



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD
AUGUST 16, 2021**

1. Executive Session - Third Floor Conference Room - 5:00 p.m.
 - A. Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Denver Water Board and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to IGA Renewal with Apex

Councilmember Simpson moved to go into Executive Session for Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Denver Water Board and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to IGA Renewal with Apex

The following votes were cast on the Motion:

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

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

This Arvada City Council meeting was held in the City Council Chambers and remotely using webinar technology. Mayor Williams, Mayor Pro Tem Miller, 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.

3. Moment of Reflection and Pledge of Allegiance
4. 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: Mark Deven, City Manager; Rachel Morris, City Attorney; Lorie Gillis, Deputy City Manager; Ryan Stachelski, Director of Community and Economic Development; Bryan Archer, Director of Finance and Kristen Rush, City Clerk.

5. Approval of Minutes of the August 2, 2021 City Council Meeting

The minutes stand approved.

6. Recognition and Communication –

Councilmember Jones said that tonight are recognizing Justin Andrade, a graduate of A-West and Adams State University in Alamosa, Colorado. Justin, who ran cross country and track for Adams State, decided to embark on a journey in memory of his friend Cameron Holland. Cameron died in a car accident in

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Arvada on December 7, 2019 at the age of 17. He was a high school senior just five months away from graduation. Justin and Cameron had been friends since elementary school. Shortly following his death Cameron's family decided to start the Cameron Holland Scholarship and asked for donations in lieu of flowers. In the spring of 2020, the family partnered with The Denver Foundation to administer the Scholarship.

Following Justin's graduation from Adams State, he decided to embark on a journey in memory of his friend by running 280 miles over seven days, from Alamosa to his home in Arvada to raise money for the Scholarship Fund.

He set out from Alamosa on Memorial Day, May 31, and arrived home in Arvada the following Sunday, June 6 averaging 40 miles per day, refueling with one candy bar and one bottle of water per hour. From Alamosa, Justin ran over La Veta pass (elevation 9,426') in the Sangre de Cristo Mountains of south-central Colorado to Walsenburg, Colorado. Heading north from there he passed through Colorado City, Pueblo, Colorado Springs, Monument, and Sedalia before reaching the Denver Metro area to complete the final legs of his journey through Littleton, Lakewood, and into Arvada. Staying with friends along the way, Justin would go to bed at 7 p.m. each night, waking at 4:30 a.m. each day to beat the heat. Some days he ran long stretches alone while other days he had support from other runners, bikers, or friends driving along the route.

Upon his return, Justin was welcomed by family, friends, and the community as he ran the home stretch along the Ralston Creek Trail to Cameron's roadside memorial sign near W. 72nd Avenue and Indiana.

Justin raised over \$7,000 for his ultra-marathon-like efforts, with another \$3,300 pledged for the Cameron Holland Scholarship Fund. Cameron's family deeply appreciates the donations and is in awe of Justin's determination and strength to run nearly 300 miles across the ranging Colorado landscape to raise funds for the Scholarship.

7. Presentations –

A. 2021 Mid-Year Financial Report

Bryan Archer, Director of Finance, presented the mid-year financial report. This included updates on specific performance measures, an overview of the major revenue categories in the General Fund, a high level look at the other major funds, a review of the City's investment portfolio and finally a preliminary look at the American Rescue Plan funds.

8. Public Comment

- A. Katie Winner, Arvada Resident, addressed council regarding the Charter Review Committee
- B. Mark McGoff, Arvada Resident, addressed council regarding the Charter Review Committee.

9. New Business

A. Consent Agenda

- 1. R21-101 A Resolution Authorizing an Agreement By and Between the City of Arvada and LAZ Parking Midwest, LLC in an Amount not to Exceed \$258,380.00 in the First Year for Parking Enforcement Services
- 2. R21-102 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$245,887 to Honnen Equipment Co. for the Purchase of One 2021 John Deere 644 P Loader

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3. R21-103 A Resolution Approving the Eighth Amendment to an Employment Agreement By and Between the City of Arvada and Mark G. Deven as City Manager
4. R21-104 A Resolution Approving the First Amendment to an Employment Agreement By and Between the City of Arvada and Rachel A. Morris as City Attorney
5. R21-105 A Resolution Approving the First Amendment to an Employment Agreement By and Between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge
6. R21-106 A Resolution Authorizing Assignment to the Colorado Housing and Finance Authority of A Private Activity Bond Allocation of the City of Arvada Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act

Councilmember Marriott moved that R21-101, A Resolution Authorizing an Agreement By and Between the City of Arvada and LAZ Parking Midwest, LLC in an Amount not to Exceed \$258,380.00 in the First Year for Parking Enforcement Services; R21-102, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$245,887 to Honnen Equipment Co. for the Purchase of One 2021 John Deere 644 P Loader; R21-103, A Resolution Approving the Eighth Amendment to an Employment Agreement By and Between the City of Arvada and Mark G. Deven as City Manager; R21-104, A Resolution Approving the First Amendment to an Employment Agreement By and Between the City of Arvada and Rachel A. Morris as City Attorney; R21-105, A Resolution Approving the First Amendment to an Employment Agreement By and Between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge; R21-106, A Resolution Authorizing Assignment to the Colorado Housing and Finance Authority of A Private Activity Bond Allocation of the City of Arvada Pursuant to the Colorado Private Activity Bond Ceiling Allocation Act, 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 –

1. R21-107 A Resolution Authorizing Intergovernmental Agreements by and between the City of Arvada and the Counties of Adams and Jefferson for the Regular Municipal Election on November 2, 2021.

