



## CITY OF ARVADA

### SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD FEBRUARY 11, 2008

#### AGENDA REVIEW SESSION

1. Call to Order by Mayor Frie
2. Study Sessions:
  - A. Joint Dinner with Arvada Fire Protection District (AFPD) Board of Directors

Jon Greer, Fire Chief, presented a PowerPoint regarding ambulance service. He said the City and the Arvada Fire Protection District (AFPD) both want the same thing and that is the public's safety and good response times. He reviewed what Longmont, Louisville and Arvada are currently doing for ambulance service. He cited a couple of instances that have occurred recently where there was no ambulance in the Arvada area to respond to calls. Mr. Greer said the Fire District Board wants dedicated ambulance service for Arvada. He said the dedicated ambulances would be for Arvada Fire District response only, they would be for use by our Fire District and the City only, that they would become more familiar with the District, and that as the City and ambulance crews are used, they will be backfilled immediately. Mr. Greer showed a slide setting out cities with dedicated ambulances and those without.

Mr. Greer said currently Arvada, Wheat Ridge, Edgewater and Fairmount are combined into one big coverage area which is basically playing the odds. He said they would really like to keep Pridemark as their ambulance company but they want to make changes to the contract to give the citizens the best coverage. He said they proposed a 120 day negotiation period on their contract with Pridemark which period is up on March 1. Mr. Greer said that on January 7 they thought they had an agreement and were going to receive a draft contract, but instead they got a contract that was virtually the same as the one they had in November.

Mr. Greer said they could bid this out and get exactly what they want from other providers. He said they will meet with Pridemark and see if they will agree to what they thought was in place on January 7, but if they don't, they will have to go out to bid. He stated that Pridemark's response time is less than four minutes and that response time is not the problem. He said Arvada just needs to have its own ambulances so they are available when we need them.

In response to a question, Mr. Greer said ambulance service won't stop on March 1 if no agreement is reached, but they will go out with an RFP. When asked how often there is a problem with no ambulance being available in Arvada, Mr. Greer said it is a small percentage of the total calls.

Mr. Craig Kocian, City Manager, asked what the points of dispute are on the contract. Mr. Greer said they have both agreed that 90% of the calls responded to within 6 ½ minutes with 96% within 11 minutes. Mr. Greer said they did not receive a response from Pridemark on the dedicated ambulance proposal. He said the major disagreement is regarding the dedicated ambulances.

A representative from Pridemark clarified the incidents that Mr. Greer set out earlier and said that Pridemark has a better response time than the cities and towns that have dedicated ambulances. He said they object to the plan because it would increase response times. He said it actually costs them more money to operate the way they are now by moving cars throughout a few cities than if they had dedicated cars in each one of them, but the response times are better. He said they are offering 6 ½ minutes which is better than most.

Ken Fellman, Attorney for Pridemark, said the big issue is fractal response time and dedicated cars. He said the AFPD required 6 ½ minutes with dedicated cars, but that Pridemark can't commit to dedicated cars and still stay within the 6 ½ minutes. He said response time is Pridemark's priority. Mr. Fellman said they would keep City Council informed of the negotiations.

- I. **CITY COUNCIL MEETING: CALL TO ORDER:** Mayor Frie called the meeting to order at 6:30 p.m.
- II. **MOMENT OF REFLECTION AND PLEDGE OF ALLEGIANCE** – Boy Scouts from Troop 21 conducted a Flag Ceremony and led the Pledge of Allegiance.
- III. **ROLL CALL OF MEMBERS:**

Those Present: Mayor Robert Frie, Mayor Pro Tem Lorraine Anderson, Councilmember Don Allard, Councilmember Aaron Azari, Councilmember Bob Dyer, Councilmember Mark McGoff

Councilmember Allard moved to excuse Councilmember Williams.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams

The Motion was approved.

