

TOWN OF PARKER COUNCIL AGENDA
June 18, 2018

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. **PARKER CHAMBER OF COMMERCE UPDATES**
3. **PUBLIC COMMENTS** 3 Minute Limit (No action will be taken on these items)
4. **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**
5. **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 - June 4, 2018*
 - B. *THIRD ADDENDUM TO AGREEMENT FOR POSSESSION AND USE - Norton*

Department: Town Attorney, Jim Maloney

- C. *ORDINANCE NO. 3.316.1 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Corporate Park at Stonegate Property from Modified Light Industrial to PD-Planned Development District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

Department: Community Development, Stacey Nerger
TRAKiT No.: Z17-019
Second Reading: July 2, 2018

- D. *PINE LANE AND PARKER ROAD PROPERTIES - Annexation and Zoning*

Applicants: HDG of Parker, LLC; Pine Lane Plaza, LLC; Peakview Parker, LLC; Durham Douglas Properties; Lattner Investment Group; S & Jabez, LLC; Car Bis Co Park, LLC
Town of Parker Community Development Department (as to zoning)
Location: Northwest and Southeast Corners of Parker Road and OP
Department: Community Development, Stacey Nerger
TRAKiT No.: ANX18-002 and Z18-010
Second Reading: July 2, 2018

- (1) *ORDINANCE NO. 2.261 - First Reading*
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Pine Lane and Parker Road Properties in Douglas County
- (2) *ORDINANCE NO. 3.335 - First Reading*
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pine Lane and Parker Road Properties to Modified C-Commercial District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

- E. *ORDINANCE NO. 1.507.3 – First Reading*
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown
Finance, Rhonda Willey
Second Reading: July 2, 2018

- F. **RESOLUTION NO. 18-045**
A Resolution to Appoint the Chair and to Appoint Members and Alternates to the Town of Parker Planning Commission

Department: Community Development, Rosemary Sietsema

- G. **CONTRACTS OVER \$100,000**

1. *Canterberry Parkway and Idyllwilde Drive Traffic Signal (CIP18-010)*

Amount: \$245,413
Contractor: Paonia, Inc.
Department: Public Works & Engineering, Chris Hudson

2. *Sierra Middle School Detention Pond Improvements (CIP18-017)*

Amount: \$115,166.38
Contractor: Iron Woman Construction and Environmental Services LLC
Department: Public Works & Engineering, Kurt Patrick

6. **PRESENTATION OF CAFR BY CLIFTONLARSONALLEN LLP**

7. **PUBLIC HEARINGS**

Tax and Fee Assistance Program Agreement for Takoda Tavern, LLC

Department: Economic Development, Matt Carlson

8. **ORDINANCES**

- A. **ORDINANCE NO. 8.28.6 - Second Reading**
A Bill for an Ordinance to Amend Section 4.03.030 and Subsection 4.03.200(a) of the Parker Municipal Code Concerning Sales Tax and Qualified Nonprofit Organizations

Department: Finance, Mary Lou Brown
Finance, Linda Quade

- B. ORDINANCE NO. 8.28.7 - Second Reading**
A Bill for an Ordinance to Amend Subsection 4.03.200(a) of the Parker Municipal Code
Concerning Sales Tax on Gas and Electric Service

Department: Finance, Mary Lou Brown
Finance, Linda Quade

- C. ORDINANCE NO. 4.89.4 - Second Reading**
A Bill for an Ordinance to Amend Section 11.01.030 of the Parker Municipal Code
Concerning the Parker Administrative Code

Department: Town Attorney, Jim Maloney

- D. ORDINANCE NO. 3.01.25.3 - Second Reading**
A Bill for an Ordinance to Amend Section 13.10.160 of the Parker Municipal Code to Ensure
Compliance of New Construction with Public Utility Regulations

Department: Town Attorney, Jim Maloney

- E. ORDINANCE NO. 9.276 - Second Reading**
A Bill for an Ordinance Approving the Intergovernmental Agreement with the Douglas
County Clerk and Recorder Regarding the Conduct and Administration of the November 6,
2018, Coordinated Election

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

9. ADJOURNMENT

Parker Town Council

Executive Session Agenda

June 18, 2018

“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. Vista South, LLC, et al v. City of Centennial, et al Douglas County District Court Case No. 2018CV030354
2. Pawnee Daniels Park 375Kv Project
3. Chapters 13.06 and 13.07 of the Parker Municipal Code concerning residential roadway buffers

**TOWN OF PARKER COUNCIL
MINUTES
JUNE 4, 2018**

Mayor Mike Waid called the meeting to order at 5:41 p.m. Councilmember Amy Holland was absent.

Jim Maloney announced the topics for the Executive Session which were six (6) items. Under C.R.S. § 24-6-402(4)(b) there were five (5) items; the first was to receive legal advice on specific legal questions regarding Title 32 metropolitan district policy issue (mill levy caps); the second was to received legal advice on specific legal questions regarding the proposed Ordinances Nos. 3.01.25.3 and 4.89.4 (Town enforcement of public utility providers rules and regulations); the third was to receive legal advice on specific legal questions regarding Article XVIII, Section 16 of the Colorado Constitution (regulation of industrial hemp); the fourth was to receive legal advice on specific legal questions regarding potential class action opioid litigation; and the fifth was to receive legal advice on specific legal questions regarding Colorado Revised Statute Section 31-12-116 concerning the motion for reconsideration filed by Vista South, LLC. Under C.R.S. § 24-6-402(4)(f) there was one (1) item which was the Town Administrator Evaluation Process.

EXECUTIVE SESSION

Josh Martin moved and Joshua Rivero seconded to go into Executive Session at 5:43 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 consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f).

The motion was approved unanimously.

Josh Martin moved and Joshua Rivero seconded to recess the Executive Session at 6:57 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Mike Waid reconvened the meeting at 7:08 p.m.

Youth from the audience led the Pledge of Allegiance.

SPECIAL PRESENTATIONS - None

PARKER CHAMBER OF COMMERCE UPDATES

Dennis Houston provided an update on the Parker Days activities that will take place June 7-10, 2018.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Chair Shelley Mango, provided an update on the logo and branding for the Downtown Business Alliance and showed several items with the new logos. She reported that the First Friday Art Walk expanded this year with 35 artists. She stated some participants commented the area towards Victorian Peaks was not as walkable as staying on Mainstreet. Shelley added that some of the sidewalks need some work. She also showed a snapshot of the new website.

PUBLIC COMMENTS - None

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - May 21, 2018*
- B. *DRAINAGE EASEMENT TERMINATION AGREEMENT - CPC Owners Association, Inc., as the successor to PorterCare Adventist Health System*
 Department: Engineering/Public Works, Alex Mestadagh
- C. *ORDINANCE NO. 8.28.6 - First Reading*
 A Bill for an Ordinance to Amend Section 4.03.030 and Subsection 4.03.200(a) of the Parker Municipal Code Concerning Sales Tax and Qualified Nonprofit Organizations
 Department: Finance, Mary Lou Brown
 Finance, Linda Quade
 Second Reading: June 18, 2018
- D. *ORDINANCE NO. 8.28.7 - First Reading*
 A Bill for an Ordinance to Amend Subsection 4.03.200(a) of the Parker Municipal Code Concerning Sales Tax on Gas and Electric Service
 Department: Finance, Mary Lou Brown
 Finance, Linda Quade
 Second Reading: June 18, 2018
- E. *ORDINANCE NO. 4.89.4 - First Reading*
 A Bill for an Ordinance to Amend Section 11.01.030 of the Parker Municipal Code Concerning the Parker Administrative Code
 Department: Town Attorney, Jim Maloney
 Second Reading: June 18, 2018

- F. *ORDINANCE NO. 3.01.25.3 - First Reading*
A Bill for an Ordinance to Amend Section 13.10.160 of the Parker Municipal Code to Ensure Compliance of New Construction with Public Utility Regulations
Department: Town Attorney, Jim Maloney
Second Reading: June 18, 2018
- G. *ORDINANCE NO. 9.276 - First Reading*
A Bill for an Ordinance Approving the Intergovernmental Agreement with the Douglas County Clerk and Recorder Regarding the Conduct and Administration of the November 6, 2018, Coordinated Election
Department: Town Attorney, Jim Maloney
Town Clerk, Carol Baumgartner
Second Reading: June 18, 2018
- H. *RESOLUTION NO. 18-043*
A Resolution to Allow a Partial Waiver of Sections 13.09.040(b)(1), 13.09.070(1), 13.09.080(d) and Schedule 13.09.080B of the Parker Municipal Code for Certain Businesses for Parker Days, Trick or Treat on Mainstreet, and the Parker Christmas Carriage Parade
Department: Community Development, Rosemary Sietsema
- I. *CONTRACTS OVER \$100,000*
1. *Pine Curve Building Demolitions Project (CIP 18-011)*
Amount: \$158,744.00
Contractor: Oak Environmental
Department: Engineering and Public Works, Bob Exstrom

Renee Williams moved to approve Consent Agenda Items 7A and 7C through 7I. Item 7B was pulled for more information to be provided.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

PUBLIC HEARINGS**MOTION FOR RECONSIDERATION BY VISTA SOUTH, LLC, AND MOUNTAIN WASTE-SOUTH METRO, LLC, PURSUANT TO C.R.S. § 31-12-116(2)(A)(II)**

Applicant: Vista South, LLC
Mountain Waste-South Metro, LLC

Location: Generally bound by county line between Douglas County and Arapahoe County, Upland Drive, Prairie Trail Drive and Compark Boulevard

Department: Town Attorney, Jim Maloney

Trakit No. ANX18-001

7:31 PM

Vista South, LLC, and Mountain Waste-South, LLC (collectively “Vista South”), filed a Motion for Reconsideration, dated April 25, 2018 (the “Motion”) requesting that the Town Council reverse its approval of Ordinance Nos. 2.259 (the “Annexation Ordinance”) and 3.333 (the “Zoning Ordinance”). On May 22, 2018, the Town Attorney sent a letter to legal counsel for Vista South of the Town’s intent to conduct a hearing on June 4, 2018, to address Vista South’s Motion for Reconsideration (the “Notice Letter”).

The purpose of the hearing was to consider any additional information in support of the Motion for Reconsideration filed on April 25, 2018. The hearing was to consider arguments in support of the Motion for Reconsideration and not a hearing for public comments.

Each side was given 15 minutes to speak. Town staff’s legal counsel gave a brief introduction then Vista South, LLC and Mountain Waste-South, LLC was provided 15 minutes for to make any arguments in support of the Motion for Reconsideration. The petitioners were also be given 15 minutes to respond to the Motion for Reconsideration.

Corey Hoffman spoke on behalf of the applicant (Town of Parker) and stated this was an opportunity for Vista South, LLC, and Mountain Waste-South, LLC to provide additional comments in support of the Motion for Reconsideration. The decision to annexation was made on April 16, 2018 based on evidence presented.

Brian Connelly, Otten Johnson Robinson Neff and Ragonetti, 950 17th St., Suite 1600, Denver, Colorado, attorney for Vista South LLC and Mountain Waste-South Metro, LLC, asked the Town Council to reconsider the Grasslands and Prairie Trail Annexation that was approved on April 16, 2018. His client is the sole non-consenting owner subject to the annexation. Mr. Connelly stated that the sole purpose of this annexation was to deprive Vista South from using his property for that which was permitted by right under the prior zoning in Douglas County.

Mr. Connelly continued by stating the legal positions were outlined in the hearing brief that was submitted at the April 16, 2018 hearing. Litigation has been filed in State District Court and Vista South will continue to pursue its rights under the law. It is their position that the Town’s approval of the annexation violated Section 114 of the Annexation Act, which

required the Town to hold in abeyance any proceedings related to annexation one Vista South filed its petition for annexation into the City of Centennial. The City of Centennial had a statutory duty to process Vista South's annexation petition and its failure to do so does not absolve the Town Council of having to follow Section 114 of the Annexation Act. He stated that the annexation petition to Centennial was not a sham, but the only procedural way to protect itself from the Town's annexation process. Vista South was agreeable to being annexed into Centennial, so the petition was hardly a sham. This annexation could just as easily be characterized as a sham as it was done really for the sole purpose of depriving one landowner of its property rights.

Mr. Connelly further explained that the Town's approval of the PD zoning for this property is a clear violation of the State's PUD Act. It requires any landowner that is subject to a new PD to consent to the formation of the PD and Vista South did not consent.

Mr. Connelly stated that the annexation set bad public policy for the Town. He stated the annexation sends a message to landowners in and around Parker that their property rights and their careful investments are at risk. Vista South purchased its property after conducting careful due diligence. The property has been zoned for Vista South's use for 20 years.

Scott Eden, CEO of Mountain Waste and Recycling, 10100 E. 100 2nd Ave., Henderson, Colorado. Mr. Eden opened a trash business in 2010. He started with two trucks and 25 dumpsters and went door to door. Today, there are 218 employees and 85,000 customers are served in Aspen, Vail, Breckenridge, Summit County and Denver. The south metro area lacks the necessary infrastructure to deal with the tons of materials that are discarded daily. He stated he met with Douglas County staff in 2016 and they pointed him to two parcels of land in Compark. He purchased the land with a use-by-right. There are only two processing centers in all of Denver. They are both north of I-70 at 58th Avenue. He stated that Parker has sought to do everything in its power to circumvent the Douglas County process of his due process that was given by law to stop his project and steal the land use rights. The four properties could have been annexed without his property.

There were no comments from the Petitioners.

Corey Hoffman stated the purpose of the hearing was for Vista South, LLC and Mountain Vista-South LLC, to present with particularity the grounds on which judicial review is sought. What was heard tonight was an attempt to supplement a record already created on April 16. Staff would like to reinforce what was presented on April 16, 2018, which was supported by facts and the law. In addition, all records have been uploaded to the Town's Trakit system.

Since the April 16, 2018 public hearing at which the Town approved as an emergency Ordinance No. 2.259, the Town has adopted Ordinance No. 2.259.1, affirming the passage of Ordinance No. 2.259. This is in Trakit and reflects compliance with section 7.6 of the Town of Parker's Home Rule Charter regarding the annexation ordinance. Similarly, since the April 16, 2018 public hearing at which the Town approved emergency Ordinance No. 3.333, the Town has adopted Ordinance No. 3.333.1, affirming the passage of Ordinance No. 3.333. This was downloaded in Trakit and shows compliance with section 7.6 of the Town of

Parker's Home Rule Charter regarding the current zoning of the annexed property. He asked that the Court's Order dated May 15, 2018, in Douglas County District Court, Case No. 2018CV30354, where the Court denied the Motion for Reconsideration of the Courts original Order dated April 16, 2018, filed by Vista South, LLC and Mountain Vista-South, LLC, be made part of the record. That Court ruling relates back to a motion that was filed by the plaintiff before the April 16 hearing and requested the Court Order be made part of the record and will tender a copy of the Order to the Town Clerk. This is to assure that the Town's file and Trakit contains the information contained in Case No. 2018CV30354 regarding the unsuccessful attempt by Vista South, LLC and Mountain Vista-South LLC, to stop the original annexation hearing on April 16, 2018 from moving forward.

The Mayor closed the hearing at 7:52 p.m.

Joshua Rivero moved that Town Council take the Motion under advisement and defer making a decision until June 11, 2018.

Josh Martin seconded the motion.

The motion was approved unanimously.

Joshua Rivero moved that Town Council hold a special meeting on June 11, 2018, in order to issue a decision on the Motion.

Josh Martin seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 4.114.1 - Second Reading

A Bill for an Ordinance Amending the Vertical and Horizontal Alignment and the Grade of Kings Point Way from the Cottonwood Drive Intersection to Approximately 850 Feet North of Cottonwood Drive Intersection

Department: Engineering and Public Works, Chris Hudson

The Town would like to commence the construction of Kings Point Way north of Cottonwood Drive in 2018. Since this is a new Town roadway, the Town must establish the vertical alignment, the horizontal alignment and the grade for this roadway. Based on additional design effort by adjacent development, the profile of this roadway that was established in 2017 needs to be adjusted and an amending ordinance is required.

Public Comment: None

John Diak moved to approve Ordinance No. 4.114.1 on seconded reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.06.40 - Second Reading

A Bill for an Ordinance Repealing Section 12.02.120 and Amending Chapter 8.07 of the Parker Municipal Code by the Addition of New Sections 8.07.100 and 8.07.110 Concerning Unauthorized Camping on Public Property and Sitting and Lying Down in the Public Right-of-Way

Department: Police Department, Doreen Jokerst

The Town has seen an increase with urban camping. Currently, the only ban on camping in Town is on “park lands,” which include “all public recreation lands, waters or facilities owned, leased or operated by the Town.” This ordinance addresses camping on public property and provides that no citations will be issued for camping until a warning is given and there is no compliance. The ordinance also makes it unlawful for anyone to sit, kneel, recline or lie upon the public right-of-way during high traffic times; again, no citations will be issued until after a warning is given and there is no compliance.

Public Comment: None

Josh Martin moved to approve Ordinance No. 5.06.40 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

The Executive Session was reconvened at 8:07 p.m.

Debbie Lewis moved and Joshua Rivero seconded to adjourn the Executive Session at 8:31 p.m.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 8:31 p.m.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor

Prepared by: Chris Vanderpool, Deputy Town Clerk



Request for Town Council Action

Date: June 18, 2018
Submitted By: Jim Maloney, Town Attorney
Reviewed By: Michelle Kivela, Town Administrator
Title: **THIRD ADDENDUM TO AGREEMENT FOR
POSSESSION AND USE - Norton**

Department: **Town Attorney, Jim Maloney**

EXECUTIVE SUMMARY

The purpose of this Third Addendum to Agreement for Possession and Use is to extend the period of time for negotiations from July 1, 2018, to December 31, 2018.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town Council adopted Ordinance No. 1.475 stating its intent to acquire the real property necessary for the construction of Summerset Lane, including real property owned by Robert Norton and Meredith Norton (the “Nortons”). As a part of the good faith negotiations required by Ordinance No. 1.475, the Nortons agreed to enter into an “Agreement for Possession and Use,” subject to Town Council approval (the “Agreement”). On September 19, 2016, the Town Council approved the Agreement, which provided for negotiations related to the annexation and zoning of the Norton property. The period of time established for negotiations in the Agreement expired on May 31, 2017. On June 19, 2017, the Town Council approved the First Addendum to the Agreement extending the period of time for negotiations to December 31, 2017. On February 5, 2018, the Town Council approved the Second Addendum to the Agreement extending the period of time for negotiations to July 1, 2018. Due to delays in getting the bank deed of trust released from real property owned by the Nortons, as a part of the inclusion process for the Parker Water and Sanitation District (in order to convey the ground water free and clear of all liens and encumbrances), the Town and the Nortons desire to extend the period of time for negotiations to December 31, 2018.

FINANCIAL IMPACT

The Nortons will allow the Town to use the real property that they own for the construction of Summerset Lane at no cost and will convey this real property to the Town at no cost, if the balance of the Nortons' property is annexed and zoned. In the event the balance of the Nortons' property is not annexed and zoned, the Town will have to pay for the real property used to construct Summerset Lane.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Third Addendum to Agreement for Possession and Use

RECOMMENDED MOTION

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

THIRD ADDENDUM TO AGREEMENT FOR POSSESSION AND USE

THIS THIRD ADDENDUM TO AGREEMENT FOR POSSESSION AND USE (the "First Addendum") is made this 24 day of May, 2018, between the Town of Parker, a home rule municipal corporation of the State of Colorado (hereinafter "Town") and Robert M. Norton and Meredith S. Norton (hereinafter "Owner").

WITNESSETH

WHEREAS, the Town and Owner previously entered into that Agreement for Possession and Use dated August 31, 2016 (the "Original Agreement");

WHEREAS, the Town and the Owner entered into a First Addendum to the Original Agreement on June 7, 2017 (the "First Addendum");

WHEREAS, the Town and the Owner entered into a Second Addendum to the Original Agreement on February 5, 2018 (the "Second Addendum") and

WHEREAS, the Town and Owner desire to amend the Second Addendum as set forth in this Third Addendum.

NOW, THEREFORE, for good and valuable additional consideration, it is agreed:

1. Paragraph 5 of the First Addendum is amended to read as follows:

5. This Agreement is made with the understanding that the Town will continue to negotiate in good faith with the undersigned Owner regarding the potential annexation and rezoning of Owner's Property in substantial conformance to the matters listed in Exhibit B, attached hereto and incorporated herein by reference. In the event further negotiations are unsuccessful, the Town agrees to begin proceedings in eminent domain by December 31, 2018, unless an additional extension is agreed to by all parties via written addendum hereto. If the Owner's Property is annexed and zoned to the Town, the Subject Property shall be dedicated to the Town free and clear of all liens and encumbrances as a condition of such annexation. If the Owner's Property is not annexed to the Town, or if the Subject Property cannot be dedicated to the Town free and clear of all liens and encumbrances, this Agreement shall be submitted to the Court in order to obtain a court approved Stipulation for Possession to the Subject Property. Regardless of any such order for possession by the Court, this grant of possession shall remain in effect until title to the Subject Property transfers to the Town, or until the Town releases such right in writing.

2. Except as modified by the First Addendum, Second Addendum and this Third Addendum, the Original Agreement remains in full force and effect and is hereby ratified by the Town and the Owner.

Mike Waid, Mayor

Mike Waid, Mayor

Carol Baumgartner, CMC, Town Clerk

James S. Maloney, Town Attorney

MEREDITH S. NORTON

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 24 day of May, 2018, by Robert M. Norton and Meredith S. Norton. *mjk*

My commission expires: 3/8/2020

NOTARY ID 20164009485
MY COMMISSION EXPIRES MAR. 8, 2020

Notary Public



Request for Town Council Action

Date: June 18, 2018

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

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.316.1 - First Reading**
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Corporate Park at Stonegate Property from Modified Light Industrial to PD-Planned Development District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

Department: Community Development, Stacey Nerger

TRAKiT No.: Z17-019

Second Reading: July 2, 2018

EXECUTIVE SUMMARY

The applicant, Woodspear Properties, proposes to rezone the subject property from Modified Light Industrial to the Corporate Park at Stonegate Planned Development (PD). The intent of this rezoning is to allow additional commercial and light industrial uses on the property to be consistent with the uses permitted by Douglas County zoning prior to the property being annexed into Parker in 2015. The properties are currently developed with two-flex buildings for office and light industrial use with access from Parkerhouse Road

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Corporate Park at Stonegate Property is located immediately north of E-470 and west of Jordan Road with access from Parkerhouse Road. The applicant would like to revise the mix of uses originally approved by the Town during the annexation and zoning process in 2015. The proposed PD zoning is commercial and light industrial in nature consistent with the Parker 2035 Master Plan. The PD zoning will provide:

1. Adequate opportunities for expansion of the Town's economic and tax base;
2. Commercial and light industrial uses in close proximity to E-470 that generate primary employment;
3. An orderly transition of land uses between E-470 and the Cottonwood Highlands residential neighborhood to the north;
4. Support for business by allowing the existing uses to continue and providing certainty that similar commercial and light industrial uses will be allowed at the subject property;
5. Preservation of the existing investment and business activity on the subject property with no impact to adjacent areas; and
6. Opportunity to attract new commercial and light industrial uses to the subject property in the future for diversification of the Town's economic base.

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

The Planning Commission will hold a public hearing on the application for rezoning and make a recommendation to Town Council on June 14, 2018.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Vicinity Map
2. Ordinance No. 3.316.1

RECOMMENDED MOTION

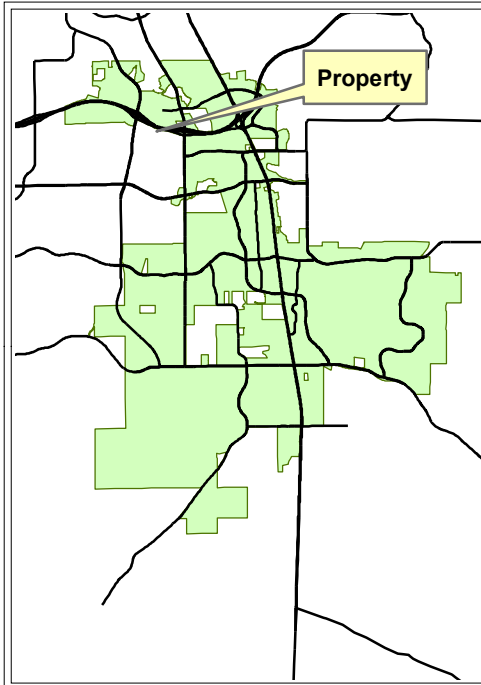
I move to approve Ordinance No. 3.316.1 on first reading and to schedule second reading for July 2, 2018, as part of the consent agenda.



PARKER
COLORADO

Corporate Park at Stonegate Rezoning

Rezoning
Case No.Z17-019



Legend

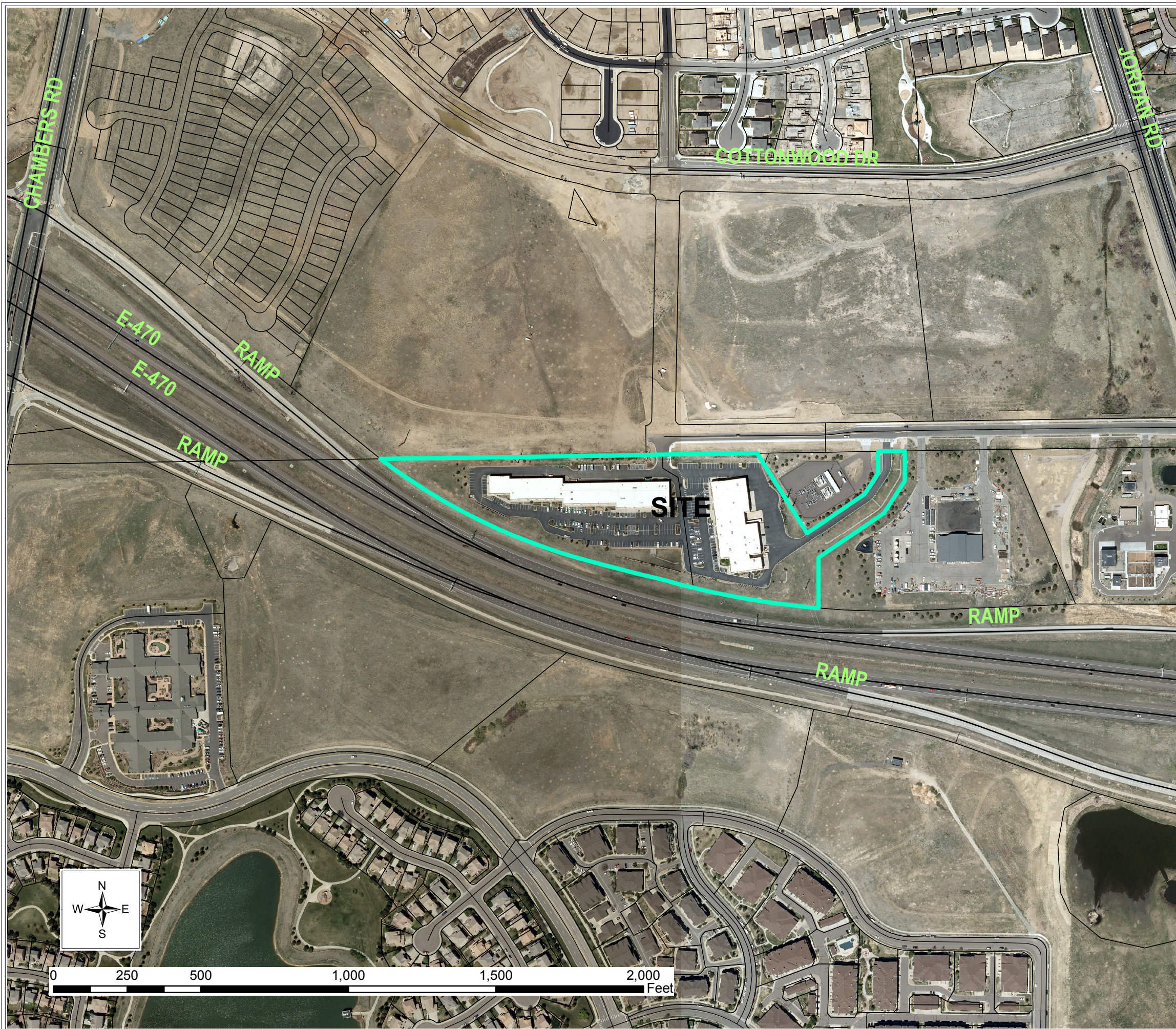
-  Site
-  Roads

Narrative:
Proposed rezone application
from Modified Light Industrial
to Planned Development.

Planner: Stacey Nerger
Hearing Schedules:

Planning Commission:
June 14, 2018

Town Council:
June 18, 2018 (1st Reading)
July 2, 2018 (2nd Reading)



ORDINANCE NO. 3.316.1, Series of 2018

TITLE: A BILL FOR AN ORDINANCE ZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE CORPORATE PARK AT STONEGATE PROPERTY FROM MODIFIED LIGHT INDUSTRIAL TO PD-PLANNED DEVELOPMENT DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT CODE AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Findings of Fact.

a. An application was submitted for rezone the Corporate Park at Stonegate Property described in **Exhibit 1**, which is attached hereto and incorporated by this reference (the "Property"), from Modified Light Industrial to PD-Planned Development District, pursuant to the Town of Parker Land Development Code.

b. Public notice has been given 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) days prior to said hearing.

e. The requirements contained in Section 13.04.240 of the Parker Land Development Code are satisfied for zoning the Property as a PD-Planned Development District, as described in the Parker Land Development Code.

Section 2. The Property is hereby rezoned for Modified Light Industrial to PD-Planned Development District as provided in the Corporate Park at Stonegate Development Guide and Plan, which is attached hereto as **Exhibit 2** and incorporated by this reference. The uses permitted for the Property are specifically described in the attached Development Guide and Plan.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

Legal Description

LOTS 1A AND 1B, STONEGATE FILING NO. 27, 1ST AMENDMENT, COUNTY OF DOUGLAS, STATE OF COLORADO

EXHIBIT 2

CORPORATE PARK AT STONEGATE DEVELOPMENT GUIDE AND PLAN

TOWN OF PARKER, COLORADO

I. INTRODUCTION

A. Statement of Purpose

The purpose of this Development Guide and Plan is to establish standards for the development and improvement of the real property described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Property"), according to the Development Plan, which is attached hereto as **Exhibit B** and incorporated by this reference. The standards contained in this Development Guide and Plan are intended to control the development of the Property and carry out the goals of this planned community.

