

City of Arvada

City Council Agenda

AUGUST 21, 2023
CITY COUNCIL CHAMBERS
Regular Business

Councilmembers:

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

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
Rob Smetana, Acting Dir. of Community & Econ. Dev.
Bryan Archer, Director of Finance
Gabriella Bommer, Director of Human Resources
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) and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to Boomfield's withdrawal from JPPHA

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 Simpson
3. Roll Call of Councilmembers
4. Approval of Minutes
 - A. August 7, 2023 City Council Meeting
5. Recognitions and Communications
 - A. Recognition of Sriram Yalavarthy - Colorado Civics Bee - Presented by Mayor Pro Tem Jones
6. Presentations
 - A. Mid-year Financial Update
7. Public Comment on Issues not Scheduled on Agenda - Three Minute Limit
8. New Business
 - A. Consent Agenda

1. R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor (“CM/GC”) Construction Package 2
 2. R23-065, A Resolution Approving the First Amendment to an Employment Agreement by and between the City of Arvada and Lorie B. Gillis as City Manager
- B. Resolutions - NONE
- C. Ordinances (First Reading)
 1. CB23-021, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges (Public Hearing to be set for September 11, 2023 at 6:15 p.m.)
9. Other
10. Public Hearings - 6:15 PM
 - A. CB23-020, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code (Presenter: Janelle Miller, Assistant City Attorney) (Ordinance No.4853)
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
AUGUST 7, 2023**

1. Executive Session – 5:00 p.m.
 - A. Legal Advice, Pursuant to CRS 24-6-402(4)(b) and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to new System Development Charges
 - B. Personnel Matter, Pursuant to CRS 24-6-402(4)(f) related to the City Manager's Contract

Councilmember Marriott moved to go into executive session for Legal Advice, Pursuant to CRS 24-6-402(4)(b) and Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to new System Development Charges and Personnel Matter, Pursuant to CRS 24-6-402(4)(f) related to the City Manager's Contract

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Feret, Fifer, Marriott, Moorman,

Those Absent: Simpson

The Motion was Approved

1. Call to Order - 6:20 p.m.

This Arvada City Council meeting was a hybrid meeting using webinar technology. Mayor Williams, Mayor Pro Tem Jones, Councilmember Feret, Councilmember Fifer, Councilmember Marriott, and Councilmember Moorman were all present in chambers.

Members of the public were given notice with instructions on how to participate with public comment.

2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

Those Present: Mayor Marc Williams, Mayor Pro Tem David Jones, Councilmember Lisa Feret, Councilmember Bob Fifer, Councilmember John Marriott and Councilmember Randy Moorman

Those Absent: Councilmember Simpson

Councilmember Fifer moved to excuse Councilmember Simpson from the meeting.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Feret, Fifer, Marriott, Moorman

Those Absent: Simpson

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; Rob Smetana, Acting Director of Community and Economic Development; Candice Svoboda, Assistant to the City Manager, and Liz Johnson, Manager of Communications.

4. Approval of Minutes – July 10 and July 17, 2023

The minutes stand approved.

5. Recognition and Communication – None

6. Presentations – None

7. Public Comment –

- A. Nancy Tardy, Arvada resident, addressed council regarding recycling and yard waste.
- B. Judy Dain, Arvada resident, addressed council regarding the development project on McIntyre Street in unincorporated Jefferson County.
- C. Lynn Clemmens, Arvada resident, addressed council regarding the development project on McIntyre Street in unincorporated Jefferson County.
- D. Steve Howards, Olde Town Business Owner, addressed council regarding the homeless in Olde Town.

8. New Business

A. Consent Agenda –

- 1. R23-072 A Resolution Authorizing an Agreement between the City of Arvada and Guidehouse, Inc., for Professional Services Relating to Implementing a Replacement Enterprise Resource Planning (ERP) System in an Amount not to Exceed \$2,565,239.00 in the First Year

Councilmember Marriott moved that R23-072, A Resolution Authorizing an Agreement between the City of Arvada and Guidehouse, Inc., for Professional Services Relating to Implementing a Replacement Enterprise Resource Planning (ERP) System in an Amount not to Exceed \$2,565,239.00 in the First Year, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Feret, Fifer, Marriott, Moorman

Those Absent: Simpson

The Motion was Approved

B. Resolutions –

- 1. R23-073 A Resolution Approving the Olde Town Arvada Entertainment District (Presented by Kylie Justus, Asst. City Attorney)

Kylie Justus, Asst. City Attorney, reviewed this resolution with council.

Councilmember Marriott moved that R23-073, A Resolution Approving the Olde Town Arvada Entertainment District, be approved.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Feret, Fifer, Marriott, Moorman

Those Absent: Simpson

The Motion was Approved

C. Ordinances (First Reading) –

1. CB23-020 An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code (Public Hearing to be set for August 21, 2023 at 6:15 p.m.)

Mayor Pro Tem Jones moved that CB23-020, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code, be approved on first reading, ordered published in full, and a public hearing date to be set for August 21, 2023 at 6:15 p.m.

9. Other - none

10. Public Hearings –

- A. CB23-019 An Ordinance Authorizing an Intergovernmental Agreement By and Among Apex Park and Recreation District, Jefferson County School District R-1 ("JCSD"), and the City of Arvada for JCSD's Priority Use of the George J. Meyers Swimming Center Replacement Facility (Ordinance No. 4852) (Presenter: Enessa Janes, Director of VCN)

Mayor Williams opened the public hearing on CB23-019.

Enessa Janes, Director of VCN, reviewed this ordinance with council.

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

Councilmember Marriott moved that CB23-019, An Ordinance Authorizing an Intergovernmental Agreement By and Among Apex Park and Recreation District, Jefferson County School District R-1 ("JCSD"), and the City of Arvada for JCSD's Priority Use of the George J. Meyers Swimming Center Replacement Facility, be approved on final reading, numbered 4852 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Williams, Jones, Feret, Fifer, Marriott, Moorman

Those Absent: Simpson

The Motion was Approved

11. Public Comment - Five Minute Limit – none

12. City Council Reports –

- A. Councilmember Moorman discussed the public comments regarding recycling.
- B. Councilmember Moorman invited everyone to his monthly Coffee Chat on Friday, August 25 from 2-4 p.m., at Sweet Bloom at 77th and Wadsworth.
- C. Councilmember Fifer discussed the Arvada Fire Protection Department Car Show that he

and Councilmember Moorman attended on Saturday.

D. Councilmember Feret said that she will be on maternity leave for about a month.

13. City Manager Reports – none

14. City Attorney Reports –

15. Adjournment at 7:00 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: August 21, 2023

SUBJECT: Recognition of Sriram Yalavarthy - Colorado Civics Bee - Presented by Mayor Pro Tem Jones

Report in Brief

The National Civics Bee is a new annual competition that encourages middle school students to engage in civics and contribute to their communities. The U.S. Chamber of Commerce launched the National Civics Bee in 2022 with pilot programs in five states and expanded it to nine states, including Colorado, in 2023.

In Colorado, the Chambers of Commerce in Arvada, Buena Vista, Craig, Denver, and Pueblo all held local competitions earlier this year. In order to participate, 6th, 7th, and 8th grade students from each area wrote essays about a civics problem that they wanted to solve in their local communities. Judges selected the top essays for each area and those students participated in a live quiz program at the local level. Each area then sent three finalists to the Colorado State Civics Bee, where they once again competed in a live quiz program which included questions about topics such as our government, our constitution, and historical events. The students also had to present their essays to the judges, who then asked them questions about their proposed solutions.

Sriram (Ram) Yalavarthy from Drake Middle School, one of the finalists at the Arvada Civics Bee, took first place at the Colorado State Civics Bee held on May 19th in Denver!

Prepared by:
Chris Koch, CCO Admin

Reviewed by:
Toni Riebschlager, Law Office Administrator 7/28/2023
Laura Hemler, Assistant City Attorney 7/28/2023

Approved by:

Rachel Morris, City Attorney 8/1/2023
Linda Haley, Deputy City Manager 8/2/2023
Lorie Gillis, City Manager 8/10/2023

Enclosure, exhibits & attachments required to support the report

presented to

SRIRAM YALAVARTHY

*In recognition of winning first place in the 2023 Colorado State
Civics Bee*

Presented this 21st day of August, 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 OTHER

AGENDA ITEM
6.A.

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 2023

SUBJECT: Mid-year Financial Update

Report in Brief

"PRESENTER: Bryan Archer - Finance Director

Finance will provide the City Council with an un-audited financial report and a presentation of the Mid-Year 2023 financials. The presentation will include revenue and expenditure highlights of the major funds including: General Fund, Parks, Tax Increments, Capital Projects, Water, Wastewater, Storm Water, Golf, Solid Waste and the Internal Service Funds, an update on the current investment market and a status update on grants.

Financial Impact

N/A

Background

Discussion

The purpose of the City Council Budget and Fiscal Policy is to guide City budget and financial management decisions based on strategic planning, performance measures, long-term financial stability, delivery of basic City services and protection of past and future investments in the City's infrastructure and facilities. The financial update is presented quarterly to help support this policy.

Public Contact

Posting of the City Council agenda

Commission Recommendation

N/A

Strategic Alignment

The mid-year financial presentation supports the Organizational Service and Effectiveness Work System Principle :

Provides a sustainable government that operates effectively and efficiently while identifying revenue requirements to sustain current service levels and achieve future requested levels of service.

This also supports the Council's Budget and Fiscal Policy:

To guide City budget and financial management decisions based on strategic planning, performance measures, long-term financial stability, delivery of basic City services and protection of past and future investments in the City's infrastructure and facilities.

Alternative Courses of Action

N/A

Recommendation for Action

N/A

Suggested Motion:

N/A

Prepared by:
Bryan Archer, Director of Finance

Reviewed by:

Approved by:

Jenna Belec, Executive Assistant	7/31/2023
Bryan Archer, Director of Finance	8/1/2023
Debra Nielson, Deputy Director of Finance	8/3/2023
Gail Walker, Legal Specialist-Contracts	8/3/2023
Kylie Justus, Assistant City Attorney	8/3/2023
Laura Hemler, Assistant City Attorney	8/3/2023
Linda Haley, Deputy City Manager	8/3/2023
Rachel Morris, City Attorney	8/7/2023
Lorie Gillis, City Manager	8/10/2023

Enclosure, exhibits & attachments required to support the report



2023 Mid-Year Financial Report



City Council
August 21, 2023



OVERVIEW

- Revenues are slowing, but still ahead of budget
- Operating expenditures remain in-line with budgets, but inflation pressures are mounting
- CIP continues to be a major challenge
- Recession fears are building

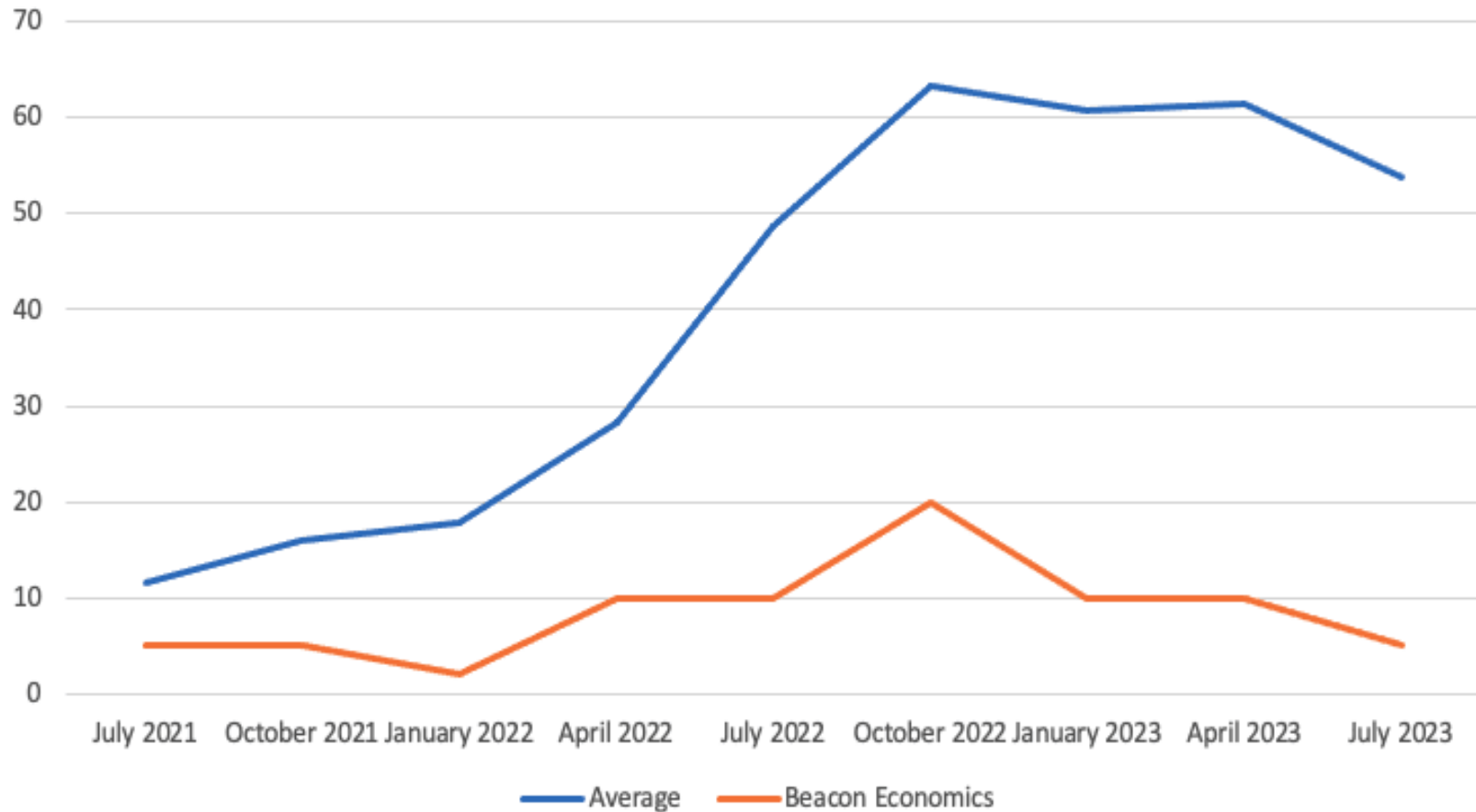


RECESSION?



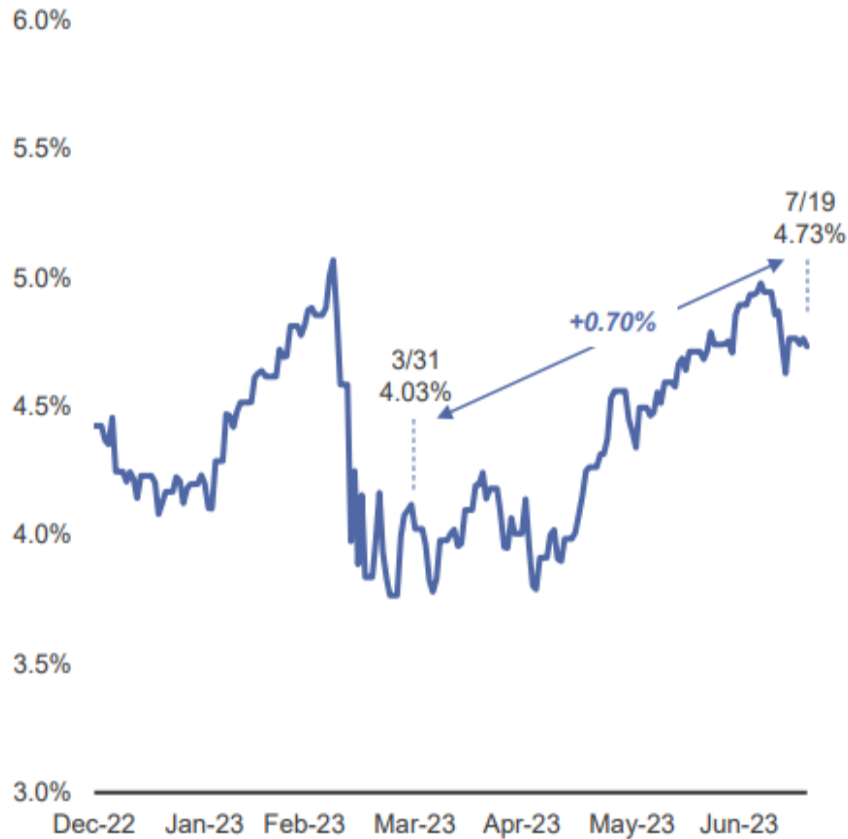
Wall Street Journal Recession Probability Forecast