Also present were: Craig Kocian, City Manager; Chris Daly, City Attorney; Mike Smith, Community Development; Jim Root, Director of Public Works; Maria Vanderkolk, City Manager's Office; and Christine Koch, City Clerk.

- IV. **APPROVAL OF MINUTES OF THE FEBRUARY 4, 2008 CITY COUNCIL MEETING**

The minutes stand approved as submitted.

- V. **PETITIONS RECOGNITIONS AND COMMUNICATIONS**

A. Presentation by Boy Scout Troop 346 – presented by Councilmember Azari

Councilmember Azari introduced Boy Scouts from Troop 346 who presented a PowerPoint presentation they put together on the City of Arvada.

- VI. **PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA** –

- A. Mr. Lee Humrich, Arvada, addressed City Council and invited them and all residents to “From Durer to Rembrandt” which features 200 biblical themed woodcuts, etchings and engravings from the 1400’s to the 1700’s. It will be from Feb. 26 – March 3 in Northglenn.
- B. Rachel Zenzinger, Arvada, addressed City Council regarding comments made by Roger McCarville at last week’s meeting to get rid of the Arvada Center.

VII. NEW BUSINESS

A. Consent Agenda

- 1. R08-017 A Resolution Authorizing the Delegation to the City and County of Denver, Colorado of the Authority of the City of Arvada, Colorado, With Respect to the Issuance of Single Family Home Mortgage Revenue Bonds (“Bonds”) to Finance Residential Housing Facilities for Low- and Middle-Income Persons and Families Within the City and Certain Other Cities and Counties in the State of Colorado; Approving Such Bonds and Such Single Family Mortgage Loan Program; and Authorizing the Execution and Delivery of a Delegation and Participation Agreement and Other Related Documents
- 2. R08-018 A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Ricor, Inc., in the Amount of \$1,010,357.00 for 2008 Water Main Replacement Phase 1, project No. 08-WA-01
- 3. R08-019 A Resolution Accepting an Annexation Petition Concerning Geos Neighborhood-Gilligan, 7031 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for April 7, 2008, 7:00 P.M. at Arvada City Hall for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and is Considered Eligible for Annexation

Councilmember Azari moved that R08-017, A Resolution Authorizing the Delegation to the City and County of Denver, Colorado of the Authority of the City of Arvada, Colorado, With Respect to the Issuance of Single Family Home Mortgage Revenue Bonds (“Bonds”) to Finance Residential Housing Facilities for Low- and Middle-Income Persons and Families Within the City and Certain Other Cities and Counties in the State of Colorado; Approving Such Bonds and Such Single Family Mortgage Loan Program; and Authorizing the Execution and Delivery of a Delegation and Participation Agreement and Other Related Documents; R08-018, A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Ricor, Inc., in the Amount of \$1,010,357.00 for 2008 Water Main Replacement Phase 1, project No. 08-WA-01; R08-019, A Resolution Accepting an Annexation Petition Concerning Geos Neighborhood-Gilligan, 7031 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for April 7, 2008, 7:00 P.M. at Arvada City Hall for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and is Considered Eligible for Annexation, be approved.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams  
The Motion was approved.

B. ORDINANCES (First Reading)

1. CB08-002 An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Maruyama, Between Rocky Flats on the North, Hwy. 72 on the South, Indiana Street on the East, and Hwy. 93 on the West (Public Hearing to be set for March 3, 2008 at 7:00 p.m.)
2. CB08-003 An Ordinance Rezoning Certain Land Within the City of Arvada, Candelas and Maruyama, Generally Between Rocky Flats on the North, Hwy. 72 on the South, Indiana Street on the East, and Hwy. 93 on the West, From Jefferson County I-2 (Industrial) to PUD-R (Planned Unit Development-Residential), 0 du/ac; and From City of Arvada PUD-BP (Planned Unit Development-Business, Professional), PUD-I (Planned Unit Development-Industrial), NC-C/OF (New Communities Commercial/Office), PUD-BPR, and PUD-R (Planned Unit Development-Residential) at Densities of 21.74, 7.78, and 1.63 du/ac, to City of Arvada PUD-BP, PUD-BPR, PUD-I, and PUD-R, 3.11 du/ac, and Amending the Official Zoning Maps of the City of Arvada, Colorado (Public Hearing to be set for March 3, 2008 at 7:00 p.m.)

