

City of Arvada

City Council Agenda

APRIL 3, 2023

CITY COUNCIL CHAMBERS

Regular Business

Councilmembers:

Marc Williams, Mayor
David Jones, Mayor Pro-Tem
Bob Fifer, At large
John Marriott, District 3
Randy Moorman, District 1
Lauren Simpson, District 2
Lisa Smith, At large

Staff Members Usually Present:

Lorie Gillis, City Manager
Linda Haley, Deputy City Manager
Don Wick, Deputy City Manager
Rachel Morris, City Attorney
Jacqueline Rhoades, Director of Public Works
Sharon Israel, Director of Utilities
Ryan Stachelski, Dir. of Community & Economic Development
Bryan Archer, Director of Finance
Gabriella Bommer, Director of Human Resources
Rob Smetana, Manager of City Planning & Development
Rachael Kuroiwa, Director of Communications & Engagement
Kristen Rush, City Clerk

Info: 720-898-7550

THIRD FLOOR CONFERENCE ROOM

EXECUTIVE SESSION

5:00 P.M.

Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to Gun Legislation

CITY COUNCIL MEETING – CITY COUNCIL CHAMBERS

6:00 PM

1. Call to Order - 6:00 PM
2. Moment of Reflection and Pledge of Allegiance - Councilmember Fifer
3. Roll Call of Councilmembers
4. Approval of Minutes
 - A. March 20, 2023 City Council Meeting
5. Recognitions and Communications
 - A. Proclamation for Child Abuse Prevention Month - Presented by Councilmember Marriott
6. Presentations
 - A. Arvada Parks Advisory Committee Park Naming Recommendations
7. Public Comment on Issues not Scheduled on Agenda - Three Minute Limit
8. New Business
 - A. Consent Agenda - None

B. Resolutions

1. R23-033, A Resolution Authorizing the Second Amendment to the Intergovernmental Agreement by and between the Urban Drainage and Flood Control District d/b/a Mile High Flood District and the City of Arvada Regarding Final Design and Construction of Drainage and Flood Control Improvements for the Little Dry Creek (ADCO) Tributary C at Lake Arbor (Presenter: Jacqueline Rhoades, Director of Public Works)
2. R23-034, A Resolution Authorizing Acceptance of an Intergovernmental Agreement Between Adams County and the City of Arvada for Mutual Aid for Street Outreach Services (Presenter: Don Wick, Deputy City Manager)

C. Ordinances (First Reading)

1. CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement by and between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs (Public Hearing to be set for April 17, 2023 at 6:15 p.m.)
2. CB23-008, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2023 (Public Hearing to be set for April 17, 2023 at 6:15 p.m.)

9. Other

10. Public Hearings - 6:15 PM - None

11. Public Comment - Five Minute Limit

12. Reports from City Council

A. Council Committee Reports

13. Reports from City Manager

A. Review of Future Workshops and Presentations

14. Reports from City Attorney

15. Adjournment



SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD MARCH 20, 2023

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

This Arvada City Council meeting was a hybrid meeting using webinar technology. Mayor Williams, Councilmember Marriott, Councilmember Fifer, Councilmember Moorman, and Councilmember Simpson 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, Councilmember Bob Fifer, Councilmember John Marriott, Councilmember Randy Moorman, Councilmember Lauren Simpson,.

Councilmember Fifer moved to excuse Mayor Pro Tem Jones and Councilmember Smith from the meeting.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

Also Present: Lorie Gillis, City Manager, Rachel Morris, City Attorney; Linda Haley, Deputy City Manager; Don Wick, Deputy City Manager, Bryan Archer, Director of Finance; Ryan Stachelski, Director of Community and Economic Development; Rachael Kuroiwa, Director of Communications and Engagement and Kristen Rush, City Clerk.

4. Approval of Minutes – March 6, 2023

The minutes stand approved.

5. Recognition and Communication –

A. Recognition of AJ DeAndrea by the Jeffco DeAngelis Foundation

The Jeffco DeAngelis Foundation presented the inaugural Community Safety Champion of the Year award to AJ DeAndrea of the Arvada Police Department.

6. Presentations – none

7. Public Comment – none

8. New Business

A. Consent Agenda –

1. R23-025 A Resolution Authorizing the Acceptance of Donations Made to the Majestic View Nature Center in 2022
2. R23-026 A Resolution Authorizing Change Order No. 4 to the Agreement Between the City of Arvada and A-1 Chipseal Company for the 2023 Street Chip and Slurry Seal Program, Project No. 23-ST-02
3. R23-027 A Resolution Authorizing the Issuance of a Purchase Order in an Amount Not to Exceed \$594,933.00 Annually to Thatcher Company, Inc. for the Purchase of 12.5% Sodium Hypochlorite Chemical for Water Treatment Plant Operations
4. R23-028 A Resolution Accepting A Special Warranty Deed From Urban Drainage and Flood Control District d/b/a Mile High Flood District to the City of Arvada for Property Near 15590 West 72nd Avenue
5. R23-029 A Resolution Authorizing a Three Month Extension of Two Leases By and Between the City of Arvada and the United States Postal Service For Lease of the Building at 5885 Allison Street and for Lease of the Parking Lot at 5886 Ammons Street

Councilmember Marriott moved that R23-025, A Resolution Authorizing the Acceptance of Donations Made to the Majestic View Nature Center in 2022; R23-026, A Resolution Authorizing Change Order No. 4 to the Agreement Between the City of Arvada and A-1 Chipseal Company for the 2023 Street Chip and Slurry Seal Program, Project No. 23-ST-02; R23-027, A Resolution Authorizing the Issuance of a Purchase Order in an Amount Not to Exceed \$594,933.00 Annually to Thatcher Company, Inc. for the Purchase of 12.5% Sodium Hypochlorite Chemical for Water Treatment Plant Operations; R23-028, A Resolution Accepting A Special Warranty Deed From Urban Drainage and Flood Control District d/b/a Mile High Flood District to the City of Arvada for Property Near 15590 West 72nd Avenue; R23-029, A Resolution Authorizing a Three Month Extension of Two Leases By and Between the City of Arvada and the United States Postal Service For Lease of the Building at 5885 Allison Street and for Lease of the Parking Lot at 5886 Ammons Street, be approved.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

B. Resolutions –

1. R23-030 A Resolution Authorizing an Amendment to an Intergovernmental Agreement by and Between the City of Arvada and the City and County of Denver, acting by and through its Board of Water Commissioners, to Accommodate Additional Temporary work by the Board at the Northwater Treatment Plant (Presenter: Sharon Israel)

Sharon Israel, Director of Utilities, reviewed this resolution with council.

Councilmember Marriott moved that R23-030, A Resolution Authorizing an Amendment to an Intergovernmental Agreement by and Between the City of Arvada and the City and County of Denver, acting by and through its Board of Water Commissioners, to Accommodate Additional Temporary work by the Board at the Northwater Treatment Plant, be approved.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

2. R23-031 A Resolution Authorizing a Colorado State Patrol Academy 2023 Agreement for Use of the Colorado State Patrol Academy Driving Track (Presenter: Aaron Jacks)

Aaron Jacks, Senior Assistant City Attorney, reviewed this resolution with council.

Councilmember Fifer moved that R23-031, A Resolution Authorizing a Colorado State Patrol Academy 2023 Agreement for Use of the Colorado State Patrol Academy Driving Track, be approved.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

3. R23-032 A Resolution Authorizing Acceptance of a License Agreement Between the Jefferson County Public Library and the City of Arvada for the Installation and Use of an External Camera (Laura Hemler)

Laura Hemler, Assistant City Attorney, reviewed this resolution with council.

Councilmember Fifer moved that R23-032, A Resolution Authorizing Acceptance of a License Agreement Between the Jefferson County Public Library and the City of Arvada for the Installation and Use of an External Camera, be approved.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

C. Ordinances (First Reading) – none

10. Public Hearings –

- A. CB23-005 An Ordinance Repealing and Reenacting Section 54-36, MTC Part 8 "Pedestrians" Amended, of Article II, Model Traffic Code, of Chapter 54, Motor Vehicles and Traffic, and Adding Section 62-52, Obstruction of Public Passageways, to Article II, Miscellaneous Offenses, of Chapter 62, Offenses (Ordinance No. 4838) (Presenter: Janelle Miller)

Mayor Williams opened the public hearing on CB23-005.

Janelle Miller, Assistant City Attorney, reviewed this ordinance with council.

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

Councilmember Simpson moved that CB23-005, An Ordinance Repealing and Reenacting Section 54-36, MTC Part 8 "Pedestrians" Amended, of Article II, Model Traffic Code, of Chapter 54, Motor Vehicles and Traffic, and Adding Section 62-52, Obstruction of Public Passageways, to Article II, Miscellaneous Offenses, of Chapter 62, Offenses, be approved on final reading, numbered 4838 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

- B. CB23-006 An Ordinance Amending Article IV - Liquor Tastings, of Chapter 6, Alcoholic Beverages, of the Arvada City Code (Ordinance No. 4839) (Presenter: Kylie Justus)

Mayor Williams opened the public hearing on CB23-006.

Kylie Justus, Assistant City Attorney, reviewed this ordinance with council.

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

Councilmember Moorman moved that CB23-006, An Ordinance Amending Article IV - Liquor Tastings, of Chapter 6, Alcoholic Beverages, of the Arvada City Code, be approved on final reading, numbered 4839 and ordered published by title only.

The following votes were cast on the Motion:

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

Those Absent: Jones, Smith

The Motion was Approved

11. Public Comment - Five Minute Limit – none
12. City Council Reports –
- A. Councilmember Moorman said that he will be holding his monthly coffee chat on March 31 from 2-4 p.m. at Sweet Bloom Coffee Roasters, 7745 Wadsworth Boulevard.
- B. Mayor Williams said that he attended the production of *A Book Club* at the Arvada Center and encouraged everyone to go see it.
13. City Manager Reports – none

14. City Attorney Reports – none
15. Adjournment at 6:30 p.m.

Marc Williams, Mayor

SEAL:

Kristen R. Rush, City Clerk



REPORT TO CITY COUNCIL

AGENDA ITEM
5.A.

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: Proclamation for Child Abuse Prevention Month - Presented by Councilmember Marriott

Report in Brief

City Council will designate the month of April 2023 as Child Abuse Prevention Month. Abbie Gass, Development Director for CASA (Court Appointed Special Advocates) of Adams and Broomfield Counties and Vicki Pyne, Program Director for CASA of Jeffco & Gilpin Counties will be present to accept the proclamations.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:
Toni Riebschlager, Law Office Administrator 3/16/2023
Laura Hemler, Assistant City Attorney 3/16/2023

Approved by:

Linda Haley, Deputy City Manager 3/16/2023
Rachel Morris, City Attorney 3/21/2023
Lorie Gillis, City Manager 3/21/2023

Enclosure, exhibits & attachments required to support the report

- WHEREAS,** although every child deserves to grow up in a nurturing environment, free from harm and fear, all children do not receive appropriate care; in fact, too many children become victims at the hands of abusive perpetrators; and
- WHEREAS,** Arvada has dedicated individuals and organizations who work daily to counter the problem of child abuse and to help parents obtain the assistance they need; and
- WHEREAS,** our community is stronger when all citizens become aware of child abuse prevention and become involved in supporting parents to raise their children in a safe and nurturing environment; and
- WHEREAS,** effective child abuse prevention programs, such as Ralston House, succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community; and
- WHEREAS,** it is up to us as a community to work tirelessly to end the abuse through awareness and action; and
- WHEREAS,** all citizens, community agencies, faith organizations and businesses will work to increase their efforts to support families;

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and the Arvada City Council hereby designate the month of April 2023 as CHILD ABUSE PREVENTION MONTH. We encourage all Arvada citizens to join in renewing our commitment to preventing child abuse and learning what we can do to promote the safety and well-being of children. Every responsible person will agree that even one abused child is too many.

Dated this 3rd day of April, 2023

Marc Williams, Mayor

David Jones, Mayor Pro Tem

Bob Fifer, Councilmember

John Marriott, Councilmember

Randy Moorman, Councilmember

Lauren Simpson, Councilmember

Lisa Smith, Councilmember



REPORT TO CITY COUNCIL

AGENDA ITEM
6.A.

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: Arvada Parks Advisory Committee Park Naming Recommendations

Report in Brief

The City of Arvada's newest park is located just north of the Van Bibber Creek Trail and southeast of the Ward Road and W. 58th Avenue intersection. Park amenities include a multi-use play field, a shade pavilion with picnic tables, new playground equipment, native vegetation and open space, direct access to the Van Bibber Creek Trail and more.

The Arvada Parks Advisory Committee (APAC) has developed a presentation with their recommended names for the new Arvada park. The purpose of this presentation is to share APAC's recommended names with the City Council and the community in advance of Council action to select a name.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Enclosure, exhibits & attachments required to support the report



Arvada Park Advisory Committee

Park Naming Recommendations

Arvada Park Advisory Committee Naming Subcommittee:

Jackie Marquis, Jeanne O'Connor, Madison Brannigan, Kristin Memmott, Grace Dowling

March 20, 2023

New Park Background

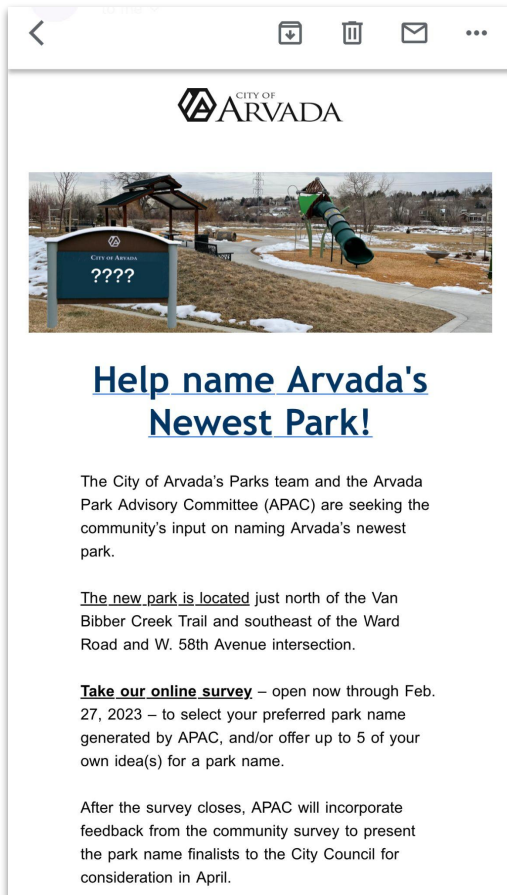
- Located north of the Van Bibber Creek trail and southeast of the Ward Rd. & W. 58th Ave. intersection
- Land surrounding the park to the north and east is the SaBell housing development, named after SaBell's Nursery that was previously located there
- Park amenities: multi-use play field, shade pavilion, playground, native vegetation and open space, pedestrian access to Van Bibber Trail



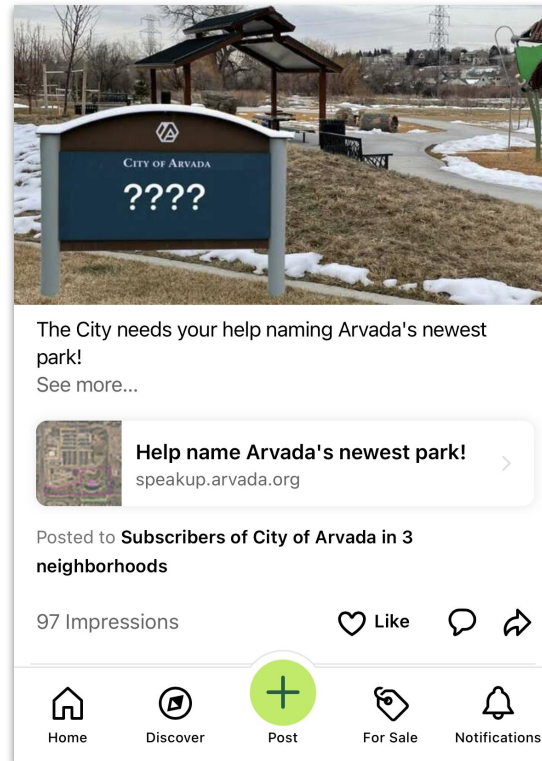
Engagement Tactics



Direct emails to area residents and businesses



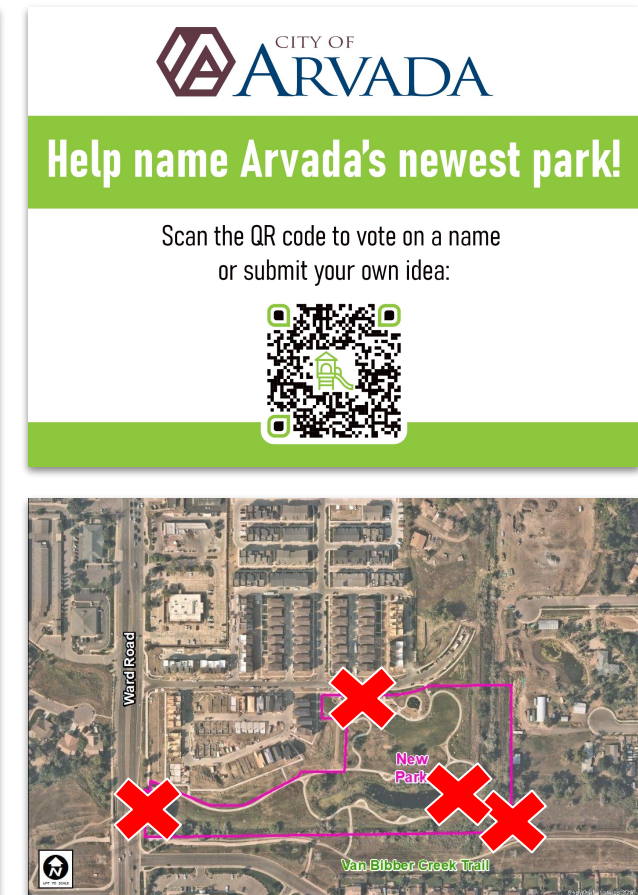
Targeted Next Door posts to area neighborhoods