B. Definitions

Unless otherwise stated herein, all provisions of and definitions found in the Parker Land Development Ordinance shall apply.

II. AUTHORITY

A. Authority

The authority for this Development Guide and Plan is contained in Section 13.04.150 PD-Planned Development of the Parker Municipal Code, as amended.

B. Relationship of Town Regulations

The provisions of this Development Guide and Plan shall apply to the Property, except as otherwise provided herein. The standards outlined in the Development Guide and Plan may be divergent from the zoning regulations contained in Chapter 13.04 of the Parker Municipal Code, but not any other chapter of the Parker Municipal Code. In the event there is a conflict between the standards contained in the Development Guide and Plan and the Parker Municipal Code (excluding Chapter 13.04) then the Parker Municipal Code shall control. [Need discuss attaching Douglas County Definitions or locking in definitions from the Parker Municipal Code]

C. Enforcement

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

III. CONTROL PROVISIONS

A. Any buildings or other structures located on the Property shall only be used as provided for in this Development Guide and Plan.

B. The location and bulk of all buildings and other structures built after the effective date of this Development Guide and Plan shall be in conformance with:

1. All applicable standards contained within the Development Guide and Plan; and
2. Any other applicable Town of Parker standards.

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

A. Intent

Areas contained within the Development Plan are intended to allow for land use flexibility and versatility and are expected to attract distribution warehouses, research and development, offices, commercial carriers, regional, community, retail, and business services and supporting facilities.

The intent of site plan development within the areas contained in the Development Plan is to orient primary architectural façades toward E-470. Direct view of outside storage areas, loading docks and service activities are intended to be screened from these roadways.

B. Design Review

Development within the Development Plan, will be carried out through the standard design review process implemented by the Town of Parker; however, the design standards set forth in Section F of this document shall control over any conflicting design standards in the Town of Parker Municipal Code. Design Standards are intended to provide the tools to help achieve a consistent image for the areas contained within the Planned Development.

C. Principal Uses

The following uses are allowed in compliance with an approved Site Plan.

- Assembling plants
- Automobile service station with gasoline pumps
- Bank/financial institution (including drive-up facility)
- Bar/lounge
- Beverage/Food processing
- Brewery/distillery
- Bottling plants
- Carpentry, including woodworking
- Contractor's offices
- Club/country club
- Public/private membership club
- Assembly/Community uses:
 - o Church
 - o Cultural facility
 - o Fire station
 - o Library
 - o Open space/trails
 - o Park/playground
 - o Recreation facility – indoor/outdoor
 - o School – including college or university and related facilities
 - o Sheriff substation/station
- Day-care center – (outdoor play area shall be enclosed by 6' fence)

- Distribution facilities
- Hospital (helipad permitted as an accessory use)
- Office
 - o general, medical, dental, professional, governmental
 - o temporary
- Parking lot – public or private
- Restaurant/fast-food establishment
- Retail/service business – indoor
- Theater – indoor
- Utility service facility
- Veterinary clinic/hospital – animals shall be confined in an enclosed building which is part of the principal structure
- Transit facilities or other facilities designed to enhance the use of public transit
- Building materials – wholesale/retail
- Cultural facility
- Equipment rental
- Greenhouse/plant nursery – wholesale/retail
- Industrial/manufacturing operation which does not emit unusual or excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary
- Auto and truck repair not to exceed 10,000 square feet in size
- Car sales (new or used) not to exceed 12,000 square feet in size; however, exterior display of such cars is only permitted within parking areas allocated to each such tenant at a ratio not to exceed the overall parking ratio for the entire property
- Motor vehicles and motorized equipment sales leasing and rental not to exceed 12,000 square feet in size; however, exterior display of such motorized vehicles/equipment is only permitted within parking areas allocated to each such tenant at a ratio not to exceed the overall parking ratio for the entire property
- Product distribution/storage – excluding hazardous materials
- Research and development facility
- Scientific research
- Machine shops
- Sign painting
- Satellite earth station
- Storage area – commercial indoor
- Telecommunication facility
- Warehouse
- Wholesale business – sales/service
- Community information centers
- Special community events
- Any other uses consistent with the purposes and compatible with the uses set forth above

D. Accessory Uses

The following shall be allowed only when a principal use has been established on the lot:

- Satellite dish
- Single family or multifamily residence for management or employees (provided unit is incorporated into principal structure)
- Storage area – commercial
- Day-care facility for children of employees

E. Uses permitted by Special Review

The following uses are permitted in accordance with the Use by Special Review and Site Plan sections of the Parker Land Development Ordinance, as amended:

- Heliport
- Telecommunication equipment (excluding whip type antennas) that exceed the zone district height limitation or exceed minimum health standards
- Firing range – indoor
- Mini warehouse – no storage of dangerous or flammable material and no sales or services from any unit
- Storage area – commercial outdoor

F. Development Standards for Principal and Accessory Uses

Typical Standards for all Land Use Designations apply unless stipulated below.

Building Height

- Maximum Building Height: 60 feet

Minimum Lot Area

- none

Minimum Structural Setbacks

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line or right-of-way.

Abutting a dedicated roadway right-of-way:

- | | |
|-------------------|---------|
| • Parkerhouse ROW | 20 feet |
| • Lanceleaf ROW | 20 feet |
| • E-470 ROW | 20 feet |

Adjoining:

- | | |
|---|------------|
| • Land uses: | No Setback |
| • Boundaries of the Property adjoining non-residential uses | 15 feet |
| • Cottonwood Highlands PD [Filing No. 5][5 th Amendment]
residential uses | 20 feet |

Minimum Landscaped Area:

- Per Town Land Use Code

Garage/Loading Doors:

- Garage doors on structures, whether dock high, drive through, or overhead/loading, are allowed to face Parkerhouse Road, E-470, residential uses in Cottonwood Highlands PD Filing No. 5 [5th Amendment], and any adjacent non-residential use.

G. Parking Structures

Parking shall be provided in accordance with the Typical Standards for all Land Use Designations established by this document and the Parker Land Development Ordinance, as amended, except as follows:

- Surface parking between primary structures and Parkerhouse Road is allowed with a 25 foot setback.
- Surface parking between primary structures and E-470 is allowed with a 30 foot setback.
- Surface parking between primary structures and residential uses in Cottonwood Highlands PD [Filing No. 5] [5th Amendment] is allowed with a 25 foot setback.
- Surface parking between primary structures and non-residential uses adjacent to the Property is allowed without a setback.

EXHIBIT A

LEGAL DESCRIPTION

LOTS 1A-1 AND 1B-1, STONEGATE FILING NO. 27, 1ST AMENDMENT AS SHOWN ON LOT LINE ADJUSTMENT RECORDED MAY 23, 2008 UNDER RECEPTION NO. 2008036779, COUNTY OF DOUGLAS, STATE OF COLORADO.

EXHIBIT B

CORPORATE PARK AT STONEGATE PLANNED DEVELOPMENT

LEGAL DESCRIPTION

LOTS 1A-1 AND 1B-1, STONEGATE FILING NO. 27, 1ST AMENDMENT LOT LINE ADJUSTMENT RECORDED AT REGISTRATION NO. 2008036779 IN THE RECORDS OF THE DOUGLAS COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTH HALF OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, ADDITIONALLY DESCRIBED AS FOLLOWS:

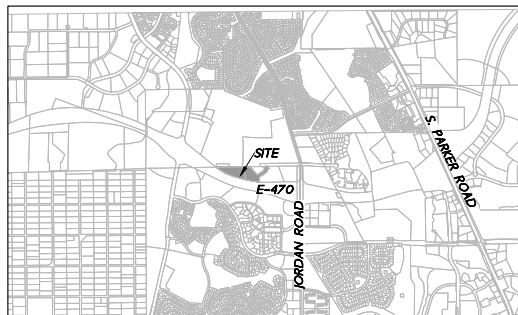
BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 8; THENCE ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 NORTH 89°08'10" EAST, A DISTANCE OF 1,072.29 FEET; THENCE DEPARTING SAID NORTHERLY LINE AND ALONG THE NORTHERLY AND EASTERLY LINE OF SAID LOT 1B-1, THE FOLLOWING NINE (9) COURSES:

1. SOUTH 31°49'23" EAST, A DISTANCE OF 319.14 FEET;
2. NORTH 55°52'25" EAST, A DISTANCE OF 235.06 FEET;
3. NORTH 33°23'41" EAST, A DISTANCE OF 85.37 FEET;
4. NORTH 00°04'41" WEST, A DISTANCE OF 74.20 FEET;
5. NORTH 89°08'10" EAST, A DISTANCE OF 90.01 FEET;
6. SOUTH 00°04'41" EAST, A DISTANCE OF 102.49 FEET;
7. SOUTH 33°23'41" WEST, A DISTANCE OF 130.32 FEET;
8. SOUTH 55°52'25" WEST, A DISTANCE OF 266.85 FEET;
9. SOUTH 00°00'05" WEST, A DISTANCE OF 171.70 FEET TO THE NORTHERLY LINE OF HIGHWAY E-470 PARCEL TK-15 REV.3 RECORDED IN BOOK 866 AT PAGE 1125 IN SAID RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 2,794.79 FEET; THE RADIUS POINT OF SAID CURVE BEARS NORTH 04°40'19" EAST;

THENCE ALONG THE NORTHERLY LINES OF SAID PARCEL TK-15 REV.3 THE FOLLOWING (3) COURSES:

1. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°37'03", AN ARC LENGTH OF 469.13 FEET;
 2. TANGENT TO SAID CURVE NORTH 75°33'37" WEST, A DISTANCE OF 311.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 2,025.48 FEET;
 3. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°50'41", AN ARC LENGTH OF 807.59 FEET TO THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8;
- THENCE ALONG SAID NORTHERLY LINE NORTH 89°09'45" EAST, A DISTANCE OF 261.10 FEET TO THE POINT OF BEGINNING.
- CONTAINING AN AREA OF 11.598 ACRES, (505,213 SQUARE FEET), MORE OR LESS.

DEVELOPMENT PLAN
LOCATED IN THE NORTH HALF OF SECTION 8,
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO



VICINITY MAP
SCALE: 1" = 2000'

NOTES

1. BASIS OF BEARINGS
BEARINGS ARE BASED UPON THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS BEARING NORTH 89°08'10" EAST, GRID BEARINGS, COLORADO COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 BETWEEN THE MONUMENTS SHOWN HEREON.
2. DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.
3. THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
4. THIS ZONING MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

EXISTING ZONING

MODIFIED LIGHT INDUSTRIAL

PROPOSED ZONING

PLANNED DEVELOPMENT (INDUSTRIAL)

OWNER

ASCENDANT CAPITAL PARTNERS
CPS LLC
3131 S VAUGHN WAY STE 301
AURORA, CO 80014

TOWN COUNCIL CERTIFICATE

THIS ZONING MAP WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF

PARKER ON THE _____ DAY OF _____, 2018, FOR THE

PROPERTY DESCRIBED HEREON. THE ZONING INFORMATION SHOWN HEREON WAS

CONFIRMED WITH THE ADOPTION OF ORDINANCE NO. _____

MAYOR, TOWN OF PARKER

ATTEST: _____

TOWN CLERK

SURVEYOR'S CERTIFICATE

I, DEAN E. CATES, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS ZONING MAP WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ZONED IN THE TOWN OF PARKER, COLORADO.



DEAN E. CATES
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR No. 22561
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

PLANNING COMMISSION CERTIFICATE

THIS ZONING MAP WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING HELD ON _____

COMMUNITY DEVELOPMENT DIRECTOR
ON BEHALF OF THE PLANNING COMMISSION

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF DOUGLAS) SS

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____

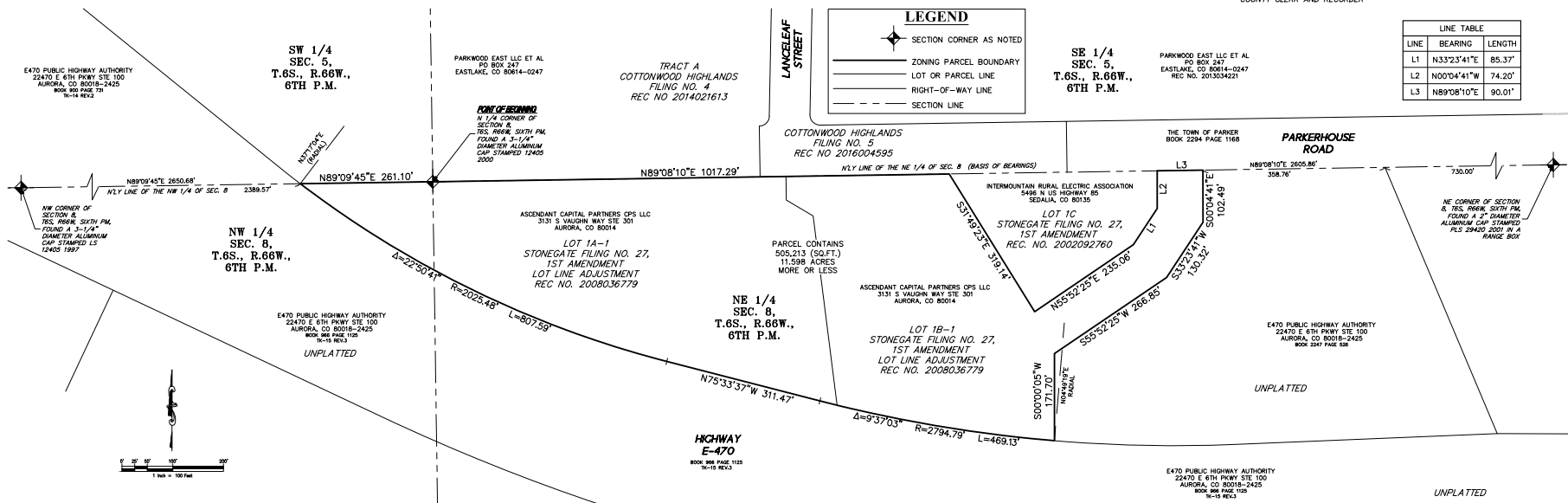
DAY OF _____ 2018 A.D., AT _____

_____ A.M./P.M. AND WAS RECORDED AT _____

RECEPTION NO. _____

COUNTY CLERK AND RECORDER _____

LINE TABLE		
LINE	BEARING	LENGTH
L1	N33°23'41"E	85.37'
L2	N00°04'41"W	74.20'
L3	N89°08'10"E	90.01'



SCALE 1"=400'

FILED

DEC 11

BAM

06/03/18

APPLY

DATE

BY

DATE

RECORD DESCRIPTION

BY

DATE

300 East Mineral Ave., Suite 100
Littleton, Colorado 80122
Phone: (303) 781-1908
Fax: (303) 781-1909
www.aztecconsultants.com

AZTEC

CONSULTANTS, INC.

CORPORATE PARK AT STONEGATE

ZONING MAP TO THE TOWN OF PARKER

DOUGLAS COUNTY, COLORADO

TOWNSHIP 6 SOUTH

2020 E MAIN STREET, PARKER, CO 80138

SHEET 1

OF 1

SHEET 1

24018-11

JOB NO.



Request for Town Council Action

Date: June 18, 2018

Submitted Stacey Nerger, Associate Planner

By: John Fussa, Community Development Director

Reviewed
By: Michelle Kivela, Town Administrator

Title: **PINE LANE AND PARKER ROAD PROPERTIES - Annexation and Zoning**

Applicants: HDG of Parker, LLC; Pine Lane Plaza, LLC; Peakview Parker, LLC; Durham Douglas Properties; Lattner Investment Group; S & Jabez, LLC; Car Bis Co Park, LLC
Town of Parker Community Development Department (as to zoning)

Location: Northwest and Southeast Corners of Parker Road and OP

Department: Community Development, Stacey Nerger

TRAKit No.: ANX18-002 and Z18-010

Second Reading: July 2, 2018

- (1) **ORDINANCE NO. 2.261 - First Reading**
A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Pine Lane and Parker Road Properties in Douglas County
- (2) **ORDINANCE NO. 3.335 - First Reading**
A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pine Lane and Parker Road Properties to Modified C-Commercial District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

EXECUTIVE SUMMARY

The Town is in receipt of annexation petitions from multiple property owners that own land at or near the intersection of Parker Road and Pine Lane in unincorporated Douglas County. The property owners are seeking to annex and zone their land into Parker which is contiguous to the subject properties. The request is being processed as a majority petition annexation including

the petitioner's land and certain other properties shown on the Annexation Plat.

The property owners that have submitted annexation petitions include:

1. HGD of Parker, LLC
2. Pine Lane Plaza, LLC
3. Peakview Parker, LLC
4. Durham Douglas Properties
5. Lattner Investment Group
6. S & Jabez, LLC
7. Car Bis Co Park, LLC

The Town Council approved Resolution No. 18-042 on May 21, 2018, determining that the Annexation Petitions substantially comply with the requirements of C.R.S. § 31-12-107(1)(a) also known as the Municipal Annexation Act of 1965. The Resolution set a public hearing date of July 2, 2018, for the Town Council to hear and decide the request for annexation as required by State law.

The Town, by adopting Resolution No. 18-042, may institute the process for zoning the subject properties pursuant to C.R.S. § 31-12-115. The property owners, with the Community Development Department, submitted an application to zone the land to Modified C-Commercial. The proposed zoning will accommodate the existing businesses located in the annexation area and permit a broad range of commercial retail, service, office and restaurant uses in the future.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town has identified the unincorporated land located at and near the northwest and southeast corners of the Parker Road and Pine Lane intersection as a candidate for annexation. The proposed annexation area has a total size of approximately 15.5 acres and consists of ten lots with eight different property owners. The majority petition annexation includes greater than 50 percent of the property owners and associated land within the annexation area.

The character of the proposed annexation area is commercial with some vacant land. The southeast corner consists of developed properties with existing commercial uses while the northwest corner is mostly undeveloped property with two existing commercial uses located along Parker Road. The subject properties are contiguous to the Town and receive municipal services such as stormwater management.

It is Town policy through the Parker 2035 Master Plan and recently expired IGA with Douglas County to annex unincorporated areas that are contiguous to Parker and located within our Urban Growth Boundary. The benefits of annexing into the Town include more efficient delivery of services, expansion of the economic base, orderly growth management and

promotion of community identification with Parker. The Town surrounds the subject properties and the proposed annexation will be consistent with the Master Plan with many of the above-referenced benefits.

In 2016, staff approached the property owners and businesses within the annexation area to discuss inclusion into the Town. Staff has worked over the past two years to educate them about the annexation process, provide information about Town services and respond to comments and questions. As a result, the majority of property owners (7 of 8) have agreed to annex into the Town and submitted petitions to initiate the process. Staff has also contacted all businesses located in the annexation area and met with all that were willing to meet in order to answer their questions. Most support the annexation into the Town.

The Parker 2035 Master Plan identifies the annexation area as being located within the Central Commercial and E-470 Regional Commercial Retail Districts. The purpose of these Districts is to accommodate highway-oriented commercial development such as retail, service and office uses. The proposed Modified C- Commercial zoning is consistent with the Master Plan land-use designation and implements its recommendations for commercial uses that generate economic benefits to the Town. These include the following Master Plan Goals and Strategies:

1. Ensure adequate opportunities for expansion of the Town's economic base
2. Continue the commercial corridor along Parker Road
3. Support new and existing businesses by allowing the existing commercial uses to continue and permitting similar uses in the future

Community Development staff has reviewed the proposed zoning against the nine (9) criteria for rezoning in the Land Development Ordinance and has determined that the criteria have been met.

The Planning Commission will hold a public hearing on the application for zoning and make a recommendation to the Town Council on June 14, 2018.

FINANCIAL IMPACT

Revenue positive

STRATEGIC GOAL(S)



ATTACHMENTS

1. Vicinity Map
2. Annexation Petitions

3. Annexation Plat
4. Modified Commercial Zoning
5. Zoning Map
6. Ordinance 2.261 - Annexation
7. Ordinance 3.335 - Rezone

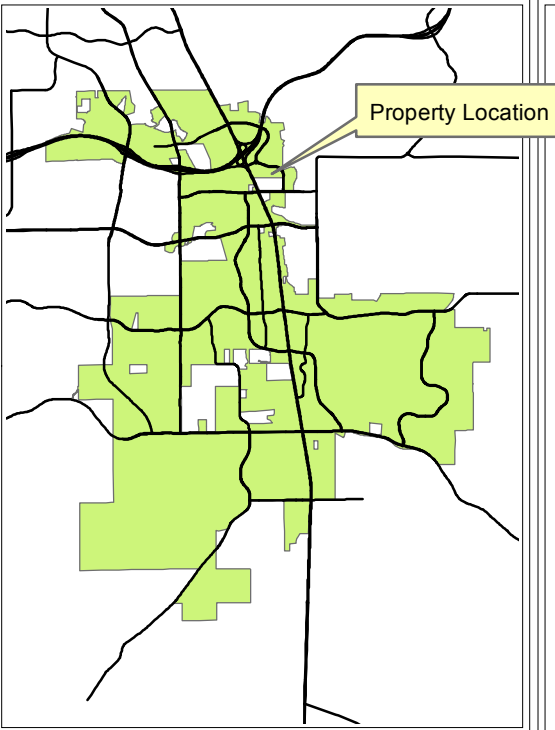
RECOMMENDED MOTION

(1) I move to approve Ordinance No. 2.261 on first reading and to schedule second reading for July 2, 2018, as part of the consent agenda.

(2) I move to approve Ordinance No. 3.335 on first reading and to schedule second reading for July 2, 2018, as part of the consent agenda.

Pine Lane/Parker Road Property Annexation

Annexation and Zoning



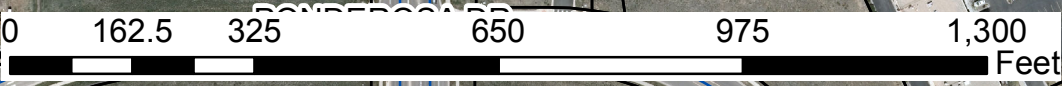
Legend

- Town Boundary
- Site
- Parcels

Narrative:
Proposed Annexation of the northwest and southeast corners of Parker Road and Pine Lane and zoning of these properties to Modified Commercial.

Hearing Dates:
Planning Commission:
June 14, 2018

Town Council:
June 18, 2018 (1st Reading)
July 2, 2018 (2nd Reading)



Petition for Annexation

TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO
20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:

HGD of Parker LLC

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

(See *Exhibit A* attached hereto and incorporated herein by this reference.)

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of _____ pages, including this page, and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Stacey Meyer
Circulator

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing Affidavit of Circulator was acknowledged before me this 6th day of March 2018, by Stacey Meyer.

My commission expires: 7-28-2021.

(SEAL)

Diane Y. Lewis
Notary Public



Petition for Annexation

PETITION:

Parker & Pine Enclave Annexation
(Annexation Name)

[Note: Add lines for all land owning petitioners who are requesting annexation]

[illegible]

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:

Mile High Harley Davidson
6250 & 6280 E Pine Lane
Parker, CO 80138

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

(See Exhibit A attached hereto and incorporated herein by this reference.)

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of pages, including this page, and that the signature thereon was witnessed by your affiant and is the true signature of Catherine Potter, SVP General Counsel and Secretary.

Circulator

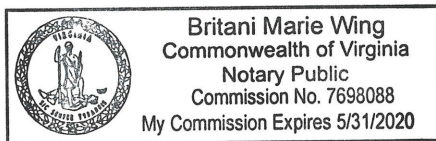
[ADI KUBO]

COMMON WEALTH OF VIRGINIA)
COUNTY OF Fairfax) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 16th day of March 2018, by Adi Kubo.

My commission expires: 05.31.2020.

(SEAL)



Britani Marie Wing
Notary Public

PETITION: CARS MTI-1 L.P.

Legal Description of Property:

Lot 3-A of Peakview Center Amended situated in the Southwest Quarter of Section 10, Township 6 South and Range 66
West of the Sixth Principal Meridian, County of Douglas, State of Colorado

Mailing Address of Landowner:

8484 Westpark Drive, Suite 200
McLean, VA 22102-4909

CARS MTI-1 L.P.

a Delaware limited partnership

By: CARS MTISPE-1, INC.

a Delaware corporation
its General Partner

By: 

Name: Catherine Potter

Title: SVP, General Counsel & Secretary

Date: March 16, 2018

Petition for Annexation

TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO

20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:

HATTNER INVESTMENT GROUP LLC
THU HATTNER

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

(See **Exhibit A** attached hereto and incorporated herein by this reference.)

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AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of _____ pages, including this page, and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Circulator

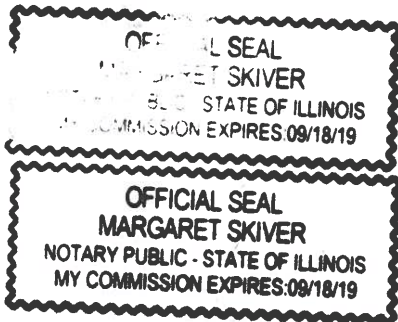
STATE OF COLORADO)
COUNTY OF COOK) ss.

March, 2018 The foregoing Affidavit of Circulator was acknowledged before me this 16 day of _____ by _____.

My commission expires: 9-18-19.

(SEAL)

Margaret Skiver
Notary Public



Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:

Peakview Parker, LLC

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

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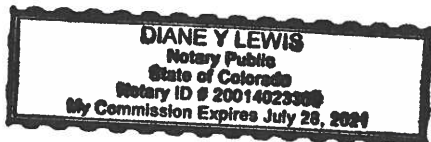
Edward D. Chandler
Circulator

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing Affidavit of Circulator was acknowledged before me this 7th day of Feb, 2018, by Edward D. Chandler

My commission expires: 9-28-2021

(SEAL)



Diane Y. Lewis
Notary Public

PETITION:

Parker & Pine Enclave Annexation
(Annexation Name)

[Note: Add lines for all land owning petitioners who are requesting annexation]

[illegible]

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:

54 Jaberz LLC

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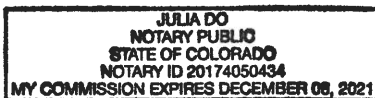
Chang H. Song
Circulator

STATE OF COLORADO)
COUNTY OF Douglas) ss.

The foregoing Affidavit of Circulator was acknowledged before me this 14th day of march, 2018, by Chang H. Song.

My commission expires: December 8, 2021.

(SEAL)



[Signature]
Notary Public

PETITION:

[Note: Add lines for all land owning petitioners who are requesting annexation]

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Petition for Annexation

TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO
20120 East Mainstreet
Parker, CO 80138

RE: PROPERTY KNOWN AS:
Lot 3, Gobbler's Nob

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Petition for Annexation

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5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
9. No vested rights to use or to develop the property in any particular way, as defined in Section 24-68-101 et seq., C.R.S., have been acquired by Petitioners from any governmental entity. Petitioners waive any vested land use rights attached to any or all of the property.
10. The Petitioners acknowledge that upon annexation of the property to the Town, the property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The property, the owners thereof, and the uses thereon are also bound by any voter authorization under Art. X, §20 of the Colorado Constitution adopted prior to annexation of the property. The Petitioners waive any claims they may have under Art. X, §20 of the Colorado Constitution related to such taxes and fees.

Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That Meyer J. Sussman was the circulator of the foregoing Petition for Annexation of lands to the Town of Parker, Colorado, consisting of 4 pages, including this page, and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Meyer J. Sussman
Circulator

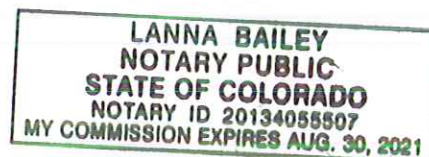
STATE OF COLORADO)
COUNTY OF Arapahoe) ss.

The foregoing Affidavit of Circulator was subscribed, sworn to, and acknowledged before me this 29th day of March, 2018, by Meyer J. Sussman.

My commission expires: 08/30/2021.

(SEAL)

Lanna Bailey
Notary Public



Petition for Annexation

PETITION: Parker Road and Pine Lane Enclave Annexation
(Annexation Name)

[Note: Add lines for all land owning petitioners who are requesting annexation]

[illegible]

Petition for Annexation

**TO: THE TOWN COUNCIL OF THE
TOWN OF PARKER, COLORADO**

*20120 East Mainstreet
Parker, CO 80138*

RE: PROPERTY KNOWN AS:

Durham Douglas Properties, LLC

The undersigned landowners, in accordance with the provisions of Title 31, Article 12, Part 1, C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Town Council for annexation to the Town of Parker the following described unincorporated area situate and being in the County of Douglas, State of Colorado, to-wit:

*(See **Exhibit A** attached hereto and incorporated herein by this reference.)*

Your Petitioners further state as follows:

1. That it is desirable and necessary that such area be annexed to the Town of Parker, Colorado.
2. That the area sought to be annexed meets the requirements of Sections 31-12-104 and 105, as amended, of the Municipal Annexation Act of 1965, in that:
 - a. Not less than one-sixth (1/6th) of the perimeter of the area proposed to be annexed will be contiguous with the existing boundaries of the Town of Parker, Colorado.
 - b. A community of interest exists between the area proposed to be annexed and the Town of Parker, Colorado.
 - c. The area proposed to be annexed is urban or will be urbanized in the near future and said area is integrated or is capable of being integrated with the Town of Parker, Colorado.
 - d. No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate:
 - i. Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road, or other public way.
 - ii. Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon, has a valuation for assessment in excess of two hundred thousand dollars (\$200,000) for ad valorem tax purposes for the year next preceding the annexation is included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - e. No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.
 - f. The annexation of the area proposed to be annexed will not result in the detachment of area from any school district and the attachment of same to another school district.
 - g. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Parker more than three (3) miles in any direction from any point of the Town's boundary in any one (1) year.
 - h. If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.
 - i. Reasonable access shall not be denied to landowners, owners of easements, or the owners of franchises adjoining any platted street or alley to be annexed that will not be bordered on both sides by the Town of Parker.

