



CITY COUNCIL AGENDA

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

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

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
 - A. 2013 Business Legacy 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 February 2013
 - B. Pressure Zone 4 Emergency Valve Replacement
 - C. Excess Workers' Compensation Insurance Purchase
 - D. 2013 Golf Courses' Cumulative Purchases Over \$50,000
 - E. Shoenberg Farm Milk House Stabilization Contract with the State Historical Fund
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. Councillor's Bill No. 14 re 2012 4th Quarter Budget Supplemental Appropriation
 - B. Resolution No. 12 re Competitive State Historic Fund Grant Application for the Semper-Allison Farm Barn
 - C. Resolution No. 13 re Adoption of Water Conservation Plan
11. Old Business and Passage of Ordinances on Second Reading
12. Miscellaneous Business and Executive Session
 - A. City Council
13. Adjournment

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING (separate agenda)

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.



WESTMINSTER
Strategic Plan
2012-2017
Goals and Objectives

STRONG, BALANCED LOCAL ECONOMY

- Maintain/expand healthy retail base, increasing sales tax receipts
- Attract new targeted businesses, focusing on primary employers and higher paying jobs
- Develop business-oriented mixed use development in accordance with Comprehensive Land Use Plan
- Retain and expand current businesses
- Develop multi-modal transportation system that provides access to shopping and employment centers
- Develop a reputation as a great place for small and/or local businesses
- Revitalize Westminster Center Urban Reinvestment Area



FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES

- Invest in well-maintained and sustainable city infrastructure and facilities
- Secure and develop long-term water supply
- Focus on core city services and service levels as a mature city with adequate resources
- Maintain sufficient reserves: general fund, utilities funds and self insurance
- Maintain a value driven organization through talent acquisition, retention, development and management
- Institutionalize the core services process in budgeting and decision making
- Maintain and enhance employee morale and confidence in City Council and management
- Invest in tools, training and technology to increase organization productivity and efficiency



SAFE AND SECURE COMMUNITY

- Citizens are safe anywhere in the City
- Public safety departments: well equipped and authorized staffing levels staffed with quality personnel
- Timely response to emergency calls
- Citizens taking responsibility for their own safety and well being
- Manage disaster mitigation, preparedness, response and recovery
- Maintain safe buildings and homes
- Protect residents, homes, and buildings from flooding through an effective stormwater management program



VIBRANT NEIGHBORHOODS IN ONE LIVABLE COMMUNITY

- Develop transit oriented development around commuter rail stations
- Maintain and improve neighborhood infrastructure and housing
- Preserve and restore historic assets
- Have HOAs and residents taking responsibility for neighborhood private infrastructure
- Develop Westminster as a cultural arts community
- Have a range of quality homes for all stages of life (type, price) throughout the City
- Have strong community events and active civic engagement



BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY

- Have energy efficient, environmentally sensitive city operations
- Reduce energy consumption citywide
- Increase and maintain greenspace (parks, open space, etc.) consistent with defined goals
- Preserve vistas and view corridors
- A convenient recycling program for residents and businesses with a high level of participation



Mission statement: We deliver exceptional value and quality of life through SPIRIT.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, MARCH 18, 2013, 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 Faith Winter, and Councillors Herb Atchison, Bob Briggs, Mark Kaiser, Mary Lindsey, and Scott Major were present at roll call. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, were also present.

CONSIDERATION OF MINUTES

Councillor Kaiser moved, seconded by Councillor Major, to approve the minutes of the regular meeting of February 25, 2013, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall reported that Community Pride Day was approaching on May 11. As many as 1500 volunteers had participated at prior year events to pick up trash in City Parks, Open Space, and rights-of-way throughout the community. More help could always be used and contact information for Patti Wright, the Open Space Volunteer Coordinator, was provided. After picking up trash in the morning, volunteers were invited to attend a barbecue in the courtyard at City Hall. It was a fun and productive event and everyone was encouraged to sign-up so that team assignments to different locations could cover the City and provide a thorough Spring Clean-up.

Following this meeting, the City Council would meet in the Board Room to hear presentations on connecting trails throughout the metro Denver area and on the results of and recommended standards from the Street Lighting Study. After the post-meeting presentations, the City Council would convene in executive session to provide staff direction concerning a proposed Economic Development Incentive Agreement with Air Comm Corporation pursuant to Sections 1-11-3(C)(4) and (7), W.M.C., and Section 24-6-402(4)(e), CRS.

COUNCIL REPORTS

Councillor Major reported on the National League of Cities Conference held recently in Washington, DC. The nation's Capital was noticeably different because of sequestration, and elected Senators and Congressmen from Colorado with whom the Westminster delegation had spoken with predicted no end was in sight. In addition to meeting with many of Colorado's national elected officials, the Council had opportunities to exchange information with local elected officials from around the United States and to hear excellent presentations at the workshops and seminars held concurrently throughout the conference. The whole experience was re-energizing.

RECOGNITION OF FLEET DIVISION'S CERTIFICATION AS ASE BLUE SEAL SHOP

Councillor Atchison recognized staff of the Fleet Maintenance Division for achieving the Blue Seal from the National Institute for Automotive Service Excellence (ASE). ASE was the only national independent measure of excellence in vehicle maintenance, and mechanics sought certification to assure customers of both service quality and ethical conduct. In 2011, the Division had achieved Blue Seal shop designation and in 2012, 100% of all shop mechanics were certified.

CITIZEN COMMUNICATION

Mike and Meghan Widholm requested Council's help in redeveloping property located at 5155-5156 West 80th Avenue. Currently, the property, which traditionally had been used for automobile repair, was in need of renovation. The Widholms wanted to rehabilitate the parcel and move their used automobile sales business to

the renovated site. A proposal had been submitted to the City but resulted in no good feedback from staff because the sale of automobiles was not an allowed use of the land. Noting the benefits this proposal would bring to the community, Mr. Widholm asked Council to intercede on their behalf. Mr. McFall indicated he would follow up.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: authorize the City Manager to execute a \$1,024,360 contract for 2013 with options for two additional one-year renewals (2014 and 2015) for concrete replacement with the low bidder, Keene Concrete, Inc., and authorize a contingency of \$102,436 for a total project budget of \$1,126,796; authorize the City Manager to execute a \$218,271 contract for 2013 with options for two additional one-year renewals (2014 and 2015) for Citywide Street Sweeping with the low bidder, Armstrong Sweeping, Inc., and authorize a contingency of \$15,575 for a total budget of \$233,846; authorize the City Manager to enter into a contract with the low bidder, Northern Colorado Constructors, Inc., for the Pressure Zone 12 Improvements in the amount of \$462,050 with a 10% construction contingency in the amount of \$46,205, for a construction budget of \$508,255 and authorize the City Manager to execute a contract amendment for construction management services with Burns and McDonnell Engineering Company for \$70,511; authorize the City Manager to execute a contract with the low bidder, Edge Contracting, Inc., in the amount of \$1,945,507 for the Little Dry Creek Interceptor and Crestview Sewer Relocation Project, authorize a 10% construction contingency in the amount of \$194,551 for a total construction budget of \$2,140,058, and authorize the City Manager to execute a \$381,755 contract amendment with URS Corporation to provide construction management services for the Little Dry Creek Interceptor and Crestview Sewer Relocation Project; based on the City Manager's recommendation, find that the public interest would best be served by authorizing the City Manager to execute a Work Order with the Colorado Department of Transportation and its contractor, Ames-Granite A Joint Venture, in the amount of \$297,650 for the design and construction of the Federal/US36 Sewer Crossing Project and authorize a 15% construction contingency in the amount of \$44,648 for a total construction budget of \$342,298; authorize the Mayor and City Manager to execute the Jim Baker Reservoir Intergovernmental Agreement, in substantially the same form as the agreement distributed with the agenda packet, and authorize the City Manager to convey a small portion of the Jim Baker Reservoir property, along with several temporary and permanent easements, to the Regional Transportation District (RTD) for the purposes of constructing, locating and maintaining this portion of the RTD's FasTracks Gold Line project; authorize the Fire Department to pursue a 2013 Colorado Department of Public Health and Environment Provider Grant in the amount of \$56,000 for the purpose of replacing, enhancing and upgrading Fire Department ambulance hydraulic-powered stretchers; and final passage on second reading of Councillor's Bill No. 10 appropriating \$435,393 in the General Capital Outlay Replacement Fund for the lease purchase of the replacement fire engine.

It was moved by Councillor Major, seconded by Councillor Atchison, to approve the consent agenda as presented. The motion carried with all Council members voting favorably.

RESOLUTION NO. 11 TO ACQUIRE PROPERTY INTERESTS FOR BRIDGE REPLACEMENT

Upon a motion by Councillor Briggs, seconded by Councillor Major, the Council voted unanimously on roll call vote to adopt Resolution No. 11 authorizing staff to proceed with the acquisition of fee simple and easement property interests necessary for the 72nd Avenue/Raleigh Street Bridge Replacement project, including the use of eminent domain, if necessary; and to authorize a total of \$260,000 for acquisition and related activities.

COUNCILLOR'S BILL NO. 11 APPROVING PROPOSED EDA WITH MSI, LLC

It was moved by Councillor Atchison and seconded by Mayor Pro Tem Winter to pass on first reading Councillor's Bill No. 11 authorizing the City Manager to execute and implement an Economic Development Agreement with MSI, LLC. The motion passed unanimously at roll call.

COUNCILLOR’S BILL NO. 12 APPROVING PROPOSED EDA FOR COLORADO CASUAL FURNITURE

Councillor Briggs moved, seconded by Councillor Lindsey, to pass on first reading Councillor’s Bill No. 12 authorizing the City Manager to execute and implement the Economic Development Agreement with The Bedrin Organization for Colorado Casual Furniture. The motion carried at roll call with all Council members voting affirmatively.

WESTMINSTER LEGACY FOUNDATION AGREEMENT – JESSICA RIDGEWAY MEMORIAL PARK

Upon a motion by Councillor Major, seconded by Councillor Kaiser, the Council voted unanimously to authorize the Mayor to execute an agreement between the City of Westminster and the Westminster Legacy Foundation, in substantially the same form as that attached to the agenda memorandum, to complete the design, construction, remodel, dedication and maintenance of the Jessica Ridgeway Memorial Park utilizing funds that the Foundation raises for these purposes (net of any credit card fees, etc.).

COUNCILLOR’S BILL NO. 13 AUTHORIZING SUPPLEMENTAL APPROPRIATION OF GRANT FUNDS

Councillor Major moved to pass on first reading Councillor’s Bill No. 13 authorizing a supplemental appropriation in the amount of \$125,000 reflecting the City’s receipt of a \$100,000 Jefferson County Open Space Grant and a \$25,000 Jefferson County Schools grant for the Jessica Ridgeway Memorial Park. Councillor Kaiser seconded the motion and it passed unanimously on roll call vote.

REALLOCATION OF FUNDS TO THE CIP ACCOUNT – JESSICA RIDGEWAY MEMORIAL PARK

It was moved by Councillor Major, seconded by Councillor Kaiser, to authorize the reallocation of \$150,000 (\$100,000 from the Parks POST capital improvement project and \$50,000 from the Neighborhood Grant Program managed by the Parks, Recreation & Libraries Board from Community Enhancement Funds in the General Capital Improvement Fund) into the Capital Improvement Program project account for the Jessica Ridgeway Memorial Park. The motion carried unanimously.

PLAYGROUND & SHELTER CONTRACTS – JESSICA RIDGEWAY MEMORIAL PARK

Councillor Major moved, seconded by Councillor Kaiser, to authorize the City Manager to enter into a contract with Game Time-Triple M Recreation in the amount of \$146,168 for purchase and installation of playground equipment and shelter. The motion passed with all Council members voting affirmatively.

PURCHASE OF SITE AMENITIES – JESSICA RIDGEWAY MEMORIAL PARK

It as moved by Councillor Major and seconded by Councillor Kaiser to authorize staff to purchase site amenities from various vendors for park picnic tables, benches and lighting for an amount not to exceed \$50,000. The motion carried unanimously.

ADJOURNMENT

With no further business to come before the City Council, it was moved by Councillor Kaiser, seconded by Councillor Major, to adjourn. The motion passed and the Mayor adjourned the meeting at 7:25 p.m.

ATTEST:

Mayor

City Clerk



Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Presentation of the 2013 Business Legacy Awards

Prepared By: Ryan Johnson, Economic Development Specialist

Recommended City Council Action

City Council will present Business Legacy Awards to Westminster businesses celebrating 25 years of being in business in Westminster.

Summary Statement

- For the past several years, the City has celebrated and recognized local businesses for their role as essential components to the continued strength, well being, and high quality of life of Westminster. This year, there will be three quarterly events held to recognize nearly 60 businesses ranging from 25 years of being in business up to 60 years of being in business.
- During the first quarter of 2013, 29 businesses will be recognized on March 25th, 2013, for their 25th anniversary of doing business in Westminster. The recognition includes the following:
 - Recognition Reception pre-meeting to get acquainted with award recipients
 - Presentation of Awards by Mayor McNally and City Council at the Council meeting
 - Group photos with businesses, Mayor Nancy McNally and City Council
 - Economic Development staff will be present to facilitate handing out awards
- The Recognition Reception is hosted in part by Zoe's Coffee located at 11225 Decatur Street #200, Westminster, CO 80234 with complimentary coffee and tea.

Expenditure Required: \$1,662 for the 1st quarter event

Source of Funds: General Fund - Economic Development Division Operating Budget

Policy Issue

Should City Council take time to thank City of Westminster businesses for their investment in Westminster?

Alternatives

1. One alternative could be to stop providing awards to businesses. This alternative is not preferred because the businesses community appreciates this recognition and these businesses receive a great amount of exposure by being recognized. Additionally, recognition helps the City communicate to the business community the desire to retain a diverse and high quality business community.
2. A second alternative would be to provide awards to more businesses. This alternative is not preferred because City Staff currently participates in other awards and recognition programs throughout the region that recognizes Westminster businesses for other contributions to the community.
3. Another alternative could be to provide awards in another setting. This alternative is not preferred as the current setting provides more interaction with the business owners and the City Council. If this alternative is selected, Staff will evaluate potential options for providing this service and make a recommendation to City Council.

