



WESTMINSTER
COLORADO

MARCH 5, 2001
7:00 P.M.

Please turn OFF Cell phones and pagers during meetings
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 (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Presentations
5. Citizen Communication (5 minutes or less)
6. Report of City Officials
 - A. City Manager's Report
7. City Council Comments

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 citizen wishes to have an item discussed. Citizens then may request that the subject item be removed from the Consent Agenda for discussion separately.

8. Consent Agenda
 - A. Fire Department Vehicle Replacement to Medved Chevrolet for \$30,859
 - B. Microsoft Software Purchase upgrades from Microsoft Select Volume Licensing Program \$66,728
 - C. Councillor's Bill No. 5 re Growth Management re Foundation Inspection (Atchison-Hicks)
9. Appointments and Resignations
 - A. Resolution No. 19 Resignation and Appointment to Planning Commission
10. Public Hearings and Other New Business
 - A. Public Hearing re PDP Amendment for Northpoint Center located at 10700 Westminster Blvd
 - B. Sixth Amendment to PDP of Northpoint Center
 - C. Affordable Housing Consultant Contract with BBC Research & Consulting
 - D. Councillor's Bill No. 6 re Quest Diagnostics Inc. Lease at the Sun Microsystems Ice Center
11. Old Business and Passage of Ordinances on Second Reading
None
12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business
 - A. City Council
 - B. Request for Executive Session
 1. Proposed property acquisition
 2. WEDA development proposal
 3. JeffCo negotiations
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, MARCH 5, 2001 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present at roll call were Mayor Heil, Councillors Atchison, Hicks, Merkel, Kauffman and Moss. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent was Mayor Pro-Tem Dixon.

CONSIDERATION OF MINUTES:

A motion was made by Councillor Atchison and seconded by Councillor Merkel to accept the minutes of the meeting of February 26, 2001 with no additions or corrections. The motion carried unanimously.

CITIZEN COMMUNICATION:

Glenn Scott, 11414 Benton Court, addressed Council on the article in today's Denver Post on the RTD commuter rail improvements planned for the future. He suggested that we get together with RTD Directors and CDOT to discuss the issue.

CITY COUNCIL COMMENTS:

Councillor Atchison requested a moment of silence in recognition of the 15 wounded and two dead in the California school shooting today.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Bids re Purchase of a Replacement Fire Department Vehicle, to Medved Chevrolet in the amount of \$30,859 for a four wheel drive Chevrolet Suburban; Microsoft Software Purchase of 350 Microsoft Office Professional upgrades in the amount of \$66,728; Councillor's Bill No. 5 re Growth Management deleting the existing requirement for an approved foundation inspection within 60 days of building permit issuance.

The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. There was no request.

A motion was made by Councillor Hicks and seconded by Councillor Atchison to adopt the Consent Agenda items as presented. The motion carried unanimously.

RESOLUTION NO. 19 RESIGNATION FROM PLANNING COMMISSION

A motion was made by Councillor Atchison and seconded by Councillor Moss to adopt Resolution No. 19 accepting the resignation of Bill Lord from the Planning Commission with a citizen appointment to the Planning Commission to be made at the March 26 Council Meeting. Upon roll call vote, the motion carried unanimously.

PUBLIC HEARING RE SIXTH AMENDMENT TO THE PDP OF THE NORTHPOINT CENTER PUD

At 7:20 P.M. the public hearing was opened on the Sixth Amendment to the Preliminary Development Plan of the Northpoint Center Planned Unit Development. Planning Manager Dave Shinneman was present and addressed Council. There was no opposition. The public hearing was declared closed at 7:22 P.M.

SIXTH AMENDMENT TO THE PDP OF THE NORTHPOINT CENTER PUD

A motion was made by Councillor Merkel and seconded by Councillor Hicks to approve the proposed Sixth Amended Preliminary Development Plan of the Northpoint Center Planned Unit Development in order to allow general and medical offices and limited communications uses in the "Public Uses" area of the Westminster Promenade. The motion carried unanimously.

AFFORDABLE HOUSING CONSULTANT CONTRACT

A motion was made by Councillor Hicks to table action on the Affordable Housing Consulting Contract until further census bureau information has been received. The motion failed for lack of a second.

A motion was made by Councillor Atchison and seconded by Councillor Moss to reject the consulting contract with BBC Research and Consulting to conduct an affordable housing study until further census bureau information is available, at which time a proposal will be obtained. The motion carried unanimously.