Flyers handed out to local businesses

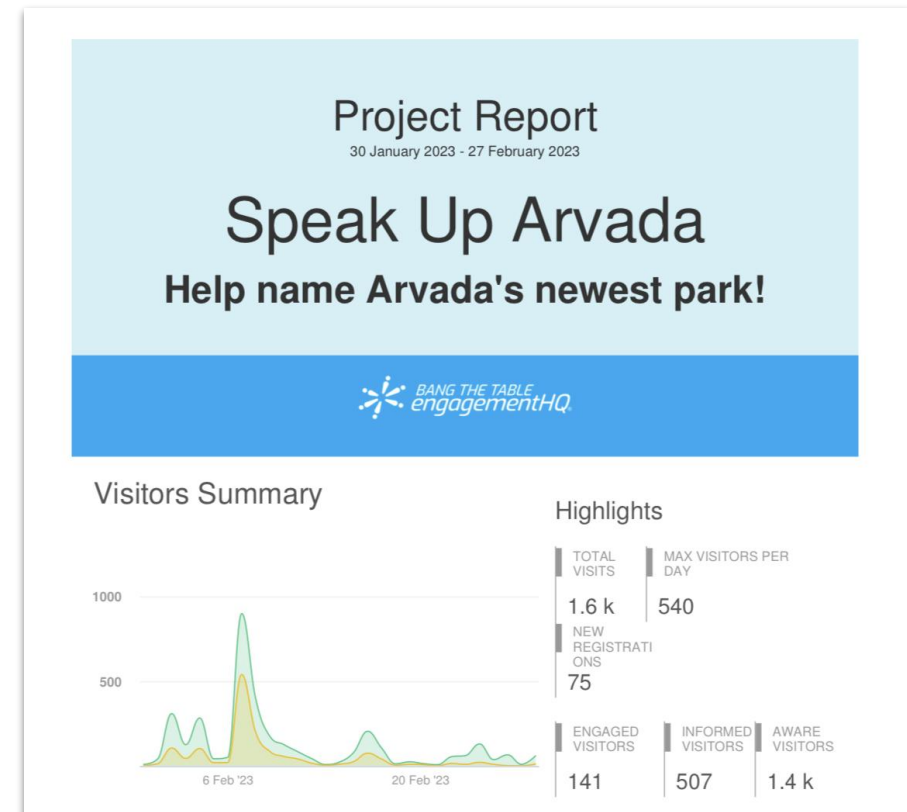


Yard signs posted in the park with QR codes



Survey Engagement

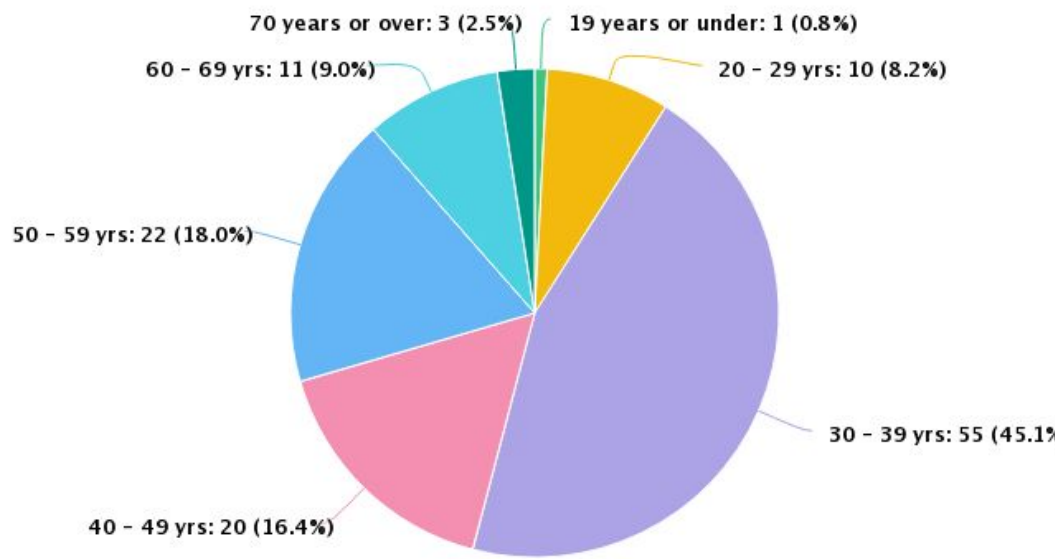
- Speak Up survey February 1 - February 27
- Project Awareness: **1,400** visits to the project page
- Informed Participants: **507** visitors opened survey
- Engaged Participants: **141** people engaged with the project (filled out the survey, submitted idea(s), and/or left comments)
- Engagement participation was higher than comparable surveys from 2022



Participants Demographics

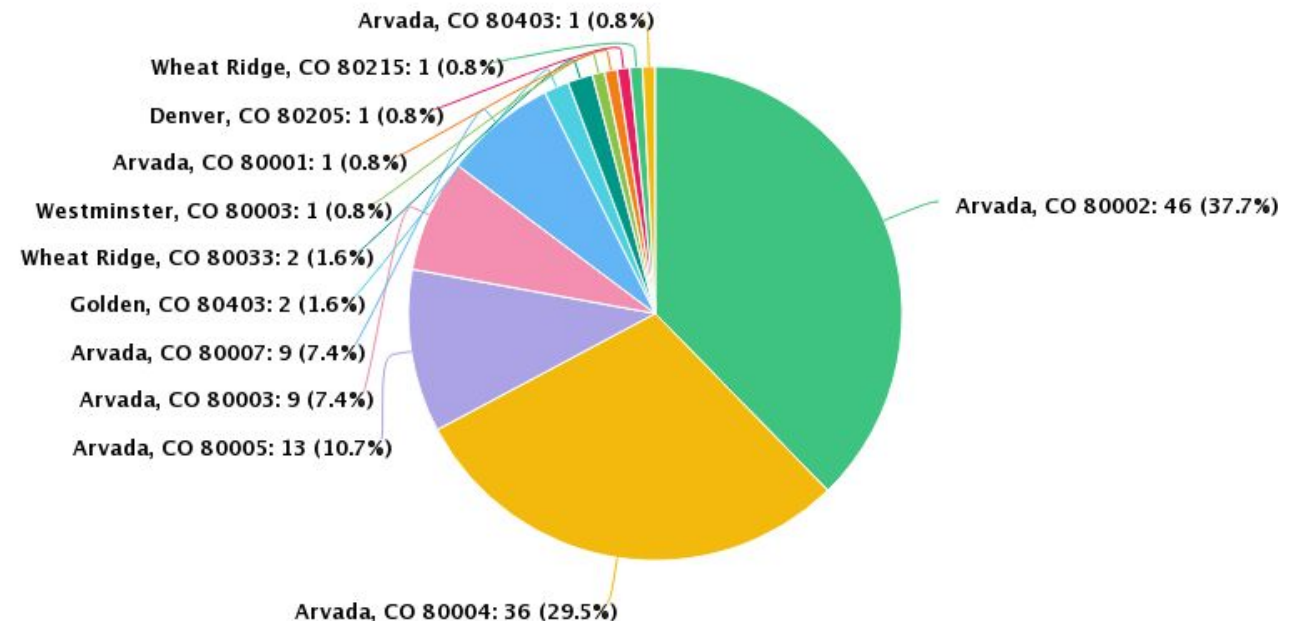
Age distribution

Highest rate of participation was age group 30-39 (45%), followed by 50-59 (18%)

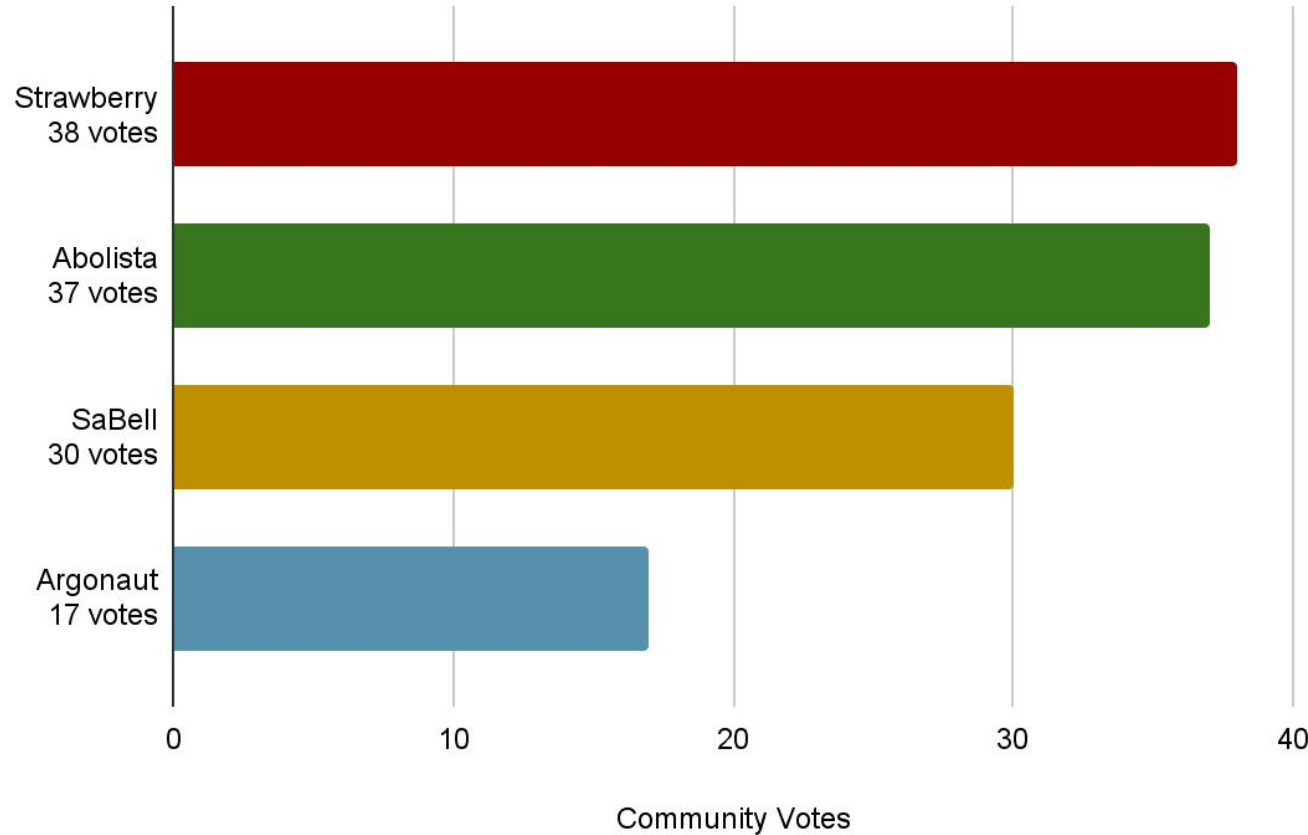


Location by zip code

67% of participants were from 2 zip codes located closest to the park (80002 & 80004)



Survey Results - APAC Proposed Names



Votes received by APAC's 4 proposed names:

- Strawberry: 38
- Arbolista: 37
- SaBell: 30
- Argonaut: 17

General Feedback From Participants



- 14 open-ended comments were submitted that included relevant feedback about the name of the park – separate from name idea submissions
- 9 supported a culturally diverse name – either in Spanish or related to Indigenous people or Native Americans
- 4 supported Strawberry as their favorite or second favorite
- Full Speak Up report available in agenda packet

APAC Park Recommendations

LITTLE RAVEN PARK

- Write-in from a local homeowner.
- Multiple requests to honor the indigenous tribes who lived here.
- Chief Little Raven was a strong leader known for his role in negotiating peace between several different groups throughout the Denver/Colorado area in the late 1800's.



“Regionally Chief Little Raven of the Arapaho tribe represented peace not only between natives and white settlers, but between the many native tribes that lived in the Denver area. It's a charming name that also doesn't clash with the playground equipment which is already in place...”

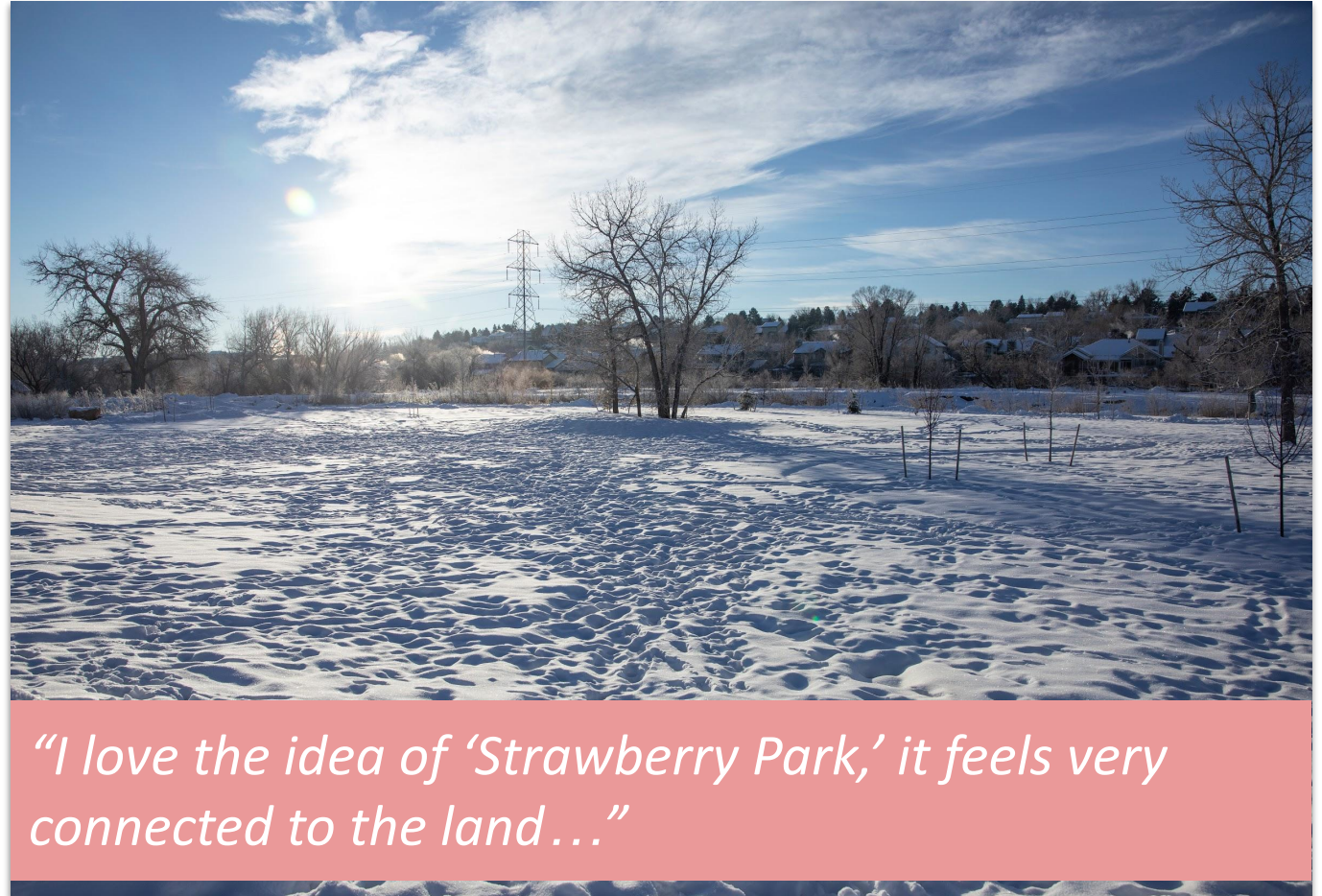
- Jennifer Roberts & Chris Dampf of 5700 Van Gordon St.