Background Information

The City of Westminster has a long tradition of recognizing businesses that have been in business for 25 years or more in five year increments. Local businesses provide employment, shopping, entertainment and recreational opportunities for all citizens. The roughly 3,000 Westminster businesses contribute to the City’s operating funds through revenue generated from sales and use tax, accommodations and admissions tax, as well as property tax collections. Businesses also enrich the quality of life in Westminster by supporting community organizations with financial and in-kind contributions. The high caliber mix of retail, service, and corporate office establishments found in Westminster is virtually unparalleled in northwest metro Denver.

This first quarter of 2013, the City is recognizing the following businesses celebrating their 25th anniversary of doing business in Westminster.

25 Year Award Recipients

Accident & Diagnostic Clinic	Interior Design Concepts
Ad Pro Marketing	Mc Donalds #10525
All Pest Control/Exterminating	Northview Dental Office
Aronson Law Office	Onofrey & Hirschfeld PC
Arrowhead Animal Hospital PC	Radiant Lighting Services Inc.
Bee Happy Licensed Daycare	S&L Floorcovering Inc.
Blaire Dry Wall Repair	Sheri’s Hallmark
Brewgenes Consulting Co.	Smart Reservoir & Irrigation
Church Ranch	Spa Brokers II Inc.
Clear Creek Care Center	Sprinkler Doctor
Coet & Coet PC	Straight-Cut Wire
Colorado Tan	Wadsworth Parkway Apartments
Derie R Trujillo DDS	Westminster Historical Society
Dr. David Trumbo Optometrist	Westminster Newsland
Great Western Park LLC	

SUBJECT: 2013 Business Legacy Awards

Page 3

The attached “Business Legacy Awards – Order of Events” outlines the awards program for Monday night. The Business Legacy Awards meets the City Council’s Strategic Plan goal of building a Strong, Balanced Local Economy.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Order of Events

Business Legacy Awards

Order of Events

Monday, March 25, 2013

Below is an outline of events for the upcoming Business Legacy Awards reception and presentation on March 25, 2013. Please note that Economic Development Staff as well as others will be in attendance and can serve as an information resource and make introductions. The Mayor and City Council are invited to attend the reception as early as practicable after the conclusion of dinner.

Our primary message during the event is "Thank you for doing business in Westminster".

6:00-7:00 p.m.

- Reception to be held for those businesses being honored
- Reception will be held in the upper atrium area outside the City Council Board Room
- City Council is invited to attend during this time to mingle with those people who are here to be recognized
- Coffee and tea as well as deserts will be provided during this reception

6:50-7:00 p.m.

- Those people who are accepting an award will find their assigned seats in the City Council Chambers

7:00 p.m. – City Council Meeting Starts

- When it is time for the Business Legacy Awards Presentation, the City Council will come down to the steps
- As each business is called up, they will shake the hands of City Council and the Mayor will present the business representative with the award (similar to how this was handled at the Business Appreciation Event)
- After the group of businesses has received their award, they will take their place on the steps alongside the Mayor and City Council for a group photograph
- After the photograph has been taken, the group of businesses will find their seats
- Because there are close to 30 businesses being recognized, staff will bring businesses up in 2-3 smaller groups rather than one large group of 29



Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Financial Report for February 2013
Prepared By: Tammy Hitchens, Finance Director

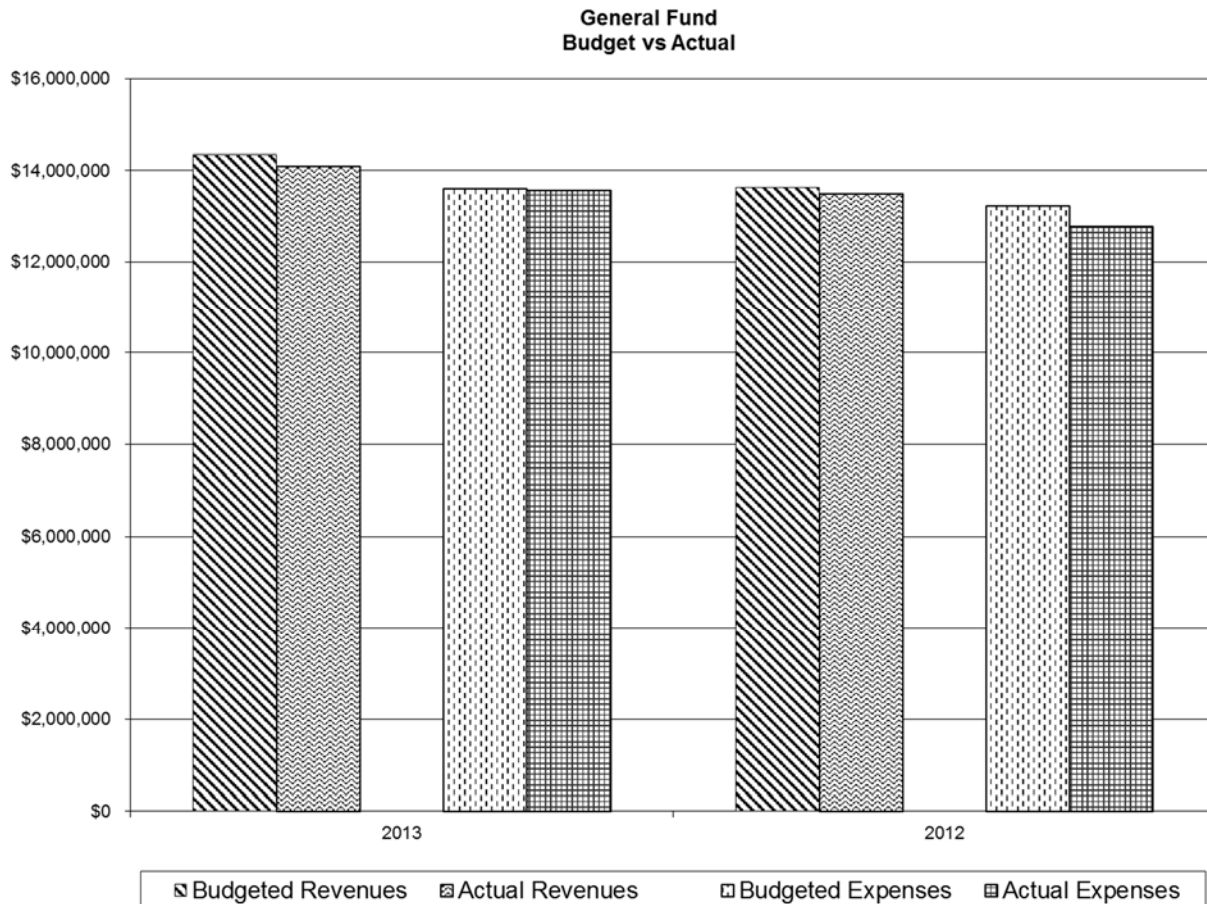
Recommended City Council Action

Accept the Financial Report for February as presented.

Summary Statement

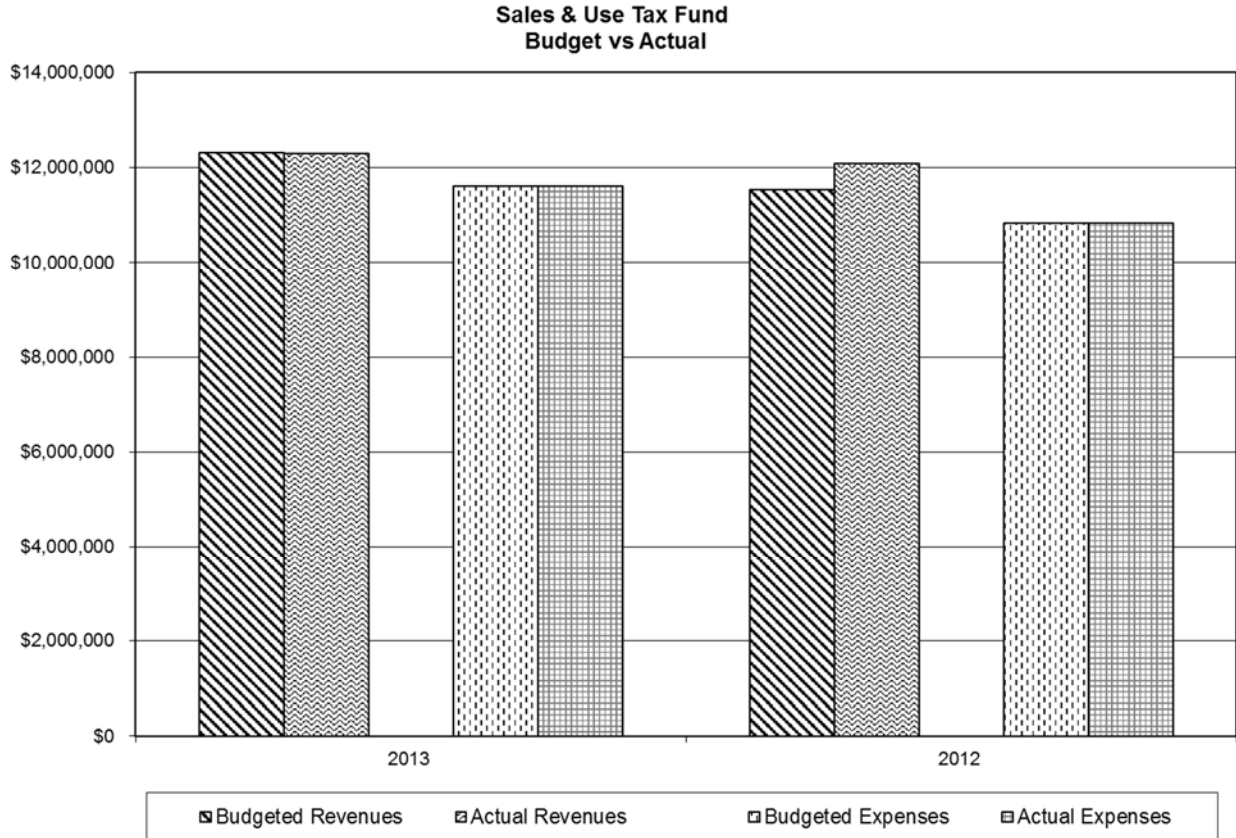
City Council is requested to review and accept the attached monthly financial statement. The Shopping Center Report is also attached. Unless otherwise indicated, "budget" refers to the pro-rated budget. The budget numbers that are presented reflect the City's amended adopted budget. Both revenues and expense are pro-rated based on 10-year historical averages.

The General Fund revenues exceed expenditures by \$526,094. The following graph represents Budget vs. Actual for 2012-2013.

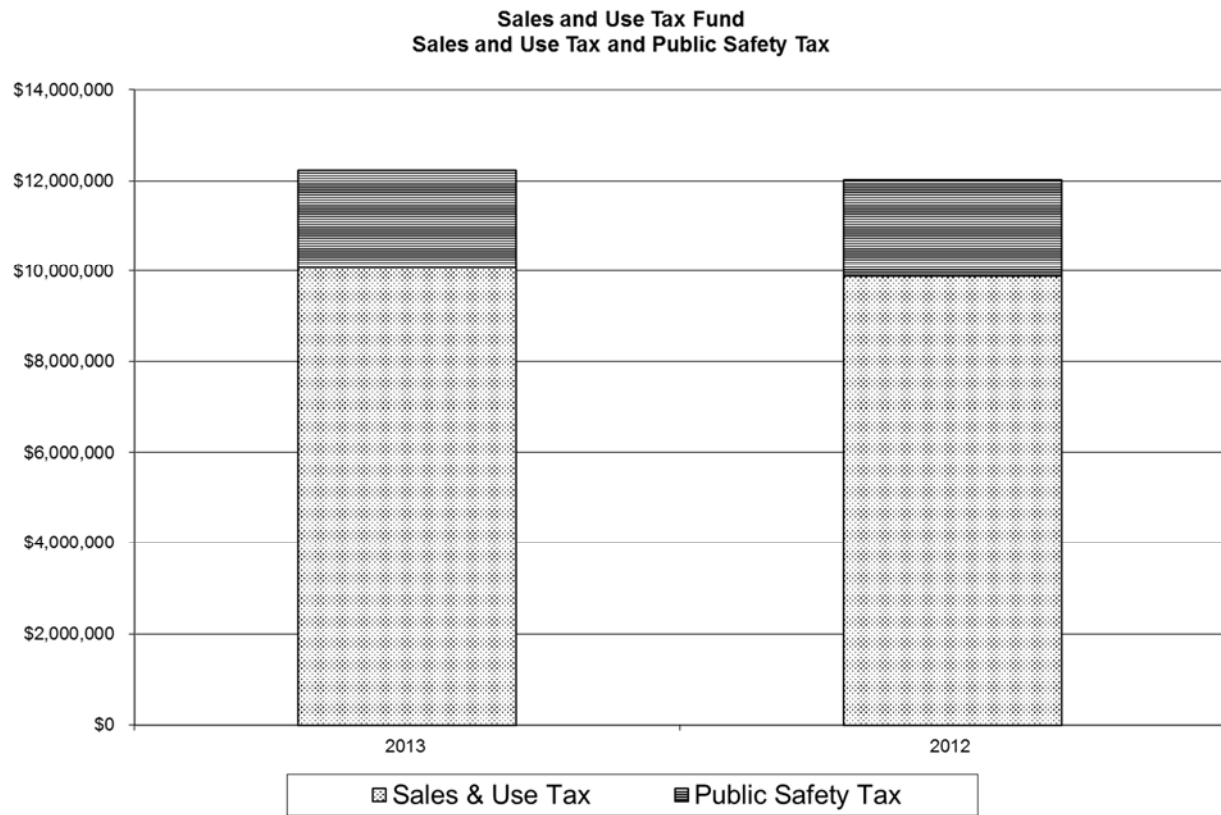


The Sales and Use Tax Fund revenues exceed expenditures by \$685,214. On a year-to-date cash basis, total sales and use tax is up 2.1% from 2012. Key components are listed below:

