



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD  
NOVEMBER 15, 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 the Parks Incident

Councilmember Simpson moved to go into Executive Session for Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to the Parks Incident.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith

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 Jones; Councilmember Fifer, Councilmember Marriott, Councilmember Moorman, Councilmember Simpson; Councilmember Smith 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 David Jones, Councilmember Bob Fifer, Councilmember John Marriott, Councilmember Randy Moorman, Councilmember Lauren Simpson, Councilmember Lisa Smith

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 – none
6. Recognition and Communication –
  - A. Proclamation for Small Business Saturday - Presented by Councilmember Marriott

Councilmember Marriott read the proclamation and said that the Saturday after Thanksgiving (November 27, 2021) is known as Small Business Saturday. The Arvada Visitors Center, the Arvada Economic Development Association (AEDA), the Arvada Chamber and the Olde Town Arvada – Business Improvement District along with the Arvada Resiliency Task Force are partnering in asking people to shop Arvada Small Businesses this holiday season, highlighting the national shopping holiday – November 27

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which is referred to as Small Business Saturday.

Small businesses create jobs, boost Arvada's economy, and preserve neighborhoods. Each purchase made in Arvada goes to pay for City services such as police, parks, and street maintenance. Keeping the dollars in Arvada helps create and retain quality jobs. Small businesses are the nation's largest employer and account for the majority of job growth. Next time you make a purchase, remember Shop Arvada!

At 10 am on the morning of the celebration, everyone is welcome to stop by the Olde Town Arvada Square (Olde Wadsworth and W. 57th) for free coffee and breakfast goodies.

Representatives from AEDA and the Task Force were present to accept the proclamation.

7. Presentations

A. 3rd Quarter Financial Report

Bryan Archer, Finance Director, reviewed performance measures, gave 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 the American Rescue Plan Act funds.

8. Public Comment

A. Mindy Mohr, Arvada resident, addressed council regarding the marketing of Arvada

9. New Business

A. Consent Agenda –

1. R21-133 A Resolution Authorizing a Lease Agreement By And Between The City of Arvada And Sundance School Of Riding, LLC For The Property Located At 7650 Indiana Street, Arvada, CO 80007, Also Known As The Arvada Indoor Equestrian Center
2. R21-134 A Resolution Approving a Lease Agreement by and between the City of Arvada and Denver Urban Gardens for a Community Garden on Approximately .92 acres of land located at 84th Avenue and Alkire Street
3. R21-135 A Resolution Approving the First Amendment to the City of Arvada Retirement Plan Amended and Restated Effective January 1, 2019
4. R21-136 A Resolution Authorizing Amendment C to the Grant Agreement By and Between the State of Colorado Acting by and through the Department of Higher Education, History Colorado, the Colorado Historical Society and the City of Arvada Pertaining to the Restoration of the Denver Tramway Company Streetcar No. .04, Grant No. 2018-01-016
5. R21-137 A Resolution Approving a License Agreement Between the City of Arvada and Comcast of Colorado IX, LLC for a Revocable License to Install, Operate, and Maintain an Underground Fiber Optic Line and Conduits Across Arvada Owned Property Near Ralston Creek
6. R21-138 A Resolution Authorizing Change Order #2 to an Agreement between the City of Arvada and A-1 Chipseal Company for the 2021 Street Chip and Slurry Seal Program in the amount of \$6,017.82 to Accommodate for Billing Excess related to Change Order #1 and in the amount of \$498,075.00 to Accommodate Crackseal Work, for a Total Contract Amount Not to Exceed \$1,328,428.80

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7. R21-139 A Resolution Authorizing an Intergovernmental Agreement by and between the City of Arvada and the Urban Drainage and Flood Control District d/b/a Mile High Flood District Regarding the Acquisition of 14055 West 68th Avenue on Ralston Creek
8. R21-140 A Resolution Authorizing an Intergovernmental Agreement by and between the City of Arvada and Urban Drainage and Flood Control District d/b/a Mile High Flood District For CIP Project for the Ralston Creek at Ward Road Project

