



## 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.

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 7) and Citizen Presentations (Section 12) are 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 except when addressing the City Council during Section 12 of the agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
  - A. City Manager's Report
5. City Council Comments
6. Presentations
  - A. Employee Service Awards
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. Financial Report for December 2010
  - B. 2010 Pavement Rehabilitation Project – Change Order No. 7
  - C. 2010 Library Materials Ratification of Additional Baker & Taylor Expense
  - D. 2011 Deicing Salt Purchase
  - E. 2011 Water Treatment Chemicals Purchase
  - F. 2011 Asphalt and Crackseal Materials Purchase
  - G. 2011 Library Materials Purchases Over \$50,000
  - H. Fire Station Alarm Notification System Purchase
  - I. Replacement Fire Aerial Ladder Truck Purchase
  - J. EnergyCAP Utility Management Software Purchase
  - K. Swim and Fitness Renovation Contract Amendment
  - L. Special Legal Counsel Agreement with Ruth Cornfeld Becker, LLC
  - M. Transfer of the Promenade West Property and Maintenance Responsibilities
  - N. Second Reading of Councillor's Bill No. 1 re Fire Code Minor Revisions
  - O. Second Reading of Councillor's Bill No. 2 re Swim and Fitness Supplemental Appropriation re Grant Funds
9. Appointments and Resignations
  - A. 2011 Appointments to the Rocky Flats Stewardship Council
10. Public Hearings and Other New Business
  - A. Resolution No. 2 re Amended Fiscal Policies – Utility Reserves
  - B. Resolution No. 3 re Spring 2011 Adams Country Open Space Grant Applications
  - C. Councillor's Bill No. 3 re Proposed Economic Development Assistance Agreement with Drury Development Corp.
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes), Miscellaneous Business, and Executive Session
  - A. City Council
13. Adjournment

**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, JANUARY 10, 2011 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor McNally led the Council, staff and audience in the Pledge of Allegiance.

ROLL CALL

Mayor Nancy McNally, Mayor Pro Tem Chris Dittman, and Councillors Bob Briggs, Mark Kaiser, and Mary Lindsey were present at roll call. Councillors Scott Major and Faith Winter were absent and excused. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Kaiser moved, seconded by Mayor Pro Tem Dittman, to approve the minutes of the regular meeting of December 20, 2010, and the special meeting of December 27, 2010, as written. The motion passed unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that Monday, January 17, City Hall and City offices would be closed in observation of Martin Luther King, Jr. Day. There would be no City Council Study Session that evening.

After tonight's meeting, the Board of Directors of the Westminster Housing Authority would conduct a meeting. Following adjournment of that meeting, the Authority would convene an executive session to discuss strategy and progress on potential sale, acquisition, trade or exchange of certain Authority-owned property and the Authority's position relative thereto pursuant to Colorado Revised Statutes, §24-6-402(4)(a)

COUNCIL REPORTS

Councillors Kaiser and Briggs extended kudos to Street Division personnel for plowing snow routes promptly over the weekend and providing safe roadways for citizens and visitors to move around the City with ease.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: 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 §24-6-402 (2)(c) C.R.S. of the Colorado Open Meetings Act; authorize the City Manager to execute a \$91,960 contract with W. L. Contractors, Inc. for construction of a traffic signal at the intersection of 72<sup>nd</sup> Avenue and Depew Street, authorize expenditure of \$30,444 to Valmont Industries, Inc. for traffic signal poles and mast arms, of \$23,600 to Econolite Control Products, Inc. for traffic signal cabinet and control equipment, and a 15% construction contingency of \$13,794; based on the City Manager's recommendation, find that the public interest would best be served by authorizing the City Manager to execute a sole source contract with Plas-Tanks Industries, Inc. for the purchase and installation of bleach tank lining materials in an amount not to exceed \$65,549; ratify the expenditure of \$3,500 to amend a previously approved contract with WH Pacific, Inc. for construction engineering services for the McKay Drainageway project, bringing the approved contract amount to \$133,000; final passage on second reading of Councillor's Bill No. 65 amending Title V and Sections 6-3-5, 9-4-1 and 11-4-17 of the Westminster Municipal Code concerning licensing and regulations, trespassing, solicitation on or near a street or highway, and temporary uses on private property; final passage on second reading of Councillor's Bill No. 66 amending sections of the Westminster Municipal Code to clarify applicable penalties for various violations; and final passage on second reading of Councillor's Bill No. 67 establishing recovery payments owed to the City for costs incurred in constructing improvements to the 144<sup>th</sup> Avenue, Zuni Street to Jason Drive Project.

Mayor Pro Tem Dittman moved, seconded by Councillor Lindsey, to approve all items on the consent agenda except Agenda Item 8B, which would be considered separately. The motion carried.

72<sup>ND</sup> AVENUE AND DEPEW STREET TRAFFIC SIGNAL PROJECT

It was moved by Mayor Pro Tem Dittman and seconded by Councillor Lindsey to authorize the City Manager to execute a \$91,960 contract with W. L. Contractors, Inc. for construction of a traffic signal at the intersection of 72<sup>nd</sup> Avenue and Depew Street, authorize expenditure of \$30,444 to Valmont Industries, Inc. for traffic signal poles and mast arms, of \$23,600 to Econolite Control Products, Inc. for traffic signal cabinet and control equipment, and a 15% construction contingency of \$13,794. Councillor Kaiser recused himself and abstained from voting because of a possible conflict of interest. The motion carried on a 4:1 vote with Councillor Kaiser abstaining.

RESOLUTION NO. 1 REAPPOINTING MEMBERS TO BOARDS & COMMISSIONS

Councillor Briggs moved to adopt Resolution No. 1 reappointing members whose terms expired December 31, 2010, to two-year terms and appointing alternate members to regular membership, where applicable, on the Board of Building Code Appeals, the Environmental Advisory Board, the Historic Landmark Board, the Human Services Board, the Open Space Advisory Board, the Parks, Recreation and Libraries Advisory Board, the Personnel Board, the Planning Commission, and the Special Permit and License Board. Mayor Pro Tem Dittman seconded the motion, which passed unanimously on roll call vote.

COUNCILLOR'S BILL NO. 1 MAKING FIRE CODE MINOR REVISIONS

Councillor Kaiser moved to pass Councillor's Bill No. 1 on first reading clarifying the requirements for roof clearance of solar photovoltaic installations. The motion was seconded by Councillor Lindsey, and carried unanimously on roll call vote.

COUNCILLOR'S BILL NO. 2 APPROPRIATING ADAMS COUNTY GRANT TO SWIM & FITNESS

Mayor Pro Tem Dittman moved, seconded by Councillor Lindsey, to pass Councillor's Bill No. 2 on first reading authorizing a supplemental appropriation in the amount of \$205,000 reflecting the City's receipt of an Adams County Open Space Grant for the Swim and Fitness Center Renovation. At roll call, the motion passed with all Council members voting affirmatively.

ADJOURNMENT

There being no further business to come before the City Council, it was moved by Kaiser and seconded by Dittman to adjourn. The motion carried and the meeting adjourned at 7:11 p.m.

ATTEST:

---

City Clerk

---

Mayor



## Agenda Item 6 A

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Presentation of Employee Service Awards

**Prepared By:** Debbie Mitchell, Human Resources Manager  
Dee Martin, Human Resources Administrator

#### 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 2011, employees with 20, 25, 30, and 35 years of service will be celebrated tonight.
  - Councilor Winters will present the 20-year certificates and pins
  - Mayor McNally will present the 25-year certificates, pins and checks
  - Councilor Major will present the 30-year certificates and pins
  - Mayor Pro Tem Dittman will present the 35-year certificates and pins

**Expenditure Required:** \$ 7,500

**Source of Funds:** General Fund  
-Parks, Recreation & Libraries Department  
-Police Department  
Utility Fund  
-Information Technology Department

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

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

Dean Villano	Police Sergeant	Police Department
Dan Daly	Foreman	Public Works & Utilities
Karen Tekavec	Senior Systems Analyst	Information Technology

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

Joyce Garcia	Administrative Secretary	Information Technology
Mark Watters	Senior Police Officer	Police Department
William Hayward	Foreman	Public Works & Utilities

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

Katie Harberg	Public Information Officer	City Manager's Office
Eric Knopinski	Senior Police Officer	Police Department

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

Gene Boespflug	Police Commander	Police Department
Patrick Martinez	Police Sergeant	Police Department
Alan Wilson	Police Commander	Police Department
Gary Pedigo	Fire Marshal	Fire Department
Jim Moreland	Fire Captain	Fire Department

On January 19, 2011, the City Manager hosted an employee awards luncheon. During that time, 8 employees received their 10 year service pin and 11 employees received their 5 year service pin. Recognition was also given to those celebrating their 20<sup>th</sup>, 25<sup>th</sup>, 30<sup>th</sup> and 35<sup>th</sup> anniversaries. This was the first luncheon in 2011 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 was 505 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.

The recognition of employees' years of service addresses Council's Strategic Plan goal of Financially Sustainable City Government Providing Exceptional Services as part of the overall recognition program developed to encourage and recognize employee commitment to the organization. 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,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 A

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Financial Report for December 2010  
**Prepared By:** Tammy Hitchens, Finance Director

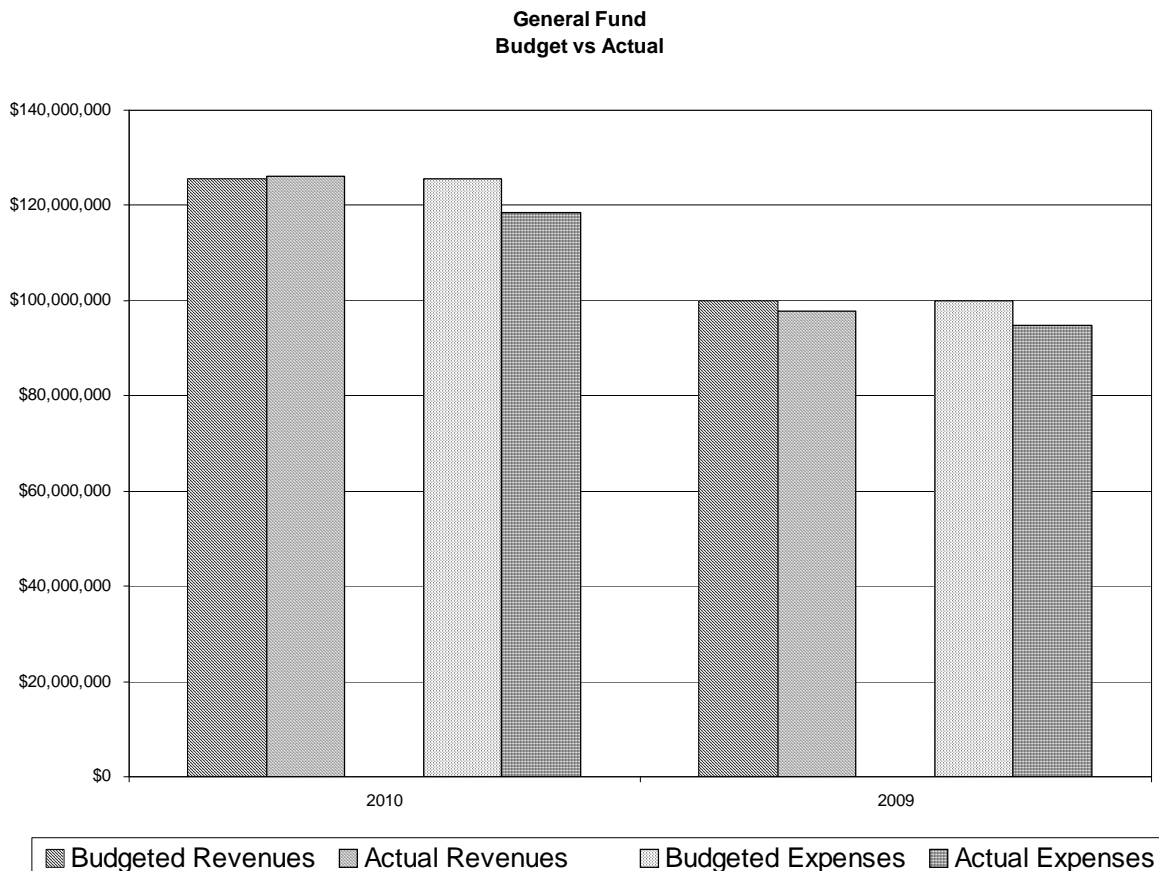
#### **Recommended City Council Action**

Accept the Financial Report for December as presented.

#### **Summary Statement**

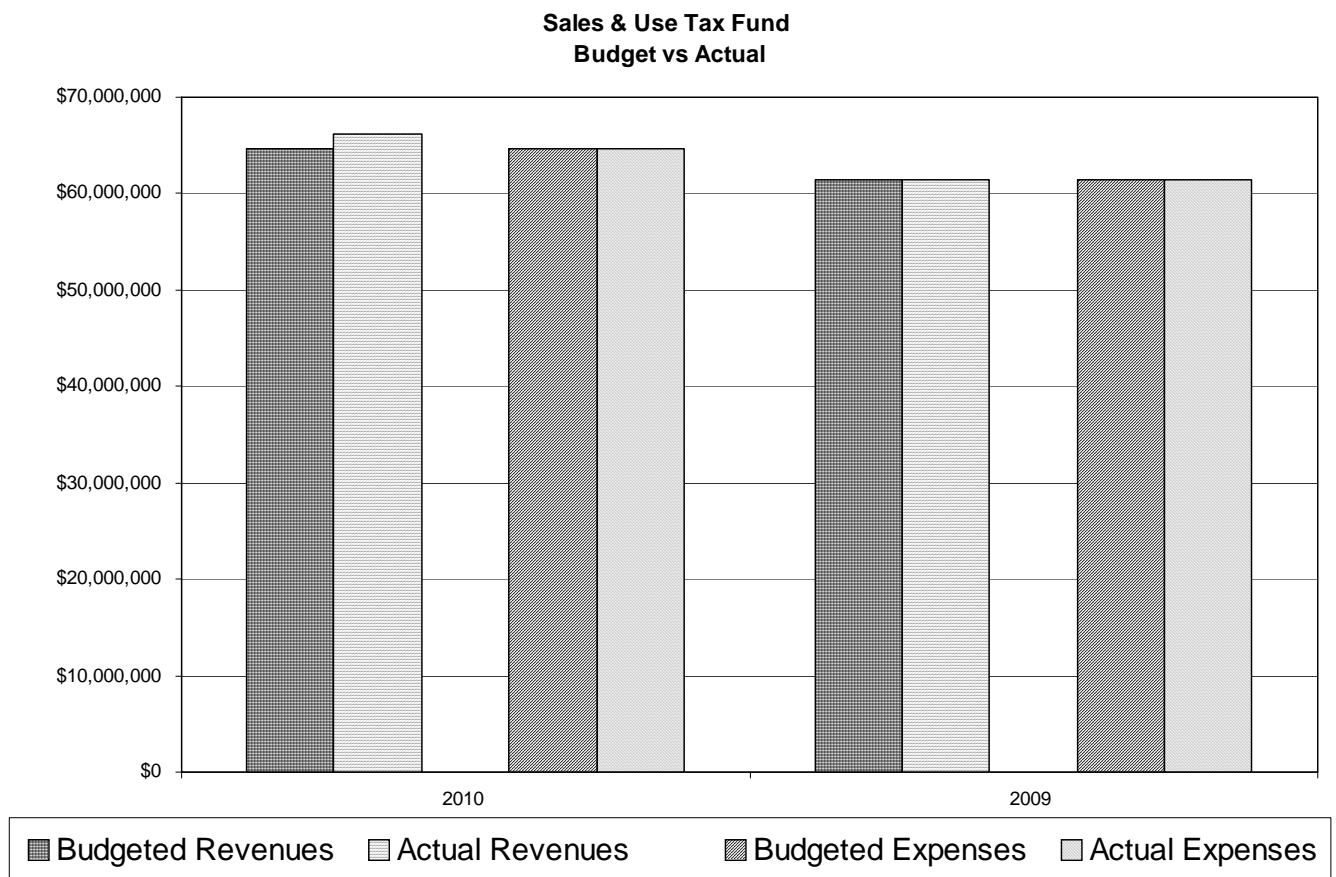
City Council is requested to review and accept the attached monthly financial statement. The Shopping Center Report is also attached. The budget numbers that are presented reflect the City's adopted budget. This statement reflects December month end figures. There are several modifications based on year end accruals, both revenue and expense that will be made and will be part of the December year end figures that will be presented to Council in June, after the audit is complete. Some of the more significant accruals include revenue earned in 2010 but not received until 2011, in particular intergovernmental revenue, and all expenses incurred in 2010 but paid in 2011. Revenues also include carryover where applicable.

The General Fund revenues and Carryover exceed expenditures by \$7,665,374. The following graph represents Budget vs. Actual for 2009 – 2010.



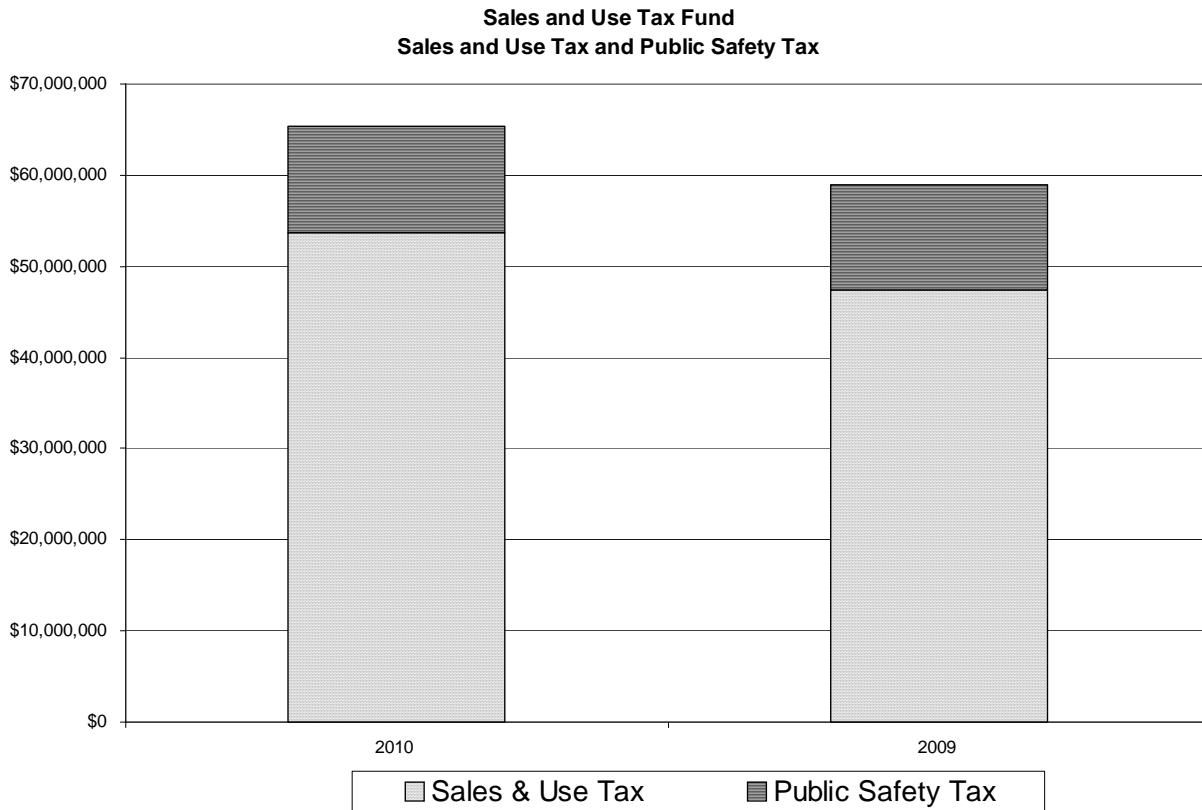
The Sales and Use Tax Fund revenues and carryover exceed expenditures by \$1,647,677.

- On a year-to-date cash basis, sales and use tax returns are up 10.9% from 2009.
- On a year-to-date basis, across the top 25 shopping centers before including urban renewal area adjustments, total sales and use tax receipts are down 1.0% from the prior year. With the urban renewal area adjustments, sales and use tax receipts are up 15.8%.
- Sales and use tax receipts from the top 50 Sales Taxpayers, representing about 62% of all collections, are up 10.8% after urban renewal area adjustments.
- Urban renewal areas make up 42.1% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 16.3% of this money is available for General Fund use.
- The Westminster Mall is down 20.0% on a year-to-date basis.
- Building use tax is up 30.8% year-to-date from 2009.
- Audit and Enforcement revenue includes one large audit assessment of \$1.7 million.

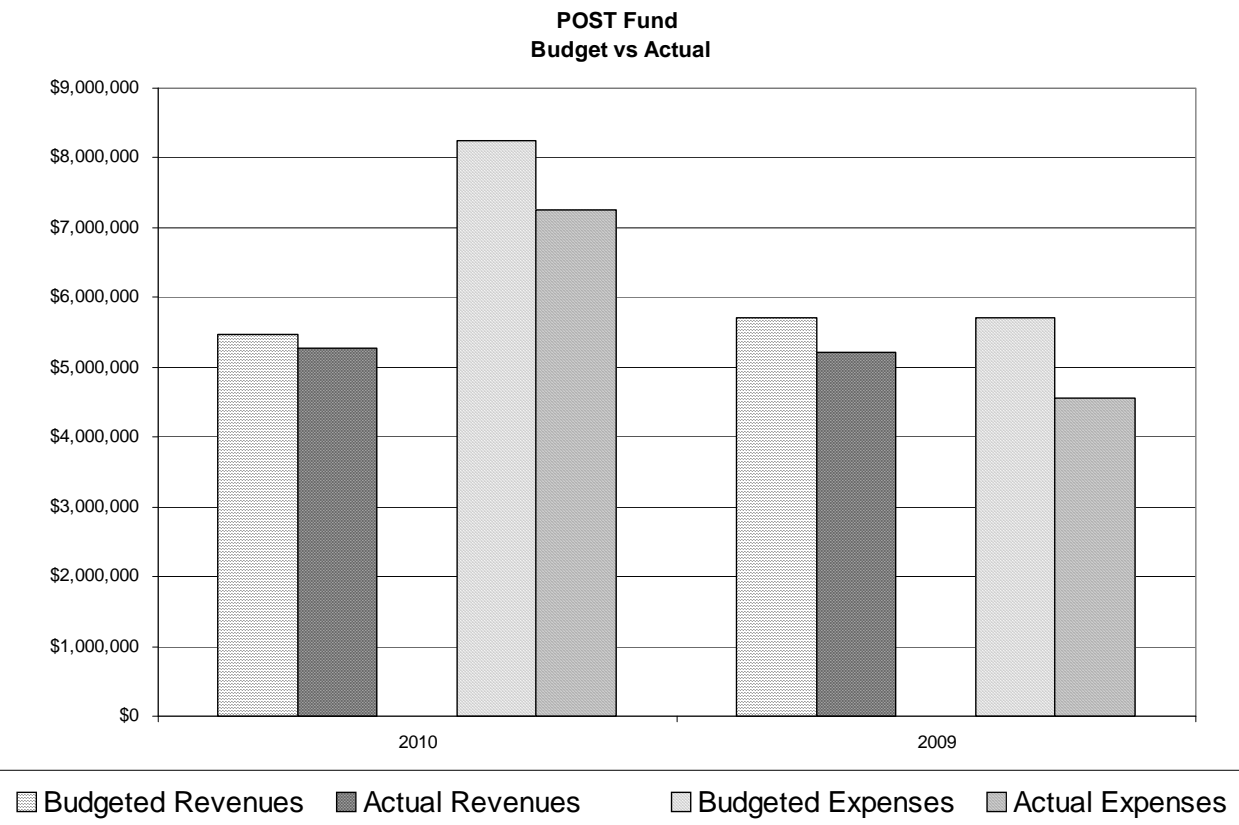




The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.

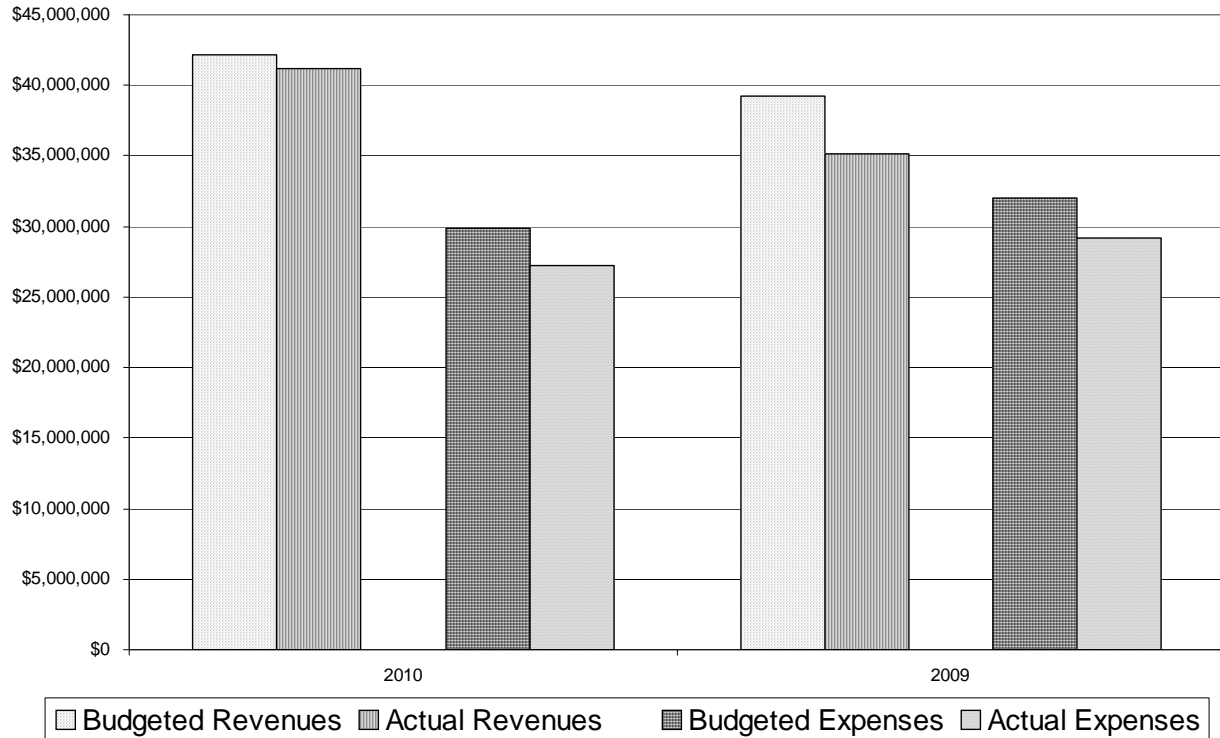


The Parks Open Space and Trails Fund expenditures exceed revenues by \$1,980,305. There is currently \$2,965,000 outstanding in reimbursement grants from Adams County Open Space.



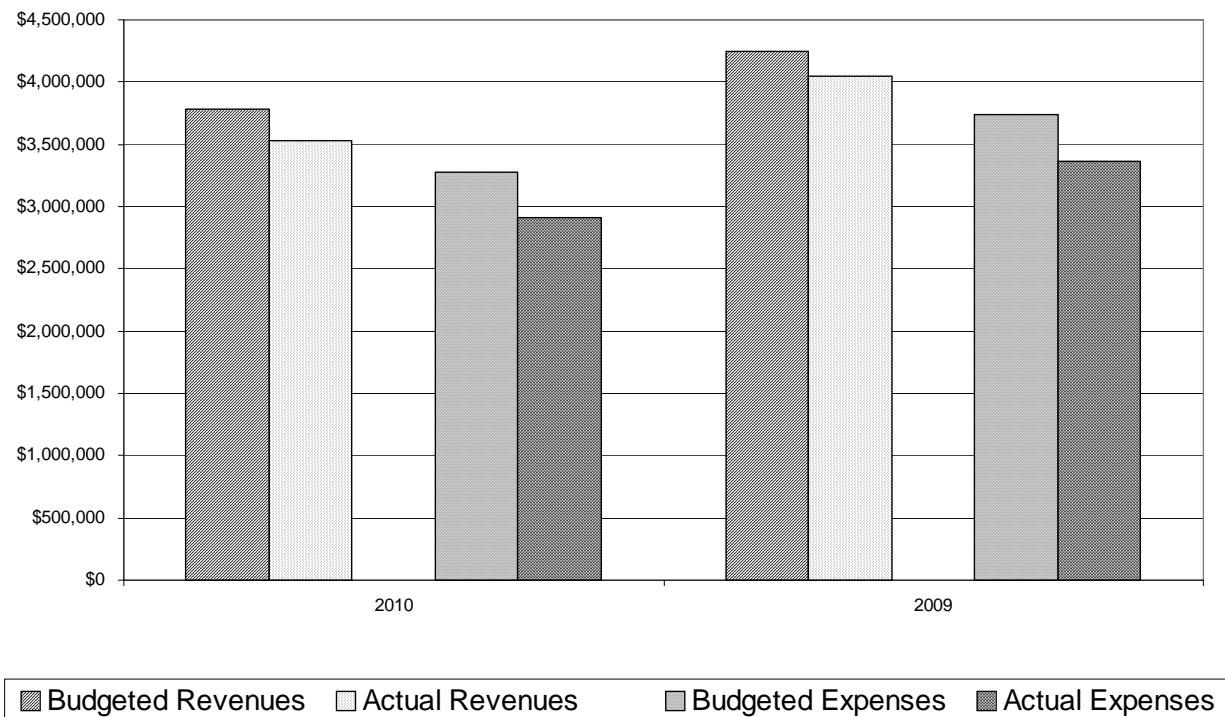
The combined Water & Wastewater Fund revenues exceed expenses by \$32,750,102 which includes \$29,505,000 in revenue bond proceeds. Operating revenues exceed expenses by \$14,001,171. \$29,619,362 is budgeted for capital projects and reserves.

**Combined Water and Wastewater Funds  
Operating Budget vs Actual**



The combined Golf Course Fund revenues exceed expenses by \$168,654.

**Golf Course Enterprise  
Operating Budget vs Actual**



### Policy Issue

A monthly review of the City's financial position is the standard City Council practice; the City Charter requires the City Manager to report to City Council on a quarterly basis.

### Alternative

Conduct a quarterly review. This is not recommended, as the City's budget and financial position are large and complex, warranting a monthly review by the City Council.

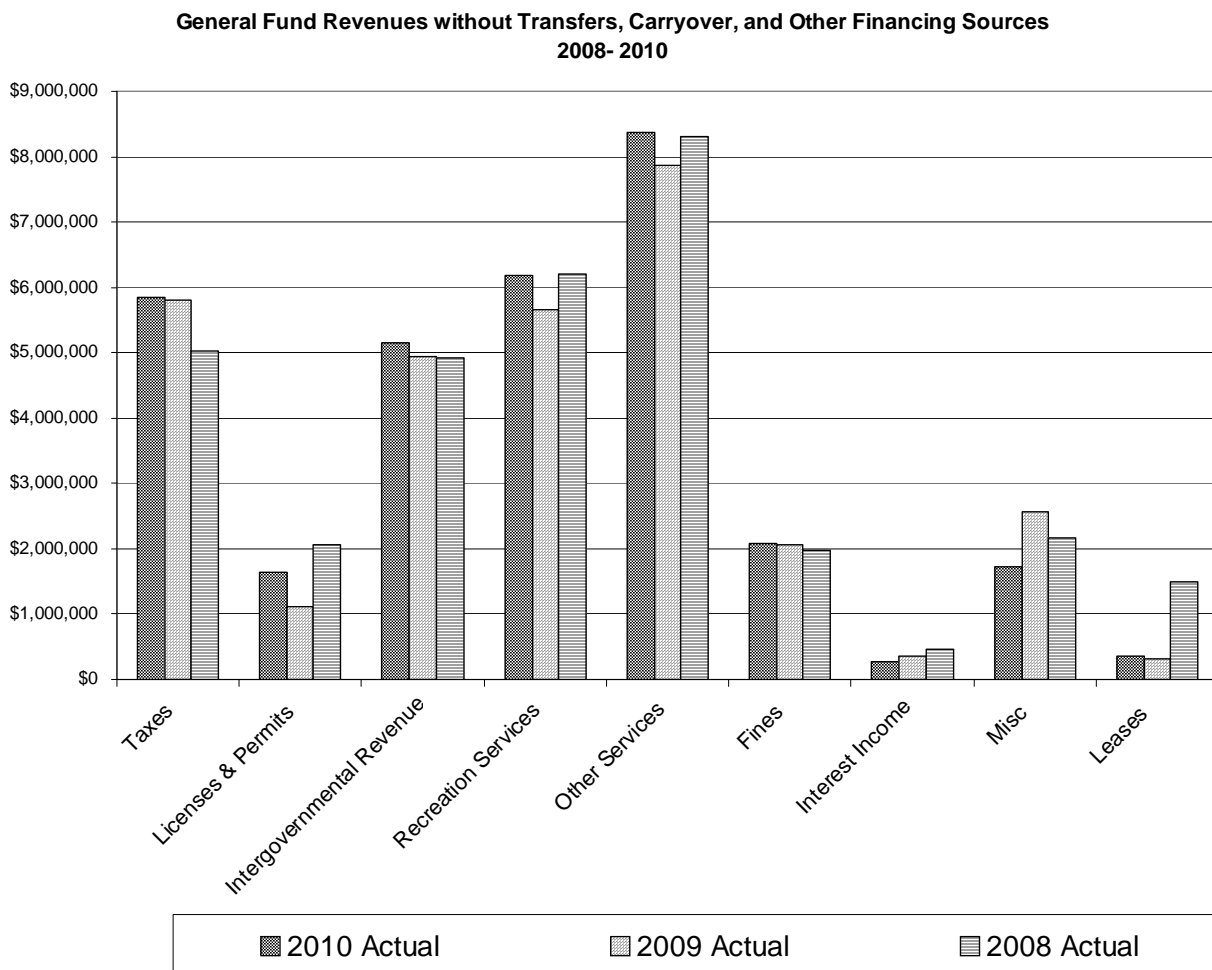
### Background Information

This section includes a discussion of highlights of each fund presented.

