

**MINUTES OF A REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF LONE TREE  
HELD  
December 16, 2014**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, December 16, 2014, at 7:00 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  
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.  
Carolyn White, Special Counsel  
John Cotten, Public Works Director, TTG Corp.

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Call to Order

Mayor Gunning called the meeting to order at 6:08 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 the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, personnel matters, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4)(e) concerning the 1<sup>st</sup> Amendment to the Westside Annexation 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 vote of 5-0.

Council adjourned to an Executive Session at 6:09 p.m.

The Executive Session was adjourned at 6:42 p.m.

Mayor Gunning reconvened the meeting in Regular Session at 7:01 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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Public Comment

Bill Robertson, 9278 E. Aspen Hill Circle, thanked the Mayor, Council and Staff for all they have done for the City and wished everyone a Merry Christmas and a Happy New Year.

Doug MacGregor, 7434 Indian Wells Cove, also thanked Council and Staff for their efforts this year.

Susan Larsen 8860 Kachina Way, asked to share her thoughts on the annexation agreement. Mayor Gunning instructed her there would be an opportunity when the item is discussed.

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Announcements

Mayor Gunning announced upcoming events.

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Presentations

Torie Brazitis, Management Analyst, showed a video clip from the 2014 Transit Alliance Awards.

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Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which

consisted of:

- *Minutes of the December 2, 2014 Regular Meeting*
- *Claims for the period of November 24 – December 8, 2014*
- *Treasurer's Report October, 2014*

Council Member Squyer moved, Council Member Anderson seconded, to approve the Consent Agenda. The motion passed with a vote of 5-0.

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#### Public Works

##### *Approval of Contract for Pedestrian/Bridge Concept Design*

John Cotten, Public Works Director, introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve the agreement with Fentress Architects for conceptual design services for the Lincoln Avenue Pedestrian Bridge. The motion passed with a vote of 5-0.

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#### Administrative Matters

##### *Approval of First Amendment to the MOU re: Cultural Arts Center Site*

Neil Rutledge, City Attorney, introduced the item.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve the First Amendment to the MOU re: Cultural Arts Center Site IGA. The motion passed with a vote of 5-0.

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##### ***Resolution 14-23, ADOPTING THE 2015 GENERAL FUND, DEBT SERVICE FUNDS AND SPECIAL REVENUE FUNDS BUDGETS***

Kristin Baumgartner, Finance Director, introduced the item.

Council Member Squyer moved, Council Member Anderson seconded, to approve **Resolution 14-23, ADOPTING THE 2015 GENERAL FUND, DEBT SERVICE FUNDS AND SPECIAL REVENUE FUNDS BUDGETS**. The motion passed with a vote of 5-0.

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##### **Public Hearing: Resolution 14-24, ADOPTING A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR FY2014 DUE TO UNANTICIPATED REVENUES OR REVENUES NOT ASSURED AT THE TIME OF ADOPTION OF THE BUDGET**

Mayor Gunning opened the public hearing at 7:19 p.m.

Kristin Baumgartner, Finance Director, introduced the item.

Mayor Gunning opened the public hearing for comment at 7:20 p.m.

There was no public comment.

The public hearing was closed at 7:20 p.m.

Council Member Anderson moved, Council Member Squyer seconded, to approve **Resolution 14-24, ADOPTING A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR FY2014 DUE TO UNANTICIPATED REVENUES OR REVENUES NOT ASSURED AT THE TIME OF ADOPTION OF THE BUDGET**. The motion passed with a vote of 5-0.

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***Resolution 14-25, REGARDING ANNUAL ADMINISTRATIVE MATTERS FOR THE CITY OF LONE TREE FOR 2015***

Jennifer Pettinger, City Clerk, introduced the item.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve **Resolution 14-25, REGARDING ANNUAL ADMINISTRATIVE MATTERS FOR THE CITY OF LONE TREE FOR 2015**. The motion passed with a vote of 5-0.

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***Resolution 14-26, APPOINTING A MEMBER TO THE AUDIT COMMITTEE***

Mayor Pro Tem Millet, introduced the item.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve **Resolution 14-26, APPOINTING A MEMBER TO THE AUDIT COMMITTEE (Frenchman)**. The motion passed with a vote of 5-0.

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***Approval of First Amendment to RidgeGate West Side Annexation and Development Agreement***

Seth Hoffman, introduced the item. Kristin Baumgartner, Finance Director, and Neil Rutledge also spoke about the agreement.

Marcus Brooks, 9115 Taos Trail, said he respected the need to negotiate agreements in private but asked for additional information to be shared with the public.

Susan Larsen, 8860 Kachina Way, asked what benefits RidgeGate would be gaining for the agreement. Mayor Gunning explained part of the agreement and the format for the revenue stream.

Greg Mandel, 8311 Sweetwater Road, shared his concerns about RidgeGate being able to financially stand alone and encouraged the vote to be postponed until

additional detailed future financial information is provided.

Ernie Wiese, 9077 S. Yosemite, shared his concerns about not understanding the agreement fully and encouraged greater transparency.

Council Member Anderson moved, Council Member Squyer seconded, to approve the First Amendment to RidgeGate West Side Annexation and Development Agreement. The motion passed with a vote of 4-1 with Council Member Monson voting no.

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*Approval of RidgeGate West Side Agreement Regarding Dedication, Acceptance and Maintenance of Public Improvements and Sales Tax Sharing*

Seth Hoffman, introduced the item.

Council Member Squyer moved, Mayor Pro Tem Millet seconded, to approve of RidgeGate West Side Agreement Regarding Dedication, Acceptance and Maintenance of Public Improvements and Sales Tax Sharing. The motion passed with a vote of 4-1 with Council Member Monson voting no.

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*Approval of Amendment to Sales Tax Sharing Agreement*

Seth Hoffman, City Manager, introduced the item.

Mayor Pro Tem Millet moved, Council Member Anderson seconded, to approve the Amendment to Sales Tax Sharing Agreement. The motion passed with a vote of 4-1 with Council Member Monson voting no.

### Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 8:25 p.m.

Respectfully submitted,

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Jennifer Pettinger, CMC, City Clerk