Chance of U.S. entering a recession in the next 12 months

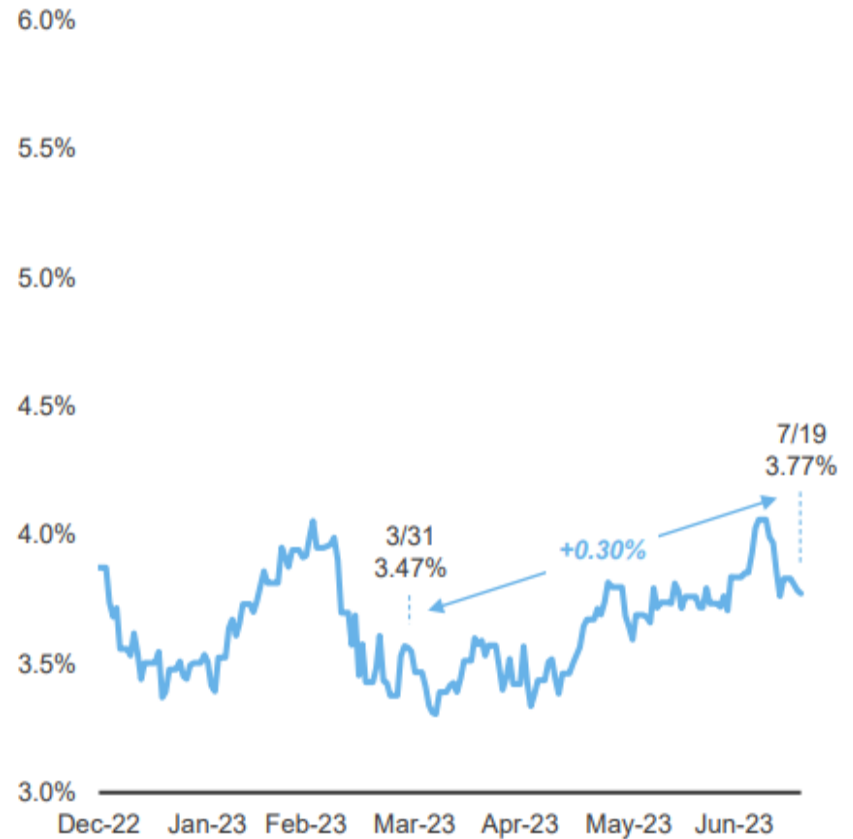


HEADWINDS

2-Year Treasury Yield



10-Year Treasury Yield



HEADWINDS



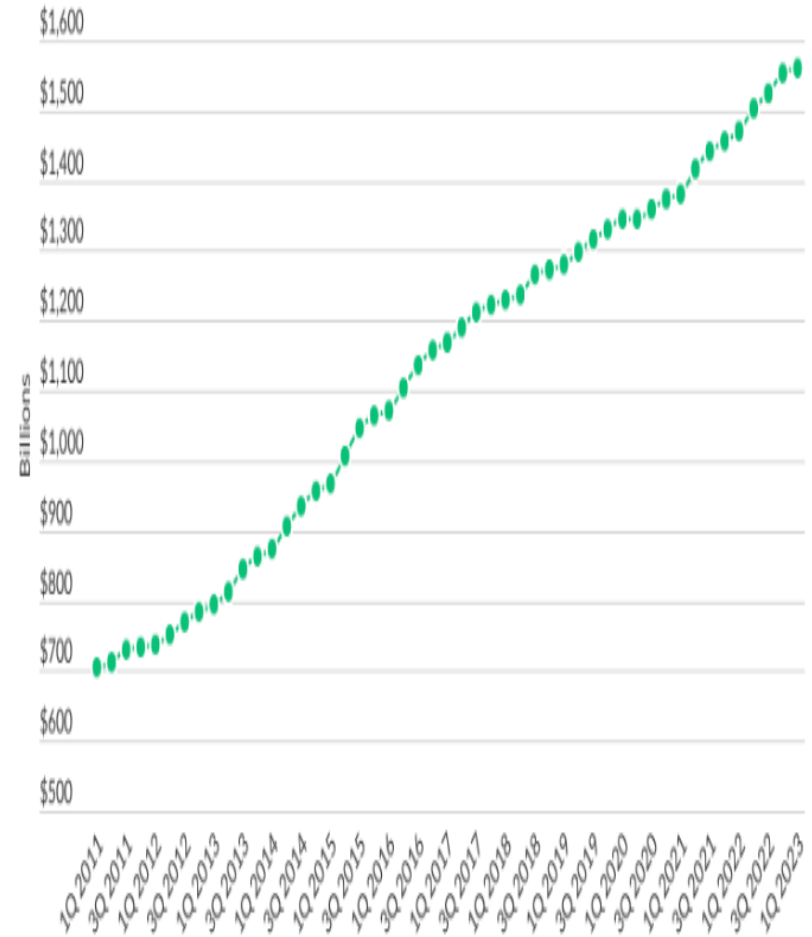
HEADWINDS

Total outstanding credit card balances, 1999 to present

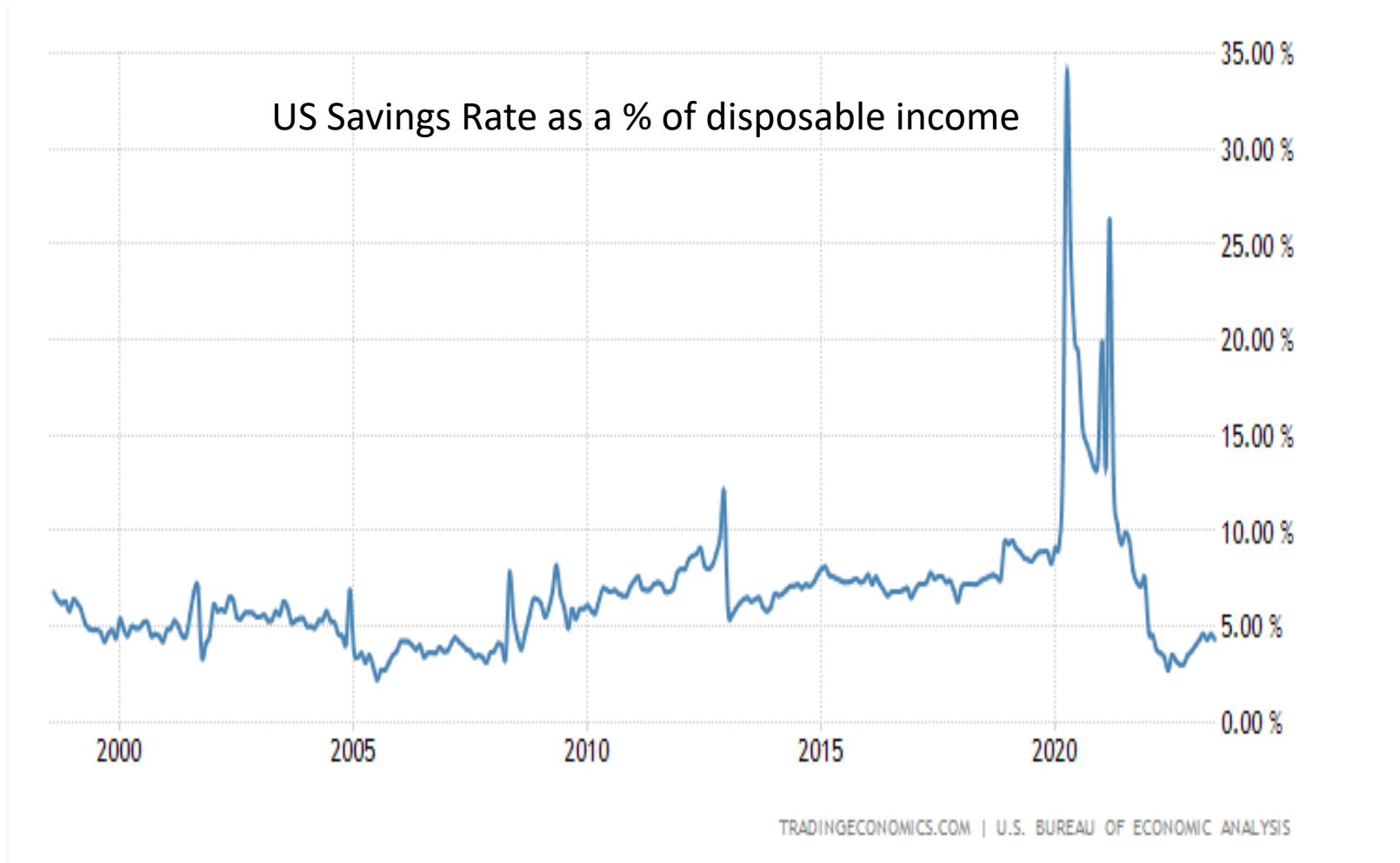
In billions; seasonally adjusted



Outstanding auto loan debt (\$ billions)



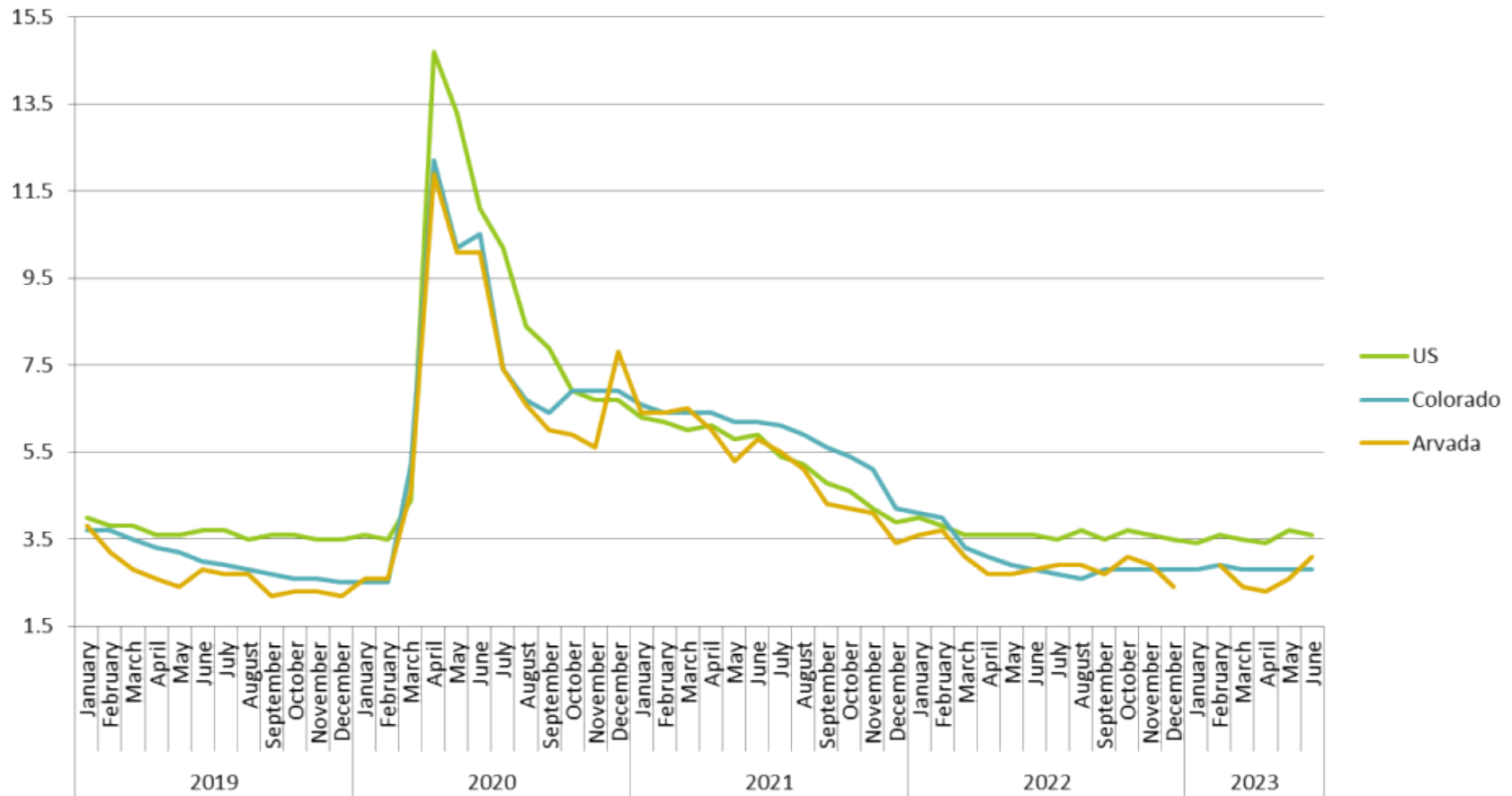
HEADWINDS



TAILWINDS

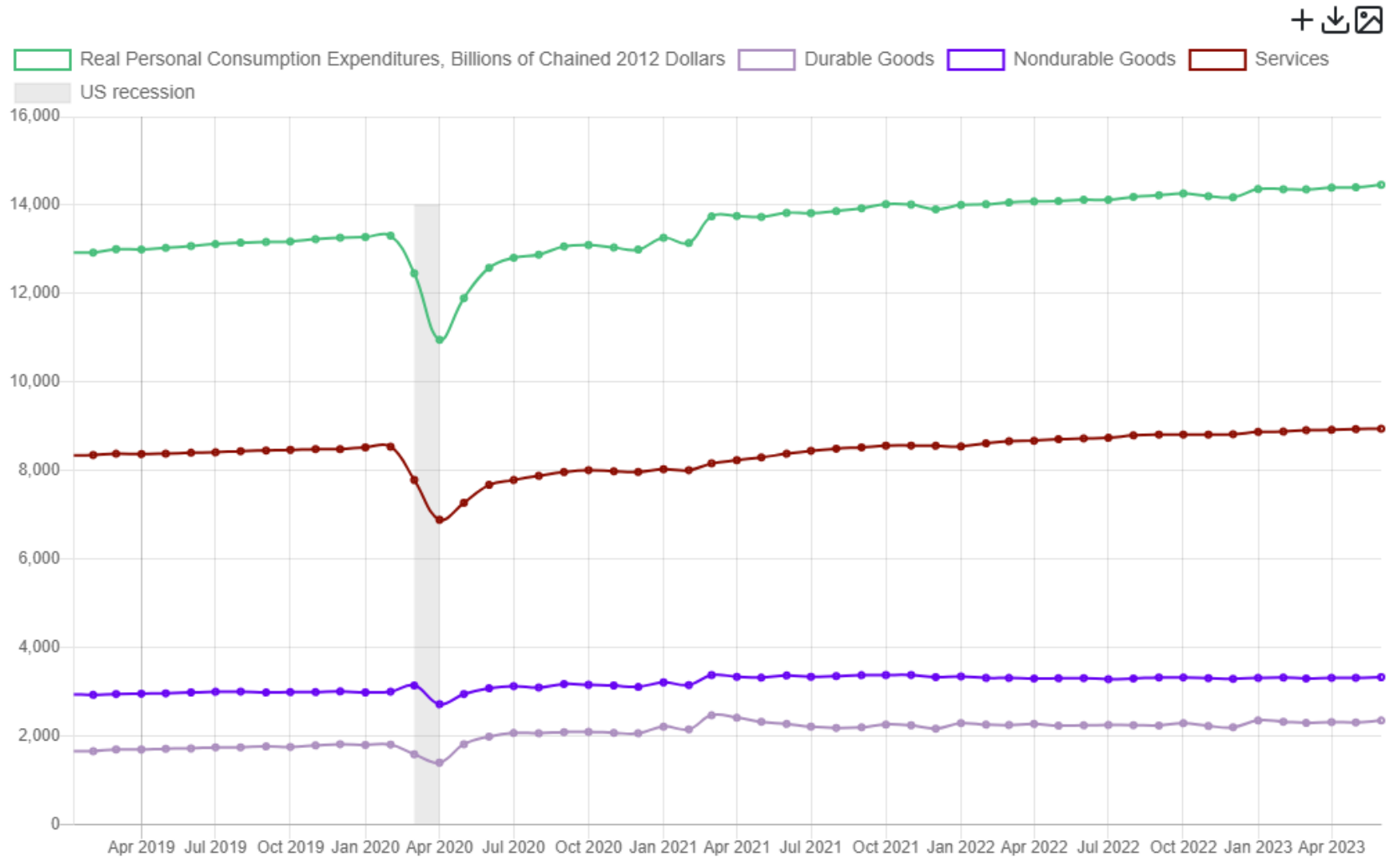
Fed Current Rate = 3.6%, Arvada = 3.1%

Unemployment Rates 2019-2023



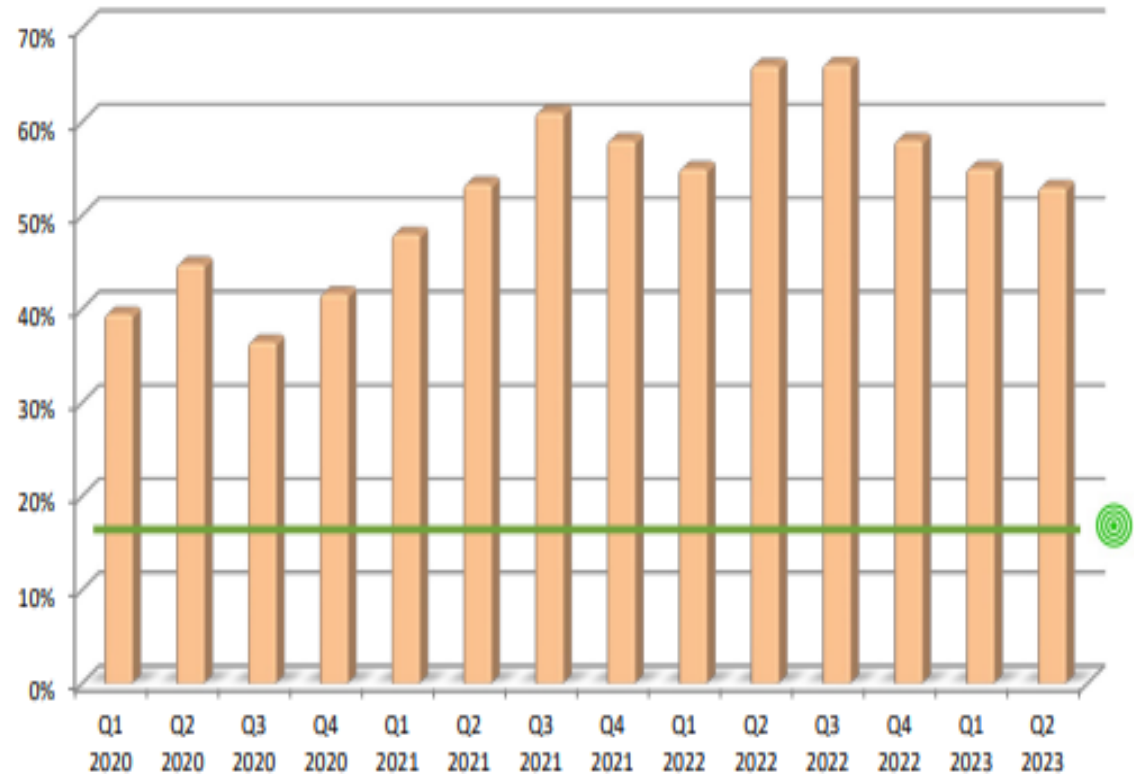
TAILWINDS

Real Personal Consumption Expenditures (Billions)





GENERAL FUND ENDING FUND BALANCE BY QUARTER COMPARED TO FUND BALANCE GOAL OF 17% OF BUDGETED EXPENDITURES



GENERAL FUND OVERVIEW



GENERAL FUND	YEAR TO DATE
Property Tax	MONITOR
Sales Tax	POSITIVE
Auto Use Tax	NEGATIVE
General Use Tax	NEGATIVE
Court Revenues	MONITOR
Building Revenues	POSITIVE
Interest Revenue	MONITOR
Personnel Expenditures	POSITIVE
Other Expenditures	MONITOR

PERFORMANCE - ACTUALS VS. BUDGET

SALES TAX

SALES TAX	YEAR TO DATE
Overall	POSITIVE

Supermarket	POSITIVE
Wholesale	MONITOR
Electronic Shopping	POSITIVE
Full Service Restaurants	NEGATIVE
Utilities - Electric	POSITIVE
Hardware Stores	NEGATIVE
Limited Service Restaurants	POSITIVE
Utilities - Cable	POSITIVE
Liquor Store	NEGATIVE