3. That attached hereto and incorporated herein by reference are four (4) prints of the annexation map, containing the following information:
 - a. A written legal description of the boundaries of the area proposed to be annexed.
 - b. A map showing the boundary of the area proposed to be annexed.
 - c. Within the annexation boundary map, a showing of the location of each ownership tract of unplatted land and, with respect to any area which is platted, the boundaries and the plat numbers of plots or lots and blocks.
 - d. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Parker and the contiguous boundary of any other municipality abutting the area proposed to be annexed.
4. That the Petitioners are the landowners of more than fifty percent (50%) of the area sought to be annexed, exclusive of streets and alleys.
5. That all of the Petitioners signed this Petition for Annexation no more than one hundred eighty (180) days prior to the date of the filing of this Petition for Annexation.
6. That this Petition for Annexation satisfies the requirements of Article II, Section 30 of the Constitution of Colorado in that it is signed by persons comprising more than fifty percent (50%) of the landowners in the area proposed to be annexed who own more than fifty percent (50%) of said area, excluding public streets and alleys and any land owned by the Town of Parker.
7. That upon the annexation ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the ordinances, resolutions, rules and regulations of the Town of Parker, except for general property taxes which shall become effective on January 1 of the next succeeding year following passage of the annexation ordinance.
8. Petitioners understand that the Town of Parker does not provide municipal water and sewer service, and connection to water and sewer requires inclusion into the Parker or Cottonwood Water and Sanitation District.
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Therefore, your Petitioners respectfully request that the Town Council of the Town of Parker, Colorado, approve the annexation of the area proposed to be annexed.

Whenever from the context it appears appropriate, each term stated in either the singular or plural will include the other, and pronouns stated in either the masculine, feminine or the neuter gender will include each of the other genders.

(S E A L)

Notary Public

Petition: Durham Douglas Properties LLC

Legal Description of Property:

Lot 2 of Peakview Center Amended situated in the Southwest Quarter of Section 10, Township 6 South and Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado

Mailing Address of Landowner:

7217 Spring Creek Cir

Xioux Falls CO 80503

Tim BATOR

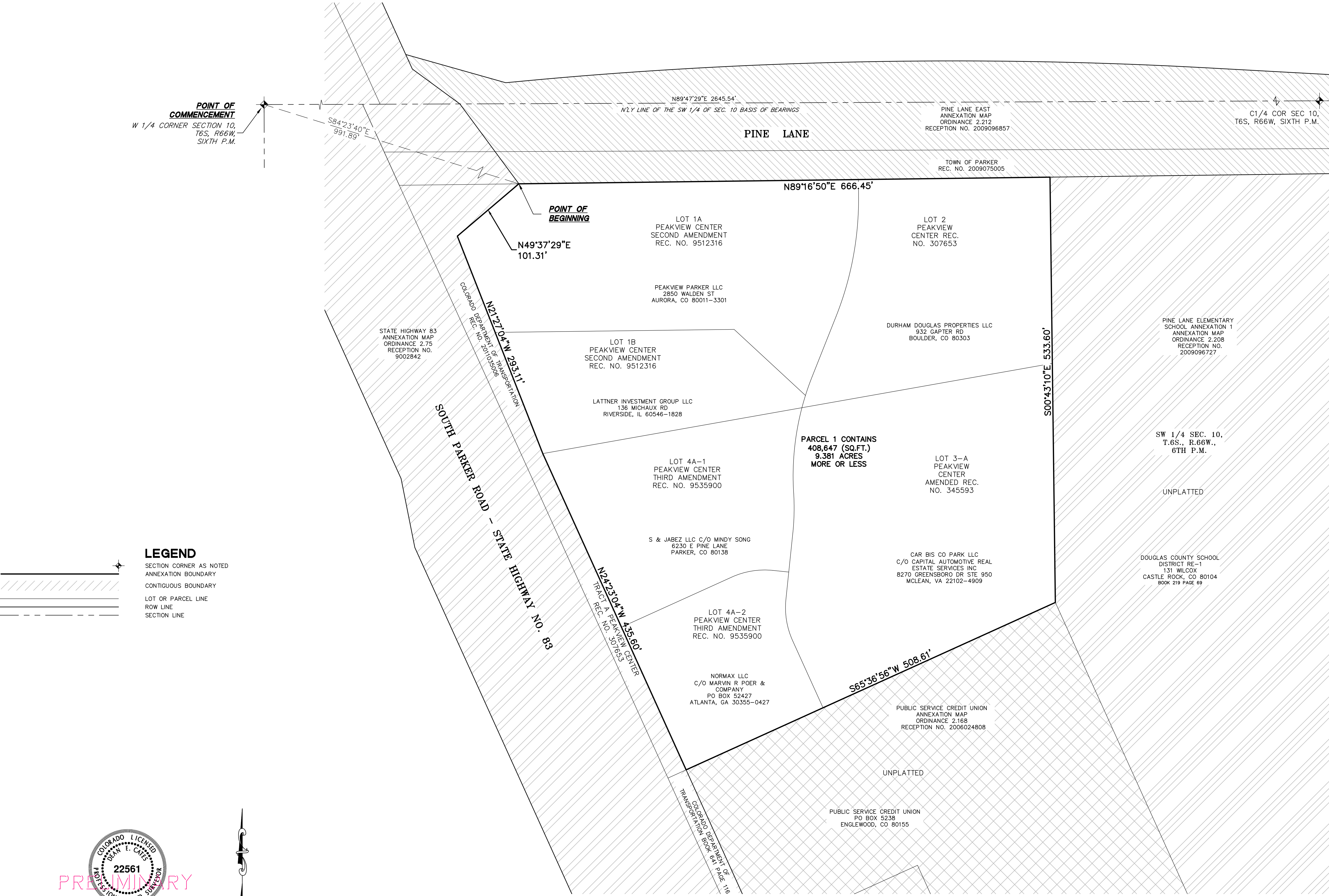
PETITION:

[Note: Add lines for all land owning petitioners who are requesting annexation]

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PINE LANE AND PARKER ROAD PROPERTIES

ANNEXATION MAP TO THE TOWN OF PARKER
LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO



PROFESSIONAL LAND SURVEYOR
22561
PRELIMINARY
FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

SCALE
1"=60'

OWN
DEC

DATE
05/16/18

UP-DATE PER COUNTY WEB SITE

DEC

3/22/18

REVISION DESCRIPTION

BY

DATE

APPV

DATE

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

AZTEC
CONSULTANTS, INC.

PINE LN AND PARKER RD PROPERTIES
ANNEXATION MAP
DOUGLAS COUNTY, COLORADO

PREPARED FOR
THE TOWN OF PARKER
20120 EAST MAINSTREET, PARKER, CO 80138

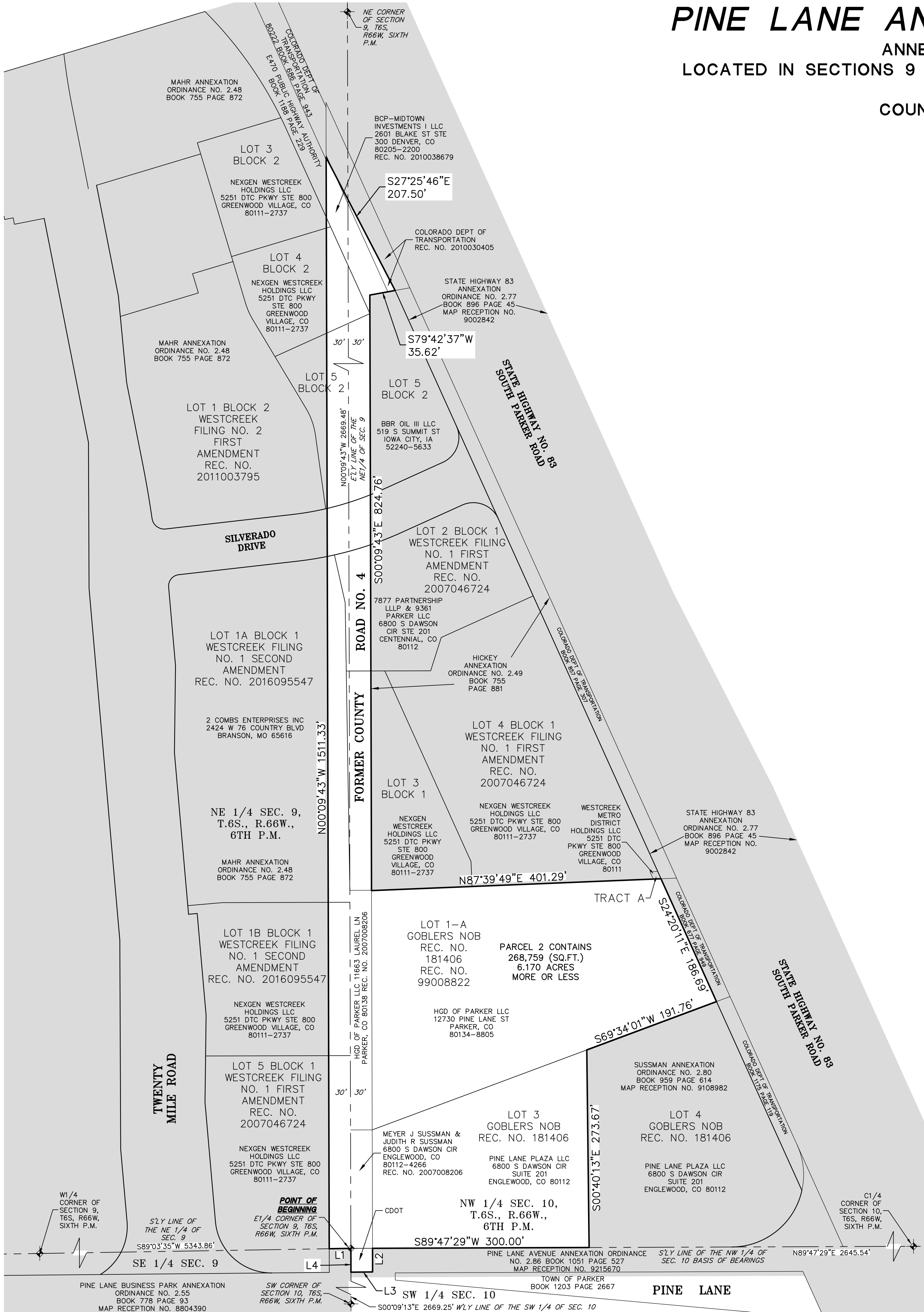
SHEET
2

OF 3 SHEETS

JOB NO.

24916-09

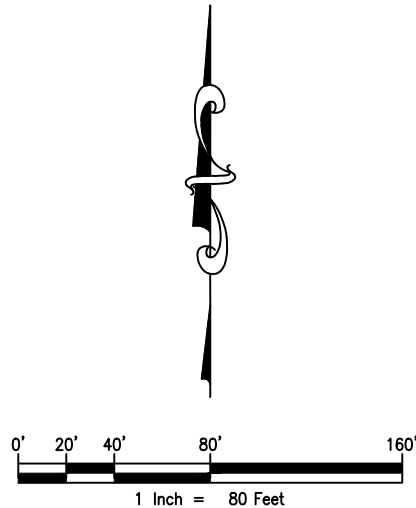
PINE LANE AND PARKER ROAD PROPERTIES
ANNEXATION MAP TO THE TOWN OF PARKER
LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH
PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO



LEGEND

- SECTION CORNER AS NOTED
- ANNEXATION BOUNDARY
- CONTIGUOUS BOUNDARY
- LOT OR PARCEL LINE
- ROW LINE
- SECTION LINE

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°03'35"W	30.00'
L2	S00°09'13"E	32.75'
L3	S89°23'06"W	30.00'
L4	N00°09'13"W	32.96'



22561
PROFESSIONAL LAND SURVEYOR
FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

SCALE
1"=80'

UP-DATE PER COUNTY WEB SITE

3/22/18

DEC

DATE

BY

DATE

APPV

DATE

REVISION DESCRIPTION

300 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

PINE LN AND PARKER RD PROPERTIES
ANNEXATION MAP
DOUGLAS COUNTY, COLORADO

PREPARED FOR
THE TOWN OF PARKER
2020 EAST MAINSTREET, PARKER, CO 80138

SHEET
3

OF 3 SHEETS

24916-09
JOB NO.

EXHIBIT B
MODIFIED COMMERCIAL ZONING

A. Intent

Places for conducting any commercial, wholesale or service activities, not of an industrial nature.

B. Compliance

All developments within this Modified Commercial zoning district must comply with the requirements specified in Section 13.06 of the Town's Land Development Ordinance, as amended.

C. Uses Permitted by Right

1. Any nonresidential uses by right permitted in B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended. Places of worship, church schools, hospitals, nursing homes, convalescent care facilities, day care facilities, public or private parking lots or caretaker residences and any use within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended, that is not specifically described in this exhibit shall be prohibited in this district.
2. Auto parts stores
3. Auto and truck repairs
4. Auto body repair
5. Automobile service stations
6. Bakeries—wholesale and retail
7. Brewery/distillery
8. Car wash, automatic or coin operated
9. Contractor's offices only, no storage of equipment or trailers
10. Eating and drinking establishments, with or without Drive-Thru Lanes
11. Motorized Vehicles and Equipment Sales: New and Used
12. Packaging and Shipping Store
13. Photocopy reproduction
14. Printing and publishing
15. Radio and television offices and studios
16. Shopping Centers

D. Uses Permitted by Special Review

1. Any use by special review permitted in the B-Business zoning districts as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended, which are not specifically prohibited as listed under Section C of this Exhibit B, are allowed as a use by special review.
2. Outdoor commercial display shall meet all of the minimum requirements contained in Subparagraphs a. through j. below:
 - a. Outdoor commercial display is defined as any items, goods or seasonal merchandise directly related to the commercial use conducted inside the principal building, which items, goods or merchandise are permanently

displayed outside of the principal building for the purposes of sale to the general public at retail.

- b. This Section shall not be in conflict with or used to circumvent the requirements of [Section 13.04.210](#) of this Chapter.
- c. Outdoor commercial display shall only be considered as part of an approved site plan, to be reviewed in accordance with [Chapter 13.06](#) of this Title.
- d. Outdoor commercial display shall occur within fifteen (15) feet of the exterior walls of the principal building and shall not comprise more than three percent (3%) of the building footprint of the principal building, as shown on the approved site plan.
- e. Outdoor commercial display areas shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property. Colored and/or stamped concrete paving, brick pavers or concrete pavers are acceptable. Painted stripes will not be acceptable. No outdoor commercial display will be permitted outside of the delineated display area.
- f. Outdoor commercial display activities shall be conducted so as to assure that the sidewalk or entrance into the principal building is not obstructed and that a minimum width of eight (8) feet shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.
- g. The use of semi-trailers or temporary buildings shall not be permitted.
- h. All signage shall comply with [Chapter 13.09](#) of this Title.
- i. Outdoor commercial display shall not be located within the parking area for the principal building as shown on an approved site plan.
- j. This Section shall not be in conflict with federal, state or local governmental requirements, including, but not limited to, the International Building Code, Department of Health or Fire District standards.

E. Minimum area and yard requirements.

- 1. Lot width, seventy-five (75) feet.
- 2. Front yard, ten (10) feet.
- 3. Side Corner, ten (10) feet.
- 4. Side yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
- 5. Rear yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
- 6. Maximum building heights, sixty-five (65) feet.

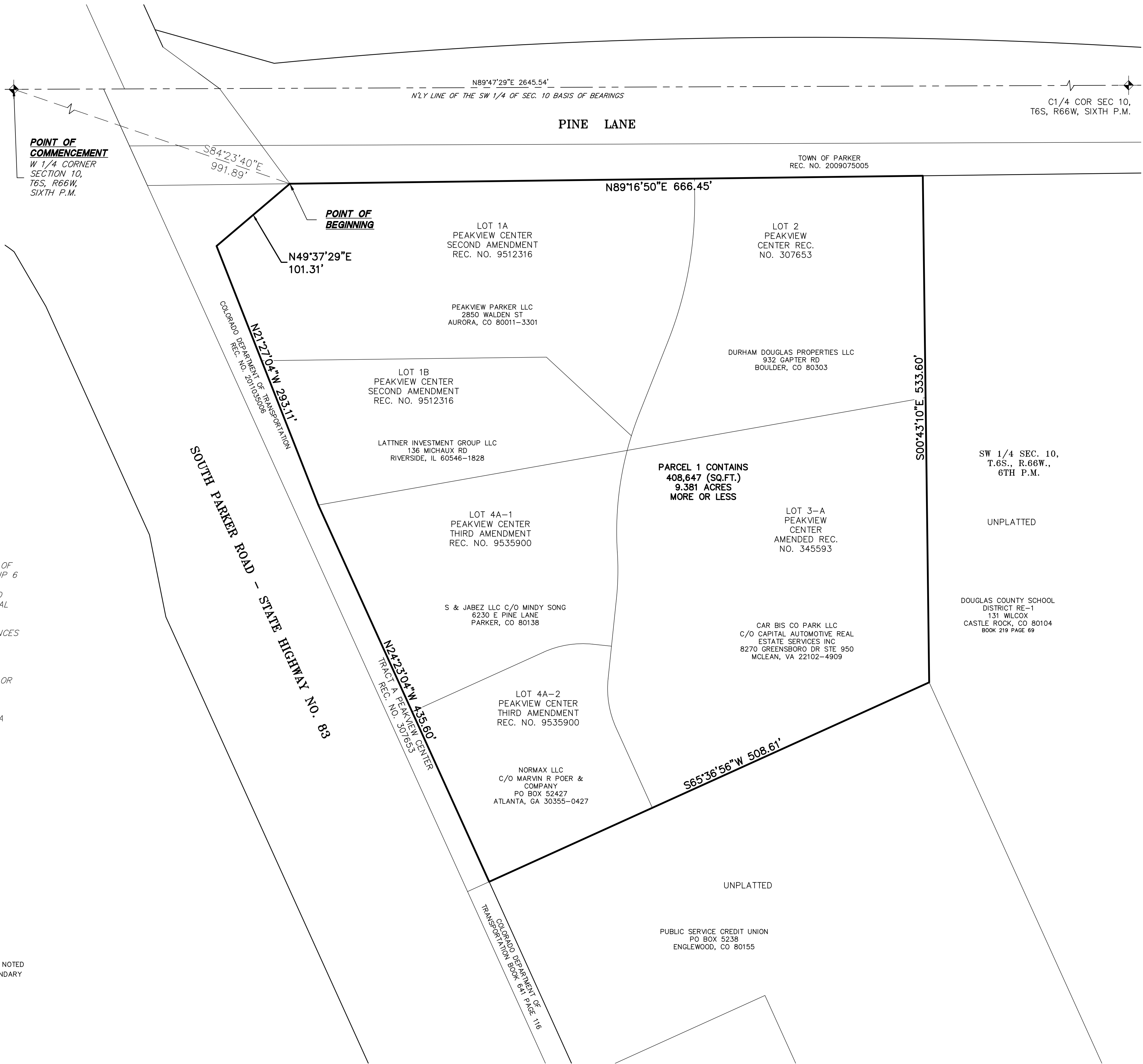
ZONING MAP TO THE TOWN OF PARKER
LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION
BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU
FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON
ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM
THE DATE OF THE CERTIFICATION SHOWN HEREON.

PINE LN AND PARKER RD PROPERTIES ZONING MAP DOUGLAS COUNTY, COLORADO		AZTEC CONSULTANTS, INC.		300 East Mineral Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 713-1898 Fax: (303) 713-1897 www.aztecconsultants.com		SCALE 1"=80'	
OF	SHEET	THE TOWN OF PARKER 20120 EAST MAINSTREET, PARKER, CO 80138		REVISION DESCRIPTION		DATE	DATE
3	1			DATE	DATE	DATE	DATE
24918-07				DATE	DATE	DATE	DATE
JOB NO.				DATE	DATE	DATE	DATE

PINE LANE AND PARKER ROAD PROPERTIES

ZONING MAP TO THE TOWN OF PARKER
LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO



NOTES

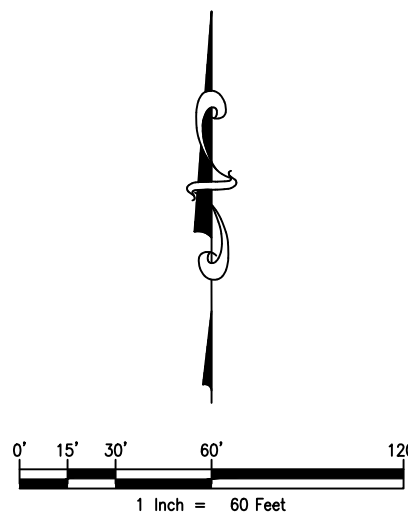
1. BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE NORTHERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS BEARING NORTH 89°47'29" EAST, GRID BEARINGS, COLORADO COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.

2. DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN U.S. SURVEY FEET UNITS.

3. THE WORD "CERTIFY" AS USED ON SHEET 1 MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

4. THIS ZONING MAP HAS BEEN PREPARED FROM RECORD INFORMATION AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY.



LEGEND

- SECTION CORNER AS NOTED
- ZONING PARCEL BOUNDARY
- LOT OR PARCEL LINE
- ROW LINE
- SECTION LINE

SCALE	1"=60'
DATE	05/16/18
BY	
DATE	
REVISION DESCRIPTION	
APPV	
DATE	

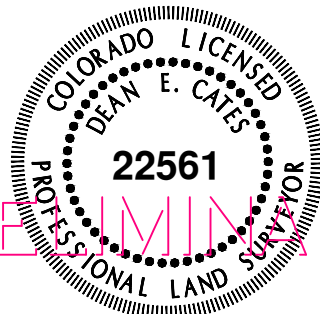
AZTEC
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PINE LN AND PARKER RD PROPERTIES
ZONING MAP
DOUGLAS COUNTY, COLORADO

PREPARED FOR
THE TOWN OF PARKER
20120 EAST MAINSTREET, PARKER, CO 80138

SHEET	2
OF	3
SHEETS	
JOB NO.	24918-07



FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

ZONING MAP TO THE TOWN OF PARKER
LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH
PRINCIPAL MERIDIAN,
COUNTY OF DOUGLAS, STATE OF COLORADO



- ## 1. BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS BEARING NORTH 89°47'29" EAST, GRID BEARINGS, COLORADO COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.

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FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

[illegible]

 **AZTEC**
CONSULTANTS, INC.

**PINE LN AND PARKER RD PROPERTIES
ZONING MAP
DOUGLAS COUNTY, COLORADO
PREPARED FOR**

THE TOWN OF PARKER
20120 EAST MAINSTREET, PARKER, CO 80138

SHEET
3
3 SHEETS

24918-07

ORDINANCE NO. 2.261, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY KNOWN AS THE COMMERCIAL ENCLAVE PROPERTY LOCATED ADJACENT TO PARKER ROAD AND PINE LANE IN DOUGLAS COUNTY

WHEREAS, pursuant to the laws of the State of Colorado, there was presented to and filed with the Town Council of the Town of Parker, Colorado, a written petition for annexation to and by the Town of Parker, Colorado, of that property described in attached **Exhibit A**, being contiguous unincorporated territory, situated, lying, and being in the County of Douglas, State of Colorado; and

WHEREAS, the Town Council of the Town of Parker, Colorado has conducted a public hearing as required by law to determine the eligibility for annexation of that property described in attached Exhibit A; and

WHEREAS, the Town Council of the Town of Parker, Colorado, has satisfied itself concerning the eligibility for annexation of that property described on attached Exhibit A, and concerning the conformance of the proposed annexation to the applicable law and the annexation policy of the Town of Parker, Colorado.

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

Section 1. The annexation by and to the Town of Parker, State of Colorado, of that property described in attached Exhibit A, situated, lying and being in the County of Douglas, State of Colorado, meets all requirements of law and the annexation policy of the Town of Parker and, therefore, said annexation is hereby approved and made effective.

Section 2. The owner(s) of more than fifty percent (50%) of the property described in attached Exhibit A has petitioned for annexation.

Section 3. No simultaneous rezoning of the above-described property is required pursuant to Section 15.9 of the Home Rule Charter for the Town of Parker because the above-described property consists solely of right-of-way.

Section 4. Upon the effective date of this Annexation Ordinance, all lands within the area to be annexed shall become subject to the municipal laws of the State of Colorado pertaining to towns, and to all ordinances, resolutions, rules and regulations of the Town of Parker.

Section 5. Considering all of the foregoing, and based on the conviction that annexation of this property to the Town of Parker will serve the best interest of the Town of Parker and the owner(s) of the territory to be annexed, the unincorporated territory described in

Exhibit A, which is attached hereto and made a part hereof, is hereby annexed to the Town of Parker, Colorado.

Section 6. The Town Clerk shall file, for recording, one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Clerk and Recorder of the County of Douglas, State of Colorado.

Section 7. The Annexation Map showing the boundaries of the newly-annexed territory, as above described, shall be kept on file in the office of the Douglas County Clerk and Recorder.

Section 8. The Town Clerk shall file one (1) certified copy of the Annexation Ordinance and one (1) copy of the Annexation Map with the Division of Local Governments of the Department of Local Affairs.

Section 9. 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 10. This annexation shall become effective within ten (10) days of the publication date of this Ordinance, except for the purpose of general taxation, and for such purposes it shall become effective on January 1st of the next succeeding year following passage of this Ordinance.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Legal Description

PARCEL 1

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 10, WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 89°47'29" EAST, A DISTANCE OF 2645.54 FEET;

THENCE S84°23'40"E, A DISTANCE OF 991.89 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.212 PINE LANE EAST ANNEXATION MAP, RECORDED AT RECEPTION NO. 2009096857 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE WITH THE EASTERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.75 STATE HIGHWAY 83 ANNEXATION MAP, RECORDED AT RECEPTION NO. 9002842 IN SAID RECORDS AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY LINE NORTH 89°16'50" EAST, A DISTANCE OF 666.45 FEET TO THE WESTERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.208 PINE LANE ELEMENTARY SCHOOL ANNEXATION 1 ANNEXATION MAP, RECORDED AT RECEPTION NO. 2009096727 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°43'10" EAST, A DISTANCE OF 533.60 FEET TO THE NORTHERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.168 PUBLIC SERVICE CREDIT UNION ANNEXATION MAP, RECORDED AT RECEPTION NO. 2006024808 IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY LINE SOUTH 65°36'56" WEST, A DISTANCE OF 508.61 FEET TO SAID EASTERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.75 STATE HIGHWAY 83 ANNEXATION MAP;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING (3) COURSES:

1. NORTH 24°23'04" WEST, A DISTANCE OF 435.60 FEET;
2. NORTH 21°27'04" WEST, A DISTANCE OF 293.11 FEET;
3. NORTH 49°37'29" EAST, A DISTANCE OF 101.31 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.381 ACRES, (408,647 SQUARE FEET), MORE OR LESS.

TOGETHER WITH:

PARCEL 2

A PARCEL OF LAND LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 9;

THENCE ALONG THE SOUTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 SOUTH 89°03'35" WEST, A DISTANCE OF 30.00 FEET TO THE EASTERLY LINE OF THE MAHR ANNEXATION ORDINANCE NO. 2.48 TO THE TOWN OF PARKER RECORDED IN BOOK 755 AT PAGE 872 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG SAID EASTERLY LINE NORTH 00°09'43" WEST, A DISTANCE OF 1,511.33 FEET TO THE SOUTHWESTERLY LINE OF THE STATE HIGHWAY 83 ANNEXATION ORDINANCE NO. 2.77 TO THE TOWN OF PARKER RECORDED IN BOOK 896 AT PAGE 45 IN SAID RECORDS;

THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 27°25'46" EAST, A DISTANCE OF 207.50 FEET TO THE NORTHERLY LINE OF THE HICKEY ANNEXATION ORDINANCE NO. 2.49 TO THE TOWN OF PARKER RECORDED IN BOOK 755 AT PAGE 881 IN SAID RECORDS;

THENCE ALONG THE NORTHERLY, WESTERLY, AND SOUTHERLY LINES OF SAID ANNEXATION ORDINANCE THE FOLLOWING (3) COURSES:

1. SOUTH 79°42'37" WEST, A DISTANCE OF 35.62 FEET;
2. SOUTH 00°09'43" EAST, A DISTANCE OF 824.76 FEET;
3. NORTH 87°39'49" EAST, A DISTANCE OF 401.29 FEET TO SAID SOUTHWESTERLY LINE OF SAID STATE HIGHWAY 83 ANNEXATION ORDINANCE NO. 2.77;

THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 24°20'11" EAST, A DISTANCE OF 186.69 FEET TO THE NORTHERLY LINE OF THE SUSSMAN ANNEXATION ORDINANCE NO. 2.80 TO THE TOWN OF PARKER RECORDED IN BOOK 959 AT PAGE 614 IN SAID RECORDS;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID ANNEXATION ORDINANCE THE FOLLOWING (2) COURSES:

1. SOUTH 69°34'01" WEST, A DISTANCE OF 191.76 FEET;
2. SOUTH 00°40'13" EAST, A DISTANCE OF 273.67 FEET TO THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 10;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°47'29" WEST, A DISTANCE OF 300.00 FEET TO THE WESTERLY LINE OF THE PINE LANE ANNEXATION ORDINANCE NO. 2.86 TO THE TOWN OF PARKER RECORDED IN BOOK 1051 AT PAGE 527 IN SAID RECORDS;

THENCE ALONG THE WESTERLY LINES OF SAID ANNEXATION ORDINANCE THE FOLLOWING (2) COURSES:

1. SOUTH 00°09'13" EAST, A DISTANCE OF 32.75 FEET;
2. SOUTH 89°23'06" WEST, A DISTANCE OF 30.00 FEET TO THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 10;

THENCE ALONG SAID WESTERLY LINE NORTH 00°09'13" WEST, A DISTANCE OF 32.96 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 6.170 ACRES, (268,759 SQUARE FEET), MORE OR LESS.

ORDINANCE NO. 3.335, Series of 2018

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE COMMERCIAL ENCLAVE PROPERTY LOCATED ADJACENT TO PARKER ROAD AND PINE LANE TO MODIFIED COMMERCIAL DISTRICT PURSUANT TO THE 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 rezoning certain property described in attached **Exhibit A**, within the Town of Parker, Colorado, to Modified Commercial, pursuant to the 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 of Section 13.04.240 of the Parker Land Development Ordinance for rezoning of the Property have been satisfied.

