



WESTMINSTER
COLORADO

AGENDA

SPECIAL CITY COUNCIL MEETING

MONDAY, FEBRUARY 7, 2000 AT 7:15 P.M.

1. Pledge of Allegiance

2. Roll Call

3. Purpose of Special Council Meeting

- A. Resolution No. 13 Re-appointments and New Appointments to Planning Commission and Transportation Commissions
- B. Councillor's Bill No. 13 re Supplemental Appropriation for Westminster Promenade Parking Lot Project
- C. Award of Construction Contract for Westminster Promenade Parking Lot Project

4. Adjournment

February 2, 2000

To All Members of City Council:

A special meeting of the City Council has been set for Monday, February 7, 2000 at 7:15 P.M. to be held at City Hall Council Chambers for the following purposes:

Resolution No. 13 Re-appointments and New Appointments to Planning Commission and Transportation Commissions

Councillor's Bill No. 13 re Westminster Promenade Parking Lot Project Supplemental Appropriation and Award of Construction Project

Sincerely,

Michele Kelley, CMC
City Clerk

February 2, 2000

Michele Kelley, City Clerk
City of Westminster
4800 West 92nd Avenue
Westminster, CO 80031

Dear Michele:

Please call a special meeting of the City Council for Monday, February 7, 2000 at 7:15 P.M. to be held at City Hall in the City Council Chambers for the following purposes:

Resolution re Re-appointments and New Appointments to
Planning Commission and Transportation Commissions

Councillor's Bill re Westminster Promenade Parking Lot Project
Supplemental Appropriation and Award of Construction Project

Sincerely,

Samantha Dixon
Mayor Pro Tem

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
HELD ON MONDAY, FEBRUARY 7, 2000 AT 7:15 P.M.

PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Dixon led Council, Staff and the audience in the Pledge of Allegiance.

ROLL CALL:

Present at roll call were Mayor Pro Tem Dixon and Councillors Atchison, Hicks, Merkel, Moss and Smith. Also present were William Christopher City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Mayor Heil is on an extended medical absence.

The Mayor Pro Tem stated the purpose of the Special Meeting was to consider appointments to the City's Boards and Commissions; and the Westminster Promenade Parking Lot Project.

RESOLUTION NO. 13 - APPOINTMENTS TO BOARDS AND COMMISSIONS:

A motion was made by Atchison and seconded by Moss to adopt Resolution No. 13 making the following Boards and Commissions appointments with terms of office to expire December 31, 2001: Board of Building Code Appeals – Farlin Ward as an Alternate member; Planning Commission – Joseph Barsoom and James Boschert as Regular members and Rex Wiederspahn and Bill Lord as Alternate members; and to Table the appointments to the Transportation Commission until the February 14 City Council meeting. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 13 – PROMENADE PARKING LOT PROJECT APPROPRIATION:

A motion was made by Merkel and seconded by Hicks to pass Councillor's Bill No. 13 on first reading appropriating \$500,000 to the Westminster Promenade East Parking Lot Project. Upon roll call vote, the motion carried unanimously.

CONSTRUCTION CONTRACT FOR WESTMINSTER PROMENADE PARKING LOT PROJECT:

A motion was made by Merkel and seconded by Hicks to authorize the expenditure of an amount not to exceed \$1,794,290 for construction of the Westminster Promenade Parking Lot improvements; authorize the City Manager to execute an Agreement with Hoffman Construction Company to act as General Contractor for the Promenade Parking Lot Project; and authorize the expenditure of a construction contingency in the amount of \$60,000; and charge these expenses to the appropriate project accounts in the General Capital Improvement Fund. The motion carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 7:40 P.M.

ATTEST:

Mayor Pro Tem

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: February 7, 2000

Subject: Resolution No. 13 Re-appointments and New Appointment to Planning Commission and Transportation Commission

Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to make re-appointments and new appointments to the Planning Commission and Transportation Commission.

