



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
OCTOBER 2, 2017**

1. Call to Order – 6:00 p.m. – Council Chambers
2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

Those Present: Mayor Williams, Mayor Pro Tem Bob Fifer, Councilmember Don Allard, Councilmember Nancy Ford, Councilmember David Jones, Councilmember John Marriott, Councilmember Mark McGoff

Also present were: Mark Deven, City Manager; Bill Ray, Deputy City Manager; Lorie Gillis, Deputy City Manager; Chris Daly, City Attorney; Bob Manwaring, Director of Public Works; Rita McConnell, Director of Community Development; Bryan Archer, Director of Finance; Maria VanderKolk, Communications Manager and Kristen Rush, City Clerk.

4. Approval of Minutes of the September 18, 2017, City Council Meeting

The minutes stand approved.

5. Petitions, Recognitions and Communications - none

6. Public Comment –

- A. Julia Morrison, Arvada Resident, addressed council regarding affordable housing.
- B. Dylan Krug, representing Ralston Valley High School, invited everyone to the Robotics Competition at Englewood High School on Saturday, October 6.
- C. Nancy Young, Arvada Resident, addressed council to thank city employee Tara Kratzer.
- D. Lester Strausburg, Arvada Resident, addressed council regarding the median at 52nd and Wadsworth
- E. Harriett Hall, Arvada Resident, addressed council regarding the suspension of the citizen petition regarding Urban Renewal

7. New Business

- A. Consent Agenda
 1. R17-100

A Resolution Authorizing the First Amendment to an Intergovernmental Agreement between the City of Arvada and the Urban Drainage and Flood Control District Regarding Funding of US Army Corps of Engineers' Feasibility Study for Ralston Creek from Beech Street to Van Bibber Creek

2. R17-101 A Resolution Authorizing a License Agreement by and between the City of Arvada and The Cereal Box, Inc., a Colorado Corporation, for the Grant of a Revocable Encroachment License to Install an Outdoor Patio Area in the Wadsworth Boulevard Right of Way, 5709 Wadsworth Boulevard
3. R17-102 A Resolution Authorizing the Third Amendment to the 2017 Operating and Capital Budget in the Amount of \$50,000 to Fund the City of Arvada's Great Outdoors Colorado Grant Match for Hyland Hills Park and Recreation District's Clear Creek Valley Regional Park Destination Playground Project
4. R17-103 A Resolution Authorizing an Agreement by and between the City of Arvada and Barker Rinker Seacat Architecture, P.C. for Planning and Development Documents, Construction Documents, Construction Administration, and Other Professional Services for the Construction of the Delta Sector Police Community Station in an Amount Not to Exceed \$355,183.00
5. R17-104 A Resolution Authorizing an Agreement by and between the City of Arvada and BVB General Contractors for the City of Arvada Courts Remodel in an Amount Not to Exceed \$161,627.00
6. R17-105 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$468,834.00 with Hardline Equipment for the Purchase of Two 2017 Dulevo Street Sweepers
7. R17-106 A Resolution Accepting an Annexation Petition Concerning Begg Industrial, 4927 Allison Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for November 20, 2017, 6:30 P.M. at Arvada City Hall for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation
8. R17-107 A Resolution Authorizing the First Amendment to the Intergovernmental Agreement between the City of Arvada, Jefferson County School District and Apex Park and Recreation District Regarding the Construction and Maintenance of the Fitzmorris Recreation Center and Related Obligations
9. R17-108 A Resolution Authorizing an Agreement by and between the City of Arvada and SpeakWrite LLC, for Law Enforcement Transcription Services in an Amount Not to Exceed \$250,000 the First Year
10. R17-109 A Resolution Authorizing the Fifth Amendment to the 2017 Operating and Capital Budget and Authorizing Entering into a Participating Addendum by and between the City Arvada and Abba Technologies, Inc., an Authorized Reseller for Hewlett Packard Enterprise Company, for the Purchase of Computer Equipment and Storage in an Amount Not to Exceed \$973,921.08

Councilmember Marriott moved that R17-100, A Resolution Authorizing the First Amendment to an Intergovernmental Agreement between the City of Arvada and the Urban Drainage and Flood Control District Regarding Funding of US Army Corps of Engineers' Feasibility Study for Ralston Creek from Beech Street to Van Bibber Creek; R17-101, A Resolution Authorizing a License