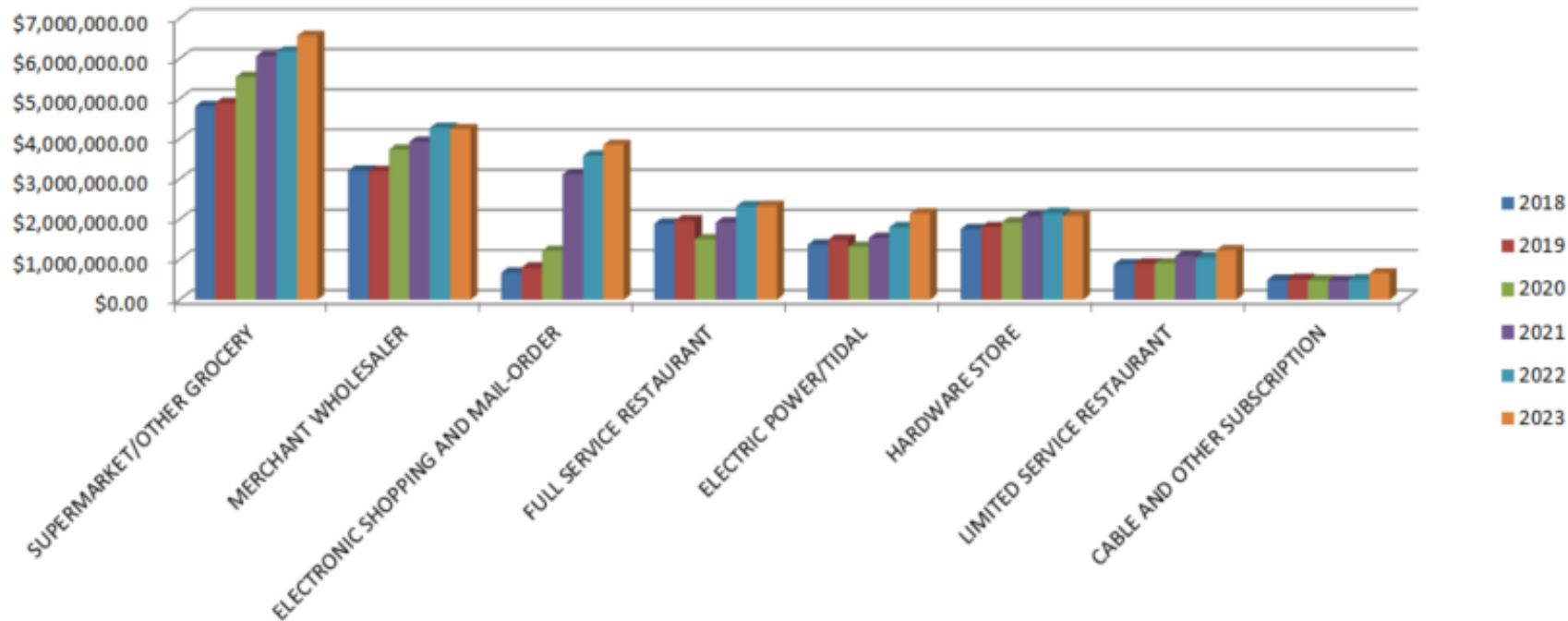
6.2% Increase



PERFORMANCE - ACTUALS VS. BUDGET

Top 70% Sales Tax Generating NAICS Categories

NAICS Code Name	2023	Percentage Change	2022	Percentage Change	2021
SUPERMARKET/OTHER GROCERY	\$6,561,252.11	6.26%	\$6,174,433.54	1.87%	\$6,061,185.76
GENERAL LINE GROCERY MERCH WHOLES	\$4,247,554.17	-0.69%	\$4,276,924.20	8.89%	\$3,927,867.00
ELECTRONIC SHOPPING AND MAIL-ORDER	\$3,853,148.63	7.58%	\$3,581,723.88	14.91%	\$3,117,084.50
FULL SERVICE RESTAURANT	\$2,335,415.76	0.64%	\$2,320,450.44	20.78%	\$1,921,255.59
ELECTRIC POWER/TIDAL	\$2,146,360.23	19.04%	\$1,803,096.57	17.43%	\$1,535,464.08
HARDWARE STORE	\$2,084,973.21	-3.27%	\$2,155,564.70	3.74%	\$2,077,949.64
LIMITED SERVICE RESTAURANT	\$1,231,632.06	17.96%	\$1,044,148.48	-3.73%	\$1,084,584.04
CABLE AND OTHER SUBSCRIPTION PROGRA	\$657,465.31	30.83%	\$502,515.23	6.29%	\$472,794.45
LOCAL MESSENGERS/LOCAL DELIVERY	\$600,463.17	52.41%	\$393,972.25	9.81%	\$358,779.97
BEER/WINE/LIQUOR STORE	\$596,264.99	-5.36%	\$630,061.29	-4.59%	\$660,342.91
FLOOR COVERING STORE	\$466,342.28	-6.50%	\$498,756.75	11.18%	\$448,619.75
FURNITURE STORE	\$410,752.81	-12.66%	\$470,292.92	9.75%	\$428,531.17

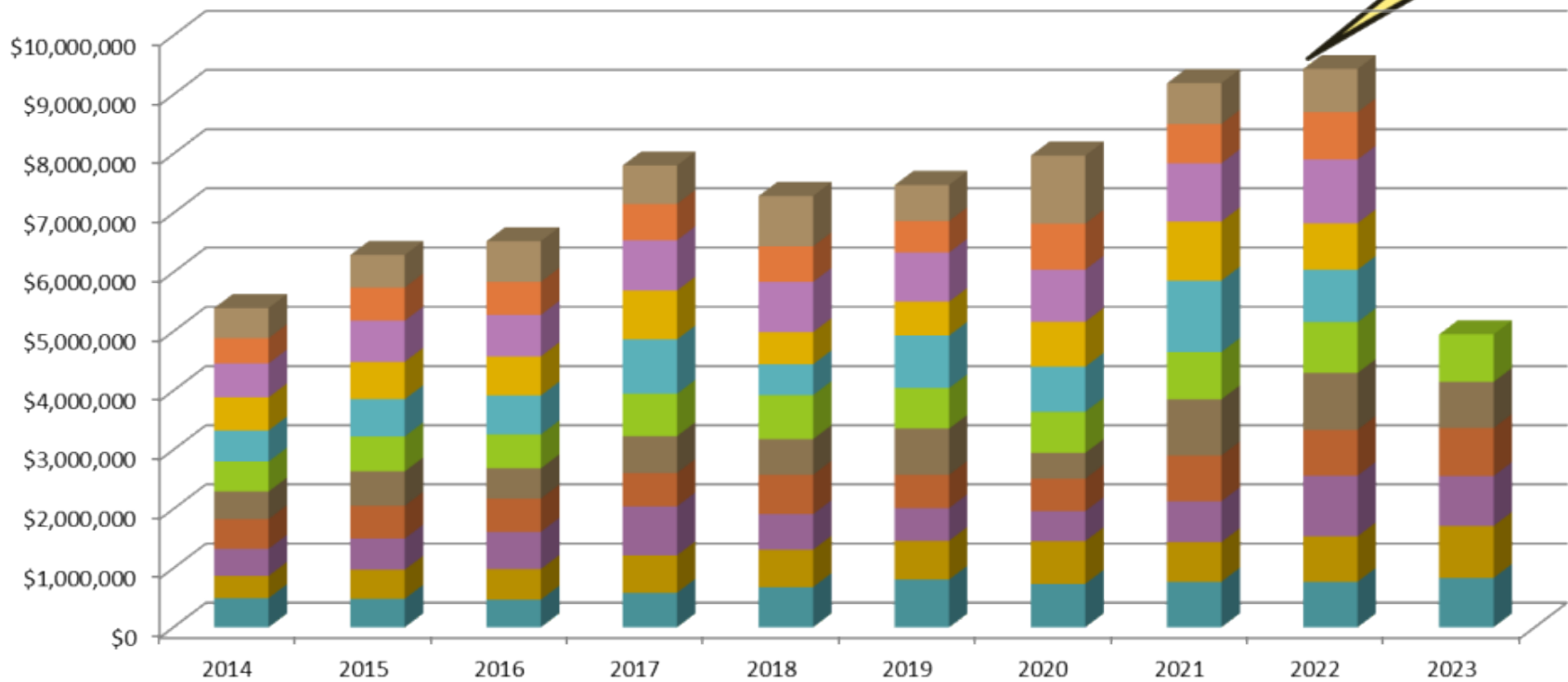


NAICS Code Name	2018	2019	2020	2021	2022	2023
SUPERMARKET/OTHER GROCERY	\$4,812,918.85	\$4,894,616.12	\$5,543,044.14	\$6,061,185.76	\$6,174,433.54	\$6,561,252.11
MERCHANT WHOLESALER	\$3,210,378.18	\$3,196,325.63	\$3,734,745.67	\$3,927,867.00	\$4,276,924.20	\$4,247,554.17
ELECTRONIC SHOPPING AND MAIL-ORDER	\$676,611.67	\$801,148.16	\$1,218,214.82	\$3,117,084.50	\$3,581,723.88	\$3,853,148.63
FULL SERVICE RESTAURANT	\$1,892,834.44	\$1,971,124.40	\$1,503,256.26	\$1,921,255.59	\$2,320,450.44	\$2,335,415.76
ELECTRIC POWER/TIDAL	\$1,370,056.71	\$1,490,399.62	\$1,314,529.40	\$1,535,464.08	\$1,803,096.57	\$2,146,360.23
HARDWARE STORE	\$1,759,099.46	\$1,806,904.59	\$1,922,281.97	\$2,077,949.64	\$2,155,564.70	\$2,084,973.21
LIMITED SERVICE RESTAURANT	\$882,163.59	\$898,352.02	\$903,254.84	\$1,084,584.04	\$1,044,148.48	\$1,231,632.06
CABLE AND OTHER SUBSCRIPTION	\$495,405.33	\$515,279.38	\$484,819.46	\$472,794.45	\$502,515.23	\$657,465.31



AUTO USE

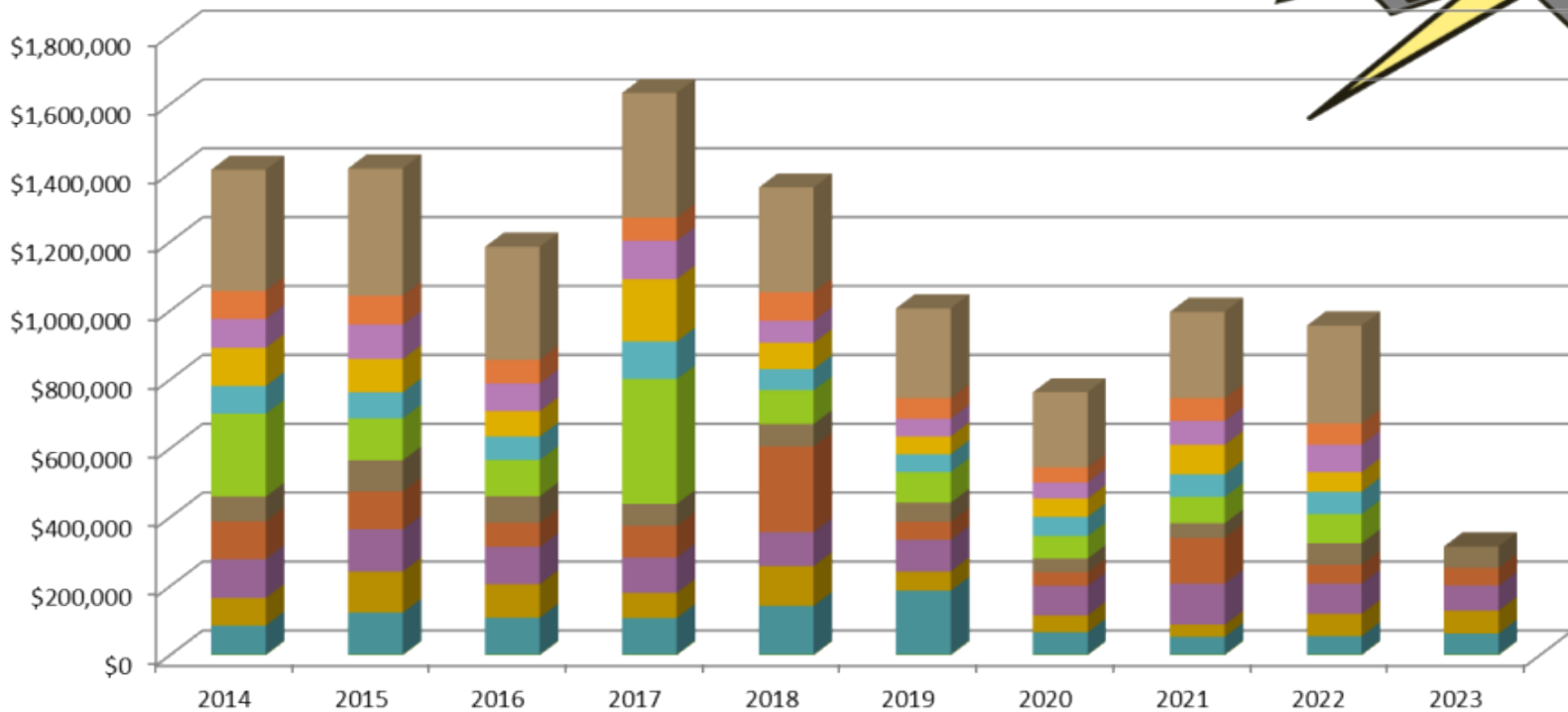
**3.5%
decrease**





GENERAL USE TAX

**2.9%
Decrease**





OTHER FUNDS OVERVIEW

FUND	REVENUES	EXPENDITURES	YEAR TO DATE
Parks	POSITIVE	POSITIVE	POSITIVE
Tax Increment Funds	POSITIVE	POSITIVE	POSITIVE
Community Development	MONITOR	POSITIVE	POSITIVE
Arvada Housing	POSITIVE	MONITOR	POSITIVE
Capital Projects	POSITIVE	WARNING	WARNING
Water	MONITOR	MONITOR	POSITIVE
Wastewater	POSITIVE	MONITOR	POSITIVE
Stormwater	POSITIVE	MONITOR	POSITIVE
Golf	POSITIVE	POSITIVE	POSITIVE
Solid Waste	POSITIVE	POSITIVE	MONITOR
Risk Management	POSITIVE	MONITOR	WARNING

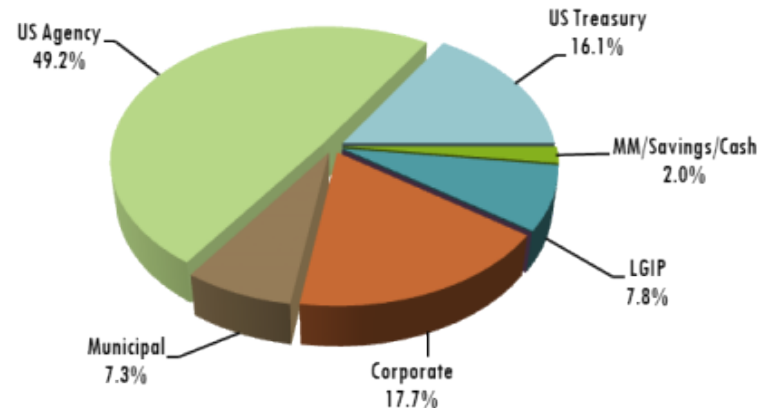
PERFORMANCE - ACTUALS VS. BUDGET

INVESTMENTS

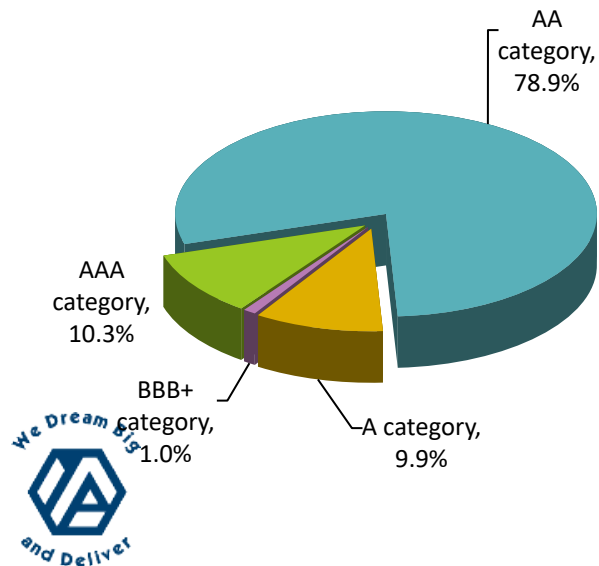
PORTFOLIO PERFORMANCE

	6/30/2023	06/30/2022	Difference
City Interest Earnings	\$ 2,869,082	\$ 1,180,919	\$ 1,688,163
PFM Interest Earnings	415,148	382,380	32,768
Total Interest Earned	\$ 3,284,230	\$ 1,563,299	\$ 1,720,931
YTD City Portfolio Yield	2.40%	1.14%	+126 bps
YTD PFM Portfolio Yield	1.95%	1.16%	+79 bps
YTD Benchmark	3.70%	.73%	+267 bps

CONSOLIDATED PORTFOLIO ALLOCATION



CREDIT QUALITY (S&P RATING)



CONSOLIDATED PORTFOLIO CHANGES

	06/30/2023	06/30/2022	Difference
MM/Savings/Cash	\$ 6,014,640	\$ 17,559,772	\$ (11,545,132)
LGIP	23,992,250	32,615,214	(8,622,964)
Time CD	-	3,204,308	(3,204,308)
Negotiable CD	-	-	-
Corporate	54,563,000	35,339,000	19,224,000
Municipal	22,330,000	25,330,000	(3,000,000)
US Agency	151,341,000	134,245,000	17,096,000
US Treasury	49,420,000	40,460,000	8,960,000
Total - Combined	\$ 307,660,890	\$ 288,753,294	\$ 18,907,596

INVESTMENTS – ‘A-BBB rated’ (10.89%)

Issuer	S&P	Face Amount/Shares
Bank of NY Mellon	A	3,000,000.00
Goldman Sachs	BBB	2,000,000.00
IBM	A-	2,242,000.00
Intel Corp	A	1,000,000.00
John Deere Capital Corp	A	1,157,000.00
Morgan Stanley	A+	2,000,000.00
Toronto-Dominion Bank	A	1,000,000.00
Toyota Motor Corp	A+	2,000,000.00
Toyota Motor Corp	A+	3,000,000.00
Toyota Motor Corp	A+	1,000,000.00
US Bank	A+	3,000,000.00
		21,399,000.00

2023 GRANTS

<u>Grant</u>	<u>Description</u>	<u>Amount</u>	<u>Status</u>
DOLA Homeless PESTEL	pestel analysis	\$ 250,000	Pending
DOLA Homeless Services	vouchers and services	\$ 1,914,000	Awarded
DOLA Navigation Center	acquisition and services	\$ 3,200,000	Pending
DOLA Tap Fees for Legacy	wave tap fees for legacy	\$ 1,079,865	Rejected
TIP: 64th Pkwy	multimodal improvement	\$ 1,295,000	Pending
TIP: Bike Training Facility	renovation	\$ 200,000	Pending
TIP: Citywide Safety	Planning	\$ 200,000	Pending
TAP: Indiana at UPRR	Planning	\$ 400,000	Preparation
State JAG	PD Supplies	\$ 45,438	Pending
Fed JAG	TBD	\$ 25,152	Preparation
Safer Streets	camp clean up	\$ 50,000	Awarded
Nighthawk Grant PD	PD Technology	\$ 42,892	Awarded

2023 GRANTS - Continued

<u>Grant</u>	<u>Description</u>	<u>Amount</u>	<u>Status</u>
Catalytic Converter	auto theft	\$ 21,291	Awarded
CIOT	click it or ticket	\$ 3,315	Awarded
POST	OT enforcement	\$ 11,205	Pending
HVE	high visibility enforcement	\$ 16,000	Pending
FleetZero	EV stations-city use	\$ 300,000	Pending
ChargeAhead	EV stations-public use	\$ 222,500	Pending
Clean Vehicle Technology Grant	14 new EV	\$ 112,000	Pending
Turf Replacement CWCB	Resource Central for residents	\$ 25,000	Awarded
Turf Replacement CWCB	marge roberts park	\$ 25,000	Preparation
EECBG	Energy Block grant	\$ 163,520	Preparation
GOCO Community Impact	Land for Gold Strike	\$ 1,000,000	Preparation
GOCO Restoration	Majestic View wetlands	\$ 298,000	Preparation
TASP Technical Assistance	Zero Waste for City	\$ 75,000	Rejected

2023 GRANTS - Summary

<u>Grant Type</u>	<u>Amount</u>
Preparation	\$ 1,911,672
Pending	\$ 5,852,143
Rejected	\$ 1,154,865
Awarded	\$ 2,056,498
	\$ 10,975,178





QUESTIONS





REPORT TO CITY COUNCIL

AGENDA ITEM
8.A.

