TOWN OF PARKER COUNCIL
MINUTES
JANUARY 2, 2024

Mayor Jeff Toborg called the meeting to order at 5:00 p.m. All Councilmembers were present.

Deputy Town Attorney Jamie Wynn announced there were four topics for discussion in the Executive Session. Under C.R.S. § 24-6-402(4)(b), the topic was Colo. Rev. Stat. § 32-1-905(2.5) Petition for Appointment of Directors – Overlook Metropolitan District. Under C.R.S. § 24-6-402(4)(e), the first subject was Robinson Ranch Metropolitan District proposed First Amendment to Intergovernmental Agreement; the second subject was contract negotiations related to a proposed redevelopment agreement between the Town, Parker Authority for Reinvestment, and the Parker Meadows Condominium Association concerning improvements to Becket Drive, Woodman Drive, and the extension of Brompton Way; and the final topic was Interim Town Attorney/Town Attorney Vacancy.

EXECUTIVE SESSION

Joshua Rivero moved, and Brandi Wilks seconded to go into Executive Session at 5:02 p.m. to hold a conference with the Town's Attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

Joshua Rivero moved, and Anne Barrington seconded to come out of Executive Session at 6:04 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

Council Updates/Work Session began at 6:08 p.m. and ended at 6:45 p.m.

Updates were provided for the following:

- The upcoming health challenge
- Douglas County Housing Partnership and their purchase of the Champion Bank property
- Cherry Creek Water Quality Basin Water Authority and changes within the organization
- E-470 update on the Executive Director position
- The Douglas County Youth Initiative
- Douglas County Commissioners' Public Health Order regarding the homeless
- Corporate giving and non-profit organizations
- Homeless staying in the Hobby Lobby parking lot
- Requested a future discussion about the number of carwashes in Parker

Laura Hefta moved, and Joshua Rivero seconded to recess the meeting until 7:00 p.m.

The motion carried unanimously.

REGULAR SESSION

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

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

PUBLIC COMMENTS

None.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

A. *APPROVAL OF MINUTES - December 4, 2023 & December 11, 2023*

B. *ORDINANCE NO. 1.596 - First Reading*
A Bill for an Ordinance to Release the Slope Easement for Spirit Trail Boulevard Associated with Tracts F and G, Looking Glass Filing No. 1
Department: *Engineering and Public Works, Alex Mestdagh*
Second Reading: *January 16, 2024*

C. *ORDINANCE NO. 9.363 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of Douglas County Regarding Responsibilities for and Maintenance of Hilltop Road
Department: *Engineering and Public Works, Chris Hudson*
Second Reading: *January 16, 2024*

D. *RESOLUTION NO. 24-003*
A Resolution to Amend Resolution No. 23-001 Establishing a Designated Public Place for the Posting of Meeting Notices as Required by the Colorado Open Meetings Law
Department: *Town Clerk, Chris Vanderpool*

E. *RESOLUTION NO. 24-007*
A Resolution Accepting the Conveyance of a Drainage Easement from Plaza Street Fund 106, LLC, for Lot 1, Lincoln Professional Park Filing 1
Department: *Engineering and Public Works, Michael Walton*

F. *RESOLUTION NO. 24-010*
A Resolution to Adopt Parker's 2024 Legislative Policy Agenda
Department: *Town Manager, Michael Lawson*

G. *CONTRACTS OVER $100,000*

1. *Professional Services Agreement - Parker Road Sidewalk East Side Multi-Use Trail Connection (CIP-22-004-CI)*
Amount: *$323,740*
Contractor: *Alfred Benesch & Company*
Department: *Engineering and Public Works, Tom Gill*

2. *First Amendment to Agreement for Professional Services - RFIE 17-016 – Modernization of the Land Development Ordinance*
   Amount: *$299,990 (No increase from original 2018 amount)*
   Contractor: *Clarion Associates, LLC*
   Department: *Community Development, Mary Munekata & Bryce Matthews*

3. *Hilltop Road/Canterberry Parkway Area Improvements (CIP 22-039) Contract Modification*
   Amount: *$20,000.00 addition to the revised contract amount of $1,488,220.50 for a revised total of $1,508,220.50*
   Contractor: *53 Corporation, LLC*
   Department: *Engineering and Public Works, Chris Hudson*

Joshua Rivero moved, and Todd Hendreks seconded to approve Consent Agenda Items 4A through 4G.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

RESOLUTIONS

A. RESOLUTION NO. 24-008
A Resolution to Appoint New Members and an Alternate on the Town of Parker Special Licensing Authority and to Appoint the Chairperson and Vice Chairperson
Department: Town Clerk, Chris Vanderpool

The Town Council appointed the chairperson, vice chairperson, regular members, and an alternate member of the Special Licensing Authority for 2024 through passage of this Resolution.

The Special Licensing Authority members answered questions of the Council and were recognized for their willingness to serve.

