

TOWN OF PARKER COUNCIL AGENDA

August 7, 2023

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.

Public comment for items that are not on the agenda may be made in person or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person or electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments submitted electronically through the website that are received 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.

Public Viewing Only - YouTube: Town Council meetings may be viewed live on YouTube at www.youtube.com/townofparkerco.

PLEASE NOTE: Public participation is NOT available through YouTube.

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. **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.*

3. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

4. 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 - July 17, 2023*

- B. *ORDINANCE NO. 13.111 - First Reading*
A Bill for an Ordinance to Organize the Downtown Parker Business Improvement District; to Provide for an Appointed Board of Directors of the District and Appoint the Initial Directors Thereto; and Approve the 2023-2024 Operating Plan and Budget for the District
Department: Town Attorney, Kristin Hoffmann
Second Reading: August 21, 2023

- C. *ORDINANCE NO. 13.112 - First Reading*
A Bill for an Ordinance to Organize the Chambers Commercial Center Business Improvement District; to Provide for an Election of the Board of Directors of the District and Appoint the Initial Directors Thereto: and Approve the 2023-2024 Operating Plan and Budget for the District
Department: Town Attorney, Kristin Hoffmann
Second Reading: August 21, 2023
- D. *ORDINANCE NO. 1.590 - First Reading*
A Bill for an Ordinance to Approve the Agreement for Purchase and Sale of Land with CDBG, LLC, Concerning Lot 26A, Block 1, Twenty Mile Village Filing No. 2, 4th Amendment
Department: Engineering and Public Works, Bob Exstrom
Second Reading: August 21, 2023
- E. *ORDINANCE NO. 1.591 - First Reading*
A Bill for an Ordinance to Approve the Agreement for Purchase and Sale of Land with CDBG, LLC, Concerning Lot 23A, Block 1, Twenty Mile Village Filing No. 2, 4th Amendment
Department: Engineering and Public Works, Bob Exstrom
Second Reading: August 21, 2023
- F. *RESOLUTION NO. 23-060*
A Resolution Assigning and Transferring to Douglas County Housing Partnership All of the Town of Parker's 2023 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds, and Authorizing the Execution and Delivery of an Assignment and Other Documents in Connection Therewith
Department: Community Development, Bryce Matthews
- G. *RESOLUTION NO. 23-069*
A Resolution Setting a Public Hearing for Consideration of a Petition to Form the Chambers Commercial Center Business Improvement District and Directing the Town Clerk to Cause a Notice of the Hearing to be Published and Mailed Pursuant to the Business Improvement District Act
Department: Town Attorney, Kristin Hoffmann
- H. *CONTRACTS OVER \$100,000*
1. *Town Hall Roof Contract*
Amount: \$499,506
Contractor: Alpine Roofing
Department: Engineering and Public Works, Jim Gilbert
2. *Preliminary Design Contract for Hilltop and Parker Road Improvements*
Amount: \$192,166
Contractor: Wilson & Company
Department: Engineering and Public Works, Patrick Burke

3. *2023 Townwide Pavement Markings - Crosswalk/Symbols Project (CIP 23-011)*

Amount: \$228,570.58

Contractor: Kolbe Striping Inc.

Department: Engineering and Public Works, Chris Hudson

5. **RESOLUTIONS**

RESOLUTION NO. 23-061

A Resolution to Appoint Members to the Parker Youth Commission and to Appoint a Vice-Chair

Department: Town Manager, Cheri Sullivan

6. **PUBLIC HEARINGS**

A. HIGHLANDS AT KING'S POINT REZONE (Continue to a date uncertain)

Applicant: THK Associates

Location: North of Cottonwood Drive between King's Point Way and E-470

Department: Community Development, Amber Wood Hicken

TRAKiT No.: Z22-035

1. ORDINANCE NO. 3.74.3 - Second Reading

A Bill for an Ordinance Amending Ordinance No. 3.74.1, Series of 2013, by the Deletion of Certain Property from the Planned Development Zoned Area Known as the Crown Point Center Planned Development Property