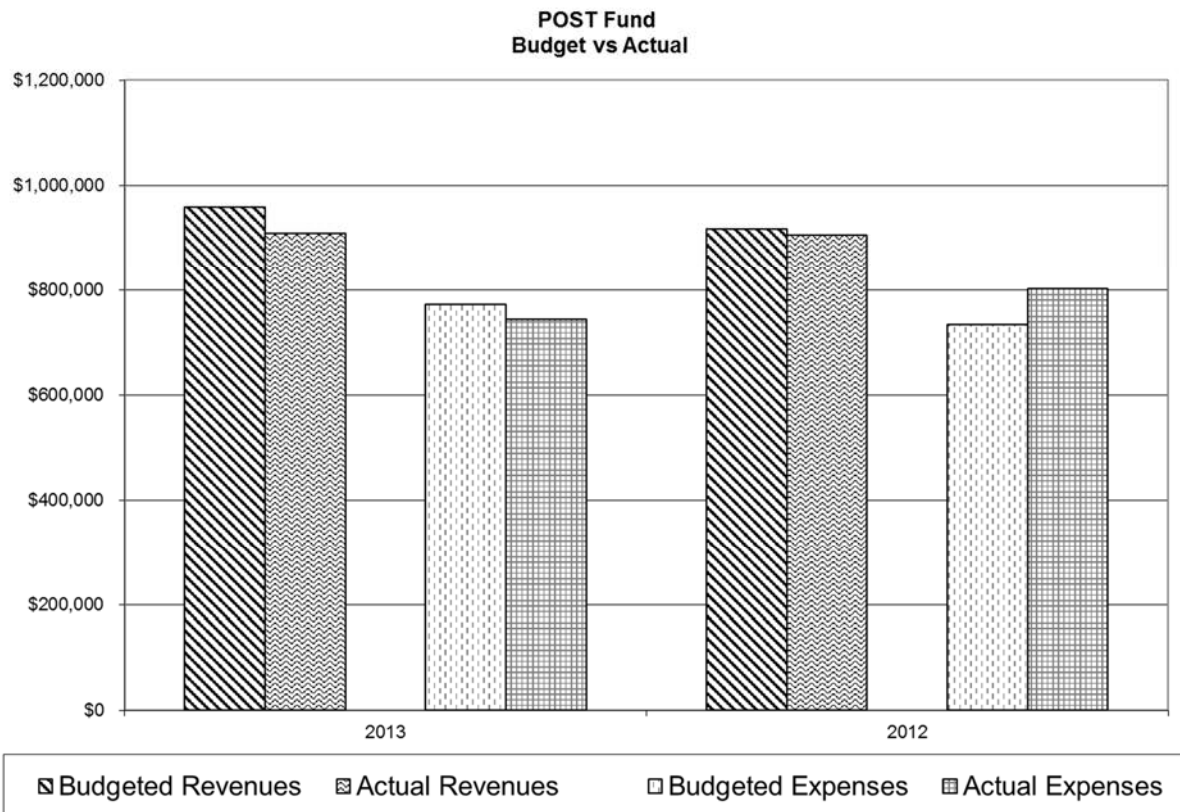
- On a year-to-date basis, across the top 25 shopping centers, total sales and use tax receipts are up 4.0% from the prior year.
- Sales tax receipts from the top 50 Sales Taxpayers, representing about 62.5% of all collections, are up 10.7% for the month.
- Urban renewal areas make up 41.2% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 82.6% of this money is being retained for General Fund use.



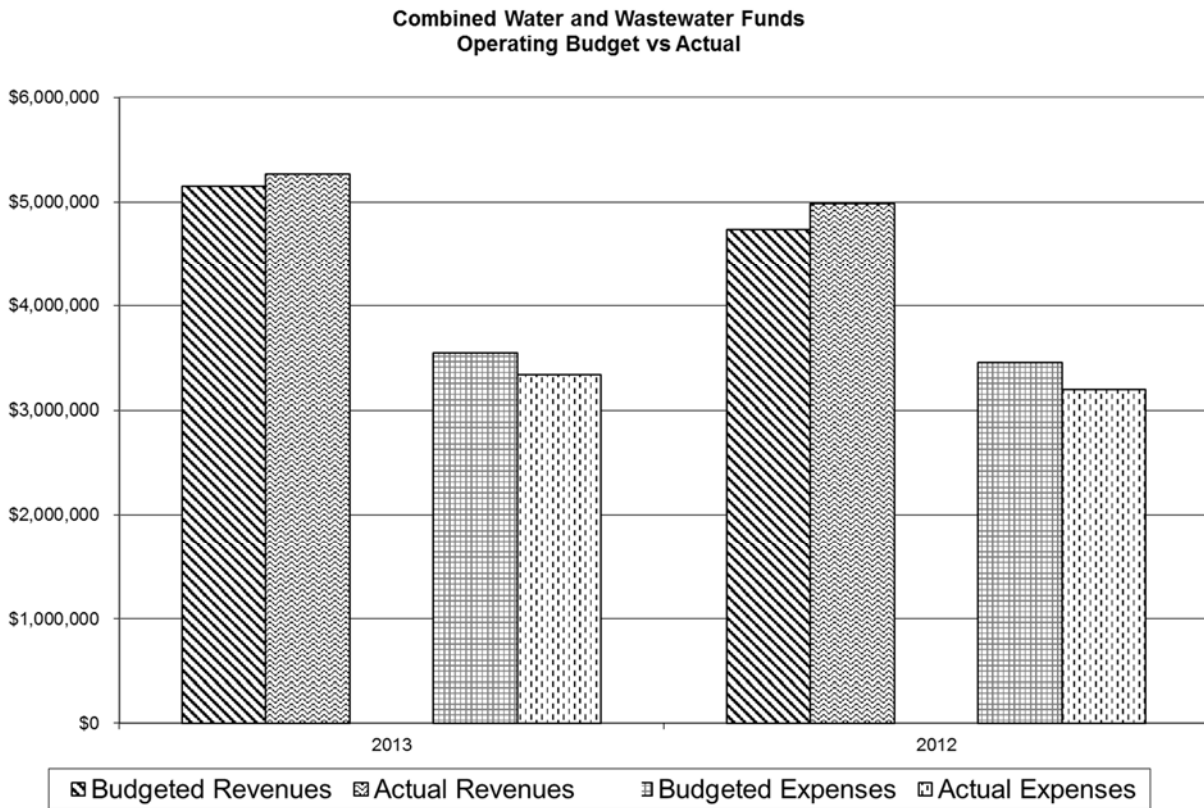
The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.



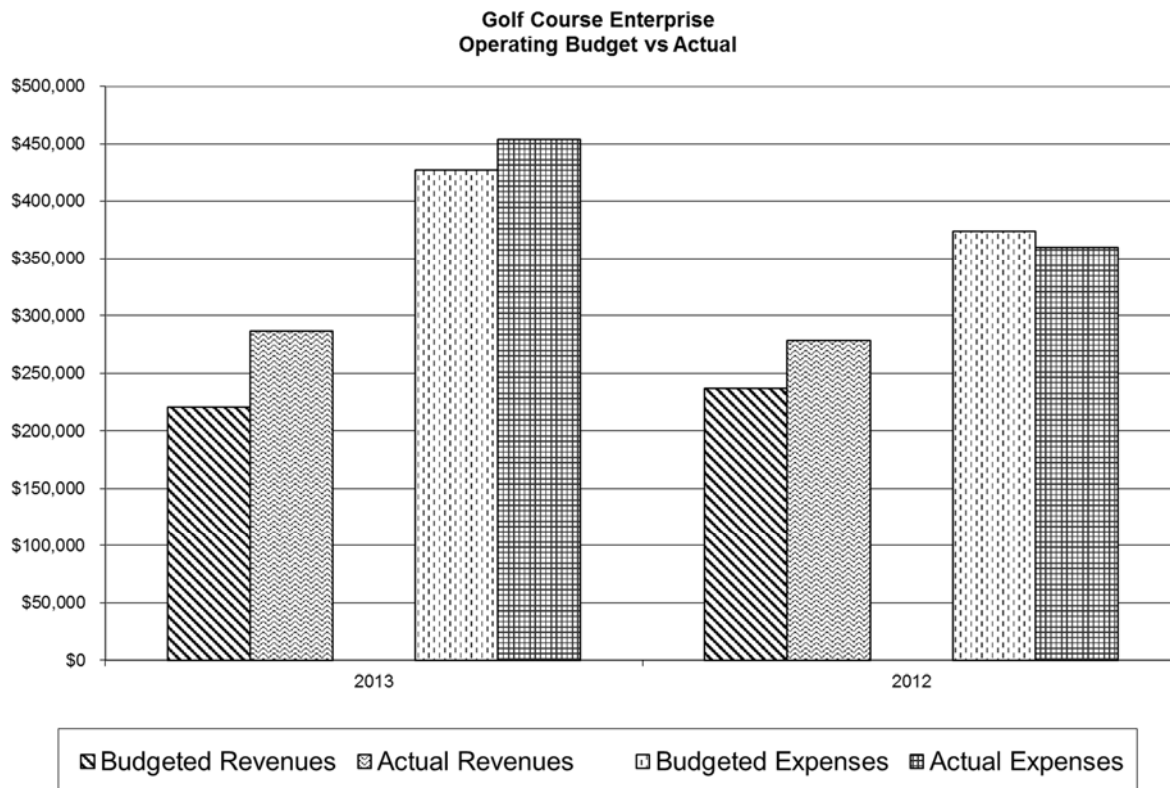
The Parks Open Space and Trails Fund revenues exceed expenditures by \$165,352.



The combined Water & Wastewater Fund revenues exceed expenditures by \$2,678,112. Operating revenues exceed operating expenditures by \$1,928,724. \$14,984,540 is budgeted for capital projects and reserves.



The combined Golf Course Fund expenditures exceed revenues by \$166,993.



In 2013, the budget to actual expenditure variance reflects a timing difference in lease payments between years.

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.

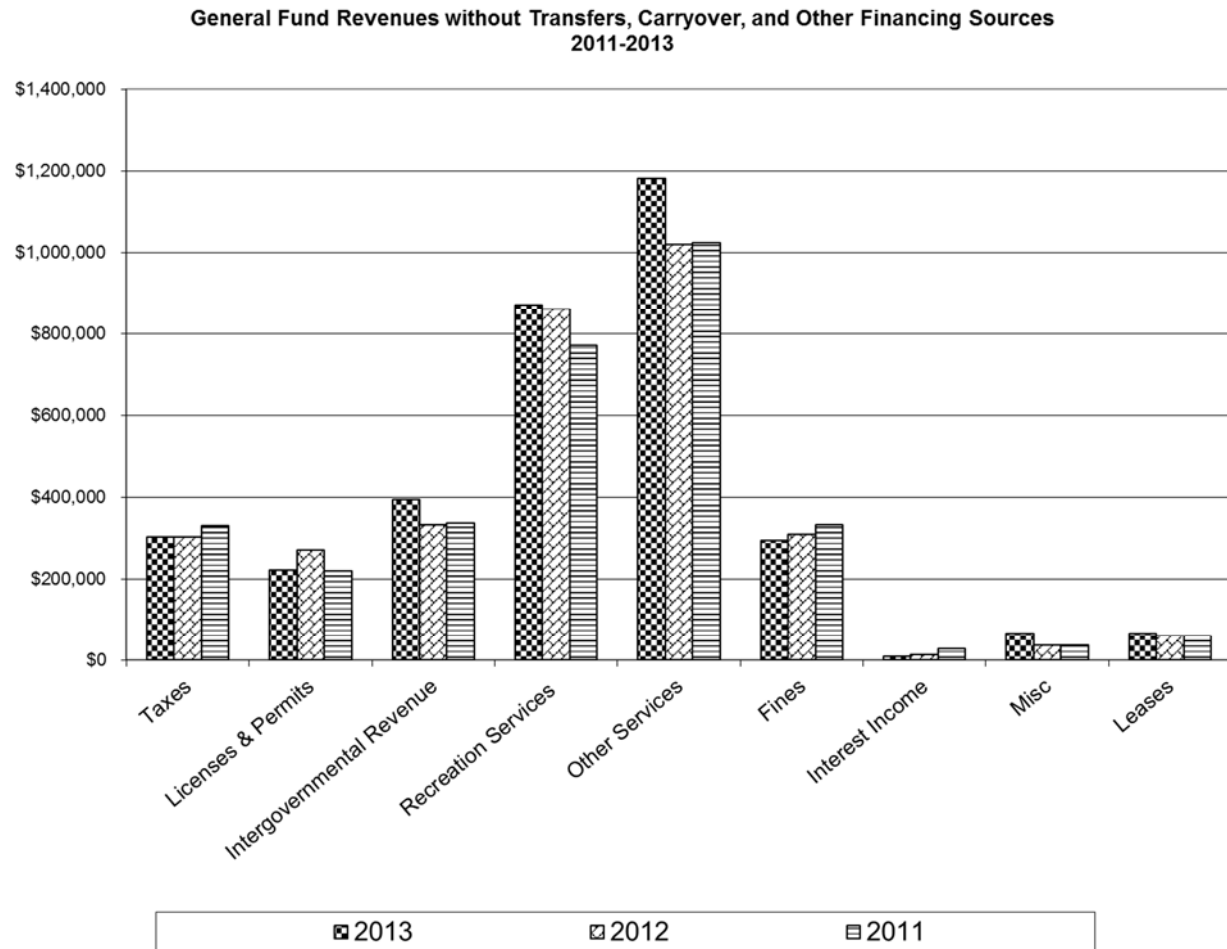
Background Information

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

General Fund

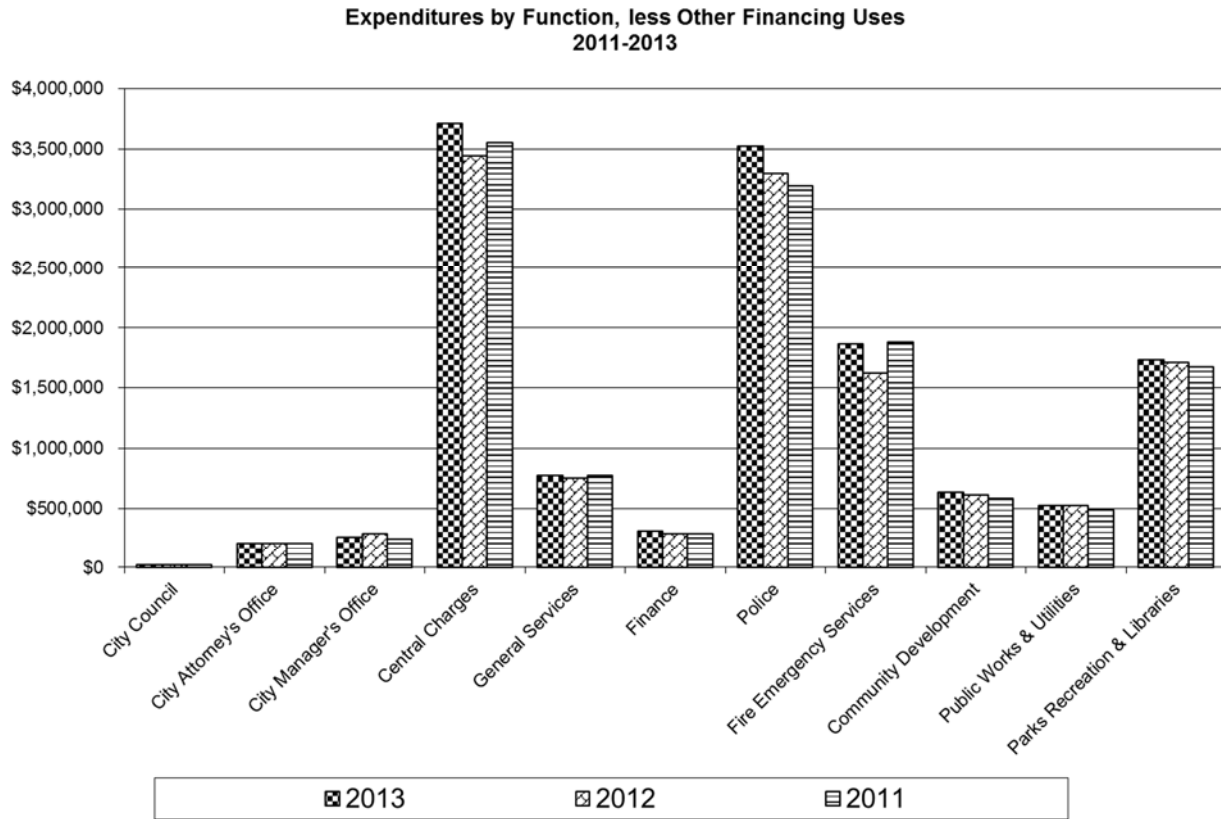
This fund reflects the result of the City’s operating departments: Police, Fire, Public Works and Utilities (Streets), Parks Recreation and Libraries, Community Development, and the internal service functions: City Manager, City Attorney, Finance, and General Services.