Agreement by and between the City of Arvada and The Cereal Box, Inc., a Colorado Corporation, for the Grant of a Revocable Encroachment License to Install an Outdoor Patio Area in the Wadsworth Boulevard Right of Way, 5709 Wadsworth Boulevard; R17-102, A Resolution Authorizing the Third Amendment to the 2017 Operating and Capital Budget in the Amount of \$50,000 to Fund the City of Arvada's Great Outdoors Colorado Grant Match for Hyland Hills Park and Recreation District's Clear Creek Valley Regional Park Destination Playground Project; R17-103, A Resolution Authorizing an Agreement by and between the City of Arvada and Barker Rinker Seacat Architecture, P.C. for Planning and Development Documents, Construction Documents, Construction Administration, and Other Professional Services for the Construction of the Delta Sector Police Community Station in an Amount Not to Exceed \$355,183.00; R17-104, A Resolution Authorizing an Agreement by and between the City of Arvada and BVB General Contractors for the City of Arvada Courts Remodel in an Amount Not to Exceed \$161,627.00; R17-105, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$468,834.00 with Hardline Equipment for the Purchase of Two 2017 Dulevo Street Sweepers; R17-106, A Resolution Accepting an Annexation Petition Concerning Begg Industrial, 4927 Allison Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for November 20, 2017, 6:30 P.M. at Arvada City Hall for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation; R17-107, A Resolution Authorizing the First Amendment to the Intergovernmental Agreement between the City of Arvada, Jefferson County School District and Apex Park and Recreation District Regarding the Construction and Maintenance of the Fitzmorris Recreation Center and Related Obligations; R17-108, A Resolution Authorizing an Agreement by and between the City of Arvada and SpeakWrite LLC, for Law Enforcement Transcription Services in an Amount Not to Exceed \$250,000 the First Year; R17-109, A Resolution Authorizing the Fifth Amendment to the 2017 Operating and Capital Budget and Authorizing Entering into a Participating Addendum by and between the City Arvada and Abba Technologies, Inc., an Authorized Reseller for Hewlett Packard Enterprise Company, for the Purchase of Computer Equipment and Storage in an Amount Not to Exceed \$973,921.08, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

B. Resolutions (Staff Presentation May Precede Resolution)

1. R17-110 A Resolution Authorizing an Intergovernmental Agreement by and between the City of Arvada and the Urban Drainage and Flood Control District Regarding Maintenance of Drainage and Flood Control Improvements for Ralston Creek at Croke Canal and Leyden Creek and Little Dry Creek Upstream of Pomona Drive

Mark Deven, City Manager, reviewed this resolution with council.

Councilmember Fifer moved that R17-110, A Resolution Authorizing an Intergovernmental Agreement by and between the City of Arvada and the Urban Drainage and Flood Control District Regarding Maintenance of Drainage and Flood Control Improvements for Ralston Creek at Croke Canal and Leyden Creek and Little Dry Creek Upstream of Pomona Drive, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved.

C. Ordinances (First Reading)

1. CB17-029 An Ordinance Repealing, Retitling, and Reenacting Sec. 62-40, Trespass, of Article II, Miscellaneous Offenses, of Chapter 62, Offenses, of the Arvada City Code and Establishing Penalties for Violation Thereof (Public Hearing to be set for October 16, 2017 at 6:30 p.m.)
2. CB17-030 An Ordinance Approving the Fourth Amendment to the City of Arvada Retirement Plan Regarding Vesting of Arvada Police Dispatch Program Employees (Public Hearing to be set for October 16 2017 at 6:30 p.m.)
3. CB17-031 An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates (Public Hearing to be set for October 16, 2017 at 6:30 p.m.)
4. CB17-032 An Ordinance Appropriating Funds for Fiscal Year 2018 (Public Hearing to be set for October 16, 2017 at 6:30 p.m.)
5. CB17-033 An Ordinance Certifying the City of Arvada Mill Levy for 2017 for the Board of County Commissioners for Jefferson and Adams Counties (Public Hearing to be set for October 16, 2017 at 6:30 p.m.)
6. CB17-034 An Ordinance Amending Article III, Sales and Use Tax, of Chapter 98, Taxation, of the City Code of the City of Arvada, Colorado by Amending Section 98-68, Reports by Vendor; Payment of Tax (Public Hearing to be set for October 16, 2017 at 6:30 p.m.)