Section 2. The Property is hereby zoned Modified Commercial, as provided in the **Exhibit B**, which is attached hereto and incorporated by this reference. The uses permitted by right and the uses permitted by special review are specifically described in Exhibit B.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 10, WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 89°47'29" EAST, A DISTANCE OF 2645.54 FEET;

THENCE S84°23'40"E, A DISTANCE OF 991.89 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.212 PINE LANE EAST ANNEXATION MAP, RECORDED AT RECEPTION NO. 2009096857 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE WITH THE EASTERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.75 STATE HIGHWAY 83 ANNEXATION MAP, RECORDED AT RECEPTION NO. 9002842 IN SAID RECORDS AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY LINE NORTH 89°16'50" EAST, A DISTANCE OF 666.45 FEET TO THE WESTERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.208 PINE LANE ELEMENTARY SCHOOL ANNEXATION 1 ANNEXATION MAP, RECORDED AT RECEPTION NO. 2009096727 IN SAID RECORDS;

THENCE ALONG SAID WESTERLY LINE SOUTH 00°43'10" EAST, A DISTANCE OF 533.60 FEET TO THE NORTHERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.168 PUBLIC SERVICE CREDIT UNION ANNEXATION MAP, RECORDED AT RECEPTION NO. 2006024808 IN SAID RECORDS;

THENCE ALONG SAID NORTHERLY LINE SOUTH 65°36'56" WEST, A DISTANCE OF 508.61 FEET TO SAID EASTERLY LINE OF THE TOWN OF PARKER ORDINANCE 2.75 STATE HIGHWAY 83 ANNEXATION MAP;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING (3) COURSES:

1. NORTH 24°23'04" WEST, A DISTANCE OF 435.60 FEET;
2. NORTH 21°27'04" WEST, A DISTANCE OF 293.11 FEET;
3. NORTH 49°37'29" EAST, A DISTANCE OF 101.31 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.381 ACRES, (408,647 SQUARE FEET), MORE OR LESS.

TOGETHER WITH:

PARCEL 2

A PARCEL OF LAND LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 9;

THENCE ALONG THE SOUTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 9 SOUTH 89°03'35" WEST, A DISTANCE OF 30.00 FEET TO THE EASTERLY LINE OF THE MAHR ANNEXATION ORDINANCE NO. 2.48 TO THE TOWN OF PARKER RECORDED IN BOOK 755 AT PAGE 872 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER'S OFFICE;

THENCE ALONG SAID EASTERLY LINE NORTH 00°09'43" WEST, A DISTANCE OF 1,511.33 FEET TO THE SOUTHWESTERLY LINE OF THE STATE HIGHWAY 83 ANNEXATION ORDINANCE NO. 2.77 TO THE TOWN OF PARKER RECORDED IN BOOK 896 AT PAGE 45 IN SAID RECORDS;

THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 27°25'46" EAST, A DISTANCE OF 207.50 FEET TO THE NORTHERLY LINE OF THE HICKEY ANNEXATION ORDINANCE NO. 2.49 TO THE TOWN OF PARKER RECORDED IN BOOK 755 AT PAGE 881 IN SAID RECORDS;

THENCE ALONG THE NORTHERLY, WESTERLY, AND SOUTHERLY LINES OF SAID ANNEXATION ORDINANCE THE FOLLOWING (3) COURSES:

1. SOUTH 79°42'37" WEST, A DISTANCE OF 35.62 FEET;
2. SOUTH 00°09'43" EAST, A DISTANCE OF 824.76 FEET;
3. NORTH 87°39'49" EAST, A DISTANCE OF 401.29 FEET TO SAID SOUTHWESTERLY LINE OF SAID STATE HIGHWAY 83 ANNEXATION ORDINANCE NO. 2.77;

THENCE ALONG SAID SOUTHWESTERLY LINE SOUTH 24°20'11" EAST, A DISTANCE OF 186.69 FEET TO THE NORTHERLY LINE OF THE SUSSMAN ANNEXATION ORDINANCE NO. 2.80 TO THE TOWN OF PARKER RECORDED IN BOOK 959 AT PAGE 614 IN SAID RECORDS;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID ANNEXATION ORDINANCE THE FOLLOWING (2) COURSES:

1. SOUTH 69°34'01" WEST, A DISTANCE OF 191.76 FEET;
2. SOUTH 00°40'13" EAST, A DISTANCE OF 273.67 FEET TO THE SOUTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 10;

THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°47'29" WEST, A DISTANCE OF 300.00 FEET TO THE WESTERLY LINE OF THE PINE LANE ANNEXATION ORDINANCE NO. 2.86 TO THE TOWN OF PARKER RECORDED IN BOOK 1051 AT PAGE 527 IN SAID RECORDS;

THENCE ALONG THE WESTERLY LINES OF SAID ANNEXATION ORDINANCE THE FOLLOWING (2) COURSES:

1. SOUTH 00°09'13" EAST, A DISTANCE OF 32.75 FEET;
2. SOUTH 89°23'06" WEST, A DISTANCE OF 30.00 FEET TO THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 10;

THENCE ALONG SAID WESTERLY LINE NORTH 00°09'13" WEST, A DISTANCE OF 32.96 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 6.170 ACRES, (268,759 SQUARE FEET), MORE OR LESS.

EXHIBIT B

MODIFIED COMMERCIAL ZONING

A. Intent

Places for conducting any commercial, wholesale or service activities, not of an industrial nature.

B. Compliance

All developments within this Modified Commercial zoning district must comply with the requirements specified in Section 13.06 of the Town's Land Development Ordinance, as amended.

C. Uses Permitted by Right

1. Any nonresidential uses by right permitted in B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended. Places of worship, church schools, hospitals, nursing homes, convalescent care facilities, day care facilities, public or private parking lots or caretaker residences and any use within the C-Commercial District as defined in Section 13.04.120 of the Town of Parker Land Development Ordinance, as amended, that is not specifically described in this exhibit shall be prohibited in this district.
2. Auto parts stores
3. Auto and truck repairs
4. Auto body repair
5. Automobile service stations
6. Bakeries—wholesale and retail
7. Brewery/distillery
8. Car wash, automatic or coin operated
9. Contractor's offices only, no storage of equipment or trailers
10. Eating and drinking establishments, with or without drive-thru lanes
11. Motorized vehicles and equipment (on road and off road) sales: new and used
12. Packaging and shipping store
13. Photocopy reproduction
14. Printing and publishing
15. Radio and television offices and studios
16. Shopping centers

D. Uses Permitted by Special Review

1. Any use by special review permitted in the B-Business zoning districts as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended, which are not specifically prohibited as listed under Section C of this Exhibit B, are allowed as a use by special review.
2. Outdoor commercial display shall meet all of the minimum requirements contained in Subparagraphs a. through j. below:
 - a. This section shall not apply to the sale of Motorized Vehicles and Equipment.
 - b. Outdoor commercial display is defined as any items, goods or seasonal merchandise directly related to the commercial use conducted inside the principal building, which items, goods or merchandise are permanently displayed outside of the principal building for the purposes of sale to the general public at retail.

- c. This Section shall not be in conflict with or used to circumvent the requirements of Section 13.04.210 of the Parker Municipal Code.
- d. Outdoor commercial display shall only be considered as part of an approved site plan, to be reviewed in accordance with Chapter 13.06 of the Parker Municipal Code.
- e. Outdoor commercial display shall occur within fifteen (15) feet of the exterior walls of the principal building and shall not comprise more than three percent (3%) of the building footprint of the principal building, as shown on the approved site plan.
- f. Outdoor commercial display areas shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property. Colored and/or stamped concrete paving, brick pavers or concrete pavers are acceptable. Painted stripes will not be acceptable. No outdoor commercial display will be permitted outside of the delineated display area.
- g. Outdoor commercial display activities shall be conducted so as to assure that the sidewalk or entrance into the principal building is not obstructed and that a minimum width of eight (8) feet shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.
- h. The use of semi-trailers or temporary buildings shall not be permitted.
- i. All signage shall comply with Chapter 13.09 of the Parker Municipal Code.
- j. Outdoor commercial display shall not be located within the parking area for the principal building as shown on an approved site plan.
- k. This Section shall not be in conflict with federal, state or local governmental requirements, including, but not limited to, the International Building Code, Department of Health or Fire District standards.

E. Minimum area and yard requirements.

- 1. Lot width, seventy-five (75) feet.
- 2. Front yard, ten (10) feet.
- 3. Side corner, ten (10) feet.
- 4. Side yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
- 5. Rear yards, no setback, except when adjoining a residential zone district, twenty-five (25) feet.
- 6. Maximum building heights, sixty-five (65) feet.



Request for Town Council Action

Date: June 18, 2018

Submitted By: Mary Lou Brown, Finance Director
Rhonda Willey, Accounting Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.507.3 – First Reading**
A Bill for an Ordinance to Adopt the 2018 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown
Finance, Rhonda Willey

Second Reading: July 2, 2018

EXECUTIVE SUMMARY

Sales tax revenue during the first four months of 2018 has continued to decline. The last two months have been close to a year-to-date 0% growth rate. In early May, Town Council approved a set of General Fund 2018 budget adjustments that reduced the budgeted sales tax revenue by \$2.7 million to reflect the decline that occurred during 2017. An additional \$2.0 million in General Fund sales tax revenue and expense reductions now needs to occur to reflect the new projected 2018 budgeted sales tax revenue.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town sales tax revenue growth rate began to decline following the first quarter of 2017. Year-to-date growth at that point in time was approximately 14%; the full-year 2017 growth rate was 5.9%.

The 2018 General Fund budget adjustments approved at the May 7, 2018 Town Council meeting formally adjusted the General Fund 2018 budget down to an anticipated growth rate of 4% which equated to a \$2.7 million adjustment to both revenue and expense.

Based on sales tax projections made in April, revenue has now been estimated at \$33.4 million which is an additional \$2.0 million reduction. The budgeted growth rate for 2018 will decline to (1.9)%.

FINANCIAL IMPACT

The 2018 budgeted General Fund sales tax revenue and total expense will both be reduced by \$2.0 million. Details of the expense reduction may be found in Exhibit A.

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 1.507.3

RECOMMENDED MOTION

I move to approve Ordinance No. 1.507.3 on first reading as part of the consent agenda and to schedule the second reading for July 2, 2018.

ORDINANCE NO. 1.507.3, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2018 REVISED BUDGET FOR THE TOWN OF PARKER AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that Town Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget revisions are open for inspection by the public at the Town Hall.

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

Section 1. The 2018 Revised Budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Town of Parker

2018 Revised Budget

June 18, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>General Fund</u>		
Beginning fund balance		\$ 17,498,022
Revenue		52,805,736
Revenue revision	<u>(2,176,126)</u>	<u>(2,176,126)</u>
Total revised revenue		50,629,610
Total available		<u>68,127,632</u>
Expenditures		55,656,945
Supplemental appropriation	<u>(2,183,573)</u>	<u>(2,183,573)</u>
Total expenditure revision		<u>(2,183,573)</u>
Total revised expenditures		<u>53,473,372</u>
Ending fund balance		<u><u>\$ 14,654,260</u></u>
<u>Parks and Recreation Fund</u>		
Beginning fund balance		\$ 7,665,982
Revenue		10,553,000
Revenue revision	<u>-</u>	<u>-</u>
Total revised revenue		10,553,000
Total available		<u>18,218,982</u>
Expenditures		11,184,065
Supplemental appropriation	<u>126</u>	<u>126</u>
Total expenditure revision		<u>126</u>
Total revised expenditures		<u>11,184,191</u>
Ending fund balance		<u><u>\$ 7,034,791</u></u>

Town of Parker
2018 Revised Budget
June 18, 2018

Exhibit A

	Revision	2018 Revised Budget
<u>Law Enforcement Assistance Fund</u>		
Beginning fund balance		\$ 112,200
Revenue		124,050
Revenue revision		-
Total revised revenue		124,050
Total available		236,250
Expenditures		145,390
Supplemental appropriation	63	
Total expenditure revisions		63
Total revised expenditures		145,453
Ending fund balance		\$ 90,797
<u>Cultural Fund</u>		
Beginning fund balance		\$ 1,085,196
Revenue		5,815,235
Revenue revision	(452,600)	(452,600)
Total revised revenue		5,362,635
Total available		6,447,831
Expenditures		6,420,580
Supplemental appropriation	(137,682)	
Total expenditure revisions		(137,682)
Total revised expenditures		6,282,898
Ending fund balance		\$ 164,933

Town of Parker
2018 Revised Budget
June 18, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Recreation Fund</u>		
Beginning fund balance		\$ 2,001,448
Revenue		8,223,420
Revenue revision	-	-
Total revised revenue		<u>8,223,420</u>
Total available		<u>10,224,868</u>
Expenditures		9,002,913
Supplemental appropriation	(12,087)	
Total expenditure revisions		<u>(12,087)</u>
Total revised expenditures		<u>8,990,826</u>
Ending fund balance		<u><u>\$ 1,234,042</u></u>
<u>Public Improvements Fund</u>		
Beginning fund balance		\$ 13,945,954
Revenue		10,378,300
Revenue revision	-	-
Total revised revenue		<u>10,378,300</u>
Total available		<u>24,324,254</u>
Expenditures		16,202,638
Supplemental appropriation	21,000	
Total expenditure revisions		<u>21,000</u>
Total revised expenditures		<u>16,223,638</u>
Ending fund balance		<u><u>\$ 8,100,616</u></u>

Town of Parker
2018 Revised Budget
June 18, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Stormwater Utility Fund</u>		
Beginning fund balance		\$ 4,531,059
Revenue		3,743,360
Revenue revision	-	-
Total revised revenue		<u>3,743,360</u>
Total available		<u>8,274,419</u>
Expenditures		4,069,342
Supplemental appropriation	(4,609)	
Total expenditure revisions		<u>(4,609)</u>
Total revised expenditures		<u>4,064,733</u>
Ending fund balance		<u><u>\$ 4,209,686</u></u>
<u>Fleet Services Fund</u>		
Beginning fund balance		\$ 306,686
Revenue		2,309,117
Revenue revision	-	-
Total revised revenue		<u>2,309,117</u>
Total available		<u>2,615,803</u>
Expenditures		2,299,216
Supplemental appropriation	(4,394)	
Total expenditure revisions		<u>(4,394)</u>
Total revised expenditures		<u>2,294,822</u>
Ending fund balance		<u><u>\$ 320,981</u></u>

Town of Parker

2018 Revised Budget

June 18, 2018

Exhibit A

	<u>Revision</u>	<u>2018 Revised Budget</u>
<u>Information Technology Fund</u>		
Beginning fund balance		\$ 2,079,141
Revenue		4,149,002
Revenue revision	(306,273)	(306,273)
Total revised revenue		<u>3,842,729</u>
Total available		<u>5,921,870</u>
Expenditures		4,584,012
Supplemental appropriation	(205,517)	
Total expenditure revisions		<u>(205,517)</u>
Total revised expenditures		<u>4,378,495</u>
Ending fund balance		<u><u>\$ 1,543,375</u></u>
<u>Facility Services Fund</u>		
Beginning fund balance		\$ 42,789
Revenue		987,800
Revenue revision	-	-
Total revised revenue		<u>987,800</u>
Total available		<u>1,030,589</u>
Expenditures		981,921
Supplemental appropriation	(5,145)	
Total expenditure revisions		<u>(5,145)</u>
Total revised expenditures		<u>976,776</u>
Ending fund balance		<u><u>\$ 53,813</u></u>

Town of Parker
Summary of Revisions to 2018 Budget
6/18/2018

Exhibit A

	Supplemental Expenditures	Total Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ (2,012,447)	\$ (2,012,447)	\$ (2,005,000)	\$ (7,447)
Parks and Recreation Fund	126	126	-	126
Law Enforcement Assistance Fund	63	63	-	63
Cultural Fund	(137,682)	(137,682)	(452,600)	314,918
Recreation Fund	(12,087)	(12,087)	-	(12,087)
Stormwater Fund	(4,609)	(4,609)	-	(4,609)
Fleet Services Fund	(4,394)	(4,394)	-	(4,394)
Information Technology Fund	(205,517)	(205,517)	(306,273)	100,756
Facility Services Fund	(5,145)	(5,145)	-	(5,145)
Total all funds	<u>\$ (2,381,692)</u>	<u>\$ (2,381,692)</u>	<u>\$ (2,763,873)</u>	<u>\$ 382,181</u>

Additional budget adjustments

	Supplemental Expenditures	Total Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ (171,126)	\$ (171,126)	\$ (171,126)	\$ -
Capital Improvement Fund	21,000	21,000	-	21,000
Total all funds	<u>\$ (150,126)</u>	<u>\$ (150,126)</u>	<u>\$ (171,126)</u>	<u>\$ 21,000</u>

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

6/18/2018

Expenditures**General Fund**

General Supplies reduction in various departments-centralized supply ordering will be implemented - reduced by 50% of remaining unspent budget	(36,180)
Program Supplies-police administration - reduction of programs and meals offered in the Citizen Academy	(10,000)
Town Flag program 2018 budget reduced 100%	(4,840)
Small Tools reduction in various departments based on historical and year to date expenditures	(6,250)
Furniture and Fixtures reduction in various departments - 2018 budget reduced 100%	(37,980)
Computer and Software reduction based on historical and year to date expenditures	(1,000)
Books and Periodicals reduction based on historical and year to date expenditures	(1,025)
Clothing and Uniforms reduction based on historical expenditures	(775)
Firearm Supplies 2018 budget reduced 100%	(1,300)
Meetings and Meals reduction of 50% budget	(20,492)
Civic Academy reduction in expenditures for the program	(7,000)
Other Professional Services	
Town Clerk's office scanning project delayed	(10,000)
Town Administrator's office reduced planned spending	(10,000)
Deferral of Town marketing contract	(50,000)
Allocation of timekeeping software to other funds	(42,570)
Parks reduction of planned spending	(500)
Deferral of economic development retail study	(32,594)
Street sweeping reduction based on historical and year to date expenditures	(5,000)
Town parking lot repairs and maintenance reduction based on historical expenditures	(50,000)
Parks repairs and maintenance reduction based on historical and year to date expenditures	(20,000)
Rental of Land & Buildings reduction based on historical and year to date expenditures	(1,880)
Scholarship Expense from the Town Administrator's office - correction of duplication of expenditure in other department	(2,500)
Telephone and Radio reduction based on historical and year to date expenditures	(2,500)
Employee Mileage reduction of 50% budgeted amount	(7,250)
Travel in various departments 50% reduction based on reduction of planned travel and historical and year to date expenditures	(62,800)
Education, Training and Development in various departments reduced to 50% budgeted amounts	(49,425)
In House training and seminars reduction based on historical and year to date expenditures	(15,000)
Membership and Dues in various departments reduced to historical expenditures	(9,900)

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

6/18/2018

Citizen Survey will be reduced to every 3 years instead of every 2	(15,000)
Other Purchased Services in various departments reduced to historical expenditures	(1,000)
Special Events	
Town is not entered in Parker Days Parade	(750)
Elimination of holiday carriage rides	(18,000)
Elimination of 2018 Town Services Fair and Connect with Council events	(2,000)
Employee Recognition reduced to historical and year to date expenditures	(26,000)
Human Resources employee feedback program eliminated in 2018	(15,000)
Employee Events reduction of employee events	(5,400)
Disposal Services for Parks building reduced to historical expenditures	(10,000)
Transfer to Cultural reduction of Cultural fund balance year end 2017	(450,000)
Transfer to Cultural reduction of Cultural expenditures resulting in reduction of General Fund support	(237,000)
Personnel reduction in various departments	
Deputy Town Administrator position remain vacant through 2018	(99,008)
Accounting technician changed to part time	(10,000)
Assistant Town Attorney position vacant through June 2018	(42,840)
Associate Planner position terminated	(72,717)
Community Services Officer position terminated	(82,341)
Economic Development Business Development Officer position terminated	(107,169)
Economic Development Coordinator position terminated	(84,306)
Information Technology reduction in various funds to reflect IT internal service fund decrease of expenditures and reduction of IT fund balance	(235,155)

Total General Fund expenditure supplemental revision

(2,012,447)**Parks & Recreation Fund**

Allocation of timekeeping software from General Fund

126

Total Parks & Recreation Fund expenditure supplemental revision

126**Law Enforcement Assistance Fund**

Allocation of timekeeping software from General Fund

63

Total Parks & Recreation Fund expenditure supplemental revision

63

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

6/18/2018

Cultural Fund

Professional Services

Local Touring increase	69,030
Increase in rentals creates increase of paying ticket fees to third parties	83,000
Increase in marketing	9,300
Allocation of timekeeping software from General Fund	5,179

Personnel reduction

Cultural Development Manager position eliminated	(74,661)
Decrease in part time wages due to reduction of stage hand and custodian	(15,000)

Supplies in various divisions due to programming changes and central supply ordering for general supplies

(61,828)

Furniture and Fixtures reduced budget 100%

(20,656)

Public Art reduction

(9,900)

Professional Services

Education programming changes	(16,028)
National touring reductions	(26,793)
Rentals	(1,305)
Cultural outreach programming changes	(1,650)
Reduction of advertising and printing and binding	(37,160)
Reduction in mileage reimbursement, travel, training and meals	(11,971)
Grounds maintenance reduced	(2,163)
Repairs and maintenance in machinery and equipment reduced	(4,000)

Schoolhouse concessions reduction

(5,000)

Information Technology reduction in various funds to reflect IT internal service fund decrease of expenditures and reduction of IT fund balance

(16,076)

Total Cultural Fund expenditure supplemental revision

(137,682)**Recreation Fund**

Allocation of timekeeping software from General Fund 35,053

Information Technology reduction in various funds to reflect IT internal service fund decrease of expenditures and reduction of IT fund balance

(47,140)

Total Recreation Fund expenditure supplemental revision

(12,087)**Stormwater Utility Fund**

Allocation of timekeeping software from General Fund 568

Information Technology reduction in various funds to reflect IT internal service fund decrease of expenditures and reduction of IT fund balance

(5,177)

Total Stormwater Utility Fund expenditure supplemental revision

(4,609)

Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

6/18/2018

Fleet Service Fund

Allocation of timekeeping software from General Fund	316
General supplies reduction due to central ordering	(1,185)
Reduction in travel, training and meals	(800)
Information Technology reduction in various funds to reflect IT internal service fund decrease of expenditures and reduction of IT fund balance	(2,725)

<i>Total Fleet Services Fund expenditure supplemental revision</i>	<u>(4,394)</u>
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Technology Services Fund

Allocation of timekeeping software from General Fund	758
Reduction in mileage reimbursement, training, and meals	(6,275)
Computer equipment reduction due to change in scope of switch replacement project	(200,000)

<i>Total Technology Services Fund expenditure supplemental revision</i>	<u>(205,517)</u>
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Facility Service Fund

Allocation of timekeeping software from General Fund	505
General supplies reduction due to central ordering	(2,000)
Reduction in training and meals	(3,650)

<i>Total Facility Services Fund expenditure supplemental revision</i>	<u>(5,145)</u>
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<i>Total expenditure supplemental revision</i>	<u><u>(2,381,692)</u></u>
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Town of Parker**Exhibit A**

Detail of Supplemental Revisions to 2018 Budget

6/18/2018

Revenues**General Fund**

Event Sponsorship-Communications - correction of duplicate budget adjustment (5,000)

Sales Tax - estimate of 0% growth rate for 2018 (2,000,000)

Total General Fund revenue supplemental revision

(2,005,000)**Cultural Fund**

Increase revenue projections due to year to date actuals 249,800

Education ticket revenue reduction due to program changes (12,000)

Decrease in fundraising and contributions (3,400)

Decrease in transfer from General Fund due to expenditure reductions and reduction of Cultural fund balance (687,000)

Total Cultural Fund revenue supplemental revision

(452,600)**Technology Services Fund**

Information Technology reduction in various funds to reflect decrease of expenditures and reduction of IT fund balance (306,273)

Total Technology Services Fund revenue supplemental revision

(306,273)***Total revenue supplemental revision***

(2,763,873)

Town of Parker**Exhibit A**

Detail of Additional Adjustments to 2018 Budget

6/18/2018

Expenditures**General Fund**

Viper system - budgeted incorrectly by Town - removing expenditure and Douglas County Emergency Telephone Service Authority reimbursement	(183,000)
Police uniform medical kit - paid with DOJ Seizure Fund revenue	7,014
Douglas County Impact Unit fees - paid with DOJ Seizure Fund revenue	2,520
SWAT rappelling kits - paid with DOJ Seizure Fund revenue	2,340

<i>Total General Fund expenditure supplemental revision</i>	(171,126)
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Public Improvement Fund

Parker Keystone Economic Incentive for use tax reimbursement	21,000
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<i>Total Public Improvement Fund expenditure supplemental revision</i>	21,000
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<i>Total expenditure supplemental revision</i>	(150,126)
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Revenues**General Fund**

Viper system - budgeted incorrectly by Town - removing expenditure and Douglas County Emergency Telephone Service Authority reimbursement	(183,000)
DOJ Seizure Fund revenue - Police uniform medical kit	7,014
DOJ Seizure Fund revenue - Douglas County Impact Unit fees	2,520
DOJ Seizure Fund revenue - SWAT rappelling kits	2,340

<i>Total General Fund revenue supplemental revision</i>	(171,126)
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<i>Total revenue supplemental revision</i>	(171,126)
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Request for Town Council Action

Date: June 18, 2018

Submitted By: Rosemary Sietsema, Executive Assistant
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 18-045**
A Resolution to Appoint the Chair and to Appoint Members and Alternates to the Town of Parker Planning Commission

Department: **Community Development, Rosemary Sietsema**

EXECUTIVE SUMMARY

The Planning Commission has a total of ten (10) members, seven (7) regular and three (3) alternate, with terms of varying length. The Commission currently has openings for three (3) regular and three (3) alternate members because of resignations and term expirations. The purpose of this Resolution is to appoint recommended applicants to fill the openings prior to June 30, 2018 so the Planning Commission may continue to operate without interruption.

The current openings on the Planning Commission arise from the following:

1. Regular Planning Commissioners Sasha Levy and Robert Moffitt resigned prior to term expiration.
2. Regular Planning Commissioner Eliana Burke's term will expire June 30, 2018.
3. Alternate Planning Commissioners Erik Frandsen, Ruth Ann Nelson and Kimberly Rodell have terms that will expire June 30, 2018.

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

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The duties of the Planning Commission as defined by the Town Charter and the Parker Land Development Ordinance are to prepare the master plan; review applications for certain site plans, subdivisions, rezoning and uses by special review; and make recommendations to the Town Council. The Charter also requires the appointment of Planning Commission members meeting the following requirements:

1. Each person appointed to the Planning Commission reside within the Town limits for at least one (1) year immediately preceding the date of appointment
2. Each person appointed to the Planning Commission be registered to vote.

Town Council is charged with appointing regular Planning Commission members to three (3) year overlapping terms. Alternates are appointed to one (1) year terms. The Council will need to appoint three (3) regular and three (3) alternate Planning Commission members to fill vacant and expiring positions.

Commissioner Eliana Burke requests reappointment as a regular member and alternates Erik Frandsen, Ruth Ann Nelson and Kimberly Rodell request reappointment as regular or alternate Planning Commissioners.

Candidates that applied for appointment to the Planning Commission were reviewed and interviewed over the past few weeks. The review committee consists of Town Council Planning Commission Liaisons John Diak and Renee Williams; Deputy Community Development Director Jason Rogers; Planning Manager Bryce Matthews; and Community Development Executive Assistant and Recording Secretary Rosemary Sietsema. The review committee recommends the following for appointment to the Planning Commission:

Appointment of three (3) regular members:

Eliana Burke
Erik Frandsen
Kelly Hickler

Appointment of three (3) alternates:

Tracie Manske
Ruth Ann Nelson
Kimberly Rodell

Appointment of Chair:

Gary Poole

The terms will commence on July 1, 2018 following Town Council approval of the appointments.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



**FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT**



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Resolution No. 18-045
2. 2018 Planning Commission Terms

RECOMMENDED MOTION

I move to approve Resolution No. 18-045, as part of the consent agenda.

RESOLUTION NO. 18-045, Series of 2018

TITLE: A RESOLUTION TO APPOINT THE CHAIR AND TO APPOINT MEMBERS AND ALTERNATES TO THE TOWN OF PARKER PLANNING COMMISSION

WHEREAS, the terms for two (2) regular members of the Planning Commission expire June 30, 2018;

WHEREAS, the terms for three (3) alternate members of the Planning Commission expire June 30, 2018;

WHEREAS, one (1) regular member of the Planning Commission whose term ends June 30, 2019, has resigned;

WHEREAS, the Town Council of the Town of Parker desires to appoint new regular and alternate members, as described herein; and

WHEREAS, the Town Council of the Town of Parker desires to appoint the Chair of Planning Commission, as described herein.

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 Gary Poole as Chairperson of the Planning Commission.

Section 2. The Town Council of the Town of Parker hereby appoints the following regular members to the Planning Commission for the term ending June 30, 2021, 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 the following regular member to the Planning Commission for the term ending June 30, 2019, as described in Exhibit A, to fill the vacancy created by the resignation of one member.

Section 4. The Town Council of the Town of Parker hereby appoints the following alternate members to the Planning Commission for the term ending June 30, 2019, as described in Exhibit A.

RESOLVED AND PASSED this ____ day of _____, 2018.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT A

1. Appointment of two (2) regular members to the Parker Planning Commission, for a term up to and including June 30, 2019.

- a. Gary Poole
- b. Kelly Hickler

2. Appointment of three (3) regular members to the Parker Planning Commission, for a term up to and including June 30, 2020.

- a. Duane Hopkins
- b. John Howe
- c. Richard Foerster

3. Appointment of two (2) regular member to the Parker Planning Commission, for a term up to and including June 30, 2021.

