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## Lone Tree City Council Amended Agenda Tuesday, September 15, 2015

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**Meeting Location:** City Council Meeting Room, Lone Tree Civic Center, 8527 Lone Tree Parkway.

**Meeting Procedure:** The Lone Tree City Council and staff will meet in a public *Study Session at 6:00pm (NOTE: change of time)*. *Following the study session, if necessary, the Council Meeting will adjourn and convene in Executive Session. If an Executive Session is not necessary, Council will recess for a short break.* The Regular Session will be convened at 7:00pm. Study Sessions and Regular Sessions are open to the public, Executive Sessions are not. Comments from the public are welcome at these occasions: 1. Public Comment (brief comments on items not scheduled for a public hearing) 2. Public Hearings. Contact the City Clerk if special arrangements are needed to attend (at least 24 hours in advance).

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### 6:00pm Study Session Agenda

*(Note: time change)*

1. Yosemite Library Reuse Report & Recommendations
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### Executive Session Agenda

*(following the Study Session if needed)*

1. Roll Call
  2. Executive Session
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### 7:00pm Regular Session Agenda

3. Opening of Regular Meeting/Pledge of Allegiance
  4. Amendments to the Agenda and Adoption of the Agenda
  5. Conflict of Interest Inquiry
  6. Public Comment
  7. Announcements
  8. Presentations
  9. Consent Agenda
    - a. Minutes of the September 1, 2015 Regular Meeting
    - b. Claims for the Period of August 10 – 24, 2015
    - c. Treasurer's Report for July 2015
  10. Administrative Matters
    - a. **RESOLUTION 15-13, Resolution of Support for the Scientific and Cultural Facilities District (SCFD)**
    - b. *Appointment of Commission, Board & Committee (CBC) Interview Committees*
  11. Council Comments
  12. Adjournment
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### City of Lone Tree Upcoming Events

More info available at [www.cityoflonetree.com](http://www.cityoflonetree.com) and [www.lonetreeartscenter.org](http://www.lonetreeartscenter.org)

- Motown 2 Jersey and LTAC Guild Gala Season Kick-Off, Saturday, September 26th, performance at 8:00 pm, Main Stage, LTAC
- Doktor Kaboom, Wednesday, September 30<sup>th</sup>, 10:00 am, 12:30 & 6:00 pm, LTAC Main Stage
- LTSO: Planetary Pleasures, Friday, October 2<sup>nd</sup>, 7:30 pm, LTAC Main Stage
- Lone Tree Art Expo: Opening Reception, Saturday, October 3<sup>rd</sup>, 3:00-5:00 pm, LTAC
- Takas String Quartet, Sunday, October 4<sup>th</sup>, 7:30 pm, LTAC Main Stage

**MINUTES OF A REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF LONE TREE  
HELD  
September 1, 2015**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, September 1, 2015, at 6:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

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Attendance

In attendance were:

James D. Gunning, Mayor  
Jacqueline Millet, Mayor Pro Tem  
Harold Anderson, Council Member  
Kim Monson, Council Member

Susan Squyer, Council Member, was absent

Also in attendance were:

Seth Hoffman, City Manager  
Jennifer Pettinger, City Clerk  
Steve Hebert, Deputy City Manager  
Torie Brazitis, Assistant to the City Manager  
Jeff Holwell, Economic Development Director  
Chief Jeffery Streeter, Lone Tree Police Department  
Kristin Baumgartner, Finance Director  
Kelly First, Community Development Director  
Lisa Rigsby Peterson, Lone Tree Arts Center Director  
Neil Rutledge, City Attorney, White, Bear and Ankele, P.C.  
John Cotten, Public Works Director, TTG Corp.

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Call to Order

Mayor Gunning called the meeting to order at 6:00 p.m., and observed that a quorum was present.

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Executive Session

Mayor Gunning announced City Council intends to convene in Executive Session. Neil Rutledge, City Attorney, stated the Executive Session is for a conference with the City Attorney for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) and to discuss the

purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a) regarding property issues with Argonaut Holdings. Also for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding an economic development agreement.

Council Member Anderson moved, seconded by Mayor Pro Tem Millet, for City Council to recess and convene in Executive Session for the reasons stated.

