

## Arvada City Council Meeting Workshop, July, 2015

Notes taken by Susan Shirley

All councilmembers were in attendance: Mayor Marc Williams, Mayor Pro Tem Mark McGoff, and Councilmembers Don Allard, Bob Dyer, Bob Fifer, Jerry Marks, and John Marriott. Public attendance at 6 p.m. was 25, and at 7 p.m. it was 13.

The first topic was the report of recommendations of the CCIPC, Citizens Capital Improvements Planning Committee. Excellent, in-depth information about the committee and its report are available at [http://www.arvadarecords.org/councilpacket/current\\_week/02.A.%20Presentation%20of%20Recommendations%20%E2%80%93%20Citizens%20Capital%20Improvements%20Planning%20Committee%20%28CCIPC%29.pdf](http://www.arvadarecords.org/councilpacket/current_week/02.A.%20Presentation%20of%20Recommendations%20%E2%80%93%20Citizens%20Capital%20Improvements%20Planning%20Committee%20%28CCIPC%29.pdf)

Members of the group are as follows:

Melissa Beck  
Larry Coates  
Dan Cupit  
Michelle DeLaria  
Ascenzo Di Giacomo  
Kelly Eargle  
Nancy Ford  
Michelle Glasmann  
Ken Haack  
Harriet Hall  
Cynthia Kreutzer  
John Malito  
Kelly Mueldener  
Lindsay O'Shaughnessy Gomez  
T. O. Owens  
Leanna Principe  
Julia Rasmussen  
Ron Slinger  
Janet Steinkamp  
Don Wood  
Bob Wilson

The purpose of the committee was to prioritize a list of potential projects, to arrive at a recommendation which would fit within the city's budget. The 21-member group of rank-and-file citizens, which began its work in October, took some unconventional approaches which ultimately were shown to be very successful. Two examples: rather than try to squeeze Arvada's obviously badly derelict streets into the formula, the group severed road maintenance from the equation altogether, saying there needs to be separate, ongoing funding for that item. Another example is in the group's decision making procedure: they committed to consensus-based decisions, with an option to use majority voting if needed. A reportedly excellent facilitator helped greatly at every juncture of the process.

Speaking for the group were Michelle DeLaria, Dan Cupit, and Bob Wilson. DeLaria began by noting that the very diverse group had invested about a thousand hours, collectively. A guiding principle was "Taking Lasting Care," reflecting the value in maintaining the City's assets for the future. Additional weight was given to fairness, making sure equivalent services would be delivered throughout the community.

The top three recommendations stayed the same throughout the process, DeLaria said: full funding for the Ralston Road Corridor Improvement project, "the heart and soul of Arvada"; installation of sidewalks in the approximately 25 miles where they are missing; and a circulator/streetcar to take up the slack where RTD services are insufficient.

The \$73.4 million list of projects continues:

4. Placing utilities underground
5. Parks: ADA compliance, irrigation
6. Park Maintenance and Streets Facilities
7. Improvements, 72nd and Indiana
8. Gold Strike Park, Jack B. Tomlinson Park, Historic Gardens at McIlvoy Park
9. ATMS, Conduit, and Fiber Interconnect
10. Eldridge Street, W. 64th Ave. to Ralston Creek
11. W. 72nd Ave. UP Railroad grade separation
12. W. 80th Ave. UP Railroad grade separation
13. Guardrails
14. Simms improvements, W. 64th to W. 72nd
15. Simms Improvements, W. 72nd to W. 86th Parkway
16. Parks, general
17. Automated traffic count program
18. Arvada Center, general allocation
19. Central Stores relocation/Records archival storage

Dan Cupit, in response to questioning by Mayor Pro Tem McGoff, said that the sidewalk installation was prioritized through the transportation committee, using the criteria of safety, safe routes to school, needs of senior citizens, and the current generally poor access on the south side of town.

Councilmember Dyer asked for more information about the 72nd and Indiana improvements. Cupit said that the project is in the design phase, and also that it is notoriously hard to tie down costs of transportation projects with any degree of accuracy. Director of Public Works Bob Manwaring said that intersection is currently at a level of service D (approaching unstable flow) or E (unstable flow, operating at capacity) and the goal is to bring it to a level C (stable flow, at or near free flow.) Dyer said it's clear that the problems at that intersection, while compounded by the buildup of housing in the area, are largely a product of people going to and from their work in communities to the northwest of Arvada.

