

RECORD OF PROCEEDINGS

Minutes of the
Parks, Trails & Recreation Commission of the
City of City of Cherry Hills Village, Colorado
Held on Thursday, July 11, 2019 at 5:30 p.m.
at the City Center

STUDY SESSION – CODE MODERNIZATION PROJECT – 5:30 P.M.

No members of the public were in attendance for the learning session so the Commission began the regular PTRC meeting.

PARKS, TRAILS AND RECREATION COMMISSION REGULAR MEETING

Chair Robert Eber called the meeting to order at 5:36 p.m.

ROLL CALL

Chair Robert Eber, Commissioners Peter Sutherland, Aron Grodinsky and Stephanie Dahl. Also present were Emily Black, Parks and Recreation Coordinator, Jim Thorsen, City Manager and Pamela Broyles, Administrative Assistant.

Commissioner Kate Murphy joined the meeting at 6:05 p.m.

Absent: Vice-Chair Wolfe and Commissioner Tory Leviton

PLEDGE OF ALLEGIANCE

The PTRC conducted the Pledge of Allegiance.

AUDIENCE PARTICIPATION PERIOD

There was no audience participation.

CONSENT AGENDA

Commissioner Aron Grodinsky moved, seconded by Commissioner Peter Sutherland to approve the following items on the Consent Agenda:

1. Approval of Minutes – June 13, 2019

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

a. Roles for PTRC Members

Parks and Recreation Coordinator Emily Black expressed that the purpose of this agenda item is to review the roles for PTRC members and to discuss any updates or desires to switch roles.

RECORD OF PROCEEDINGS

Commissioner Dahl questioned if someone from PTRC should be involved with the High Line Canal.

Ms. Black responded that Harriet LaMair with the High Line Canal Conservancy will be attending the August PTRC meeting to bring the Commission up-to-date on the High Line Canal. She said she is not concerned at this time if a PTRC member is not available to fill the role.

Chair Eber asked if the High Line Canal Conservancy meets on a regular basis in case the Commission would like to send a representative.

City Manager Thorsen responded that the Conservancy has monthly meetings and Technical Advisory Committee meetings. He noted that Councilor Dan Sheldon is the Council Liaison for the High Line Canal and he and Councilor Sheldon attend the meetings. He said a representative from PTRC would not need to participate in the meetings as they will receive periodic updates.

Chair Eber responded that he would be available to attend periodic meetings.

The Commission agreed with the current assigned roles.

NEW BUSINESS

a. Code Modernization Project

Parks and Recreation Coordinator Emily Black reported that in 2018 the City retained Todd Messenger of Fairfield and Wood, P.C. to work with the City and an appointed advisory committee to streamline and modernize the City's key development codes including, Chapters 16 (Zoning), 17 (Subdivision), 18 (Building Regulations), and 19 (Stormwater Quality and Control) of the Municipal Code. She noted that the project is "about code modernization and streamlining, and not about fundamental reform".

Ms. Black expressed that this meeting is an opportunity to invite the public and the PTRC to learn about the Code Modernization process and to provide any feedback related to the minor code changes affecting Parks and Trails.

Ms. Black introduced Todd Messenger.

Mr. Messenger expressed that he is pleased to present Chapter 16 of the Municipal Code that is nearing completion. He was asked to talk about some of the updates that affect Parks and Recreation. He acknowledged that central to the plan is the preservation of a semi-rural character and nothing in the Code has changed to affect that.

Mr. Messenger reviewed some of the changes including updating the setbacks for churches along Hampden that cannot comply with the current setbacks. There were also updates on floodplain regulations that are required for all municipalities. Mr. Messenger explained that they basically took the state's new floodplain model and put it into the City's code. They added some additional detail but no significant changes were made. The Code continues to provide a high level of protection for the floodplains that help to keep flood insurance rates low in the City.