### General Fund

This fund reflects the result of the City's operating departments: Police, Fire, Public Works (Streets, etc.), Parks Recreation and Libraries, Community Development, and the internal service functions: City Manager, City Attorney, Finance, and General Services.

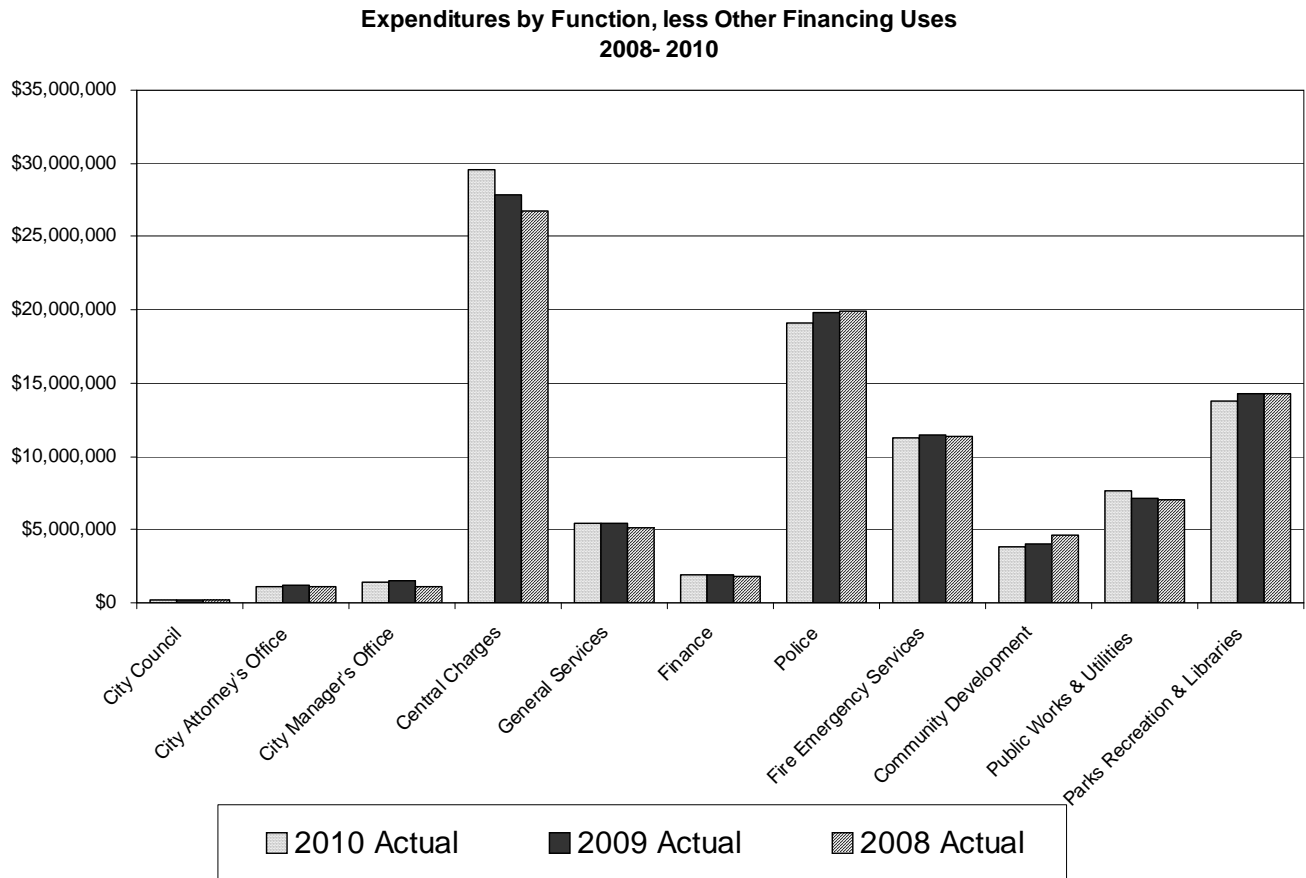
The following chart represents the trend in actual revenues from 2008 – 2010 year-to-date.



Significant differences between years in General Fund revenue categories are explained as follows:

- Licenses & Permits reflects increases in Adams and Jefferson Counties.
- Recreation Services is up due mostly to facility pass and admission fees.
- Other Services is up due mostly to franchise, emergency management service and street cut fees.
- Miscellaneous revenue is down mostly as a result of variances in reimbursements from the prior year.

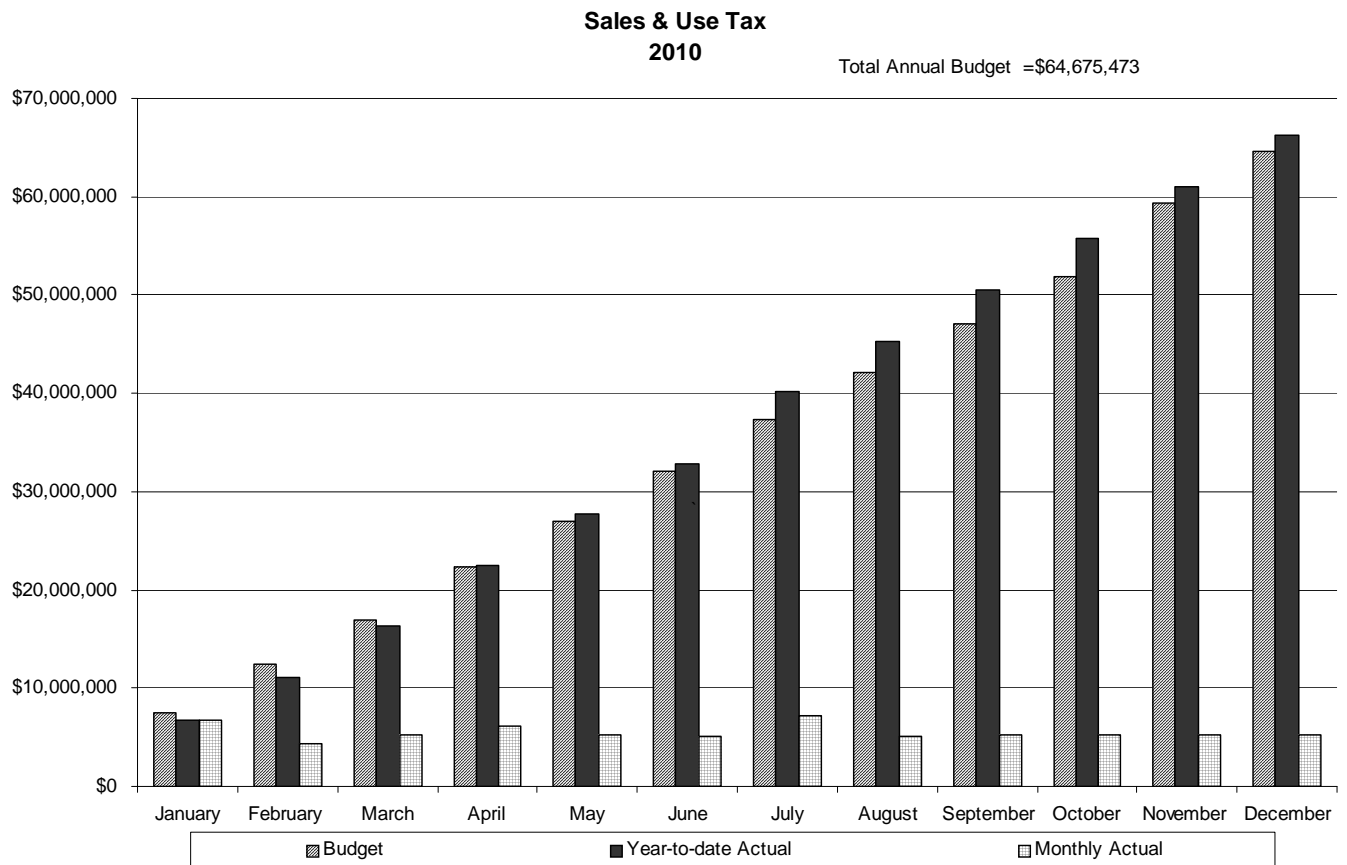
The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2008 –2010. Central Charges expenditures have been adjusted for refinancings of the 1998 and 2001 Certificates of Participation issues totaling \$23.0 million.



**Sales and Use Tax Funds (Sales & Use Tax Fund and Parks Open Space and Trails Sales & Use Tax Fund)**

These funds are the repositories for the 3.85% City Sales & Use Tax for the City. The Sales & Use Tax Fund provides monies for the General Fund, the General Capital Improvement Fund, the Debt Service Fund and the Heritage Golf Course Fund. The Parks, Open Space, and Trails Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, buy open space land, and make park improvements on a pay-as-you-go basis. The Public Safety Tax (PST) is a 0.6% sales and use tax to be used to fund public safety-related expenses.

This chart indicates how the City's Sales and Use Tax revenues are being collected on a monthly basis. This chart does not include Parks, Open Space, and Trails Sales & Use Tax.

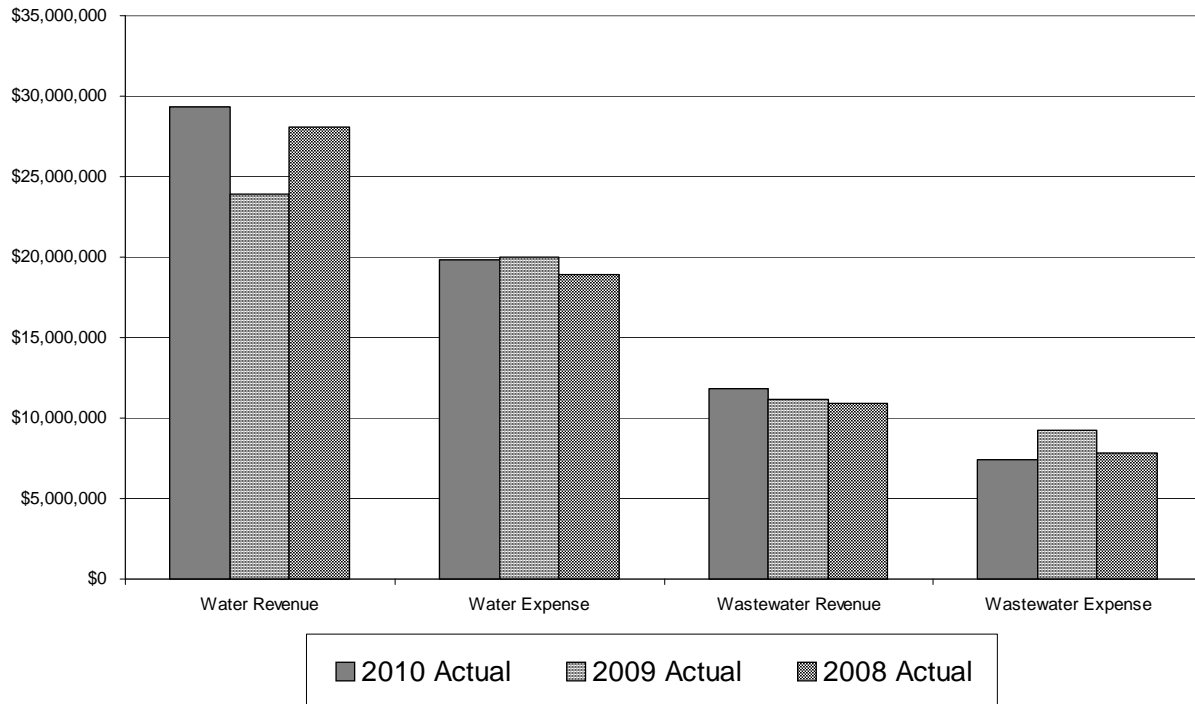


**Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)**

This fund reflects the operating results of the City's water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital projects and reserves.

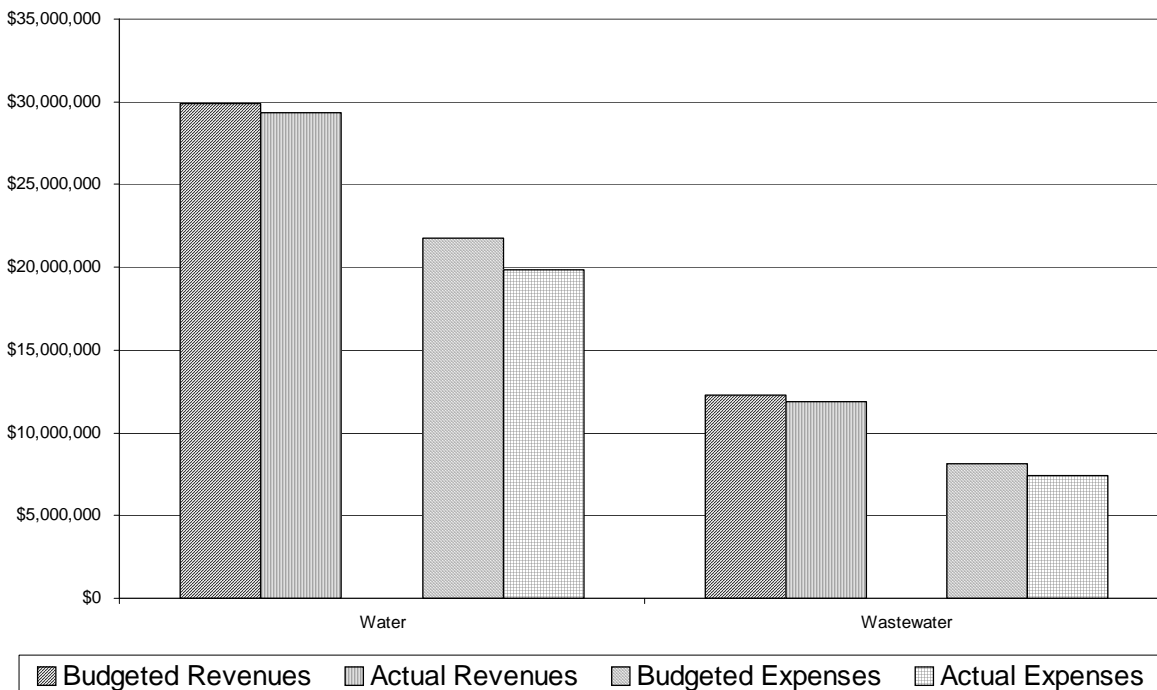
These graphs represent the segment information for the Water and Wastewater funds.

**Water and Wastewater Funds  
Operating Revenue and Expenses 2008-2010**



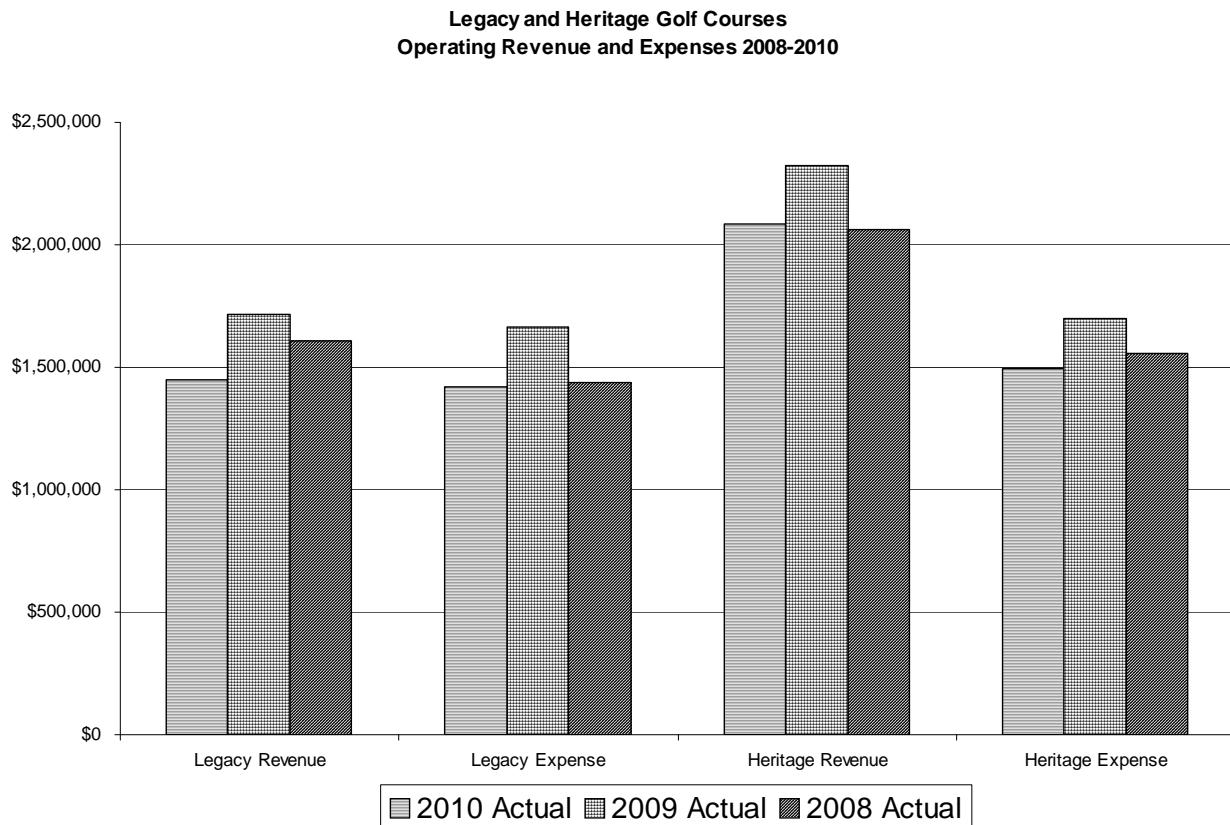
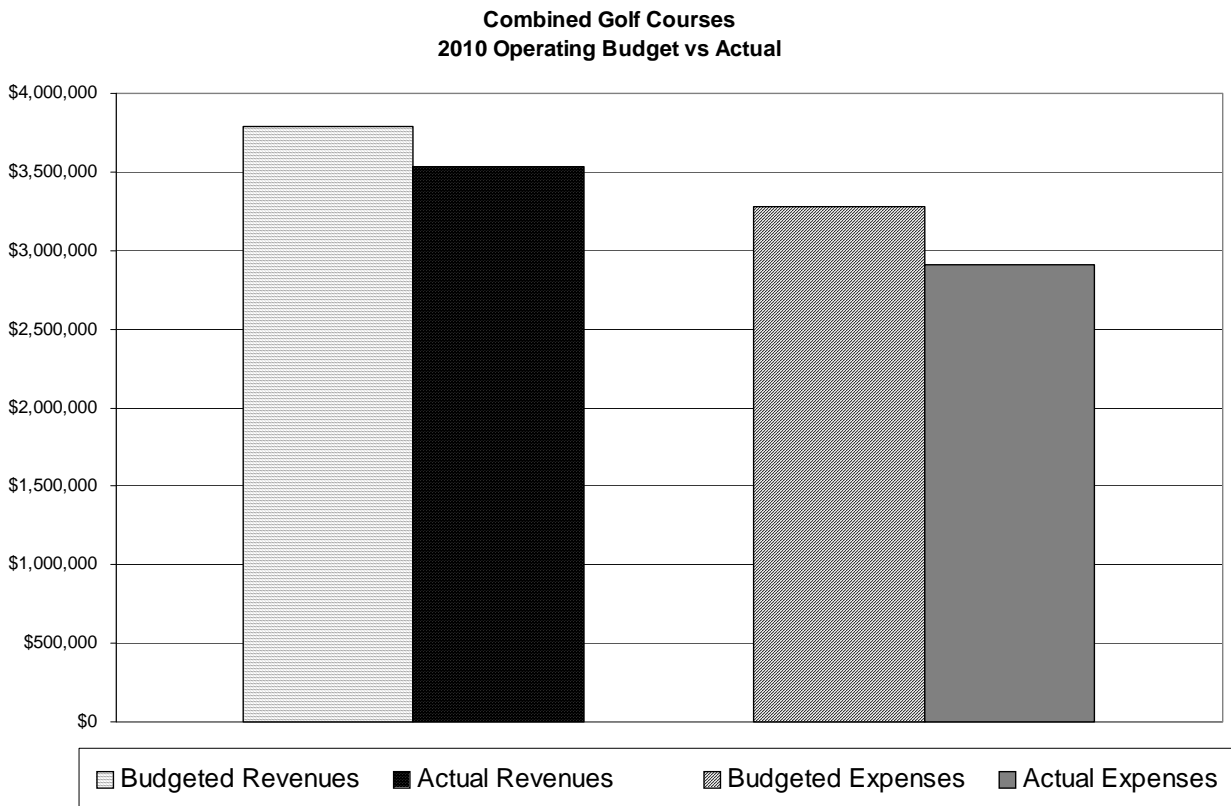
The water revenue annual variance is due to the effect of climatic variations on water consumption, billing rates, and an intergovernmental sale of effluent water.

**Water and Wastewater Funds  
2010 Operating Budget vs Actual**



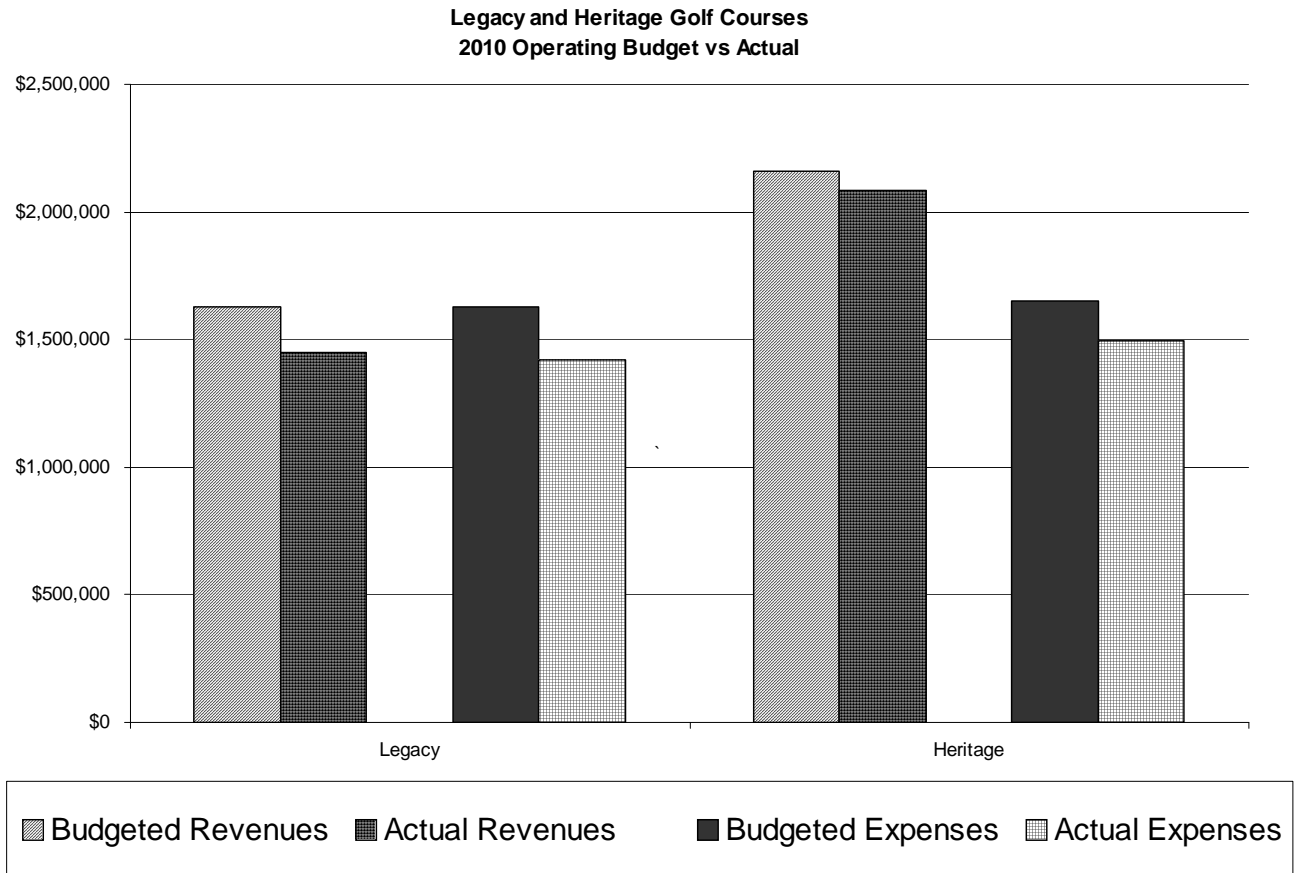
**Golf Course Enterprise (Legacy and Heritage Golf Courses)**

This enterprise reflects the operations of the City's two municipal golf courses.



The variance between years is primarily due to the 2009 lease financing of a new golf cart fleet.

The following graphs represent the information for each of the golf courses.



Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachments



**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>General Fund</b>					
<b>Revenues</b>					
Taxes	5,678,400		5,841,036	162,636	102.9%
Licenses & Permits	1,371,178		1,647,787	276,609	120.2%
Intergovernmental Revenue	5,343,479		5,150,912	(192,567)	96.4%
Charges for Services					
Recreation Services	6,219,206		6,181,091	(38,115)	99.4%
Other Services	8,760,147		8,374,216	(385,931)	95.6%
Fines	2,262,105		2,076,768	(185,337)	91.8%
Interest Income	425,000		264,722	(160,278)	62.3%
Misc	1,705,543		1,728,893	23,350	101.4%
Leases	328,023		348,259	20,236	106.2%
Interfund Transfers	64,517,612		64,517,612	0	100.0%
Other Financing Sources	25,157,472	(1)	26,148,276	990,804	103.9%
Sub-total Revenues	<u>121,768,165</u>		<u>122,279,572</u>	<u>511,407</u>	<u>100.4%</u>
Carryover	3,817,820		3,817,820	0	100.0%
Revenues	<u>125,585,985</u>		<u>126,097,392</u>	<u>511,407</u>	<u>100.4%</u>
<b>Expenditures</b>					
City Council	222,312		182,597	(39,715)	82.1%
City Attorney's Office	1,156,960		1,073,130	(83,830)	92.8%
City Manager's Office	1,621,394		1,437,670	(183,724)	88.7%
Central Charges	54,077,529		52,697,285	(1,380,244)	97.4%
General Services	5,937,816		5,439,640	(498,176)	91.6%
Finance	2,038,443		1,878,390	(160,053)	92.1%
Police	21,001,436		19,081,990	(1,919,446)	90.9%
Fire Emergency Services	11,876,889		11,306,131	(570,758)	95.2%
Community Development	4,302,220		3,868,575	(433,645)	89.9%
Public Works & Utilities	7,798,534		7,690,723	(107,811)	98.6%
Parks, Recreation & Libraries	15,552,452		13,775,887	(1,776,565)	88.6%
Total Expenditures	<u>125,585,985</u>		<u>118,432,018</u>	<u>(7,153,967)</u>	<u>94.3%</u>
Revenues Over(Under)					
Expenditures	<u>0</u>		<u>7,665,374</u>	<u>7,665,374</u>	

(1) Other Financing Sources budget to actual variance includes unbudgeted debt reserve for the 2010 Ice Cent

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Sales and Use Tax Fund</b>					
<b>Revenues and Carryover</b>					
Sales Tax					
Sales Tax Returns	40,748,112		42,859,221	2,111,109	105.2%
Sales Tx Audit Revenues	2,368,978		2,403,167	34,189	101.4%
S-T Rev. STX	<u>43,117,090</u>		<u>45,262,388</u>	<u>2,145,298</u>	105.0%
Use Tax					
Use Tax Returns	7,390,616		7,069,064	(321,552)	95.6%
Use Tax Audit Revenues	1,320,750		1,334,657	13,907	101.1%
S-T Rev. UTX	<u>8,711,366</u>		<u>8,403,721</u>	<u>(307,645)</u>	96.5%
Total STX and UTX	<u><u>51,828,456</u></u>		<u><u>53,666,109</u></u>	<u><u>1,837,653</u></u>	103.5%
 Public Safety Tax					
PST Tax Returns	11,616,517		11,194,046	(422,471)	96.4%
PST Audit Revenues	315,500		573,016	257,516	181.6%
Total Rev. PST	<u><u>11,932,017</u></u>		<u><u>11,767,062</u></u>	<u><u>(164,955)</u></u>	98.6%
 Total Interest Income	235,000		109,979	(125,021)	46.8%
 Carryover	<u>680,000</u>		<u>680,000</u>	<u>0</u>	100.0%
Total Revenues and Carryover	<u><u>64,675,473</u></u>		<u><u>66,223,150</u></u>	<u><u>1,547,677</u></u>	102.4%
 <b>Expenditures</b>					
Central Charges	<u>64,675,473</u>		<u>64,575,473</u>	<u>(100,000)</u>	99.8%
 Revenues and Carryover Over(Under) Expenditures	<u><u>0</u></u>		<u><u>1,647,677</u></u>	<u><u>1,647,677</u></u>	

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Pro-rated for Seasonal Flows</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>POST Fund</b>						
<b>Revenues</b>						
Sales & Use Tax	4,865,857	4,865,857		4,974,275	108,418	102.2%
Intergovernmental Revenue	2,770,900	0		0	0	
Interest Income	55,000	55,000		38,283	(16,717)	69.6%
Miscellaneous	83,977	83,977		10,276	(73,701)	12.2%
Interfund Transfers	371,622	371,622		162,622	(209,000)	43.8%
Sub-total Revenues	8,147,356	5,376,456		5,185,456	(191,000)	96.4%
Carryover	93,478	93,478		93,478	0	100.0%
Total Revenues	8,240,834	5,469,934		5,278,934	(191,000)	96.5%
<b>Expenditures</b>						
Central Charges	7,891,646	7,891,646		7,069,022	(822,624)	89.6%
Park Services	349,188	349,188		190,217	(158,971)	54.5%
	8,240,834	8,240,834		7,259,239	(981,595)	88.1%
Over(Under) Expenditures	0	(2,770,900)		(1,980,305)	790,595	

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Water and Wastewater Funds - Combined</b>					
<b>Operating Revenues</b>					
License & Permits	75,000		102,970	27,970	137.3%
Intergovernmental Revenue	42,857		269,223	226,366	628.2%
Rates and Charges	41,600,438		39,868,779	(1,731,659)	95.8%
Miscellaneous	439,826	(1)	985,498	545,672	224.1%
Total Operating Revenues	<u>42,158,121</u>		<u>41,226,470</u>	<u>(931,651)</u>	97.8%
<b>Operating Expenses</b>					
Central Charges	6,051,028		6,000,047	(50,981)	99.2%
Finance	705,372		610,358	(95,014)	86.5%
Public Works & Utilities	20,141,577		17,923,456	(2,218,121)	89.0%
Parks, Recreation & Libraries	147,979		95,327	(52,652)	64.4%
Information Technology	2,844,464		2,596,111	(248,353)	91.3%
Total Operating Expenses	<u>29,890,420</u>		<u>27,225,299</u>	<u>(2,665,121)</u>	91.1%
Operating Income (Loss)	<u>12,267,701</u>		<u>14,001,171</u>	<u>1,733,470</u>	
<b>Other Revenue and Expenses</b>					
Tap Fees	3,193,061		3,409,727	216,666	106.8%
Interest Income	1,450,000		730,195	(719,805)	50.4%
Sale of Assets	0		34,007	34,007	
Other Financing Sources	27,915,455	(2)	29,509,585	1,594,130	105.7%
Carryover	2,867,251		2,867,251	0	100.0%
Debt Service	(6,757,592)		(6,485,320)	272,272	96.0%
Reserve Transfer	(11,316,514)		(11,316,514)	0	100.0%
Total Other Revenue (Expenses)	<u>17,351,661</u>		<u>18,748,931</u>	<u>1,397,270</u>	108.1%
	<u>29,619,362</u>		<u>32,750,102</u>	<u>3,130,740</u>	

(1) Miscellaneous revenue includes the sale of effluent water based on an intergovernmental agreement.

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Water Fund</b>					
<b>Operating Revenues</b>					
License & Permits	75,000		102,970	27,970	137.3%
Intergovernmental Revenue	42,857		269,223	226,366	628.2%
Rates and Charges	29,360,461		28,019,865	(1,340,596)	95.4%
Miscellaneous	425,000	(1)	974,125	549,125	229.2%
Total Operating Revenues	<u>29,903,318</u>		<u>29,366,183</u>	<u>(537,135)</u>	98.2%
<b>Operating Expenses</b>					
Central Charges	4,258,103		4,247,942	(10,161)	99.8%
Finance	705,372		610,358	(95,014)	86.5%
Public Works & Utilities	13,811,268		12,284,020	(1,527,248)	88.9%
PR&L Standley Lake	147,979		95,327	(52,652)	64.4%
Information Technology	2,844,464		2,596,111	(248,353)	91.3%
Total Operating Expenses	<u>21,767,186</u>		<u>19,833,758</u>	<u>(1,933,428)</u>	91.1%
Operating Income (Loss)	<u>8,136,132</u>		<u>9,532,425</u>	<u>1,396,293</u>	
<b>Other Revenue and Expenses</b>					
Tap Fees	2,600,000		2,834,215	234,215	109.0%
Interest Income	800,000		565,327	(234,673)	70.7%
Sale of Assets	0		34,007	34,007	
Other Financing Sources	27,915,455		29,509,585	1,594,130	105.7%
Carryover	2,857,168		2,857,168	0	100.0%
Debt Service	(5,253,788)		(5,058,214)	195,574	96.3%
Reserve Transfer	(10,896,431)		(10,896,431)	0	100.0%
Total Other Revenues (Expenses)	<u>18,022,404</u>		<u>19,845,657</u>	<u>1,823,253</u>	110.1%
Increase (Decrease) in Net Assets	<u>26,158,536</u>		<u>29,378,082</u>	<u>3,219,546</u>	

(1) Miscellaneous revenue includes the sale of effluent water based on an intergovernmental agreement.