The following chart represents the trend in actual revenues from 2011-2013 year-to-date.



The Intergovernmental revenue variance is attributable to grant reimbursements and Other Services variance is due to Franchise and Emergency Medical Service fees.

The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2011-2013.

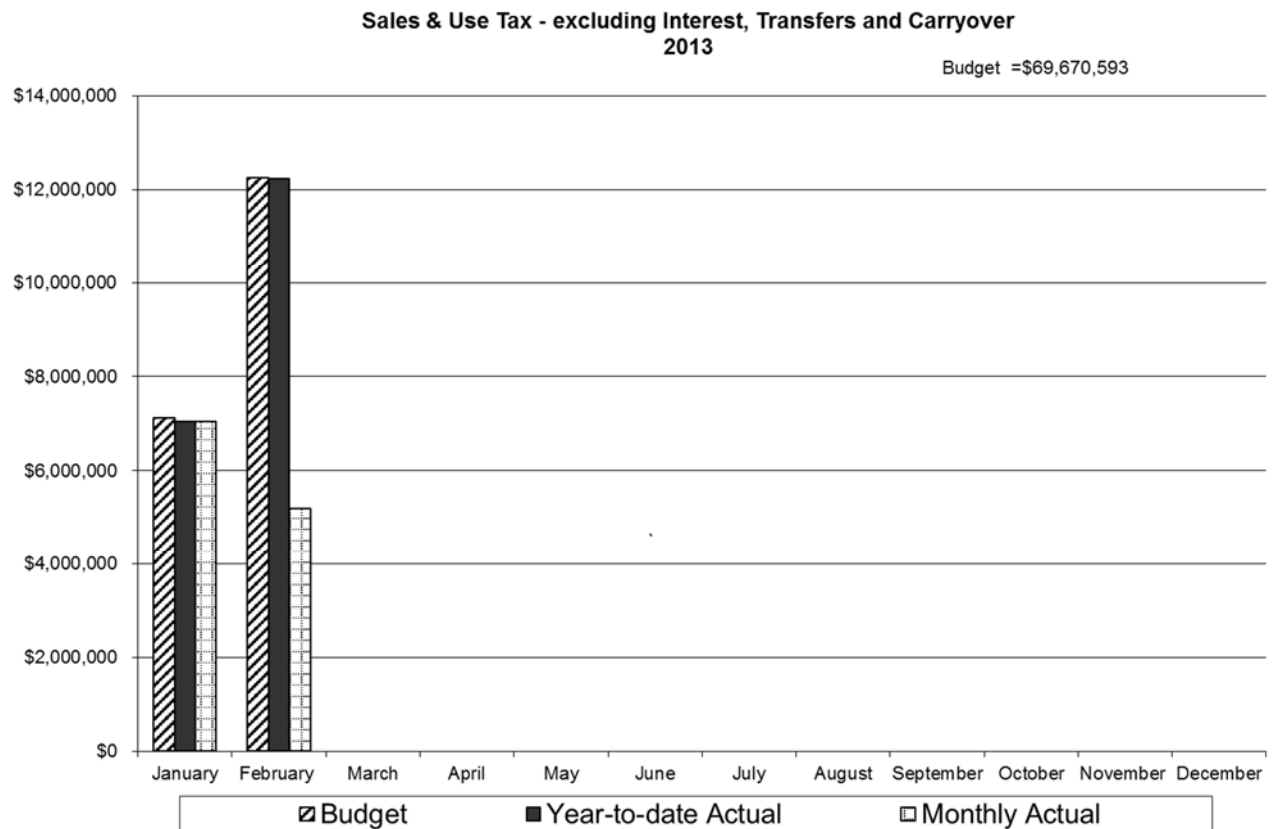


The Central Charges expenditure variance is attributable to a timing difference in the posting of benefit charges for January payrolls. Police and Fire expenditure variances are primarily due to an increase in contract services and equipment replacement fees between years.

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. The Sales & Use Tax Fund provides monies for the General Fund, the General Capital Improvement Fund, and the Debt Service Fund. The Parks, Open Space, and Trails Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, pay bonds related to the Heritage Golf Course, 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.

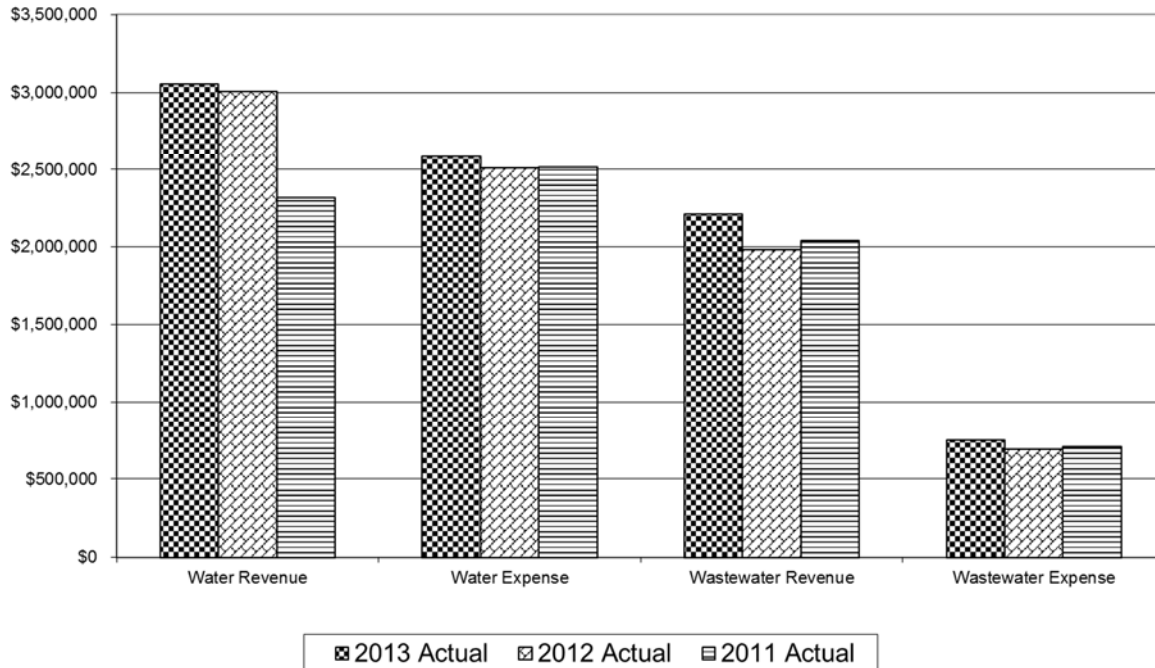


Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)

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.

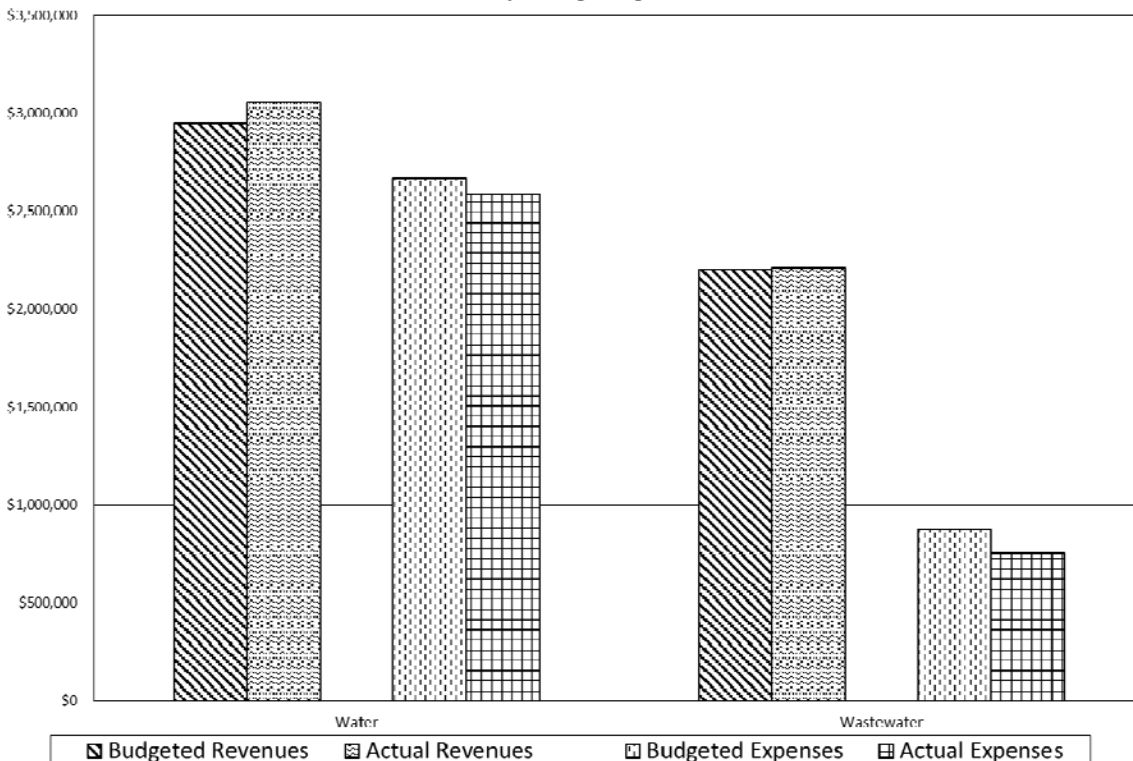
These graphs represent segment information for the Water and Wastewater funds.

**Water and Wastewater Funds
Operating Revenue and Expenses 2011-2013**



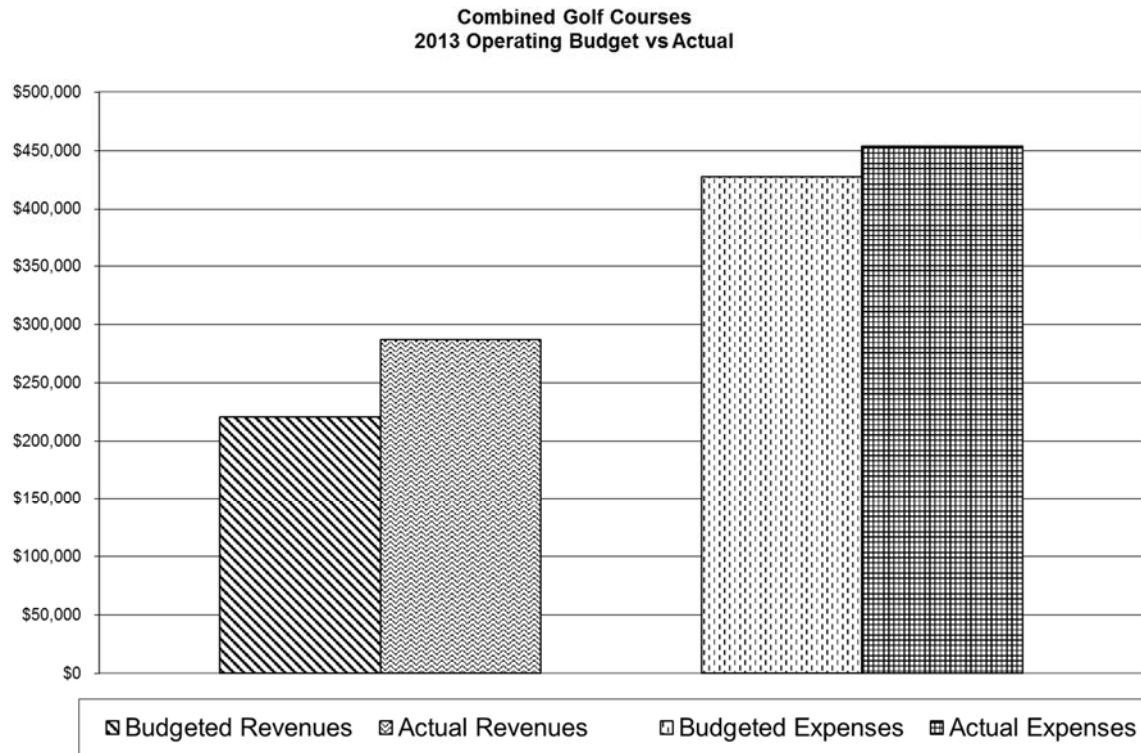
The Water Fund revenue variance is due to the effect of climatic variations on water consumption as well as changes in billing rates and billing cycles.

