



CITY OF ARVADA

SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD MARCH 3, 2008

AGENDA REVIEW SESSION

1. Call to Order by Mayor Pro Tem Anderson
2. Study Sessions:
 - A. Jefferson County Library Board Presentation on Proposed District Formation – Bill Knott

Bill Knott, Director of the Jefferson County Library Board, discussed the formation of a Library District in Jefferson County. Mr. Knott explained the financial pros and cons to forming the district and asked council for support at the March 11, 2008 hearing to determine whether the board will be formed.

- B. Lodging Tax

Craig Kocian, City Manager, discussed the costs of holding an election regarding the lodging tax. Council decided not to put a question on the ballot this year.

- I. **CITY COUNCIL MEETING: CALL TO ORDER:** Mayor Pro Tem Anderson called the meeting to order at 6:30 p.m.
- II. MOMENT OF REFLECTION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL OF MEMBERS:

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

Mayor Pro Tem Anderson moved to excuse Mayor Frie from the meeting.

The following votes were cast on the Motion:

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

Those Absent: Frie

The Motion was approved.

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

- IV. APPROVAL OF MINUTES OF THE FEBRUARY 11, 2008 CITY COUNCIL MEETING

The minutes stand approved as submitted.

V. PETITIONS RECOGNITIONS AND COMMUNICATIONS

- A. Presentation of Checks to Arvada Area High Schools to Help with After Prom Parties – presented by Councilmember Azari

Councilmember Azari presented Certificates of Recognitions and checks to the Arvada Area High Schools to help with their after Prom parties.

VI. PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA –

Jason Dennison, HOTA, and Judith Denham, Festivals Commission, presented a check for \$2004 to the Ralston House from “A Chocolate Affair”.

Jean Scharfenberg, Arvada Parks Advisory Committee, addressed council regarding the Parks Advisory board work and a brief overview of the parks master plan. Ms. Scharfenberg introduced a member of the skate board community and invited council and the community to their fundraiser at Ralston Valley High School set for March 4, 2008.

Steve Caulk, Arts Council Member, addressed council regarding upcoming shows and ongoing events at the Arvada Center.

VII. NEW BUSINESS

A. Consent Agenda

1. R08-021 A Resolution Accepting a Quit Claim Deed From Metro Wastewater Reclamation District Pertaining to a Realigned Sanitary Sewer Easement
2. R08-022 A Resolution Authorizing a Construction Contract Agreement by and Between the City of Arvada and BT Construction, Inc. in the amount of \$561,359.00 for the Pierce Street Outfall, Project No. 07-DR-07
3. R08-023 A Resolution Authorizing the Issuance of a Purchase Order Increase in the Amount of \$30,000 to an Existing Purchase Order in the Amount of \$40,000.00 to Independent Salt Company for the Purchase of Winter Road Salt
4. R08-024 A Resolution Authorizing the Issuance of a Purchase Order Increase in the Amount of \$35,000 to an Existing Purchase Order in the Amount of \$49,000.00 to Ready Mixed Concrete Company for the Purchase of Sand/Salt Mixture
5. R08-025 A Resolution Authorizing the 2nd Amendment to the 2008 Operating and Capital Budget in Order to Carry Over Funds From the 2007 Budget
6. R08-026 A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Naranjo Civil Constructors, Inc., in the Amount of \$427,304.00 for W. 88th Avenue - W. 86th Parkway Connection, Project No. 06-ST-10

City Council Minutes

March 3, 2008

Page 3

7. R08-027 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$125,460.00 to Sill-TerHar Motors, Inc. for the Purchase of Five Ford Escape Hybrid SUV 4x4 Vehicles
8. R08-028 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$312,746.00 to LL Johnson Distributing for the Purchase of Parks and Golf Course Equipment
9. R08-029 A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Diamond Contracting Corporation in the Amount of \$423,347.00 for Miscellaneous Drainage Projects, Project No. 08-DR-20
10. R08-030 A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Brannan Sand and Gravel Company in the Amount of \$473,808.10 for 2008 Water Main Trench Asphalt Replacement, Project No. 08-WA-03

