



City of Arvada

City Council Agenda

JULY 15, 2025

Councilmembers:

Lauren Simpson, Mayor
Randy Moorman, Mayor Pro-Tem
Shawna Ambrose, District 2
Sharon Davis, At large
Bob Fifer, District 4
John Marriott, District 3
Brad Rupert, At large

Staff Members Usually Present:

Don Wick, City Manager
Linda Haley, Deputy City Manager
Rachel Morris, City Attorney
Jacqueline Rhoades, Director of Infrastructure
Jessica Garner, Director of Community & Econ. Dev.
Bryan Archer, Chief Financial Officer
Gabriella Bommer, Director of Human Resources
Ryan Stevenson, Director of Vibrant Community & Neighborhoods
Rachael Kuroiwa, Director of Communications & Engagement
Ed Brady, Chief of Police
Kristen Rush, City Clerk

Info: 720-898-7550

THIRD FLOOR CONFERENCE ROOM
EXECUTIVE SESSION
5:00 P.M.

Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to 6800 Kilmer RV Storage
Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e) Relating to Funding for the Arvada Center

REGULAR MEETING
CITY COUNCIL CHAMBERS
6:00 P.M.

1. Call to Order - 6:00 PM
2. Moment of Reflection and Pledge of Allegiance - Councilmember Davis
3. Roll Call of Councilmembers
4. Approval of Minutes
 - A. July 1, 2025 City Council Meeting
5. Recognitions and Communications - None
6. Presentations - None
7. Public Comment on Issues not Scheduled on Agenda - Three Minute Limit
8. New Business
 - A. Consent Agenda
 1. R25-060, A Resolution Authorizing the First Amendment to a Lease Agreement by and between the City of Arvada and T-Mobile West LLC, Formerly Clear Wireless, LLC
 2. R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24

- B. Resolutions - None
- C. Ordinances (First Reading) - None
- 9. Other
- 10. Public Hearings - 6:15 PM
 - A. CB 25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles (Ordinance No.4900) (Presenter: Zachary Woolweaver, Asst. City Attorney)
 - B. CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code (Ordinance No. 4901) (Presenter: Don Wick, City Manager)
- 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 JULY 1, 2025

1. Executive Session – 5:00 p.m.
Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to open meetings and public comment

Councilmember Ambrose moved to go into executive session for Legal Advice, Pursuant to CRS 24-6-402(4)(b) Relating to open meetings and public comment.

The following votes were cast on the Motion:

Those voting Yes: Simpson, Moorman, Ambrose, Davis, Fifer, Marriott, Rupert
The Motion was Approved

1. Call to Order - 6:50 p.m.
2. Moment of Reflection and Pledge of Allegiance
3. Roll Call of Councilmembers

Those Present: Mayor Lauren Simpson, Mayor Pro Tem Randy Moorman, Councilmember Shawna Ambrose, Councilmember Sharon Davis, Councilmember Fifer, Councilmember John Marriott, Councilmember Brad Rupert

Also Present: Rachel Morris, City Attorney; Jessica Garner, Director of Community and Economic Development; Ryan Stevenson, Director of Vibrant Communities and Neighborhoods, Candice Svoboda, Assistant to the City Manager, and Kristen Rush, City Clerk.

4. Approval of Minutes – June 17, 2025, City Council Meetings

The minutes stand approved.

5. Recognition and Communication –
 - A. Proclamation for Park and Recreation Month - Presented by Councilmember Marriott

Councilmember Marriott read the proclamation and said that City Council proclaims July 2025 as Park and Recreation Month.

VCN Director Ryan Stevenson was present to accept the proclamation, along with staff from VCN and Apex.

6. Presentations - None
7. Public Comment –
 - A. Ed Tomlinson, Chair of the Harvest Festival, gave an update on the Harvest Festival Parade
 - B. Lynn Clemmens, Arvada resident, addressed council regarding HB24-1313 and HB24-1304

- lawsuit.
- C. Mike Rawluk, Golden resident, addressed council regarding HB24-1313 and HB24-1304 lawsuit and Flock safety
 - D. Eric Myers, Arvada resident, addressed council regarding the Pride Proclamation
 - E. Harrison Wilterdink, Arvada resident, addressed council regarding HB24-1313 and HB24-1304 lawsuit.
 - F. Richard Swanson, Arvada resident, addressed council regarding native grass areas in the city.
8. New Business
- A. Consent Agenda –
 - 1. R25-056 A Resolution Authorizing an Agreement By and Between The City of Arvada and JARCCO Construction, LLC for Construction Services for Alkire Street Path 78th Ave. to 80th Ave., Project No. 20-ST-26 (CDOT Project TAP M040-036, SA23662) in an Amount not to Exceed \$2,065,314.50
 - 2. R25-057 A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and the Cheyenne and Arapaho Tribes for Consultation Services in the Redevelopment of Gold Strike Park in an Amount not to Exceed \$20,000.00
 - 3. R25-058 A Resolution Authorizing a Lease Agreement by and between the City of Arvada and Thomas Trujillo for the Property Located at 7295 Kipling Street, Arvada, Colorado, 80004 Also known as the Schaaf House
 - 4. R25-059 A Resolution Authorizing an Agreement Regarding Funding of Major Drainageway Planning and Flood Hazard Area Delineation for Little Dry Creek by and between the Urban Drainage and Flood Control District (d/b/a Mile High Flood District), the County of Adams, the City of Westminster, and the City of Arvada

Councilmember Davis moved that R25-056, A Resolution Authorizing an Agreement By and Between The City of Arvada and JARCCO Construction, LLC for Construction Services for Alkire Street Path 78th Ave. to 80th Ave., Project No. 20-ST-26 (CDOT Project TAP M040-036, SA23662) in an Amount not to Exceed \$2,065,314.50; R25-057, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and the Cheyenne and Arapaho Tribes for Consultation Services in the Redevelopment of Gold Strike Park in an Amount not to Exceed \$20,000.00; R25-058, A Resolution Authorizing a Lease Agreement by and between the City of Arvada and Thomas Trujillo for the Property Located at 7295 Kipling Street, Arvada, Colorado, 80004 Also known as the Schaaf House; R25-059, A Resolution Authorizing an Agreement Regarding Funding of Major Drainageway Planning and Flood Hazard Area Delineation for Little Dry Creek by and between the Urban Drainage and Flood Control District (d/b/a Mile High Flood District), the County of Adams, the City of Westminster, and the City of Arvada, be approved.

The following votes were cast on the Motion:

Those voting Yes: Simpson, Moorman, Ambrose, Davis, Fifer, Marriott, Rupert
The Motion was Approved

B. Resolutions – None

C. Ordinances (First Reading) -

1. CB 25-014 An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles (Public Hearing to be set for July 15, 2025 at 6:15 p.m.)
2. CB25-015 An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code (Public Hearing to be set for July 15, 2025 at 6:15 p.m.)

Mayor Pro Tem Moorman moved that CB 25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles; CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code, be approved on first reading, ordered published in full and a public hearing set for July 15, 2025, at 6:15 p.m.

The following votes were cast on the Motion:

Those voting Yes: Simpson, Moorman, Ambrose, Davis, Fifer, Marriott, Rupert
The Motion was Approved

9. Other - None

10. Public Hearings –

- A. CB25-013 An Ordinance Amending Section 102-32, Definitions, and Repealing and Reenacting Section 102-40, Property Owners Responsible for Charges, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code (Ordinance No. 4899)

Mayor Simpson opened the public hearing on CB25-013

Jacqueline Rhoades, Director of Infrastructure, reviewed this ordinance with council.

Sworn Testimony: Mike Rawluk, Golden Resident

Councilmember Davis moved that CB25-013, An Ordinance Amending Section 102-32, Definitions, and Repealing and Reenacting Section 102-40, Property Owners Responsible for Charges, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code (Ordinance No. 4899), be approved on final reading, numbered 4899 and ordered published by title only.

The following votes were cast on the Motion:

Those voting Yes: Simpson, Moorman, Davis, Fifer, Marriott, Rupert

Those voting No: Ambrose
The Motion was Approved

11. Workshops
A. Utilities Rate/Fee Process – Workshop #2

The Infrastructure Work System provided responses to questions posed at the May 13 workshop, and presented the draft rate/fee information for the water, sewer and stormwater funds.

The City team has historically held workshops with City Council ahead of rate/fee adoption requests to provide foundational utility information and to receive questions and concerns from City Council. The City team continued the discussion with City Council about how to address the City's water, wastewater and stormwater infrastructure condition and capacity challenges. The City team provided a series of rate and fee revenue scenarios that are intended to close existing resource gaps and support the sustainability of the Infrastructure Department's Level of Service delivery to our residents and businesses.

The City's Infrastructure team continues to prepare for investments in operations and infrastructure as part of our ongoing commitment to continue to provide reliable water, wastewater, and stormwater drainage services to our community. Over the past few years, the team has provided information and updates to the Council, including workshops related to the water, wastewater, and stormwater master planning efforts.

The City team has continued working with a third party financial consultant to assist with the creation of updated water, wastewater and stormwater financial planning models, and to review utility best financial practices. The focus of this presentation is to respond to City Council's questions from the May workshop and provide a range of rate and fee options for City Council to consider. After this workshop, the City team plans to provide two additional workshops for City Council in August and September ahead of an October rate/fee adoption request as part of the 2026 budget process.

Next Steps: The City team will return to City Council in August and September to provide follow-up information from any requests and to continue the conversation about water, sewer and stormwater rates/fees ahead of adoption requests in October.

12. Public Comment - Five Minute Limit – None

13. City Council Reports –

- A. Mayor Pro Tem Moorman discussed his trip to Ireland and Scotland.
- B. Mayor Pro Tem Moorman wished Hazel Miller Happy 74th Birthday.
- C. Mayor Pro Tem Moorman wished everyone a Happy 4th of July.
- D. Councilmember Davis reported on the Colorado Municipal League Conference.
- E. Councilmember Ambrose congratulated Councilmember Davis on her election to the Colorado Municipal League Board.
- F. Councilmember Ambrose reminded everyone that she is not holding her 4th Friday meet ups this summer but people can sign up for her newsletter.
- G. Councilmember Fifer discussed the walking tours he took with Ryan Stevenson, Director of Vibrant Communities and Neighborhoods.

