



CITY OF ARVADA

SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD FEBRUARY 9, 2009

AGENDA REVIEW SESSION – 5:30 p.m.

1. Call to Order by Mayor Bob Frie.
2. Executive Session
 - A. Personnel Matter, Pursuant to CRS 24-6-402(4)(f)

Mayor Pro Tem Anderson moved to go into executive session for the purpose of a Personnel Matter, pursuant to CRS 24-6-402(4)(f).

The following votes were cast on the Motion:

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

Absent: Williams

The Motion was approved.

3. City Council Reports:
 - A. Councilmember McGoff said he and Councilmember Azari have been working with the Audit Committee and looking at City Council's expense policy. He reviewed areas of the expense policy that they feel should be discussed.
 - B. Mayor Pro Tem Anderson reported on an Open Air Markets she attended last week in Hollywood, California and talked about the trolley serving the shopping area.
4. Study Session
 - A. Discussion of KATV

Councilmember Allard said he would like to have documentation as to uses of the PEG fee.

Mayor Frie said he would like information on how much it costs to run a TV station, and also said he would like to see programming from other local government television stations.

- 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**
- III. **ROLL CALL OF MEMBERS:**

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

Councilmember Dyer moved to excuse Councilmembers Azari and Williams.

The following votes were cast on the Motion:

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

Absent: Azari, Williams

The Motion was approved.

Also present were: Craig Kocian, City Manager; Bill Ray, Deputy City Manager; Chris Daly, City Attorney; Mike Elms, Community Development; Jim Root, Director of Public Works; Clark Johnson, City Manager's Office; and Christine A. Koch, City Clerk.

IV. APPROVAL OF MINUTES OF THE JANUARY 26 AND FEBRUARY 2, 2009 CITY COUNCIL MEETINGS

The minutes stand approved as submitted.

V. PETITIONS RECOGNITIONS AND COMMUNICATIONS

- A. State Accreditation Recognition for Police Department – presented by Lone Tree Chief of Police Steve Hasler

Chief Steve Hasler of Lone Tree, President of the Colorado Association of Chiefs of Police, was present and presented an award to the Arvada Police Department for having achieved the Professional Standards Compliance.

- B. Recognition of 4th Annual 64th Avenue 6th Grade Essay Contest Winners – presented by Councilmember McGoff

Councilmember McGoff introduced sixth grade students from Campbell, Fremont, Stott and Vanderhoof elementary schools who participated in the 4th Annual 64th Avenue 6th Grade Essay Contest, sponsored by the Jefferson Foundation and David Holland. Each student was presented with a Certificate of Recognition.

VI. PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA

- A. Michelle Dobrovlny, a Rocky Flats employee of 18 years, addressed City Council and stated they support the legislation being proposed by Senator Udall to help the Rocky Flats' workers.

- B. Ed Tomlinson, Arvada, addressed City Council regarding the Harvest Festival Parade. Cody McNutt, Event Coordinator for the Harvest Festival, introduced Mr. W. L. Whaley. Mr. Whaley, in conjunction with the Colorado Bandmaster's Association said the 1st State Band Championship will be held in conjunction with the Harvest Festival this year. He said this will be the first state band championship in the State of Colorado. He said Arvada will become the focal point of music on September 12.

VII. NEW BUSINESS

- A. Consent Agenda

1. R09-016

A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Asphalt Specialties Company, Inc. in the Amount of \$782,250.00 for 2009 Water and

- Sewer Main Trench Asphalt Replacement, Project No. 09-WA-04
2. R09-017 A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Thoutt Brothers Concrete Contractors, Inc. in the Amount of \$309,660.75 for 2009 Miscellaneous Concrete Replacement, Project No. 09-ST-12
 3. R09-018 A Resolution Authorizing a Renewal and Amendment to an Existing Construction Contract Agreement By and Between the City of Arvada and Thoutt Bros. Concrete Contractors, Inc. Not to Exceed the Amount of \$900,000.00 for 2009 Concrete Replacement Phase 1 and Phase 2, Project No. 09-ST-10 and 09-ST-11
 4. R09-019 A Resolution Authorizing an Agreement Between the City of Arvada, FirstBank of Arvada, FirstBank of Wheat Ridge, and FirstBank North for Provision of Loans Through the Essential Home Repairs Program

Councilmember Allard moved that R09-016, A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Asphalt Specialties Company, Inc. in the Amount of \$782,250.00 for 2009 Water and Sewer Main Trench Asphalt Replacement, Project No. 09-WA-04; R09-017, A Resolution Authorizing a Construction Contract Agreement By and Between the City of Arvada and Thoutt Brothers Concrete Contractors, Inc. in the Amount of \$309,660.75 for 2009; Miscellaneous Concrete Replacement, Project No. 09-ST-12; R09-018, A Resolution Authorizing a Renewal and Amendment to an Existing Construction Contract Agreement By and Between the City of Arvada and Thoutt Bros. Concrete Contractors, Inc. Not to Exceed the Amount of \$900,000.00 for 2009 Concrete Replacement Phase 1 and Phase 2, Project No. 09-ST-10 and 09-ST-11; R09-019, A Resolution Authorizing an Agreement Between the City of Arvada, FirstBank of Arvada, FirstBank of Wheat Ridge, and FirstBank North for Provision of Loans Through the Essential Home Repairs Program, be approved.