The motion passed with a 4 to 0 vote by those members present.

Council adjourned to an Executive Session at 6:00 p.m.

The Executive Session was adjourned at 6:47 p.m.

Mayor Gunning reconvened the meeting in Regular Session at 7:00 p.m., following a short recess.

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#### Pledge of Allegiance

Mayor Gunning led those assembled in reciting the Pledge of Allegiance.

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#### Amendments to the Agenda

Mayor Pro Tem Millet moved, seconded by Council Member Anderson, to amend the agenda to add the Approval of Chavez Construction Inc. Contract for the 2015 Parkway Drive Reconstruction (Phase 4). The motion passed with a 4 to 0 vote by those members present.

Council Member Monson moved, seconded by Council Member Anderson, to amend the agenda to add Resolution 15-12, REAPPOINTING A MEMBER TO THE YOUTH COMMISSION FOR THE CITY OF LONE TREE. The motion passed with a 4 to 0 vote by those members present.

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#### Conflict of Interest

There was no conflict of interest.

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#### Public Comment

Bill Robertson, 9278 E. Aspen Hill Circle, made a comment about a local restaurant.

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#### Announcements

Mayor Gunning announced upcoming events.

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### Presentations

#### *Constitution Week Proclamation*

Mayor Gunning read the Proclamation declaring September 17-23, 2015, as Constitution Week.

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### Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which consisted of:

- *Minutes of the August 18, 2015 Regular Meeting*
- *Claims for the period of August 10-24, 2015*

Mayor Pro Tem Millet moved, Council Member Anderson seconded, to approve the Consent Agenda. The motion passed with a 4 to 0 vote by those members present.

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### Community Development

***Public Hearing: General Motors replat, rezone (First reading) and SIP amendment (continued from August 18, 2015)***

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*Parkway Filing 1, Block 3, Lot 1 and Tract H Project SB15-51 (subdivision replat)*

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***Public Hearing: Ordinance 15-02, APPROVING THE REZONING OF CERTAIN TERRITORY KNOWN AND DESIGNATED AS A PORTION OF TRACT H, PARKWAY SUBDIVISION FILING NO. 1, IN THE CITY OF LONE TREE, COLORADO (GENERAL MOTORS) (First Reading) Project ZR15-37***

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*Parkway Filing 1, Block 3, Lot 4, Project SP15-36 SIP amendment for added parking and related changes*

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Mayor Gunning opened the public hearing at 7:05 p.m.

Jennifer Drybread, Senior Planner, introduced the items. Donnell Laux, Argonaut Holdings, representing the applicant, spoke about the application.

The public hearing was opened for comment at 7:09 p.m.

There was no public comment.

The public hearing was closed for comment at 7:09 p.m.

Council Member Monson moved, and Mayor Pro Tem Millet seconded, that the City Council approve the replat of Block 3, Lot 1 and Tract H, conditioned on: 1. Xcel Energy approval of a utility easement to accommodate existing infrastructure. 2. Approval of the associated rezoning and SIP. 3. Final approval by Public Works. The motion passed with a 4 to 0 vote by those members present.

Council Member Monson moved, and Mayor Pro Tem Millet seconded, that the City Council approve the adoption of Ordinance 15-02 on first reading, rezoning certain territory known and designated as a portion of Tract H, Parkway Subdivision Filing No. 1, from POS to C-1, conditioned on the approval of the associated replat and SIP. The motion passed with a 4 to 0 vote by those members present.

Council Member Monson moved, and Mayor Pro Tem Millet seconded, that the City Council approve the SIP, conditioned on: 1. Final approval by City of Lone Tree Public Works. 2. Adding seeding specification outlined by South Suburban Parks and Recreation to the SIP. 3. City Council approval of associated replat and rezoning. The motion passed with a 4 to 0 vote by those members present.

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*Approval of RidgeGate Filing 17, 1st Amdt Lot 6A Replat Project #SB15-42R*

Jennifer Drybread, Senior Planner, introduced the item.

Mayor Pro Tem Millet moved, Council Member Anderson seconded, to approve RidgeGate Filing 17, 1st Amdt Lot 6A Replat Project #SB15-42R subject to final approval by the Lone Tree Public Works Department. The motion passed with a 4 to 0 vote by those members present.