Mr. Messenger reported that there were a few minor changes in the O-2 district that is currently all owned by the City to allow signs to be posted. This change was necessary in order to allow the City to develop Parks in the O-2 District. In addition, the O-1 District currently does not allow for equestrian uses and the Code was updated to allow for this

RECORD OF PROCEEDINGS

with conditions in place to make sure it is not disruptive to the neighbors. The Code is also being recalibrated to comply with the National Nursery Standards to measure and evaluate trees in the City. Lastly, the current Code does not do a good job describing what agriculture is acceptable and what is not. Changes will be made to provide clarity on agriculture uses.

Mr. Messenger stated that they are working to provide specificity on the dedication of land when subdividing. Although there is not much more subdividing that will happen, it is important to make sure there is a masterplan in place to develop trails that would connect into that subdivision. He stated that land dedications would not be required if there are no connections and no reason to have a trail.

Chair Eber asked Mr. Messenger to clarify that there could be a subdivision that is not subject to the requirement of land dedication.

Mr. Messenger responded that in rare circumstances, where there is no use in terms of connecting to the trail system, it would not be required. He said for the most part the City will continue to do what they are doing with some clarification that a trail is dedicated and constructed by the subdivision developer. He noted that this is industry standard among other municipalities.

Mr. Messenger concluded his presentation and encouraged questions from the Commission.

Chair Eber remarked that one of the things that has been on the Commission's to-do list is to get a better understanding for the masterplan of what it means to be semi-rural. He asked Mr. Messenger to review how the Code describes semi-rural.

Mr. Messenger responded that it was not part of the scope of work to define community character, but he said community character is defined by the ratio among three elements including buildings, landscaping and paved space. He described Cherry Hills Village as having mostly trees and open space, and while the buildings are big, there is enough space around them that the open space dominates in most neighborhoods. He stated that the aggregate of the entire community is considered a semi-rural environment because it is mostly green. He noted that the Code currently does a good job of protecting the semi-rural character through setbacks and the building envelope.

Chair Eber remarked that the Village has evolved where everyone uses the term semi-rural and yet 45,000 square foot houses are being built. He said there is a scale of development in the Village that has not been seen before. He suggested the Village is struggling with maintaining its semi-rural character and becoming more semi-urban. He said there is a lot of directive for this Commission to maintain the semi-rural character and he asked Mr. Messenger for any recommendations on how to strengthen the ability to make sure a home is not imposing on the area around it.

Mr. Messenger responded that although there are areas where we are seeing the maximum designation of the building envelopes, it is still seen as semi-rural because of the size of the lots. He said the setbacks are large and this prevents them from imposing on others. He added that as the lot area goes up the Floor Area Ratio (FAR) starts to decrease.

Commissioner Dahl asked Mr. Messenger to describe the tree changes, and how the City was not at the national level?

RECORD OF PROCEEDINGS

Mr. Messenger explained that the change to the Code is about how individual trees are measured in the nursery by caliper. The City's Code currently defines caliper in a different way than the nursery standard. He asserted that standardizing this language is important.

b. John Meade Park Contract

Ms. Black explained that this agenda item is to recommend a course of action to City Council regarding John Meade Park and Alan Hutto Memorial Commons. The contract for construction will go before City Council on Tuesday, July 16th. Ms. Black said the goal for this meeting is for PTRC to recommend that Council move forward with the project.

Ms. Black reported that the Park was put out to bid in March and the City received four bids. The low bidder was HPM, Inc with a bid amount of \$3,026,700.00. She confirmed that all of the bids exceeded the construction estimate from the design firm. At this time, the total construction costs from the low bidder are higher than the existing funds available for the project with a shortfall of \$293,292.00. Ms. Black provided Commission members with a table that shows construction costs and the funding that is available including COP funds, Urban Drainage and Flood Control District contributions, and the anticipated grant from Arapahoe County.

Ms. Black remarked that in addition to the planned construction project, City Council asked staff to look into the possibility of dredging both ponds as this was not part of the original construction project. She noted that HPM, Inc. provided a cost estimate that ranges between \$200,000 and \$235,000. For budgeting purposes the City has budgeted \$280,000 as there might be additional fees for the disposal of the materials.