Summary

City Council has previously considered re-appointments and new appointment to all of the Boards and Commission except for the Planning Commission and Transportation Commission.

On Monday, January 17th and Tuesday, January 18th, City Council interviewed all of the new applicants for the 2000 pool for Board and Commission vacancies.

As part of the January 31st, Special City Council meeting, City Council appointed 8 individuals from the 2000 "pool" to various Boards and Commissions. A copy of the matrix showing the 14 individuals currently within the pool is attached for Council's reference.

The terms of office of two of the Planning Commission members expired on December 31, 1999. Joseph Barsoom and James Boschert (Alternate member) are interested in being re-appointed to the Planning Commission. In addition, Greg Mann (regular member) resigned in October, 1999 because of a job relocation and Keith Leach (alternate member) passed away in November, 1999.

The terms of office of five of the Transportation Commission member terms expired on December 31, 1999. Bob June, Jara Raphaelson, Dottie Urban, Doug Young (alternate member) and Pat Wales have all indicated that they are interested in being re-appointed to the Transportation Commission. Rance Nethkin has moved out of the City and a person will need to be appointed to fill this vacancy with the term of office to expire on December 31, 2000.

Staff Recommendation

Adopt Resolution No. 13 making re-appointments and new appointments to the Planning Commission and Transportation Commission.

Background Information

A single Resolution has been prepared to consider these re-appointments and new appointments, but all names have been left blank for Council to determine.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **13**

INTRODUCED BY COUNCILLORS

SERIES OF 2000

CITY OF WESTMINSTER PLANNING COMMISSION AND
TRANSPORTATION COMMISSION APPOINTMENTS

WHEREAS, Currently there are several vacancies on the Planning Commission and Transportation Commission; and

WHEREAS, It is important to have each City Board or Commission working with its full complement of authorized appointees to carry out the business of the City of Westminster; and

WHEREAS, Resignations have previously been received from Gregg Mann of the Planning Commission, the passing away of Keith Leach from the Planning Commission and the resignation of Rance Nethkin of the Transportation Commission.

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby appoint the following individuals to the City of Westminster Planning Commission and Transportation Commission as listed below with the terms of office to expire as stated.

<u>NAME</u>	<u>BOARD/COMMISSION</u>	<u>TERM EXPIRES</u>
Farlin Ward (Alternate Member)	Board of Building Code Appeal	12-31-01
Joseph Barsoom (Regular Member)	Planning Commission	12-31-01
James Boschert (Moved to Regular Member)	Planning Commission	12-31-01
Rex Wiederspahn (Alternate Member)	Planning Commission	12-31-01
Bill Lord (Alternate Member)	Planning Commission	12-31-01

Passed and adopted this 7th day of February, 2000 as amended.

ATTEST:

City Clerk

Mayor Pro Tem



WESTMINSTER
COLORADO

Date: February 7, 2000

Subject: Councillor's Bill No. 13 re: Westminster Promenade Parking Lot Project – Supplemental Appropriation and Award of Construction Contract

Prepared by: David W. Loseman, Senior Projects Engineer

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading which appropriates \$500,000 to the Westminster Promenade Parking Lot project. City Council action is also requested to authorize the City Manager to execute an Agreement with Hoffman Construction Company for the construction of the Westminster Promenade Parking Lot project and authorize the expenditure of an amount not to exceed **\$1,794,290** for this construction; and authorize a construction contingency in the amount of \$60,000. Funds for these expenses are available in the appropriate project accounts in the General Capital Improvement Fund.

Summary

At the time this Agenda Memo was prepared, all pricing for the project was not concluded. The blanks within this Agenda Memo have been filled in for Council consideration on Monday, February 7.