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 2023

SUBJECT: Consent Agenda

Report in Brief

1. R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor ("CM/GC") Construction Package 2

2. R23-065, A Resolution Approving the First Amendment to an Employment Agreement by and between the City of Arvada and Lorie B. Gillis as City Manager

Suggested Motion: Moved by: _____ I move that the Consent Item(s),
Number(s) _____
be
(Removed from the Consent Agenda and Heard Upon Item _____) (Referred to a Workshop) (Postponed Indefinitely).

YES _____ NO _____ ABSENT _____

That All/Remaining Consent Items be (Approved) (Rejected).

YES _____ NO _____ ABSENT _____

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Enclosure, exhibits & attachments required to support the report



REPORT TO CITY COUNCIL RESOLUTION

AGENDA ITEM
8.A.1.

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 2023

SUBJECT: R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor ("CM/GC") Construction Package 2

Report in Brief

Council action is requested in the attached resolution authorizing an amendment to the agreement by and between the City of Arvada and SEMA Construction, Inc. for delivery of Construction Package 2 (CP-2), the second of a total of three packages to be delivered for the 72nd Avenue bond project. CP-2 consists of removal of trees, relocation of utilities, installation of new utilities, traffic signals, improvements at First United Church of Arvada, improvements at Grange 25, side street improvements, and widening of the roadway between Swadley Court and Oak Street. The total project corridor consists of a length of approximately 1.16 linear miles with a proposed right-of-way (ROW) width of 110' (CIP project 18-ST-30).

This amendment allows for the transfer from CP-3 of specified adjacent work items and associated materials that can more effectively be constructed during CP-2.

The Arvada team recommends that the City Council approve R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor ("CM/GC") Construction Package 2

Financial Impact

This Amendment increases the scope and cost of CP-2 by \$2,041,518.88 for a maximum CAP for Construction Package 2 of \$24,678,058.31.

This Amendment transfers this scope and cost from CP-3 essentially keeping the overall scope and cost of the W 72nd Ave Project the same.

Funds are available in Oracle project 91808.

Background

With the 2018 passage of the bond projects, the City contracted with Muller Engineering as the engineering design consultant on the W. 72nd Avenue bond project. Initially, the City intended for this project to be delivered using a Design-Bid-Build (D-B-B) method. In mid-2019, the project delivery method was changed to a Construction Manager/General Contractor (CM/GC) method. The CM/GC method of delivery ensures that the City team, the design team, and the construction team are all working together from the beginning to construct a successful project. The City advertised for a CM/GC for the project team. SEMA was selected as the CM/GC and the project was broken out into three construction packages with this package (CP-2) the second of three. This second package (CP-2) went through several iterations of construction cost control and pricing negotiation between SEMA's Opinion of Probable Construction Costs (OPCC) and an Independent Cost Estimate (ICE) to come to a Construction Agreed Price (CAP) between the CM/GC and the City.

During the construction of CP-2 both Muller Engineering and SEMA Construction worked with the City of Arvada to identify several construction items from CP-3 that were more appropriate and efficient to be built as part of CP-2. CP-2 and CP-3 are

basically separated at the east side of Oak Street. This boundary is practical based on the larger view of the project's construction activities, but in some ways is an arbitrary boundary between the two construction phases. Planning identified items such as driveways, water and storm sewer lines and associated ponds east of Oak Street (mainly in and around the Lincoln Academy property) that were safer and more efficiently connected to Oak Street now rather than in CP-3.

Discussion

This Amendment transfers specific cost and materials from CP-3 into CP-2 in order to more efficiently transition between these two phases of the project. The overall scope and cost of the W 72nd Avenue project do not change as a result of this Amendment. The additional construction work and materials added to CP-2 are being integrated into the current CP-2 schedule and do not change the completion date of CP-2.

Public Contact

Posting of the City Council Agenda.

Commission Recommendation

N/A

Strategic Alignment

This Amendment falls under the original strategic alignment for the W 72nd Avenue project:
The recommended actions align with the following Principle and Strategic Result within the Infrastructure Priority Area of the City Council Strategic Plan:

- ☐ Infrastructure Principle to provide safe and efficient connections to modes of transportation, including transit, streets, sidewalks, and bikeways with a focus on enhanced technology at high-priority intersections, improving safety and minimizing traffic congestion.
- ☐ Infrastructure Strategic Result #4 to effectively utilize approved bond funds for the completion of Ralston Road Phase 2 and expansion of 72nd Avenue.

Alternative Courses of Action

N/A

Recommendation for Action

The Arvada team recommends the City Council approve R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor (“CM/GC”) Construction Package 2.

Suggested Motion:

I move that R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor (“CM/GC”) Construction Package 2, be (approved) (rejected).

Prepared by:
David Bernard, Civil Engineer

Reviewed by:

SUBJECT: R23-077, A Resolution Approving First Amendment to the Agreement between the City of Arvada and SEMA Construction, Inc. for the Construction Manager/General Contractor (“CM/GC”) Construction Package 2

PAGE: 3
ITEM: 8.A.1.

Approved by:

Jenny Wolfschlag, City Engineer	7/27/2023
Jacqueline Rhoades, Public Works Director	8/2/2023
Bryan Archer, Director of Finance	8/3/2023
Tammy Hedlund, Legal Specialist	8/3/2023
Brad Moloney, Deputy City Attorney	8/3/2023
Rachel Morris, City Attorney	8/7/2023
Don Wick, Deputy City Manager	8/8/2023
Lorie Gillis, City Manager	8/10/2023

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. 23-077

A RESOLUTION AUTHORIZING A FIRST AMENDMENT TO THE AGREEMENT
BETWEEN THE CITY OF ARVADA AND SEMA CONSTRUCTION INC., FOR THE
CONSTRUCTION MANAGER/GENERAL CONTRACTOR ("CM/GC") CONSTRUCTION
PACKAGE 2

WHEREAS, Arvada continues to requires construction services for the reconstruction of West 72nd Avenue-Kipling Street to Simms Street ("Project"); and

WHEREAS, Arvada and SEMA Construction Inc. entered into a CM/GC Agreement for Construction Package 2 for the Project on or about March 10, 2022, ("Agreement"); and

WHEREAS, the Parties now want to expand the scope of services under Construction Package 2 to include work that was originally scheduled to be a part of Construction Package 3 in an effort to be more efficient and practical; and

WHEREAS, the Parties are thereby increasing the Construction Agreed Price ("CAP") for Construction Package 2 by \$2,041,518.88 so that Project work may begin east of Oak Street including the area around Lincoln Academy.

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, a First Amendment, which is in substantially the same form as that attached hereto, by and between the City of Arvada and SEMA Construction Inc. to expand the scope of services under the Construction Package 2 and to increase the CAP by \$2,041,518.88 for a maximum CAP for Construction Package 2 of \$24,678,058.31.

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

APPROVED AND ADOPTED this 21st day of August, 2023.

Marc Williams, Mayor

ATTEST:

City Clerk

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

By: _____

**FIRST AMENDMENT
TO THE AGREEMENT BETWEEN THE CITY OF ARVADA AND SEMA
CONSTRUCTION, INC. FOR THE CONSTRUCTION MANAGER/GENERAL
CONTRACTOR (“CM/GC”) CONSTRUCTION PACKAGE 2**

1.0 PARTIES. The parties to this First Amendment are the City of Arvada, a home rule municipal corporation (“Arvada”) and SEMA Construction, Inc. (“SEMA”).

2.0 RECITALS AND PURPOSE.

2.1 Arvada requires construction services for the reconstruction of West 72nd Avenue-Kipling Street to Simms Street (“Project”); and

2.2 On or about March 10, 2022, Arvada and SEMA entered into a Construction Manager/General Contractor (“CM/GC”) Construction Package 2 agreement for the Project, (“Agreement”); and

2.3 At the time the Agreement was executed, SEMA’s Construction Agreed Price (“CAP”) for Construction Package 2 (“CP2”) was \$22,636,539.43; and

2.4 Pursuant to Article 9 of the Agreement, Arvada may order extra work or make changes by altering, adding to, or deducting from the Work, the Fixed Limit of Construction Cost, the Contract Sum, any LLTP CAP, the Contractor’s CMGC Preconstruction Fee, Term, and Construction CAP being adjusted accordingly; and

2.5 Arvada and SEMA have now agreed it is more efficient and practical to proceed with some of the work that was originally a part of Construction Package 3 (“CP3”), specifically the parties desire that adjacent Project work begin east of Oak Street including the area around Lincoln Academy; and

2.6 As such Arvada is requesting to expand the scope of services of CP2 to include some of the work originally designated for CP3 as detailed in the spreadsheet attached hereto as “**Exhibit A**”; and

2.7 The purpose of the First Amendment is to expand the scope of services of CP2 and to increase the CAP by \$2,041,518.88 to accommodate the work.

3.0 WORK DESCRIPTION FOR FIRST AMENDMENT.

3.1 The parties agree to modify the Work Description. The Work Description shall be modified to include the additional work to be performed by SEMA as described in **Exhibit A** to this First Amendment.

3.2 No Completion Dates are being modified by this First Amendment.

4.0 COMPENSATION FOR SERVICES UNDER FIRST AMENDMENT.

4.1 The Agreement terms are amended to allow the increase of compensation by **\$2,041,518.88** for a maximum CAP for Construction Package 2 of **\$24,678,058.31**.

5.0 FULL FORCE AND EFFECT. All other terms and conditions shall be as set forth in the Agreement.

6.0 SEVERABILITY. If any other provision of this First Amendment is held invalid or unenforceable, no other provision shall be affected by such holding, and all of the remaining provisions of this Amendment shall continue in full force and effect.

7.0 BINDING AUTHORITY. SEMA represents and affirms that the signature page hereof accurately states the full legal name of SEMA (whether as a corporation, partnership, limited liability company, sole proprietorship, or other), contains all requisite signature(s) on behalf of SEMA, in accordance with all applicable statutes, regulations, resolutions, rules, bylaws, agreements, or similar sources of authority or limitation. This First Amendment may be executed in counterpart(s), each of which shall be deemed to be an original, and all of which, taken together, shall constitute one instrument.

DATED this ____ day of _____, 2023.

CITY OF ARVADA, a Colorado home rule
municipal corporation

Marc Williams, Mayor of Arvada
8101 Ralston Road
Arvada, CO 80002

ATTEST:

City Clerk

APPROVED AS TO FORM:

Rachel A. Morris, City Attorney

By: _____

SEMA CONSTRUCTION, INC.

Steven C. Mills, V.P. Contracts
7353 South Eagle Street
Centennial, CO 80112
Email: smills@semaconstruction.com

Exhibit A

First Amendment

To The Agreement Between The City Of Arvada And
Sema Construction, Inc. For The Construction Manager/General
Contractor (“Cm/Gc”) Construction Package 2

Item No.	Pay Item	Unit
201	REMOVAL OF CURB	LF
202	REMOVAL OF TREE	EACH
202	REMOVAL OF INLET	EACH
202	REMOVAL OF SIDEWALK	SY
202	REMOVAL OF CONCRETE PAVEMENT	SY
202	REMOVAL OF ASPHALT MAT	SY
202	REMOVAL OF LIGHT STANDARD FOUNDATION	EACH
202	REMOVAL OF FENCE	LF
202	REMOVAL OF GATE	EACH
202	REMOVAL OF GUARDRAIL TYPE 3	LF
202	REMOVAL OF END ANCHORAGE	EACH
202	PLUG CULVERT	EACH
202	REMOVAL OF STORM PIPE	LF
202	REMOVAL OF PICNIC BENCH	EA
202	REMOVAL OF IRRIGATION STRUCTURE	EACH
202	REMOVAL OF IRRIGATION APPURTENANCES	EACH
202	ABANDON STORM PIPE	LF
203	UNCLASSIFIED EXCAVATION (COMPLETE IN PLACE)	CY
203	POND LINING	SY
207	TOPSOIL IMPORT	CY
207	TOPSOIL (ONSITE)	CY
208	(SEDIMENT CONTROL LOG) EROSION LOG TYPE 1 (12 INCH)	LF
208	SILT FENCE	LF
208	(ROCK SOCK) AGGREGATE BAG	LF
208	STORM DRAIN INLET PROTECTION (TYPE III) (AREA INLETS)	EACH
210	RESET LANDSCAPE BOULDERS	EACH
212	SEEDING (NATIVE) EROSION CONTROL	ACRE
212	SEEDING (NATIVE) LANDSCAPE	ACRE
212	SOIL CONDITIONING	ACRE
212	PLANTING - SOD	SF
213	MULCHING (WEED FREE)	ACRE
213	MULCH TACKIFIER	LB
213	MULCH	CY
214	PLANTING - PERENNIALS (1 GAL)	EACH
214	PLANTING - SHRUBS (5 GAL)	EACH
214	PLANTING - TREE (2.5" CAL)	EACH
216	(EROSION CONTROL BLANKET) SOIL RETENTION BLANKET (COCONUT)	SY
304	AGGREGATE BASE COURSE (CLASS 6)	TON
403	HOT MIX ASPHALT (GRADING S) (100) (PG 64-22)	TON
403	HOT MIX ASPHALT (GRADING SX) (100) (PG 76-28)	TON
409	PED-BIKE BUFFER-CONCRETE WITH COLORED MICROTOPPING	SF
411	EMULSIFIED ASPHALT (SLOW SETTING)	GAL
420	GEOTEXTILE (DRAINAGE) (CLASS 2)	SY
420	GEOTEXTILE (SEPARATOR) (CLASS 1)	SY
506	GROUTED BOULDERS (24 INCH)	EACH
506	GROUTED BOULDERS (36 INCH)	EACH
506	VOID FILLED RIPRAP (6 INCH)	CY
506	VOID FILLED RIPRAP (12 INCH)	CY
506	STACKED BOULDER WALL	LF
601	CONCRETE (CLASS B): TOEWALL	CY
601	CONCRETE (CLASS B): CURB WALL	CY
601	CONCRETE (CLASS B): FOREBAY BASE	CY
603	12 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	18 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF

603	24 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	30 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	18 INCH REINFORCED CONCRETE END SECTION	EACH
603	30 INCH REINFORCED CONCRETE END SECTION	EACH
603	6 INCH PLASTIC PIPE	LF
603	6 INCH PLASTIC PIPE (SPECIAL)	LF
603	10 INCH PLASTIC PIPE	LF
604	INLET TYPE C (10 FOOT)	EACH
604	INLET TYPE 16 (DOUBLE)(5 FOOT) (CIP)	EACH
604	OUTLET STRUCTURE 2	EACH
604	MANHOLE SLAB BASE (5 FOOT)	EACH
604	MANHOLE SLAB BASE (15 FOOT)	EACH
604	DRAIN BASIN	EACH
604	12 INCH SIDEWALK CHASE DRAIN	LF
605	6 INCH PERFORATED PIPE UNDERDRAIN (SPECIAL)	LF
607	FENCE (PLASTIC)	LF
607	FENCE CHAIN LINK (42 INCH)	LF
607	FENCE CHAIN LINK (60 INCH)	LF
607	FENCE WOOD WITH METAL POSTS	LF
607	FENCE WOOD (6 FT CEDAR)	LF
607	15 FOOT GATE	EACH
607	20 FOOT GATE	EACH
608	CONCRETE SIDEWALK (6 INCH)	SY
608	CONCRETE CURB RAMP	SY
609	CURB AND GUTTER TYPE 2 (SECTION I-B)	LF
609	CURB AND GUTTER TYPE 2 (SECTION II-B)	LF
610	MEDIAN COVER MATERIAL (PATTERNED CONCRETE)	SF
613	3 INCH ELECTRICAL CONDUIT (BORED)	LF
613	2 INCH ELECTRICAL CONDUIT (PLASTIC)	LF
613	3 INCH ELECTRICAL CONDUIT (PLASTIC)	LF
613	LUMINAIRE (LED) (9,600 LUMENS)	EACH
613	LIGHTING STANDARD STEEL (30 FOOT)	EACH
613	LIGHT STANDARD FOUNDATION	EACH
614	SIGN PANEL (CLASS 1)	SF
614	STEEL SIGN POST (1.75 X 1.75 INCH TUBING)	LF
614	SIGN SUPPORT (2 INCH X 2 INCH STEEL SLEEVE)	LF
615	IRRIGATION GATE STRUCTURE	EACH
619	WATER METER	EACH
619	CONNECT TO EXISTING WATERLINE	EACH
619	8 INCH PLASTIC PIPE	LF
619	8 INCH GATE VALVE	EACH
619	6 INCH FIRE HYDRANT	EACH
-626	PUBLIC INFORMATION SERVICES	LS
627	PREFORMED THERMOPLASTIC BURN DOWN (XWALK - STOPLIN	SF
627	PREFORMED THERMOPLASTIC BURN DOWN (BIKE XWALK - GREEN)	SF
-700	F/A Risk Pool Addition - Clay Plug at Lincoln Academy Ponds	FA

Grand Totals	
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CO QTY	Unit Cost	Extension	Risk Pool Overrun / CP2-CP3
1740	\$ 7.68	\$ 13,363.20	
22	\$ 466.74	\$ 10,268.28	\$ 853.82
1	\$ 1,474.16	\$ 1,474.16	
193	\$ 12.98	\$ 2,505.14	
205	\$ 29.29	\$ 6,004.45	
3150	\$ 6.69	\$ 21,073.50	
1	\$ 827.62	\$ 827.62	
1456	\$ 8.60	\$ 12,521.60	
-2	\$ 496.39	\$ (992.78)	
594	\$ 4.28	\$ 2,542.32	
2	\$ 661.32	\$ 1,322.64	
-2	\$ 2,153.81	\$ (4,307.62)	
97	\$ 31.81	\$ 3,085.57	\$ 232.80
6	\$ 189.00	\$ 1,134.00	
1	\$ 1,922.52	\$ 1,922.52	
1	\$ 3,987.78	\$ 3,987.78	
-38	\$ 114.88	\$ (4,365.44)	
2161	\$ 15.93	\$ 34,424.73	\$ 12,944.39
600	\$ 24.50	\$ 14,700.00	
-328	\$ 55.05	\$ (18,056.40)	
1354	\$ 29.59	\$ 40,064.86	
2345	\$ 4.30	\$ 10,083.50	
660	\$ 1.61	\$ 1,062.60	
114	\$ 6.75	\$ 769.50	
5	\$ 245.16	\$ 1,225.80	
117	\$ 102.71	\$ 12,017.07	
1.7	\$ 896.76	\$ 1,524.49	
0.650137741	\$ 896.76	\$ 583.02	
1.7	\$ 8,542.57	\$ 14,522.37	
-29495	\$ 1.25	\$ (36,868.75)	
1.7	\$ 1,498.21	\$ 2,546.96	
342	\$ 2.45	\$ 837.90	
390	\$ 235.00	\$ 91,650.00	
-53	\$ 25.55	\$ (1,354.15)	
-66	\$ 68.28	\$ (4,506.48)	
-2	\$ 870.61	\$ (1,741.22)	
2610	\$ 3.03	\$ 7,908.30	
1143	\$ 29.24	\$ 33,421.32	
985	\$ 87.44	\$ 86,128.40	
-99	\$ 112.81	\$ (11,168.19)	
320	\$ 26.75	\$ 8,560.00	
306	\$ 3.30	\$ 1,009.80	
98	\$ 10.31	\$ 1,010.38	
-783	\$ 2.66	\$ (2,082.78)	
3	\$ 500.17	\$ 1,500.51	\$ 1,089.60
30	\$ 726.49	\$ 21,794.70	\$ 10,489.50
133	\$ 304.38	\$ 40,482.54	\$ 42,333.90
7	\$ 335.68	\$ 2,349.76	\$ 2,074.10
45	\$ 422.51	\$ 19,012.95	
1	\$ 1,391.17	\$ 1,391.17	\$ 144.02
6	\$ 1,578.97	\$ 9,473.82	
9	\$ 1,180.89	\$ 10,628.01	
588	\$ 539.43	\$ 317,184.84	\$ 16,442.29
162	\$ 179.75	\$ 29,119.50	