Councilmember McGoff moved that R08-021, A Resolution Accepting a Quit Claim Deed From Metro Wastewater Reclamation District Pertaining to a Realigned Sanitary Sewer Easement; R08-022, A Resolution Authorizing a Construction Contract Agreement by and Between the City of Arvada and BT Construction, Inc. in the amount of \$561,359.00 for the Pierce Street Outfall, Project No. 07-DR-07; R08-023, A Resolution Authorizing the Issuance of a Purchase Order Increase in the Amount of \$30,000 to an Existing Purchase Order in the Amount of \$40,000.00 to Independent Salt Company for the Purchase of Winter Road Salt; R08-024, A Resolution Authorizing the Issuance of a Purchase Order Increase in the Amount of \$35,000 to an Existing Purchase Order in the Amount of \$49,000.00 to Ready Mixed Concrete Company for the Purchase of Sand/Salt Mixture; R08-025, A Resolution Authorizing the 2nd Amendment to the 2008 Operating and Capital Budget in Order to Carry Over Funds From the 2007 Budget; R08-026, A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Naranjo Civil Constructors, Inc., in the Amount of \$427,304.00 for W. 88th Avenue - W. 86th Parkway Connection, Project No. 06-ST-10; R08-027, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$125,460.00 to Sill-TerHar Motors, Inc. for the Purchase of Five Ford Escape Hybrid SUV 4x4 Vehicles; R08-028, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$312,746.00 to LL Johnson Distributing for the Purchase of Parks and Golf Course Equipment; R08-029 A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Diamond Contracting Corporation in the Amount of \$423,347.00 for Miscellaneous Drainage Projects, Project No. 08-DR-20; R08-030, A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Brannan Sand and Gravel Company in the Amount of \$473,808.10 for 2008 Water Main Trench Asphalt Replacement, Project No. 08-WA-03, be approved.

The following votes were cast on the Motion:

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

Those Absent: Frie

The Motion was approved.

B. RESOLUTIONS

- A. R08-031 A Resolution Affirming the Arvada City Council's Support for the Arvada Skatepark at the O'Kane Park Community Site and for Approval of the City of Arvada's Joint Venture Grant Application for Jefferson County Matching Attributable Share

Open Space Funds for the Project by the Jefferson County Board
of County Commissioners

Mayor Pro Tem Anderson moved that R08-031, A Resolution Affirming the Arvada City Council's Support for the Arvada Skatepark at the O'Kane Park Community Site and for Approval of the City of Arvada's Joint Venture Grant Application for Jefferson County Matching Attributable Share Open Space Funds for the Project by the Jefferson County Board of County Commissioners, be approved.

The following votes were cast on the Motion:

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

Those Absent: Frie

The Motion was approved.

C. ORDINANCES (First Reading)

1. CB08-004 An Ordinance Amending Sections 2-76 and 2-77 of Chapter 2 of the Arvada City Code Pertaining to Compensation for Certain Boards and Commissions Members and for the Arvada Representative to the Denver Regional Council of Governments (Public Hearing to be set for March 17, 2008 at 7:00 p.m.)
2. CB08-005 An Ordinance Repealing and Reenacting Chapter 18, Buildings and Building Regulations, of the Arvada City Code Through the Adoption of General and Administrative Provisions and the Adoption, by Reference, of the 2006 International Building Code, the 2006 International Residential Code, the 2006 International Energy Conservation Code, the 2006 International Existing Building Code, the 2006 International Fuel Gas Code, the 2006 International Mechanical Code, the 2006 International Plumbing Code, the 2006 International Property Maintenance Code, the 2005 National Electrical Code, the Adoption of the Public Safety Radio Amplification Code, the Adoption of Visitability Provisions, and the Adoption of Penalties for Violations Thereof (Public Hearing to be set for March 17, 2008 at 7:00 p.m.)

Councilmember Williams moved that CB08-004, An Ordinance Amending Sections 2-76 and 2-77 of Chapter 2 of the Arvada City Code Pertaining to Compensation for Certain Boards and Commissions Members and for the Arvada Representative to the Denver Regional Council of Governments; CB08-005, An Ordinance Repealing and Reenacting Chapter 18, Buildings and Building Regulations, of the Arvada City Code Through the Adoption of General and Administrative Provisions and the Adoption, by Reference, of the 2006 International Building Code, the 2006 International Residential Code, the 2006 International Energy Conservation Code, the 2006 International Existing Building Code, the 2006 International Fuel Gas Code, the 2006 International Mechanical Code, the 2006 International Plumbing Code, the 2006 International Property Maintenance Code, the 2005 National Electrical Code, the Adoption of the Public Safety Radio Amplification Code, the Adoption of Visitability Provisions, and the Adoption of Penalties for Violations Thereof be approved on first reading, ordered published in full and a Public Hearing date be set for March 17, 2008 at 7:00 p.m.