The City recently entered into an Agreement with Westcol Center L.L.C., the developer of the Promenade West project, which includes the Dave and Buster's, Johnny Carino's, Rock Bottom Brewery and other tenants on the west side of Westminster Boulevard. Part of this Agreement includes the requirement by the City to construct an approximately 800-stall parking lot immediately north of the existing Promenade West parking lot. Part of these costs will be reimbursed to the City by Westcol (\$500,000) since these costs are directly related to the development of a pad site within the parking lot area. Since reimbursements go directly into the general fund, a supplemental appropriation is necessary to "move" these funds into the project account.

This is the next major public improvement construction phase to complete the Westminster Promenade project. The investment of public funds for the public improvements will be offset by significant revenues to the City. The City will receive Sales and Use Taxes, Admissions Taxes, Accommodations Taxes, Lease Payments and Net Income Supplemental Reimbursement Payments. A realistic estimate of revenues in the first 20 years of operation of the Promenade is over \$40 million in revenue to the City.

This project is a significant addition to the City's tax base and the public investment in high quality infrastructure creates lasting value as well as leveraging tax dollars to increase revenues to the City that further diversifies the tax base. Westminster Promenade is a major milestone in creating a unique Westminster focal point, a place of great community pride, a place to work and recreate and a project that significantly benefits the City's tax base.

It is also important to note that the maintenance of this project will not be a burden on the City, but rather significantly be paid for by the private property owners along the Promenade. The Westminster Promenade project is truly a win-win public/private cooperation project for the City.

Hoffman Construction is currently under contract with the City for the Phase I and II work. Hoffman has agreed to the same terms for this parking lot project as for the Phase I and II work. To "open bid" this project to any general contractor would, in Staff's opinion, seriously affect the scheduling and coordination of this project. Therefore, Staff recommends continuing to use Hoffman Construction for this parking lot project.

City Staff has negotiated a fee of 3% of the construction cost for Hoffman Construction Company to act as general contractor for this project as with the Phase I and II work. As reference, the City paid Roche Constructors 3.5% for the Promenade West Plaza construction. The actual total dollar amount to be paid will be based on the accepted low bids submitted by all sub-contractors. Staff will be involved in the bidding process with all of the sub-contractors to assure that the City obtains the most favorable price for the construction of this project.

The authorization of up to **\$1,794,290** is based on bids received from all sub-contractors involved in this project, as well as Hoffman's fee. This authorization will allow construction to begin immediately and should keep the project on schedule.

Staff is pleased with Hoffman's work on the Promenade East project and therefore, recommend approval of their contract for this parking lot project.

Staff Recommendation

1. Pass Councillor's Bill No. 13 on First Reading appropriating \$500,00 to the Westminster Promenade East Parking Lot Project.
2. Authorize the expenditure of an amount not to exceed **\$1,794,290** for construction of the Westminster Promenade Parking Lot improvements; authorize the City Manager to execute an Agreement with Hoffman Construction Company to act as General Contractor for the Promenade Parking Lot Project; and authorize the expenditure of a construction contingency in the amount of \$60,000; and charge these expenses to the appropriate project accounts in the General Capital Improvement Fund.

Background

Staff has been working with Westcol Center L.L.C., the developer of the Promenade West project and Inland Pacific Companies, the developer of the Westin Hotel and adjacent offices, to design and construct a unified development for the area north of 104th Avenue between US 36 and Big Dry Creek. The project includes high quality architectural guidelines and unique design features. As part of the Agreement with Westcol Center, the City is obligated to construct an 800-stall parking lot north of the existing AMC parking lot. Part of this project includes the preparation of a pad for Vans Indoor Skateboard facility, which will be presented to Council in the near future. The cost of preparing this pad will be reimbursed by Westcol Center, LLC.

This parking lot project is the next phase of construction of the Promenade project. Hoffman Construction has completed Phase I and will complete Phase II in the near future.

The Phase I improvements included the following major items:

- Overlot grading the entire Promenade East site.
- Installing the water lines and sanitary sewer lines in the Phase I area.
- Landscaping the buffer area between Westminster Boulevard and Sheridan Green Subdivision.
- Constructing the parking lot and Promenade Plaza around the Ice Centre.

