



SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD JANUARY 11, 2021

1. Executive Session – Third Floor Conference Room – 4:30 p.m.

Mayor Williams, Mayor Pro Tem Miller, Councilmember Fifer, Councilmember Jones, Councilmember Marriott, and Councilmember Simpson were present in the Council Conference Room. Councilmember Ford was present via Zoom.

- A. Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Conditional Use Application Process Under the New Land Development Code
- B. Legal Advice and Personnel Matter, Pursuant to CRS 24-6-402(4)(b) and (f) Relating to the Contract for Judge Kurtz
- C. Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Equity Pay Analysis

Councilmember Simpson moved to go into Executive Session for Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Conditional Use Application Process Under the New Land Development Code; Legal Advice and Personnel Matter, Pursuant to CRS 24-6-402(4)(b) and (f) Relating to the Contract for Judge Kurtz; Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Equity Pay Analysis.

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 - 6:10 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 Jones, Councilmember Marriott and Councilmember Simpson were present in the council chambers. Councilmember Ford attended remotely via Zoom. 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 December 7, 2020, City Council Meeting

The minutes stand approved.

5. Swearing In Ceremony for Presiding Municipal Judge

Mayor Williams administered the Oath of Office to newly appointed Municipal Court Judge Kathryn Kurtz. Judge Kurtz's family was present for the swearing-in ceremony.

6. Presentations

- A. Michael McMahon, Arvada Parks Advisory Committee Member, presented the end of year report.

7. Public Comment - none

8. New Business

A. Consent Agenda

1. R21-001 A Resolution Authorizing a Third Addendum to Software License, Implementation and Support and Maintenance Agreement By and Between the City of Arvada and Advanced Utility Systems Corporation a Division of N. Harris Computer Corporation for Software Upgrade and Services in an Amount Not to Exceed \$52,500.00
2. R21-002 A Resolution Designating a Public Place for the Posting of Notice of Meetings for All Boards, Commissions, and Committees of the City Council of the City of Arvada for the Year 2021
3. R21-003 A Resolution Approving a Loan Agreement Between the City of Arvada Utilities Department, by and through the Water Fund and the City of Arvada Utilities Department, by and through the Solid Waste Fund
4. R21-004 A Resolution Authorizing an Agreement between the City of Arvada and Schaefer Systems International, Inc. for Waste and Recycling Carts and Associated Services in an Amount Not to Exceed \$2,600,000.00 in the First Year
5. R21-005 A Resolution Authorizing an Agreement between the City of Arvada and FirstBank for Provision of Loans Through the Essential Home Repairs Program
6. R21-006 A Resolution Authorizing Change Order No. 1 to an Agreement by and between the City of Arvada and Iron Woman Construction and Environmental Services, LLC in the Amount of \$1,600,000.00 for the Ralston Trunk Sewer Replacement – Independence St. to Simms St. Project, Project No. 17-SR-06
7. R21-007 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$365,125 to M-B Companies, Inc. for the Purchase of a Paint Truck

8. R21-008 A Resolution Authorizing an Employment Agreement by and between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge

Councilmember Marriott moved to remove item 8.A.8. from the agenda and vote on it separately.

The following votes were cast on the Motion:

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

The Motion was Approved

Councilmember Marriott moved that R21-001, A Resolution Authorizing a Third Addendum to Software License, Implementation and Support and Maintenance Agreement By and Between the City of Arvada and Advanced Utility Systems Corporation a Division of N. Harris Computer Corporation for Software Upgrade and Services in an Amount Not to Exceed \$52,500.00; R21-002, A Resolution Designating a Public Place for the Posting of Notice of Meetings for All Boards, Commissions, and Committees of the City Council of the City of Arvada for the Year 2021; R21-003, A Resolution Approving a Loan Agreement Between the City of Arvada Utilities Department, by and through the Water Fund and the City of Arvada Utilities Department, by and through the Solid Waste Fund; R21-004, A Resolution Authorizing an Agreement between the City of Arvada and Schaefer Systems International, Inc. for Waste and Recycling Carts and Associated Services in an Amount Not to Exceed \$2,600,000.00 in the First Year; R21-005, A Resolution Authorizing an Agreement between the City of Arvada and FirstBank for Provision of Loans Through the Essential Home Repairs Program; R21-006, A Resolution Authorizing Change Order No. 1 to an Agreement by and between the City of Arvada and Iron Woman Construction and Environmental Services, LLC in the Amount of \$1,600,000.00 for the Ralston Trunk Sewer Replacement – Independence St. to Simms St. Project, Project No. 17-SR-06; R21-007, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$365,125 to M-B Companies, Inc. for the Purchase of a Paint Truck, be approved.