Bob Wilson said the group could have easily recommending spending all available money for transportation, but concluded that "cities are tasked with providing many quality of life services and amenities, and these elements should not be sacrificed for streets." Some possible funding sources for street maintenance the group identified are a new residential transportation impact fee, a street maintenance fee, or a new sales tax just for streets. In all cases, a sunset provision would apply.

Councilmember John Marriott, noting that the breakdown of funding was roughly 21% for bike/pedestrian uses, 32% for road projects for cars, 27% for facilities, and 12% for parks, expressed surprise at the small amount for roads relative to the amount needed just to bring the roads up to acceptable condition. He wondered, if there had been twice as much money available, would the breakdown have remained the same, or would a larger percentage of the second half have gone to roads. Wilson, while repeating that the committee was convinced that other separate funding would be needed for the roads, also added that the group was told that "other funding sources" might come into play, for road repairs. He said that it was a very thoughtful process on the part of the committee, and that they were committed to the greatest possible impact for all the areas needing to be addressed.

Committee member Cindi Kreutzer presented a certificate of appreciation to the group's facilitator, Heather Bergman, thanking her for her "extreme patience, professionalism, and sense of humor."

Councilmember Don Allard, who in 2014 was on record as stating his opposition to a citizen's committee, said, "I consider this to be an outstanding report, about the best I've seen." He commended the facilitator, the City staff, and each participant personally for the effort, saying that their work has saved the City Council a lot of time.

Mayor Marc Williams said, "You all did great work. Thanks for giving us a very usable product." He noted that the number one priority, Ralston Road corridor improvements, was the same as the last capital improvements committee found. He said this group's priorities make a lot of sense. He said the group gave a "high priority to what's best for Arvada...your process was second to none. We have a lot of work to do, and we'll have to listen to your recommendations, which are instantly credible because of your hard work."

City Manager Mark Deven said the report will not sit on a shelf, and that the discussion will proceed at a workshop in August.

Committee member Ascenzo Di Giacomo, elaborating on earlier answers to Councilmember Marriott's questions, said that if the group had had twice the funding, they probably would have funded transportation to a much greater extent. As it was, the amount needed was "so astronomical" that the group struggled, not wanting to neglect all the other needs of the City. He also suggested the City explore doing construction of a new City Hall and the Parks Maintenance facility, in phases, and to spend the money up front with a really good planner and architect.

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The evening's second topic was the feasibility of Arvada adopting its own Construction Defects ordinance. Current law is said to discourage the building of condominiums and townhomes in favor of rented apartments, and City Council has discussed addressing this with a differently worded approach to liability of the developers of owner-occupied multi-family projects.

City Attorney Chris Daly asked for direction from Council, saying that if they indicated they want to explore the matter he will write up an ordinance for them to begin discussion about.

Councilmember Jerry Marks expressed dismay that the State of Colorado has not passed changes to the law. He said he would be in favor of coming up with a City ordinance.

Councilmember Bob Dyer advised looking into what has happened in places where such ordinances have been passed, such as Douglas County. Daly said there has not been a lot of change; Mayor Marc Williams said that, in Douglas County, there has been a "heightened level of inquiry" about new projects. Councilmember Bob Fifer said that the Lakewood City Council reports nothing tangible and that they're hoping the State will generate something. Fifer said he would support staff working on an ordinance.

Councilmember Don Allard said he would support working on an ordinance, but expressed doubt that it would help.

Councilmember John Marriott said he is "absolutely" in favor of proceeding, because one of our biggest near-term issues is the area's lack of for-sale multi-family housing. He said it makes no sense to wait for the State to act, pointing out that different cities have different building codes, and these rules can be different as well. Marriott added that consumer protections can actually be enhanced with a City ordinance, and pointed to the Lakewood ordinance as proof of that.

Councilmember Mark McGoff, while "not enthusiastic" about an ordinance, allowed that it might prod the State in the direction of working on the problem.

Mayor Marc Williams emphatically agreed with Marriott that the issue is not about a battle between consumer rights and developers. He expressed frustration that politics precludes healthy debate on the topic. He added that protections can be built into the ordinance so that disputes can be sensibly resolved. As far as the efficacy of new legislation in bringing back development, Williams noted that, in California, things are shifting back toward owner-occupied multi-family housing there.

Councilmember Dyer warned about the buildings which are currently being built as apartments. He pointed out that many of those will become condos in seven or eight years, and some thought now should be given to how they are being built, with the future condo conversions in mind.

Williams directed Daly to bring a draft ordinance to Council for discussion and public hearings.

The workshop concluded at 7:15 p.m.