



**SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD  
AUGUST 15, 2022**

1. Executive Session – 5:00 p.m.

A. Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Howard Ranch Project

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

The following votes were cast on the Motion:

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

The Motion was Approved

1. Call to Order - 6:15 p.m.

This Arvada City Council meeting was a hybrid meeting using webinar technology. Mayor Williams, Mayor Pro Tem Jones, Councilmember Fifer, Councilmember Marriott, Councilmember Moorman, Councilmember Lauren Simpson and Councilmember Smith were all present in 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 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 Linda Haley, Deputy City Manager; Bryan Archer, Director of Finance; Ryan Stachelski, Director of Community and Economic Development; Rachael Kuroiwa, Chief Communications Manager and Kristen Rush, City Clerk.

4. Approval of Minutes – August 1, 2022 City Council Meeting

The minutes stand approved.

5. Recognition and Communication – none

6. Presentations –

A. Presentation of the 2021 External Audit and Financial Statements

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Bryan Archer, Finance Director, Said that the independent annual audit required by the City's Charter is overseen and reviewed by the audit committee. The audit committee initiated the oversight process by meeting virtually with FORVIS(BKD) representatives in early 2022 in order to receive an overview of the audit process. In addition, individual members of the audit committee met with FORVIS(BKD) representatives in order to provide any additional feedback as the audit process continued through the second quarter of 2022. Finally, the audit committee met with FORVIS(BKD) representatives to receive an overview of the detailed report, ask questions and offer any additional feedback in response to the findings presented herein.

B. Mid-year Financial Update

Bryan Archer, Finance Director, provided City Council with a financial report and a presented the Mid-Year 2022 financials. The presentation included revenue and expenditure highlights of the major funds including: General Fund, Parks, Tax Increments, Capital Projects, Water, Wastewater, Storm Water, Golf, Solid Waste and the Internal Service Funds and an update on the current investment market.

7. Public Comment –

- A. Laura Wisecarver, Arvada business owner, addressed council regarding possible gun legislation.
- B. Nancy Wiley, Arvada resident, addressed council regarding gun legislation
- C. Adrienne Fahay, Arvada resident, addressed council regarding gun legislation

8. New Business

A. Consent Agenda –

- 1. R22-054 A Resolution Authorizing A Change Order # 5 to an Agreement By and Between the City of Arvada and Muller Engineering Company, Inc. to Expand the Scope of Services and Increase the Contract Amount by \$217,264.00, Project No. 18-ST-30
- 2. R22-055 A Resolution Authorizing Amendment No. 1 to "The Construction Management/General Contractor Agreement for Preconstruction Services for the Rehabilitation and Modification of the Filter and Solids Handling Systems at the Ralston Water Treatment Plant" in Order to Secure Purchases and Procurement/Fabrication for Long-Lead Time Equipment for the Filter Improvements and Solids Handling Projects and Related Emergency Repairs, in an Amount Not to Exceed \$8,703,990.00
- 3. R22-056 A Resolution Adopting a Revised Administrative Fee Schedule for the Arvada Police Department
- 4. R22-057 A Resolution Approving the Ninth Amendment to an Employment Agreement by and between the City of Arvada and Mark G. Deven as City Manager
- 5. R22-058 A Resolution Approving the Second Amendment to an Employment Agreement by and between the City of Arvada and Rachel A. Morris as City Attorney
- 6. R22-059 A Resolution Approving the Second Amendment to an Employment Agreement by and between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge
- 7. R22-060 A Resolution Accepting a General Warranty Deed from KenAsh Properties, LLC for Additional Right-of-Way Along Ralston Road at 7711 Ralston Road

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8. R22-061 A Resolution Authorizing Designated City Officials to Act for and on Behalf of the City of Arvada Relating to Financial Transactions and Further Authorizing the Use of Facsimile Signatures for Certain Financial Transactions