The following votes were cast on the Motion

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

The Motion was Approved

8. R21-008 A Resolution Authorizing an Employment Agreement by and between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge

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

Councilmember Marriott moved that R21-008, A Resolution Authorizing an Employment Agreement by and between the City of Arvada and Kathryn C. Kurtz as Presiding Municipal Court Judge, with the amendment to Section 9.6 to read, Employee agrees to establish residence in the City within nine month from her first date of work as the Presiding Municipal Judge for the City.

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. R21-009 A Resolution Authorizing the Adoption of the Naming and Renaming of Public Spaces and Facilities Policy

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

Councilmember Marriott moved that R21-009, A Resolution Authorizing the Adoption of the Naming and Renaming of Public Spaces and Facilities Policy, be approved.

The following votes were cast on the Motion

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

The Motion was Approved

2. R21-010 A Resolution Establishing and Appointing Members to the 2021 Arvada Charter Review Committee

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

Councilmember Jones moved that R21-010, A Resolution Establishing and Appointing Members to the 2021 Arvada Charter Review Committee, 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. R21-011 A Resolution Authorizing the Submission by the City of Arvada of a Local Trails Partnership Program Application From Jefferson County Open Space for the Standley Lake Library Trailhead of the Rocky Mountain Greenway Trail Project

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

Councilmember Fifer moved that R21-011, A Resolution Authorizing the Submission by the City of Arvada of a Local Trails Partnership Program Application From Jefferson County Open Space for the Standley Lake Library Trailhead of the Rocky Mountain Greenway Trail Project, be approved.

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. CB21-001 An Ordinance Repealing and Reenacting Article II, Contractors, Etc., of Chapter 78, Public Improvements, of the Arvada City Code (Public Hearing to be set for January 25, 2021 at 6:15 p.m.)

2. CB21-002 An Ordinance Authorizing the First Amendment to the 2021 Operating and Capital Budget in the Amount of \$950,000.00 and Authorizing the First Amendment to the Intergovernmental Agreement By and Between the State of Colorado Acting By and Through the Department of Transportation and the City of Arvada Pertaining to the Signal Replacements at West 58th Avenue & Independence Street and West 86th Parkway & Kipling Street, Project No. 18-TC-03 (CDOT Project No. SHE M040-033 (SA22275)) (Public Hearing to be set for January 25, 2021 at 6:15 p.m.)
3. CB21-003 An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2020 (Public Hearing to be set for January 25, 2021 at 6:15 p.m.)
4. CB21-005 An Ordinance Amending and Adding Certain Sections of Chapter 70, Personnel Rules, of the Arvada City Code (Public Hearing to be set for January 25, 2021 at 6:15 p.m.)

Mayor Pro Tem Miller moved that CB21-001, An Ordinance Repealing and Reenacting Article II, Contractors, Etc., of Chapter 78, Public Improvements, of the Arvada City Code; CB21-002, An Ordinance Authorizing the First Amendment to the 2021 Operating and Capital Budget in the Amount of \$950,000.00 and Authorizing the First Amendment to the Intergovernmental Agreement By and Between the State of Colorado Acting By and Through the Department of Transportation and the City of Arvada Pertaining to the Signal Replacements at West 58th Avenue & Independence Street and West 86th Parkway & Kipling Street, Project No. 18-TC-03 (CDOT Project No. SHE M040-033 (SA22275)); CB21-003, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2020; CB21-005, An Ordinance Amending and Adding Certain Sections of Chapter 70, Personnel Rules, of the Arvada City Code, be approved on first reading, ordered published in full and a Public Hearing set for January 25, 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

9. Public Hearings - 6:15 p.m.

- A. CB20-032 An Emergency Ordinance Adopting the Floodplain Map Dated November 20, 2020, as the Official Floodplain Map of the City of Arvada, Superseding That Dated November 15, 2019, and Further Adopting the Flood Insurance Study ("FIS") and the Flood Insurance Rate Maps ("FIRM") Prepared By the Federal Emergency Management Agency ("FEMA") (Ordinance No. 4748)

Mayor Williams opened the public hearing on CB20-032.