The following votes were cast on the Motion:

Those voting Yes: Anderson, Allard, Azari, Dyer, McGoff, Williams
Those Absent: Frie
The Motion was approved.

VIII. OTHER

- A. Ratification and Approval of 07-PC- 02, A Resolution by the Planning Commission for the City of Arvada, Colorado, to Amend the 2005 Arvada Comprehensive Plan Land Use Designations Pertaining to Candelas and Maruyama, from Industrial/Office, Regional Commercial, Mixed Use Residential, Suburban Residential, and Neighborhood/Community Commercial, to Mixed Use, Mixed Use Residential, Higher Density Residential, Medium Density Residential, Suburban Residential, Neighborhood/Community Commercial, Regional Commercial, and Industrial/Office
9. Public Hearings – 7:00 p.m.
- A. R08-032 A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land Into the City of Arvada, Colorado, Maruyama
- B. 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 (Ordinance No. 4100)
- C. 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 (Ordinance No. 4101)
- D. Candelas Outline Development Plan
- E. Candelas Height Exception

Mayor Pro Tem Anderson read the following statement into the record:

There are six (6) matters on tonight's agenda that pertain to the Candelas development: Item 8A (a proposed ratification and approval of a Planning Commission resolution) and Items 9A through 9E (public hearings on an annexation resolution, an annexation ordinance, a rezoning ordinance, an outline development plan, and a height exception).

In a moment, because there are ongoing developments with respect to the proposed beltway anticipated to bisect the Candelas property, including CDOT's imminent departure from the process, I am going to entertain a motion to continue all of those scheduled matters, with the exception of Item 9A, until 6 p.m., April 7, 2008.

If those matters are continued, then the *only* question City Council is going to address tonight is the very limited one of whether a 12.76 acre parcel known as Maruyama meets the applicable requirements of certain provisions of the Municipal Annexation Act; specifically, §§ 31-12-104 and 31-12-105 of the Colorado Revised Statutes, and is considered *eligible* for annexation. We will *not* take testimony on whether the annexation *should* happen, but rather only on whether the property is *eligible* for annexation and meets the technical requirements of the statute, such as being one-sixth (1/6th) contiguous with the city boundaries. The actual decision on annexation would be taken up at the April 7th public hearing.

Likewise, we will *not* take testimony on whether the comprehensive plan should be amended or whether the Candelas property should be rezoned. We will *not* take testimony on the outline development plan or the appropriate height for buildings in this development. You will have the opportunity to speak to all of those issues at the public hearing on April 7th.

Does someone wish to make a motion to continue five (5) of the Candelas matters – Items 8A and 9B through 9E – to the April 7, 2008 City Council meeting at 6 p.m.?

Councilmember Williams moved to continue Items 8A and 9B through 9E – to the April 7, 2008 at 6:00 p.m.

The following votes were cast on the Motion:

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

Those Absent: Frie

The Motion was approved.

Advisement Concerning Annexation Resolution:

I will now open the public hearing on Resolution R08-032 (A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land Into the City of Arvada, Colorado, Maruyama).

Councilmember Azari moved that R08-032, A Resolution Setting Forth Certain Findings of Fact and Conclusions as to the Annexation of Certain Land into the City of Arvada, Colorado, Maruyama, be adopted.

The following votes were cast on the Motion:

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

Those Absent: Frie

The Motion was approved.

IX. CITY COUNCIL REPORTS

Councilmember Williams requested staff to send a letter supporting the formation of a library district.

Councilmember Azari discussed a letter he received regarding the Maplewood Homeowner Association.

X. CITY MANAGER REPORTS

- A. Craig Kocian, City Manager, asked for a motion to cancel the March 10, 2008 City Council meeting since a majority of council members will be attending the NLC conference.

Councilmember moved to cancel the City Council meeting for March 10, 2008.

The following votes were cast on the Motion:

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

Those Absent: Frie

The Motion was approved.

XI. CITY ATTORNEY REPORTS - None

XII. PUBLIC COMMENT LONGER THAN THREE MINUTES

Roger McCarville, Arvada Resident, Addressed council regarding a budget item and a question on the agenda.

XIII. ADJOURNMENT at 7:15 p.m.


Lorraine Anderson, Mayor Pro Tem

SEAL:


Kristen R. Rush, Deputy City Clerk

