



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
JULY 6, 2020**

1. Executive Session - Third Floor Conference Room - 5:00 p.m.

Mayor Williams, Councilmember Mayor Pro Tem Miller, Councilmember Fifer, Councilmember Ford, Councilmember Jones, Councilmember Marriott, Councilmember Simpson

A. Legal Advice, Pursuant to C.R.S. 24-6-402(4)(b) Relating to Amendments to the Land Development Code

Councilmember Simpson moved to go into Executive Session for Legal Advice, Pursuant to C.R.S. 24-6-402(4)(b) Relating to Amendments to the Land Development Code.

The following votes were cast on the Motion:

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

The Motion was Approved

1. Call to Order - 6:00 p.m.

In accordance with physical distancing guidelines, this Arvada City Council meeting was held in the City Council Chambers and remotely using webinar technology. Mayor Williams, Mayor Pro Tem Miller, Councilmember Fifer, Councilmember Ford, Councilmember Jones, Councilmember Marriott and Councilmember Simpson were present in the council chambers. Members of the public were given notice with instructions on how to participate with public comment.

2. Moment of Reflection and Pledge of Allegiance

3. Roll Call of Councilmembers

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

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

4. Approval of Minutes of the June 15, 2020, City Council Meeting

The minutes stand approved as amended.

5. Recognitions and Communications

A. Recognition of Water Systems Manager Cliff Deeds presented by Mayor Williams

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Mayor Williams said that for over 40 years, Cliff Deeds has served the City of Arvada's Utilities Department. He has announced his plans to retire early in 2020 but a variety of circumstances kept Cliff with the City until July 31, 2020.

Mr. Deeds was hired in 1978 as a Maintenance Worker and was promoted to Equipment Operator one year later and then Utility Control Tech in 1980. In 1983, he was promoted to Superintendent Water Transmission and Distribution. This position has had several title changes ending with Water System Manager, the position Cliff holds today.

Mr. Deeds has managed a water system that has grown dramatically in size over the course of his career. His leadership created an environment that 41 years ago, there were 120 to 130 water main breaks per year and the division primarily reacted to breaks. Under Cliff's leadership, the division moved to more proactive maintenance methods. Today, in a water system that has doubled in size, there are 20 to 30 water main breaks per year.

Some of the Water System accomplishments under his leadership include:

- By 2020, there will be no cast iron water mains in the City's system.
- The department's sound water maintenance and metering practices resulted in system water loss of less than 5%, far better than the industry benchmark of 16%.
- Introduced technology to improve efficiency of field teams.
- The water system withstood the 2013 floods without major damage.

When you ask his team members about Cliff, you will be met with a groan followed by a smile. Cliff is known for his direct communication style that pulls no punches but belies a deep care for the people around him. Longtime team member Steve Hamel said Cliff doesn't hold anything back and will tell you exactly what he thinks. But, his directness also helps his team members improve. Mistakes happen and Cliff will tell you what to do to learn from them. Mr. Deeds' teammates know where they stand with him and how to improve their job performance to meet his high standards. Lest anyone think the ribbing is one way, Cliff can take as good as he gives. There is never a dull moment when he is around.

Mr. Deeds' commitment to the City of Arvada is evident in his actions over the years but it was on full display over the past year. Cliff delayed his retirement to support the City team through a transition to a new manager during a global public health crisis. He selflessly stayed on with the team five months past his original retirement date to ensure that the transition would be seamless for his team and the residents of Arvada. We are deeply grateful for his generosity with his time given the unforeseen circumstances the City has faced in 2020.

Cliff's belief in his team members, his commitment to excellence in the water system, and his leadership will continue to be felt by the City and our community for many years to come. The Arvada City Council, City of Arvada team members and Arvada community members salute Cliff Deeds for his 42 years of service to the City of Arvada.

