

**PARKER AUTHORITY FOR REINVESTMENT AGENDA
JANUARY 17, 2017
Immediately following the Adjournment of the Town Council Meeting**

1. **CALL TO ORDER AND ROLL CALL**
2. **APPROVAL OF MINUTES**
December 12, 2016
3. **PUBLIC COMMENTS** – 3 Minute Limit (No action will be taken on these items.)
4. **RESOLUTION NO. 2017-01**
A Resolution to Appoint Members of the Parker Authority for Reinvestment Advisory Committee
Staff: Weldy Fezell
5. **RESOLUTION NO. 2017-02**
A Resolution Establishing a Designated Public Place for the Posting of Meeting Notices Consistent with the Colorado Open Meetings Law
Staff: Weldy Fezell
6. **RESOLUTION NO. 2017-03**
A Resolution of the Parker Authority for Reinvestment Approving the Second Amendment to the Redevelopment Agreement with Klingbeil Capital Management LTD., and its Subsequent Assignee Parker Flats, LLC as the Developer of Parker Flats at Old Town
Staff: Weldy Fezell
7. **ADJOURNMENT**

**PARKER AUTHORITY FOR REINVESTMENT
MINUTES
DECEMBER 12, 2016**

Mayor Mike Waid called the meeting to order at 7:00 P.M. All Councilmembers were present.

Three young ladies led the Authority and audience in the Pledge of Allegiance.

INTENTIONALLY LEFT BLANK

PUBLIC COMMENTS

- Steve Richards, Stroh Ranch
- Terry Dodd, Marlborough Drive

The Mayor stated that it was determined that there was a conflict of interest for Amy Holland, therefore, she recused herself and left the meeting.

On December 5, 2016 Council determined that there was no conflict of interest for Josh Martin, Joshua Rivero, Renee Williams, Debbie Lewis and John Diak. Nothing has changed since the December 5, 2016 meeting and there is no direct or indirect interest.

The Mayor reviewed the rules for the meeting.

PARKER PLACE HOTEL

Applicant:	Mainstreet Pier, LLC
Location:	Northwest corner of E. Mainstreet and Victorian Drive (East)
Department:	Economic Development, Weldy Feazell

Jason Rogers, Deputy Community Development Director, explained the three items on the agenda.

Applicant

Mike May, Mainstreet Pier, LLC, thanked staff for their hard work on this project and the community (supporters and non-supporters). Mr. May highlighted this project and explained his company and how they operate their businesses. He advised that all of the retail venues will be open to the public. The only areas reserved for hotel guests is the exercise area, the fire pit and the guest rooms.

Mr. May stated that they have an offer from Parker Station to provide them with 51 parking places for evening and overnight parking. They are currently negotiating this. He then answered questions from Council.

PUBLIC COMMENT

The following individuals spoke against this item:

Jeff Toborg, 11765 Crow Hill Drive
Donna Hamilton, 12023 Blackwell Way
David Kupernik, 15823 E. Meadow Vista Cir.
Jan Hamilton, Blackwell Way

Bill Witwer, 15885 Savory Circle
Nate Becker, 15895 Savory Circle
Duane Hieitman, 18159 Mainstreet
Eric Herrera, 19606 Crestwood Ct.
Lisa Monette, 10796 Foxwood Ct.
Britany Yarbrough, 19636 Victorian Drive
Andrew Stevens, 19902 Victorian Way
Shenka Hagan, 10842 Bayfeld Way
Virginia Ellis, 22715 E. River Chase Way
Colleen Moeller, 11401 Canterbury Lane
Cheryl Poage, 20845 E. Sheffield Place
John Hulett, 20851 E. Lyttle Dr.
Ray Loomis, 10882 Bayfield Way
David Denslow, 10787 Vista Rd.
Jolynn Gardner, 11147 E. Bronco Dr. (unincorporated Douglas County)
Joe Benante, 12005 Hazy Hill Drive
Toby Pippin, 11876 Deer Lane (unincorporated Douglas County)
Mark Lawson, 11658 Bent Oak St.
Annie Lawson, 11658 Bent Oak St.
Cinnamon Trimmer, 11259 Parliament Way
Robert Tinnes, 11646 N. Donely Drive, (unincorporated Douglas County)
Joe Oltmann, 8245 N. Keith Ct., Castle Pines, (unincorporated Douglas County)
Max McGuire, 17055 Carlson Dr., #921
Danielle Strnard, 11052 Glacier Park Circle
Justin O'Reilly, Buckhorn St.
Jeremy Justin, 9788 Cheewall Lane (unincorporated Douglas County)
Will Trail, 11045 Syvlan Ct
Erin Trail, 11045 Sylvan Ct.
Scott Wright, 12065 S. Majestic Way
Victoria Tittenrigton, 10897 E. Pinewood Drive (unincorporated Douglas County)
Terry Dodd, 11450 Marlborough Dr.
Beau Jeanmard, 10788 Foxwood Ct.
Nikki Owens, 19783 Glendale Lane
Lori Stucky, 20220 E. Cambridge Way
Gary Lasater, 17009 E. Carr Ave