- H. Councilmember Fifer discussed the sewer replacement project on Sheridan Boulevard.
- I. Councilmember Fifer discussed a Metro District Meeting he attended and thanked Rachel Morris for her help preparing him for the meeting.
- J. Mayor Simpson wished everyone a Happy 4th of July and said that the city is putting together a committee for next year for the nation's 250th anniversary and Colorado's 150th anniversary.
- K. Mayor Simpson reminded everyone that fireworks are illegal in Arvada.

14. City Manager Reports –

- A. Linda Haley, Deputy City Manager, reviewed the upcoming workshop schedule.

15. City Attorney Reports – None

16. Adjournment at 9:55 p.m.

Lauren Simpson, Mayor

SEAL:

Kristen R. Rush, City Clerk



REPORT TO CITY COUNCIL

AGENDA ITEM
8.A.

TO: THE HONORABLE CITY COUNCIL

DATE: July 15, 2025

SUBJECT: Consent Agenda

Report in Brief

1. R25-060, A Resolution Authorizing the First Amendment to a Lease Agreement by and between the City of Arvada and T-Mobile West LLC, Formerly Clear Wireless, LLC

2. R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24

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: July 15, 2025

SUBJECT: R25-060, A Resolution Authorizing the First Amendment to a Lease Agreement by and between the City of Arvada and T-Mobile West LLC, Formerly Clear Wireless, LLC

Report in Brief

The fifteen-year lease agreement between the City of Arvada and T-Mobile West LLC, formerly Clear Wireless LLC, for an existing wireless communication site at 7710 Reno Drive (“Olde Town Water Tower”) is set to expire on July 19, 2025. A new lease agreement is currently being evaluated; however, it is not yet complete. In the interim, the First Amendment to the Lease Agreement has been agreed upon as a temporary stop-gap measure until a new lease can be finalized.

The Arvada team recommends that the City Council approve R25-060, A Resolution Authorizing the First Amendment to a Lease Agreement by and between the City of Arvada and T-Mobile West LLC, Formerly Clear Wireless, LLC.

Financial Impact

When the revised lease terms are finalized, they will be included in a new lease that will then be presented to City Council for approval. Included in that lease will be new lease terms for the rent payments to be made by T-Mobile West LLC to the City of Arvada. Until then, the rental payments shall continue at the existing rate on a short term basis as outlined in the First Amendment to Lease Agreement. Once a new lease is approved, the revised rent payments shall commence upon execution of the new lease. Revenue generated by these leases will continue to go into the General Fund.

Background

T-Mobile and its predecessor (Clear Wireless, LLC) have had a wireless communication facility on the Olde Town Water Tower since the lease agreement was approved on July 19, 2010. This facility consists of a series of antennas mounted to the legs of the water tower, just below the water tank. In addition, a ground mounted equipment enclosure is located at the base of the tower and screened from view. The existing lease was for a 15 year period and is set to terminate on July 19, 2025. T-Mobile has stated that they desire to remain at this location and as a result, a new lease agreement needs to be completed. Our Arvada team is working with T-Mobile to re-evaluate this site and the new agreement.

Discussion

In anticipation of the lease termination on July 19, 2025, the City of Arvada and T-Mobile West LLC have entered into discussions of the renewal terms for a new lease agreement; however, the new lease is not yet ready for approval. To allow adequate time to complete an evaluation of this site and finalize the new lease, it has been agreed that the current lease should be extended for a six-month period at the current terms with the option to extend another six months if necessary. During this extension, the First Amendment to the Lease Agreement shall also terminate upon the effective date of a new long-term lease agreement for this site.

Public Contact

Posting of the City Council agenda

Commission Recommendation

N/A

Strategic Alignment

The Strategic Plan supports community safety as a City Council Priority Area. Providing good wireless communication networks will help to ensure quality communication services thereby increasing community safety. In addition, the Strategic Plan identifies building and maintaining infrastructure networks as an important element in Arvada's future economic growth. While not specifically identified in the strategic plan, the wireless communications networks provide an added layer of infrastructure improvements that will provide increased opportunities for businesses and residents throughout the City.

Alternative Courses of Action

Based on Federal Communication Commission (FCC) rulings, municipalities have a limited ability to control wireless communications network deployments and are required to accommodate these network installations.

Recommendation for Action

The Arvada Team recommends that R25-060, A Resolution Authorizing the First Amendment to a Lease Agreement by and between the City of Arvada and T-Mobile West LLC, Formerly Clear Wireless, LLC be approved by City Council.

Suggested Motion:

I move that R25-060, A Resolution Authorizing the First Amendment to a Lease Agreement by and between the City of Arvada and T-Mobile West LLC, Formerly Clear Wireless, LLC, be (approved) (rejected).

Prepared by:
Dixielee Rodriguez, Administrative Specialist

Reviewed by:

Approved by:

Linda Hoover, Senior Planner	6/23/2025
Josie Suk, Development Systems and Administrative Manager	6/26/2025
Rob Smetana, Planning Manager	6/26/2025
Jessica Garner, Director of Community and Economic Development	6/26/2025
Gail Walker, Legal Specialist-Contracts	6/27/2025
Kelsy Sargent, Assistant City Attorney	6/27/2025
Rachel Morris, City Attorney	7/1/2025
Linda Haley, Deputy City Manager	7/1/2025
Don Wick, City Manager	7/7/2025

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R25-060

A RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO A
LEASE AGREEMENT BY AND BETWEEN THE CITY OF ARVADA
AND T-MOBILE WEST LLC, FORMERLY CLEAR WIRELESS LLC

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, first amendment to a wireless communications site lease Agreement, which is in substantially the same form as that attached hereto, by and between the City of Arvada and T-Mobile West LLC.

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

APPROVED AND ADOPTED this 15th day of July 2025.

Lauren Simpson, Mayor

ATTEST:

City Clerk

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

By: _____

**FIRST AMENDMENT TO A LEASE AGREEMENT BY AND BETWEEN
THE CITY OF ARVADA AND T-MOBILE WEST LLC, FORMERLY
CLEAR WIRELESS LLC**

THIS FIRST AMENDMENT TO LEASE AGREEMENT (“First Amendment”) is made and entered into as of the _____ day of _____, 2025, between **The City of Arvada**, a Colorado home rule municipal corporation (“Landlord”), and **T-Mobile West LLC**, a Delaware limited liability company. Landlord and Tenant may be referred to individually as a “Party” or collectively as the “Parties.”

RECITALS

Landlord and Tenant are parties to that certain Lease Agreement dated July 19, 2010 (the “Agreement”), whereby Landlord leases a portion of the real property (“Premises”) located at 7710 Reno Drive (Olde Town Water Tower), City of Arvada, County of Jefferson, State of Colorado 80001 (the “Property”) to Tenant as more specifically described in the Agreement.

T-Mobile West Tower LLC, a Delaware limited liability company, is successor in interest to Clear Wireless LLC, and all references to "Tenant" are now T-Mobile West Tower LLC.

The Agreement is set to terminate on July 19, 2025, and Landlord and Tenant now desire to amend the Agreement to extend the term of the Agreement in order to provide sufficient time to negotiate a new lease agreement for the Premises and update Tenant’s notice address information, as set forth below.

FIRST AMENDMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Effective July 15, 2025, the Agreement shall automatically be extended for one additional six-month term with an option to extend the term for a second period of six months (the “Extension Term”) upon the mutual written agreement of the Parties on or before January 15, 2026.
2. During the Extension Term, should the Parties agree to and approve a new long-term lease agreement for the Premises, this Agreement shall terminate upon the effective date of the new lease.
3. The Tenant’s contact information in Paragraph 22 of the Agreement is hereby deleted and replaced with the following:

Tenant:

T-Mobile West LLC, a Delaware limited liability company
12929 E. 38th St.
Bellevue, Washington 98006
Attn. Lease Admin. Sit ID: DN06060A

Telephone:
Email:

4. Except as specifically modified by this Amendment, all terms and conditions of the Agreement shall remain in full force and effect. To the best of each Party's knowledge without any independent investigation, as of the date of this First Amendment, neither Party is in default of the Agreement. In the event of a conflict between any term or provision of the Agreement and this First Amendment, the terms and provisions of this First Amendment shall control. All captions are for reference purposes only and shall not be used in the construction or interpretation of this Amendment. All capitalized terms used but not defined in this First Amendment have the meanings set forth in the Agreement.

This First Amendment has been executed by each Party's duly authorized representative effective as of the date first above written.

LANDLORD:

CITY OF ARVADA, a Colorado home rule municipal corporation

By: _____
Lauren Simpson, Mayor

Date: _____

ATTEST:

City Clerk

APPROVED AS TO FORM:

Rachel A. Morris, City Attorney

By: _____

TENANT:

**T-MOBILE WEST LLC, A DELAWARE LIMITED
LIABILITY COMPANY**

By: _____

Name: _____

Title: _____

Date: _____



REPORT TO CITY COUNCIL RESOLUTION

AGENDA ITEM
8.A.2.

TO: THE HONORABLE CITY COUNCIL

DATE: July 15, 2025

SUBJECT: R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24

Report in Brief

Benjamin Sawaya (Pavement Manager)

The Jefferson County team reached out to City of Arvada team to discuss an upcoming project on Quaker St. Jefferson County planned to mill and overlay their portion of Quaker St and understood that the City of Arvada's portions of Quaker St on either end of their project were also in need of resurfacing. It was agreed that the best solution was for the County to include the City of Arvada segments in their project. A cost estimate was provided and agreed upon. An IGA could not be drafted and approved prior to the start of construction. Jefferson County proceeded to execute the project as agreed with the understanding that an IGA would be established. This project has been completed (or is nearly complete at this time, 7/1/25).

The Arvada team recommends that the City Council approve R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24.

Financial Impact

The financial impact is a one-time cost of \$83,637.24, which is budgeted in Program 10204PG PW Street Contract Improvements - Asphalt, 102FD Street Maintenance Fund, 50035SC Contract - Asphalt.

Background

(Colorado Revised Statute) C.R.S. §29-1-203, as amended, permits and encourages local governments to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other local governments in order to provide any lawfully authorized function, service, or facility.

