



## Lone Tree City Council Agenda Tuesday, January 5, 2016

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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 4:30pm. At 6:00pm and following the meeting, if necessary, the Council Meeting will adjourn and convene in Executive Session. If an Executive Session is not necessary, Council will recess for dinner. 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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### 4:30pm Study Session Agenda

1. Crossington Way Parking Concerns
  2. Banking Services Agreement
  3. City Communications Plan Presentation
  4. Introduction to Redesigned Website
  5. Approval of Ped Bridge Design/Development and Preconstruction Contracts – Phase 1
  6. Snow Removal Update
  7. **Resolution 16-01, REGARDING ANNUAL ADMINISTRATIVE MATTERS FOR THE CITY OF LONE TREE FOR 2016**
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### 6:00pm Executive Session Agenda

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 December 1, 2015 Regular Meeting
  - b. Claims for the Period of November 23 – December 28, 2015
  - c. Treasurer's Report for October 2015
10. Public Works
  - a. Approval of Ped Bridge Preconstruction Contract with Hamon Construction
  - b. Approval of Ped Bridge Design/Development Contract with Fentress Architects
11. Administrative Matters
  - a. Motion Authorizing City Manager to Sign Banking Services Agreement
  - b. **Resolution 16-01, REGARDING ANNUAL ADMINISTRATIVE MATTERS FOR THE CITY OF LONE TREE FOR 2016**
  - c. **PUBLIC HEARING: Affirmation of Emergency Ordinance 15-06, PROVIDING FOR THE CREATION OF THE LONE TREE BUSINESS IMPROVEMENT DISTRICT BOARD OF DIRECTORS**
  - d. **Resolution 16-02, APPOINTING A MEMBER TO THE AUDIT COMMITTEE**

- e. **Resolution 16-03, APPOINTING MEMBERS TO THE CITIZENS' RECREATION ADVISORY COMMITTEE**
- f. **Resolution 16-04, APPOINTING MEMBERS TO THE PLANNING COMMISSION**
- g. **Resolution 16-05, REAPPOINTING MEMBERS TO THE NOXIOUS WEED ADVISORY BOARD**

12. Council Comments

13. Adjournment

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**City of Lone Tree Upcoming Events**  
more info available at

[www.cityoflonetree.com](http://www.cityoflonetree.com) & [www.lonetreeartscenter.org](http://www.lonetreeartscenter.org)

- City Offices will be closed on Monday, January 18<sup>th</sup> in observance of Martin Luther King Jr.'s Birthday
- Commissioners' Choice: Explosion of Color, Friday, January 8<sup>th</sup> – Friday, March 4<sup>th</sup>, Opening Reception, Friday, January 22<sup>nd</sup> 6:00-7:00 pm, LTAC Lobby
- Arts in the Afternoon: Brahms the Quiet Extrovert, Wednesday, January 13<sup>th</sup>, 1:30 pm, LTAC Event Hall
- Spark Alliance Group, Friday, January 15, 1:30 – 2:30 pm, LTAC Lobby
- Passport to Culture: Chinese New Year, Sunday, January 17<sup>th</sup>, 1:30 pm, LTAC Main Stage

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

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, December 1, 2015, at 5:00 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

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 5:17 p.m., and observed that a quorum was present.

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Executive Session

Neil Rutledge, City Attorney, announced City Council intends to convene in Executive Session for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I) and not involving any specific employees who have requested discussion of the matter in open session.

Council Member Squyer moved, Mayor Pro Tem Millet seconded, for City

Council to recess and convene in Executive Session for the reasons stated. The motion passed with a 5 to 0 vote.

Council adjourned to an Executive Session at 5:17 p.m.

The Executive Session was adjourned at 5:24 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

There were no amendments to the agenda.

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Conflict of Interest

There was no conflict of interest.

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Announcements

Jason Fisher, Youth Commissioner, gave Council an update on the Youth Commission.

Mayor Gunning announced upcoming events.

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Public Comment

There was no public comment.

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Presentations

*Introduction of 2015 Holiday Card Winner*

Lisa Rigsby Peterson, Lone Tree Arts Center Director, introduced Evan Watkins, a 3<sup>rd</sup> grader from Lone Tree Elementary. Evan's artwork was chosen for the 2015 City of Lone Tree Holiday Card.

*Recognition of Lifesaving Event*

Susan Hicks, CEO, and Dr. David Markinson, Chief Medical Officer, for SkyRidge Medical Center, presented awards to Earl Corney for his heroic actions during the Lifesaving Event for Nick Norton. They also presented awards to Angela Mendy, Heather Watkins, Curtis Hubbell, Lt. Nick Grosch, Engineer Eric Kapitan, Firefighters Scott White and Robert Baker, Paramedic/Firefighters Luke Smith and Taylor Olson, and Battalion Chief Mike Mullane for their assistance

during this Lifesaving Event. Dr. Markinson introduced Mr. Norton who spoke about the event and thanked all the people who helped him survive his medical emergency five weeks ago.

*2015 Commissions, Boards and Committees Recognition of Service*  
Mayor Gunning recognized previous and outgoing Commissions, Boards & Committees (CBC) members Robert Meldrum, Levi Schroeder, Vicki Swiader, Martha Sippel, Stephen Mikolajczak, Lindsay Nikolaeff and Alexandra MacPherson for their service. Mayor Gunning presented a service plaque to Stephen Mikolajczak.

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### Consent Agenda

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

- *Minutes of the November 17, 2015 Regular Meeting*
- *Claims for the period of November 9-23, 2015*

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve the Consent Agenda. The motion passed with a 5 to 0 vote.

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### Community Development

*RidgeGate Section 22, Filing 1 (Tract GG or the Retreat at RidgeGate) Preliminary Plan and Sub-area Plan Project #SB15-57R*

Jennifer Drybread, Senior Planner, introduced the item. Ms. Drybread also introduced Anthony Valdez, South Metro Fire Rescue. She noted Mr. Valdez was available to answer questions.

Darryl Jones, Coventry Development, spoke about the project and introduced the applicant; Lisa Evans, Century Communities. Ms. Evans also spoke about the project.

Council gave their comments on the project. Lisa Evans responded to their comments and concerns.

Council Member Squyer moved, Council Member Anderson seconded, to continue the item to January 19. The motion passed with a 5 to 0 vote.

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### Administrative Matters

***RESOLUTION 15-18, ADOPTING THE 2016 GENERAL FUND, DEBT SERVICE FUNDS AND SPECIAL REVENUE FUNDS BUDGETS***

Kristin Baumgartner, Finance Director, introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve **RESOLUTION 15-18, ADOPTING THE 2016 GENERAL FUND, DEBT SERVICE FUNDS AND SPECIAL REVENUE FUNDS BUDGETS**. The motion passed with a 5 to 0 vote.

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***RESOLUTION 15-19, AFFIRMING COUNCIL BOUNDARIES***

Steve Hebert, Deputy City Manager, introduced the item.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve **RESOLUTION 15-19, AFFIRMING COUNCIL BOUNDARIES**. The motion passed with a 5 to 0 vote.

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***RESOLUTION 15-20, REAPPOINTING MEMBERS TO THE ARTS COMMISSION (Hardin & Pestana)***

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve **RESOLUTION 15-20, REAPPOINTING MEMBERS TO THE ARTS COMMISSION (Hardin & Pestana)**. The motion passed with a 5 to 0 vote.