COUNCILLOR'S BILL NO. 6 QUEST DIAGNOSTICS LEASE SUN MICROSYSTEMS ICE CENTRE

A motion was made by Councillor Kauffman and seconded by Councillor Moss to pass Councillor's Bill No. 6 on first reading authorizing the City Manager to sign a lease agreement between the City of Westminster, Hyland Hills Park and Recreation District, and Quest Diagnostics for the lease of approximately 1,935 square feet of space in the Sun Microsystems Ice Centre. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Councillor Hicks noted that all votes this evening were unanimous votes.

Mayor Heil stated there would be an Executive Session for discussion on the Proposed property acquisition, WEDA development proposal, JeffCo negotiations and economic development locations.

ADJOURNMENT:

The meeting was adjourned at 7:25 P.M.

ATTEST

City Clerk

Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 5, 2001

Subject: Purchase of a Replacement Fire Department Vehicle

Prepared by: Carl F. Pickett, Purchasing Specialist
Ken Watkins, Battalion Chief

Introduction

City Council action is requested to award the bid for a 2001 Chevrolet Suburban, a full size four-wheel drive vehicle, as a replacement for unit #5110, which is a similarly equipped 1991 Chevrolet Suburban. Funds were specifically allocated in the 2000 General Fund, Fire Department Budget for this purchase. In the near future, Staff will be requesting Council's approval on the carryover of these funds from the 2000 Budget along with other 2000 carryover requests.

Policy Issues

Whether to accept the sole bid for this purchase or rebid this vehicle.

Summary

In accordance with City Charter bidding requirements, formal bids were obtained for this equipment purchase. The new vehicle will replace an existing vehicle in the Fire Department fleet, a 1991 four wheel drive Chevrolet Suburban with mechanical problems and higher mileage. The sole bid in the amount of \$30,859 is being recommended for this purchase.

Staff Recommendation

Award the bid for a four wheel drive Chevrolet Suburban to the sole bidder, Medved Chevrolet, Inc in the amount of \$30,859 and charge the expense to the appropriate 2001 General Fund Fire Department Budget account, which will later be reimbursed with 2000 General Fund carryover funds.

Background Information

As part of the 2000 Budget, City Council approved the purchase of one four-wheel drive replacement vehicle. The vehicle to be replaced is a four-wheel drive 1991 Chevrolet Suburban. This vehicle has over 93,000 miles on it and is in need of suspension and mechanical work and has reached a point where it is no longer economically reasonable to maintain it in service. Life-to-date service costs for the unit are \$16,500. The Fleet Maintenance Division has determined that the present condition and maintenance history of this vehicle would make it impractical to continue to operate it in regular service.

The replacement vehicle is an equivalent four-wheel drive Chevrolet Suburban. It will serve as the Fire Department command vehicle, and is outfitted as a mobile command post that will be deployed to all emergency situations, hence the need for this size of vehicle and four-wheel drive capabilities.

In October 2000, formal bids were requested from three area dealers in accordance with City Charter bidding requirements. However, none of these bids met the City's specifications requiring the City to re-bid the vehicle in January 2001. At that time, bids were requested from four area dealers, but only Medved Chevrolet, Inc submitted their bid by the closing deadline. This sole bid by Medved Chevrolet, Inc. of \$30,859 meets all of the City's specifications and is within the amount previously allocated by City Council for this expense.

Alternatives

An alternative to the recommended action is to direct staff to have this vehicle purchase rebid. Given the fact that the vehicle has already been bid out twice, Staff believes that any further bidding would not likely result in any more favorable bids.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 5, 2001
Subject: Microsoft Software Purchases
Prepared by: David Puntenney – Information Technology Director

Introduction

City Council action is requested to authorize the purchase of \$66,728 in Microsoft Office 2000 software upgrades. Funds have been specifically allocated in the 2001 Utility Fund, Information Technology Department budget for this expense.

Summary

The City of Westminster has 600 employees using Microsoft Office software for word processing, spreadsheets, scheduling, electronic mail, presentations and for small database applications. The City installed and has used the Microsoft Office 97 version since the new system was installed in 1998.

Last year Staff attended presentations and reviewed Microsoft Office 2000 products and research reports. It was determined that an upgrade to Office 2000 would provide significant, beneficial enhancements and new features for City employees using Microsoft Office.

