

**TOWN OF PARKER COUNCIL
MINUTES
SEPTEMBER 3, 2024**

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

Town Attorney Jamie Wynn announced that there were seven topics for discussion in the Executive Session. The first two were 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 included: PNC Bank acquisition of Parker Road sidewalk near the intersection of Clubhouse Drive and Robinson Ranch easements – notice of intent.

The third topic was 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) and was regarding the Lincoln Avenue widening project acquisition discussion.

The next topics were 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). These included: a proposed construction contract between CD-Parker, LLC, and Confluence Builders, LLC, for the construction of the PACE parking garage; follow-up on 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 discussion related to Lutheran High School athletic fields proposal for use of Town-owned land.

The seventh topic was 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 was for a discussion regarding an economic development matter.

EXECUTIVE SESSION

Joshua Rivero moved and Anne Barrington seconded to enter into Executive Session at 5:04 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 and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

The motion was approved unanimously.

Joshua Rivero moved and Brandi Wilks seconded to come out of Executive Session at 6:55 p.m.

The motion was approved unanimously.

COUNCIL UPDATES/WORK SESSION

Joshua Rivero asked that there be a discussion added to a study session agenda regarding the role of the Mayor and Town Council and the relationship between the two. He also requested that the Town Manager Ordinance be included in this discussion. Laura agreed that these items need to be discussed at a study session. Town Manager Kivela stated the several of the study session agendas are full and suggested that the topics be discussed at the October 4 Retreat. The Council agreed to discuss the items at the Retreat.

Brandi Wilks moved and Joshua Rivero seconded to recess the regular meeting until 7:00 p.m.

The motion was approved unanimously.

REGULAR SESSION

Mayor Toborg reconvened the meeting at 7:02 p.m.

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

PUBLIC COMMENTS

The following spoke about Pridefest held on August 4, 2024: Kelly Perkins, Parker; Tina De Los Santos, Parker; Meredith Rudolph, Parker; and Amy Windju, Castle Rock.

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 - August 19, 2024*

- B. *ORDINANCE NO. 9.378 - First Reading*
A Bill for an Ordinance to Approve the Statement of Responsibilities Regarding Preparation of an Environmental Assessment for the Douglas County Regional Habitat Conservation Plan Between the Board of County Commissioners of the County of Douglas, the Town of Castle Rock, the Town of Parker, the United States Fish and Wildlife Service, and ERO Resources Corporation
Department: Engineering and Public Works, Michael Grabczyk
Second Reading: September 16, 2024

- C. *ORDINANCE NO. 9.379 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement by and between the Town of Parker and the Board of County Commissioners of Douglas County Regarding Cost Sharing for a Drone Show
Department: Communications, Brooke Spain
Second Reading: September 16, 2024

- D. *ORDINANCE NO. 9.380 - First Reading*
A Bill for an Ordinance to Approve the Intergovernmental Agreement Regarding Joint Management of Proposition 123 Funding and Credits, by and between the Douglas County Housing Partnership, Douglas County, the City of Castle Pines, the City of Lone Tree, the Town of Parker, and the Town of Castle Rock
Department: Community Development, Bryce Matthews
Second Reading: September 16, 2024

E. ASSIGNMENT AND ASSUMPTION AGREEMENT (Roth Lang Engineering Group Agreement)

Department: PAR & Economic Development, Weldy Feazell

F. RESOLUTION NO. 24-043

A Resolution Approving the Form of Revenue Pledge Agreement Between Anthology West Metropolitan District No. 4 and Anthology West Metropolitan District No. 2.

Department: Town Attorney, Jamie Wynn

G. CONTRACTS OVER \$100,000

1. Procurement of Traffic Signal Poles for the Hess Road/Tammy Lane and Dransfeldt Road/Parkglenn Way Signals

Amount: \$167,704

Manufacturer: Millerbernd MFG

Department: Engineering and Public Work, Nathan Klass

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.