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***RESOLUTION 15-21, REAPPOINTING A MEMBER TO THE BOARD OF ADJUSTMENT AND APPEALS (Robertson)***

Council Member Monson moved, Council Member Squyer seconded, to approve **RESOLUTION 15-21, REAPPOINTING A MEMBER TO THE BOARD OF ADJUSTMENT AND APPEALS (Robertson)**. The motion passed with a 5 to 0 vote.

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***RESOLUTION 15-22, REAPPOINTING A MEMBER TO THE CITIZENS' RECREATION ADVISORY COMMITTEE (Horback)***

Mayor Pro Tem Millet moved, Council Member Monson seconded, to approve **RESOLUTION 15-22, REAPPOINTING A MEMBER TO THE CITIZENS' RECREATION ADVISORY COMMITTEE (Horback)**. The motion passed with a 5 to 0 vote.

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***RESOLUTION 15-23, REAPPOINTING A MEMBER TO THE PLANNING COMMISSION (Carlson)***

Council Member Squyer moved, Council Member Anderson seconded, to approve **RESOLUTION 15-23, REAPPOINTING A MEMBER TO THE PLANNING COMMISSION (Carlson)**. The motion passed with a 5 to 0 vote.

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Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 8:57 p.m.

Respectfully submitted,

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Jennifer Pettinger, CMC, City Clerk

DRAFT



CITY OF LONE TREE  
STAFF REPORT

**TO: Mayor Gunning and City Council**

**FROM: Seth Hoffman, City Manager**

**DATE: December 30, 2015**

**FOR: January 5, 2016**

**SUBJECT: Approval of Lincoln Pedestrian Bridge Phase I Design and Pre-construction Contracts**

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Summary

As relayed in the attached memo from Phil Buckley at Corum Real Estate, staff recommends engaging Fentress Architects and Hamon Construction to develop Phase I design for the Lincoln Pedestrian Bridge. Doing so will allow the City to utilize a Construction Management/General Contractor project delivery approach, which was used to great success during the design and construction of the Lone Tree Arts Center.

Costs

- Not to exceed \$51,000 for Hamon's pre-construction services, which will be billed on an hourly basis.
- \$164,150 to Fentress Architects for Schematic (Phase I) Design, plus up to \$10,000 in reimbursables.
- \$33,000 for pre-construction project management services from Mr. Buckley's firm, Corum Real Estate, billed at \$11,000 per month for three months.

Suggested Motion or Recommended Action

- I move to authorize the City Manager to sign a Pedestrian Bridge preconstruction agreement with Hamon Construction for an amount not to exceed \$51,000.
- I move to authorize the City Manager to sign a Pedestrian Bridge Schematic Design contract with Fentress Architects not to exceed \$174,150.

Background

Please see the following attachments for additional background:

1. Project Overview Memo from Phil Buckley (Corum Real Estate)
2. Pedestrian Bridge Project Budget Summary

3. Preliminary Project Schedule
4. Fentress Architects Design Fee Letter
5. Hamon Construction Preconstruction Fee Letter
6. Corum Real Estate Preconstruction Engagement Letter

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**MEMORANDUM**

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**TO:** CITY OF LONE TREE  
**FROM:** CORUM REAL ESTATE GROUP  
**SUBJECT:** LONE TREE PEDESTRIAN BRIDGE  
**DATE:** DECEMBER 30, 2015

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**I. SELECTION PROCESS**

In late October, Corum began the Construction Management/General Contractor Selection process (CM/GC) process by pre-qualifying firms, which included public notice via an ad placed in the Douglas County Newspaper and the City of Lone Tree website. We also notified several pre-identified firms with applicable experience and bonding capacity. Seven firms responded with initial interest and demonstrated capabilities responded to the RFQ. Following the prequalification, Corum issued Requests for Proposals (RFP) to four of the top candidates that would serve to identify the best possible CM/GC team and construction pricing. Given the very competitive market conditions, it serves the best interest of the project to identify the construction team early in the design process to ensure continuity of the development process and engagement/identification of subcontractors that impact the critical path.

Over the weeks that followed the distribution of the RFP, one CM/GCs (Kraemer) withdrew from the process due to their inability to perform given the constraints of other projects. While this wasn't a surprise, it further solidifies the necessity of identifying the correct CM/GC at this early point in the development process.

The three remaining CM/GCs that submitted responses were PCL, Hamon and Kiewit, a summation of the RFP responses is included as Exhibit A. Upon submission of the RFP, each firm was afforded an interview to present their response, pricing and challenges of the project. During the interview process, it became evident that Kiewit was lacking internal resources and their pricing was overly cautious. PCL presented a very experienced team, however their base pricing, as with Kiewit, was overly cautious for the leaf design.

Hamon presented well-documented thoughtful response that clearly identified opportunities to improve the design, constructability and cost reduction alternatives, while not sacrificing project aesthetics. They also proactively engaged the services of a steel fabrication shop to provide real time cost estimating and value-add cost savings. In comparing the firms' capabilities, Hamon clearly has a demonstrated track-record with the Highlands Bridge. Given that experience and the other projects Hamon has built it is evident that they have a strong working knowledge of the development process which presents less pre-construction execution risk.

In terms of the pricing that was presented, a summation of which is attached as Exhibit B, all contractors presented a very thorough analysis; however PCL and Kiewit presented conservative pricing from Corum's perspective. Hamon was certainly the most competitive in terms of fee, with 3% proposed, while PCL and Kiewit proposed 10%.

## RECOMMENDATION

In the end, the entire team was quite pleased with having to make a difficult recommendation between three firms that are both qualified and demonstrated thoughtful and thorough interest. It is the recommendation of Fentress Architects, and the development team, Corum Real Estate, to engage Hamon in an hourly Preconstruction Services Agreement not to exceed a cost of \$51,000.00 until an Interim Guaranteed Maximum Price (IGMP) can be established. This will occur by late March 2016. In the unlikely event that Hamon fails to meet the expectations of the team and the City of Lone Tree, this agreement would allow for utilization of another CM/GC prior to construction commencement.

It is the opinion of the entire team that Hamon presents the least execution risk for the construction of the bridge given their depth, experience, and capability and with their current pricing significantly less than the other proposers. Hamon is aware that this project will be orchestrated in a completely transparent open book, cost plus fee arrangement.

## II. MOVING FORWARD / NEXT STEPS

We are proposing to move forward with a three month design and pricing process to further design to the completion of Schematic Documents by late February 2016. Throughout this process the design and construction teams, overseen by Corum, will work closely with a structural steel fabrication firm to clearly identify primary structural components. This will allow for accurate pricing and early procurement to avoid any potential-escalation in costs. During the month of March, Hamon will competitively price the bridge and present an IGMP to the City for construction of the pedestrian bridge. A cost estimation for this three month preconstruction period, which includes costs from Hamon, Fentress Architects and Corum, is detailed in an attached funding request. An overall proposed project milestone schedule is also included for reference.

We will be working closely with City staff and Planning Department throughout this initial three month period and intend to provide regular updates to City Council. As always, we welcome any feedback and dialogue with the City of Lone Tree and look forward to continuing working towards the eventual completion of your visions of Lone Tree Pedestrian Bridge.