APAC Park Recommendations

STRAWBERRY PARK

- Top-voted for name of the ones we put forward on the survey.
- Name honors the landscape and history of crops originally grown along the creek*

*from PLAN Jeffco, a non-profit citizen organization based in Jefferson County that advocates for conservation of open space



"I love the idea of 'Strawberry Park,' it feels very connected to the land..."

APAC Park Recommendations

VISTA VERDE PARK

- Vista Verde was a write-in option - meaning "Green View Park"
- Several public comments appreciated having a name in Spanish and were in support of this.



"A lovely view of green trees, grass, mountains, etc."

APAC Park Recommendations



Little Raven Park (community member submission) - Chief Little Raven was a strong leader known for his role in negotiating peace between several different groups throughout the Denver/Colorado area in the late 1800's; there were multiple requests from the community to honor Native Americans or Indigenous people.

Strawberry Park (APAC submission) - the top-voted name among those proposed by the APAC naming subcommittee; the name honors the landscape and history of crops originally grown along the bordering Van Bibber Creek.

Vista Verde Park (community member submission) - Spanish for green view park; several community members expressed their support of a culturally diverse name.

Select your preferred park name

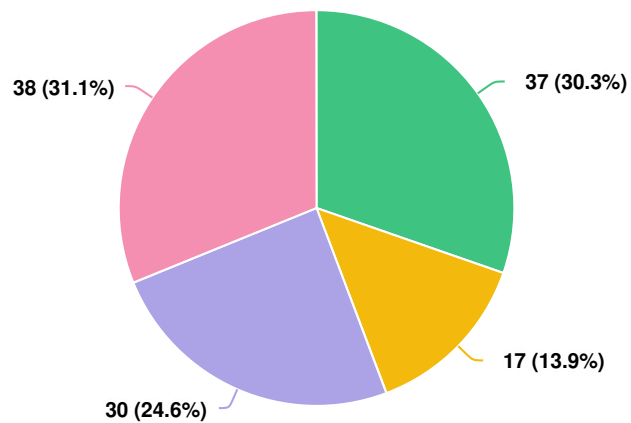
SURVEY RESPONSE REPORT

25 July 2018 - 01 March 2023

PROJECT NAME:

Help name Arvada's newest park!

Q1 Select your preferred park name



Question options

● Arbolista Park ● Argonaut Park ● SaBell Community Park ● Strawberry Park

Mandatory Question (122 response(s))

Question type: Radio Button Question

Project Report

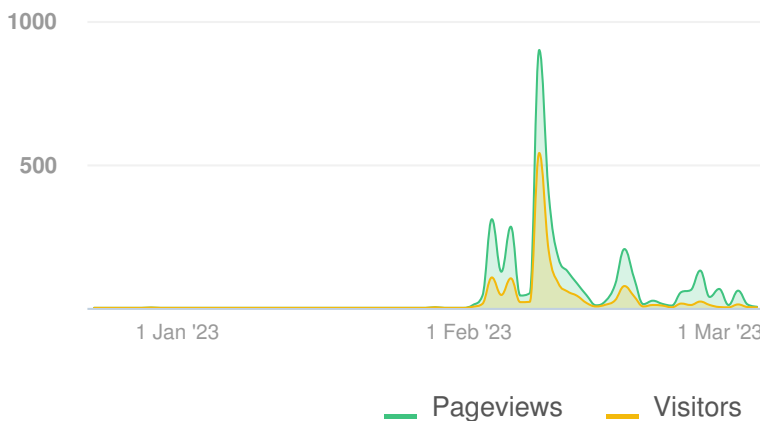
25 July 2018 - 01 March 2023

Speak Up Arvada

Help name Arvada's newest park!



Visitors Summary



Highlights

TOTAL VISITS	MAX VISITORS PER DAY	
1.6 k	540	
NEW REGISTRATIONS		
75		
ENGAGED VISITORS	INFORMED VISITORS	AWARE VISITORS
141	507	1.4 k

Aware Participants	1,386	Engaged Participants	141		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	1,386				
Informed Participants	507	Contributed on Forums	0	0	0
Informed Actions Performed	Participants	Participated in Surveys	122	0	0
Viewed a video	0	Contributed to Newsfeeds	0	0	0
Viewed a photo	17	Participated in Quick Polls	0	0	0
Downloaded a document	0	Posted on Guestbooks	0	0	0
Visited the Key Dates page	0	Contributed to Stories	0	0	0
Visited an FAQ list Page	0	Asked Questions	0	0	0
Visited Instagram Page	0	Placed Pins on Places	0	0	0
Visited Multiple Project Pages	318	Contributed to Ideas	26	0	0
Contributed to a tool (engaged)	141				

IDEAS

Submit your idea for a park name

Visitors 104		Contributors 26	CONTRIBUTIONS 51
03 February 23	Joseph Becker	VOTES 0	Celery park Arvada was once known as the celery capital of the world, Not many people know that! With the city adding celery green to its official colors, I believe it could be a great opportunity to pay homage to that part of our history here in Arvada!
03 February 23	pandora6699@comcast.net	VOTES 1	Coyote Crossing Coyotes have lived in this area for decades. I reside nearby since the 70s and love listening to our resident pack hunting and communicating throughout the year. They're instrumental in controlling the rabbit and geese population. Let's acknowledge their continued benefit to our area as we encroach on their territory.
06 February 23	jesseseela	VOTES 1	Officer Dillon Vackoff memorial park
06 February 23	Wernerlg	VOTES 0	WernerHaven A fun place for the family to go enjoy arvada
06 February 23	Aphipps	VOTES 0	Verde Vista A lovely view of green trees, grass, mountains etc.

IDEAS

Submit your idea for a park name

06 February 23 CSells		SaBell Loop Park	Fun to say and sidewalk is a loop. It has the SaBell homes right next to it (the most frequent future visitors I'm assuming).
	VOTES 0		
06 February 23 Urbinakat		Officer Dillon Vakoff or Officer Gordon Beasley Park	In honor of our fallen Officers who made the ultimate sacrifice in the line of duty - May they never be forgotten.
	VOTES 4		
06 February 23 tacosalad1917		Black Kettle Park	https://en.m.wikipedia.org/wiki/Black_Kettle
	VOTES 0		
03 February 23 pandora6699@comcast.net		Coyote Crossing	Coyotes have lived in this area for decades. I reside nearby since the 70s and love listening to our resident pack hunting and communicating throughout the year. They're instrumental in controlling the rabbit and geese population. Let's acknowledge their continued benefit to our area as we encroach on their territory.
	VOTES 1		
06 February 23 Drew Willsey		Parky McParkface	As a hero of the Arvada community I felt that it was my duty and honor to submit what is the obvious and natural choice for a new park name. Thank you. You
	VOTES 4		
07 February 23 Rose367		Parky Mcparkface	As a born and raised Arvadan, I feel that this name is only right and will bring true joy to all citizens of Arvada
	VOTES 4		
07 February 23 thelocalchurchco		Orchard Park	It's a hybrid of both Van Bibber and SaBell's history. An orchard is a field of fruit trees. With VB being historically a farming land with strawberries and SB being a tree nursery, it's an honor to both of their legacies.
	VOTES 0		

IDEAS

Submit your idea for a park name

07 February 23 thelocalchurchco	Strawberry Fields Park
VOTES 0	
07 February 23 mmandl	Parky Mcparkface
VOTES 2	This would be the name to put Arvada back on the map
07 February 23 GEERADO	Parky McParkface
VOTES 3	
07 February 23 mtngrowngal	Ward Park
VOTES 0	
07 February 23 Sue Jupille	Parky McParkface
VOTES 1	
07 February 23 Arvada Native78	Parky McParkface
VOTES 0	
07 February 23 Community	Adrianne Gerlach Community Park
VOTES 1	A CO native, Adrianne was a 16 yr old award-winning western & wildlife artist with hydr ocephalus who spent over a year drawing 17 portraits (16 horses & 1 donkey) to raise f unds for Jeffco & Foothills Animal Shelter to help pay the vet costs of the abused horse s removed from a nearby ranch. She loved playing in Arvada's parks when she was yo ung.

IDEAS

Submit your idea for a park name

11 February 23 Dannyboy		Officer Gordon Beasley Park
	VOTES 1	As I grew up here in Arvada he was the SRO officer at Oberon middle school. I remember talking to him about his band. I remember him helping biking with students home from school. Overall he was inspiring and it would be an honor to what he has done for our community and our children to name this park after him.
14 February 23 DMD303		Bazinga Park
	VOTES 0	
15 February 23 pandora6699@comcast.net		Jim & Jean Scharfenberg Park
	VOTES 0	Jim and Jean were Arvada man and woman of the year in the past for their dedication to volunteering for different organizations such as the Arvada food bank and the tree sale each spring.
15 February 23 sunflower		Crippen Lawrence
	VOTES 0	According to the 1899 Willits Farm Map (inset attached) this land was originally owned by the Crippen Lawrence Investment Company.
15 February 23 LoveArvada		Vakoff Park
	VOTES 1	RIP Officer Vakoff
15 February 23 donkeykong570		Roy Halladay Park
	VOTES 0	an all-star park
16 February 23 Suzan		Horizon Park
	VOTES 0	

IDEAS

Submit your idea for a park name

25 February 23	Gordon Beesly
Chopper7272	
VOTES 0	He deserves an honor because he wasn't just a hero as a police officer but for the community. He is an inspiration to be a better community. His legacy is never forgotten

Q2 Have additional comments? Leave them for us here!

stephanie16

2/01/2023 12:04 PM

We should get a pool for the Sabell Community.

KKramerica

2/01/2023 12:54 PM

I prefer Wallace Park

Geopete

2/02/2023 10:03 AM

Are there any plans to build "big kid" or adult recreation facilities at the park? A basketball hoop would be a nice addition. The playground is great, but clearly designed for little kids.

Jennifer R.

2/02/2023 01:29 PM

My partner, Chris Dampf and I recently bought the model home across from the park at 5700 Van Gordon St. Thank you for asking for our input. We feel we are a bit late to the naming party but we're grateful to share some input. Arbolista Park is our least disliked. But we checked it because we had to check one. Our least favorite is SaBell. Nobody knows how to say SaBell for instance (where's the accent?) and besides that the development is already named after him and we feel that is plenty. He was a landscaper, not a veteran or an inventor or anything truly inspirational. But most importantly, as the mother and future stepmother of three girls, I'd love to get away from the tradition of naming things after dead white men as this country has quite a lot of that already. Along those lines, Van Bibber already has a giant park named after him and since Argonaut is tied to him as well I feel that is too much honor to bestow on someone about whom we know relatively little (lacking is information on his character and actual achievements.) And Strawberry Park is too elementary I think. There are no strawberries there when there totally could be so that would be odd. Easily fixed with patches all around but if that weren't part of the plan I'd steer away from the name. So to avoid being a person that shoots down all ideas without providing any, because that's not helpful, may we suggest a Native American name? Little Raven Park, for instance? Regionally Chief Little Raven of the Arapahoe tribe represented peace not only between natives and white settlers, but between the many native tribes that lived in the Denver area. It's a charming name that also doesn't clash with the playground equipment which is already in place. The pond and tall grasses of the park beg for a Native American name, much more than a literal gold digger's. Yes there is already a small stretch of road in Denver called Little Raven Street (just five blocks), but I feel this would be a compliment to that, especially given the man's lifetime achievements. Another Native American naming option could be Bear Dance Park. The Bear Dance was a Ute ceremony each spring to

welcome the local bears out of hibernation. The Utes shared this land with many other tribes. The dance has many legends behind it but some reports say it dates back to the 1500's and was performed at the first sound of thunder each spring for many days. Native American names are more inclusive and give honor after mistreatment and displacement. If not a name that honors a more significant part of the history of our area, then I would vote for something simple as a bird that frequents the pond or a tree that is currently growing there. But first and foremost we object to further honoring Mr. Van Bibber or Mr. Sabell as both have been sufficiently recognized already. Thank you, Jennifer Roberts & Chris Dampf Homeowners of 5700 Van Gordon St.

Niecee

2/02/2023 03:46 PM

2nd choice would be Strawberry Park

arvada old gal

2/03/2023 08:34 AM

It has a nice ring to it.

Jholtrop7

2/03/2023 07:04 PM

Promote our Hispanic heritage and trees in one go. Easy

Msmith21

2/05/2023 06:12 AM

thank you for doing the survey

Ahipps

2/06/2023 02:08 PM

I like the idea of having a park name in Spanish. To represent those Arvadans that are native Spanish speakers. And who doesn't like arborists and trees!

tacosalad1917

2/06/2023 06:40 PM

I think we have enough things named after white men so it would be nice to have a name that honored the actual land or the indigenous communities.

episkey

2/07/2023 03:38 PM

I think we have too many places named after dead people or millionaires. And I don't think we should name a park after a business, especially a business that doesn't even exist anymore. I love the idea of "Strawberry Park," it feels very connected to the land, and something perhaps the tribes native to our state may have called the area. (A source I wish we drew more on.)

Cmcm123

2/08/2023 11:52 AM

Just a cute memorable name. With most parks my kids and I make up more simple names like this.

RadArvad

2/08/2023 04:47 PM

I'd prefer a combination name: SaBell Arbolista Park to honor the tree nursery & Spanish heritage

Bbacon24

2/09/2023 04:39 PM

Love the idea of more Latinx/Spanish language representation!

Loscr4

2/09/2023 04:44 PM

I always feel community locations should carry meaning in names, meaning from their past. Plus this one rolls off the tongue best

Anna Reid

2/09/2023 07:46 PM

A Spanish name would be great! Arvada needs that. Strawberry park is also nice.

Apohl

2/15/2023 04:44 PM

Let's try not to name it after another white person

jsenochs

2/15/2023 05:13 PM

Since everyone will end up calling it SaBell Park, if that name is chosen, why not remove the "Community" to start with.

Muneca79

2/15/2023 09:14 PM

Second choice is strawberry

Hackberry Hill Neighbor

2/16/2023 10:30 AM

I would like to broaden the naming of parks to include culturally diverse names since Arvada has a very diverse history.

Meghan

2/16/2023 04:17 PM

2nd choice is arbolista

KAnderson

2/21/2023 12:17 PM

It'd be fun if the name was strawberry park and then if there were strawberry plants as well.

susan carl

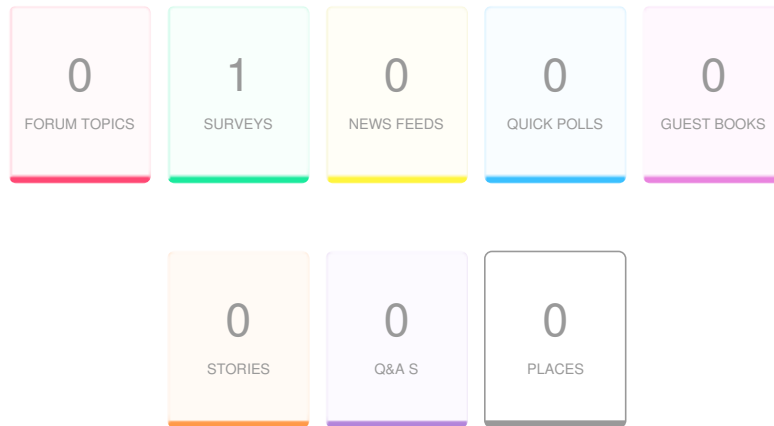
2/27/2023 04:14 PM

I think the first 3 names are kinda bad and not fun

Optional question (23 response(s), 99 skipped)

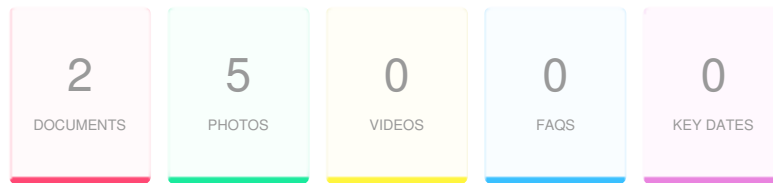
Question type: Essay Question

ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Select your preferred park name	Archived	389	122	0	0
Ideas	Submit your idea for a park name	Archived	104	26	0	0

INFORMATION WIDGET SUMMARY



Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Photo	Park slide and pavilion	13	14
Photo	Park pavilion in the snow	11	11
Photo	Park playground and path in the snow	9	9
Photo	Park path and trees in the snow	9	9
Photo	Park swings with nearby neighborhood buildings	9	9
Document	New Park Construction Document.pdf	0	0
Document	New Park Background & History.pdf	0	0



REPORT TO CITY COUNCIL RESOLUTION

AGENDA ITEM
8.B.1.