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Administrative Matters

***Ordinance 15-05, AN EMERGENCY ORDINANCE FOR THE DISSOLUTION OF THE EXISTING LONE TREE ENTERTAINMENT BUSINESS IMPROVEMENT DISTRICT***

Jeff Holwell, Economic Development Director, introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve **Ordinance 15-05, AN EMERGENCY ORDINANCE FOR THE DISSOLUTION OF THE EXISTING LONE TREE ENTERTAINMENT BUSINESS IMPROVEMENT DISTRICT**. The motion passed with a 4 to 0 vote by those members present.

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***Public Hearing: Ordinance 15-03, AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES (Second Reading)***

Mayor Gunning opened the public hearing at 7:18 p.m.

Kristin Baumgartner, Finance Director, introduced the item.

Mayor Gunning opened the public hearing for comment at 7:21 p.m.

There was no public comment.

The public hearing was closed at 7:21 p.m.

Council Member Anderson moved, Council Member Monson seconded, to approve **Ordinance 15-03, AMENDING PROVISIONS OF THE SALES TAX AND BUSINESS LICENSING ORDINANCES** on Second Reading. The motion passed with a 4 to 0 vote by those members present.

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***Public Hearing: Affirmation of Emergency Ordinance 15-04, ACCEPTING A PETITION FOR THE ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING THE LONE TREE BUSINESS IMPROVEMENT DISTRICT (BID)***

Mayor Gunning opened the public hearing at 7:21 p.m.

Jeff Holwell, Economic Development Director, introduced the item.

Mayor Gunning opened the public hearing for comment at 7:29 p.m.

Dave Smith, owner Go-Putt, agreed with the Mayor's comments encouraging the board of the BID be made up of the property owners.

Sharon Van Ramshorst, 8177 Arrowhead Way, asked about the budget amount.

The public hearing was closed at 7:32 p.m.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to affirm of **Emergency Ordinance 15-04, ACCEPTING A PETITION FOR THE ORGANIZATION OF A BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF LONE TREE AND ESTABLISHING, CREATING AND ORGANIZING THE LONE TREE BUSINESS IMPROVEMENT DISTRICT**. The motion passed with a 4 to 0 vote by those members present.

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***Resolution 15-11, APPOINTING A REPRESENTATIVE TO THE DOUGLAS COUNTY HOUSING PARTNERSHIP (Bryant)***

Council Member Anderson introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve **Resolution 15-11, APPOINTING A REPRESENTATIVE TO THE DOUGLAS COUNTY HOUSING PARTNERSHIP (Bryant)**. The motion

passed with a 4 to 0 vote by those members present.

Amended Agenda Items

***Approval of Chavez Construction Inc. Contract for the 2015 Parkway Drive Reconstruction (Phase 4)***

John Cotten, Public Works Director, introduced the item.

Mayor Pro Tem Millet moved, Council Member Monson seconded, to approve the contract with Chavez Construction Inc. in the amount of \$658,314.00 for the City of Lone Tree 2015 Parkway Drive Reconstruction and authorize the Public Works Director to execute the contract documents. The motion passed with a 4 to 0 vote by those members present.

***Resolution 15-12, REAPPOINTING A MEMBER TO THE YOUTH COMMISSION FOR THE CITY OF LONE TREE (Schaffer)***

Jennifer Pettinger, City Clerk, introduced the item.

Council Member Monson moved, Council Member Anderson seconded, to approve **Resolution 15-12, REAPPOINTING A MEMBER TO THE YOUTH COMMISSION FOR THE CITY OF LONE TREE** (Schaffer). The motion passed with a 4 to 0 vote by those members present.

Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 7:50 p.m.