Construction of the Phase II Westminster Promenade East Improvements will be complete in March. The Phase II improvements include the following major items:

- Installing all remaining utilities for the entire project including 2900 feet of water line, 1200 feet of sanitary sewer and 4600 feet of storm sewer.
- Landscaping the entire project including the remaining greenbelt along Sheridan Green Subdivision, the Lake, the Promenade, the parking lots and the main roadway.
- Constructing the parking lots, with the exception of the office parking, and the main ring road. This includes 17,000 tons of asphalt and 20,000 feet of curb and gutter.
- Constructing the remainder of the "Promenade" including 62,300 square feet of brick pavers, the Lake retaining wall, four stone-clad planters, eight lighted carillons located in the courtyard in front of the Westin Hotel and 26 custom light poles.

It is necessary to begin this work in mid-February so these parking lot improvements can be completed with the opening of the Dave and Busters, which is scheduled to be open in early summer 2000.

In order to meet this aggressive schedule, Staff believes it is in the City's best interest to retain Hoffman Construction (the Phase I and Phase II General Contractor) as the parking lot improvements General Contractor. Staff has been very pleased with Hoffman's work to date and their fee is lower than what General Contractors are charging on similar projects. Because of this, Staff recommends retaining Hoffman for this parking lot project.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **13**

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2000 BUDGETS OF THE GENERAL FUND AND GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2000 appropriation for the General Fund, initially appropriated by Ordinance No. **2728** in the amount of **\$61,747,852** is hereby increased by \$500,000, which when added to the fund balance as of the City Council action on **February 7, 2000** will equal **\$62,247,852**. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of reimbursements to be received from Westcol Center L.L.C. for the construction of the Westminster Promenade parking lot.

Section 2. The \$500,000 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which will be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
<u>REVENUES</u>			
Cash-in-Lieu - Reimbursements			
10-0972-000	\$0	<u>\$500,000</u>	\$500,000
<u>EXPENSES</u>			
Westminster Promenade Parking Lot			
10-10-95-990-975	\$1,133,000	<u>\$500,000</u>	\$1,633,000

Section 3. The 2000 appropriation for the General Capital Improvement Fund, initially appropriated by Ordinance No. 2728 in the amount of \$12,496,000 is hereby increased by \$500,000 which when added to the fund balance as of the City Council action on February 14, 2000 will equal \$13,099,851. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to a transfer of funds from the General Fund to reimburse expenses to be incurred in the construction of the Westminster Promenade parking lot.

Section 4. The \$500,000 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts, which will be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
<u>REVENUES</u>			
Transfers from the General Fund			
75-9999-360	\$1,133,000	<u>\$500,000</u>	\$1,633,000

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
<u>EXPENSES</u>			
Westminster Promenade Parking Lot 75-30-88-555-317	\$1,061,481	<u>\$500,000</u>	\$1,561,481

Section 5 – 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 6. 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 7th day of February, 2000.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of February, 2000.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of Proceedings of the Special City Council meeting held Monday, February 7, 2000.

Present at roll call were Mayor Pro Tem Dixon and Councillors Atchison, Hicks, Merkel, Moss and Smith. Mayor Heil is on an extended medical absence.

Council made appointments to the Board of Building Code Appeals and the Planning Commission; Tabled appointments to the Transportation Commission until February 14; and approved the Construction Contract for the Westminster Promenade Parking Lot project.

The following Councillor's Bill was introduced and passed on first reading:

A BILL FOR AN ORDINANCE INCREASING THE 2000 BUDGETS OF THE GENERAL FUND AND GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS. Purpose: Appropriation for Westminster Promenade Parking Lot Construction Project.

The following Resolution was adopted:

Resolution No. 13 – Appointments to the City's Boards and Commissions.

At 7:40 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window February 17, 2000.