The following individuals spoke in support of this item:

Zachary Neff, 21798 Omaha Ave.
Jack Hilbert, 21149 Woodside Lane
Dennis Huston, 19590 E. Mainstreet, CEO Chamber
Rob Owens, 19783 Glendale Lane

Public Comment was closed at 9:49 P.M.

Town Council asked questions of the applicant and staff.

Each Councilmember and Mayor were given an opportunity to comment on the project.

A. PRESENTATION OF SITE PLAN

Josh Rivero moved to deny.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. RESOLUTION NO. 2016-10

A Resolution Approving the Third Amendment to Cooperation Agreement Between the Town of Parker, Colorado, and the Parker Authority for Reinvestment

Joshua Rivero moved to deny.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. RESOLUTION NO. 2016-11

A Resolution Approving Parker Authority for Reinvestment Reimbursement Agreement Between the Parker Authority for Reinvestment and Mainstreet Pier LLC

Joshua Rivero moved to deny.

Renee Williams seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 10:35 P.M.

Carol Baumgartner, Clerk

Mike Waid, Chair

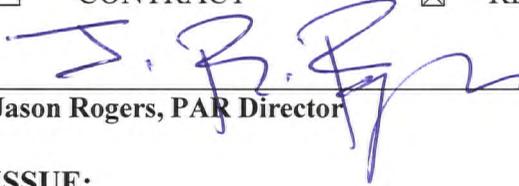


ITEM NO: 4
DATE: 01/17/2017

REQUEST FOR AUTHORITY BOARD ACTION

TITLE: RESOLUTION NO. 2017-01 – A RESOLUTION TO APPOINT MEMBERS OF THE PARKER AUTHORITY FOR REINVESTMENT ADVISORY COMMITTEE

- PUBLIC HEARING MOTION
 CONTRACT RESOLUTION



Jason Rogers, PAR Director



G. Randolph Young, Executive Director

ISSUE:

The Parker Authority for Reinvestment Advisory Committee (PARAC) members are appointed by the Authority Board per the PARAC Bylaws. Terms for Committee members Kevin Leung, Mark McShane, and Chris Schulken all expired December 31, 2016; therefore the Authority Board needs to renew appointments for the Committee.

PRIOR ACTION:

In September 2016, PARAC Chairperson, Kevin Leung and PARAC Committee member Mark McShane both acknowledged they wish to serve another term on the PAR Advisory Committee. On December 15, 2016, Chris Schulken acknowledged he did not wish to continue his service as a committee member.

FUNDING/BUDGET IMPACT:

No budget impact

BACKGROUND:

The Authority Board approved the original bylaws creating the PARAC on September 14, 2009 and amended them on April 19, 2010. The approved PARAC bylaws permit membership from five to seven members. On the December 1, 2014, the Authority Board agenda passed a Resolution to amend the bylaws to increase the maximum number of PARAC members from seven to eight.

The terms of the three committee members expired on December 31, 2016. Two members have elected to continue their service and one member voluntarily resigned from the Committee in December 2016. There are currently four members in place on the PARAC. Pursuant to the PARAC bylaws, the Committee must have at least five members and no more than eight.

Therefore, it is recommended that the two candidates be re-appointed to PARAC thus bringing the membership to six.

RECOMMENDATION:

Staff recommends that the Authority Board approve Resolution No. 2017-01.

PREPARED/REVIEWED BY:

Darlene McCampbel, Executive Assistant; Weldy Feazell, Business Retention and Marketing Manager; Jason Rogers, PAR Director; Corey Y. Hoffmann, Esq., attorney for PAR

ATTACHMENTS:

Resolution No. 2017-01

RECOMMENDED MOTION:

“I move to approve Resolution No. 2017-01”

ATTACHMENT

PAR RESOLUTION 2017 -01

A RESOLUTION TO APPOINT MEMBERS OF THE PARKER AUTHORITY FOR REINVESTMENT ADVISORY COMMITTEE

WHEREAS, the Town of Parker (the "Town") established the Parker Authority for Reinvestment (the "Authority") as an urban renewal authority, pursuant to the Town's Home Rule Charter and the Colorado Urban Renewal Law;

WHEREAS, the Authority created the Parker Authority for Reinvestment Advisory Committee ("Advisory Committee") for the purpose of facilitating public input on projects and activities of the Authority and providing recommendations to the Authority in an advisory capacity;