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Wastewater Fund</b>					
<b>Operating Revenues</b>					
Rates and Charges	12,239,977		11,848,914	(391,063)	96.8%
Miscellaneous	14,826		11,373	(3,453)	76.7%
Total Operating Revenues	<u>12,254,803</u>		<u>11,860,287</u>	<u>(394,516)</u>	96.8%
<b>Operating Expenses</b>					
Central Charges	1,792,925		1,752,105	(40,820)	97.7%
Public Works & Utilities	<u>6,330,309</u>		<u>5,639,436</u>	<u>(690,873)</u>	89.1%
Total Operating Expenses	<u>8,123,234</u>		<u>7,391,541</u>	<u>(731,693)</u>	91.0%
Operating Income (Loss)	<u>4,131,569</u>		<u>4,468,746</u>	<u>337,177</u>	
<b>Other Revenue and Expenses</b>					
Tap Fees	593,061		575,512	(17,549)	97.0%
Interest Income	650,000		164,868	(485,132)	25.4%
Carryover	10,083		10,083	0	100.0%
Debt Service	(1,503,804)		(1,427,106)	76,698	94.9%
Reserve Transfer	<u>(420,083)</u>		<u>(420,083)</u>	<u>0</u>	100.0%
Total Other Revenues (Expenses)	<u>(670,743)</u>		<u>(1,096,726)</u>	<u>(425,983)</u>	163.5%
Increase (Decrease) in Net Assets	<u><u>3,460,826</u></u>		<u><u>3,372,020</u></u>	<u><u>(88,806)</u></u>	

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Storm Drainage Fund</b>					
<b>Revenues</b>					
Charges for Services	2,000,000		1,956,829	(43,171)	97.8%
Interest Income	80,000		70,516	(9,484)	88.1%
Miscellaneous	0		3,380	3,380	
Sub-total Storm Drainage Revenues	<u>2,080,000</u>		<u>2,030,725</u>	<u>(49,275)</u>	97.6%
Carryover	<u>323,434</u>		<u>323,434</u>	<u>0</u>	100.0%
Total Revenues	<u>2,403,434</u>		<u>2,354,159</u>	<u>(49,275)</u>	97.9%
<b>Expenses</b>					
General Services	92,000		85,300	(6,700)	92.7%
Community Development	147,000		127,722	(19,278)	86.9%
PR&L Park Services	200,000		66,007	(133,993)	33.0%
Public Works & Utilities	<u>291,000</u>		<u>200,903</u>	<u>(90,097)</u>	69.0%
Total Expenses	<u>730,000</u>		<u>479,932</u>	<u>(250,068)</u>	65.7%
Increase (Decrease) in Net Assets	<u>1,673,434</u>		<u>1,874,227</u>	<u>200,793</u>	

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Golf Course Funds - Combined</b>					
<b>Operating Revenues</b>					
Charges for Services	2,970,719		2,663,133	(307,586)	89.6%
Interest Income	0		3,631	3,631	
Interfund Transfers	814,988		866,736	51,748	106.3%
Total Revenues and Carryover	<u>3,785,707</u>		<u>3,533,500</u>	<u>(252,207)</u>	93.3%
<b>Operating Expenses</b>					
Central Charges	230,085		215,015	(15,070)	93.5%
Recreation Facilities	3,047,135		2,697,043	(350,092)	88.5%
Total Operating Expenses	<u>3,277,220</u>		<u>2,912,058</u>	<u>(365,162)</u>	88.9%
Operating Income (Loss)	508,487		621,442	112,955	122.2%
<b>Other Revenues and Expenses</b>					
Other Financing Sources	4,820,000		4,820,000	0	100.0%
Debt Service	(5,328,487)		(5,272,788)	-55,699	99.0%
Total Other Revenues and (Expenses)	<u>(508,487)</u>		<u>(452,788)</u>	<u>55,699</u>	89.0%
Increase (Decrease) in Net Assets	<u>0</u>		<u>168,654</u>	<u>168,654</u>	



**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Legacy Ridge Fund</b>					
<b>Operating Revenues</b>					
Charges for Services	1,597,500		1,414,136	(183,364)	88.5%
Interest Income	0		3,631	3,631	
Interfund Transfers	29,433		29,433	0	100.0%
Total Operating Revenues	<u>1,626,933</u>		<u>1,447,200</u>	<u>(179,733)</u>	89.0%
<b>Operating Expenses</b>					
Central Charges	122,030		113,542	(8,488)	93.0%
Recreation Facilities	1,504,903		1,304,987	(199,916)	86.7%
Total Operating Expenses	<u>1,626,933</u>		<u>1,418,529</u>	<u>(208,404)</u>	87.2%
Increase (Decrease) in Net Assets	<u>0</u>		<u>28,671</u>	<u>28,671</u>	

**City of Westminster  
Financial Report  
For Twelve Months Ending December 31, 2010**

<b>Description</b>	<b>Budget</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Heritage at Westmoor Fund</b>					
<b>Operating Revenues</b>					
Charges for Services	1,373,219		1,248,997	(124,222)	91.0%
Interfund Transfers	785,555		837,303	51,748	106.6%
Total Revenues and Carryover	<u>2,158,774</u>		<u>2,086,300</u>	<u>(72,474)</u>	96.6%
<b>Operating Expenses</b>					
Central Charges	108,055		101,473	(6,582)	93.9%
Recreation Facilities	1,542,232		1,392,056	(150,176)	90.3%
Total Operating Expenses	<u>1,650,287</u>		<u>1,493,529</u>	<u>(156,758)</u>	90.5%
Operating Income	<u>508,487</u>		<u>592,771</u>	<u>84,284</u>	116.6%
<b>Other Revenues and Expenses</b>					
Other Financing Sources	4,820,000		4,820,000	0	100.0%
Debt Service	(5,328,487)		(5,272,788)	(55,699)	99.0%
	<u>(508,487)</u>		<u>(452,788)</u>	<u>55,699</u>	89.0%
Increase (Decrease) in Net Assets	<u>0</u>		<u>139,983</u>	<u>139,983</u>	

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
MONTH OF DECEMBER 2010

PAGE 1

Center Location Major Tenant	/----- Current Month -----/	/----- Last Year -----/	/--- %Change ---/			
	General Sales	General Use	Total	General Sales	General Use	Total Sales Use Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	372,795	19,875	392,670	332,314	5,596	337,910 12 255 16
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	351,815	2,397	354,212	391,818	1,120	392,938 -10 114 -10
SHOPS AT WALNUT CREEK 104TH & REED TARGET	217,151	4,023	221,174	215,249	2,072	217,321 1 94 2
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	199,484	379	199,863	193,327	1,625	194,953 3 -77 3
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	197,094	393	197,487	191,160	359	191,519 3 9 3
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	189,119	1,247	190,366	173,123	708	173,831 9 76 10
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	176,216	437	176,652	245,839	582	246,421 -28 -25 -28
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	173,171	2,499	175,670	173,101	567	173,668 0 341 1
WESTMINSTER MALL 88TH & SHERIDAN 3 DEPARTMENT STORES	165,143	1,406	166,548	189,207	881	190,087 -13 60 -12
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	126,795	32,445	159,240	104,539	13,573	118,112 21 139 35
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	105,500	1,987	107,488	101,835	725	102,560 4 174 5
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	95,922	315	96,237	99,808	390	100,198 -4 -19 -4
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	92,956	3,238	96,195	97,504	546	98,050 -5 493 -2
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	72,208	214	72,422	64,986	143	65,129 11 50 11
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	62,837	277	63,114	110,478	4,470	114,948 -43 -94 -45

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
MONTH OF DECEMBER 2010

PAGE 2

Center Location Major Tenant	/----- Current Month -----/			/----- Last Year -----/			/--- %Change ---/		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
COUNTRYDALE BUSINESS PARK S SIDE 108TH & WADSWORTH BALL CORPORATION	56	59,158	59,214	57	9,679	9,736	-2	511	508
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	51,050	2,480	53,530	52,167	18	52,185	-2	13344	3
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	2,997	48,427	51,424	3,762	30,192	33,954	-20	60	51
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	44,336	752	45,088	44,754	243	44,997	-1	210	0
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	43,723	688	44,411	36,653	105	36,757	19	557	21
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	43,122	143	43,265	45,270	118	45,388	-5	21	-5
SUMMIT SQUARE NE CORNER 84TH & FED SAFEWAY	32,720	57	32,777	18,302	92	18,394	79	-38	78
WILLOW RUN 128TH & ZUNI SAFEWAY	31,678	788	32,466	33,319	176	33,496	-5	347	-3
RANCHO PLAZA SE CORNER 72ND & FEDERAL RANCHO LIBORIO	27,206	0	27,206	32,942	0	32,942	-17	*****	-17
MEADOW POINTE NE CRN 92ND & OLD WADS CARRABAS	26,977	40	27,017	20,512	91	20,603	32	-55	31
	2,902,070	183,666	3,085,736	2,972,024	74,071	3,046,096	-2	148	1

## PAGE 3

Center	YTD 2010			YTD 2009			%Change		
Location	General	General		General	General				
Major Tenant	Sales	Use	Total	Sales	Use	Total	Sales	Use	Total
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	4,080,303	55,993	4,136,296	4,239,769	55,259	4,295,028	-4	1	-4
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	3,948,087	308,743	4,256,831	3,528,125	162,695	3,690,820	12	90	15
SHOPS AT WALNUT CREEK 104TH & REED TARGET	2,654,431	70,927	2,725,358	2,526,552	49,527	2,576,079	5	43	6
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	2,451,002	8,706	2,459,708	2,421,881	13,599	2,435,480	1	-36	1
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	2,414,608	5,448	2,420,056	2,788,639	19,739	2,808,378	-13	-72	-14
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	2,260,706	5,321	2,266,027	2,160,739	8,038	2,168,777	5	-34	4
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	2,165,679	98,761	2,264,440	2,041,772	19,285	2,061,057	6	412	10
WESTMINSTER MALL 88TH & SHERIDAN 3 DEPARTMENT STORES	1,906,352	27,421	1,933,773	2,407,811	15,485	2,423,297	-21	77	-20
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	1,897,613	10,448	1,908,061	1,857,375	21,316	1,878,691	2	-51	2
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	1,383,439	10,263	1,393,702	1,871,008	15,391	1,886,399	-26	-33	-26
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	1,368,952	376,926	1,745,878	1,361,185	177,725	1,538,910	1	112	13
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	1,241,030	8,543	1,249,573	1,260,619	7,624	1,268,243	-2	12	-1
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	1,009,410	3,937	1,013,348	1,021,216	4,675	1,025,890	-1	-16	-1
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	893,542	5,519	899,061	852,267	3,270	855,537	5	69	5
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	792,282	5,326	797,608	752,278	8,008	760,286	5	-33	5

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
DECEMBER 2010 YEAR-TO-DATE

PAGE 4

Center Location Major Tenant	/----- YTD 2010 -----/			/----- YTD 2009 -----/			/--- %Change ---/		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	781,352	3,454	784,806	765,532	6,111	771,643	2	-43	2
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	571,031	16,824	587,855	588,263	5,503	593,766	-3	206	-1
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	511,606	2,565	514,171	555,664	9,321	564,985	-8	-72	-9
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	485,120	4,793	489,912	484,124	2,803	486,927	0	71	1
WILLOW RUN 128TH & ZUNI SAFEWAY	427,208	5,574	432,782	500,537	3,278	503,815	-15	70	-14
RANCHO PLAZA SE CORNER 72ND & FEDERAL RANCHO LIBORIO	371,295	1,111	372,406	347,732	24,750	372,482	7	-96	0
NORTHVIEW 92ND AVE YATES TO SHERIDAN SALTGRASS	294,491	2,310	296,801	283,978	48,735	332,713	4	-95	-11
MISSION COMMONS W SIDE WADSWORTH 88-90TH BIG 5 SPORTS	290,876	1,185	292,060	285,969	1,604	287,573	2	-26	2
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	276,332	5,159	281,491	298,099	6,035	304,135	-7	-15	-7
BOULEVARD SHOPS 94TH & WADSWORTH CORRIDOR AMERICAN FURNITURE WAREHOUSE	264,292	2,255	266,547	261,774	2,383	264,157	1	-5	1
	34,741,037	1,047,514	35,788,551	35,462,909	692,158	36,155,068	-2	51	-1



## Agenda Item 8 B

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** 2010 Pavement Rehabilitation Project - Change Order No. 7

**Prepared By:** Richard A. Clark, Utilities Operations Manager

#### Recommended City Council Action

Ratify the expenditure of \$49,230 to the previously approved contract with Asphalt Specialties Company and authorize the City Manager to execute contract Change Order No. 7 with Asphalt Specialties Company, Inc. in the amount of \$49,230 for water main replacement trench patching.

#### Summary Statement

- On April 14, 2008 City Council authorized a contract with Asphalt Specialties Company, Inc. for the 2008 Pavement Rehabilitation Project. This contract included a two year renewal provision that has been exercised for 2010. A portion of this paving contract is for water main replacement trench patching in the Utilities Division Operations budget.
- Clay Street, Decatur Street and Dale Court were added to the 2010 water main replacement program as critical repairs in response to numerous breaks that occurred late in the year. These three projects, in addition to other previous change orders, caused the pavement rehabilitation project to exceed the 10% change order limit.
- While adequate funding is available in the Utilities Operations operating budget to pay for the additional pavement replacement patches, Staff was unaware at the time that the additional work would cause the pavement rehabilitation project to exceed the 10% limit for change orders which requires Council approval. Staff is requesting the approval of an additional \$49,230 from the Utilities Operations operating budget in the Water Fund to cover these repaving charges through this Change Order #7.
- Asphalt Specialties Company, Inc. has performed the additional work at the 2010 amendment unit prices.
- Funds are available for this expense in the Utilities Operations operating budget.

**Expenditure Required:** \$49,230

**Source of Funds:** Utility Fund – 2009 Utilities Field Operations Division Budget

**Policy Issue**

Should City Council authorize Change Order No. 7 to Asphalt Specialties Company, Inc. for the additional \$49,230 for water line trench repair work?

**Alternatives**

1. Curtail in-house water main replacement activities until other methods or funds to restore the pavement become available. This alternative is not recommended, as the water main replacement activities are an essential part of the City Council's goal providing well maintained city infrastructure. These replacement activities have resulted in substantial reduction in water main breaks.
2. Delay the paving of these particular streets until 2011 and use 2011 funding. This alternative is not recommended as it would only delay the expenditure, not eliminate it. Leaving the streets with a temporary surface until repaving in 2011 would have placed an undue hardship on the residents and caused a deterioration of the sub grade of the street.

**Background Information**

The Pavement Rehabilitation Project includes water main replacement trench patching at various planned locations throughout the city. The Utilities Field Operations Division budgets for this cost in their operating budget each year. The 2010 Amendment to the 2008 Pavement Rehabilitation Project was originally approved in the amount of \$647,605. Three Change Orders (4, 5 and 6) totaling \$38,453 were approved administratively during the course of the project, raising the authorized contract to \$686,058, an increase of 4.80% over the original authorized amount of the project.

Clay Street, Decatur Street and Dale Court were added to the 2010 for water main replacement program in response to several breaks which occurred late in the year. Repaving each of these individual street segments cost approximately \$16,000 and constituted an approximate 2.5% increase in the Pavement Rehabilitation Project. However, the cumulative increase of 13.54% is greater than the ten percent allowed by the Purchasing Procedures.

Staff proceeded with repaving these streets in December 2010, as the unusually warm weather allowed paving operations to continue up to December 20, 2010. The contract overage was not discovered until all the invoicing for the Pavement Rehabilitation Project was received and tabulated.

The proposed Council action supports City Council's goals and objectives of "Financially Sustainable City Government" by providing well maintained city infrastructure and facilities through water line improvements; "Vibrant Neighborhoods and Commercial Areas" by maintaining and improving neighborhood infrastructure and housing.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager





## Agenda Item 8 C

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** 2010 Library Materials Ratification of Additional Baker & Taylor Expense

**Prepared By:** Kate Skarbek, Library Services Manager

#### **Recommended City Council Action**

Ratify the expenditure of \$5,398 to the previously Council-approved contract with Baker and Taylor for 2010 library materials, increasing the contract approval amount to \$155,398.

#### **Summary Statement**

- On January 25, 2010, City Council authorized the library to purchase up to \$150,000 worth of books and other library materials from Baker & Taylor (B&T).
- The total library materials budget approved for fiscal year 2010 was \$309,300. Funds that were previously appropriated in the 2010 budget are available.
- During fiscal year 2010, customer service levels from other vendors fell while the Baker and Taylor fill rate on orders rose with a quick turn-around time and a higher than average discount rate. This resulted in Staff spending more of its materials budget with Baker and Taylor. Unfortunately, due to delays in tracking expenditures, the overage was not initially discovered until the authorized limit went above the City Council initial authorization amount of \$150,000.

**Expenditure Required:** \$ 5,398

**Source of Funds:** General Fund

**Policy Issue**

Should City Council ratify the additional expenditures related to the 2010 library contract with Baker & Taylor?

**Alternative**

Council could decide not to ratify this expense. Staff does not recommend this alternative as Baker & Taylor has already incurred the expense and shipped pre-processed materials on high-demand items for the public.

**Background Information**

In past years, library materials purchases from Baker & Taylor (B&T) have constituted roughly 45% of the library materials budget expenditures. In 2010, purchases from Baker & Taylor rose to 50.2% of the library materials budget.

This vendor consistently provides the City with good customer service and low prices. In 2010, the rate B&T filled orders placed by the library rose while other vendors took much longer and had lower available inventory to fill orders. The discount B&T provides is comparable to or higher than those of other vendors. B&T's website is kept up to date with inventory on hand compared to other vendors that the library also orders from. B&T is still the only book vendor website that is fully interactive with the library's computerized acquisition system.

In past years, Baker and Taylor invoices have been sent to the City electronically at the time of shipment. Library staff members have typically processed those invoices within one week of receipt, forwarding them onto Finance on Wednesdays by noon. Finance would then cut a payment check by that Friday. On August 2, 2010, the City's Finance Department began a new process to improve cash management by not printing payment checks until seven days before the invoice due date. This allows the City to earn more interest. Unfortunately, by the time Staff realized this change, they had already exceeded Council's previously-approved amount of \$150,000 by \$5,398. Since realizing this gap, Staff has worked to create reports from the Integrated Library System, Horizon, to provide more current tracking tools for library material expenditures to ensure that this does not happen in the future.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 D

**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
January 24, 2011



**SUBJECT:** 2011 Deicing Salt Purchase

**Prepared By:** Dave Cantu, Street Operations Manager

**Recommended City Council Action**

Authorize the purchase of rock salt from the two low quote vendors, Independent Salt Company and Envirotech Services, Inc., in an amount not to exceed \$300,000.

**Summary Statement**

- Deicing salt is purchased to ensure safer winter storm travel for the motoring public.
- 2011 bids for rock salt were obtained through the Multiple Assembly of Procurement Officials (MAPO). Independent Salt Company is the low MAPO bidder for 2011 at \$62.64/ton.
- The 2011 State of Colorado low bid for deicing salt (ice slicer) with Envirotech Services, Inc., has been quoted at \$89.50 per ton.
- Staff estimates that 3,878 tons of deicing salt will be utilized during 2011.
  - Envirotech Services, Inc. – 1,878 tons
  - Independent Salt Company – 2,105 tons
- The \$300,000 authorization requested will allow for the purchase of 3,983 tons of deicing salt. If the City experiences significant snow and ice conditions and these materials are used up, Staff will need to request additional spending authority.
- Splitting this purchase between the two vendors has proven to expand available resources and the two products are mixed at an approximate ratio of 50/50 to decrease the overall price per ton (\$76.07).

**Expenditure Required:** \$300,000

**Source of Funds:** General Fund – Public Works and Utilities Street Operations Budget

**Policy Issue**

Should City Council authorize the purchase of deicing salt from the two available vendors, Independent Salt Company and Envirotech Services, Inc.?

**Alternatives**

One alternative is to not purchase deicing materials, which is not recommended as keeping the streets safe for the motoring public during the winter months is of the highest priority.

A second alternative is to re-bid the salt purchase. This alternative is not recommended since Staff believes the unit cost of salt and the vendors will remain the same. Locking into one vendor increases the chances of non-delivery and running out of the product.

**Background Information**

The City has successfully purchased salt through the MAPO and CDOT bids in past years. These expenditures are within the approved 2011 Public Works and Utilities Street Operations Division budgeted amount for these items. Envirotech pricing decreased 0.5% below 2010 pricing, and Independent Salt prices increased 1.48% over 2010 prices. The Independent Salt increase is due to increased energy costs.

Once the entire 2011 budgeted allotment of \$300,000 for deicing salt is depleted, depending on the severity of the remaining winter season, additional funding in 2011 may be required. At this time, Westminster's stockpile is at 85% capacity. Staff will make a recommendation to City Council if such a situation should arise.

This purchase helps achieve City Council's strategic plan goal of a "Safe and Secure" community by meeting the objective of safe citizen travel throughout the City.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 E

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** 2011 Water Treatment Chemicals Purchase

**Prepared By:** Richard Clark, Utilities Operations Manager  
Tom Settle, Water Treatment Superintendent

#### Recommended City Council Action

Award the bids for the purchase of Ferric Chloride to PVS Technologies, Lime to Mississippi Lime Company, and 12.5% Sodium Hypochlorite to DPC Industries. Based on the report and recommendation of the City Manager, determine that the public interest will be best served by awarding 25% of the annual amount of 10% Sodium Hypochlorite to Treatment Technologies. Authorize total purchases on an as-needed basis not to exceed \$673,321, which includes a 10% contingency of \$61,211.

#### Summary Statement

- Adequate funds for the purchase of water treatment chemicals were included in the approved 2011 Utilities Operations Division Budget.
- Four chemicals will be purchased in large quantities in 2011. They are Ferric Chloride, Lime, 12.5% Sodium Hypochlorite and 10% Sodium Hypochlorite.
- The unit prices indicated on the bid tabulation for the four chemicals are for purchases on an as-needed basis.
- In January 2009, the Multiple Assembly of Procurement Officials (MAPO) issued a bid for water treatment chemicals. Pricing was updated in December 2010. This pricing is being recommended for the purchase of Ferric Chloride, Lime, and Sodium Hypochlorite.

**Expenditure Required:** Not to exceed \$673,321

**Source of Funds:** Utility Fund – Utilities Operations Division Budgets

**Policy Issue**

Should the City accept the MAPO bids for water treatment chemicals?

**Alternative**

Reject the MAPO bids and re-bid the chemicals. This is not recommended as the bids received through MAPO are valid bids that the City would most likely not to be able to improve upon.

**Background Information**

As part of the 2011 Budget, City Council approved the purchase of treatment chemicals for the City's water and wastewater treatment facilities. Information regarding each chemical and its approximate annual usage and bid price for 2011 follows:

CHEMICAL	APPROXIMATE QUANTITY	PRICE	EXTENDED PRICE	VENDOR
Ferric Chloride	500 Tons	\$613.00 Ton	\$306,500	PVS Technologies
Lime	400 Tons	\$222.15 Ton	\$88,860	Mississippi Lime
12.5% Sodium Hypochlorite	150,000 Gallons	\$1.13 Gallon	\$169,500	DPC Industries
10% Sodium Hypochlorite	45,000 Gallons	\$1.05 Gallon	\$47,250	Treatment Technologies
		Total	\$612,110	

Ferric Chloride is used for coagulation/clarification in the treatment process at the Semper Water Treatment Facility. Lime is used for control of the pH and alkalinity of the water to minimize corrosion of distribution system pipes and home plumbing. Sodium Hypochlorite is used for disinfection in all of the treatment facilities. Staff recommends purchasing the 10% concentration supply of this chemical for the Northwest Water Treatment Facility and the Reclaimed Water Treatment Facility from Treatment Technologies to ensure an alternative supplier. The reason to ensure an alternative supplier is that chemical shortages have occurred the past couple of years, and it is easier to get supplies of critical chemicals if the City is an existing customer. There are only two manufacturers of Sodium Hypochlorite in the Rocky Mountain Region. The usage numbers for all the chemicals are approximate since this is for the whole year, and factors such as weather and water demand are unpredictable. The approximate usage figures are based on 2010 actual usage.

This chemical bid was put out on behalf of MAPO, a cooperative of state, municipal, county, special district, school district and other local government agencies. This is a competitive bid and offers greater volume and lower prices to the City than the City can obtain on its own. Westminster City Code 15-1-4-A1 specifically states that this is an acceptable form of purchasing for the City.

Forty-eight chemicals were put out on the MAPO bid. Ten water chemical vendors responded to the bid notification. They were Dimmit Sulfur Products LTD, DPC Industries, Inc., General Chemical, Industrial Chemical Corp., Peak Polymer Performance, Inc., Polydyne Inc., Prominent Systems Inc., PVS Technologies, Inc., SNR Enterprises, and Thatcher Company.

There was only a single bid for Lime in the original January 2009 MAPO bid. The vendor was contacted to ascertain the source of the chemical and confirm quality specifications. The Lime to be supplied under the bid will contain an unacceptable level of sand-type inert material that provides no benefit in the treatment process and will foul the chemical feed equipment. The City of Westminster sought additional bids for material meeting the specifications in January 2009. Mississippi Lime provided the sole bid meeting the material requirements. The pricing for this material was updated in December 2010.

The low bids for the four primary chemicals, Ferric Chloride to PVS Technologies in the annual approximate amount of \$306,500, Lime to Mississippi Lime Company in the annual approximate amount of \$88,860, 12.5% Sodium Hypochlorite to DPC Industries in the annual approximate amount of \$169,500, an alternative source for 10% Sodium Hypochlorite to Treatment Technologies in the annual approximate amount of \$47,250, meets all specifications and requirements set by the City.

The annual estimated cost of the chemicals is within the amount previously approved by City Council for this expense. In addition to the chemicals included within this agenda memorandum, a variety of other chemicals are utilized by the treatment facilities during the year that are purchased in smaller quantities and below the \$50,000 bid approval threshold. All of these chemical purchases contribute to the total annual chemical expenditures authorized in the Utilities Division operating budget.

This project meets Council's Strategic Plan goals of Safe and Secure Community, Financially Sustainable City Government, and Beautiful and Environmentally Sensitive City by keeping the City's water supply clean and safe and improving the service level of the treatment plants at the best possible price.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 F

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** 2011 Asphalt and Crackseal Materials Purchase

**Prepared By:** Dave Cantu, Street Operations Manager

#### Recommended City Council Action

Authorize the purchase of asphalt materials from Aggregate Industries, Inc., for the purchase of asphalt materials, and Deery American Corporation for crackseal materials at the unit prices indicated on the bid tabulation on an as-needed basis in an amount not to exceed \$500,000 for asphalt and \$60,000 for crackseal materials.

#### Summary Statement

- City Council approved adequate funds for these expenses in the 2011 Department of Public Works & Utilities' Street Operations Division and Utilities' Field Operations Division budgets.
- Hot mix asphalt material is used for all types of street maintenance repairs including pothole patching, surface replacement, and preparation of streets earmarked for 2011 and 2012 improvements (Street Operations Budget). Hot mix asphalt material is also used for water break excavation patching and in-house trench patching after water main replacements (Utilities Field Operations Budget).
- Rubberized cracksealing material is used to seal moisture from asphalt pavements citywide (Street Operations Budget).
- City Crews will need an estimated 14,000 tons of hot mix asphalt material (12,658 tons for Street Division related work and 1,406 tons for Utilities related work), and 139,500 lbs. of rubberized crackseal material to be purchased on an as-needed basis throughout 2011.
- 2011 bids were solicited through MAPO (Multiple Assembly of Procurement Officials) with Aggregate Industries, Inc. and Deery American being the low bidders for asphalt and crackseal materials respectively.

**Expenditure Required:** \$560,000

**Source of Funds:** \$510,000 - General Fund, Street Operations Division Budget  
\$50,000 - Utility Fund, Utilities Field Operations Division Budget



**Policy Issue**

Should City Council authorize the purchase of asphalt from Aggregate Industries, Inc., and Deery American Corporation for crackseal materials utilizing the 2011 MAPO bids?

**Alternative**

City Council could choose to execute a bid for just the City of Westminster's materials requirements, rather than join the MAPO bid. This alternative is not recommended because the smaller quantities would increase the costs.

**Background Information**

The results of the 2011 MAPO bidding were as follows:

**2011 MAPO Hot Mix Asphalt Bids**

	Aggregate Industries	Premier Paving	Asphalt Specialties Company	Colorado Asphalt Specialties
Grading "SX" ½" material per ton	\$35.55	\$36.25	\$37.17	\$47.00

Aggregate Industries, Inc., is the 2011 low bidder for hot mix asphalt material and Staff has confirmed that they will guarantee pricing through first quarter 2011. The MAPO bid allows for quarterly price adjustments pending substantial and agreed upon justification. The plant is fully automated and the mix design meets City specifications. Street Operations Division Staff successfully purchased hot mix asphalt material from Aggregate Industries, Inc., plants in the Denver metro area in past years.

**2011 MAPO Rubberized Crackseal Material Bid**

	Deery American Corporation	Maxwell Products
Cost per pound – delivered	\$0.43	\$0.52

Deery American Corporation is the 2011 MAPO low bidder for crackseal material. City street maintenance crews have utilized this crackseal material successfully over the past eleven years on roadways throughout the City. The 2011 asphalt materials bid reflects a 0.8% decrease below the 2010 4<sup>th</sup> quarter price. The 2011 crackseal materials bid reflects no change from 2010.

In past years, asphalt for utility related work has been absorbed by the Street Division budget. Starting in 2011, Utility Field Operations Division budgeted \$50,000 for Utilities related asphalt material expenditures.

Purchasing these materials through the MAPO bid process and matching quotation helps achieve City Council's goals of "Financially Sound City Government" and "Vibrant Neighborhoods and Commercial Areas" by meeting the objectives of well maintained city infrastructure and facilities and maintained and improved neighborhood infrastructure.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 G

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** 2011 Library Materials Purchases Over \$50,000

**Prepared By:** Kate Skarbek, Library Services Manager

#### **Recommended City Council Action**

Based on the recommendation of the City Manager, determine that the public interest will be best served by authorizing purchases from Baker and Taylor not to exceed \$260,500; from Gale Cengage not to exceed \$60,000; and from Midwest Tapes not to exceed \$60,000; for a grand total not to exceed \$380,500 for the purchase of library books and electronic resources.

#### **Summary Statement**

- The Westminster Municipal Code requires all purchases over \$50,000 be authorized by City Council. Staff has taken a conservative approach in interpreting this requirement to include department transactions where the cumulative total purchases of similar commodities or services from one vendor in a calendar year exceed \$50,000.
- These are negotiated contracts with Baker & Taylor, Gale Cengage, and Midwest Tapes; formal bidding was not used. However, Staff continues to compare prices with other vendors and where lower prices can be obtained, another vendor will be used. In most instances, however, Baker and Taylor, Gale Cengage, and Midwest Tapes offer the lowest prices on the items ordered.
- Funds were previously appropriated in the 2011 Budget and are available in the General Fund for the purchases.

**Expenditure Required:** \$260,500 - Baker and Taylor  
\$ 60,000 - Gale Cengage  
\$ 60,000 - Midwest Tapes  
\$380,500 - Total

**Source of Funds:** General Fund - Parks, Recreation and Libraries  
- Library Division Operating Budget

**Policy Issue**

Should City Council waive formal bidding requirements and approve the purchase of library materials and electronic resources that each total over \$50,000 from three vendors in 2011?

**Alternative**

Do not approve the purchase as recommended and request that Staff go out to bid on this purchase. This alternative is not recommended for the reasons outlined in the background information of this agenda memorandum.

**Background Information**

In 2010, library materials purchased from Baker and Taylor (B&T) constituted 50.2% of the library materials budget expenditures. Staff anticipates that purchases from B&T will likely rise substantially in 2011 over what has been purchased in past years, due in large part to changes in the publishing industry including the rising popularity of downloadable electronic books.

For the better part of the last two decades, the Westminster Public Library has leased books through the McNaughton Program currently offered by Brodart. For the majority of that time period, this program saved the City money since it allowed the library to lease more copies of popular materials than it could afford to purchase. Unfortunately, Staff found in its 2010 evaluation of this program that these leased materials costs have risen significantly and now cost \$28 per item, substantially more than it costs to purchase most adult titles. Westminster Public Library will end its contract with Brodart at the end of the contract period in August 2011. Many of these materials are available for a lower cost from other vendors, including B&T. This will likely increase the amount the City will be purchasing from B&T and other print book vendors over that purchased in past years. The City's current contract with Brodart is for \$29,205 annually. Staff will continue to purchase specific titles from Brodart when those costs are the lowest.

Baker and Taylor consistently provides the City with good customer service and low prices. Their procedures coordinate well with the City's procedures, so using them improves Staff efficiency. The discounts that B&T offers the City are very competitive pricewise. In instances where Staff receives a better discount from a different vendor, materials are ordered from the other vendor. The City receives the majority of its standing orders from B&T because they are the most competitive. In addition, B&T maintains an interactive website that Staff can use to manage the City's library orders.

In late 2009, B&T negotiated a deal with Gale Cengage Press to distribute this popular publisher's eBook versions of print titles the library has traditionally purchased directly from Gale. This offering is scheduled to begin in 2011. It is unclear whether the invoices will be sent from B&T or Gale. In 2010, the Westminster Public Library purchased \$32,957 from Gale Cengage including databases from the electronic resources budget and print materials from the library materials budget. If the downloadable eBooks they introduce in 2011 are worthwhile, purchases may exceed \$50,000 total in 2011 either directly from Gale Cengage or substantially increase the total amount purchased from B&T, depending on how the two companies work out their invoicing. For these databases and titles, Gale Cengage is a single source vendor. The library does subscribe to other database vendors including Ebsco as well.

Each year the Library compares pricing and services among the large library vendors of B&T, Ingram, Amazon.com, Midwest Tapes and others. Services reviewed are the ease of online ordering, technological coordination with our database and shipment practices that include invoicing and turn-around time. Pricing considerations are noted for overall discount prices. B&T continues to offer the most competitive services, in terms of format and discounts, which can be up to 45%.