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: R23-033, A Resolution Authorizing the Second Amendment to the Intergovernmental Agreement by and between the Urban Drainage and Flood Control District d/b/a Mile High Flood District and the City of Arvada Regarding Final Design and Construction of Drainage and Flood Control Improvements for the Little Dry Creek (ADCO) Tributary C at Lake Arbor (Presenter: Jacqueline Rhoades, Director of Public Works)

Report in Brief

PRESENTER: Jacqueline Rhoades

Council action is requested on the attached Resolution Authorizing the Second Amendment to an Intergovernmental Agreement (IGA) between the Urban Drainage and Flood Control District d/b/a Mile High Flood District (MHFD) and the City of Arvada Regarding Funding of Final Design, Right-of-Way Acquisition, and Construction of Drainage and Flood Control Improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor as shown on Exhibit A of the attached Intergovernmental Agreement.

The Arvada team recommends that the City Council approve R23-033, A Resolution Authorizing the Second Amendment to 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 Final Design and Construction of Drainage and Flood Control Improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor.

Financial Impact

Financial Impact: \$1,000,000

This is a one-time request in 2023 for Project Design and Construction.

Funding Source: UT Storm System Maintenance and Flood Hazard Mitigation Fund

Type: CIP

Fund: Stormwater Fund, Project No. 99078

Future associated costs requiring Council action. Unknown at this time.

Background

At the request of the City of Arvada team, the Urban Drainage and Flood Control District d/b/a Mile High Flood District (MHFD) has asked for City participation in a jointly funded capital improvement project to address bank stabilization and flood control issues along Little Dry Creek (ADCO) Tributary C at Lake Arbor. Currently, MHFD holds approximately \$4,213,014, of which 85.17% was contributed by Arvada and 14.83% by MFHD.

This IGA as amended will contribute an additional \$1,000,000 from the City to cover the construction cost to complete the project. MHFD will manage the construction contract so Arvada's cost share will be paid into an MHFD escrow account.

Discussion

This IGA will help fund the City's planned improvements to Lake Arbor (Lake) that will stabilize the banks that have been eroded by wave action and stormwater runoff. The improvements will also include cleaning out the forebay located at the northwest corner of the Lake on the west side of the pavilion and installing a more robust stormwater control measure at the upstream end to capture sediment and floatables that are more easily accessible to maintenance crews. The Lake is part of the

SUBJECT: R23-033, A Resolution Authorizing the Second Amendment to the Intergovernmental Agreement by and between the Urban Drainage and Flood Control District d/b/a Mile High Flood District and the City of Arvada Regarding Final Design and Construction of Drainage and Flood Control Improvements for the Little Dry Creek (ADCO) Tributary C at Lake Arbor (Presenter: Jacqueline Rhoades, Director of Public Works)

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City of Arvada's Lake Arbor Park and is approximately 37 acres with about 1.2 miles of shoreline.

Arvada's share of the project cost described herein is funded by the Stormwater Utility Fee. Upon execution of the IGA, a total of \$1,000,000 from the Stormwater Fund will be transferred to MHFD to be held in a dedicated account to pay for construction as authorized by the City and the MHFD. The IGA includes conditions that govern project execution, construction management, maintenance of the improvements and floodplain regulation.

The construction costs from the original estimate varied due to the additional items:

- Installation of a concrete forebay at the northwest corner of the lake for stormwater pre-treatment and spillway repairs at the outlet - \$200,000
- Landscape and irrigation costs - \$400,000
- Repairs to the refill route - \$100,000
- Additional contingency - \$300,000

Public Contact

Posting of the City Council agenda

Commission Recommendation

N/A

Strategic Alignment

This action supports the principle for providing the community with a safe and well-maintained stormwater drainage system and aligns with the Infrastructure Priority Area of the City Council Strategic Plan. Being proactive to maintain flood protection measures in our major drainageways is an expectation and responsibility to our stormwater fee payers.

Alternative Courses of Action

Recommendation for Action

The Arvada team recommends that the City Council approve R23-033, A Resolution Authorizing the Second Amendment to 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 Final Design and Construction of Drainage and Flood Control Improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor.

Suggested Motion:

I move that R23-033, A Resolution Authorizing the Second Amendment to 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 Final Design and Construction of Drainage and Flood Control Improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor, be (approved) (rejected)

Prepared by:
Melanie Walter, Engineering Manager

SUBJECT: R23-033, A Resolution Authorizing the Second Amendment to the Intergovernmental Agreement by and between the Urban Drainage and Flood Control District d/b/a Mile High Flood District and the City of Arvada Regarding Final Design and Construction of Drainage and Flood Control Improvements for the Little Dry Creek (ADCO) Tributary C at Lake Arbor (Presenter: Jacqueline Rhoades, Director of Public Works)

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Reviewed by:

Approved by:

Jenny Wolfschlag, City Engineer	3/13/2023
Jacqueline Rhoades, Public Works Director	3/16/2023
Bryan Archer, Director of Finance	3/16/2023
Tammy Hedlund, Legal Specialist	3/16/2023
Jessica Morales, Assistant City Attorney	3/17/2023
Brad Moloney, Deputy City Attorney	3/20/2023
Rachel Morris, City Attorney	3/21/2023
Don Wick, Deputy City Manager	3/21/2023
Lorie Gillis, City Manager	3/21/2023

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R23-033

A RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT AND THE CITY OF ARVADA REGARDING FINAL DESIGN AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR THE LITTLE DRY CREEK (ADCO) TRIBUTARY C AT LAKE ARBOR

WHEREAS, the City of Arvada and the Mile High Flood District (the “District”) may enter into intergovernmental agreements pursuant to C.R.S. §§ 29-1-201 et. seq.; and

WHEREAS, the City of Arvada and the District previously entered into an Intergovernmental Agreement dated December 8, 2020, regarding design and construction of drainage and flood control improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor (the “2020 IGA”); and

WHEREAS, the City of Arvada and the District entered into the First Amendment to the 2020 IGA on December 19, 2022 to increase funding and to proceed with design and construction of drainage and flood control improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor; and

WHEREAS, the City of Arvada and the District wish to enter into Second Amendment to the 2020 IGA in order to increase funding for the construction of drainage and flood control improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. The Mayor or Mayor Pro Tem is authorized to sign and the City Clerk to attest, in form approved by the City Attorney, an Agreement, which is in substantially the same form as that attached hereto.

Section 2. This resolution shall be effective upon its approval by the City Council.

APPROVED AND ADOPTED this 3rd day of April, 2023.

ATTEST:

City Clerk

Marc Williams, Mayor

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney

By: _____

SECOND AMENDMENT TO
AGREEMENT REGARDING
DESIGN AND CONSTRUCTION
OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR
LITTLE DRY CREEK (ADCO) TRIBUTARY C AT LAKE ARBOR
CITY OF ARVADA

Agreement No. 20-05.09B
Project No. 108229

THIS SECOND AMENDMENT TO THE AGREEMENT (hereinafter called "SECOND AMENDMENT"), by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT D/B/A MILE HIGH FLOOD DISTRICT (hereinafter called "DISTRICT") and CITY OF ARVADA (hereinafter called "CITY") and collectively known as "PARTIES";

WITNESSETH:

WHEREAS, the PARTIES entered into "Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor" (Agreement No. 20-05.09) dated December 8, 2020 (hereinafter called "AGREEMENT"); and

WHEREAS, the PARTIES entered into the FIRST AMENDMENT to the AGREEMENT on December 19, 2022 to increase funding and to proceed with design and construction of drainage and flood control improvements for Little Dry Creek (ADCO) Tributary C at Lake Arbor (hereinafter called "PROJECT"); and

WHEREAS, the DISTRICT'S Board of Directors reviewed and authorized expenditures for the 2021 Maintenance Work Program (Resolution No. 66, Series of 2020); and

WHEREAS, the DISTRICT previously contributed \$380,000 of Maintenance funding towards the PROJECT; and

WHEREAS, the PROJECT includes capital improvement and maintenance repair elements; and

WHEREAS, the CITY desires to increase the level of funding by \$1,000,000.00; and

WHEREAS, the City Council of the CITY and the Board of Directors of the DISTRICT have authorized, by appropriation or resolution, all of the PROJECT costs of the respective PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the PARTIES agree as follows:

1. Paragraph 4. PROJECT COSTS AND ALLOCATION OF COSTS is deleted and replaced as follows:

4. PROJECT COSTS AND ALLOCATION OF COSTS

- A. PARTIES agree that for the purposes of this AGREEMENT, PROJECT costs shall consist of and be limited to the following:

1. Final design services;
2. Construction of improvements;
3. Contingencies mutually agreeable to PARTIES.

- B. It is understood that PROJECT costs as defined above are not to exceed \$5,213,014.00 without amendment to this AGREEMENT.

PROJECT costs for the various elements of the effort are estimated as follows:

<u>ITEM</u>	<u>AS</u> <u>AMENDED</u>	<u>PREVIOUSLY</u> <u>AMENDED</u>
1. Final Design	\$287,700.00	\$287,700.00
2. Construction	\$4,525,314.00	\$3,525,314.00
3. Contingency	\$400,000.00	\$400,000.00
Grand Total	\$5,213,014.00	\$4,213,014.00

This breakdown of costs is for estimating purposes only. Costs may vary between the various elements of the effort without amendment to this AGREEMENT provided the total expenditures do not exceed the maximum contribution by all PARTIES plus accrued interest.

- C. At the request of CITY, the following funds may be transferred to PROJECT from a separate special fund held by DISTRICT:

Transfer from: Leyden Creek at Indiana Street to 72nd Avenue

Account No. 60-05-75111-101477

Agreement No. 14-08.08

Amount: \$1,433,014.00 (CITY - \$716,507.00; DISTRICT - \$716,507.00)

- D. Based on total PROJECT costs, the maximum percent and dollar contribution by each party shall be:

CAPITAL IMPROVEMENT FUNDING					
	Percentage Share	Previously Contributed	Additional Contribution	Special Funds Transfer	Maximum Contribution
DISTRICT	14.83%	\$0	\$0	\$716,507.00	\$716,507.00
CITY	85.17%	\$2,400,000.00	\$1,000,000.00	\$716,507.00	\$4,116,507.00
TOTAL	100.00%	\$2,400,000.00	\$1,000,000.00	\$1,433,014.00	\$4,833,014.00

MAINTENANCE FUNDING				
	Percentage Share	Previously Contributed	Additional Contribution	Maximum Contribution
DISTRICT	100.00%	\$380,000.00	\$0	\$380,000.00
TOTAL	100.00%	\$380,000.00	\$0	\$380,000.00

TOTAL FUNDING			
	CAPITAL	MAINTENANCE	TOTAL CONTRIBUTION
DISTRICT	\$716,507.00	\$380,000.00	\$1,096,507.00
CITY	\$4,116,507.00	\$0	\$4,116,507.00
TOTAL	\$4,833,014.00	\$380,000.00	\$5,213,014.00

2. Paragraph 5. MANAGEMENT OF FINANCES is deleted and replaced as follows:

5. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may come from its own revenue sources or from funds received from state, federal or other sources of funding without limitation and without prior DISTRICT approval. Payment of each PARTY's full share (CITY - \$4,116,507.00; DISTRICT - \$1,096,507.00) shall be made to DISTRICT subsequent to execution of this AGREEMENT and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to CITY of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share

of such monies, which shares shall be computed as were the original shares; or at CITY request, CITY share of remaining monies shall be transferred to another special fund held by DISTRICT.

3. All other terms and conditions of the AGREEMENT and FIRST AMENDMENT shall remain in full force and effect.

WHEREFORE, the PARTIES hereto have caused this SECOND AMENDMENT to be executed by properly authorized signatories as of the date and year written below.

DATED this _____ day of _____, 2023.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT D/B/A
MILE HIGH FLOOD DISTRICT

By _____

Name Laura A. Kroeger

Title Executive Director

Checked By

CITY OF ARVADA

By _____

Name Marc Williams

Title Mayor

Attest: By _____
City Clerk

APPROVED AS TO FORM:

Rachel A. Morris, City Attorney

By: _____



REPORT TO CITY COUNCIL RESOLUTION

AGENDA ITEM
8.B.2.

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: R23-034, A Resolution Authorizing Acceptance of an Intergovernmental Agreement Between Adams County and the City of Arvada for Mutual Aid for Street Outreach Services (Presenter: Don Wick, Deputy City Manager)

Report in Brief

PRESENTER: Don Wick, Deputy City Manager

This IGA between Adams County and the City of Arvada will provide non-exclusive street outreach services to Arvada via the Adams County Community Safety and Well-Being Department. The street outreach team will provide services to the unhoused population in Arvada, specifically in the Olde Town area and along Clear Creek Trail in east Arvada, which extends into Adams County, although the street outreach team may provide services in other parts of the City upon request. The services that will be provided by the outreach team include the distribution of life-saving gear, community resource navigation, and referrals to homeless service providers.

The Arvada team recommends that the City Council approve R23-034, A Resolution Authorizing Acceptance of an Intergovernmental Agreement Between Adams County and the City of Arvada for Mutual Aid for Street Outreach Services.

Financial Impact

The cost of providing street outreach services by the Adams County Community Safety and Well-Being Department shall not exceed \$15000. This is an unfunded cost and will be paid for by combining funds from various departments to pay for the services.

Background

On February 6, 2023, the City Council approved R23-015, approving an MOU with Adams County to join the Adams County Homeless leadership team. This MOU provided the platform upon which the City of Arvada engaged with the Adams County Community Safety and Well-Being Department to provide street outreach services to the City of Arvada until such time as Arvada determines a long-term course of action for addressing street outreach and the unhoused in Arvada.

Arvada has an unhoused/homeless issue, especially in Olde Town Arvada, and along Clear Creek Trail east of Olde Town, which extends east into Adams County. Adams County has a robust homeless strategy that is in place and operating effectively. Arvada is in need of street outreach and because Adams County has a viable street outreach team, this IGA will provide the following services through the Adams County street outreach team:

Street Outreach Support. Adams County will respond to outreach requests from the City of Arvada and will strive to visit the outreach site within one (1) week. Normal hours of operation for County navigators are from 8:00 a.m. to 5:00 p.m. Monday through Friday, except on county-designated legal holidays.

Follow Up. After providing outreach services, Adams County navigators will follow up with the City and will provide updates and information on outreach efforts.

Staffing. Adams County will employ any and all personnel necessary to perform the duties and functions that are the

responsibility of the County under this Agreement and such employees will be employees of the County and not of Arvada. Arvada City employees, such as the homeless navigator and/or police co-responder team members may assist and accompany the Adams County street outreach team.

Fee Schedule. Arvada will pay the County \$40.00 per hour for services requested by Arvada and rendered by the County with a minimum of one (1) hour per outreach service. The total amount of compensation for the first year and any renewal term shall not exceed \$15,000.

Discussion

As the City of Arvada formulates its strategy for addressing the unhoused/homeless population in the City, Adams County has the capability of assisting the City with temporary street outreach services. The focus of these services will be in Olde Town as well as along the Clear Creek Trail east of Olde Town and into Adams County.

Street outreach is one of several strategies being considered and implemented by the City. Since a portion of Arvada is within Adams County and since the City of Arvada is part of the Adams County homelessness leadership team, the partnership with Adams County provides the opportunity for the City to have street outreach services available while longer term strategies are developed for addressing the unhoused/homeless issue.

Public Contact

The agenda which contains this resolution has been publicly posted.

Commission Recommendation

Strategic Alignment

CED SR2: By 12/24, implement a tool kit of housing mix and style plans to improve access to quality housing affordable for a broad range of income levels.

CED Milestone M2A: Determine additional related actions to address homelessness in Olde Town.

Alternative Courses of Action

Recommendation for Action

The Arvada team recommends that the City Council approve R23-034, A Resolution Authorizing Acceptance of an Intergovernmental Agreement Between Adams County and the City of Arvada for Mutual Aid for Street Outreach Services.

Suggested Motion:

I move that R23-034, A Resolution Authorizing Acceptance of an Intergovernmental Agreement Between Adams County and the City of Arvada for Mutual Aid for Street Outreach Services, be (approved) (rejected).

