



## CITY COUNCIL AGENDA

**NOTICE TO READERS:** City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items is reflective of Council's prior review of each issue with time, thought and analysis given. Many items have been previously discussed at a Council Study Session.

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 7) is reserved for comments on any issues or items pertaining to City business except those for which a formal public hearing is scheduled under Section 10 when the Mayor will call for public testimony. Please limit comments to no more than 5 minutes duration.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings (December 22, 2014)
4. Report of City Officials
  - A. City Manager's Report
5. City Council Comments
6. Presentations
  - A. Employee Service Award Presentations
  - B. National Mentoring Month Proclamation
7. Citizen Communication (5 minutes or less)

The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to remove an item for separate discussion. Items removed from the consent agenda will be considered immediately following adoption of the amended Consent Agenda.

8. Consent Agenda
  - A. Designation of Official Places to Post Public Notices
  - B. Amendment of Custodial Services Contracts for City Facilities
  - C. Purchase of Nine Patrol Vehicles from State Bid
  - D. Acting City Manager Appointment
  - E. Second Reading of Councillor's Bill No. 29 Amending Sections 10-1-12(A) and (B), W.M.C. re Parking on Streets
  - F. Second Reading of Councillor's Bill No. 47 to Include Stormwater Utility in Water & Wastewater Utility Enterprise
9. Appointments and Resignations
  - A. 2015 Appointments to the Rocky Flats Stewardship Council
10. Public Hearings and Other New Business
  - A. Public Hearing on Sixth Amended PDP and CLUP Amendment for Lots 4, 7 and 10, Northwest Business Park
  - B. Councillor's Bill No. 1 Amending CLUP Designation of Lots 4, 7 and 10 of Northwest Business Park
  - C. Sixth Amended PDP of Northwest Business Park
  - D. Councillor's Bill No. 2 – Supplemental Appropriation of 2014 POST Fund Carryover
  - E. Contract Amendment re 2014 Open Space Demolition Project
  - F. Resolution No. 1 re Triennial Renewal of Rocky Flats Stewardship Council
  - G. Authorization to Offer Employment & Negotiate a Contract with the Finalist for the Position of City Manager
11. Old Business and Passage of Ordinances on Second Reading
  - A. Special Legal Counsel Services for Drafting of Collective Bargaining Ordinance (Tabled 10-27-14)
12. Miscellaneous Business and Executive Session
  - A. City Council
  - B. Executive Session to Review and Discuss the City Manager Finalist Candidates Pursuant to Sections 1-11-3(C)(1) and (7), W.M.C., and Sections 24-6-402(4)(e) and (f), C.R.S.
13. Adjournment

**NOTE:** Persons needing an accommodation must notify the City Clerk no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. You can call 303-658-2161/TTY 711 or State Relay or write to [lyeager@cityofwestminster.us](mailto:lyeager@cityofwestminster.us) to make a reasonable accommodation request.

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**GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS**

- A.** The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.
- B.** Any person wishing to speak other than the applicant will be required to fill out a “Request to Speak or Request to have Name Entered into the Record” form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.
- C.** The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.
- D.** The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.
- E.** When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.
- F.** City Staff enters a copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;
- G.** The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);
- H.** Staff presents any additional clarification necessary and states the Planning Commission recommendation;
- I.** All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.
- J.** Final comments/rebuttal received from property owner;
- K.** Final comments from City Staff and Staff recommendation.
- L.** Public hearing is closed.
- M.** If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, DECEMBER 22, 2014, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor Atchison led the Council, Staff, and audience in the Pledge of Allegiance.

ROLL CALL

Mayor Herb Atchison, Mayor Pro Tem Faith Winter, and Councillors Bruce Baker, Bob Briggs, Alberto Garcia, Emma Pinter, and Anita Seitz were present at roll call. Also present were City Manager J. Brent McFall, Acting City Attorney Hilary Graham, and Deputy City Clerk Carla Koeltzow.

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Baker, to approve the minutes of the regular meeting of December 8, 2014, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall noted that this was the last meeting for 2014 and items on the agenda were mostly to address year end business. For the holidays City offices would be closed on Thursday, December 25 and January 1. The public was encouraged to contact facilities directly about hours of operation or to check the City's website for information.

Following the City Council meeting, the Westminster Economic Development Authority Board of Directors would meet and then the Westminster Housing Authority Boards of Directors. At the conclusion of these meetings, the City Council would meet in executive session to provide direction for a proposed Economic Development Agreement with Trimble Navigation pursuant to Sections 1-11-3(C)(4) and (7), Westminster Municipal Code, and Section 24-6-402(e), Colorado Revised Statutes and to provide direction for a proposed Economic Development Agreement with Tenere, Inc. pursuant to Sections 1-11-3(C)(4) and (7), Westminster Municipal Code, and Section 24-6-402(e), Colorado Revised Statutes.

FAREWELL TO MAYOR PRO TEM WINTER

In November, Faith Winter was elected as the State Representative for House District 35. This was Mayor Pro Tem Winter's final meeting after seven years of service on City Council. She has earned the respect of the other Councillors and has left her mark on the City through the Youth Advisory Panel and her contributions to the Westminster Mall renovation. Mr. McFall along with the Mayor and other Councillors stated that it was an honor to work with her, wished her the best and thanked her for her service as she moves on to the General Assembly.

Mayor Pro Tem Winter thanked the Citizens for their trust in her and thanked Staff and fellow Councillors, past and present, for working with her to make Westminster a better community. The last seven years have been an incredible experience and leaving is bittersweet but she is excited about what is happening in Westminster and moving on to the State level to fight for a better community from a different building.

COUNCIL REPORTS

Councillor Garcia reminded the audience that the Parks, Recreation and Libraries Department was selling reduced rate passes to all the recreation centers and the two golf courses as great stocking stuffers. Also, for a small donation, Boy Scout Troop 484 will pick up Christmas trees for recycling until January 25.

Councillor Baker thanked all the people who came to the meeting to speak. He stated that this Council truly listens and has shown this through their actions. Citizen comment has changed their minds on issues such as landlord voter registration and the 72<sup>nd</sup>/Raleigh bridge, when new powerful information was presented.

Councillor Seitz thanked the Police Department for sponsoring the Santa Cop program. 105 kids received gifts of clothing and toys this year. She also noted that the end of the year was a good time for some self-reflection. There have been a lot of changes and many lessons learned since she was appointed to Council. She thanked Staff, Volunteers and Council for working towards a successful community and vision for Westminster. She specifically thanked Mr. McFall and Mayor Pro Tem Winter for their leadership. Councillor Seitz also noted that although there have been some controversial issues this year, she believes that everyone does want the best for Westminster and wants the community to be successful.

Mayor Atchison also noted that this was the last meeting for 2014 and thanked the Staff for a great year. He stated that it was good to see and hear from so many Citizens and hoped they would come back to meetings in 2015. He wished everyone a safe holiday.

The Mayor also announced that three finalists have been selected out of sixty-three applicants for City Manager. The finalists include former City Manager of West Jordan, Utah, Richard Davis; Deputy County Administrator at Clackamas County, Oregon, Nancy Newton; and Westminster Parks, Recreation and Libraries Director, Don Tripp. The interview process will begin the first week of January and after feedback from different interview groups the final decision for a new City Manager should come next month.

#### CITIZEN COMMUNICATION

Julie Williams, 11368 Lamar Street, stated that she has been a Westminster/Jefferson County resident for thirty years and is currently serving on the Jefferson County Schools Board of Education. She spent many hours and dollars at the former Westminster Mall and is excited about the new plans for the property. She expressed concerns as to why she didn't have the opportunity to vote on this \$4 million dollar project and why the project is being financed with a TIF that would keep Jefferson County schools from collecting additional taxes for support. Another concern was that up to 500 additional children may reside in this development and there are no plans for an additional school. She asked Council to please partner with the Jefferson County School District to address these issues.

Cristy Fernandez and Kevin Eslinger, 3144 W 100<sup>th</sup> Drive are the owners of Lucky Onion LLC, doing business as Eslinger Art Gallery. They provided Council with a pamphlet showing their conceptual plans to relocate their business to the Shoenberg Farms property at 72<sup>nd</sup> Avenue and Sheridan. Each spoke about their vision for the property and the historical buildings located there. They believe Shoenberg Farms would be a perfect place for their creative space, an art gallery, events center and fine arts education center. They hope to partner with other organizations to have festivals and community events such as farmer's markets on the property. They are currently putting together a letter of intent to purchase the site and hope that Council is receptive to their plans.

Rebecca Zamora, Manager of Early Childhood Initiatives at Growing Home, 3489 W. 72<sup>nd</sup> Avenue Suite 112, requested Council's support in applying for a 3<sup>rd</sup> Sector Capitol Partners Grant for up to \$250,000 to assist with establishing local pre-school programs and providing high quality child care for low income families in southwest Adams County. Growing Home already has several partners including Tennyson Knolls Elementary School working to help secure the funds to address this huge need. The application must be submitted by January 16th and it requires community support.

#### CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: approve the November 2014 Financial Report as presented; authorize the City Manager to execute an amended design contract with Drexel, Barrell & Co. for the Downtown Westminster Roadway Design, Phase 2, in the amount of \$448,031, and authorize an additional \$45,000 as a design contingency, thus bringing the project total to \$887,226; authorize the City Manager to execute an amended contract with W.L. Contractors, Inc. in the amount of \$29,767 to provide for traffic signal and street light maintenance for the remainder of 2014; authorize an amendment to the design/build contract with The Beck Group to include design services for Grove Street and the fourth level of the parking structure in the amount of \$100,800 plus a contingency of \$30,000 for an expenditure of \$130,800, thus increasing the total authorized expenditure to The Beck Group from the previously approved amount of \$1,376,004 to \$1,506,804; based on report and the recommendation of the City Manager, determine that the public interest would best be served by authorizing

an amendment to the Owners Representative contract with CBRE, Inc. for the duration of the construction of the Westminster Station Parking Structure and Grove Street in the amount of \$123,155 plus a contingency of \$10,000 for an expenditure of \$133,155, thus increasing the total authorized expenditure with CBRE, Inc. from the previously contracted amount of \$47,787 to \$170,942; based upon the recommendation of the City Manager, find that the public interest will best be served by authorizing the City Manager to enter into sole source contracts with Stolfus and Associates, Inc. in the total amount of \$59,500 for the preparation of design drawings of a roadway intersection and traffic signals, the evaluation of traffic signal timing and a traffic flow analysis at the proposed Westminster Station Drive as part of the Federal Boulevard Bridge over the Burlington Northern/Santa Fe Railroad Project, and authorize a contingency of \$8,925 for a total project budget of \$68,425; based upon the recommendation of the City Manager, find that the public interest will best be served by authorizing the City Manager to enter into sole source contracts with DTJ Design, Inc. in the total amount of \$90,860 for the preparation of concept drawings and final design drawings of architectural enhancements to the Federal Boulevard Bridge over the Burlington Northern/Santa Fe Railroad, and authorize a contingency of \$13,629; authorize Staff to proceed with the acquisition of properties at 7287 Lowell Boulevard and 3630 W. 73rd Avenue using proceeds from the U.S. Department of Housing and Urban Development Section 108 Loan Program; authorize the purchase of extra water tap credits from the City Open Space Program using proceeds of the Community Development Block Grant (CDBG) program; authorize the City Manager to execute an agreement for bond counsel services with Butler Snow for a fee not to exceed \$20,000 in connection with the proposed issuance of tax exempt private placement bonds in an amount not to exceed \$4,650,000 by the City of Westminster's Utility Enterprise; authorize the City Manager to execute a contract with the low bidder, Bound Tree Medical, for the 2015 purchase of emergency medical supplies in an amount not to exceed \$129,500, with options for two additional one-year renewals; authorize the City Manager to execute a contract for the refinement of the master plan and construction documents for the City Hall Plaza project with The Architerra Group in the amount of \$140,647 with a 10% contingency of \$14,064, for a total design project authorized expenditure not to exceed \$154,711; authorize the City Manager to execute a contract for refinement of the master plan and construction documents for the City Hall Xeriscape project with Stream Design, LLC in the amount of \$87,663 with a 10% contingency of \$8,766 for a total design project authorized expenditure not to exceed \$96,429; ratify the additional expenditure of \$37,193 to the previously Council-approved amount of \$75,000 with Titleist Golf, a sole source vendor of golf products, and increase the Council authorized amount of 2014 expenditures with Titleist Golf to \$120,000; reallocate \$154,000 in project savings from the completed Citywide Radio System Replacement project in the General Capital Improvement Fund to the Police Department Records Management System project to provide full funding in 2015; authorize the City Manager to execute a contract with Intergraph Corporation for a Web-based records management system in the amount of \$572,700 and authorize a 10% contingency amount of \$57,300 for additional conversion, training, or services as may be needed during implementation of the new system for a total authorized expenditure of \$630,000; based on the recommendation of the City Manager, determine that the public interest will best be served by authorizing the City Manager to execute a two-year sole source contract with Carlson, Hammond, and Paddock, LLC for special water counsel services in an amount not to exceed \$350,000 for 2015 and not to exceed \$350,000 for 2016; based on the recommendation of the City Manager, determine that the public interest will best be served by authorizing the City Manager to execute a two-year sole source contract with Ecological Resource Consultants, Inc. for water resources engineering services in an amount not to exceed \$75,000 for 2015 and not to exceed \$75,000 for 2016; based on the recommendation of the City Manager, determine that the public interest will best be served by authorizing the City Manager to execute a two-year sole source contract with Hydros Consulting, Inc. for updating the water supply planning model in an amount not to exceed \$100,000 for 2015 and not to exceed \$75,000 for 2016; authorize the City Manager to execute a contract for the 2015 Asphalt Pavement Crackseal Project with the low bidder, Coatings, Inc., in the amount of \$155,010 and authorize a 15% contingency of \$23,251 for a total authorized expenditure of \$178,261; authorize the purchase of deicing salt primarily from the two low bid vendors to achieve the City's desired 50/50 blend: "Rock Salt" from Independent Salt Company and "Ice Slicer" from Envirotech Services, Inc. and allow purchase of deicer from other sources should Independent Salt Company or Envirotech Services, Inc. be unable to deliver product, in a total amount not to exceed \$380,000; ratify the expenditure of \$2,683 to the previously Council approved bid award with Mississippi Lime Company for the purchase of hydrated lime, increasing the bid award approval amount to \$97,683; final passage on second reading of Councillor's Bill No. 40 appropriating grant monies to be received from the Colorado Department of Transportation

for improvements to the intersection of 120<sup>th</sup> Avenue and Federal Boulevard; final passage on second reading of Councillor's Bill No. 41 annexing the McKay Lake Overlook Property into the City; final passage on second reading Councillor's Bill No. 42 approving a Comprehensive Plan amendment for the McKay Lake Overlook Property changing the designation from Adams County Estate Residential to City Owned Open Space based on finding that the proposed amendment will be in the public good and that the proposed amendment is in compliance with the overall purpose and intent of the Comprehensive Plan; final passage on second reading Councillor's Bill No. 43 approving a rezoning of the property from Adams County A-1 to City of Westminster Open District (O-1); final passage on second reading Councillor's Bill No. 44 making minor clean-up revisions to Title XV, Chapter 1, of the Westminster Municipal Code concerning Purchasing Procedures; final passage on second reading Councillor's Bill No. 45 vacating the existing 91<sup>st</sup> Avenue right-of-way within the Westminster Center Urban Reinvestment Project boundary; and final passage on second reading Councillor's Bill No. 46 appropriating grant monies to be received from the 2015 Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) Grant to the 2015 General Fund budget.

Councillor Baker removed Item 8B, on the consent agenda for individual consideration. Councillor Garcia moved, seconded by Councillor Seitz, to approve the consent agenda as presented. The motion carried by unanimous vote.

#### AMENDED ROADWAY DESIGN CONTRACT – WURP

It was moved by Councillor Garcia, seconded by Mayor Pro Tem Winter, to authorize the City Manager to execute an amended design contract with Drexel, Barrell & Co. for the Downtown Westminster Roadway Design, Phase 2, in the amount of \$448,031, and authorize an additional \$45,000 as a design contingency, thus bringing the project total to \$887,226. The motion carried by a 6:1 margin with Councillor Baker voting no.