**City of Lone Tree**  
**Pedestrian Bridge**  
**Preliminary Budget Summary**  
**December 30, 2015**

Item	Description	Original Budget	Total Changes	Current Budget
<b>LAND</b>				
100	Land Acquisition	\$625,000	\$0	\$625,000
<b>TOTAL LAND</b>		<b>\$625,000</b>	<b>\$0</b>	<b>\$625,000</b>
<b>HARD COSTS</b>				
200	Construction Cost - Hamon	\$4,429,340	\$0	\$4,429,340
210	Contractor Contingency - Hamon (15%)	\$565,300	\$0	\$565,300
250	Preconstruction Services	\$85,000	\$0	\$85,000
260	Misc. Hard costs	\$0	\$0	\$0
280	Fixtures and equipment	\$40,000	\$0	\$40,000
<b>TOTAL HARD COSTS</b>		<b>\$5,119,640</b>	<b>\$0</b>	<b>\$5,119,640</b>
<b>SOFT COSTS</b>				
300	Architecture and Engineering	\$624,600	\$0	\$624,600
320	Architect reimbursables	\$25,000	\$0	\$25,000
340	Civil Design Fees - TTG	\$45,000	\$0	\$45,000
400	Development/PM Fee	\$130,000	\$0	\$130,000
500	Soils Analysis	\$5,000	\$0	\$5,000
520	Materials testing	\$20,000	\$0	\$20,000
600	Additional testing services	\$0	\$0	\$0
700	Misc. soft costs	\$0	\$0	\$0
800	Building Permits/Fees	\$0	\$0	\$0
<b>TOTAL SOFT COSTS</b>		<b>\$849,600</b>	<b>\$0</b>	<b>\$849,600</b>
<b>CONTINGENCY</b>				
900	Hard/Soft Contingency (6.5%)	\$405,760	\$0	\$405,760
<b>TOTAL CONTINGENCY</b>		<b>\$405,760</b>	<b>\$0</b>	<b>\$405,760</b>
<b>TOTAL</b>		<b>\$7,000,000</b>	<b>\$0</b>	<b>\$7,000,000</b>



City of Lone Tree  
Pedestrian Bridge Design/Construction - Preliminary Schedule  
December 30, 2015

ID	Task Mode	Task Name	Duration	Start	Finish	er	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			1st Quarter					
							Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb			
1		<b>Design</b>	<b>90 days</b>	<b>Mon 1/11/16</b>	<b>Fri 5/13/16</b>																			
2		SD Design	40 days	Mon 1/11/16	Fri 3/4/16																			
3		Steel pricing package	15 days	Fri 1/29/16	Thu 2/18/16																			
4		SD Pricing	0 days	Fri 3/4/16	Fri 3/4/16																			
5		DD/CD Package	50 days	Mon 3/7/16	Fri 5/13/16																			
6		<b>Pricing/GMP</b>	<b>65 days</b>	<b>Mon 3/7/16</b>	<b>Fri 6/3/16</b>																			
7		SD Pricing	17 days	Mon 3/7/16	Tue 3/29/16																			
8		IGMP	0 days	Tue 3/29/16	Tue 3/29/16																			
9		City Council Approval	0 days	Tue 4/5/16	Tue 4/5/16																			
10		DD/CD Pricing	15 days	Mon 5/16/16	Fri 6/3/16																			
11		Final GMP	0 days	Fri 6/3/16	Fri 6/3/16																			
12		<b>Construction</b>	<b>130 days</b>	<b>Mon 6/6/16</b>	<b>Fri 12/2/16</b>																			
13		Sub Award/Buyout	15 days	Mon 6/6/16	Fri 6/24/16																			
14		Site Work/Mobilize	9 days	Mon 6/27/16	Thu 7/7/16																			
15		Construction	105 days	Fri 7/8/16	Thu 12/1/16																			
16		Close Out	0 days	Fri 12/2/16	Fri 12/2/16																			

Project: Lone Tree Ped Bridge Date: Wed 12/30/15	Task		Inactive Summary		External Tasks	
	Split		Manual Task		External Milestone	
	Milestone		Duration-only		Deadline	
	Summary		Manual Summary Rollup		Progress	
	Project Summary		Manual Summary		Manual Progress	
	Inactive Task		Start-only			
	Inactive Milestone		Finish-only			



fentressarchitects.com

21 December 2015

Mr. John Cotten  
**City of Lone Tree**  
9020 Kimmer Drive  
Lone Tree, CO 80124

RE: City of Lone Tree Bridge  
**Design Fees for Schematic Design**  
Fentress Architects Project Number: 20140080

Dear Mr. Cotten:

Fentress Architects has designed a Bridge that spans Lincoln Avenue for the City of Lone Tree. Two concepts for the bridge design, the "Leaf Bridge" and the "Tied Arch Bridge", were presented to the City Council, and they elected to pursue the "Leaf Bridge". Prior to releasing the Design Team to start on Schematic Design, Lone Tree's Owner's Representative, Corum Real Estate Group, issued an RFP to the construction community to determine who will serve as the CM/GC and to ensure that the bridge could be built for the budget established by the City.

Upon selection of the contractor, the Design Team, in collaboration with the selected contractor, will begin an intensive Schematic Design effort to finalize the design within the parameters of the City's budget. This effort is envisioned to begin on January 11, 2016, and continue until the end of March. We will begin this effort with a design charrette, hosted at the Fentress offices, during which the contractor, key subcontractors, architect, design consultants, and owner will review the design and develop a strategy to meet the City's visual, functional, and cost objectives. Included in this charrette will be development of a vision for how we will work together, exchange information, and schedule future meetings. During this period, drawings that will be the basis of the Construction Documents will be developed and refined. However, at this time, these drawings will not be a part of the deliverable to the City. At the end of the Schematic Design effort, the Design Team will deliver a rendering of the bridge that represents the final design and the contractor will deliver an Interim Guaranteed Maximum Price. This package will be presented to the City Council for final approval.

This letter is intended to provide the Design Team fees for the scope of work required for this Schematic Design effort. Fees for this service are for development of the Leaf Bridge as designed, shown in the attached image. Upon authorization to proceed on this design, the Design Team will begin working on an aggressive schedule to meet the Owner's requirements. Any significant alterations to the concept, whether design modifications or value engineering, will result in additional time and fees. The fee for this Schematic Design effort will be a lump sum of One Hundred Sixty-four Thousand One Hundred Fifty Dollars (\$164,150). Refer to the attached table for a breakdown of the fee. Reimbursables will be in

Mr. John Cotten  
**City of Lone Tree**  
21 December 2015  
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addition to this fee and are estimated not to exceed Ten Thousand Dollars (\$10,000). Billing for these services will be based on a percent complete, and will be billed under the heading 20140080.002.

We recommend the execution of the Prime Agreement, with associated Terms and Conditions as the agreement between us, with the release only for the fees and scope described above. If this recommendation is agreeable to the City of Lone Tree, please notify us, and we will prepare the documents for execution.

The Fentress Design Team is pleased to have been selected for the Lone Tree Bridge Project, and we look forward to working with the City for execution of a beautiful and successful project.