WHEREAS, the Authority adopted Bylaws for the Advisory Committee (the "Bylaws") establishing a membership of not more than eight (8) regular members and not fewer than five (5) regular members;

WHEREAS, based on the applications received, the Authority desires to currently set the number of regular members at seven (6);

WHEREAS, pursuant to the Bylaws, the members of the Advisory Committee shall serve staggered terms so that one-third of the membership is appointed in any calendar year; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Parker Authority for Reinvestment, that:

Section 1. The Board of Commissioners of the Parker Authority for Reinvestment hereby appoints the following individuals as regular members of the Parker Authority for Reinvestment Advisory Committee for the terms specified in **Exhibit A**, which is attached hereto and incorporated by this reference.

RESOLVED AND PASSED this ____ day of _____, 2017.

Mike Waid, Chair

ATTEST:

By: _____
Carol Baumgartner, Clerk

EXHIBIT A

1. Re-appointment of two (2) regular members to the Parker Authority for Reinvestment Advisory Committee, for a term up to and including December 31, 2019.

- a. Kevin Leung
- b. Mark McShane

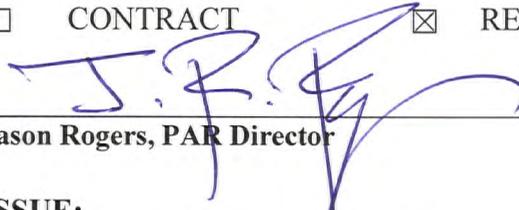


ITEM NO: 5
DATE: 01/17/2017

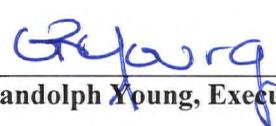
REQUEST FOR AUTHORITY BOARD ACTION

TITLE: RESOLUTION NO. 2017-02– A RESOLUTION ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES CONSISTENT WITH THE COLORADO OPEN MEETINGS LAW

- PUBLIC HEARING MOTION
 CONTRACT RESOLUTION



Jason Rogers, PAR Director



G. Randolph Young, Executive Director

ISSUE:

The Board must annually set a public location for posting meeting notices.

PRIOR ACTION:

None

FUNDING/BUDGET IMPACT:

No budget impact

BACKGROUND:

The PARAC annually sets a public posting location for posting meeting notices. The Town and PAR currently post their meetings at Town Hall; accordingly, PAR Advisory Committee will also post at Town Hall.

RECOMMENDATION:

Staff recommends that the Authority Board approve Resolution No. 2017-02.

PREPARED/REVIEWED BY:

Darlene McCampbel, Executive Assistant; Weldy, Fezell, Business Retention and Marketing Manager; Jason Rogers, PAR Director; Corey Y. Hoffmann, Esq., attorney for PAR

ATTACHMENTS:

Resolution No. 2017-02

RECOMMENDED MOTION:

“I move to approve Resolution No. 2017-02”

ATTACHMENT

PAR RESOLUTION NO. 2017-02

TITLE: A RESOLUTION ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES CONSISTENT WITH THE COLORADO OPEN MEETINGS LAW

NOW, THEREFORE, BE IT RESOLVED BY THE PARKER AUTHORITY FOR REINVESTMENT ADVISORY COMMITTEE, AS FOLLOWS:

Section 1. The Parker Town Hall, located at 20120 E. Mainstreet, Parker, CO 80138, shall constitute the designated public place for the posting of meeting notices, consistent with the Colorado Open Meetings Law. While not specifically required by the Colorado Open Meetings Law because the Parker Authority For Reinvestment Advisory Committee is not a “local public body” within the meaning of C.R.S. § 24-6-402(1)(a), meeting notices shall be posted no later than twenty-four (24) hours prior to the holding of the meeting. All meeting notices shall include specific agenda information, where possible.

RESOLVED AND PASSED this _____ day of _____, 2017.

ATTEST:

By: _____



ITEM NO: 6
DATE: 01/17/2017

REQUEST FOR AUTHORITY BOARD ACTION

TITLE: RESOLUTION NO. 2017-03 – A RESOLUTION OF THE PARKER AUTHORITY FOR REINVESTMENT APPROVING THE SECOND AMENDMENT TO THE REDEVELOPMENT AGREEMENT WITH KLINGBEIL CAPITAL MANAGEMENT LTD., AND ITS SUBSEQUENT ASSIGNEE PARKER FLATS, LLC AS THE DEVELOPER OF PARKER FLATS AT OLD TOWN

- PUBLIC HEARING MOTION
 CONTRACT RESOLUTION



Jason Rogers, Director



G. Randolph Young, Executive Director

ISSUE:

As part of the Developer Obligations in the original Redevelopment Agreement, the Developer was required to have the project completed with the issuance of the final Certificate of Occupancy by September 1, 2016. The First Amendment to the Redevelopment Agreement extended the project complete date to February 1, 2017. Developer has requested that PAR amends the Development Agreement to extend the completion of the development project date to July 1, 2017.