- a. Eliana Burke
- b. Erik Frandsen

4. Appointment of three (3) alternates to the Parker Planning Commission, for a term up to and including June 30, 2019.

- a. Tracie Manske
- b. Ruth Ann Nelson
- c. Kimberly Rodell



PLANNING COMMISSIONER TERMS

NAME	FIRST APPOINTED	TERM EXP.
REGULARS		
ELIANA BURKE	JUNE 30, 2015	JUNE 30, 2018
SASHA LEVY	JUNE 30, 2011	JUNE 30, 2018
ROBERT MOFFITT	JUNE 30, 2016/2014(A)	JUNE 30, 2019
*GARY POOLE	JUNE 30, 2012	JUNE 30, 2019
DUANE HOPKINS	JUNE 30, 2013	JUNE 30, 2020
**JOHN HOWE	JUNE 30, 2013	JUNE 30, 2020
RICHARD FOERSTER	JUNE 30, 2016	JUNE 30, 2020
ALTERNATES		
ERIK FRANDSEN	JUNE 30, 2016	JUNE 30, 2018
RUTH ANN NELSON	JUNE 30, 2017	JUNE 30, 2018
KIMBERLY RODELL	JUNE 30, 2017	JUNE 30, 2018
* CHAIR		
** VICE CHAIR		

NOTE: OPENINGS ARE FOR: 3 REGULAR AND 3 ALTERNATE POSITIONS; OPENINGS APPEARED ON THE TOWN'S WEBSITE, IN THE TALK OF THE TOWN AND IN THE GENERAL MEDIA BEGINNING APRIL 1, 2018. TERM EXPIRATION LETTERS WERE MAILED 3.28.17

1. ELIANA BURKE, REGULAR MEMBER; WISHES TO BE REAPPOINTED AS REGULAR MEMBER
2. SASHA LEVY, REGULAR MEMBER; RESIGNED FEBRUARY, 2018
3. ROBERT MOFFITT, REGULAR MEMBER; RESIGNED NOVEMBER, 2017
4. ALTERNATE ERIK FRANDSEN; WISHES TO BE REAPPOINTED AS REGULAR MEMBER OR AN ALTERNATE
5. ALTERNATE RUTH ANN NELSON; WISHES TO BE REAPPOINTED AS A REGULAR MEMBER OR AN ALTERNATE
6. ALTERNATE KIMBERLY RODELL; WISHES TO BE REAPPOINTED AS A REGULAR MEMBER OR AN ALTERNATE



Request for Town Council Action

Date: June 18, 2018
Submitted By: Chris Hudson, Public Works Manager
Reviewed By: Michelle Kivela, Town Administrator
Title: **Canterberry Parkway and Idyllwilde Drive Traffic Signal (CIP18-010)**

Amount: \$245,413
Contractor: Paonia, Inc.
Department: Public Works & Engineering, Chris Hudson

EXECUTIVE SUMMARY

Award of a trade contractor agreement with Paonia, Inc. for the Canterberry Parkway and Idyllwilde Drive traffic signal (CIP 18-010) for \$245,413.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town issued a "Notice to Bidders" for proposals for the Canterberry Parkway and Idyllwilde Drive traffic signal (CIP 18-010) on May 8, 2018, with the proposals (bids) publicly opened on May 31, 2018. The project consists of the installation of a mast arm traffic signal at the Canterberry Parkway and Idyllwilde Drive intersection. The Town received bids from four (4) contractors with Paonia, Inc., being the lowest responsible bidder. Paonia, Inc., has completed a prior traffic signal improvement project and is currently completing the Town's annual contracted signal maintenance contract that Town Council approved in late-2017. The bid results were as follows:

Paonia - \$245,413
WL Contractors - \$252,520
Interface Communications - \$262,876
Sturgeon Electric - \$302,895
Engineer's Estimate - \$265,000

Please note that the bid included two (2) bid alternates for upgraded traffic signal interconnect work. This additional work is not included in contract amount and will be pursued in the future dependent on funding. In addition, the Town will be supplying the signal poles and the traffic signal controller cabinet for the project.

FINANCIAL IMPACT

Funding for this project is part of the approved 2018 Capital Improvement Fund. The Town will assume the long-term maintenance of the traffic signal. The Town currently has Traffic Services staff to maintain the traffic signal but will require additional annual funding for outside maintenance, supplies and operation costs.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

None

RECOMMENDED MOTION

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



Request for Town Council Action

Date: June 18, 2018
Submitted By: Kurt Patrick, Stormwater Engineer
Reviewed By: Michelle Kivela, Town Administrator
Title: **Sierra Middle School Detention Pond Improvements (CIP18-017)**

Amount: \$115,166.38
Contractor: Iron Woman Construction and Environmental Services LLC
Department: Public Works & Engineering, Kurt Patrick

EXECUTIVE SUMMARY

Award of a trade contractor agreement for stormwater improvements to the Sierra Middle School detention pond to Iron Woman Construction and Environmental Services LLC for \$115,166.38.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Sierra Middle School detention pond is in need of upgrades to help our stormwater operations staff maintain the pond, and to protect downstream storm infrastructure. The pond currently needs a concrete trickle channel and forebay to help contain the sediment. There is also a large grouted boulder drop structure that has completely failed over the last 4 years. This project will repair the drop structure with a modified design to improve it's effectiveness.

FINANCIAL IMPACT

The project was competitively bid on June 1, 2018. The results of the bid are as follows:

- Iron Woman \$115,166.38
- AB Underground \$162,417.80
- Concrete Works of CO \$181,500.00
- TLM \$200,709.50

- Rock X Excavation and Concrete \$206,502.00
- ECI Site Construction \$214,492.75
- Left Hand Excavating \$213,271.95

The low bidder was Iron Woman Construction and Environmental Services LLC. The project contained two schedules and one alternate bid item. We will be awarding all schedules as well as the alternate item.

The total contract price for the project is \$115,166.38. The project is fully funded as part of the 2018 Stormwater Capital Improvement Program.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

None

RECOMMENDED MOTION

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



Request for Town Council Action

Date: June 18, 2018

Submitted By: Matt Carlson, Business Recruitment Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **Tax and Fee Assistance Program Agreement for Takoda Tavern, LLC**

Department: **Economic Development, Matt Carlson**

EXECUTIVE SUMMARY

Takoda Tavern, LLC has filed an application with the Town to participate in the Town of Parker Tax and Fee Assistance Program (TAP) pursuant to Parker Municipal Code 4.02

Based on Town Council direction, staff is recommending a TAP agreement to include:

1. a rebate of 50% of building permit fees and construction use taxes; and,
2. a rebate of 50% of increased sales tax (excluding lodging taxes) for a period not to exceed 5 years; and,
3. the combined maximum rebate of all fees and taxes shall not exceed \$110,000.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Takoda Tavern is a local restaurant/bar owned by Bob Noble and in business for eight years. Takoda currently leases approximately 4,800 square feet of space in the strip retail center located in Robinson Ranch at the southeast corner of the intersection of Parker and Hess Roads. Takoda Tavern currently employs approximately 25 people (5 full-time) and generates sales of approximately \$1.3 million annually with sales taxes of approximately \$40,000 annually.

Mr. Noble has purchased a piece of property immediately south of his current location and plans to build a 12,000 square foot commercial building to expand his restaurant/bar. He will act as the developer and make all necessary improvements associated with the planned commercial building and site. Mr. Noble has obtained site plan approval and all required building permits through the Community Development Department. The project is currently

under construction.

The capital investment is estimated at \$4.0 million and represents a significant investment in, and commitment to, the Town of Parker. The annual sales are estimated to be \$2.5 million initially growing to \$3.5 million over 5 years. The expanded operation will employ approximately 50-60 individuals (15 full-time) when fully operational. The new location is tentatively scheduled to open in late 2018.

The Takoda Tavern project meets the following goals of the TAP Program:

- Assists with the expansion of a local business
- Provides new jobs (employment)
- Produces increased sales tax
- Contributes to the diversity of jobs and employment opportunities

FINANCIAL IMPACT

The project is revenue positive and the proposed TAP agreement with Takoda Tavern, LLC. will include:

- 1) a rebate of 50% of building permit fees and construction use taxes, and;
- 2) a rebate of 50% of increased sales tax (excluding lodging taxes) for a period not to exceed 5 years; and,
- 3) the combined maximum rebate of all fees and taxes shall not exceed \$110,000.

STRATEGIC GOAL(S)



ATTACHMENTS

1. TAP Agreement

RECOMMENDED MOTION

"I move to approve the Tax and Fee Program Assistance Agreement for Takoda Tavern, LLC"

**TAX AND FEE ASSISTANCE PROGRAM AGREEMENT
FOR TAKODA TAVERN, L.L.C.**

THIS AGREEMENT, made and entered into this _____ day of _____, 2018, by and between Takoda Tavern, L.L.C., a Colorado limited liability company (the "Owner"), and the Town of Parker, Colorado (the "Town").

RECITALS:

A. The Town adopted Chapter 4.2 of the Parker Municipal Code, entitled TAX AND FEE ASSISTANCE PROGRAM (collectively referred to as the "Ordinance" or the "TAP Program"), to encourage recruitment, retention, establishment and/or expansion of retail sales tax-generating businesses within the Town, thereby stimulating the economy of and providing employment for residents of the Town and others, further expanding the goods and services available for purchase and consumption by businesses and residents of the Town, thus further increasing the sales taxes and fees collected by the Town.

B. The Owner desires to participate in the TAP Program and to share in the enhanced sales tax derived from the expanded business described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Expanded Business"), which is generally located at the southwest corner of Parker and Hess Roads, and more particularly described in **Exhibit B**, which is attached hereto and incorporated by this reference (the "Property"), for the installation of the public or public-related improvements described in **Exhibit C**, which is attached hereto and incorporated by this referenced (the "Improvements"), to the extent allowed in this Agreement.

C. The Owner shall be deemed the recorded owner of the real property upon which the Expanded Business is operated and is solely entitled to reimbursement provided for herein for purposes of this Agreement, whether or not the Owner owns all or any portion of the real property upon which the Expanded Business is operated at the relevant time, since the Owner is responsible for the installation of the Improvements.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants, promises, and agreements of each of the parties hereto, to be kept and performed by each of them, the parties agree as follows:

1. Term and Condition Precedent.

a. The Town and the Owner acknowledge and agree that this Agreement describes a certain condition precedent, which is contained in Paragraph 5 of this Agreement (the "Condition Precedent"), that must be performed on or before September 30, 2019 (the "Condition Deadline"). In the event that the Condition Precedent described in Paragraph 5 of this Agreement is fully satisfied on or before the Condition Deadline, Town and the Owner each agree to promptly execute the Certificate of Compliance attached as **Exhibit D** and incorporated by this reference, which establishes that the terms and conditions contained in Paragraph 5 of this Agreement have been satisfied. In the event the Condition Precedent is not satisfied by the Condition Deadline, then this Agreement will automatically terminate, and any action or approval made or undertaken by either party to this Agreement shall be null and void and of no force or effect.

b. Subject to the terms and conditions of this Agreement, the term of this Agreement shall commence on the issuance of the Town's written authorization for the Expanded Business to operate on the Property and shall terminate one (1) year from the date in which the Town issues the written authorization for the Expanded Business to operate on the Property; provided, however, that, subject to the terms of the next succeeding sentence, this Agreement shall automatically renew for additional one-year terms. The term of this Agreement may be renewed by up to four (4) one-year terms. This Agreement shall automatically renew for each additional one-year term, provided, however, amounts shall not be paid to the Owner in any year for which the Town has not appropriated sufficient funds for payment in such year, or the Town has disbursed the maximum amount, as provided in Paragraph 2.d. of this Agreement.

2. Qualification of Property for the TAP Program. The Town agrees that the Expanded Business qualifies for the TAP Program and the Improvements are improvements for public and/or public-related purposes that will enhance the competitive position of the Town within the Denver metropolitan area market place. The following provisions shall apply for each year in which this Agreement is in effect for the Expanded Business located on the Property:

a. Fifty percent (50%) of the "Enhanced Sales Taxes," as defined in the Ordinance, collected by the Town and derived from the Expanded Business located on the Property, excluding the half percent (0.5%) Town sales tax described in Section 4.02.080(b) of the Parker Municipal Code ("Parks and Recreation Sales Tax"), shall be segregated by the Town Finance Director to be utilized for this Agreement.

b. In determining the amount of "Enhanced Sales Taxes," the "base amount" as defined in the Ordinance and agreed to by the Town and the Owner shall be Forty Thousand Dollars (\$40,000) per year for the initial year and each of the four (4) remaining one-year terms (including the Parks and Recreation Sales Tax), which amount represents the good faith determination by the Owner and the Town of the amount of sales tax that would be generated without assistance from the Town.

c. The Owner shall share in the Enhanced Sales Taxes derived from the New Business located on the Property in the amount of Fifty percent (50%) of the Enhanced Sales Taxes, excluding the Parks and Recreation Sales Tax, for the five (5) one-year terms of the Agreement. The Owner shall also share in building permit fees, which include permit, plan check fees, and construction use taxes collected by the Town (the "Fee Repayment") during the construction permitting process for the initial construction of the Expanded Business on the Property. The amount of the Fee Repayment shall be fifty percent (50%) of the building permit fees, which include permit fees, plan check fees, and construction of use taxes collected by the Town, excluding the Douglas County use tax and the half percent (0.5%) Town use tax described in Section 4.02.080(b) of the Parker Municipal Code. The Fee Repayment shall be used for reimbursement of the Improvements, as described herein. The Fee Repayment shall, together with the Enhanced Sales Tax, be used for reimbursement of the Improvements, as described in Paragraph 2.d. of this Agreement.

d. The Enhanced Sales Taxes from the Expanded Business located on the Property shall be shared and the Owner's share thereof shall be disbursed on a quarterly basis commencing on the date specified in Paragraph 1.b. of this Agreement for reimbursement of the cost of

Improvements described in Exhibit C. The Fee Repayment will be paid to the Owner upon the construction and installation of the Improvements or the issuance of the certificate of occupancy for the Expanded Business, whichever occurs last. The maximum period of time that this Agreement shall be in effect is five (5) years (commencing on the issuance of the Town's written authorization for the Expanded Business to operate on the Property as described in Paragraph 1.b.) or until the maximum sum of One Hundred Ten Thousand Dollars (\$110,000.00) derived from (i) Enhanced Sales Taxes defined herein and (ii) the Fee Repayment defined herein have been paid to Owner for reimbursement for the Improvements, whichever occurs first, at which time this Agreement shall terminate. It is expressly understood by the parties that this Agreement will terminate as provided in Paragraph 1.b. of this Agreement or upon the occurrence of the earlier to be reached of the maximum time as provided in the preceding sentence (whether or not the maximum amount to be shared has been reached) or disbursement of the maximum amount to be shared as provided in the preceding sentence (whether or not the maximum time set forth has expired).

e. The base amount for Enhanced Sales Taxes is divided into twelve (12) monthly increments by agreement of the Owner and the Town as shown on **Exhibit E**, which is attached hereto and incorporated by this reference. In the event the sales taxes received from the Property do not at least equal the monthly base amount for any month, there shall be no sharing of funds for that month and no increment shall be shared until the cumulative sales taxes received from the Property for the applicable twelve-month cycle exceed the cumulative base amount for such period.

f. This Agreement is a personal agreement between the Town and the Owner which does not run with the land and shall not be recorded against the Property. Further, this Agreement shall never constitute a debt or obligation of the Town within any constitutional or statutory provision.

g. Any Enhanced Sales Taxes subject to this Agreement shall be escrowed in the event there is a legal challenge to the TAP Program or the approval of this Agreement.

h. The obligations, benefits and/or the provisions of this Agreement may not be assigned in whole or in part without the express authorization of the Parker Town Council and no third party shall be entitled to rely upon or enforce any provisions hereon.

i. At the end of the term of this Agreement as provided for herein, any monies segregated by the Town Finance Director which have not been expended as hereunder provided may be transferred to another account of the Town or used in any manner determined by the Town in its sole discretion, excluding any amounts escrowed pursuant to Paragraph 2.g. of this Agreement.

j. From the Enhanced Sales Taxes proceeds segregated by the Town Finance Director, the Town shall pay the Owner upon satisfaction of the obligations related to the Improvements, as described in Exhibit C of this Agreement. The Owner shall provide documentation acceptable to the Town to establish that the obligations described in Exhibit C have been satisfied.

3. Nonappropriations/Multi-Fiscal Year Obligations. Notwithstanding anything in this Agreement to the contrary, this Agreement is specifically subject to annual appropriation of sufficient funds to pay Enhanced Sales Taxes as provided by this Agreement. In the event that appropriation of sufficient funds is not made in any year, resulting in the inability of the Town to pay Enhanced Sales Taxes hereunder, the Town shall not be obligated to make payment of the nonappropriated amounts in such year.

4. Subordination. Notwithstanding anything in this Agreement to the contrary, the Owner shall have no right, claim, lien, or priority in or to the Town's sales tax or use tax revenue superior to or on parity with the rights, claims, or liens of the holders of any sales tax or use tax revenue bonds, notes, certificates, or debentures payable from or secured by any sales taxes or use taxes, existing or hereafter issued by the Town, and that all rights of the Owner are, and at all times shall be, subordinate and inferior to the rights, claims, and liens of the holders of any and all such sales tax or use tax revenue bonds, certificates of participation, notes, certificates, or debentures, issued by the Town and payable from or secured by any sales taxes.

5. Condition Precedent to be Satisfied. The Condition Precedent to be satisfied on or before the Condition Deadline is the issuance of the Town's written authorization for the Expanded Business to operate on the Property, on or before September 30, 2019. In the event that the Condition Precedent have not been satisfied and the Certificate of Compliance has not been executed by the parties on or before the Condition Deadline, then this Agreement shall automatically terminate and any action or approval undertaken by either party to this Agreement to satisfy any Condition Precedent shall be null and void and of no force or effect. Upon the execution of the Certificate of Compliance by the parties hereto, the Town and Owner shall satisfy the terms and conditions contained in this Agreement.

6. Remedies. The Owner waives any constitutional claims against the Town arising out of a breach of this Agreement. The Owner's remedies against the Town under this Agreement are limited to breach of contract claims.

7. Severability. It is understood and agreed by the parties hereto that if any part, term, or provision of this Agreement is held by the courts to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid, and the parties shall cooperate to cure any legal defects in this Agreement or the TAP Program.

9. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that venue of such suit or action shall be in Douglas County, Colorado.

10. Notice. All notice required under this Agreement shall be in writing and shall be hand delivered or sent by certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices so given shall be considered effective upon the earlier of actual receipt or seventy-two (72) hours after deposit in the United States mail with

the proper address as set forth below. Either party by notice so given may change the address to which future notices shall be sent.

Notice to the Town: Town Administrator
 Town of Parker
 20140 East Mainstreet
 Parker, Colorado 80138

Notice to the Owner: Robert Nobles
 Takoda Tavern, L.L.C.
 6280 Northwoods Glen Drive
 Parker, Colorado 80134

11. Entire Agreement - Amendments. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Agreement shall supersede all previous communications, representations or agreements, either verbal or written, between the parties hereto. This Agreement may be amended by written agreement between the Owner and the Town acting pursuant to Town Council authorization, as provided by the Ordinance.

12. Effective Date. This Agreement shall be effective and binding upon the parties immediately upon the day and year first above written.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

OWNER: TAKODA TAVERN L.L.C., a
Colorado limited liability company

Robert Nobles

Robert Nobles, Owner

STATE OF COLORADO)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 16 day of April, 2017, by Robert Nobles, as Owner of Takoda Tavern L.L.C., a Colorado limited liability company.

My commission expires: 07/25/2020.

SEAL

Holly Berges

Notary Public

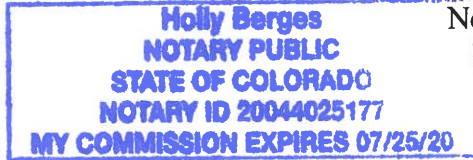


EXHIBIT LIST

Exhibit A	Description of Takoda Tavern
Exhibit B	Legal Description of the Property
Exhibit C	Improvements
Exhibit D	Certificate of Compliance
Exhibit E	Base Amount

EXHIBIT A

DESCRIPTION OF TAKODA TAVERN

Takoda Tavern has purchased a piece of property immediately south of its current location and plans to build a two-story, 12,000-square-foot building and make all necessary improvements associated with this commercial office and restaurant structure.

The capital investment is estimated at \$4 million and represents a significant investment in, and commitment to, the Town. Annual sales are estimated to be \$2.5 million initially growing to \$3.5 million over 5 years. The increased operation will employ approximately 50-60 individuals (15 full-time) when fully operational. The new location is scheduled to begin construction this spring and open in fall of 2018.

EXHIBIT B

LEGAL DESCRIPTION

**LOT 7, ROBINSON RANCH FILING NO. 2, 2nd AMENDMENT, BEING PART OF THE NE
¼ OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 66 WEST, OF THE 6TH P.M., TOWN OF
PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO**

EXHIBIT C

IMPROVEMENTS

The obligations and improvements which are public or public-related and eligible under the "Tax and Fee Assistance Program Agreement" include the improvement to approximately 1.5 acres of undeveloped property in the Town of Parker with a sales-tax-generating enterprise and an initial capital investment of more than \$4 million. The new business will both create approximately 30 new jobs and also result in diversity of sales tax generation.

EXHIBIT D

CERTIFICATE OF COMPLIANCE

IT IS HEREBY CERTIFIED by the undersigned authorized representatives of the Town of Parker and Takoda Tavern, L.L.C., in connection with that certain Tax and Fee Assistance Program Agreement for Takoda Tavern, L.L.C., dated _____, 2018 (the "Agreement"), that:

The Condition Precedent described in Paragraph 5 of the Agreement was fully satisfied on or before September 30, 2019.

IN WITNESS WHEREOF, the parties sign this Certificate of Compliance this ____ day of _____, 201__.

TOWN OF PARKER, COLORADO

By: _____
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

**OWNER: TAKODA TAVERN L.L.C., a
Colorado limited liability company**

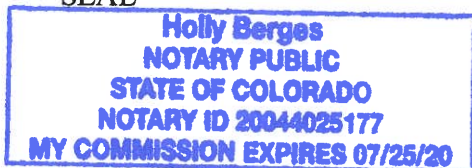
Robert Nobles
Robert Nobles, Owner

STATE OF COLORADO)
)ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 16 day of April, 201__, by Robert Nobles, as Owner of Takoda Tavern, L.L.C., a Colorado limited liability company.

My commission expires: 07/25/2020.

SEAL



Holly Berges
Notary Public

EXHIBIT E

BASE AMOUNT

YEAR 1 through 5

Month #1	\$ 3,333.00
Month #2	\$ 3,333.00
Month #3	\$ 3,333.00
Month #4	\$ 3,333.00
Month #5	\$ 3,333.00
Month #6	\$ 3,333.00
Month #7	\$ 3,333.00
Month #8	\$ 3,333.00
Month #9	\$ 3,333.00
Month #10	\$ 3,333.00
Month #11	\$ 3,333.00
Month #12	<u>\$ 3,337.00</u>
Total Annual Base	\$40,000.00



Request for Town Council Action

Date: June 18, 2018

Submitted By: Mary Lou Brown, Finance Director
Linda Quade, Sales Tax Administrator

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 8.28.6 - Second Reading**
A Bill for an Ordinance to Amend Section 4.03.030 and
Subsection 4.03.200(a) of the Parker Municipal Code
Concerning Sales Tax and Qualified Nonprofit Organizations

Department: **Finance, Mary Lou Brown**
Finance, Linda Quade

EXECUTIVE SUMMARY

The Parker Municipal Code (the "Code") imposes sales tax on all non-profit organizations that do not meet the charitable purpose test set forth in Section 4.03.200(a)(2) of the Code. The Code relies on the following definition of a charitable organization, adopted in 2017 as part of the Town's revision of the Code consistent with the adoption of the CML standard sales tax definitions as applied to the Town:

Charitable organization means any entity which:

- (1) has been certified as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code; and
- (2) is an organization which exclusively, and in a manner consistent with existing laws and for the benefit of an indefinite number of persons or animals, freely and voluntarily ministers to the physical, mental, or spiritual needs of persons or animals, and thereby lessens the burden of government.

Code Section 4.03.030, as revised, includes the definition for qualified nonprofit organizations, and Code Section 4.03.200(a)(2), exempts from sales tax "(a)ll sales made to, billed directly to, and paid directly by, a qualified nonprofit organization."

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town would like to create a fair and rational basis for exempting qualified nonprofit organizations from Town sales tax.

FINANCIAL IMPACT

The full financial impact is not known as current sales tax collections for non-profits were minimal; the largest non-profit was not currently remitting.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance No. 8.28.6

RECOMMENDED MOTION

I move to approve Ordinance No. 8.28.6 on second reading.

ORDINANCE NO. 8.28.6, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 4.03.030 AND SUBSECTION 4.03.200(a) OF THE PARKER MUNICIPAL CODE CONCERNING SALES TAX AND QUALIFIED NONPROFIT ORGANIZATIONS

WHEREAS, from time to time as part of administering a local sales and use tax code, minor modifications are required to ensure the intended result; and

WHEREAS, the Town Council has determined, following careful review and recommendation by staff, that the changes proposed by this ordinance do not constitute a change in tax policy requiring voter approval under TABOR and that all of the proposed changes are revenue neutral.

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

Section 1. Section 4.03.030 of the Parker Municipal Code is amended by the addition of a new definition to read as follows:

4.03.030 Definitions.

For the purpose of this Code, unless the context clearly indicates otherwise, the words, terms and phrases set forth below shall have the following meanings:

* * *

Qualified nonprofit organization means any of the following:

a. An organization that is a public charity as defined by Section 509(a)(1) and Section 170(b)(1)(A)(iii) of the United States Internal Revenue Code, Title 26, U.S.C., as amended;

b. A corporation or trust that is exempt from federal income tax under Section 501(c)(3) of the United States Internal Revenue Code, Title 26, U.S.C., as amended, and owns or employs personal property or improvements that are used in the operations of one or more organizations described in Paragraph (a) above; and either

1. Directly controls, or is controlled by, one or more organizations described in Paragraph (a) above; or

2. Is controlled by a management organization as defined in Paragraph (c) below in common with one or more organizations described in Paragraph (a) above; or

c. An organization that is exempt from federal income tax under Section 501(c)(3) the United States Internal Revenue Code, Title 26, U.S.C., as amended, and a principal function of which is to manage the property or operations, or both, of one or more organizations described in Paragraphs (a) or (b) above; and

d. A partnership, limited partnership, limited liability limited partnership, limited liability partnership, limited liability company, or joint venture if all of the partners, members, joint venturers or other participants in such partnership, limited partnership, limited liability limited partnership, limited liability partnership, limited liability company or joint venture are organizations described in Paragraphs (a), (b) or (c) above.

Section 2. Subsection 4.03.200(a) of the Parker Municipal Code is amended by the addition of a new Paragraph (46) to read as follows:

4.03.200 Sales tax - Exempt property and services.

(a) The following goods and services shall be exempt from sales tax under the provisions of this Code:

* * *

(46) All sales made to, billed directly to, and paid directly by, a qualified nonprofit organization.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: June 18, 2018

Submitted By: Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 8.28.7 - Second Reading**
A Bill for an Ordinance to Amend Subsection 4.03.200(a) of the Parker Municipal Code Concerning Sales Tax on Gas and Electric Service

Department: **Finance, Mary Lou Brown**
Finance, Linda Quade

EXECUTIVE SUMMARY

The proposed ordinance amendment adds gas and electric service and the sale and purchase of electricity or gas for industrial use to the list of goods and services that are exempt from sales tax.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Staff is recommending a modification to the Town's Sales and Use Tax Code. The change adds an additional sales tax exemption to 4.03.200 Sales Tax-Exempt property and services. The proposed exemption is for gas and electric service and the sales and purchase of electricity or gas for industrial use. This recommendation does not constitute a change in tax policy requiring voter approval under TABOR.

FINANCIAL IMPACT

There is no material financial impact to the Town from the addition of this exemption.

STRATEGIC GOAL(S)



ATTACHMENTS

1. Ordinance No. 8.28.7

RECOMMENDED MOTION

I move to approve Ordinance No. 8.28.7 on second reading.

ORDINANCE NO. 8.28.7, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SUBSECTION 4.03.200(a) OF THE PARKER MUNICIPAL CODE CONCERNING SALES TAX ON GAS AND ELECTRIC SERVICE

WHEREAS, from time to time as part of administering a local sales and use tax code, minor modifications are required to ensure the intended result; and

WHEREAS, the Town Council has determined, following careful review and recommendation by staff, that the changes proposed by this ordinance do not constitute a change in tax policy requiring voter approval under TABOR and that all of the proposed changes are revenue neutral.

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

Section 1. Subsection 4.03.200(a), of the Parker Municipal Code is hereby amended by the addition of a new Paragraph (47), which shall read as follows:

4.03.200 Sales tax—Exempt property and services.

(a) The following goods and services shall be exempt from sales tax under the provisions of this Code:

* * *

(47) Gas and electric service and the sale and purchase of electricity or gas for industrial use, meaning use in a continuing business activity of manufacturing or producing tangible personal property or services, as determined by the Town. For purposes of this exemption, manufacturing means the act of producing an item of tangible personal property different from and having a distinctive name, character, or use from raw materials, including the processing of recovered materials, and industrial use does not include the provision of telegraph or telephone services or radio communications.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: June 18, 2018

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 4.89.4 - Second Reading**
A Bill for an Ordinance to Amend Section 11.01.030 of the
Parker Municipal Code Concerning the Parker
Administrative Code

Department: Town Attorney, Jim Maloney

EXECUTIVE SUMMARY

The purpose of this ordinance and Ordinance No. 3.01.25.3 is to authorize the Town to enforce violations by developers/contractors of the rules and regulations of the water and sewer providers that serve the Town by the issuance of stop work orders and to authorize the Town to withhold building permits for projects that are not in compliance with all applicable public utility requirements and regulations.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Parker Water and Sanitation District (the “District”) contacted the Town after the first of the year seeking assistance from the Town to enforce violations of the District’s rules and regulations by developers/contractors. On example offered by the District involved a developer that was using the District’s water during a construction activity without using the District’s meter and without proper backflow prevention when spraying insulation on structures during construction. Although the District could impose fines, the District is powerless to secure immediate relief in matters involving public safety without the assistance of the Town, which would involve stop work orders and/or the refusal to issue permits. The proposed ordinances were expanded to include not only the District, but all water and sewer providers that serve the Town, as well as other public utilities.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 4.89.4
2. Parker Administrative Code - 2018 Amendments - 2 Sections

RECOMMENDED MOTION

I move to approve Ordinance No. 4.89.4 on second reading.

ORDINANCE NO. 4.89.4, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.01.030 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER ADMINISTRATIVE CODE

WHEREAS, the Town of Parker's water and sewer needs are served by the Parker Water and Sanitation District, and the Town's other utility needs are served by various other public utilities;

WHEREAS, the Town and these public utilities work together to ensure responsible, well-planned development within the Town; and

WHEREAS, minor changes to the Parker Municipal Code and the Parker Administrative Code, which is adopted by the Parker Municipal Code, will allow the Town to halt Town-authorized construction activities when a project is not in compliance with an applicable public utility's requirements or regulations.