#### COUNCILLOR'S BILL NO. 47 AMENDING THE WATER AND WASTEWATER UTILITY ENTERPRISE

Councillor Briggs moved, seconded by Mayor Pro Tem Winter, to pass on first reading Councillor's Bill No. 47 amending the Water and Wastewater Utility Enterprise to include the Stormwater Utility. On roll call vote, the motion passed unanimously.

#### RESOLUTION NO. 32 CONTINGENCY TRANSFER FOR 72<sup>ND</sup> AVE/RALEIGH ST BRIDGE REPLACEMENT

Mayor Pro Tem Winter moved to adopted Resolution No. 32 authorizing the reallocation of \$498,000 from the 2014 General Fund contingency account into the Central Charges Transfer to the General Capital Improvement Fund account to fund the additional costs associated with the 72<sup>nd</sup> Avenue/Little Dry Creek Bridge Replacement project. Councillor Seitz seconded the motion, which passed by unanimous vote at roll call.

#### COUNCILLOR'S BILL NO. 48 BUDGET AMENDMENT RE GENERAL CAPITAL IMPROVEMENT FUND

Mayor Pro Tem Winter moved to pass on first reading Councillor's Bill No. 48 appropriating the General Fund contingency funds to the General Capital Improvement Fund for the re-phasing of the 72<sup>nd</sup> Avenue and Raleigh Street bridge replacement. The motion was seconded by Briggs and on roll call vote, the motion passed unanimously.

#### CONTRACT AMENDMENT FOR THE 72<sup>ND</sup> AVE/RALEIGH ST BRIDGE REPLACEMENT PROJECT

Contingent upon approval of Councillor's Bill No. 48 on second reading, Councillor Pinter moved to authorize the City Manager to execute a contract amendment with Hamilton Construction Co. in the amount of \$453,000 for revisions to the 72<sup>nd</sup> Avenue/Raleigh Street Bridge Replacement Project, plus \$45,000 in additional project contingency, increasing the authorized expenditure amount with this contractor from the original contract and contingency amount of \$5,466,947.90 to \$5,964,947.90. Councillor Garcia seconded the motion and with all members voting affirmatively, the motion passed.

RESOLUTION NO. 33 COMPLIANCE HEARING FOR THE MOORINGS ANNEXATION PETITION

Councillor Seitz moved to adopt Resolution No. 33 accepting the petition to annex the moorings at Hidden Lake submitted by George Kast, owner, and make the findings required by Colorado Revised Statute 31-12-107 (1) on the sufficiency of the petition. This resolution also sets the date of January 26, 2015, for the annexation hearing. Councillor Pinter seconded the motion, which passed unanimously on roll call vote.

ADJOURNMENT

There was no further business to come before the City Council, and, hearing no objections, Mayor Atchison adjourned the meeting at 7:53 p.m.

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

\_\_\_\_\_  
Mayor



## Agenda Item 6 A

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Presentation of Employee Service Awards

**Prepared By:** Debbie Mitchell, General Services Director  
Dee Martin, Workforce Planning & Compensation Manager

### Recommended City Council Action

Present service pins and certificates of appreciation to employees celebrating 20 or more years of service with the City and in five year increments thereafter.

### Summary Statement

- In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, and City Council recognition of employees with 20 years or more of service, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting.
- In the first grouping of 2015, employees with 20, 25, 30, and 35 years of service will be celebrated tonight.
  - Presentation of 20-year certificates and pins – Councillor Garcia
  - Presentation of 25-year certificates, pins, and checks – Mayor Atchison
  - Presentation of 30-year certificates and pins – Councillor Pinter
  - Presentation of 35-year certificates and pins – Councillor Baker

**Expenditure Required:** \$5,000

**Source of Funds:** \$2,500 – Utility Fund – Public Works & Utilities  
\$2,500 – General Fund – Police Department



**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The following 20-year employees will be presented with a certificate and service pin:

Karla Brunick	Code Enforcement Technician	Police Department
Cathy Harder	Messenger	General Services

The following 25-year employees will be presented with a certificate, service pin, and check:

Mike R. Jones	Utilities Technician	Public Works & Utilities
Jean Matthews	Senior Police Officer	Police Department

The following 30-year employees will be presented with a certificate and service pin:

Brian Nash	Senior Police Officer	Police Department
Doug Sgambelluri	Sergeant	Police Department

The following 35-year employees will be presented with a certificate and service pin:

Richard Infranca	Senior Police Officer	Police Department
Ralph Moffat	Equipment Operator II	Public Works & Utilities

On January 14, 2015, the City Manager will host an employee awards luncheon. During this time, nine (9) employees will receive their 15-year service pins; eight (8) employees will receive their 10-year service pins, and five (5) employees will receive their 5-year service pin. Recognition will also be given to those celebrating their 20<sup>th</sup>, 25<sup>th</sup>, 30<sup>th</sup>, and 35<sup>th</sup> anniversaries. This is the first luncheon in 2015 to recognize and honor City employees for their service to the public.

The aggregate City service represented among this group of employees for the first luncheon is 460 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens. Background information on each individual being recognized is attached.

The recognition of employee's years of service addresses Council's Strategic Plan goal of "Excellence in City Services." Recognition efforts have long been recognized as an important management practice in organizations striving to develop loyalty, ownership and effectiveness in their most valuable resource – employees.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment – Background on employees being recognized

## 20-Years

**Karla Brunick (brew nik) NOT ATTENDING** was hired in 1995 as a Code Enforcement Secretary. Throughout the years, Karla has received the Customer Service Champion, Excellence in Action, and Teams in Action awards. She has also received recognition for exemplary performance and many letters of appreciation.

Karla is a native of Colorado and spent her childhood in Wheat Ridge near Lakeside Amusement Park. Karla worked for the Wheat Ridge and Arvada Police Departments in addition to the City of Westminster. She has a married daughter who lives in Chicago.

**Cathy Harder** began her employment with the City in January 1995 as a Custodian at the Swim & Fitness Center. In March 1995, she was hired as a Recreation Clerk and in May 1997 accepted part-time employment as a Clerk Receptionist. From September of 1998 to present, Cathy has been a part-time Messenger in the City Clerk's Office, providing mail delivery and mail pick up services to City facilities and the Post Office on a daily basis.

Cathy is involved throughout the community doing service work. She loves spending time with her family, including her children and grandchildren.

## 25-Years

**R. Mike Jones** was originally hired in March 1990 to work on the Utility Construction Crew during one of the worst blizzards in memory. After a short stint with Utility Field Operations, Mike began the job of Utility Locator in 1994. He has been active with the Utility Division's safety program for many years and has earned his Advanced Safety Certificate from the National Safety Council.

Mike has lived in the area since 1955. He and his wife Janet have been married for 36 years and together have four children. Now that the children are grown, Mike and Janet enjoy traveling. When home, they love to work in the yard together and will continue living in Westminster into retirement.

**Jean Matthews** has been a Police Officer, and then a Senior Police Officer for Westminster for 25 years. She has had many assignments during her tenure, including School Resources Officer at Moore Middle School, Field Training Officer, Training Coordinator, and Investigator in the Professional Services Unit (PSU). Jean currently serves in the Investigations Unit as a Miscellaneous Crimes Detective. She has been a member of the Honor Guard since its inception, and served many years on the Employee Advisory Committee.

Jean is an avid runner and recently completed one of her "bucket list" goals, running in the 2007 Denver Marathon. She also loves to read, enjoys skiing, drawing, baking and math.

## 30-Years

**Brian Nash** started his career with the Police Department January 7, 1985 as a Police Officer. In 1988, Brian became a Senior Police Officer. Twenty seven (27) of his thirty (30) years at the Police Department have been in Patrol. It is estimated that Brian has gone out on patrol over 5,000 times for the City; handled close to 30,000 dispatched calls, and initiated over 10,000 more contacts. Brian has received numerous letters of commendation for his work. His other three years of service were as a Burglary Detective in Investigations, clearing over 300 cases. He has been one of the departments Range Officers for 20 years.

Prior to becoming a Westminster Police Officer, Brian was a Sonar Technician for four years in the United States Navy. Brian went to college and graduated Magna Cum Laude with a degree in Criminal Justice and a minor in Business Management from Metropolitan State College of Denver.

Brian's wife, Khristy, is the Vice President of Sales over all six John Atencio Jewelry stores. His daughter, Brianna, is a sophomore at Colorado State University. His step-daughter, Sarah, recently married, and is an administrator for a college. His step-son, Stephen Silvas, is a Sergeant in the Army Reserve and was hired this year as a Police Officer for Westminster. In his free time, Brian enjoys traveling, watching movies, going to the gym, hunting, shooting sports, and riding his ATV.

**Doug Sgambelluri (s gam bell uri) NOT ATTENDING** was born and raised in Albany, NY. He obtained a Bachelor's Degree from Arizona State University in December 1979 and later, a Master's Degree from the University of Colorado at Denver in 1991. Doug came to Colorado in 1984 after serving three years as an Army Military Police Investigator stationed first at Fort Hood, Texas and then in Manheim, West Germany. He was hired by the Westminster Police Department in January 1985. Doug has worked both as an officer in the Patrol Division and also, for several years, as a Detective in the Investigations Division. He was the recipient of the Jefferson County Detective of the Year Award in 1992. In 2001, Doug was promoted to Sergeant and worked in Patrol until 2005. From 2005 through 2011, Doug supervised a team of Detectives in Investigations. After that rotational assignment, Doug returned to Patrol where he remained until his recent retirement.

Doug and his wife of 37 years have temporarily relocated to Colorado Springs and will ultimately move to Show Low, Arizona.

### **35-Years**

**Richard Infranca (in frank ah)** started with the City in January 1979 and worked for the Police Department until March 1988. Richard moved back to his home state of California for a short time and returned to the City of Westminster in 1989 as a Senior Police Officer. Richard is very active in the Department and is currently a Police Detective. Richard is also a Crisis Intervention Team Instructor and Course Director. Richard works closely with Community Reach, which is Adams County's mental health services organization that provides Colorado officers with training in dealing with people who suffer with mental health issues and who are in crisis. Richard has specialized in crisis intervention since 1982 and for the past 10 years has helped facilitate scenario training for the SWAT team.

Richard's past assignments and accomplishments include: Patrol Officer, Field Training Instructor, Firearms Instructor, SWAT member and Hostage Negotiator, Narcotics Detective, Burglary Detective, Bicycle Officer, Coordinator for the Police Explorer Program, School Resource Officer, and D.A.R.E. Officer. He served as the State Training Director and Administrator for the Colorado D.A.R.E. Program. Richard was also a training staff member of the National and International D.A.R.E. Training Team. While serving the National and International D.A.R.E. Training Team, Richard traveled all across the United States training officers in the program. He also traveled to Canada and Bangkok, Thailand training members of the Royal Canadian Mounted Police and the Royal Thai Police.

**Ralph Moffat NOT ATTENDING** joined the City of Westminster 35 years ago as a Maintenance worker at Big Dry Creek Wastewater Plant. He was promoted to Equipment Operator II in 1981 and has held that position ever since. Ralph has been awarded several extra mile awards and participated in many Teams in Action awards during his tenure with the City.

Ralph has an adult daughter who enjoys riding ATV's with him. He is the founder and president of the Colorado Quad Runners ATV Club. Ralph enjoys fishing, along with hooking up his four wheeler to his motor home and going riding in Utah. When Ralph's not working, he also enjoys going to the Nuggets, Rockies and Avalanche games.



## Agenda Item 6 B

### Agenda Memorandum

City Council Meeting  
January 12, 2014



**SUBJECT:** National Mentoring Month Proclamation

**Prepared By:** Linda Yeager, City Clerk

### Recommended City Council Action

Councillor Seitz to present the National Mentoring Month proclamation to the Adams County Youth Initiative Caring Adult Network.

### Summary Statement

- The mission of the Adams County Youth Initiative (ACYI) is to work together to ensure our youth excel from cradle through career. Recognizing that “programs do not save youth, relationships do,” the ACYI has created the Caring Adult Network, a partnership of existing local non-profit agencies and organizations to match adult volunteers with youth seeking the stable influence and guidance of an adult mentor.
- Partnering in the Caring Adult Network are Metro Denver Partners, The Senior Hub, Save Our Youth, Young Life, Juvenile Justice Ministry, Boys & Girls Clubs of Metro Denver, Big Brothers Big Sisters, The Connection Youth Center and CASA (Court Appointed Special Advocates for Children).
- In an effort to raise awareness of the need for youth-adult mentoring relationships, a representative of this partnership will be present to accept the National Mentoring Month Proclamation.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

On average, 22% of 9<sup>th</sup> grade students (the equivalent of more than 1,350 youth) in our community do not have a caring and trusted adult outside of their home and school. Lacking needed influence and reinforcement of their abilities, they are turning to undesirable habits that not only interfere with their academic performance, but also put them at risk of life-long behavioral issues.

Realizing that mentors offer youth valuable encouragement, motivation and hope by providing consistent adult friendship and role models, non-profit public and private agencies and organizations have formed the Caring Adult Network and is seeking volunteers to make a difference in children's lives by matching adults with youth for life-long healthy relationships.

This proclamation supports City Council's Strategic Plan goal of Proactive Regional Collaboration by spreading awareness of the need for qualified adult mentors and celebrating everyone who teaches, inspires, and guides our children and young people as they reach for their potential.

Representatives of the Caring Adult Network will be present to accept the proclamation.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Proclamation

**WHEREAS**, mentors support our next generation to shape their ambitions, set a positive course, and achieve their boundless potential by offering youth the valuable encouragement, motivation and hope of a consistent adult friend and role model; and

**WHEREAS**, on average, 22% of 9th graders in our community report that they do not have a caring and trusted adult outside of their home and school and these students are more likely to drink alcohol, to use marijuana, to be truant, and to belong to a gang; and

**WHEREAS**, mentored children and youth exhibit improved self-esteem, better relationships, and feel greater connectedness to their community and schools; and

**WHEREAS**, partnerships between businesses, schools and other youth service organizations, and mentoring programs are an effective way for businesses to support children and youth within the community have proven to be cost-effective investments returning \$3 to society for every \$1 invested in mentoring; and

**WHEREAS**, collaborative mentoring programs that are supported by the entire community are more visible and therefore able to serve more children and youth; and

**WHEREAS**, public and private organizations throughout our community are committed to working collaboratively to increase the number of quality mentoring matches.

**NOW, THEREFORE I, HERB ATCHISON**, Mayor of the City of Westminster, on behalf of the entire Council and Staff do hereby proclaim January to be

### **NATIONAL MENTORING MONTH**

in celebration of everyone who teaches, inspires, and guides our youth as they reach for their full potential.

Dated this 12th day of January, 2015.

---

Herb Atchison, Mayor



**Agenda Memorandum**

City Council Meeting  
January 12, 2015



**SUBJECT:** Designation of Official Places to Post Public Notices

**Prepared By:** Linda Yeager, City Clerk

**Recommended City Council Action**

Designate the bulletin board in the lobby of City Hall and the City of Westminster website as the locations for posting public notices of official meetings of the City Council, the Westminster Housing Authority, the Westminster Economic Development Authority, Special and General Improvement Districts, and the City's Boards and Commissions pursuant to Section 24-6-402 (2)(c), C.R.S. of the Colorado Open Meetings Act.

**Summary Statement**

- The referenced section of the Colorado Open Meetings Act provides that the places where notices of official public meetings are posted shall be designated annually by the governing body at its first regular meeting of each calendar year.
- The City Council is the governing body of the City, and is also the governing body of the City's Special and General Improvement Districts (pursuant to Section 31-25-609, C.R.S.), the Westminster Housing Authority (pursuant to Section 29-4-205, C.R.S.), and the Westminster Economic Development Authority (pursuant to Section 31-25-114, C.R.S.).
- City Staff posts all notices of City Council meetings and study sessions, all Special and General Improvement Districts, all Westminster Economic Development Authority meetings, all Westminster Housing Authority meetings, and other official public meetings on the bulletin board across from the cashiers' counter in the lobby of City Hall. Identical notifications are posted on the City's website.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Does City Council concur with the designation of the City Hall lobby bulletin board and City of Westminster website as the locations for posting public notices for official meetings?