Very truly yours,

**Fentress Architects**



Catherine ("Kelly") Dunn  
Associate Principal

Enclosures: Pedestrian Bridge Schematic Design Fees, dated December 21, 2015

C: Phil Buckley, Corum Real Estate Group  
Patrick McCue, Fentress Architects  
Anne McNeely, Fentress Architects

### Pedestrian Bridge Schematic Design Fees

Fentress Team | 20140080 | 21 December 2015

Discipline		Consultant	Total per Consultant	Through SD
1	Civil Engineering	Not included	\$0	
2	Landscape	Not included	\$0	
3	Architectural	Fentress Architects	\$284,600	\$71,150
4	Cost Estimating	Not included	\$0	
5	Structural	Thornton Tomasetti	\$280,000	\$84,000
6	Electrical/Lighting/Plumbing	ME Engineers/Illume	\$60,000	\$9,000
<b>Total</b>			<b>\$624,600</b>	<b>\$164,150</b>
Reimbursable Estimate			\$20,000	\$10,000

**HAMON**  
INFRASTRUCTURE

5670 Franklin St.  
Denver, CO 80216  
T (303) 297-0340  
F (303) 296-9601



December 28, 2015

The City of Lone Tree  
9220 Kimmer Street  
Suite 100  
Lone Tree, Colorado 80124

Attn: Phil Buckley

Ref: Lone Tree Pedestrian Bridge  
Pre-Construction Services Fee – January 5, 2016 to April 1, 2016

Dear Phil:

Hamon Infrastructure is very pleased to have been selected to provide CM/GC services to the City of Lone Tree for the pedestrian bridge planned over Lincoln Avenue in Lone Tree.

Confirming our meeting this morning, Hamon Infrastructure will provide Pre-Construction Services for a three (3) month period from January 5, 2016 to April 1, 2016 for a cost not to exceed \$51,000.00.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,  
HAMON INFRASTRUCTURE, INC.

Thomas O. Evered  
General Manager

*Cc: Bruce Hamon, Jenna Westbrook, Judy Law*



December 29, 2015

Mr. Seth Hoffman  
*City Manager*  
City of Lone Tree  
9220 Kimmer Drive  
Suite 100  
Lone Tree, CO 80124

Re: Engagement of Preconstruction Services – Schematic Design Phase  
Lincoln Pedestrian Bridge – City of Lone Tree, Colorado

Dear Mr. Hoffman:

We are looking forward to providing project management services on the City of Lone Tree's proposed pedestrian bridge project. Below is a brief summary of the preconstruction services for this Schematic Phase and fees we have previously discussed.

We will provide one-source project management to the City of Lone Tree staff regarding the Lincoln Pedestrian Bridge project. In general, we will set the agenda for the project and maintain data requiring Owner decisions, with recommendations to determine the viability of the project. To further the Project Team's initial effective performance, we will assemble the data provided by the City of Lone Tree staff and vendors into a master project budget/forecasting tool/cost report so that there will be an on-going reference of total project budget/cost status and trending. We will oversee the timely performance of the General Contractor's pricing, their scheduling, and the Contractor's bidding and procurement program.

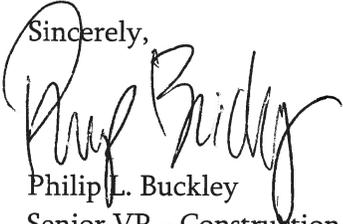
Our work products will include meeting minutes, progress updates, payment releases, various Requests for Proposals, Project Financial Recaps, and contract drafts, as desired. All of the services necessary for the design and construction of the project are to be performed by separate Architects and General Contractors, with this firm being only in a role of coordinating the work of others. Project accounting is assumed to be performed by the City of Lone Tree staff. We will incorporate the staff monthly vendor payment reports into an overall project financial recap as part of our basic services.

Compensation for this Schematic Design phase will be billed monthly at \$11,000/month. It is understood that the total preconstruction period reflects an anticipated three month aggregate period. Should our services be desired longer than these periods, our work beyond would continue to be billed at the initially agreed upon hourly rate of \$160/hour.

We would like to thank you for selecting our firm to render these services and look forward to working with the City of Lone Tree toward successful completion of this project.

Please indicate your acceptance of the terms of this Agreement by signing and returning one executed copy of this Agreement for our records.

Sincerely,



Philip L. Buckley  
Senior VP – Construction  
Corum Real Estate

ACCEPTED:  
City of Lone Tree

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



CITY OF LONE TREE  
STAFF REPORT

**TO: Mayor Gunning and City Council**  
**FROM: Kristin Baumgartner, Finance Director**  
**DATE: December 30, 2015**  
**FOR: January 5, 2016, Council Meeting**  
**SUBJECT: Banking Services Agreement**

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Summary

The City went out with a Request for Proposal (RFP) for banking services in November 2015 as a result of the current contract with Wells Fargo expiring on April 1, 2016. Three proposals were received from local banks. The proposals were reviewed by City staff, and two of the three responders were brought in for in-person interviews. The banks selected for in-person interviews included our current bank, Wells Fargo, and UMB Bank. In-person interviews were held with representatives from each of the two banks, the City's Finance Director, Accountant and the Deputy City Manager. The recommendation of City staff as a result of this process is to sign an agreement with UMB Bank for banking services beginning April 1, 2016 for a five-year term.

Staff will be giving a presentation at study session with details of the proposal; however, the main criteria used in making this decision included pricing, services to be provided and customer service. UMB Bank's pricing related to fees charged, earnings credit, as well as the Pcard rebate percentage were all better than Wells Fargo. Additionally, City staff believes that all services currently provided by Wells Fargo can be provided by UMB Bank, and based on references provided, customer service with UMB Bank was very favorable.

Changing banking relationships is a timely process and the Finance Department will be working with UMB Bank to develop a detailed conversion timeline. It is anticipated currently that basic banking services, as well as the lockbox transition, will occur in the first quarter of 2016 before the April 1, 2016 expiration of the City's current contract. After that is completed, the Pcards will be transitioned over from Wells Fargo to UMB Bank during the 2<sup>nd</sup> quarter of 2016.

## Cost

Fees for banking services will vary each month due to volume of transactions processed through the bank. The largest cost to the City is related to the lockbox services that are provided related to processing the sales tax payments from vendors. Each month fees are calculated based on the volume and then offset with the earnings credit each month. It is anticipated that monthly fees will be approximately \$3,000 for an annual cost of approximately \$36K. The 2016 budget included a placeholder of \$40K. Additionally, the City will participate in a Pcard rebate program which will include a refund annually of approximately 1.35% of total spent on Pcards each year. This rebate will be used to offset banking fees incurred.

## Suggested Motion or Recommended Action

I move to authorize the City Manager to sign the banking services agreement with UMB Bank for a five-year term.

## Background

In 2011, the City entered into a 5-year agreement with Wells Fargo for banking services which locked the City's pricing for five years. The current agreement expires April 1, 2016, so the City went out for RFPs for banking services in November 2015.

Banking contracts are typically setup with the bank providing an "earnings credit," which offsets fees the bank charges. The earnings credit typically is similar to interest rates banks offer in money market accounts. When the City's contract was signed in 2011, Wells Fargo locked in a 2.0% earnings credit for the City which has resulted in free banking services for the last five years as that earnings credit offset 100% of the City's fees. Due to the continued low interest rate environment, it was anticipated that pricing would be drastically different than it was in 2011 (whether the City stayed with Wells Fargo or looked at other options).

The RFP was posted at the beginning of November with the deadline for responses to be received by November 30<sup>th</sup>. Three responses were received including the City's current bank, Wells Fargo, as well as responses from UMB Bank and Bank SNB. Based on the proposals, City staff met with two of the banks and are recommending that the City change its main banking relationship to UMB Bank beginning April 1, 2016.