Unlike Baker & Taylor, Midwest Tape specializes in selling only audiovisual materials and supplies to public libraries. Consequently, they excel in this area, offering lower prices and good service on audiovisual material. Midwest therefore receives the bulk of Westminster library's audiovisual orders. Midwest provides electronic records to include in the online catalog as well as a single-disc replacement service should only one disc in a multivolume set become inoperable. Midwest also does not charge shipping costs so the item costs are kept to a bare minimum. Staff has found Midwest's services to be timely, accurate, and efficient. In 2010, Westminster purchases from Midwest totaled \$44,354. Given how close this amount is to the \$50,000 threshold, Staff is requesting Council's approval to possibly exceed \$50,000 in purchases with Midwest Tapes in 2011 should patron demand require increasing the library's DVD, music CD, and audiobook collections at a higher rate than in the past.

These purchase requests support the City's Strategic Plan Goal of "Financially Sustainable City Government Providing Exceptional Services."

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 H

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Fire Station Alarm Notification System Purchase

**Prepared By:** Bill Work, Deputy Fire Chief  
Tim Burandt, Fire Lieutenant  
Rich Welz, Technical Services Coordinator

#### Recommended City Council Action

Award the bid and authorize the City Manager to execute a contract with Low Voltage Installations, Inc. for the installation of a replacement fire station alarm notification system in the amount of \$226,616, with a construction contingency in the amount of \$14,274 and performance bond in the amount of \$7,110, for a total project budget of \$248,000.

#### Summary Statement

- The purpose of this purchase is to modernize and enhance the way the fire stations are notified for response to emergency calls by replacing the current fire station alarm notification system.
- Currently, the fire station alarm notification system uses an antiquated radio based, two-tone system, designed and built in 1982 with Radio Shack parts. This system has become problematic and has failed on occasion. The ability to repair and find parts for this system has become problematic.
- The proposed system is interfaced with the City's Computer Aided Dispatch (CAD) system and is a much faster notification system that could reduce notification times by as much as 25 seconds, which should result in faster response times. This system uses split second fiber optic technology with a National Fire Protection Association (NFPA) compliant radio back-up system.
- A highlight of this notification system is the ability to program individual bunk rooms. This feature benefits the firefighter by not waking them up for calls that do not pertain to them, reducing the impacts of sleep deprivation.
- A benefit of this notification system is the potential reduction of overall stress to the firefighter that is being awakened by utilizing low ramping tones and a soft human pre-announcement voice. Additional red LED lighting helps to preserve night vision.
- Request for bids were sent to three vendors. Only Low Voltage Installations, Inc. chose to submit a formal bid.
- This proposed system is digital and modularly built so additional features could be added as needed.
- Adequate funds are budgeted and available for this project.

**Expenditure Required:** \$248,000

**Source of Funds:** General Capital Improvement Fund

**Policy Issue**

Does City Council want to accept the only bid that was submitted for this project?

**Alternatives**

City Council could direct staff to re-bid this project. Staff does not recommend this alternative due to the fact that the request for bids was sent to three nationally known vendors of these types of fire station alarm notification systems, two in Colorado and one in Arizona. No response was received by the Arizona based vendor. The other in-state vendor chose not to submit a bid based on the fact that their system relied more on automated voice dispatching technology and they felt the City's design criteria did not favor them.

City Council could direct staff to delay this project and just continue with the current fire station alarm notification system that is in place. Staff does not recommend this alternative due to the increasing unreliability of the current system. The new system also provides a National Fire Protection Association compliant back-up system that the current system does not have.

**Background Information**

The Fire Department first began experiencing failures of the current fire station alarm notification system as early as 1990. The first proposals to replace this system date back to 1995. Budget constraints due to the cost of this project have delayed this replacement until now. The primary issue for the current alarm notification system is that the components are out-dated and some parts are no longer available. This has required some ingenuity on behalf of those charged with maintaining this system to "band-aid" the system together. It is only a matter of time until there is a significant and potentially un-repairable failure of the system.

There are two key advantages gained by the upgrade to this new alarm notification system. The first advantage is more reliable technology and components that result in quicker processing time. This quicker processing time should result in faster "turn-out" times which could reduce overall response times by as much as 25 seconds.

The second key advantage is the benefit to firefighter health and safety. The current system wakes all the firefighters up at a particular station regardless of their unit assignment. The unnecessary waking of firefighters that are not involved with a particular call only contributes to the issues related to sleep deprivation. The current system also wakes the firefighters up with a single sound level radio message as well as turning on the normal lights in the station. The proposed system is designed to reduce the stress to the firefighter both in terms of heart stress as well as night vision stress. This is accomplished by turning on red LED lights in the individual bedrooms that provide sufficient light to get dressed by, but not so bright to cause night vision blindness. Additionally, the ramping tone activation and a soft human pre-announcement voice starts off at a lower decibel level and gradually gets louder, reducing the sudden shock associated with the current voice notification. Each individual firefighter bedroom is programmable so that the only night time notification they receive is for their emergency unit assignment.

With input received from Information Technology, Emergency Communications, the City's Purchasing Agent, and the City Attorney's Office, requests for bids were sent to three fire station alerting vendors. US Digital Design (Phoenix, AZ) did not respond to any of our email requests and did not submit a bid. Locution (Golden, CO) did respond to the email requests and did participate in the site visits in preparation for their bid. After their review, Locution submitted a "no bid" letter stating they did not bid the system due to the fact that their system was heavily based on the audio portion of the system and this requirement would have necessitated additional capital outlay to upgrade the existing speaker systems in each fire station. The Low Voltage Installations, Inc. bid, which uses "First In Fire Station Alerting" components and technology, originally came in at \$272,929; however, Staff negotiated the cost down through some minor modifications to the scope of work.

With only one qualified submittal, a negotiated bid was completed that would meet the requirements of the design criteria, while also meeting the level of funding that has been approved. The basic breakdown of the costs is as follows:

Fire Station One:	\$38,380
Fire Station Two:	\$52,772
Fire Station Three:	\$37,647
Fire Station Four:	\$42,271
Fire Station Five:	\$19,450 (does not include LED bedroom lighting)
Fire Station Six:	\$36,096
Performance Bond:	\$7,110
Contingency:	\$14,274
 Total	 \$248,000

These prices, per station, will cover all the components, hardware, lighting and labor costs to make each station fully functional. The exception to this complete installation is Station Five, which will be completed at a later date. This will not create problems as this station does not have the same notification needs as the other fire stations. The listed pricing does not include the LED lighting for Station Five. The hope would be to have the contingency available for this project on the Station Five installation, in order to bring this fire station up to the same standard as the other five stations. The contingency funds would cover this cost. This would only occur if the contingency money was not needed to finish the negotiated base project.

The City Attorney's Office has advised that there is a need to secure a performance bond. The cost of this bond is \$7,110 and will be secured by the vendor.

It should be noted that the programming needs to interface this project with the Communications Center's Intergraph CAD system to the First-In Fire Station Alerting System hardware, will be funded with Jefferson County E-911 Authority funds. This cost is estimated at \$2,800 to \$3,000. This funding has been discussed with the City's representative to this Authority and they have assured the Fire Department these programming costs will get funded.

Westnet, Inc., the manufacturer of the First-In Fire Station Alerting System, and Low Voltage Installations, Inc. both have a strong presence and a great reputation throughout the metro Denver area. Fire station alerting equipment is the only business for Westnet, Inc and they have installations throughout the North American market. Low Voltage Installations, Inc. is a locally owned and operated business that is very customer service oriented and has done a lot of work throughout the greater Denver area. Low Voltage Installations has been in business for 11 years and has successfully completed fire station alerting projects in more than 80 fire stations. Some of the installation locations include South Metro, Longmont, Louisville, Lafayette, Mountain View, North Washington, Littleton, Cunningham, Castle Rock, and Federal Heights. All departments that were surveyed reported satisfaction with the First-In Fire Station Alerting System product's reliability and performance. They also reported high satisfaction with Low Voltage Installations, Inc. for their quality of work and customer service.

This system is modular in design and provides for ease of maintenance and trouble shooting, ease in replacement of needed parts, and will allow for upgrading the system with additional components as funds allow.

**SUBJECT:** Fire Station Alarm Notification System Purchase

Page 4

This project helps to meet two of the goals in the City's Strategic Plan. *Safe and Secure Community* is fostered by helping to create more timely response to emergency calls as well as a better equipped Fire Department. *Financially Sustainable City Government Providing Exceptional Services* is fostered by contributing to well-maintained City facilities.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager





## Agenda Item 8 I

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Replacement Fire Aerial Ladder Truck Purchase

**Prepared By:** Bill Work, Deputy Fire Chief  
Tim Burandt, Fire Lieutenant

#### Recommended City Council Action

1. Authorize the City Manager to execute a contract with Pierce Manufacturing, Inc. through their local dealer, Front Range Fire Apparatus for the purchase of a 2011 Pierce Velocity Pump Under Cab (PUC) custom 105' aerial ladder truck in an amount not to exceed \$862,467.
2. Authorize the trade in of a 1996 Pierce Aerial Ladder Truck (Unit 5123) to Front Range Fire Apparatus for the amount of \$75,000.

#### Summary Statement

- Funds have been allocated in the 2011 Fire Department budget for a \$100,000 down payment to replace a 1996 Pierce Aerial Ladder Truck (Unit 5123). The remaining cost of this apparatus is to be funded by the trade in of Unit 5123 and by utilizing a seven year lease agreement. Funding of \$124,620 has been budgeted in 2012 for first year lease payments.
- The contract for purchase of this fire apparatus was negotiated with Front Range Fire Apparatus located in Longmont, Colorado. The City has had a sole source relationship with Pierce Manufacturing since 1996; City Council ratified this sole source relationship for a period of five years in May, 2006. Staff is satisfied that Pierce Manufacturing remains a leader in constructing quality fire apparatus and that Front Range Fire Apparatus is giving the City fair, competitive pricing.
- Front Range Fire Apparatus has guaranteed a trade-in value for the 1996 Pierce Aerial Ladder Truck of \$75,000.
- Delivery of this new apparatus is anticipated to occur in the last quarter of 2011. This new ladder truck will replace the current "Ladder 3" (Unit 5124) which will move to "reserve" status.
- This new aerial ladder truck will have a 105' steel ladder, which will provide an additional 30 feet of reach in comparison to the aerial ladder truck it is replacing. Aerial ladder capabilities are particularly critical in high angle rescue, extinguishing building fires, and in providing elevated water streams for large defensive attacks on fires.
- Favorable trade-in pricing has allowed this aerial ladder truck to be upgraded to a 105' ladder versus the 75' ladder truck it is replacing. The City Manager's Office and the Fleet Manager have reviewed and approved this upgrade.

**Expenditure Required:** \$862,467

**Source of Funds:** \$100,000 down payment (Fire Department Operating Budget)  
\$75,000 from trade-in credit, \$4,084 from down payment credit  
\$683,383 financed through future lease payments (Fire Department Operating Budget)

**Policy Issue**

Does City Council wish to proceed with the purchase of a 105' aerial ladder fire apparatus to replace the 1995 Pierce 75' aerial ladder truck scheduled for replacement in 2011?

**Alternatives**

- 1) City Council could direct Staff to purchase a 75' aerial ladder truck, thus reducing the overall purchase price and replacing the reserve apparatus with a like unit. The cost difference is approximately \$61,500. This action is not recommended due to the significant increased reach capabilities of the 105' aerial ladder truck that have been proven to be desirable on numerous emergency occasions over the 75' aerial ladder truck.
- 2) City Council could direct Staff to take bids on this replacement apparatus from a variety of vendors instead of using the sole source agreement with Pierce Manufacturing. This action is not recommended as the City has had excellent experience with Pierce Manufacturing and Staff believes the City is getting a fair price and a fair trade-in value.

**Background Information**

The original planned replacement cost for the reserve aerial ladder truck (Unit 5123) was estimated and budgeted at \$785,000. This price did not take into consideration any trade-in value. Once discussions with the vendor began, it was soon learned that the trade-in value would be significantly higher than expected. With a guaranteed trade-in value of \$75,000, discussions were held with the City Manager's Office, the City Purchasing Agent, and the Fleet Manager to discuss the possibility of upgrading this replacement vehicle to a 105' aerial ladder.

Significant effort was put into researching the need to replace the 75' aerial ladder truck with a longer 105' aerial ladder. Staff found over 15 incidents that occurred over the last three years where a rescue or access would not have been possible with the 75' ladder, but where the existing 105' Ladder 2 did or would have met the need. Practice scenarios were also set up at a number of the City's apartment and townhome complexes. During these scenarios it was demonstrated that the 105' aerial ladder greatly improves the odds of being able to access upper floors, balconies and roof tops over the 75' aerial ladder. The addition of a second 105' aerial ladder enhances the Fire Department's ability to meet the needs of the community.

When a fire apparatus purchase is made, the newly acquired unit replaces a reserve apparatus that is similar in capabilities. The new unit goes into frontline service, moving the oldest like frontline unit to reserve status for five to seven years. The reserve fire apparatus that is being replaced is then either sold or traded in and is removed from the City's fleet inventory. If approved, the newly acquired aerial ladder truck will be utilized as a frontline fire apparatus at Fire Station 3. The current reserve aerial ladder truck (Unit 5123) will be traded in and will be removed from the City's fleet inventory. Upon delivery of the new unit, the current Ladder 3 (Unit 5124) will be removed from frontline duty and assigned to reserve status for up to seven years. This purchase will give the Fire Department two 105' aerial ladder trucks in front line service with one 75' aerial ladder reserve unit. The aerial ladder truck that is being moved to reserve status can be used as a fire engine replacement as well when needed.

Staff has performed a comprehensive price comparison with Pierce Manufacturing to determine the selling price for recently purchased similar units in three different cities. The cities surveyed were Mt. Pleasant, South Carolina; Mount Vernon, Washington; and Roselle Park, New Jersey. After a comprehensive review of the components listed for each purchase and an analysis to create an equal comparison based on variations in these components, Staff found that the price Pierce Manufacturing is offering to the City for the 2011 Pierce Velocity 105' aerial ladder truck is consistent, fair, and competitive. The figures below indicate the findings of the price comparison completed by Staff after factoring in differences in specified components for each purchase in order to give an equivalent "same type unit" comparison.

<u>Agency</u>	<u>Equivalent Price</u>
Mt. Pleasant, South Carolina Fire Department	\$850,748
Mount Vernon, Washington	\$856,977
Roselle Park, New Jersey	\$816,346
Westminster, Colorado Fire Department	\$848,864

Staff has also estimated the impact on the lease payment budget for this apparatus based on the increased cost to purchase a 105' aerial ladder truck over the originally budgeted amount for a 75' aerial ladder truck. The 2011 Fire Department Operating Budget includes a down payment of \$100,000. The approved 2012 lease payment budget is \$124,620. The Finance Department did an analysis, using a very conservative estimate of a 7% lease finance rate on a balance of \$683,383. The 2012 budgeted amount will be sufficient and no increases in lease payment amounts would be needed. Due to an anticipated delivery date of late fourth quarter in 2011, lease payments will not occur until 2012. The actual lease interest rate will depend on the market at the time of final delivery. Staff has presented a "worst case" scenario so as to not underestimate the potential costs.

This new aerial ladder truck will incorporate the "PUC" design. This "pump under cab" design was developed by Pierce to address concerns from the fire service for better motor access for servicing, increased cabinet space and greater maneuverability. This will be the third fire apparatus with this design the City has purchased.

The City has a history of sole source status with Pierce Manufacturing, Inc. The City has been buying Pierce fire apparatus since 1988. Sole source status has been established with Pierce since 1996. The most recent renewal of this sole source relationship was approved in May of 2006 for a five year period. The Pierce product can tend to be more expensive than their competitors, but buyers realize a higher quality product that has an excellent reputation in terms of quality, reliability, engineering, customer service and satisfaction. Sole source status continues to provide several direct benefits for the City. Having fire apparatus from a sole source vendor has allowed the City to stock a number of Pierce parts. Having these parts in stock at Fleet Maintenance allows for faster turn around time on a number of repairs. The City's Fleet Division has endorsed sole source status for Pierce Manufacturing. Fleet Maintenance has invested considerable time and money in the hardware and software needed to perform diagnostic testing and in the training of the mechanics to use this diagnostic and repair equipment. Fire Department operators/drivers also benefit by having like apparatus to work with. Driving, handling, pump operation and routine maintenance have all been improved by not having to deal with a variety of design and quality in the apparatus.

This project helps to meet two of the goals in the City's Strategic Plan. *Safe and Secure Community* is fostered by helping to create a better equipped Fire Department. *Financially Sustainable City Government Providing Exceptional Services* is fostered by effective cost containment/control measures for living within budget.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachments: (1) Pierce Contract with Addendum  
(2) Proposal Options List



## CONTRACT

THIS AGREEMENT, made by and between Pierce Manufacturing Inc., Appleton, WI, first party, and the City of Westminster, Colorado, by its authorized representative, second party WITNESSETH:

**First.** The said first party hereby agrees to furnish the apparatus and equipment according to the specifications hereto attached and made a part of this contract, and to deliver the same as hereinafter provided.

**Second.** The first party agrees that all material and workmanship in and about said apparatus and equipment shall comply with said specifications. In the event there is any conflict between Customer Specifications and the Pierce Proposal, the Pierce Proposal will prevail. The standard Pierce Warranty will apply.

**Third.** This contract for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of contract signing, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of contract signing, except as modified by customer specifications. Any increased costs incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customer as an addition to the price set forth below.

**Fourth.** The said apparatus and equipment shall be ready for delivery from Appleton, Wisconsin after October 1, 2011 and before October 31, 2011, after the receipt and acceptance of this contract. The first party shall not be deemed in default for any causes beyond its reasonable control and not occasioned by its negligence, including, but not limited to, civil wars, insurrections, strikes, riots, acts of terrorism, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, delays in transportation, inability to obtain necessary labor, supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, or failure of vendors to perform their contractual obligations. The said apparatus and equipment shall be delivered to said party of the second part at Westminster Municipal Service Center, 6777 W. 88<sup>th</sup> Avenue, Westminster, Colorado 80031.

**Fifth.** A competent serviceman shall upon request, be furnished by first party to demonstrate said apparatus for second party and to give its employees the necessary instructions in the operation and handling of said apparatus.

**Sixth.** The second party hereby purchases and agrees to pay for said apparatus and equipment, the sum of Eight Hundred Sixty Two Thousand, Four Hundred and Sixty Seven Dollars (\$862,467.00)

The City will make a \$100,000.00 down payment at time of signed contract and acceptance of this contract by Pierce. For this down payment, City shall receive a \$4,084.00 discount to be credited against City's final payment.

Front Range Fire Apparatus will accept the 1995 Pierce Lance 75' Aerial Ladder as trade-in upon delivery of new apparatus, a \$75,000.00 credit will be applied to final payment;

Purchase price due after acceptance and delivery, after down payment of \$100,000.00, after down payment discount credit of \$4,084.00, and after trade-in credit of \$75,000.00 is \$683,383.00

City shall provide free and clear title to the 1995 Pierce Lance 75' Aerial Ladder, to be provided to Front Range Fire Apparatus, Inc. at the time of delivery of the Pierce Velocity 105' Aerial PUC being purchased.

The Tenth, Eleventh, and Twelfth Sections are per the attached addendum.

**Seventh.** In case the second party desires to test the apparatus, such test shall be made within ten (10) days after arrival at destination, and a written report of such test forthwith delivered to the first party at its principal office at Appleton, Wisconsin. If no such test be made, or if no such report be made by the second party within ten (10) days after arrival, then said apparatus and equipment shall be considered as fully complying with contract specifications.

**Eighth.** It is agreed that the Manufacturer's Statement of Origin ("MSO") for the apparatus and equipment covered by this contract shall remain in the possession of the first party until the entire contract price has been paid, but if more than one piece of apparatus is covered by this contract, then the MSO for each piece shall remain in the possession of the first party until the above listed price for such piece has been paid in full, and, in case of any default in payment, the first party may take full possession of the apparatus and equipment, or of the piece or pieces upon which default has been made, and any payments that have been made shall be applied as payment for the use of the apparatus and equipment up to date of taking possession.

**Ninth.** This contract to be binding must be signed and approved by an officer of Pierce Manufacturing Inc., or someone authorized by it to do so. This contract and specifications take precedence over all previous negotiations and no representations are considered as entering into this contract except as are contained herein or in the specifications attached hereto. This contract cannot be altered or modified except by mutual agreement signed by the parties.

IN WITNESS WHEREOF, the said parties have caused these presents to be executed and the second party has caused its seal to be affixed, and attested by its authorized representatives on this \_\_\_\_ day of \_\_\_\_\_, 2011.

PIERCE MANUFACTURING INC.

CITY OF WESTMINSTER

BY: \_\_\_\_\_

By: \_\_\_\_\_

J. Brent McFall

Date of Acceptance: \_\_\_\_\_

City Manager

**ADENDUM TO CONTRACT**  
**PIERCE MANUFACTURING INC.**  
**CITY OF WESTMINSTER**

**Tenth.** The proposals, specifications, warranties, certifications technical information, service center information, literature, drawings and all other documents submitted by Pierce's authorized representative Duane Doucette in connection with the bid for this apparatus and equipment are hereby incorporated here in by this reference and made part of this contract.

**Eleventh.** This contract and any issues related there to shall be governed by the laws of the State of Colorado, and any actions related there to shall be brought and adjudicated in the State of Colorado.

**Twelfth.** Pursuant to Colorado Constitution article X, section 20, nothing herein shall be deemed or construed as creating a multiple fiscal year obligation on the part of the City, and the parties agree that this contract is subject to appropriation by City Council of the funds needed for payment of the balance of the Agreement in October of 2011. The City agrees to exercise utmost good faith in making such appropriation. In the event of nonappropriation, however, the City may, upon ten (10) days notice of such nonappropriation to Pierce, cancel this Contract without penalty and the City's down payment shall be refunded to the City.





# Proposal Option List

1/11/2011

**Customer :** Westminster Fire Department  
**Representative :** Doucette Duane  
**Organization :** Front Range Fire Apparatus, Ltd  
**Requirements Manager:**  
**Description :** Aerial, 105' HDL  
**Body :** Aerial, HD Ladder 105', Alum Body  
**Chassis :** Velocity Chassis, Aerials/Tankers Tandem 48K (Big Block), 2010

**Bid Number :** 222  
**DB Version:** 02.00.0069.0000  
**Bid Date :** 11/30/2010  
**Job Number :**

Line	Option	Type	Option Description	Qty	Price
			<b>Chassis:</b>		
1	0018180		Single Source Compliance (Aerials)	1	0.00 Chassis
2	0536644		Customer Service Website	1	0.00 Chassis
3	0564211		Velocity Chassis, Aerials/Tankers Tandem 48K (Big Block), 2010	1	47,478.47 Chassis
4	0000110		Wheelbase	1	0.00 Chassis
			Wheelbase - 248.50"		Chassis
5	0000070		GVW Rating	1	0.00 Chassis
			GVW rating - 70,800 pounds		Chassis
6	0000203		Frame Rails, 13.38 x 3.50 x .375, DLX/Qtm/Ent/AXT/Imp/Vel	1	1,083.00 Chassis
7	0060637		Frame Liner, Inv "L" 12.68" x 3.00" x .25", AXT/Vel/Imp, Full Length	1	1,484.48 Chassis
8	0508849		Axle, Front, Oshkosh TAK-4, Non Drive, 22,800 lb, Imp/Vel	1	0.00 Chassis
9	0010427		Suspension, Front TAK-4, 22,800 lb, DLX/Ent/Qtm/AXT/Imp/Vel	1	22,561.19 Chassis
10	0087572		Shock Absorbers, KONI, on TAK-4 DLX/Qtm/AXT/Ent/Imp/Vel	1	0.00 Chassis
11	0000322		Oil Seals, Front Axle	1	0.00 Chassis
12	0521238		Tires, Michelin, 425/65R22.50 20 ply XFE, Hiway Rib	1	2,727.04 Chassis
13	0019611		Wheels, Frt, Alum, Alcoa, 22.50" x 12.25" (425/ & 385/)	1	2,659.37 Chassis
14	0530478		Axle, Rear, Meritor RT46-160, 48,000 lb, Imp/Vel	1	24,885.39 Chassis
15	0544244		Top Speed of Vehicle, 60 MPH	1	0.00 Chassis
16	0545270		Suspen, Rear, Hendrickson HN FR 48,000 lb (rubber bolster spring)	1	5,974.00 Chassis
17	0000485		Oil Seals, Rear Axle	1	0.00 Chassis
18	0000483		Driver Controlled Differential Lock, Tandem	1	2,398.42 Chassis
19	0061178		Tires, (8) Michelin, 11R22.50 16ply, XDN2, All Season	1	6,781.13 Chassis
20	0019639		Wheels, Rr, Alum, Alcoa, 22.50" x 8.25" tandem rear	1	4,682.76 Chassis
21	0568081		Tire Balancing, Counteract Beads	1	0.00 Chassis
22	0545391		Tire Pressure Monitoring Valve Cap	1	134.93 Chassis
			Qty, Tire Pressure Ind - 10		Chassis
23	0003245		Axle Hub Covers w/center hole, S/S, Front Axle	1	88.48 Chassis
24	0002045		Mud Flaps, w/logo front & rear	1	496.22 Chassis
25	0021931		Tire, "Crossfire" Air Pressure Equalization (tandem)	1	440.61 Chassis
26	0010673		ABS Wabco Brake System, Tandem rear axle	1	5,082.03 Chassis
27	0030185		Brakes, Knorr/Bendix 17", Disc, Frt, TAK-4, DLX/Ent/Qtm/AXT/Imp/Vel	1	0.00 Chassis
28	0000730		Brakes, Meritor, Cam, Rear, 16.50 x 7.00"	1	0.00 Chassis
29	0058463		Air Compressor, Brake, Bendix 15.8 CFM	1	0.00 Chassis
30	0000789		Brake Reservoirs, Five	1	0.00 Chassis
31	0568012		Air Dryer, Wabco System Saver 1200, 2010	1	38.91 Chassis
32	0000790		Brake Lines, Nylon	1	0.00 Chassis
33	0000856		Air Inlet, with Kussmaul Air Eject	1	690.50 Chassis
			Location, Air Coupling(s) - h) DS Pump Panel		Chassis
			Qty, Air Coupling (s) - 1		Chassis
34	0000860		Outlet, Air, with shut off valve	1	364.81 Chassis
			Location, Air Coupling(s) - a) DS Step Well		Chassis
			Qty, Air Coupling (s) - 1		Chassis
35	0070810		All Wheel Lockup (Aerial/Tanker Chassis)	1	590.34 Chassis
36	0522594	SP	Aux Braking Systems, Simultaneous Operation	1	78.43 Chassis
37	0591796		Engine, DDC DD13, 500 hp, 1650 ft-lb, EPA 2010, Velocity	1	83,777.16 Chassis
38	0001244		High Idle w/Electronic Engine, Custom	1	115.50 Chassis
39	0590299		Engine Brake, Jacobs, w/retarder, DD13	1	3,629.72 Chassis
			Switch, Engine Brake - f) DD13		Chassis
40	0552334		Clutch, Fan, Air Actuated, Horton Drive Master	1	0.00 Chassis
41	0123135		Air Intake, w/Ember separator, Imp/Vel	1	0.00 Chassis
42	0565965		Exhaust System, 5", 2010 DD13, ISX engine, Horizontal, Officer Side	1	0.00 Chassis
43	0521150		Exhaust, Modified for Nederman System, 7.00", 07 Engines	1	245.26 Chassis
44	0557543		Radiator, Imp/Vel	1	0.00 Chassis
45	0511426		Cooling Hoses, Silicone	1	0.00 Chassis
46	0001125		Fuel Tank, 65 gal	1	0.00 Chassis
47	0001129		Lines, Fuel	1	0.00 Chassis
48	0595087		DEF Tank, 4.5 Gallon, DS Fill, DD13, ISL9, ISX	1	0.00 Chassis
49	0552777		Fuel Pump for Repriming	1	392.13 Chassis
50	0552712		Not Required, Shutoff Valve, Fuel Line	1	0.00 Chassis
51	0553019		Cooler, Engine Fuel, Imp/Vel, AXT,Qtm	1	249.64 Chassis
52	0551842		Trans, Allison Gen IV 4000 EVS PR, Imp/Vel/CBBC With Prognostics	1	39,844.60 Chassis
			Trans, retarder control - l) Auto 1/3, 2/3, 3/3		Chassis
			Trans. retarder capacity - e. medium/1600, 4000 EVS		Chassis
53	0510876		Transmission, Shifter, 6-Spd, Push Button	1	0.00 Chassis
			Trans, ratio - 4000 EVS, 6Spd		Chassis
54	0507584		Transmission Oil Cooler, Champ, Heavy Duty	1	0.00 Chassis
55	0027844		Fluid, 4000 Series Trans, Allison Approved TES-295 Synthetic, IPOS, Custom	1	404.25 Chassis
56	0001375		Driveline, Spicer 1810	1	2,167.42 Chassis
57	0581186		Steering, Sheppard M110 w/tilt, TAK-4, 3 Line Pump, w/ Cooler	1	0.00 Chassis
58	0509231		Steering Wheel, 4 Spoke with Controls	1	1,270.74 Chassis
59	0550144		Logo/Emblem, on Horn Button	1	0.00 Chassis
			Text, Row One - *		Chassis



		Text, Row Three - FIRE RESCUE			Chassis	
		Text, Row Two - WESTMINSTER			Chassis	
60	0034671	Lube System, Vogel, 22 Point, Tilt Cab, w/TAK-4 Suspension	1	4,455.33	Chassis	
		Location - behind the pump panel			Chassis	
61	0123628	Bumper, Non-extended, Imp/Vel	1	1,012.35	Chassis	
62	0510226	Lift & Tow Package, Imp/Vel, AXT	1	0.00	Chassis	
63	0522573	No Tow Hooks Required, Due to Lift and Tow package	1	0.00	Chassis	
64	0002232	Gravel Pan, Non-Extended Bumper	1	0.00	Chassis	
65	0565525	Cab, Velocity 2010, 7010 Raised Roof With Deep Notch Aerial	1	46,561.45	Chassis	
66	0122466	Cab Lift, Elec/Hyd, w/Manual Override, Imp/Vel	1	146.67	Chassis	
67	0123176	Grille, Bright Finished, Front of Cab, Impel/Velocit	1	0.00	Chassis	
68	0002224	Scuffplates, S/S At Cab Door Jambs	1	590.34	Chassis	
		Material Trim/Scuffplate - c) S/S, Polished			Chassis	
69	0509756	Bright Finished Housing, Headlights & Front Directional, Velocity	1	0.00	Chassis	
70	0087357	Molding, Chrome on side of cab	1	0.00	Chassis	
71	0032129	Mirrors, Moto-Plus, Heated/Remote, w/Convex	1	1,370.97	Chassis	
72	0525760	Door, Standard Height, Raised Roof Cab, Brushed Stainless Panel	1	405.88	Chassis	
73	0528167	Not Required, Scuffplates, Cab Door, Imp/Vel	1	0.00	Chassis	
74	0550229	Storage Pockets w/ Elastic Cover, Recessed, Rotomolded, Imp/Vel	1	0.00	Chassis	
75	0510218	Controls, Electric Windows, All Cab Doors, Impel & Velocity	1	0.00	Chassis	
76	0519147	SP Electric Door Locks, Cab Doors, 1 Additional Sw at Pump Panel, Imp/Vel	1	1,146.60	Chassis	
77	0555485	Steps, 4-Door Full Tilt Cab, Std, Imp/Vel	1	0.00	Chassis	
78	0509649	Lights, Cab and Crew Cab Access Steps, Ri-Tar, LED w/Bezel, 1 Light Per Step	1	0.00	Chassis	
79	0002140	Fenders, S/S on cab	1	648.80	Chassis	
80	0122479	Window, Side of C/C, Fixed, Imp/Vel	1	0.00	Chassis	
81	0552935	Trim, Cab Side Windows, Velocity	1	0.00	Chassis	
82	0012090	Not Required, Windows, Front/Side of raised roof	1	0.00	Chassis	
83	0509287	Windows, Rear CC, (2) 8" x 14", Imp/Vel	1	0.00	Chassis	
84	0553196	Trim, Cab Rear Windows, Velocity	1	0.00	Chassis	
85	0199687	Cab Interior, ABS Console, Vinyl Covered Walls, Velocity/CBBC	1	0.00	Chassis	
		Color, Cab Interior Vinyl - a) Silver/Gray			Chassis	
86	0509492	Cab Interior, paint color, Imp/Vel	1	0.00	Chassis	
		Color, Cab Interior Paint - a) gray			Chassis	
87	0052101	Floor, Alum Cab & Crew Cab - DLX/Ent/AXT/Imp/Vel	1	402.11	Chassis	
88	0122520	Heater/defroster, Imp/Vel	1	0.00	Chassis	
89	0559377	Air Conditioning, Imp/Vel, Aerial	1	9,412.59	Chassis	
90	0543257	Grab Handles, Driver Door Post & Passenger Dash panel, Imp/Vel	1	0.00	Chassis	
91	0012527	Lights, Engine Compt, (2), All Custom Chassis	1	163.98	Chassis	
92	0122516	Fluid Check Access, Imp/Vel, AXT	1	0.00	Chassis	
93	0583042	Side Roll and Frontal Impact Protection	1	8,274.51	Chassis	
94	0699999	Not Required, Frontal Impact Protection, 2010	1	0.00	Chassis	
95	0699998	Not Required, Side Roll Protection Package, 2010	1	0.00	Chassis	
96	0000109	Seating Capacity, Cab	5	0.00	Chassis	
		Qty, - 05			Chassis	
97	0121848	Seat, Driver, Pierce PS6, Premium, Safety, Air Ride Hi-Back	1	1,387.53	Chassis	
98	0122116	Seat, Officer, Pierce PS6, Premium, Safety, Air Ride, SCBA	1	1,052.43	Chassis	
99	0510038	Radio Compt, Behind Frt Passenger Seat, Imp/Vel	1	0.00	Chassis	
100	0122183	Seat, Rr Facing C/C, DS Outboard, Pierce PS6, Premium, Safety, SCBA	1	1,572.53	Chassis	
101	0102783	Not Required, Seat, Rr Facing C/C, Center	1	0.00	Chassis	
102	0122186	Seat, Rr Facing C/C, PS Outboard, Pierce PS6, Premium, Safety, SCBA	1	1,572.53	Chassis	
103	0199328	Seat, Forward Facing C/C, DS Outboard, Pierce PS6, Base Safety, SCBA, Foldup	1	1,707.49	Chassis	
104	0199535	Cabinet, EMS, Forward Facing, Center, 42 Wide x 38 High x 24 Deep, LT Feature	1	1,833.90	Chassis	
		Door, EMS Cabinet - Gortite Roll Up Dr, Anod			Chassis	
		False Floor, EMS Cabinet - No False Floor			Chassis	
		Light, Short EMS Compt - Amdor, Both Sides			Chassis	
105	0108190	Not Required, Seat, Forward Facing C/C, PS Outboard	1	0.00	Chassis	
106	0042264	Shelf, Adjustable, EMS Compt, 1.25' Lip	2	242.41	Chassis	
		Location - in the forward facing med compartment			Chassis	
		Qty, Shelf - 02			Chassis	
107	0511300	Upholstery, Seats In Cab, All Imperial 1200, Pierce PS6	1	0.00	Chassis	
		Color, Cab Interior Vinyl - h) Gray/Black			Chassis	
108	0543991	Bracket, Air Bottle, Hands-Free II, Cab Seats	4	2,511.99	Chassis	
		Qty, - 04			Chassis	
109	0025527	Inserts, Back Rest for PS6, PSV, 911 SCBA Seats, (New Style)	4	268.08	Chassis	
		Location - all SCBA seats			Chassis	
		Qty, Inserts for SCBA Sea - 04			Chassis	
110	0553393	Seat Belt Height Adjustment, Imp/Vel	5	204.29	Chassis	
		Qty, - 05			Chassis	
111	0547293	Seat Belts, Red	1	0.00	Chassis	
112	0542388	Seat Belt Monitoring System	1	239.48	Chassis	
113	0543133	Bracket, Helmet Holder, Zico UHH-1	1	262.65	Chassis	
		Qty, Helmet Storage Brkt - 5			Chassis	
114	0508437	Lights, Dome, Weldon, Incandescent, Two (2) Lights, Dual Light and Lens	1	0.00	Chassis	
115	0509981	Lights, Dome CC, (2) Weldon, Incandescent, Red/Clear, MUX only	1	0.00	Chassis	
116	0568369	Cab Instruments, Ivory Gauges, Chrome Bezels, Impel/Velocit	1	0.00	Chassis	
117	0509511	Air Restriction Indicator, Imp/Vel, AXT	1	0.00	Chassis	
118	0509921	Switching, Cab, Membrane, Impel/Velocit/Quantum, AXT MUX	1	0.00	Chassis	
		Location, Emerg Sw Pnls - Driver's Side Overhead			Chassis	
119	0555915	Wiper control, 2-speed with intermittent, Impel/Velocit	1	175.62	Chassis	
120	0547505	Wiring, Spare, 10 A 12V DC, First	3	365.70	Chassis	
		12vdc power from - a) battery direct			Chassis	
		Location - one on the cab dash, one in the forward facing medical cabinet high,			Chassis	
		one behind the driver's seat			Chassis	
		Qty, - 03			Chassis	
		Wire termination - p) 15 amp power point plug			Chassis	
121	0087852	Vehicle Information Center, 7" Color Display, MUX	1	1,816.35	Chassis	