Prepared by:
Gail Walker, Legal Specialist-Contracts

Reviewed by:

Approved by:

SUBJECT: R23-034, A Resolution Authorizing Acceptance of an Intergovernmental Agreement Between Adams County and the City of Arvada for Mutual Aid for Street Outreach Services (Presenter: Don Wick, Deputy City Manager)

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Don Wick, Deputy City Manager 3/13/2023

Rachel Morris, City Attorney 3/21/2023

Lorie Gillis, City Manager 3/21/2023

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R23-034

A RESOLUTION AUTHORIZING ACCEPTANCE OF AN INTERGOVERNMENTAL
AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF ARVADA FOR
MUTUAL AID FOR STREET OUTREACH SERVICES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. The Mayor or Mayor Pro Tem is authorized to sign and the City Clerk to attest, in form approved by the City Attorney, an Intergovernmental Agreement, which is in substantially the same form as that attached hereto.

Section 2. This resolution shall be effective upon its approval by the City Council.

APPROVED AND ADOPTED this 3rd day of April, 2023.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney

By: _____

INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF ARVADA FOR MUTUAL AID FOR STREET OUTREACH SERVICES

THIS INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY, COLORADO AND THE CITY OF ARVADA FOR MUTUAL AID FOR STREET OUTREACH SERVICES ("Agreement") is made and entered into effective this ___ day of _____, 2023, by and between the Adams County Board of County Commissioners, located at 4430 South Adams County Parkway, Suite C5000A, Brighton, Colorado 80601 ("County"), on behalf of the Adams County Community Safety and Well-Being Department, and the City of Arvada, a Colorado home rule municipality with a principal place of business at 8101 Ralston Rd., Arvada, CO 80002 ("City" or "Arvada"). The County and the City may be collectively referred to herein as the "Parties."

WHEREAS, Adams County is a county of the State of Colorado that has been duly established and is operating pursuant to Colo. Const. art. XIV and Title 30 of the Colorado Revised Statutes (C.R.S.), as amended;

WHEREAS, the Poverty Reduction Unit is a team in the Department of Community Safety & Well-Being in the County that oversees Street Outreach activities;

WHEREAS, the City of Arvada is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of Arvada;

WHEREAS, pursuant to Colo. Const. art. XIV, § 18, and § 29-1-203, C.R.S., as amended, the County and the City are authorized to cooperate and contract with one another to provide any function, service, or facility lawfully authorized to each;

WHEREAS, the County and the City mutually desire to contract for Street Outreach services; and

WHEREAS, more specifically, the City seeks Street Outreach services upon Arvada's properties, which services will include the distribution of life-saving gear, community resource navigation, and referrals to homeless services providers.

NOW, THEREFORE, the County and the City, for the consideration herein set forth, agree as follows:

SECTION I – STREET OUTREACH SERVICES

A. Services; Location. As described in this Agreement and in Exhibit A, the County, through its Poverty Reduction Unit, shall provide non-exclusive Street Outreach services ("Services") for the City at its properties and facilities ("Properties"). Street Outreach services provided by the County to the City under this Agreement will be provided within the territory of the City of Arvada. The specific location(s) of Services to be provided throughout the Properties

and total weekly hours of Services shall be as set forth herein and in the Scope of Services, and as mutually coordinated and agreed upon by the Parties.

B. County Resources. The County's implementation of the Services shall not detrimentally affect the regular Street Outreach services provided by the Poverty Reduction Unit within Unincorporated Adams County or to other jurisdictions in Adams County. The County shall have no obligation to perform the Services pursuant to the Agreement, and may suspend or modify such Services temporarily or otherwise if, in the reasonable determination of the Adams County Community Safety & Well-Being Director, or their designee, it is determined that staffing levels are insufficient to provide adequate levels of service to the County while also providing the Services.

C. Changes to Scope of Services. A change in the Scope of Services shall not be effective unless authorized as an amendment to this Agreement.

D. Controlling Terms. In the event of any conflicts or inconsistencies between the terms and conditions contained in the body of this Agreement and those contained in the Exhibits, the terms and conditions contained in the body of this Agreement shall prevail and control.

E. Performance Standards. The County's provision of Services for the City shall at all times conform to this Agreement and the Scope of Services. The Services provided for the City will generally be, at a minimum, consistent with the Poverty Reduction Unit's adopted policies and standards. Further, the Services provided by the County for the City under this Agreement shall be provided to the City in a professional manner, and in compliance with all state, local, and federal laws.

F. Monitoring and Evaluation. The City reserves the right to monitor and evaluate the progress and performance of the County to ensure that the terms of this Agreement are being satisfactorily met in accordance with the City's and other applicable monitoring and evaluating criteria and standards. The County will cooperate with the City relating to such monitoring and evaluation.

SECTION II – RESPONSIBILITIES OF THE CITY

A. City Cooperation. The City shall provide information as reasonably necessary or requested by the County to enable its performance of the Services under this Agreement.

SECTION III – RESPONSIBILITIES OF THE COUNTY

A. Street Outreach Support. The County will respond to outreach requests from the City and strive to visit an outreach site within one (1) week. Normal hours of operation for County navigators are from 8:00 a.m. to 5:00 p.m. Monday through Friday, except on County-designated legal holidays.

B. Follow Up. After providing outreach services, County navigators will follow up with the City with updates and information on outreach efforts. If such updates and information include information about specific individuals, the parties shall ensure the necessary releases have been signed to authorize such exchange of information.

C. Staffing. The County will employ any and all personnel necessary to perform the duties and functions that are the responsibility of the County under this Agreement and such employees will be employees of the County and not of Arvada.

SECTION IV – PAYMENT AND FEE SCHEDULE

A. Fee Schedule. Arvada will pay the County \$40.00 per hour for Services requested by Arvada and rendered by the County with a minimum of one (1) hour per outreach service. The amount is based on Navigator salaries. For each subsequent Term that this agreement is renewed, the hourly rate may be renegotiated due to Navigator salaries. The total amount of compensation for the first year and any renewals term shall not exceed \$15,000 unless otherwise agreed upon by the parties.

B. Invoices. Itemized invoices for services performed under this Agreement will be submitted to Arvada by the County on a monthly basis. Payment of the invoices will be made by Arvada within thirty (30) days of the receipt thereof.

SECTION V – TERM AND TERMINATION

A. Term and Termination. The initial term of this agreement shall be for a period of one (1) year commencing on March 1, 2023 and terminating on February 29, 2024, and will automatically renew for four successive one-year terms according to the terms and conditions herein subject to termination for non-appropriation or termination pursuant to Section IX of this Agreement. Either party may terminate this Agreement upon thirty (30) days written notice. In the event of termination pursuant to this section, the Parties shall be liable to one another for Street Outreach Services actually performed.

B. No Multi-Year Fiscal Obligation. Financial obligations of Arvada payable after the current fiscal year are contingent on funds for that purpose being appropriated, budgeted, and otherwise made available by the City Council for Arvada. Arvada's obligations under the Agreement shall be from year to year only and shall not constitute a multiple-fiscal year direct or indirect debt or other financial obligation of Arvada within the meaning of Article X, Section 20 of the Colorado Constitution (TABOR).

SECTION VI – INDEPENDENT CONTRACTOR

In providing services under this Agreement, the County acts as an independent contractor and not as an employee of Arvada. The County shall be solely and entirely responsible for its acts and the acts of its employees, agents, servants, and subcontractors during the term and performance of this Agreement. No employee, agent, servant, or subcontractor of the County shall be deemed to be an employee, agent, or servant of Arvada because of the performance of any services or work under this Agreement. The County, at its expense, shall procure and maintain workers' compensation insurance and unemployment compensation insurance as required under Colorado law.

SECTION VII - NONDISCRIMINATION

The County shall not discriminate against any employee or qualified applicant for employment because of age, race, color, religion, marital status, disability, sex, or national origin. The Parties agree to post in conspicuous places, available to employees and applicants for employment, notices provided by the local public agency setting forth the provisions of this nondiscrimination clause.

SECTION VIII – INSURANCE

The County is a “public entity” within the meaning of the Governmental Immunity Act (“Act”) and shall at all times during the term of this Agreement maintain such liability insurance by commercial policy or self-insurance, as is necessary to meet its liabilities under the Act.

SECTION IX – TERMINATION

- A. For Cause: If through any cause, the County fails to fulfill its obligations under this Agreement in a timely and proper manner, or if it violates any of the covenants, conditions, or stipulations of this Agreement, Arvada shall thereupon have the right to immediately terminate this Agreement, upon giving written notice to the County of such termination and specifying the effective date thereof.
- B. For Convenience: Either party may terminate the Agreement at any time by giving written notice as specified herein to the other Party, which notice shall be given at least thirty (30) days prior to the effective date of the termination. If the Agreement is terminated by Arvada, the County will be paid in full for any services provided hereunder prior and up to the date of termination.

Any notices given under this Agreement are deemed to have been received and to be effective: (1) three (3) days after the same shall have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that a facsimile was received. For the purposes of this Agreement, any and all notices shall be addressed to the contacts listed below:

For the County:

Adams County Community Safety and Well-Being
Attn: Paolo Diaz
4430 S. Adams County Pkwy.
Brighton, CO 80601
Phone: 720.523.6815

With a copy to:

Adams County Attorney’s Office
4430 S. Adams County Parkway, Suite C5000B
Brighton, CO 80601

For the City:

City of Arvada
Attn: Don Wick
8101 Ralston Rd.
Arvada, CO 80002
Phone: 720.898.7000

With a copy to:
City of Arvada
Attn: City Attorney's Office
8101 Ralston Rd.
Arvada, CO 80002
720-898-7180

The parties may agree to delivery of notices via electronic mail.

SECTION X - MUTUAL UNDERSTANDINGS

A. Jurisdiction and Venue. The laws of the State of Colorado shall govern as to the interpretation, validity, and effect of this Agreement. The Parties agree that jurisdiction and venue for any disputes arising under this Agreement shall be with the 17th Judicial District, Colorado.

B. Compliance with Laws. During the performance of this Agreement, the Parties agree to strictly adhere to all applicable federal, state, and local laws, rules and regulations, including all licensing and permit requirements.

C. Assignability. Neither this Agreement, nor any rights hereunder, in whole or in part, shall be assignable or otherwise transferable by either party without the prior written consent of both Parties.

D. Waiver. Waiver of strict performance or the breach of any provision of this Agreement shall not be deemed a waiver, nor shall it prejudice the waiving party's right to require strict performance of the same provision, or any other provision in the future, unless such waiver has rendered future performance commercially impossible.

E. Force Majeure. Neither party shall be liable for any delay or failure to perform its obligations hereunder to the extent that such delay or failure is caused by a force or event beyond the control of such party including, without limitation, war, embargoes, strikes, riots, fires, floods, earthquakes, pandemics, or other acts of God.

F. Integration of Understanding. This Agreement contains the entire understanding of the Parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by the Parties hereto.

G. Paragraph Headings. Paragraph headings are inserted for the convenience of reference only.

H. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

I. Parties Interested Herein. Nothing expressed or implied in this Agreement is intended or shall be construed to confer upon or to give to, any person other than the Parties, any right, remedy, or claim under or by reason of this Agreement or any covenant, terms, conditions, or provisions hereof. All covenants, terms, conditions, and provisions in this Agreement by and on behalf of the County and the City shall be for the sole and exclusive benefit of the County and the City.

J. Severability. If any provision of this Agreement is determined to be unenforceable or invalid for any reason, the remainder of this Agreement shall remain in effect, unless otherwise terminated in accordance with the terms contained herein.

K. Authorization. Each party represents and warrants that it has the power and ability to enter into this Agreement, to grant the rights granted herein, and to perform the duties and obligations herein described.

L. Amendment. The Parties may amend or modify this Agreement only by written instrument validly executed by both Parties in a manner consistent with each Party's legal requirements.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

CITY OF ARVADA

Lorie B. Gillis, City Manager
City Manager's Office

ATTEST:

APPROVED AS TO FORM:

Rachel A. Morris, City Attorney

City Clerk

By: _____

**BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO**

Chair

Date

ATTEST:
JOSH ZYGIELBAUM
CLERK AND RECORDER

Approved as to form:

Deputy Clerk

Adams County Attorney's Office

EXHIBIT A TO THE INTERGOVERNMENTAL AGREEMENT FOR MUTUAL AID BETWEEN ADAMS COUNTY AND THE CITY OF ARVADA FOR STREET OUTREACH SERVICES

SCOPE OF SERVICES

Overview.

As part of a regional and collaborative approach to street outreach, Adams County shall provide street outreach services for the City to the extent practicable based on available resources and emergency needs. Navigator(s) from the Poverty Reduction Unit will be called upon by the City with locations within the City limits where people experiencing homelessness need outreach services. All material operational decisions and components shall be coordinated with the City in good faith when necessary or requested. The intent is for the Navigator(s) to connect people experiencing unsheltered homelessness with life-saving gear, resources to improve their quality of life, and/or the tools to obtain stable housing.

Program Purposes.

- Connect people experiencing homelessness to life-saving programs and services including but not limited to cold weather shelter.
- Connect people experiencing homelessness with programs and services to improve their quality of life including but not limited to public benefits.
- Connect people experiencing homelessness to shelter and housing options they are eligible for including but not limited to safe outdoor spaces, tiny home villages, transitional housing, workforce housing, permanent supportive housing, other supportive housing, or assistance living.
- Encourage and empower people experiencing homelessness to access the programs and services necessary to improve their circumstances including but not limited to medical care, mental health support, or case management.
- Encourage and empower people experiencing homelessness to address situations preventing them from achieving stability including but limited to addressing warrants, past evictions, past foreclosures, or outstanding debts.
- Assist people experiencing homelessness navigate complicated systems to access programs and services.
- Advocate for underserved or historically ignored populations to promote equity.

Scope and Services

The County agrees to provide Street Outreach services to the City throughout the Term of this Agreement, and in conformity with all requirements and obligations of the Agreement and Exhibits attached thereto. Navigator(s) shall perform the following functions and duties to the City (“Services”):

- Provide people experiencing unsheltered homelessness with lifesaving food, water, hygiene supplies, and gear.
- Assist people experiencing unsheltered homelessness in accessing emergency shelter, transitional housing, permanent supportive housing, or assisted living when eligible.
- Enter client data into the Homeless Management Information System (HMIS) or Coordinated Entry (OneHome) when possible.
- Refer people experiencing homelessness in the City of Arvada that do not sleep in Arvada to the proper jurisdictional Navigator per the Adams County Street Outreach Roster and Jefferson County's equivalent.
- Help people experiencing homelessness access public benefits when eligible which may include serving as an authorized representative.
- Provide transportation assistance to people experiencing homelessness which may include distributing bus passes or dispatching Lyft rides.
- Help people experiencing homelessness set up appointments for public benefits, housing, medical care, or employment.
- Follow up with people experiencing homelessness as needed to ensure follow-through.
- Ensure help is promptly requested upon witnessing medical emergencies.



REPORT TO CITY COUNCIL ORDINANCE FIRST READING

**AGENDA ITEM
8.C.1.**

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement by and between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs (Public Hearing to be set for April 17, 2023 at 6:15 p.m.)

Report in Brief

In order to rehabilitate properties over 50 years old using U.S. Department of Housing and Urban Development ("HUD") funding, Arvada must consult with the Colorado State Historic Preservation Officer ("SHPO"). A programmatic agreement between the City of Arvada and SHPO expedites rehabilitation activities of properties over 50 years old.

The Arvada team recommends that the City Council approve CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement By and Between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs.

Financial Impact

There is no financial impact associated with the authorization of an intergovernmental programmatic agreement between the City of Arvada and SHPO.

Background

In accordance with Section I 04(g) of the Housing and Community Development Act of 1974 [42 U.S.C. 5304(g)], the City of Arvada as a U.S. Department of Housing and Urban Development Entitlement Community has assumed federal agency responsibility for compliance with Section I06 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470 et seq.] (Section 106).

The City of Arvada administers the HUD Community Development Block Grant (CDBG) program and has determined that implementation of CDBG programs may include activities, such as minor maintenance and repair programs, rehabilitation (multiple undertakings), demolition and new construction, which may have limited potential to affect Historic Properties and is required to consult with SHPO pursuant to 36 C.F.R. 800.14 of the regulations implementing Section 106.

SHPO consults must be conducted prior to conducting any and all work.

With no programmatic agreement in place with SHPO, each property is subject to an individual SHPO consultation that can take up to 30-days delaying projects.

The City of Arvada and the SHPO agree that HUD Programs shall be administered in accordance with listed stipulations to satisfy the Section 106 responsibilities of the City of Arvada and HUD. This agreement allows the City of Arvada to approve projects based on agreed upon stipulations set forth in Sec. 4.1 of the agreement without further consultation from SHPO, expediting project activities.

SUBJECT: CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement by and between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs (Public Hearing to be set for April 17, 2023 at 6:15 p.m.)

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ITEM: 8.C.1.

This agreement will be in force for a term of ten (10) years. The City of Arvada will file a report by March 31st on projects completed in the previous year to the SHPO.