Jefferson County staff reached out to City of Arvada staff to discuss an upcoming project on Quaker St. Jefferson County planned to mill and overlay their portion of Quaker St but realized that the City of Arvada portions of Quaker St on either end of their project were also in need of resurfacing. It was agreed that the best solution was for the County to include the City of Arvada segments in their project.

Upon receiving notice from Jefferson County, City of Arvada staff reviewed the condition of the street segments in question, coordinated curb ramp updates as required, and included all stakeholders in a streamlined vetting process to identify any potential conflicts or opportunities for collaboration. No reason was found to delay the project or to decline the opportunity to collaborate with Jefferson County to improve our street network.

A cost estimate was provided and agreed upon. An IGA could not be drafted and approved prior to the start of construction. Jefferson County proceeded to execute the project as agreed with the understanding that an IGA would be established. This project has been completed (or is nearly complete at this time, 7/1/25).

SUBJECT: R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24

PAGE: 2
ITEM: 8.A.2.

This IGA is an example of efficient intergovernmental collaboration.

Discussion

The City of Arvada had a recent (2020) project on Quaker St that stopped on the south side of W 72nd Ave. The Jefferson County Project on Quaker St was going to stop at City Limit on the north side of W 72nd Ave, leaving a small gap between the projects. This agreement allowed us to eliminate that gap.

At the north end of the project, approximately 1,300 ft of Quaker St is within City Limits. This segment was in poor condition. Quaker St. is classified as an arterial with high priority. The pavement quality of these sections was deficient and overdue for resurfacing. While this work was not included in the City of Arvada's proposed 2025 mill and overlay project, it was within the 5 year plan and consistent with the priorities and goals of the Pavement Management Program. This agreement allowed for more efficient and cost-effective rehabilitation of this segment than if the City of Arvada had planned an independent project. There were also curb ramps that needed updating for ADA compliance at the intersection of W 72nd Ave and Quaker St. These were already proposed in the City of Arvada's 2025 concrete replacement project and required minimal schedule adjustment to ensure concrete replacement was completed prior to paving of the intersection.

Upon knowledge of the project opportunity, an emergency vetting process was initiated by City staff in which we communicated our intent to mill and overlay these areas to internal and external contacts. There were no objections or conflicts discovered in this process.

Funding for this work was available. The Pavement Management Program was recently approved for one-time funds and with competitive pricing on concrete replacement in the 2025 concrete contract, the existing scope of work is currently under budget. The Arvada team was able to reallocate these funds to cover the Quaker project with Jefferson County.

Approval of this resolution will encourage future collaboration between the City of Arvada and Jefferson County from which both will benefit.

Public Contact

Posting of the City Council agenda.

Commission Recommendation

N/A

Strategic Alignment

This action aligns with infrastructure work system services in the City Council Strategic Plan including:

INF3 Maintains existing roads and transportation network in tandem with snow and ice control services to ensure swift and safe transportation modes for the community.

INF4 Innovates safe, accessible, 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, minimizing traffic congestion, and making first and last-mile connections.

INF7 Ensures compliance with federal and state regulations including environmental laws and Americans with Disabilities Act.

Alternative Courses of Action

None

Recommendation for Action

SUBJECT: R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24

PAGE: 3
ITEM: 8.A.2.

The Arvada team recommends that the City Council approve R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24

Suggested Motion:

I move that R25-061, A Resolution Authorizing an Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada into Jefferson County's Mill and Overlay Project for an Amount Not to Exceed \$83,637.24, be (approved) (rejected).

Prepared by:
Benjamin Sawaya, Pavement Manager

Reviewed by:

Approved by:

Claudia Vaughan, City Engineer	5/28/2025
Jacqueline Rhoades, Director of Infrastructure	6/25/2025
Bryan Archer, Chief Financial Officer	6/25/2025
Tammy Hedlund, Legal Specialist	6/25/2025
Megan McCall, Assistant City Attorney II	6/27/2025
Rachel Morris, City Attorney	7/1/2025
Linda Haley, Deputy City Manager	7/1/2025
Don Wick, City Manager	7/7/2025

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R25-061

A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF ARVADA AND JEFFERSON COUNTY FOR INCLUSION OF
PORTIONS OF QUAKER STREET OWNED BY THE CITY OF ARVADA INTO
JEFFERSON COUNTY'S MILL AND OVERLAY PROJECT FOR AN AMOUNT NOT TO
EXCEED \$83,637.24

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

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

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

APPROVED AND ADOPTED this 15th day of July, 2025.

Lauren Simpson, Mayor

ATTEST:

City Clerk

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

By: _____

**AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF ARVADA AND JEFFERSON COUNTY FOR
INCLUSION OF PORTIONS OF QUAKER STREET OWNED
BY THE CITY OF ARVADA INTO JEFFERSON COUNTY'S
MILL AND OVERLAY PROJECT FOR AN AMOUNT NOT TO
EXCEED \$83,637.24**

1. **PARTIES.** The Parties to this Intergovernmental Agreement (“IGA” or “Agreement”) are the City of Arvada, a Colorado home rule municipal corporation, whose mailing address is 8101 Ralston Road, Arvada, CO 80002 (“Arvada” or the “City”) and the County of Jefferson, State of Colorado, a body politic and corporate, whose mailing address is 100 Jefferson County Parkway, Golden, CO 80419 (“County”). The Parties may be referred to individually as a “Party” and collectively as the “Parties.”

2. **RECITALS AND PURPOSE.**

- 2.1. C.R.S. §29-1-203, as amended, permits and encourages local governments to make the most efficient and effective use of their powers and responsibilities by cooperating and contracting with other local governments in order to provide any lawfully authorized function, service, or facility.
- 2.2. Each of the Parties is authorized to establish, maintain, and provide street improvements and street projects.
- 2.3. The County has undertaken a mill and overlay project on the portions of Quaker Street from West 72nd Avenue to West 82nd Avenue in Arvada that are owned and maintained by the County (the “Project”).
- 2.4. Arvada owns and maintains portions of Quaker Street at the intersection of Quaker Street and West 72nd Avenue and from West 82nd Avenue south to the City limit (the “City Owned Portions of Quaker Street”).
- 2.5. The Parties wish to cooperate in including the City Owned Portions of Quaker Street into the Project.
- 2.6. For good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, the Parties agree as set forth herein.

3. **EXHIBITS.**

- 3.1. IGA Documents. The IGA Documents shall consist of this IGA together with the following:

Exhibit A: Maps depicting the City Owned Portions of Quaker Street that is the area that is the subject of this IGA.

All exhibits referred to in this IGA are attached hereto and are, by reference, incorporated herein for all purposes.

4. TERM AND TERMINATION.

- 4.1. Effective date. This IGA will become effective and binding upon execution by the last Party to sign it.
- 4.2. Term. Unless otherwise agreed to in writing by the Parties, and subject to availability of funds, the term of the IGA shall remain in effect from the effective date as described in Sec. 4.1. until all work required under this IGA is complete or until December 31, 2025, whichever occurs first.
- 4.3. Termination. A Party may terminate this IGA with or without cause upon 30 days written notice to the other Party. In the event the IGA is terminated, Arvada will compensate the County for work that is completed in accordance with the provisions of this IGA and invoiced on or before the date that the IGA is terminated, not to exceed the total amount of the reimbursement amount agreed upon by Arvada and the County.

5. OBLIGATIONS OF THE PARTIES.

- 5.1. The County's obligations. The County will be responsible for including into the Project the City Owned Portions of Quaker Street as follows:
 - 5.1.1. Quaker Street and West 72nd Avenue:

Full Milling: 1,200 square yards
Tons Required (including 5% overage): 138
Striping Gallons: 15
Crosswalk, stop bars, arrows markings
Traffic Control: 3 days

West 82nd Avenue south to City limit:

Full Milling: 3,400 square yards
Tons Required (including 5% overage): 392
Striping Gallons: 15
 - 5.1.2. The County will perform the work set out in this IGA in compliance with the County's criteria, standards, and specifications for the Project, subject to Arvada's right to inspect the work.
- 5.2. Arvada's obligations. Arvada will be responsible for compensating the County for the inclusion into the Project of City Owned Portions of Quaker Street in an amount

not to exceed **\$83,637.24**. Payment will be made by Arvada NET 30 days after receipt of an itemized invoice reflecting actual costs paid by the County for the inclusion into the Project of City Owned Portions of Quaker Street.

6. **NECESSARY PERSONNEL, EQUIPMENT, AND FACILITIES.** Each Party will maintain the level of personnel, equipment, and facilities necessary to meet its obligations under this Agreement.
7. **NOTICES.** Any notice required by this Agreement must be in writing and must be given by certified mail or registered mail, postage and fees prepaid, to the address set forth below, or at such other address as has been previously furnished in writing, to the other Party or Parties. Such notice will be deemed to have been given when deposited in the United States mail.

Arvada: Director of Infrastructure
 City of Arvada
 8101 Ralston Road
 Arvada, Colorado 80002

County: Road & Bridge
 Jefferson County
 21401 Golden Gate Canyon Road
 Golden, CO 80403

A Party may designate an employee or volunteer to be responsible for the day-to-day administration of this Agreement. A Party may change the designated day-to-day administrator. Notices that are not required to be sent by U.S. Mail under this Agreement may be sent to the administrator by email.

8. **GENERAL PROVISIONS.**

- 8.1. Force majeure. Any delays in or failure of performance by either Party of its obligations under this Agreement shall be excused if such delays or failure are a result of acts of God, fires, floods, strikes, labor disputes, accidents, regulations or orders of civil or military authorities, shortages of labor or materials, or other causes, similar or dissimilar, which are beyond the control of such Party.
- 8.2. Agreement to cooperate only. The Parties are entering into this IGA understanding that it is intended only to facilitate cooperation between the Parties in the provision of the services set forth herein. No separate entity is created by this Agreement.
- 8.3. Employees to remain the employee of the Party. An employee or volunteer of a Party will remain the employee of that Party for all purposes under this Agreement throughout the term of this Agreement.
- 8.4. Governmental immunity.