Councilmember Dyer moved that CB08-002, An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Maruyama, Between Rocky Flats on the North, Hwy. 72 on the South, Indiana Street on the East, and Hwy. 93 on the West; and CB08-003, An Ordinance Rezoning Certain Land Within the City of Arvada, Candelas and Maruyama, Generally Between Rocky Flats on the North, Hwy. 72 on the South, Indiana Street on the East, and Hwy. 93 on the West, From Jefferson County I-2 (Industrial) to PUD-R (Planned Unit Development-Residential), 0 du/ac; and From City of Arvada PUD-BP (Planned Unit Development-Business, Professional), PUD-I (Planned Unit Development-Industrial), NC-C/OF (New Communities Commercial/Office), PUD-BPR, and PUD-R (Planned Unit Development-Residential) at Densities of 21.74, 7.78, and 1.63 du/ac, to City of Arvada PUD-BP, PUD-BPR, PUD-I, and PUD-R, 3.11 du/ac, and Amending the Official Zoning Maps of the City of Arvada, Colorado be approved on first reading, ordered published in full and a Public Hearing date be set for March 3, 2008 at 7:00 p.m.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Dyer, McGoff  
Those voting No: Azari  
Absent: Williams  
The Motion was approved.

VIII. UNFINISHED BUSINESS

A. Public Hearings

1. R08-020 A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land into the City of Arvada, Colorado, Cowhey, 6605 Oak Street
2. CB07-052 An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Cowhey, 6605 Oak Street (Ordinance No. 5003)

3. CB07-053 An Ordinance Rezoning Certain Land Within the City of Arvada, Cowhey, from Jefferson County A-1 (Agricultural) to City of Arvada R-L (Residential-Low Density), and Amending the Official Zoning Maps of the City of Arvada, Colorado, 6605 Oak Street (Ordinance No. 5004)

Mayor Frie opened the public hearings on Resolution 08-020, CB07-052 and CB07-053.

Mike Smith, Community Development, stated that the posting logs and mailing affidavit have been received and are in order. Mayor Frie made them a part of the official record.

David Moore, Architect, was sworn in.

Mr. Moore reviewed the project. He said the property is being annexed, rezoned and platted in the City. He said the annexation will annex the south portion of the property. The north portion of the property was annexed with the Davis subdivision. He said it is required because the property owner, Bill Cowhey, wants to subdivide the property into two lots. He said the plat for the property will divide it into two lots. He said along with the annexation and rezoning, there will be a dedication for Oak Street of 30 feet and 8 feet for a trail easement. He said the property lies along the Ralston Creek Trail and is in the floodplain. He said the north lot will be built upon and will have to meet requirements for building in a floodplain. He said the property directly to the south is still in the county and that the property owner doesn't want to annex into the city. He said it does meet all of the City regulations, Land Use Code and annexation requirements and is 73% contiguous to land that is already in the City of Arvada. He said the annexation and rezoning will allow the property to be served by City of Arvada water and sewer.

Mayor Frie closed the public comment portion of the public hearing.

Councilmember Allard moved that R08-020, A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land into the City of Arvada, Colorado, Cowhey, 6605 Oak Street, be approved.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams

The Motion was approved.

Councilmember Allard moved that CB07-052, An Ordinance Annexing Certain Land Into the City of Arvada, Colorado, Cowhey, 6605 Oak Street be approved, as amended, subject to the attached updated list of conditions on final reading, numbered 5003, and ordered published in full. This motion is based on the findings of fact adopted by the Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams

The Motion was approved.