Discussion

The Community Development Block Grant provides funding to support services for low to moderate income members of the community. The City of Arvada's primary activity is housing rehabilitation that provides necessary repairs to low to moderate income home owners of Arvada. The recommended action ensures housing rehabilitation activities are in compliance with Section 106 of the National Historic Preservation Act of 1966.

Public Contact

This item was posted to the City Council meeting agenda.

Commission Recommendation

N/A

Strategic Alignment

The recommended action facilitates the authorization of an intergovernmental agreement between the City of Arvada and SHPO supporting home rehabilitation activities. Therefore, this action aligns with the Community and Economic Development Priority Area of the City Council Strategic Plan, specifically the following principle:

Improve access to quality housing that is affordable to a broad range of income levels and provides resources, housing, and neighborhood assistance for Arvada residents, neighborhoods, property owners, and stakeholders.

Alternative Courses of Action

N/A

Recommendation for Action

The Arvada team recommends that the City Council approve CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement By and Between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs.

Suggested Motion:

I move that CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement By and Between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs, be (approved on first reading, ordered published in full, and a public hearing set for April 17, 2023 at 6:15 p.m.) (rejected).

Prepared by:

Nicholas Ashmore, Community Development Block Grant Coordinator

Reviewed by:

Approved by:

SUBJECT: CB23-007, An Ordinance Authorizing an Intergovernmental Programmatic Agreement by and between the City of Arvada and the Colorado State Historic Preservation Officer ("SHPO") Regarding the Administration of U.S. Department of Housing and Urban Development ("HUD") Programs (Public Hearing to be set for April 17, 2023 at 6:15 p.m.)

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Carrie Espinosa, Manager of Housing Preservation and Resources	3/14/2023
Ryan Stachelski, Director of Community and Economic Development	3/15/2023
Gail Walker, Legal Specialist-Contracts	3/15/2023
Kylie Justus, Assistant City Attorney	3/15/2023
Linda Haley, Deputy City Manager	3/15/2023
Rachel Morris, City Attorney	3/21/2023
Lorie Gillis, City Manager	3/21/2023

Enclosure, exhibits & attachments required to support the report

COUNCIL BILL NO. 23-007
ORDINANCE NO.

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL PROGRAMMATIC
AGREEMENT BY AND BETWEEN THE CITY OF ARVADA AND THE COLORADO
STATE HISTORIC PRESERVATION OFFICER (“SHPO”) REGARDING THE
ADMINISTRATION OF U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT (“HUD”) PROGRAMS

WHEREAS, Article XIV, Section 18(2) of the Constitution of the State of Colorado encourages and authorizes intergovernmental agreements; and

WHEREAS, in order to rehabilitate certain properties using federal HUD funding, Arvada must consult with the SHPO; and

WHEREAS, prior to consulting with Arvada, SHPO requires the execution of a programmatic agreement with the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. The Mayor, or the Mayor Pro-tem, is hereby authorized to execute, the City Clerk to attest, in form approved by the City Attorney, the attached Intergovernmental Programmatic Agreement with the SHPO, which is substantially the same as the Agreement attached hereto.

Section 2. This ordinance shall be effective five days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 3rd day of April, 2023.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2023.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney:

BY: _____

Publication Dates: April 6, 2023

**AN INTERGOVERNMENTAL PROGRAMMATIC AGREEMENT BY
AND BETWEEN THE CITY OF ARVADA AND THE COLORADO
STATE HISTORIC PRESERVATION OFFICER REGARDING THE
ADMINISTRATION OF U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT PROGRAMS**

1. **PARTIES.** This Intergovernmental Programmatic Agreement ("Agreement") is made by and between the City of Arvada ("the Entitlement Community") and the Colorado State Historic Preservation Officer ("SHPO").
2. **RECITALS AND PURPOSE.**

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") provides formula grant funding to cities and counties in Colorado and to the State of Colorado; and

WHEREAS, the City of Arvada is an Entitlement Community in Colorado; and

WHEREAS, due to its acceptance of federal environmental review responsibility, in accordance with Section 104(g) of the Housing and Community Development Act of 1974 [42 U.S.C. 5304(g)], the Entitlement Community has assumed federal agency responsibility for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470 et seq.] (Section 106); and

WHEREAS, the Entitlement Community administers HUD grant programs which may include, but are not limited to, the following programs (HUD Programs): (i) Community Development Block Grant Program; (ii) Special Projects Appropriated Under an Appropriations Act for HUD; and

WHEREAS, the Entitlement Community has determined that implementation of the HUD Programs may include activities, such as minor maintenance and repair programs, rehabilitation (multiple undertakings), demolition and new construction, which may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places (Historic Properties); and

WHEREAS, the Entitlement Community has determined that certain activities funded by the HUD Programs have limited potential to affect Historic Properties and has consulted with SHPO pursuant to 36 C.F.R. 800.14 of the regulations implementing Section 106; and

WHEREAS, the Entitlement Community acknowledges the importance of compliance with 36 C.F.R. Part 800, et al. regarding mandatory consulting and has implemented the policies and procedures contained herein regarding such consultation including consultation with SHPO; and

WHEREAS, pursuant to 36 C.F.R. 800.14(b) the Entitlement Community will notify the Advisory Council on Historic Preservation (ACHP) of its intention to enter into a programmatic agreement and submit this Agreement for review and consultation; and

WHEREAS, pursuant to 36 C.F.R. 800.14(b), the Entitlement Community has submitted this Agreement for review and consultation to the Indian Tribes (Exhibit B) that attach traditional religious and cultural significance to historic properties that may be affected by the Entitlement Community undertakings and has received responses that have been used to revise this Agreement. The Entitlement Community recognizes the unique legal and political relationship the United States Government has with federally-recognized Indian Tribes, including government-to-government relationships, and consultation responsibilities as set forth in 36 C.F.R. Part 800, *et al.*

NOW, THEREFORE, the Entitlement Community and the SHPO agree that HUD Programs shall be administered in accordance with the following stipulations to satisfy the Section 106 responsibilities of Entitlement Community and HUD as follows:

- 3. CONTRACT DOCUMENTS AND EXHIBITS.** The Contract Documents shall consist of this Agreement together with the following:

Exhibit A Arvada and SHPO Contact List
Exhibit B Tribal Historic Preservation Contact List

4. TERMS AND CONDITIONS.

4.1 STIPULATED EXEMPTED ACTIVITIES.

4.1.1 Activities Not Requiring Review. The following proposed undertakings have limited potential to affect historic properties and may be approved by the Entitlement Community and/or HUD without further consultation with SHPO, Indian Tribes or ACHP:

4.1.1.1 General.

- 4.1.1.1.1** Projects on buildings less than fifty years old,
- 4.1.1.1.2** Projects on buildings fifty years old or older but that have been determined by SHPO within five years as not eligible for the National Register of Historic Places;
- 4.1.1.1.3** Refinancing; or
- 4.1.1.1.4** Leasing without rehabilitation or construction.

4.1.1.2 Site Work. (In the event that cultural resources, whether architectural or archeological, both historic or prehistoric, are encountered during a ground disturbing activity of a project, site work should be stopped, be safely secured, and the SHPO be contacted to determine appropriated historic impact and follow up to avoid, minimized and/or mitigate adverse effect).

- 4.1.1.2.1** Installation or repair of retaining walls, driveways, curbs and gutters, and parking areas. However, repair of existing rock retaining walls is not an exempt undertaking;

- 4.1.1.2.2 Installation or in-kind repair/replacement of brick or stone sidewalks and alleys;
- 4.1.1.2.3 In-kind repair/replacement of site improvements, including, but not limited to fences, retaining walls, landscaping and steps not attached to any building;
- 4.1.1.2.4 Installation, repair or replacement of gas, sanitary and storm sewer, water, electrical, cable or underground utilities within previously developed land and public rights-of-way.
- 4.1.1.2.5 Installation, repair or replacement of park and playground equipment, excluding buildings; or
- 4.1.1.2.6 Installation of temporary construction-related structures such as scaffolding, screening, fences, protective walkways or dust hazard containment enclosures.

4.1.1.3 Exterior Rehabilitation.

- 4.1.1.3.1 Installation of exterior storm windows and storm doors, provided they conform to the shape and size of the historic windows and doors, and that the meeting rails of storm windows coincide with that of existing sash;
- 4.1.1.3.2 Removal of exterior paint by non-destructive means, provided that the removal method on buildings and components is consistent with provisions of HUD Office of Healthy Homes and Lead Hazard Control (24 C.F.R. Part 35) and EPA's Lead-Based Paint Renovation, Repair and Painting Program-RRP (40 C.F.R. Part 745).
- 4.1.1.3.3 Application of exterior paint and caulking, other than on previously unpainted masonry;
- 4.1.1.3.4 Repair, installation, or partial in-kind replacement of existing porch elements such as columns, flooring, floor joists, ceilings, railings, balusters and balustrades, and lattice;
- 4.1.1.3.5 Maintenance, repair and in-kind replacement to code of roof shingles, roof cladding and sheeting, gutters, soffits, and downspouts with no change in roof pitch or configuration;
- 4.1.1.3.6 Weatherizing of historic doors and windows, including caulking, insulation and weather stripping of existing frames, and installation of clear glass in existing sashes.
- 4.1.1.3.7 Placement and installation of exterior HVAC mechanical units, vents and exterior electrical and plumbing modifications not on the front elevation;
- 4.1.1.3.8 Installation, replacement, or repair of basement bulkhead doors;
- 4.1.1.3.9 Installation of additional decorative or security lights as long as the installation does not damage historic

material; or

- 4.1.1.3.10** Securing or mothballing a property by boarding over window and door openings, making temporary roof repairs, and/or ventilating the building, in accordance with Preservation Brief 31: Mothballing Historic Buildings (NPS, Sept. 1993).

4.1.1.4 Interior Rehabilitation

- 4.1.1.4.1** Installation, replacement, upgrade or repair of plumbing (including non-historic bath and kitchen fixtures, cabinetry and appliances), HVAC systems and units, hot water heaters, electrical and fire protection systems-provided no structural alterations are involved;
- 4.1.1.4.2** Repair or partial in-kind replacement of historical interior surface treatment such as floors, walls ceilings, plaster and woodwork. If covering historic features, such as wood floors, carpet and other flooring shall be installed in a reversible manner (i.e. tacking or with an underlayment so historic floors shall not be irreversibly damaged);
- 4.1.1.4.3** Blow-in insulation in ceilings and attic spaces, or interior insulation of basement or crawlspace areas;
- 4.1.1.4.4** Restroom improvements for handicapped accessibility, including doorways, provided the work is contained within the existing restroom walls;
- 4.1.1.4.5** Installation or repair of concrete basement floor in an existing basement;
- 4.1.1.4.6** Structural repairs to sustain the existing structure that does not alter the existing building configuration; or
- 4.1.1.4.7** Lead, asbestos or other hazardous material abatement, remediation or mitigation that does not involve removal or alteration of interior historic features.

- 4.1.2** For the purposes of this Agreement, the term “in-kind replacement” is defined as installation of a new element that duplicates the material, dimensions, configuration and detailing of the original element, as explained and codified by the Secretary of the Interior’s Standards for Rehabilitation (36.CFR.67.5).

- 4.2 NON-EXEMPTED ACTIVITIES REQUIRING REVIEW.** All activities not identified in **Sec. 4.1** of this Agreement must be reviewed in accordance with 36 C.F.R. Part 800.

- 4.3 RESOLUTION OF ADVERSE EFFECTS.** Unless an undertaking is exempted as set forth in **Sec. 4.1** of this Agreement, the Entitlement Community shall consult with the SHPO to evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties pursuant to 36 C.F.R. 800.6(a). The

Entitlement Community shall also consult Indian Tribes that attach traditional religious and cultural significance to historic properties that may be affected by the undertakings.

4.4 ANNUAL REPORT. By March 31st of every year, the Entitlement Community will file a report on projects completed in the previous year to the SHPO which will include Project Address, Year Built, Nature of Work and referencing the appropriate exempted activity as detailed in **Sec. 4.1** of this Agreement.

4.5 DISCOVERIES AND UNFORESEEN EFFECTS. If, during the implementation of these programs, a previously unidentified property that may be eligible for inclusion in the National Register is encountered, or a known National Register historic property may be affected in an unanticipated manner, the Entitlement Community will assume its responsibilities pursuant to 36 C.F.R. Part 800.13(b).

5. GENERAL PROVISIONS.

5.1 AMENDMENT. Any party may request this Agreement be amended, whereupon the SHPO will consult with the other parties in accordance with 36 C.F.R. Part 800.14(b) to consider an amendment. Amendments will only be considered if made in writing and must be approved in writing by all parties to this Agreement to go into effect.

5.2 TERMINATION. Any party to this agreement may terminate its participation by providing thirty (30) days written notice to all other parties. In the event of termination, the terminating party will comply with 36 C.F.R. Sections 800.3 through 800.7 with respect to individual undertakings covered by this agreement. Termination by the SHPO will nullify this Agreement upon all parties.

5.3 TERM OF THE AGREEMENT. Following signature by the Entitlement Community and the SHPO, this Agreement will be binding on a party upon the date of its signature and shall be in force for a term of ten (10) years thereafter, unless the parties agree to extend it.

5.4 NOTIFICATION. Notification or other communication between parties to this agreement should be made in care of the addresses provided in Exhibit A.

5.5 EXECUTION AND IMPLEMENTATION of this Agreement evidences that the Entitlement Community and the SHPO have satisfied their responsibilities under Section 106 for undertakings funded by the HUD Programs. This Agreement may be executed in counterpart.

DATED this _____ day of _____, 2023.

CITY OF ARVADA, a Colorado
home rule municipal corporation

Marc Williams, Mayor
8101 Ralston Road
Arvada, CO 80002

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney

By: _____

COLORADO STATE HISTORIC
PRESERVATION OFFICER

EXHIBIT A

MAILING ADDRESSES OF SIGNATORIES

CITY OF ARVADA
Attn: Housing Manager
8101 Ralston Road Arvada, CO 80002

With a copy to:
City Attorney
8101 Ralston Road,
Arvada, CO 8002
rmorris@arvada.org

COLORADO STATE HISTORIC PRESERVATION OFFICE
History Colorado
1200 Broadway
Denver, CO 80203

ADVISORY COUNCIL ON HISTORIC PRESERVATION
401 F Street NW, Suite 308
Washington, D.C. 20001

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Regional Environmental Officer
U.S. Dept. Housing & Urban Development 1670 Broadway, 25th Floor
Denver, CO 80202-4801

CONTACT INFORMATION IF ARCHAEOLOGICAL RESOURCES ARE ENCOUNTERED:

Dr. Holly Norton, State Archaeologist
History Colorado
Office of the State Archaeologist
303-866-2736
Holly.norton@state.co.us

Exhibit B

Tribal Name	First Name	Last Name	Title	Street Address	City	State	Zip-Code	Work Phone	Fax Number	Email	THPO	URL	County Name	State Name
Apache Tribe of Oklahoma	Durell	Cooper	Chairman	PO Box 1330	Anadarko	OK	73005	(405) 247-9493	(405) 247-2763	durellcooper05@gmail.com	N	http://www.apachetribe.org/	Jefferson	Colorado
Arapaho Tribe of the Wind River Reservation	Lloyd	Goggles	Chairperson	PO Box 396	Fort Washakie	WY	82514-0396	(307) 332-6120	(307) 332-7543	lloyd.goggles@northernarapaho.com	N	http://www.northernarapaho.com/	Jefferson	Colorado
Arapaho Tribe of the Wind River Reservation	Ben	Ridgley	THPO	PO Box 676	St. Stevens	WY	82524	(307) 856-1628	(307) 856-4611	northernarapahothpo@gmail.com	Y	http://www.northernarapaho.com/	Jefferson	Colorado
Cheyenne and Arapaho Tribes	Reggie	Wassana	Governor	P.O. Box 38	Concho	OK	73022	(405) 422-7734	(405) 422-7417	ehamilton@c-a-tribes.org	N	www.c-a-tribes.org	Jefferson	Colorado
Cheyenne and Arapaho Tribes	Max	Bear	THPO	P.O. Box 38	Concho	OK	73022	(405) 262-0345	(405) 262-6872	mbear@c-a-tribes.org	Y			
Comanche Nation	Mark	Woommavovah	Chairman	PO Box 908	Lawton	OK	73502	(580) 492-4988	(580) 492-3796	mark.woommavovah@comanchenation.cc	N	www.comanchenation.com	Jefferson	Colorado
Comanche Nation	Martina	Minthorn	THPO	PO Box 908	Lawton	OK	73502	(580)595-9618	(580) 595-9733	martina.minthorn@comanchenation.com	Y	www.comanchenation.com	Jefferson	Colorado
Eastern Shoshone Tribe	John	St. Clair	Chairman	PO Box 538	Fort Washakie	WY	82514	307-332-3532	307-332-3055	jstclair@easternshoshone.org	N	https://easternshoshone.org/	Jefferson	Colorado
Eastern Shoshone Tribe	Joshua	Mann	THPO	PO Box 538	Fort Washakie	WY	82514	307-335-2081	307-332-3055	jmann@easternshoshone.org	Y	https://easternshoshone.org/	Jefferson	Colorado
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana	Michael	Blackwolf	THPO	656 Agency Main Street	Harlem	MT	59526-9455	(406) 353-2295	(406) 353-2889	mblackwolf@ftbelknap.org	Y	http://www.ftbelknap.org/	Jefferson	Colorado
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana	Jeffery	Stiffarm	President	656 Agency Main	Harlem	MT	59526-9455	(406) 353-8303	(406) 353-4541	jeffery.stiffarm@ftbelknap.org	N	http://www.ftbelknap.org/	Jefferson	Colorado
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation	Teanna	Limpy	THPO	PO Box 128	Lame Deer	MT	59043	(406) 477-4839	(406) 477-6388	Teanna.Limpy@cheyennenation.com	Y	www.cheyennenation.com	Jefferson	Colorado
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation	Serena	Wetherelt	President	PO Box 128	Lame Deer	MT	59043-0128	(406) 477-6284	(406) 477-6210	serena.wetherelt@cheyennenation.com	N	www.cheyennenation.com	Jefferson	Colorado
Southern Ute Indian Tribe of the Southern Ute Mountain Ute Tribe	Melvin	Baker	Chairman	PO Box 737	Ignacio	CO	81137	970-563-2992	970-563-2257	xwatts@southernute-nsn.gov	N	https://www.southernute-nsn.gov/	Jefferson	Colorado
Ute Mountain Ute Tribe	Terry	Knight	THPO	PO Box 468	Towaoc	CO	81334	970-564-5678	970-564-5401	tknight@utemountain.org	Y	http://www.utemountainutetribes.com/	Jefferson	Colorado
Ute Mountain Ute Tribe	Manual	Heart	Chairman	PO Box JJ	Towaoc	CO	81334	970-565-3751	970-564-5709	Manuel.Heart@utemountain.org	N	http://www.utemountainutetribes.com/	Jefferson	Colorado



REPORT TO CITY COUNCIL ORDINANCE FIRST READING

**AGENDA ITEM
8.C.2.**

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: CB23-008, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2023 (Public Hearing to be set for April 17, 2023 at 6:15 p.m.)