- 8.4.1. Each Party shall be responsible for its own negligent or intentional acts or omissions, and for those of its employees and volunteers.
- 8.4.2. The Parties intend that nothing herein shall be deemed or construed as a waiver by either Party of any immunities, rights, benefits, or protections afforded to them under the Colorado Governmental Immunity Act (Section 24-10-101, C.R.S., *et seq.*).
- 8.4.3. The Parties agree that in the event any claim or suit is brought against either or both Parties by any third party as a result of the operation of this Agreement, both Parties will cooperate with each other and with the insuring entities of both Parties in defending such claim or suit.
- 8.4.4. The Parties enter this Agreement as separate, independent government agencies and maintain that status throughout.
- 8.5. Insurance. Each Party must, at its own expense, keep in full force and effect during the term of the Agreement, and during the term of any renewal, extension, or amendment of the Agreement, insurance reasonably sufficient to insure against the liability assumed by that Party under the terms of this Agreement. A Party's failure to secure and maintain sufficient insurance at any time during the pendency of this Agreement do not relieve that Party of its obligations under this Agreement.
- 8.6. Additional documents or action. The Parties agree to take any additional action and execute any additional documents that are necessary to carry out this Agreement.
- 8.7. Assignment. This Agreement may not be assigned by either Party without the prior written consent of the other Party.
- 8.8. Paragraph captions. The captions of the paragraphs are set forth only for the convenience and reference of the Parties and are not intended in any way to define, limit, or describe the scope or intent of this IGA.
- 8.9. Integration, amendment, and severability. The Parties may amend this Agreement at any time. Any amendments must be in writing and will be incorporated into and made a part of this Agreement. If any provision of the Agreement is held invalid or unenforceable, no other provision shall be affected by such holding, and all the remaining provisions of this Agreement shall continue in full force and effect.
- 8.10. Default. Time is of the essence. If any payment or any other condition, obligation, or duty is not timely made, tendered, or performed by either Party, then this Agreement, at the option of the Party that is not in default, may be terminated by the non-defaulting Party, in which case, the non-defaulting Party may recover such damages as may be proper. If the non-defaulting Party elects to treat this Agreement as being in full force and effect, the non-defaulting Party shall have the right to an

action for specific performance or damage or both.

- 8.11. Waiver of breach. A waiver by a Party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party.
- 8.12. Fund availability. Financial obligations of the Parties after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.
- 8.13. Payments to constitute current expenditures. Financial obligations of the Parties, if any, after the current year are contingent on funds for that purpose being appropriated, budgeted and otherwise made available by the governing body of either Party. The Parties' obligations under the Agreement shall be from year to year only and shall not constitute a multiple-fiscal year direct or indirect debt or other financial obligation of the Parties within the meaning of Article X, Section 20 of the Colorado Constitution.
- 8.14. No third-party beneficiaries. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties, and nothing contained in this Agreement shall give or allow any such claim or right of action to any other third party on this Agreement. It is the express intention of the Parties that any person other than the Parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.
- 8.15. Entire agreement; Binding effect. This Agreement represents the entire agreement between the Parties and, except for written amendment authorized by the Parties, there are no oral or collateral agreements or understandings. This Agreement shall inure to the benefit of, and be binding upon, the Parties, their respective legal representative, successors, heirs, and assigns; provided, however, that nothing in this paragraph shall be construed to permit the assignment of this Agreement except as otherwise expressly authorized herein.
- 8.16. Governing law and venue. This Agreement shall be governed by the laws of the State of Colorado. Venue for any action arising under this Agreement or for the enforcement of this Agreement shall be in the appropriate court for Jefferson County, Colorado.
- 8.17. Counterpart execution. This Agreement may be executed in several counterparts and by facsimile, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

[Signature page follows]

DATED this _____ day of _____, 2025.

CITY OF ARVADA, a Colorado home
rule municipal corporation

Lauren Simpson, Mayor
8101 Ralston Road
Arvada, CO 80002

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris

By: _____

COUNTY OF JEFFERSON
STATE OF COLORADO

By: _____
Title: Joseph M. Kerby
County Manager

APPROVED AS TO FORM:

By: _____
Title: Carey Markel
Deputy County Attorney

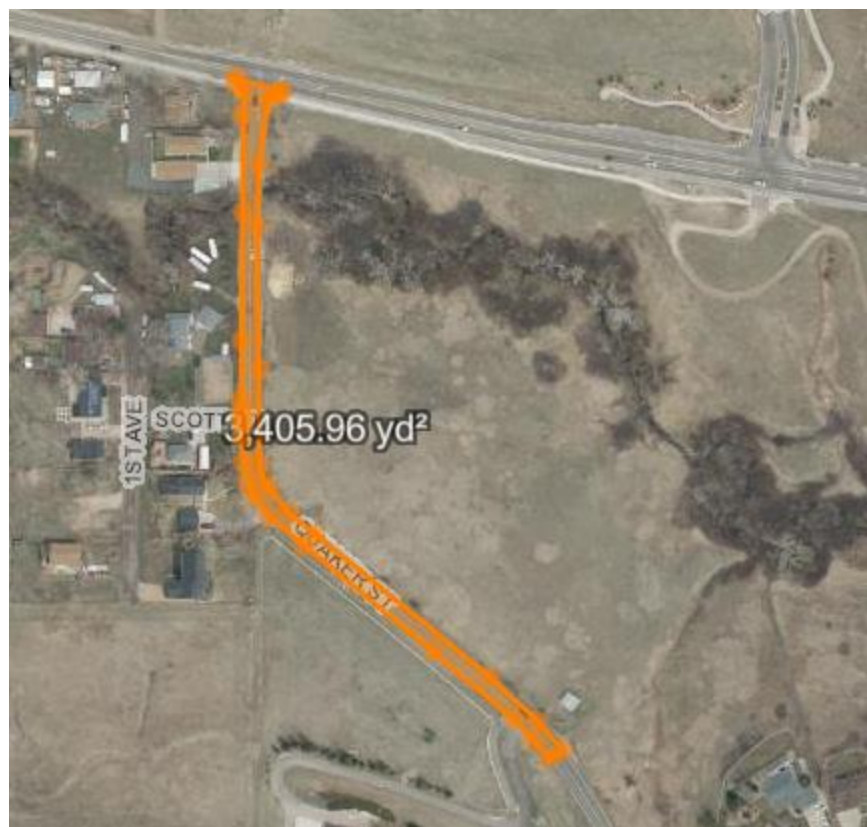
Exhibit A

An Intergovernmental Agreement Between the City of Arvada and Jefferson County for Inclusion of Portions of Quaker Street Owned by the City of Arvada Into Jefferson County's Mill and Overlay Project, for an Amount not to Exceed \$83,637.24

Quaker Street and West 72nd Avenue:



West 82nd Avenue south to City limit:





REPORT TO CITY COUNCIL PUBLIC HEARING

AGENDA ITEM
10.A.

TO: THE HONORABLE CITY COUNCIL

DATE: July 15, 2025

SUBJECT: CB 25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles (Ordinance No.4900) (Presenter: Zachary Woolweaver, Asst. City Attorney)

Report in Brief

PRESENTER: Zachary Woolweaver

The City recently combined the Utilities and Public Works departments into the new Infrastructure department. The responsibilities of the directors of Utilities and Public Works have been assigned to the Director of Infrastructure.

City departments, as well as department director titles, are mentioned throughout the Arvada City Code. As a result, when a department name or director position title changes, it makes sense to conform these references to the new name or title. The proposed ordinance removes references to the Utilities and Public Works departments and directors and replaces them with references to the Infrastructure department and director. These changes help ensure the Code is as straightforward and accessible as possible.

The Arvada team recommends that the City Council approve CB25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles.

Financial Impact

There is no financial impact associated with this Ordinance.

Background

See the Report in Brief above.

Discussion

References to the Utilities and Public Works departments and directors are scattered across the current City Code. Rather than amend every section where these departments or directors are mentioned, the City team is changing all references to these departments and positions through this single proposed ordinance, which highlights and clarifies conflicting nomenclature. Approving the proposed language would ensure clarity as to the structure of the City's working departments, and would be significantly more "readable" and accessible to members of the community.

Public Contact

Posting of the City Council agenda.

Commission Recommendation

SUBJECT: CB 25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles (Ordinance No.4900) (Presenter: Zachary Woolweaver, Asst. City Attorney)

PAGE: 2
ITEM: 10.A.

N/A

Strategic Alignment

This aligns with the City's strategic goal to improve internal and external accessibility to information, programs, systems, and services.

Alternative Courses of Action

NA

Recommendation for Action

The Arvada team recommends that the City Council approve CB25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles.

Suggested Motion:

I move that CB25-014, An Ordinance Repealing and Reenacting Section 2-95, Departments Established, and Retitling, Repealing, and Reenacting Section 2-96, Department Titles of the Arvada City Code to Reflect Changes in Department Names and Department Director Titles, be (approved on final reading, numbered 4900 and ordered published by title only) (rejected).

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Jacqueline Rhoades, Director of Infrastructure	6/25/2025
Bryan Archer, Chief Financial Officer	6/25/2025
Tammy Hedlund, Legal Specialist	6/26/2025
Kelsy Sargent, Assistant City Attorney	6/27/2025
Zachary Woolweaver, Assistant City Attorney I	6/30/2025
Rachel Morris, City Attorney	7/1/2025
Linda Haley, Deputy City Manager	7/1/2025
Don Wick, City Manager	7/7/2025

Enclosure, exhibits & attachments required to support the report

COUNCIL BILL NO. 25-014
ORDINANCE NO. 4900

AN ORDINANCE REPEALING AND REENACTING SECTION 2-95, DEPARTMENTS
ESTABLISHED, AND RETITLING, REPEALING, AND REENACTING SECTION 2-96,
DEPARTMENT TITLES OF THE ARVADA CITY CODE TO REFLECT CHANGES IN
DEPARTMENT NAMES AND DEPARTMENT DIRECTOR TITLES

WHEREAS, the city of Arvada has the authority under C.R.S. § 31-15-103, and otherwise under its authority as a Home Rule city to establish ordinances, regulations, and procedures that protect life and property; and

WHEREAS, the City Council finds it is important for the City to frequently review and update language in its Code of Ordinances; and

WHEREAS, the following sections of the Code are being amended to more accurately reflect the current names of City departments and the title of department directors.

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

Section 1. Section 2-95, Departments established, of Article IV, Officer and Departments, of Chapter 2, Administration, of the Arvada City Code is hereby repealed and reenacted in its entirety to read as follows:

“2-95. Departments established.

