



City of Arvada City Council Agenda

SEPTEMBER 21, 2009

THIRD FLOOR CONFERENCE ROOM Study Sessions

Councilmembers:

Bob Frie, Mayor
Lorraine Anderson, Mayor Pro-Tem
Don Allard, District 1
Aaron Azari, At large
Bob Dyer, District 4
Mark McGoff, District 2
Marc Williams, At large

Staff Members Usually Present: Info: 720-898-7500

Craig Kocian, City Manager
Bill Ray, Deputy City Manager
Chris Daly, City Attorney
Jim Root, Director of Public Works & Utilities
Mike Elms, Director of Community Development
Maria VanderKolk, Assistant to the City Manager
Clark Johnson, Assistant to the City Manager
Christine Koch, City Clerk

CITY COUNCIL MEETING THIRD FLOOR CONFERENCE ROOM 5:30 P.M.

1. Call to Order – 5:30 p.m.
2. Moment of Reflection and Pledge of Allegiance – Councilmember McGoff
3. Roll Call of Councilmembers
4. Approval of Minutes of the September 14, 2009 City Council Meeting
5. Public Comment on Issues not Scheduled on Agenda – Three Minute Limit
6. Study Sessions
 - A. FY 2010 Budget Discussion
 - B. Proposed 2010 Rates for Water, Sewer, and Stormwater Funds
7. Reports from City Council
8. Reports from City Manager
9. Reports from City Attorney
10. Public Comment – Five Minute Limit
11. Adjournment



CITY OF ARVADA

SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD SEPTEMBER 14, 2009

AGENDA REVIEW SESSION – 5:30 p.m.

1. Call to Order by Mayor Bob Frie.
2. City Council Reports
 - A. Councilmember Dyer discussed the property on 73rd Place that was the subject of a recent memo from staff. Mr. Dyer said the homeowner needs assistance and he will also bring it up at Kiwanis.
 - B. Mayor Pro Tem Anderson reported on the Rocky Flats Stewardship Council meeting today. The Council was asked if they wanted to take any action on the Jefferson Parkway and it was decided they would monitor.
 - C. City Council discussed the various groups looking at the sign code. Mr. Kocian said it would be next spring before it comes to City Council. Dot Wright, Arvada Chamber, stated that they have two public meetings coming up to discuss this. The first one is September 23 at 7:00 p.m. at the Arvada fire Department Training Center and the second one is October 1, 2009 at 8:00 a.m. at the New Arvada Community Food Bank.
 - D. Councilmember McGoff asked if a study session has been scheduled to discuss boards and committees that city council members are appointed to. Chris Koch, City Clerk, said her office is in the process of contacting all of these groups to get updated information. Once that has been done, a study session will be scheduled.
3. Executive Session
 - A. Instructions to Negotiators, Pursuant to CRS 24-6-402(4)(e)

Councilmember Williams moved for City Council to go into Executive Session for the purpose of Instructions to Negotiators, pursuant to CRS 24-6-402(4)(e).

The following votes were cast on the Motion:

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

Absent: Allard

The Motion was Approved.

- I. **CITY COUNCIL MEETING: CALL TO ORDER:** Mayor Frie called the meeting to order at 6:45 p.m.
- II. **MOMENT OF REFLECTION AND PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL OF MEMBERS:**

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

Councilmember 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 Sullivan, Public Works; Clark Johnson, City Manager's Office, and Christine Koch, City Clerk.

IV. APPROVAL OF MINUTES OF THE AUGUST 24 AND 31, 2009 CITY COUNCIL MEETINGS

The minutes stand approved as submitted.

V. PETITIONS RECOGNITIONS AND COMMUNICATIONS

A. Proclamation for Family Day – presented by Mayor Pro Tem Anderson

Mayor Pro Tem Anderson read the Proclamation and proclaimed on behalf of the Mayor and City Council that September 28, 2009 be designated as Family Day – A Day to Eat Dinner With Your Children.

The Proclamation will be sent to The National Center on Addiction and Substance Abuse (CASA).

B. Proclamation for Constitution Week – presented by Councilmember McGoff

Councilmember McGoff read the Proclamation and proclaimed, on behalf of the Mayor and City Council that the week of September 17-23, 2009 be recognized as Constitution Week in the City of Arvada.

Sandy Tan of the Arvada-based Doctor Susan Anderson Chapter of the National Society Daughters of the American Revolution was present to accept the proclamation.

VI. PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA

A. Homer Anderson, Arvada, addressed the City Council and thanked them on behalf of Ginny's Kids.

B. Marilyn Chapelle, Arvada Council for the Arts, gave an update on events at the Arvada Center.

C. Bob Fifer, owner of Downtown Toys & Games in Olde Town, addressed City Council and commended the Police Department for their work on recent crimes in Olde Town.

