



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
OCTOBER 7, 2019**

1. Executive Session – Third Floor Conference Room
 - A. Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to the Arvada Center

Councilmember Jones moved to go into Executive Session for Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to the Arvada Center.

The following votes were cast on the Motion:

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

The Motion was Approved

1. Call to Order – 6:15 p.m. – Council Chambers
2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

Those Present: Mayor Marc Williams, Mayor Pro Tem John Marriott, Councilmember Bob Fifer, Councilmember Nancy Ford, Councilmember David Jones, Councilmember Mark McGoff, Councilmember Dot Miller.

Also present were: Mark Deven, City Manager; Lorie Gillis, Deputy City Manager; Rachel Morris, City Attorney; Bryan Archer, Director of Finance; Don Wick, Director of Public Works; Sharon Israel, Director of Utilities; Ryan Stachelski, Director of Community and Economic Development; Ben Irwin, Communications Manager and Kristen Rush, City Clerk.

4. Approval of Minutes of the September 16, 2019, City Council Meeting

The minutes stand approved.

5. Recognitions and Communications
 - A. Proclamation for National Arts and Humanities Month - presented by Councilmember Miller

Councilmember Miller said that October is National Arts and Humanities Month, a coast-to-coast collective recognition of the importance of culture in America. The nation's 95,000 nonprofit arts organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the nation's 4,500 local arts agencies, and the arts and humanities councils of the 50 states and the six U.S. jurisdictions have regularly issued official proclamations on an annual basis. This initiative was first launched over 30 years ago by Americans for the Arts.

A representative from the Arvada Center for the Arts and Humanities was present to accept the proclamation.

6. Public Comment –

- A. Linda Barringer, Representing Heading Home, addressed council regarding sheltering in churches
 - B. Katie Winner, Arvada Resident, addressed council regarding support for Ballot Issue 1A
 - C. Michael Martinez-Schiferz, Arvada Resident, addressed council regarding short term rentals
7. New Business
- A. Consent Agenda
 - 1. R19-078 A Resolution Authorizing an Employment Agreement by and between the City of Arvada and Rachel A. Morris as City Attorney
 - 2. R19-087 A Resolution Authorizing an Agreement By and Between the City of Arvada and Mikia and Harry Parker for Lease of the Arvada Indoor Equestrian Center Located at 7650 Indiana Street, Arvada, Colorado 80007
 - 3. R19-088 A Resolution Authorizing a Wireless Communications Facilities Master License Agreement By and Between the City of Arvada and Verizon Wireless, for the Purpose of Locating Small Cell Facilities in the Public Right of Way
 - 4. R19-089 A Resolution Authorizing a Construction Contract by and between the City of Arvada and Concrete Express, Inc. (dba CEI) for the Wadsworth Blvd. Right Turn Lanes (68th Ave. to 74th Ave.) Project in an Amount Not to Exceed \$2,093,935.00, Project No. 14-ST-18
 - 5. R19-090 A Resolution Authorizing Change Order 2 to an Agreement By and Between the City of Arvada and Golden Triangle Construction, Inc. to Expand the Scope of Work and Increase the Contract Amount by an Additional \$128,965.00 for Construction of the Delta Sector Community Police Station

Councilmember Fifer moved that R19-078, A Resolution Authorizing an Employment Agreement by and between the City of Arvada and Rachel A. Morris as City Attorney; R19-087, A Resolution Authorizing an Agreement By and Between the City of Arvada and Mikia and Harry Parker for Lease of the Arvada Indoor Equestrian Center Located at 7650 Indiana Street, Arvada, Colorado 80007; R19-088, A Resolution Authorizing a Wireless Communications Facilities Master License Agreement By and Between the City of Arvada and Verizon Wireless, for the Purpose of Locating Small Cell Facilities in the Public Right of Way; R19-089, A Resolution Authorizing a Construction Contract by and between the City of Arvada and Concrete Express, Inc. (dba CEI) for the Wadsworth Blvd. Right Turn Lanes (68th Ave. to 74th Ave.) Project in an Amount Not to Exceed \$2,093,935.00, Project No. 14-ST-18; R19-090, A Resolution Authorizing Change Order 2 to an Agreement By and Between the City of Arvada and Golden Triangle Construction, Inc. to Expand the Scope of Work and Increase the Contract Amount by an Additional \$128,965.00 for Construction of the Delta Sector Community Police Station, be approved.