(a) In addition to those departments managed directly by a Council appointee as otherwise noted in the Charter, the following administrative departments are established. These departments may be reorganized or renamed from time to time in accordance with the city’s business needs:

- (1) Department of community and economic development;
- (2) Department of finance;
- (3) Department of human resources;
- (4) Department of information technology;
- (5) Department of infrastructure;
- (6) Police department; and
- (7) Department of vibrant community and neighborhoods.”

Section 2. Section 2-96, Department titles, of Article IV, Officer and Departments, of Chapter 2, Administration, of the Arvada City Code is hereby retitled, repealed, and reenacted in its entirety to read as follows:

“2-96. Department names and department director titles.

(a) Changes in department names and director titles.

(1) *Department of community and economic development.* A reference in this Code or in a city policy or rule to the department of planning or the planning department, or to the department of community development or the community development department is deemed to be a reference to the department of community and economic development or the community and development department, as appropriate.

- (i) A reference in this Code or in a city policy or rule to the director of planning, the planning director, the director of community development, or the community development director is deemed to be a reference to the director of community and economic development or the community and economic development director, as appropriate.

(2) *Department of finance.* A reference in this Code or in a city policy or rule to the department of finance or the finance department is deemed to be a reference to the department of finance, as appropriate.

- (i) A reference in this Code or in a city policy or rule to the director of finance, the finance director, financial officer, or the chief financial officer, is deemed to be a reference to the director of finance or the finance director, as appropriate.

(3) *Department of human resources.* A reference in this Code or in a city policy or rule to the department of personnel or the personnel department is deemed to be a reference to the department of human resources or the human resources department, as appropriate.

- (i) A reference in this Code or in a city policy or rule to the director of personnel or the personnel director is deemed to be a reference to the director of human resources or the human resources director, as appropriate.

(4) *Department of information technology.* A reference in this Code or in a city policy or rule to the department of management information services or the management information services department is deemed to be a reference to the department of information technology or the information technology department, as appropriate.

- (i) A reference in this Code or in a city policy or rule to the director of management information services, the management information services director, or the chief information officer is deemed to be a reference to the director of information technology or the information technology director, as appropriate.

(5) *Department of infrastructure.* A reference in this Code or in a city policy or rule to the department of public works or the public works department is deemed to be a reference to the department of infrastructure or the infrastructure department, as appropriate. Any reference in this Code or in a city policy or rule to the department of utilities, or the utilities department is deemed to be a reference to the department of infrastructure or the infrastructure department, as appropriate.

- (i) A reference in this Code or in a city policy or rule to the director of public works, the public works director, the director of utilities, or the utilities director is deemed to be a reference to the director of infrastructure or the infrastructure director, as appropriate.

(6) *Police department.* A reference in this Code or in a city policy or rule to the department of public safety or the public safety department is deemed to be a reference to the police department.

- (i) A reference in this Code or in a city policy or rule to the director of public safety, the public safety director, or to the chief law enforcement official of the City is deemed to be a reference to the chief of police or the police chief, as appropriate.

(7) *Department of vibrant community and neighborhoods.* A reference in this Code or in a city policy or rule to the department of parks, golf, and hospitality or the parks, golf and hospitality department is deemed to be a reference to the vibrant community and neighborhoods department.

- (i) A reference in this Code or in a city policy or rule to the director of parks, golf, and hospitality or the parks, golf, and hospitality director is deemed to be a reference to the director of vibrant community and neighborhoods or the vibrant community and neighborhoods director, as appropriate.

(b) Management prerogatives in the event of a name or title change. Notwithstanding a change in a department's name or department director's title as set forth herein, those actions, authority, powers, duties, responsibilities, rights, and prerogatives of each department or department director are deemed to apply without break or interruption. Nothing in this ordinance may be deemed to modify, amend, alter, change, supersede, repeal, vacate, or rescind an otherwise lawful action taken or authorized by a department director before this Ordinance was adopted."

Section 3. Severability. 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. The City Council declares it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. This Ordinance shall be effective five days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 1st day of July, 2025.

PASSED, ADOPTED AND APPROVED this 15th day of July, 2025.

Lauren Simpson, Mayor

ATTEST:

City Clerk

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

BY: _____

Publication Dates: July 3, 2025
 July 17, 2025

~~REDLINE/STRIKETHROUGH VERSION~~

FOR INFORMATION ONLY -- NOT PART OF THE ORDINANCE

~~Sec. 2-95. - Departments established.~~

~~The~~

~~(b) In addition to those departments managed directly by a Council appointee as otherwise noted in the Charter, the following administrative departments are hereby established. These departments may be reorganized or renamed from time to time in accordance with the city's business needs:~~

- ~~(1) Department of community and economic development;~~
- ~~(2) Department of finance;~~
- ~~(3) Department of human resources;~~
- ~~(4) Department of information technology;~~
- ~~(5) Department of infrastructure;~~
- ~~(6) Police department; and~~
- ~~(7) Department of vibrant community and neighborhoods.”~~

2-96. Department names and department director titles.

~~(c) Changes in department names and director titles.~~

~~(1) *Department of community and economic development.* A reference in this Code or in a city policy or rule to the department of planning or the planning department, or to the department of community development or the community development department is deemed to be a reference to the department of community and economic development or the community and development department, as appropriate.~~

~~(i) A reference in this Code or in a city policy or rule to the director of planning, the planning director, the director of community development, or the community development director is deemed to be a reference to the director of community and economic development or the community and economic development director, as appropriate.~~

~~(2) *Department of finance.* A reference in this Code or in a city policy or rule to the department of finance or the finance department is deemed to be a reference to the department of finance, as appropriate.~~

~~(ii) A reference in this Code or in a city policy or rule to the director of finance, the finance director, or the chief financial officer, is deemed to be a reference to the director of finance or the finance director, as appropriate.~~

(3) Department of human resources. A reference in this Code or in a city policy or rule to the department of personnel or the personnel department is deemed to be a reference to the department of human resources or the human resources department, as appropriate.

(ii) A reference in this Code or in a city policy or rule to the director of personnel or the personnel director is deemed to be a reference to the director of human resources or the human resources director, as appropriate.

(4) Department of information technology. A reference in this Code or in a city policy or rule to the department of management information services or the management information services department is deemed to be a reference to the department of information technology or the information technology department, as appropriate.

(ii) A reference in this Code or in a city policy or rule to the director of management information services, the management information services director, or the chief information officer is deemed to be a reference to the director of information technology or the information technology director, as appropriate.

(5) Department of infrastructure. A reference in this Code or in a city policy or rule to the department of public works, or the public works department is deemed to be a reference to the department of infrastructure or the infrastructure department, as appropriate. Any reference in this Code or in a city policy or rule to the department of utilities, or the utilities department is deemed to be a reference to the department of infrastructure or the infrastructure department, as appropriate.

(ii) A reference in this Code or in a city policy or rule to the director of public works, the public works director, the director of utilities, or the utilities director is deemed to be a reference to the director of infrastructure or the infrastructure director, as appropriate.

(6) Police department. A reference in this Code or in a city policy or rule to the department of public safety or the public safety department is deemed to be a reference to the police department, department of community development, department of finance, department of information technology, department of human resources, department of arts and humanities, department of economic development,

(ii) A reference in this Code or in a city policy or rule to the director of public safety, the public safety director, or to the chief law enforcement official of the City is deemed to be a reference to the chief of police or the police chief, as appropriate.

(7) Department of vibrant community and neighborhoods. A reference in this Code or in a city policy or rule to the department of parks, golf, and hospitality services, and department of utilities or the parks, golf and hospitality department is deemed to be a reference to the vibrant community and neighborhoods department.

● **Sec. 2-96. – Department titles.**

(a)

- (i) A reference in this Code or in a city policy or rule to the director of parks, golf, and hospitality or the parks, golf, and hospitality director is deemed to be a reference to the director of vibrant community and neighborhoods or the vibrant community and neighborhoods director, as appropriate.

Management prerogatives in the event of a name or title change. Notwithstanding ~~the change of name of the department of planning to the department of community development, the~~ a change of in a department's name of the department of management information services to the department of information technology, and the change of name of the department of personnel to the department of human resources or department director's title as set forth herein, those actions, authority, powers, duties, responsibilities, rights, and prerogatives, ~~of the director of planning, the director of management information services, or the director of personnel, as may be applicable, shall be of each department or department director are~~ deemed to apply without break or interruption ~~to the director of community development, the director of information technology, or the director of human resources respectively and as may be applicable to the respective departments.~~ Nothing herein shall ~~serve in this ordinance may be deemed~~ to modify, amend, alter, change, supersede, repeal, vacate, or rescind any otherwise lawful action taken or authorized by ~~the director of planning, director of management information services, or director of personnel, respectively, prior to passage of this section.~~

(b) ~~From and after passage of this section, wherever the title "planning director", or "director of planning", or any similar usage appears in the Code or in any regulations of the city a department director before this Ordinance was adopted pursuant to this Code, the new title, "director of community development" shall be deemed to apply in lieu of planning director or other similar usage. Likewise, wherever the phrase, "planning department" or any similar usage appears in this Code or in any regulation adopted pursuant to the Code, the phrase, "department of community development" shall be deemed to apply in lieu of department of planning or any similar usage. To the extent any section, article, or chapter of this Code or any regulation adopted pursuant to the Code may be inconsistent with the preceding, such section, article, chapter or regulation is hereby amended to substitute the title, "director of community development" or "department of community development", as may be applicable, in lieu of any prior title of the departmental director or description of the department.~~

(c) ~~From and after passage of this section, wherever the title "management information services director", or "director of management information services", or any similar usage appears in the Code or in any regulations of the city adopted pursuant to the Code, the new title, "director of information technology" shall be deemed to apply in lieu of director of management information services or other similar usage. Likewise, wherever the phrase, "department of management information services" or any similar usage appears in the Code or in any regulation adopted pursuant to the Code, the phrase, "department of information technology" shall be deemed to apply in lieu of department of management information services or any similar usage. To the extent any section, article, or chapter of the Code or any regulation adopted pursuant to the Code may be inconsistent with the preceding, such section, article, chapter or regulation is hereby amended to substitute the title, "director of information technology" or "department of information technology", as may be applicable, in lieu of any prior title of the departmental director or description of the department.~~

~~(d) The operations of the personnel department shall be performed by the department of human resources. From and after passage of this section, wherever the title "personnel director", or "director of personnel", or any similar usage appears in the Code or in any regulations of the city adopted pursuant to the Code, the new title, "director of human resources" shall be deemed to apply in lieu of personnel director or other similar usage. Likewise, wherever the phrase, "personnel department" or any similar usage appears in the Code or in any regulation adopted pursuant to the Code, the phrase, "department of human resources" shall be deemed to apply in lieu of department of personnel or any similar usage. To the extent any section, article, or chapter of the Code or any regulation adopted pursuant to the Code may be inconsistent with the preceding, such section, article, chapter or regulation is hereby amended to substitute the title, "director of human resources" or "department of human resources", as may be applicable, in lieu of any prior title of the departmental director or description of the department.~~

~~.~~

was adopted.