The following votes were cast on the Motion:

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

Absent: Azari, Williams

The Motion was approved.

B. Resolutions (Staff Presentations May Precede Resolutions)

1. R09-020 A Resolution Authorizing the Submission of a Local Government Grant Application to Great Outdoors Colorado (GOCO) for the Skatepark at the O'Kane Site Project

Gordon Reusink, Director of Parks, Golf & Hospitality Services, Mike Lee, Manager of Urban Design and Kim Grant, the City's grant writer, all reviewed this resolution with City Council.

Councilmember Dyer moved that R09-020, A Resolution Authorizing the Submission of a Local Government Grant Application to Great Outdoors Colorado (GOCO) for the Skatepark at the O'Kane Site Project, be approved.

The following votes were cast on the Motion:

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

Absent: Azari, Williams
The Motion was approved.

2. R09-021 A Resolution in Support of Senator Mark Udall's Proposed Legislation to Fund Worker's Compensation Claims for Workers of Rocky Flats

Councilmember Dyer moved that R09-021, A Resolution in Support of Senator Mark Udall's Proposed Legislation to Fund Worker's Compensation Claims for Workers of Rocky Flats, be approved.

The following votes were cast on the Motion:

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

3. R09-022 A Resolution in Support of the Full Build-Out of the Regional Transportation District's FasTracks System

Mayor Pro Tem Anderson moved that R09-022, A Resolution in Support of the Full Build-Out of the Regional Transportation District's FasTracks System, be approved.

The following votes were cast on the Motion:

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

VIII. PUBLIC HEARINGS

- A. Arvada Marketplace Chase Bank Final Development Plan Amendment, 5250 Wadsworth Bypass

Mayor Frie opened the public hearing on the Arvada Marketplace Chase Bank Final Development Plan Amendment.

Mike Elms, Director of Community Development, stated that the posting log and mailing affidavit have been received and are in order. He said one of the conditions adopted by the Planning Commission, regarding the requirement to replace a trash enclosure for the old Pier 1 building prior to the issuance of a certificate of occupancy has been removed from the conditions of approval given to City Council. He said that issue will be addressed in conjunction with the tenant finish permits for the Pier 1 building.

Mayor Frie swore in those wishing to speak.

Mr. Kris Saline, representing the applicant, reviewed this request with City Council. He said the Chase Bank would replace the Walden Book Store and will be moved a little to the north. He said there will be a shared parking lot and the number of required parking spaces will be exceeded.

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

Councilmember Allard moved that the Arvada Marketplace Chase Bank Final Development Plan Amendment, 5250 Wadsworth Bypass be approved subject to the attached updated conditions of approval. 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, McGoff

Those voting No: Dyer

Absent: Azari, Williams

The Motion was approved.

IX. CITY COUNCIL REPORTS - None

X. CITY MANAGER REPORTS

A. Craig Kocian asked for a motion to cancel the February 23, 2009 City Council meeting since City Council will be conducting interviews that evening for boards and commissions.

Councilmember McGoff moved that the city council meeting of February 23, 2009 be cancelled.

The following votes were cast on the Motion:

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

Absent: Azari, Williams

The Motion was approved.

B. Mr. Kocian asked that City Council make an appointment for the 2009 calendar year to the E-470 Board of Directors.

Councilmember Dyer moved to appoint Councilmember Williams to the E-470 Board of Directors for 2009 term.

The following votes were cast on the Motion:

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

Absent: Azari, Williams

The Motion was approved.

C. Mayor Pro Tem Anderson referred to information City Council received from the Parks Advisory Committee regarding possible names for the Arvada Channel Trail. She said she would like to see it named the "Interurban Trail".

D. Mr. Kocian said Councilmember Azari asked him to report on the City's financial condition as of today. Mr. Kocian said Arvada has, as a result of our traditional conservatism, both in forecasting expenditures and revenues, established healthy reserves which should tide us through this year and potentially next year without cuts in services or diminishment of infrastructure. He said the public will observe that we will continue to build infrastructure projects, if for no other reason than the fact that the City's Charter requires that a portion of the city's sales tax be used for capital improvement projects. He said the City also has a number of replacement funds for equipment and buildings so in case of a real emergency, those funds could be available for expenditure. He said right now the City's reserves in general funds are about \$26 million and on motion of council, the replacement funds could be added for a total of \$44 million. He cautioned however that those funds are scheduled to be

used for building replacement, equipment replacement, etc. Mr. Kocian also discussed the reserve funds.

XI. CITY ATTORNEY REPORTS - None

XII. PUBLIC COMMENT LONGER THAN THREE MINUTES - None

XIII. ADJOURNMENT at 7:37 p.m.



Robert G. Frie, Mayor

SEAL:

Christine A. Koch, City Clerk