CITY OF LONE TREE  
STAFF REPORT

**TO: Mayor Gunning and City Council**

**FROM: Steve Hebert, Deputy City Manager  
Jennifer Pettinger, City Clerk**

**DATE: December 30, 2015**

**FOR: January 5, 2016 City Council Meeting**

**SUBJECT: Resolution 16-01, Regarding Annual Administrative  
Matters for the City of Lone Tree for 2016**

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Summary

The annual administrative resolution is attached. Each year City Council approves an administrative resolution that confirms standard administrative procedures; directs and authorizes certain staff positions to perform city functions; and reaffirms previously approved service and financial agreements.

Suggested Motion or Recommended Action

I move to approve *Resolution 16-01, Regarding Annual Administrative Matters for the City of Lone Tree for 2016*.

Background

Highlights of the resolution include:

- Sets the time, place and location for City Council meetings and study sessions, refers to the rules of governance of such meetings, designates the location to post notice of such meetings and requires minutes be taken.
- Designates the Douglas County News-Press as the official newspaper in which all legal notices and publications shall be published.
- Describes the process for a City Council member to report receiving items in connection with his or her public service.
- Establishes the stipend for the Mayor and City Council members.
- Appoints Jennifer Pettinger as City Clerk and Designated Election Official, John Cotten as Public Works Director, Gary White as City Attorney, and Louis Gresh as Municipal Judge and liquor license hearing officer.
- The City Manager shall direct the City Clerk to file annual liquor and beer code violations reports to the Colorado Department of Revenue and direct the Chief of

Police to submit Arrestee Immigration Status Forms to the Office of the Legislative Council.

- Requires the preparation of, and sets the calendar for, the city budget and the filing of such budget with the Colorado Department of Local Affairs.
- Requires that an audit of financial statements be prepared and requires the filing of the audit report with the Colorado State Auditor.
- Directs the City Attorney to manage matters related to annual disclosure reports, contracts in effect with other political subdivisions, and unclaimed property.
- Reaffirms the zoning map and indicates it shall serve as the official city map.
- Reaffirms all existing contractual relationships, including with TTG Corporation and White Bear Ankele Tanaka & Waldron, P.C.
- Renews various annexation and sales tax rebate agreements that were previously agreed upon but are subject to annual appropriation.
- Directs the City Manager to insure the City, the Mayor, the City Council and city employees against liability for injury.
- Establishes the fee schedule for services provided by the City. No changes are proposed to the schedule.

**CITY OF LONE TREE  
RESOLUTION NO. 16-01**

**A RESOLUTION REGARDING  
ANNUAL ADMINISTRATIVE MATTERS  
FOR THE CITY OF LONE TREE FOR 2016**

WHEREAS, the City Council has a duty to perform certain obligations on a recurring basis in order to assure the efficient operation of the City; and

WHEREAS, the City Council has directed the administrative work of the City to be accomplished by its City Manager, City Clerk, Department Heads and consultants who act as the City Attorney, City Engineer, and Director of Public Works, (collectively the "Staff"); and

WHEREAS, the City Council desires to confirm certain general procedures for the conduct of its business and to authorize its elected officials and Staff to perform certain administrative activities; and

WHEREAS, the matters set forth in this Resolution are statements of intention, and may be modified by action of the City Council, from time to time, without prior notice except where required by law and without waiving on a continuing basis these or other policies established by the City and its Charter (the "Charter");

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

1. Pursuant to Article IV, Section 1 & 2 of the Charter, the City Council determines to hold regular meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of every month at 6:00 p.m., at 8527 Lone Tree Parkway, in Lone Tree, Colorado. Study sessions may commence at 4:30 p.m. on each such date.
2. Should an individual City Council member or the Mayor choose to abstain from any particular matter on the agenda for reasons of potential conflict of interest, he or she shall be considered in attendance at the meeting for purposes of meeting quorum requirements.
3. The City Council has adopted Ordinance 07-06 establishing rules for the governance of City Council Meetings.
4. Pursuant to Article IV, Section 7 of the Charter, and in addition to Paragraph 1 of this Resolution, the City Council may hold study sessions as the Mayor or any two Council members may request upon at least twenty-four hours written notice to each Council member and by public notice through posting procedures established by this Resolution. No quorum shall be required at any such study session and no legally binding or formal action shall be taken at any such session.
5. Pursuant to Article IV, Section 4(a) of the Charter, City Council designates 9220 Kimmer Drive, Suite 100, Lone Tree, Colorado, as the posting place for notices of meetings, in

accordance with Section 24-6-402(2)(c), C.R.S., which were not otherwise posted under Title 31, C.R.S. The City Council directs the City Clerk to prepare notices for posting at the specified location.

6. The City Council designates the *Douglas County News-Press* as the newspaper of general circulation within the boundaries of the City, and wherein all legal notices and publications for the City shall be published, unless otherwise required by state law.

7. The City Manager shall be designated as the contact person with the Colorado Division of Local Government.

8. The City Council acknowledges that in accordance with section 24-6-203, C.R.S., each City Council member who receives from another person any item described in subsection (3) of that section in connection with his or her public service is required to file with the City Clerk on or before January 15, April 15, July 15, and October 15 of each year, on a form prescribed by the Secretary of State, a report covering the period since the last report. No report needs to be filed if a City Council member does not receive any of the described items.

9. Minutes of all City Council regular and special meetings shall be taken by the City Clerk stating only the subject matter and final action taken by City Council, together with such supplemental notes as are requested by the City Council members and which are approved by the Mayor or by majority vote of the City Council including the Mayor. Public meetings may be tape recorded for purposes of assisting the City Clerk to prepare accurately the official written Minutes. Tape recordings shall not constitute the official record of the City Council nor shall they constitute public records within the meaning of Colorado law. Each executive session discussion shall be electronically recorded as required by subsection 24-6-402(d.5)(I)(A), C.R.S., and each recording shall be retained for ninety (90) days after the date of the recording pursuant to subsection 24-6-402(d.5)(I)(E), C.R.S.

10. The City Council hereby appoints Jennifer Pettinger as the Lone Tree City Clerk and appoints the City Manager as the Lone Tree City Treasurer.

11. The City Council hereby appoints John Cotten as the Public Works Director and Greg Weeks as the City Engineer.

12. The City Council hereby appoints Gary R. White of White Bear Ankele Tanaka & Waldron, P.C., as the City Attorney, to act as the City Attorney in all legal matters, with authority to engage or use associates and/or special counsel as Mr. White deems appropriate after advising the City Council.

13. The City Council hereby reaffirms the appointment of Louis Gresh as the Lone Tree Municipal Judge with a fixed annual compensation of \$60, payable at \$5 per month. In addition to Judge Gresh's annual compensation, he will be compensated \$250 for the first two hours of each court session and \$125 for each additional hour.

14. The City Council hereby designates each of the following attorneys who possess the qualifications for the office to serve as a temporary judge on an ad hoc basis in Judge Gresh's absence: Brad Yoder, Zoe Cole and Beth Elliot Dumler. The City Council hereby sets temporary judge's compensation to be fixed at \$250 for the first two hours of each court session and \$125 for each additional hour.

15. The City Council hereby appoints Louis Gresh as Hearing Officer for the City of Lone Tree Local Liquor Licensing Authority Compliance Division and Administrative Appeal Officer for the City of Lone Tree Sexually Oriented Businesses Licensing with compensation to be fixed at \$250 for the first two hours of each session and \$125 for each additional hour.