REPORT TO CITY COUNCIL PUBLIC HEARING

AGENDA ITEM
10.B.

TO: THE HONORABLE CITY COUNCIL

DATE: July 15, 2025

SUBJECT: CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code (Ordinance No. 4901) (Presenter: Don Wick, City Manager)

Report in Brief

PRESENTER: Don Wick, City Manager

The Arvada City Code allows the City Manager to declare Stage 1 fire restrictions and Stage 2 fire bans. The Ordinance will establish an automatic process for Stage 1 fire restrictions or a Stage 2 fire ban to be immediately in effect within the City upon declaration and implementation by Jefferson County of fire restrictions or a fire ban for any unincorporated area of Jefferson County that is within fifteen miles of any City boundary.

The Arvada team recommends that the City Council approve CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code.

Financial Impact

There is no known financial impact.

Background

Under the current process in the Arvada City Code for implementing fire restrictions or bans, based upon and following the declaration of fire restrictions or a fire ban by the Jefferson County Sheriff's Office or by recommendation of the Arvada Fire Protection District ("AFPD") that fire restrictions or a ban should be implemented, the City Manager, or their designee, declares Stage 1 fire restrictions or a Stage 2 fire in effect for Arvada by publishing notice of the restrictions or ban on the City's website. Stage 1 fire restrictions and Stage 2 fire bans are limitations on building, maintaining, or attending to a recreational fire, an open fire, or on acts related to, or that may create, open burning.

During an active fire restriction or fire ban season, declarations of fire restriction or ban and the subsequent lifting of a restriction or ban can occur several times during the fire season. By having an automatic declaration, this improves the speed and efficiency of implementing the restriction or ban. The City Manager will continue to monitor each restriction or ban and will give proper notice to the public when a restriction or ban is in effect, or when the declaration is withdrawn. The automatic provision provides for efficiency and timeliness in the process.

The City Manager's declaration may be withdrawn after a declaration by Jefferson County has been lifted, after the AFPD withdraws its recommendation for the restrictions or ban, or otherwise upon a finding by the City Manager that there exists competent evidence to lift the restrictions or ban, and by publication on the City's website of the withdrawal of the declaration.

Discussion

The Ordinance does not make substantive changes to the current process for the City Manager to declare Stage 1 fire restrictions or a Stage 2 fire ban. The Ordinance adds a mechanism for Stage 1 fire restrictions or a Stage 2 fire ban to be automatically and immediately in effect within Arvada when the Jefferson County Board of County Commissioners or the Jefferson County Sheriff declares and implements fire restrictions or a fire ban, respectively, for any unincorporated area of Jefferson County that is within 15 miles of any City boundary. The Stage 1 fire restrictions or a Stage 2 fire ban that go into immediate effect are applicable to all areas of the City, regardless of what county the area may be within.

The Ordinance requires the City Manager to post, within a reasonable time after the Stage 1 fire restrictions or a Stage 2 fire ban go into effect, notice detailing the restrictions or ban, but failure to post notice does not impact the effectiveness of the restrictions or ban. The City Manager may also modify the Stage 1 fire restrictions or a Stage 2 fire ban by limiting the area in which the fire restrictions or fire ban is in effect within the City's boundaries, by upgrading Stage 1 fire restrictions to a Stage 2 fire ban, or by downgrading a Stage 2 fire ban to Stage 1 fire restrictions. Notice of any modification is required before the modification goes into effect.

The Ordinance also allows for the City Manager to, upon recommendation of the AFPD, issue a stay of any Stage 1 fire restrictions or Stage 2 fire ban going into effect within the City's boundaries upon declaration by Jefferson County for a specified period.

The process the Ordinance establishes will add efficiency to Stage 1 fire restrictions or Stage 2 fire bans taking effect within the City.

Public Contact

Posting of the City Council agenda.

Commission Recommendation

N/A

Strategic Alignment

The recommended action aligns in the following ways with the City Council Strategic Plan:

- Take care of our community by continually improving and adapting to the changing needs of community members and environment.
- Strengthen community resilience and well-being by proactively collaborating in emergency management initiatives, ensuring preparedness, effective response, and swift recovery.
- Provide equitable access to the natural environment citywide and preserve these amenities for future generations.
- Provision of essential services to the community by the Organizational and Service Effectiveness Work System.

Alternative Courses of Action

1. Approve the Ordinance. A mechanism will be established for fire restrictions and bans to automatically and immediately be in effect within the City upon certain action taken by Jefferson County.
2. Do not approve the Ordinance. There will not be added to the current process for fire restrictions and bans to be implemented within the City upon declaration by the City Manager an automatic mechanism for fire restrictions and bans to automatically and immediately be in effect within the City upon certain action taken by Jefferson County.

Recommendation for Action

SUBJECT: CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code (Ordinance No. 4901) (Presenter: Don Wick, City Manager)

PAGE: 3
ITEM: 10.B.

The Arvada team recommends that the City Council approve CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code.

Suggested Motion:

I move that CB25-015, An Ordinance Amending, Repealing, and Reenacting Various Sections of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, of the Arvada City Code, be (approved on final reading, numbered 4901 and ordered published by title only) (rejected).

Prepared by:
Chris Koch, CCO Admin

Reviewed by:
Gail Walker, Legal Specialist-Contracts 6/24/2025
Megan McCall, Assistant City Attorney II 6/27/2025

Approved by:

Rachel Morris, City Attorney 7/1/2025
Linda Haley, Deputy City Manager 7/1/2025
Don Wick, City Manager 7/7/2025

Enclosure, exhibits & attachments required to support the report

COUNCIL BILL NO. 25-015
ORDINANCE NO. 4901

AN ORDINANCE AMENDING, REPEALING, AND REENACTING VARIOUS SECTIONS
OF ARTICLE III, FIRE RESTRICTIONS OR BANS, OF CHAPTER 42, FIRE PREVENTION
AND PROTECTION, OF THE ARVADA CITY CODE

WHEREAS, the City of Arvada is a home rule municipality, organized and existing under Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, the City of Arvada has the authority under C.R.S. §31-15-401, and otherwise under its authority as a home rule municipality, to control and limit fires, including but not limited to the prohibition, banning, restriction, or other regulation of fires and the designation of places where fires are permitted, restricted, or prohibited; and

WHEREAS, pursuant to section 42-112 of Article III of Chapter 42, the city manager may declare and implement Stage 1 fire restrictions or a Stage 2 fire ban based upon and following the declaration of fire restrictions or a fire ban by the Jefferson County Sheriff's Office or the recommendation of the Arvada Fire Protection District; and

WHEREAS, the City Council finds that amending the procedures for fire restrictions and fire bans to provide an automatic mechanism for Stage 1 fire restrictions or a Stage 2 fire ban to be immediately in effect within the city upon declaration and implementation by Jefferson County of fire restrictions or a fire ban for any unincorporated area of Jefferson County that is within fifteen miles of any city boundary 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. Section 42-111, Definitions, of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, is hereby amended by adding a definition for "City's boundaries" and amending the definition for "County" to read as follows:

"City's boundaries mean the boundaries of the City of Arvada that delineate the incorporated areas of the city regardless of the county that the area is within.

County means Jefferson County, the Jefferson County Board of County Commissioners, or the Jefferson County Sheriff."

The remaining definitions in section 42-111 shall remain unchanged.

Section 2. Section 42-112, Authority, of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, is hereby retitled, repealed, and reenacted to read as follows:

"Sec. 42-112. Authority and Applicability.

- (a) *Authority.* The city manager may declare, modify, upgrade, downgrade, issue or lift a stay of, implement, or withdraw Stage 1 fire restrictions or a Stage 2 fire ban as set forth in this article.
- (b) *Applicability.* This article applies to all incorporated areas within the city's boundaries regardless of which county the area is within."

Section 3. Section 42-113, Declaration and notice, of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, is hereby retitled, repealed, and reenacted to read as follows:

"Sec. 42-113. Fire restrictions or fire ban by declaration; notice and withdrawal.

- (a) *Declaration by the county.* When the county declares fire restrictions or a fire ban within any unincorporated area of the county that is within fifteen miles of any portion of the city's boundaries, there shall be in effect immediately for all areas within the city's boundaries Stage 1 fire restrictions if fire restrictions have been declared or a Stage 2 fire ban if a fire ban has been declared.
 - (1) *Notice – declaration by the county.* As soon as practicable after the declaration by the county of fire restrictions or a fire ban, the city manager will post notice of the Stage 1 fire restrictions or Stage 2 fire ban on the city's website. The failure of the city manager to publicize that fire restrictions or a fire ban is in effect as set forth in this subsection does not affect in any way the enforcement within the city's boundaries of the Stage 1 fire restrictions or Stage 2 fire ban that is in effect upon declaration by the county.
 - (2) *Modification of restrictions or ban.* The city manager may upon recommendation of the AFD declare that Stage 1 fire restrictions or a Stage 2 fire ban that is in effect upon declaration by the county be modified by limiting the area in which the fire restrictions or fire ban is in effect within the city's boundaries, by upgrading Stage 1 fire restrictions to a Stage 2 fire ban, or by downgrading a Stage 2 fire ban to Stage 1 fire restrictions. Notice of any modification must be posted on the city's website and will be in effect on or after the date and time specified in the notice.
 - (3) *Issuance of stay of restrictions or ban.* The city manager upon the recommendation of the AFD may issue a stay of any Stage 1 fire restrictions or Stage 2 fire ban going into effect within the city's boundaries upon declaration by the county. To issue the stay, the city manager must post notice on the city's website that notwithstanding the county declaring fire restrictions or a fire ban for an unincorporated area of the county that is within fifteen miles of any portion of the city's boundaries, no restrictions or ban will be in effect within the city's boundaries for the duration specified in the notice or unless the city manager otherwise declares that Stage 1 fire

restrictions or a Stage 2 fire ban is in effect in accordance with subsection (b) of this section.