6. Public Comment

- A. Delores Wood, Arvada resident, addressed council regarding waste hauling
- B. Amy Travin, addressed council regarding Black Lives Matter

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- C. Daniel Mondragon, addressed council regarding Black Lives Matter

- 7. New Business
 - A. Consent Agenda
 - 1. R20-054 A Resolution Authorizing the First Amendment to the Agreement By and Between the City of Arvada and W.L. Contractors, Inc. in the Amount of \$160,000.00 for Additional On-Call and Scheduled Traffic Signal Maintenance
 - 2. R20-055 A Resolution Authorizing a Construction Contract By and Between the City of Arvada and Granite Inliner, LLC, for the 2020 Trenchless Sewer Main Replacement Project, in an Amount Not to Exceed \$1,164,404.00, Project No. 20-SR-02
 - 3. R20-056 A Resolution Authorizing an Amendment to a License Agreement (for Subsurface Drain Outlet Points and Landscaping) By and Between the City of Arvada and Leyden Rock Metropolitan District, and Pertaining to the Leyden Rock Subdivision
 - 4. R20-057 A Resolution Authorizing an Agreement between the City of Arvada and Stantec Consulting Services, Inc. for Pavement Management System Services in an Amount Not to Exceed \$210,081.00

Councilmember Marriott moved that R20-054, A Resolution Authorizing the First Amendment to the Agreement By and Between the City of Arvada and W.L. Contractors, Inc. in the Amount of \$160,000.00 for Additional On-Call and Scheduled Traffic Signal Maintenance; R20-055, A Resolution Authorizing a Construction Contract By and Between the City of Arvada and Granite Inliner, LLC, for the 2020 Trenchless Sewer Main Replacement Project, in an Amount Not to Exceed \$1,164,404.00, Project No. 20-SR-02; R20-056, A Resolution Authorizing an Amendment to a License Agreement (for Subsurface Drain Outlet Points and Landscaping) By and Between the City of Arvada and Leyden Rock Metropolitan District, and Pertaining to the Leyden Rock Subdivision; R20-057, A Resolution Authorizing an Agreement between the City of Arvada and Stantec Consulting Services, Inc. for Pavement Management System Services in an Amount Not to Exceed \$210,081.00, be approved.

The following votes were cast on the Motion:

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

- B. Resolutions - None
- C. Ordinances (First Reading) - None

- 8. Other - None

- 9. Public Hearings – 6:15 p.m.
 - A. Cottages @ Ralston Fields Preliminary Development Plan, Generally Located at 5810 Miller Street

Mayor Williams opened the public hearing on the Cottages @ Ralston Fields Preliminary Development Plan.

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Rob Smetana, Planning Manager, reviewed this item with council and 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.

Sworn Testimony: Tim Masters, Representing Applicant

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

Councilmember Marriott moved that Cottages @ Ralston Fields Preliminary Development Plan, Generally Located at 5810 Miller Street, be approved subject to the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion:

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

- B. Consider a Planned Unit Development Plan for Candelas Filing No. 1 Amendment No. 4, Generally Located North of Candelas Parkway and McIntyre Street Bounded by W. 93rd Place and Kilmer Way
- C. Consider a Preliminary Plat for Candelas Filing No. 1 Amendment No. 4, Generally Located North of Candelas Parkway and McIntyre Street Bounded by W. 93rd Place and Kilmer Way

Mayor Williams opened the public hearing on Planned Unit Development Plan for Candelas Filing No. 1 Amendment No. 4 and Preliminary Plat for Candelas Filing No. 1 Amendment No. 4.

Rob Smetana, Planning Manager, reviewed this item with council and 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.

Sworn Testimony: Dan Galasso, Representing Applicant
Bonnie Niziolek, Representing Applicant
Jennifer Bensen, Arvada resident, against the issue
Cody Friez, Arvada resident, against the issue
Denise Stauduhar, Arvada resident, against the issue
Jim McDonald, via Zoom, against the issue
Alise Rivas, via Zoom, against the issue
Chris Newcomer, via Zoom, against the issue
Nicholas Levasseur, via Zoom, against the issue
Jessica Flick, via Zoom, against the issue
Bridget Yoder, via Zoom, against the issue
David Lucas, via Zoom, against the issue
Paul Little, via Zoom, against the issue
Aindree Novak, via Zoom, against the issue
Heath Novak, via Zoom, against the issue

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

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Mayor Williams stated for the record that councilmembers toured the site, two at a time.

Councilmember Jones moved to go into Executive Session for the purpose of Legal Advice, Pursuant to C.R.S. 24-6-402(4)(b).

