



TOWN COUNCIL MEETING UPDATE

Aug. 19, 2019



PARKER
C O L O R A D O

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PUBLIC HEARINGS AND SECOND READINGS

Public Hearings

- **Purchase and Sale Agreement of Pine Curve Property**

Town Council approved a purchase and sale agreement with UDC Miller, LLC, for the Pine Curve Property located just east of the intersection of Pine Drive and Mainstreet. The agreement includes a purchase price of \$5.00 per square foot and excludes 30 percent of the gross square feet of the regional retention pond on the property, as it also serves surrounding properties. Development and final closing of sale of the property will be subject to several additional steps, including a preliminary concept plan within 20 days of the Effective Date of the agreement and a minor development plat application within 180 days of the Effective Date.

Approved 4:2 (In Favor: Diak, Lewis, Rivero, Williams; Opposed: Poage, Toborg)

- **Intent to Sell - Pine Curve and PACE Lot 2 Properties**

Town Council passed a resolution providing a factual summary of the history of the Pine Curve and PACE Lot 2 properties, supporting the future sale of the two properties that are part of the My Mainstreet public outreach process.

Approved 4:2 (In Favor: Diak, Lewis, Rivero, Williams; Opposed: Poage, Toborg)

- **School Resource Officers Cost Sharing Agreement**

The Town previously entered into an Intergovernmental Agreement (IGA) with the Douglas County School District to make available police officers to function as school resource officers (SROs) at Legend High School and Sierra Middle School. The school resource officers additionally provide services to include law enforcement, counseling and education to Cimarron Middle School located adjacent to Legend High School. Under the IGA between Parker and Douglas County School District, the cost for each SRO is shared as a 50/50 split. The split includes salary (which can vary based on where the officer is within the department's step pay plan) and benefits for each officer required under the agreement. Since first reading, the IGA has been amended to provide that one-half of the equipment costs for each SRO (\$7,500) and all costs of attendance by the SROs at the NASRO conference will be paid by the District. Additional changes were made to specify the rate for attendance at sporting events or activities.

Approved 6:0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg, Williams)

- **Chambers Road Annexations and Zonings**

Town Council approved 14 separate items resulting in annexation of properties related to the Chambers Road right-of-way located between Mainstreet and Heirloom Parkway. These annexations were required by a previous intergovernmental agreement with Douglas County related to the Chambers Road widening project between Mainstreet and Hess Road. Per the IGA, the Town agreed to annex this section of Chambers Road. The three annexations needed to be undertaken in several steps, using a process known as serial annexations, to comply with the contiguity requirements of the Municipal Annexation Act.

Approved 6:0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg, Williams)

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PUBLIC HEARINGS AND SECOND READINGS (con't)

Public Hearings (con't)

- **Hess Ranch Development Plan and Guide Amendment**

Town Council approved three items related to the Development Plan and Guide for the Hess Ranch development. The applicant, JEN Colorado 18, LLC, proposed to amend the Development Guide and Plan in order to accommodate the applicant's Segment 1 (Phase 1) development and implement zoning revisions required by the Partial Waiver Resolution approved by Town Council in May 2019. The major amendments included amending boundaries of select Planning Areas, revising lot size standards and implementing a Partial Waiver Resolution requirement on select Planning Areas. A parks, trails and open space master plan for the Planned Development was also approved.

Approved 6:0 (In Favor: Diak, Lewis, Poage, Rivero, Toborg, Williams)

CONSENT AGENDA

First Readings - Second Readings Scheduled for Sept. 3

- **2019 Town Budget Revisions**

The following revisions to the Town's 2019 Annual Budget have been proposed:

1. A \$500,000 fund transfer from the Recreation Fund for the H2O'Brien renovation project.
2. A \$1,618 increase in revenues and expenditures in the General Fund related to a contribution from the COPPS organization for surgery to one of the Town's K9s, as well as an additional increase of \$2,033 for a contribution of a RAD System Aggressor suit from the Rotary Club of Parker for training the K9 units.
3. A \$9,900 increase in revenues and expenditures in the Cultural Fund for the in-kind contribution of the floor refinish at the PACE Center.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **Colorado Clean Indoor Air Act Amendment**

In 2006, the Colorado Clean Indoor Air Act was adopted in an effort to protect nonsmokers from involuntary exposure to smoke from tobacco and marijuana in most indoor areas open to the public. The Town of Parker adopted ordinances in compliance with these restrictions. House Bill 19-1076 recently amended the Colorado Clean Indoor Air Act to include stricter requirements regarding signage related to minors, prohibits minors' access to cigar-tobacco bars and retail tobacco businesses including vaping establishments, and allows municipalities to increase the minimum distance from which an individual is permitted to smoke near the entryway of specified businesses and public buildings from 15 feet to 25 feet. The amended Colorado Clean Indoor Air Act also tightens up restrictions on secondhand emissions in workplaces by requiring all employers to prohibit smoking of any type in the workplace. Hotels and motels are no longer listed as an exception under the new legislation and are no longer permitted to have smoking rooms.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

