OF THE TOWN OF PARKER INTO DISTRICT 7 IN ORDER TO PRESERVE THE TOWN OF PARKER'S WHOLE COMMUNITY OF INTEREST WITH DOUGLAS COUNTY AND THE POLITICAL SUBDIVISIONS CONTAINED WITHIN DOUGLAS COUNTY THAT ARE ALL EXCLUSIVELY CONTAINED WITHIN DISTRICT 7, AS PROVIDED BY COLORADO CONSTITUTION ARTICLE V, SECTION 44**

WHEREAS, Colorado Constitution Article V, Section 44 governs the process for the preparation of the Congressional District Map for the State of Colorado;

WHEREAS, Colorado Constitution Article V, Section 44.3, provides that the Independent Congressional Redistricting Commission “must preserve whole communities of interest and whole political subdivisions, such as counties, cities, and towns” to the extent reasonably possible;

WHEREAS, the Independent Congressional Redistricting Commission prepared a Preliminary Congressional District Map;

WHEREAS, the Town of Parker has reviewed the Preliminary Congressional District Map;

WHEREAS, the Preliminary Congressional District Map splits the Town of Parker's population between 2 different congressional districts, Districts 6 and 7;

WHEREAS, as leaders of the Town of Parker, the Town Council has a duty to do what is best for our citizens, and in this case that means requesting that the Town of Parker be kept whole within the proposed District 7 with the Douglas County communities with which we have long shared a community of interest: Lone Tree, Highlands Ranch, Castle Pines North, Castle Pines, and Castle Rock;

WHEREAS, the Town of Parker is a member of metro organizations DRCOG and Metro Mayors Caucus, along with our fellow Douglas County municipalities of Lone Tree, Castle Rock, and Castle Pines;

WHEREAS, the Town of Parker prioritizes its membership and participation in the Partnership of Douglas County Governments;

WHEREAS, the Parker Area Chamber of Commerce works closely with economic development organizations from Lone Tree, northwest Douglas County and Castle Rock, and is a member of the Douglas County Business Alliance;

WHEREAS, the Parker Water and Sanitation District serves the Town of Parker, and portions of Lone Tree, Castle Pines, and portions of unincorporated Douglas County;

WHEREAS, Parker Water and Sanitation District is a member of WISE and is connected with Castle Rock, Castle Pines North, Sterling Ranch and the Pinery, which are all located in Douglas County;

WHEREAS, the Town has researched this matter and has developed what we believe to be a simple solution that helps keep the Town of Parker whole within District 7 while eliminating two other municipal splits in Littleton and Bow Mar as described in the **attachment**;

WHEREAS, the Town Council believes this solution is consistent with the state constitution's requirement to preserve whole communities of interest and whole political subdivisions, such as counties, cities, and towns, by minimizing splits to political subdivisions; and

WHEREAS, the Town Council requests that the that the Independent Congressional Redistricting Commission accept this solution as an amendment to the Preliminary Congressional District Map to eliminate the municipal splits to the Town of Parker, Littleton and Bow Mar.

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

Section 1. The Town Council respectfully requests that the Independent Congressional Redistricting Commission modify the Preliminary Congressional District Map by moving the district boundary for Districts 6 and 7 to place all of the Town of Parker into District 7 in order to preserve the Town of Parker's whole community of interest with Douglas County and the political subdivisions contained within Douglas County that are all exclusively contained within District 7, as provided by Colorado Constitution Article V, Section 44.

Section 2. The Town Council further respectfully requests that the Independent Congressional Redistricting Commission amend the Preliminary Congressional District Map to eliminate the municipal splits to the Town of Parker, Littleton and Bow Mar as described in the attachment.

RESOLVED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2021.