16. The City Clerk is hereby appointed as the "Designated Election Official" of the City for any elections to be held by the City. In accordance with Title 31, C.R.S., the City Council hereby grants all powers and authority for the proper conduct of the election to the Designated Election Official, including but not limited to appointing election judges, appointing a canvass board and cancellation, if applicable, of the election.

17. The City Council hereby appoints the Zoning and Development Services Coordinator to be the City Forester. The duties of the City Forester are as stated in the City of Lone Tree Resolution 01-21, and any previous appointment to that position is hereby repealed.

18. The City Manager shall have the authority to enter into Subdivision Improvement Agreements, Site Improvement Plan Improvements Agreements and Public Improvements Agreements on behalf of the City, such agreements to be substantially similar in form and substance to the standard form Subdivision Improvement Agreement approved by the City. The City Manager shall also have the authority to enter into and amend easement, license and other administrative documents on behalf of the City.

19. In accordance with section 6-1-210 of the Municipal Code, the City Manager shall have the authority to conduct all administrative matters related to the City of Lone Tree Local Liquor Licensing Authority that do not require a public hearing.

20. The City Manager directs the City Clerk to prepare and file the annual Liquor and Beer Code Violation Hearing Report Form with the Colorado Department of Revenue no later than January 8, 2016.

21. The City Manager directs the Chief of Police to complete the Arrestee Immigration Status Form (SB06-90) and submit to the Office of the Legislative Council no later than March 1, 2016.

22. The City Treasurer shall be responsible for preparation of the budget for the City, shall manage the accounting and auditing services for the City to be performed by such persons as are authorized by the City Council, shall manage the public funds in accordance with all applicable Colorado laws and only by direction of the City Council, and shall report to the City Council on a monthly basis in written form the status of the City's financial accounts and records. These functions may be delegated to the Finance Department when appropriate.

23. The City Manager shall direct Staff to submit a proposed budget to the City Council by October 15, 2016 and to schedule a public hearing on the proposed budget; to prepare a final budget and budget resolution, to prepare amendments to the budget if necessary, and to file the approved budget and any amendments thereto with the proper governmental entities in accordance with the Local Government Budget Law of Colorado, sections 29-1-101 to 29-1-115, C.R.S.

24. The City Manager shall direct the City Clerk to file a certified copy of the budget to the Department of Local Affairs, Division of Local Government in accordance with the Local Government Budget Law of Colorado, sections 29-1-113, C.R.S.

25. The City Manager shall direct the City Clerk to forward a copy of the audit report to the state auditor within thirty days after receipt of said audit in accordance with Local Government Budget Law of Colorado, section 29-1-606, C.R.S.

26. The City Council directs the City Attorney to oversee the preparation of any continuing annual disclosure report required to be filed in accordance with the Securities Exchange Commission Rule 15c2-12, if required.

27. The City Council directs the City Attorney to prepare and file an informational listing of all contracts in effect with other political subdivisions with the Division of Local Government on or before February 1, 2016, as required by section 29-1-205, C.R.S.

28. The City Council directs the City Attorney to prepare the Unclaimed Property Act report and forward to the State Treasurer by November 1, 2016, if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with section 38-13-110, C.R.S., if required.

29. The zoning map, as amended from time to time, shall be the official City map. A copy of the official City map, showing the City's boundaries, is attached as Appendix A and shall be kept on file at the offices of the Community Development Director, 9220 Kimmer Drive, Ste #100, in Lone Tree, Colorado, and shall be available for examination by all interested persons.

30. As of this date, the City Council hereby reaffirms all existing contractual relationships subject to annual appropriation, including, but not limited to, contractual relationships with TTG Corp. and White Bear Ankele Tanaka & Waldron, P.C..

31. The following agreements concerning annexation and sales tax rebate arrangements are subject to annual appropriation and are deemed renewed:

- i. Agreement with Colony Investments, Inc.
- ii. Agreement with Park Meadows Business Improvement District
- iii. Agreement with Cabela's Wholesale Inc.
- iv. Agreement with Kaiser Foundation Hospitals
- v. Agreement with tw Telecom Inc.
- vi. Agreement with Best Buy

32. The City Council directs that an audit of the financial statements be prepared and submitted to the City Council within six (6) months after fiscal year end. The City Council further directs that the audit be filed with the State Auditor no later than thirty (30) days after the fiscal year audit is received by the City, as required by section 29-1-603, C.R.S.

33. The City Council directs the City Manager to obtain proposals for insurance and to insure the City against all or any part of the City's liability for injury, to insure the Mayor, City Council members, and City employees acting within the scope of employment by the City Council against all or any part of such liability for any injury, and to insure against the expense of defending a claim for injury against the City or its City Council. The City Council will annually review all insurance policies in effect.

34. The fee schedules contained in past resolutions or ordinances for services which might be provided by the City to members of the public, including certification of documents, notarization of signatures, and other activities shall be extended indefinitely. Any resolution or ordinance concerning fee schedules that is passed subsequent to this Resolution shall supersede the provisions of this section.

35. City Council members and the Mayor shall continue to receive a stipend in the amount established under the immediately preceding version of this Resolution plus 3% thereof as contemplated by the Charter.

36. These procedures, rules, and duties may be supplemented from time to time in written format either by adoption of additional resolutions or by action reflected in the minutes for the City Council.

37. The effective date of this resolution is January 1, 2016.

ADOPTED AND APPROVED THIS 5<sup>th</sup> DAY OF JANUARY, 2016.

**CITY OF LONE TREE**

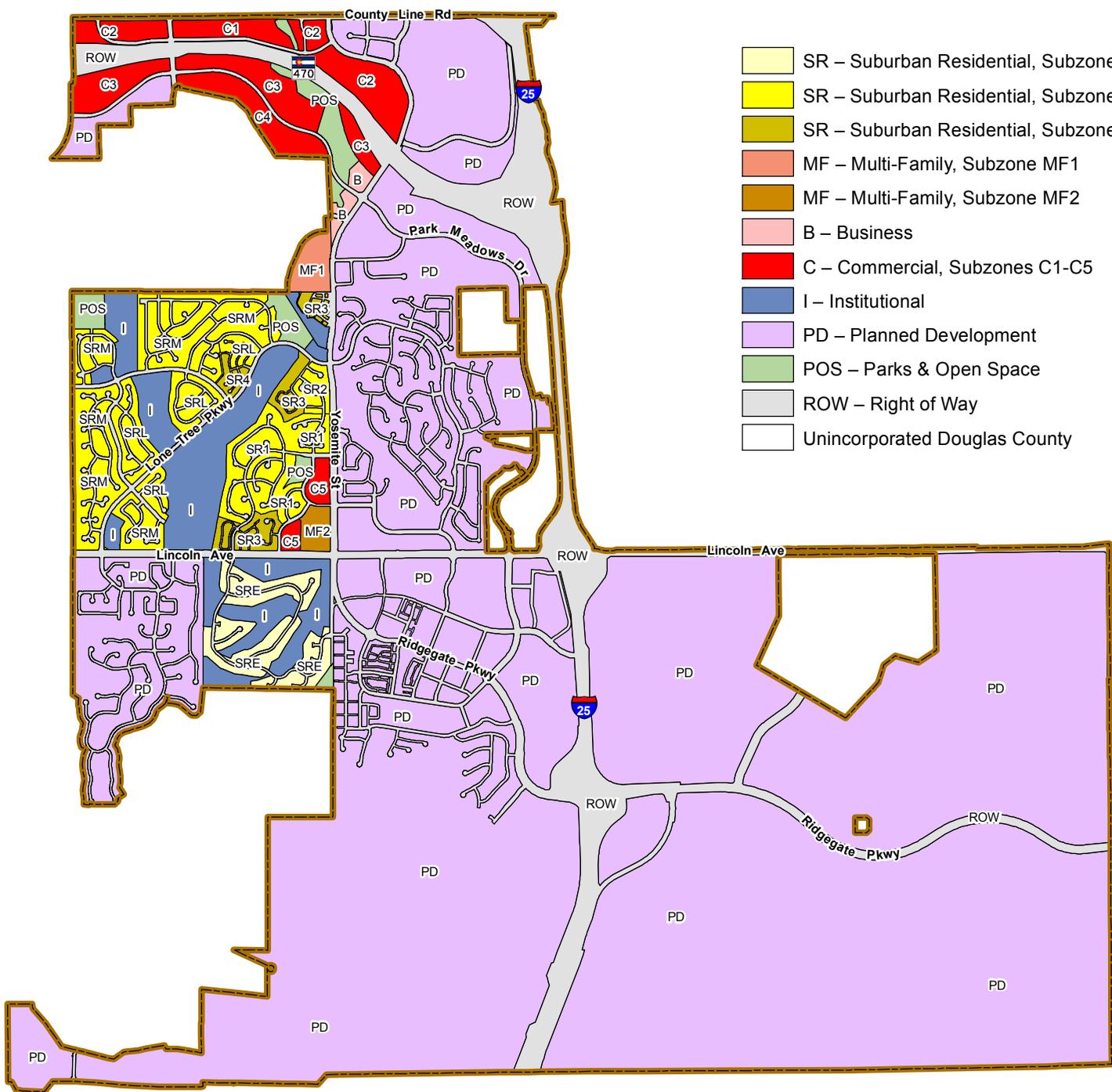
By: \_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