148	\$	202.58	\$	29,981.84	\$	81.40
342	\$	263.27	\$	90,038.34		
1	\$	810.73	\$	810.73		
1	\$	1,144.58	\$	1,144.58		
62	\$	289.08	\$	17,922.96	\$	451.36
940	\$	145.00	\$	136,300.00		
121	\$	222.54	\$	26,927.34		
1	\$	7,307.51	\$	7,307.51		
1	\$	16,225.39	\$	16,225.39		
1	\$	25,433.50	\$	25,433.50		
1	\$	9,258.29	\$	9,258.29		
2	\$	7,825.28	\$	15,650.56		
3	\$	3,920.99	\$	11,762.97		
-6	\$	505.76	\$	(3,034.56)		
42	\$	30.82	\$	1,294.44		
225	\$	4.82	\$	1,084.50		
350	\$	40.00	\$	14,000.00		
868	\$	56.49	\$	49,033.32		
-107	\$	98.17	\$	(10,504.19)		
4321	\$	71.00	\$	306,791.00		
3	\$	8,383.50	\$	25,150.50		
-1	\$	6,078.04	\$	(6,078.04)		
349	\$	57.10	\$	19,927.90		
43	\$	163.92	\$	7,048.56		
148	\$	29.10	\$	4,306.80		
42	\$	30.48	\$	1,280.16		
-22	\$	12.04	\$	(264.88)		
1518	\$	20.96	\$	31,817.28		
600	\$	16.83	\$	10,098.00		
-1055	\$	24.28	\$	(25,615.40)		
11	\$	896.04	\$	9,856.44		
6	\$	5,254.86	\$	31,529.16		
6	\$	2,355.97	\$	14,135.82		
1	\$	37.50	\$	37.50		
11	\$	22.06	\$	242.66		
3	\$	24.27	\$	72.81		
1	\$	16,575.76	\$	16,575.76		
1	\$	6,517.71	\$	6,517.71		
2	\$	15,515.68	\$	31,031.36		
708	\$	170.80	\$	120,926.40		
2	\$	2,499.75	\$	4,999.50		
1	\$	16,735.11	\$	16,735.11		
1	\$	15,000.00	\$	15,000.00		
930	\$	14.89	\$	13,847.70		
660	\$	21.51	\$	14,196.60		
1	\$	30,000.00	\$	30,000.00	This is additional costs added to risk pool for dewatering and clay plug needed for surface water present at Lincoln Academy pond excavation	

	\$	1,954,381.70	\$	87,137.18
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Total CO Amount

Escalation Amount covered in Risk Pool

\$ 2,041,518.88 Additional amount added to contract

Notes

CP3 ROM Vs CP2 Price

	New Line Item to CP2
	Negative / Deductive QTY

CP3 ROM Vs CP2 Price

CP3 ROM Vs CP2 Price

Quantity changed from SY to CY

CP3 ROM Vs CP2 Price
CP3 ROM Vs CP2 Price
CP3 ROM Vs CP2 Price
CP3 ROM Vs CP2 Price

CP3 ROM Vs CP2 Price

Escalation for all pipe and inlets - Oldcastle Invoice Dated 5.1.23

Escalation for all pipe and inlets - Oldcastle Invoice Dated 5.1.23

Furgusson Price increase during Bid Time
Using SDR35 - Solid Pipe

MM555R (5 FOOT) Page 219D - Not in Tabs

**Additional PI efforts and extension of workscope

SEMA to provide risk pool narrative / supplemental

Item No.	Pay Item	Unit
201	REMOVAL OF CURB	LF
202	REMOVAL OF TREE	EACH
202	REMOVAL OF INLET	EACH
202	REMOVAL OF SIDEWALK	SY
202	REMOVAL OF CONCRETE PAVEMENT	SY
202	REMOVAL OF ASPHALT MAT	SY
202	REMOVAL OF LIGHT STANDARD FOUNDATION	EACH
202	REMOVAL OF FENCE	LF
202	REMOVAL OF GATE	EACH
202	REMOVAL OF GUARDRAIL TYPE 3	LF
202	REMOVAL OF END ANCHORAGE	EACH
202	PLUG CULVERT	EACH
202	REMOVAL OF STORM PIPE	LF
202	REMOVAL OF PICNIC BENCH	EA
202	REMOVAL OF IRRIGATION STRUCTURE	EACH
202	REMOVAL OF IRRIGATION APPURTENANCES	EACH
202	ABANDON STORM PIPE	LF
203	UNCLASSIFIED EXCAVATION (COMPLETE IN PLACE)	CY
203	POND LINING	SY
207	TOPSOIL IMPORT	CY
207	TOPSOIL (ONSITE)	CY
208	(SEDIMENT CONTROL LOG) EROSION LOG TYPE 1 (12 INCH)	LF
208	SILT FENCE	LF
208	(ROCK SOCK) AGGREGATE BAG	LF
208	STORM DRAIN INLET PROTECTION (TYPE III) (AREA INLETS)	EACH
210	RESET LANDSCAPE BOULDERS	EACH
212	SEEDING (NATIVE) EROSION CONTROL	ACRE
212	SEEDING (NATIVE) LANDSCAPE	ACRE
212	SOIL CONDITIONING	ACRE
212	PLANTING - SOD	SF
213	MULCHING (WEED FREE)	ACRE
213	MULCH TACKIFIER	LB
213	MULCH	SF
214	PLANTING - PERENNIALS (1 GAL)	EACH
214	PLANTING - SHRUBS (5 GAL)	EACH
214	PLANTING - TREE (2.5" CAL)	EACH
216	(EROSION CONTROL BLANKET) SOIL RETENTION BLANKET (COCONUT)	SY
304	AGGREGATE BASE COURSE (CLASS 6)	TON
403	HOT MIX ASPHALT (GRADING S) (100) (PG 64-22)	TON
403	HOT MIX ASPHALT (GRADING SX) (100) (PG 76-28)	TON
409	PED-BIKE BUFFER-CONCRETE WITH COLORED MICROTOPPING	SF
411	EMULSIFIED ASPHALT (SLOW SETTING)	GAL
420	GEOTEXTILE (DRAINAGE) (CLASS 2)	SY
420	GEOTEXTILE (SEPARATOR) (CLASS 1)	SY
506	GROUTED BOULDERS (24 INCH)	EACH
506	GROUTED BOULDERS (36 INCH)	EACH
506	VOID FILLED RIPRAP (6 INCH)	CY
506	VOID FILLED RIPRAP (12 INCH)	CY
506	STACKED BOULDER WALL	LF
601	CONCRETE (CLASS B): TOEWALL	CY
601	CONCRETE (CLASS B): CURB WALL	CY
601	CONCRETE (CLASS B): FOREBAY BASE	CY

603	12 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	18 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	24 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	30 INCH REINFORCED CONCRETE PIPE (COMPLETE IN PLACE)	LF
603	18 INCH REINFORCED CONCRETE END SECTION	EACH
603	30 INCH REINFORCED CONCRETE END SECTION	EACH
603	6 INCH PLASTIC PIPE	LF
603	6 INCH PLASTIC PIPE (SPECIAL)	LF
603	10 INCH PLASTIC PIPE	LF
604	INLET TYPE C (10 FOOT)	EACH
604	OUTLET STRUCTURE 2	EACH
604	MANHOLE SLAB BASE (15 FOOT)	EACH
604	DRAIN BASIN	EACH
604	12 INCH SIDEWALK CHASE DRAIN	LF
605	6 INCH PERFORATED PIPE UNDERDRAIN (SPECIAL)	LF
607	FENCE (PLASTIC)	LF
607	FENCE CHAIN LINK (42 INCH)	LF
607	FENCE CHAIN LINK (60 INCH)	LF
607	FENCE WOOD WITH METAL POSTS	LF
607	FENCE WOOD (6 FT CEDAR)	LF
607	15 FOOT GATE	EACH
607	20 FOOT GATE	EACH
608	CONCRETE SIDEWALK (6 INCH)	SY
608	CONCRETE CURB RAMP	SY
609	CURB AND GUTTER TYPE 2 (SECTION I-B)	LF
609	CURB AND GUTTER TYPE 2 (SECTION II-B)	LF
610	MEDIAN COVER MATERIAL (PATTERNED CONCRETE)	SF
613	3 INCH ELECTRICAL CONDUIT (BORED)	LF
613	2 INCH ELECTRICAL CONDUIT (PLASTIC)	LF
613	3 INCH ELECTRICAL CONDUIT (PLASTIC)	LF
613	LUMINAIRE (LED) (9,600 LUMENS)	EACH
613	LIGHTING STANDARD STEEL (30 FOOT)	EACH
613	LIGHT STANDARD FOUNDATION	EACH
614	SIGN PANEL (CLASS 1)	SF
614	STEEL SIGN POST (1.75 X 1.75 INCH TUBING)	LF
614	SIGN SUPPORT (2 INCH X 2 INCH STEEL SLEEVE)	LF
615	IRRIGATION GATE STRUCTURE	EACH
619	WATER METER	EACH
619	CONNECT TO EXISTING WATERLINE	EACH
619	8 INCH PLASTIC PIPE	LF
619	8 INCH GATE VALVE	EACH
619	6 INCH FIRE HYDRANT	EACH
627	PREFORMED THERMOPLASTIC BURN DOWN (XWALK - STOPLIN	SF
627	PREFORMED THERMOPLASTIC BURN DOWN (BIKE XWALK - GREEN)	SF

IFC Quantitiy	3/10/2023 R2 Draft Quantitiy	3/14/2023 R2 Final Quantitiy	QTY Delta	Unit Price CP2	Unit Price CP3
	1740	1,740	1,740		\$ 7.68
86	108	108	22	\$ 466.74	\$ 505.55
10	11	11	1	\$ 1,474.16	\$ 1,380.02
4545	4738	4,738	193	\$ 12.98	\$ 12.17
1092	1297	1,297	205	\$ 29.29	\$ 25.15
28300	31450	31,450	3,150	\$ 6.69	\$ 5.01
14		15	1	\$ 827.62	\$ 827.62
5932	7388	7,388	1,456	\$ 8.60	\$ 8.60
5		3	-2	\$ 496.39	\$ 496.39
427	1021	1,021	594	\$ 4.28	\$ 4.28
2	4	4	2	\$ 661.32	\$ 639.23
9	7	7	-2	\$ 2,153.81	\$ 2,010.34
2747	2820	2,844	97	\$ 31.81	\$ 34.21
	6	6	6		\$ 189.00
	1	1	1		\$ 1,922.52
	1	1	1		\$ 3,987.78
100	62	62	-38	\$ 114.88	\$ 34.21
19640	21456	21,801	2,161	\$ 15.93	\$ 21.92
		600	600		
2592		2,264	-328	\$ 55.05	\$ 51.20
3021	4344	4,375	1,354	\$ 29.59	\$ 21.66
8610	10955	10,955	2,345	\$ 4.30	\$ 4.30
100	760	760	660	\$ 1.61	\$ 1.61
990	1104	1,104	114	\$ 6.75	\$ 6.75
15	20	20	5	\$ 245.16	\$ 245.16
	117	117	117		\$ 102.71
8.4	8.1	10.1	2	\$ 896.76	\$ 896.76
		0.7	1	\$ 896.76	\$ 896.76
5.6	5.3	7.3	2	\$ 8,542.57	\$ 8,542.57
37385		7,890	-29,495	\$ 1.25	\$ 1.25
5.6	5.3	7.3	2	\$ 1,498.21	\$ 1,498.21
1124	1060	1,466	342	\$ 2.45	\$ 2.45
494		377	-117	\$ 1.47	\$ 1.47
189		136	-53	\$ 25.55	\$ 25.55
956		890	-66	\$ 68.28	\$ 68.28
181		179	-2	\$ 870.61	\$ 870.61
1736	3980	4,346	2,610	\$ 3.03	\$ 3.03
22559	23702	23,702	1,143	\$ 29.24	\$ 28.67
12122	13107	13,107	985	\$ 87.44	\$ 87.44
5487	5388	5,388	-99	\$ 112.81	\$ 112.81
4818	5138	5,138	320	\$ 26.75	\$ 26.75
5228	5534	5,534	306	\$ 3.30	\$ 3.30
168		266	98	\$ 10.31	\$ 9.32
36498	35715	35,715	-783	\$ 2.66	\$ 2.12
3		6	3	\$ 500.17	\$ 863.37
32		62	30	\$ 726.49	\$ 1,076.14
5		138	133	\$ 304.38	\$ 622.68
25		32	7	\$ 335.68	\$ 631.98
		45	45		\$ 422.51
2		3	1	\$ 1,391.17	\$ 1,535.19
14		20	6	\$ 1,578.97	\$ 1,438.65
15		24	9	\$ 1,180.89	\$ 1,023.92

4	592	592	588	\$ 539.43	\$ 160.62
2079	2241	2,241	162	\$ 179.75	\$ 176.72
2106	2254	2,254	148	\$ 202.58	\$ 203.13
843	1185	1,185	342	\$ 263.27	\$ 259.33
	1	1	1		\$ 810.73
	1	1	1		\$ 1,144.58
5	67	67	62	\$ 289.08	\$ 296.36
	940	940	940		
	121	121	121		\$ 222.54
2		3	1	\$ 7,307.51	\$ 6,765.06
		1	1		\$ 25,433.50
6	8	8	2	\$ 7,825.28	\$ 7,344.67
2	4	5	3	\$ 3,920.99	\$ 3,743.31
16		10	-6	\$ 505.76	
	42	42	42		\$ 30.82
1317		1,542	225	\$ 4.82	\$ 4.82
		350	350		
685	1442	1,553	868	\$ 46.49	\$ 46.49
3701		3,594	-107	\$ 98.17	\$ 98.17
0		4,321	4,321		
1	4	4	3	\$ 8,383.50	\$ 4,815.00
2		1	-1	\$ 6,078.04	\$ 6,078.04
8446	8795	8,795	349	\$ 57.10	\$ 56.46
1210		1,253	43	\$ 163.92	\$ 163.96
6159	6399	6,307	148	\$ 29.10	\$ 28.69
8715	8757	8,757	42	\$ 30.48	\$ 29.97
9116	8119	9,094	-22	\$ 12.04	\$ 11.81
1750		3,268	1,518	\$ 20.96	
6190		6,790	600	\$ 16.83	\$ 16.83
1385		330	-1,055	\$ 24.28	\$ 24.28
37		48	11	\$ 896.04	\$ 896.04
30		36	6	\$ 5,254.86	\$ 5,254.86
30		36	6	\$ 2,355.97	\$ 2,355.97
751	752	752	1	\$ 37.50	\$ 37.50
546	557	557	11	\$ 22.06	\$ 22.06
156	159	159	3	\$ 24.27	\$ 24.27
		1	1		\$ 16,575.76
5	6	6	1	\$ 6,517.71	\$ 6,091.82
8	10	10	2	\$ 15,515.68	\$ 15,026.18
515	1223	1,223	708	\$ 170.80	\$ 142.19
7	9	9	2	\$ 2,499.75	\$ 2,673.89
9	10	10	1	\$ 16,735.11	\$ 16,056.00
1339		2269	930	\$ 14.89	\$ 14.89
3016	3675	3,676	660	\$ 21.51	\$ 21.51

Amount CP2	Amount CP3	Price Overrun
\$ -	\$ 13,363.20	\$ 13,363.20
\$ 10,268.28	\$ 11,122.10	\$ 853.82
\$ 1,474.16	\$ 1,380.02	\$ (94.14)
\$ 2,505.14	\$ 2,348.81	\$ (156.33)
\$ 6,004.45	\$ 5,155.75	\$ (848.70)
\$ 21,073.50	\$ 15,781.50	\$ (5,292.00)
\$ 827.62	\$ 827.62	\$ -
\$ 12,521.60	\$ 12,521.60	\$ -
\$ (992.78)	\$ (992.78)	\$ -
\$ 2,542.32	\$ 2,542.32	\$ -
\$ 1,322.64	\$ 1,278.46	\$ (44.18)
\$ (4,307.62)	\$ (4,020.68)	\$ 286.94
\$ 3,085.57	\$ 3,318.37	\$ 232.80
\$ -	\$ 1,134.00	\$ 1,134.00
\$ -	\$ 1,922.52	\$ 1,922.52
\$ -	\$ 3,987.78	\$ 3,987.78
\$ (4,365.44)	\$ (1,299.98)	\$ 3,065.46
\$ 34,424.73	\$ 47,369.12	\$ 12,944.39
\$ -	\$ -	\$ -
\$ (18,056.40)	\$ (16,793.60)	\$ 1,262.80
\$ 40,064.86	\$ 29,327.64	\$ (10,737.22)
\$ 10,083.50	\$ 10,083.50	\$ -
\$ 1,062.60	\$ 1,062.60	\$ -
\$ 769.50	\$ 769.50	\$ -
\$ 1,225.80	\$ 1,225.80	\$ -
\$ -	\$ 12,017.07	\$ 12,017.07
\$ 1,524.49	\$ 1,524.49	\$ -
\$ 583.02	\$ 583.02	\$ -
\$ 14,522.37	\$ 14,522.37	\$ -
\$ (36,868.75)	\$ (36,868.75)	\$ -
\$ 2,546.96	\$ 2,546.96	\$ -
\$ 837.90	\$ 837.90	\$ -
\$ (171.99)	\$ (171.99)	\$ -
\$ (1,354.15)	\$ (1,354.15)	\$ -
\$ (4,506.48)	\$ (4,506.48)	\$ -
\$ (1,741.22)	\$ (1,741.22)	\$ -
\$ 7,908.30	\$ 7,908.30	\$ -
\$ 33,421.32	\$ 32,769.81	\$ (651.51)
\$ 86,128.40	\$ 86,128.40	\$ -
\$ (11,168.19)	\$ (11,168.19)	\$ -
\$ 8,560.00	\$ 8,560.00	\$ -
\$ 1,009.80	\$ 1,009.80	\$ -
\$ 1,010.38	\$ 913.36	\$ (97.02)
\$ (2,082.78)	\$ (1,659.96)	\$ 422.82
\$ 1,500.51	\$ 2,590.11	\$ 1,089.60
\$ 21,794.70	\$ 32,284.20	\$ 10,489.50
\$ 40,482.54	\$ 82,816.44	\$ 42,333.90
\$ 2,349.76	\$ 4,423.86	\$ 2,074.10
\$ -	\$ 19,012.95	\$ 19,012.95
\$ 1,391.17	\$ 1,535.19	\$ 144.02
\$ 9,473.82	\$ 8,631.90	\$ (841.92)
\$ 10,628.01	\$ 9,215.28	\$ (1,412.73)