**Alternative**

Identify other locations for posting public notices. This is not recommended as the City Hall bulletin board and City website not only serve the purpose of providing public notice, but also are the locations on which the public has come to rely for notices of meetings and agendas.

**Background Information**

The Open Meetings Act, more commonly called the Colorado Sunshine Act, provides that the public place or places for posting public notice of meetings shall be designated annually at the local governing body's first regular meeting of each calendar year. Historically, notices have been posted in paper format on the City Hall lobby bulletin board and electronically on the City's website. This process appears to work well as a means of providing public notice of upcoming agenda items, and the Staff recommends the continuing designation of these locations.

Remaining compliant with State statutes is key to City Council's strategic goal of Visionary Leadership and Effective Governance by ensuring citizens can become involved in local government because they are made consistently and timely aware of all public meetings they can attend.

Respectfully submitted,

J. Brent McFall  
City Manager





**Agenda Memorandum**

City Council Meeting  
January 12, 2015



**SUBJECT:** Amendment for Custodial Services Contracts for City Facilities

**Prepared By:** Rona Lehn, Contract Services Coordinator  
Mark Ruse, Facilities CIP & Operations Manager

**Recommended City Council Action**

Authorize the City Manager to amend the KG Clean custodial services contract to \$387,746 and amend the Varsity Group custodial services contract to \$84,153, increasing the total custodial services contracts by \$5,636.

**Summary Statement**

- On June 9, 2014, City Council authorized the expenditure of \$572,424 per year for up to three years for five custodial service contracts to maintain 25 City facilities starting on October 1, 2014.
- In late September, 2014, American Facilities Group was terminated by the City of Westminster for not fulfilling requirements of staffing and documentation deadlines. The awarded amount of American Facilities Group contract was \$22,533. Staff is recommending directing the 5 facilities originally awarded to American Facilities Group to KG Clean in the amount of \$22,150 and Varsity Group in the amount of \$6,019.
- As a result of the amendment, the total annual cost for two custodial vendors will increase, KG clean from \$365,596 to \$387,746 and Varsity Group from \$78,134 to \$84,153.
- The amendment of the original custodial services award results in a slight increase to custodial vendor expenses of \$5,636.
- Funds are available within existing budgets for this additional expense.

**Expenditure Required:** \$5,636

**Source of Funds:** \$292 - General Fund - General Services Operating Budget  
\$2,739 - General Fund - Park Recreation & Libraries Operating Budget  
\$2,605 - Utility Fund - Public Works & Utilities Operating Budget

**Policy Issue**

Should Council authorize an additional expenditure of \$5,636 for the City’s custodial contracts?

**Alternative**

Council could decide not to approve this annual cost increase for providing custodial services for five City facilities to existing custodial service providers, KG Clean and Varsity Group. Council could direct Staff to place the five facilities originally awarded to American Facilities Group with another vendor(s). Staff does not recommend this alternative due to the cost and time associated with vetting out additional custodial service provider(s).

**Background Information**

In March 2014, request for proposals were sent to nine contract custodial firms to provide janitorial services for 25 City facilities. Six custodial firms attended a pre-bid meeting and a two-day tour of each facility requiring custodial services. During the pre-bid meeting and facility tours, contractors were made aware of Staff’s intent to recommend awarding custodial service contracts to the lowest responsible bidders based on the four geographic locations or campus settings within the City. The four geographical locations include: South Westminster (72<sup>nd</sup> Ave. North to 80<sup>th</sup> Ave.), North Westminster (104<sup>th</sup> & Sheridan North), West Westminster (Sheridan to Westmoor Business Park) and Central Westminster (City Hall & the Public Safety Center).

Criteria used by Staff to evaluate bids for an award recommendation were:

- Cost of services contracts based on geographic campus locations
- Proposed hours and staffing requirements at facilities
- Recommendations from present clients
- Past performance providing custodial services for the City of Westminster

Negotiated bid results by lowest responsive bid and by geographic location were awarded as follows:

**CUSTODIAL SERVICES BIDS BY CAMPUS LOCATIONS**

<b>Location</b>	<b>KG</b>	<b>Carnation</b>	<b>Ditirro</b>	<b>American</b>	<b>Varsity</b>	<b>Fund</b>
The MAC (night)	29,400.00					PR&L
The MAC (Day Porter)	41,580.00					PR&L
Irving Street Library			12,732.00			GS
Swim & Fitness (night)			22,068.00			GS
Swim & Fitness (Day Porter)			38,800.20			PR&L
Municipal Court			14,125.56			GS
City Hall (night)	31,800.00					GS
City Hall (Day Porter)	14,556.00					GS
Public Safety (night)	38,400.00					GS
Public Safety (Day Porter)	41,580.00					GS
Westminster Sports Center					8,836.92	PR&L
MSC/Admin					16,895.52	GS
MSC/Annex					3,623.40	GS
MSC/Fleet					5,349.48	GS
Semper Water Treatment		12,972.00				PW&U
City Park Fitness					38,317.44	GS
City Park Rec (night)	61,200.00					GS

**CUSTODIAL SERVICES BIDS BY CAMPUS LOCATIONS (CONTINUED)**

<b>Location</b>	<b>KG</b>	<b>Carnation</b>	<b>Ditirro</b>	<b>American</b>	<b>Varsity</b>	<b>Fund</b>
City Park Rec (Day Porter)	25,980.00					PR&L
Wellness Center					5,111.04	GS
Park Operations				4,832.40		GS
Northwest Water Treatment		3,012.00				PW&U
Brauch Property	3,000.00					PR&L
Countryside Rec			2,452.00			GS
Westview Rec (night)	33,300.00					GS
Westview Rec (Day Porter)	29,100.00					PR&L
Heritage Club House	7,299.95					PR&L
Legacy Ridge Club House				5,130.96		PR&L
Big Dry Creek Waste Water				8,534.28		PW&U
Big Dry Creek Reclaimed				1,640.40		PW&U
Orchard Police Substation				2,394.60		GS
<b>**Additional costs**</b>						
Carillon Tower	1,200.00					GS
Bio Hazard Cleaning	7,200.00					GS
<b>Total by Contractor</b>	<b>365,596.00</b>	<b>15,984.00</b>	<b>90,177.76</b>	<b>22,532.64</b>	<b>78,133.80</b>	

American Facilities Group was terminated eight days prior to the start date of the contract. After consulting with the City Attorney’s office, it was determined that termination of the contract was in the best interest of the City. American Facilities Group did not have staff to fulfill the contractual duties outlined in the custodial contract. Currently, the five facilities originally awarded to American Facilities Group have been split up among two of the current custodial companies, KG Clean and Varsity Group. The lowest bidder and geographical locations or campus settings were determining factors in choosing the two companies. Building Operations and Maintenance and City Attorney Staff have prepared modified agreements with KG Clean and Varsity Group to reflect the requested Council action. Upon Council approval, the revised agreements will be executed with each vendor.

Approving this recommended contract amendment for two of the City’s custodial contracts will allow Staff to continue to provide clean, healthy and well maintained facilities for Westminster residents and City employees, and achieves City Council’s Strategic Plan goal of providing “Excellence In City Services.”

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
January 12, 2015



**SUBJECT:** Purchase of Nine Patrol Vehicles from State Bid

**Prepared By:** Jeffery H. Bowman, Fleet Manager

**Recommended City Council Action**

Based on the results of the State of Colorado bid, award the purchase for nine Police Department patrol vehicles to Sill-Ter Har Motors in the amount of \$261,126.

**Summary Statement**

Nine Police Department patrol vehicles were previously approved and are within the amount authorized by City Council in the 2015 Public Safety Tax General Capital Outlay Replacement Fund budget. Key information on these purchases is outlined below:

- Traditionally, the Police Department has used the Ford Crown Victoria as its model patrol vehicle. In 2011, this vehicle was discontinued from production.
- The 2015 vehicle replacement funding for patrol and K9 vehicles includes nine 2015 Ford Interceptor all-wheel drive sedans and utility vehicles, plus additional emergency equipment, and six 2010 Ford Crown Victoria patrol car rebuilds.
- City Council is requested to award the purchases for nine police patrol vehicles, based on the State of Colorado Price Agreements to Sill-Ter Har Motors.
- A future Council agenda memorandum will be presented to Council early in 2015 to authorize the emergency lights and equipment installation on these vehicles and another Council agenda memorandum will be presented to request authorization of the six Crown Victoria rebuilds.
- City Council previously approved \$974,500 in the 2015 Public Safety Tax General Capital Outlay Replacement Fund (PST-GCORF) budget, of which six vehicles budgeted are to be the Ford Interceptor utility at \$29,897 each. Two vehicles budgeted are to be the black and white Ford Interceptor sedan at \$27,598 while the final Ford Interceptor sedan will be unmarked and will cost \$26,548.

**Expenditure Required:** \$261,126

**Source of Funds:** Public Safety Tax General Capital Outlay Replacement Fund

**Policy Issue**

Should the City proceed with the purchase of nine Police Department patrol vehicles for 2015 using the State of Colorado Bid?

**Alternatives**

1. Reject the State of Colorado bids and instruct Staff to re-bid these patrol vehicles. This alternative is not recommended because the State bid reflects a lowered price based on the purchasing power of many political subdivisions in Colorado.
2. Do not purchase some or all of the proposed patrol vehicles in 2015. This alternative is not recommended because all of the vehicles being replaced have a maintenance history that makes it impractical to keep them in regular service. Beginning in 2013, the Police Department extended the replacement cycle of patrol vehicles an additional 10,000 miles, out to 110,000 miles.

**Background Information**

As part of the 2015 budget, City Council approved the purchase of nine Police Department replacement patrol vehicles and the rebuild of six Crown Victoria patrol cars. The standard for Westminster Police, the Ford Crown Victoria, was discontinued from manufacturing in 2011. Ford now produces a new Interceptor, based on a Taurus chassis that is all-wheel drive and is equipped with a 3.7 liter V-6 engine at a cost of \$27,598 per black and white vehicle, plus \$26,548 for one unmarked traffic vehicle, along with \$29,897 each for the Interceptor Utility.

The emergency equipment including; lights, control console, push bumper, prisoner cage and seat and ready buckle straps are unique to the Interceptor and the equipment cannot be transferred from the outgoing Crown Victoria. A separate request will be brought to Council with a separate agenda memo in early 2015 for purchase of necessary equipment. The estimated cost to outfit each Ford Interceptor with emergency equipment will be \$11,000 per vehicle and \$15,000 for each K9 vehicle. The remaining six vehicles budgeted in 2015 are to be Ford Crown Victoria complete rebuilds, estimated at \$23,000 per car, requiring a third Council action.

As the Ford Crown Victoria is replaced by the Ford Interceptor, Staff plans to continue tracking operating costs of the Ford Interceptor along with the rebuilt Crown Victoria cars and use the information gathered to determine the best patrol vehicle “mix” for the future. The actual patrol units to be replaced by this purchase, will be determined based on criteria that takes into account patrol vehicle age, maintenance costs, utilization and cost per mile to operate. Three of the Interceptor utility vehicles will be used as K9 vehicles and the remaining three Interceptor Utility vehicles will be used by patrol. Replaced patrol units are held over for rebuild, or sent to auction; none are kept in the fleet in other capacities to maintain the 52 marked patrol units fleet.

This recommended purchase meets City Council’s Strategic Plan Goal of “Excellence in City Services” by spending tax dollars in a responsible manner, ensuring Police vehicles are dependable and replaced at the lowest price possible.

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
January 12, 2015



**SUBJECT:** Acting City Manager Appointment

**Prepared By:** Debbie Mitchell, General Services Director

**Recommended City Council Action**

Appoint Deputy City Manager Stephen Smithers to serve as Acting City Manager to have and exercise the duties and responsibilities of City Manager under the City Charter until such time as a new City Manager is appointed by Council.

**Summary Statement**

- Brent McFall has been the City Manager for the City of Westminster for nearly 14 years.
- Mr. McFall will be retiring on January 25, 2015, and the position will then become vacant.
- Mr. Smithers has agreed to serve as Acting City Manager at an interim annual salary of \$200,000 until such time as a new City Manager is appointed by Council.
- City Council is currently in the process of recruiting a new City Manager. The selection and appointment of the new City Manager will likely be after Mr. McFall's retirement date.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Should Deputy City Manager Stephen Smithers be appointed to serve as acting City Manager until such time as a new City Manager is appointed by Council?

**Alternative**

Council could elect not to appoint the Deputy City Manager as acting City Manager and appoint another employee. Staff does not recommend this alternative. This position plays a critical role in the daily operations of the City. Also, this appointment will provide continuity in representation of current issues residing in the City Manager's Office.

**Background Information**

The City Manager's Office is responsible for the daily operations of the City of Westminster. This office is dedicated to upholding the mission: Our team supports and is responsive to the citizens, City Council and overall City organization. Through leadership by example, we progressively manage the City organization where customer service and empowerment are governing principles and effectively communicate with internal and external audiences. We are ambassadors of the City and strive to be the best at what we do.

Mr. McFall joined the City in May 2001 as the City Manager. His previous experience included holding city manager or city administrator positions in four cities in Kansas and Washington prior to becoming Westminster's City Manager. Mr. McFall is retiring from his position effective January 25, 2015.

Mr. Smithers joined the City in 1983 as a Management Intern. In 1984, he advanced to the position of Management Assistant and then to Assistant to the City manager in 1986. Mr. Smithers left the City in 1990 taking a position with the Colorado Municipal League where he served as a lobbyist representing the interest of cities and towns across the State of Colorado for eleven State Legislative Sessions. He rejoined the City in 2000 as Assistant City Manager. In 2010, Mr. Smithers' title changed to Deputy City Manager. Mr. Smithers currently serves as Deputy City Manager and has agreed to take on the City Manager responsibilities in the interim vacancy period. A wage of \$200,000 is recommended as the acting wage with a January 26, 2015, start date. No additional funding is required as the position of City Manager is already funded.

The City is currently screening applications for the position of City Manager. Final interviews of candidates for the new City Manager took place in early January 2015. The Acting City Manager appointment will extend until the start date of the new City Manager. City Council's action on this item addresses all eight Strategic Planning Goals.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 8 E

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Second Reading of Councillor's Bill No. 29 re Amending Westminster Municipal Code, Sections 10-1-12(A) and (B) Concerning Parking on Streets

**Prepared By:** Hilary M. Graham, Acting City Attorney  
Lee Birk, Police Chief  
Joy Tallarico, Code Enforcement

### Recommended City Council Action

Pass Councillor's Bill No. 29 on second reading amending Sections 10-1-12(A) and (B) of the Westminster Municipal Code to create more flexibility in parking restrictions related to loading and unloading RVs, trailers and boats.

### Summary Statement

- Current provisions of the Westminster Municipal Code (the "Code") restrict on-street and off-street parking of certain vehicles, based upon the type and size of the vehicle.
- The provision related to on-street parking restrictions have been known to create confusion because of the differences in allowable on-street time periods expressed in the exceptions for loading and unloading and in the affirmative defenses to a violation.
- Members of Council have expressed interest in simplifying this Code provision for ease of understanding by affected members of the public.
- The attached ordinance is being proposed as an option for doing so.
- This Councillor's Bill was passed on first reading on December 8, 2014.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Ordinance



BY AUTHORITY

ORDINANCE NO. **3757**

COUNCILLOR'S BILL NO. **29**

SERIES OF 2014

INTRODUCED BY COUNCILLORS  
**Garcia - Winter**

**A BILL**

**FOR AN ORDINANCE AMENDING SECTIONS 10-1-12(A) AND (B) OF THE WESTMINSTER MUNICIPAL CODE CONCERNING PARKING ON PUBLIC STREETS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 10-1-12(A), W.M.C., is hereby AMENDED to read as follows:

**10-1-12: PARKING RESTRICTIONS:**

(A) The following definitions shall be used in this section:

“Loading and unloading” shall mean the uninterrupted activity of continuously moving material, equipment, goods or other items of personal property from or to a vehicle during an ~~twenty-four~~<sup>eight</sup> (~~24~~<sup>8</sup>) hour maximum period.