Respectfully submitted,

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Jennifer Pettinger, CMC, City Clerk



## FINAL STAFF REPORT

**To:** Mayor Gunning and City Council

**From:** Kelly First, Director of Community Development  
Jennifer Drybread, Senior Planner

**Date:** September 3, 2015

**SUBJECT:** RidgeGate Section 15, Filing 17, 1<sup>st</sup> Amendment  
Replat (RidgeGate III)  
Project File #SB14-29R

Owner:  
RidgeGate Investments, Inc.  
10270 Commonwealth St., Suite B.  
Lone Tree, CO 80124

Representative:  
Keith Simon  
10270 Commonwealth St. #B  
Lone Tree, CO 80124

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|--|--------------------------|
| <b>Planning Commission Hearing Date:</b> | <b>Not applicable</b>    |
| <b>City Council Hearing Date:</b>        | <b>September 1, 2015</b> |

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The City Council unanimously approved the replat of 1 lot into 2 lots and one tract, subject to final City of Lone Tree Public Works approval.

END



CITY OF LONE TREE  
STAFF REPORT

**TO:** Mayor Gunning and City Council

**FROM:** Lisa Rigsby Peterson, Executive Director, LTAC

**DATE:** August 25, 2015

**FOR:** September 15, 2015 City Council Agenda

**SUBJECT:** Resolution 15-13, RESOLUTION OF SUPPORT FOR THE SCIENTIFIC AND CULTURAL FACILITIES DISTRICT (SCFD)

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Background

As staff briefed Council at the last study session, the Scientific and Cultural Facilities District (SCFD) has provided significant financial support for science, arts and culture in Lone Tree and Douglas County for many years. Additionally, thousands of Lone Tree and Douglas County residents each year benefit from the services of many SCFD-funded institutions, including the Denver Zoo and the Denver Museum of Nature and Science.

Because the SCFD is up for renewal by voters in 2016, organizations that have benefited from the existence of this national model for arts funding are being asked to adopt resolutions of support. The proposed resolution for your consideration is in support of the SCFD and their Board-adopted changes recommended by the Districtwide Task Force which was convened earlier this year.

Suggested Motion or Recommended Action

I move to approve Resolution 15-13, a Resolution of Support for the Scientific and Cultural Facilities District (SCFD).

**CITY OF LONE TREE  
RESOLUTION NO. 15-13**

**A RESOLUTION OF SUPPORT FOR THE SCIENTIFIC AND CULTURAL  
FACILITIES DISTRICT**

WHEREAS, the Scientific and Cultural Facilities District (SCFD) is a nationally acclaimed model for funding cultural organizations; and

WHEREAS, the SCFD provides funding in the seven county Denver metro area to more than 300 small and large cultural and science organizations representing every county, and does so with minimal regulation and overhead; and

WHEREAS, the Denver metro area's cultural institutions welcomed over 13 million visitors in 2014, including over 100 days of free programs and exhibits, as well as 4 million tours and cultural experiences for school children, both in classrooms and at cultural and scientific facilities; and

WHEREAS, SCFD funding helps organizations provide entertainment, education and enlightenment for metro residents, and also helps organizations preserve and protect priceless collections of animals, art, plants, natural history and historical sites for citizens to learn from and enjoy for many generations to come; and

WHEREAS, the most recent activity economic impact study of the arts shows the region's cultural organizations and facilities generate more than \$1.85 billion a year in economic activity, providing more than 10,000 jobs and generating \$410 million in cultural tourism; and

WHEREAS, the City of Lone Tree and its citizens have benefitted directly since 2005 from SCFD's support of the Arts Commission and now the Lone Tree Arts Center, as well as its support of regional groups including Douglas County Art Encounters, Christian Youth Theatre, Hawk Quest and 40 other arts, cultural and scientific organizations reaching Lone Tree and Douglas County school children and residents; and

WHEREAS, other Lone Tree organizations, including the Lone Tree Symphony Orchestra and the Schweiger Ranch Foundation continue to apply for or receive funding from SCFD; and

WHEREAS, the SCFD has been approved by the legislature and endorsed by voters in three region-wide elections in 1988, 1994 and 2004; and

WHEREAS, the SCFD's board conducted a three-year public process to identify recommended changes, and has adopted a series of significant enhancements to improve the effectiveness of the District; and

WHEREAS, the SCFD's one-tenth of a cent sales tax equals only one cent on a \$10 purchase, and in 2016 voters will be asked to extend, not increase, the tax for an additional 12 years.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONE TREE, COLORADO:

That this City Council supports the renewal of the Scientific and Cultural Facilities District with the provisions adopted by the SCFD Board and urges legislative and voter support for renewal of the District and the continued benefits the SCFD provides.