In 1998 the City became a participant in the Microsoft Select Volume Licensing Program with the State of Colorado and 11 other government agencies to reduce the cost of Microsoft software. The primary purpose of the Microsoft Select program is to establish the means by which participating government agencies may join together in a cooperative multi-jurisdictional agreement in order to purchase Microsoft software at volume prices, which results in significant savings over retail prices. The Information Technology Department has used the Microsoft Select program frequently during the last three years to reduce the cost of Microsoft software acquisitions.

Through the Microsoft Select program, Microsoft Office Professional upgrade is priced at \$190.65, as opposed to a retail price of \$349.00. Purchasing 350 Microsoft Office Professional upgrades through this program will save the City \$55,769.

Policy Issue

Should the City purchase an upgrade to office automation software to provide employees with the tools to enhance productivity and communication?

Staff Recommendation

Authorize the purchase of 350 Microsoft Office Professional upgrades from the Microsoft Select Volume Licensing Program in the amount of \$66,728, and charge the expense to the appropriate 2001 Information Technology Department budget account.

Alternatives

1. The City could choose to delay or not proceed with upgrading the software, and continue to run Microsoft Office 97. This is not recommended for the following reasons:
 - Employees would not be provided with the new and enhanced features available in the Microsoft 2000 upgrade.
 - The City would risk losing support for the Microsoft Office 97 product in the future, as vendors tend to eventually reduce or eliminate support for older products.
2. The City could evaluate and convert to office automation software from another vendor. This alternative is not recommended for the following reasons:
 - The cost for new software, implementation and training would be much greater than an upgrade of the current software.
 - Microsoft has the best product available to meet the needs of the City.

Background Information

During the mid 1980's, the City of Westminster used electronic word processing on an AB Dick word processing system. In 1988, the City installed a new Data General mini-computer system to provide 68 employees with word processing, electronic mail and scheduling software. The Data General Comprehensive Electronic Office (CEO) software was upgraded each year to provide employees with enhanced features and new functionality. The Data General system served the City well until 1998, when it was replaced with a Windows based PC system and Microsoft Office 97 software. Today, the City has 600 employees who benefit from the City's office automation system. Last year, Staff evaluated the Microsoft Office 2000 suite of products, and learned that the new suite incorporated hundreds of enhancements and new features that would improve usability and reliability, and reduce administration time. A few of the new features and enhancements include:

- ❑ Self-repairing Applications - Applications will ensure that all essential files and registry entries are checked at startup and reinstalled automatically if they are corrupted or deleted. This will reduce the potential for downtime and ease administration.
- ❑ Custom Deployment - Options will ease the task of deploying and maintaining Office 2000.
- ❑ High Level Integration with the Web - Users will be able to easily create and share rich Web documents with the same Office tools they use to create printed documents. The most important benefit of this greatly enhanced integration with the Web is that rich Office content is universally viewable by anyone with a browser.
- ❑ Online Meeting - All Office 2000 applications include a Conference command that invokes NetMeeting conferencing software and enables sharing the current document with one or more people using the Chat or Whiteboard tools. IT Staff is planning to test and implement on-line conferencing in 2001 or 2002.
- ❑ Presentation Broadcast - The PowerPoint presentation graphics program now makes it possible to broadcast a slide presentation with live narration over the Web.
- ❑ Spreadsheet Enhancement - New spreadsheet features expand and ease the use of Microsoft Excel.

- ❑ Ease of Use - Office 2000 is designed to be simpler and easier to use than previous versions of Office, with adaptable user menus and improved user assistance. This should make users of all levels more productive while helping to decrease support costs.
- ❑ Collect and Paste - The extended Microsoft Office Clipboard gathers up to 12 items from different sources including the Office applications and the browser. Clipboard items can be pasted into any Office document either individually or all at once.
- ❑ Enhanced Virus Protection and Security – Includes tools to help prevent the receipt and replication of viruses.
- ❑ ClipArt Gallery - Office 2000 enhances the ClipArt Gallery with new searching tools (including “Find More Like This”) and the ability to drag and drop images into any Office document.
- ❑ Microsoft Office E-mail - All Office 2000 applications integrate e-mail into their core functionality. Users can directly send any type of Office 2000 document as a message from within the application rather than as an attached file.

Since last year, IT Staff has installed Microsoft Office 2000 on a limited number of City PCs. Employees using the new version of the software are pleased with the upgrades and new features provided in this release.

In an effort to achieve the best possible pricing on Microsoft Office software, as well as other Microsoft software, the City entered into the Microsoft Select Volume Licensing Program in 1998. Westminster joined the State of Colorado and 11 other Colorado government agencies in this agreement in order to achieve volume pricing for Microsoft software purchases. Purchasing through this agreement will result in a savings of more than \$55,000.