- (b) *Declaration by the city manager.* Upon the recommendation of the AFPD, the city manager may declare Stage 1 fire restrictions or a Stage 2 fire ban to be in effect within the city's boundaries.
 - (1) *Notice – declaration by the city manager.* Upon declaring that Stage 1 fire restrictions or a Stage 2 fire ban is in effect, the manager will post notice of the restrictions or ban on the city's website. The restrictions or ban are only enforceable on or after the date and time specified in the notice.
- (c) *Notices generally - issuance and contents of.* Subject to available resources, the city manager may publish any notice required under this section on social media sites other than the city's website and by other means deemed reasonable by the city manager. A notice issued by the city manager under this section should be tailored to the circumstances calling for the notice. The notice must specify the date and time that the restrictions or ban went or will go into effect, the geographic parameters of the restrictions or ban, any modifications made by the city manager to the restrictions or ban, and the general nature of the activities prohibited and allowed under the restrictions or ban. In addition, the notice must reference this article of the Code.
 - (1) Any notice posted by the city manager pursuant to this section may specify measures citizens may take to reduce the possibility of, or to prevent, uncontrolled fires, and to extinguish fires that do occur. Any notice may remind the public that the possession, manufacture, storage, sale, handling, and use of fireworks, and the discharge of firearms, are always prohibited within the city.
- (d) *Withdrawal.* Upon the recommendation of the AFPD or upon a finding by the city manager that there exists competent evidence to lift Stage 1 fire restrictions or a Stage 2 fire ban that is in effect upon declaration by the county or by the city manager, the city manager may withdraw the Stage 1 fire restrictions or Stage 2 fire ban. The city manager must post notice of the withdrawal on the city's website and the withdrawal of any fire restrictions or fire ban is not effective until the date and time specified in the withdrawal notice. The notice may specify the reason or reasons for the withdrawal."

Section 4. The first paragraph of section 42-114 (a), Stage 1 fire restrictions – Unlawful acts, of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, is hereby amended to read as follows:

- “(a) *Fire restrictions generally.* Notwithstanding any other provision of this Code, it shall be unlawful for a person to build, maintain, attend to, or use a recreational fire

or an open fire within the city’s boundaries after Stage 1 fire restrictions are in effect.”

The remaining provisions of section 42-114 beginning with “Exceptions” shall remain unchanged.

Section 5. The first paragraph of section 42-115 (a), Stage 2 fire ban – Unlawful acts, of Article III, Fire Restrictions or Bans, of Chapter 42, Fire Prevention and Protection, is hereby amended to read as follows:

“(a) *Fire ban generally.* Notwithstanding any other provision of this Code, it shall be unlawful for a person to build, maintain, attend to, or use a recreational fire or an open fire within the city’s boundaries after a Stage 2 fire ban is in effect.”

The remaining provisions of section 42-115 beginning with “Exceptions” shall remain unchanged.

Section 6. Severability. 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. The city council declares it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 7. This ordinance shall be effective five days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 1st day of July, 2025.

PASSED, ADOPTED AND APPROVED this 15th day of July, 2025.

Lauren Simpson, Mayor

ATTEST:

City Clerk

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

BY: _____

Publication Dates: July 3, 2025
July 17, 2025

REDLINE/STRIKETHROUGH VERSION

FOR INFORMATION ONLY -- NOT PART OF THE ORDINANCE

Underlined indicates new material
Strikethrough indicates deleted material

“Sec. 42-111. Definitions.

Except as set forth herein, or except where the context clearly indicates otherwise, words, terms, and phrases used in this article shall have the meanings ascribed to them in the International Fire Code as adopted by the city.

AFPD means the Arvada Fire Protection District.

City’s boundaries mean the boundaries of the City of Arvada that delineate the incorporated areas of the city regardless of the county that the area is within.

County means Jefferson County, the Jefferson County Board of County Commissioners, ~~or the Critical Incident Response Section of~~ the Jefferson County Sheriff’s Office.

Hot work means operations including, but not limited to, cutting, welding, Thermit welding, brazing, soldering, grinding, thermal spraying, thawing pipe, installation of torch-applied roof systems, or any other similar activity. It also includes the operation of an electric or gas-fueled portable powered welder or cutting appliance that produces heat, flame, sparks, or molten metal slag.

Liquid- or gas-fueled appliance means any equipment or device that burns liquid or gaseous fuel that can be shut off by means of a switch or other mechanical means and that is designed or intended for use outdoors to produce heat for pleasure, religious, ceremonial, cooking, warmth, or similar purposes. This includes, but is not limited to, a liquid- or gas-fueled camp stove, fire pit, or grill.

City manager means the Arvada City Manager or his or her designee.

Open fire or open burning has the meaning set forth in the International Fire Code. It also includes a fire or combustion of materials created as a result of hot work, or a fire in a tethered or untethered sky lantern. For purposes of enforcement of this article, and notwithstanding any other provision of this Code, any fire that is not a recreational fire shall be deemed to be an open fire.

Portable outdoor fireplace means a portable, outdoor solid-fuel-burning fireplace that may be constructed of steel, concrete, clay, or other noncombustible material. A portable outdoor fireplace may be open in design or may be equipped with a small hearth opening and a short chimney or chimney opening in the top. This type of fireplace is sometimes known as a chiminea.

Recreational fire means an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator and that has a total fuel area of three feet (914 mm) or less in diameter and two feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth, or similar purposes. For purposes of this article, a recreational fire includes, but is not limited to, a fire in a charcoal barbeque grill, a barbeque pit, a fire pit, or a fixed, permanent outdoor fireplace that is fueled by charcoal, wood, or other solid fuel, a fire in a barrel or drum, a fire in a portable outdoor fireplace, or a fire in a tiki torch, or in a similar device, object, or piece of equipment. It also includes any fire created as a result of the use of liquid- or gas-fueled appliance.

Stage 1 fire restriction or restrictions mean a limitation or limitations on building, maintaining, or attending to a recreational fire, an open fire, or on acts related to, or that may create, open burning, and as further described in section 42-105 of this article.

Stage 2 fire ban means a limitation or limitations on building, maintaining, or attending to a recreational fire, an open fire, or on acts related to, or that may create, open burning, and as further described in section 42-106 of this article.

Undeveloped area means publicly or privately owned land that is not landscaped, groomed, manicured through frequent and regular mowing, or watered by means other than natural precipitation, or any area where vegetation has been allowed to grow in a natural environment or manner such that it may reasonably be deemed an undue wild fire hazard.”

“Sec. 42-112. Authority and Applicability.

(a) *Authority.* The city manager may declare, modify, upgrade, downgrade, issue or lift a stay of, implement, or withdraw Stage 1 fire restrictions or a Stage 2 fire ban as set forth in this article, and implement Stage 1 fire restrictions, or a Stage 2 fire ban based upon and following the declaration of fire restrictions or a fire ban by the county or by recommendation of the ACPD.

(b) *Applicability.* This article applies to all incorporated areas within the city’s boundaries regardless of which county the area is within.”

“Sec. 42-113. Fire restrictions or fire ban by Declaration; and notice and withdrawal.

(a) *Declaration by the county.* When the county declares fire restrictions or a fire ban within any unincorporated area of the county that is within fifteen miles of any portion of the city’s boundaries, there shall be in effect immediately for all areas within the city’s boundaries Stage 1 fire restrictions if fire restrictions have been declared or a Stage 2 fire ban if a fire ban has been declared.

(1) *Notice – declaration by the county.* As soon as practicable after the declaration by the county of fire restrictions or a fire ban, the city manager will post notice of the Stage 1 fire restrictions or Stage 2 fire ban on the

city's website. The failure of the city manager to publicize that fire restrictions or a fire ban is in effect as set forth in this subsection does not affect in any way the enforcement within the city's boundaries of the Stage 1 fire restrictions or Stage 2 fire ban that is in effect upon declaration by the county.

(2) *Modification of restrictions or ban.* The city manager may upon recommendation of the AFPD declare that Stage 1 fire restrictions or a Stage 2 fire ban that is in effect upon declaration by the county be modified by limiting the area in which the fire restrictions or fire ban is in effect within the city's boundaries, by upgrading Stage 1 fire restrictions to a Stage 2 fire ban, or by downgrading a Stage 2 fire ban to Stage 1 fire restrictions. Notice of any modification must be posted on the city's website and will be in effect on or after the date and time specified in the notice.

(3) *Issuance of stay of restrictions or ban.* The city manager upon the recommendation of the AFPD may issue a stay of any Stage 1 fire restrictions or Stage 2 fire ban going into effect within the city's boundaries upon declaration by the county. To issue the stay, the city manager must post notice on the city's website that notwithstanding the county declaring fire restrictions or a fire ban for an unincorporated area of the county that is within fifteen miles of any portion of the city's boundaries, no restrictions or ban will be in effect within the city's boundaries for the duration specified in the notice or unless the city manager otherwise declares that Stage 1 fire restrictions or a Stage 2 fire ban is in effect in accordance with subsection (b) of this section.

(b) *Declaration by the city manager.* Upon the recommendation of the AFPD, the city manager may declare Stage 1 fire restrictions or a Stage 2 fire ban to be in effect within the city's boundaries.

(1) *Notice – declaration by the city manager.* Upon declaring that Stage 1 fire restrictions or a Stage 2 fire ban is in effect, the manager will post notice of the restrictions or ban on the city's website. The restrictions or ban are only enforceable on or after the date and time specified in the notice.