2. ORDINANCE NO. 3.331.1 - Second Reading

A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, to be Included Within the Highlands At King's Point PD-Planned Development District and Amending the Highlands at King's Point PD Planned Development District to Include Such Property, Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

7. **ORDINANCES**



A. ORDINANCE NO. 9.357 - Second Reading

A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and the Board of the County Commissioners of Douglas County Regarding Cost Sharing for the Construction of the Dransfeldt Road Extension Project

Department: Engineering and Public Works, Chris Hudson



- B. ORDINANCE NO. 9.358 - Second Reading**
A Bill for an Ordinance Approving the Intergovernmental Agreement between the Douglas County Clerk and Recorder and the Town of Parker Regarding the Conduct and Administration of the November 7, 2023, Coordinated Election
Department: Town Clerk, Chris Vanderpool
Town Attorney, Kristin Hoffmann

8. CONTRACTS OVER \$500,000

- A. Bradbury Ranch Drive Emergency Repair Contract Modification**
Amount: \$300,000 addition to original contract of \$300,000 for a revised total of \$600,000
Contractor: Naranjo Civil Constructors
Department: Engineering and Public Works, Chris Hudson
- B. Amendment No. 2 to Contract for Architecture/Engineering Services for the Town Hall Expansion Project**
Amount: \$651,547
Contractor: Anderson Mason Dale Architects
Department: Engineering and Public Works, Bob Exstrom

9. PUBLIC COMMENTS CONTINUED IF NECESSARY

10. ADJOURNMENT

Parker Town Council

Executive Session Agenda

August 7, 2023

“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. Greater Downtown Special Private Art Permit and House Bill 23-1061
2. American Academy Charter School Traffic Impacts and Potential Litigation
3. Olde Town Metropolitan District Amended and Restated Service Plan and Intergovernmental Agreement
4. Equipment in the Town’s Right-of-Way

**TOWN OF PARKER COUNCIL
MINUTES
AUGUST 7, 2023**

Mayor Jeff Toborg called the meeting to order at 5:00 p.m. All Councilmembers were present, except for Todd Hendreks.

Town Attorney Kristin Hoffmann announced there were four topics for discussion in the Executive Session under C.R.S. § 24-6-402(4)(b). The first item was about the Greater Downtown Special Private Art Permit and House Bill 23-1061. The second item was regarding American Academy Charter School traffic impacts and potential litigation. The third item was concerning the Olde Town Metropolitan District Amended and Restated Service Plan and Intergovernmental Agreement. The final item related to equipment in the Town's right-of-way.

EXECUTIVE SESSION

Brandi Wilks moved and Joshua Rivero seconded to enter into Executive Session at 5:01 p.m. to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

The motion was approved unanimously.

Joshua Rivero moved and Anne Barrington seconded to come out of Executive Session at 6:25 p.m.

The motion was approved unanimously.

Brandi Wilks moved and Anne Barrington seconded to recess the Regular Meeting until 7:00 p.m.

The motion was approved unanimously.

REGULAR SESSION

Mayor Toborg reconvened the regular Town Council meeting at 7:00 p.m.

Mayor Toborg led the Council and audience in the Pledge of Allegiance.