Information Technology Staff will be in attendance at Monday night’s City Council Meeting to address questions or follow-up.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 5, 2001
Subject: Resolution No. 19 re Appointment to Planning Commission
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to accept the resignation of Bill Lord and appoint a new member of the Planning Commission.

Summary

Recently, Bill Lord has contacted Dave Shinneman, Planning Manager and indicated that he is resigning from the Planning Commission due to health problems.

Currently there are 12 individuals within the "pool". A copy of the matrix indicating each individual's preference for Boards and Commissions is attached.

Bill Lord was appointed to the Planning Commission as an alternate member of February 7, 2000 and has served continuously since that time.

Staff Recommendation

Adopt Resolution No. 19 accepting the resignation of Bill Lord and appointing a new member to the Planning Commission with the term of office to expire December 31, 2001.

Background Information

A Resolution has been prepared for Council with the name of the person to be appointed left blank.

Respectfully submitted,

William M. Christopher
City Manager
Attachments

RESOLUTION

RESOLUTION NO. **19**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

CITY OF WESTMINSTER PLANNING COMMISSION APPOINTMENT

WHEREAS, The City of Westminster has received the resignation request of Bill Lord, who is currently serving on the Planning 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.

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby accept the resignation of Bill Lord from the Planning Commission

Passed and adopted this 5th day of March, 2001 as amended.

ATTEST:

Mayor

City Clerk

2001 BOARD AND COMMISSION POOL

Applicants to be interviewed

County	Name	Bldg												
		Codes	BOA	Elect	Environmental	HS	Library	Open Space	P&R	Personnel	Planning	SP&LB	Trans	
Jefferson	Vera Alexander							1						
Jefferson	Donald Anderson								2		1			
Adams	John Brann									1				
Adams	Robert Hartley							2		3	1			
Adams	Skeet Hartman`							X		X	X			
Adams	David Jones					3		2		1				
Jefferson	Tom Kuesel Jr	1									2	3		
Jefferson	Nancy McNally							1	3				2	
Adams	Paul Nilles							1						
Adams	Bill Nooning										1			
Jefferson	Scott Raypholtz							3	2		1			
Adams	Bruce Vezina							3			1		2	



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 5, 2001

Subject: Sixth Amendment to the Preliminary Development Plan of the Northpoint Center Planned Unit Development

Prepared By: Max Ruppeck, Senior Project Manager

Introduction

City Council is requested to approve the Sixth Amended Preliminary Development Plan (PDP) to the Northpoint Center Planned Unit Development in order to allow general and medical offices and limited communications uses in the "Public Uses" area of the Westminster Promenade.

Summary

There has been interest by non-retail businesses to rent space at the Ice Centre at the Promenade. The current language regarding allowed uses on the PDP does not allow for non-retail commercial uses. This amendment would add the words "...general or medical offices and limited communications (uses)" to the uses allowed.

Policy Issues

Whether or not general and medical offices, and limited communications uses are appropriate for the commercial space at the Ice Centre.

Staff Recommendation

1. Hold a public hearing.
2. Approve the proposed Sixth Amended Preliminary Development Plan of the Northpoint Center Planned Unit Development

Planning Commission Recommendation

At their regular meeting on February 27, 2001, the Planning Commission held a public hearing and voted unanimously to recommend approval of the Sixth Amendment to the Northpoint Center Preliminary Development Plan.

Alternatives

City Council could disapprove the proposed amendment to the Northpoint Center PDP. This would preclude office type uses from leasing space at the Ice Centre.

Background Information

When the public Ice Centre was designed, it was intended that the façade facing the pedestrian promenade was to be retail/commercial or restaurant uses. Currently, Jackson's Restaurant and the Ice Centre Pro Shop occupy most of that retail frontage. There is limited remaining space toward the west end of the Ice Centre that has been vacant for over two years and for which some non-retail uses have expressed interest. These uses include a business office, a walk-in medical testing facility and wireless communication facilities.

These types of uses would bring in more daytime employment, thus helping the other businesses at the Promenade, especially restaurants, and would provide rental income to the City and the Hyland Hills Recreation District.

Major Transportation Issues

No transportation issues will result from this Preliminary Development Plan amendment.