Section 2. Section 10-1-12(B), W.M.C., is hereby AMENDED, including the ADDITION of a sub-subsection, to read as follows:

**10-1-12: PARKING RESTRICTIONS:**

(B) The following restrictions shall apply to the parking of vehicles on public streets within the City:

(1) It shall be unlawful to park any trailer, boat, mobile home or motor home that is less than thirty-five feet (35') long on any public street or highway within any residential district of the City, unless:

(a) ~~It shall be an affirmative defense to a violation of this subsection that~~ the vehicle is a recreational vehicle (RV) that is being loaded or unloaded; loading and unloading of an RV includes trip preparation or post-trip clean up or minor maintenance, ~~but loading and unloading shall not in any event exceed seventy two (72) hours.~~

(b) ~~It shall be an affirmative defense to a violation of this subsection that~~ the vehicle is a boat or trailer (other than a camping trailer) that is being loaded or unloaded ~~as defined in subsection (A) above, but such loading and unloading shall not in any event exceed eight (8) hours.~~

(2) It shall be unlawful to park any vehicle, including, but not limited to, those listed in (1) above, that is thirty-five feet (35') or more long on any public street or highway within any residential district of the City, except for the purpose of loading and unloading.

(3) It shall be unlawful to park truck trailers, semi-tractors, trucks, buses and construction equipment on any public street or highway within any residential district of the City; provided, however, that parking next to a construction site for which a valid permit exists shall be allowed for the purpose of loading and unloading materials.

(4) It shall be unlawful to park any vehicle upon any public street, highway, public right-of-way, or public property in the City for the principal purpose of: (a) displaying such vehicle for sale or lease;

(b) washing, greasing, painting, or repairing such vehicle, except repairs necessitated by an emergency; or  
(c) displaying advertising.

(5) It shall be unlawful for any camper not mounted upon a vehicle to be left upon any street or highway within the City.

(6) It shall be unlawful to park any vehicle that is required to be licensed by Colorado statute upon any street or highway within the City unless a valid license is properly displayed on the vehicle.

(7) It shall be unlawful to park any vehicle upon a street or highway in such a manner or under such conditions as to interfere with the free movement of vehicular traffic or proper street or highway maintenance.

(8) It shall be unlawful to park any vehicle in such a manner as to leave available less than two feet (2') clearance between vehicles when parked.

(9) No person shall stop, stand or park a vehicle upon a street or highway in a manner as to block the driveway entrance to any property abutting the street or highway.

(10) It shall be unlawful to park any vehicle on public right-of-way located between the curb and sidewalk.

(11) It shall be unlawful to move and repark any vehicle in the same location or within three hundred (300) feet of the same location for the principal purpose of evading the application of subsection (1) and (2) of this subsection (B).

Section 3. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 8th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 12th day of January, 2015.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney's Office



Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Second Reading of Councillor’s Bill No. 47 Amending Water and Wastewater Utility Enterprise to Include Stormwater Utility

**Prepared By:** Tammy Hitchens, Finance Director  
Robert Byerhof, Treasury Manager

**Recommended City Council Action**

Pass Councillor’s Bill No. 47 on second reading to amend the Water and Wastewater Utility Enterprise to include the Stormwater Utility.

**Summary Statement**

- The City of Westminster (the “City”) adopted Ordinance No. 2264 in 1994, establishing its Water and Wastewater Utility Enterprise.
- The City currently operates its Stormwater Utility as an enterprise of the City, within the meaning of Article X, Section 20 of the Colorado Constitution (TABOR).
- The Enterprise Ordinance needs to be amended and restated to combine and include its Stormwater Utility system as part of the Enterprise.
- Council is requested to approve the attached ordinance, amending Water and Wastewater Utility Enterprise to include its Stormwater Utility as defined within the meaning of Article X, Section 20 of the Colorado Constitution (“TABOR”) in order to facilitate a financing with UMB Bank.
- This Councillor’s Bill was passed on first reading by City Council on December 22, 2014.

This action supports the strategic objectives of Proactive Regional Collaboration and a Dynamic, Diverse Economy by fostering the Transportation Oriented Development area of the Westminster Station.

**Expenditure Required:** \$0  
**Source of Funds:** N/A

Respectfully submitted,

J. Brent McFall  
City Manager

**BY AUTHORITY**

ORDINANCE NO. **3758**  
SERIES OF 2014

COUNCILOR'S BILL NO. **47**  
INTRODUCED BY COUNCILORS  
**Briggs - Winter**

**A BILL**

**FOR AN ORDINANCE AMENDING ORDINANCE NO. 2264 OF SERIES 1994 CREATING AND AUTHORIZING THE CITY OF WESTMINSTER, COLORADO, WATER AND WASTEWATER UTILITY ENTERPRISE TO INCLUDE ITS STORMWATER UTILITY, AND FOR THE COMBINED ENTERPRISE TO HAVE AND EXERCISE CERTAIN POWERS IN FURTHERANCE OF ITS PURPOSES.**

WHEREAS, the City of Westminster, Colorado (the "City"), has heretofore adopted and approved Ordinance No. 2264, Series of 1994, establishing its Water and Wastewater Utility Enterprise (the "Enterprise Ordinance"); and

WHEREAS, the City currently operates its Stormwater Utility as an enterprise of the City within the meaning of Article X, Section 20 of the Colorado Constitution ("TABOR"); and

WHEREAS, the City Council of the City (the "Council") hereby declares and determines that the provision of stormwater services and facilities constitutes and shall constitute and continue to constitute a stormwater enterprise pursuant to TABOR; and

WHEREAS, the Council has determined and hereby determines that the Enterprise Ordinance be amended to combine and include its Stormwater Utility system as part of the Enterprise; and

WHEREAS, the Council desires to authorize the Enterprise to have and exercise certain powers in furtherance of its purposes.

**THE CITY OF WESTMINSTER ORDAINS:**

Section 1. The Council hereby finds and determines that it has historically provided and will continue to provide stormwater service by means of the Enterprise in conformity with TABOR, the City Charter, the City Municipal Code, and all applicable Colorado law. The Council further recognizes and confirms that the Enterprise be a combined enterprise consisting of the provision of water, wastewater and stormwater services, and that such Enterprise continue to be an "enterprise" within the meaning of TABOR and all other applicable law, and that the Enterprise shall be operated and maintained to exclude its activities from TABOR.

Section 2. The Council shall serve as the governing body of the Enterprise, and the officers of the Council and of the City shall serve as officers of the governing body and the Enterprise. The Mayor of the City shall serve as President of the Enterprise; the City Clerk shall serve as Secretary of the Enterprise; the Finance Director of the City shall serve as Treasurer of the Enterprise; the City Manager shall serve as Manager of the Enterprise; and the City Attorney shall serve as attorney for the Enterprise.

Section 3. The Enterprise shall have and may exercise the following powers: to hold meetings concurrently with regular or special meetings of the Council, to adopt ordinances in the manner in which City ordinances may be adopted, to issue revenue bonds in the manner in which City revenue bonds may be issued without voter approval in advance, to pledge any revenues of the City's water system, wastewater system and/or stormwater utility system (collectively, the "System"), individually or collectively, to the payment of such revenue bonds and to pay such revenue bonds therefrom, to enter into contracts relating to the System in the manner in which City contracts may be entered into, to make representations, warranties and covenants on behalf of the City and to bind the City to perform any obligation relating to the System other than any multiple-fiscal year direct or indirect debt or other financial obligation of the City without adequate present cash reserves pledged irrevocably and held for payments in all future years.

Section 4. The City shall continue to own the assets of the System, acquire and convey properties constituting part of the System, manage, operate and maintain the System, employ and discharge the officers, managers and employees of the System, keep books and records relating to the System, invest and manage funds, budget and appropriate revenues and expenditures of the System, award and execute contracts and make expenditures relating to the System, fix, adjust and collect water, wastewater and stormwater rates, fees, tolls and charges and tap fees, and prescribe rules and regulations relating to the System. The City may also borrow money, issue bonds or enter into other financial obligations relating to the System as provided in the City Charter and the Constitution of the State of Colorado.

Section 5. Any inconsistency between this Ordinance and the statutes of the State of Colorado is intended. This ordinance is enacted pursuant to Article XX, Section 6 of the Colorado Constitution and to the extent of any such inconsistency, this Ordinance shall supersede such statutes.

Section 6. All action not inconsistent with the provisions of this Ordinance heretofore taken by the City or its officers and otherwise directed toward the authorization of the Enterprise to have and exercise certain powers in furtherance of its purposes is hereby ratified, approved and confirmed.

Section 7. All ordinances, resolutions, bylaws, orders and other instruments, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw, order, or other instrument, or part thereof, heretofore repealed.

Section 8. If any section, subsection, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability thereof shall not affect any of the remaining sections, subsections, paragraphs, clauses or provisions of this Ordinance.

Section 9. Pursuant to Article XX of the State Constitution and the Charter, all State statutes that might otherwise apply in connection with the provisions of this ordinance are hereby superseded to the extent of any inconsistencies or conflicts between the provisions of this

ordinance and such statutes. Any such inconsistency or conflict is intended and shall be deemed made pursuant to the authority of Article XX of the State Constitution and the Charter.

Section 10. This ordinance shall take effect upon passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ARE ORDERED PUBLISHED THIS 22<sup>nd</sup> day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND THE FULL TEXT OF THIS ORDINANCE ORDERED PUBLISHED THIS 12<sup>th</sup> day of January, 2015.  
CITY OF WESTMINSTER, COLORADO

\_\_\_\_\_  
Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
DATE

STATE OF COLORADO )  
 )  
 COUNTIES OF ADAMS ) SS.  
 AND JEFFERSON )  
 )  
 CITY OF WESTMINSTER )

I, Linda Yeager, the duly elected, qualified and acting City Clerk of the City of Westminster, Colorado (the "City"), do hereby certify:

1. That the foregoing pages are a true, correct, and complete copy of an ordinance adopted by the City Council of the City (the "Council") at a regular meeting of the Council held at the City Hall on December 22, 2014.

2. The passage of the Ordinance on first reading on December 22, 2014 was duly moved and seconded and the Ordinance was approved by vote of a 7 of 7 of the members of the Council as follows:

Name	"Yes"	"No"	Absent	Abstain
Herb Atchison	X			
Faith Winter	X			
Bruce Baker	X			
Bob Briggs	X			
Alberto Garcia	X			
Emma Pinter	X			
Anita Seitz	X			

3. The passage of the Ordinance on second and final reading, was duly moved and seconded at a regular meeting of the Council on January 12, 2015, and the Ordinance was approved on second and final reading by a \_\_\_ of \_\_\_ of the members of the Council as follows:

Name	"Yes"	"No"	Absent	Abstain
Herb Atchison				
Vacancy of Office				
Bruce Baker				
Bob Briggs				
Alberto Garcia				
Emma Pinter				
Anita Seitz				

4. The members of the Council were present at such meeting and voted on the passage of the Ordinance as set forth above.

5. The Ordinance has been signed by the Mayor, sealed with the corporate seal of the City, attested by me as Secretary, and duly recorded in the books of the City; and that the same remains of record in the book of records of the City.

6. There are no bylaws, rules or regulations of the Council which might prohibit the adoption of the Ordinance.

7. Notices of the meetings of December 22, 2014 and January 12, 2015, in the forms attached hereto as Exhibit A, were duly given to the Council members and were posted in a designated public place within the boundaries of the City no less than twenty-four hours prior to the meeting as required by law.

8. The ordinance was published by title after first reading and published in full after adoption on second reading in the Westminster Window, a newspaper of general circulation within the City on [\_\_\_\_\_]. The affidavits of publication are attached hereto as Exhibit B.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 12th day of January, 2015.

---

City Clerk

(SEAL)





## Agenda Item 9 A

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** 2015 Appointments to the Rocky Flats Stewardship Council

**Prepared By:** Mary Fabisiak, Water Quality Administrator  
Mike Happe, Utilities Planning and Engineering Manager

### Recommended City Council Action

Reappoint City Councillor Bob Briggs as the City's representative to the Rocky Flats Stewardship Council, Mary Fabisiak as alternate representative, and Cathy Shugarts as second alternate representative.

### Summary Statement

- The Intergovernmental Agreement establishing the Rocky Flats Stewardship Council was entered into on February 13, 2006 and renewed in 2009, 2012, and is recommended for renewal on tonight's agenda.
- The Rocky Flats Stewardship Council is the local stakeholder group that provides oversight for the activities related to legacy management of the Rocky Flats Site.
- The Intergovernmental Agreement requires that each participating local government appoint or reappoint a representative and up to two alternate representatives annually.
- Council previously appointed City Councillor Bob Briggs as the City's representative to the Rocky Flats Stewardship Council Board of Directors. Mary Fabisiak, Water Quality Administrator, and Cathy Shugarts, Water Quality Specialist were appointed as alternates.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Should the City continue to participate in and support the Rocky Flats Stewardship Council (RFSC) by authorizing reappointments to the Board of Directors for the year 2015?

**Alternative**

The City of Westminster could determine that it is not in the best interest of the City to appoint representatives to the RFSC. This alternative is not recommended as the City would lose an opportunity to continue to work with the other local governments in order to provide a unified message to the Department of Energy (DOE), State and Federal Governments and elected delegations on issues related to the long-term stewardship of the Rocky Flats Site.

**Background Information**

The RFSC is made up of elected officials and staff representing ten local governments, three community organizations and one individual. The ten local governments include the cities of Westminster, Arvada, Boulder, Golden, Northglenn, Thornton, along with Boulder County, Jefferson County, the City and County of Broomfield, and the Town of Superior. The League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders and an individual complete the membership.

The RFSC was formed in February 2006 to meet the mandates of Congressional legislation that requires that all former DOE facilities once closed must have a Local Stakeholders Organization to provide environmental oversight, communication and advocacy between the DOE and nearby communities on any issues involving the retained DOE lands. It provides oversight of the ongoing ground and surface water monitoring programs, maintenance activities and serves as an advocate for the surrounding communities with state and federal agencies.

The RFSC is comprised of fourteen Board members. Each member organization appoints one Board member and two alternates. The RFSC Board meets quarterly to receive updates from the DOE on recent Rocky Flats Site activities and any issues of concern. Briefings may also include issues related to the Rocky Flats National Wildlife Refuge and former Rocky Flats workers. The RFSC Board advocates for preserving the Rocky Flats history and legacy for future generations through public education.

This action helps achieve the City Council's Strategic Plan Goals of Proactive Regional Collaboration and Beautiful, Desirable, Environmentally Responsible City by overseeing the City's interests and ensuring long-term stewardship of the Rocky Flats Site and management of the Rocky Flats National Wildlife Refuge.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 10 A-C

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Public Hearing and Action on the Sixth Amended Preliminary Development Plan and Councillor's Bill No. 1 Amending the Comprehensive Plan for Lots 4, 7, and 10 in the Northwest Business Park.

**Prepared By:** Walter Patrick, Planner

### Recommended City Council Action

1. Hold a public hearing.
2. Pass Councillor's Bill No. 1 on first reading approving a Comprehensive Plan Amendment changing the designation of Lots 4, 7, and 10 of the Northwest Business Park from Office/RD High Intensity to Mixed-Use. This recommendation is based on a finding that:
  - The proposed amendment will be in the public good; and that
  - The proposed amendment is in compliance with the overall purpose and intent of the Comprehensive Plan.
3. Approve the Sixth Amended Preliminary Development Plan allowing multi-family residential use on Lots 4, 7, and 10 of the Northwest Business Park. This recommendation is based on a finding that the criteria set forth in Sections 11-5-9(A)(2)(b) and 11-5-14 of the Westminster Municipal Code have been met.