**Water and Wastewater Funds
2013 Operating Budget vs Actual**

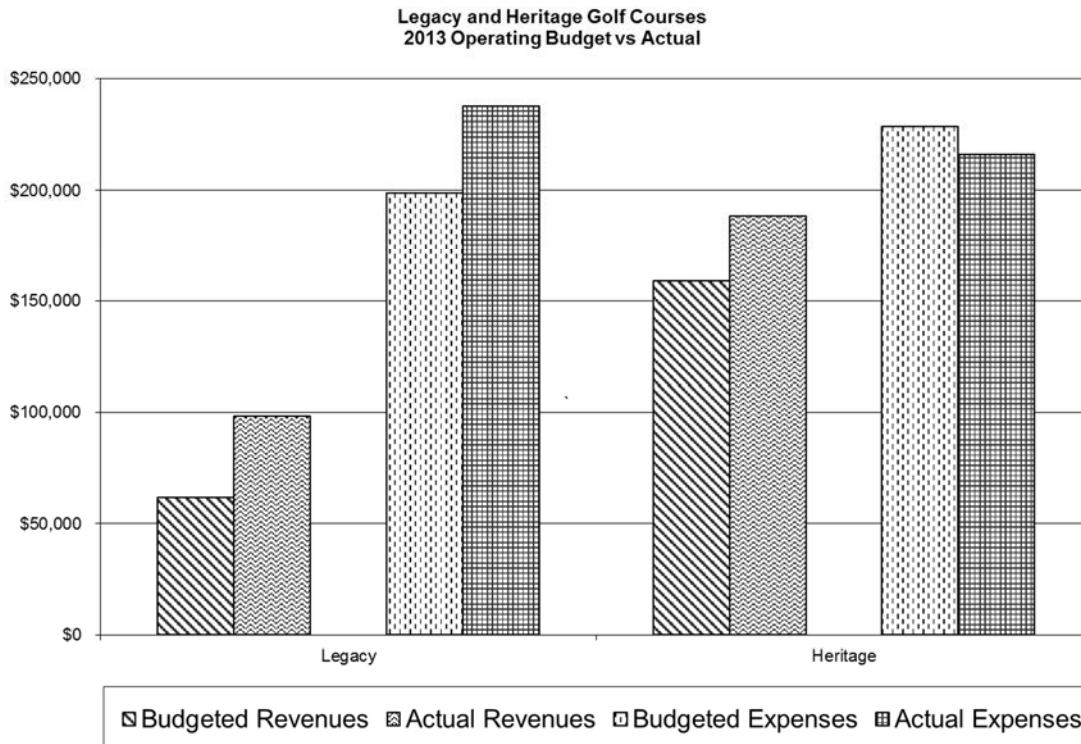


Golf Course Enterprise (Legacy and Heritage Golf Courses)

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

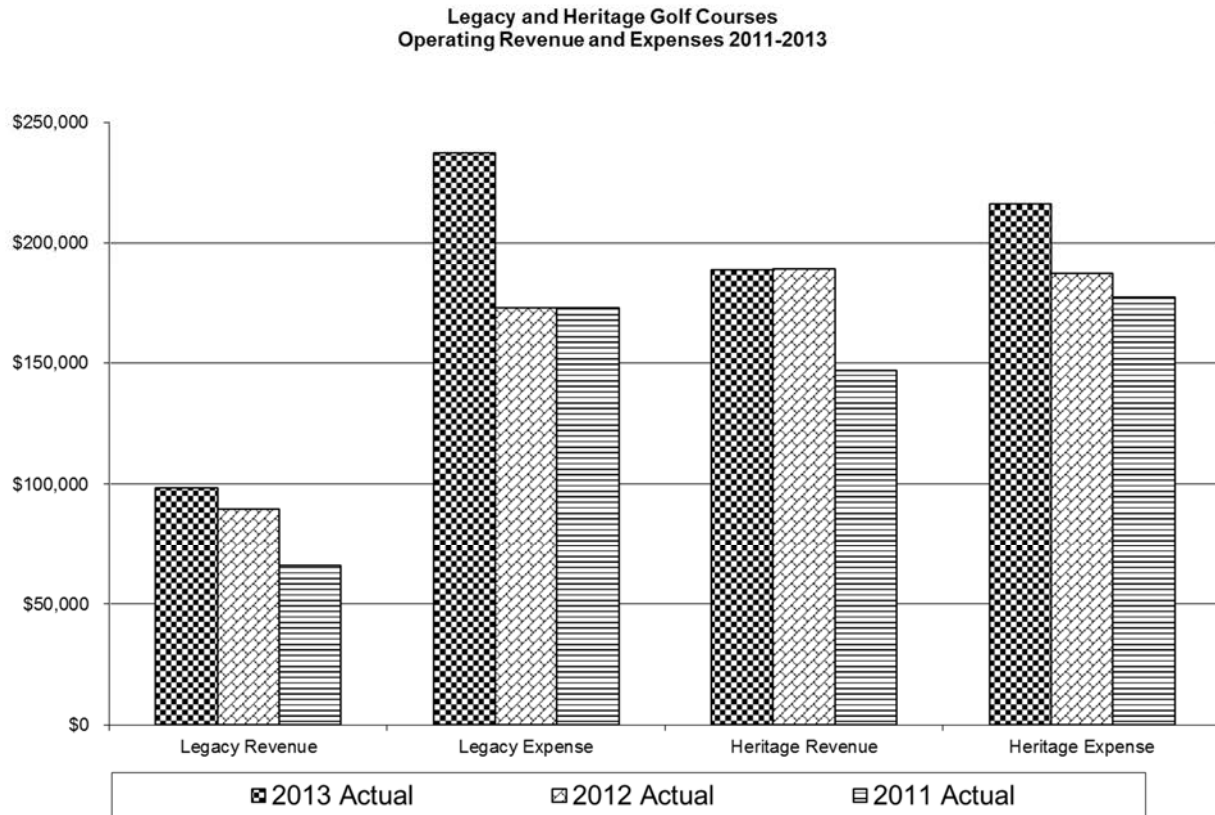


The budget to actual revenue variance reflects green fees, a very successful marketing strategy at the golf expo and expenditure variance reflects a timing difference in lease payments that resulted from the 2012 refinancing of the 2007 golf course equipment lease.



The budget to actual expenditure variance in Legacy reflects differences in the timing of lease payments in 2013 compared to the 10-year prorated budget trend.

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



The effects of the 2007 golf course equipment lease refinancing are seen again in the golf course expenditure variances. The early payoff of the 2009 golf course equipment lease also contributes to the expenditure variance in both Legacy and Heritage.

This financial report supports City Council’s Strategic Plan Goal of Financially Sustainable City Government Providing Exceptional Services by communicating timely information on the results of City operations and to assist with critical decision making.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Financial Statements
- Shopping Center Report

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	%
General Fund						
Revenues						
Taxes	5,729,500	239,617		301,895	62,278	126.0%
Licenses & Permits	1,619,750	248,394		221,552	(26,842)	89.2%
Intergovernmental Revenue	5,030,446	306,047		394,141	88,094	128.8%
Charges for Services						
Recreation Services	6,710,438	958,509		869,967	(88,542)	90.8%
Other Services	9,878,856	1,466,269		1,180,680	(285,589)	80.5%
Fines	2,260,000	344,949		295,300	(49,649)	85.6%
Interest Income	125,000	4,699		10,320	5,621	219.6%
Miscellaneous	1,655,506	34,354		66,278	31,924	192.9%
Leases	401,779	66,545		66,545	0	100.0%
Interfund Transfers	64,049,819	10,674,970		10,674,970	0	100.0%
Total Revenues	97,461,094	14,344,353		14,081,648	(262,705)	98.2%
Expenditures						
City Council	254,094	32,212		20,476	(11,736)	63.6%
City Attorney's Office	1,256,450	189,368		203,419	14,051	107.4%
City Manager's Office	1,567,013	242,727		254,868	12,141	105.0%
Central Charges	25,508,631	3,667,642		3,712,102	44,460	101.2%
General Services	5,994,825	866,293		770,532	(95,761)	88.9%
Finance	2,110,661	313,134		308,042	(5,092)	98.4%
Police	21,330,429	3,377,035		3,527,445	150,410	104.5%
Fire Emergency Services	12,525,053	1,931,803		1,866,911	(64,892)	96.6%
Community Development	4,202,436	627,702		631,192	3,490	100.6%
Public Works & Utilities	8,039,149	478,108		526,106	47,998	110.0%
Parks, Recreation & Libraries	14,672,353	1,877,712		1,734,461	(143,251)	92.4%
Total Expenditures	97,461,094	13,603,736		13,555,554	(48,182)	99.6%
Revenues Over(Under)						
Expenditures	0	740,617		526,094	(214,523)	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Sales and Use Tax Fund						
Revenues						
Sales Tax						
Sales Tax Returns	47,601,952	8,664,680		8,952,555	287,875	103.3%
Sales Tx Audit Revenues	724,000	120,908		97,217	(23,691)	80.4%
S-T Rev. STX	<u>48,325,952</u>	<u>8,785,588</u>		<u>9,049,772</u>	<u>264,184</u>	103.0%
Use Tax						
Use Tax Returns	8,017,000	1,116,161		964,829	(151,332)	86.4%
Use Tax Audit Revenues	785,000	131,095		65,609	(65,486)	50.0%
S-T Rev. UTX	<u>8,802,000</u>	<u>1,247,256</u>		<u>1,030,438</u>	<u>(216,818)</u>	82.6%
Total STX and UTX	<u><u>57,127,952</u></u>	<u><u>10,032,844</u></u>		<u><u>10,080,210</u></u>	<u><u>47,366</u></u>	100.5%
Public Safety Tax						
PST Tax Returns	11,883,683	2,168,622		2,128,714	(39,908)	98.2%
PST Audit Revenues	308,500	51,520		32,553	(18,967)	63.2%
Total Rev. PST	<u>12,192,183</u>	<u>2,220,142</u>		<u>2,161,267</u>	<u>(58,875)</u>	97.3%
Interest Income	85,000	14,167		11,260	(2,907)	79.5%
Interfund Transfers	265,458	44,243		44,243	0	100.0%
Total Revenues	<u><u>69,670,593</u></u>	<u><u>12,311,396</u></u>		<u><u>12,296,980</u></u>	<u><u>(14,416)</u></u>	99.9%
Expenditures						
Central Charges	<u>69,670,593</u>	<u>11,611,766</u>		<u>11,611,766</u>	<u>0</u>	100.0%
Revenues Over(Under)						
Expenditures	<u><u>0</u></u>	<u><u>699,630</u></u>		<u><u>685,214</u></u>	<u><u>(14,416)</u></u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
POST Fund						
Revenues						
Sales & Use Tax	5,085,325	940,250		900,297	(39,953)	95.8%
Interest Income	10,000	1,670		2,683	1,013	160.7%
Miscellaneous	85,030	14,172		2,980	(11,192)	21.0%
Interfund Transfers	19,542	3,257		3,257	0	100.0%
Total Revenues	<u>5,199,897</u>	<u>959,349</u>		<u>909,217</u>	<u>(50,132)</u>	94.8%
Expenditures						
Central Charges	4,869,081	747,057		729,322	(17,735)	97.6%
Park Services	330,816	25,048		14,543	(10,505)	58.1%
	<u>5,199,897</u>	<u>772,105</u>		<u>743,865</u>	<u>(28,240)</u>	96.3%
Revenues Over(Under)						
Expenditures	<u>0</u>	<u>187,244</u>		<u>165,352</u>	<u>(21,892)</u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Water and Wastewater Funds - Combined						
Operating Revenues						
License & Permits	75,000	12,500		14,340	1,840	114.7%
Rates and Charges	45,315,766	5,065,726		5,121,358	55,632	101.1%
Miscellaneous	435,000	72,500		130,325	57,825	179.8%
Total Operating Revenues	<u>45,825,766</u>	<u>5,150,726</u>		<u>5,266,023</u>	<u>115,297</u>	102.2%
Operating Expenses						
Central Charges	6,032,672	1,005,445		1,045,182	39,737	104.0%
Finance	646,064	104,662		92,779	(11,883)	88.6%
Public Works & Utilities	21,378,120	1,959,768		1,809,320	(150,448)	92.3%
Parks, Recreation & Libraries	152,415	5,487		3,708	(1,779)	67.6%
Information Technology	2,868,928	467,635		386,310	(81,325)	82.6%
Total Operating Expenses	<u>31,078,199</u>	<u>3,542,997</u>		<u>3,337,299</u>	<u>(205,698)</u>	94.2%
Operating Income (Loss)	<u>14,747,567</u>	<u>1,607,729</u>		<u>1,928,724</u>	<u>320,995</u>	
Other Revenue and Expenses						
Tap Fees	4,560,000	438,120		273,549	(164,571)	62.4%
Interest Income	365,000	60,834		53,643	(7,191)	88.2%
Interfund Transfers	2,533,172	422,196		422,196	0	100.0%
Debt Service	(7,221,199)	0		0	0	
Total Other Revenue (Expenses)	<u>236,973</u>	<u>921,150</u>		<u>749,388</u>	<u>(171,762)</u>	
Increase (Decrease) in Net Assets	<u>14,984,540</u>	<u>2,528,879</u>		<u>2,678,112</u>	<u>149,233</u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Water Fund						
Operating Revenues						
License & Permits	75,000	12,500		14,340	1,840	114.7%
Rates and Charges	32,100,766	2,863,226		2,909,876	46,650	101.6%
Miscellaneous	425,000	70,833		129,300	58,467	182.5%
Total Operating Revenues	<u>32,600,766</u>	<u>2,946,559</u>		<u>3,053,516</u>	<u>106,957</u>	103.6%
Operating Expenses						
Central Charges	4,253,473	708,912		736,782	27,870	103.9%
Finance	646,064	104,662		92,779	(11,883)	88.6%
Public Works & Utilities	14,419,655	1,381,463		1,365,016	(16,447)	98.8%
PR&L Standley Lake	152,415	5,487		3,708	(1,779)	67.6%
Information Technology	2,868,928	467,635		386,310	(81,325)	82.6%
Total Operating Expenses	<u>22,340,535</u>	<u>2,668,159</u>		<u>2,584,595</u>	<u>(83,564)</u>	96.9%
Operating Income (Loss)	<u>10,260,231</u>	<u>278,400</u>		<u>468,921</u>	<u>190,521</u>	
Other Revenue and Expenses						
Tap Fees	3,500,000	330,000		246,577	(83,423)	74.7%
Interest Income	250,000	41,667		37,760	(3,907)	90.6%
Interfund Transfers	2,097,065	349,511		349,511	0	100.0%
Debt Service	(5,714,756)	0		0	0	
Total Other Revenues (Expenses)	<u>132,309</u>	<u>721,178</u>		<u>633,848</u>	<u>(87,330)</u>	
Increase (Decrease) in Net Assets	<u>10,392,540</u>	<u>999,578</u>		<u>1,102,769</u>	<u>103,191</u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Wastewater Fund						
Operating Revenues						
Rates and Charges	13,215,000	2,202,500		2,211,482	8,982	100.4%
Miscellaneous	10,000	1,667		1,025	(642)	61.5%
Total Operating Revenues	<u>13,225,000</u>	<u>2,204,167</u>		<u>2,212,507</u>	<u>8,340</u>	100.4%
Operating Expenses						
Central Charges	1,779,199	296,533		308,400	11,867	104.0%
Public Works & Utilities	6,958,465	578,305		444,304	(134,001)	76.8%
Total Operating Expenses	<u>8,737,664</u>	<u>874,838</u>		<u>752,704</u>	<u>(122,134)</u>	86.0%
Operating Income (Loss)	<u>4,487,336</u>	<u>1,329,329</u>		<u>1,459,803</u>	<u>130,474</u>	
Other Revenue and Expenses						
Tap Fees	1,060,000	108,120		26,972	(81,148)	24.9%
Interest Income	115,000	19,167		15,883	(3,284)	82.9%
Interfund Transfers	436,107	72,685		72,685	0	100.0%
Debt Service	(1,506,443)	0		0	0	
Total Other Revenues (Expenses)	<u>104,664</u>	<u>199,972</u>		<u>115,540</u>	<u>(84,432)</u>	
Increase (Decrease) in Net Assets	<u>4,592,000</u>	<u>1,529,301</u>		<u>1,575,343</u>	<u>46,042</u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Storm Drainage Fund						
Revenues						
Charges for Services	2,082,000	347,000		335,457	(11,543)	96.7%
Interest Income	50,000	8,333		7,260	(1,073)	87.1%
Miscellaneous	0	0		14	14	
Total Revenues	<u>2,132,000</u>	<u>355,333</u>		<u>342,731</u>	<u>(12,602)</u>	96.5%
Expenses						
General Services	86,200	2,758		2,799	41	101.5%
Community Development	174,090	25,939		25,752	(187)	99.3%
PR&L Park Services	200,000	9,800		6,700	(3,100)	68.4%
Public Works & Utilities	322,710	14,522		7,728	(6,794)	53.2%
Total Expenses	<u>783,000</u>	<u>53,019</u>		<u>42,979</u>	<u>(10,040)</u>	81.1%
Increase (Decrease) in Net Assets	<u>1,349,000</u>	<u>302,314</u>		<u>299,752</u>	<u>(2,562)</u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Golf Course Funds - Combined						
Operating Revenues						
Charges for Services	2,967,608	123,852		189,131	65,279	152.7%
Interest Income	0	0		631	631	
Interfund Transfers	582,143	97,024		97,024	0	100.0%
Total Revenues	<u>3,549,751</u>	<u>220,876</u>		<u>286,786</u>	<u>65,910</u>	<u>129.8%</u>
Operating Expenses						
Central Charges	217,435	36,890		35,772	(1,118)	97.0%
Recreation Facilities	3,816,599	390,640		418,007	27,367	107.0%
Total Expenses	<u>4,034,034</u>	<u>427,530</u>		<u>453,779</u>	<u>26,249</u>	<u>106.1%</u>
Operating Income (Loss)	(484,283)	(206,654)		(166,993)	39,661	80.8%
Other Revenues and Expenses						
Other Financing Sources	484,283	0		0	0	
Increase (Decrease) in Net Assets	<u>0</u>	<u>(206,654)</u>		<u>(166,993)</u>	<u>39,661</u>	<u>80.8%</u>