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CONSENT AGENDA (con't)

First Readings - Second Readings Scheduled for Sept. 3 (con't)

- **Municipal Campaign Finance Complaints**

This proposed ordinance adds a new section entitled Municipal Campaign Finance Complaints to the Parker Municipal Code that addresses the requirements of Senate Bill 19-232, which requires that any campaign finance complaint arising out of a municipal campaign matter be filed exclusively with the clerk of the applicable municipality.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **American Academy School Resource Officer IGA**

The Town entered into an Intergovernmental Agreement (IGA) with American Academy, a component unit of the Douglas County School District, to make available a police officer to function as a School Resource Officer (SRO) for American Academy's Motsenbocker and Lincoln Meadows campuses. The School Resource Officer will provide services to include law enforcement, counseling and education at both campuses. This proposed ordinance would set the reimbursement share rate of the Town's costs to make a police officer available as the SRO. The share rate would be 50 percent.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **Elementary and Middle School Marshall Program IGA**

The Town previously entered into an Intergovernmental Agreement (IGA) with the Douglas County School District to make available its police officers to function as School Marshal Officers (SMOs) at district elementary schools in addition to four (4) charter schools within the District: Challenge to Excellence, Global Village Academy, Parker Performing Arts School and Lemay Academy. Per this proposed amended agreement, DCSC will pay the Town \$84,000 towards the costs of the School Marshall Program and an additional \$10,400 per charter school (\$45,600).

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **Noise Regulations**

This proposed ordinance would amend the Noise Regulations section of the Parker Municipal Code to allow loudspeakers or public address systems during the hours of 7 a.m. to 10 p.m., whether for a commercial or non-commercial purpose. The Municipal Code currently prohibits the use of outdoor loudspeakers and public address systems between the hours of 10 p.m. and 7 a.m. if it is for a noncommercial purpose, and at any time of day if it is for any commercial purpose. At the study session on Aug. 12, Town Council directed staff to bring forward an ordinance to allow outdoor loudspeakers and public address systems during the hours of 7 a.m. and 10 p.m. (regardless of whether it was for a commercial purpose or non-commercial purpose) while staff gathers information on other possible noise regulations to address the use of loudspeakers in the downtown area by local businesses (outdoor bands, music, etc.).

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

CONSENT AGENDA (con't)

Motions, Contracts, Resolutions, Proclamations, Agreements

- **E-470 Right-of-Way Property Annexation**

The Town, acting on behalf of the E-470 Highway Authority, proposes an annexation of the E-470 right-of-way. The purpose of this action is to ensure that the entirety of E-470 within the Town's municipal planning area is annexed into the Town. Town Council passed this resolution setting a public hearing date of Oct. 7 for the annexation ordinance and initiating the required public notice process.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **Douglas County Housing Partnership**

The Town receives an allocation of the State's Private Activity Bond (PAB) allotment each year. In 2019, the Town was allocated \$2,919,525 in PAB capacity from the State. PABs are tax-exempt bonds that are issued for specific private purposes that have a public benefit as described by the IRS in the tax code. Since 2013, Town Council has given staff direction to assign the Town's PAB capacity to the Douglas County Housing Partnership on an annual basis to help finance affordable housing for low and moderate income residents throughout Douglas County. Town Council passed this resolution to do so again with the 2019 funds.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **Country Meadows Traffic Signal Easement**

Town Council passed a resolution to accept conveyance of a traffic signal easement from Monarch Country Meadows, LLC, over a portion of Lot 6, Country Meadows Square, 3rd Amendment. This easement will preserve the Town's ability to maintain traffic signal infrastructure on this property.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)

- **Contracts Over \$100,000**

Town Council passed one contract over \$100,000: a contract modification with Vance Brothers, Inc., for the 2019 Townwide Concrete Replacement Program in the amount of \$180,000, for a revised contract amount of \$2,052,620.02. Savings realized in the 2019 roadway resurfacing contract have resulted in \$180,000 in available funds for additional slurry and chip seal applications throughout Town. Staff identified a number of additional streets that are in need of slurry/chip seal and elected to include them in this year's maintenance program. These streets include Bradbury Ranch Drive, Newlin Gulch Boulevard, a portion of Mainstreet east of Chambers Road, a portion of Hilltop Road north of Hess Road and a portion of the parking lot at the Town's Motsenbocker facility.

Approved 6-0 (In Favor: Diak, Lewis, Poage, Toborg, Williams)