### Summary Statement

- The Westminster Municipal Code Section 11-5-9(A)(2)(b) allows the City to initiate a Preliminary Development Plan amendment and this proposed Preliminary Development Plan amendment is in conformance with those requirements.
- The Westminster Municipal Code Section 11-4-16(D)(1) allows the City to initiate an amendment to the Comprehensive Plan.
- The proposed Preliminary Development Plan Amendment and Comprehensive Plan Amendment are City initiated actions with the larger purpose of facilitating appropriate development for the Church Ranch focus area as identified in the Comprehensive Plan.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

## **Planning Commission**

On December 23, 2014, the Planning Commission voted unanimously (6-0) to recommend approval of the Comprehensive Plan amendment and the Preliminary Development Plan Amendment for lots 4, 7, and 10 of the Northwest Business Park.

## **Policy Issues**

1. Should the City approve an amendment to the Comprehensive Plan (CP) for Lots 4, 7, and 10 of the Northwest Business Park changing the designation from Office/RD High to Mixed-Use?
2. Should the City initiate a Preliminary Development Plan (PDP) amendment for Lots 4, 7, and 10 of the Northwest Business Park allowing residential use based on the criteria set forth in the Westminster Municipal Code (WMC) Section 11-5-9(A)(2)(b)?

## **Alternatives**

1. Deny the City's initiative to amend the Sixth Amended PDP for Northwest Business Park based on the criteria set forth in the Westminster Municipal Code (WMC), Section 11-5-9(A)(2)(b) and deny the request for a Comprehensive Plan Amendment to a designation of Mixed-Use. This alternative is not recommended because the City's initiative will not negatively impact adjacent property owners in the Northwest Business Park.
2. Assign a different Comprehensive Plan designation which allows a mix of uses such as Traditional Mixed Use Neighborhood Development (TMUND) or Mixed-Use Center. This alternative is not recommended as TMUND allows less dense residential development including single family detached dwellings, which would not be desirable in this location. Mixed-Use Center is also not recommended in this location as the higher development intensity of this designation is not appropriate for this transitional area.

## **Background Information**

### Nature of Request

This property is part of the larger Church Ranch focus area that also includes the Axis multi-family development and the Westminster Promenade to the south. This PDP Amendment and Comprehensive Plan Amendment will allow an additional land use option of multi-family residential, as part of a vertical mix of uses, to Lots 4, 7, and 10 of the Northwest Business Park PDP. This will allow a cohesive transition from high density residential development to the south and the high intensity office uses to the north while facilitating a framework for a mixed-use development that includes a combination of residential, commercial and office uses in an urban setting. The addition of potential residential uses in a mixed-use environment is also compatible with future rail transit opportunities to the south. For consistency in the Comprehensive Plan map, the proposed Comprehensive Plan designation of Mixed-Use will also include the adjacent access easement (Tract D2) and the private park area (Tract E1).

### Location

The property is located in the southwest portion of the Northwest Business Park at the southwest corner of 112<sup>th</sup> Avenue and Westminster Boulevard.

### Public Notification

Westminster Municipal Code 11-5-13 requires the following three public notification procedures:

- **Published Notice:** Notice of public hearings scheduled before Planning Commission shall be published and posted at least 10 days prior to such hearing and at least four days prior to City Council public hearings. Notice was published in the Westminster Window on December 11, 2014.

- **Property Posting:** Notice of public hearings shall be posted on the property with one sign in a location reasonably visible to vehicular and pedestrian traffic passing adjacent to the site. One sign was posted on the property on December 31, 2014.
- **Written Notice:** At least 4 days prior to the date of the public hearing, the applicant shall mail individual notices to property owners and homeowner’s associations registered with the City within 300 feet of the subject property. The required notices were mailed on December 11, 2014.

Applicant

CITY OF WESTMINSTER  
4800 West 92<sup>nd</sup> Avenue  
Westminster, CO 80031

Property Owners

CIRCLEPOINT PROPERTIES, LLC  
1101 30<sup>th</sup> Street, 150  
Washington, DC 20007

CATTELUS MIXED LAND, LLC  
66 Franklin Street, 200  
Oakland, CA 94607

Surrounding Land Use and Comprehensive Land Use Plan Designation

<b>Development Name</b>	<b>Zoning</b>	<b>Comprehensive Plan Designation</b>	<b>Use</b>
Northwest Business Park; North	PUD	Office/RD High Intensity	Vacant
US36; West	N/A	N/A	N/A
Northwest Business Park; East	PUD	Office/RD High Intensity	Office
AXIS Development, South	PUD	R-36	Vacant

Project Information

The following information provides an explanation of compliance with the City’s land development regulations and the criteria contained in Sections 11-5-9(A)(2)(b) and 11-5-14 of the Westminster Municipal Code (attached).

1. The Planned Unit Development (PUD) zoning and the proposed land uses therein are in conformance with the City's Comprehensive Plan and all City Codes, ordinances, and policies. *The proposed PDP amendment would be in conformance with City Codes, ordinances, and policies. The proposal is also in conformance with the City’s Comprehensive Plan by promoting a mix of uses within the Church Ranch focus area which promotes a mix of uses in an urban setting.*
2. The PUD exhibits the application of sound, creative, innovative, and efficient planning principles. *The PUD exhibits the application of sound, creative, innovative, and efficient planning principles by promoting a mix of uses and providing a logical transition between the high density residential to the south and high intensity office uses to the north and east.*

Any exceptions from standard Code requirements or limitations are warranted by virtue of design or special amenities incorporated in the development proposal and are clearly identified on the

Preliminary Development Plan. *No exceptions from the standard Code requirements are proposed with this PDP amendment.*

3. The PUD is compatible and harmonious with existing public and private development in the surrounding area. *Staff believes that proposed change has no effect on the compatibility or harmony with existing public and private development in the surrounding area. A very wide landscaped area with a tall berm buffers the site from residential uses on the east side of Westminster Boulevard. The addition of residential uses on a portion of the property is consistent with the goals specified for the Church Ranch focus area in the Comprehensive Plan.*
4. The PUD provides for the protection of the development from potentially adverse surrounding influences and for the protection of the surrounding areas from potentially adverse influence from within the development. *The provisions within the existing PUD that provide for the protection of the development from potentially adverse surrounding influences and for the protection of the surrounding areas from potentially adverse influence from within the development (landscape, buffering, and fencing) are not proposed to be modified. The surrounding area already been approved for high intensity or high density uses.*
5. The PUD has no significant adverse impacts upon existing or future land uses nor upon the future development of the immediate area. *The proposed changes are intended to enhance opportunities for future development with the opportunity for multi-family development as part of a vertical mix of uses.*
6. Streets, driveways, access points, and turning movements are designed in a manner that promotes safe, convenient, and free traffic flow on streets without interruptions and in a manner that creates minimum hazards for vehicles and pedestrian traffic. *Streets and access points are not proposed to be changed with this amendment. Any future development will be reviewed for adequate and safe flow of traffic and pedestrians.*
7. The City may require rights-of-way adjacent to existing or proposed arterial or collector streets, any easements for public utilities and any other public lands to be dedicated to the City as a condition to approving the PDP. Nothing herein shall preclude further public land dedications as a condition to Official Development Plan (ODP) or plat approvals by the City. *The City will review these issues as part of any future development proposals that are not specifically known at this time.*
8. Existing and proposed utility systems and storm drainage facilities are adequate to serve the development and are in conformance with overall master plans. *Existing facilities are adequate to serve existing development and new development is not proposed with this proposal.*
9. Performance standards are included that insure reasonable expectations of future Official Development Plans (ODP) being able to meet the Standards for Approval of an Official Development Plan contained in Section 11-5-15. *The maximum density for residential development would be 36 dwelling units per acre. This is in conformance with the proposed Comprehensive Plan designation of Mixed-Use. No changes are proposed to previously established development standards development.*
10. The applicant is not in default or does not have any outstanding obligations to the City. *The applicant is the City; however, the property owner has yet to complete 112<sup>th</sup> Avenue west of Westminster Boulevard as required in the PDP. The city is actively pursuing the construction of this portion of 112<sup>th</sup> Avenue.*

Traffic and Transportation

No changes to traffic and transportation within the Northwest Business Park are proposed with this PDP amendment. Any future development will be reviewed for traffic and transportation conditions.

Site Design

No changes to the site design within the Northwest Business Park PDP are proposed with this PDP amendment. Future development will be required to meet City design requirements.

Architectural Design

No changes are proposed to architectural design requirements within the Northwest Business Park. Future development will be required to meet City design requirements.

Landscape Design

No changes to the existing landscape design within the Northpoint Center PDP are proposed with this PDP amendment. Future development must comply with the City's landscape requirements.

Public Land Dedication

No public land dedication is required for this PDP amendment. However, public land dedication will be required if residential development is proposed.

Park Development Fee

No park development fee is required for this PDP amendment. However, a park development fee will be required if residential development is proposed.

School Land Dedication

No school land dedication or fee is required for this PDP amendment. However, school land dedication will be required if residential development is proposed.

Signage

No changes to the signage standards are required for this PDP amendment.

Service Commitment Category

No changes to the service commitments are required for this PDP amendment.

Strategic Plan

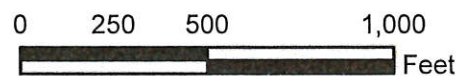
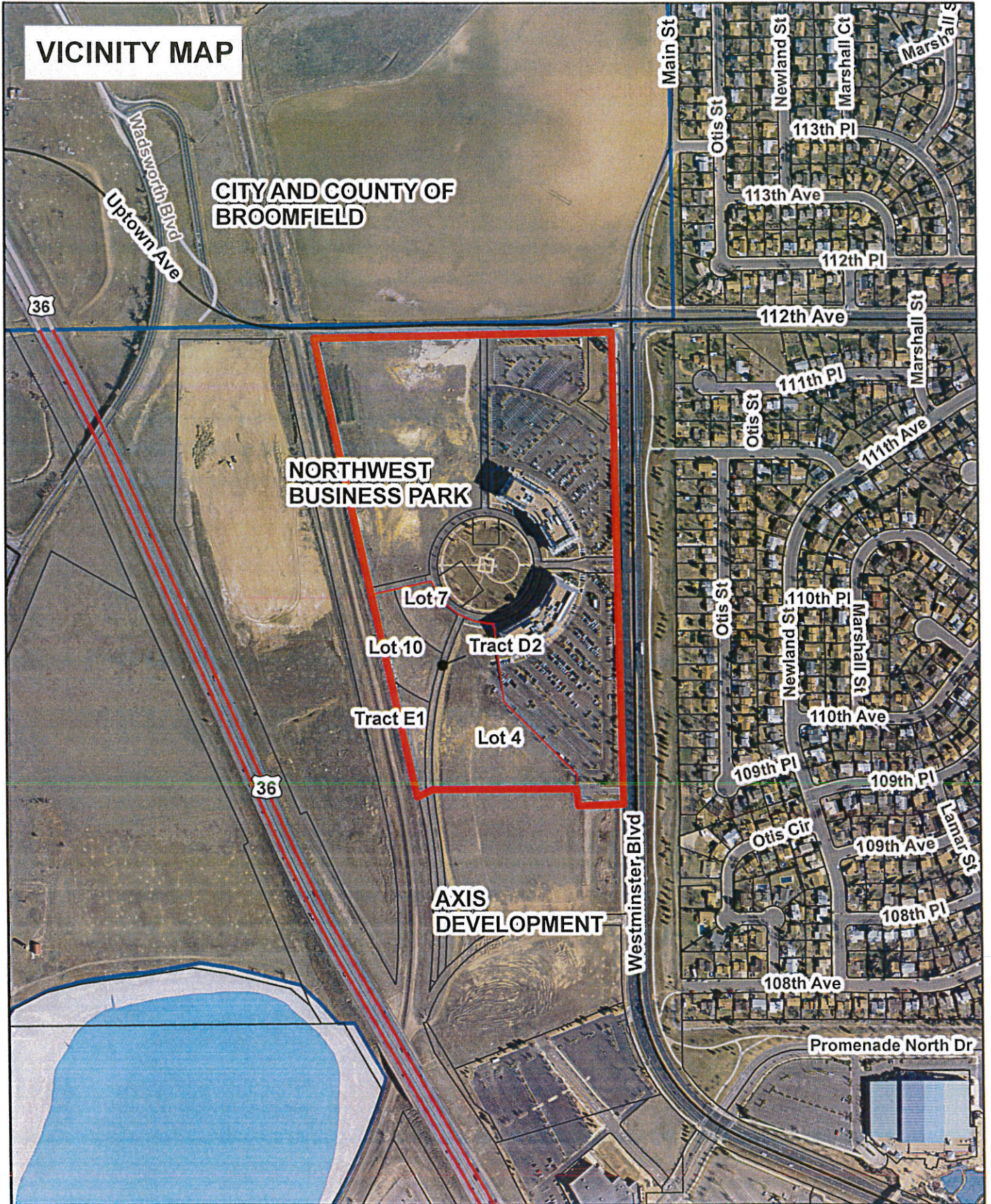
The proposed PDP amendment meets the City Council's Strategic Plan Goals of *Dynamic Diverse Economy*. By initiating the PDP amendment, the City is demonstrating our intent to follow the goals of the Comprehensive Plan and to promote mixed use development in appropriate locations.

Respectfully submitted,

J. Brent McFall  
City Manager

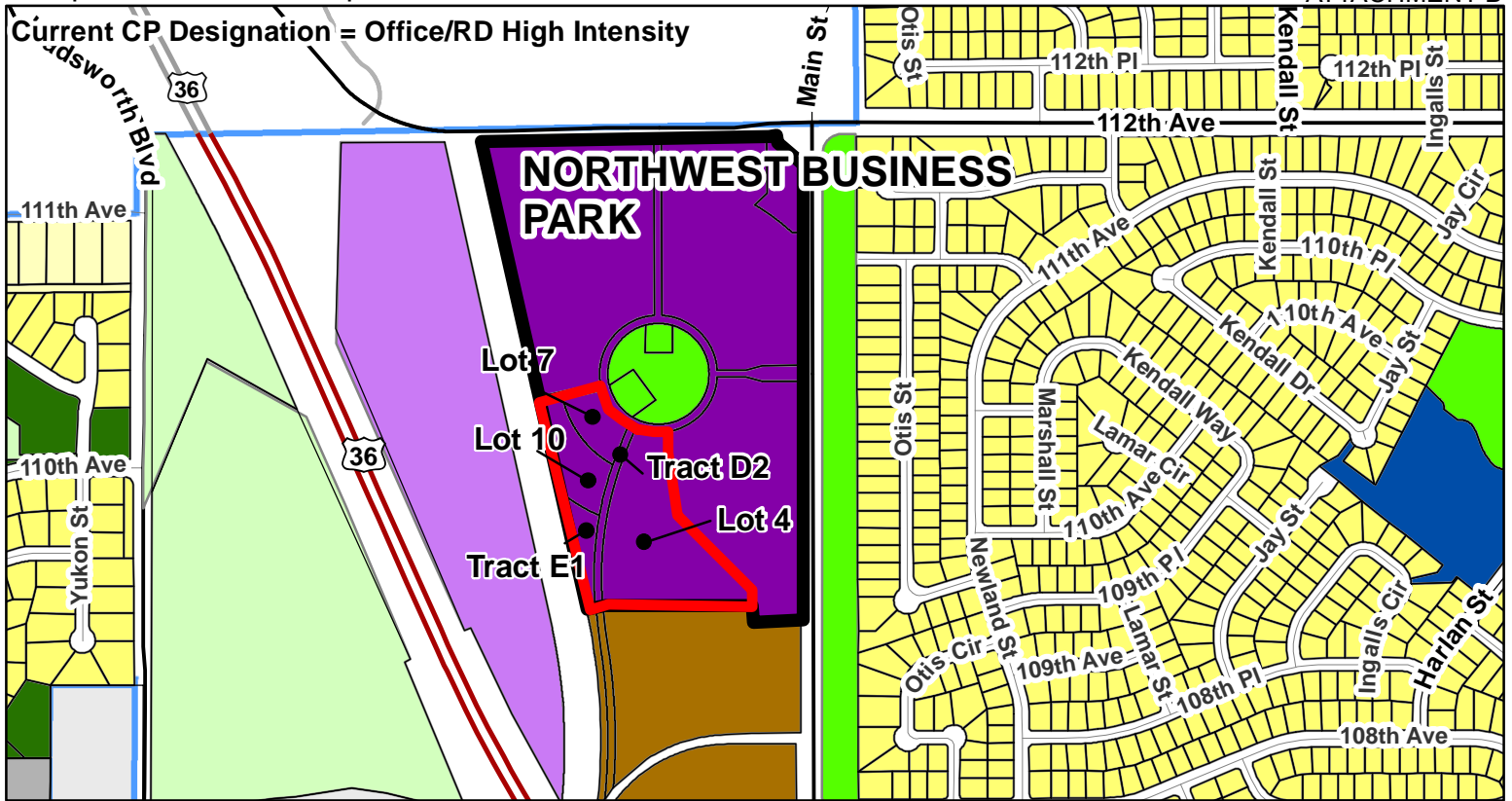
Attachments

- Attachment A, Vicinity Map
- Attachment B, Comprehensive Plan Map
- Comprehensive Plan Ordinance
- 6<sup>th</sup> Amended Preliminary Development Plan for the Northwest Business Park