Respectfully Submitted,

William M. Christopher
City Manager

Attachment



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 5, 2001

Subject: Affordable Housing Consultant Contract

Prepared By: Robin Byrnes, Community Development Programs Coordinator

Summary

Staff is requesting City Council approval to authorize the City Manager to sign a contract with BBC Research and Consulting, for an amount not to exceed \$40,000, to conduct an Affordable Housing study for the City of Westminster.

Policy Issue(s)

Does City Council want to proceed with an affordable housing study to seek information on affordable housing in the City of Westminster?

Recommendation

Authorize the City Manager to sign a consulting contract with BBC Research and Consulting firm to conduct an Affordable Housing Study for the City of Westminster and charge the expense to the Westminster Housing Authority residual receipts account.

Alternatives

Choose not to proceed with The Affordable Housing Study;
Re-release the RFP to secure additional proposals; or
Wait until 2002 to proceed with the Affordable Housing Study when all the 2000 Census Data is available.

None of these alternatives are recommended, as the study is needed to document existing affordable housing conditions in the City.

Background Information

On January 24, 2001 City Council directed staff to proceed with issuing a Request for Proposal (RFP) to consulting firms to conduct an Affordable Housing Study. The Request for Proposals was mailed to eight (8)-consulting firms. Staff received one proposal in response to the RFP, from BBC Research and Consulting Firm. BBC Research and Consulting Firm met all of the requirements as outlined in the Request for Proposal. BBC is the firm that conducted the 1997 Senior Housing Study for the City. Staff is confident in their ability to conduct this proposed citywide Affordable Housing Study. The total cost of the study is \$39,740 and can be completed within the desired timeframe of May 2001. The funding for the Affordable Housing Study is proposed to come from the Westminster Housing Authority residual receipts account as approved by the Department of Housing and Urban Development (HUD).

TARGET DATE	ACTION	STATUS OF ACTION ITEM
1/4/01	Solicit City Council and appropriate staff to request input on the scope of service of the Affordable Housing Survey.	<u>COMPLETED</u>
1/12/01	Receive all input on the scope of service from staff and City Council.	COMPLETED
1/19/01	Develop Affordable Housing survey scope of service.	COMPLETED
1/25/01	Present scope of service to the City's Development Review Committee for review and approval by the City Manager's Office.	COMPLETED
1/29/01	Present City Council with the finalized Affordable Housing scope of service and RFP and provide a planning report that will outline the vacant land left in the City with information on the zoning, size, location, etc.	COMPLETED
1/31/01	Send out the Request for Proposal to housing research consultants.	COMPLETED
2/23/01	All consultant RFP proposals due back to staff for review and selection	COMPLETED
3/2/01	Staff review and selection of research consultant	COMPLETED
3/5/01	City Council meeting to review and approve expense of the Affordable Housing Study	PLANNED
3/7/01	Execute consultant contract with City Council approval	PLANNED
5/1/01	Complete the Affordable Housing Study.	PLANNED
5/14/01	Present the results of the Study to City Council.	PLANNED

Respectfully Submitted

William M. Christopher
City Manager

Attachments

**REQUEST FOR PROPOSAL
AFFORDABLE HOUSING STUDY
FOR
THE CITY OF WESTMINSTER**

The City of Westminster, Community Development Department is requesting proposals to conduct an Affordable Housing Study, for the purpose of identifying the number of affordable housing units, the number of households receiving housing assistance, and future affordable housing needs within the City. Proposals are due by 5:00 P.M. on Wednesday, February 23, 2001, to the Community Development Department, City of Westminster as follows:

Robin Byrnes, Community Development Programs Coordinator
Community Development Department
4800 West 92nd Avenue
Westminster, CO 80030
(303) 428-3707 ext. 2111

Faxed and e-mailed proposals will not be accepted.

I. PURPOSE OF THE STUDY

The City of Westminster seeks to quantify existing levels and types of “affordable” housing within its boundaries, and compare the results to available figures from Jefferson and Adams counties, and the cities of Arvada, Broomfield, Northglenn and Thornton. The study is intended to provide a comprehensive inventory of affordable housing including:

- Multi-family rentals;
- Single family rentals; and,
- Homeownership opportunities;

The study is further intended to provide the City a market analysis of income demographics of the community relative to the availability and affordability of housing, both for rental and homeownership purposes.

II. DEFINITIONS

Low to Moderate-Income: Low to moderate-income persons for the purpose of this study will be defined using the Department of Housing and Urban Development (HUD) issued income guidelines for the Denver, CO Primary Metropolitan Statistical Area (PMSA).

