



## Request for Town Council Action

**Date:** July 17, 2023

**Submitted By:** Alex Mestdagh, Engineering Service Manager

**Reviewed By:** Michelle Kivela, Town Manager

**Title:** **ORDINANCE NO. 9.359 - Second Reading**  
**A Bill for an Ordinance Approving the Agreement Regarding Construction of Development Improvement Project Drainage and Flood Control Improvements for Brandy Gulch Upstream of Spirit Trail Boulevard (Agreement No. 23-04.15 Project No. 109776) By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District and the Town of Parker**  
**Department: Engineering and Public Works, Alex Mestdagh**

### **EXECUTIVE SUMMARY**

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This ordinance authorizes the Town to enter into an Intergovernmental Agreement (IGA) between the Town and the Mile High Flood District (MHFD) regarding stabilization improvements to Brandy Gulch at the proposed Tanterra development. This agreement would establish the construction costs for the developer-funded improvements that will be constructed by MHFD at no cost to the Town.

### **STAFF RECOMMENDATION**

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Approve

### **BACKGROUND/DISCUSSION**

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Brandy Gulch is a major drainageway located within the southwest portion of the Town within the Lemon Gulch drainage system. This drainageway is located within the proposed Looking Glass development, which is located northwest of Crowfoot Valley Road and south of the Tanterra development. In accordance with Town Code, the developer of the Looking Glass subdivision is required to design and construct any master-planned improvements to the major drainageway. The current owner of Looking Glass is preparing to begin work on the second segment of development, which will include a portion of Brandy Gulch that is required to be improved with the project.

The Mile High Flood District has agreed to construct these improvements to Brandy Gulch as a Development Improvement Project (DIP), formerly known as a Fee-in-Lieu project. In a DIP arrangement, the developer funds 100% of the cost to design and construct the improvements, while the MHFD manages the design and construction contracts with assistance and input from Town staff. This arrangement is attractive to the Town and MHFD due to their increased control over the project, and is attractive to the developer because they can remove this work from the scope of improvements they will oversee.

The developer funding for the improvements will be established and collected by the Town through the Subdivision Agreement for the Tanterra development. Thus, an IGA between the Town and MHFD is necessary to transfer the developer funding to MHFD and memorialize the improvements that will be designed and constructed by MHFD. The IGA obligates MHFD to construct the improvements with developer funding provided by the Town. This IGA finalizes the construction costs for the first segment of Brandy Gulch that will be stabilized, which is located between proposed Chambers Road and existing Spirit Trail Boulevard. An amendment to this IGA will be proposed in the coming months to establish the costs to improve an additional reach of Brandy Gulch, which will be required with an upcoming filing of the Looking Glass development.

### **FINANCIAL IMPACT**

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These improvements will be funded 100% by the Looking Glass developer and will be constructed at no cost to the Town. The total cost to design and construct the improvements is \$846,040.07.

### **STRATEGIC GOAL(S)**

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DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH



INNOVATE WITH  
COLLABORATIVE  
GOVERNANCE

### **ATTACHMENTS**

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1. Vicinity Map
2. Ordinance No. 9.359

### **RECOMMENDED MOTION**

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I move to approve Ordinance No. 9.359 on second reading.