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

Section 1. Section 11.01.030 of the Parker Municipal Code is amended to read as follows:

11.01.030 Parker Administrative Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the Parker Administrative Code, ~~2015~~ **July 2018** Edition, as published by the Town of Parker, Colorado, 20120 E. Mainstreet, Parker, CO 80138-7344, is adopted by reference and incorporated into this Chapter as though fully set forth herein. The Parker Administrative Code is adopted in full, including the outline of contents, index and appendices contained therein.

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 _____,
2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

PARKER ADMINISTRATIVE CODE

2015 EDITION (with revisions to Sections 101.2 and 202.4 for adoption in 2018)

SECTION 101. TITLE, PURPOSE and SCOPE

* * *

101.2 Purpose. The purpose of this code is to provide for the administration and enforcement of the codes adopted by the Town of Parker which include the Parker Building Code, Parker Residential Code for One- and Two-Family Dwellings, Parker Plumbing Code, Parker Mechanical Code, Parker Energy Conservation Code, Parker Existing Building Code, Parker Swimming Pool and Spa Code, Parker Nonresidential Property Maintenance Code, **and Parker Fuel Gas Code, Roadway Design and Construction Criteria Manual, and the Storm Drainage and Environmental Criteria Manual**, all of which are hereinafter referred to as the *Parker Technical Codes*.

* * *

SECTION 202. POWERS AND DUTIES OF CHIEF BUILDING OFFICIAL

202.1 General. The chief building official is hereby authorized and directed to enforce all the provisions of this code and the referenced *Parker Technical Codes*. For such purposes, the chief building official shall have the powers of a law enforcement officer.

The chief building official shall have the power to render interpretations of the *Parker Technical Codes*, and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

202.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the chief building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The chief building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

202.3 Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of the *Parker Technical Codes*, or whenever the chief building official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the chief building official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the chief building official by such *Parker Technical Codes*; provided that if such building or premises be occupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. Should entry be refused, the chief building official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

When the chief building official or his authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person have charge, care or control of the building or premises shall fail or neglect, after

proper demand is made as herein provided, to promptly permit entry therein by the chief building official or his authorized representative for the purpose of inspection or examination pursuant to this code.

202.4 Stop Orders. Whenever any work is being done contrary to the provisions of this code, **and the *Parker Technical Codes*, rules and regulations of the Parker Water and Sanitation District, Cottonwood Water and Sanitation District, Stonegate Village Metropolitan District, or any applicable public utility rule or regulation**, the chief building official may order the work stopped by notice in writing served on any person engaged in the doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the chief building official to proceed with the work.

202.5 Occupancy Violations. Whenever any building or structure or building service equipment therein regulated by the *Parker Technical Codes* is being used contrary to the provisions of such codes, the chief building official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use in the time prescribed by the chief building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of the *Parker Technical Codes*.

202.6 Authority to Disconnect Utilities. The chief building official or his authorized representative shall have the authority to disconnect any utility service or energy supplied to the building, structure or building service equipment therein regulated by the *Parker Technical Codes* in case of emergency where necessary to eliminate an immediate hazard to life or property. The chief building official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

202.7 Authority to Condemn Building Service Equipment. Whenever the chief building official ascertains that any building service equipment regulated in the *Parker Technical Codes* has become hazardous to life, health, property, or becomes unsanitary, he shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, whichever is appropriate. The written notice itself shall fix a time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice. When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the *Parker Technical Codes* and in violation of any notice issued pursuant to the provisions of this section, the chief building official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

202.8 Connection After Order to Disconnect. No person shall make connections from any energy, fuel or power supply nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the chief building official or the use of which has been ordered to be discontinued by the chief building official until the chief building official authorizes the reconnection and use of such equipment.



Request for Town Council Action

Date: June 18, 2018

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.01.25.3 - Second Reading**
A Bill for an Ordinance to Amend Section 13.10.160 of the
Parker Municipal Code to Ensure Compliance of New
Construction with Public Utility Regulations

Department: Town Attorney, Jim Maloney

EXECUTIVE SUMMARY

The purpose of this ordinance and Ordinance No. 4.89.4 is to authorize the Town to enforce violations by developers/contractors of the rules and regulations of the water and sewer providers that serve the Town by the issuance of stop work orders and to authorize the Town to withhold building permits for projects that are not in compliance with all applicable public utility requirements and regulations.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Parker Water and Sanitation District (the “District”) contacted the Town after the first of the year seeking assistance from the Town to enforce violations of the District’s rules and regulations by developers/contractors. On example offered by the District involved a developer that was using the District’s water during a construction activity without using the District’s meter and without proper backflow prevention when spraying insulation on structures during construction. Although the District could impose fines, the District is powerless to secure immediate relief in matters involving public safety without the assistance of the Town, which would involve stop work orders and/or the refusal to issue permits. The proposed ordinances were expanded to include not only the District, but all water and sewer providers that serve the Town, as well as other public utilities.

FINANCIAL IMPACT

None.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Ordinance No. 3.01.25.3

RECOMMENDED MOTION

I move to approve Ordinance No. 3.01.25.3 on second reading.

ORDINANCE NO. 3.01.25.3, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.10.160 OF THE PARKER MUNICIPAL CODE TO ENSURE COMPLIANCE OF NEW CONSTRUCTION WITH PUBLIC UTILITY REGULATIONS

WHEREAS, the Town of Parker's water and sewer needs are served by the Parker Water and Sanitation District, and the Town's other utility needs are served by various other public utilities;

WHEREAS, the Town and these public utilities work together to ensure responsible, well-planned development within the Town; and

WHEREAS, minor changes to the Parker Municipal Code and the Parker Administrative Code, which is adopted by the Parker Municipal Code, will allow the Town to halt Town-authorized construction activities when a project is not in compliance with an applicable public utility's requirements or regulations.

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

Section 1. Section 13.10.060 of the Parker Municipal Code is amended by the addition of a new Subsection (8) to read as follows:

13.10.060 Construction activities.

It is the policy of the Town to regulate construction activities and their disruption of rights-of-way, private property and property survey monuments among other items, and thus require the following:

(1) Disruptions. Whenever it becomes necessary to physically disrupt the surface or subsurface of any public street, or through the course of construction the surface of the road is significantly deteriorated, the roadway shall be restored to its original condition or an improved condition by the developer in accordance with ordinances of the Town and the provisions of the Roadway Design and Construction Criteria Manual of the Town.

(2) Surface rehabilitation. All surface disruptions associated with the installation of utilities shall be returned to the natural or naturally appearing grade, shall be properly treated for the surface discharge of water, and shall be revegetated with grasses or other suitable ground cover at a minimum. Paved and other similar surfaces shall be returned to their prior condition.

(3) As-built construction drawings. As-built construction drawings of all utility installations which are located in municipally owned areas or in areas to be dedicated to the Town shall be submitted to the Town prior to issuance of a certificate of occupancy by the Town.

(4) Property survey monuments. Prior to issuance of a certificate of occupancy, the applicant shall submit a certificate signed by a registered land surveyor attesting that the subject property corners have been established and monumented in the field. These property corners shall be shown on the plot plan and the structure or structures shall be referenced from at least one (1) of these corners. Said reference corner shall be established as the vertical control benchmark for the entire project.

(5) Public right-of-way survey monuments. Prior to submitting an application for a building permit, the applicant shall verify with the Director of Engineering that any primary or secondary monuments (*e.g.*, right-of-way monuments, permanent subdivision corners, etc.) which exist in the construction vicinity, and which may be disturbed during any phase of the construction process, have been located in the field and have been cross-referenced by a registered land surveyor. The applicant shall submit a certificate signed by a registered land surveyor that the monuments have been located in the field and stating the cross-reference data being used by the surveyor. If in fact a monument has been disturbed, the replacement of the disturbed monument shall be at the expense of the developer.

(6) Periodic compliance review. The Planning Department or any other Town department may elect to require site compliance inspections during the course of Building Department inspections. These inspections may be required prior to the finalization of a particular construction phase and shall be incorporated into the Building Department inspection process.

(7) Construction. Storage of all construction material and parking of employee vehicles shall be within the legal boundaries of the project or an approved alternate site. None of the aforementioned shall be placed on public right-of-way without the express written permission of the Town, or block access to the project, particularly access by emergency vehicles.

(8) Utilities. Prior to submitting an application for a building permit, the applicant shall verify with the Director of Engineering that the subject property is in compliance with all applicable public utility requirements and regulations. The Town may withhold building permits for noncompliance with applicable public utility requirements and regulations.

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 _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Request for Town Council Action

Date: June 18, 2018

Submitted By: Jim Maloney, Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.276 - Second Reading**
A Bill for an Ordinance Approving the Intergovernmental Agreement with the Douglas County Clerk and Recorder Regarding the Conduct and Administration of the November 6, 2018, Coordinated Election

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

EXECUTIVE SUMMARY

The Town's regular election will be conducted as a coordinated election with Douglas County. The Town and Douglas County are required to enter into an intergovernmental agreement to govern the conduct of the election, pursuant to C.R.S. § 1-7-116(2).

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

Under the "Uniform Election Code," the Town will coordinate its election with Douglas County. On February 5, 2018, the Town Council passed Resolution No. 18-011 in order to participate in the November 6, 2018, Douglas County coordinated election. Under the Uniform Election Code, the Town and Douglas County are required to enter into an intergovernmental agreement to conduct the election. Attached to the ordinance is the form of the 2018 intergovernmental agreement to be entered into between the Town and Douglas County.

FINANCIAL IMPACT

The cost to the Town to participate in the coordinated election is estimated by Douglas County to be \$29,671.20.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 9.276

RECOMMENDED MOTION

I move to approve Ordinance No. 9.276 on second reading.

ORDINANCE NO. 9.276, Series of 2018

TITLE: A BILL FOR AN ORDINANCE APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE DOUGLAS COUNTY CLERK AND RECORDER REGARDING THE CONDUCT AND ADMINISTRATION OF THE NOVEMBER 6, 2018, COORDINATED ELECTION

WHEREAS, under Section 2.1 of the Town of Parker Home Rule Charter and Section 2.06.020 of the Parker Municipal Code, the Town has adopted the exclusive use of Title 1 of the Colorado Election Code for all Town elections that are conducted with Douglas County;

WHEREAS, the Town Council of the Town of Parker adopted Resolution No. 18-01_, Series of 2018, stating the Town's intent to participate in the Douglas County Coordinated Election on November 6, 2018, and appointing the Town Clerk as the designated election official of the Town;

WHEREAS, the Town has sufficient funds available and appropriated in its approved budget to pay the Town's prorated election expenses for the coordinated election;

WHEREAS, the Town Council of the Town of Parker desires to enter into an Intergovernmental Agreement with the Douglas County Clerk and Recorder Regarding the Conduct and Administration of the November 6, 2018, Coordinated Election; and

WHEREAS, the Town Council of the Town of Parker desires to authorize the Mayor to execute the Intergovernmental Agreement with the Douglas County Clerk and Recorder Regarding the Conduct and Administration of the November 6, 2018, Coordinated Election.

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 Intergovernmental Agreement by and between the Douglas County Clerk and Recorder and the Town of Parker Regarding the Conduct and Administration of the November 6, 2018, Coordinated Election, which agreement shall be in substantially the same form as the agreement attached hereto as **Exhibit 1**. The Town Council further authorizes the Mayor of the Town to enter into the Intergovernmental Agreement on behalf of the Town in substantially the same form as attached hereto, following final approval by the Town Attorney.

Section 2. The Recitals of this Ordinance are incorporated herein by the reference.

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 _____, 2015.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2015.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

INTERGOVERNMENTAL AGREEMENT

BETWEEN

DOUGLAS COUNTY CLERK AND RECORDER

AND

Town of Parker

Regarding the Conduct and Administration of the

**NOVEMBER 6, 2018
GENERAL ELECTION**

**Prepared by:
Merlin Klotz
Douglas County Clerk and Recorder
125 Stephanie Place
Castle Rock, Colorado 80109
303-660-7444**



THIS AGREEMENT is made by and between the Board of County Commissioners of the County of Douglas, State of Colorado, on behalf of the Douglas County Clerk and Recorder (hereinafter referred to as the "County") and Town of Parker (hereinafter referred to as the "Jurisdiction") collectively as the "Parties"; and

WHEREAS, pursuant to the Uniform Election Code of 1992 (Articles 1 to 13 of Title 1, C.R.S.), governmental entities are encouraged to cooperate and consolidate elections in order to reduce taxpayer expenses; and

WHEREAS, pursuant to section 1-7-116, C.R.S. if more than one political subdivision holds an election on the same day in November and the eligible electors for each such election are the same or the boundaries overlap, the County Clerk and Recorder is the Coordinated Election Official and, pursuant to section 1-5-401, C.R.S. shall conduct the elections on behalf of all political subdivisions utilizing the mail ballot procedures set forth in article 7.5 of title 1; and

WHEREAS, the County and Jurisdiction have determined that section 1-7-116, C.R.S. applies and it is in the best interest of the taxpayers and the electors to enter into this Agreement to conduct the General Election on November 6, 2018; and

WHEREAS, such agreements are authorized pursuant to Article XIV, Section 18 of the Colorado Constitution, and sections 1-7-116 and 29-1-203, C.R.S. ,

NOW, THEREFORE, for and in consideration of the promises herein contained, the sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1. This election shall be conducted as a coordinated election in accordance with the Uniform Election Code of 1992 (Articles 1-13 of Title 1, C.R.S.). The election participants will execute agreements with Douglas County for this purpose and may include municipalities, school districts, and special districts within the Douglas County limits and the State of Colorado.
2. The Douglas County Clerk and Recorder shall be designated as the Chief Election Official (hereinafter "CEO").
3. FURTHER, the Parties agree as follows:

SECTION I. PURPOSE AND GENERAL MATTERS

1.01 DEFINITIONS:

- A. **"Address Library Report"** means the address report from the Secretary of State (hereinafter "SOS") voter registration system, which defines street addresses within the jurisdiction.
- B. **"Chief Election Official"**, (hereinafter "CEO") shall mean the County Clerk and Recorder shall act as the Coordinated Election Official, as defined within the Code and Rules and, as such, shall conduct the election for the Jurisdiction for all matters in the Code and the Rules which require action by the CEO.
- C. **"Colorado Election Code"** or "Code" means any part of the Uniform Election Code of 1992, (Articles 1-13 of Title 1, C.R.S.) or any other Title of C.R.S. governing participating Jurisdiction's election matters, as well as the Colorado Constitution, and the State of Colorado Secretary of State (SOS) Rules.
- D. **"Coordinated Election"** means an election where more than one jurisdiction with overlapping boundaries or the same electors holds an election on the same day and the eligible electors are all registered electors, and the County Clerk is the Chief Election Official for the jurisdictions.
- E. **"Computation of Time"** (pursuant to section 1-1-106 C.R.S.) means calendar days shall be used in all computations of time made under the provisions of this IGA. In computing any period of days prescribed by this IGA, the day of the act or event from which the designated period of days begins to run shall not be included and the last day shall be included. Saturdays, Sundays, and legal holidays shall be included. If the last day for any act to be done or the last day of any period is a Saturday, Sunday, or legal holiday and completion of such act involves a filing or other action during business hours, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday. If the state constitution or state statute requires doing an act in "not less than" or "no later than" or "at least" a certain number of days or "prior to" a certain number of days or a certain number of months "before" the date of an election, or any phrase that suggest a similar meaning, the period is shortened to and ends on the prior business day that is not a Saturday, Sunday, or legal holiday, except as provided in section 1-2-201(3).
- F. **"Contact Officer"** who shall act as the primary liaison or contact between the Jurisdiction and the County Clerk. The Contact Officer shall be that person under the authority of the County Clerk who will have primary responsibility for the coordination of the election for the Jurisdiction and the procedures to be completed by the County Clerk hereunder.

- G. **“Designated Election Official”** (hereinafter “DEO”), who shall be identified by the Jurisdiction to act as the primary liaison between the Jurisdiction and the Contact Officer and who will have primary responsibility for the conduct of election procedures to be handled by the Jurisdiction hereunder. To the extent that the Code requires that an Election Official of the Jurisdiction conduct a task, the DEO shall conduct same.
- H. **“District Boundary Map”** means the map which shows a specific jurisdiction’s boundaries according to the records on file with the County Assessor.
- I. **“General Election”** means the election held on the Tuesday succeeding the first Monday of November in each even-numbered year.
- J. **“IGA”** means Intergovernmental Agreement between the County and the Jurisdiction for election coordination.
- K. **“Jurisdiction”** means special districts, municipalities, or other local governments participating in the Coordinated Election under the terms of this Agreement.
- L. **“Mail Ballot Packet”** means the packet of information provided by the chief election official to eligible electors in the mail ballot election. The packet includes the official ballot, voter instructions for completing the ballot, a secrecy sleeve, and an official return envelope. § 1-7.5-103(5), C.R.S.
- M. **“Risk Limiting Audit”** means such audit as set forth in SOS Rule 25.
- N. **“Proposed Jurisdiction”** means a jurisdiction which may be formed pursuant to this election which is not yet identified by a tax authority code in the County Assessor database. When the context of this Agreement so requires, a Proposed Jurisdiction will simply be referred to as a Jurisdiction.
- O. **“SOS”** means State of Colorado Secretary of State.
- P. **“Election Calendar”** means the most recent election calendar as published on the SOS website located at www.sos.state.co.us and attached hereto as Attachment C and incorporated herein by this reference.

1.02 JOINT RESPONSIBILITIES

- A. All parties shall familiarize themselves with all statutory and regulatory requirements impacting coordinated elections and TABOR notices if required – See Attachment E.

- B. Nothing herein shall be deemed or construed to relieve the CEO or the Jurisdiction from their official responsibilities for the conduct of the election, including any of their respective responsibilities under the Fair Campaign Practices Act or any local ordinances concerning fair campaign practices.
- C. All parties shall adhere to all applicable provisions of the Colorado Election Code which are necessary or appropriate to the performance of the above duties.

1.03 JURISDICTIONAL LIMITATION

- A. The Jurisdiction encompasses territory within Douglas County. This Agreement shall be construed to apply only to that portion of the Jurisdiction within Douglas County.
- B. Where the Jurisdiction is entirely contained within Douglas County, the CEO has jurisdiction in setting ballot order and number. When the Jurisdiction is split among more than one county, the Jurisdiction agrees to coordinate with the CEO prior to agreeing upon ballot order or numbering.

SECTION II. COUNTY/JURISDICTION RESPONSIBILITIES

The County and the Jurisdiction shall each perform their respective duties and/or functions within the context of this Agreement:

2.01 THE COUNTY SHALL PERFORM THE FOLLOWING TASKS IN RELATION TO SAID ELECTION:

- A. Give assistance and information to the DEO of the Jurisdiction on any matter related to elections to ensure the smooth and efficient operation of the election (such information shall not include legal advice).
- B. Designate a Contact Officer with the specific duty of assisting with the election of the Jurisdiction (such oversight shall not preclude such Contact Officer from assisting with the elections of other jurisdictions or from performance of other tasks as delegated by the CEO).
- C. The Contact Officer shall provide to the Jurisdiction's Designated Election Official such advice (not including legal advice) and oversight as may help in the conduct of the Jurisdiction's election.

- D. Use the Address Library Report or District Boundary map and any documents provided regarding annexation, inclusion and/or exclusion, to identify eligible electors within the Jurisdiction.
- a. Provide the Jurisdiction with an Address Library Report, which defines Jurisdictional boundaries in terms of residential street ranges based on County Assessor data.
 - b. Provide the Jurisdiction with a District Boundary map, which identifies the jurisdiction boundaries on record with the County Assessor office..
 - c. Provide an Annexations, Inclusions, and/or Exclusions form to the Jurisdiction.
 - d. County will verify errors, omissions, and/or corrections identified by the Jurisdiction against County Assessor data, and where appropriate, modify street ranges to accurately define the eligible electors within the Jurisdiction.
 - e. Receive from Proposed Jurisdictions a certified legal description, map, and street list, identifying all street ranges for street addresses within the proposed Jurisdiction on or before eighty (80) days prior to the election. In the event residential addresses are not available, the Proposed Jurisdiction will be required to provide a list of the land parcel numbers which are within the boundaries of the Proposed Jurisdiction.
 - f. Receive from the Jurisdiction a certification of the accuracy of the Address Library Report, along with any changes, additions, or deletions that need to be made, to the CEO eighty (80) days prior to the election.
 - g. OR, receive from the Jurisdiction a certification of the accuracy of the District Boundary map, along with any changes, additions, or deletions that need to be made, to the CEO eighty (80) days prior to the election.
- E. Contract for Mail Ballot Packets with a vendor acceptable to the CEO and remit payment directly to the vendor.
- F. Lay out the text of the official ballots in a format that complies with the Code. (See also Section 1.03 (B) herein).
- G. Provide ballot printing layouts and text for proofreading and signature approval by the Jurisdiction prior to final ballot printing.

- H. Mail the ballot packets as required by the Code.
- I. Make available a certified list of registered voters on or before the deadline as set forth within the Attachment C.
- J. Appoint, instruct, oversee, and administer the payment of the judges of the election.
- K. Coordinate, instruct, and oversee the Canvass Board.
- L. Prepare and run the required Logic and Accuracy test deck, along with a test deck provided by the Jurisdiction, on date as set forth within the Douglas County Important Dates - Attachment D, attached hereto and incorporated herein by this reference.
- M. If applicable, provide daily business day pick-up of the sealed ballot container(s) containing voted ballots from all assigned locations. Provide replacement sealed empty ballot container(s).
- N. Publish and post the required legal notices pursuant to § 1-5-205(1), C.R.S. Notice shall be published for the Jurisdiction's ballot issues, ballot questions, and/or candidates on or before the deadline as set forth within Attachment C
- O. CEO will refer members of the public and press to the DEO regarding specific questions about candidates or ballot questions.
- P. Provide the necessary electronic voting tabulation equipment, personnel properly trained in electronic tabulating equipment, programming of the vote tabulating equipment, and the facility to conduct the ballot tabulation.
- Q. Conduct and oversee the process of counting the ballots and reporting the results by Jurisdiction.
- R. Provide a secure area for no more than two persons appointed by the Jurisdiction to observe the ballot counting procedures. The Jurisdiction's Board of Canvass representative may observe each of the steps of the processing of the ballots.
- S. Conduct a re-count of the ballots where the final ballot tabulation results are close enough to require a recount by law, or if not required by statute, upon the request of the Jurisdiction, for any reason. In either scenario, the cost of the recount will be charged to the Jurisdiction. If more than one Jurisdiction is involved in the recount, the cost will be pro-rated among the participating Jurisdictions based on numbers of eligible electors.

- T. Prepare and conduct the required Risk Limiting Audit before certifying election results.
- U. Conduct a canvass of the votes and certify the results of the Jurisdiction's election within the time required by law and forthwith provide the Jurisdiction with a copy of all election statements and certificates which are to be created under the Code.
- V. Submit to the Jurisdiction an itemized invoice for all expenses incurred under this Agreement. Within thirty (30) days from the date of receipt of such invoice, the Jurisdiction shall remit to the County the total payment. See Attachments A through B for pro-ratio formulas of said charges.
- W. Store all election records as required by the Code.

2.02 THE JURISDICTION SHALL PERFORM THE FOLLOWING TASKS IN RELATION TO SAID ELECTION AND TABOR NOTICE:

- A. Identify a DEO to act as liaison between the Jurisdiction and the CEO.
- B. DEO shall familiarize themselves with all statutory and regulatory requirements impacting the Jurisdiction.
- C. Identify immediately to CEO if Jurisdiction is shared by any additional county. Procedures will be followed as per SOS Rule 4.2 to determine controlling county for purpose of setting up shared races, issues, and questions in coordinated elections. (See Section 1.03 (B) herein).
- D. The Jurisdiction shall provide the CEO with a copy of the ordinance or resolution stating that the Jurisdiction has adopted the exclusive use of Title 1 of the Colorado Election Code and that the Jurisdiction will participate in the coordinated election in accordance with the terms and conditions of this Agreement. The ordinance or resolution shall further authorize the presiding officer of the Jurisdiction or other designated person to execute this Agreement.
- E. The Jurisdiction confirms that it has sufficient funds available and appropriated in its approved budget to pay its prorated election expenses for this coordinated election.
- F. The IGA must be returned to the CEO with all pages initialed and both signature pages completed on or before the deadline as set forth within Attachment C in order to enter into an intergovernmental agreement, per the Code.

- G. It is recommended and encouraged for the jurisdiction to participate in the events listed on Attachment D. Provide at least one member, and no more than two members, from the Jurisdiction to participate in each of the steps of the election process. If at least one of the appointed members is not present, an employee of the Douglas County Clerk and Recorder will be appointed on the Jurisdiction's behalf by the CEO and the Jurisdiction will be charged for the service according to the fee structure (Attachment A).
- H. Use either the Address Library Report or District Boundary map provided by the County to identify eligible electors within the Jurisdiction.
- a. If using the Address Library Report, the information contained in the Report must be accurate. Identify any errors, omissions, and/or corrections to the street names and ranges used.
 - b. If using the District Boundary map, the Jurisdiction must certify the boundaries Douglas County has on record, and that they are identical to the boundaries on record as determined by the Jurisdiction.
 - c. Provide CEO certification of any annexations, inclusions, and or exclusions, to the Jurisdiction, including all supporting documents, on or before eighty (80) days prior to Election Day.
- I. In order for the CEO to provide correct ballots to eligible electors, the Address Library Report or the District Boundary Map must be certified by the Jurisdiction and provided by the date and to define Jurisdictional boundaries, in writing 80 days prior to Election Day. This may be accomplished through the DEO certifying the accuracy of the Address Library Report including any changes, additions, or deletions to be made to the street ranges or by certification of the District Boundary map with any discrepancies indicated, and return with signed IGA on or before the deadline as set forth within Attachment C.

In order for the CEO to provide correct ballots to eligible electors, the Address Library Report or the District Boundary Map must be certified in writing by the Jurisdiction no later than 80 days prior to Election Day. Upon receipt of the certified Address Library Report or the District Boundary Map, the DEO will make note of any identified discrepancies and/or make any necessary changes to the address database including additions, deletions, or annexations.

- a. specified herein.
- J. A Proposed Jurisdiction, not already identified by a tax authority code in the County Assessor's records, will provide the CEO's office with a certified legal description, map, and a street list, identifying the street ranges for all streets within the Proposed Jurisdiction on or before eighty (80) days prior to Election Day. In the event residential

addresses are not available, the Proposed Jurisdiction agrees to provide a list of the land parcel numbers that are within the boundaries of the Proposed Jurisdiction.

- K. Review all petition information and verify the information against the registration records, and, where applicable, the county assessor's records as per § 1-4-908, C.R.S. After review, the DEO shall notify the candidate of the number of valid signatures and whether the petition appears to be sufficient or insufficient. Upon determining that the petition is sufficient and after the time for protest has passed, the DEO shall certify the candidate to the ballot, and, if the election is a Coordinated Election, so notify the CEO.
- L. Jurisdiction is strongly encouraged to write initiatives in plain, non-technical language, worded with simplicity and clarity in compliance with all statutory requirements as per § 1-40-105(1), C.R.S.
- M. Jurisdiction shall attempt to limit initiative content to four linear ballot column inches. Content exceeding this limit will be subject to additional fees not to exceed the specified amount outlined in the Costs and Fees (Attachment A) for each additional linear ballot column inch, charged in full linear ballot column inch increments. Content limits shall not apply to candidate races.
- N. Charges are \$0.80 per registered voter, with a minimum charge of \$500, not including publication cost, excess linear ballot column inches cost, and TABOR Notice costs (if applicable).
- O. Respond to inquiries as follows: The CEO shall respond to all correspondence and calls within its expertise relating to election procedures. The CEO and Contact Officer shall refer correspondence and calls concerning the substance of the ballot issues or the operations of the Jurisdiction to a person designated by the Jurisdiction to the CEO at least forty-five (45) days prior to this election. The DEO shall have staffing by Jurisdiction and be available to the CEO; and also shall reply to the originator of such substance and operations questions within a reasonable time after being notified of the same by the CEO. The DEO shall refer correspondence and calls relating to election procedures, and which are outside of the DEO's expertise, to the Contact Officer for response.
- P. Determine the ballot title and text. Certify, if applicable, the candidate, the list of ballot issues and/or ballot questions electronically (with receipt confirmed by the County Election Department) in a plain text format on or before the deadline as set forth within Attachment C. The ballot content must be certified in the order in which it will appear on the ballot. The certified list of candidates (order determined by lot drawing, or if applicable, city/town charter), ballot issues, and/or ballot questions shall be final and the CEO will not be responsible for making any changes after the certification, except those prescribed by statute. The CEO will not accept text that includes, but is not limited to, bold, italic, underline, bullets, numbering, tables, strikethrough or indentations. All caps are reserved for TABOR issues only per the Code.

- Q. Jurisdiction is to provide the phonetic pronunciation of each candidate's name to assist with the preparation of the audio ballot at the time ballot content is certified to the County. This information shall be left in a voice message recording at (303) 663-6279 and shall include the candidate name; jurisdiction and title of office.
- R. Jurisdiction must indicate whether question(s) are a referred measure or an initiative from a citizen petition. The Jurisdiction understands and agrees that any ballot content submitted to the CEO after the above noted date may result in its candidates, issues, or questions not being on the ballot for the Coordinated Election.
- S. Proofread the layout and the text of the Jurisdiction's portion of the official ballots and TABOR notice (if applicable) and provide written notice (electronic format) of acceptance before the printing of the ballots. **Approval or requested changes must be received within two (2) hours of receiving the layout and text from the county.** This may require availability outside of normal business hours. Such acceptance is final and no changes will be made after written notice (electronic format) is given to the CEO. Failure to meet the deadline shall be observed by the CEO as acceptance. A penalty for delay or rework of the ballot or TABOR notice, will result in an additional fee to the jurisdiction for ALL associated costs with fixing or correcting jurisdictional errors. (See Attachment A)
- T. Prepare, hand-count, and deliver to the CEO, the required test deck of ballots for testing the electronic vote counting equipment at the Logic and Accuracy Test, see Attachment D for due date.
- U. For elections where owning property in the Jurisdiction is a qualifier for voting in the election, request access to and utilize the online Special District Designated Election Official (DEO) Voter Lookup tool provided by the Colorado Secretary of State to confirm voter registration and verify "property ownership" information. Contact the CEO office for assistance gaining access to this tool.
- V. Provide the CEO with an initial and supplemental certified list of "property owners" (if applicable) eligible to vote in the election, as determined by the Jurisdiction, who:
- a. Own property within the Jurisdiction, appear on the State of Colorado list of registered voters, reside at an address as shown, that is not within the boundaries of Douglas County ("Out of County" property owners); or,
 - b. Own property within the Jurisdiction, appear on the Douglas County list of registered voters, reside at an address that may not match the property address as shown on the County Assessor's list, but is within the boundaries of Douglas County ("In County" property owners).