Councilmember Fifer moved that R21-133, A Resolution Authorizing a Lease Agreement By And Between The City of Arvada And Sundance School Of Riding, LLC For The Property Located At 7650 Indiana Street, Arvada, CO 80007, Also Known As The Arvada Indoor Equestrian Center; R21-134, A Resolution Approving a Lease Agreement by and between the City of Arvada and Denver Urban Gardens for a Community Garden on Approximately .92 acres of land located at 84th Avenue and Alkire Street; R21-135, A Resolution Approving the First Amendment to the City of Arvada Retirement Plan Amended and Restated Effective January 1, 2019; R21-136, A Resolution Authorizing Amendment C to the Grant Agreement By and Between the State of Colorado Acting by and through the Department of Higher Education, History Colorado, the Colorado Historical Society and the City of Arvada Pertaining to the Restoration of the Denver Tramway Company Streetcar No. .04, Grant No. 2018-01-016; R21-137, A Resolution Approving a License Agreement Between the City of Arvada and Comcast of Colorado IX, LLC for a Revocable License to Install, Operate, and Maintain an Underground Fiber Optic Line and Conduits Across Arvada Owned Property Near Ralston Creek; R21-138, A Resolution Authorizing Change Order #2 to an Agreement between the City of Arvada and A-1 Chipseal Company for the 2021 Street Chip and Slurry Seal Program in the amount of \$6,017.82 to Accommodate for Billing Excess related to Change Order #1 and in the amount of \$498,075.00 to Accommodate Crackseal Work, for a Total Contract Amount Not to Exceed \$1,328,428.80; R21-139, A Resolution Authorizing an Intergovernmental Agreement by and between the City of Arvada and the Urban Drainage and Flood Control District d/b/a Mile High Flood District Regarding the Acquisition of 14055 West 68th Avenue on Ralston Creek; R21-140, A Resolution Authorizing an Intergovernmental Agreement by and between the City of Arvada and Urban Drainage and Flood Control District d/b/a Mile High Flood District For CIP Project for the Ralston Creek at Ward Road Project, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

B. Resolutions –

1. R21-141 A Resolution Approving Termination of a Cooperation Agreement by and Among the City of Arvada; the Arvada Urban Renewal Authority; Arvada Ridge Market Place, LLC; and Kipling Ridge Metropolitan District

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

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Councilmember Marriott moved that R121-141, A Resolution Approving Termination of a Cooperation Agreement by and Among the City of Arvada; the Arvada Urban Renewal Authority; Arvada Ridge Market Place, LLC; and Kipling Ridge Metropolitan District, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

2. R21-142 A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Canyon Pines Metropolitan District for Financing of the Construction of the Canyon Pines Pump Station and Modifications to the Ranson Pump Station and the Fifth Amendment to the 2021 Capital Budget in the Amount of \$3,611,535.00

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

Councilmember Marriott moved that R21-142, A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Canyon Pines Metropolitan District for Financing of the Construction of the Canyon Pines Pump Station and Modifications to the Ranson Pump Station and the Fifth Amendment to the 2021 Capital Budget in the Amount of \$3,611,535.00, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

3. R21-143 A Resolution Approving the Fourth Amendment to an Agreement By and Between the City of Arvada and Everside Health, LLC (AKA Paladina Health, LLC) for the Staffing and Operation of an On-Site Wellness Clinic

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

Councilmember Simpson moved that R21-143, A Resolution Approving the Fourth Amendment to an Agreement By and Between the City of Arvada and Everside Health, LLC (AKA Paladina Health, LLC) for the Staffing and Operation of an On-Site Wellness Clinic, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

C. Ordinances (First Reading)

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1. CB21-040 An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2021 (Public Hearing to be set for December 6, 2021 at 6:15 p.m.)
2. CB21-041 An Ordinance Amending and Restating Plan Documents and Adoption Agreements for the Executive Defined Contribution Retirement Plan, City Manager Retirement Plan, City Attorney Retirement Plan, and Municipal Judge Retirement Plan (Public Hearing to be set for December 6, 2021 at 6:15 p.m.)
3. CB21-042 An Ordinance Amending Section 38-34, Definitions and Standards, Section 38-63 Emergencies, and Section 38-65, Exceptions, of Article II, Noise Control, of Chapter 38, Environment, of the Arvada City Code (Public Hearing to be set for December 6, 2021 at 6:15 p.m.)
4. CB21-043 An Ordinance Approving a Lease Purchase Financing to Provide Funds for the Construction of a Replacement Aquatics Center on the Site of the Meyers Pool; Authorizing and Approving a Site Lease, a Lease Purchase Agreement, and Other Documentation in Connection with a Cooperative Financing with Jefferson County School District No. R-1; and Providing Other Details, Parameters and Authorization In Connection with the Lease Purchase Financing. (Public Hearing to be set for December 6, 2021 at 6:15 p.m.)