PUBLIC COMMENTS

None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember reported on meetings and activities they had attended since the last Town Council meeting.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - July 17, 2023*
- B. *ORDINANCE NO. 13.111 - First Reading*
A Bill for an Ordinance to Organize the Downtown Parker Business Improvement District; to Provide for an Appointed Board of Directors of the District and Appoint the Initial Directors Thereto; and Approve the 2023-2024 Operating Plan and Budget for the District
Department: Town Attorney, Kristin Hoffmann
Second Reading: August 21, 2023
- C. *ORDINANCE NO. 13.112 - First Reading*
A Bill for an Ordinance to Organize the Chambers Commercial Center Business Improvement District; to Provide for an Election of the Board of Directors of the District and Appoint the Initial Directors Thereto; and Approve the 2023-2024 Operating Plan and Budget for the District
Department: Town Attorney, Kristin Hoffmann
Second Reading: August 21, 2023
- D. *ORDINANCE NO. 1.590 - First Reading*
A Bill for an Ordinance to Approve the Agreement for Purchase and Sale of Land with CDBG, LLC, Concerning Lot 26A, Block 1, Twenty Mile Village Filing No. 2, 4th Amendment
Department: Engineering and Public Works, Bob Exstrom
Second Reading: August 21, 2023
- E. *ORDINANCE NO. 1.591 - First Reading*
A Bill for an Ordinance to Approve the Agreement for Purchase and Sale of Land with CDBG, LLC, Concerning Lot 23A, Block 1, Twenty Mile Village Filing No. 2, 4th Amendment
Department: Engineering and Public Works, Bob Exstrom
Second Reading: August 21, 2023
- F. *RESOLUTION NO. 23-060*
A Resolution Assigning and Transferring to Douglas County Housing Partnership All of the Town of Parker's 2023 Private Activity Bond Volume Cap Allocation from the State Ceiling for Private Activity Bonds, and Authorizing the Execution and Delivery of an Assignment and Other Documents in Connection Therewith
Department: Community Development, Bryce Matthews

G. *RESOLUTION NO. 23-069*

A Resolution Setting a Public Hearing for Consideration of a Petition to Form the Chambers Commercial Center Business Improvement District and Directing the Town Clerk to Cause a Notice of the Hearing to be Published and Mailed Pursuant to the Business Improvement District Act

Department: Town Attorney, Kristin Hoffmann

H. *CONTRACTS OVER \$100,000*

1. *Town Hall Roof Contract*

Amount: \$499,506

Contractor: Alpine Roofing

Department: Engineering and Public Works, Jim Gilbert

2. *Preliminary Design Contract for Hilltop and Parker Road Improvements*

Amount: \$192,166

Contractor: Wilson & Company

Department: Engineering and Public Works, Patrick Burke

3. *2023 Townwide Pavement Markings - Crosswalk/Symbols Project (CIP 23-011)*

Amount: \$228,570.58

Contractor: Kolbe Striping Inc.

Department: Engineering and Public Works, Chris Hudson

Joshua Rivero moved to approve Consent Agenda Items 4A through 4H.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

RESOLUTIONS**RESOLUTION NO. 23-061****A Resolution to Appoint Members to the Parker Youth Commission and to Appoint a Vice-Chair****Department: Town Manager, Cheri Sullivan**

The Parker Youth Commission (PYC) has four (4) regular members whose terms expire on August 31, 2023. Three (3) candidates meeting the requirements for service applied for appointment to the PYC and were interviewed on July 11, 2023. The Review Committee consisted of Mayor Jeff Toborg, Town Councilmember Laura Hefta, Community Relations Liaison Cheri Sullivan, Cultural Education Manager Kirstin Fletcher, Education Recreation Manager Errin Koon, and PD Outreach Coordinator Bri Rock.

The Review Committee recommended the following:

1. Appoint the following three (3) regular members to the Parker Youth Commission for a two-year term, ending on August 31, 2025 (leaving one (1) vacancy): Alisa Babic, Bella Harper, and Izzy Sanchez
2. Appoint Bella Harper as Vice-Chair of the Parker Youth Commission for a one-year term, ending on August 31, 2024. Upon completion of this term, she will assume the role of the Chair for a one-year term, ending on August 31, 2025.

Mayor Toborg and the Councilmembers recognized these youth for their willingness to serve.

Laura Hefta moved to approve Resolution No. 23-061.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes.

The motion carried unanimously.

