



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD  
DECEMBER 6, 2021**

1. Executive Session - Third Floor Conference Room - 5:00 p.m.
  - A. Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) and Legal Advice, Pursuant to CRS-24-6-402(4)(b) Relating to Xcel Energy MOU and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) and Legal Advice, Pursuant to CRS-24-6-402(4)(b) Relating to Field Programming Transition with Apex

Councilmember Simpson moved to go into Executive Session for Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) and Legal Advice, Pursuant to CRS-24-6-402(4)(b) Relating to Xcel Energy MOU and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) and Legal Advice, Pursuant to CRS-24-6-402(4)(b) Relating to Field Programming Transition with Apex

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 remotely using webinar technology. Mayor Williams, Mayor Pro Tem Jones; Councilmember Fifer, Councilmember Marriott, Councilmember Moorman, Councilmember Simpson; Councilmember Smith were all virtual.

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 Official National Radon Action Month - Presented by Mayor Pro Tem Jones

Councilmember Jones said that Jefferson County Public Health (JCPH) is reaching out to their County,

City of Arvada  
December 6, 2021  
Page 2

municipalities and townships to request that January 2022 be recognized as National Radon Action Month (NRAM). This is a nationwide effort with support from the Colorado Department of Public Health and Environment, the Environmental Protection Agency, and the American Lung Association.

The Proclamation will be sent to the Jefferson County Public Health.

B. Recognition of Shelley Long - BPW's Woman of the Year - Presented by Councilmember Simpson

This item will be rescheduled.

7. Presentations - none

8. Public Comment - none

9. New Business

A. Consent Agenda –

1. R21-146 A Resolution Authorizing an Agreement between the City of Arvada and the Olde Town Arvada Business Improvement District (BID) for the Fiscal Year 2022 Programs and Services in Olde Town Arvada
2. R21-147 A Resolution Authorizing an Agreement By and Between the City of Arvada and Sturgeon Electric Company, Inc. for CSB-18-TC-03 (CDOT Project No. M040-033, SA22275) in an Amount Not to Exceed \$1,195,000.00
3. R21-148 A Resolution Approving A Second Amendment To The Parkway Center Subdivider's Agreement

Councilmember Simpson moved that R21-146, A Resolution Authorizing an Agreement between the City of Arvada and the Olde Town Arvada Business Improvement District (BID) for the Fiscal Year 2022 Programs and Services in Olde Town Arvada; R21-147, A Resolution Authorizing an Agreement By and Between the City of Arvada and Sturgeon Electric Company, Inc. for CSB-18-TC-03 (CDOT Project No. M040-033, SA22275) in an Amount Not to Exceed \$1,195,000.00; R21-148, A Resolution Approving A Second Amendment To The Parkway Center Subdivider's Agreement, 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. R21-149 A Resolution Approving a Cost Contribution Agreement by and between the City Of Arvada and Jefferson Center Metropolitan District No. 1 to Finance a Portion of the Coal Creek Water Tank

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

City of Arvada  
December 6, 2021  
Page 3

Councilmember Fifer moved that R121-149, A Resolution Approving a Cost Contribution Agreement by and between the City Of Arvada and Jefferson Center Metropolitan District No. 1 to Finance a Portion of the Coal Creek Water Tank, 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)

1. CB21-044 An Ordinance Authorizing Acceptance of the Amended and Restated Intergovernmental Agreement between Jefferson County and the Cities of Arvada, Lakewood, Wheat Ridge, Golden, Westminster and Edgewater for Animal Shelter/Dog Licensing/Funding (Public Hearing to be set for January 3, 2022 at 6:15 p.m.)

Mayor Pro Tem Jones moved that CB21-044, An Ordinance Authorizing Acceptance of the Amended and Restated Intergovernmental Agreement between Jefferson County and the Cities of Arvada, Lakewood, Wheat Ridge, Golden, Westminster and Edgewater for Animal Shelter/Dog Licensing/Funding, be approved on first reading, ordered published in full, and a public hearing set for January 3, 2022 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 –
  - A. Ratification of Arvada Economic Development Association (AEDA) Board Members

City of Arvada  
December 6, 2021  
Page 4

Councilmember Marriott moved that Mark Inboden, Scott Marcum and Gillian McCarron be reappointed to a three-year term on the AEDA Board, ending December 31st, 2024,

The following votes were cast on the Motion

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

11. Public Hearings -

- A. CB21-040 An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2021 (Ordinance No. 4787)

Mayor Williams opened the public hearing on CB21-040.