No Unit Price for CP3 - N€

Geoff Verify

\$317,184.84	\$ 94,444.56	\$ (222,740.28)
\$ 29,119.50	\$ 28,628.64	\$ (490.86)
\$ 29,981.84	\$ 30,063.24	\$ 81.40
\$ 90,038.34	\$ 88,690.86	\$ (1,347.48)
\$ -	\$ 810.73	\$ 810.73
\$ -	\$ 1,144.58	\$ 1,144.58
\$ 17,922.96	\$ 18,374.32	\$ 451.36
\$ -	\$ -	\$ -
\$ -	\$ 26,927.34	\$ 26,927.34
\$ 7,307.51	\$ 6,765.06	\$ (542.45)
\$ -	\$ 25,433.50	\$ 25,433.50
\$ 15,650.56	\$ 14,689.34	\$ (961.22)
\$ 11,762.97	\$ 11,229.93	\$ (533.04)
\$ (3,034.56)	\$ -	\$ 3,034.56
\$ -	\$ 1,294.44	\$ 1,294.44
\$ 1,084.50	\$ 1,084.50	\$ -
\$ -	\$ -	\$ -
\$ 40,353.32	\$ 40,353.32	\$ -
\$ (10,504.19)	\$ (10,504.19)	\$ -
\$ -	\$ -	\$ -
\$ 25,150.50	\$ 14,445.00	\$ (10,705.50)
\$ (6,078.04)	\$ (6,078.04)	\$ -
\$ 19,927.90	\$ 19,704.54	\$ (223.36)
\$ 7,048.56	\$ 7,050.28	\$ 1.72
\$ 4,306.80	\$ 4,246.12	\$ (60.68)
\$ 1,280.16	\$ 1,258.74	\$ (21.42)
\$ (264.88)	\$ (259.82)	\$ 5.06
\$ 31,817.28	\$ -	\$ (31,817.28)
\$ 10,098.00	\$ 10,098.00	\$ -
\$ (25,615.40)	\$ (25,615.40)	\$ -
\$ 9,856.44	\$ 9,856.44	\$ -
\$ 31,529.16	\$ 31,529.16	\$ -
\$ 14,135.82	\$ 14,135.82	\$ -
\$ 37.50	\$ 37.50	\$ -
\$ 242.66	\$ 242.66	\$ -
\$ 72.81	\$ 72.81	\$ -
\$ -	\$ 16,575.76	\$ 16,575.76
\$ 6,517.71	\$ 6,091.82	\$ (425.89)
\$ 31,031.36	\$ 30,052.36	\$ (979.00)
\$120,926.40	\$100,670.52	\$ (20,255.88)
\$ 4,999.50	\$ 5,347.78	\$ 348.28
\$ 16,735.11	\$ 16,056.00	\$ (679.11)
\$ 13,847.70	\$ 13,847.70	\$ -
\$ 14,196.60	\$ 14,196.60	\$ -

**Reprice

Verify

Review

**Not priced for CP3

Eric How much
Eric
Eric

Reprice

Geoff - Irrigation line item

Verified
Verified in SAQ but not in tabulations
New qty but not captured in spreadsheet
New Line
Deductive Quantity - Verify
Reprice or Verify Price

æed to Bid

of this has 6 month lead time?!



REPORT TO CITY COUNCIL RESOLUTION

AGENDA ITEM
8.A.2.

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 2023

SUBJECT: R23-065, A Resolution Approving the First Amendment to an Employment Agreement by and between the City of Arvada and Lorie B. Gillis as City Manager

Report in Brief

City Council meets annually with the City Manager to provide a performance evaluation. On June 20, 2023, City Council met with Ms. Gillis for the purpose of providing written and verbal feedback about her performance over the past year. As a result of this performance evaluation, Ms. Gillis's contract is being revised. To implement these changes, the attached resolution formally approves the first amendment to the employment agreement between the City and Lorie Gillis as City Manager.

Financial Impact

The financial impact of this Resolution is \$275,600.00 annually.

Background

The City Manager Employment Agreement was originally approved by the City Council on September 21, 2022.

Discussion

This amendment provides for a \$15,600 salary increase for the City Manager over her 2022 salary, an increase in her retirement contribution to 13.02%, and an increase to her maximum vacation accrual to 320 hours. There are no other changes to the terms and conditions of the City Manager's Employment Agreement.

Public Contact

Posting of the City Council agenda.

Commission Recommendation

N/A

Strategic Alignment

The proposed action aligns with the following Principle within the Organizational and Service Effectiveness Priority Area within the City Council Strategic Plan:

Provides legal services to the City Council, Boards and Commissions, and all work systems, so they can enforce the law, avoid or mitigate risks associated with City operations and protect the legal interest of the City.

Alternative Courses of Action

N/A

Recommendation for Action

The Arvada team recommends that the City Council approve R23-065, A Resolution Approving the First Amendment to an Employment Agreement by and between the City of Arvada and Lorie B. Gillis as City Manager.

Suggested Motion:

I move that R23-065, A Resolution Approving the First Amendment to an Employment Agreement by and between the City of Arvada and Lorie B. Gillis as City Manager, be (approved) (rejected).

Prepared by:

Toni Riebschlager, Law Office Administrator

Reviewed by:

Approved by:

Toni Riebschlager, Law Office Administrator 6/27/2023

Nora Steenson, Deputy City Attorney 6/30/2023

Gabriella Bommer, Director of Human Resources 7/3/2023

Linda Haley, Deputy City Manager 7/3/2023

Lorie Gillis, City Manager 8/10/2023

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R23-065

A RESOLUTION APPROVING THE FIRST AMENDMENT TO AN EMPLOYMENT AGREEMENT BY AND BETWEEN THE CITY OF ARVADA AND LORIE B. GILLIS AS CITY MANAGER

WHEREAS, on September 21, 2022, the City of Arvada and Lorie B. Gillis entered into an Employment Agreement for the appointment of Ms. Gillis as the City Manager; and

WHEREAS, the parties wish to amend the Agreement by executing the First Amendment thereto.

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, the First Amendment to the Employment Agreement by and between the City of Arvada and Lorie B. Gillis as City Manager. The form of said First Amendment is substantially the same as that attached hereto.

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

APPROVED AND ADOPTED this 21st day of August, 2023.

Marc Williams, Mayor

ATTEST:

City Clerk

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

By:

**FIRST AMENDMENT TO AN EMPLOYMENT AGREEMENT BY AND BETWEEN
THE CITY OF ARVADA AND LORIE B. GILLIS
AS CITY MANAGER**

WHEREAS, on September 21, 2022, the City of Arvada and Lorie B. Gillis ("Employee") entered into an Employment Agreement ("Agreement") for Employee's appointment to the position of City Manager as provided in Section 8.1 of the Arvada City Charter; and

WHEREAS, the Parties wish to amend the Agreement by executing a First Amendment thereto.

Section 1. Subsection 6.1, Base salary, of section 6.0, Compensation, of the Agreement is hereby amended in its entirety to read as follows:

6.0 COMPENSATION.

- 6.1 Base salary. City agrees to pay Employee for services rendered an annual base salary of \$275,600 payable in installments at the same time and in the same manner as other City employees are paid. Thereafter, the Employee's salary may be adjusted as set forth herein and at the discretion of the City Council. Payments made shall be subject to such withholdings as may be required or regulated by law, or that are authorized from time to time by the Employee.

Section 2. Subsection 7.1.1, Retirement account, of subsection 7.1, Retirement; Deferred Compensation, of section 7.0, Other Benefits, of the Agreement is hereby amended in its entirety to read as follows:

7.0 OTHER BENEFITS.

- 7.1 Retirement; Deferred compensation.

- 7.1.1 Retirement account. Arvada does not participate in the Social Security System. However, Arvada will deposit an amount equal to 13.02% of Employee's base salary into a qualified 401(a) account managed by the Employee, with such deposit to be made during the respective calendar year in generally equal proportionate amounts each pay period. Employee will contribute at least an amount equal to 8% of her salary with deposits being made in the same manner and at the same time as Arvada's contributions. Employee will be fully vested in Arvada's contribution at the time the contribution is made.

Section 3. Subsection 7.3.5, Use and carryover limitation on leave, of subsection 7.3, Leave time, of section 7.0, Other Benefits, of the Agreement is hereby amended in its entirety to read as follows:

7.0 OTHER BENEFITS

* * *

7.3 Leave time.

7.3.5 Use and carryover limitations on leave. Arvada's personnel rules dictate the use and carryover limitations of leave time. These rules apply to Employee, except that Employee may accrue up to a maximum of 320 hours of vacation leave, and except as otherwise set forth herein.

Section 4. This First Amendment to the Agreement shall be effective on July 11, 2023.

Section 5. The terms of the Agreement shall remain unchanged except as specifically amended herein. This First Amendment shall not act as a waiver of any term or condition of the Agreement or previously executed amendments.

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: _____

EMPLOYEE

Lorie B. Gillis



REPORT TO CITY COUNCIL ORDINANCE FIRST READING

AGENDA ITEM
8.C.1.

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 2023

SUBJECT: CB23-021, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges (Public Hearing to be set for September 11, 2023 at 6:15 p.m.)

Report in Brief

PRESENTER: Sharon Israel, Director of Utilities

The ordinance before the City Council will adjust Water and Sewer System Development Charges (SDCs) previously adopted in October 2022. The effective date of the new SDCs will be October 1, 2023, as approved by City Council Resolution R23-054.

The updated Water System Development Charge for a Single Family Home is proposed to be decreased from \$38,600 to \$34,490.

The updated Sewer System Development Charge for a Single Family Home is proposed to be decreased from \$10,400 to \$6,240. The Sewer System Development Charge is in addition to a fee charged by Metro Water Recovery for new connections. The current Metro Water Recovery fee for 2023 is \$5,120.

The total proposed combined Water and Sewer System Development Charges for a Single Family Home, including Metro Water Recovery fees, is \$45,850, a decrease of \$8,270 from the previously adopted SDCs. This falls within the current range of similar water and sewer utilities in the Denver Metro area.

Water and Sewer System Development Charges are due at the time a City building permit is ready to be issued.

All of the System Development Charges and financial impacts, including changes, are included in the ordinance.

The Arvada team recommends that the City Council approve CB23-021, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges.

Financial Impact

Adjusting the adopted SDCs will decrease the estimated revenue generated from SDC's in the water and sewer funds. Water SDCs will decrease approximately 11% and Sewer SDCs will decrease approximately 40%.

Background

In support of the City Council Strategic Plan and Infrastructure Work System, the City team has been developing a financial strategy to support reinvestment in aging water and infrastructure and expansion of capacity to support planned development.

In the July 25, 2022 workshop on Utilities Financial Strategies, the City recommended adjustments to water and sewer rates, bimonthly service fees, and System Development Charges (also referred to as tap fees) in order to support sustainable operations and level of service goals. Additional revenue from these adjustments enables major reinvestments and capacity

building projects to proceed in accordance with a schedule laid out in the master planning work directed in the City Council Strategic Plan.

The City Council adopted new Water and Sewer System Development Charges in October 2022. Following that, the City team determined it was necessary to verify the calculations were performed correctly by our consultant. Based on that verification work, adjustments to the adopted System Development Charges are needed. A workshop presentation at the August 14, 2023 City Council meeting discussed these proposed changes.

Discussion

The City's Infrastructure Worksystem continues to prepare for investments in operations and infrastructure as part of our ongoing commitment to continue to provide reliable water, sewer, and stormwater drainage services to our community. This work supports the 2020-2025 City Council Strategic Plan that calls for updated master plans for water, sewer and stormwater, as well as an implementation plan and budget recommendations.

On October 17, 2022, the City Council passed an ordinance to adopt updated SDCs for new development. The proposal increased SDCs for the first time since 2017 for water and since 2011 for sewer. The SDCs adopted were developed by a consulting firm, LSA Advisors, which has expertise in utility rate-setting, financial modeling, and SDC development. The ordinances established the effective date of July 1, 2023 for the new charges.

Establishing appropriate System Development Charges requires consideration of applicable laws, industry best practices, and asset valuation. Earlier this year, the City team consulted with experts regarding the System Development Charges adopted in October of last year. Some additional quality checks and modifications to the basis of the calculations for these charges were needed. Based on this finding, the City team recommended delaying the implementation date of adjusted charges by three months.

On June 5, 2023, the City Council passed ordinance R23-054, A Resolution Directing City Staff Not to Collect System Development Charges Under the Fee Schedule Set Forth in Ordinance No. 4819, and Instead Continue Collecting System Development Charges Under the Current Fee Schedule Until September 30, 2023.

Over the past few months, a review of SDCs passed in October 2022 was completed by a second external consultant, FCS Group. This work resulted in recommendations for some changes to the financial model and assumptions used to develop SDCs, as presented at the August 14, 2023 City Council meeting. Approval of this ordinance will update SDCs in City Code in accordance with the recommendations from FCS Group.

Public Contact

Posting of the City Council agenda. In addition, a workshop regarding updated System Development Charges was presented to the City Council on August 14, 2023.

Commission Recommendation

Strategic Alignment

The recommendation to adjust System Development Charges aligns with the following Strategic Result within the Infrastructure Priority Area of the City Council Strategic Plan:

Update the water, sewer, and stormwater master plans.

In addition, adjusting System Development Charges aligns with the following Principle stated within the Infrastructure Priority Area:

SUBJECT: CB23-021, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges (Public Hearing to be set for September 11, 2023 at 6:15 p.m.)

PAGE: 3
ITEM: 8.C.1.

Provides the community with a safe, reliable, high-quality water supply, drainage system, and wastewater disposal services for full city build-out, as defined by the Comprehensive Plan. This includes maintaining utility rates at the lowest practical levels with accurate billing that supports replacement of aging infrastructure in order to maintain robust utility systems.

Alternative Courses of Action

Recommendation for Action

The Arvada team recommends that the City Council approve CB23-021, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges, with Public Hearing to be set for September 11, 2023 at 6:15 p.m.

Suggested Motion:

I move that CB23-021, An Ordinance Amending Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges, be (approved on first reading, ordered published in full, and a public hearing set for September 11, 2023, at 6:15 p.m.) (rejected).

Prepared by:
Sharon Israel, Director of Utilities

Reviewed by:

Approved by:

Sharon Israel, Director of Utilities	8/14/2023
Bryan Archer, Director of Finance	8/14/2023
Jessica Morales, Assistant City Attorney	8/16/2023
Tammy Hedlund, Legal Specialist	8/17/2023
Rachel Morris, City Attorney	8/18/2023
Don Wick, Deputy City Manager	8/18/2023
Lorie Gillis, City Manager	8/18/2023

Enclosure, exhibits & attachments required to support the report

COUNCIL BILL NO. 23-021
ORDINANCE NO. _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 102, UTILITIES, OF
THE ARVADA CITY CODE PERTAINING TO SYSTEM DEVELOPMENT CHARGES

WHEREAS, the City is committed to providing reliable water and sewer services;

WHEREAS, System Development Charges support providing reliable water and sewer services;

WHEREAS, the City is committed to routinely updating System Development Charges to ensure that new or enhanced development pays an appropriate and equitable amount to access the City's water and wastewater systems;

WHEREAS, Ordinance No. 4819, An Ordinance Amending Sections 74-91 and 74-92 of Chapter 74, Planning and Development, and Various Sections of Chapter 102, Utilities, of the Arvada City Code Pertaining to System Development Charges, was passed, adopted and approved on October 17, 2022;

WHEREAS, Ordinance No. 4819 set forth increases to System Development Charges necessary to providing reliable water and sewer services;

WHEREAS, Ordinance No. 4819 went into effect on July 1, 2023;

WHEREAS, in early June of 2023, the City determined additional time was needed to review the calculations and modeling for System Development Charges;

WHEREAS, on June 5, 2023, via Resolution No. R23-054, the City Council directed City Staff not to collect System Development Charges under the fee schedule set forth in Ordinance No. 4819, and instead directed City Staff to continue collecting System Development Charges under the previous schedule until September 30, 2023;

WHEREAS, the City, in consultation with Utility Finance Experts, has developed an appropriate calculation and model for System Development Charges which properly accounts for contributed assets;

WHEREAS, no individual landowner will be required to provide any site specific dedication or improvement to meet the same need for capital facilities for which the System Development Charges are imposed;

WHEREAS, this ordinance shall not apply to developments that meet the requirements of ACC §8-2-3-7 (B) at the time of adoption; and

WHEREAS, the City Council finds that it is in the best interest of the City and the public to adjust these system development charges.

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

Section 1. Section 102-161, Residential water fees within city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-161. Residential water fees within city.

Water fees for serving residential facilities within the corporate limits of the city are as follows:

(1) Tapping fee.....\$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters.....\$45.00

b. 1½" and larger meters.....\$80.00

(3) Water system development charges determined from the following schedule:

Type of Residence	Per Unit
a. Single-family	\$33,490.00
b. Duplex	\$25,120.00
c. Multifamily	\$16,750.00

(4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the Utilities Director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the Utilities Director for review and approval.”

Section 2. Section 102-161.5, Residential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-161.5. Residential water system development charges applicable to developments subject to a water resource contribution discount.

(a) Fees in this section are set in accordance with existing agreements to account for water resources contributed to the city at no cost to the city.

(b) Discounted water system development charges under this Sec. 102-161.5 will apply only until such time as the contributed water resources are exhausted.

(c) Water system development charges determined from the following schedule:

Type of Residence	Applicable water system development charges when water resources contributed
a. Single-family	\$9,870.00
b. Duplex	\$7,400.00
c. Multifamily	\$4,940.00

(d) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval.”

Section 3. Section 102-161.6, Residential water fees within the Mountain Shadows Subdivision, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Repealed.”

Section 4. Section 102-162, Waiver by city council, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-162. Waiver by city council – Water system development charges.

Water system development charges for residential, commercial, institutional, governmental and industrial uses applicable within the city limits, and outside the city limits, may be waived or reduced only by express city council approval upon a finding and determination by the city council that such waiver or reduction is in the best interest of the city.”

Section 5. Section 102-163, Residential water fees outside city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-163. Residential water fees outside city.

Water fees for serving residential facilities outside the corporate limits of the city, subject to section 102-51, are as follows:

- (1) Tapping fee\$90.00
- (2) Inspection fee:
 - a. $\frac{5}{8}$ ", $\frac{3}{4}$ ", and 1" meters\$67.50
 - b. 1½" and larger\$120.00
- (3) Water system development charges determined from the following schedule:

Type of Residence	Per Unit
a. Single family	\$66,980.00
b. Duplex	\$50,240.00
c. Multifamily	\$33,500.00

- (4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap

3. 19 or more units	2" or larger meter and tap
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*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval."

Section 6. Section 102-164, Nonresidential water fees within city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

"Sec. 102-164. Nonresidential water fees within city.