PUBLIC HEARINGS

A. HIGHLANDS AT KING'S POINT REZONE (Continue to a date uncertain)

Applicant: THK Associates
Location: North of Cottonwood Drive between King's Point Way and E-470
Department: Community Development, Amber Wood Hicken
TRAKiT No.: Z22-035

1. ORDINANCE NO. 3.74.3 - Second Reading

A Bill for an Ordinance Amending Ordinance No. 3.74.1, Series of 2013, by the Deletion of Certain Property from the Planned Development Zoned Area Known as the Crown Point Center Planned Development Property

John Diak moved to continue the public hearing to consider Ordinance No. 3.74.3 to a date uncertain with the condition that the applicant is required to re-notice the public hearing.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes
 Anne Barrington - yes
 John Diak - yes
 Brandi Wilks - yes
 Laura Hefta - yes

The motion was approved unanimously.

2. ORDINANCE NO. 3.331.1 - Second Reading

A Bill for an Ordinance Rezoning Certain Property Within the Town of Parker, Colorado, to be Included Within the Highlands at King's Point PD-Planned Development District and Amending the Highlands at King's Point PD Planned Development District to Include Such Property, Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

John Diak moved to continue the public hearing to consider Ordinance No. 3.331.1 to a date uncertain with the condition that the applicant is required to re-notice the public hearing.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes
 Anne Barrington - yes
 John Diak - yes
 Brandi Wilks - yes
 Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES

**A. ORDINANCE NO. 9.357 - Second Reading (Corrected Ordinance Number is 9.360)
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the
Town of Parker and the Board of the County Commissioners of Douglas County
Regarding Cost Sharing for the Construction of the Dransfeldt Road Extension
Project**

Department: Engineering and Public Works, Chris Hudson

The purpose of this item was to approve the Intergovernmental Agreement (IGA) with Douglas County for partial construction funding of the proposed Dransfeldt Road extension construction project. This IGA is needed to formalize negotiations and jointly fund the construction effort. This IGA would commit Douglas County to an \$8 million funding contribution for the construction of the Dransfeldt extension project. Construction of the roadway improvements is tentatively anticipated to commence in the 4th Quarter of 2023 or the 1st Quarter of 2024 following the floodway improvements.

The Douglas County Board of County Commissioners is tentatively scheduled to review this IGA at their September 12, 2023 meeting.

Public Comments: Christopher Adams, Parker, stated that he is supportive of the project but was concerned about the width of the roads and bridges, the safety under bridges for people using the trail, and the timeline for completion.

Mike Smith, Parker, stated that this project has been discussed since 2007. He is supportive of the project, the progress of the related negotiations, and this IGA.

John Diak moved to approve Ordinance No. 9.357 on second reading.

Joshua Rivero seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

**B. ORDINANCE NO. 9.358 - Second Reading (Corrected Ordinance Number is 9.361)
A Bill for an Ordinance Approving the Intergovernmental Agreement between the
Douglas County Clerk and Recorder and the Town of Parker Regarding the Conduct
and Administration of the November 7, 2023, Coordinated Election**

**Department: Town Clerk, Chris Vanderpool
Town Attorney, Kristin Hoffmann**

Under the "Uniform Election Code," the Town will coordinate its special election with Douglas County. On May 1, 2023, the Town Council passed Resolution No. 23-043 to participate in the November 7, 2023 Douglas County coordinated election. Under the Uniform Election Code, the Town and Douglas County are required to enter into an IGA to conduct the election. The Town and Douglas County will enter into the 2023 IGA, which is attached to the ordinance.

Public Comments: None.