The following votes were cast on the Motion:

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

B. Resolutions

1. R19-091 A Resolution Endorsing Measure 1A, Permitting Jefferson County to Retain and Spend or Reserve All Revenues Received During 2020 and Expiring After 2026

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

Councilmember Fifer moved that R19-091, A Resolution Endorsing Measure 1A, Permitting Jefferson County to Retain and Spend or Reserve All Revenues Received During 2020 and Expiring After 2026, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Fifer, Ford, Jones, McGoff, Miller

Those voting No: Marriott

The Motion was Approved

C. Ordinances (First Reading)

1. CB19-038 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 21, 2019 at 6:15 p.m.)
2. CB19-039 An Ordinance Amending Section 102-206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates (Public Hearing To Be Set For October 21, 2019 At 6:15 P.M.)
3. CB19-040 An Ordinance Repealing and Reenacting Section 74-31, Land-Use Fees, of Article II, Community Development Department Service Fees, of Chapter 74, Planning and Development, of the Arvada City Code (Public Hearing to be set for October 21, 2019 at 6:15 p.m.)
4. CB19-041 An Ordinance Amending Chapter 26, Civil Emergency, Emergency, or Local Disaster, of the Arvada City Code (Public Hearing to be set for October 21, 2019 at 6:15 p.m.)
5. CB19-042 An Ordinance Certifying the City of Arvada Mill Levy for 2019 for the Board of County Commissioners for Jefferson and Adams Counties (Public Hearing to be set for October 21, 2019 at 6:15 p.m.)
6. CB19-043 An Ordinance Appropriating Funds for Fiscal Year 2020 (Public Hearing to be set for October 21, 2019 at 6:15 p.m.)
7. CB19-044 An Ordinance Amending Chapter 98, Taxation, by Amending Subsection 98-66(1)e and Section 98-243, Repealing Section 5.3.3.H.(2) of the Land Development Code, Article 5, Use Regulations, and Adding a New Article 5.5 to the Land Development Code, Article 5, Use Regulations, of the Arvada City Code to Allow for the Licensing and Taxation of Short Term Rental of a Dwelling, Dwelling Unit or Accessory Dwelling Unit, Residential (Public Hearing to be set for October 21, 2019 at 6:15 p.m.)

Mayor Pro Tem Marriott moved that CB19-038, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates; CB19-039, An Ordinance Amending Section 102-206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates; CB19-040, An Ordinance Repealing and Reenacting Section 74-31, Land-Use Fees, of Article II, Community Development Department Service Fees, of Chapter 74, Planning and Development, of the Arvada City Code; CB19-041, An Ordinance Amending Chapter 26, Civil Emergency, Emergency, or Local Disaster, of the Arvada City Code; CB19-042, An Ordinance Certifying the City of Arvada Mill Levy for 2019 for the Board of County Commissioners for Jefferson and Adams Counties; CB19-043, An Ordinance Appropriating Funds for Fiscal Year 2020; CB19-044, An Ordinance Amending Chapter 98, Taxation, by Amending Subsection 98-66(1)e and Section 98-243, Repealing Section 5.3.3.H.(2) of the Land Development Code, Article 5, Use Regulations, and Adding a New Article 5.5 to the Land Development Code, Article 5, Use Regulations, of the Arvada City Code to Allow for the Licensing and Taxation of Short Term Rental of a Dwelling, Dwelling Unit or Accessory Dwelling Unit, Residential, be approved on first reading, ordered published in full, and a public hearing be set for October 21, 2019 at 6:15 p.m.

The following votes were cast on the Motion:

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

8. Public Hearings

- A. CB19-036 An Ordinance Authorizing the Acquisition of Certain Property Along West 60th Avenue, Generally From Sheridan Boulevard to Wolff Street for the Construction of Street, Sidewalk, Utility, Drainage, and/or Related Improvements, as Part of the Improvements for West 60th Avenue, Sheridan Boulevard to Wolff Street, Arvada Project No. 15-ST-18 (Ordinance No. 4707)

Mayor Williams opened the public hearing on CB19-036.

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 Marriott moved that CB19-036, An Ordinance Authorizing the Acquisition of Certain Property Along West 60th Avenue, Generally From Sheridan Boulevard to Wolff Street for the Construction of Street, Sidewalk, Utility, Drainage, and/or Related Improvements, as Part of the Improvements for West 60th Avenue, Sheridan Boulevard to Wolff Street, Arvada Project No. 15-ST-18, be approved on final reading, numbered 4707 and ordered published by title only.