D. Roger McCarville, Arvada, addressed City Council regarding an increase in court fees discussed at a budget session a couple of weeks ago.

E. Brian Wareing, Jefferson County, addressed City Council regarding the Colorado Constitution.

VII. NEW BUSINESS

A. Consent Agenda

1. R09-081 A Resolution to Accept Gifts and Grants to the Arvada Center for the Arts and Humanities
2. R09-082 A Resolution Authorizing a Construction Contract By and Between the City of Arvada and Lafarge West, Inc. in the Amount of \$375,990.00 for W. 86th Parkway On-Street Bike Path (Queen St. to W. 88th Ave.), Project No. 09-ST-17 (CDOT Project No. ES6 M040-17)
3. R09-083 A Resolution Authorizing a Construction Contract By and Between the City of Arvada and Brannan Construction Company in the Amount of \$739,183.19 for 2009 Water Main Replacement Phase 2, Project No. 09-WA-02
4. R09-084 A Resolution Approving a Pipeline Crossing Agreement By and Between the City of Arvada and Union Pacific Railroad Company for 2009 Water Main Replacement Phase 2, Project No. 09-WA-02
5. R09-085 A Resolution Authorizing a Change Order to a Construction Contract By and Between the City of Arvada and Brannan Sand & Gravel Company in the Amount of \$139,346.09 for 2008 Water Main Trench Patching, Project No. 08-WA-03
6. R09-086 A Resolution Authorizing a Change Order to a Construction Contract By and Between the City of Arvada and Thoutt Bros. Concrete Contractors, Inc. the Amount of \$30,584.48 for 2009 Miscellaneous Concrete Replacement, Project No. 09-ST-12
7. R09-087 A Resolution Authorizing an Agreement By and Between the City of Arvada and Portable Computer Systems, Inc. for the Purchase of Panasonic CF-30 Mobile Data Computers and Related Items in an Amount Not to Exceed \$254,138.13
8. R09-088 A Resolution Accepting a Sanitary Sewer Easement and an Emergency Access and Fire Lane Easement in the Vicinity of West 68th Avenue and Indiana Street from Nussco, LLC
9. R09-089 A Resolution Approving an Intergovernmental Agreement Between the City of Arvada and the Arvada Urban Renewal Authority Authorizing Agreement, Settlement and Satisfaction of Certain Obligations of the Arvada Urban Renewal Authority
10. R09-090 A Resolution Accepting a Quit Claim Deed From the Colorado Department of Transportation Pertaining to a Parcel of Land in the Vicinity of Ralston Road and Independence Street
11. R09-091 A Resolution Authorizing the Conveyance by Quit Claim Deed of Certain Land Located Near Ralston Road and Independence Street Previously Designated as a Portion of State Highway 72 to the Arvada Urban Renewal Authority

12. R09-092 A Resolution Approving a Contract for Purchase of Farmers High Line Canal and Reservoir Company Stock and Execution of Related Ancillary Agreements Between the City of Arvada and Smith Partners, LLC

Mayor Pro Tem Anderson moved that R09-081, A Resolution to Accept Gifts and Grants to the Arvada Center for the Arts and Humanities; R09-082, A Resolution Authorizing a Construction Contract By and Between the City of Arvada and Lafarge West, Inc. in the Amount of \$375,990.00 for W. 86th Parkway On-Street Bike Path (Queen St. to W. 88th Ave.), Project No. 09-ST-17 (CDOT Project No. ES6 M040-17; R09-083, A Resolution Authorizing a Construction Contract By and Between the City of Arvada and Brannan Construction Company in the Amount of \$739,183.19 for 2009 Water Main Replacement Phase 2, Project No. 09-WA-02; R09-084, A Resolution Approving a Pipeline Crossing Agreement By and Between the City of Arvada and Union Pacific Railroad Company for 2009 Water Main Replacement Phase 2, Project No. 09-WA-02; R09-085, A Resolution Authorizing a Change Order to a Construction Contract By and Between the City of Arvada and Brannan Sand & Gravel Company in the Amount of \$139,346.09 for 2008 Water Main Trench Patching, Project No. 08-WA-03; R09-086, A Resolution Authorizing a Change Order to a Construction Contract By and Between the City of Arvada and Thoutt Bros. Concrete Contractors, Inc. the Amount of \$30,584.48 for 2009 Miscellaneous Concrete Replacement, Project No. 09-ST-12; R09-087, A Resolution Authorizing an Agreement By and Between the City of Arvada and Portable Computer Systems, Inc. for the Purchase of Panasonic CF-30 Mobile Data Computers and Related Items in an Amount Not to Exceed \$254,138.13; R09-088, A Resolution Accepting a Sanitary Sewer Easement and an Emergency Access and Fire Lane Easement in the Vicinity of West 68th Avenue and Indiana Street from Nussco, LLC; R09-089, A Resolution Approving an Intergovernmental Agreement Between the City of Arvada and the Arvada Urban Renewal Authority Authorizing Agreement, Settlement and Satisfaction of Certain Obligations of the Arvada Urban Renewal Authority; R09-090, A Resolution Accepting a Quit Claim Deed From the Colorado Department of Transportation Pertaining to a Parcel of Land in the Vicinity of Ralston Road and Independence Street; R09-091, A Resolution Authorizing the Conveyance by Quit Claim Deed of Certain Land Located Near Ralston Road and Independence Street Previously Designated as a Portion of State Highway 72 to the Arvada Urban Renewal Authority; R09-092, A Resolution Approving a Contract for Purchase of Farmers High Line Canal and Reservoir Company Stock and Execution of Related Ancillary Agreements Between the City of Arvada and Smith Partners, LLC, 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.