Joshua Rivero moved to approve Ordinance No. 9.358 on second reading.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

CONTRACTS OVER \$500,000

A. Bradbury Ranch Drive Emergency Repair Contract Modification

Amount: \$300,000 addition to original contract of \$300,000 for a revised total of \$600,000

Contractor: Naranjo Civil Constructors

Department: Engineering and Public Works, Chris Hudson

On June 11, 2023, an existing sixty-six (66) inch corrugated metal culvert pipe under Bradbury Ranch Drive between the Independence Drive intersection and the McClellan Road intersection failed during a rain event. This resulted in a sinkhole that caused Bradbury Ranch Drive to be closed for use by the public. The Town of Parker mobilized an emergency contractor to repair the failed storm drainage culvert and address the resulting sinkhole of approximately fifteen (15) feet in depth spanning nearly the entire roadway limits.

On June 20, the Town Council ratified a \$300,000 contract with Naranjo Civil Constructors (NCC) for emergency repairs. This original contract amount was based on limited knowledge of the needed repairs in the days after the event. The Town's design consultant recommended the addition of an energy dissipation structure at the downstream end of the proposed culvert plus

adjustment of the culvert grades and extension of the culvert to reduce the potential of downstream erosion.

The replacement culvert installation process was impacted/slowed by the need to minimize impacts on the Bradbury Ranch HOA decorative fence/railing along the sides of the roadway at the culvert crossing. A Parker Water & Sanitation District waterline was removed and replaced to allow for the culvert replacement. Additionally, several utilities were supported during the excavation and replacement culvert installation, which slowed the installation work. NCC diligently worked on the emergency repair, including working through several additional rain events that set back the work progress. Bradbury Ranch Drive was reopened to the traveling public on the afternoon of July 21. The full cost of the Naranjo emergency contract is not known but is estimated to be roughly \$550,000. This contract modification is for an additional \$300,000 or a revised total contract amount of \$600,000 to cover any final work that may be needed.

Public Comments: Christopher Adams, Parker, asked about the cost of the repairs, the amount of the contract revisions, and budget revisions which might be needed.

Anne Barrington moved to approve the staff recommendation, as a part of the regular agenda.

Laura Hefta seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

B. Amendment No. 2 to Contract for Architecture/Engineering Services for the Town Hall Expansion Project

Amount: \$651,547

Contractor: Anderson Mason Dale Architects

Department: Engineering and Public Works, Bob Exstrom

On January 3, 2023, Council awarded a contract for architectural/engineering services (CIP22-051-AS) and amendment (#01) for preliminary design services with Anderson Mason Dale Architects (AMD) for the Town Hall expansion project. On July 10, staff presented the preliminary design results to the Council, including a site plan, floor plans, exterior renderings, and cost estimates. Council supported the design with some comments and agreed that staff should take the next step by requesting a proposal for the next round of design services and presenting it under a contract amendment (#02) for Council's approval.

The next round of design services includes design development and entitlement efforts. These services will generally involve advancing the current preliminary design to 60%, updating the project cost model, and preparing the entitlement deliverables for the required Site Plan Amendment. Services covered in this contract amendment (#02) are anticipated to take

approximately five months to complete and cost \$651,547. Construction is tentatively scheduled to start in the 2nd Quarter of 2024, and completion is tentatively scheduled for 2025.

Public Comments: None.

Joshua Rivero moved to approve the staff recommendation as a part of the regular agenda.

Brandi Wilks seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

Joshua Rivero moved to adjourn the meeting at 8:22 p.m.

Anne Barrington seconded the motion.

A roll call vote was taken:

Joshua Rivero - yes

Anne Barrington - yes

John Diak - yes

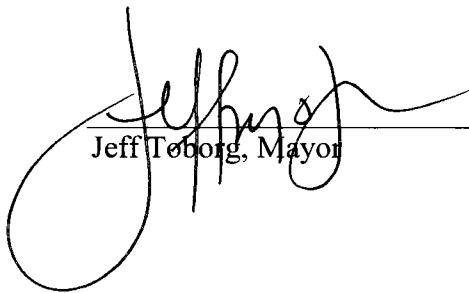
Brandi Wilks - yes

Laura Hefta - yes

The motion was approved unanimously.



Susan L. Irvine, Deputy Town Clerk



Jeff Toborg, Mayor