\$370,162.01

122	0543930	Vehicle Data Recorder, Dual Module	1	849.93	Chassis
123	0022853	Antenna, Mount Only, For 2-way Radio Std, DLX/Enf/AXT/IMP/VEL	1	62.74	Chassis
124	0509965	Pierce Command Zone, Advanced Electronics and Control System, Diagnostic LEDs	1	0.00	Chassis
125	0079166	Batteries, (4) Exide Grp 31, 950 CCA each, Threaded Stud	1	606.97	Chassis
126	0008621	Battery System, Single Start, All Custom Chassis	1	723.94	Chassis
127	0123174	Battery Compartment, Imp/Vel	1	0.00	Chassis
128	0562594	Charger, Sngl Sys, Newmar, PUC12-35, 35A	1	1,274.26	Chassis
129	0539734	Location, Charger, Behind Driver Seat	1	218.36	Chassis
130	0530954	Location, Battery Charger Indicator, DS Pump Panel	1	39.21	Chassis
131	0566294	Alternator, 430 amp, Niehoff C680-1	1	4,529.33	Chassis
132	0092582	Load Manager/Sequencer, MUX	1	242.41	Chassis
		Enable/Disable Hi-Idle - d)High Idle disable			Chassis
133	0511224	Lighting, FMVSS, Cab, Ri-Tar LED Clrnc/ID, Imp/Vel	1	366.10	Chassis
134	0519379	Light, Front Zone, Whelen Super 600 LED, 2pr, Q Bezel, VEL/IMP	1	1,181.56	Chassis
		Color,WhlIn Sup600 LED,INN - a) rd/rd			Chassis
		Color,WhlIn Sup600 LED,OUT - a) rd/rd			Chassis
135	0589905	Alarm, Back-up Warning, PRECO 1040	1	0.00	Chassis
136	0065911	Switch, Back-Up Alarm Override	1	154.73	Chassis
137	0031972	Manuals, Two (2), Fire Apparatus Parts, Custom Chassis	1	311.34	Chassis
138	0002905	Manuals, Two (2) Chassis Service, Custom	1	783.43	Chassis
139	0032433	Manuals, Two (2) Chassis Operation, Custom	1	0.00	Chassis
140	0002928	Electrical Diagrams	1	0.00	Chassis
141	0545073	Amp Draw Report, NFPA 2009 Edition	1	0.00	Chassis
142	0002758	Amp Draw, NFPA Radio Allowance	1	0.00	Chassis
143	0554269	Body Skirt Height, 18"	1	0.00	Chassis
144	0562824	Indicator Lights @ Pump Panel, Electronic Engines, IAT Pressure Controller	1	140.37	Chassis
145	0509732	Electrical, Impel/Velocity/Contender Big Block	1	0.00	Chassis
146	0543751	Light, Do Not Move Apparatus	1	0.00	Chassis
		Alarm, Do Not Move Truck - n)no alarm			Chassis
147	0509042	Messages, Open Door/Do Not Move Truck, Imp/Vel, AXT, CBBC MUX	1	0.00	Chassis
148	0091941	Lights, Perimeter Scene Cab Exits, Truck-Lite 44042C, LED	1	1,166.16	Chassis
		Cab, Perimeter Scene - Cab, 4dr Custom			Chassis
149	0540118	Camera, Safety Vision, Pierce Display, Rear Camera Only	1	1,261.61	Chassis
		Camera System Audio - Speaker Behind Driver			Chassis
150	0510206	Location, Elect Siren, Recessed Overhead in Console	1	32.67	Chassis
		Location, Elec Siren - Overhead, DS Outside Sw Pnl			Chassis
151	0016080	Siren, Federal Q2B	1	3,372.60	Chassis
152	0006097	Location of Siren, Recessed in Bumper	1	0.00	Chassis
		Location, Siren, Mech - c) center			Chassis
153	0016380	No Additional Lights Req'd, Side Zone Upper	1	0.00	Chassis
154	0017241	Paint Chassis Frame Assy. Black, Std.	1	0.00	Chassis
155	0516422	Not Required, Paint, Aluminum Wheels	1	0.00	Chassis
156	0510041	Reflective across Cab Face, Imp/Vel	1	94.12	Chassis
157	0065687	Stripe, Reflective, Cab Doors Interior	1	128.73	Chassis
		Color, Reflective - a) white			Chassis
158	0543951	Certification, Cab Integrity, Velocity	1	0.00	Chassis
		<b>Body:</b>			Body
159	0581860	Boiler Plates, Aerial 105' HD Ladder	1	0.00	Body
160	0533316	Comply NFPA 1901 Changes Effective Jan 1, 2009, With Exceptions	1	171.32	Body
161	0533349	Aerial Fire Apparatus	1	0.00	Body
162	0000007	Approval Drawing	1	0.00	Body
163	0087832	Drawing, Preliminary Layout, Pump Panel, Control Zone	1	0.00	Body
164	0021007	Maximum Overall Height	1	0.00	Body
		Size - 11' 6" with limited retraction and reverse notch			Body
165	0544802	Chocks, Wheel, SAC-44-E, Folding	1	465.72	Body
		Qty, Pair - 01			Body
166	0544806	Mounting Brackets, Chocks, SAC-44-E, Folding, Horizontal	1	325.37	Body
		Location, Wheel chock - under drive side compartment forward of wheel			Body
		Qty, Pair - 01			Body
167	0002565	Hourmeter, Aerial Inside Cab	1	0.00	Body
168	0002615	Switch, Aerial 12V Master	1	0.00	Body
169	0002617	PTO switch, w/light - aerial	1	0.00	Body
170	0016857	Shoreline, 20A 120V, Kussmaul Auto Eject, "Super"	1	443.23	Body
		Color, Kussmaul Cover - c) white			Body
		Connection, Shoreline - the charger			Body
		Qty, Shoreline - 1			Body
171	0026800	Shoreline Location	1	0.00	Body
		Location, Shoreline (s) - 02) DS Pump Panel			Body
172	0010140	Aerial, HD Ladder 105', Alum Body	1	90,699.35	Body
173	0013392	Tank, Water, 500 Gallon, Poly, PAL	1	7,828.37	Body
174	0003405	Overflow, 4" Water Tank, Poly	1	0.00	Body
175	0028107	Not Required, Foam Cell	1	0.00	Body
176	0553729	Not Required, Restraint, Water Tank, Heavy Duty	1	0.00	Body
177	0003429	No Direct Tank Fill Req'd	1	0.00	Body
178	0593650	Hose Bed, S/S, Texas Chute Out, PS, (PAL, PAP), Smooth Aluminum Door	1	0.00	Body
179	0003492	Hose Bed Capacity, Special Amount (PAP/PAL/SkyArm)	1	0.00	Body
		Capacity, Hosebed - 500' x 5" flat stack			Body
180	0591017	Hose Restraint, Hosebed, Aerial, Front Velcro Strap, Top	1	92.38	Body
181	0003512	Running Boards (PAL)	1	0.00	Body
182	0060594	Turntable Steps-Morton Cass, Swing Down, DS only (PAL, PAP, SkyArm)	1	284.01	Body
183	0554001	Lights, Step (3), Ri-Tar LED, Swing Down Access Steps, One Side	1	0.00	Body
184	0029503	Tow Eyes (2) (Aerial)	1	0.00	Body
185	0013641	Construction, Compt, Alum, PAL, 85 PAP	1	0.00	Body
186	0063686	Compt, DS F/H F/D, Lap Drs, w/o Chute, 105 HDL, 85 PAP, 100 HAL	1	3,723.36	Body
187	0063692	Compt, DS Turntable, F/H F/D, Lap Drs, 105 HDL, 85 PAP	1	1,487.25	Body

188	0023672		Not Required, Compt IPO Stairs, DS	1	0.00	Body	
189	0503277	SP	Compt, PS F/H F/D, Lap Drs, w/o Chute, Cordreel/Outtrigger, 105 HDL, 85 PAP	1	4,502.45	Body	
190	0014143		Compt, PS Low Rear, Lap Dr, FW Chute, 12" Ground Pen, 105 HDL, 85 PAP, 100 HAL	1	313.67	Body	
191	0023679		Compt, IPO Stairs PS, Lap, w/Full Width Chute	1	588.89	Body	
192	0023922		Doors, Lap w/"D" Handle - Side Compt	1	0.00	Body	
193	0084028		Bumper, Rear, 8" Counterweight, w/Treadplate Cover, PAP/PAL/SkyArm	1	978.19	Body	
194	0003918		Pull Strap for Doors	2	108.37	Body	
			Location, Door Accessory - lift up doors D3 and P3			Body	
			Qty, Door Accessory - 02			Body	
195	0014012		Scuffplate, Alum Treadplate, Inside Each Compt Dr	12	1,865.12	Body	
			Location, Door Accessory - each compartment door			Body	
			Qty, Door Accessory - 12			Body	
196	0003982		Tray, 500 lb Slide-out, 2" Sides - Floor Mounted	1	689.17	Body	
			Location - D1			Body	
			Qty, Tray (slide-out) - 01			Body	
197	0003984		Tray, 250 lb Slide-out, 2" Sides - Adj. Height	2	892.63	Body	
			Location - D4 and P4			Body	
			Qty, Tray (slide-out) - 02			Body	
198	0083986		Tray, Adj., 30 Deg., Tilt/Slide-out, (215 lb)	2	1,151.46	Body	
			Location - D4 and P4			Body	
			Qty, Tray (slide-out) - 02			Body	
199	0588396	SP	Box, Storage, On Top of Body Compt, 18.5" H x 22.5"W x 96"L, Alum, LED Rope Lght	1	1,601.82	Body	
			Location - over the left side compartments			Body	
			Qty, - 1			Body	
200	0050308		Rear of Body, Smooth Aluminum Sheet	1	0.00	Body	
201	0538990	SP	Toolboard, Swing-Out, Adj. In/Out, Alum, .188", Special Latch	1	1,453.49	Body	
			Location - P3 with hinge on front of bulkhead			Body	
			Qty, Comp. Accessory - 01			Body	
202	0027092		Tracks only, for shelving	1	121.20	Body	
			Location - D3			Body	
			Qty, Shelf Track - 01			Body	
203	0003942		Shelves, Adjustable, 215 lb Capacity	2	242.41	Body	
			Location, Shelf - P4 and D1			Body	
			Qty, Shelf - 02			Body	
204	0003945		Shelf Tracks	3	329.39	Body	
			Location - 1 each compartment with adjustable shelf or tray			Body	
			Qty, Shelf Track - 03			Body	
205	0004016		Rubrail, Aluminum Extruded, Side of Body	1	0.00	Body	
206	0004027		Fender Crowns, Rear, S/S, Two Pair	1	1,294.75	Body	
207	0519849		Not Required, Hose, Hard Suction	1	0.00	Body	
208	0556208		Handrails, Side Pump Panels (5)	1	0.00	Body	
209	0004150		Handrail, Extra - 15-20" Long	2	387.85	Body	
			Location, Handrails - Side of DS light shield, Under PS light shield - see photos of job 20143			Body	
			Qty, Handrails - 02			Body	
210	0004210		Compt, Air Bottle in Fender Panel	8	3,753.06	Body	
			Location, Bracket/comp. - four on each body side			Body	
			Qty, Air Bottle Comp - 8			Body	
211	0004218		Ladder, 35' Duo-Safety 1200A 2-Sect	1	1,180.67	Body	
			Qty, - 1			Body	
212	0004222		Ladder, 24' Duo-Safety 900A 2-Sec	1	824.03	Body	
			Qty, - 1			Body	
213	0024232		Ladder, 16' Duo-Safety 875A Roof	2	866.97	Body	
			Qty, - 02			Body	
214	0014232		Ladder, 20' Duo-Safety 875A Roof	1	601.74	Body	
			Qty, - 1			Body	
215	0024233		Not Required, Attic Extension Ladder	1	0.00	Body	
216	0004246		Ladder, 10' Duo-Safety Folding 585A	1	282.02	Body	
			Qty, - 1			Body	
217	0042207		Ladders Stored in Torque Box, Gortite Roll, (ML, HL, PAP)	1	0.00	Body	
			Color,Gortite,Roll-upDoor - Satin finish			Body	
218	0558737		Mounting, Ladder, Roof, at Base Section, PAP/PAL/SkyArm	1	617.43	Body	
			Ladder, Make/Model/Length - 16' under the boom panel on the right side			Body	
			Location 7 - passenger's side			Body	
219	0057357	SP	Storage, Little Giant Ladder, In Torque Box	1	316.56	Body	
			Size, Ladder/Pike Pole - 17'			Body	
220	0004252		Ladder, Little Giant Model 10102 - Model 17	1	504.22	Body	
221	0004349		Pole, Pike 10' DUO Safety, Fiberglass	1	97.25	Body	
			Location - on the fly section of the ladder			Body	
			Qty, Pike Poles - 1			Body	
222	0543879		Pole, Pike 12', Aerial, Provided by Fire Department	1	0.00	Body	
			Qty, - 1			Body	
223	0543362		Pole, Pike 8', Aerial, Provided by Fire Department	1	0.00	Body	
			Qty, - 1			Body	
224	0543350		Pike Pole, 6', Aerial, Provided by Fire Department	1	0.00	Body	
			Qty, - 1			Body	
225	0543887		Pole, Pike 3', Aerial, Provided by Fire Department	1	0.00	Body	
			Qty, - 1			Body	
226	0004361		Tubes, Alum, Pike Pole Storage	8	1,127.32	Body	
			Location - in the torque box			Body	
			Qty, Pike Pole Tubes - 08			Body	
227	0591184		Steps, Folding, Front Bulkheads (Aerial), Trident	1	0.00	Body	
			Coating, Step - luminescent			Body	
228	0501491		Step, Folding - Extra, Body Only, Luminescent, Trident	2	510.48	Body	

\$132,722.99

Location, Additional Step - one each front compartment bulkhead				Body	
Qty, Step - 02				Body	
229	0004460	Pump, 1500 CMU Two Stage, Watrous	1	26,792.20	Plumbing
230	0004481	Packing, Grafoil, Watrous	1	0.00	Plumbing
231	0091446	Pump Setup Charges N/A	1	0.00	Plumbing
232	0559769	Transmission, Pump, Watrous C20 Series	1	0.00	Plumbing
233	0535256	Shift, Air w/ Manual Over, Split Shaft PTO, Watrous	1	0.00	Plumbing
234	0003148	Transmission Lock-up, EVS	1	0.00	Plumbing
235	0004547	Auxiliary Cooling System	1	0.00	Plumbing
236	0004485	Valve, Electric Transfer (2 Stage Pump)	1	1,227.73	Plumbing
237	0004513	Valve, Relief Intake, Watrous	1	2,381.31	Plumbing
238	0536322	Controller, Pressure, Pierce, Custom Chassis	1	2,725.72	Plumbing
239	0030166	Primer, Watrous, VPO, Oil Free	1	721.52	Plumbing
240	0071585	SP Direct Tank Fill, 3/4" Garden Hose	1	825.62	Plumbing
241	0058516	Manuals, Pump (2), CD	1	0.00	Plumbing
242	0089351	Plumbing, Stainless Steel & Hose (Control Zone)	1	0.00	Plumbing
243	0089437	Plumbing without Foam System	1	0.00	Plumbing
244	0004645	Inlets, 6.00" - 1250 GPM or Larger Pump	1	0.00	Plumbing
245	0519393	Side Inlet Caps, Both Provided by Fire Department	1	-208.19	Plumbing
246	0549882	Valve, w/Relief, DS Inlet, 6", Electric Cntrl, LED, Manual Override, Wat Pump	1	6,318.38	Plumbing
247	0024650	Pump Suction Tubes, Long	1	0.00	Plumbing
248	0084610	Valves, Akron 8000 series- All	1	0.00	Plumbing
249	0004660	Inlet, LH Side, 2.50" gated	1	1,030.95	Plumbing
250	0004680	Inlet, RH Side, 2.50" gated	1	1,030.95	Plumbing
251	0016158	Valve, Inlet(s) Recessed, Side Cntrl, "Control Zone"	2	0.00	Plumbing
Qty, Inlets - 2					Plumbing
252	0055720	Adapter, Side Inlet, 6" FNST x 5" Storz w/Cap	2	572.80	Plumbing
Location, driver's/passen - driver&passenger					Plumbing
Qty, Adapter for Inlet - 2					Plumbing
253	0004700	Inlet Control At Valve	1	0.00	Plumbing
254	0092569	No Rear Inlet (Large Dia) Requested	1	0.00	Plumbing
255	0092696	No Rear Suction Cap	1	0.00	Plumbing
256	0064116	No Rear Inlet Actuation	1	0.00	Plumbing
257	0009648	No Rear Intake Relief Valve Req'd	1	0.00	Plumbing
258	0092568	No Rear Inlet (auxiliary) Requested	1	0.00	Plumbing
259	0563738	Valve, .75 Bleeder, Aux. Side Inlet, Swing Handle	1	0.00	Plumbing
260	0029043	Line, 3.00" Tank to Pump	1	0.00	Plumbing
261	0004905	Outlet, 1.50" Tank Fill	1	492.34	Plumbing
262	0004940	Outlet(s), LH Side, 2.50"	2	2,960.24	Plumbing
Qty, Discharges - 02					Plumbing
263	0092570	No Additional Outlet (LH) Requested	1	0.00	Plumbing
264	0004945	Outlet(s), RH Side, 2.50"	1	1,480.12	Plumbing
Qty, Discharges - 01					Plumbing
265	0092571	No Additional Outlets (RH) Requested	1	0.00	Plumbing
266	0048832	Outlet, 4" w/3.50" Akron Valve, Right, Handwheel	1	3,288.20	Plumbing
267	0092572	No Front Outlet Requested	1	0.00	Plumbing
268	0092575	No Rear Outlet Requested	1	0.00	Plumbing
269	0092574	No Rear Outlet (Added) Requested	1	0.00	Plumbing
270	0092573	No Hosebed/Running Board Outlet	1	0.00	Plumbing
271	0085076	Caps for 1.50" - 3.00" Discharges - VLH	1	0.00	Plumbing
272	0563739	Valve, .75 Bleeder, Discharges, Swing Handle	1	0.00	Plumbing
273	0005091	Elbows, 45 Degree - 2.50" Outlets LH - VLH	1	0.00	Plumbing
274	0035094	No Elbows Req'd (Added LH Outlets)	1	0.00	Plumbing
275	0025091	Elbows, 45 Degree - 2.50" Outlets RH - VLH	1	0.00	Plumbing
276	0089584	No Elbow req'd (Added RH Outlet not requested)	1	0.00	Plumbing
277	0045099	No Elbows Req'd, Rear Outlets	1	0.00	Plumbing
278	0085695	No Elbows Req'd, Added Rear, Large Outlet	1	0.00	Plumbing
279	0005097	Elbow, 30 Degree - 4.00"(F) X 5.00" Storz	1	420.42	Plumbing
280	0062133	Control, Outlets, Manual, Pierce HW if applicable	1	0.00	Plumbing
281	0029106	No Deluge Riser Requested	1	0.00	Plumbing
282	0029302	No Monitor Requested	1	0.00	Plumbing
283	0029304	No Nozzle Req'd	1	0.00	Plumbing
284	0029107	No Deluge Mount	1	0.00	Plumbing
285	0025095	Waterway Outlet & Control, Watrous, Handwheel (PAL)	1	0.00	Plumbing
286	0056608	SP Crosslay, 1.50" Special Cap or Single Stack, Unpainted	2	4,479.65	Plumbing
Capacity, Special Xlay - 200' x 1.75" each					Plumbing
Qty, Crosslays - 2					Plumbing
287	0029199	Crosslays Sngl Sheet unpainted, (2+) 2.50" Std Cap	2	5,597.38	Plumbing
Qty, Crosslays - 2					Plumbing
288	0029260	Not Required, Speedlays	1	0.00	Plumbing
289	0591145	Hose Restraint, Crosslay/Deadlay, Top and Ends, Elastic Netting	3	419.90	Plumbing
Qty, - 03					Plumbing
290	0005180	Roller, Horiz, Crosslays	1	215.32	Plumbing
291	0005156	Roller, Vertical, Crosslays	1	540.43	Plumbing
292	0579256	Light, Boom Support, Whelen PSC0CDCR Strip Light, 45 Degree Angle Brckt, Aerial	1	168.33	Plumbing
Qty, - 01					Plumbing
Switch, 1 Scene Cntrl - a)driver side cab sw panel					Plumbing
293	0044333	Not Required, Foam System	1	0.00	Plumbing
294	0012126	Not Required, CAF Compressor	1	0.00	Plumbing
295	0552517	Not Required, Refill, Foam Tank	1	0.00	Plumbing
296	0042573	Not Required, Foam System Demonstration	1	0.00	Plumbing
297	0045465	Not Required, Foam Tanks	1	0.00	Plumbing
298	0091110	Not Required, Foam Tank Drain	1	0.00	Plumbing
299	0091079	Not Required, Foam Tank #2	1	0.00	Plumbing
300	0091112	Not Required, Foam Tank Drain	1	0.00	Plumbing

\$ 65,235.86

301	0007590	Pump House, Side Control, 52", "Waterous Control Zone"	1	0.00	Plumbing	
302	0032479	Pump Panel Configuration, Control Zone	1	0.00	Plumbing	
303	0562698	Step, Slide-Out Pump Op. Platform (Aerial), 2010 Engine	1	0.00	Plumbing	
304	0005520	Panel, Pump and Gauge, Black Vinyl	1	0.00	Plumbing	
305	0005578	Panel, Pump Access - Pass Side Only	1	0.00	Plumbing	
306	0035501	Pump House Structure, Std Height	1	0.00	Plumbing	
307	0586438	Gauges, Engine - Pump Panel, IAT Pressure Controller	1	0.00	Plumbing	
308	0005601	Throttle Included w/ Pressure Controller	1	0.00	Plumbing	
309	0005780	Control, Air Horn at Pump Panel	1	151.15	Plumbing	
310	0050490	SP Grille, Speaker Louvered S/S	1	156.85	Plumbing	
311	0001750	Color Coded Tags	2	0.00	Plumbing	
		Color, Discharge Tag - 2.5" front crosslay - gray, 2.5" rear crosslay - light blue			Plumbing	
		Qty, Gauges/Disc. - 02			Plumbing	
312	0005690	Gauges, 6" Master - Class 1, 30"-0-600psi	1	450.11	Plumbing	
313	0511104	Gauge, 3.0" Pressure - Class 1, 30"-0-400psi	1	265.54	Plumbing	
314	0536428	Gauge, Water Level, Pierce, In pressure Controller	1	0.00	Plumbing	
315	0006774	Not Required, Foam Level Gauge	1	0.00	Plumbing	
316	0560305	Light Shield/Step 8", Side Mount	1	255.88	Plumbing	
317	0017026	Light Shield/Step 8", Additional, DS	1	475.03	Plumbing	
318	0554198	Lights, Step, Ri-Tar Model M27-HW2 Super LED, aerial with pump	1	362.70	Warning	
319	0039821	Lights, Tail, Whelen 600, LED for use w/ Whelen Housing, Pop Arrow	1	534.50	Warning	
320	0039214	Lights, Backup, Whelen 600, LED for Whelen Cast 3 & 4 housing	1	446.88	Warning	
321	0090155	Lights, Identification/Clearance, Rear, Truck-Lite, 35017R LED	1	181.58	Warning	
322	0045550	Bezels, Whelen, (2) CAST4V, For mtg (4) Whelen 600 lights	1	428.68	Warning	
323	0521285	Light, Directional/Marker, Intermediate Light, Truck-Lite Model 60115Y LED	1	122.64	Warning	
324	0514453	Light, Marker End Outline, Rubber Arm, LED Marker Lamp	1	204.41	Warning	
		Location, lights - at the rear of the body			Warning	
		Qty, Lights, Pair - 1			Warning	
325	0545074	Lights, Compt, Amdor, LED, Dual Light Strips, Each Side of Door	8	2,126.55	Warning	
		Location - all body compartments			Warning	
		Qty, - 08			Warning	
326	0015946	Light, Pump Compt, 2) Lts	1	114.07	Warning	
327	0090222	Lights, Perimeter Scene, Truck-Lite 44042C LED (4) Lts	1	847.54	Warning	
		Switch, Location, Perim - DS overhead sw pnl			Warning	
328	0055485	SP Lights, Side Scene, Whelen 600 Halogen, Qty Feature	1	417.71	Warning	
		Flange Kit - w/with flange			Warning	
		Location, lights - driver side rear of truck upper			Warning	
		Qty, - 1			Warning	
		Scene Light Angle - c)26 degree internal optics			Warning	
		Switch, 1 Scene Cntrl - a)driver side cab sw panel			Warning	
		Switch, 2 Scene Cntrl - n) no additional control, 2			Warning	
		Switch, 3 Scene Cntrl - n) No additional control, 3			Warning	
		Switch, 4 Scene Cntrl, Dr - a) no switch control			Warning	
329	0005956	Lights, Deck, Unity (2) AG, Rear, Aerial	1	179.67	Warning	
330	0544340	Portable Hand Light, Provided by Fire Department, Aerial NFPA Classification	1	0.00	Warning	
331	0006052	Air Horns, (2) Grover in Bumper Inside Frame	1	958.41	Warning	
		Location, Air Horn (bmpr) - on the left and right			Warning	
332	0016064	Control, Air Horn, Horn Ring, PS Push Button	1	343.65	Warning	
333	0525667	Siren, Whelen 295SLSA1, 100 or 200 Watt	1	444.54	Warning	
334	0016145	Control, Elec Siren, Horn Ring, PS Push Button	1	0.00	Warning	
335	0550178	Speaker, Whelen SA122FMP, Polished	1	467.79	Warning	
		Connection, Speaker - siren head			Warning	
		Qty, Speakers - 1			Warning	
336	0548456	Location, Recessed in the Front Bumper, Center	1	0.00	Warning	
337	0026170	Control, Mech Siren, DS Foot Sw, PS Push Button	1	39.21	Warning	
338	0006086	Switch, Second Siren Brake	1	104.09	Warning	
339	0057905	Lightbar, Whelen, Freedom FNMINI, 24" LED pair, NFPA 1-R, 1-W, 2-RC	1	3,775.99	Warning	
340	0008880	Light, 792H Opticom Emitter, Remote Mount on Cab Roof	1	2,228.54	Warning	
341	0540581	Flasher, Headlight Alternating w/Feature, MUX	1	88.42	Warning	
		Headlt flash deactivation - a)w/high beam			Warning	
342	0076753	Lights, Side Zone Lower, Whelen Super 600 LED, Over 25 Foot Gap, 3pr	1	1,493.63	Warning	
		Color,Whln Sup600 LED,BCK - a) rd/rd			Warning	
		Color,Whln Sup600 LED,FRT - a) rd/rd			Warning	
		Color,Whln Sup600 LED,MID - a) rd/rd			Warning	
		Flange Kit, 4pr - w/3 pr flange kits			Warning	
		Location, lights frt side - c)each side, front cab corner			Warning	
		Location, lights mid - on the side of the cab			Warning	
		Location, lights rear - over the rear wheel			Warning	
343	0076758	Lights, Rear Zone Lower, Whelen Super 600 LED	1	502.79	Warning	
		Color,Whln Sup600 LED - a) rd/rd			Warning	
		Flange Kit - w/with flange			Warning	
344	0057366	Light, Rear Zone Upper, Whelen RB6T Beacon	1	311.62	Warning	
		Color, Dome, Rear Warning - a)Both domes amber			Warning	
345	0006551	Not Required, Lights, Rear Upper Zone Blocking	1	0.00	Warning	
346	0529686	Light, Traffic Directing, Whelen TAM65 36" Long LED	1	1,463.27	Warning	
		Activation, Traffic Dir L - c)with the control head			Warning	
347	0529860	Location, Traf Dir Lt, Surface Mounted Over Rear Door	1	238.86	Warning	
348	0529654	Location, Traf Dir Lt Controller, Heavy Duty Swivel Bracket Centered	1	24.96	Warning	
349	0006646	Electrical System, A/C, General Design	1	0.00	Warning	
350	0529551	Generator, Harrison 10kW 10.0MAS-16R/D-11011/15/1, Hydraulic, Hotshift PTO	1	18,330.19	AC Electrical	
		Generator Interlocks - No Interlocks			AC Electrical	
		Location, Gen Info Panel - near breaker box			AC Electrical	
351	0006645	Location, Hydraulic Generator Above Pump	1	0.00	AC Electrical	
		Location, Generator - over the pump, location of the generator control box on tank wall of D4 next to circuit breaker panel.			AC Electrical	