ORDINANCES

A. ORDINANCE NO. 1.289.8 – Second Reading

A Bill for an Ordinance to Approve the First Amendment to the Second Amended and Restated Cooperation Agreement Between the Town of Parker, Colorado, and the Parker Authority for Reinvestment

Department: PAR and Economic Development, Weldy Feazell

Passage of this Ordinance approved the First Amendment to the Second Amended and Restated Cooperation Agreement between the Town and Parker Authority for Reinvestment (PAR). The agreement is a comprehensive document that outlines the administrative items allowing PAR to implement the Town's Urban Renewal Plans.

Several beneficial changes included in the agreement are:

- Use of Town Employees/Administrative Services: PAR reimburses the Town for the cost of salaries and benefits for staff. The amendment aims to update the current staff titles without altering the percentage reimbursed to the Town.

- PAR Executive Director - 25% of the Town Manager's salary and benefits
- PAR/Economic Development Director – 50% of the PAR and Economic Development Director's salary and benefits
- Business Development Liaison – 100% of salary and benefits
- Capital Project Within and Urban Renewal Project Area: Simplifies the Capital Projects section by allowing changes to the list of projects without having to amend the agreement. Budget allocations will still be required for all capital projects funded by PAR.

Public Comments: None.

Laura Hefta moved and Todd Hendreks seconded to approve Ordinance No. 1.289.8 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.

B. ORDINANCE NO. 9.377 - Second Reading

A Bill for an Ordinance to Approve the Memorandum of Agreement Between the Regional Transportation District and the Town of Parker Regarding the Lincoln Avenue Widening Project

Department: Engineering and Public Works, Patrick Burke

Approval of this ordinance authorized a Memorandum of Agreement between the Regional Transportation District and the Town of Parker for the conveyance of real property necessary to construct the Lincoln Avenue/Jordan Road Widening Capital Improvement Project.

Public Comments: None.

Joshua Rivero moved and Brandi Wilks seconded to approve Ordinance No. 9.377 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.

- C. ORDINANCE NO. 9.359.1 - Second Reading (*Continued from August 19, 2024*)**
A Bill for an Ordinance Approving the First Amendment to Agreement Regarding Construction of Development Improvement Project Drainage and Flood Control Improvements for Brandy Gulch Upstream of Spirit Trail Boulevard (Agreement No. 23-04.15A Project No. 109776) By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District and the Town of Parker
Department: Engineering and Public Works, Alex Mestdagh

Passage of this ordinance approved the amendment to the Intergovernmental Agreement (IGA) with the Mile High Flood District (MHFD) to codify the funding and construction of stabilization improvements to Brandy Gulch within the Looking Glass development. The developer is obligated to provide the construction funding to the Town in the Subdivision Improvement Agreement for Looking Glass Filing No. 15. The proposed amendment to the IGA passes this funding through to MHFD, and in turn obligates MHFD to construct the improvements.

Public Comments: None.

Todd Hendreks moved and Laura Hefta seconded to approve Ordinance No. 9.359.1 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

Dransfeldt Road & Parkglenn Way Traffic Signal (CIP 23-007) & Hess & Tammy Traffic Signal (CIP 24-012)

Amount: \$936,914.50
Contractor: Dynalectric Company of Colorado
Department: Engineering and Public Works, Nathan Klass

This item was to award a trade contractor agreement in the amount of \$936,914.50 with Dynalectric Company of Colorado for the Parkglenn/Dransfeldt and Hess/Tammy traffic signals (CIP 23-007 and CIP 24-012).

Public Comments: None.

Anne Barrington moved and Joshua Rivero 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

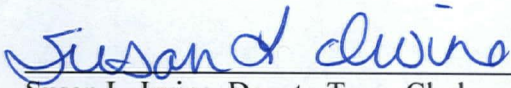
Brandi Wilks - yes

Laura Hefta - yes

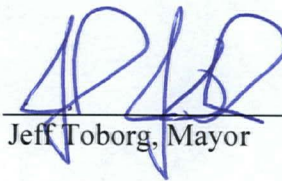
The motion was approved unanimously.

ADJOURNMENT

Mayor Toborg adjourned the meeting at 7:48 p.m.



Susan L. Irvine, Deputy Town Clerk



Jeff Toborg, Mayor