Subsidized Housing: Subsidized housing for the purpose of this study will be defined as all housing stock (rental and ownership) that includes the following levels of assistance:

- Section 8 project based
- Section 8 vouchers
- Section 8 certificates
- Section 202
- Private Activity Bond Financing
- Low Income Housing Tax Credit Financing
- HOME Program Financing
- Any other Federal, State, County, Local, Non-Profit and privately financed low-income housing projects

- Below market rental complexes either publicly or privately owned as defined by the HUD issued HOME program rent schedule.
- Below market single-family housing stock, based on standard under writing guidelines qualifying ratios of 29% to 40% of gross income for persons at or below 80% of median income as issued by HUD.
- HUD Issued Schedule B – Fair Market Rents for the Denver, CO (PMSA)
- HUD Issued Income Guidelines for the Denver, CO Primary Metropolitan Statistical Area (PMSA)

Affordable Housing: For the purposes of this study, affordable housing shall apply to the ability of prospective renters and buyers to obtain housing within their financial means. Also the Department of Housing and Urban Development (HUD) issued affordable rent schedule used for the federal HOME program.

III. GEOGRAPHIC BOUNDARIES OF THE STUDY

The study will, at a minimum, encompass all property within the geographic boundaries of the City of Westminster. Housing located outside of the City limits will be integrated into the study, and identified by City and County geographic boundaries, i.e., Adams and Jefferson County, Cities of Thornton, Arvada, Broomfield, and Northglenn. The study is to compare the City of Westminster housing stock and income levels in relationship to the ability to rent and purchase housing in the City, with that of other jurisdictions, i.e., Adams and Jefferson County, Thornton, Arvada, Broomfield, and Northglenn.

IV. SUBMITTAL OF THE AFFORDABLE HOUSING STUDY

The final Affordable Housing Study must be completed and presented to the Department of Community Development, City of Westminster, by Monday, May 14, 2001. The selected consultant will be required to submit three (3) hardcopies of the final study and an electronic file on a 3½-inch floppy disk in Microsoft Word format. The electronic file must allow for the City to readily manipulate text and data as necessary to prepare a variety of presentations and analyses. Submittal on Word Perfect or Adobe is not acceptable. The consultant will also be asked to make a brief presentation to the Westminster City Council following submittal of the final report.

V. USE OF DATA AND INFORMATION

The study will incorporate 2000 Census data, preferably at the “Census Tract” level, real estate data, and any other readily available data. Data may be derived from actual counts or be extrapolated through scientifically valid statistical analysis. All data sources are to be identified. Data from years prior to 2000 may only be used in conjunction with statistical analysis, or in reference to historical trends and comparisons. Information is to be presented in the study utilizing narrative, charts, graphs, tables, etc.

VI. DATA AND INFORMATION TO BE PROVIDED

The proposals should provide data and information relative to each of the following subjects as part of the Affordable Housing Study:

1. Quantification of the number and type of rental and single family housing stock that services the City’s low to moderate-income population;
2. Determination of the number and types of affordable housing options;
3. Evaluation of income levels relative to rental and ownership opportunities;
4. Comparison of the City’s affordable housing contribution relative to other contiguous city and county jurisdictions, i.e., Metropolitan Denver Area, Adams and Jefferson County and the Cities of Arvada, Broomfield, Northglenn and Thornton, to determine how the City compares with other jurisdictions in the metropolitan area;
5. Determination of an appropriate level of affordable housing at the City level in relationship to average earned wages;

6. Inventory of all housing types throughout the City including rental, owner-occupied, single family, multi-family, condominiums, and townhomes. The inventory is to include a general description of the living units and inhabitants such as bedroom size, location, owner/operator, type of subsidy, income of tenants, and median and average cost of the housing;
7. Inventory of subsidized rental units, as defined in the Definitions section. The data should cover the following parameters and incorporate a comparison analysis with Metropolitan Denver Areas, Adams and Jefferson County, Cities of Arvada, Broomfield, Northglenn and Thornton:
 - Section 8 Project Based rental units
 - Section 8 Voucher rental units
 - Section 8 Certificate rental units
 - Rental units assisted with Private Activity Bonds
 - Rental units assisted with Low Income Housing Tax Credits
 - Rental units assisted with HOME Program federal funding
 - Rental units that are rent restricted but were not financed with above.
 - Rental units that rent at below fair market rent.
 - Rental vacancy rate by type and cost.
 - Average rents of rental units by bedroom size
 - Rental household incomes by proportional thresholds (i.e. above 80% of median income; below 50% of median income, etc.)
 - Percentage of households paying at or above 35% of their annual income for rent
8. Inventory of subsidized single family units, as defined in the Definitions section. The data should cover Section 8 Vouchers, Section 8 Certificates and Private Activity Bond (PAB) financed;
9. Characteristics of the population and housing of the City of Westminster relative to growth of new rental units;
10. Distribution of affordable housing within the City; and,
11. Availability of affordable units both for rental and ownership purposes.