Ms. Black mentioned that staff met with HPM, Inc. to discuss potential changes to the Park project to bring the cost down. It was determined that there are no substantial cost savings by looking at different materials or design options. In addition, a lot of the work that is in the floodplain has to be done regardless.

Ms. Black reviewed the table with the three potential funding options including the General Fund, Parks and Recreation Fund and the Arapahoe County Open Space Fund. She suggested that the Parks and Recreation Fund makes the most sense as the cost would not significantly change the long term health of this fund.

Commissioner Grodinsky expressed concern that it would significantly deplete the balance of the Parks and Recreation Fund and if something were to come up there would not be sufficient funds to address it. He suggested taking funds from each source since there are multiple sources.

Ms. Black continued that another option to bring costs down could be to delete the shelter structure or delay part of the project. The play area is a major amenity that was included in the Arapahoe County Grant application and removing it could affect the awarding of the grant.

Ms. Black summarized that the majority of the project will be funded through the City's COP funds, Urban Drainage funds and Arapahoe County Grant funds. She said \$293,300 is needed to fund the entire project as designed without the pond dredging and a total of \$573,300 is needed if Council wants complete the entire project including the dredging of the ponds.

RECORD OF PROCEEDINGS

Ms. Black expressed that staff's recommendation is to complete the entire Park as designed and to go forward with the dredging at the same time. She pointed out that there would be additional cost involved to come back in the future to finish the project.

Ms. Black reported that the recommended motions have been written to authorize the Mayor to sign the contract contingent upon the Arapahoe County Open Space grant being awarded to the City. She reviewed the following three options that are being presented to Council for their consideration:

Option 1

The resolution authorizes the project budget to be amended to utilize existing Parks and Recreation funds in the amount of up to \$573,300 to complete the work. It authorizes staff to sign the contract when completed, provided that the City receives the grant award from Arapahoe County Open Space. It approves the award to HPM, Inc. in an amount not to exceed \$3,026,700.00, includes the dredging for \$280,000 and authorizes staff to issue up to \$125,000 in contingencies and \$25,000 for materials and engineering. The maximum total project cost is \$3,456,700.00.

Option 2

To complete all of the work at the same time without the pond dredging. Council would be authorizing a maximum total construction cost of \$3,176,700.00.

Option 3

To complete part of the Park and no pond dredging. Council would be authorizing a maximum total construction cost of \$2,883,408.00.

Ms. Black concluded that she is recommending that the Commission make a recommendation to Council to fund the entire John Meade Park and Alan Hutto Memorial Commons project including the dredging of both ponds, acknowledging that a portion of the funding to complete the project will likely be contributed from the Parks and Recreation fund once the grant funding and the COP funding is exhausted.

Ms. Black noted that Commissioner Leviton submitted an email in support of completing the entire project including the dredging of both ponds.

Commissioner Grodinsky suggested that staff award the contract to HPM, Inc. with the condition that there are no additional costs for disposing the material from the ponds.

Ms. Black confirmed that the cost of hauling of the debris is included in the contract, however the dump may charge additional fees to dispose of the material.

Commissioner Grodinsky also suggested that multiple sources should be identified to fund the Park if the decision is made to complete the entire project at once.

City Manager Jim Thorsen explained that the Parks and Recreation fund was chosen because beginning in 2020 the City will start receiving funds that are currently being paid to South Suburban. These funds will then go into the Parks and Recreation fund.

Commissioner Dahl commented that part of creating the Park is so people can enjoy the ponds and the health of the ponds is a key part of the Park. She is concerned that the cost of dredging the ponds could significantly increase and there would also be significant disruption to the Park if the dredging is done in the future. She also believes the Commission would be doing a disservice to the community by removing items from the Park that were part of the original design. Commissioner Dahl expressed her support for Option 1 to complete the entire project at once. She also agreed with Commissioner Grodinsky that funding for the Park should be split.

RECORD OF PROCEEDINGS

Commissioner Sutherland questioned the jump in revenue and the decrease in expenditures between 2019 and 2020 in the Parks and Recreation fund.