(c) *Notices generally - issuance and contents of.* Subject to available resources, the city manager may publish any notice required under this section on social media sites other than the city's website and by other means deemed reasonable by the city manager. A notice issued by the city manager under this section should be tailored to the circumstances calling for the notice. The notice must specify the date and time that the restrictions or ban went or will go into effect, the geographic parameters of the restrictions or ban, any modifications made by the city manager to the restrictions or ban, and the general nature of the activities prohibited and allowed under the restrictions or ban. In addition, the notice must reference this article of the Code.

- (1) Any notice posted by the city manager pursuant to this section may specify measures citizens may take to reduce the possibility of, or to prevent, uncontrolled fires, and to extinguish fires that do occur. Any notice may remind the public that the possession, manufacture, storage, sale, handling, and use of fireworks, and the discharge of firearms, are always prohibited within the city.
- (d) *Withdrawal.* Upon the recommendation of the AFD or upon a finding by the city manager that there exists competent evidence to lift Stage 1 fire restrictions or a Stage 2 fire ban that is in effect upon declaration by the county or by the city manager, the city manager may withdraw the Stage 1 fire restrictions or Stage 2 fire ban. The city manager must post notice of the withdrawal on the city's website and the withdrawal of any fire restrictions or fire ban is not effective until the date and time specified in the withdrawal notice. The notice may specify the reason or reasons for the withdrawal.
- ~~(a) *Issuance of the declaration.* Within a reasonable time after the county declares fire restrictions or a fire ban to be in effect in unincorporated areas of the County, or the AFD recommends the imposition of fire restrictions or a fire ban, the city manager may declare Stage 1 fire restrictions or a Stage 2 fire ban to be in effect within or upon any area within the city by publishing notice of the restrictions or ban on the city's website. Subject to available resources, the city manager may cause the declaration to be published on other social media sites of the city manager's choosing, or by other means deemed reasonably necessary to implement or publicize the restrictions or ban.~~
- (b) ~~*Contents of the declaration.* The declaration of the existence of Stage 1 fire restrictions or a Stage 2 fire ban must specify the date the restrictions or ban begins and the geographic parameters of the restrictions or ban. The declaration must specify whether Stage 1 fire restrictions or a Stage 2 fire ban is in place, and the general nature of the activities prohibited and allowed under the restrictions or ban. In addition, the declaration must reference this article of the Code.~~
- (c) ~~*Other information.* The declaration may specify measures citizens may take to reduce the possibility of, or to prevent, uncontrolled fires, and to extinguish fires that do occur. The notice may remind the public that the possession, manufacture, storage, sale, handling, and use of fireworks, and the discharge of firearms, are prohibited throughout Arvada.~~
- (d) ~~*Withdrawal of the declaration.* The declaration may be withdrawn by the city manager after a county declaration has been lifted, after the AFD has withdrawn its fire restrictions or ban recommendation, or otherwise upon a finding by the city manager that there exists competent evidence to lift the restrictions or ban, and by the publication of the withdrawal of the declaration on the city's website. The notice must specify the date the declaration is withdrawn. The notice may specify the reason or reasons the declaration is withdrawn. Subject to available resources, the city manager may also publish the withdrawal of the declaration on other social media sites or by other means deemed reasonable by the city manager."~~

“Sec. 42-114. Stage 1 fire restrictions—Unlawful acts.

- (a) *Fire restrictions generally.* Notwithstanding any other provision of this Code, it shall be unlawful for a person to build, maintain, attend to, or use a recreational fire or an open fire within the city’s boundaries after ~~a~~ Stage 1 fire restrictions are in effect. ~~declaration has been issued by the city manager.~~

Exceptions: The following acts or activities are allowed during a declared Stage 1 fire restrictions period:

- (1) Smoking, if it is done in an enclosed vehicle or building, or outdoors in an area that is more than thirty feet from an undeveloped area, and then, only if smoking is otherwise allowed under existing state and local smoking laws.
- (2) The use of a recreational fire, if it is contained within a permanently constructed fire grate upon private property or within a park, and if the fire is more than 30 feet from an undeveloped area.
- (3) The use of a tiki torch or portable outdoor fireplace upon private property, or the use of a fire pit upon private property or within a park, if the tiki torch, portable outdoor fireplace, or fire pit is more than 30 feet from an undeveloped area.
- (4) The use of a liquid- or gas-fueled appliance.
- (5) The use of an Underwriters Laboratories (UL) listed wood pellet grill.
- (6) The operation of a chain saw.
- (7) Hot work operations if the work is performed in an area more than 30 feet from an undeveloped area.
- (8) The burning of explosive wastes by the manufacturer of the explosives in an area zoned for industrial use, if the fire is supervised by the fire protection district.
- (9) The use of an explosive initiation system requiring a burning fuse line.”

“Sec. 42-115. Stage 2 fire ban—Unlawful acts.

- (a) *Fire ban generally.* Notwithstanding any other provision of this Code, it shall be unlawful for a person to build, maintain, attend to, or use a recreational fire or an open fire within the city’s boundaries after a Stage 2 fire ban is in effect. ~~declaration has been issued by the city manager.~~

Exceptions: The following acts or activities are allowed during a declared Stage 2 fire ban period:

- (1) Smoking, if it is done in an enclosed vehicle or building, or outdoors in an area that is more than thirty feet from an undeveloped area, and then, only if smoking is otherwise allowed under existing state and local smoking laws.
- (2) The use of a liquid- or gas-fueled appliance.
- (3) The use of Underwriters Laboratories (UL) listed wood pellet grill.
- (4) The operation of a chain saw equipped with a properly installed spark arresting device that is in good working order. The operator must also have readily available for quick use at all times while the saw is being operated an extinguishing source such as a pressurized water extinguisher, a proper chemical pressurized extinguisher that is large enough to handle nearby hazards, or sufficient water to extinguish any fire created through use of the saw. In addition, the operator must have in his or her possession at all times while the saw is being operated at least one pointed shovel with an overall length of at least 36 inches.
- (5) Hot work operations if the work is performed in an area that is barren or cleared of all combustible material more than 30 feet in all directions from the operating equipment, and with a permit from the fire code official having jurisdiction over the operating location.”



REPORT FROM CITY COUNCIL

AGENDA ITEM
12.A.

DATE: July 15, 2025

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

Lauren Simpson	Arvada City Attorney Committee Arvada Municipal Court/Judicial Committee Arvada Urban Renewal Authority Arvada Visitors Center Committee *Metro Mayors' Caucus Urban Drainage and Flood Control District West Connect Coalition E-470 Authority (Alternate)
Randy Moorman	Arvada Audit Committee Arvada Center for the Arts and Humanities Arvada Sustainability Committee CML Policy Committee Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Alternate)
Shawna Ambrose	Adams County Regional Economic Partnership (ACREP) Arvada Audit Committee Bond Oversight Committee Jefferson County R-1 Schools Coordinating Committee Arvada Visitors Center Committee (Alternate) Housing Advisory Committee Olde Town Business Improvement (BID) (Alternate)
Sharon Davis	Apex Coordinating Committee Arvada Municipal Court/Judicial Committee

	CML Policy Committee Denver Regional Council of Governments (DRCOG) Jefferson Economic Development Council (JDEC) E-470 Authority (Alternate) Jeffco Transportation Action & Advisory Group (JEFFTAAG) Jefferson County Community Corrections Board
Bob Fifer	Arvada City Attorney Committee Arvada Fire Protection District Coordinating Committee Arvada Transportation Committee Jefferson Parkway Public Highway Authority Smart City Advisory Committee Northwest Parkway Authority (Alternate)
John Marriott	Arvada Economic Development Association Board Bond Oversight Committee Olde Town Business Improvement (BID)
Brad Rupert	Adams County Regional Economic Partnership (ACREP) (Alternate) Arvada Chamber of Commerce Government Affairs Committee Arvada Fire Protection District Coordinating Committee Denver Regional Council of Governments (DRCOG) (Alternate) Jeffco Transportation Action & Advisory Group (JEFFTAAG) Jefferson County Community Corrections Board (Alternate) Smart City Advisory Committee Jefferson County R-1 Schools Coordinating Committee West Connect Coalition (Alternate)

*asterisked committees are not appointed by Council



REPORT TO CITY COUNCIL

AGENDA ITEM
13.A.

TO: THE HONORABLE CITY COUNCIL

DATE: July 15, 2025

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, Don Wick, 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 6/24/2025

Linda Haley, Deputy City Manager 6/24/2025

Enclosure, exhibits & attachments required to support the report

2025 CITY COUNCIL WORKSHOPS, STUDY SESSIONS, PRESENTATIONS AND RETREATS (TENTATIVE)

WORKSHOPS	Date	Lead
No Meeting – Appointee Evaluations	Jul 22	
Utilities Rate / Fee Scenarios (#3) This workshop will review direction provided at the July workshop and discuss refined scenarios that the City team will provide.	Aug 12	INFRA
Boards and Commissions	Aug 26	
Final Rates / Fees (#4) This workshop will include a final discussion about the proposed fee scenarios, and seek direction for the water, sewer and stormwater scenarios to bring back for final adoption in October.	Sept 9	INFRA
Waste Diversion Action Plan	Sept 9	INFRA
Certified Local Government (CLG) Discussion and Consideration (Tentative)	Sept 23	CED
Budget Workshop	Sept 23	Fin
Budget Workshop	Oct 14	Fin
Climate Action Plan The City team and consultants will be providing an update on the draft Climate Action and Sustainability Plan. We will be seeking input from the Council on direction and priorities to include in the final plan we intend to bring forward for adoption in January.	Oct 28	INFRA
Comp Plan Update	Dec 9	CED
Infrastructure Annual Report (Tentative)	Dec 9	INFRA
End of Year City Council Strategic Plan Update	Jan 13 (2026)	CMO
Annual Update for City Attorney's Office	Apr 14	CAO
Annual Update for Municipal Court	Apr 14	MC
Building Code Update	TBD	CED
Sidewalk Assistance (formerly 50/50 program)	TBD	INFRA
Parks Master Plan	TBD	VCN
Storm Water (After the Election)	TBD	INFRA
ADA Transition Plan Updates	TBD	INFRA
Pavement Program	TBD	INFRA
PRESENTATIONS		
STUDY SESSIONS		
Severe Weather Sheltering	Aug 5	CMO
Regional Housing Needs	Aug 19	CED
City Expenditures, BID and Chamber funding	TBD	Finance
Waste Diversion Plan	TBD	INFRA
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		
--	--	--