VII DATA ANALYSIS, RECOMMENDATIONS AND STRATEGY

The study will incorporate an analysis of affordable housing needs, and make recommendations on strategies to address any know deficiencies, as determined by the study.



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 5, 2001
Subject: Councillors Bill No. 6 re Quest Diagnostics Inc. Lease at the Sun Microsystems Ice Centre
Prepared by: Bill Walenczak, Director of Parks, Recreation and Libraries

Introduction

City Council action is requested to pass on first reading the attached Councillors Bill approving a lease agreement between the City of Westminster, Hyland Hills Recreational Facilities Enterprise and Quest Diagnostics Inc. for the lease of approximately 1,925 square feet of space in the retail portion of the Ice Centre located on the Promenade. The Hyland Hills Board of Directors has reviewed this lease agreement and approved the terms as presented. In addition, this agreement has been reviewed and is recommended for approval by the City Attorney's Office.

Summary

Quest Diagnostics Inc. is a clinical testing laboratory that provides services to physicians, hospitals, managed care organizations, employers, and government organizations. They offer both diagnostic testing and tests used for screening purposes. Representatives from Quest Diagnostics have visited the available lease space at the Ice centre and believe it would be an excellent location for one of their testing laboratories. City Staff believes that this type of use is compatible with other activities and uses at the Promenade. The agreed-to rent for this space is \$25 per square foot, which Staff believes is above the market rate. The zoning of this space has been recommended for approval by the Planning Commission to City Council to accommodate this office/clinical lab-based use.

Policy Issue(s)

Does City Council believe that a clinical testing lab is an appropriate use for the retail space at the Promenade?

Alternative(s)

City Council could reject approving this lease agreement and direct Staff to seek a lessee with a different use.

Staff Recommendation

Pass Councillors Bill No. 6 on first reading, authorizing the City Manager to sign a lease agreement between the City of Westminster, Hyland Hills Park and Recreation District (through its recreational facilities enterprise) and Quest Diagnostics Inc. for the lease of approximately 1,935 square feet of space in the Sun Microsystems Ice Centre.

Background Information

On October 23, 2000, City Council removed Councillors Bill No. 88 from the table and approved a motion to postpone the item indefinitely. Councillor's Bill No. 88 was a proposal to lease the retail space at the Promenade to Galerie Promenade L.L.C. at \$16 per square foot. After surveying the lease rates for the West Promenade, both City and Hyland Hills Staff believed they could achieve a more competitive rate by cancelling negotiations with Galerie Promenade L.L.C. and readvertising the space.

Quest Diagnostics contacted Bob Bebber, Manager of the Sun Microsystems Ice Centre and inquired about leasing the space for a clinical testing laboratory. Mr. Bebber and Greg Mastriona, Executive Director of Hyland Hills Park and Recreation District met with representatives of Quest Diagnostics and negotiated a very attractive lease rate for the enterprise. City Staff has reviewed this agreement and concurs with Hyland Hills Staff's recommendation to enter into a lease agreement with Quest Diagnostics. Quest Diagnostics has over 25,000 employees nationwide, and in 1999, Quest Diagnostics acquired the clinical laboratory business of SmithKline-Beecham P/C, a worldwide pharmaceutical firm.

Highlights of the proposed lease agreement are as follows:

- The initial term of the lease is for three years.
- The tenant shall operate the premises as a laboratory/walk-in patient facility, offices and healthcare product retail facility.
- A rental payment of \$4,031.25 (\$25 per square foot) shall be paid each month in advance.
- Total revenue generated over the lease term is \$145,125.
- The tenant shall pay all charges for natural gas and electric, trash removal, 6 percent of snow removal costs, and 6 percent of the Ice Centre's common area maintenance fee monthly. (Approximately \$4,500 for 2001)
- Tenant shall maintain the premises, including HVAC systems.
- Tenant shall provide a policy of general liability insurance insuring the landlord against any liability arising out of ownership use, occupancy, or maintenance of the premises. Such insurance shall be in the amount of \$1 million per occurrence.
- At the end of the lease term, the tenant may elect to extend the lease for an additional 36 months at the original monthly lease rate, plus the percentage of increase based upon the Consumer Price Index Urban, for Denver, Colorado.
- The tenant shall make no improvements to the premises without prior written consent of the landlord.