VIII. ORDINANCES (FIRST READING)

- A. CB09-025 An Ordinance Authorizing a Second Amendment to an Intergovernmental Agreement By and Between the Jefferson County Law Enforcement Authority, Jefferson County, Jefferson County Sheriff's Office, and the Cities of Arvada, Edgewater, and Golden to Establish a Collective Special Weapons and Tactics Team (Public Hearing to be set for October 5, 2009 at 7:00 p.m.)

Councilmember McGoff moved that CB09-025, An Ordinance Authorizing a Second Amendment to an Intergovernmental Agreement By and Between the Jefferson County Law Enforcement Authority, Jefferson County, Jefferson County Sheriff's Office, and the Cities of Arvada, Edgewater, and Golden to Establish a Collective Special Weapons and Tactics Team be approved on first reading, ordered published in full and a Public Hearing date be set for October 5, 2009 at 7:00 p.m.

The following votes were cast on the Motion:

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

Absent: Williams

The Motion was approved.

IX. STUDY SESSION

A. Retail Strategy Update

Katy Press, with K P Consulting and Associates, presented this study session. She gave City Council a brief update on the shopping centers in the area and their work with retail businesses that are struggling this year. She also reviewed the services that the Arvada Economic Development Department can provide to businesses of all sizes.

B. FY 2010 Budget

Craig Kocian, City Manager, presented this study session. He said he would be reviewing the General Fund and Vik Runkle, Director of Finance, would then go over the other City funds. Mr. Kocian said because of the economy, the 2010 budget process ended up being a full-fledged effort, even though it is the second year of the 2009-2010 budget. He said departments had to identify 2, 4 and 5 percent reductions in their line items and that every business activity was examined. He said the reductions being recommended are eliminated from the budget throughout the five-year model. He said our current levels of service and infrastructure maintenance are held at the 2009 levels.

Mr. Kocian said the goals for the 2010 budget were to maintain service levels to the community; maintain the City's basic infrastructure; maintain public safety levels; assure compliance with all laws and codes; maintain organizational integrity and minimize the effects of layoffs on families and the community.

Mr. Kocian said the main points include position reductions of 16.5 positions throughout all the funds for a savings of \$963,955. Other cost reductions being recommended include no salary rate adjustments; an increase of 8% or less for health costs; a reduction of \$206,000 in temporary help; the elimination of \$50,000 in overtime; the elimination of \$144,000 in travel and training; reducing the printing, advertising and postage costs by \$65,000; a reduction in using outside help for projects of \$295,000 and a reduction of small equipment by \$185,000.

Mr. Kocian then discussed capital infrastructure needs. He said we must remain competitive in our overall quality of life and that residents and businesses gravitate to locations that have well developed and maintained parks, streets, facilities and transportation systems. He said are streets are aging, our parks need refurbished and we need to continue to develop parks throughout the City. He said this budget ensures that we are dedicating 60% of 1 cent of sales tax to maintain and meet our capital infrastructure needs as required by the Charter. In addition, he said the Streets operating budget has \$2.756 million budgeted for street and concrete maintenance. Also, the 2010 recommended budget proposes an additional \$900,000 be provided to accomplish the

work that was identified in the sprint to meet our street maintenance needs.

Mr. Kocian said other significant changes in the 2010 recommended budget include the elimination of the “vendors” fee which is the amount of sales tax that businesses are legally able to keep as an offset to their costs for collecting the taxes. He said this was put into place prior to computerization and will provide the City approximately \$445,000 annually. He said staff’s recommendation is that \$45,000 of the savings be dedicated to increasing the sales tax rebate program for our low income residents and that \$200,000 be dedicated to AEDA to develop marketing support for areas of the City.