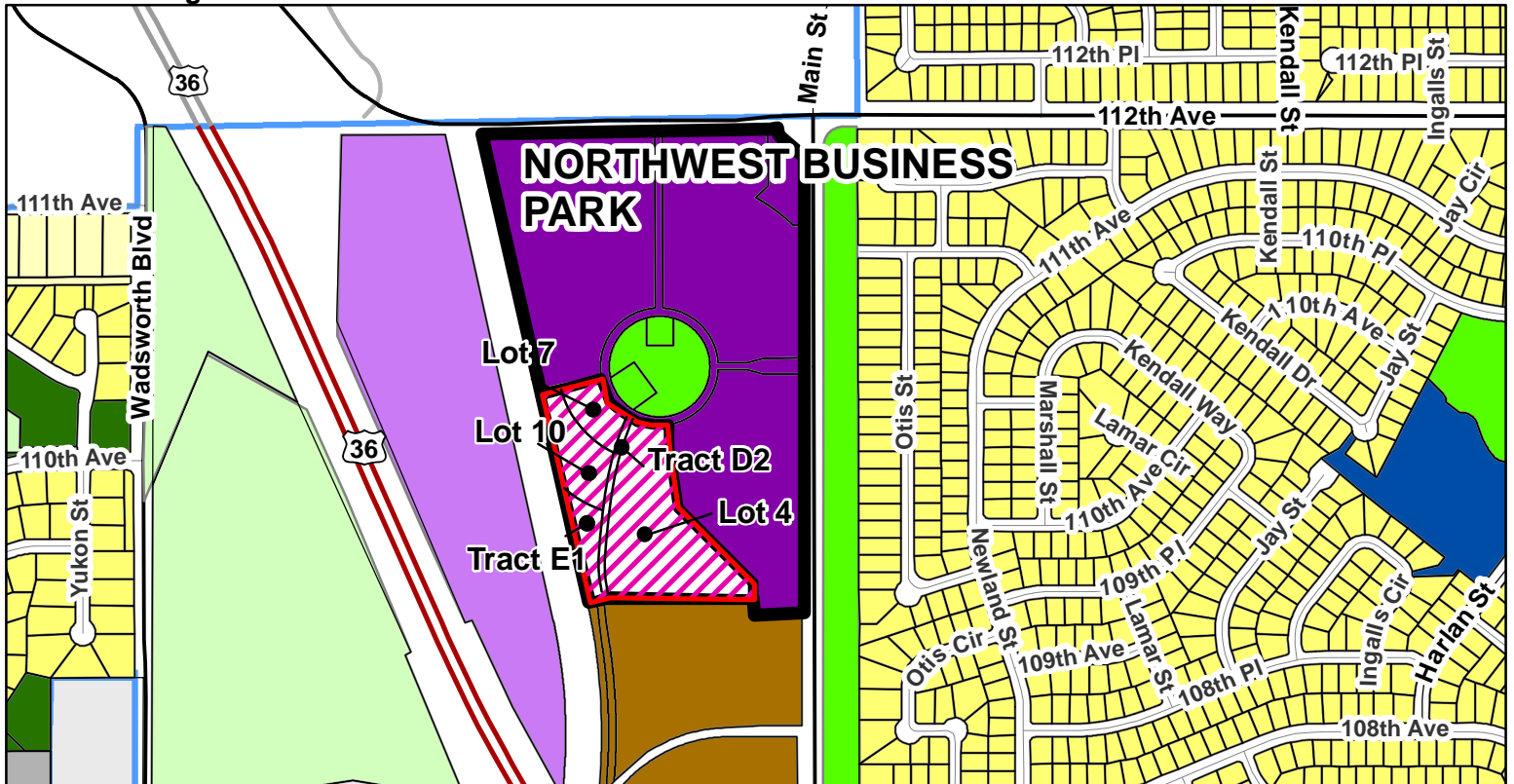


Current CP Designation = Office/RD High Intensity



	R-1		R-36		Office		Private Park / Private Open Space
	R-2.5		TMUND		Office/RD Low		Golf Courses
	R-3.5		Mixed Use		Office/RD High		Public/Quasi Public
	R-5		Mixed Use Center		Flex/Light Industrial		Major Creek Corridor
	R-8		Retail Commercial		City Open Space		RxR ROW
	R-18		Service Commercial		Public Parks		

New CP Designation = Mixed-Use



BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **1**

SERIES OF 2015

INTRODUCED BY COUNCILLORS

---

**A BILL  
FOR AN ORDINANCE AMENDING THE WESTMINSTER  
COMPREHENSIVE PLAN**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council finds that:

a. The City of Westminster has initiated an amendment to the Westminster Comprehensive Plan, pursuant to W.M.C. § 11-4-16(D), incorporated herein by reference, requesting a change in the land use designations from Office/R&D High Intensity to Mixed-Use for Lot 4, Lot 7, Lot 10, Tract D2, and Tract E1 of the Northwest Business Park located at the southeast corner of Westminster Boulevard and 112<sup>th</sup> Avenue.

b. Such application has been referred to the Planning Commission, which body held a public hearing thereon on December 23, 2014, after notice complying with W.M.C. § 11-4-16(B) and has recommended approval of the requested amendment.

c. Notice of the public hearing before Council has been provided in compliance with W.M.C. § 11-4-16(B) and the City Clerk has certified that the required notices to property owners were sent pursuant to W.M.C. § 11-4-16(D).

d. Council, having considered the recommendations of the Planning Commission, has completed a public hearing and has accepted and considered oral and written testimony on the requested amendments.

e. The City of Westminster has met its burden of proving that the requested amendment will further the public good and will be in compliance with the overall purpose and intent of the Comprehensive Plan, as it relates to focus areas, particularly Goal F-G-9 for the provision to "Create an active, mixed-use district that supports high-intensity employment along US 36."

Section 2. The City Council approves the requested amendment and authorizes City staff to make the necessary changes to the map and text of the Westminster Comprehensive Plan to change the designation of the property more particularly described as follows Lot 4, Lot 7, Lot 10, Tract D2, and Tract E1 of the Northwest Business Park, from Office/RD High Intensity to Mixed-Use, as depicted on the map attached as Exhibit A, hereto and incorporated herein.

Section 3. Severability: If any section, paragraph, clause, word or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 4. This ordinance shall take effect upon its passage after second reading.

Section 5. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12<sup>th</sup> day of January, 2015.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26<sup>th</sup> day of January, 2015.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

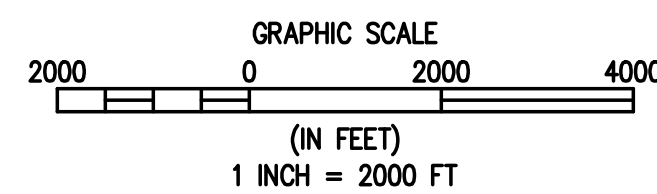
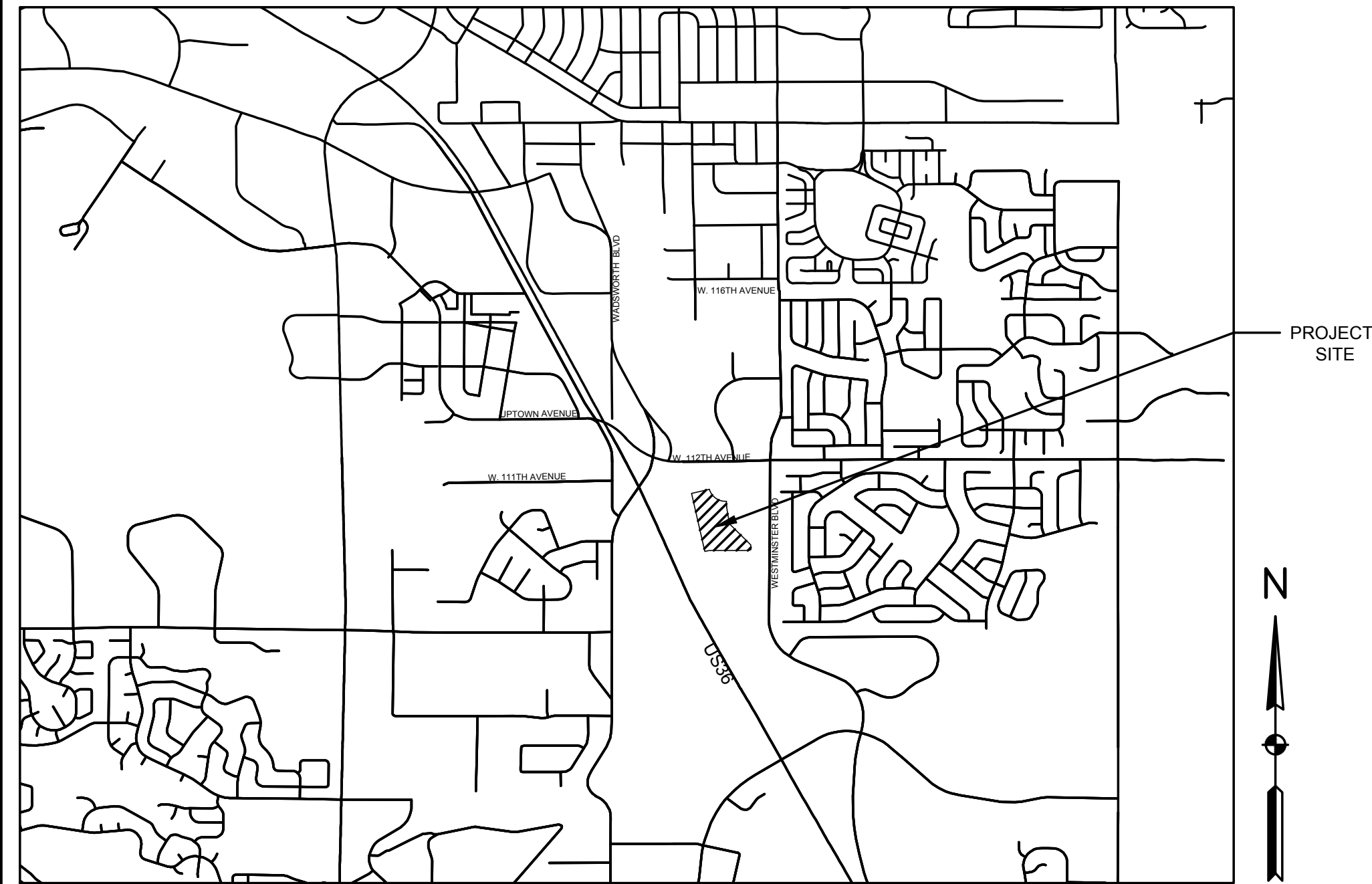
APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney's Office

# SIXTH AMENDED PRELIMINARY DEVELOPMENT PLAN NORTHWEST BUSINESS PARK

A PLANNED UNIT DEVELOPMENT IN THE  
CITY OF WESTMINSTER, COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 1 OF 2



**LEGAL DESCRIPTION**

LOT 4, THIRD REPLAT NORTHWEST BUSINESS PARK SUBDIVISION FILING NO. 1 (REC. NO. 2006132279)  
LOT 7 AND LOT 10, SECOND REPLAT NORTHWEST BUSINESS PARK SUBDIVISION FILING NO. 1 (REC. NO. F1982226)  
TRACT D2 AND TRACT E1, FOURTH REPLAT NORTHWEST BUSINESS PARK SUBDIVISION FILING NO. 1 (REC. NO. 2008000941)  
SAID PARCEL CONTAINS 7.789 ACRES.

**PROJECT INTENT**

THIS AMENDMENT UPDATES THE FIFTH AMENDED PDP TO DEFINE AND PERMIT MULTI-FAMILY RESIDENTIAL LAND USES FOR SPECIFIC AREAS OF THE NORTHWEST BUSINESS PARK PROPERTY. MULTI-FAMILY USES WILL BE PERMITTED ONLY ON LOT 4, LOT 7 AND LOT 10. ALL LAND USES AND PROVISIONS AS DEFINED IN THE PREVIOUS FIFTH AMENDMENT WILL CONTINUE TO BE PERMITTED.

**FULL FORCE AND EFFECT:**

ALL PROVISIONS OF THE FIFTH AMENDED NORTHWEST BUSINESS PARK PDP, RECORDED AT RECEPTION NO. 2014071910, SHALL REMAIN IN FULL FORCE AND EFFECT, EXCEPT AS OTHERWISE NOTED HEREIN.

**AREA INFORMATION**

FIRE STATION: FIRE STATION#4 4580 W. 112TH STREET  
ELEMENTARY SCHOOL: SEMPER ELEMENTARY SCHOOL 7575 W. 96TH AVENUE  
JR. HIGH SCHOOL: MANDALAY MIDDLE SCHOOL 9651 PIERCE STREET  
HIGH SCHOOL: STANDLEY LAKE HIGH SCHOOL 9300 WEST 104TH AVENUE

**PLAN DURATION:**

IN THE EVENT THE DATE OF APPROVAL OF A PROPERTY'S PDP AMENDMENT IS MORE THAN FIVE (5) YEARS OLD AND AN ODP HAS NOT BEEN APPROVED, THE PDP OR AMENDED PDP SHALL BE REQUIRED TO BE SUBMITTED FOR REVIEW AND RECONSIDERATION IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 11-5-13 OF THE WESTMINSTER MUNICIPAL CODE, AND ALL APPLICABLE STANDARDS PURSUANT TO CHAPTER 5 OF TITLE XI, M.C.

**CIRCULATION**

NORTHWEST BUSINESS PARK IS DIRECTLY ACCESSED OFF OF WESTMINSTER BOULEVARD VIA CIRCLE POINT ROAD. AN ADDITIONAL ACCESS POINT WILL BE PROVIDED FROM W. 112TH AVENUE AND REED WAY/QUAY STREET WHEN THIS INTERSECTION IS DEVELOPED IN THE FUTURE. ALSO, A RIGHT-IN/RIGHT-OUT ACCESS POINT IS LOCATED AT THE INTERSECTION OF 108TH AVENUE AND WESTMINSTER BLVD.

STREET WIDTHS ARE AS FOLLOWS:  
INTERNAL CIRCULATION TWO-WAY STREET (PARKING BOTH SIDE) 27 FEET

**SPECIAL CONDITIONS AND RESTRICTIONS**

A) APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN CONSTITUTES A CONCEPT APPROVAL OF THE PLAN SUBJECT TO THE ABILITY OF THE CITY OF WESTMINSTER OR THE LAND OWNER TO PROVIDE NECESSARY SERVICES. DUE TO SERIOUS SHORT-RANGE AND LONG-RANGE LIMITATIONS ON THE RAW WATER SUPPLY, WATER TREATMENT CAPACITY AND SEWAGE TREATMENT CAPACITY OF THE CITY, DEVELOPMENT OF LAND IN ACCORDANCE WITH THIS PLAN MAY NOT BE POSSIBLE. APPROVAL OF THIS PLAN IMPLIES NO COMMITMENT OF THE CITY OF WESTMINSTER TO PROVIDE SERVICES. THE CITY OF WESTMINSTER ADVISES AGAINST DEVELOPMENT OF LAND IN ACCORDANCE WITH THIS PLAN WITHOUT A THOROUGH INVESTIGATION BY THE DEVELOPER OF THE AVAILABILITY OF WATER AND SEWER SERVICE AT THE TIME OF SUCH DEVELOPMENT."