Other lessees at the Sun Microsystems Ice Centre include Jackson's All-American Grill and AT&T Wireless. Jackson's lease agreement pays \$10 per square foot for the first year and increases to \$18 per square foot for the eleventh year. Jackson's is currently leasing 6,000 square feet. AT&T Wireless is paying \$39 per square foot for a 485 square foot space. The Hyland Hills enterprise was able to get this premium rate because the use as a communications facility consists of additional concealed cellular telephone transmission antennas behind the Ice Centre's quote beam. Since this lease involved more than the retail space, a premium rate was negotiated.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **6**

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE APPROVING A CONCESSION AGREEMENT BETWEEN THE CITY, HYLAND HILLS PARK AND RECREATION DISTRICT, AND QUEST DIAGNOSTICS INC. FOR THE LEASE OF A PORTION OF THE ICE CENTRE AT THE WESTMINSTER PROMENADE FOR A DIAGNOSTIC TESTING LABORATORY

WHEREAS, City Council previously authorized an intergovernmental agreement between the City and the Hyland Hills Park and Recreation District for the purpose of constructing and operating an Ice Centre at the Westminster Promenade; and

WHEREAS, the City and Hyland Hills have selected Quest Diagnostics Inc. as one of the tenants at the Ice Centre's retail space; and

WHEREAS, the final form of the lease agreement has been agreed to by the parties; and

WHEREAS, the City Charter requires such leases to be approved by ordinance.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The Lease Agreement between the City, Hyland Hills Park and Recreation District, acting by and through its Recreational Facilities Enterprise, and Quest Diagnostics Inc. for the lease of a portion of the Ice Centre at the Westminster Promenade for a clinical testing laboratory is approved in substantially the same form as attached as Exhibit "A."

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 ____ day of _____, 2001.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of _____, 2001.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, March 5, 2001.

Present at roll call were Mayor Heil, and Councillors Atchison, Hicks, Kauffman, Merkel and Moss. Absent was Mayor Pro-Tem Dixon.

The minutes of the February 26, 2001 Council meeting were approved with no additions or corrections.

Council accepted the resignation of Bill Lord from the Planning Commission and will make a citizen appointment to the Planning Commission at the March 26 Council Meeting.

Council approved the following: Bids re Purchase of Replacement Fire Department Vehicle to Medved Chevrolet in the amount of \$30,859 for a four wheel drive Chevrolet Suburban; Purchase of 350 Microsoft Office Professional upgrades from Microsoft Select Volume Licensing Program in the amount of \$66,728.

Council rejected the consulting contract with BBC Research and Consulting to conduct an affordable housing study until further census bureau information is available, at which time a new affordable housing study proposal will be obtained.

The following public hearing was held: At 7:20 P.M. on the Sixth Amendment to the Preliminary Development Plan of the Northpoint Center Planned Unit Development to allow Medical and General uses in the public use area of the Westminster Promenade.

Council approved the Sixth Amendment to the Preliminary Development Plan of the Northpoint Center Planned Unit Development.

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

A BILL FOR AN ORDINANCE APPROVING A CONCESSION AGREEMENT BETWEEN THE CITY, HYLAND HILLS PARK AND RECREATION DISTRICT, AND QUEST DIAGNOSTICS INC. FOR THE LEASE OF A PORTION OF THE ICE CENTRE AT THE WESTMINSTER PROMENADE FOR A DIAGNOSTIC TESTING LABORATORY purpose: a lease agreement between the City of Westminster, Hyland Hills Recreational Facilities Enterprise and Quest Diagnostics Inc. for the lease of approximately 1,925 square feet of space in the retail portion of the Ice Centre located on the Promenade.

The following Councillor's Bill was adopted on second reading:

A BILL FOR AN ORDINANCE AMENDING CHAPTER 3 OF TITLE XI OF THE WESTMINSTER MUNICIPAL CODE CONCERNING THE CITY'S GROWTH MANAGEMENT PROGRAM

The following Resolutions were adopted:

Resolution No. 19 – accepting resignation of Bill Lord from the Planning Commission as amended.

At 7:25 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window on March 15, 2001