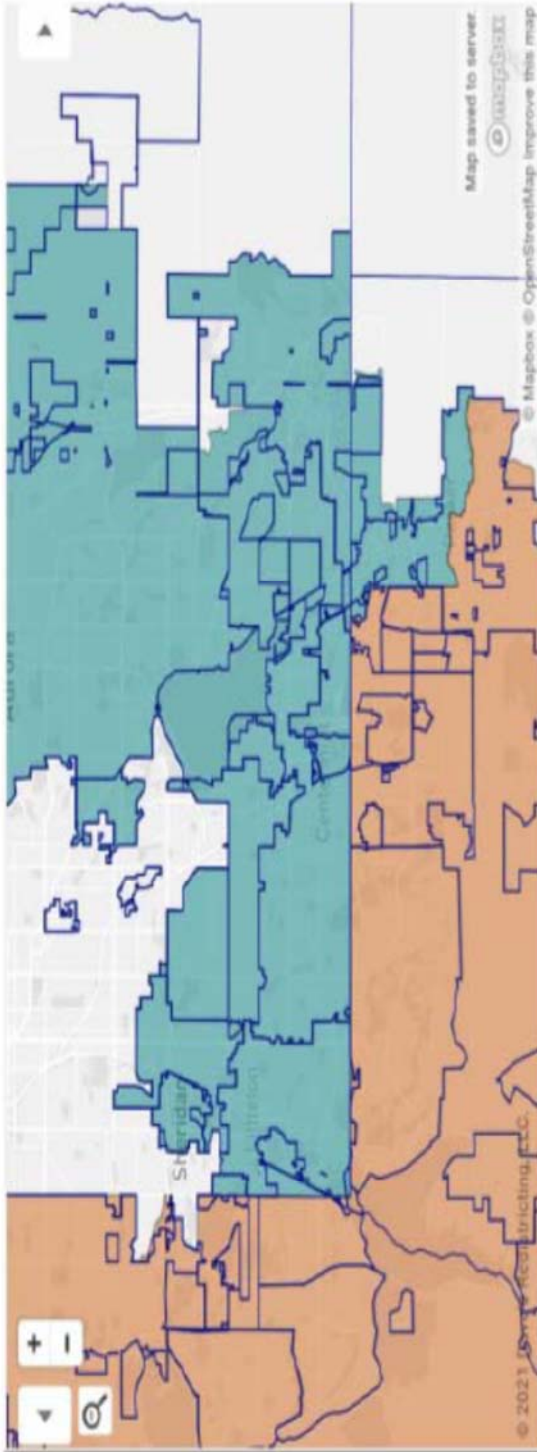
TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Jeff Toborg, Mayor

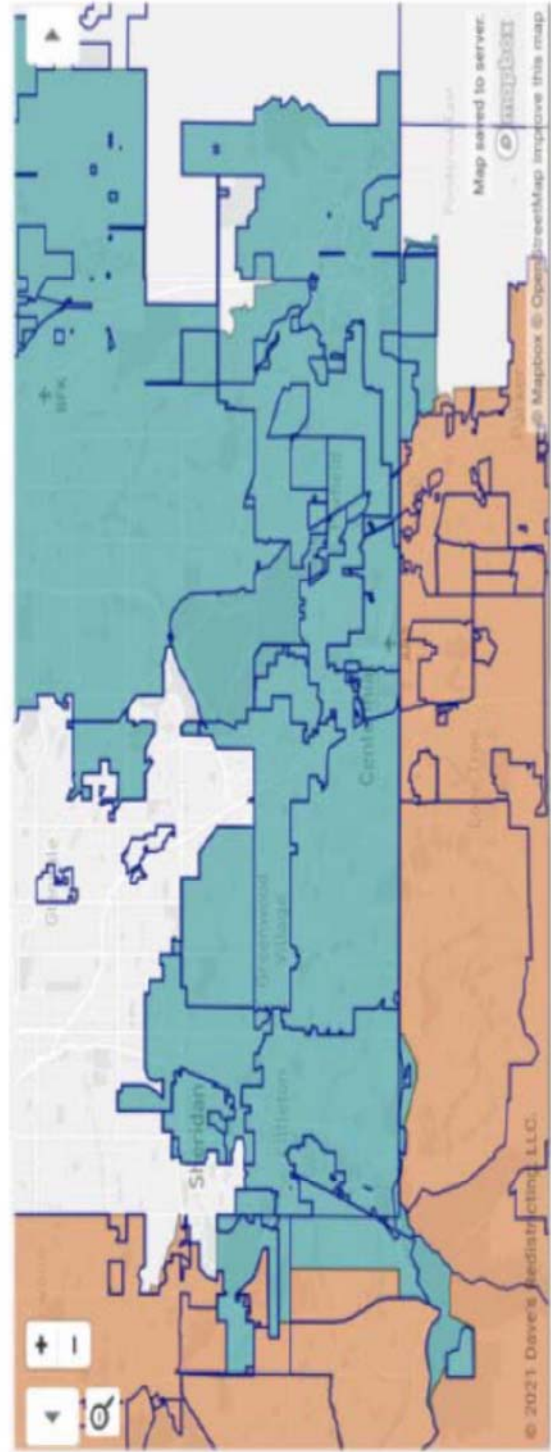
ATTEST:

\_\_\_\_\_  
Chris Vanderpool, Acting Town Clerk

**ATTACHMENT**



**Preliminary Congressional District Map (with municipal splits to Parker, Littleton, & BowMar)**



**Proposed Amendment that eliminates municipal splits to Parker, Littleton, & BowMar**