Councilmember Marriott moved that R22-054, A Resolution Authorizing A Change Order # 5 to an Agreement By and Between the City of Arvada and Muller Engineering Company, Inc. to Expand the Scope of Services and Increase the Contract Amount by \$217,264.00, Project No. 18-ST-30; R22-055, A Resolution Authorizing Amendment No. 1 to "The Construction Management/General Contractor Agreement for Preconstruction Services for the Rehabilitation and Modification of the Filter and Solids Handling Systems at the Ralston Water Treatment Plant" in Order to Secure Purchases and Procurement/Fabrication for Long-Lead Time Equipment for the Filter Improvements and Solids Handling Projects and Related Emergency Repairs, in an Amount Not to Exceed \$8,703,990.00; R22-056, A Resolution Adopting a Revised Administrative Fee Schedule for the Arvada Police Department; R22-057, A Resolution Approving the Ninth Amendment to an Employment Agreement by and between the City of Arvada and Mark G. Deven as City Manager; R22-058, A Resolution Approving the Second Amendment to an Employment Agreement by and between the City of Arvada and Rachel A. Morris as City Attorney; R22-059 A Resolution Approving the Second Amendment to an Employment Agreement by and between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge; R22-060, A Resolution Accepting a General Warranty Deed from KenAsh Properties, LLC for Additional Right-of-Way Along Ralston Road at 7711 Ralston Road; R22-061, A Resolution Authorizing Designated City Officials to Act for and on Behalf of the City of Arvada Relating to Financial Transactions and Further Authorizing the Use of Facsimile Signatures for Certain Financial Transactions, 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 –

- I. R22-062 A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Jefferson Center Metropolitan District No. 1 for Financing of the Design, Preconstruction Services, and Construction of the Upgrades and Improvements to the Alkire Lift Station

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

Councilmember Smith moved that R22-062, A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Jefferson Center Metropolitan District No. 1 for Financing of the Design, Preconstruction Services, and Construction of the Upgrades and Improvements to the Alkire Lift Station, be approved.

The following votes were cast on the Motion:

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

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- C. Ordinances (First Reading) -
1. CB22-064 An Ordinance Authorizing the Acquisition of Certain Property Along Alkire Street, Generally from West 78th Avenue to West 80th Avenue for the Construction of Approximately 1,300 Linear Feet of 8 Foot Wide Sidepath and/or Related Improvements as Part of the Alkire Sidepath Tap Grant Project, Project No. 20-ST-26 (Public Hearing to be set for September 12, 2022)
  2. CB22-065 An Ordinance Annexing Certain Land into the City of Arvada for Union Estates Property, a 2.11- Acre Parcel of Land Approximately Located at 12016 West 82nd Avenue (Public Hearing to be set for September 12, 2022 at 6:15 p.m.)
  3. CB22-066 An Ordinance Rezoning Certain Land Within the City of Arvada, Union Estates Property, from Jefferson County A-2 (Agricultural 2) to City of Arvada RN-7.5 (Residential Neighborhood 7.5) and Amending the Official Zoning Maps of the City of Arvada, Colorado, Generally Located at 12016 W 82nd Avenue (Public Hearing to be set for September 12, 2022 at 6:15 p.m.)

Mayor Pro Tem Jones moved that CB22-064, An Ordinance Authorizing the Acquisition of Certain Property Along Alkire Street, Generally from West 78th Avenue to West 80th Avenue for the Construction of Approximately 1,300 Linear Feet of 8 Foot Wide Sidepath and/or Related Improvements as Part of the Alkire Sidepath Tap Grant Project, Project No. 20-ST-26; CB22-065, An Ordinance Annexing Certain Land into the City of Arvada for Union Estates Property, a 2.11- Acre Parcel of Land Approximately Located at 12016 West 82nd Avenue; CB22-066, An Ordinance Rezoning Certain Land Within the City of Arvada, Union Estates Property, from Jefferson County A-2 (Agricultural 2) to City of Arvada RN-7.5 (Residential Neighborhood 7.5) and Amending the Official Zoning Maps of the City of Arvada, Colorado, Generally Located at 12016 W 82nd Avenue, be approved on first reading, ordered published in full, and a public hearing set for September 12, 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

9. Other – none
10. Public Hearings –
  - A. Ratification and Approval of CP 2021-0004 A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Comprehensive Plan to Incorporate the Square Lake Sub Area Plan

Mayor Williams opened the public hearing on CP2021-0004.