Report in Brief

The appropriation for the expenditure of funds from the 2022 budget lapsed on December 31, 2022. At the end of 2022, there were several projects/programs that had been approved, although not yet completed. In order to complete these projects, funds that were designated for these projects will now need to be carried over from the 2022 budget to the 2023 budget. These items total \$39,071,325. The majority of these carryovers are from the Enterprise funds for ongoing capital improvement projects.

Additionally, there are several items that need to be added to the 2023 budget. These items total \$25,144,786. \$15,509,184 of the total is related to Water Fund projects due to the 2022 Water Bond issue.

Finally, during the 2023 budget process, City team members identified a group of one-time items, that if there were additional funds available at the end of 2022, would be presented for approval. These items total \$1,502,700.

The Arvada team recommends that the City Council approve CB23-008, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2023.

Financial Impact

The overall increase in the 2023 appropriation is \$65,718,811, consisting of \$39,071,325 of carryover items, \$25,144,786 in new items and \$1,502,700 in one-time items. Sufficient revenues exist to cover each of the carry over of the new budget items. These budget items, if approved, will be incorporated into the 2023-2032 ten-year financial plan.

Background

See the attachment for a summary of these items by fund.

CARRYOVERS

GENERAL FUND

Organizational and Service Effectiveness

City Attorney's Office

Several trainings for City Attorney team members were canceled during 2022 and will be rescheduled in 2023. The request is to carry over \$15,000 for training.

Supplies were ordered in December 2022 but not received until January 2023, requesting \$766 to be carried over for these supplies.

The City Attorney's Office had estimated that certain litigation matters would occur in 2022. Some of this litigation will not happen until 2023, so the City Attorney's Office is requesting to carry over the remaining professional service funds of \$27,468.

City Manager's Office

Funds were set aside in 2022 for the DEI program and were not used. The City Manager's Office is requesting to carry over \$124,824 into 2023.

The new City website design project and hosting was budgeted in 2022 but not completed. The City Manager's office is requesting \$76,794 to be carried over into 2023 for this project.

Funds were budgeted in 2022 for an election, but were not used. The City Manager's office is requesting to carry over \$25,000 for the 2023 election.

Resilient Arvada Grants were not distributed in 2022, The City Manager's office is requesting to carry over \$15,000 into 2023.

Funds were budgeted in 2022 for the Community Emergency Response project and not completed. The City Manager's office is requesting to carry over \$2,500 into 2023.

Funds were budgeted in 2022 for a Legislative consultant. The consultant is now on board and the City Manager's office is requesting to carry over \$45,000 into 2023.

Furniture was ordered in 2022 for the City Manager and Deputy City Manager's offices and not received until 2023, the City Manager's office is requesting to carry over \$28,727 into 2023.

Funds were budgeted in 2022 for a loan for the Vance Street Flats Affordable Housing project. The loan was not executed until 2023. The City Manager's office is requesting to carry over \$200,000 into 2023.

Finance

Funds were set aside in 2022 for specialized reporting for the new report writing software that was implemented in 2021. The vendor is still working on completing some of the reports, so Finance is requesting to carry over \$22,000 for completion of the reports.

Funds were set aside in 2022 for the new lease accounting standard to be implemented during the 2022 reporting year. This work will be completed in 2023, so Finance is requesting to carry over \$9,394 to complete this implementation.

\$980,288 was received in 2022 due to the sale of the Denver Bronco's. Finance is requesting to carry over these funds for youth recreation related projects in 2023.

Human Resources

Human Resources was working on a shared work office space in 2022. This project was not completed in 2022 and Human Resources is requesting to carry over \$50,000 to complete the remodel.

Human Resources started a Foreman training program. This training was not able to be completed in 2022 and Human Resources is requesting to carry over \$28,448 to complete this training in 2023.

Human Resources started an Executive Cohort training program. This training was not able to be completed in 2022 and Human Resources is requesting to carry over \$50,000 to complete this training in 2023.

Information Technology

Funds were set aside in 2022 for SANS training, which did not take place until early 2023. Information Technology is requesting to carry over \$24,900 into 2023.

Funds were set aside in 2022 for consultants for several projects which were not completed. Information Technology is requesting to carry over \$38,150 into 2023 to complete these projects.

Funds were set aside in 2022 for ISP redundancy projects and were not completed. Information Technology is requesting to carry over \$39,360 to complete these projects.

Infrastructure

Funds were budgeted in 2022 for street light acquisition and pilot data collection projects and were not completed. Public Works is requesting to carry over \$165,989 into 2023 to complete these projects.

Community and Economic Development

Community and Economic Development is requesting to carry over \$20,000 for on-call pay for inspectors into 2023.

Safe Community

Public Safety

Temporary wages were budgeted in 2022 for firearms instructors and were not utilized. Public Safety is requesting to carry over \$28,669 into 2023 for firearms instructors.

Funds were budgeted in 2022 for armor, pepper balls, simm conversion kits, motorcycle helmets and uniforms but were not received. Public Safety is requesting to carry over \$53,026 into 2023 for these items.

Funds were set aside in 2022 for the Axon interview software project but was not completed. Public Safety is requesting to carry over \$77,044 into 2023 to complete this project.

A grant was received in 2022 for bullet proof vests. Public Safety is requesting to carryover over \$8,632 to purchase the vests in 2023.

Judicial

Judicial is requesting to carry over \$6,750 for software for probation assessments into 2023.

Funds were budgeted in 2022 for court appointed attorneys but not used. Judicial is requesting to carry over \$20,000 into 2023.

Funds were budgeted in 2022 for court security to move the metal detector to the entrance area of City Hall. This project was not completed in 2022. Judicial is requesting to carry over \$85,000 to complete this project in 2023.

STREET MAINTENANCE FUND

The 50/50 sidewalk replacement program is administered in the Street Maintenance fund. 2022 collections from this program amounted to \$15,607. The team requests to appropriate these funds in 2022 for street maintenance.

In 2021, the City received \$469,209 from the Highway Users Trust fund representing the City's share of American Rescue Plan Act (ARPA) funds received by the State. The team requests to appropriate these funds in 2023 for street maintenance.

EMERGENCY FUND

The City received \$10,383,800 in ARPA funds. \$5,296,529 of the funds have not been spent. The team is requesting to carry over these funds into 2023 to complete the ARPA funded projects.

PARKS FUND

A snow blower was ordered in 2022 but not received until 2023. Parks is requesting to carry over \$10,000 into 2023 for this equipment.

The demolition of the Fox House was approved in 2022 but not completed. The Parks team is requesting to carry over \$54,000 into 2023 to complete this project.

Two compressors were ordered in 2022 but not received until 2023. The Parks team is requesting to carry over \$50,877 into 2023 for this equipment.

The sustainability coordinator was approved in 2022. The parks team is requesting to carryover \$22,676 to construct office space and furniture for this position into 2023.

The update and printing of parks maps was contracted in 2022 but not completed until 2023. The Parks team is requesting to carry over \$10,128 into 2023 for this purchase.

Several ABI field groomers were ordered in 2022 but not received until 2023. The Parks team is requesting to carry over \$108,000 into 2023 for these purchases.

Funds for matching school grants were budgeted in 2022 but delayed until 2023. The Parks team is requesting to carry over \$16,301 into 2023 for these grants.

Water Fund

Programable Logic Controllers were ordered in 2022 but will not be received until 2023. The water fund is requesting to carry over \$7,735 into 2023 for this equipment.

Funds were budgeted in 2022 for new water valves. Due to supply chain issues these values were not received. The water fund is requesting to carry over \$300,000 into 2023 for these items.

Funds were budgeted for stone and concrete work which was not able to be completed due to supply chain issues. The water fund is requesting to carry over \$54,683 into 2023 for this work.

Funds were budgeted in 2022 for security items but not completed. The water fund is requesting \$200,000 to be carried forward to 2023 for this project.

Emergency pump equipment was ordered in 2022 and will be received in 2023. The water fund is requesting \$359,581 to be carried into 2023 for this equipment.

The water fund is requesting to carry over \$9,960,309 into 2023 for various capital improvement projects that are still in process. These projects relate to work that is being done for the water main replacement program, Castlegate water line replacement, treatment plant roof replacement, pumped zones storage tank and pump station, treatment plant clarifier rehabilitation, Canyon Pines pump station and various smaller projects.

Wastewater Fund

The Wastewater fund is requesting to carry over \$8,847,221 into 2023 for various capital improvement projects that are still in process. These projects relate to work that is being done for Ralston trunk sewer improvements, Wastewater CIPP and North trunk line improvements.

Stormwater Fund

The stormwater fund is requesting to carry over \$3,756,544 into 2023 for various capital improvement projects that are still in progress. These projects relate to work that is being done for Lake Arbor dredging, Bates Lake, and miscellaneous stormwater projects.

Golf Fund

The Golf fund is requesting to carry over \$80,000 into 2022 for the Lake Arbor improvements project that is still in process.

Insurance Fund

The Insurance fund had several liability claims in progress in 2022 that were not complete. The Insurance fund is requesting to carry over \$125,000 into 2023 for these claims.

Vehicle Fund

The Vehicle fund ordered several vehicles and equipment in 2022 that will not be received until 2023. The Vehicle fund is requesting to carry over \$1,829,696 into 2023 for these purchases.

Computer Fund

The Computer fund is requesting to carry over \$5,228,500 for various technology projects in process. These projects relate to work that is being done for server storage, ERP replacement, computer and plotter replacement, phone system replacement,

conference room technology, MARC core project and office and enterprise licenses.

NEW REQUESTS

General Fund

An increase of \$10,000 is being requested for wellness-related activities. This will be funded with funds received from UMR for wellness activities.

An increase of \$27,000 is being requested for increased costs related to the annual financial audit. This increase will be funded from the existing fund balance.

An increase of \$25,000 is being requested for AEDA's rent at the new AURA office building. This increase will be funded from the existing fund balance.

An increase of \$8,633 is being requested for opiate and nighthawk software. This increase will be funded by a grant received for this project.

Parks Fund

An increase of \$12,000 is being requested for Majestic View Nature Center programs. This increase will be funded by additional SCFD grant funds.

An increase of \$52,000 is being requested for a new articulating tractor for snow removal and planting trees. This increase will be funded by existing fund balance.

An increase of \$42,000 is being requested for three new ABI groomers for athletic fields. This increase will be funded by existing fund balance.

An increase of \$60,000 is being requested for a mini skid steer for forestry. This increase will be funded by existing fund balance.

Tax Increment .21 Fund

An increase of \$139,335 is being requested for safer street improved trash collection, catalytic converter theft prevention, load bearing vests and opiate and nighthawk software. This increase will be funded by grants received.

Capital Improvement Projects Fund

Each year as part of new construction, Park tap fees are collected with water taps. These fees are accumulated throughout the year and then transferred to the CIP to fund new park construction. The amount collected in 2022 was \$154,304. The team requests to appropriate these funds in 2023 for future park taps.

The Water fund provides revenue to CIP fund for irrigation improvements. In the early 1990's, a "3 cents per thousand gallons" calculation was created and collected by the Water fund. The amount collected in 2022 was \$193,740. The team requests to appropriate these funds in 2023 for future park taps.

Each year as part of new construction, Park development fees are collected. These fees are accumulated throughout the year in the CIP fund to fund new park construction. The amount collected in 2022 was \$765,607. The team requests to appropriate these funds in 2023 for future park projects and tree replacement.

Each year as part of new construction, Lands Dedicated fees are collected. These fees are accumulated throughout the year in the CIP fund to fund new park construction. The amount collected in 2022 was \$2,511,992. The team requests to appropriate these funds in 2023 for future parks projects.

Each year the City collects Adams County Transportation Tax revenue. This revenue is accumulated in the CIP to fund new traffic projects in Adams County. The amount collected in 2022 was \$302,112. The team requests to appropriate these funds in 2023 for future traffic projects.

Each year the City collects Adams County Open Space Tax revenue. This revenue is accumulated in the CIP to fund new parks projects in Adams County. The amount collected in 2022 was \$162,461. The team requests to appropriate these funds in 2023 for future park projects.

Each year, development fees for future street and traffic projects are collected in the CIP fund. The amount collected in 2022 was \$457,000. The team requests to appropriate these funds in 2023 for future street and traffic projects.

Each year, the City receives a public education and government (PEG) fee from cable franchising companies. The amount collected in 2022 was \$92,130. The team requests to appropriate these funds in 2023 for eligible PEG purchases.

In 2022, the City received \$980,288 from the sale of the Denver Broncos to be used for youth activities. The team is requesting to appropriate these funds in 2023 for three projects to improve ADA at Majestic View Nature Center, construct classrooms at Majestic View Nature Center and repairs at Lake Arbor pool.

An increase of \$3,000,000 is being requested for the replacement of the City's ERP system. This funding is currently in the Computer fund. This request moves this funding to the CIP fund for the project.

An increase of \$85,000 is being requested to move the Court room metal detector from the court room entrance to the Courts public entrance. This funding is currently in the General fund. This request moves the funding to the CIP fund for the project.

Water Fund

An increase of \$15,509,184 is being requested for various capital improvement projects. The funding for these projects is from the Water bond proceeds issued in 2022.

Community Development Fund

An increase of \$180,000 is being requested for the Housing strategy project. The funding for this project is from a grant received from DOLA.

ONE TIME REQUESTS

A number of one-time requests were presented during the 2023 budget process as items that the Arvada team would like to fund if there were savings in the General Fund budget at the end of 2022. The table below shows these items in descending order. Our team proposes to fund all of these items in 2023 as part of this budget ordinance.

Item	Amount
Cyber Security Software	\$ 125,000
Lobbyist	125,000
2nd floor City Hall remodel	240,000
Jefferson Center Withdrawal Management	110,000
VOI increase 2023	75,000
PD Travel to Washington DC for Public Safety Week	75,000
Courts Security to move metal detector to Courts City Hall entrance	175,000
City Attorney's Office Consultant	125,000
Community Wildfire Protection Plan project with Arvada Fire	35,000
Arvada Center Sign	300,000
Fox House demolition	17,700

Lake Arbor Golf Course Netting repair	30,000
Parks ADA Compliance	55,000
Sustainability project with AEDA	15,000
Total	\$ 1,502,700

Discussion

The recommended action will authorize the expenditure of resources that aligns to the City Council's direction. A total of \$39,071,325 of the requests as described are funded as carryover of unexpended resources approved as part of the 2022 operating and capital budget. A total of \$25,144,786 is funded by additional revenues, transfers from other funds or reserves within the various funds within our fully balanced ten-year financial models. Finally, there are one-time requests totaling \$1,502,700 that are funded by a combination of under expended 2022 appropriations and additional 2022 revenue over budgeted estimates.