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 CB20-032, An Emergency Ordinance Adopting the Floodplain Map Dated November 20, 2020, as the Official Floodplain Map of the City of Arvada, Superseding That Dated November 15, 2019, and Further Adopting the Flood Insurance Study ("FIS") and the Flood Insurance Rate Maps ("FIRM") Prepared By the Federal Emergency Management Agency ("FEMA"), be approved on final reading, numbered 4748 and published in full.

The following votes were cast on the Motion

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

The Motion was Approved

- B. Substantial Amendment to the 2020 Community Development Block Grant Annual Action Plan
 - 1. R21-012 A Resolution Approving the Submission of a Substantial Amendment to the 2020 Annual Action Plan for the Community Development Block Grant (CDBG) Program to Allocate Additional CDBG Funds Made Available Through the Coronavirus Aid, Relief and Economic Security Act (CARES Act)

Mayor Williams opened the public hearing on the Substantial Amendment to the 2020 Community Development Block Grant Annual Action Plan and R21-012.

Mark Deven, City Manager, reviewed these two items with council.

Councilmember Fifer moved that R21-012, A Resolution Approving the Submission of a Substantial Amendment to the 2020 Annual Action Plan for the Community Development Block Grant (CDBG) Program to Allocate Additional CDBG Funds Made Available Through the Coronavirus Aid, Relief and Economic Security Act (CARES 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

- 10. Workshop
 - A. E-mobility: Allowing Class I and Class II E-bikes and E-scooters on Arvada's Park and Open Space Trails

Adam Lind, Bicycle and Pedestrian Coordinator and Emily Sexton, Parks and Urban Design Manager, reviewed this item. Mr. Lind said the purpose of this workshop is to facilitate Council consideration of a policy change to either allow or prohibit electric scooters (e-scooter) and Class I and II electric bicycles (e-bikes) on Arvada's park and open space paved trails.

The City team has completed a study regarding the use of e-bikes and e-scooters and conducted an engagement process in order to receive input associated with the use of these devices on trails within City parks and open space areas. The first round of public engagement has been completed, which included in-person/online surveys and a public meeting to answer questions we received from survey input. Approximately 300 surveys were received.

As a result of this process, the City team recommends the development of a policy allowing Class I and Class II e-bikes and e-scooters on Arvada's park and open space trails. Future projects (etiquette campaign, speed limit signs, etc.) should be implemented in the future to keep trails safe and accessible to everyone. Feedback during the City Council Workshop will help City team refine the policy and prioritize future trail system improvements. The City team is working to reach a finalized policy change recommendation by the end of Q1 or beginning of Q2 2021 so that other city initiatives may be completed or refocused.

Next Steps: Public Meeting number two will be held to present results of public outreach and recommendations. The city team will coordinate with legal to bring back a draft policy for council to consider.

11. Public Comment - Five Minute Limit - none
12. City Council Reports –
 - A. Councilmember Marriott reported on the Metro Airport Roundtable monthly meeting.
 - B. Councilmember Marriott said that in light of the events in Washington D.C., he wanted to say that he is proud to serve with this council and encouraged state and federal entities to look at the local level to see how we do things here.
 - C. Councilmember Fifer reported on the recent DRCOG meeting and said that there should be more money coming for transportation projects.
 - D. Councilmember Simpson commended the Arvada Fire Chief for all of the department's work as well as their work on the vaccine roll out.
 - E. Councilmember Simpson said that Fire Station Number 3 will have a ground breaking ceremony on January 16.
 - F. Councilmember Ford thanked everyone that shopped the Arvada Center Fine Art Market.
 - G. Councilmember Ford said that she will have a virtual meet and greet on January 20.
 - H. Councilmembers discussed items they would like the charter review committee to consider.
13. City Manager Reports - none
14. City Attorney Reports - none
15. Adjournment at 8:30 p.m.

Marc Williams, Mayor

SEAL:

Kristen R. Rush, City Clerk