(a) Water fees for serving nonresidential facilities within the city are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters \$45.00

b. 1½" and larger meters \$80.00

(3) Water system development charges based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ "	1.0	\$33,490.00
$\frac{3}{4}$ "	1.5	\$50,235.00
1"	2.5	\$83,725.00
1½"	5.0	\$167,450.00
2"	8.0	\$267,920.00
3"	17.5	\$586,075.00
4"	30.0	\$1,004,700.00
6"	62.5	\$2,093,125.00

(b) Water fees for serving irrigated open space within the city are as follows:

(1) Tapping fee..... \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " and 1" meters..... \$45.00

b. 1½" and larger meters..... \$80.00

(3) Water system development charges for irrigated open space within the city based on the following schedule:

- a. Non-water conserving landscaping at \$5.24 per square foot of irrigated area.
- b. Water conserving landscaping at \$2.79 per square foot of irrigated area.
- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this Division 6 of Chapter 102. Any such determination shall be made available to the user for inspection, upon request.”

Section 7. Section 102-164.5, Nonresidential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, the Leyden Ranch Metropolitan District, and Candelas Filings 2, 3, 4 and designated properties in Candelas Filing 1, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-164.5. Nonresidential water system development charges applicable to developments subject to a water resource contribution discount.

- (a) Fees in this section are set in accordance with existing agreements to account for water resources contributed to the city at no cost to the city.
- (b) Discounted water system development charges under this Sec. 102-164.5 will apply only until such time as the contributed water resources are exhausted.
- (c) Water system development charges based on the following schedule:

Size of Meter	Applicable water system development charges when water resources contributed
5/8”x 3/4”	\$9,870.00
3/4”	\$14,810.00
1”	\$24,680.00
1 1/2”	\$49,350.00
2”	\$78,960.00
3”	\$172,730.00
4”	\$296,100.00
6”	\$616,880.00

- (d) Water system development charges for irrigated open space based on the following schedule, at a per square foot of irrigated area:

Size of Meter	Applicable water system development charges when water resources contributed
Non-water conserving landscaping	\$1.54
Water conserving landscaping	\$0.82

- (e) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this Article I of Chapter 33. Any such determination shall be made available to the user for inspection, upon request.”

Section 8. Section 102-164.6, Nonresidential water fees within the Mountain Shadows Subdivision, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Repealed.”

Section 9. Section 102-165, Same—Waiver, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Repealed.”

Section 10. Section 102-166, Nonresidential water fees outside city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-166. Nonresidential water fees outside city.

- (a) Water fees for serving nonresidential facilities outside the city are as follows:

(1) Tapping fee..... \$90.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters..... \$67.50

b. 1½" and larger meter..... \$120.00

(3) Water system development charges based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ "	1.0	\$66,980.00
$\frac{3}{4}$ "	1.5	\$100,470.00

1"	2.5	\$167,450.00
1½"	5.0	\$334,900.00
2"	8.0	\$535,840.00
3"	17.5	\$1,172,150.00
4"	30.0	\$2,009,400.00
6"	62.5	\$4,186,250.00

(b) Water fees for serving irrigated open space outside the city are as follows:

(1) Tapping fee..... \$90.00

(2) Inspection fee:

a. $\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " and 1" meters..... \$67.50

b. 1½" and larger meters..... \$120.00

(3) Water system development charges for irrigated open space based on the following schedule:

a. Non-water conserving landscape at \$10.48 per square foot of irrigated area.

b. Water conserving landscape at \$5.58 per square foot of irrigated area.

(c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request."

Section 11. Section 102-202, Sewer system development charges—Residential use property, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

"Sec. 102-202. Sewer system development charges—Residential facilities within city.

Sewer system development charges for serving residential facilities within the corporate limits of the city are as follows:

(1) An inspection fee of \$25.00.

(2) Sewer system development charges determined from the following schedule:

Type of Residence	Amount
Single-family	\$6,240.00

Duplex	\$4,370.00
Multifamily	\$4,370.00

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 12. Section 102-202.1, Sewer system development charges—Residential use property within the Jefferson Center Metropolitan District, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Repealed.”

Section 13. Section 102-202.2., Sewer system development charges—Residential facilities outside city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Sec. 102-202.2. Sewer system development charges—Residential facilities outside city.

Sewer system development charges for serving residential facilities outside the corporate limits of the city, subject to section 102-51, are as follows:

- (1) An inspection fee of \$37.50.
- (2) Sewer system development charges determined from the following schedule:

Type of Residence	Amount
Single-family	\$12,480.00
Duplex	\$8,740.00
Multifamily	\$8,740.00

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 14. Section 102-202.3., Waiver by city council – Sewer system development charges, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Sec. 102-202.3. Waiver by city council – Sewer system development charges.

Sewer system development charges for residential, commercial, institutional, governmental and industrial uses applicable within the city limits and outside the city limits may be waived or reduced only by express city council approval upon a finding and determination by the city council that such waiver or reduction is in the best interest of the city.”

Section 15. Section 102-203, Sewer system development charges—Nonresidential use property, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-203. Sewer system development charges—Nonresidential facilities within city.

Sewer fees serving nonresidential facilities within the corporate limits of the city are as follows:

- (1) An inspection fee of \$25.00.
- (2) Sewer system development charges determined from the following schedule:

Non-residential Sewer Service Tap Size	Number of Single-Family Residential Equivalents	Sewer System Development Charges
5/8” x 3/4”	2.00	\$12,480.00
3/4”	2.00	\$12,480.00
1”	4.80	\$29,950.00
1 ½”	11.00	\$68,640.00
2”	20.00	\$124,800.00
3”	43.00	\$268,320.00
4”	86.00	\$536,640.00
6”	A Metro Water Recovery formula will determine the City sewer system development charge for a 6” meter.	A Metro Water Recovery formula will determine the City sewer system development charge for a 6” meter.

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 16. Section 102-203.1, Sewer system development charges—Nonresidential use property

within the Jefferson Center Metropolitan District, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Repealed.”

Section 17. Section 102-203.2., Sewer system development charges—Nonresidential facilities outside city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Sec. 102-203.2. Sewer system development charges—Nonresidential facilities outside city.

Sewer fees serving nonresidential facilities outside the corporate limits of the city, subject to section 102-51, are as follows:

- (1) An inspection fee of \$37.50.
- (2) Sewer system development charges determined from the following schedule:

Non-residential Sewer Service Tap Size	Number of Single-Family Residential Equivalents	Sewer System Development Charges
5/8" x 3/4"	2.00	\$24,960.00
3/4"	2.00	\$24,960.00
1"	4.80	\$59,910.00
1 ½"	11.00	\$137,280.00
2"	20.00	\$249,600.00
3"	43.00	\$536,640.00
4"	86.00	\$1,073,280.00
6"	A Metro Water Recovery formula will determine the City sewer system development charge for a 6" meter.	A Metro Water Recovery formula will determine the City sewer system development charge for a 6" meter.

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 18. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby

declares that it would have adopted this ordinance and each part or parts thereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 19. Effective Date. This ordinance shall take effect on October 1, 2023.

INTRODUCED, READ, AND ORDERED PUBLISHED this 21st day of August, 2023.

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

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Rachel Morris, City Attorney

Publication Dates: August 24, 2023

REDLINE/STRIKOVER VERSION

FOR INFORMATION ONLY – NOT PART OF THE ORDINANCE

Underlined indicates new material

~~Strikethrough~~ indicates deleted material

Sec. 102-161. Residential water fees within city.

Water fees for serving residential facilities within the corporate limits of the city are as follows:

- (1) Tapping fee.....\$60.00
- (2) Inspection fee:
 - a. $\frac{5}{8}$ " , $\frac{3}{4}$ " and 1" meters.....\$45.00
 - b. 1½" and larger meters.....\$80.00
- (3) Water Ssystem development charges determined from the following schedule:

Type of R esidence	Per Unit
a. Single-family	\$37,600.00 <u>\$33,490.00</u>
b. Duplex	\$28,200.00 <u>\$25,120.00</u>
c. Multifamily	\$18,800.00 <u>\$16,750.00</u>

- (4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the Utilities Director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the Utilities Director for review and approval.

Sec. 102-161.5. Residential water system development charges applicable to developments subject to a water resource contribution discount fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District.

(a) Fees in this section are set in accordance with existing agreements to account for water resources contributed to the city at no cost to the city.

(b) Discounted water system development charges under this Sec. 102-161.5 will apply only until such time as the contributed water resources are exhausted.

~~Water fees for serving residential facilities within the corporate limits of the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District are as follows:~~

(1) ~~Tapping fee\$60.00~~

(2) ~~Inspection fee:~~

a. ~~5/8", 3/4" and 1" meters\$45.00~~

b. ~~1 1/2", 2" and larger meters\$80.00~~

(3)

(c) Water sSystem development charges determined from the following schedule:

<u>Type of Residence</u>	<u>Discount Amount to be applied when Water Supplies were provided</u> <u>Applicable water system development charges when water resources contributed</u>	<u>Discount Amount to be applied when funding was provided for existing facilities</u>	<u>Discount Amount to be applied when funding was provided for future facilities</u>
d. Single-family	\$13,900.00 <u>\$9,870.00</u>	\$1,000.00	\$2,000.00

e. Duplex	\$10,400.00 <u>\$7,400.00</u>	\$700.00	\$1,500.00
f. Multifamily	\$6,900.00 <u>\$4,940.00</u>	\$500.00	\$1,000.00

(4)

(d) Meter and tap size determined from the following schedule:*

Type of R residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval."

~~Sec. 102-161.6. Residential water fees within the Mountain Shadows Subdivision.~~

~~Fees in this section are set in accordance with existing agreements.~~

~~Water fees for serving residential facilities within the Mountain Shadows subdivision are as follows:~~

(1) ~~—— Tapping fee.....\$60.00~~

(2) ~~—— Inspection fee:~~

a. ~~—— $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters.....\$45.00~~

b. ~~—— 1½", 2" and larger meters.....\$80.00~~

(3) ~~—— System development charge determined from the following schedule:~~

Type of residence	Per Unit
a. Single-family	\$23,700.00
b. Duplex	\$17,800.00
c. Multifamily	\$11,900.00

(4) ~~Meter and tap size determined from the following schedule:*~~

Type of residence	Meter and Tap Size
a. Single-family	5/8" × 3/4" meter and 3/4" tap
b. Duplex with individually connected units	5/8" × 3/4" meter and 3/4" tap
—Duplex with single service connection	3/4" × 3/4" meter and 3/4" tap
c. Multifamily:	
—1. 3—6 units	1" meter and 1" tap
—2. 7—18 units	1½" meter and 1½" tap
—3. 19 or more units	2" or larger meter and tap

~~*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval.~~

"Repealed."

Sec. 102-162. Waiver by city council – Water system development charges.

The Water system development charges for residential, commercial, institutional, governmental and industrial uses applicable within the city limits, and outside the city limits, may be waived or reduced only by express city council approval upon a finding and determination by the city council that such waiver or reduction is in the best interest of the city.

Sec. 102-163. Residential water fees outside city.

Water fees for serving residential facilities ~~as defined in sections 102-51 and 102-32,~~ outside the corporate limits of the city, subject to section 102-51, are as follows:

(1) Tapping fee\$90.00

(2) Inspection fee:

a. 5/8", 3/4", and 1" meters\$67.50

b. 1½" and larger\$120.00

(3) Water Ssystem development charges determined from the following schedule:

Type of <u>R</u> esidence	Per Unit
a. Single family	\$75,200.00 <u>\$66,980.00</u>
b. Duplex	\$56,400.00 <u>\$50,240.00</u>
c. Multifamily	\$37,600.00 <u>\$33,500.00</u>

- (4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " $\times$ $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval.

Sec. 102-164. Nonresidential water fees within city.

- (a) Water fees for serving nonresidential facilities within ~~inside~~ the city are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters \$45.00

b. 1½" and larger meters \$80.00

- (3) Water sSystem development chargess based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ "	1.0	\$37,600.00 <u>\$33,490.00</u>
$\frac{3}{4}$ "	1.5	\$56,400.00 <u>\$50,235.00</u>
1"	2.5	\$94,000.00 <u>\$83,725.00</u>
1½"	5.0	\$188,000.00 <u>\$167,450.00</u>
2"	8.0	\$300,800.00 <u>\$267,920.00</u>
3"	17.5	\$639,200.00 <u>\$586,075.00</u>
4"	30.0	\$1,128,000.00 <u>\$1,004,700.00</u>
6"	62.5	\$2,350,000.00 <u>\$2,093,125.00</u>

- (b) Water fees for serving irrigated open space within ~~inside~~ the city are as follows:

(1) Tapping fee..... \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " and 1" meters..... \$45.00

b. 1½" and larger meters..... \$80.00

(3) ~~Water s~~System development charges for irrigated open space within the city based on the following schedule:

a. Non-water conserving landscaping at ~~\$6.96~~ \$5.24 per square foot of irrigated area.

b. Water conserving landscaping at ~~\$3.73~~ \$2.79 per square foot of irrigated area.

(c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this Division 6 of Chapter 102. Any such determination shall be made available to the user for inspection, upon request.

Sec. 102-164.5. Nonresidential water system development charges applicable to developments subject to a water resource contribution discount ~~fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District.~~

(a) Fees in this section are set in accordance with existing agreements to account for water resources contributed to the city at no cost to the city.

(b) Discounted water system development charges under this Sec. 102-164.5 will apply only until such time as the contributed water resources are exhausted.

~~(a) Water fees for serving nonresidential facilities within the corporate limits of the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District are as follows:~~

~~(1) Tapping fee \$60.00~~

~~(2) Inspection fee:~~

~~a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters \$45.00~~

~~b. 1½", 2" and larger meters \$80.00~~

(3)

(c) Water sSystem development charges based on the following schedule:

Size of Meter	Discount Amount to be applied when Water Supplies were provided <u>Applicable water system development charges when water resources contributed</u>	Discount Amount to be applied when funding was provided for existing facilities	Discount Amount to be applied when funding was provided for future facilities
5/8"x 3/4"	\$13,900.00 \$9,870.00	\$1,000.00	\$2,000.00
3/4"	\$20,850.00 \$14,810.00	\$1,500.00	\$3,000.00
1"	\$34,750.00 \$24,680.00	\$2,500.00	\$5,000.00
1 1/2"	\$69,500.00 \$49,350.00	\$5,000.00	\$10,000.00
2"	\$111,200.00 \$78,960.00	\$8,000.00	\$16,000.00
3"	\$236,300.00 \$172,730.00	\$17,000.00	\$34,000.00
4"	\$417,000.00 \$296,100.00	\$30,000.00	\$60,000.00
6"	\$868,750.00 \$616,880.00	\$62,500.00	\$125,000.00

(b) ~~Water fees for serving irrigated open space inside the city are as follows:~~

(1) ~~Tapping fee \$60.00~~

(2) ~~Inspection fee:~~

a. ~~5/8" x 3/4" and 1" meters \$45.00~~

b. ~~1 1/2" and larger meters \$80.00~~

(3)

(d) Water sSystem development charges for irrigated open space based on the following schedule, at a per square foot of irrigated area:

Size of Meter	Discounted Amount because Water Supplies were provided <u>Applicable water system development charges when water resources contributed</u>	Discounted Amount because funding was provided for existing facilities	Discounted Amount because funding was provided for future facilities
Non-water conserving landscaping	\$4.39 \$1.54	\$6.77	\$6.58

Water conserving landscaping	\$2.35 <u>\$0.82</u>	\$3.63	\$2.25
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- (~~ee~~) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this Article I of Chapter 33. Any such determination shall be made available to the user for inspection, upon request.

~~Sec. 102-164.6. Nonresidential water fees within the Mountain Shadows Subdivision:~~

- (a) ~~Fees in this section are set in accordance with existing agreements.~~
- (b) ~~Water fees for serving nonresidential facilities within Mountain Shadows subdivision are as follows:~~
- (1) ~~Tapping fee..... \$60.00~~
- (2) ~~Inspection fee:~~
- a. ~~5/8", 3/4" and 1" meters \$45.00~~
- b. ~~1 1/2", 2" and larger meters \$80.00~~
- (3) ~~System development charge determined from the following schedule:~~

Size of Meter	Per Unit
5/8" x 3/4"	\$23,700.00
3/4"	\$35,550.00
1"	\$59,250.00
1 1/2"	\$118,500.00
2"	\$189,600.00
3"	\$402,900.00
4"	\$711,000.00
6"	\$1,481,250.00
Non-water conserving landscaping	\$4.39 per Sq. Ft.
Water conserving landscaping	\$2.35 per Sq. Ft.

- (c) ~~For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent~~

~~with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request.~~

~~“Repealed.”~~

~~Sec. 102-165. Waiver.~~

~~The water system development charges for commercial, institutional, governmental and industrial uses applicable inside the city limits may be waived or reduced only by express city council approval upon a finding and determination that such waiver or reduction is in the best interest of the city.~~

~~“Repealed.”~~

Sec. 102-166. Nonresidential water fees outside city.

(a) Water fees for serving nonresidential facilities outside the city are as follows:

(1) Tapping fee..... \$90.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters..... \$67.50

b. 1½" and larger meter..... \$120.00

(3) ~~Water S~~system development charges based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ "	1.0	\$75,200.00 <u>\$66,980.00</u>
$\frac{3}{4}$ "	1.5	\$112,800.00 <u>\$100,470.00</u>
1"	2.5	\$188,000.00 <u>\$167,450.00</u>
1½"	5.0	\$376,000.00 <u>\$334,900.00</u>
2"	8.0	\$601,600.00 <u>\$535,840.00</u>
3"	17.5	\$1,278,400.00 <u>\$1,172,150.00</u>
4"	30.0	\$2,256,000.00 <u>\$2,009,400.00</u>
6"	62.5	\$4,700,000.00 <u>\$4,186,250.00</u>

(b) Water fees for serving irrigated open space outside the city are as follows:

(1) Tapping fee..... \$90.00

(2) Inspection fee:

a. $\frac{5}{8}$ " $\times$ $\frac{3}{4}$ " and 1" meters..... \$67.50

- b. 1½" and larger meters..... \$120.00
- (3) ~~Water S~~system development charges for irrigated open space based on the following schedule:
 - a. Non-water conserving landscape at ~~\$13.92~~ \$10.48 per square foot of irrigated area.
 - b. Water conserving landscape at ~~\$7.46~~ \$5.58 per square foot of irrigated area.
- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request.
- ~~(d) The fees paid and collected by virtue of this section shall not be used for general or other governmental propriety purposes of the city and shall be used solely to pay for the cost of water taps for new and existing parks and street medians.~~

Sec. 102-202. Sewer system development charges—Residential facilities use property within city.

Sewer system development charges for serving residential ~~properties~~ facilities within the corporate limits of the city are as follows ~~properties are as follows~~:

- (1) An inspection fee of \$25.00.
- (2) ~~Sewer S~~system development charges determined from the following schedule:

Type of Residence	Amount
Single-family	\$10,400.00 <u>\$6,240.00</u>
Duplex	\$7,280.00 <u>\$4,370.00</u>
Multifamily	\$7,280.00 <u>\$4,370.00</u>

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. ~~This charge must be paid prior to the connection of the sewer service line to the city sewer main.~~
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.

Sec. 102-202.1. Sewer system development charges—Residential use property within the Jefferson Center Metropolitan District.

~~Fees in this section are set in accordance with existing agreements.~~

~~Sewer system development charges for serving residential properties are as follows:~~

- ~~(1) An inspection fee of \$25.00.~~
- ~~(2) System development charge determined from the following schedule:~~

Type of Residence	Discounted Amount Based on Funding Received for Future Facilities
Single-family	\$10,225.00
Duplex	\$7,157.50
Multifamily	\$7,157.50

- ~~(3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.~~
- ~~(4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.~~

“Repealed.”