Mayor Pro Tem Jones moved that CB21-040, An Ordinance Authorizing an Additional Appropriation for Fiscal Year; CB21-041, An Ordinance Amending and Restating Plan Documents and Adoption Agreements for the Executive Defined Contribution Retirement Plan, City Manager Retirement Plan, City Attorney Retirement Plan, and Municipal Judge Retirement Plan; CB21-042, An Ordinance Amending Section 38-34, Definitions and Standards, Section 38-63 Emergencies, and Section 38-65, Exceptions, of Article II, Noise Control, of Chapter 38, Environment, of the Arvada City Code CB21-043, An Ordinance Approving a Lease Purchase Financing to Provide Funds for the Construction of a Replacement Aquatics Center on the Site of the Meyers Pool; Authorizing and Approving a Site Lease, a Lease Purchase Agreement, and Other Documentation in Connection with a Cooperative Financing with Jefferson County School District No. R-1; and Providing Other Details, Parameters and Authorization In Connection with the Lease Purchase Financing. be approved on first reading, ordered published in full, and a public hearing set for December 6, 2021 at 6:15 p.m.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

10. Other – none

11. Public Hearings -

- A. Public Hearing on the 2022 Annual Action Plan for 2022 Community Development Block Grant Funding and 2022 Human Services Grant Funding
  1. R21-144 A Resolution Approving the Submission of the 2022 Annual Action Plan for 2022 Community Development Grant Block ("CDBG") Funding

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2. R21-145 A Resolution Authorizing the Expenditure of City of Arvada Human Services Funding Pool Funds for 2022 to Agencies Providing Emergency Help, Program Assistance, and Other Assistance to Arvada Citizens

Mayor Williams opened the public hearing on the 2022 Annual Action Plan for 2022 Community Development Block Grant, R21-144 and R21-145

No one wishing to speak on the 2022 Annual Action Plan, the public hearing was closed.

Councilmember Fifer moved that R21-144, A Resolution Approving the Submission of the 2022 Annual Action Plan for 2022 Community Development Grant Block ("CDBG") Funding, be approved

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

Councilmember Fifer moved that R21-145, A Resolution Authorizing the Expenditure of City of Arvada Human Services Funding Pool Funds for 2022 to Agencies Providing Emergency Help, Program Assistance, and Other Assistance to Arvada Citizens, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

- B. CB21-037 An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates and Bimonthly Service Charges (Ordinance No. 4784)

Mayor Williams opened the public hearing on CB21-037.

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

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

Councilmember Marriott moved that CB21-037, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to Water Users Rates and Bimonthly Service Charges, be approved on final reading, numbered 4784 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

- C. CB21-038 An Ordinance Amending Section 102-206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates and Bimonthly Service Charges (Ordinance No. 4785)

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Mayor Williams opened the public hearing on CB21-038.

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

Councilmember Marriott moved that CB21-038, An Ordinance Amending Section 102-206 of Chapter 102, Utilities, of the Arvada City Code Pertaining to Wastewater Users Rates and Bimonthly Service Charges, be approved on final reading, numbered 4785 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

- D. CB21-039 An Ordinance Rezoning Certain Land Within the City of Arvada, from City of Arvada RA (Residential/Agricultural) to City of Arvada PUD (Planned Unit Development) and Amending the Official Zoning Maps of the City of Arvada, Colorado, located at 7275 Kipling Street, Unit A and Unit B, Arvada, Colorado 80005 (Ordinance No. 4786)
- E. PUD Development Plan for Animal Assisted Therapy of Colorado, approximately located at 7275 Kipling St. Unit A and Unit B

Mayor Williams opened the public hearing on CB21-039 and the PUD Development Plan for Animal Assisted Therapy of Colorado.

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: Linda Chassman Craddock, Representing Applicant  
Sara Geering, Representing Applicant

Mayor Williams closed the public hearing.

Councilmember Moorman moved that CB21-039, An Ordinance Rezoning Certain Land Within the City of Arvada, from City of Arvada RA (Residential/Agricultural) to City of Arvada PUD (Planned Unit Development) and Amending the Official Zoning Maps of the City of Arvada, Colorado, located at 7275 Kipling Street, Unit A and Unit B, Arvada, Colorado 80005, be approved on final reading, numbered 4786 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

Councilmember Moorman moved that the PUD Development Plan for Animal Assisted Therapy of Colorado, approximately located at 7275 Kipling St. Unit A and Unit B, be approved. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion

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Those voting yes: Williams, Jones, Fifer, Marriott, Moorman, Simpson, Smith  
The Motion was Approved

12. Public Comment - Five Minute Limit - none
13. City Council Reports
14. City Manager Reports - none
15. City Attorney Reports – none
16. Adjournment at 7:35 p.m.

*Marc Williams*

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Marc Williams, Mayor

SEAL:

*Kristen Rush*

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Kristen R. Rush, City Clerk