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Legacy Ridge Fund						
Operating Revenues						
Charges for Services	1,582,258	60,126		95,944	35,818	159.6%
Interest Income	0	0		631	631	
Interfund Transfers	10,372	1,729		1,729	0	100.0%
Total Revenues	<u>1,592,630</u>	<u>61,855</u>		<u>98,304</u>	<u>36,449</u>	158.9%
Operating Expenses						
Central Charges	113,659	19,663		17,277	(2,386)	87.9%
Recreation Facilities	1,721,113	178,996		220,232	41,236	123.0%
Total Expenses	<u>1,834,772</u>	<u>198,659</u>		<u>237,509</u>	<u>38,850</u>	119.6%
Operating Income (Loss)	(242,142)	(136,804)		(139,205)	(2,401)	101.8%
Other Revenue/Expense						
Other Financing Sources	<u>242,142</u>	<u>0</u>		<u>0</u>	<u>0</u>	
Increase (Decrease) in Net Assets	<u><u>0</u></u>	<u><u>(136,804)</u></u>		<u><u>(139,205)</u></u>	<u><u>(2,401)</u></u>	

**City of Westminster
Financial Report
For Two Months Ending February 28, 2013**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Heritage at Westmoor Fund						
Operating Revenues						
Charges for Services	1,385,350	63,726		93,187	29,461	146.2%
Interfund Transfers	571,771	95,295		95,295	0	100.0%
Total Revenues	<u>1,957,121</u>	<u>159,021</u>		<u>188,482</u>	<u>29,461</u>	118.5%
Operating Expenses						
Central Charges	103,776	17,227		18,495	1,268	107.4%
Recreation Facilities	2,095,486	211,644		197,775	(13,869)	93.4%
Total Expenses	<u>2,199,262</u>	<u>228,871</u>		<u>216,270</u>	<u>(12,601)</u>	94.5%
Operating Income	(242,141)	(69,850)		(27,788)	42,062	39.8%
Other Revenues and Expenses						
Other Financing Sources	<u>242,141</u>	<u>0</u>		<u>0</u>	<u>0</u>	
Increase (Decrease) in Net Assets	<u><u>0</u></u>	<u><u>(69,850)</u></u>		<u><u>(27,788)</u></u>	<u><u>42,062</u></u>	

CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MONTH OF FEBRUARY 2013

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	366,719	13,985	380,704	273,939	23,258	297,197	34	-40	28
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	280,895	818	281,713	292,134	675	292,809	-4	21	-4
SHOPS AT WALNUT CREEK 104TH & REED TARGET	234,217	1,572	235,790	183,817	1,072	184,888	27	47	28
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	208,351	265	208,616	210,997	539	211,536	-1	-51	-1
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	159,334	721	160,055	170,235	210	170,445	-6	244	-6
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	134,872	16,273	151,146	108,311	14,158	122,468	25	15	23
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	147,979	726	148,705	134,910	946	135,856	10	-23	9
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	142,844	302	143,146	140,160	407	140,567	2	-26	2
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	134,982	591	135,573	103,688	680	104,368	30	-13	30
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	100,089	5,014	105,103	96,514	389	96,902	4	1189	8
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	89,601	320	89,921	71,403	260	71,662	25	23	25
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	85,850	925	86,775	144,475	545	145,021	-41	70	-40
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	57,876	257	58,133	53,402	2,991	56,393	8	-91	3
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	55,721	190	55,911	54,804	99	54,903	2	92	2
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	51,764	963	52,727	49,615	1,303	50,918	4	-26	4

CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MONTH OF FEBRUARY 2013

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
GREEN ACRES NORTH SIDE 112TH SHER-FED CONOCO/FRCC	48,080	0	48,080	46,901	0	46,901	3	*****	3
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	43,390	778	44,168	42,843	272	43,114	1	186	2
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	43,623	248	43,871	45,080	127	45,207	-3	95	-3
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	43,120	62	43,182	47,506	2,644	50,150	-9	-98	-14
WESTMINSTER MALL 88TH & SHERIDAN JC PENNEY	42,061	825	42,886	58,750	799	59,549	-28	3	-28
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	9,034	24,662	33,696	7,458	36,892	44,350	21	-33	-24
WILLOW RUN 128TH & ZUNI SAFEWAY	29,755	106	29,861	31,358	271	31,629	-5	-61	-6
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	25,841	183	26,024	24,530	130	24,660	5	42	6
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	20,835	3,674	24,508	23,479	35	23,513	-11	10530	4
COUNTRYDALE BUSINESS PARK S SIDE 108TH & WADSWORTH BALL CORPORATION	49	23,529	23,578	51	124,922	124,972	-3	-81	-81
	2,556,884	96,989	2,653,873	2,416,357	213,621	2,629,978	6	-55	1

CITY OF WESTMINSTER
 GENERAL RECEIPTS BY CENTER
 FEBRUARY 2013 YEAR-TO-DATE

Center Location Major Tenant	/----- YTD 2013 -----/			/----- YTD 2012 -----/			/--- %Change ---/		
	Sales	General Use	General Total	Sales	General Use	General Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	1,065,952	37,101	1,103,052	906,442	38,997	945,439	18	-5	17
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	775,316	2,532	777,848	790,591	2,293	792,884	-2	10	-2
SHOPS AT WALNUT CREEK 104TH & REED TARGET	596,276	3,837	600,113	506,845	2,411	509,256	18	59	18
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	473,973	1,201	475,174	450,071	828	450,899	5	45	5
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	405,730	3,179	408,909	413,217	1,303	414,520	-2	144	-1
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	402,780	2,651	405,430	358,983	2,999	361,982	12	-12	12
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	364,405	883	365,288	349,888	1,124	351,012	4	-21	4
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	349,110	1,911	351,021	305,324	2,379	307,702	14	-20	14
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	328,454	4,068	332,522	383,844	2,308	386,152	-14	76	-14
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	316,108	37,569	353,677	272,982	31,998	304,980	16	17	16
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	276,582	5,548	282,130	274,979	2,415	277,394	1	130	2
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	227,857	562	228,419	204,371	803	205,173	11	-30	11
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	172,147	602	172,749	179,524	3,334	182,858	-4	-82	-6
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	130,232	417	130,649	125,430	399	125,829	4	5	4
WESTMINSTER MALL 88TH & SHERIDAN JC PENNEY	120,813	1,845	122,659	215,453	2,530	217,983	-44	-27	-44

CITY OF WESTMINSTER
 GENERAL RECEIPTS BY CENTER
 FEBRUARY 2013 YEAR-TO-DATE

Center Location Major Tenant	/----- YTD 2013 -----/	General Sales	General Use	Total	/----- YTD 2012 -----/	General Sales	General Use	Total	Sales	Use	Total	%Change
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	108,086	1,429	109,514	104,268	1,565	105,833	4	-9	3			
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	100,854	197	101,052	102,272	2,766	105,038	-1	-93	-4			
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	94,940	2,342	97,282	83,596	1,257	84,854	14	86	15			
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	91,091	481	91,573	90,914	307	91,221	0	56	0			
WILLOW RUN 128TH & ZUNI SAFEWAY	64,259	343	64,602	66,831	1,332	68,163	-4	-74	-5			
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	56,563	3,916	60,479	61,031	320	61,352	-7	1122	-1			
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	54,298	1,057	55,355	46,200	1,630	47,830	18	-35	16			
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	52,272	1,116	53,387	47,327	2,728	50,055	10	-59	7			
GREEN ACRES NORTH SIDE 112TH SHER-FED CONOCO/FRCC	50,872	475	51,347	49,474	72	49,546	3	560	4			
MEADOW POINTE NE CRN 92ND & OLD WADS CARRABAS	46,122	62	46,184	51,243	121	51,363	-10	-48	-10			
	6,725,090	115,324	6,840,415	6,441,101	108,218	6,549,319	4	7	4			



Agenda Memorandum

City Council Meeting
March 25, 2012



SUBJECT: Pressure Zone 4 Emergency Valve Replacement
Prepared By: Tom Settle, Acting Utilities Operations Manager
Robert Booze, Distribution & Collection Systems Superintendent

Recommended City Council Action

Based on the report and recommendation of the City Manager, determine that the public interest will be best served by ratifying the expenditure in the amount of \$88,066 to Aslan Construction, Inc. for emergency pipe repairs and replacement of distribution system valves.

Summary Statement

- Over the past 12 months, Staff coordinated necessary repairs to the Silo Pump Station. This effort involved detailed planning between several City departments and divisions, including Utilities Planning and Engineering, Utilities Operations, Public Information Office, and Public Safety.
- Several special precautions and procedures were developed and implemented to maintain the safety of the City’s drinking water during and following the pump station repairs.
- During four detailed rehearsals of the project execution, it was determined that some distribution valves along West 90th Avenue were no longer functional and required near-term replacement in order to facilitate the planned pump station repairs.
- Rapid coordination of City permits, traffic control, and valve replacements were necessary to maintain the ability to complete the pump station project successfully.
- Staff retained Aslan Construction to implement this work because their crews were already scheduled for work in the area and could accomplish the work quickly and in coordination with the planned pump station project. Work was completed the nights of February 12th and 15th.
- Funds were authorized in the 2013 Open Cut Water Line Replacement account for unanticipated repairs and are sufficient to cover these expenses. No new funds are requested at this time.

Expenditure Required: \$88,066

Source of Funds: Utility Fund – Open Cut Water Line Replacement CIP account

Policy Issue

Should Council approve and ratify expenditures with Aslan Construction, Inc., for unanticipated repairs to the distribution system piping and valves?

Alternatives

1. Council could decline to approve and ratify these expenditures. This is not recommended since the work was necessary and the timing was critical to work planned at the Silo Pump Station.
2. Council could choose to reject and renegotiate the amount of the expenditures with Aslan Construction, Inc. This is not recommended because their scope and costs were competitive.

Background Information

Pressure Zone 4 of the water distribution system services approximately 580-acres of residential and commercial properties. Residents and businesses in Pressure Zone 4 are located in the Kings Mill, Standley Lake and Trailside subdivisions located just east of Standley Lake. For the past 12 months, Staff planned critical repairs to the sole pump station (i.e., Silo Pump Station) necessary to sustain reliable uninterrupted operations to Pressure Zone 4 and its 3,000 residents and businesses. This project was especially critical because this area has no potable water storage, secondary booster pump station, or adjoining pressure zones able to sustain serviceable water pressures to all of its customers.