**APPROVED AND ADOPTED THIS 15<sup>TH</sup> DAY OF SEPTEMBER, 2015.**

**CITY OF LONE TREE**

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James D. Gunning, Mayor

**ATTEST:**

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Jennifer Pettinger, CMC, City Clerk

(S E A L)



**CITY OF LONE TREE  
STAFF REPORT**

**TO: Mayor Gunning and City Council**  
**FROM: Jennifer Pettinger, CMC, City Clerk**  
**DATE: September 11, 2015**  
**FOR: September 15, 2015 City Council Agenda**  
**SUBJECT: 2015-2016 CBC Interview Committee Appointments**

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Background & Summary

The CBC Appointment Policy requires that we appoint Interview Committees in August. I missed this deadline and would request Council make appointments ASAP. We have begun advertising for the current CBC vacancies and applications are due September 30<sup>th</sup>. Interviews will be conducted during the month of October. Each CBC Liaison has contacted the members, who terms are expiring and who are in good standing and eligible to serve another term, to ensure they are interested in being reappointed for another term. Currently we have vacancies in the Audit Committee, Citizens' Recreation Advisory Committee and the Planning Commission. We will however utilize these committees until 2016.

The following CBC members are in good standing, eligible to serve another term and are willing to be reappointed:

| <b>Arts Commission</b>                         | <b>Current Term Expiration</b> |
|--|--------------------------------|
| Mary Hardin                                    | 12/31/2015                     |
| Marianne Pestana                               | 12/31/2015                     |
| <b>Board of Adjustment &amp; Appeals</b>       |                                |
| Bill Robertson                                 | 12/31/2015                     |
| <b>Citizens' Recreation Advisory Committee</b> |                                |
| Glen Horback                                   | 12/31/2015                     |
| <b>Planning Commission</b>                     |                                |
| Rhonda Carlson                                 | 12/31/2015                     |

If Council agrees with the above reappointments, staff will prepare the reappointment resolution for Council's approval in December.

We anticipate conducting interviews for three vacancies on the Planning Commission (Martha Sippel and Stephen Mikolajczak are term limited and Roy

Kline resigned), one vacancy on the Citizens' Recreation Advisory Committee (Vicki Swiader is term limited), and one vacancy on the Audit Committee (Dan Reeb does not wish to be reappointed). I would appreciate Council making appointments to each of the interview committees for the upcoming year, in case of vacancies. Listed below are the previous interview committees:

| <b>CBC</b>                             | <b>2014/2015 Interview Committee</b> | <b>2013 Interview Committee</b> | <b>2012 Interview Committee</b>      |
|--|--------------------------------------|---------------------------------|--------------------------------------|
| Arts Commission                        | Anderson/<br>Squyer                  | Anderson/<br>Millet             | Squyer/<br>Monson                    |
| Audit Committee                        | Anderson/<br>Monson                  | Millet/<br>Squyer               | Anderson/<br>Millet                  |
| Board of Adjustment & Board of Appeals | --                                   | Millet/<br>Monson (for both)    | Millet/Monson<br>Anderson/<br>Squyer |
| Board of Adjustment & Appeals          | Anderson/<br>Squyer                  | --                              | --                                   |
| Citizens' Recreation Advisory          | Millet/Monson                        | Monson /Squyer                  | None needed                          |
| Planning Commission                    | Millet/<br>Squyer                    | Anderson/<br>Monson             | Millet/<br>Squyer                    |
| Youth Commission                       | Monson /Squyer                       | Anderson/<br>Squyer             | Anderson/<br>Monson                  |

Cost

There is no direct cost.

Suggested Motion

I move to appoint the following Council Members to the CBC Interview Committees and to serve until August 31, 2016:

| <b>CBC</b>                             | <b>2015/2016 Interview Committee</b> |
|--|--------------------------------------|
| Arts Commission                        |                                      |
| Audit Committee                        |                                      |
| Board of Adjustment & Board of Appeals |                                      |
| Citizens' Recreation Advisory          |                                      |
| Planning Commission                    |                                      |
| Youth Commission                       |                                      |