B) STANDARD STATEMENT FOR ALL NON-RESIDENTIAL USES:

"LAND USE PERFORMANCE STANDARD: THE LAND USES LISTED AS PERMITTED ON THE PRELIMINARY DEVELOPMENT PLAN (PDP) SHALL BE SUBJECT TO FINAL REVIEW AND APPROVAL AT THE TIME OF OFFICIAL DEVELOPMENT PLAN (ODP) APPROVAL, WITH SAID REVIEW TO INCLUDE THE LOCATION AND NUMBER OF SUCH ESTABLISHMENTS AND THE ACCEPTABILITY OF THE SITE PLAN WITH ACCEPTABLE HEIGHTS, BULK, SETBACKS, AND OPEN SPACE STANDARDS; PLUS THE ARCHITECTURAL DESIGN, THE LANDSCAPING PLAN, AND OTHER TERMS AND CONDITIONS AS ARE STANDARD IN THE REVIEW OF OFFICIAL DEVELOPMENT PLANS."

C) STANDARD STATEMENT FOR ALL RESIDENTIAL USES:

"LAND USE PERFORMANCE STANDARD: THE DENSITIES LISTED AS PERMITTED ON THE PRELIMINARY DEVELOPMENT PLAN (PDP) SHALL BE CONSIDERED AS A MAXIMUM AND SHALL BE SUBJECT TO FINAL REVIEW AND APPROVAL AT THE TIME OF OFFICIAL DEVELOPMENT PLAN (ODP) APPROVAL, WITH SAID REVIEW TO INCLUDE THE ACCEPTABILITY OF THE SITE PLAN WITH ACCEPTABLE HEIGHTS, BULK, SETBACKS, AND OPEN SPACE STANDARDS; PLUS THE ARCHITECTURAL DESIGN, THE LANDSCAPING PLAN, AND OTHER TERMS AND CONDITIONS AS ARE STANDARD IN THE REVIEW OF OFFICIAL DEVELOPMENT PLANS."

D) STANDARD STATEMENT FOR ALL RESIDENTIAL USES:

"SERVICE COMMITMENTS IN CATEGORY A ARE AVAILABLE ON A FIRST COME, FIRST SERVED BASIS. ONCE THE ALLOCATION FOR ANY GIVEN YEAR IS EXHAUSTED, NO OTHER SERVICE COMMITMENTS OR BUILDING PERMITS WILL BE AVAILABLE. IN ANY GIVEN YEAR THERE MAY BE FEWER SERVICE COMMITMENTS IN CATEGORY A THAN NECESSARY TO MEET THE MARKET DEMANDS FOR RESIDENTIAL PROJECTS."

E) IN THE EVENT THE DATE OF APPROVAL OF A PROPERTY'S PDP AMENDMENT IS MORE THAN FIVE (5) YEARS OLD AND AN ODP HAS NOT BEEN APPROVED, THE PDP OR AMENDED PDP SHALL BE REQUIRED TO BE SUBMITTED FOR REVIEW AND RECONSIDERATION IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 11-5-13 OF THE WESTMINSTER MUNICIPAL CODE, AND ALL APPLICABLE STANDARDS PURSUANT TO CHAPTER 5 OF TITLE XI, W.M.C.

F) STORM WATER DETENTION REQUIREMENTS FOR THIS PROJECT AND THE AXIS AT WESTMINSTER PROJECT WILL BE MET BY THE EXPANSION OF THE EXISTING WATER QUALITY POND LOCATED NEAR BIG DRY CREEK (EAST OF THE WESTMINSTER PROMENADE). THE DEVELOPER SHALL BE RESPONSIBLE FOR THE COST OF THIS EXPANSION AND THE NECESSARY DRAINAGE IMPROVEMENTS TO CONVEY THE STORM WATER FROM THE SITE TO THE WATER QUALITY POND. DETAILED REQUIREMENTS FOR THIS EXPANSION WILL BE CLARIFIED AT ODP.

G) PUBLIC LAND AND SCHOOL LAND DEDICATION WILL BE PROVIDED FOR VIA THE CASH IN LIEU OPTION TO BE DETERMINED AT ODP

**ADJACENT ZONING / LAND USE**

PROPERTY	ZONING	COMPREHENSIVE PLAN DESIGNATION
PROPERTY	P.U.D.	MIXED USE
EAST:	P.U.D.	OFFICE / RD HIGH
SOUTH:	P.U.D.	R-36
WEST:	P.U.D.	OFFICE / RD LOW
NORTH:	P.U.D.	PUBLIC PARKS & OFFICE / RD HIGH

**RECOVERY COSTS**

KNOWN RECOVERY COST:  
WESTMINSTER BOULEVARD \$175.01 / LIN. FT. PLUS INTEREST

STANDARD STATEMENT FOR RECOVERY COSTS:

ANY SUBSEQUENTLY OCCURRING RECOVERY COSTS SHALL ALSO BE EFFECTIVE AGAINST THE DEVELOPMENT. A RECOVERY COST IS STILL VALID AGAINST A DEVELOPMENT EVEN IF IT IS UNDISCOVERED AND/OR INADVERTENTLY OMITTED FROM THE PRELIMINARY DEVELOPMENT PLAN.

**CITY APPROVAL**

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

MAYOR \_\_\_\_\_

ATTEST: CITY CLERK (SEAL)

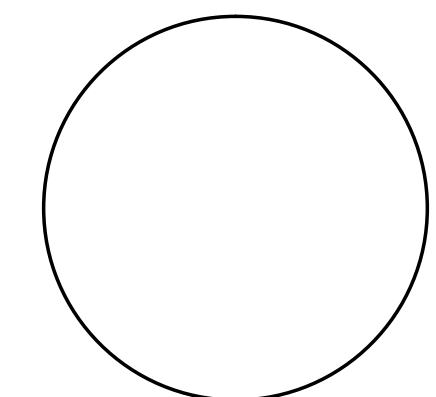
**CLERK AND RECORDER CERTIFICATE**

RECEPTION NO. \_\_\_\_\_

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF JEFFERSON COUNTY AT GOLDEN, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

JEFFERSON COUNTY CLERK AND RECORDER

BY: DEPUTY CLERK (SEAL)



**PROPERTY OWNER**  
CATELLUS MIXED LAND LLC  
66 FRANKLIN STREET, SUITE 200  
OAKLAND, CA 94607

**PLANNER**  
BASELINE CORPORATION  
1950 FORD STREET  
GOLDEN, CO 80401  
PHONE: 303.202.5010  
CONTACT: VINCENT HARRIS, AICP

**LAND USE TABLE**

LOT	SITE AREA	MAXIMUM BUILDING COVERAGE	MINIMUM LANDSCAPE COVERAGE	PROPOSED USES	MAXIMUM BUILDING SIZE	PARKING RATIO	MAXIMUM BUILDING HEIGHT
1	7.530 AC.	COMBINED LOTS 1, 4, & 10: 130,000 S.F.	COMBINED LOTS 1, 4, 10 TRACTS D1, D2, & E1: 235,250 S.F.	COMBINED LOTS 1, 4, 10:	360,000 S.F. 70,000 S.F. > COMBINED MAX 30,000 S.F. OF 70,000 S.F. 360,000 S.F.	OFFICE- 1:250 S.F. RETAIL- 1:200 S.F. RESTAURANT- 1:150 S.F.*	4 STORIES/7'3"
4	4.553 AC.			OFFICE RETAIL RESTAURANT TOTAL			
10	1.254 AC.			(RESIDENTIAL MAX. 36 DU/ACRE LOT 4 AND 10 ONLY)			
TRACT D1	1.657 AC.			PRIVATE STREET			
TRACT D2	0.422 AC.	PRIVATE STREET					
TRACT E1	0.680 AC.	PRIVATE PARK					
6/7	1.284 AC.	8,000 S.F./14.2%	18,000 S.F./32.0%	RESTAURANT  (RESIDENTIAL MAX. 36 DU/ACRE LOT 7 ONLY)	8,000 S.F.	1:150 S.F.	1 STORY/25'
2	8.245 AC.	40,000 S.F./11.1%	95,000 S.F./26.5%	OFFICE RETAIL RESTAURANT TOTAL	170,000 S.F. 30,000 S.F. > COMBINED MAX 10,000 S.F. OF 30,000 S.F. 170,000 S.F.	OFFICE- 1:250 S.F. RETAIL- 1:200 S.F. RESTAURANT- 1:150 S.F.*	6 STORIES/10'1"
3	10.387 AC.	40,000 S.F./8.8%	115,000 S.F./25.4%	OFFICE RETAIL RESTAURANT TOTAL	220,000 S.F. 30,000 S.F. > COMBINED MAX 10,000 S.F. OF 30,000 S.F. 220,000 S.F.	OFFICE- 1:250 S.F. RETAIL- 1:200 S.F. RESTAURANT- 1:150 S.F.*	7 STORIES/11'5"
8	0.224 AC.	2,000 S.F. 6.0 - 20.0%**	5,000 S.F./52.2%	RESTAURANT KIOSK	2,000 S.F.	NONE	1 STORY/25'
9	21.828 AC.	200,000 S.F./21.0%	300,000 S.F./31.5%	OFFICE RETAIL RESTAURANT TOTAL	500,000 S.F. 30,000 S.F. > COMBINED MAX 20,000 S.F. OF 30,000 S.F. 500,000 S.F.	OFFICE- 1:250 S.F. RETAIL- 1:200 S.F. RESTAURANT- 1:150 S.F.*	8 STORIES/14'3"
TRACT A	1.960 AC.	NONE	60,000 S.F./70.3%	PRIVATE PARK			
TRACT C	0.924 AC.	NONE	37,000 S.F./92.3%	DETENTION			
TOTAL	60.948 AC.	419,200 - 422,000 S.F. 13.8-13.9%	925,250 S.F./30.4%	OFFICE RETAIL RESTAURANT TOTAL	1,250,000 S.F. 160,000 S.F. > COMBINED MAX 79,200 - 80,000 S.F. OF 169,200 - 170,000 S.F. TOTAL 1,259,200 - 1,260,000 S.F.		

\* REDUCTION FROM CITY STANDARD BASED ON SHARED PARKING WITH OFFICE USE.  
\*\* BUILDING SIZE SUBJECT TO REVIEW AND APPROVAL BY WESTMINSTER BASED ON PROPOSED USE, DESIGN OF BUILDING, AND INTEGRATION WITH PARK.  
\*\*\* USES ARE TO BE DEVELOPED AND PARK-ORIENTED IN NATURE (I.E. COFFEE SHOP, SANDWICH SHOP, NEWS STAND, ETC.)  
BICYCLE PARKING TO BE PROVIDED AT RATIO OF 1:20 CARS.



DESIGNED BY	DATE
VH	12/10/2014
DRAWN BY	PREPARED BY
ZS	ZS
ORDERED BY	REVISION DESCRIPTION
E.W.	REVISED PER CITY OF WESTMINSTER COMMENTS

CITY OF WESTMINSTER  
JEFFERSON COUNTY  
SIXTH AMENDED PRELIMINARY DEVELOPMENT PLAN  
NORTHWEST BUSINESS PARK  
PDP COVER AND NOTES

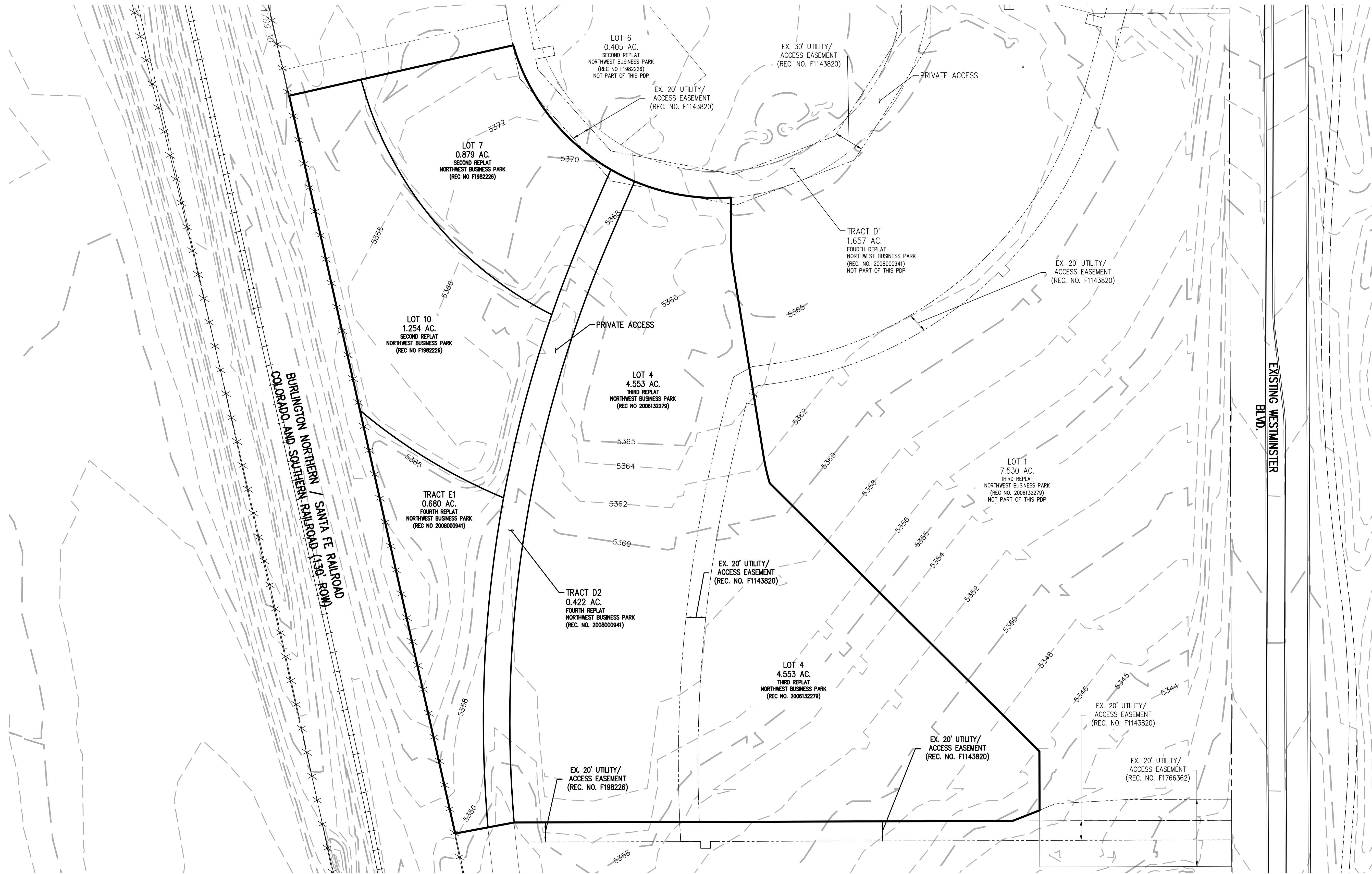
PREPARED UNDER THE DIRECT SUPERVISION OF

FOR AND ON BEHALF OF	DATE
BASELINE CORPORATION	11/25/14
INITIAL SUBMITTAL	11/25/14
DRAWING SIZE	24" x 36"
SURVEY FIRM	N/A
SURVEY DATE	N/A
JOB NO.	PL233A
DRAWING NAME	6TH AMENDED DEVELOPMENT PLAN
SHEET	1 OF 2

**SHEET INDEX**

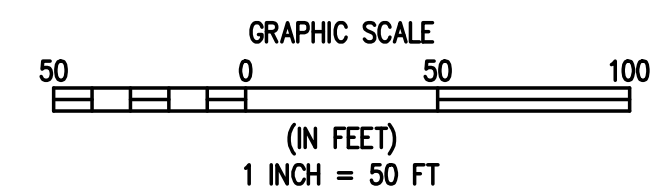
P1 - PDP COVER AND NOTES  
P2 - PDP EXHIBIT