\$ 18,452.69

352	0016752	Starting Sw, Truck Engine Powered Gen, Cab Sw Pnl	1	0.00	AC Electrical	
353	0016760	Remote Start, Hyd. Gen., (Field Swt, Not PTO Sw.)	1	385.84	AC Electrical	
		Location, Remote Start - d) cab/pp			AC Electrical	
354	0016740	Not Required, Fuel System	1	0.00	AC Electrical	
355	0016767	Not Required, Oil Drain Extension, Generator	1	0.00	AC Electrical	
356	0016771	Not Required, Routing Exhaust, Generator	1	0.00	AC Electrical	
357	0036738	Circuit Breaker Panel, Included With PTO Generator	1	0.00	AC Electrical	
		Location, CB Panel - mount vertically on the left side D4 tank wall, next to generatorcontrol box and battery charger			AC Electrical	
358	0076826	Cup Holder for Telescopic -pushup- light pole	2	225.30	AC Electrical	
		Qty, 120/240 Volt Light - 2			AC Electrical	
359	0090160	Light, FRC, 750W 120V, FCA700-S75, Portable	2	1,687.76	AC Electrical	
		Location, 120/240 Volt Lt - above the body sides, left over the lower compartment and right over the higher compartments.			AC Electrical	
		Qty, 120/240 Volt Light - 2			AC Electrical	
		Type of Electrical Plug - a) 15 amp 120 volt straight			AC Electrical	
360	0007572	Light, FRC, 1000W 120V, FCA530-M10, Bottom Raise Side Mt., Focus	2	2,642.28	AC Electrical	
		Location, 120/240 Volt Lt - on the back of the cab, raised to stowover the cab roof			AC Electrical	
		Qty, 120/240 Volt Light - 2			AC Electrical	\$ 32,191.59
361	0051447	Light, FRC FOCUS, 120 Volt @ Tip, PAL	2	2,630.32	AC Electrical	
		Lights, FRC Focus - C) 750 Watt, 120V			AC Electrical	
		Location, Plat/Tip AC Lts - C) Drvr and Pass			AC Electrical	
		Location, Sw, Arl AC Lts - A) 1 Pos			AC Electrical	
		Qty, 120/240 Volt Light - 2			AC Electrical	
362	0006825	Reel, Elect Cable, Hannay, 1600, (3) Wire	2	3,192.86	AC Electrical	
		Finish, Reel - Painted Gray			AC Electrical	
		Location, Cord Reel - in the compartments over the stabilizers D5 and P5 with the rewind on the pump panels, customer will be providing 10/2 cord with a 100' of cord and a 20 amp connection.			AC Electrical	
		Qty, Cord Reels - 2			AC Electrical	
		Reel Guide - a) Nylatron guide			AC Electrical	
363	0006828	Cord, Electric, 10/3 Yellow, 3 Wire	2	983.89	AC Electrical	
		Connection, Cord - Direct connection			AC Electrical	
		Feet of Yellow Cord - b)100			AC Electrical	
		Lengths of Elect Cord - 2			AC Electrical	
364	0066852	Box, Junc, Akron, 4) 15A 120V SB 5-15, 2) Cir	2	1,423.00	AC Electrical	
		Connection, Cord - Direct connection			AC Electrical	
		Qty, - 02			AC Electrical	
365	0076627	Receptacle, 20A 12V Straight Blade w/Cvr	2	690.15	AC Electrical	
		Location, Receptacles - one each side at the rear			AC Electrical	
		Qty, Receptacles - 02			AC Electrical	
366	0519555	Brand, Hydraulic Tool System, Genesis	1	0.00	AC Electrical	
367	0598874	Hose, Hydra., Genesis, 10,000 psi, 12'-20', Twin Line, Connection	1	871.53	Hyd System	
		Color, Hydraulic Hose 1 - n) yellow/yellow			Hyd System	
		Color, Hydraulic Hose 2 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 3 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 4 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 5 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 6 - n) no hose required			Hyd System	
		Location - To Be Determined			Hyd System	
		Qty, - 1			Hyd System	\$ 3,602.02
368	0598867	Hose, Hydra., Genesis, 10,000 psi, 100', Twin Line	1	2,730.49	Hyd System	
		Color, Hydraulic Hose 1 - n) yellow/yellow			Hyd System	
		Color, Hydraulic Hose 2 - o) yellow/yellow			Hyd System	
		Color, Hydraulic Hose 3 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 4 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 5 - n) no hose required			Hyd System	
		Color, Hydraulic Hose 6 - n) no hose required			Hyd System	
		Location - To Be Determined			Hyd System	
		Qty, - 1			Hyd System	
369	0592925	Aerial, 105' Heavy Duty Ladder	1	240,982.65	Aerial Device	
370	0000042	Boom Support, Rear of the Chassis Cab	1	0.00	Aerial Device	
371	0526885	Indicator, Extension, Inside and Outside Handrails	1	484.82	Aerial Device	
		Color - 2) red			Aerial Device	
372	0591645	Steps, Folding, Four, Aerial Device, Trident	1	0.00	Aerial Device	
		Coating, Step - luminescent			Aerial Device	
373	0006975	Spotlights, Collins FX-12 (PAL)	1	1,285.30	Aerial Device	
374	0120778	Electrical System, 105' PAL	1	0.00	Aerial Device	
375	0120787	Control Stations, PAL (Four Stabilizers)	1	0.00	Aerial Device	
376	0593564	Stabilizers, 105' HD Rear Mount Steel Aerial, 14' Spread, 12" G Pen, 500# tip	1	0.00	Aerial Device	
377	0530817	Aerial Stabilizer Pins	1	0.00	Aerial Device	
378	0548902	Door, Stabilizer Control Box, Stainless Steel	1	222.41	Aerial Device	
379	0077496	Light, Stabilizer Warn, (2) Sets, Whelen Super 600 Flashing LED	1	1,061.06	Aerial Device	
		Color,WhlIn Sup600 LED,BCK - c) am/am			Aerial Device	
		Color,WhlIn Sup600 LED,FRT - c) am/am			Aerial Device	
		Flange Kit, 2pr - w/with a flange			Aerial Device	
380	0068701	Lights, Grote Supernova LED, Stabilizer Beam, (2) Sets	1	402.87	Aerial Device	
381	0121266	Hydraulic System (PAL)	1	0.00	Aerial Device	
382	0120794	Swivels, PAL, Tiller (28 Collector Rings)	1	0.00	Aerial Device	
383	0006930	AC Power To Aerial Tip, (PAL) 20A 120V Receptacle	1	1,524.67	Aerial Device	
384	0557536	Intercom, 2-Way Fire-Com PantherC with Radio Interface (PAL)	1	3,644.15	Aerial Device	
385	0540895	Not Required, Breathing Air to Tip, Aerial Ladder	1	0.00	Aerial Device	
386	0024742	Not Required, Mask, Breathing Air To Tip	1	0.00	Aerial Device	
387	0120801	Remote Tip Controls, Ladder	1	7,199.54	Aerial Device	\$308,231.05
388	0056918	Not Required, Raised Aerial Pedestal	1	0.00	Aerial Device	
389	0597280	Lifting Eye, Rope Rescue Attachment - HDL	1	382.15	Aerial Device	

390	0074896	SP	Scabbard, Temporary Vent Saw Storage @ Aerial Ladder Tip	1	470.59	Aerial Device	
391	0006979		Brackets only, Ax (6lb or 8lb) @ Aerial Fly Section	1	169.69	Aerial Device	
392	0006981		Brackets, Pike Pole @ Aerial Fly Section (No Pole)	1	169.69	Aerial Device	
			Qty, Bracket - 01			Aerial Device	
			Size, Ladder/Pike Pole - 10'			Aerial Device	
393	0064694		Lights, Trucklite 44042C, LED, Stabilizer Scene, IPOS	4	372.82	Aerial Device	
			Qty, - 04			Aerial Device	
394	0513353		Retraction, Aerial, Limited For OAH of Vehicle	1	0.00	Aerial Device	
			Fill in Blank - 11' 6"			Aerial Device	
395	0046928		Turntable, Modified, Pass. Side Shortened	1	-0.12	Aerial Device	
396	0530826		Turntable Access, ManSaver Bars	1	605.44	Aerial Device	
397	0026950		Waterway, 100'/105' HDL	1	39,965.02	Aerial Device	
398	0540650		Monitor, Akron 3578 StreamMaster Electric	1	1,034.12	Aerial Device	
			Nozzle, Monitor 1 PAL - Akron 1577 Electric			Aerial Device	
399	0006973		Flowminder, Class 1, Waterway (PAL)	1	199.56	Aerial Device	
400	0004836		Inlet, 5.00" at Rear (PAP, PAL)	1	0.00	Aerial Device	
401	0011742		Quick-Lock Waterway Locking System, PAL	1	4,342.11	Aerial Device	
402	0047901		Not Required, Tools, Aerial, PAL/PAP/SkyArm	1	-1,319.60	Aerial Device	
403	0559494		Manuals and Training, 3 Days, PAL	1	0.00	Aerial Device	
433	0008554		2% Handling Charge on 105' HL	1	5,032.12	Aerial Device	
404	0007150		Bag of Nuts and Bolts	1	0.00	Misc	
			Qty, Bag Nuts and Bolts - 1			Misc	
405	0532891		NFPA Required Loose Equipment, Aerial, Provided by Fire Department	1	0.00	Misc	
406	0699202	SP	Not Required, Soft Suction Hose, Aerial NFPA Certification	1	0.00	Misc	\$ -
407	0027023		No Strainer Required	1	0.00	Misc	
408	0533272		Extinguisher, Dry Chemical, Aerial, Provided by Fire Department	1	0.00	Misc	
409	0533282		Extinguisher, 2.5 Gal. Pressurized Water, Aerial, Provided by Fire Department	1	0.00	Misc	
410	0007482		Not Required, Crowbars	1	0.00	Misc	
411	0007484		Not Required, Claw Tools	1	0.00	Misc	
412	0532918		Axes, (2) Flathead, Aerial, Provided by Fire Department	1	0.00	Misc	
413	0532922		Axes, (3) Pickhead, Provided by Fire Department (Aerial)	1	0.00	Misc	
414	0007494		Not Required, Sledgehammers	1	0.00	Misc	
415	0559573		Paint, Single Color, Custom	1	0.00	Graphics	
			Paint, Color - white #20			Graphics	
416	0007230		Compartment paint, Spatter gray	1	0.00	Graphics	
417	0591622		Aerial Ladder Paint	1	0.00	Graphics	
			Paint Color, Aerial Device - White 20			Graphics	
418	0550984	SP	Reflective Band, .50"-8.00"- .50", .50" Gap	1	578.77	Graphics	
			Color, Reflect Band - A - e) black			Graphics	
			Color, Reflect Band - B - t) gold			Graphics	
			Color, Reflect Band - C - za) black			Graphics	
419	0536956		Stripe, Chevron, Rear, Diamond Grade, Bumper Covered, Aerial	1	447.90	Graphics	
			Color, Rear Chevron DG - fluorescent yellow			Graphics	
420	0598754		Stripe, Reflective/Diamond Grade, 4" on Stabilizers	1	0.00	Graphics	
			Color, Reflect Band - A - b) red			Graphics	
421	0011949		"S" Ribbon, Shaded in Reflective Stripe, Pair	2	1,011.13	Graphics	
			Location - one on the front body door and one on the rear cab door			Graphics	
			Qty, - 02			Graphics	
422	0009131		Stripe, .25" Reflective Outline on Reflective Band	2	953.52	Graphics	
			Color, Reflect Band - A - b) red			Graphics	
			Qty, - 02			Graphics	
423	0012491		Lettering, Reflective w/Shade & Outline On Ladder-PAL/PAP/Sky	1	1,153.72	Graphics	
			Color, Lettering - i) gold			Graphics	
			Color, Outline - Black			Graphics	
			Paint, Color - White #20			Graphics	\$ 6,496.44
424	0027286		Not Required, Lettering Specs	1	0.00	Graphics	
425	0007472		[Lettering not Requested]	1	0.00	Graphics	
426	0514054	SP	Laminate Scotchlite Lettering on Body Sides for Protection	1	156.82	Graphics	
427	0515029		Lettering, Reflective 8" w/Outline & Shade	11	104.44	Graphics	
			Color, Outline/Shadow - a) black			Graphics	
			Color, Reflective - i) gold			Graphics	
			Location, Lettering - hose bed sides "FIRE - RESCUE"			Graphics	
			Qty, Lettering - 11			Graphics	
428	0531553	SP	Emblem, Maltese Cross Seal, Westminster, CO, Per Quote	1	525.99	Graphics	
			Location, Emblem - cab doors			Graphics	
			Qty, - 1			Graphics	
429	0516701		Emblem, American Flag Painted on Cab Grille, All Custom Chassis	1	1,045.68	Graphics	
430	0099521	SP	Emblem, "Freedom Flag", Color Imaged, 17" Wide, Each	1	173.59	Graphics	
			Location, Emblem - P3			Graphics	
			Qty, - 1			Graphics	
431	0060305	SP	Emblem, "Freedom Flag", Color Imaged, 11" Wide, Each	1	62.41	Graphics	
			Location, Emblem - on pedestal			Graphics	
			Qty, - 1			Graphics	
432	0531555	SP	Emblem, City Logo, Westminster, Per Quote	1	282.47	Graphics	
			Location, Emblem - D1 and P1 on top of 8" gold scotchlite			Graphics	
			Qty, - 1			Graphics	
			<b>Admin:</b>			Admin	
434	0588609		Vehicle Destination, US	1	0.00	Admin	
435	0588612		Vehicle Certification, Aerial w/Pump	1	0.00	Admin	
436	0588623		Agency, Apparatus Certification, Aerial w/Pump, U.L.	1	0.00	Admin	
437	0537375		Unit of Measure, US Gallons	1	0.00	Admin	
438	0120988		Warranty, Hydraulic System, 5 Year	1	0.00	Admin	
439	0595813		Warranty, Paint, 10 Year, Cab, Pro-Rate, WA0055	1	0.00	Admin	
440	0003401		Warranty, Water Tank, Lifetime, UPF, Poly Tank, WA0036	1	0.00	Admin	
441	0596025		Warranty, Structure, 10 Year, Body, WA0009	1	0.00	Admin	
442	0063510		Warranty, Waterous 5 Yrs	1	0.00	Admin	

443	0032998	Warranty, 10 Year S/S Pumbing, WA0035	1	0.00	Admin	\$	-
444	0006999	Warranty, Structure, 20 Year, Aerial Device, WA0052	1	0.00	Admin		
445	0595860	Warranty, Paint, 4 Year, Aerial Device, Pro-Rated, WA0047	1	0.00	Admin		
446	0595588	Warranty, Generator, 2 Year, Harrison Hydra-Gen, WA0051	1	0.00	Admin		
447	0595820	Warranty, Paint, 10 Year, Body, Pro-Rate, WA0057	1	0.00	Admin		
448	0593921	Not Required, Warranty, No Lettering	1	0.00	Admin		
449	0000032	PAL BODY	1	0.00	Admin		
450	0020011	WATEROUS PUMP	1	0.00	Admin		
451	0020009	POLY TANK	1	0.00	Admin		
452	0028047	NO FOAM SYSTEM	1	0.00	Admin		
453	0020006	SIDE CONTROL	1	0.00	Admin		
454	0020007	AKRON VALVES	1	0.00	Admin		
455	0008036	Career/Paid Department	1	0.00	Admin		
456	0030006	Bid Bond not requested	1	0.00	Admin		
457	0582800	Performance Bond, 100 Percent w/25 Percent Warranty Bond, 1 Yr, and Payment Bond	1	0.00	Admin		
458	0030008	Warranty, Basic, 1 Year, Apparatus, WA0008	1	0.00	Admin		
459	0553301	Warranty, Chassis, 3 Year, Velocity/Impel, WA0037	1	0.00	Admin		
460	0595767	Warranty, Frame, 50 Year, Velocity/Impel, WA0038	1	0.00	Admin		
461	0595245	(No Pick Required)	1	0.00	Admin		
462	0595698	Warranty, Axle, 3 Year, TAK-4, WA0050	1	0.00	Admin		
463	0530524	Warranty, Axle, 2 Year, Meritor, General Service, WA0046	1	0.00	Admin		
464	0019914	Warranty, Structure, 10 Year, Custom Cab, WA0012	1	0.00	Admin		
465	0524627	Warranty, Electronics, 5 Year, MUX, WA0014	1	0.00	Admin		
466	0046369	Warranty, 5-year EVS Transmission, Standard Custom, WA0187	1	0.00	Admin		
467	0568415	Certification, Engine Installation, Velocity, DDC DD13, CD0087	1	0.00	Admin		
468	0548950	Certification, Cab Door Durability, Velocity/Impel, CD0001	1	0.00	Admin		
469	0548967	Certification, Windshield Wiper Durability, Impel/Velocity, CD0005	1	0.00	Admin		
470	0548951	Certification, Electric Window Durability, Velocity/Impel, CD0004	1	0.00	Admin		
471	0549273	Certification, Seat Belt Anchors and Mounting, Velocity/Impel/CBBC	1	0.00	Admin		
472	0548947	Certification, Cab Heater and Defroster, Velocity/Impel, CD0015	1	0.00	Admin		
473	0548940	Certification, Cab Air Conditioning Performance, Velocity/Impel, CD0016	1	0.00	Admin		
474	0000012	PIERCE CHASSIS	1	0.00	Admin		
475	0562778	DD13 ENGINE	1	0.00	Admin		
476	0046396	EVS 4000 Series TRANSMISSION	1	0.00	Admin		
477	0020015	ABS SYSTEM	1	0.00	Admin		
Sales To Furnish:							
478	0000000	STF Inspection trip #1 - when - number of people	4	0.00	STF	\$	10,000.00
		Location - at the factory for final inspection			STF		
		Qty, - 04			STF		
479	0000000	STF Westminster Contingency Fund	1	10,000.00	STF		
480	0000000	STF Inspection trip #2 - when - number of people	4	0.00	STF		
		Location - ate factory final inspection					
		Qty, - 04					
Total List :				\$947,094.65		\$ 947,094.65	





## Agenda Item 8 J

**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
January 24, 2011



**SUBJECT:** EnergyCAP Utility Management Software Purchase

**Prepared By:** Tom Ochterski, Energy & Facilities Project Coordinator  
Jerry Cinkosky, Facilities Manager

**Recommended City Council Action**

Authorize the City Manager to execute a contract with EnergyCAP Inc. in an amount not to exceed \$68,370 to purchase a perpetual license and implement Utility Management Software for managing utility consumption for all City facilities.

**Summary Statement**

- In September 2009, the City was awarded America Recovery and Reinvestment Act (ARRA) grant funds for energy improvements. In May 2010, a portion of those funds within the City's contract with Siemens was allocated for utility tracking software.
- In July 2010, City Staff released a Request for Proposal (RFP) for utility tracking software. There were three respondents with differing approaches and costs. A selection committee interviewed two of those respondents.
- Staff is proposing to enter into a contract with EnergyCAP, Inc. for the perpetual use of licensed software for the express purpose of collecting, organizing, managing, and reporting utility consumption information for electric, gas, and water meters within City operations.

**Expenditure Required:** \$68,370

**Source of Funds:** EECBG funds in the Energy Performance Contract

**Policy Issue**

Does City Council concur with the execution of a contract for computer software that allows staff to better manage energy consumption and energy utility billing in City facilities?

**Alternative**

Do not enter into a contract with EnergyCAP, Inc for the collection, organization, management and reporting of utility consumption throughout City operations. This is not recommended because actively managing the utility billing and energy consumption will increase awareness of energy consumption throughout City operations and provide a powerful tool for the reduction of utility costs and energy use. In addition, this software will facilitate the identification of energy waste and create a more accurate means for allocating for utility costs among City departments.

**Background Information**

On September 30, 2009 the City was officially awarded funds by the US Department of Energy (DOE) under the Energy Efficiency and Conservation Block Grants program funded by the American Recovery and Reinvestment Act of 2009. DOE awarded the grant funds based on the City's proposed Energy Efficiency and Conservation Strategy (EECS) approved by Council on June 8, 2009. Within the proposed EECS approved by DOE, a portion of funds were designated for a Siemens Phase II Energy Performance Contract. The acquisition of Utility Tracking Software was identified within the EECBG funded Energy Performance Contract. The Energy Performance Contract was approved by Council on May 24, 2010.

In July of 2010, Staff released an RFP for Utility Tracking Software to the public and created a selection committee comprised of City Staff from various City departments. On September 14<sup>th</sup>, three respondents submitted tracking packages, each with a different approach and focus. The three respondents were Siemens Building Technologies, Innoprise, Inc., and EnergyCAP, Inc. Siemens and EnergyCAP were both interviewed by the committee. Out of the qualified respondents, EnergyCAP Utility Management Software was unanimously chosen, based on price, service, and ease of use.

EnergyCAP utility management software tracks utility consumption data and organizes the information to make it easier to review, analyze, and budget for utility consumption. Through the use of this software, the City expects to:

- Identify and eliminate billing errors – through automatic auditing of incoming bills
- Process utility invoices faster, thereby eliminating late fees
- Uncover ownership errors – of meters on and off City properties
- Motivate building occupants to conserve – through better reporting and budgeting
- Identify building control issues and energy leaks- by recognizing spikes in use
- Improve budgeting, accounting, and bill paying

Staff believes that the use of this utility management software will assist Staff in identifying energy and money saving opportunities for the City. In addition, the new process will utilize data transfer protocols that will instantly download Xcel utility billing readings and will greatly accelerate the manner in which Xcel bills are entered and paid. Staff believes that the automation of a majority of the utility billing will further save Staff time and reduce errors and fees.

One aspect of EnergyCAP software is an application that will allow the City of Westminster to invite residents and small businesses to track their own utility costs on a voluntary basis. With Greenquest, a free, web-based program for users of EnergyCAP, residents and small businesses will be able to track their bills and gain valuable information on how to reduce their consumption and measure the savings created by energy efficiency measures implemented in their home or place of business. It will be free, voluntary, and available to citizens and businesses in Westminster. This application within EnergyCAP will enable Staff to develop more effective outreach to residents and small businesses targeting energy efficiency and reduced consumption.

Finally, the volume of data that can be processed through this utility management system is enormous. That is a benefit as it allows for better tracking and greater transparency and better budgeting of operational costs. However, this volume of data could effect the operations of the Information Technology Department (IT). Therefore, the decision was made to select the optional off-site data base hosting that is also offered by EnergyCAP. By hosting the data information off site, there will be only negligible additional costs to IT for the support and implementation of the software.

The fees for EnergyCAP are broken into four separate categories: (1) one-time perpetual license fee, (2) one-time implementation fee, (3) one-time training fee, and (4) annual maintenance fee. A further explanation of the fees is below:

EnergyCAP Software License	\$38,050.00
Implementation fee	\$24,825.00
Training services	<u>\$ 5,495.00</u>
	\$68,370.00
Annual Maintenance Agreement (starts year 2)	\$7,588.00

Staff believes that the use of utility tracking software will result in reduced energy consumption and demand, thereby creating sustainable, ongoing energy savings. In addition, Staff believes that contracting with EnergyCAP, Inc. for the specific use of the Utility Management Software is the best manner in which to manage all utilities in the City.

The acquisition of a perpetual license to use EnergyCAP software with the use of EECBG funds directly relates to the City Council's Strategic goal of a "Financially Sustainable City Government Providing Exceptional Services" by providing staff with the tools, information, and resource to better manage utility costs. In addition, these efforts coincide with global efforts to reduce dependence on fossil fuels, which is in line with Council's goal of "Beautiful and Environmentally Sensitive City."

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 8 K

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Swim and Fitness Renovation Contract Amendment

**Prepared By:** Kathy Piper, Landscape Architect II

#### Recommended City Council Action

1. Authorize the City Manager to enter into a contract amendment with Sink Combs Dethlefs in the amount of \$123,933 for additional architectural and construction services for the Swim and Fitness Center renovation.
2. Authorize the following transfers into the CIP project account for the Swim and Fitness Center Pool Renovation: \$534,589 from the POST Revenue Bond Funds; \$180,170 from the Swim and Fitness Center Renovation; \$344,000 from the Recreation Facility Major Maintenance BO&M CTF; \$300,000 from the Recreation Center Improvement; and \$209,534 from the Parks and Recreation Capital Reserve.

#### Summary Statement

- On March 8, 2010, Council authorized a contract for \$102,874 with the architectural firm, Sink Combs Dethlefs for a conceptual master plan for the Swim and Fitness facility and construction documents for only the locker rooms.
- If this contract amendment is approved, additional services will include detailed design and construction documents and administration of the sauna, hot tub, steam room area, life guard areas, family changing room, party area, and splash pad feature. In addition, the complete demolition and renovation of the locker rooms. (See attached plan)
- In July of 2010, Staff received City Council's approval to submit a grant request to Adams County Open Space to help fund the renovation of the Swim and Fitness Center. Staff presented the grant request on August 26, 2010, and the City was awarded \$205,000 for the water play feature on November 17, 2010.
- Proposed funding for this project will now come from a variety of sources for a total project budget of 1,938,633.
- The renovation is anticipated to begin in late August 2011 and to be complete in spring 2012.

**Expenditure Required:** \$1,938,633

<b>Source of Funds:</b>	\$534,589	POST Revenue Bond Funds
	\$180,170	Swim and Fitness Center Renovation
	\$165,340	Swim and Fitness Center Pool Renovation
	\$344,000	Recreation Facility Major Maintenance BO&M CTF
	\$300,000	Recreation Center Improvement
	\$209,534	Parks and Recreation Capital Reserve
	\$205,000	ADCO Grant

**Policy Issues**

Does Council wish to proceed with the Swim and Fitness Center additional design and renovation work at this time using the reallocation of other funding sources to fully fund this project?

**Alternative**

City Council could reject the amendment to the Sink Combs Dethlefs contract and direct Staff to attempt to negotiate a lower fee. However, Staff has calculated that the architect's total fee is 10.1% of the construction, which is reasonable given the complexities involved in this project.

**Background Information**

This Swim and Fitness Center opened in the 1970's and over the past 40 years has had several renovations to accommodate the changing needs of the community. A contract was approved on March 8, 2010, with Sink, Combs, and Dethlefs architects to provide a conceptual facility master plan for future expansion and improvements to the facility. The conceptual master plan encompasses upgraded locker room facilities, a family changing room; evaluation of the core area to eliminate the various levels that will help with accessibility for various abilities; the addition of areas for party rooms; upgrading of swim features; and providing a gymnasium, indoor track, and parking accessibility from the north and south ends of the facility. The conceptual master plan is a preliminary document that is subject to change, and is dependant on the availability of adequate funding.

Phase one of the conceptual master plan will concentrate on renovating the current restroom and shower facilities to include a family changing room and rearranging the existing circulation for better patron access to the lockers and pool area. The sauna, steam room and hot tub will be relocated to the pool area to help with user conflicts in the tot pool and front lobby. An outdoor splash feature will be added to the south end of the facility and will be designed to allow the space to be enclosed in the future. On January 3, 2010 Staff presented Council with a Staff Report and presentation detailing a proposed breakdown of the project costs and proposed funding sources for this project.

The additional fee request of \$123,933 for Sink Combs Dethlefs represents the additional work required to design the added feature in the renovation project. Sink Combs Dethlefs will also help the City in the bidding and selection process of a construction management general contractor (CMGC) team as part of their fees.

This project meets City Council's Strategic Plan Goal of "Financially Sustainable City Government Providing Exceptional Services" and "Vibrant Neighborhoods and Commercial Areas" by providing alternative funding sources for capital improvement projects.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

**Attachments**

- Diagram
- Amendment to Agreement



A: Entry / Lobby  
 B: Locker Rooms  
 C: Natatorium  
 F: Fitness / Cardio

J: Office / Life Guards  
 K: Storage  
 L: Racketball  
 M: Splash Pad

**AMENDMENT TO THE  
AGREEMENT BETWEEN THE  
CITY OF WESTMINSTER AND SINK COMBS DETHLEFS, A PROFESSIONAL  
CORPORATION FOR ARCHITECTURAL SERVICES  
FOR THE SWIM AND FITNESS CENTER CONCEPTUAL MASTER PLAN AND  
CONSTRUCTION DOCUMENTS  
DATED MARCH 9, 2010**

The City of Westminster (hereinafter referred to as "Owner") and Sink Combs Dethlefs, a Professional Corporation for Architecture, (hereinafter referred to as "Engineer/Architect") agree to amend the Agreement described above as follows:

1. **ARTICLE 1, ENGINEER/ARCHITECT'S SERVICES AND RESPONSIBILITIES, BASIC SERVICES**, is hereby amended to read as follows:

**BASIC SERVICES:** The Engineer/Architect's Basic Services consist of the services described below and in Appendix A – Scope of Work, AS REVISED BY APPENDIX A-1, attached hereto and incorporated herein by this reference. These services include normal civil, structural, mechanical and electrical engineering services and any other services included as part of Basic Services. The Owner will appoint a Project Manager who will participate in the Bidding Phase and the majority of tasks for the Administration of the Construction Contract.

2. **ARTICLE 12, BASIS OF COMPENSATION**, paragraph 12.1.1, second sentence, is hereby amended as follows:

The maximum amount billable under this Agreement shall not exceed TWO HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED SEVEN DOLLARS (\$226,807.00), A NET INCREASE OF ONE HUNDRED TWENTY-THREE THOUSAND NINE HUNDRED THIRTY-THREE DOLLARS (\$123,933) AS DESCRIBED IN APPENDIX A-1, ATTACHED HERETO and broken down as follows on an estimated \$579,205-\$1,500,000 project:

3. All other terms and conditions of this Agreement shall remain in effect.

This Amendment is dated the \_\_\_\_\_ day of January, 2011.

**SINK COMBS DETHLEFS**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Secretary

**CITY OF WESTMINSTER**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

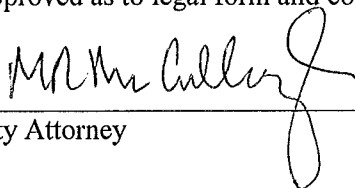
Attest: \_\_\_\_\_

City Clerk

(Corporate Seal,  
if applicable)

(Seal)

Approved as to legal form and content:

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

*Rev'd 1/06*





## Agenda Item 8 L

### WESTMINSTER COLORADO

#### Agenda Memorandum



City Council Meeting  
January 24, 2011

**SUBJECT:** Special Legal Counsel Agreement with Ruth Cornfeld Becker, LLC

**Prepared By:** Heather Cronenberg, Open Space Coordinator  
Lauren Schevets, Open Space Technician

#### **Recommended City Council Action**

Authorize the City Manager to execute a contract with Ruth Cornfeld Becker, LLC in an amount not to exceed \$7,500 for special legal counsel to provide assistance with preparing policies and documents necessary for the State of Colorado's Conservation Easement Holder Certification.

#### **Summary**

- Staff is seeking City Council's approval to hire special legal counsel to provide assistance in preparing policies and documents necessary for the State of Colorado's Conservation Easement Certification Process.
- All special counsel agreements are subject to approval by the City Council in accordance with City Charter requirements.
- Tax qualified conservation easements offer the City an opportunity to preserve open space without acquiring title to the property on which the easement is granted, at little or no cost to the City. Property owners will often grant such easements at no cost to local governments in exchange for the significant tax benefits that a properly qualified conservation easement can create.
- Beginning January 1, 2011 all government entities that hold a conservation easement for which a tax credit is claimed are required to be certified. City Staff plans to apply for certification in 2011 to ensure the ability to hold conservation easements for which tax credits are claimed in the future.
- Ms. Becker's proposed hourly rate of \$250 per hour is in line with an average billing rate for an attorney with similar levels of experience in this subject.

**Expenditure Required:** \$7,500

**Source of Funds:** Parks, Open Space and Trails Fund

**Policy Issue**

Should the City retain outside counsel on behalf of the City to provide assistance with preparing policies and documents required for the State of Colorado's Conservation Easement Holder Certification?

**Alternatives**

Do not retain special legal counsel to provide assistance with drafting these documents and policies necessary for the State of Colorado's Conservation Easement Holder Certification. Staff does not recommend this as drafting these documents and policies will require an in-depth knowledge of the new state laws governing the acceptance of conservation easements. This knowledge is best provided by outside counsel who specializes in this field.

Do not pursue holding conservation easements. Staff does not recommend this as conservation easements offer the City an opportunity to preserve critical open space at little or no cost to the City. This will be important as bond funds for open space acquisitions diminish.

**Background Information**

In 2008, the State of Colorado passed HB 1353 to prevent abuses of the state's land preservation tax credit program. This new law requires that beginning in January, 2011, all government entities that hold a conservation easement for which a tax credit is claimed are required to be certified. This certification program will examine an entity's process for approving an easement and its system of monitoring those easements, as well as its governance and financial stability.

Tax qualified conservation easements offer the City an opportunity to preserve open space without acquiring title to the property on which the easement is granted, at little or no cost to the City. Property owners will often grant such easements at no cost to local governments in exchange for the significant tax benefits that a properly qualified conservation easement can create. City staff believes that it is important to preserve our ability to accept conservation easements where tax credits are claimed; and therefore, will be applying for certification in 2011. The application process requires the City to provide some specific policies and documents that the City does not currently have, which relate to how the City accepts and monitors its conservation easements. Staff believes it would be in the City's best interest to hire outside counsel experienced in conservation law, specifically related to conservation easements, to assist with drafting these necessary policies and documents.

Ms. Becker has worked with conservation easements for over 20 years as an attorney representing government entities holding conservation easements and as a representative of private landowners donating conservation easements. Ms. Becker also has experience as a facilitator of conservation easement tax credit sales, having founded Tax Credit Connection, LLC, a company that matches buyers and sellers of Colorado conservation easement income tax credits. Ms. Becker sold her interest in Tax Credit Connection in 2005, but continues to represent other tax credits brokers in reviewing documentation for compliance with state and federal income tax requirements. Ms. Becker was also the previous Open Space Coordinator for the City of Westminster. She is currently an adjunct instructor at the University of Colorado Law School, teaching Land Conservation Law.

Authorizing this contract furthers the strategic goals of "Beautiful and Environmentally Sensitive City" by providing the ability for the City to continue to preserve critical open spaces through holding conservation easements.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachment – Contract

## **CONTRACT FOR LEGAL SERVICES**

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between RUTH CORNFELD BECKER, LLC (the "Firm") and the CITY OF WESTMINSTER, COLORADO (the "City").

### **RECITALS**

1. The City is desirous of contracting with the Firm for legal services.
2. The Firm and its attorneys are authorized to practice law in the State of Colorado.

### **AGREEMENT**

1. The Firm shall furnish the following special legal services to the City (the "Services") to assist with the creation of policies and documents associated with accepting and monitoring conservation easements where tax credits are claimed.

2. Ruth Becker of the Firm shall be principally responsible for the Services.

3. The Firm is acting as an independent contractor; therefore, the City will not be responsible for FICA taxes, health or life insurance, vacation, or other employment benefits.

4. The City shall pay for the Services at the rate of \$250 per hour.

5. This Contract may be terminated by the City with or without cause.

6. No payments to the Firm shall be made prior to the approval of this Contract by the Westminster City Council.

7. Payments pursuant to this Contract shall not exceed \$7,500 without further written authorization by the City.

8. The Westminster City Council authorized this contract on January 24, 2011.

9. To the extent this Agreement constitutes a public contract for services pursuant to C.R.S. § 8-17.5-101 et seq., the following provisions shall apply: The Firm shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. In addition, the Firm shall not enter into a contract with a subcontractor that fails to certify to the Firm that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. If the Firm obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, the Firm shall notify the subcontractor and the City within three (3) days that the Firm has actual knowledge that the subcontractor is employing or contracting with an illegal alien. Furthermore, the Firm shall terminate such subcontract with the subcontractor if, within three (3) days of receiving the notice required pursuant to this paragraph, the subcontractor does not stop employing or contracting with the illegal alien. Except that the Firm shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

The Firm certifies that, prior to executing this Agreement, it has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in either the E-verify program administered by the United States Department of Homeland Security and the Social Security Administration (the "E-verify Program"), or the employment verification program administered by the Colorado Department of Labor and Employment (the "Colorado Verification Program"). The Firm shall not use either the E-verify Program or the Colorado Verification Program procedures to undertake preemployment screening of job applicants while performing this Agreement.