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

Councilmember Ford moved that R21-107, A Resolution Authorizing Intergovernmental Agreements by and between the City of Arvada and the Counties of Adams and Jefferson for the Regular Municipal Election on November 2, 2021, be approved.

The following votes were cast on the Motion

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

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2. R21-108 A Resolution Authorizing a Second Amendment to the Intergovernmental Agreement Between the City of Arvada and the Arvada Urban Renewal Authority

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

Councilmember Marriott moved that R21-108, A Resolution Authorizing a Second Amendment to the Intergovernmental Agreement Between the City of Arvada and the Arvada Urban Renewal Authority, be approved.

The following votes were cast on the Motion

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

3. R21-109 A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding In the Amount of \$455,945.00

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

Councilmember Simpson moved that R21-109, A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the U.S. Department of Housing and Urban Development for Community Development Block Grant Funding In the Amount of \$455,945.00

The following votes were cast on the Motion

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

C. Ordinances (First Reading)

1. CB21-029, A Ordinance Repealing Chapter 10, Amusements and Entertainment, of the Arvada City Code (Public Hearing to be set for September 13, 2021 at 6:15 p.m.)

Mayor Pro Tem Miller moved that CB21-029, A Ordinance Repealing Chapter 10, Amusements and Entertainment, of the Arvada City Code, be approved on first reading, ordered published in full, and a public hearing set for September 13, 2021 at 6:15 p.m.

The following votes were cast on the Motion

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

10. Other – none

11. Public Hearings

- A. CB21-020 An Ordinance Amending Chapter 54, Motor Vehicles and Traffic, of the Arvada City Code (Ordinance No. 4772)

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Mayor Williams opened the public hearing on CB21-020.

Mark Deven, City Manager and John Firouzi, Mobility & Planning Innovations (MPI) Division Manager, reviewed this ordinance with council.

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

Councilmember Marriott moved that CB21-020, An Ordinance Amending Chapter 54, Motor Vehicles and Traffic, of the Arvada City Code, be approved on final reading, numbered 4772 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

- B. CB21-026 An Ordinance Enacting and Amending Certain Provisions of Division 3, Smoking Restricted in Public Places, of Article VII, Air Pollution, of Chapter 38, Environment, of the Arvada City Code to Prohibit Persons Under the Age of 21 From Entering Smoking Businesses, to Prohibit the Sale or Distribution of Tobacco Products to Persons Under the Age of 21, and to Prohibit Self Service Displays of Tobacco Products (Ordinance No. 4773)

Mayor Williams opened the public hearing on CB21-026.

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

Sworn Testimony: Mary Szamach,

Mayor Williams closed the public hearing.

Mayor Pro Tem Miller moved that CB21-026, An Ordinance Enacting and Amending Certain Provisions of Division 3, Smoking Restricted in Public Places, of Article VII, Air Pollution, of Chapter 38, Environment, of the Arvada City Code to Prohibit Persons Under the Age of 21 From Entering Smoking Businesses, to Prohibit the Sale or Distribution of Tobacco Products to Persons Under the Age of 21, and to Prohibit Self Service Displays of Tobacco Products, with an amendment to the original ordinance be approved on final reading, numbered 4773 and ordered published in full. The proposed amendment would exclude smoking businesses as defined in the ordinance from the ordinance's self-service prohibition but retain the prohibition on vending machines for smoking businesses.

Councilmember Fifer made a friendly amendment to strike the statement within section 38-304 that says and person who is, and currently we are amending that to 21 years of age or older, may use or operate an electronic smoking device within a specialty vaping store as defined in section 38-303, I would like that exception scratched from the ordinance. Mayor Pro Tem Miller accepted the friendly amendment.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Simpson

Those voting no: Marriott

The Motion was Approved

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- C. CB21-027 An Ordinance Repealing and Reenacting Chapter 82, Purchasing and Contracts, of the Arvada City Code (Ordinance No. 4774)

Mayor Williams opened the public hearing on CB21-027.

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

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

Councilmember Ford moved that CB21-027, An Ordinance Repealing and Reenacting Chapter 82, Purchasing and Contracts, of the Arvada City Code, be approved on final reading, numbered 4774, 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

- D. CB21-028 An Ordinance Submitting Proposed Amendments to Sections 4.3, 4.6, 5.13 and 5.14 of the Charter for the City of Arvada to the Registered Electors at the November 2, 2021 Regular Municipal Election and Setting Ballot Titles (Ordinance No. 4775)

Mayor Williams opened the public hearing on CB21-028.

Rachel Morris, City Attorney, reviewed this ordinance with council.

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

Councilmember Simpson moved that CB21-028, An Ordinance Submitting Proposed Amendments to Sections 4.3, 4.6, 5.13 and 5.14 of the Charter for the City of Arvada to the Registered Electors at the November 2, 2021 Regular Municipal Election and Setting Ballot Titles, be approved on final reading, numbered 4775, and ordered published by title only.

12. Public Comment - Five Minute Limit - none

13. City Council Reports

- A. Appointment to the Community Corrections Board

Councilmember Marriott moved to appoint David Jones to the Community Corrections Board.

The following votes were cast on the Motion

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

The Motion was Approved

14. City Manager Reports - none

15. City Attorney Reports – none

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16. Adjournment at 8:15 p.m.

Marc Williams

Marc Williams, Mayor

SEAL:

Kristen Rush

Kristen R. Rush, City Clerk