- c. The lists shall be submitted as an electronic copy. The electronic copy shall be submitted to the CEO using Microsoft Excel format. The spreadsheet shall contain no more than one (1) eligible elector's name per line. Each line shall consist of the following separated fields: eligible elector's county identification number (ie: Douglas County Identifier is 18), last name, first name, middle name, mailing address, city, state, zip, parcel number, phone number, if available, and voter identification number.
 - d. The DEO may at their expense, mail to all property owners in the jurisdiction and residing in Colorado, a letter confirming voter eligibility and information, and the desire to receive a ballot in the election. The DEO may use this information to provide the most accurate property owner list to the CEO.
- W. Publish and post any required legal notices for the Jurisdiction's candidates, ballot issues and/or ballot questions, other than the notice required by § 1-5-205, C.R.S. A copy of such published legal notice shall be submitted to the County for its records.
- X. Provide support on the day of the election via telephone and in person, should the need arise, from 7:00 am until counting of the ballots is completed. Designated contact person for Jurisdiction must be provided upon execution of this Agreement. Emergency contact information must also be provided for this purpose.
- Y. Notify the CEO within twenty-four hours of the completion of the final ballot tabulation whether a recount is required or desired. The Jurisdiction shall reimburse the County for the full cost of the recount. If other Jurisdictions are included in the recount the cost of the recount will be pro-rated among the participating Jurisdictions as per § 1-10.5-101, C.R.S.
- Z. Within thirty (30) days from the date of receipt of such invoice, the Jurisdiction shall remit to the County the total payment. See Attachments A and B.
- AA. Pay any additional or unique election costs resulting from Jurisdiction delays, mistakes and/or special preparations or cancellations relating to the Jurisdiction's participation in the Coordinated Election.

SECTION III. CANCELLATION OF ELECTIONS

3.01 CANCELLATION OF ELECTION BY THE JURISDICTION.

- A. In the event that the Jurisdiction resolves not to hold the election, then notice of such resolution shall be provided to the CEO immediately. The Jurisdiction shall be liable

for the full actual costs of the activities of the CEO relating to the election incurred both before and after the CEO's receipt of such notice. The Jurisdiction shall provide and post notice by publication as defined in the Code. In the event that the Jurisdiction resolves not to hold the election after the last day for the DEO to certify the ballot order and content to the CEO (see Attachment C), the text provided by the Jurisdiction cannot be removed from the ballot and/or the Ballot Issue notice (TABOR Notice).

**SECTION IV.
MISCELLANEOUS**

4.01 NOTICES.

- A. Any and all notices required to be given by this Agreement are deemed to have been received and to be effective: (1) three days after they have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; 3) or by email to the address of a Party as set forth below or to such Party or addresses as may hereafter be designated in writing:

To County:	Merlin Klotz Douglas County Clerk and Recorder Elections Department 125 Stephanie Place Castle Rock, Colorado 80104 Fax: 720-733-6977 Email: Elections@Douglas.co.us
------------	--

To Jurisdiction:

Fax:

4.02 TERM OF AGREEMENT.

- A. The term of this Agreement shall continue until all statutory requirements concerning the conduct of the coordinated election and the creation, printing, and distribution of the TABOR Notice, if needed, are fulfilled.

4.03 AMENDMENT.

- A. This Agreement may be amended only in writing, and following the same formality as the execution of the initial Agreement.

4.04 INTEGRATION.

- A. The Parties acknowledge that this Agreement constitutes the sole Agreement between them relating to the subject matter hereof and that no Party is relying upon any oral representation made by another Party or employee, agent or officer of that Party.

4.05 CONFLICT OF AGREEMENT WITH LAW, IMPAIRMENT.

- A. In the event that any provision in this Agreement conflicts with the Code or other statute, this Agreement shall be modified to conform to such law. No resolution of either party to this Agreement shall impair the rights of the CEO or the Jurisdiction hereunder without the consent of the other party to this Agreement.

4.06 TIME OF ESSENCE.

- A. Time is of the essence for this Agreement. The time requirements of the Code shall apply to completion of the tasks required by this Agreement. Failure to comply with the terms of this Agreement and/or the deadlines in Attachment C or the Code may result in consequences up to and including termination of this Agreement.

4.07 GOOD FAITH.

- A. The parties shall implement this Agreement in good faith, including acting in good faith in all matters that require joint or general action.

4.08 NO WAIVER OF GOVERNMENTAL IMMUNITY ACT.

- A. The Parties hereto understand and agree that they, their commissioners, officials, officers, directors, agents, and employees, are relying on, and do not waive or intend to waive by any provisions of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act (the "CGIA"), §§ 24-10-101 to 120, C.R.S., or otherwise available to the County or the Jurisdiction. To the extent the CGIA imposes varying obligations or contains different waivers for cities and counties, both the Jurisdiction and the County agree that they will remain liable for their independent obligations under the CGIA, and neither party shall be the agent of the other or liable for the obligations of the other.

4.09 NO THIRD PARTY BENEFICIARIES.

- A. The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the County and the Jurisdiction, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person under such Agreement.

4.10 ATTACHMENTS.

A. The following attachments are incorporated herein by this reference.

Attachment A Douglas County Costs and Fees

Attachment B Billing Charges Estimate

Attachment C Secretary of State Election Calendar (subject to updates)

Attachment D Douglas County Important Election Dates

Attachment E TABOR Notice

END OF PAGE

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective on the latest date noted below.

THE BOARD OF COUNTY
COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
COLORADO
(Board signature required only if
coordination cost will exceed \$25,000)

CHIEF ELECTION OFFICIAL:

By _____
Board of County Commissioners
Chairperson

By _____
Clerk and Recorder

Date _____

Date _____

Attest _____
Deputy Clerk to the Board

APPROVED AS TO FISCAL CONTENT:

APPROVED AS TO LEGAL FORM:

Director of Finance

County Attorney

Jurisdiction Signatures for **Town of Parker**

By _____

By _____

Date _____

Date _____

Attest _____

APPROVED AS TO FISCAL CONTENT:

APPROVED AS TO LEGAL FORM:

Finance Department

Attorney

Intergovernmental Agreement (IGA) & Special District Election Deadline Checklist

- ☐ **100 days prior to election**
 - Notice of Election to Clerk and Recorder (Chief Election Official-CEO) of intent to coordinate C.R.S. § 1-7-116(1), (2) & (5)
 - Copy of resolution or ordinance authorizing the election be conducted with the exclusive use of Title 1 of the Colorado Election Code

- ☐ **90 days prior to election**
 - Receive and Review IGA & Address Library Report and District Boundary Map
 - Have appropriate board member(s) sign and date IGA and Address Library Report Form or District Boundary Map

- ☐ **70th day before the election**
 - Return completed Contact & Participant Information List.
 - Submit to CEO the Address Library Report or District Boundary Map notating any changes, deletions, omissions, or errors OR certify accuracy of Report or Map by signing and dating and returning to the CEO.
 - Submit to CEO the signed acknowledgement and certification of Annexations, Inclusions, and/or Exclusions Form to the Jurisdiction with all supporting documents, OR acknowledge and certify that they are no such annexations, inclusions, and/or exclusions.
 - For PROPOSED DISTRICTS:
 - Provide certified legal description, map, and street listing (including street ranges) prior to the **70th day before the election**.
 - Return ALL pages of IGA initialed by DEO, completed and signed:
 - ORIGINAL via USPS mail, copies via FAX (303-733-6977) or EMAIL (Elections@douglas.co.us)
 - Submit to CEO a copy of the Ordinance and/or Resolution to participate in Coordinated Election
 - Return pages of Attachment E TABOR NOTICE AGREEMENT (if applicable) initialed by DEO, completed and signed
 - ORIGINAL via USPS mail, copies via FAX (303-733-6977) or EMAIL (Elections@douglas.co.us)

- ☐ Review all statutory and regulatory requirements impacting the jurisdiction.

- ☐ Notify CEO if jurisdiction is shared by other counties (Refer to Secretary of State (SOS) Rule 6.2).

- ☐ **60th day before election**
 - Certify candidates, ballot issues or ballot questions to CEO by C.R.S 1-5-203(3), in electronic formats
 - Acceptable electronic formats include:
 - Plain text (or word) files: (.txt, .doc, .docx) with no formatting
 - NO bold, italic, underline, bullets, numbering, tables, strikethrough or indentations, etc.
 - Instructional text accepted include: Vote for no more than two, Vote for one, Vote Yes or No. Please Note: You may include term length (ex: Four-year term).
 - Provide phonetic pronunciation of candidate's names:

Intergovernmental Agreement (IGA) & Special District Election Deadline Checklist

- Call 303-663-6279 and leave a message with the candidate name, jurisdiction and title of office.

For special district elections where landowners are eligible electors:

- Request land owner list from Assessor's office (if applicable- see page 3 for more information) and verify valid and qualified voters.
- Request a supplemental list no later than 60 days prior to Election Day and provide the CEO with any additional valid and qualified voters not present in the initial list.
- The initial property owner list from the County Assessor. Lists of more than 10,000 entries must be manually compiled and charges may be associated
- Contact the Douglas County Assessor's Office at (303)-660-7450 for more information.

- ☐ Proofread ballot layout and text for jurisdiction's portion of the official ballot
 - Forward to the CEO a written and signed letter of acknowledgement (sample attached) via email within two (2) hours After hours availability may be needed to ensure timely response.

- ☐ Logic and Accuracy Test (LAT)-
 - Refer to Attachment D -Important Election Dates for date/time/location.
 - Pick up test deck of ballots (day before LAT).
 - Mark ballots according to instructions provided.
 - Bring marked test deck and hand count of ballots to LAT.

- ☐ **50th Day Before Election – For special district elections where landowners are eligible electors:**

- DEO shall request a supplemental list and provide the CEO with any additional valid and qualified voters not present in the initial list.
- . Contact the Douglas County Assessor's Office at (303)-660-7450 for more information.

- ☐ **45th Day Before Election**

- Last day for DEO to receive Pro/Con Statements for TABOR issues; **Note: Refer to Attachment E of proper formatting for TABOR Notice Certification**

- ☐ **42nd Day Before Election**

- Last day for DEO to deliver full text of any required ballot issues or ballot questions and all summarized pro/con statements to the county clerk.
- Receive and proof TABOR layout and text for jurisdiction's portion of the TABOR Notice, and submit TABOR Notice Acceptance Form within two (2) hours of receipt. After hours availability may be needed to ensure timely response.

- ☐ **40th Day Before Election - For special district elections where landowners are eligible electors:**

- Submit the valid and qualified property land owner list to the CEO (see page 3 for information on eligible electors) if applicable.
 - Excel format only
 - One eligible elector's name per line. Each line shall consist of the following separated fields: eligible elector's county identification number (ie: Douglas County Identifier is 18), last name, first name, middle name,

Intergovernmental Agreement (IGA) & Special District Election Deadline Checklist

mailing address, city, state, zip, parcel number, phone number, if available.

- Only REGISTERED voters in State of Colorado, residing outside of jurisdiction
- Refer to Section 2.02(X) of IGA

○

☐ **30th Day Before Election**

- Deadline for Assessor to provide supplemental land owner list, if requested by the jurisdiction.
- Forward to CEO any eligible electors not previously submitted

☐ **Election Day**

- Provide telephone support for jurisdiction 7:00 a.m. - 7:00 p.m.
- Must be available throughout the day if needed by CEO

☐ **Post-Election Day Activities**

- Notify CEO within 24 hours of completion of final ballot tabulation if a recount is required
- Attend Board of Canvass
- Refer to Attachment D - **Important Dates** for date/time/location
- Remit payment within 30 days of receipt of billing invoice

Who is eligible to vote in a special district election?

An eligible elector is a person who, at the designated time or event, is registered to vote in Colorado, and who is:

- A resident of the special district or the area to be included in the special district for not less than thirty days; or
- Who, or whose spouse, owns taxable real or personal property situated within the boundaries of the special district or the area to be included in the special district, whether said person resides within the district or not.
- A person who is obligated to pay taxes under a contract to purchase taxable property situated within the boundaries of the special district or the area to be included within the special district shall be considered an owner.
- For all elections and petitions that require ownership of real property or land, a mobile home or a manufactured home shall be deemed sufficient to qualify as ownership of real property or land for the purposes of voting rights and petitions.

Note: a partnership, corporation or trust is not a “person” and therefore a person owning property through such a legal entity is not eligible to vote.

C.R.S. § 32-1-103(5)

Douglas County Costs and Fees for Election Coordination

COST PRO-RATION EXAMPLE

Douglas County cost pro-ratio for each participating Jurisdiction in the upcoming election will be based, in part, on the Jurisdiction's percentage of registered voters within the county, calculated in the following manner:

PARTICIPATING JURISDICTIONS	NUMBER OF REGISTERED VOTERS
State Issues	A
County Issues	B
School District	C
Jurisdiction 1	D
Jurisdiction 2	E
Jurisdiction 3	F
TOTAL	Z

Therefore, the percentage of total registration would be calculated as follows:

State Issues	=	CRS 1-5-505.5 (3) (b) (\$0.80 per voter)
County Issues	=	B/Z (% of Total Registration)
School District	=	C/Z (% of Total Registration)
Jurisdiction 1	=	D/Z (% of Total Registration)
Jurisdiction 2	=	E/Z (% of Total Registration)
Jurisdiction 3	=	F/Z (% of Total Registration)

Per active and inactive voter in Jurisdiction	\$0.80 (minimum charge of \$500)	
Additional Ballot Question/TABOR Language Text Per inch greater than 4 column inches in length of all issues combined	Coordinated odd year	\$1,000
	Gubernatorial even year	\$2,000
	Presidential even year	\$3,000
TABOR Notice (Jurisdiction's Voter registration %/ # of TABOR participants)	Minimum charge of \$250	
Public Notice (Cost/# of coordinating entities)	Varies	
Cancellation of Jurisdiction Election (All cost incurred before and after cancellation - IGA 3.01)	Full Actual Costs	
Failure to Comply with Terms of IGA	Full Actual Costs	
Delays/rework of ballot (Due to jurisdiction error - IGA 2.02U)	All associated Costs	
Staff appointment on behalf of jurisdiction/hr.	\$100	

The actual cost of the election will not be determined until after the election. The billing percentages will be determined approximately 20 days prior to the election. Payment by participating Jurisdictions will be directed to the County Clerk and Recorder, in whole within 30 days of receipt of billing. The County Clerk will coordinate payments to vendors.

2018 General Election Cost Estimates

Attachment B

Jurisdiction Name	Current Registration Total (Active & Inactive)	% of combined Registration	TABOR to Registered Voters	TABOR % of Registrati on	Reg x \$0.80	OR \$500 minimum, whichever is greater	AND \$2000 each additional column inch over 4 inches	Tabor Notice Cost x % registration or 250 minimum	Public Notice Divided equally by participating jurisdiction	Ballot Services	Requested Report Fees	Errors and Omissions Charges	Recount Charges	Total Amount Due
Town of Castle Rock	45,182	18.46%	0	0.00%	\$36,145.60	\$0.00	\$0.00	\$0.00	\$15.00		\$25.00			\$36,185.60
City of Littleton	421	0.17%	287	0.20%	\$0.00	\$500.00	\$4,000.00	\$250.00	\$15.00		\$25.00			\$4,790.00
Town of Parker	37,039	15.14%	0	0.00%	\$29,631.20	\$0.00	\$0.00	\$0.00	\$15.00		\$25.00			\$29,671.20
Douglas County School District	244,718	100.00%	145,000	99.80%	\$195,774.40	\$0.00	\$4,000.00	\$50,899.25	\$15.00		\$25.00			\$250,713.65
City of Aurora	796	0.33%	0	0.00%	\$636.80	\$0.00	\$0.00	\$0.00	\$15.00		\$25.00			\$676.80
Total	n/a	n/a	145,287	100.00%	\$262,188.00	\$500.00	\$8,000.00		\$75.00					\$322,037.25

*Note: State charge is capped at \$0.80/voter

State of Colorado - Active only	244,718	n/a			\$195,774.40		N/A	\$0.00	N/A					\$195,774.40
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* Per CRS \$0.80 per active registered Voter \$195,774

Total Reimbursement from Coordination and State of Colorado														\$517,811.65
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County Subsidized portion of Election Cost														\$432,188.35
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--------------

Total Estimated Cost of Election	\$950,000.00	100%												\$0.00
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Total Active and Inactive Voters 244,718

Public Notice Billing \$75.00

TABOR Billing \$39,000.00

TABOR Postage \$12,000.00

Total TABOR Charges \$51,000.00

2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

January, 2018		
2-January (Tuesday)	Last day to affiliate with a major or minor party in order to run as a party candidate in the primary (either through nomination or petition) (No later than first business day in January)	1-4-601(4)(a) 1-4-801(3) 1-4-1304(2)(b) 1-4-802(1)(g)(II)
	Last day to register as unaffiliated, in order to be placed in nomination (by petition) as an unaffiliated candidate. (No later than first business day in January)	1-4-802(1)(g)(II)
8-January (Monday)	Last day to affiliate with the Republican Party or Democratic Party in order to vote in the March 6th Party precinct caucuses . (2 months before the precinct caucuses)	1-3-101(1)
12-January (Friday)	Last day to submit a petition to qualify as a minor political party. (Must be signed by at least 10,000 registered electors and submitted to the Secretary of State) (No later than second Friday in January)	1-4-1302(1)
16-January (Tuesday)	First day to circulate major party candidate petitions. (Not before third Tuesday in January)	1-4-801(5)
February, 2018		
2-February (Friday)	Last day for the Secretary of State to issue a notice of sufficiency/insufficiency of a petition to qualify as a minor political party. (21 days after receipt of the petition)	1-4-1302(4)(b)
5-February (Monday)	Last day to update your voter registration address to participate in the March 6th party precinct caucuses . (Must be a resident of the precinct for 30 days <u>and</u> registered to vote no later than 29 days before the precinct caucus)	1-3-101(1)
	Last day to change precinct boundaries or create new precincts before the March 6th party precinct caucuses . (No later than 29 days before caucus)	1-5-103(1)
	First day to circulate minor party candidate petitions. (First Monday in February)	1-4-802(1)(d)(II)
	Last day for state central committees to file or amend party bylaws or rules with the Secretary of State. (No bylaw or rule may be filed or amended after the first Monday in February)	1-3-103(9)(a)
6-February (Tuesday)	Last day for county clerks to furnish the Republican and Democratic Parties with a list of registered electors in the county who are affiliated with the Party. (No later than 28 days before the March 6th party precinct caucuses)	1-3-101(3)(a)
22-February (Thursday)	Last day to post signs for the March 6th party precinct caucuses. (No later than 12 days before the precinct caucuses)	1-4-602(4)
March, 2018		
6-March (Tuesday)	Republican Party and Democratic Party Precinct Caucus Day (In each even-numbered year, political parties hold their precinct caucus on the first Tuesday in March)	1-3-102(1)(a)(I)
16-March (Friday)	Last day for the Secretary of State to prepare an election notice to be used in conjunction with a federal write-in absentee ballot. (At least 100 days before a regularly scheduled election)	1-8.3-116 1-1-106(5)
20-March (Tuesday)	Last day to file major party candidate petitions. (No later than third Tuesday in March)	1-4-801(5)
28-March (Wednesday)	Last day for county clerk to designate drop-off locations and Voter Service and Polling Centers for the June 26th Primary Election . Before designation, clerks must also complete an accessibility survey for all locations. (No later than 90 days before the Primary Election)	Rule 7
	Last day for county clerk to submit a mail ballot plan to the Secretary of State for the June 26th Primary Election. (No later than 90 days before the Primary Election)	1-7.5-105(1) Rule 7.1.1

Use this as a reference guide only. Always refer to the Colorado Constitution, Revised Statutes, and Secretary of State Rules for applicable provisions.

2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

28-March (Wednesday)	Last day for the county clerk to submit a watcher accommodation plan to the Secretary of State. (No later than 90 days before an election)	Rule 8.7
31-March (Saturday)	Last day to hold Republican Party and Democratic Party county assemblies . (No later than 25 days after precinct caucuses)	1-4-602(1)(a)(I)
	County candidates' designations and acceptances must be filed no later than 4 days after the adjournment of the county assembly. If faxed, the original must also be filed and postmarked no later than 10 days after the adjournment of the assembly.	1-4-601(3)(a) 1-4-604(3)
April, 2018		
2-April (Monday)	Last day to file minor party candidate petitions. (No later than 85 days before primary election)	1-4-802(1)(f)(II)
6-April (Friday)	Last day to submit draft ballot issues to the Title Board, if the issue is to appear on the 2018 General Election ballot. (No later than 3 p.m., 12 days before the last Title Board Hearing held on April 18th)	1-40-106(1)
12-April (Thursday)	Last day for any minor party to notify Secretary of State that it is prohibiting unaffiliated electors from voting in its primary. (Not less than 75 days prior to the primary)	1-4-1304(1.5)(c) Prop 108
14-April (Saturday)	Last day to hold major/minor party assemblies. (No later than 73 days before the Primary Election)	1-4-601(1) 1-4-1304(b)(I)
*	For major parties, designation and acceptance forms must be filed no later than 4 days after adjournment of the party assembly. If faxed, the originals must also be filed and postmarked no later than 10 days after the adjournment of the assembly.	1-4-601(3)(a) 1-4-604(6)(a)
*	For minor parties, designation forms must be filed no later than 4 days after the assembly. Acceptance forms must be postmarked or received by the DEO no later than 4 business days after the filing of the certificate of designation. If faxed, the originals must also be filed and postmarked no later than 10 days after the adjournment of the assembly.	1-4-1304(3), (4)
*	Objections to nominations, designations, or petitions must be filed with the district court within 5 days after the election official's sufficiency statement was issued or after the certificate of designation was filed with the designated election official.	1-4-909(1)
18-April (Wednesday)	Last day to hold a Title Board hearing for ballot issues that will appear on the 2018 General Election ballot. (No later than 3rd Wednesday in April)	1-40-106(1)
20-April (Friday)	Last day a write-in candidate may file an Affidavit of Intent for the Primary Election. (By the close of business on the 67th day before the Primary Election)	1-4-1102(1)
23-April (Monday)	Last day for party assembly vacancy committee to fill a vacancy in party designation which occurs after 68 days (April 19) or more before the primary election. (No later than 68 days before the Primary Election)	1-4-1002
24-April (Tuesday)	Last day for a major party county chairperson to certify names and addresses of recommended election judges to the county clerk. (No later than the last Tuesday of April)	1-6-103(1)(a)
*	Designated election official must confirm appointments by mailing a certification of appointment and acceptance form to election judges. Each person appointed as an election judge must file an acceptance form with the designated election official within 7 days after the certification and acceptance form are mailed.	1-6-104(1) 1-6-106(1) 1-6-106(3)
27-April (Friday)	Last day for designated election officials to submit security and contingency plans to the Secretary of State. (No later than 60 days before the first election in which the procedures will be used. Secretary of State will notify DEO of approval/disapproval of plan no later than 15 days after receiving the submission)	1-5-616(5)(b) Rule 20.1
	Last day for the Secretary of State to deliver the Primary Election ballot order and content to county clerks. (No later than 60 days before the Primary Election)	1-5-203(1)(a)

Use this as a reference guide only. Always refer to the Colorado Constitution, Revised Statutes, and Secretary of State Rules for applicable provisions.

2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

27-April (Friday)	The designated election official may cancel the Primary Election if there are no contested races. (By the close of business on the 60th day before the Primary Election)	1-4-104.5(1)
	Last day for the county clerk to send correspondence to each UOCAVA elector whose record is marked "Inactive." This correspondence must include information regarding the upcoming election. (No later than 60 days before the Primary Election)	Rule 16.1.6
	Last day for county who previously failed to meet 45-day ballot transmission deadline to submit plan to Secretary of State for complying with deadline in next election. (No later than 60 days before Election)	Rule 16.1.8
	Last day for counties to begin video surveillance recordings of areas specified in Rule 20.7.3. (Beginning at least 60 days before the election and continuing through at least 30 days after the election)	Rule 20.7.2
	Last day an unaffiliated voter may give notice in writing to the county clerk that he or she wishes to serve as an election judge. (No later than 60 days before primary election)	1-6-103.7
	Last day a county chairperson of a minor political party may certify to the county clerk and recorder an initial list of registered electors recommended to serve as election judges. (No later than 60 days before primary election)	1-6-103.5
	First day that a county clerk or designated election official may hold election judge training for the Primary Election. (Not more than 60 days before the Primary Election)	1-6-101(5)
May, 2018		
7-May (Monday)	First day for judicial candidates to file a declaration of intent to run for another term. (Not more than 6 months, but not less than 3 months before the General Election)	Art. VI, Sect. 25 1-1-106(4)
12-May (Saturday)	Deadline for county clerk to transmit a primary election ballot to military and overseas voters. (No later than 45 days before the Primary Election)	1-8.3-110
	The county clerk must report to the Secretary of State the number of ballots transmitted to military and overseas electors by the 45-day deadline. (No later than 45 days before the election)	Rule 16.1.7
	First day a county clerk may begin issuing a mail ballot to any eligible elector who requests one in person at the county clerk's office. (No sooner than 45 days before election)	1-7.5-107(2.7)
17-May (Thursday)	First day an unaffiliated candidate may circulate or obtain signatures on a petition for nomination for the General Election. (No earlier than 173 days before the General Election)	1-4-802(1)(d)(I)
22-May (Tuesday)	Last day for the county clerk to provide a list of election judges, including political party affiliations and assignments, if known, to each appointing party. (No later than 35 days before an election)	Rule 6.1.4
25-May (Friday)	Ballots for Primary Election must be printed and in possession of the county clerk. (No later than 32 days before the Primary Election)	1-5-402(1)
	County clerk must begin issuing mail ballots to any eligible elector who requests one in person at the county clerk's office. (No later than 32 days before election)	1-7.5-107(2.7)
	Last day for Secretary of State to publish on the Audit Center the risk limits that apply in RLAs for the Primary Election. (No later than 32 days before election)	Rule 25.2.2(a)
29-May (Tuesday)	Last day for voters who are affiliated with a political party to change or withdraw their affiliation if they wish to vote in a different party's primary election. (Up to and including the 29th day before the Primary Election)	1-2-219(1) 1-1-106(5)
	Last day before Primary that County clerk must record in SCORE the ballot preference of an unaffiliated elector. Unaffiliated electors who select a preference by this date must be sent their preferred ballot when ballots are mailed. (Up to and including the 29th day before Primary Election)	Rule 2.17
June, 2018		

Use this as a reference guide only. Always refer to the Colorado Constitution, Revised Statutes, and Secretary of State Rules for applicable provisions.