A key challenge of the pump station project was one of limiting service interruptions to City customers while replacing the pump station piping systems that deliver water through the pump station to City customers. As such, multiple detailed rehearsals of the project execution were conducted before the construction occurred to provide the contractor and City staff with the ability to complete the project seamlessly. During these rehearsals, it was determined that some distribution valves in the area along West 90th Avenue were no longer functional and required near-term replacement to facilitate the planned pump station repairs. Staff coordinated the repair of these valves with Aslan Construction, Inc., the same contractor mobilized to the area and retained for the pump station project. Aslan was able to assist the City with the unanticipated distribution system repairs in a timely manner and were able to successfully coordinate those repairs to facilitate the schedule of the pump station project. Their work involved pipeline repairs, valve replacements and all labor and restoration work at a combined value of \$88,066.

2013 funds were authorized by City Council in the Open Cut Water Line Replacement capital improvement account to fund unanticipated water line and valve repairs. No new funds are requested at this time.

Zone 4 pipeline repairs and valve replacements help achieve the City Council's Strategic Plan goals of "Financially Sustainable City Government Providing Exceptional Services" and "Vibrant Neighborhoods In One Livable Community" by contributing to the objectives of well-maintained City infrastructure and facilities. With the piping system repaired, residents will continue to receive reliable water services with reduced risk of future system failures.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Excess Workers' Compensation Insurance Purchase

Prepared By: Martee Erichson, Risk Manager

Recommended City Council Action

Authorize the City Manager to purchase Workers' Compensation Excess Insurance for \$79,681 from Midwest Employers Casualty Company.

Summary Statement

- City Council is requested to authorize the City Manager to purchase the 2013/2014 annual excess workers' compensation insurance coverage effective April 1, 2013.
- The City annually purchases specific stop loss insurance to cover catastrophic on-the-job employee injuries that would exceed the City's self-insured funds. This insurance is purchased through a broker, IMA of Colorado, Inc., who has recommended purchase of the coverage from the Midwest Employers Casualty Company. The recommended quote from IMA for coverage through March 31, 2014, is \$79,681.
- For 2012/2013, the cost of coverage through Midwest Employers Casualty Company was \$78,491 including broker commission. For 2013/2014, with no change in policy coverage, but an increase in the City's self-insured retention (SIR) limit to \$500,000, the quote of \$79,681 includes an increase in premium of \$1,190 (1.5%). There was no change in the flat broker fee of \$9,500 that is included in the total 2013/2014 quote.
- Adequate funds for this purchase were approved by City Council in the 2013 Workers' Compensation Self Insurance Fund budget.

Expenditure Required: \$79,681

Source of Funds: Workers' Compensation Self Insurance Fund

Policy Issue

Should the City continue to self-insure its workers' compensation coverage and purchase excess insurance to cover potential catastrophic claims?

Alternatives

1. City Council could choose to take on a lower self-insured retention (SIR) of \$450,000 per claim for a premium of \$88,172. This alternative is not recommended. The current insurance market is demanding self-insured employers take on higher retention limits. Although Midwest was able to provide the City with a quote for a \$450,000 SIR, it is merely delaying the inevitable. In addition, a five year analysis of the City's claims history showed that there is no benefit to the City having a retention limit of \$450,000 rather than \$500,000 since there are no claims that came near either limit. Staff recommends that we take on the higher retention of \$500,000 now and save the additional \$8,491 in premium costs.
2. City Council could conclude excess insurance policy coverage is not necessary and consider fully insuring the City's Workers' Compensation Insurance Program. This alternative is not recommended due to the almost certain increase in claim costs to the City that would counteract the savings in insurance premium.

Background Information

The City currently self-insures the first \$350,000 of each workers' compensation claim with an additional corridor deductible of \$100,000. This high retention type of program allows for more control over claims handling and payment, reaping immediate rewards from the City's loss control and safety programs. By self-insuring, the City also avoids some increases in premiums that continue to affect the governmental entity insurance market.

In 2006, the City added an annual corridor deductible of \$100,000 to the self-insured program. This deductible would have been payable by the City if any claims exceeded the City's retention limit but would have been aggregate on all claims. Once the first \$100,000 over \$350,000 was paid, it would have been satisfied for the year and the excess carrier would have picked up dollar one over \$350,000. This corridor deductible option was eliminated in all the quotes received for the 2013/2014 program. Workers' compensation insurers nationwide are looking to self-insured employers to take on higher retention limits per claim.

In 2007, HB07-1008 passed creating a presumption that cancer in a firefighter with a career of five or more years is work related and covered under the Workers' Compensation program. This presumption increases the City's risk of a claim exceeding the self-insured retention limit and emphasizes the importance of the excess insurance coverage need. In addition, this year the Colorado legislature may be asked to consider several new laws that could drastically effect the amount employers pay on workers' compensation claims.

In mid-February 2013, Risk Management completed and submitted the City's annual application for excess workers' compensation coverage to insurance broker IMA of Colorado, Inc. IMA then sought proposals on the open insurance market and received responses from only two carriers. In their renewal proposal, IMA recommended Midwest Employers Casualty Company's proposal that includes an increase in premium of \$1,190 (1.5%) over last year's coverage.

Safety National Casualty Company also submitted a quote with a minimum self-insured retention of \$500,000 per claim for a premium of \$101,472. Staff agrees with IMA's proposal of using Midwest again this year for cost savings and because:

- The relationship with one carrier benefits the City's coverage cost quotes. The City has been with Midwest for eight years, they know the Risk Management Staff, the City's safety programs and loss history well enough to quote insurance costs more appropriate to the City's program.
- The Midwest policy includes a blanket waiver of subrogation. This means that they permit the City to relinquish any rights the City might have to collect from another party for damages when it is required by contract.
- The Midwest policy does not include a commutation clause that many policies have. Commutation is the right of a carrier to value an open claim after the policy expires and pay that amount to the insured, thereby releasing the carrier from any further liability for the claim.
- The Midwest policy includes a Cash Flow Endorsement that, in the case of a catastrophic claim, would allow the City to spread its payments out over time with the excess carrier assisting with cash advances.
- The Midwest Company offers the City several loss control resources such as on-line training and best practice seminars and benchmarking reports that Staff has found very helpful over the last seven years.

Given the current market for insuring workers' compensation for police and fire personnel continues to decrease and the fact higher increases are being seen in this line of coverage industry wide, Staff is pleased with the renewal terms.

By purchasing excess workers' compensation insurance to cover potential catastrophic employee injuries, City Council implements protections that maintain sufficient reserves in the self-insurance fund supporting their Strategic Plan goal of a Financially Sustainable City Government Providing Exceptional Services.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 D

Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: 2013 Golf Courses' Cumulative Purchases Over \$50,000

Prepared By: Peggy Boccard, Recreation Services Manager
Lance Johnson, Golf Course Superintendent

Recommended City Council Action

Based on the recommendation of the City Manager, determine that the public interest will be best served by awarding contracts and approve 2013 expenditures to the following vendors: Titleist not to exceed \$70,000, Nike U.S.A. Golf Division not to exceed \$70,000, and Oakley not to exceed \$75,000.

Summary Statement

- These purchases are for routine commodities that are provided for sale at the City's two golf course pro shops and driving ranges.
- The Westminster Municipal Code requires that all purchases over \$50,000 be brought to City Council for authorization. Staff has taken a conservative approach in interpreting this requirement to include transactions where the cumulative total purchases of similar commodities or services from one vendor in a calendar year exceeds \$50,000.
- Adequate funds were appropriated in the 2013 Budget and are available in the Golf Course Funds for the purchases.

Expenditure Required: Not to exceed \$215,000

Source of Funds: Golf Course Fund Operating Budget

Policy Issue

Should Council approve the purchase of golf course commodities from the recommended vendors that total over \$50,000 for 2013?

Alternative

Do not approve the purchases as recommended. While it could be argued that each transaction represents a separate purchase, City Staff believes that a more conservative and prudent approach is to treat the cumulative smaller transactions as larger purchases making them subject to Council approval.

Background Information

Staff has identified all three vendors, Titleist, Nike and Oakley, as potentially having aggregate amounts exceeding \$50,000 by the end of 2013. Funds are available in the appropriate budgets for these expenditures. These products are ordered directly from the manufacturer. They are the sole source and cannot be purchased from any other entity. Based on the quantity of purchases with all three vendors, the golf shops receive the best pricing available based upon the scope/size of the City's golf shops.

The details of these purchases are as follows:

- The City anticipates expenses not to exceed \$70,000 from Titleist for both of the City's golf courses combined. The City purchases high-quality Pinnacle Range Balls (Legacy Ridge) from Titleist and merchandise for resale including 40% of the golf gloves; golf balls (Pro-v, Pro-v 1x, NXT, NXT Tour and Pinnacle); and a limited number of clubs for stock in the golf shop (woods, wedges, putters). Most irons, drivers, fairway woods, and hybrid purchases are done on a special-order basis with Staff providing the customer with a custom club fit. Titleist is the number one golf ball in the market and is the number one-selling golf ball and second highest sold merchandise in the City's golf shops. Titleist also provides the best quality range balls at a comparable price to other vendors.
- The City anticipates expenses from Nike USA Golf Division not to exceed \$70,000. The golf courses also purchase Nike USA Golf Division merchandise for resale including golf balls (Mojo, Nike One Platinum and Nike One Black); 60% of the shoe inventory, clothing and a limited number of clubs and special-order all iron sets. In 2013, Staff will purchase approximately 50% of the golf shop's clothing line for resale from Nike USA Golf Division (shirts, jackets, wind shirts, socks). Nike is the golf courses' top-selling merchandise line.
- The City anticipates expenses from Oakley not to exceed \$75,000. The golf courses also purchase Oakley merchandise for resale including 30% of the shoe inventory at Legacy Ridge and 100% at The Heritage at Westmoor, clothing and sunglasses and special-order clothing, shoes, and sunglasses. In 2013, Staff will purchase approximately 40% of the golf shops' clothing line for resale from Oakley (shirts, jackets, wind shirts, socks, and sunglasses). Oakley is the number one sunglass manufacturer in the golf industry and is the number three top product sold in the City's golf shops.

These purchases support City Council's Strategic Plan Goal of "Financially Sustainable City Government Providing Exceptional Services."

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 E

Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Shoenberg Farm Milk House Stabilization Contract with the State Historical Fund

Prepared By: Tony Chacon, Senior Projects Coordinator

Recommended City Council Action

Authorize the City Manager to sign a contract, in substantially the same form as attached, with the State of Colorado Historical Fund in the amount of \$169,704 for the Shoenberg Farm Milk House stabilization and preservation project.

Summary Statement

- The City has applied for and has been awarded a grant in the amount of \$169,704 from the State Historical Fund for the stabilization of the Shoenberg Farm milk house, which is located at 5202 W. 73rd Avenue.
- As a condition of accepting the grant award, the City is required to contribute a 30% cash match of up to \$73,000.
- The cash match is included in the adopted 2013 CIP budget.
- To regulate the use and accounting of the funds, the State of Colorado Historical Fund requires the City to enter into a contractual agreement before funds will be disbursed.

Expenditure Required: \$242,704

Source of Funds: \$169,704 – State Historical Fund
\$ 73,000 – General Capital Improvement Fund
- Shoenberg Farm Restoration Project

Policy Issue

Should City Council authorize the City Manager to sign the contract with the State of Colorado Historical Fund, accepting the historic preservation grant award for the purpose of stabilizing the structural integrity of the historic Shoenberg Farm milk house building?

Alternative

Do not enter into the contract with the State of Colorado and accept the grant award. Staff does not recommend this alternative as no other funding is available to stabilize the structural integrity of the Shoenberg Farm milk house building.

Background Information

The State Historical Fund (SHF) is offering a contract for City consideration that would provide \$169,704 in grant proceeds for the stabilization and preservation of the Shoenberg Farm milk house (see Attachment A). Should the City agree to enter into contract (Attachment B) with the SHF, the City will be required to contribute a cash match of up to \$73,000. The grant and cash match were based on cost estimates developed in mid-2011. Upon execution of the contract, the SHF funds will be made available to the City to proceed with construction and the City would proceed with the bidding process. Construction plans for the project were completed in September 2010. The project would begin in May/June, 2013, with completion anticipated by about September, 2013.

The grant proceeds will be used towards the first phase of rehabilitation of the milk house, which will stabilize the foundation and repair the exterior brick walls, particularly on the south end of the building. Stabilization of the foundation will require subsurface boring to install helical piers, jacking displaced footings to a level condition, reconstruction of the southern brick wall, and mortar repair between bricks as needed. The balance of needed exterior improvements such as doors, windows, roof, gables are not funded. The remaining exterior improvements are estimated at about \$50,000 to \$70,000. Staff is proposing to submit an application for an SHF mini-grant of \$35,000 in April, 2013, to assist in finishing the exterior improvements.

The State Historical Fund has thus far awarded \$1,088,623 in grants (including this grant award) for Shoenberg Farm and the Westminster Legacy Foundation has provided grants totaling \$12,000. This grant will permit the City to continue with improvements that will eventually make the property more functional and viable for reuse.