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

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

Councilmember Marriott moved that CB21-040, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2021, be approved on final reading, numbered 4787, 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

- B. 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 (Ordinance No. 4788)

Mayor Williams opened the public hearing on CB21-041.

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 Jones moved that 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, be approved on final reading, numbered 4788, 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

City of Arvada  
December 6, 2021  
Page 5

- C. 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 (Ordinance No. 4789)

Mayor Williams opened the public hearing on CB21-042.

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

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

Councilmember Fifer moved that 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, be approved on final reading, numbered 4789, 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. CB21-043 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 (Ordinance No. 4790)

Mayor Williams opened the public hearing on CB21-043.

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

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

Councilmember Moorman moved that 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 final reading, numbered 4790, 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

- E. Major Modification for 7400 Simms Residential Privacy Fence, generally located at 7400 Simms Street

City of Arvada  
December 6, 2021  
Page 6

Mayor Williams opened the public hearing on Major Modification for 7400 Simms Residential Privacy Fence.

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: Chris Clopper, representing applicant

Mayor Williams closed the public hearing.

Councilmember Simpson moved that a Major Modification for 7400 Simms Residential Privacy Fence, generally located at 7400 Simms Street, be approved subject to the amended condition stated on page 7 of the staff report.

This motion is based on the findings of fact adopted by the Planning Commission

The following votes were cast on the Motion

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

Mayor Pro Tem Jones moved to appoint Mayor Marc Williams to the Arvada Municipal Court/Judicial Committee, Arvada City Attorney Committee, Arvada Urban Renewal Authority, Jefferson Parkway Public Highway Authority, Urban Drainage and Flood Control District, West Connect Coalition, Metro Mayors Caucus, and as an alternate to the E-470 Authority and the Northwest Parkway Authority.

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 to appoint Mayor Pro Tem David Jones to the Jefferson County Community Corrections Board, Jefferson County R-1 Schools Coordinating Committee, Jefferson Economic Development Council (JEDC), Jefferson Parkway Public Highway Authority, and as an alternate to the E-470 Authority, Northwest Parkway Authority, and West Connect Coalition.

The following votes were cast on the Motion

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

Councilmember Marriott moved to appoint Councilmember Bob Fifer to the Adams County Economic Development Association, Apex Coordinating Committee, Arvada City Attorney Committee, Arvada Transportation Committee, Jefferson County R-1 Schools Coordinating Committee, Jeffco Transportation Action & Advisory Group (JEFFTAAG), and Smart City Advisory Committee and as an alternate to Denver Regional Council of Governments.

City of Arvada  
December 6, 2021  
Page 7

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 to appoint Councilmember John Marriott to the Apex Coordinating Committee, Arvada Economic Development Association Board, Arvada Municipal Court/Judicial Committee, CML Policy Committee, Olde Town Business Improvement (BID) District, and the Rocky Mountain Metropolitan Airport Community Noise Roundtable and as an alternate to Adams County Economic Development Association and the Arvada Visitors Center Committee.

The following votes were cast on the Motion

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

Councilmember Simpson moved to appoint Councilmember Randy Moorman to the Arvada Audit Committee, Arvada Sustainability Advisory Committee, CML Policy Committee, and the Rocky Flats Stewardship Council.

The following votes were cast on the Motion

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

Councilmember Simpson moved to appoint Councilmember Lauren Simpson to the Arvada Audit Committee, Arvada Center for the Arts and Humanities, Arvada Fire Protection District Coordinating Committee, and the Arvada Visitors Center Committee, and as an alternate to the Olde Town Business Improvement (BID) District.

The following votes were cast on the Motion

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

Mayor Pro Tem Jones moved to appoint Lisa Smith to the Arvada Chamber of Commerce Government Affairs Committee, Arvada Fire Protection District Coordinating Committee, Denver Regional Council of Governments, Smart City Advisory Committee, and as an alternate to the Jefferson County Community Corrections Board and the Jeffco Transportation Action & Advisory Group (JEFFTAAG).

The following votes were cast on the Motion

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

14. City Manager Reports - none
15. City Attorney Reports – none
16. Adjournment at 7:15 p.m.

City of Arvada  
December 6, 2021  
Page 8

*Marc Williams*

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Marc Williams, Mayor

SEAL:

*Kristen Rush*

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Kristen R. Rush, City Clerk