The following votes were cast on the Motion:

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

Council came out of Executive Session.

Councilmember Marriott moved to continue the two items on Amendment number 5 until after they vote on Amendment number 4.

The following votes were cast on the Motion:

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

Councilmember Jones moved that the Planned Unit Development Plan for Candelas Filing No. 1 Amendment No. 4, Generally Located North of Candelas Parkway and McIntyre Street Bounded by W. 93rd Place and Kilmer Way, be rejected. This motion is based on the following findings of fact for denial: Criteria #7, The proposed uses (or groups of uses) are appropriately located and designed, both within the boundaries of the plan and in relation to adjacent uses, such that the foreseeable, material adverse impacts that may be created by the scale, design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts) of the uses are avoided and mitigated.

The following votes were cast on the Motion:

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

Councilmember Jones moved that the Preliminary Plat for Candelas Filing No. 1 Amendment No. 4, Generally Located North of Candelas Parkway and McIntyre Street Bounded by W. 93rd Place and Kilmer Way, be rejected. This motion is based on the following fact for denial: This motion is based on the following findings of fact for denial: Criteria #7, The proposed uses (or groups of uses) are appropriately located and designed, both within the boundaries of the plan and in relation to adjacent uses, such that the foreseeable, material adverse impacts that may be created by the scale, design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts) of the uses are avoided and mitigated.

The following votes were cast on the Motion:

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

- D. Consider a Planned Unit Development Plan for Candelas Filing No. 1 Amendment No. 5, Generally Located North of Candelas Parkway, South of W. 94th Drive and East of Salvia Street
- E. Consider a Preliminary Plat for Candelas Filing No. 1, Amendment No. 5, Generally Located North of Candelas Parkway, South of W. 94th Drive and East of Salvia Street

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Mayor Williams opened the public hearing on Planned Unit Development Plan for Candelas Filing No. 1 Amendment No. 5 and Preliminary Plat for Candelas Filing No. 1, Amendment No. 5, Generally Located North of Candelas Parkway, South of W. 94th Drive and East of Salvia Street.

Rob Smetana, Planning Manager, reviewed this item with council and 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.

Sworn Testimony: Bonnie Niziolek, Representing Applicant
Andre Novak, Arvada resident, against the issue
Heath Novak, Arvada resident, against the issue
Elysabeth Ashe, Arvada resident, against the issue

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

Councilmember Jones moved that the Planned Unit Development Plan for Candelas Filing No. 1 Amendment No. 5 and Preliminary Plat for Candelas Filing No. 1, Amendment No. 5, Generally Located North of Candelas Parkway, South of W. 94th Drive and East of Salvia Street, be approved. 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, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

Councilmember Jones moved that Preliminary Plat for Candelas Filing No. 1, Amendment No. 5, Generally Located North of Candelas Parkway, South of W. 94th Drive and East of Salvia Street, be approved. 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, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

F. CB20-017 An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2020 (Ordinance No. 4734)

Mayor Williams opened the public hearing on CB20-017.

Bryan Archer, Director of Finance, reviewed this ordinance with council.

Councilmember Fifer moved that CB20-017, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2020, be approved on final reading, numbered 4734 and ordered published by title only.

The following votes were cast on the Motion:
Those voting Yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

10. Public Comment - Five Minute Limit – none

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11. City Council Reports – none

- A. Councilmember Marriott moved to appoint Steve Byers to the Design Review Committee for a 3 year term ending April 30, 2023.

The following votes were cast on the Motion:

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

- B. Councilmember Marriott moved to appoint David Jones to the Community Corrections Board and Dot Miller as the alternate.

The following votes were cast on the Motion:

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

- C. Mayor Williams moved to appoint Craig Kocian to the Metro Wastewater Reclamation District Board for the period July 1, 2020 to June 30, 2022.

Councilmember Marriott moved to ratify Mayor Williams' appointment of Craig Kocian to the Metro Wastewater Reclamation District Board.

The following votes were cast on the Motion:

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

12. City Manager Reports - none

13. City Attorney Reports - none

14. Adjournment at 9:45 p.m.

Marc Williams

Marc Williams, Mayor

SEAL:

Kristen R. Rush, City Clerk

Kristen R. Rush, City Clerk