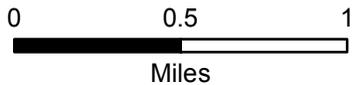
( S E A L )

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

# City of Lone Tree Zoning Map



- SR – Suburban Residential, Subzone SRE
- SR – Suburban Residential, Subzones SR1, SR2, SRL & SRM
- SR – Suburban Residential, Subzones SR3 & SR4
- MF – Multi-Family, Subzone MF1
- MF – Multi-Family, Subzone MF2
- B – Business
- C – Commercial, Subzones C1-C5
- I – Institutional
- PD – Planned Development
- POS – Parks & Open Space
- ROW – Right of Way
- Unincorporated Douglas County



*I hereby certify that this is the Official Zoning Map of the City of Lone Tree duly adopted by Ordinance 09-09 on December 15, 2009 and reaffirmed by Resolution 16-01 on January 5, 2016.*

James D. Gunning, Mayor

Attest:

The City has numerous Planned Development (PD) zonings. Specific PDs are noted on the City's website ([www.cityoflonetree.com](http://www.cityoflonetree.com)), or contact the Community Development Department for more information at 303-708-1818



CITY OF LONE TREE  
STAFF REPORT

**TO: Mayor Gunning and City Council**

**FROM: Neil Rutledge**

**DATE: December 28, 2015**

**FOR: January 5, 2016**

**SUBJECT: Ordinance No. 15-06 Creating the Lone Tree Business Improvement District Board of Directors**

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Summary

On November 17, 2015, the City Council established a new Board of Directors of the Lone Tree Business Improvement District (BID), to provide for the development and financing for public improvements and services in the Entertainment District. This Ordinance authorized a Board of Directors consisting of five to seven members, to be set and appointed by Resolution of the Council.

As the Board was created by the passage of an emergency ordinance, Ordinance No. 15-06, the City Charter requires that the adoption be affirmed within 90 days on a non-emergency basis. Upon affirmation, this ordinance becomes a regular ordinance of the City.

Cost

There is no cost to the City.

Suggested Motions

I move to affirm Ordinance No. 15-06 Providing for the Creation of the Lone Tree Business Improvement District Board of Directors.

Background

The City Council, in creating the Lone Tree Business Improvement District, did so with the understanding that the land owners and businesses within the BID know best the kind of reimagining and development of the District that is most beneficial. They are the true stakeholders. As a result, the City Council believes and desires that the BID should be governed by representatives of the owners or lessees of taxable real or personal property within the BID, rather than the City Council acting as the ex-officio Board of Directors. This Ordinance creates a new Board of between five and seven members.

**ORDINANCE OF THE  
CITY OF LONE TREE**

**Series of 2015**

**Ordinance No. 15-06**

**AN ORDINANCE PROVIDING FOR THE CREATION OF THE LONE TREE  
BUSINESS IMPROVEMENT DISTRICT BOARD OF DIRECTORS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE,  
COLORADO:**

**ARTICLE 1 – AUTHORITY**

The City of Lone Tree (the "City") is a home rule municipality operating under the Lone Tree Home Rule Charter (the "Charter") adopted on May 5, 1998 and a Municipal Code (the "Code"), codified and adopted on December 7, 2004. Pursuant to the Charter, the Municipal Code and the authority given home rule cities, the City may adopt and amend Ordinances.

**ARTICLE 2 – SAFETY CLAUSE**

The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City, 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.

**ARTICLE 3 – EMERGENCY ORDINANCE**

This Ordinance is being adopted pursuant to the provisions of Article V, Section 8 of the City Charter, adopted May 5, 1998. The City Council finds that there exists an immediate threat to the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience, welfare and property. The urgency and need for passing this Ordinance is that the City Council believes and desires that the Lone Tree Business Improvement District (the "BID") should be governed by representatives of the owners or lessees of taxable real or personal property within the BID, rather than the City Council acting as the ex-officio Board of Directors. Because the Board of Directors of the BID will be making important decisions regarding the specific objectives, financing and budget of the BID in the immediate future, there is a need to create the Board of the BID without delay.

**ARTICLE 4 – FINDINGS OF FACT**

- A. The City Council received a petition to organize a proposed Lone Tree Business Improvement District from persons who own real or personal property in the

service area of the proposed district, pursuant to the Business Improvement District Act, Section 31-25-1201, *et seq.* C.R.S.

- B. Subsequently, the City Council, by City of Lone Tree Ordinance No. 15-04, accepted the petition and established the Lone Tree Business Improvement District (the “BID”), with the City Council acting as the ex officio Board of Directors.
- C. The City Council declares it appropriate that the BID be governed by representatives of the owners or lessees of taxable real or personal property within the BID, rather than the City Council.
- D. The City Council is empowered to provide by ordinance for the creation of a Board of Directors pursuant to Section 31-25-1209 (1)(b) C.R.S.

#### **ARTICLE 5 – ADOPTION**

- A. City Council hereby creates and provides for a Board of Directors for the Lone Tree Business Improvement District. Each member shall be appointed by City Council from the eligible electors of the BID as provided by law.
- B. The Board of Directors shall carry out the responsibilities required of such board by the Business Improvement District Act, the Lone Tree Business Improvement District Operating Plan and Budget and all other applicable ordinances and laws.
- C. The authorized number of Directors shall be not less than five (5) and not more than seven (7) members. The exact number of authorized Directors within this range shall be fixed, and may from time to time be changed, by a resolution adopted by the City Council.
- D. The members of the Board of Directors shall be appointed by resolution of the City Council.
- E. Each member of the Board of Directors shall serve at the pleasure of the Lone Tree City Council.
- F. The City Council’s status as ex officio Board of Directors of the BID is hereby terminated.