Ms. Black explained that the difference is based on the South Suburban payments that come out of that fund.

Mr. Thorsen assured the Commission that there will not be a shortfall in any of the funds. He explained that the COP's were initiated based on a rough estimate of \$12.9 million for all three projects. Council allocated \$11.8 million in COP funds and the thought was to use general fund money and grants for the remaining balance. The bids for the Park came in higher than expected requiring some funds to be allocated.

Chair Eber said he is in favor of completing the entire project. He commented that the PTRC has not asked for any additional expenditures in the past for an open space project and the City Park is a justified expense.

Commissioner Stephanie Dahl moved, seconded by Commissioner Peter Sutherland to recommend that City Council approve Resolution 22, Series 2019; awarding the bid for the John Meade Park/Alan Hutto Memorial Common, Project No. 2019-003, and approving the form of construction contract; authorizing the Mayor to sign the final contract with HPM, Inc. in the amount of \$3,026,700 for completion of the Park project plus an additional amount up to \$280,000 for dredging of the ponds, contingent upon the City receiving notice of award of the anticipated Arapahoe County Open Space grant; and authorize a contingency in the amount of \$125,000 to pay for any additional unforeseen change orders that could occur during construction and up to \$25,000 for materials testing and engineering oversight for a total maximum expenditure of \$3,456,700; and authorize up to \$573,300 in additional funds to be utilized from one or more of the following funds: the General Fund, the Parks and Recreation Fund, and/or the Arapahoe County Open Space Fund.

The motion passed unanimously.

City Manager Thorsen confirmed that the Commission's motion will be presented to City Council at the July 16th meeting.

REPORTS

a. PTRC Chair Report

Chair Eber encouraged Commission members to attend the City Council meeting to show support for the Park project. He brought up the importance of documenting preconstruction activities in the Park.

Chair Eber reminded the Commission that the Art Commission fundraiser is scheduled for Wednesday, July 17th.

b. Commission Members Report

Commissioner Grodinsky shared that he was on the trail system in Winter Park recently. He shared a picture of the markers that are being used on the trail system that are similar to what Vice-Chair Wolfe is proposing.

RECORD OF PROCEEDINGS

c. Staff Report

(i) Special Events Update

Commissioner Dahl informed the Commission that the Movie Night event is scheduled for August 17th. She is sending flyers to HOA representatives to publicize within their communities. She announced that there will be pony rides and a jumping castle. The annual Car Show event is scheduled for September 8th.

Commissioner Dahl discussed having a table at both events to promote the John Meade Park project. She asked Commission members who are available to help man the table at both events and to help with counting votes at the Car Show event.

(ii) Trail Signing Project

Ms. Black reported that Commissioner Wolfe delivered a detailed packet of all of the signs and directional arrows to staff. Staff is ordering the signs and hopes to start installing them over the course of the summer.

(iii) Quincy Farm Updates

Ms. Black reported that the irrigation project at Quincy Farm is nearing completion. She said she has requested a more detailed letter from Colorado Open Lands on the restrictions for public access based on the information that was shared at the Quincy Farm Committee meeting. She announced that there will be a study session on the public access restrictions at the City Council meeting on August 6th.

(iv) Council Study Sessions (On Hold)

Ms. Black reported that Council has made the decision to put the Commission study sessions on hold for now as they have several specific issues to discuss.

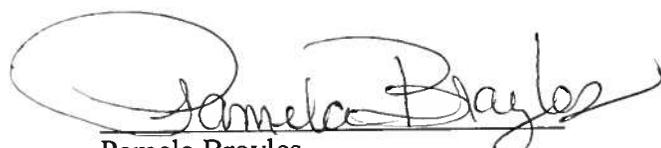
City Manager Thorsen closed the meeting by thanking Commission members for all of their hard work on the John Meade Park project.

ADJOURNMENT

The meeting adjourned at 7:02 p.m. The next PTRC meeting is scheduled for August 11th at 5:30 p.m.


Robert Eber, Chairman


Emily Black
Parks and Recreation Coordinator


Pamela Broyles
Administrative Assistant