The Firm shall comply with all reasonable requests by the Colorado Department of Labor and Employment made in the course of an investigation undertaken pursuant to the authority established in C.R.S. § 8-17.5-102(5).

To the extent required by C.R.S. § 8-17.5-102(1), by submitting a bid, the Firm certifies that at the time of bid submission it did not knowingly employ or contract with an illegal alien who will perform work under this Agreement, and that the Firm will participate in the E-verify Program or the Colorado Verification Program in order to verify the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement.

**RUTH CORNFELD BECKER, LLC**

By \_\_\_\_\_  
Ruth Becker

**CITY OF WESTMINSTER, COLORADO**

By \_\_\_\_\_  
J. Brent McFall

Approved as to legal form:

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



## Agenda Item 8 M

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Transfer of the Promenade West Property and Maintenance Responsibilities

**Prepared By:** Steve Smithers, Assistant City Manager

#### **Recommended City Council Action**

Authorize the City Manager to sign the Special Warrantee Deed transferring Lot 4 and Tracts C and D of the West Promenade land to the Westminster Promenade Owners Association, LLC. In addition, authorize the City Manager to enter into the Westminster Promenade West Termination Agreement in substantially the same form as the attached Agreement.

#### **Summary Statement**

- Entertainment Properties Real Estate(EPR) out of Kansas City is the owner of the commercial properties on the west side of the Promenade Development. Staff has been in conversations with EPR for some time in regard to challenges being experienced by both the City and EPR in relationship to the West Promenade Development.
- EPR has experienced challenges with keeping the commercial space occupied with viable tenants. There are currently are a number of vacancies that EPR is having difficulty filling due to the current state of the economy and some issues with how the West Promenade is configured. EPR has stated that they have complete confidence in the ability of this development to succeed. They believe taking ownership of the City owned land will give them additional flexibility to make some adjustments that will increase visibility for retail tenants as well as potentially bring some other commercial uses to the development.
- The City has experienced some challenges with liability issues at the Promenade West that will be rectified by this sale and the termination of the existing Promenade West Maintenance, Security and Snow Removal Agreement.
- This land transfer and termination agreement will result in the City no longer having to maintain or provide contracted security for the West Promenade. In addition, the City will eliminate the long term liability for capital upgrades and replacements of the pedestrian areas of the West Promenade.

**Expenditure Required:** \$0

**Source of Funds:** N/A

## **Policy Issues**

1. Should the City transfer the city owned West Promenade property to EPR?
2. Should the City enter into the Westminster Promenade West Termination Agreement?

## **Alternatives**

1. City Council could decide not to transfer the property to EPR. This alternative is not recommended because this would not afford EPR the flexibility they need to address current challenges being experienced at the West Promenade. EPR has indicated that this transfer will place them in a position to make some investments in the property that should restore its commercial viability.
2. City Council could not enter into the Westminster Promenade West Termination Agreement. Staff does not recommend this alternative as the termination of existing maintenance and security contractual arrangements will relieve the City of significant current and future expenses. In addition, the liability issues that the City has been experiencing under the current agreement will be eliminated.

## **Background Information**

The Promenade was constructed and opened over a decade ago. The project was anchored by the Westin Hotel on the East and the AMC 24 Movie Theaters on the West. The project was a unique undertaking that involved key partnerships between the City, Starwood Corporation, Westcol Properties Inc. and Hyland Hills Parks and Recreation District. The Promenade has enjoyed great success as an entertainment complex and citizen gathering place.

As part of the project, the City constructed the pedestrian areas of the Promenade and agreed to maintain and provide security for these areas. In August of 2000 the City signed the Maintenance, Security, and Snow Removal Agreement with the Westminster Promenade Owner's Association to maintain and provide security for the west side of the Promenade. The City established a maintenance crew and a budget to recover maintenance expenses from the commercial property owners. Security was provided by the Westminster Police Department and a portion of the costs of these services were charged back to the private owners.

Staff has been in conversations with EPR for last several years in regard to some challenges being experienced on the west side of the Promenade. These include liability claims being filed against the City by individuals involved in incidents on private property maintained by the City. Under the terms of the agreement signed in 2000, the City can be held liable for these incidents. This is a difficult situation as these incidents can fall outside the protections of the Governmental Immunity Act. In addition, EPR identified concerns with leasing at the West Promenade and the need for additional flexibility in making modification to the Promenade to address these.

The Special Warrantee Deed will transfer all current property owned by the City as shown on the attached site map attached to the Deed. In return for this transfer the City will no longer be obligated to maintain or make any capital improvements to the property from the date of the Deed forward. The City will continue to own the parking lots located west and north of Fat Cats Bowling.

**SUBJECT:** Transfer of the Promenade West Property and Maintenance Responsibilities  
Page 3

The major terms of the Westminster Promenade West Termination Agreement are as follows:

>The Maintenance, Security and Snow Removal Agreement recorded August 1, 2000 will be terminated and will no longer have any force or affect.

>The Property Owner agrees to maintain the property in high quality condition and to remain in conformance with the Official Development Plan for the site.

>The Property Owners will continue to pay all expenses related to operational maintenance of the City owned parking lots on the northern portion of the project (immediately north and west of Fat Cats Bowling).

These proposed actions meet the Strategic Plan goals of a Financially Sustainable City Government Providing Exceptional Services and a Strong and Balanced Local Economy.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachments - Special Warrantee Deed  
Termination Agreement

## **SPECIAL WARRANTY DEED**

**THIS DEED**, dated this \_\_\_\_\_ day of \_\_\_\_\_ 2011, between the CITY OF WESTMINSTER, COLORADO, a Colorado home-rule municipality of the Counties of Adams and Jefferson, and State of Colorado (“Grantor”) and WESTCOL CENTER, LLC, a Colorado limited liability company, whose legal address is 909 Walnut, Suite 200, Kansas City, Missouri 64106 (“Grantee”).

**WITNESS**, that the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, its heirs, successors, and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Jefferson and State of Colorado, described on Exhibit A, attached hereto and incorporated herein by this reference.

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee, its heirs and assigns forever. The Grantor, for itself, its heirs, personal representatives, successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee, its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantor.

**IN WITNESS WHEREOF**, the Grantor has executed this deed on the date set forth above.

**[REMAINDER OF PAGE INTENTIONALLY BLANK]**

**[SIGNATURE PAGES FOLLOW]**



**GRANTOR**

CITYOF WESTMINSTER, COLORADO,  
a Colorado home-rule municipality

By:\_\_\_\_\_

J. Brent McFall

Its: City Manager

ATTEST:

By:\_\_\_\_\_

Linda Yeager

Its: City Clerk

STATE OF COLORADO )

) ss:

COUNTY OF ADAMS )

The foregoing instrument was acknowledged before me as of the \_\_\_\_ day of \_\_\_\_\_, 2011, by J. Brent McFall, as City Manager, and Linda Yeager, as City Clerk, of the City of Westminster, Colorado.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

( S E A L )

**EXHIBIT A**

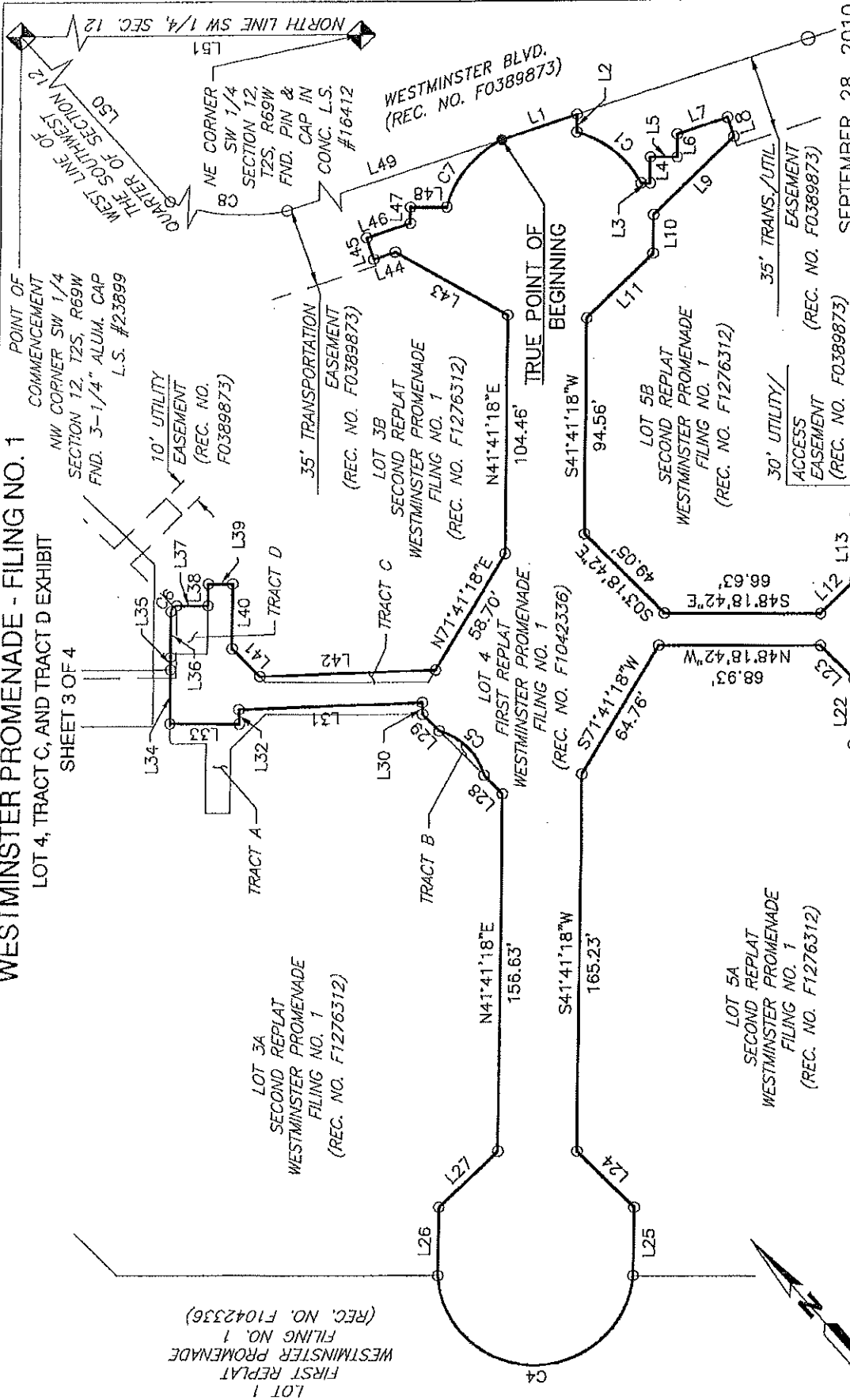
**City Parcel**

Lot 4 and Tracts C and D, First Replat, Westminster Promenade – Filing No. 1, Lots 1, 3 and 4  
as recorded in the records of the Clerk and Recorder of Jefferson County, Colorado

# WESTMINSTER PROMENADE - FILING NO. 1

LOT 4, TRACT C, AND TRACT D EXHIBIT

SHEET 3 OF 4



SCALE 1" = 60'

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

**MARTIN / MARTIN**  
CONSULTING ENGINEERS

12499 WEST COLFAX AVE.  
P.O. BOX 151500  
LAKEWOOD, CO 80215  
303.431.6100  
FAX 303.431.4028

SEPTEMBER 28, 2010

**WESTMINSTER PROMENADE WEST**  
**TERMINATION AGREEMENT**

This Westminster Promenade West Termination Agreement ("Agreement"), is made this \_\_\_\_\_ day of \_\_\_\_\_, 2010 ("Effective Date"), between the City of Westminster, Colorado, a Colorado home-rule municipality ("City"), and the Westminster Promenade Owner's Association, LLC, a Colorado limited liability company ("Association") (collectively, the "Parties"); and

WHEREAS, the City is the owner in fee simple of that certain real estate located in Westminster, Colorado, which real estate is more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, Association is a Colorado not-for-profit corporation comprised of the owners of the real property described on Exhibit B, attached hereto and incorporated herein by this reference; and

WHEREAS, the City and the Association are parties to that certain Westminster Promenade West Maintenance, Security and Snow Removal Agreement dated June 1, 2000 and recorded August 1, 2000 as Document No. F1092561 (the "Promenade West Maintenance Agreement"); and

WHEREAS, the City has agreed to convey the Property to WestCol Center LLC, ("Center") pursuant to that certain Deed between the City and the Center of even date herewith, provided that the Association agrees to terminate the Maintenance Agreement and agrees to certain other terms and conditions set forth in this Agreement; and

WHEREAS, the Association has agreed to maintain the Property being acquired by the Association.

NOW, THEREFORE, in consideration of the mutual premises and covenants hereinafter set forth, and for other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the Parties agree as follows:

1. The Promenade West Maintenance Agreement shall be deemed terminated and shall no longer have any force or effect as of the Effective Date.
2. Commencing on the Effective Date, the Association agrees to maintain the Property and all improvements thereon in a sightly and attractive condition consistent with its intended status as a first-class retail entertainment center, and in conformance with the Official Development Plan for the Property.
3. Commencing on the Effective Date, the Association shall maintain the parking lots identified on Exhibit C. The Association shall be responsible for all regular maintenance responsibilities for these parking lots including but not limited to sweeping, snow removal, seal coating and painting.

4. Commencing on the Effective Date, the City shall maintain the landscaped medians along Westminster Boulevard shown on Exhibit D. The City shall be responsible for all regular maintenance responsibilities for these medians including but not limited to grass cutting, landscape material upkeep, and landscape watering.
5. The Association shall use its best efforts to provide and maintain, at its sole cost, electric power to the Westminster Boulevard pedestrian bridge. The City shall be responsible at its sole cost for periodically inspecting, maintaining, repairing and keeping in good condition the pedestrian bridge and its components. The Association shall grant the City such access to and from Lot 4 as may be reasonably required by the City from time to time to perform such work. Other than a) providing electric power to the pedestrian bridge and b) providing access to the City as provided herein, the Association shall have no ongoing obligations or responsibilities whatsoever for the Westminster Boulevard pedestrian bridge.
6. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed the day and year first above written.

**[REMAINDER OF PAGE INTENTIONALLY BLANK;**

**SIGNATURE PAGES FOLLOW]**

CITY OF WESTMINSTER, COLORADO, a  
Colorado Home-Rule Municipality

By: \_\_\_\_\_

Name: J. Brent McFall

Title: City Manager

STATE OF COLORADO                    )  
  ) ss.  
COUNTY OF ADAMS                    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2011, by J. Brent McFall, in his capacity as City Manager of the CITY OF WESTMINSTER, COLORADO, a Colorado home-rule municipality, and that said instrument was signed as his free act and deed on behalf of said municipality.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

WESTMINSTER PROMENADE OWNER'S  
ASSOCIATION, LLC, a Colorado limited liability  
company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 2011, by \_\_\_\_\_, in his/her capacity as  
\_\_\_\_\_ of WESTMINSTER PROMENADE OWNER'S ASSOCIATION,  
LLC, a Colorado limited liability company, and that said instrument was signed as his/her free  
act and deed on behalf of said limited liability company.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

**EXHIBIT A**

**City Parcel**

Lot 4 and Tracts C and D, First Replat, Westminster Promenade – Filing No. 1, Lots 1, 3 and 4 as recorded in the records of the Clerk and Recorder of Jefferson County, Colorado.



**EXHIBIT B**

**Association Parcel**

Lots 5 and 6, Westminster Promenade – Filing No. 1, Lots 1 and 3 and Tracts A, B and E, First Replat, Westminster Promenade – Filing No. 1, Lots 1, 3 and 4, and Lot 2, Westminster Promenade Subdivision, Filing No. 3, all as recorded in the records of the Clerk and Recorder of Jefferson County, Colorado.

**Exhibit C**

**(Parking lots site map to be included)**

---

**Exhibit D**

**(Westminster Boulevard median site map to be included)**



## Agenda Item 8 N

**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
January 24, 2011



**SUBJECT:** Second Reading of Councillor's Bill No. 1 re Fire Code Minor Revisions

**Prepared By:** Gary Pedigo, Fire Marshal

**Recommended City Council Action**

Pass Councillor's Bill No. 1 on second reading clarifying the requirements for roof clearance of solar photovoltaic installations.

**Summary Statement**

- City Council adopted the 2009 edition of the International Fire Code (IFC) on September 13, 2010.
- At that time, section 11-10-5 was added to the City Code to add IFC 611.1 concerning roof clearances of solar photovoltaic installations. The section currently requires that panels shall be placed no closer than an average of 18" from any roof valley. This language has led to some confusion and misinterpretation. Council is asked to clarify that panels shall be placed no closer than 18" from any roof valley.
- This clarification should assist contractors and other interested parties utilizing the City Code to better understand this section and eliminate misinterpretations.
- This Councillor's Bill was passed on first reading on January 10, 2011.

**Expenditure Required:** \$0

**Source of Funds:** N/A

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachment – Councillor's Bill

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **1**

SERIES OF 2011

INTRODUCED BY COUNCILLORS

**Kaiser - Lindsey**

**A BILL**

**FOR AN ORDINANCE AMENDING SECTION 11-10-5 OF THE WESTMINSTER MUNICIPAL  
CODE CONCERNING SOLAR PHOTOVOLTAIC INSTALLATIONS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 11-10-5, W.M.C., is hereby AMENDED to read as follows:

**11-10-5: Chapter 6 Building Services and Systems:**

(A) Section 611 is added to the International Fire Code to read as follows:

**611 Solar Photovoltaic Installations:**

**611.1. Roof Clearances for Installation:**

- a. Panels shall not be placed closer than 2'0" to the ridge of any roof.
- b. Panels shall be placed no closer than 2'0" to the head wall at the top of any roof slope.
- c. Panels shall be placed no closer than ~~an average of~~ 18" from any roof valley.
- d. Additional roof access may be required based on unique site conditions as determined by the Fire Department.

**611.2 Direct Current (DC) Wiring:**

- a. Direct current (DC) conduit, wiring, and raceways shall be located below the solar array or a minimum of 24" below the roof sheathing.

**611.3 Labeling:**

- a. For residential applications, a label stating CAUTION, SOLAR PHOTO VOLTAIC SYSTEM ON PREMISES, shall be placed at or within the main electrical service disconnect.

Section 2. This ordinance shall take effect upon its passage after second reading.

Section 3. 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 10<sup>th</sup> day of January 2011.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED  
this 24<sup>th</sup> day of January 2011.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

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

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



## Agenda Item 8 O

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Second Reading of Councillor's Bill No. 2 re Swim and Fitness Supplemental Appropriation and Award of Adams County Grant Funds

**Prepared By:** Kathy Piper, Landscape Architect II

#### Recommended City Council Action

Pass Councillor's Bill No. 2 on second reading authorizing a supplemental appropriation in the amount of \$205,000 reflecting the City's receipt of an Adams County Open Space Grant for the Swim and Fitness Center Renovation.

#### Summary Statement

- In July of 2010, Staff received City Council's approval to submit a request of \$999,117 to Adams County Open Space to help fund the renovation of the Swim and Fitness Center. Staff presented the grant request on August 26, 2010, and on November 17, 2010, the City was awarded \$205,000 for the water play feature only.
- The Department of Parks, Recreation and Libraries has budgeted POST bond, Conservation Trust Funds and CIP funds in the amount of \$1,772,510 for renovation of this facility.
- Renovations will include updating the shower and locker room facilities, providing a family changing room, moving the sauna, steam room and hot tub to more accessible and visibly secure locations and providing a new outdoor splash pad.
- This Councillor's Bill was passed on first reading on January 10, 2011.

**Expenditure Required:** \$205,000

**Source of Funds:** Adams County Open Space Grant

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **2**

SERIES OF 2011

INTRODUCED BY COUNCILLORS

**Dittman - Lindsey**

**A BILL**

**FOR AN ORDINANCE INCREASING THE 2011 BUDGET OF THE GENERAL CAPITAL  
IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM  
THE 2011 ESTIMATED REVENUES IN THIS FUND**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2011 appropriation for the General Capital Improvement Fund, initially appropriated by Ordinance No. 3550 is hereby increased by \$205,000. This appropriation is due to the receipt of an Adams County Open Space Grant.

Section 2. The \$205,000 increase in the General Capital Improvement Fund shall be allocated to City revenue and expense accounts as described in the City Council Agenda Item #10 B dated January 10, 2011 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Capital Improvement Fund	<u>\$205,000</u>
Total	<u>\$205,000</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 10<sup>th</sup> day of January 2011.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED  
this 24<sup>th</sup> day of January 2011.

ATTEST:

\_\_\_\_\_  
Mayor

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



## Agenda Item 9 A

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** 2011 Appointments to the Rocky Flats Stewardship Council

**Prepared By:** Mike Smith, Director of Public Works and Utilities

### Recommended City Council Action

Reappoint City Councillor Bob Briggs as the City's representative to the Rocky Flats Stewardship Council and Water Quality Administrator Mary Fabisiak as alternate representative to the Council.

### Summary Statement

- The Intergovernmental Agreement establishing the Rocky Flats Stewardship Council (RFSC) was entered into on February 13, 2006.
- The Intergovernmental Agreement requires that each participating local government appoint or reappoint a representative and alternate representative annually.
- Lack of a unanimous triennial determination by the Parties and annual appointments to the board of directors will result in the dissolution of the Stewardship Council.
- Council previously appointed City Councillor Bob Briggs as the City's representative to the RFSC Board of Directors and appointed Special Projects Coordinator Ron Hellbusch as the alternate representative at the January 25, 2010 City Council meeting. Ron has resigned his position with the City, therefore, we are now recommending Mary Fabisiak as the alternate representative for the one year term effective February 1, 2011.

**Expenditure Required:** \$0

**Source of Funds:** N/A



**Policy Issue**

Should the City continue to participate in and support the Rocky Flats Stewardship Council by authorizing reappointments to the board of directors for the year 2011?

**Alternative**

Determine that it is not in the best interest of the City of Westminster to support the continuation of the Rocky Flats Stewardship Council for an additional three years. This alternative is not recommended as 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 that are contiguous to Rocky Flats in order to "speak with one voice" to the Department of Energy, State and Federal Governments, and elected delegations on issues related to the long-term stewardship issues of Rocky Flats. In addition, continued long term water quality monitoring and management by the RFSC is vital to the City of Westminster and other Standley Lake Cities.

**Background Information**

The Rocky Flats Stewardship Council is made up of elected officials and staff representing nine local governments that are contiguous to the Rocky Flats National Wildlife Refuge and the retained lands held by the Department of Energy, three community organizations and one individual. The nine local governments include the cities of Westminster, Arvada, Golden/Northglenn (alternating years), Boulder, Boulder County, Jefferson County, the City and County of Broomfield and the Town of Superior, plus the League of Woman Voters, Rocky Flats Cold War Museum, Rocky Flats Homesteaders and an individual Arthur Widdowfield.

The purpose of the RFSC now is to provide communication and coordination among the nine members and the Department of Energy (DOE); to provide oversight of the ongoing ground and surface water monitoring programs and serve as an advocate for the surrounding communities with state and federal agencies regarding DOE regulatory closure issues, and site monitoring programs and commitments.

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 (LSO) to provide environmental oversight, communication and advocacy between the DOE and nearby communities on any issues involving the retained DOE lands. Membership in the RFSC by the City continues to be based on continued focus on site water quality monitoring and maintenance and related environmental issues and federal funding support for the RFSC. The RFSC meeting schedule has been reduced to five times per year, since site cleanup has been accomplished.

This action helps achieve the City Council's Strategic Plan Goal of a Safe and Secure Community by overseeing the City's interests and ensuring a safe, long-term water quality monitoring of Rocky Flats. This action also supports City Council's Strategic Plan Goal of a Beautiful and Environmentally Sensitive City by providing oversight of the post-closure management of the Rocky Flats Environmental Technology Site as it transitions to a national wildlife reserve.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager



## Agenda Item 10 A

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Resolution No. 2 re Amended Fiscal Policies – Utility Reserves

**Prepared By:** Mike Smith, Director Public Works and Utilities  
Phil Jones, Senior Management Analyst

### Recommended City Council Action

Adopt Resolution No. 2 that amends certain Utility Reserve Fund policies in regard to the Rate Stabilization Reserve and Capital Project Reserve.

### Summary Statement

- The City Council has recently adopted revised tap fees and utility rate fees as a result of their review of the City's utility infrastructure needs.
- At their August 15, 2010, Study Session, City Council reviewed the proposed water and sewer rate increases for 2011 and 2012, and reviewed recommendations for updating the Utility Reserve Fund policies regarding the Rate Stabilization Reserve and Capital Projects Reserve.
- Council directed Staff to bring back a Resolution amending policies for the Rate Stabilization and Capital Project Reserves for the City's Water and Wastewater Utility Fund.
- These amendments clarify the process by which staff will apply the Rate Stabilization Reserve and Capital Projects Reserve for greater consistency in financial planning and operations.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Should the City amend the Rate Stabilization and Capital Project Reserve policies for the City's Water and Wastewater Utility Fund?

**Alternative**

The City could continue to operate reserves with existing policies that are open to broad interpretation and make year-end accounting procedures difficult. By adopting the staff recommendation, the amended Rate Stabilization Reserves will be easier to calculate and track for better accounting and management of the utility funds. The amended Capital Project Reserve will be a simplified approach to maintaining adequate funding for capital projects.

**Background Information**

In 2005, the City of Westminster hired Financial Consulting Solutions Group, Inc. (FCS) to assist in reviewing the City's utilities fees, tap fees, infrastructure replacement needs, and reserve practices. Based on the FCS's analyses, Council adopted revised tap fees (beginning in October, 2006) and utility rates (effective in January 2007 and January 2008).

At their September 12, 2006, Study Session, the City Council reviewed the practice and reasoning for establishing Utility Reserves, specifically an Operating Reserve (OR), a Rate Stabilization Reserve (RSR), and a Capital Project Reserve (CPR). Over the past four years, Staff has had the opportunity to utilize and review the Utility Reserves as adopted. Through their experience, Staff recommended the elimination of the Operating Reserve, as approved by Council on May 10, 2010, and now recommends the revision of both the RSR and CPR.

Proposed amendments to the RSR include clarifying the purpose of the reserve. The main purpose is to cover any operating shortfalls in operating revenue due to variations in the weather or other impacts to the Utility's revenue stream. The policy has also been revised to reflect a clearer approach to calculating the dollar target for the reserve and clarifies the use of a financial document, the "December Financial Report" prepared for City Council, as the guiding document for comparing actual revenues to actual expenditures. Also adjusted is the minimum reserve balance from 80% of target to 70% of target, allowing for greater flexibility in covering revenue shortfalls through expenditure reductions or capital reductions, in addition to potential rate changes. Other changes to the policy clarify the timing of the calculations and transfer of money, now coinciding with the City's previously established year-end and carryover processes.

The CPR is proposed to be amended to establish new minimums for the reserve at \$3 million for the water fund and \$2 million for the wastewater fund. This is a clarification from a fractional split requirement in previous policies. The maximum limit for the CPR is to be adjusted to 40% of the 5-year adopted CIP, as the previous maximum was not practical, nor was it a true limiting factor of utility finances. The proposed amended policy also clarifies the policy to reflect the best practice of comparing actual tap fee revenue to budgeted tap fee revenue, which will assist staff in implementing the policy. Also updated was a new timeline, similar to the RSR, for calculating reserve balances.

Attached are the revised policies, which further the strategic plan goals of Financially Sustainable City Government Providing Exception Services, Safe and Secure Community, and Vibrant Neighborhoods in One Liveable Community by ensuring adequate reserve funds to operate a sustainable utility and by reinvesting in capital assets to assure safe, dependable service for all customers.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachments - Resolution  
- Amended RSR

RESOLUTION

RESOLUTION NO. **2**

INTRODUCED BY COUNCILLORS

SERIES OF 2011

**A RESOLUTION ADOPTING  
AMENDED FISCAL POLICIES FOR UTILITY FUND RESERVES**

WHEREAS, City Council recognizes the importance of the adoption of fiscal policies regarding Utility Reserves, including target funding levels, and minimum/maximum levels of appropriate reserve funds (Rate Stabilization Reserve, and Capital Project Reserve) and originally adopted such policies by Resolution No. 57 on October 9, 2006; and

WHEREAS, staff has worked to simplify and streamline the original reserve policies for the purpose of more accurate application of those policies regarding target funding levels, minimum/maximum levels of appropriate Utility Reserve Funds (Rate Stabilization Reserve, and Capital Project Reserve), and the elimination of the Operating Reserve due to duplication of purpose and lack of need.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER that City Council hereby replaces the policies adopted by Resolution No. 57 in 2006 by adoption of the attached amended fiscal policies, which are incorporated herein by this reference.

PASSED AND ADOPTED this 24th day of January, 2011.

CITY OF WESTMINSTER, COLORADO

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

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

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

## **AMENDED RATE STABILIZATION RESERVE POLICY**

**Purpose:** The Rate Stabilization Reserve (RSR) was created to cover any shortfalls in rate revenues and miscellaneous other Utility Fund income (excluding tap fees) for the operating budget. A shortfall may occur due to such things as an unseasonably wet year or a drought year where customers are required to conserve (operating revenue can vary significantly due to the weather). The RSR is also structured to help the utility meet debt coverage requirements and bond covenants and fund any supplemental appropriations for unexpected additional operating expenses (such as increases in chemical and energy costs).

**Target:** The target amount of the Rate Stabilization Reserve in any given year shall be equal to 25% of the budgeted water rate revenues and 10% of the budgeted wastewater rate revenues for that year.

**Application:** Each January, the previous fiscal year's actual water and wastewater rate revenues received and reported in the "December Financial Report" prepared for City Council shall be compared against actual operating expenditures for that same year, prior to Accounting year-end adjustments.

If revenues and other miscellaneous Utility Fund income are less than operating expenses, the shortfall amount shall be appropriated from the RSR into the operating budget to balance the operating portion of the Utility Fund. "Operating expenses" should include proposed carryover requests for operating expenses that commenced in the fiscal year but not completed in that fiscal year; this might include studies, capital outlay/equipment purchases, etc., that were not completed or did not arrive prior to December 31 of that fiscal year.

If actual revenues exceed actual operating expenses, the surplus rate and miscellaneous revenues (i.e., those above the level of expenditures) shall be added to the Rate Stabilization Reserve as part of the City's annual carryover process. "Actual operating expenses" should include proposed carryover requests for operating expenses that commenced in the fiscal year but not completed in that fiscal year; this might include studies, capital outlay/equipment purchases, etc., that were not completed or did not arrive prior to December 31 of that fiscal year. Carryover requests for Capital Improvement Program (CIP) projects should be funded from the Capital Project Reserve (CPR).

If, in any year, the actual RSR balance exceeds the target by 40%, that portion in excess of the 140% of target shall be transferred to the Capital Project Reserve. If the actual RSR balance, as adjusted, is below the target by 30% or more, water or wastewater rate adjustments, expenditure adjustments, and/or CPR transfers should be implemented over a reasonable time period to increase the RSR balance to meet the target.

## **AMENDED CAPITAL PROJECT RESERVE POLICY**

**Purpose:** The Capital Project Reserve (CPR) was created to fund City Council authorized Capital Improvement Program (CIP) projects as part of the regular budget process, and may fund emergency repairs to utility facilities and/or unexpected CIP projects as authorized by City Council.

**Target:** The CPR minimum shall be \$3 million for water and \$2 million for wastewater. The CPR maximum shall be 40% of the total adopted five-year CIP expenditures.

**Application:** Each January, the previous fiscal year's actual water and wastewater tap fee revenues received and reported in the "December Financial Report" prepared for City Council shall be compared against budgeted tap fee revenues for that same year, prior to Accounting year-end adjustments.

If actual tap fee revenues are less than budgeted tap fee revenue, the shortfall shall be appropriated from the CPR to balance the CIP portion of the Utility Fund.

If actual tap fee revenue exceeds budgeted tap fee revenue, any excess shall be transferred to the CPR as part of the City's annual carryover process if such surplus tap fee revenue is not needed to fund any carryover requests for CIP projects. Also, as stated in the Rate Stabilization Reserve policy, excess funds in the RSR shall be transferred to the CPR.

If the CPR balance falls below the minimum, rate increases and/or reducing the CIP shall be required. If the balance exceeds the maximum, funding of the CPR shall be reduced until the CPR falls below the maximum, which may include rate reductions.

Should the Rate Stabilization Reserve be depleted and funds are needed to cover revenue shortfalls for water and/or wastewater operations, CPR funds may be utilized. Additionally, CPR funds may be utilized to replenish the RSR as part of a strategy to rebuild the RSR balance pursuant to this policy.

Funding for the CPR may also include contributions or deductions from rates, tap fees, working capital carryover, interest, miscellaneous revenue, capital project refunds, and Rate Stabilization Reserve transfers.

Original Policy Adopted: October 9, 2006, Resolution No. 57

Policy Amended: January 24, 2011, Resolution No. 2



## Agenda Item 10 B

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Resolution No. 3 re Spring 2011 Adams County Open Space Grant Applications

**Prepared By:** Sarah Washburn, Landscape Architect II  
Rich Dahl, Parks Services Manager  
Heather Cronenberg, Open Space Coordinator  
Lauren Schevets, Open Space Technician

#### Recommended City Council Action

Adopt Resolution No. 3 authorizing the Department of Community Development and the Department of Parks, Recreation, and Libraries to pursue two grants totaling not more than \$312,389, from the Adams County Open Space grant program during the 2011 spring cycle for the acquisition of a portion of property from the Westminster Reformed Presbyterian Church located at 4455 West 112<sup>th</sup> Avenue for open space and for the implementation of the master plan for the Savory Farms Open Space property located at 10900 Federal Boulevard.