Sec. 102-202.2. Sewer system development charges—Residential facilities outside city.

Sewer system development charges for serving residential facilities outside the corporate limits of the city, subject to section 102-51, are as follows:

- (1) An inspection fee of \$37.50.
- (2) Sewer system development charges determined from the following schedule:

<u>Type of Residence</u>	<u>Amount</u>
<u>Single-family</u>	<u>\$12,480.00</u>
<u>Duplex</u>	<u>\$8,740.00</u>
<u>Multifamily</u>	<u>\$8,740.00</u>

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.

Sec. 102-202.3. Waiver by city council – Sewer system development charges.

Sewer system development charges for residential, commercial, institutional, governmental and industrial uses applicable within the city limits and outside the city limits may be waived or reduced only by express city council approval upon a finding and determination by the city council that such waiver or reduction is in the best interest of the city.

Sec. 102-203. Sewer system development charges—Nonresidential ~~use property~~ facilities within city.

Sewer fees serving nonresidential ~~use property~~ facilities, within the corporate limits of the city are as follows:

- (1) An inspection fee of \$25.00.
- (2) Sewer S~~system~~ development charges determined from the following schedule:

Non-residential Sewer Service Tap Size	Number of Single-Family Residential Equivalents	Sewer System Development Charges
5/8" x 3/4"	1.0 2.00	\$10,400.00 <u>\$12,480.00</u>
3/4"	1.5 2.00	\$15,600.00 <u>\$12,480.00</u>
1"	2.5 4.80	\$26,000.00 <u>\$29,950.00</u>
1 1/2"	5.0 11.00	\$52,000.00 <u>\$68,640.00</u>
2"	8.0 20.00	\$83,200.00 <u>\$124,800.00</u>
3"	17.0 43.00	\$176,800.00 <u>\$268,320.00</u>
4"	30.0 86.00	\$312,000.00 <u>\$536,640.00</u>
6"	62.5 <u>A Metro Water Recovery formula will determine the City sewer system development charge for a 6" meter.</u>	\$650,000.00 <u>A Metro Water Recovery formula will determine the City sewer system development charge for a 6" meter.</u>

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as agent for Metro Water Recovery in

collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. ~~This charge must be paid prior to the connection of the sewer service line to the city sewer main.~~

- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.

~~Sec. 102-203.1. Sewer system development charges—Nonresidential use property within the Jefferson Center Metropolitan District.~~

~~Fees in this section are set in accordance with existing agreements.~~

~~Sewer fees serving nonresidential use property are as follows:~~

- (1) ~~An inspection fee of \$25.00.~~
- (2) ~~System development charge determined from the following schedule:~~

Non-residential Sewer Service Tap Size	Number of Single-Family Residential Equivalents	Discounted Amount Based on Funding Received for Future Facilities
5/8" x 3/4"	1.0	\$10,225.00
3/4"	1.5	\$15,338.00
1"	2.5	\$25,563.00
1 1/2"	5.0	\$51,126.00
2"	8.0	\$81,801.00
3"	17.0	\$173,828.00
4"	30.0	\$306,755.00
6"	62.5	\$639,073.00

- (3) ~~Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.~~
- (4) ~~The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.~~

~~“Repealed.”~~

Sec. 102-203.2. Sewer system development charges—Nonresidential facilities outside city.

Sewer fees serving nonresidential facilities outside the corporate limits of the city, subject to section 102-51, are as follows:

(1) An inspection fee of \$37.50.

(2) Sewer system development charges determined from the following schedule:

<u>Non-residential Sewer Service Tap Size</u>	<u>Number of Single-Family Residential Equivalents</u>	<u>Sewer System Development Charges</u>
<u>5/8" x 3/4"</u>	<u>2.00</u>	<u>\$24,960.00</u>
<u>3/4"</u>	<u>2.00</u>	<u>\$24,960.00</u>
<u>1"</u>	<u>4.80</u>	<u>\$59,910.00</u>
<u>1 1/2"</u>	<u>11.00</u>	<u>\$137,280.00</u>
<u>2"</u>	<u>20.00</u>	<u>\$249,600.00</u>
<u>3"</u>	<u>43.00</u>	<u>\$536,640.00</u>
<u>4"</u>	<u>86.00</u>	<u>\$1,073,280.00</u>
<u>6"</u>	<u>A Metro Water Recovery formula will determine the City sewer system development charge for a 6" meter.</u>	<u>A Metro Water Recovery formula will determine the City sewer system development charge for a 6" meter.</u>

(3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery.

(4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.



REPORT TO CITY COUNCIL PUBLIC HEARING

**AGENDA ITEM
10.A.**

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 2023

SUBJECT: CB23-020, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code (Presenter: Janelle Miller, Assistant City Attorney) (Ordinance No.4853)

Report in Brief

Presenter: Janelle Miller, Assistant City Attorney

This ordinance amends the general penalties section that is applicable to various violations of the Arvada City Code. Section 1-5 sets forth the maximum penalties that can be imposed if a person pleads or is found guilty of an offense in the Arvada City Code. This ordinance makes three primary changes:

- 1) Raises the maximum potential jail penalty to 364 days from 180 days;
- 2) Establishes potential penalties based on the defendant's age at the time of conviction, rather than at the time of the commission of the offense; and
- 3) Clarifies penalties for juvenile offenders in the context of contempt / failure to comply with a court order.

The Arvada team recommends that City Council approve CB 23-020, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code.

Financial Impact

No financial impact anticipated.

Background

Arvada's general penalty provision, Sec. 1-5, was last updated in 2021. The only change made to Sec.1-5 at that time removed the municipal court's ability to directly sentence juvenile defendants to a period of detention for up to 10 days should they plead or be found guilty of a criminal offense in the City of Arvada. This change was made in conformance with state law concerning the changes within the juvenile justice system. As the juvenile justice system continues to evolve, so does the need to update Arvada's ordinances. The proposed changes now accurately reflect the court's authority to hold juveniles accountable in the context of contempt, and to sentence defendants appropriately based on their age at the time of sentencing.

Prior to 2021, the only other update to Sec. 1-5 within the last 20 years occurred in 2013. In 2013, the maximum fine was raised from \$999 to the current \$2650 limit. Although the maximum term of imprisonment under state law (Colo. Rev. Stat. §31-16-101(1)(a)) permitted home-rule cities to sentence defendants in violation of its ordinances to not more than one year (i.e. 364 days) back in 2013, Arvada did not implement this maximum penalty. Only the maximum fine set forth by state law was adopted. This ordinance, however, adopts both maximum penalties.

City stakeholders who are bound by provisions within Sec. 1-5, including the Municipal Court, City Attorney's Office, and Police Department, are supportive of the proposed changes.

Discussion

Arvada, as a home-rule City, is governed by various provisions of Colo. Rev. Stat. 31-1-101 et seq. State law, specifically Colo. Rev. Stat. §31-16-101, provides home-rule cities with the power to adopt ordinances, enforce them, and establishes the maximum penalties for a violation thereof. Under Colo. Rev. Stat. §31-16-101(1)(a), "...each municipality has power to provide for enforcement of ordinances adopted by it by a fine of not more than two thousand six hundred fifty dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

"Currently, the Arvada City Code provides that any person over the age of 18 who pleads or is found guilty of violating any offense shall be fined in an amount not to exceed \$2650 or shall be imprisoned for a term of not longer than 180 days, or shall be both fined and imprisoned.

This ordinance raises Arvada's maximum penalties in accordance with Colo. Rev. Stat. §31-16-101. These maximum penalties (364 days imprisonment and/or \$2650 fine) have also been adopted by a number of surrounding cities, including Lakewood, Westminster, Wheat Ridge, etc. Additionally, maximum imprisonment of 364 days per violation corresponds with misdemeanor offenses committed under state law. Many of Arvada's city offenses have a state law counterpart. The maximum penalty under Colo. Rev. Stat. §18-1.3-501(1)(a.5) for a class 1 misdemeanor offense is 364 days imprisonment. Altering Arvada's maximum penalty provides consistency and common understanding for both the public and defendants who may be charged and sentenced under either Arvada's City Code or state law, negating Equal Protection violations.

When it comes to the accountability of juvenile offenders, this ordinance establishes penalties based on the defendant's time at sentencing, rather than when the defendant committed the offense. Currently, if a defendant is at least 10 years of age, but not yet 18 years of age at the time the defendant commits an offense, Sec. 1-5 only allows the court to impose a maximum fine of \$2650. Sec. 1-5 is silent with respect to any potential confinement and does not account for scenarios in which a defendant is under the age of 18 at the time an offense is committed but is over the age of 18 by the time the defendant is being convicted or sentenced. Moreover, Sec. 1-5 does not provide direction concerning contempt powers. The proposed changes clarify juvenile sentencing options and are in compliance with state law. See, e.g., Colo. Rev. Stat. §13-10-113(4) ("...a municipal court has the authority to order a child under eighteen years of age confined in a juvenile detention facility operated or contracted by the department of human services or a temporary holding facility operated by or under contract with a municipal government for failure to comply with a lawful order of the court, including an order to pay a fine. Any confinement of a child for contempt of municipal court shall not exceed forty-eight hours.")

Public Contact

Posting of the City Council agenda.

Commission Recommendation

N/A

Strategic Alignment

This ordinance helps to meet one of City Council's strategic results:

"By 6/2023 complete revisions to Chapter 62 of the ACC to be more consistent with Colorado State criminal laws to facilitate prosecution of defendants in the Municipal Court and help hold defendants accountable for their conduct."

This ordinance mirrors the penalties set forth by State law. Additionally, enhanced penalties helps to hold defendants accountable.

Alternative Courses of Action

- 1) Approve the ordinance as written.
- 2) Approve with amendments.
- 3) Deny.

Recommendation for Action

SUBJECT: CB23-020, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code (Presenter: Janelle Miller, Assistant City Attorney) (Ordinance No.4853)

PAGE: 3
ITEM: 10.A.

The Arvada team recommends the City Council approve Alternative No. 1, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code approved on final reading, numbered 4853 and ordered published by title only.

Suggested Motion:

I move that CB23-020, An Ordinance Repealing and Reenacting Sec. 1-5, General Penalty; Continuing Violations, of Chapter 1, General Provisions, of the Arvada City Code, be approved on final reading, numbered 4853 and ordered published by title only (rejected).

Prepared by:
Tammy Hedlund, Legal Specialist

Reviewed by:

Approved by:

Rachel Morris, City Attorney 8/1/2023

Lorie Gillis, City Manager 8/10/2023

Enclosure, exhibits & attachments required to support the report

COUNCIL BILL NO. 23-020
ORDINANCE NO. 4853

AN ORDINANCE REPEALING AND REENACTING SEC. 1-5, GENERAL PENALTY;
CONTINUING VIOLATIONS, OF CHAPTER 1, GENERAL PROVISIONS, OF THE
ARVADA CITY CODE

WHEREAS, the City of Arvada has the authority under Colo. Rev. Stat. §31-16-101 and otherwise under its authority as a Home Rule city to adopt ordinances, enforce them, and establish penalties for the violation thereof; and

WHEREAS, Colo. Rev. Stat. §31-16-101 sets forth the maximum penalties for violations of city ordinances,

WHEREAS, the Arvada City Council finds that the City has a significant interest enforcing its laws and establishing penalties for the violation thereof; and

WHEREAS, the City Council finds that adoption of an ordinance that conforms, to the extent practicable, the penalties in the Arvada City Code with those set forth in the Colo. Rev. Stat. §31-16-101, is necessary to protect the health, safety, and welfare of the public.

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

Section 1. Sec. 1-5 General penalty; continuing violations, of Chapter 1, General Provisions, of the Arvada City Code is hereby repealed and reenacted to read as follows:

“Sec. 1-5. General penalty; continuing violations.

(a) *General penalty -- adults.* Except as set forth below or as otherwise stated in a specific ordinance, and for any offense committed after September 1, 2023, whenever in any section of this Code, or of any other ordinance of the city, the doing of any act is required, prohibited, or declared to be unlawful, any person who is over eighteen years of age who pleads guilty or nolo contendere, or who is convicted of a violation of any such section shall, for each offense, be fined in a sum not more than \$2,650.00, or shall be imprisoned for a term not longer than 364 days, or shall be both so fined and imprisoned.

(b) *General penalty -- juveniles.* Whenever in any section of this Code, or of any other ordinance of the city, the doing of any act is required, prohibited, or declared to be unlawful, any juvenile who is ten or more years of age but less than eighteen years of age who pleads guilty or nolo contendere, or who is convicted of a violation of any such section shall, for each offense, be fined in a sum of not more than that shown in subsection (a).

(i) *Contempt; in-home detention.* No juvenile may be imprisoned for any violation, except that a juvenile who fails to comply with a lawful order of the municipal court, including an order to pay a fine or restitution, may be confined to a juvenile detention facility operated or contracted by the department of human services. Any confinement of a child for contempt of municipal court shall not exceed 48 hours. The court may require in-home detention for a juvenile who fails to comply with a lawful order of the municipal

court. The in-home detention shall not exceed ten days' time and shall be monitored by a designee of the court. The court may order the costs associated with the in-home detention to be paid by the juvenile.

(c) *Fine adjustment.* The monetary limitation on municipal court fines set forth in subsection (a) may be adjusted for inflation on January 1, 2024, and on January 1 of each year thereafter. Inflation means the annual percentage change in the United States Department of Labor, bureau of labor statistics, consumer price index for Denver-Aurora-Lakewood, all items, all urban consumers, or its successor index.

(d) *Continuing violations.* Every day any violation of this Code or any other ordinance of the city hereafter enacted, or any rule or regulation promulgated under the provision of this Code continues or is permitted to continue shall constitute a separate offense.”

Section 2. Should any provision of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared unconstitutional or invalid.

Section 3. This ordinance shall be effective five (5) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 7th day of August, 2023.

PASSED, ADOPTED AND APPROVED this 21st day of August, 2023.

Marc Williams, Mayor

ATTEST:

City Clerk

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

By: _____

Publication Dates: August 10, 2023

August 24, 2023

~~REDLINE/STRIKETHROUGH VERSION~~

FOR INFORMATION ONLY -- NOT PART OF THE ORDINANCE

Underlined indicates new material
~~Strikethrough~~ indicates deleted material

Sec. 1-5. - General penalty; continuing violations.

(a) *General penalty – adults.* Except as set forth below or as otherwise stated in a specific ordinance, and for any offense committed after September 1, 2023, ~~Whenever in any section provision of this Code or of any other ordinance of the city, the doing of any act is required, prohibited, or declared to be unlawful, any person, who is over the age of eighteen years of age who pleads guilty or nolo contendere, or who is convicted of a violation of any such section shall, for each offense, be fined in a sum not more than \$2,650.00, or shall be imprisoned for a term not longer than 364 days, or shall be both so fined and imprisoned.~~ Whenever in any section provision of this Code or of any other ordinance of the city, the doing of any act is required, prohibited, or declared to be unlawful, any person, who is over the age of eighteen years of age who pleads guilty or nolo contendere, or who is convicted of a violation of any such section shall, for each offense, be fined in a sum not more than \$2,650.00, or shall be imprisoned for a term not longer than 364 days, or shall be both so fined and imprisoned. ~~at the time of commission of the offense was at least ten years of age but not yet 18 years of age, and who is convicted of a violation of any such provision shall, for each offense, be fined not more than \$2,650.00.~~

(b) *General penalty – juveniles.* ~~Except as otherwise provided in this Code or in any ordinance, Whenever, in any section provision of this Code or of any other ordinance of the city, the doing of any act is required, prohibited, or declared to be unlawful, any juvenile who is ten or more years of age but less than person 18 eighteen years of age or older who pleads guilty or nolo contendere, or who is convicted of a violation of any such section shall, for each offense, be fined in a sum of not more than that shown in subsection (a). at the time of the violation, who is convicted of a violation of any such provision not designated as a domestic violence offense, shall, for each offense, be fined not more than \$2,650.00 or shall be imprisoned not to exceed 180 days, or shall be both so fined and imprisoned.~~

(i) *Contempt; in-home detention.* No juvenile may be imprisoned for any violation, except that a juvenile who fails to comply with a lawful order of the municipal court, including an order to pay a fine or restitution, may be confined to a juvenile detention facility operated or contracted by the department of human services. Any confinement of a child for contempt of municipal court shall not exceed 48 hours. The court may require in-home detention for a juvenile who fails to comply with a lawful order of the municipal court. The in-home detention shall not exceed ten days' time and shall be monitored by a designee of the court. The court may order the costs associated with the in-home detention to be paid by the juvenile.

~~(c) Except as otherwise provided in this Code or in any ordinance, whenever, in any provision of this Code or of any other ordinance of the city, the doing of any act is required, prohibited, or declared to be unlawful, any person 18 years of age or older at the time of the violation, who is convicted of a violation of any such provision designated as a domestic violence offense, shall,~~

~~for each offense, be fined not more than \$2,650.00 or shall be imprisoned not to exceed one year, or shall be both so fined and imprisoned.~~

(cd) *Fine adjustment.* The monetary limitation on municipal court fines set forth in subSection (a) ~~1-5 shall~~ may be adjusted for inflation on January 1, 2021~~14~~ and on January 1 of each year thereafter. ~~As used in this subsection (d), "Inflation"~~ means the annual percentage charge in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Aurora-Lakewood~~Boulder~~, all items, all urban consumers, or its successor index.

(de) *Continuing violations.* Every day any violation of this Code or any other ordinance of the city hereafter enacted or any rule or regulation promulgated under the provisions of this Code continues or is permitted to continue shall constitute a separate offense.



REPORT FROM CITY COUNCIL

AGENDA ITEM
12.A.

DATE: August 21, 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)
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

City Clerk Team Drive: Council appointed committees



REPORT TO CITY COUNCIL

AGENDA ITEM
13.A.

TO: THE HONORABLE CITY COUNCIL

DATE: August 21, 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 8/1/2023

Lorie Gillis, City Manager 8/10/2023

Enclosure, exhibits & attachments required to support the report

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

WORKSHOPS	Date	Lead
Pavement Management Program	Aug 28	PW
Regional Homelessness The City Manager's Office will update the Council on the progress of the City's immediate and intermediate goals, as well as to update the Council regarding the Jefferson County regional efforts of the homelessness strategy.	Aug 28	CMO
Water, Sewer, Stormwater Rates and Fees@ Business Meeting	Sept 18	Utilities
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
2024 Water/Sewer/Stormwater Rates and Fees	Sept 25	Utilities
Water Infrastructure for Fire Protection	Oct 9	Utilities
Budget Workshop – Pay Plan	Oct 9	Fin
Traffic Calming	Oct 9	PW
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.	Dec 11	PW
Infrastructure Annual Report	Dec 11	Utilities/PW
2024		
Sustainability	Jan 22	
Athletic Field Programming	Jan 22	VCN
PRESENTATIONS		
STUDY SESSIONS		
Lake Arbor Pool @4:00 This study session will be held on site a the Lake Arbor pool	Sept 18	CMO
BID and Chamber funding	TBD	
WORKSHOP TBD's		
Smart Meters Update	TBD	Utilities
Capital Campaign Update and strategy discussion	TBD	
Budget and Fiscal Policy Update	TBD	Fin
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
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
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		