2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

4-June (Monday)	First day that mail ballots may be mailed to voters, except for UOCAVA voters. (Not sooner than 22 days before the Primary Election, now applies to unaffiliated voters)	1-7.5-107(3)(a)(I) Rule 7.2.3
	Last day to submit an application to register to vote through a voter registration drive. (No later than 22 days before the election)	1-2-201(b)(I)
5-June (Tuesday)	Last day for counties to submit zero result files (data entry counties) or a document listing all ballot content (manual entry counties) to the Secretary of State for Election Night Reporting (ENR) (No later than 21 days before the election)	Rule 11.10.2
6-June (Wednesday)	Last day to post polling location signs for the Primary Election. (At least 20 days before the election)	1-5-106(1)
	Last day for the county clerk to publish notice of Primary Election. (No later than 20 days before the Primary Election)	1-5-205(1)(a)-(d)
8-June (Friday)	Last day to send out initial mail ballots for the Primary Election. (No later than 18 days before the Primary Election)	1-7.5-107(3)(a)(I) Rule 7.2.4
	Last day for the county clerk to conduct the public Logic and Accuracy Test. (No later than the 18th day before election day)	Rule 11.3.2(a)
11-June (Monday)	Last day for major political parties to appoint members to the county canvass board for the Primary Election. (At least 15 days before the Primary Election)	1-10-101(1)(a)
	First day to begin counting mail ballots received for the Primary Election. No results may be disclosed until after 7:00 p.m. on election day. (No earlier than 15 days before the election)	1-7.5-107.5
	Last day for designated election official to appoint audit board to conduct RLA. (No later than 15 days before election day)	Rule 25.2.2(b)
12-June (Tuesday)	Last day for a data entry county to upload the LAT results file to ENR. (No later than 14 days before an election)	Rule 11.10.3
15-June (Friday)	Deadline for county clerk to post a copy of the published notice of Primary Election in a conspicuous place in the offices of the designated election official or the county clerk. (At least 10 days before the election and until 2 days after the election)	1-5-205(1.3) 1-1-106(5)
	Last day for the county clerk to file the voting system inventory with the Secretary of State. (No later than 10 days before an election)	1-1-106(5) Rule 11.2.3
18-June (Monday)	Last day for an individual to submit a voter registration application and still receive a ballot in the mail. (Through the 8th day before an election)	1-2-201(3)(b)(III)
	If the county clerk receives a voter registration application within the 8 days before the election, the clerk must process the application and inform the applicant that he or she will not receive a mail ballot. To receive a ballot, the applicant must visit a Voter Service and Polling Center.	1-2-201(4) 1-2-217.7(3.5) 1-2-508(3)
18-June to 26-June	The minimum number of required voter service and polling centers must be open for the Primary Election. (Beginning at least 8 days before and on election day, except Sundays)	1-7.5-107(4.5)(c) Rule 7.9
19-June (Tuesday)	Last day for the county clerk to submit election setup records to the Secretary of State by regular mail to Colorado Secretary of State, Attn: Voting Systems, 1700 Broadway, Ste. 200, Denver, CO 80290. (No later than 5:00 PM on the 7th day before election day)	1-7-510(2) Rule 11.4
22-June to 26-June	The minimum number of required drop-off locations must be open. (Beginning at least 4 days before and on election day, except Sundays)	1-7.5-107(4.3)(b) Rule 7.5
26-June (Tuesday)	Primary Election (Polls open 7:00 a.m. to 7:00 p.m.)	1-4-101(1) 1-7-101(1) Rule 7.9.1(b)

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2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

26-June (Tuesday)	All ballots must be received by the county clerk by 7:00 p.m. Ballots cast by military and overseas voters must be sent no later than 7:00 p.m. MT and received by the close of business on the 8th day after the election.	1-7.5-107(4)(b)(II) 1-8.3-111 1-8.3-113 Rule 16
28-June (Thursday)	Deadline for the county clerk to send missing signature, signature verification, and missing ID letters. (Within 3 days after receipt of ballot missing ID/confirmation of signature deficiency, but no later than 2 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3(2)(a) 1-8.5-105(3)(a) Rules 7.6.1 , 7.7.1
29-June (Friday)	Deadline for the Secretary of State to give public notice of the meeting to establish the random seed for the RLA Tool. (At least seven calendar days before the meeting to be held on the tenth day after the election)	Rule 25.2.2(h)
	Deadline for the Secretary of State to select target contest(s) to be audited in the risk-limiting audit. (No later than 5:00 p.m. MT on the Friday after election day)	Rule 25.2.2(i)
	The Secretary of State must notify county clerks and the minor political party if any minor political party ceases to qualify as such a party. (No later than July 1)	1-4-1305(2) 1-1-106(5)
July, 2018		
1-July to 15-July	Date range to send notification of the time and place of party lot drawing. The drawing determines ballot positions of candidates to appear on the 2018 General Election ballot. (Between July 1 and July 15 of each election year)	1-5-404(2)
5-July (Thursday)	Last day for ballots cast by military and overseas electors to be received by the county clerk in order to be counted. (By the 8th day after election day)	1-8.3-111 1-8.3-113 1-1-106(4)
	Last day for an elector to cure a signature discrepancy or missing signature, or to provide missing ID for mail or provisional ballot to be counted. (By 11:59 p.m. MT 8 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3(2)(a) 1-8.5-105(3)(a) Rule 7.6.1 Rule 7.7.5 1-1-106(4)
	Last day for the county clerk to complete verification and counting of provisional ballots. (Within 9 days after the Primary Election)	1-8.5-105(5)
	County must finish tabulating all in-person and accepted mail ballots cast by voters registered in the county. Immediately after completing this tabulation, the county must also generate a summary results report, a results file export suitable for uploading to the Secretary of State's ENR system, and a CVR export. (Complete by 9th day after election day)	Rule 25.2.2 (d)
	Deadline for county conducting a comparison audit to upload: -verified and hashed ballot manifest, and the manifest's hash value to the Secretary of State's office -verified and hashed CVR export, and the CVR export's hash value to the Secretary of State's office -RLA tabulation results export to the Secretary of State's election night reporting system. (No later than 5:00 PM MT on the 9th day after election day)	Rule 25.2.2(f)
	Deadline for county conducting a ballot polling audit to upload: -verified and hashed ballot manifest and the ballot manifest hashed value by email to the Secretary of State's Office -cumulative tabulation report, by email to the Secretary of State's Office -RLA tabulation results export to the Secretary of State's election night reporting system. (No later than 5:00 PM MT on the 9th day after election day)	Rule 25.2.2 (g)
	Deadline for Secretary of State to establish a random seed for use with the RLA Tool. (On the 10th day after election day)	Rule 25.2.2(h)

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2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

6-July (Friday)	Deadline to notify the counties of the ballots selected to be audited. (No later than 11:59 p.m. MT on the 10th day after election day)	Rule 25.2.2(k)
12-July (Thursday)	Last day to file an unaffiliated candidate nomination petition. (No later than 3:00 p.m. on the 117th day before the General Election)	1-4-802(1)(f)(l)
17-July (Tuesday)	Deadline for County audit board to sign, date, and submit to the Secretary of State a report of the results of the risk limiting audit. (No later than 5:00 p.m. MT on business day before the canvass deadline)	Rule 25.2.3(d)
18-July (Wednesday)	Last day to complete the canvass and submit official abstract of votes cast for the Primary Election to the Secretary of State. (No later than the 22nd day after the election)	1-10-102(1) 1-10-103(1)
19-July (Thursday)	Deadline to upload the final canvass results to the ENR system. (By COB on the first business day after the statutory deadline for completing the canvass)	Rule 11.10.5
	Last day for a write-in candidate to file an Affidavit of Intent for the General Election. (By the close of business on the 110th day before the General Election)	1-4-1102(1)
	Last day for political subdivision that referred a ballot issue or question that failed, to waive an automatic recount of that issue or question by giving written notice to clerk and recorder. (Within 23 days after election)	1-10.5-103
23-July (Monday)	Last day for the Secretary of State to compile the returns and order appropriate recounts of the Primary Election. (No later than the 27th day after the Primary Election)	1-10-103(2)
24-July (Tuesday)	Last day for interested parties to request a recount of the Primary Election at their own expense. (Within 28 days after the Primary Election)	1-10.5-106(2)
26-July (Thursday)	Last day for candidate-nominee for lieutenant governor of major political party to file written acceptance with the Secretary of State. (Acceptance must be postmarked or received within 30 days after the Primary Election)	1-4-502
27-July (Friday)	Last day for county that conducted a comparison risk-limiting audit to review its CVR file and redact CVRs corresponding to any ballot card susceptible of being personally identified with an individual voter <u>if</u> no recount was required or requested. (no later than the third business day following the deadline to request a recount)	Rule 25.2.4
30-July (Monday)	Last day for a political subdivision to notify the county clerk in writing that it has taken formal action to participate in the General Election. (100 days before the General Election)	1-7-116(5) 1-1-106(4)
31-July (Tuesday)	Last day to complete a statutory recount of any race in the Primary Election. (No later than the 35th day after the Primary Election)	1-10.5-102(2) 1-10.5-103
August, 2018		
2-August (Thursday)	Last day to complete a recount requested by an interested party. (No later than the 37th day after the Primary Election)	1-10.5-106(2)
	Last day for the designated election official to provide a notice of sufficiency/insufficiency regarding unaffiliated candidate nomination petitions. (No later than 96 days before the General Election)	1-4-908(3)
6-August (Monday)	Last day to file an initiative petition with the Secretary of State for the 2018 General Election, no later than 3:00 p.m. (At least 3 months before the election)	Art V, Sect. 1(2)
	Last day for judicial candidates to file a Declaration of Intent to run for another term. (Not less than 3 months before the General Election)	Art. VI, Sect. 25
7-August (Tuesday)	Last day for county that conducted a comparison risk-limiting audit to review its CVR file and redact CVRs corresponding to any ballot card susceptible of being personally identified with an individual voter <u>if</u> recount was required or requested. (no later than the third business day following the deadline to complete recount)	Rule 25.2.4
8-August (Wednesday)	Last day for the county clerk to submit a mail ballot plan to the Secretary of State. (No later than 90 days before every election)	1-7.5-105(1) Rule 7.1.1

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2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

8-August (Wednesday)	Last day for county clerk to designate drop-off locations and Voter Service and Polling Centers. Clerks must also complete an accessibility survey for all locations annually before designation. (No later than 90 days before the election)	Rule 7.10
	Last day for the county clerk to submit a watcher accommodation plan to the Secretary of State. (No later than 90 days before an election)	Rule 8.7
	Last day for county clerk who failed to follow the procedures for a risk limiting audit during the Primary Election to submit a written remediation plan to the Secretary of State. (No later than 90 days before an election)	Rule 25.2.5
13-August (Monday)	Last day to amend an unaffiliated candidate nomination petition. (No later than 3:00 p.m. on the 85th day before the General Election)	1-4-912
23-August (Thursday)	Last day for a political party nominating candidates by party assembly/convention to make nominations public. (No later than 75th day before the General Election)	1-4-702 Prop 108
	Last day for the designated election official to notify an unaffiliated candidate of whether the amended nominating petition is sufficient/insufficient. (No later than the 75th day before the General Election)	1-4-912
28-August (Tuesday)	Last day for intergovernmental agreements to be signed by county clerks and political subdivisions. (No later than 70 days before the General Election)	1-7-116(2)
September, 2018		
5-September (Wednesday)	Last day for the Secretary of State to examine submitted initiative petitions and issue a statement of sufficiency or insufficiency. (No more than 30 calendar days after the petition is filed)	1-40-116(2)
7-September (Friday)	Last day for the designated election official of each political subdivision to certify the ballot order and content. Each DEO must also deliver the certification to the county clerk for the coordinated election. (No later than 60 days before the General Election)	1-5-203(3)(a)
	Last day for designated election officials to submit security and contingency plans to the Secretary of State. (No later than 60 days before the first election in which the procedures will be used. The Secretary of State will notify DEO of approval/disapproval of plan no later than 15 days after receiving the submission)	1-5-616(5)(b) Rule 20.1
	Last day for counties to begin video surveillance recordings of areas specified in Rule 20.7.3. (Beginning at least 60 days before the election and continuing through at least 30 days after the election)	Rule 20.7.2
	First day the county clerk or designated election official may hold election judge training. (Not more than 60 days before the election)	1-6-101(5)
	Last day an unaffiliated voter may give notice in writing to the county clerk that he or she wishes to serve as an election judge. (No later than 60 days before general election)	1-6-103.7
	Last day a county chairperson of a minor political party may certify to the county clerk and recorder an initial list of registered electors recommended to serve as election judges. (No later than 60 days before general election)	1-6-103.5
	Last day for designated representatives of initiative petition to withdraw the petition from consideration by filing withdrawal letter with Secretary of State. (No later than 60 days before petition is to be voted upon)	1-40-134
10-September (Monday)	Last day for the Secretary of State to deliver the certification of ballot order and content to each county. (No later than 57 days before the General Election)	1-5-203(1)
21-September (Friday)	Last day to file written comments concerning local ballot issues with the designated election official in order to be included in the ballot issue notice. (By noon the Friday before the 45th day before the election)	Art. X, Sect. 20(3)(b)(v) 1-7-901(4)

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2018 Election Calendar

Primary Election: June 26, 2018
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21-September (Friday)	Last day for a petition's representatives to submit a summary of favorable comments for the ballot issue notice. Comments must be submitted to the designated election official. (No later than 44 days before the election)	1-7-903(3) 1-1-106(5)
22-September (Saturday)	Last day to transmit ballots and ballot materials to overseas military voters. (No later than 45 days before the election)	1-8.3-110(1) Rule 16
	Deadline for clerk to report to the Secretary of State the number of ballots transmitted to military and overseas electors by the 45-day deadline.	Rule 16.1.7
	First day a county clerk may begin issuing a mail ballot to any eligible elector who requests one in person at the the county clerk's office. (No sooner than 45 days before election)	1-7.5-107(2.7)
24-September (Monday)	Last day for the designated election official to deliver the full text of any required ballot issue notices to the county clerk. (No later than 43 days before the election)	1-7-904
October, 2018		
2-October (Tuesday)	Last day for the county clerk to provide a list of election judges, including political party affiliations and assignments, if known, to each appointing party. (No later than 35 days before an election)	Rule 6.1.4
5-October (Friday)	Last day for official ballots to be printed and in the possession of the county clerk. (No later than 32 days before the General Election)	1-5-402(1)
	County clerk must begin issuing mail ballots to any eligible elector who requests one in person at the county clerk's office. (No later than 32 days before election)	1-7.5-107(2.7)
	Last day to mail notice of a ballot issue election. (At least 30 days before a ballot issue election)	Art. X, Sect. 20 1-1-106(5)
	Last day for Secretary of State to publish on the Audit Center the risk limits that apply in RLAs for the General Election. (Not later than 32 days before election)	Rule 25.2.2(a)
15-October (Monday)	First day that mail ballots may be mailed to voters, except for UOCAVA voters. (Not sooner than 22 days before the General Election)	1-7.5-107(3)(a)(I) Rule 7.2.3
	Last day to submit an application to register to vote through a voter registration drive. (No later than 22 days before the election)	1-2-201(3)(b)(I)
	Last day for county clerks to run SCORE reports that include voter or election details during regular business hours and from 7 a.m. to 7 p.m. on Election Day. (Starting 22 days before election)	Rule 2.14.4
16-October (Tuesday)	Last day for counties to submit zero result files (data entry counties) or a document listing all ballot content (manual entry counties) to the Secretary of State for Election Night Reporting system. (No later than 21 days before the election)	Rule 11.10.2
17-October (Wednesday)	Last day to post polling location signs for the General Election. (At least 20 days before the election)	1-5-106(1)
	Last day for the county clerk to publish notice of General Election. (No later than 20 days before the General Election)	1-5-205(1)(a)-(d)
19-October (Friday)	Last day to send initial mail ballots to voters for the General Election, except for UOCAVA voters. (No later than 18 days before the General Election)	1-7.5-107(3)(a)(I) Rule 7.2.3
	Last day for the county clerk to conduct the public Logic and Accuracy Test. (No later than the 18th day before election day)	Rule 11.3.2(a)
22-October to 6-November	The minimum number of required voter service and polling centers must be open for the General Election. (Beginning at least 15 days before and on election day, except Sundays)	1-5-102.9(2) Rule 7.9
22-October (Monday)	Last day for major political parties to appoint members to the Canvass Board for the General Election. (At least 15 days before the General Election)	1-10-101(1)(a) Rule 10
	First day to begin counting General Election ballots. No results may be disclosed until after 7:00 p.m. on election day. (No sooner than 15 days before the election)	1-7.5-107.5

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2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

22-October (Monday)	Last day for designated election official to appoint audit board to conduct RLA. (No later than 15 days before the election)	Rule 25.2.2(b)
23-October (Tuesday)	Last day for a data entry county to upload the LAT results file to ENR. (No later than 14 days before an election)	Rule 11.10.3
29-October (Monday)	Last day for the county clerk to file the voting system inventory with the Secretary of State. (No later than 10 days before an election)	Rule 11.2.3
	Last day for an individual to submit a voter registration application and still receive a ballot in the mail. (Through the 8th day before an election)	1-2-201(3)(b)(III)
	If the county clerk receives a voter registration application within the 8 days before the election, the clerk must process the application and inform the applicant that he or she will not receive a mail ballot. To receive a ballot, the applicant must visit a Voter Service and Polling Center.	1-2-201(4) 1-2-217.7(3.5) 1-2-508(3)
30-October (Tuesday)	Last day for the county clerk to submit election setup records to the Secretary of State by regular mail to Colorado Secretary of State, Attn: Voting Systems, 1700 Broadway, Ste. 200, Denver, CO 80290. (No later than 5:00 PM on the 7th day before election day)	1-7-510(2) Rule 11.4
November, 2018		
3-November to 6-November	First day counties with more than 25,000 active electors are required to provide stand alone drop-off locations.	1-5-102.9(4)(b)(I)(B)
6-November (Tuesday)	General Election (Polls open 7:00 a.m. to 7:00 p.m.)	1-1-104(17) 1-4-201 Rule 7.9.1(b)
	All ballots must be received by the county clerk by 7:00 p.m. Ballots cast by military and overseas voters must be sent no later than 7:00 p.m. MT and received by the close of business on the 8th day after the election.	1-7.5-107(4)(b)(II) 1-8.3-111 1-8.3-113 Rule 16
8-November (Thursday)	Deadline for the county clerk to send missing signature, signature verification, missing ID, and wrong envelope letters. (Within 3 days after receipt of ballot missing ID/confirmation of signature deficiency, but no later than 2 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3(2)(a) 1-8.5-105(3)(a) Rule 7
9-November (Friday)	Deadline for the Secretary of State to give public notice of the meeting to establish the random seed for the RLA Tool. (At least seven calendar days before the meeting to be held on the tenth day after the election)	Rule 25.2.2(h)
	Deadline for the Secretary of State to select target contest(s) to be audited in the risk-limiting audit. (No later than 5:00 p.m. MT on the Friday after election day)	Rule 25.2.2(i)
14-November (Wednesday)	Last day for ballots cast by military and overseas electors to be received by the county clerk in order to be counted. (No later than the 8th day after election day)	1-8.3-111 1-8.3-113 Rule 16.1.5
	Last day for an elector to cure a signature discrepancy or missing signature, or to provide missing ID for mail or provisional ballot to be counted. (By 11:59 p.m. MT 8 days after election day)	1-7.5-107(3.5)(d) 1-7.5-107.3(2)(a) 1-8.5-105(3)(a) Rule 7.6.1 Rule 7.7.5
15-November (Thursday)	Last day for verification and counting of provisional ballots. (Within 9 days after the General Election)	1-8.5-105(5)
	County must finish tabulating all in-person and accepted mail ballots cast by voters registered in the county. Immediately after completing this tabulation, the county must also generate a summary results report, a results file export suitable for uploading to the Secretary of State's ENR system, and a CVR export. (Complete by 9th day after election day)	Rule 25.2.2(d)

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2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

15-November (Thursday)	Deadline for county conducting a comparison audit to upload: -verified and hashed ballot manifest, and the manifest's hash value to the Secretary of State's office -verified and hashed CVR export, and the CVR export's hash value to the Secretary of State's office -RLA tabulation results export to the Secretary of State's election night reporting system. (No later than 5:00 PM MT on the 9th day after election day)	Rule 25.2.2(f)
	Deadline for county conducting a ballot polling audit to upload: -verified and hashed ballot manifest and the ballot manifest hashed value by email to the Secretary of State's Office -cumulative tabulation report, by email to the Secretary of State's Office -RLA tabulation results export to the Secretary of State's election night reporting system. (No later than 5:00 PM MT on the 9th day after election day)	Rule 25.2.2 (g)
16-November (Friday)	Deadline for Secretary of State to establish a random seed for use with the RLA Tool. (On the 10th day after election day)	Rule 25.2.2(h)
	Deadline for Secretary of State to notify the counties of the ballots selected to be audited. (No later than 11:59 p.m. MT on the 10th day after election day)	Rule 25.2.2(k)
27-November (Tuesday)	Deadline for County audit board to sign, date, and submit to the Secretary of State a report of the results of the risk limiting audit. (No later than 5:00 p.m. MT on business day before the canvass deadline)	Rule 25.2.3(d)
28-November (Wednesday)	Last day to complete the canvass and submit official abstract of votes cast for the General Election to the Secretary of State. (No later than the 22nd day after the election)	1-10-102(1) 1-10-103(1)
29-November (Thursday)	Last day for political subdivision that referred a ballot issue or question that failed, to waive an automatic recount of that issue or question by giving written notice to clerk and recorder. (Within 23 days after election)	1-10.5-103
	Deadline to upload the final canvass results to the ENR system. (By COB on the first business day after the statutory deadline for completing the canvass)	Rule 11.10.5
December, 2018		
3-December (Monday)	Last day for the Secretary of State to compile and total returns from all counties and order appropriate recounts, if any. (No later than the 27th day after the General Election)	1-10-103(2)
4-December (Tuesday)	Last day for an interested party to request a recount of the results of the General Election at their own expense. (Within 28 days after the General Election)	1-10.5-106(2)
6-December (Thursday)	Last day for a county subject to Rule 7.9.9 (recording and reporting wait time at VSPCs) to report results to Secretary of State. (No later than 30th day after election)	Rule 7.9.10
7-December (Friday)	Last day for county that conducted a comparison risk-limiting audit to review its CVR file and redact CVRs corresponding to any ballot card susceptible of being personally identified with an individual voter <u>if</u> no recount was required or requested. (no later than the third business day following the deadline to request a recount)	Rule 25.2.4
11-December (Tuesday)	Last day to complete a statutory recount of any race in the General Election. (No later than the 35th day after the General Election)	1-10.5-102(2) 1-10.5-103
13-December (Thursday)	Last day to complete a recount requested by an interested party. (No later than the 37th day after the General Election)	1-10.5-106(2)
18-December (Tuesday)	Last day for county that conducted a comparison risk-limiting audit to review its CVR file and redact CVRs corresponding to any ballot card susceptible of being personally identified with an individual voter <u>if</u> recount was required or requested. (no later than the third business day following the deadline to complete recount)	Rule 25.2.4

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2018 Election Calendar

Primary Election: June 26, 2018
General Election: November 6, 2018

NOTE	Following the election, the county clerk must report to the Secretary of State in writing the number of ballot return envelopes with discrepant signatures that the clerk forwarded to the district attorney for investigation.	Rule 7.8.13
Note on Computation of Time		
If the last day for any act to be done or the last day of any period is a Saturday, Sunday, or legal holiday <u>and</u> completion of the act involves a filing <i>or</i> other action during business hours, the period is extended to include the next day which is not a Saturday, Sunday, or legal holiday.		1-1-106(4)
If a statute or rule requires doing an act in "not less than" or "no later than" or "at least" a certain number of days or "prior to" a certain number of days or a certain number of months " <u>before</u> " the date of an election, the period is shortened to and ends on the <i>prior business day</i> that is not a Saturday, Sunday, or legal holiday.		1-1-106(5)

Douglas County

Important 2018 General Election Dates

General Election – Tuesday, November 6

<i>Event</i>	<i>Date</i>
Coordinating entities certifies ballot content to Clerk and Recorder	September 7
SOS certifies state ballot content to Clerk and Recorder	September 10
Public Logic & Accuracy Test	September 19, 9 a.m. – 12 p.m.
Public Logic & Accuracy Test – Alternate Date	September 20, 9 a.m. – 12 p.m.
Uniformed and Overseas Citizens ballots mailed	September 21
Ballots mailed to voters	October 15
Last day voter can request our office mail a ballot	October 29
24 Hour Ballot Drop-off Locations open	November 6, all boxes close at 7 p.m.
Voter Service and Polling Centers open	October 22 – November 5, Mon - Fri, 8 a.m. - 5 p.m. Sat, October 27 & November 3, 9 a.m. - 1 p.m. Tues, November 6, 7 a.m. – 7 p.m.
Election Day	November 6, 7 a.m. – 7 p.m.
Risk Limiting Audit	November 19 & 20, Time 9 a.m. - 5 p.m.
Board of Canvass and Final Certification of Election	November 27, 9 a.m. – noon
Alternate Board of Canvass and Final Certification of Election	November 28, 9 a.m. – noon
Final Certification of Election deadline	November 29

DOUGLAS COUNTY TABOR NOTICE AGREEMENT

The Ballot Issue Notice (TABOR Notice), is the publication required by the Colorado State Constitution Article X, Section 20 for ballot issues and/or ballot questions that calls for increases in the tax rate or government debt. It is required we produce a mailed notice (TABOR Notice) concerning certain ballot issues and/or ballot questions that will be submitted to the electors of the County and the Jurisdiction.

THE COUNTY SHALL PERFORM THE FOLLOWING TASKS IN RELATION TO THE TABOR NOTICE:

- A. Determine the least cost method for mailing the TABOR Notice and determine the portion of such cost to be applied to the Jurisdiction.
- B. Determine Ballot Question number.
- C. Placing the ballot issue notices received from the various Jurisdictions participating in the election in the proper order in the TABOR Notice.
- D. Placing the ballot issue notices received from the various Jurisdictions participating in the election in the proper order in the TABOR Notice.
- E. Mail a TABOR Notice to each household, to "All Registered Voters" addressed within the jurisdiction and within Douglas County boundaries, as required by law, on or before the deadline as set forth within the Election Calendar - Attachment C.
- F. Refer calls concerning the substance of the ballot issues and ballot questions or the operations of the Jurisdiction to such person as is designated by the Jurisdiction.

THE JURISDICTION SHALL PERFORM THE FOLLOWING TASKS IN RELATION TO THE TABOR NOTICE:

- A. Perform such acts as may be required by law, including circulation, approval, review, and all other activities, relating to any petition that may concern the Jurisdiction. The DEO shall interact with any Jurisdiction petition representatives, including but not limited to, working to ensure that the CEO receives the summary of written comments within the time required by law.
- B. Determine the ballot title and text.
- C. Include, within its TABOR Notice, ballot titles in this format: "NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ON A CITIZEN PETITION/ON A REFERRED MEASURE."

Jurisdiction DEO Initials _____

- D. Prepare the text of the TABOR Notice. The TABOR Notice shall include any Jurisdiction voter approved additions, and:
 - a. The election date, hours and local jurisdiction contact name, office address and telephone number.
 - b. - Ballot Title, Ballot text and written comments.
 - c. Fiscal information to be included in the TABOR Notice
- E. Accept written comments concerning ballot issues and/or ballot questions in accordance with § 1-7-901, C.R.S.
- F. Summarize the filed comments in favor of and in opposition to the ballot issue and/or ballot questions, for the TABOR Notice following receipt of such comments received from the eligible electors of the Jurisdiction and the public as necessary for use in the TABOR Notice. § 1-7-903, C.R.S. The process of receiving written comments regarding ballot issues and/or ballot questions and summarizing such comments, as required by Section 20 of Article X of the Colorado Constitution, is the sole responsibility of the Jurisdiction.
- G. Provide the certified content of the Jurisdiction's completed TABOR Notice to the CEO as a plain text file via email.
- H. This submission may not be changed by the Jurisdiction following submission to the CEO without written approval from the CEO (such approval may be withheld for any or no reason) and shall be provided to the CEO no later than the 42nd day preceding the election (see Election Calendar - Attachment C).
- I. Proofread the layout and the text of the Jurisdiction's portion of the official TABOR notice (if applicable) and provide written notice (electronic format) of acceptance before the printing of the ballots. **Approval or requested changes must be received within two (2) hours after the county has emailed the proof.** This may require availability outside of normal business hours. Such acceptance is final, and no changes will be made after written notice (electronic format) is given to the CEO. Failure to meet the deadline shall be observed by the CEO as acceptance. A penalty for delay or rework of the ballot or TABOR notice, will result in an additional fee to the jurisdiction for ALL associated costs with fixing or correcting jurisdictional errors. (See Attachment A)
- J. For elections where, owning property in the Jurisdiction is a requirement for voting in the election, the DEO for each Jurisdiction will be responsible for mailing the TABOR Notice to those electors who own property within the Jurisdiction (or otherwise eligible to vote) but live elsewhere outside the County.

Jurisdiction DEO Initials _____

ATTACHMENT-E

- K. The Jurisdiction shall defend and resolve at its sole expense all challenges relative to the TABOR Notices certified to the County for inclusion in the TABOR Notice or this election.
- L. Observe all tasks as specified in the State Constitution and the Election Code, in all communication to electors, related to information contained in the TABOR notice.

Town of Parker

By _____	By _____
Date _____	Date _____

Jurisdiction DEO Initials _____

ATTACHMENT - SAMPLE TABOR NOTICE FOR COORDINATING JURISDICTIONS
(May be used as a template by Jurisdiction)

SAMPLE TABOR NOTICE FOR A POLITICAL SUBDIVISION

“ALL REGISTERED VOTERS”

NOTICE OF ELECTION TO INCREASE TAXES/TO INCREASE DEBT/ON A CITIZEN
PETITION/ON A REFERRED MEASURE

Election Date: November 6, 2018

Election Hours: 7:00 A.M. to 7:00 P.M.

Local Election (DEO) Office Address and Telephone Number
(Do NOT include Douglas County Clerk & Recorder Office Information):

(Insert) Local Election (DEO) Office Address:

(Insert) Local Election (DEO) Contact person:

(Insert) Local Election (DEO) Office Telephone
Number

Ballot Title and Text: Ballot Issue and/or Ballot Questions title and text (
See Article 10, Sec.20. - Colorado State Constitution

Preparation of Written Comments:

See C.R.S. 1-7-903

Or

“No comments were filed by the constitutional deadline”

Jurisdiction DEO Initials _____

TABOR CERTIFICATION CONFIRMATION

Douglas County, Colorado

The TABOR Notice included with this form reflects the ballot issues/questions for the Jurisdiction, which you represent. Please review this information and identify any necessary corrections. We cannot begin printing the official TABOR Notice until all approvals and certification have been received. **Approval or requested changes must be received by our office within two (2) hours after the county has emailed the proof.** This may require availability outside of normal business hours. Reply to this email indicating one of the following:

Approved _____

Approved with changes noted _____

Jurisdiction/District Name _____

Signature of DEO _____

Date: _____ Time: _____

Designated Election Official:

(Jurisdiction Name)

(DEO Name)

(Mailing Address)

(City, State, Zip)

(Email Address)

Phone: _____ Fax: _____

Represented by:

(Attorney/Law Firm)

(Mailing Address)

(City, State, Zip)

(Email Address)

Phone: _____ Fax: _____

Per the Intergovernmental Agreement please indicate the Jurisdiction representative(s) that will participate in the following:

1. Election Day Telephone Support for Inquiries (7:00 am - ballot counting completed)

Name: _____ Phone: _____

Email Address: _____

2. Logic and Accuracy (test deck preparation and observation)

Name: _____ Phone: _____

Email Address: _____

Alternate Date Logic and Accuracy (test deck preparation and observation)

Name: _____ Phone: _____

Email Address: _____

3. Board of Canvass

Name: _____ Phone: _____

Email Address: _____

Alternate Date Board of Canvass

Name: _____ Phone: _____

Email Address: _____

4. Ballot Counting Observation (Maximum of two observers per Jurisdiction)

Name: _____ Phone: _____

Email Address: _____

Name: _____ Phone: _____

Email Address: _____

Chief Election Official:

Merlin Klotz, Clerk and Recorder
(Name)

301 Wilcox Street, PO Box 1360
(Mailing Address)

Castle Rock, CO 80104
(City, State, Zip)

mklotz@douglas.co.us
(Email Address)

Phone: 303-663-7364 Fax: 720-733-6977

Contact Officer:

Elaine Meyer, Deputy of Elections
(Attorney/Law Firm)

125 Stephanie Place
(Mailing Address)

Castle Rock, CO 80109
(City, State, Zip)

emeyer@douglas.co.us
(Email Address)

Phone: (303) 663-7663 Fax: (720) 733-6977

Merlin Klotz, C&R
Elaine Meyer, Elections Deputy
Tyler Dean, Lead Elections Specialist
Christopher Pratt, Asst. County Attorney

Office Phone	Cell Phone	Email
(303) 660-7364	(303) 521-5177	mklotz@douglas.co.us
(303) 663-7663	(303) 519-1797	emeyer@douglas.co.us
(303) 814-7618		tdean@douglas.co.us
(303) 660-7338		cpratt@douglas.co.us