#### Summary Statement

- The Department of Community Development wishes to pursue a grant from the Adams County Open Space grant program for funding assistance with acquisition of approximately 2.24 acres from the Westminster Reformed Presbyterian Church.
- The total purchase price for 2.24 acres is estimated to be \$160,777 based on an appraisal ordered by the City. Staff recommends requesting up to \$80,389 for the acquisition plus \$850 to cover half of the cost to install a fence along the new boundary for a total request of \$81,239.
- Acquiring the back portion of this property will provide a buffer to the abutting Big Dry Creek Open Space and will ensure that this area will not be developed in the future. Acquiring this property for open space is a priority for the City's Open Space Advisory Board.
- The Department of Parks, Recreation, and Libraries wishes to pursue a grant from the Adams County Open Space grant program for funding assistance with the implementation of the master plan at the Savory Farm Open Space property.
- Staff recommends requesting up to \$232,000 to assist with implementation of the master plan for the Savory Farm Open Space property. Staff estimates a cost of \$332,000 to construct a new parking lot and trails, to re-grade using the fill dirt located on the site, to install open space fencing and signage along Federal Boulevard, and to revegetate the site with native grasses.
- Staff submitted a grant request to the Adams County Advisory Board during the fall, 2010 cycle to fund the Savory Farms master plan project. The project was not awarded funding. Staff would like to bring this same project back for a second request for funding.

**Expenditure Required:** Westminster Reformed Presbyterian Church Acquisition: Cash matching funds in the amount of \$81,239. This represents a 50% match.  
Savory Farms Open Space Master Plan: Cash matching funds in the amount of \$100,000. This represents a 30.1% match.

**Source of Funds:** Parks, Open Space, and Trails Open Space Acquisition Fund  
PRL Trail Development Funds  
CD General Capital Improvement Fund – Sidewalk Account

## **Policy Issue**

Should the City attempt to seek assistance with the acquisition of property from the Westminster Reformed Presbyterian Church along with funds to construct improvements at the Savory Farms Open Space property from the Adams County Open Space Grant Program?

## **Alternative**

Council could choose not to pursue additional funding for the acquisition and the improvements. This is not recommended because the City does not have the funds to purchase a portion of the Westminster Reformed Presbyterian Church property or to construct improvements at the Savory Farms Open Space property without assistance from Adams County.

## **Background Information**

The City has been successful in applying for and receiving grants from a variety of sources in the past. In recent years, the City has received grant money from the Adams County Open Space program for park and trail development projects as well as open space acquisitions. The City has developed a strong partnership with Adams County in its successful use of these grant funds. Since 2003, the City has been successful in being awarded more than \$4.8 million for open space acquisitions.

Acquisition of a portion of the Westminster Reformed Presbyterian Church property will expand upon the existing Big Dry Creek open space corridor to the west and north as well as protect the floodplain area. It will also increase recreational opportunities and provide additional wildlife habitat. The City of Westminster's Open Space Advisory Board is supportive of this acquisition. This is a key property that fits into the City's overall plan for protecting the Big Dry Creek corridor. Staff has negotiated a purchase price of \$160,777 for 2.236 acres or \$71,904 per acre per an appraisal. The offer is contingent upon City Council approval and receipt of an Adams County grant request. Staff would like to request a grant in the amount of \$81,239 which represents 50% of the acquisition price along with 50% of the the cost to construct a fence along the new boundary. Staff will bring a request to Council to consider approval of the acquisition of this property after we receive a response from the Adams County Open Space Advisory Board regarding the grant request that should occur by May, 2011.

The City acquired the Savory Farm Estates property in January, 2010 to provide a buffer to the abutting Mushroom Pond Open Space. This acquisition was made possible with a grant of \$550,000 from Adams County. Currently the property is vacant with a large pile of fill dirt on-site. Staff has developed a master plan for improvements on the Savory Farms site as well as the abutting Mushroom Pond Open Space. The master plan provides a total cost estimate of \$332,000 to construct the following improvements: construction of a trailhead parking lot for the Farmers' High Line Canal Trail and proposed new trails including one along Federal Boulevard, grading and revegetation, an open space fence and signage along Federal Boulevard, and installation of interpretive signage related to the history of the Savory Mushroom Farm and the water tower that was recently renovated. There is currently no trailhead parking for the Farmers' High Line Canal Trail within Westminster. Engineering and coordination of CDOT permitting would commence in the summer of 2011, with construction of the improvements following in the spring of 2012 if the grant request is fully funded.

Staff brought this grant request to Adams County during the Fall, 2010 grant cycle. The request was denied funding due in part to the low \$50,000 cash match that was proposed. At that time, City Staff proposed using the original property acquisition amount as an additional match that was allowed in the open space grant criteria. However, some board members did not agree with the grant guidelines and denied using the property acquisition match as the City's major cash contribution to the project. Staff has identified an additional \$50,000 from the City's sidewalk fund to use in addition to the cash match from



the Trail Development funds. Staff hopes that increasing the cash match to \$100,000 and not using the acquisition match will provide justification for board members to support the grant request. The additional funds represent a 30.1% cash match from the City and will hopefully result in approval of the grant request during this next grant cycle.

These grant requests support the City's Strategic Plan Goals of "Financially Sustainable City Government" and "Beautiful City" by increasing revenues that support defined City projects and by providing the City with increased open space and trails.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachments

- Resolution
- Westminster Reformed Presbyterian Church Vicinity Map
- Savory Farm Estates Open Space Property Vicinity Map
- Savory Farm Estates Master Plan Map

RESOLUTION

RESOLUTION NO. **3**

INTRODUCED BY COUNCILLORS

SERIES OF 2011

**A RESOLUTION  
TO PURSUE GRANT REQUESTS FROM THE  
2011 ADAMS COUNTY OPEN SPACE GRANT PROGRAM  
FOR SAVORY FARM AND WESTMINSTER REFORMED PRESBYTERIAN CHURCH**

WHEREAS, Adams County has established a local government grant application process to assist municipalities and special districts within the County with the development of recreation capital improvements and open space acquisitions; and

WHEREAS, the City of Westminster has budgeted for improvements for the Savory Farm property and for the acquisition of a portion of the Westminster Reformed Presbyterian Church property; and

WHEREAS, grant money received from Adams County would significantly enhance the improvements for the above-mentioned projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER that Staff shall submit grant applications to the Adams County Open Space Grant program for the funding cycle of 2011, requesting funding not to exceed \$232,000 to enhance the development of Savory Farm and \$81,239 towards the purchase of a portion of the Westminster Reformed Presbyterian Church property.

PASSED AND ADOPTED this 24th day of January, 2011.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

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

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



# Westminster Reformed Presbyterian Church Open Space Acquisition

Westfield Village  
Park

Big Dry Creek  
Open Space

Westminster Reformed  
Presbyterian Church  
Property

Front Range Community College/  
College Hill Library

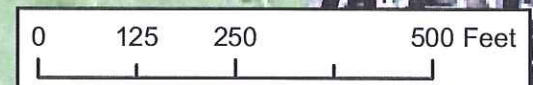
112th Ave

Cotton Creek Park

Wolff St

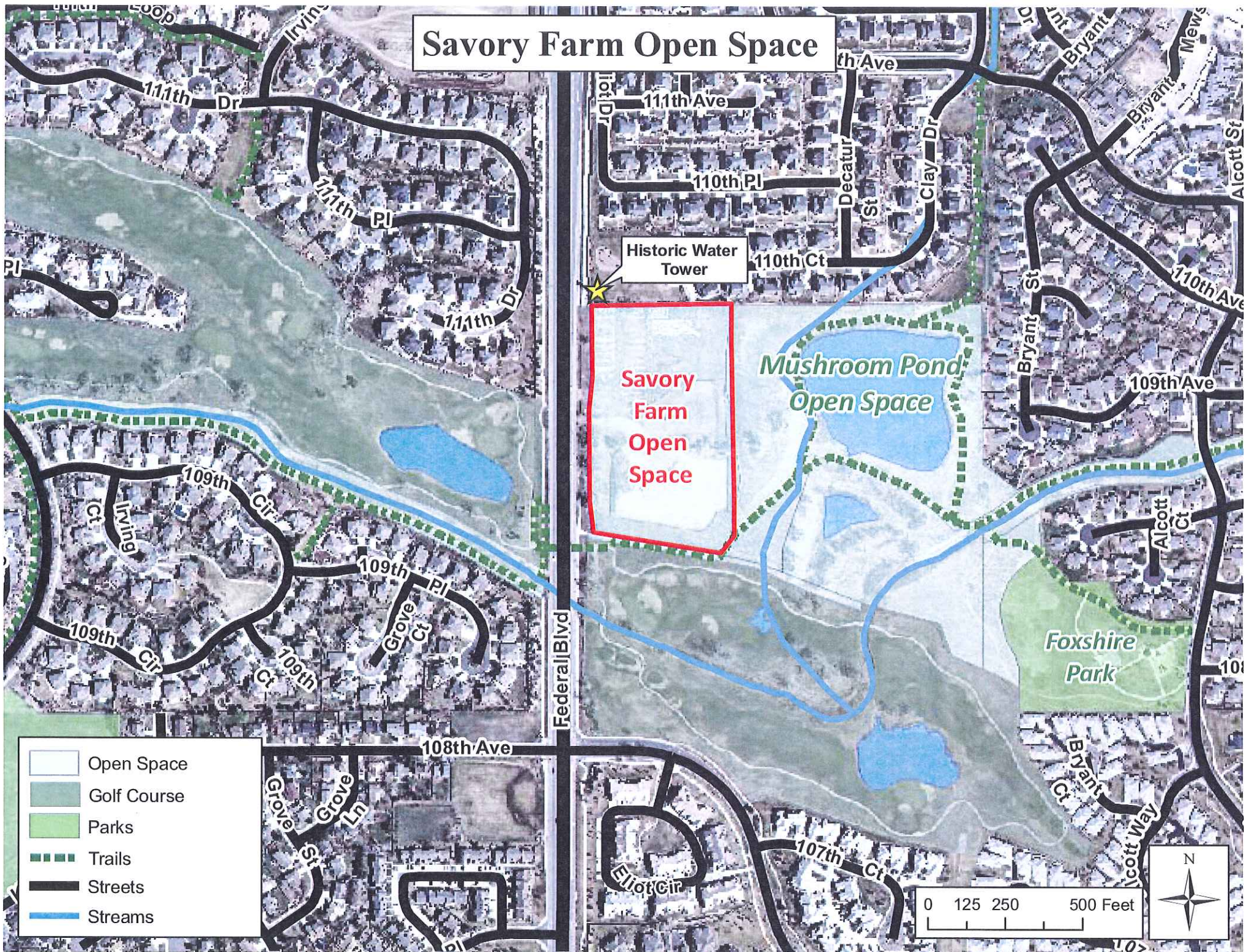
Vrain St

- Open Space
- Parks
- Trails
- Streets
- Streams

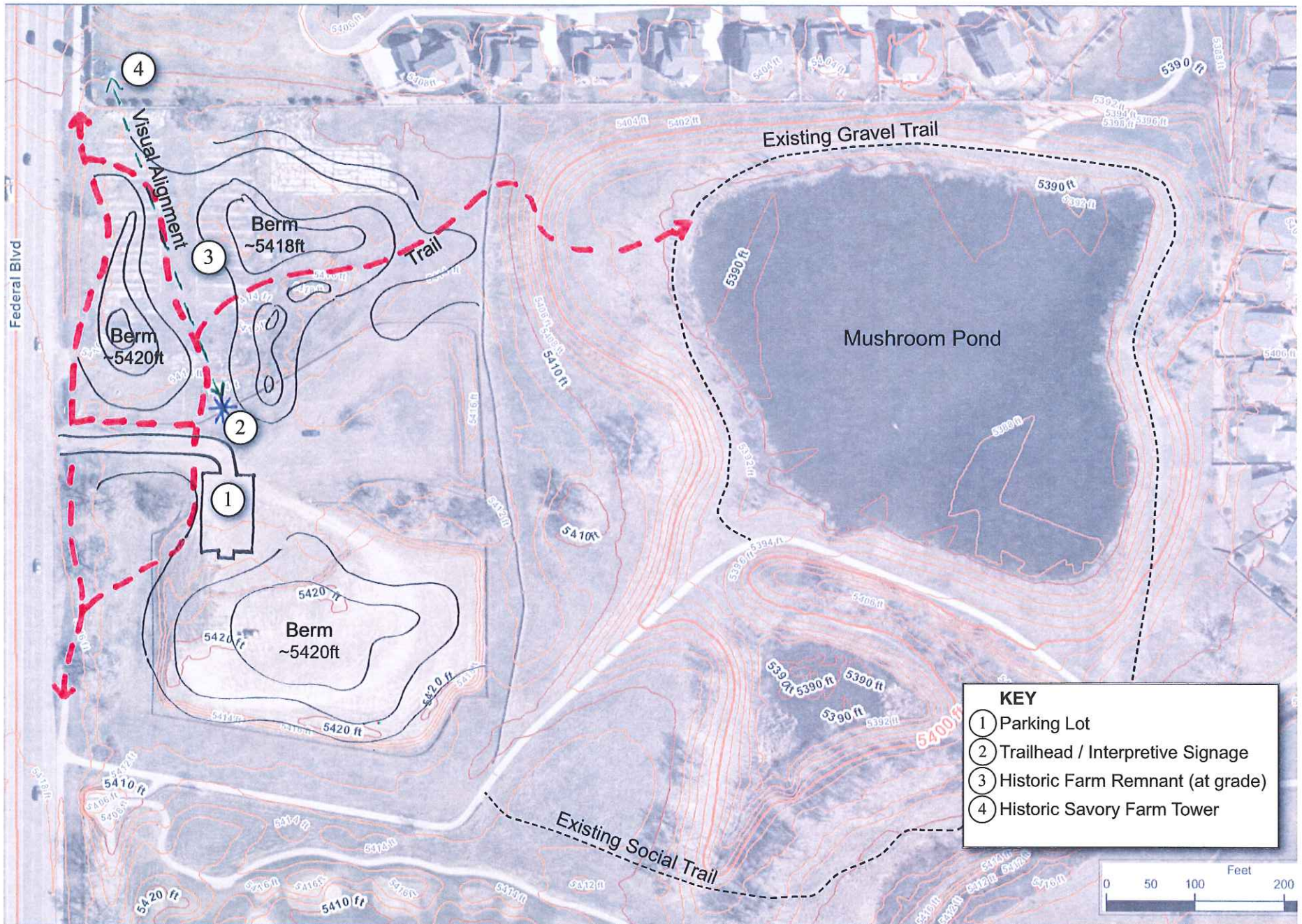




# Savory Farm Open Space







**KEY**

- ① Parking Lot
- ② Trailhead / Interpretive Signage
- ③ Historic Farm Remnant (at grade)
- ④ Historic Savory Farm Tower



## Agenda Item 10 C

### WESTMINSTER COLORADO

#### Agenda Memorandum

City Council Meeting  
January 24, 2011



**SUBJECT:** Councillor's Bill No. 3 re Proposed Economic Development Assistance Agreement with Drury Development Corporation

**Prepared By:** Susan F. Grafton, Economic Development Manager

#### Recommended City Council Action

Pass Councillor's Bill No. 3 on first reading authorizing the City Manager to execute and implement an Economic Development Agreement with Drury Development Corporation.

#### Summary Statement

- Drury Hotels, LLC is a family owned business headquartered in St. Louis, Missouri, and operates over 130 hotels in 20 states (see attached).
- Drury Development Corporation, the development arm of Drury Hotels, is planning to construct a 180 room Drury Inn & Suites hotel in Westminster at the Church Ranch Boulevard and U.S. 36 interchange. Construction will begin in the second quarter of 2011 with completion anticipated in spring of 2012. The project represents a \$13.5 million investment.
- Assistance is based on the City's desire to attract new businesses along US 36, diversify revenue sources within the City, as well as to encourage construction activity during the first half of 2011.
- Should Drury decide to cease operations in Westminster within 5 years of the approval of this EDA, the assistance would have to be reimbursed to the City by the company.
- Drury continues to evaluate the timing for development of their Westminster site in relation to other potential sites throughout the midwestern and southeastern United States.

**Expenditure Required:** \$392,000 (Rebates)

**Source of Funds:** The EDA with Drury Development Corporation will be funded through revenue received from the accommodations tax generated by this project.

**Policy Issue**

Should the City provide assistance to Drury Development Corporation based on the City's desire to attract new businesses along US 36, diversify revenue sources within the City, and encourage construction activity during the first half of 2011 in Westminster?

**Alternatives**

Do Nothing: One alternative is to offer no assistance to this company. Though the company may eventually construct a project in Westminster if assistance is not provided, the City's desire to encourage construction activity in the US 36 corridor during the first half of 2011 would not be supported.

Provide Less: Another alternative is to provide less assistance than what is recommended. The rebate proposed is what Staff believes is necessary to assist this project in moving forward.

Provide More: A third alternative would be to provide a greater amount of assistance than recommended. It is staff's opinion that additional assistance is not needed.

**Background Information**

Drury Hotels, LLC was founded in 1973 in Sikeston, Missouri and is a family-owned business. Drury has over 4,000 employees and 130 hotels in 20 states. Drury Inn and Suites is a mid-range product in terms of costs and quality with amenities such as indoor/outdoor pools, exercise rooms, free wireless internet, and free breakfasts.

Competing hotel locations locally included sites in Thornton, Broomfield and Louisville. The Westminster project was also competing nationally for corporate dollars against projects in other parts of the U.S. Because Drury Hotels only funds a couple of new projects per year, the EDA helps solidify the project in Westminster for 2011.

The acquisition of a 3.3 acre site in Westminster will allow the company to construct a 7 story, 180 room, hotel on the Westminster Gateway site located at the southwest corner of the intersection of US 36 and Church Ranch Boulevard (formerly the RTD Park-n-Ride property). The Drury Inn & Suites project represents a \$13.5 million investment by the company in Westminster. Drury is anticipated to generate approximately \$5 million in stabilized sales in the fourth year of operation with an annual payroll of \$840,000 (they are projecting hiring 30 to 40 employees).

**Proposed Assistance**

There was a real possibility of losing this project to another location in Metro Denver. That has been resolved. Now the City needs to encourage the Drury Development Corporation to build the new Westminster hotel in 2011, instead of a project in another part of the country. To meet that goal, staff recommends the following assistance to be paid over a three year period:

	<b><u>Approximate Value</u></b>
<b><u>Accommodations Tax Rebate</u></b>	\$392,000
40% of the accommodations tax during the first 36 months of operation will be rebated (\$14,000,000 in sales, in years one through three, x 7% accommodations tax = \$980,000 x 40% = \$392,000)	

**Conclusion**

This assistance package is based upon the City's goal to attract new businesses along US 36, diversify revenue sources within the City, and encourage construction activity during the first half of 2011. The Drury Development Corporation project is an important project for the City to capture during the first half of 2011 in the US 36 corridor to help demonstrate vibrancy and encourage further development. The proposed assistance package supports an effort to move the project forward in the near-term and meets two of the City's strategic plan goals: Financially Sustainable City Government Providing Exceptional Services; and a Strong Balanced Local Economy.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

**Attachments**

- 1) Councillor's Bill
- 2) Agreement
- 3) Drury Inn Story



BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **3**

SERIES OF 2011

INTRODUCED BY COUNCILLORS

---

**A BILL  
FOR AN ORDINANCE AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT  
WITH DRURY DEVELOPMENT CORPORATION**

WHEREAS, the successful attraction and retention of high quality development to the City of Westminster provides employment opportunities and increased revenue for citizen services and is therefore an important public purpose; and

WHEREAS, it is important for the City of Westminster to remain competitive with other local governments in creating assistance for high quality development to locate in the City; and

WHEREAS, Drury Development Corporation plans to construct a 180-room hotel on the Westminster Gateway site in Westminster; and

WHEREAS, a proposed Economic Development Agreement between the City and Drury Development Corporation is attached hereto as Exhibit "A" and incorporated herein by this reference.

NOW, THEREFORE, pursuant to the terms of the Constitution of the State of Colorado, the Charter and ordinances of the City of Westminster, and Resolution No. 53, Series of 1988:

**THE CITY OF WESTMINSTER ORDAINS:**

Section 1. The City Manager of the City of Westminster is hereby authorized to enter into an Economic Development Agreement with Drury Development Corporation in substantially the same form as the one attached as Exhibit "A," and upon execution of the Agreement to fund and implement said Agreement.

Section 2. This ordinance shall take effect upon its passage after second reading.

Section 3. 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 24th day of January, 2011.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED  
this 14th day of February, 2011.

ATTEST:

\_\_\_\_\_  
Mayor

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

APPROVED AS TO LEGAL FORM:

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

**Exhibit "A"**  
**ECONOMIC DEVELOPMENT AGREEMENT FOR**  
**DRURY DEVELOPMENT CORPORATION WITH THE CITY OF WESTMINSTER**

THIS ECONOMIC DEVELOPMENT AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011, between the CITY OF WESTMINSTER (the "City"), and the Drury Development Corporation, a Missouri corporation ("Drury").

WHEREAS, the City wishes to provide assistance to Drury to aid in the development of a hotel in the City; and

WHEREAS, Drury plans to furnish and operate a 180-room hotel on the Westminster Gateway site (the "Hotel"),

WHEREAS, City Council finds the Hotel will provide additional revenue to the City, create jobs, and enhance business and tourism within the City, and that the execution of this Economic Development Agreement will advance the public interest and welfare of the City and its citizens by securing the location of this economic development project within the City.

In consideration of the mutual promises set forth below, the City and Drury agree to the following:

1. Accommodations Tax Rebates. For the period of 36 calendar months commencing on the date that Drury obtains a Certificate of Occupancy for its Hotel, the City will rebate 40% of the Westminster Accommodations Tax that is required to be collected and paid to the City pursuant to W.M.C. Section 4-4-2 in connection with the operation of a Drury Inn & Suites. Rebates will be based on Drury's monthly accommodations tax return for operations that occurred within the City of Westminster. The total rebate shall not exceed \$392,000.

2. Payments of Rebates. The rebates to Drury by the City shall be paid in quarterly installments from accommodations tax revenue actually collected and received by the City in connection with the operations of a Drury Inn & Suites. Payments of each quarterly installment shall be paid to Drury by the City within thirty (30) days following the end of each calendar quarter. All payments by the City shall be made electronically to Drury's designated financial institution or other account.

3. Entire Agreement. This Agreement shall constitute the entire agreement between the City and Drury and supersedes any prior agreements between the parties and their agents or representatives concerning the same subject matter, all of which are merged into and revoked by this Agreement with respect to its subject matter.

4. Termination. This Agreement shall terminate and become void and of no force or effect upon the City if Drury has not commenced construction of the Hotel by September 30, 2011 or should Drury not comply with the City regulations or code.

5. Business Termination. In the event Drury ceases Hotel operations within the City at any time prior to December 31, 2016, then Drury shall repay to the City the total amount of rebated tax revenue received by Drury pursuant to this Agreement, and no further rebates shall be due or payable pursuant to this Agreement.

6. Subordination. The City's obligations pursuant to this Agreement are subordinate to the City's obligations for the repayment of any current or future bonded indebtedness and are contingent upon the existence of a surplus in sales and use tax revenues in excess of the sales and use tax revenues necessary to meet such existing or future bond indebtedness. The City shall meet its obligations under this Agreement only after the City has satisfied all other obligations with respect to the use of sales tax revenues for bond repayment purposes. For the purposes of this Agreement, the terms "bonded indebtedness," "bonds," and similar terms describing the possible forms of indebtedness include all forms of indebtedness that may be incurred by the City, including, but not limited to, general obligation bonds,

revenue bonds, revenue anticipation notes, tax increment notes, tax increment bonds, and all other forms of contractual indebtedness of whatsoever nature that is in any way secured or collateralized by sales and use tax revenues of the City.

7. Annual Appropriation. Nothing in this Agreement shall be deemed or construed as creating a multiple fiscal year obligation on the part of the City within the meaning of Colorado Constitution Article X, Section 20, and the City's obligations hereunder are expressly conditional upon annual appropriation by the City Council.

8. Governing Law: Venue. This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. This Agreement shall be subject to, and construed in strict accordance with, the Westminster City Charter and the Westminster Municipal Code. In the event of a dispute concerning any provision of this Agreement, the parties agree that prior to commencing any litigation, they shall first engage in good faith the services of a mutually acceptable, qualified, and experienced mediator, or panel of mediators for the purpose of resolving such dispute. The venue for any lawsuit concerning this Agreement shall be in the District Court for Jefferson County, Colorado.

**DRURY DEVELOPMENT CORPORATION**

**CITY OF WESTMINSTER**

By: \_\_\_\_\_  
Larry Hasselfeld  
Senior Vice President

By: \_\_\_\_\_  
J. Brent McFall  
City Manager

ATTEST:

\_\_\_\_\_  
Linda Yeager  
City Clerk

APPROVED AS TO LEGAL FORM:

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

**Adopted by Ordinance No.**

# The Drury Story



Missouri mules -  
The first  
Drury "family  
pets".

It all started on a small farm in the Bootheel of Southeast Missouri back in the 1940's. Kelso, Missouri, to be exact. Maybe you've heard of the famous kettle beef and chicken & dumplings served at every wedding reception held at the Kelso Knights of Columbus Hall for the past half century. Maybe not. There's not much in Kelso except hard-working people hoping for good weather and a bumper crop that never seems to come around quite as often as needed. Lambert Drury and his sons supplemented their farm income (when there was any) with plastering jobs on the side. Soon their reputation for doing quality work at a reasonable price allowed them to grow the business into a full-time venture. First some tile jobs, then some small construction jobs. Always focused on quality, service, innovation and value. You see, Lambert Drury wouldn't have it any other way.

Things didn't always go according to plan. Like the time when they hauled the sand for a plaster job in the back of a truck that had just dropped off a load of soybeans. Two days after the initial plaster coat had been troweled, you can imagine the surprise of the homeowners who found their walls had started to sprout soybeans. The Drury brothers made the job right for the customer and learned a valuable lesson about truck beds that would later provide the foundation for a successful hotel operation: Things can never be too clean.

The Drury's built their very first hotel, a Holiday Inn, in Cape Girardeau, Missouri. After making money on the rooms side of the business only to lose it all on the restaurant and lounge side, they settled on a new hotel concept that separated the rooms from the food & beverage operations. The first Drury Inn opened in Sikeston, Missouri, with a rate of \$10.88. The Drury brothers had learned that you always give the customer more than what they could get at any other hotel -- that's how you keep them coming back. Cleaner rooms, friendlier team members, and extras that don't cost extra.

Driven by a genetically-induced desire to find ways of making a visit to a Drury Hotel even better, our Drury Team continued to innovate. In 1986, Drury became the first system of hotels to offer Free *QUIKSTART*® Breakfast, with healthy choices that broke through the stale-donut-and-lukewarm-coffee-continental-breakfast barrier. We made a splash with our first indoor/outdoor pool in 1995, Free Evening Beverages & Snacks rolled out in 1998, followed by Free High-Speed Internet



Lambert Drury - founding  
father of the Drury family  
business.

in 2002, Free HOT! **QUIKSTART®** Breakfast in 2003, Free Long Distance Calls in 2004, Free Wireless Internet in 2007, and the Free 5:30 Kickback® with Hot Food and Cold Beverages in 2009. What's next? Free Lamps? Free Pillows? Well, no. But stay tuned, we just can't seem to ever leave well enough alone.



And apparently our innovations and Free Extras are resonating with our guests, because for five consecutive years (2006 - 2010) the folks at J.D. Power and Associates have recognized us with the award for "Highest in Guest Satisfaction Among Mid-Scale Hotel Chains with Limited Service". More than

50,000 guests are surveyed each year and contribute to the Power's study. Drury Hotels continues to be 100% family owned and operated. This is very different than those big franchise-based hotel chains where you have one group that owns the hotel, another that manages it, and still another that owns the name on the building. That just doesn't work for us -- how can you keep all that straight! You see, we like to keep things simple. And, one more thing: "Hi, my name is Drury Hotels, and I am a control freak." There, we've said it. And, actually, we're rather proud of it, because it's the only way we know of to make it right for the customer every time, every visit.

Chuck Drury, President of Drury Hotels Company, LLC., sums it up, "We're different than the big franchise chains. We build, own and operate all of our hotels. Our focus is ensuring that our guests get more for their dollar than at our competitors. If we provide a consistent experience at every one of our hotels, we believe we can be the first choice as a home away from home."



Sikeston, MO - circa 1973.

For over 30 years, Drury has continued to stick with the basics that helped the company grow from a small plastering business in the Bootheel of Missouri to a successful, growing system of 130 hotels in 20 states. The exceptionally friendly and hard working team members at every Drury Hotel share the same simple virtues that the brothers learned on the family farm and adapted to the road . . . You are our guest, you are welcome and your satisfaction is guaranteed!

# **AGENDA**

## **WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING**

**MONDAY, JANUARY 24, 2011**

**AT 7:00 P.M.**

**1. Roll Call**

**2. Minutes of Previous Meetings**

- A. November 15, 2010
- B. December 27, 2010

**3. Purpose of Special WEDA Meeting is to**

- A. Designate an official place to post public notices about meeting of the Board

**4. Adjournment**



## WESTMINSTER

January 18, 2011

Linda Yeager, WEDA Secretary  
City of Westminster  
4800 West 92<sup>nd</sup> Avenue  
Westminster, CO 80031

City of Westminster  
Office of the  
Council

4800 West 92nd Avenue  
Westminster, Colorado  
80031

303-658-2006  
FAX 303-706-3921

Nancy McNally  
Mayor

Chris Dittman  
Mayor Pro Tem

Bob Briggs  
Councillor

Mark Kaiser  
Councillor

Mary Lindsey  
Councillor

Scott Major  
Councillor

Faith Winter  
Councillor

Dear Linda:

I wish to call a special meeting of the Westminster Economic Development Authority (WEDA) for Monday, January 24, 2011, to begin at 7:00 p.m. and to be held in the Council Chambers of City Hall, 4800 West 92<sup>nd</sup> Avenue, for the purpose of designating the official places to post public notices about meeting of the Board.

Sincerely,

Nancy McNally  
Chair

cc: WEDA Board Members  
J. Brent McFall, Executive Director



CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY  
MONDAY, NOVEMBER 15, 2010 AT 7:00 P.M.

ROLL CALL

Present at roll call were Chairperson McNally, Vice Chairperson Dittman, and Board Members Briggs, Kaiser, Lindsey, Major and Winter. Also present were J. Brent McFall, Executive Director, Martin McCullough, Attorney, and Linda Yeager, Secretary.

CONSIDERATION OF MINUTES

Board Member Major moved, seconded by Kaiser, to approve the minutes of the meeting of October 25, 2010 with no additions or corrections. The motion carried unanimously.

RESOLUTION NO. 123 TO BUY LOT 8, BLOCK 1, WESTMINSTER MALL 2<sup>ND</sup> AMENDED PLAT

Board Member Briggs moved, seconded by Lindsey, to adopt Resolution No. 123 authorizing the Executive Director and the Westminster Economic Development Authority's legal counsel to take all necessary actions to acquire Lot 8, Block 1, Westminster Mall 2<sup>nd</sup> Amended Plat, County of Jefferson, State of Colorado, including proceeding with condemnation if necessary. The motion passed unanimously on roll call vote.

ADJOURNMENT

There being no other business to be considered, the meeting adjourned at 7:03 p.m.

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson



CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE SPECIAL  
WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING  
MONDAY, DECEMBER 27, 2010 AT 10:04 A.M.

ROLL CALL

Present at roll call were Chairperson McNally, Vice Chairperson Dittman, and Board Members Briggs, Kaiser, Lindsey, Major and Winter. Also present were J. Brent McFall, Executive Director, Martin McCullough, Attorney, and Carla Koeltzow, Acting Secretary.

PUBLIC HEARING TO AMEND THE 2010 WEDA BUDGET

The Chairperson opened the hearing at 10:04 a.m. The Executive Director reported that the purpose of this hearing was to consider amending the budget with funds transferred to the Authority from the City for the purpose of acquiring a certain property interest for the Westminster Center Urban Reinvestment Project. The Board had no questions. The Chairperson invited public comment. There was none, and she closed the hearing at 10:05 a.m.

RESOLUTION NO. 124 A SUPPLEMENTAL APPROPRIATION TO THE 2010 BUDGET

Councillor Briggs moved, seconded by Kaiser, to adopt Resolution No. 124 authorizing a supplemental appropriation to the 2010 WEDA Budget. At roll call, the motion carried with all members voting affirmatively.

RESOLUTION NO. 125 PURCHASE A CERTAIN PROPERTY INTEREST FOR WURP

Councillor Briggs moved, seconded by Winter, to adopt Resolution No. 125 authorizing the Executive Director and the Westminster Economic Development Authority's legal counsel to take all necessary actions to acquire the property interests as outlined in Exhibit A of the resolution for the Westminster Center Urban Reinvestment Project. At roll call, the motion carried with all members voting affirmatively.

ADJOURNMENT

The meeting adjourned at 10:07 a.m.

ATTEST:

\_\_\_\_\_  
Acting Secretary

\_\_\_\_\_  
Chairperson

# WEDA Agenda Item 3 A

## Agenda Memorandum

Westminster Economic Development Authority Meeting  
January 24, 2011



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

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

### Recommended Board 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 Westminster Economic Development Authority pursuant to §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 will be posted shall be designated annually by the governing body at its first regular meeting of each calendar year.
- All meeting notices for the Westminster Economic Development Authority (WEDA) have been posted on the bulletin board across from the cashiers' counter in the lobby of City Hall and on the City's website. It is proposed that the same locations be designated for 2011.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Does the Board 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 serve the purpose of providing public notice.

**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 it is recommended these locations continue to be designated as the official places for posting.

The proposed methods for disseminating meeting notices for WEDA meetings are consistent with City Council's Strategic Plan Goal of Financially Sustainable City Government Providing Exceptional Services since it provides a cost effective means of communicating to the public while complying with state statutes.

Respectfully submitted,

Stephen P. Smithers  
Acting Executive Director