Public Comments: None.

Brandi Wilks moved to approve Resolution No. 24-008. Todd Hendreks seconded the motion.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

B. RESOLUTION NO. 24-006
A Resolution Appointing Directors to Fill Vacancies on the Overlook Metropolitan District Board of Directors
Department: Town Attorney, Kristin Hoffmann

The Overlook Metropolitan District requested that Town Council appoint two directors to fill vacancies on its Board of Directors. The District's Board is currently entirely vacant, and the District is unable to take any formal action, such as adopting a budget or certifying its mill levy.

Pursuant to C.R.S. § 32 1-905(2.5), if there are no duly elected directors and the failure to appoint a new board will result in the interruption of services that are being provided by the District, the Town Council may appoint directors from the pool of duly qualified, willing candidates. The District requested that the Town Council adopt a resolution appointing two directors to serve on their Board. Those appointees are Jill Gibbens and Stacey Hedrington, residents of the District. The District will then elect directors at an election within six months.

Paula Williams, attorney for the District, answered questions of the Council.

Public Comments: None.

Joshua Rivero moved, and Anne Barrington seconded to approve Resolution No. 24-006.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

ORDINANCES

ORDINANCE NO. 9.364 - Second Reading
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Town of Parker and the State of Colorado Acting By and Through the Colorado Department of Transportation Concerning Parker Road Multiuse Path Pine Drive to Stroh Road (Project # CRP M039-010 (25906) (OLA # 331003196, Routing No. 24-HA1-XC-00224)
Department: Engineering and Public Works, Patrick Burke

The Town of Parker is proposing to construct two segments of trail/sidewalk on the east side of Parker Road where there are currently gaps in the sidewalk. The first segment consists of a multi-use trail between Pine Drive and the existing multi-use trail that terminates at the Town of Parker open space property near the Pine Bluffs neighborhood. The second segment consists of a multi-use trail between the existing trail fronting the Big Tool Box property, crossing J. Morgan Blvd., and connecting to the existing multi-use trail just south of Robinson Ranch.

Through the Denver Regional Council of Governments (DRCOG), the Town was approved to receive partial state/federal multi-modal funding for construction of this trail/sidewalk and pedestrian bridge. An IGA with CDOT is required to receive these funds. The IGA is for direct construction funding being reimbursed up to $3,596,000. The Town will be required to fund the remaining $1,404,000 of the estimated $5,000,000 direct construction costs. The funding cannot be used for non-direct construction expenses such as design, materials testing, or construction administration, and the Town will be responsible for these costs.

Public Comments: None.

Todd Hendreks moved, and Laura Hefta seconded to approve Ordinance No. 9.364 on second reading.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

CONTRACTS OVER $500,000

A. Amendment 03 to Design Contract (CIP22-051-AS) for the Town Hall Expansion Project
Amount: $1,073,540
Contractor: Anderson Mason Dale Architects
Department: Engineering and Public Works, Bob Exstrom

This item approved a third amendment to the design contract (CIP22-051-AS) with Anderson Mason Dale Architects for the Town Hall expansion project for construction documentation, entitlement, and bidding administration services.

Public Comments: None.

Joshua Rivero moved and Brandi Wilks seconded to approve the staff recommendation as a part of the regular agenda.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

B. Cherry Creek Improvements – CORE Electric Relocation (Phase 3)

Amount:	**$1,308,402**
Contractor:	**CORE Electric Cooperative**
Department:	**Engineering & Public Works, Chris Hudson**

This item approved a contract with CORE Electric Cooperative (formerly IREA) to convert existing overhead power lines to an underground configuration related to the proposed Dransfeldt Road extension project and the Cherry Creek channel improvements.

Public Comments: None.

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

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

C. Parker Road Sidewalk East Side Multi-Use Trail Connection (CIP22-004-CI)

Amount:	**$2,948,428**
Contractor:	**H & L Concrete Inc., d/b/a Naranjo Civil Constructors**
Department:	**Engineering and Public Works, Tom Gill**

This item awarded a trade contractor agreement with H & L Concrete Inc., d/b/a Naranjo Civil Constructors for the Parker Road Sidewalk East Side Mult-Use Trail Connection project for $2,948,428. Approval of the award was made contingent upon concurrence from CDOT to award.

Public Comments: None.

Brandi Wilks moved and Todd Hendreks seconded to approve the staff recommendation as a part of the regular agenda contingent on CDOT's concurrence to award.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak - yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

ADJOURNMENT

Brandi Wilks moved, and Laura Hefta seconded to adjourn the meeting at 7:58 p.m.

A roll call vote was taken:
Joshua Rivero - yes
Anne Barrington - yes
Todd Hendreks - yes
John Diak -yes
Brandi Wilks - yes
Laura Hefta - yes

The motion was approved unanimously.

Susan L. Irvine, Deputy Town Clerk

Jeff Toborg, Mayor