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

Councilmember Fifer moved that the Ratification and Approval of CP 2021-0004 A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Comprehensive Plan to

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Incorporate the Square Lake Sub Area Plan, be ratified and approved. This motion is based on the findings of fact adopted by the Planning Commission.

- B. CB22-054 An Ordinance Rezoning Certain Land Within the City of Arvada for Howard Ranch, a 13.11-acre Parcel of Land from City of Arvada RA- Residential Agricultural District to City of Arvada R6- Residential 6 District and Amending the Official Zoning Maps of the City of Arvada, Colorado, generally located at 14760 W 64th Ave (Ordinance No. 4811)

Mayor Williams opened the public hearing on CB22-054

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:

- Nathan Adams, representing applicant
- Dan Krause, representing applicant
- Dar Lon Chang, Arvada resident, in support
- Micah Braslawsky, Arvada resident, in opposition
- Heidi Burtoni, Arvada resident, in opposition
- Paul Gottler, Arvada resident, in opposition
- Gavin Malcolm, Thornton resident and employee of RedT, in support
- Tony Rawluk, Arvada resident, in opposition
- Mike Rawluk, Arvada resident, in opposition
- Gina Hallisey, Arvada resident, in opposition
- Mike Schweitzer, Arvada resident, in opposition
- Martha Johns, Arvada resident, in opposition
- Korey Kirchenman, Arvada resident, regarding good neighbor agreement
- Robert Olson, Arvada resident, in opposition
- Carrie Wernecke, Arvada resident, in support
- Ted Swenson, Arvada resident, in support
- Cavan Howard, Arvada resident, in support
- Fran Stellmnan, Arvada resident, in support
- Vernon Stellman, Arvada resident, in support
- Michael Lancto, Arvada resident, in opposition
- Rick Spedding, Arvada resident, in opposition
- Marty Rogers, Arvada resident, in opposition
- Jan Lesko, Arvada resident, in opposition
- Richard Kuberski, Arvada resident, in opposition
- Steven Maly, Arvada resident, in opposition
- Kevin Hyland, Arvada resident, in opposition
- Richard Bornhoft, Arvada resident, in opposition
- Tina Francone, Arvada resident, in support
- Ann Schweitzer, Arvada resident, in opposition
- Chris McGranahan, representing applicant

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Councilmember Jones moved that CB22-054, An Ordinance Rezoning Certain Land Within the City of Arvada for Howard Ranch, a 13.11-Acre Parcel of Land from City of Arvada RA - Residential Agricultural District to City of Arvada R6 - Residential 6 District and Amending the Official Zoning Maps of the City of Arvada, Colorado, generally located at 14760 W 64th Avenue, be approved on final reading, numbered 4811 and ordered published by title only This motion is based on findings of fact found on pages 9 and 10 of the Staff Report.

Mayor Williams offered a Friendly Amendment that there be no more than 54 dwelling units.

Mayor Pro Tem Jones accepted the Friendly Amendment.

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 –

Councilmember Simpson invited everyone to the movie in the park on Friday night at Majestic View Park. The movie will be “A Bug’s Life”.

Councilmember Simpson invited everyone to Arvada Days on Saturday, August 20 at Clerk Creek Valley Park from 11 a.m. to 3 p.m.

Councilmember Moorman invited everyone for ice cream and pie at Lake Arbor on Saturday August 27 from 3-5 p.m.

Councilmember Fifer said he would like to celebrate the local heroes that helped put out the recent fire on the west side of town.

Councilmember Fifer thanked the Air Modelers for being a great host to the DOT from Colorado, Utah and New Mexico, and said that they were able to fly drones all day on Thursday.

Councilmember Jones thanked Dean Haney and all of the first responders for their coordinated effort to contain a grass fire near Leyden Rock.

Councilmember Jones thanked the pool monitor who rescued a child at the Leyden Rock Pool.

14. City Manager Reports –

A. Mark Deven, City Manager, reviewed upcoming workshops.

15. City Attorney Reports – none

16. Adjournment at 9:30 p.m.

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*Marc Williams*

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Marc Williams, Mayor

SEAL:

*Kristen Rush*

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Kristen R. Rush, City Clerk