PRIOR ACTION:

The original Redevelopment Agreement between the Authority and Parker Flats LLC, as the Developer of Parker Flats at Old Town approved by the Authority Board on September 15, 2014. The First Amendment was approved September 6, 2015.

FUNDING/BUDGET IMPACT:

None

BACKGROUND:

In the previously approved agreement, Section 3 - Developer Obligations to Construct Development Project, required the Development Project to be complete with issuance of a Certificate of Occupancy by September 1, 2016, and extended to February 1, 2016 in the First Amendment. As it was not possible for the Developer to complete the project by the required date, the Developer has requested that the Authority extend the competition of the development

project date to July 1, 2017. All other aspects of the Redevelopment Agreement remain unchanged.

The proposed Second Amendment to Redevelopment Agreement amends Section 3 to reflect the competition of the development with the final Certificate of Occupancy to July 1, 2017.

RECOMMENDATION:

Staff recommends that the Authority Board approve Resolution No. 2017-03.

PREPARED/REVIEWED BY:

Weldy Feazell, PAR Secretary, Jason Rogers, Director, Corey Y. Hoffman Esq., legal counsel for PAR, G. Randolph Young, Executive Director.

ATTACHMENTS:

Resolution No. 2017-03

RECOMMENDED MOTION:

"I move to approve Resolution No. 2017-03."

ATTACHMENT

PAR RESOLUTION NO. 2017-03

TITLE: A RESOLUTION OF THE PARKER AUTHORITY FOR REINVESTMENT APPROVING THE SECOND AMENDMENT TO THE REDEVELOPMENT AGREEMENT WITH KLINGBEIL CAPITAL MANAGEMENT LTD., AND ITS SUBSEQUENT ASSIGNEE PARKER FLATS, LLC AS THE DEVELOPER OF PARKER FLATS AT OLD TOWN.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Parker Authority for Reinvestment that:

Section 1. The Second Amendment to the Redevelopment Agreement between the Parker Authority for Reinvestment ("PAR") and Klingbeil Capital Management, Ltd., and its subsequent assignee Parker Flats, LLC. as the Developers of the Parker Flats at Old Town (the "Developer"), attached hereto as **Exhibit A**, is hereby approved and the Chairman of the Parker Authority for Reinvestment is hereby authorized to execute the same on behalf of PAR.

RESOLVED AND PASSED this _____ day of _____, 2017.

Mike Waid, Chair

ATTEST:

By: _____
Carol Baumgartner, Clerk

EXHIBIT A

**SECOND AMENDMENT TO
REDEVELOPMENT AGREEMENT**

THIS SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT is made and entered into this ____ day of _____, 2017, by and between the Parker Authority for Reinvestment (“PAR”), and Klingbeil Capital Management as the Developer of Parker Flats at Old Town (the “Developer”) (collectively referred to herein as the “Parties”).

WHEREAS, the Parties previously entered into that Redevelopment Agreement dated September 15, 2014 (the “Original Agreement”), and a First Amendment to Redevelopment Agreement dated August 31, 2016 (the “First Amendment”);

WHEREAS, the Developer has requested and PAR desires to authorize by this Second Amendment a further extension of the date by which the Development Project as defined in the Original Agreement shall be completed.

NOW, THEREFORE, in order to promote redevelopment and eliminate blight within the boundaries of the Plan, and in consideration of the promises herein contained, the Parties hereby agree to amend the Original Agreement as follows:

1. Section 3 of the Original Agreement, as amended by the First Amendment, is further amended to read as follows:

- 3. Developer Obligations to Construct Development Project.** The Developer agrees to complete construction of the Development Project, which shall include the Eligible Improvements. Completion of the Development Project shall be deemed to have occurred upon issuance of the final certificate of occupancy for the Development Project by the Town. The Development Project shall be completed by **July 1, 2017**, ~~February 1, 2017~~ regardless of cost increases or other unforeseen circumstances.

2. Miscellaneous.

- a. Integration. This Second Amendment along with the Original Agreement and the First Amendment, and any attached exhibits constitute the entire Agreement between the Developer and PAR, superseding all prior oral or written communications.

- b. Entire Agreement - Amendments. This Second Amendment along with the Original Agreement and the First Amendment embodies the whole agreement of the parties, and may only be further amended by written agreement between the Developer and the PAR.