Councilmember Allard moved that CB07-053, An Ordinance Rezoning Certain Land Within the City of Arvada, Cowhey, from Jefferson County A-1 (Agricultural) to City of Arvada R-L

(Residential-Low Density), and Amending the Official Zoning Maps of the City of Arvada, Colorado, 6605 Oak Street be approved, as amended, on final reading, numbered 5004, and ordered published in full. This motion is based on the findings of fact adopted by the Planning Commission.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams

The Motion was approved.

IX. CITY COUNCIL REPORTS

- A. Councilmember Azari reported on a meeting for the O'Kane site skatepark.
- B. Councilmember Anderson reported on an authentic Chinese dinner sponsored by the Arvada Sister Cities.
- C. Councilmember Anderson reported on a meeting at the Colorado Municipal League today regarding municipal finances.

X. CITY MANAGER REPORTS

- A. Craig Kocian, City Manager, reminded City Council they will hold interviews on February 25 and that they should cancel the business meeting in favor of the interviews.

Councilmember Dyer moved to cancel the business meeting for February 25, 2008.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams

The Motion was approved.

City Council then discussed the upcoming interviews for boards and commissions. They decided to interview both the incumbents and the new applicants for Planning Commission, Board of Adjustment and Liquor Authority.

Mayor Frie stated that since the AURA appointment is a Mayor's appointment, he will reappoint David Kribs to the AURA Board so there is no need to interview for that position.

City Council agreed that for the remainder of the boards and committees, each council member would be assigned a committee and then review the applications, as well as the incumbent information for their particular committee and rank them in priority order. The names of those applicants ranking the highest would be communicated to City Council who could then vote on the new appointments and reappointments.

Councilmember Dyer stated that he would be sitting in on the interviews for the Arts Council and that he would like to be assigned the Parks Advisory Committee.

Councilmembers Anderson and McGoff will jointly be assigned the Gold Line Committee.

The City Clerk will assign the other boards and committees and inform City Council.

- B. Mr. Kocian asked for a motion for City Council to call a special meeting for Friday, February 29 at 8:00 a.m. for the purpose of holding an Executive Session for three items under Instructions to Negotiators.

Councilmember Dyer moved for a special meeting at 8:00 a.m., February 29 for the purpose of an executive session for instructions to negotiators.

The following votes were cast on the Motion:

Those voting Yes: Frie, Anderson, Allard, Azari, Dyer, McGoff,

Absent: Williams

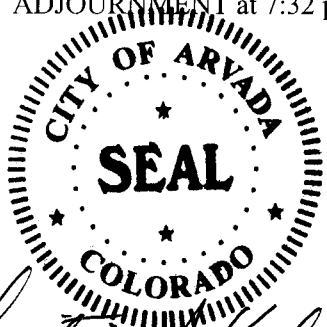
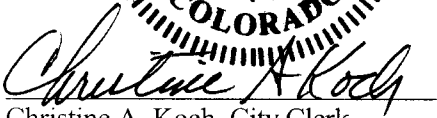
The Motion was approved.

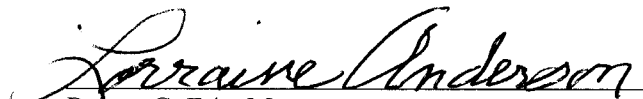
XI. CITY ATTORNEY REPORTS - None

XII. PUBLIC COMMENT LONGER THAN THREE MINUTES

- A. Roger McCarville, Arvada, addressed City Council regarding comments made by Rachel Zenzinger earlier in tonight's meeting regarding the Arvada Center and a letter he received from Councilmember Anderson. Mr. McCarville also asked about the resolution regarding the private activity bonds that was passed earlier this evening.

XIII. ADJOURNMENT at 7:32 p.m.

SEAL:   
  
Christine A. Koch, City Clerk

  
~~Robert G. Frie, Mayor~~  
Lorraine Anderson, Mayor Pro Tem