The following votes were cast on the Motion:

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

- B. CB19-037 An Ordinance Vacating Certain Tracts of Land Dedicated as Right of Way on the Plat of Candelas Filing No. 2 Subdivision, City of Arvada, County of Jefferson, State of Colorado, Candelas Parkway and W. 93rd Place (Ordinance No. 4708)

- C. Candelas Filing No. 2 Paired Homes Preliminary Development Plan (PDP), Generally Located North of Candelas Parkway, West of Salvia Street, and East of the West 93rd Place
- D. Candelas Filing No. 2 Paired Homes Preliminary Plat (PP), Generally Located North of Candelas Parkway, West of Salvia Street, and East of the West 93rd Place E. Wild Grass Commercial Filing 2, Preliminary Development Plan, Approximately Located at 14769 West 87th Parkway, East of Indiana Street and North of West 87th Parkway

Mayor Williams opened the public hearing on CB19-037, Candelas Filing No. 2 Paired Homes Preliminary Development Plan and Candelas Filing No. 2 Paired Homes Preliminary Plat.

Rob Smetana, Planning Manager, 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: Paul McMahon, Representing Applicant
Rhonda Johanness, Arvada Resident, against the issue
Angela Campbell, Arvada Resident, against the issue
Marc Wills, Arvada Resident, against the issue
Leslie Ann Minor, Representing Applicant
Mike Roacha, Representing Applicant
Brian Daly, Representing Applicant
Rick Holt, Representing Applicant

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

Mayor Pro Tem Marriott moved that CB19-037, An Ordinance Vacating Certain Tracts of Land Dedicated as Right of Way on the Plat of Candelas Filing No. 2 Subdivision, City of Arvada, County of Jefferson, State of Colorado, Candelas Parkway and W. 93rd Place, be approved on final reading, numbered 4708 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, McGoff, Miller

Those voting No: Ford, Jones

The Motion was Approved

Mayor Pro Tem Marriott moved that Candelas Filing No. 2 Paired Homes Preliminary Development Plan (PDP), Generally Located North of Candelas Parkway, West of Salvia Street, and East of the West 93rd Place, be approved subject to the conditions of approval identified in the staff report.

Councilmember Miller said she would like to offer a Friendly Amendment to the motion to move some landscaping from the south side of the site to the north side to enhance the landscape buffer between this site to the existing homes.

Mayor Pro Tem Marriott accepted the Friendly Amendment.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, McGoff, Miller

Those voting No: Jones

The Motion was Approved

Mayor Pro Tem Marriott moved that Candelas Filing No. 2 Paired Homes Preliminary Plat (PP), Generally Located North of Candelas Parkway, West of Salvia Street, and East of the West 93rd Place, be approved subject to the conditions of approval identified in the staff report.

The following votes were cast on the Motion:

Those voting Yes: Williams, Marriott, Fifer, Ford, McGoff, Miller

Those voting No: Jones

The Motion was Approved

- E. Wild Grass Commercial Filing 2, Preliminary Development Plan, Approximately Located at 14769 West 87th Parkway, East of Indiana Street and North of West 87th Parkway

Mayor Williams opened the public hearing on Wild Grass Commercial Filing 2, Preliminary Development Plan.

Rob Smetana, Planning Manager, 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: John Houser, Representing Applicant
Peggy Wagner, Arvada Resident, for the issue

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

Councilmember Jones moved that Wild Grass Commercial Filing 2, Preliminary Development Plan, Approximately Located at 14769 West 87th Parkway, East of Indiana Street and North of West 87th Parkway, be approved subject to the conditions of approval identified in the staff report.

The following votes were cast on the Motion:

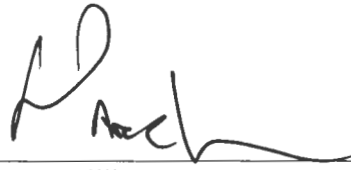
Those voting Yes: Williams, Marriott, Fifer, Ford, Jones, McGoff, Miller

The Motion was Approved

9. Public Comment - Five Minute Limit – none
10. City Council Reports –
- A. Councilmember Ford reported on a trip that the Sustainability Committee took to NREL.
 - B. Councilmember Fifer said that DRCOG is conducting a Citizen Academy on October 8 in Olde Town.
11. City Manager Reports –
- A. Mark Deven, City Manager, reviewed the upcoming workshop schedule with council.

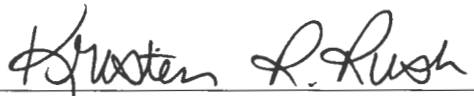
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13. Adjournment at 9:00 p.m.



Marc Williams, Mayor

SEAL:



Kristeh R. Rush, City Clerk