**SIXTH AMENDED PRELIMINARY DEVELOPMENT PLAN  
NORTHWEST BUSINESS PARK**  
A PLANNED UNIT DEVELOPMENT IN THE  
CITY OF WESTMINSTER, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 2 OF 2



**LEGEND**

	PDP BOUNDARY
	MINOR CONTOUR (2')
	MAJOR CONTOUR (5')
	LOT AND TRACT LINE
	WESTMINSTER BLVD RIGHT OF WAY
	EXISTING EASEMENTS
	AXIS PROPERTY LINE



DESIGNED BY	VH
DRAWN BY	ZS
DESIGNED BY	E.W.
DATE	12/10/2014
PREPARED BY	ZS
REVISION DESCRIPTION	REVISED PER CITY OF WESTMINSTER COMMENTS

**CITY OF WESTMINSTER**  
JEFFERSON COUNTY  
**SIXTH AMENDED PRELIMINARY DEVELOPMENT PLAN**  
NORTHWEST BUSINESS PARK  
PDP EXHIBIT

FOR AND ON BEHALF OF  
BASELINE CORPORATION

INITIAL SUBMITTAL	11/25/14
DRAWING SIZE	24" x 36"
SURVEY FIRM	N/A
SURVEY DATE	N/A
JOB NO.	PL233A
DRAWING NAME	6TH AMENDED DEVELOPMENT PLAN
SHEET	2 OF 2

P2

N:\PLANNING LLC\233a Northwest Business Park 6th PDP\CAD\NW Business Park 2014-12-05.dwg, 12/11/2014 4:17:46 PM, Jacob Harris



## Agenda Item 10 D-E

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Councillor's Bill No. 2 re Early Supplemental Appropriation of 2014 Parks, Open Space and Trails (POST) Fund Carryover and Contract Amendment re 2014 Open Space Demolition Project

**Prepared By:** Jacob P. Kasza, Open Space Technician  
Heather Cronenberg, Open Space Coordinator

### Recommended City Council Action

1. Pass Councillor's Bill No. 2 on first reading appropriating \$26,576 of 2014 Parks, Open Space & Trails Fund Carryover to the General Capital Improvement Fund.
2. Contingent upon passage of Councillor's Bill No. 2 on second reading, authorize the City Manager to execute a contract amendment with the contractor, Property Assurance, in the amount of \$40,350 for the 2014 Open Space Demolition Project, Bid Schedule E, and authorize a construction contingency in the amount of \$4,035 for an increase of \$44,385 bringing the total authorized expenditure to \$285,109.

### Summary Statement

- At the December 8, 2014 City Council meeting, the City awarded the contract for the 2014 Open Space Demolition Project with Bid Schedules A, B, C, and Revised D. At the time, funding was not available to add Bid Schedule E to the contract. Funding has come available in 2014 carryover funds to add Bid Schedule E to the project as a contract amendment.
- The Request for Bids for the demolition of the four properties was sent to a select list of 10 demolition and asbestos abatement contractors, and bids were opened on November 20. Three bids were received, and the lowest responsible bidder was Property Assurance with an overall bid of \$259,190. Due to limited funding available, Staff recommended and City Council approved at the December 8 City Council meeting only awarding Bid Schedules A, C, and Revised D, with Schedule B as an add alternate for a reduced construction contract totaling \$218,840 to Property Assurance with a \$21,884 contingency. The proposed contract amendment will increase the base contract to \$259,190 plus an revised contingency of \$25,919 for a total authorized expenditure of \$285,109. Funds are available in the POST Fund due to a year-end 2014 payment of \$200,000 for water utility tap-credits. Staff recommends funds this last component of the demolition project through an early carryover supplemental appropriation. The balance of carryover will be considered in July/August after the full annual audit is completed.

**Expenditure Required:** \$44,385

**Source of Funds:** 2014 POST Carryover Funds

### **Policy Issue**

Should the City Council authorize the ordinance appropriating early this portion of 2014 Parks, Open Space and Trails Fund carryover to the General Capital Improvement Fund as proposed for this construction contract amendment?

Should the City proceed with the contract amendment to include Bid Schedule E as a part of the 2014 Open Space Demolition Project?

### **Alternative**

Council could choose not to approve the appropriation of these funds from the 2014 POST Fund carryover nor the contract amendment including Schedule E in the Project. Staff recommends proceeding with the contract amendment for schedule E since very favorable bids were received. Postponing this demolition could result in higher demolition costs in the future.

### **Background Information**

At the December 8, 2014, City Council meeting, the City awarded a demolition contract to demolish structures at the following four properties:

1. The Bonnie Stewart Property, two houses, at 8370 and 8390 W 108th Avenue; Bid Schedule A
2. The Allison-Semper Property, a garage, at 9215 Pierce Street; Bid Schedule B
3. The Bushnell Property at 12620 Zuni Street; Bid Schedule C
4. The McKay Overlook Property at 14330 Zuni Street;
  - a. South House; Bid Schedule Revised D

The Request for Bids included a fifth Bid Schedule, Schedule E. Due to the prices received during the bid the City did not have the available funding to complete the entire project with a ten percent contingency. Staff recommended that the lowest priority schedule, Schedule E, be removed from the contract. Pending allocation of additional funds Schedule E would be added back into the project as a contract amendment.

The amended contract proposed would add the following property:

5. The McKay Overlook Property at 14330 Zuni Street;
  - a. North House; Schedule E

To accommodate the increased amount of work, staff is proposing to extend the contract time an additional 30 days.

Funds are now available to complete the full demolition of all the properties originally identified in the bid package as a result of the payment of \$200,000 at year-end 2014 for the water utility tap-credits obtained by POST upon acquiring the Westminster Hills Elementary School on 80<sup>th</sup> Avenue. As noted in the November 24, 2014, Staff Report, these tap credits were intended to be sold when the school site was acquired and will be utilized with redevelopment efforts at 73<sup>rd</sup> Avenue and Lowell Boulevard or other affordable housing projects. Staff is recommending a portion of these funds (\$26,576) be appropriated early as carryover from 2014 to allow for this full demolition project to be completed.

In order to pay for the contract amendment, it is necessary to approve the attached Councillor's Bill to authorize the appropriation of 2014 Parks Open Space & Trails Fund Carryover.

These appropriations will amend Parks, Open Space and Trails Fund revenue and expense accounts as follows:

**REVENUES**

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	5400.40020.0000	\$170,000	\$26,576	\$196,576
Total Change to Revenues			<u>\$26,576</u>	

**EXPENSES**

Description	Account Number	Current Budget	Amendment	Revised Budget
Transfers GCIF	54010900.79800.0750	\$500,438	\$26,576	\$527,014
Total Change to Expenses			<u>\$26,576</u>	

These appropriations will amend General Capital Improvement Fund revenue and expense accounts as follows:

**REVENUES**

Description	Account Number	Current Budget	Amendment	Revised Budget
TRF – Open Space	7501.45000.0540	\$500,438	\$26,576	\$527,014
Total Change to Revenues			<u>\$26,576</u>	

**EXPENSES**

Description	Account Number	Current Budget	Amendment	Revised Budget
Open Space Demolition Project	81475030079.80400.8888	\$250,000	\$26,576	\$276,576
Total Change to Expenses			<u>\$26,576</u>	

Staff recommends that the contract with Property Assurance be amended to include Bid Schedule E, for an increase of \$40,350. An increase in the contingency for the amount of \$4,035 is approximately 10% of the cost of project. Staff believes that this is an adequate contingency for this type of work. This would bring an increase of \$44,385 for a total authorized expenditure of \$285,109.

This demolition project meets the goals of *Beautiful, Desirable, and Environmentally Responsible City* by responsibly removing the asbestos inside the buildings, removing rundown and empty structures and re-vegetating the properties with native grasses.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments: Councillor’s Bill  
Site Map - Schedule E

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **2**

SERIES OF 2015

INTRODUCED BY COUNCILLORS

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**A BILL  
FOR AN ORDINANCE AMENDING THE 2015 BUDGETS OF THE PARKS OPEN SPACE AND  
TRAILS AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A  
SUPPLEMENTAL APPROPRIATION FROM THE 2015 ESTIMATED REVENUES IN THE  
FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2015 appropriation for the Parks Open Space and Trails and General Capital Improvement Funds initially appropriated by Ordinance No. 3737 is hereby increased by \$53,152. This appropriation is due to carryover appropriation and the need to supplement the budget for the addition of Bid Schedule E to the 2014 Open Space Demolition Project.

Section 2. The \$53,152 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 D-E dated January 12, 2015 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

Parks, Open Space, and Trails Fund	\$26,576
General Capital Improvement Fund	<u>26,576</u>
Total	<u>\$53,152</u>

Section 3 – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12th day of January, 2015.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26<sup>th</sup> day of January, 2015

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



**Bid Schedule E  
McKay Lake Overlook Property  
14330 Zuni Street, North House  
2014 Demolition Project  
City of Westminster, 2014**

144th Ave

Zuni St

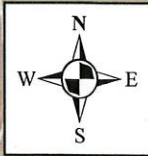
Remove  
Landscaping  
and Russian  
Olive Trees



LIMIT OF WORK

Parking Area

North House



Property Boundary

0 75 150 Feet



## Agenda Item 10 F

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Resolution No. 1 re Triennial Renewal of the Rocky Flats Stewardship Council

**Prepared By:** Mary Fabisiak, Water Quality Administrator  
Mike Happe, Utilities Planning and Engineering Manager

### Recommended City Council Action

Adopt Resolution No. 1 supporting the continuation of the Rocky Flats Stewardship Council for an additional three years.

### Summary Statement

- The Intergovernmental Agreement establishing the Rocky Flats Stewardship Council was entered into on February 13, 2006, and renewed in 2009 and 2012.
- The Intergovernmental Agreement requires that every third calendar year from the commencing effective date of the Intergovernmental Agreement, the participating local governments unanimously agree whether to continue the Stewardship Council's existence.
- Lack of a unanimous triennial determination by the Parties will result in the dissolution of the Stewardship Council.
- City Councillor Bob Briggs is the current City representative to the Rocky Flats Stewardship Council Board of Directors. Mary Fabisiak, Water Quality Administrator, and Cathy Shugarts, Water Quality Specialist, are alternate representatives.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Should the City support the continuation of the Rocky Flats Stewardship Council (RFSC) for an additional three years?

**Alternative**

The City of Westminster could determine that it is not in the best interest of the City to support the continuation of the RFSC for an additional three years. This alternative is not recommended as a lack of a unanimous approval would result in the dissolution of the RFSC. The City would lose an opportunity to continue to work with the other local governments in order to provide a unified message to the Department of Energy (DOE), State and Federal Governments and elected delegations on issues related to the long-term stewardship of the Rocky Flats Site.

**Background Information**

The RFSC is made up of elected officials and Staff representing ten local governments, three community organizations and one individual. The ten local governments include the cities of Westminster, Arvada, Boulder, Golden, Northglenn, Thornton, along with Boulder County, Jefferson County, the City and County of Broomfield, and the Town of Superior. The League of Women Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders and an individual complete the membership.

The RFSC was formed in February 2006 to meet the mandates of Congressional legislation that requires that all former DOE facilities once closed must have a Local Stakeholders Organization to provide environmental oversight, communication and advocacy between the DOE and nearby communities on any issues involving the retained DOE lands. The RFSC provides ongoing local government and community oversight of Rocky Flats to communicate site issues, to foster agency accountability, and to increase community confidence that issues are being watched and, as necessary, addressed. Given the history of Rocky Flats and widespread unease in the community about the health effects of Rocky Flats, the latter of these roles is the most difficult. Through public meetings, hearings with federal and state agencies, and by closely scrutinizing monitoring data, the RFSC meets this important responsibility. The RFSC provides a forum to track issues related to former site employees and to provide an ongoing mechanism to maintain public knowledge of Rocky Flats, including educating successive generations of ongoing needs and responsibilities regarding contaminant management and refuge management.

This action helps achieve the City Council's Strategic Plan Goals of Proactive Regional Collaboration and Beautiful, Desirable, Environmentally Responsible City by overseeing the City's interests and ensuring long-term stewardship of the Rocky Flats Site and management of the Rocky Flats National Wildlife Refuge.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Resolution

RESOLUTION

RESOLUTION NO. **1**

INTRODUCED BY COUNCILLORS

SERIES OF 2015

---

**RESOLUTION OF WESTMINSTER CITY COUNCIL REGARDING TRIENNIAL  
DETERMINATION FOR THE CONTINUATION OF  
THE ROCKY FLATS STEWARDSHIP COUNCIL**

**WHEREAS**, the City and County of BROOMFIELD, the Counties of BOULDER and JEFFERSON, the Cities of ARVADA, BOULDER, GOLDEN, NORTHGLENN, THORNTON and WESTMINSTER, and the Town of SUPERIOR (collectively, the “Parties”), entered into intergovernmental agreement dated February 13, 2006, as amended on February 6, 2012 (“IGA”) establishing the Rocky Flats Stewardship Council, a separate legal public entity created by such IGA as permitted by Colorado Constitution Article XIV and section 18(2), part 2 of article 1, title 29, C.R.S. (“Stewardship Council”); and

**WHEREAS**, the Stewardship Council was established to allow local governments to continue working together on issues related to the long-term protection of Rocky Flats, as described in the IGA; and

**WHEREAS**, pursuant to the terms of the IGA, the Stewardship Council shall terminate absent the unanimous triennial determination by all Parties that the Stewardship Council should continue for another three years; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER:**

1. That it is not desirable for the Stewardship Council to terminate at this time; and
2. That the Stewardship Council should continue for an additional three (3) years from the date of February 13, 2015, forward pursuant to the terms and provisions of the IGA.

PASSED AND ADOPTED this 15<sup>th</sup> day of January, 2015.

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Herb Atchison, Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

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City Clerk

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City Attorney



## Agenda Item 10 G

### Agenda Memorandum

City Council Meeting  
January 12, 2015



**SUBJECT:** Authorization to Offer Employment and Negotiate a Contract with the Finalist for the Position of City Manager

**Prepared By:** Debbie Mitchell, General Services Director

### Recommended City Council Action

City Council authorizes Mayor Herb Atchison to make an offer of employment to the candidate [insert name of candidate] as the finalist for City Manager and directs staff to negotiate an employment agreement with [him/her].

### Summary Statement

City Council has determined through an extensive selection process the candidate best equipped to manage City operations and represent the City as City Manager. City Council is prepared to make an offer of employment to this candidate on Tuesday, January 13, 2015, filling the upcoming vacancy created by the retirement of City Manager Brent McFall on January 25, 2015.

- City Council is authorizing Mayor Herb Atchison to make the employment offer to the named candidate and is directing City staff to complete negotiation of an employment agreement.
- At the completion of negotiations, Staff will present an employment agreement to City Council for consideration and final approval at an upcoming City Council meeting.

**Expenditure Required:** N/A

**Policy Issue**

Is City Council ready to make an offer of employment to one of the finalists for the vacant City Manager position?

**Alternative**

City Council could further deliberate on their selection of a final candidate, direct staff to add additional steps in the current selection process, or could direct staff to reopen the recruitment of the City Manager position.

**Background Information**

City Manager Brent McFall will be retiring from his position on January 25, 2015. City Council directed staff to conduct a national recruitment for the position and hired Waters and Company to assist with the executive recruitment process. After an extensive recruitment and selection process, City Council has determined to make an employment offer to one of the three finalists for the position.

City Council is now prepared to make an employment offer and negotiate an employment agreement with the named finalist.

By adopting the recommended action, City Council is agreeing to Mayor Herb Atchison contacting the selected candidate on Tuesday, January 13, 2015, to make the employment offer. City Council is also directing staff to negotiate the employment agreement and to bring a negotiated agreement to City Council in the near future for final action and approval.

This action will support all of the City's Strategic Plan goals by placing a new City Manager in the position to continue the commitment to the City's mission of delivering exceptional quality of life to the citizens of Westminster through Service, Pride, Integrity, Responsibility, Innovation and Teamwork (SPIRIT).

Respectfully submitted,

J. Brent McFall  
City Manager