Mayor Pro Tem Fifer moved that CB17-029, An Ordinance Repealing, Retitling, and Reenacting Sec. 62-40, Trespass, of Article II, Miscellaneous Offenses, of Chapter 62, Offenses, of the Arvada City Code and Establishing Penalties for Violation Thereof CB17-030, An Ordinance Approving the Fourth Amendment to the City of Arvada Retirement Plan Regarding Vesting of Arvada Police Dispatch Program Employees, CB17-031, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates; CB17-032, An Ordinance Appropriating Funds for Fiscal Year 2018; CB17-033, An Ordinance Certifying the City of Arvada Mill Levy for 2017 for the Board of County Commissioners for Jefferson and Adams Counties; CB17-034, An Ordinance Amending Article III, Sales and Use Tax, of Chapter 98, Taxation, of the City Code of the City of Arvada, Colorado by Amending Section 98-68, Reports by Vendor; Payment of Tax, be approved on first reading, ordered published in full, and a public hearing date be set for October 16, 2017 at 6:30 p.m.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved

9. Public Hearings – 6:30 p.m.

- A. Wild Grass Commercial Flg. No. 1, Preliminary Development Plan, 14753 W. 87th Parkway

Mayor Williams opened the public hearing on Wild Grass Commercial Flg. No. 1, Preliminary Development Plan, 14753 W. 87th Parkway.

Rita McConnell, Director of Community Development, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Williams made them a part of the official record, along with the staff report.

Mayor Williams swore those in wishing to speak.

Sworn Testimony: Alicia Rhymer, Representing Applicant
 Scott Weisbeck, Arvada Resident, in support
 Peggy Wagner, Arvada Resident, in opposition
 David Stensby, Arvada Resident and Representing 7-11, in support
 Eileen Gomez, Arvada Resident, in opposition
 Ed Rothchild, Representing Whisper Creek HOA, in support
 Mark Gutke, Representing Whisper Creek HOA, in support

Mayor Williams closed the public comment portion of the public hearing.

Councilmember Jones moved that Wild Grass Commercial Flg. No. 1, Preliminary Development Plan, 14753 W. 87th Parkway, be approved subject to the attached updated conditions of approval and reserving the right to require additional fencing and or provisions as lot three is presented in a Preliminary Development Plan in the future on that property and the fencing proposed and agreed to by the HOA be run from the north end of the property to 87th drive in the current configuration and the vegetation. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved

B. CB17-027 An Ordinance Authorizing a Second Amended and Restated Intergovernmental Agreement Establishing the Juvenile Assessment Center (Ordinance No. 4605)

Mayor Williams opened the public hearing on CB17-027.

Mark Deven, City Manager, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Mayor Pro Tem Fifer moved that CB17-027, An Ordinance Authorizing a Second Amended and Restated Intergovernmental Agreement Establishing the Juvenile Assessment Center, be approved on final reading, numbered 4605 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff
The Motion was Approved

- C. CB17-028 An Ordinance Declaring That the City Cannot Feasibly Provide Sanitary Sewer Service to the Trinity Storage Annexation No. 2, 15350 State Highway 72, Arvada, Colorado and Requesting That the Metro Wastewater Reclamation District Board Initiate an Investigation into Exclusion of the Subject Property, and Thereafter Exclude Said Property from the District's Service Area (Ordinance No. 4606)

Mayor Williams opened the public hearing on CB17-028.

Mark Deven, City Manager, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Jones moved that CB17-028, An Ordinance Declaring That the City Cannot Feasibly Provide Sanitary Sewer Service to the Trinity Storage Annexation No. 2, 15350 State Highway 72, Arvada, Colorado and Requesting That the Metro Wastewater Reclamation District Board Initiate an Investigation into Exclusion of the Subject Property, and Thereafter Exclude Said Property from the District's Service Area, be approved on final reading, numbered 4606 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Allard, Ford, Jones, Marriott, McGoff

The Motion was Approved

10. Public Comment – Five Minute Limit -

11. Reports from City Council -


- A. Mayor Pro Tem Fifer discussed the final interviews for the DRCOG Executive Director that will be held on Wednesday.
- B. Councilmember Jones announced that Kristi Pollard has been appointed the new president of the Jeffco Economic Development Corporation.

12. City Manager Reports -

- A. Mark Deven, City Manager, reviewed the upcoming workshops schedule.


13. City Attorney Reports - None

14. Adjournment at 8:10 p m.



Marc Williams, Mayor

SEAL:



Kristen R. Rush, City Clerk