If approved by the City Council, total appropriations for 2023 will be \$425,502,995 as presented in the Carryover Summary attachment included with this agenda item.

Public Contact

Posting of the City Council agenda.

Commission Recommendation

N/A

Strategic Alignment

The proposed action aligns with the Organizational and Service Effectiveness Priority Area within the City Council Strategic Plan by authorizing resources that will be administered by the Finance Department in accordance with applicable City Code and financial policies. Other Priority Areas that will be served through the recommended action include Safe Community, Infrastructure, Community and Economic Development and Vibrant Community and Neighborhoods.

Alternative Courses of Action

N/A

Recommendation for Action

The Arvada team recommends that the City Council approve CB23-008, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2023 and set the public hearing for April 17, 2023 at 6:15 pm.

Suggested Motion:

I move that CB23-008, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2023, be (approved on first reading, ordered published in full, and a public hearing set for April 17, 2023, at 6:15 p.m.) (rejected).

Prepared by:
Deb Nielson, Deputy Director of Finance

Reviewed by:

Approved by:

Jenna Belec, Executive Assistant	3/16/2023
Bryan Archer, Director of Finance	3/16/2023
Gail Walker, Legal Specialist-Contracts	3/17/2023
Laura Hemler, Assistant City Attorney	3/17/2023
Linda Haley, Deputy City Manager	3/17/2023
Rachel Morris, City Attorney	3/21/2023
Lorie Gillis, City Manager	3/23/2023

Enclosure, exhibits & attachments required to support the report

COUNCIL BILL NO. 23-008
ORDINANCE NO. 23-

AN ORDINANCE AUTHORIZING AN ADDITIONAL APPROPRIATION
FOR FISCAL YEAR 2023

WHEREAS, the City Council of the City of Arvada adopted Ordinance No. 4822 (Council Bill No. 22-074), which authorized the annual appropriation for Fiscal Year 2023; and

WHEREAS, Section 10.8(a) of the Arvada Home Rule Charter provides that City Council may make additional appropriations by Ordinance during the fiscal year for unanticipated expenditures required of the City; and

WHEREAS, the City Council of the City of Arvada finds that an additional appropriation is necessary in order for the City to meet unanticipated expenditures; and

WHEREAS, The City Council of the City of Arvada further finds that such additional expenses and budgeted expenses do not exceed budgeted revenues and reserves for Fiscal Year 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. The following sums of money as may be needed or deemed necessary to defray the expenses and liabilities of the City of Arvada are hereby appropriated for Fiscal Year 2023.

Fund	Revised Budget
General Fund	\$125,003,878
Grants Fund	\$184,481
Street Maintenance Fund	\$12,494,119
Community Development	\$1,504,709
Arvada Housing	\$5,939,660
ARPA	\$5,296,529
Parks Fund	\$13,819,942
Police Seizure Fund	\$30,312
Police Tax Increment .21	\$8,297,930
Police Tax Increment .25	\$10,148,513
COP Debt Service	\$3,277,985
Debt Service	\$5,363,782
Capital Projects Fund	\$22,106,232
Construction Fund	--

Water Fund	\$126,643,916
Wastewater Fund	\$39,709,929
Golf Course Fund	\$7,699,335
Stormwater Fund	\$9,219,839
Solid Waste Fund	\$4,585,779
Insurance Fund	\$3,491,302
Computers	\$12,673,739
Print Shop	\$363,250
Vehicles	\$6,846,662
Buildings	\$801,172
Total	\$425,502,995

Section 2. This Ordinance shall take effect five days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 3rd day of April, 2023.

PASSED, ADOPTED AND APPROVED this ____ day of April, 2023.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Rachel A. Morris, City Attorney

By:_____

Publication Dates: April 6, 2023

Fund	Original Budget	Carry over	One-time	New Requests
General Fund	\$ 121,161,816	\$ 2,268,729	\$ 1,502,700	\$ 70,633
Grants Fund	184,481	\$ -	-	\$ -
Street Maintenance Fund	12,009,303	\$ 484,816	-	\$ -
Community Development	1,324,709	\$ -	-	\$ 180,000
Arvada Housing	5,939,660	\$ -	-	\$ -
ARPA	-	\$ 5,296,529	-	\$ -
Parks Fund	13,381,960	\$ 271,982	-	\$ 166,000
Police Seizure Fund	30,312	\$ -	-	\$ -
Police Tax Increment .21	8,158,595	\$ -	-	\$ 139,335
Police Tax Increment .25	10,148,513	\$ -	-	\$ -
COP Debt Service	3,277,985	\$ -	-	\$ -
Debt Service	5,363,782	\$ -	-	\$ -
Capital Projects Fund	13,401,598	\$ -	-	\$ 8,704,634
Construction Fund	-	\$ -	-	\$ -
Water Fund	100,252,424	\$ 10,882,308	-	\$ 15,509,184
Wastewater Fund	30,862,708	\$ 8,847,221	-	\$ -
Golf Course Fund	7,619,335	\$ 80,000	-	\$ -
Stormwater Fund	5,088,295	\$ 3,756,544	-	\$ 375,000
Solid Waste Fund	4,585,779	\$ -	-	\$ -
Insurance Fund	3,366,302	\$ 125,000	-	\$ -
Computers	7,445,239	\$ 5,228,500	-	\$ -
Print Shop	363,250	\$ -	-	\$ -
Vehicles	5,016,966	\$ 1,829,696	-	\$ -
Buildings	801,172	\$ -	-	\$ -
Total	\$ 359,784,184	\$ 39,071,325	\$ 1,502,700	\$ 25,144,786

Revised Budget	
\$	125,003,878
	184,481
	12,494,119
	1,504,709
	5,939,660
	5,296,529
	13,819,942
	30,312
	8,297,930
	10,148,513
	3,277,985
	5,363,782
	22,106,232
	-
	126,643,916
	39,709,929
	7,699,335
	9,219,839
	4,585,779
	3,491,302
	12,673,739
	363,250
	6,846,662
	801,172
\$	425,502,995



REPORT FROM CITY COUNCIL

AGENDA ITEM
12.A.

DATE: April 3, 2023

SUBJECT: Council Committee Reports

Report in Brief

City Council members are appointed to various committees and boards as set out on the attached listing. As meetings are held, individual council members will report back to the full City Council any relevant discussions and issues that occurred.

Prepared by:
Chris Koch, CCO Admin

Marc Williams	Arvada Municipal Court/Judicial Committee Arvada City Attorney Committee Arvada Urban Renewal Authority E-470 Authority (alternate) Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Associate Member) (alternate) Urban Drainage and Flood Control District West Connect Coalition *Metro Mayors Caucus
Bob Fifer	Adams County Regional Economic Partnership (ACREP) Apex Coordinating Committee Arvada City Attorney Committee Arvada Transportation Committee Denver Regional Council of Governments (Alternate) Jefferson County R-1 Schools Coordinating Committee Jeffco Transportation Action & Advisory Group (JEFFTAAG) Smart City Advisory Committee
David Jones	E-470 Authority (alternate) Jefferson County Community Corrections Board Jefferson County R-1 Schools Coordinating Committee Jefferson Economic Development Council (JEDC) Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Associate Member) (alternate) West Connect Coalition (alternate)

John Marriott	Adams County Regional Economic Partnership (ACREP) (alternate) Apex Coordinating Committee Arvada Economic Development Association Board Arvada Municipal Court/Judicial Committee Arvada Parks Advisory Committee Arvada Visitors Center Committee (alternate) CML Policy Committee Olde Town Business Improvement (BID) District Rocky Mountain Metropolitan Airport Community Noise Roundtable
Randy Moorman	Arvada Audit Committee Arvada Sustainability Advisory Committee CML Policy Committee Rocky Flats Stewardship Council
Lauren Simpson	Arvada Audit Committee Arvada Center for the Arts and Humanities Arvada Fire Protection District Coordinating Committee Arvada Visitors Center Committee Olde Town Business Improvement (BID) District (alternate)
Lisa Smith	Arvada Chamber of Commerce Government Affairs Committee Arvada Fire Protection District Coordinating Committee Denver Regional Council of Governments Jefferson County Community Corrections Board (alternate) Jeffco Transportation Action & Advisory Group (JEFFTAAG) (alternate) Smart City Advisory Committee

*asterisked committees are not appointed by Council

Council Member	Committee
Marc Williams	Arvada Municipal Court/Judicial Committee Arvada City Attorney Committee Arvada Urban Renewal Authority E-470 Authority (alternate) Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Associate Member) (alternate) Urban Drainage and Flood Control District West Connect Coalition *Metro Mayors Caucus
Bob Fifer	Adams County Regional Economic Partnership (ACREP) Apex Coordinating Committee Arvada City Attorney Committee Arvada Transportation Committee Denver Regional Council of Governments (Alternate) Jefferson County R-1 Schools Coordinating Committee Jeffco Transportation Action & Advisory Group (JEFFTAAG) Smart City Advisory Committee
David Jones	E-470 Authority (alternate) Jefferson County Community Corrections Board Jefferson County R-1 Schools Coordinating Committee Jefferson Economic Development Council (JEDC) Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Associate Member) (alternate) West Connect Coalition (alternate)
John Marriott	Adams County Regional Economic Partnership (ACREP) (alternate) Apex Coordinating Committee Arvada Economic Development Association Board Arvada Municipal Court/Judicial Committee Arvada Parks Advisory Committee Arvada Visitors Center Committee (alternate) CML Policy Committee Olde Town Business Improvement (BID) District Rocky Mountain Metropolitan Airport Community Noise Roundtable
Randy Moorman	Arvada Audit Committee Arvada Sustainability Advisory Committee CML Policy Committee Rocky Flats Stewardship Council
Lauren Simpson	Arvada Audit Committee Arvada Center for the Arts and Humanities Arvada Fire Protection District Coordinating Committee Arvada Visitors Center Committee Olde Town Business Improvement (BID) District (alternate)
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City Clerk Team Drive: Council appointed committees



REPORT TO CITY COUNCIL

AGENDA ITEM
13.A.

TO: THE HONORABLE CITY COUNCIL

DATE: April 3, 2023

SUBJECT: Review of Future Workshops and Presentations

Report in Brief

The City Manager's Office maintains a list of upcoming workshops and presentations to be scheduled for City Council meetings. During City Manager Reports, at the end of City Council business meetings, City Manager, Lorie Gillis, will review with City Council the tentative schedule and make any adjustments necessary.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Rachel Morris, City Attorney 3/21/2023

Lorie Gillis, City Manager 3/23/2023

Enclosure, exhibits & attachments required to support the report

2023 CITY COUNCIL WORKSHOPS, STUDY SESSIONS, PRESENTATIONS AND RETREATS (TENTATIVE)

WORKSHOPS	Date	Lead
Sub-area Plans As part of the implementation of the Land Development Code (LDC), the City team has begun to create a series of "Sub-Area Plans" which will focus on targeted areas around the City. The primary areas of interest are places that could see infill or redevelopment over the next five to ten years. These areas include Northwest Arvada, the New Town area to name a few. These plans will help the Development Review team incorporate the community's vision into development that happens within the plan areas. Next Steps: Pending feedback received during the workshop, the New Town and Northwest Sub-Area Plans will be scheduled for Planning Commission and City Council consideration and approval.	April 10	CED
Pocket Neighborhoods During the 2021 City Council retreat, the City Council developed a concept for a "pocket neighborhood". A pocket neighborhood is a local commercial use embedded in a residential neighborhood. Tonight, the City team will discuss a draft ordinance that creates the opportunity to have pocket neighborhoods within the City. Next Steps: Pending feedback received during the workshop, the Pocket Neighborhood ordinance will be scheduled for Planning Commission and City Council consideration and approval.	April 10	CED
Red Light Cameras	April 24	PD & PW
Olde Town Strategic Reinvestment Plan Over the past year the City team has been engaged with DIG Studio to work with the community to create a strategic vision for Olde Town. The community has been heavily engaged in this process, which has led to a draft plan. The draft plan, with recommendations will be presented at the workshop. Next Steps: Following the presentation the City team will update the draft plan with the City Council's input. The plan will then be placed online for a 30 day public comment period. Following that period the plan will be brought back to City Council, along with the public comment, for the City Council to consider adoption of the plan.	May 8	
	May 22	
Bond Project Update Public Works will provide the City Council with an update on the bond projects for streets and utilities. There are two street projects. The first project is Ralston Road Phase 2 (Yukon Street to Garrison Street). The second project is W. 72nd Avenue (Swadley Court to Kipling Street). The utility bonds were issued in December 2022 and an update on the spending plan for each fund will be presented.	June 12	PW
Budget Presentation to Council – 10-year models	June 12	Fin
Budget Presentation to Council – 10-year CIP	June 12	Fin
Smart Meters Update	July 24	Utilities
	Aug 14	
	Aug 28	
Bond Project Update Public Works will provide the City Council with an update on the bond projects for streets and utilities. There are two street projects. The first project is Ralston Road Phase 2 (Yukon Street to Garrison Street). The second project is W. 72nd Avenue (Swadley Court to Kipling Street). The utility bonds were issued in December 2022 and an update on the spending plan for each fund will be presented.	Sept 25	PW
Budget Workshop – Work System Changes	Sept 25	Fin
Water Infrastructure for Fire Protection	Oct 9	Utilities
Budget Workshop – Pay Plan	Oct 9	Fin
Bond Project Update Public Works will provide the City Council with an update on the bond projects for streets and utilities. There are two street projects. The first project is Ralston Road Phase 2 (Yukon Street to	Dec 11	PW

Garrison Street). The second project is W. 72nd Avenue (Swadley Court to Kipling Street). The utility bonds were issued in December 2022 and an update on the spending plan for each fund will be presented.		
Infrastructure Annual Report	Dec 11	Utilities/PW
PRESENTATIONS		
APAC – SaBell Park Naming	March 20	VCN
STUDY SESSIONS		
Sustainability	TBD	
BID and Chamber funding	TBD	
PRESENTATIONS		
Workshop TBD's		
Budget and Fiscal Policy Update	TBD	
Tour of Pavement Operations	TBD	
Pavement Programs	TBD	
Financial resiliency recommendations Provide City Council an update on the OSE's SR9: By 12/2024 based on long-term financial projections and updated master plans, develop financial resiliency recommendations to ensure adequate and ongoing investment in city infrastructure and core services. This workshop will present the summary of long range unfunded needs by work systems. Next Steps will be [M9B] By 12/2023 develop a city-wide consolidated level of service summary. [M9C] By 12/2023 prepare an exhaustive list of funding source opportunities for closing identified infrastructure and core service funding gaps.	TBD	Fin
Athletic Field Programming	TBD-2023	VCN
Regional Homelessness	TBD	CMO
Fleet Electrification	TBD	Utilities
Council Retreat Update	TBD	CMO
Pre-Sentencing/One Small Step	TBD	Courts
Meyers Pool Provide City Council an update on the VCN's SR3: By 12/2025 develop a maintenance and reinvestment plan to ensure a sustainable, resilient and beautiful community of parks, trails, open space and medians in alignment with our diverse, changing and growing community and VCN's SR3 Milestone [M3H] By 7/2024 replace Meyer's Pool with a new 50 meter natatorium.	TBD	CMO
City Marketing Plan	TBD	CMO
Financial Scenarios for Street Maintenance Deficit/Options for Increasing Maintenance Funds Engage City Council in a discussion around the current street maintenance needs and how the City might fund them. This will include revenue enhancements, future allocations and expenditure realignments.	TBD	PW/Fin/CMO
Fiber Master Plan The Fiber Master Plan which is also called Arvada Fiber Optic Network (AFON), was first presented to City Council 4/10/2017. City Councils had set a strategic goal to build a fiber network to enable high speed/real-time connectivity to city facilities and assets in order to enhance city operations. This workshop is intended to brief City Council as to the progress of the AFON build out. Updates are intended to cover conduit installation progress, fiber installation progress, current co-locate opportunities, IGA member updates, and connections to current assets (city buildings, traffic, signals, utilities, radio, etc.).	TBD	PW
Problem Properties	TBD	P.D.
Activation of Historical Assets	TBD	VCN

Customer Service Philosophy	TBD	CMO
Ask Arvada Update	TBD	CMO
COUNCIL JOINT MEETINGS/DINNERS:		
Denver Water Board Apex Board AURA Board Arvada Center Board–Per Coop Agreement - Annually after October 1 of each year Jefferson Parkway Meeting with Jeffco and Broomfield Council Annual Retreat		