#### **ARTICLE 6 – RATIFICATION AND APPROVAL OF PRIOR ACTION**

All actions heretofore taken by the officers of the City and the members of the City Council consistent with the provisions of this Ordinance and relating to the formation of the BID are hereby ratified, approved, and confirmed.

**ARTICLE 7 – REPEALER**

All resolutions, ordinances or regulations of the City, or parts thereof, inconsistent with this Ordinance are hereby repealed only to the extent of such inconsistency.

**ARTICLE 8 – SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance which can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**ARTICLE 9 – EFFECTIVE DATE OF ORDINANCE**

This Ordinance shall take effect upon adoption on first reading and shall be published in full immediately after adoption. This Ordinance shall not be in effect longer than ninety (90) days after adoption unless the City Council shall affirm the same by re-adoption of said Ordinance on second reading and publication on a non-emergency basis within said ninety (90) day period.

**INTRODUCED, READ AND ORDERED PUBLISHED ON NOVEMBER 17, 2015.**

**PUBLISHED IN THE DOUGLAS COUNTY NEWS PRESS ON DECEMBER 3, 2015,  
LEGAL NOTICE NO. 928245.**

**AFFIRMED BY RE-ADOPTION ON JANUARY 5, 2016.**

**CITY OF LONE TREE**

\_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

(SEAL)

**CITY OF LONE TREE  
RESOLUTION NO. 16-02**

**A RESOLUTION APPOINTING A MEMBER TO THE  
CITY OF LONE TREE AUDIT COMMITTEE**

WHEREAS, on May 6, 2003, the City Council of the City of Lone Tree adopted Resolution No. 03-14 creating the Audit Committee (the “Committee”), for the purpose of enhancing the independence of the external financial auditor and the reliability of the City’s financial statement audits; and

WHEREAS, Resolution 09-15, increased the membership of the Committee to consist of six (6) members: three (3) appointed City residents who are certified public accountants or otherwise possess the expertise and experience in accounting, auditing, financial reporting and finance needed to understand and resolve issues raised by the independent audit of the City’s finance statements; one (1) member of the City Council; the City Manager; and the City’s Chief Financial Officer. The City Manager and the City’s Chief Financial Officer serve as ex-officio, non-voting members; and

WHEREAS, there will be one (1) vacancy on the Committee on January 1, 2016; and

WHEREAS, City Council desires to appoint a member to this vacancy, such appointment to be effective on the date of expiration of the previous term.

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

Scott Sperberg is hereby retroactively appointed to the Audit Committee for a three (3) year term effective on January 1, 2016 and expiring on December 31, 2018.

**APPROVED AND ADOPTED THIS 5<sup>th</sup> DAY OF JANUARY, 2016.**

**CITY OF LONE TREE**

\_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

(S E A L)

**CITY OF LONE TREE  
RESOLUTION NO. 16-03**

**A RESOLUTION APPOINTING MEMBERS TO THE CITIZENS' RECREATION  
ADVISORY COMMITTEE FOR THE CITY OF LONE TREE**

WHEREAS, by Resolution No. 06-09, the City Council created the Citizens' Recreation Advisory Committee (the "Committee") which promotes the City's recreation opportunities and services, and develops recommendations to improve these opportunities and services; and

WHEREAS, Resolution No. 06-09, established the Committee membership to seven (7) members; and

WHEREAS, there are currently two (2) vacancies on the Committee beginning on January 1, 2016; and

WHEREAS, City Council desires to appoint two (2) new members to these vacancies, such appointments to be effective on the date of expiration of the previous term.

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

1. David Lawful is hereby retroactively appointed to the Committee to fill the vacancy created by the resignation of Levi Schroeder, for the remainder of his term which expires on December 31, 2017.
2. Peter Howell is hereby retroactively appointed to the Committee for a three (3) year term beginning on January 1, 2016 and expiring on December 31, 2018.

**APPROVED AND ADOPTED THIS 5<sup>th</sup> DAY OF JANUARY, 2016.**

**CITY OF LONE TREE**

\_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

(S E A L)

**CITY OF LONE TREE  
RESOLUTION NO. 16-04**

**A RESOLUTION REAPPOINTING A MEMBER TO THE CITY OF LONE TREE  
PLANNING COMMISSION**

WHEREAS, pursuant to Ordinance No. 97-5, the City Council of the City of Lone Tree created a Planning Commission (“Commission”); and

WHEREAS, pursuant to Article VII, Section 3 of the Home Rule Charter of the City of Lone Tree, the City Council established guidelines concerning the appointment and qualifications of members of the Planning Commission; and

WHEREAS, on September 23, 2003, the Planning Commission adopted Guidelines and Procedures as authorized by City Ordinance No. 97-5, and the Guidelines and Procedures provide that each member shall serve until his or her term expires or until the City Council appoints a successor; and

WHEREAS, there are three (3) vacancies on the Commission on January 1, 2016; and

WHEREAS, City Council desires to appoint two (2) new members to these vacancies, such appointments to be effective on the date of expiration of the previous term.

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

1. Daryl Heskin is hereby retroactively appointed to the Planning Commission to fill the vacancy created by the resignation of Roy Kline, for the remainder of his term which expires on December 31, 2016.
2. Kevin Spencer is hereby retroactively appointed to the Planning Commission for a three (3) year term beginning on January 1, 2016 and expiring on December 31, 2018.
3. Richard Rodriguez is hereby retroactively appointed to the Planning Commission for a three (3) year term beginning on January 1, 2016 and expiring on December 31, 2018.

**APPROVED AND ADOPTED THIS 5<sup>th</sup> DAY OF JANUARY, 2016.**

**THE CITY OF LONE TREE**

\_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

(SEAL)

**CITY OF LONE TREE  
RESOLUTION NO. 16-05**

**A RESOLUTION REAPPOINTING MEMBERS  
OF THE LONE TREE NOXIOUS WEED ADVISORY BOARD**

WHEREAS, the City of Lone Tree (the "City") established a Noxious Weed Advisory Board (the "Board") by Ordinance No. 07-07 to assist with development and implementation of a noxious weed management plan, and to advise and make recommendations to the City Council on matters regarding noxious weeds and related natural resources; and

WHEREAS, the City Council appointed the initial members of the Board, who must be landowners and residents of the City in order to be voting members, by Resolution 07-18, and extended the terms of the Board by Resolution 14-16; and

WHEREAS, the terms of the members of the Board have expired; and

WHEREAS, City Council desires to reappoint the members to the Board; and

WHEREAS, the City Council wishes all appointments to be effective January 1, 2016.

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

1. Sharon VanRamshorst is hereby retroactively reappointed to the Board for an additional three (3) year term beginning on January 1, 2016 and to expire on December 31, 2018.
2. Seth Hoffman is hereby retroactively reappointed to the Board for an additional three (3) year term beginning on January 1, 2016 and to expire on December 31, 2018.
3. The City Department of Public Works Director retroactively reappointed to the Board for an additional three (3) year term beginning on January 1, 2016 and to expire on December 31, 2018.

**APPROVED AND ADOPTED THIS 5<sup>th</sup> DAY OF JANUARY, 2016.**

**CITY OF LONE TREE**

By: \_\_\_\_\_  
James D. Gunning, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Pettinger, CMC, City Clerk

(S E A L)