Mr. Kocian said he does have one request for 2009. He said in the 2009 budget a Vehicle Maintenance Equipment Technician position was approved but not filled. He said the operational needs and workload now make the filling of this position desirable.

Mr. Kocian said the 2010 recommended budget also includes increases in the water, wastewater and storm water fees. The water fees are being recommended for a 3.2% increase. He said at this point in time the wastewater fees are still being determined, as well as storm water which may be recommended for no increase. He said these fees will be discussed more fully at next week’s study session with final numbers.

Mr. Kocian said there will be a study session next Monday at the City Council meeting to discuss revenue assumptions and the fees mentioned above. On September 25 City Council will hold a five-hour budget retreat for an in-depth review of the recommended budget and five-year model. The first reading of the budget ordinance, along with public comment will be on October 5 with the public hearing scheduled for October 19. He said under State Statutes, the budget must be adopted by October 31.

Vik Runkle, Director of Finance, reviewed the revenues and expenditures for the other funds in the City which included the Arvada Center, Park Fund, Police Tax Increment Fund, Water Fund, Wastewater Fund, Storm Water Fund, Golf Fund and Hospitality Fund.

Councilmember Dyer stated he has concerns with eliminating the vendor fee and said he would like more information at the budget retreat.

Councilmember Azari asked if any of the positions being eliminated will come back in over the next five years. Mr. Kocian said these positions have been eliminated from the five-year model, but that does not necessarily mean that he won’t come back with a request for other positions if the economy improves.

Mayor Pro Tem Anderson stated that she agrees with the City Manager’s recommendation that the Vehicle Maintenance Equipment Technician should be filled.

Mayor Frie asked some questions regarding the use of the reserve fund and asked for assurance that options will be shown at the retreat that do not use reserves.

Councilmember Allard asked questions about the actual amount of the reserve fund.

Councilmember Dyer asked about the impact of the hail storms on the use tax.

Councilmember Azari reminded everyone that the City has been very diligent over the last decade

in building up the amount in the reserve fund for the very situation we find ourselves in today. He said that is the proper use of funds in the reserve.

X. CITY COUNCIL REPORTS

A. Mayor Pro Tem Anderson commended the Police Department for their work during the Harvest Festival. She said she did not like the closure of access to the Library and Town Square. Ms. Anderson also said there were many complaints about the helicopter tours.

XI. CITY MANAGER REPORTS

A. Appointments to CML Policy Committee

Councilmember McGoff moved to appoint as the representatives to the CML Policy Committee for one-year terms, along with Clark Johnson as the alternate.

The following votes were cast on the Motion:

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

The Motion was approved

XII. CITY ATTORNEY REPORTS - None

XIII. PUBLIC COMMENT LONGER THAN THREE MINUTES

A. Roger McCarville, Arvada, addressed City Council and said that salaries should be trimmed for the top executives.

XIV. ADJOURNMENT at 8:45 p.m.

Robert G. Frie, Mayor

SEAL:

Christine Koch, City Clerk

**CITY OF ARVADA
COUNCIL AGENDA INFORMATION SHEET
STUDY SESSION**

Agenda No. 6.A

City Council Meeting Date: September 21, 2009

Title: FY 2010 Budget

Action Proposed: Study Session

Information about the Project or Request: The purpose of this study session is for staff to review the proposed FY 2010 budget with City Council. The first reading of the ordinances that effect adoption of this budget will be held on October 5, 2009 with the public hearing and final reading scheduled for October 19, 2009 at 7:00 p.m. The public will have an opportunity to comment on the proposed 2010 budget during the Public Comment periods on both September 21, 2009 and October 5, 2009, and also during the public hearing on October 19, 2009. The budget must be approved and the mill levy set by October 31 of each year.

**CITY OF ARVADA
COUNCIL AGENDA INFORMATION SHEET
STUDY SESSION**

Agenda No. 6.B

City Council Meeting Date: September 21, 2009

Title: Proposed 2010 Rates for Water, Sewer and Stormwater Funds

Action Proposed: Study Session

Information about the Project or Request: The Utilities Department has analyzed revenues and expenditures for 2010 and will recommend to City Council rates for the three City utilities; water, wastewater and stormwater.

The proposed rate adjustments are the product of staff's careful consideration of, and attempt to balance, several opposing issues (poor economy, increased cost of goods and services, energy and dealing with the lingering effects of the drought.) with the maintenance and integrity of the utilities infrastructure and the department's fiscal health.

The staff presentation will provide City Council with background on the recommendations as well as the methodology including; cost containment efforts and the impact of the proposed City of Arvada/Denver Water Board litigation settlement.

The recommended rate adjustments are as follows:

- Water 3.2%
- Wastewater 5.1%
- Stormwater 0%