This grant supports the City Council's goal of a Financially Sustainable City Government Providing Exceptional Services by providing revenues to support defined city services and service levels as a mature city and the goal of supporting Vibrant Neighborhoods in One Livable Community by preserving and restoring historic assets.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment A - Milk House Location Map
Attachment B - Contract with SHF

Attachment A

Milk House Location



Milk House

..... City Ownership



ATTACHMENT B

Form _____ (R 5/98)

Department or Agency Name	History Colorado, the Colorado Historical Society
Department or Agency Number	GCA
Routing Number	APPROVED WAIVER FORM #37-E/ESMT

CONTRACT #2013-01-029

THIS CONTRACT, Made this _____ day of _____, _____, by and between the State of Colorado for the use and benefit of the Department of Higher Education, History Colorado, the Colorado Historical Society, 1200 Broadway, Denver, Colorado 80203, hereinafter referred to as the State and/or History Colorado, and the City of Westminster, 4800 West 92nd Avenue, Westminster, Colorado 80031, hereinafter referred to as the "Contractor",

WHEREAS, authority exists in the Law and Funds have been budgeted, appropriated and otherwise made available and a sufficient uncommitted balance thereof remains available for encumbering and subsequent payment of this Contract under Encumbrance Number _____ in Fund Number 401, Appropriation Account 401 and Organization SHFG; and

WHEREAS, required approval, clearance and coordination has been accomplished from and with appropriate agencies; and

WHEREAS, Article 12-47.1-1201 of the Colorado Revised Statutes and Subsection (5) (b) (III) of Section 9 of Article XVIII of the state constitution, provide for the annual distribution of monies from the State Historical Fund; and

WHEREAS, the Contractor is eligible in accordance with law to receive a State Historical Fund preservation grant award for acquisition and development projects with cumulative grant awards of \$50,000 and over; and

WHEREAS, this Contract (hereinafter "Contract" or "Agreement") sets forth the Scope of Work, Budget and List of Submittals, hereinafter referred to as the "Project"; and

WHEREAS, the Contractor is a public entity and the owner in fee simple of certain real property in Jefferson County, Colorado, which property has been listed in a listing of local landmarks as the Dudley C. Shoenberg Memorial Farm-Shoenberg Farm-Milk and Ice House located at 5202 West 73rd Avenue, Westminster, Colorado, hereinafter referred to as the "Property," and which Property is more particularly described as follows:

Lot 14A, Shoenberg Farms Comm. Ctr, 6th P.M., T. 2 S., R. 69 W., E/2 SE/4 SE/4 Sec. 36, Westminster, Colorado

NOW THEREFORE, it is hereby agreed that:

1. The Contractor shall use funds subject to this Contract in support of Project #2013-01-029 "Exterior Restoration" in accordance with the *Scope of Work* attached hereto as Exhibit A, including all applicable plans and specifications developed prior to or during the contract period, which are hereby made a part of this Contract by reference.
2. APPLICABLE STANDARDS: The Contractor agrees that it will perform the activities and produce the deliverables listed in Exhibit C in accordance with the pertinent sections of the applicable Secretary of the Interior's *Standards for Archaeology and Historic Preservation*. Contractor shall perform any and all survey activities and submittals in accordance with the Survey Manual and How to Complete Colorado Cultural Resource Inventory Forms, Volumes I and II, June 1998 (Revised December 2001) for any and all survey activities and projects (copies of which are available through History Colorado).
3. RIGHT OF USE: All copyrightable materials and/or submittals developed or produced under this contract are subject to a royalty-free, nonexclusive, and irrevocable license to History Colorado to reproduce, publish, display, perform, prepare derivative works or otherwise use, and authorize others to reproduce, publish, display, perform, prepare derivative works, or otherwise use, the work or works for History Colorado and/or State Historical Fund purposes.
4. CONTRACT EFFECTIVE DATE: The term of this Contract shall be from April 15, 2013 through April 15, 2015.

The performance of the work must be commenced within sixty (60) days of the Contract beginning date unless a longer period is approved in writing by the State Historical Fund Administrator. The performance of the work *must* be completed no later than thirty (30) days prior to the Contract ending date.

5. COMPENSATION AND METHOD OF PAYMENT: In consideration of the project described in Exhibit A and subject to on time delivery of completion of the milestones contained in the *List of Submittals* set forth in Exhibit C, the State shall pay to the Contractor a grant not to exceed one hundred seventy-two thousand seven hundred four dollars (\$172,704.00).

Unless otherwise specified in Exhibit C, the State shall advance forty-percent (40%) of the total grant amount, less Easement costs if applicable, upon proper execution of this contract and upon submission of a SHF Payment Request, fifty-percent (50%) will be paid to the Contractor upon submission and approval of the Interim SHF Financial Report. The remaining ten-percent (10%) of the grant amount shall be paid following Contractor's submission and the State's approval of the Final SHF Financial Report and SHF Payment Request Form (Attachments 1 and 2). All payments are subject to the satisfactory completion of milestones described in Exhibit C and submission by Contractor of either documented proof or certification of expenditures with each financial report.

Expenditures incurred by the Contractor prior to execution of this Contract are not eligible expenditures for State reimbursement. If the Project involves matching funds the SHF may allow prior expenditures in furtherance of the *Scope of Work* to be counted as part of such matching funds.

6. EASEMENT: If required, in the sole discretion of the State, the provisions in the following paragraph are hereby incorporated into this agreement:

Easement Required: Yes No

_____ Initials/State

_____ Initials/Grantee

_____ Initials/Property Owner

- a. Grantee shall place or cause to be placed on the property title a perpetual easement, which easement shall be transferred to an organization qualified to hold easements of this kind under Section 170(h)(3) of the Internal Revenue Code and Internal Revenue Service Regulations, Section 1.170A-14(c).
- b. The easement shall, at a minimum, prohibit any alteration of the premises, which would affect the exterior appearance of the property unless first authorized by the easement holding organization with appropriate exceptions to permit routine maintenance. Other necessary language shall protect the interests of the easement holding organization in the event of damage to the property, and shall further require that the easement be transferred to a similar organization in the event that the selected organization becomes unable for any reason to perform its obligations pursuant to the easement agreement.
- c. Grantee agrees that the easement form and any associated costs shall be subject to the approval of the State.
- d. Subsequent to its transfer, this easement shall remain in place in accordance with the terms of the easement agreement, and no action taken by the State to recapture all or any portion of the grant award pursuant to paragraph 19 shall affect the status of the easement.
7. ACCOUNTING: At all times from the effective date of this Contract until completion of this Project, the Contractor shall maintain properly segregated books of State funds, matching funds, and other funds associated with this Project. All receipts and expenditures associated with said Project shall be documented in a detailed and specific manner, and shall accord with the Budget set forth in Exhibit B. Contractor may adjust budgeted expenditure amounts up to ten percent (10%) within said Budget without approval of the State and document the adjustments in the next financial report. Adjustments of budget expenditure amounts in excess of ten percent (10%) must be authorized by the State. In no event shall the State's total financial obligation exceed the amount shown in Paragraph 5 above. Interest earned on funds advanced by the State shall be applied to eligible project expenditures, and will be deducted from the final payment.
8. AUDIT: The State or its authorized representative shall have the right to inspect, examine, and audit Contractor's records, books, and accounts, including the right to hire an independent Certified Public Accountant of the State's choosing and at the State's expense to do so. Such discretionary audit may be called for at any time and for any reason from the effective date of this Contract until three (3) years after the date final payment for this Project is received by the Contractor provided that the audit is performed at a time convenient to the Contractor and during regular business hours.
9. PARTIES RELATIONSHIP: CONTRACTOR IS A GRANTEE AND NOT AN EMPLOYEE OR AGENT OF THE STATE. CONTRACTOR SHALL HAVE NO AUTHORITY, EXPRESS OR IMPLIED, TO BIND THE STATE TO ANY AGREEMENTS OR UNDERSTANDINGS WITHOUT THE EXPRESS WRITTEN CONSENT OF THE STATE. THE CONTRACTOR REPRESENTS THAT IT HAS OR SHALL SECURE AT ITS OWN EXPENSE ALL PERSONNEL BY THE CONTRACTOR UNDER THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING WORKMEN'S COMPENSATION COVERAGE AND UNEMPLOYMENT COMPENSATION COVERAGE FOR ALL OF ITS EMPLOYEES TO THE EXTENT REQUIRED BY LAW, AND FOR ENSURING THAT ALL SUBCONTRACTORS MAINTAIN SUCH INSURANCE. CONTRACTOR SHALL PAY WHEN DUE ALL REQUIRED EMPLOYMENT TAXES AND INCOME TAX WITHHOLDING. ALL OF THE SERVICES REQUIRED HEREUNDER SHALL BE PERFORMED BY THE CONTRACTOR OR UNDER ITS SUPERVISION.
10. REPRESENTATIVES AND NOTICES: All notices required to be given by the parties hereunder shall be given by certified or registered mail to the individuals at the addresses set forth below, who are also the designated representatives for the project. Any party may from time to time designate in writing substitute addresses or persons to whom such notices shall be sent.

To the State:

Steve W. Turner
Vice President OAHF and SHF/Deputy SHPO
History Colorado, the Colorado Historical Society
1200 Broadway
Denver, Colorado 80203

To the Contractor:

Mr. Tony Chacon
Senior Projects Coordinator
City of Westminster
4800 West 92nd Avenue
Westminster, Colorado 80031

11. **ADA COMPLIANCE:** The Contractor assures the State that at all times during the performance of this contract no qualified individual with a disability shall, by reason of such disability, be excluded from participation in, or denied benefits of the service, programs, or activities performed by the Contractor, or be subjected to any discrimination by the Contractor upon which assurance the State relies. Further, all real property improvements shall conform to applicable ADA requirements.
12. **DISSEMINATION OF ARCHAEOLOGICAL SITE LOCATIONS:** Contractor agrees to provide History Colorado with copies of any archaeological surveys developed during the course of, or under a project financed either wholly or in part by History Colorado. Contractor agrees to otherwise restrict access to such archaeological surveys, as well as access to any other information concerning the nature and location of archaeological resources, in strict accordance with the provisions of History Colorado-the Colorado Historical Society, Office of Archaeology and Historic Preservation, Dissemination of Cultural Resource; Policy and Procedures, adopted October 1991 (Revised Nov. 2002), a copy of which is available from History Colorado.
13. **REPORTS:** Contractor shall deliver project progress reports to the State every six (6) months during the project which document the progress of the Project, and *SHF Financial Reports* (Attachment 1) as described and at the times in the *List of Submittals* (Exhibit C).
14. **MATCHING FUNDS:** Contractor agrees to make available the necessary funds to complete the Project and provide matching funds, if applicable, in accordance with the Project Budget as set forth in Exhibit B. In the event that said matching funds become unavailable, the State may, in its sole discretion, reduce its total funding commitment to the Project in proportion to the reduction in matching funds.

If the total funding set forth in the Project Budget is not expended on completion of the Project, the State may reduce its pro-rata share of the unexpended budget.

15. **CONSULTANTS/SITE VISITS:** The State may:
 - a. Review any project planning documents and methods for conformity with the applicable standards, manuals, and guidelines;
 - b. Make site visits as determined necessary by the State before, during and/or at the conclusion of the Project to provide on-site technical advice and to monitor progress.

Any exercise of the State's rights under this Paragraph 15 shall not relieve the Contractor of any of its Contract obligations.

16. **PUBLIC ACKNOWLEDGMENT OF FUNDING SOURCE:** In all publications and similar materials funded under this Contract, a credit line shall be included that reads: "This project is/was paid for in part by a State Historical Fund grant from History Colorado, the Colorado Historical Society." In addition, History Colorado reserves the right to require that the following sentence be included in any publication or similar material funded through this program: "The contents and opinions contained herein do not necessarily reflect the views or policies of History Colorado, the Colorado Historical Society".
17. **PRESERVATION OF PROPERTY:** The Contractor hereby agrees to the following for a period of twenty (20) years commencing on the date of this Agreement.
 - a. Without the express written permission of History Colorado, no construction, alteration, movement, relocation or remodeling or any other activity shall be undertaken or permitted to be undertaken on the Property which would alter the architectural appearance of the Property, adversely affect the structural soundness of the Property, or encroach on the open land area on the Property; provided, however, that the reconstruction, repair, or restoration of the Property, damage to which has resulted from casualty loss, deterioration, or wear and tear, shall be permitted subject to the prior written approval of History Colorado, provided that such reconstruction, repair, or restoration is performed according to the Secretary of the Interior's Standards for the Treatment of Historic Properties and the Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, issued and as may from time to time be amended by the U.S. Secretary of the Interior, hereinafter collectively referred to as the "Standards". In all events, the Contractor further agrees at all times to maintain the Property in a good and sound state of repair and to maintain the Property according to the Standards so as to prevent deterioration of the Property.
 - b. In the event of severe damage or total destruction to the Property (defined, for the purpose of this Agreement, as sudden damage or loss caused by fire, earthquake, inclement weather, acts of the public enemy, riot or other similar casualty) not due to the fault of the Contractor this Agreement shall terminate as of the date of such damage or destruction.
 - c. History Colorado, or a duly appointed representative of History Colorado, shall be permitted to inspect the Property at all

reasonable times in order to ascertain if the above conditions are being observed.

- d. Within sixty (60) days prior to completion of this Contract, Contractor covenants and agrees that History Colorado will record this Contract with the County clerk and recorder for the county in which the property is located. Contractor further covenants and agrees that this Contract will constitute a binding covenant that will run with the land.
 - e. To the extent authorized by law, the Contractor shall indemnify, save, and hold harmless the State, its employees and agents, against any and all claims, damages, liability and court awards, including costs, expenses, and attorneys fees incurred as a result of any act or omission by the property owner, or its employees, agents, subcontractors, or assignees pursuant to the terms of this contract.
 - f. The provisions of this Paragraph 17 will cease to be effective upon the conveyance of an approved easement if such is required pursuant to Paragraph 6 above.
18. REMEDIES: In addition to any other remedies provided for in this contract, and without limiting its remedies otherwise available at law, the State may exercise the following remedial actions if the Contractor substantially fails to satisfy or perform the duties and obligation in this Contract. Substantial failure to satisfy the duties and obligations shall be defined to mean significant, insufficient, incorrect, or improper performance, activities, or inaction by the Contractor. These remedial actions are as follows:
- a. Suspend the Contractor's performance pending necessary corrective action as specified by the State without Contractor's entitlement to adjustment in price/cost or schedule; and/or
 - b. Withhold payment to Contractor until the necessary services or corrections in performance are satisfactorily completed in accordance with the *Standards*, the SHP Grants Manual and/or the terms and conditions of this Contract; and/or
 - c. Request the removal from work on the contract of employees or agents of the Contractor whom the State justifies as being incompetent, careless, insubordinate, unsuitable, or otherwise unacceptable, or whose continued employment on the contract the State deems to be contrary to the public interest or not in the best interest of the State; and/or
 - d. Deny payment for those services or obligations which have not been performed and which due to circumstances caused by the Contractor cannot be performed, or if performed would be of no value to the State. Denial of the amount of payment must be reasonably related to the value of work or performance lost to the State; and/or
 - e. Declare all or part of the work ineligible for reimbursement; and/or
 - f. In the event of a violation of this Agreement, and in addition to any remedy now or hereafter provided by law, History Colorado may, following reasonable notice to the Contractor institute suit to enjoin said violation or to require the restoration of the Property to its condition at the time of this Agreement or condition at the time of the most recent satisfactory inspection by History Colorado. History Colorado shall be entitled to recover all costs or expenses incurred in connection with such a suit, including all court costs and attorney's fees.
 - g. Terminate the contract for default.
19. CUMULATIVE EFFECT: The above remedies are cumulative and the State, in its sole discretion, may exercise any or all of them individually or simultaneously.
20. TERMINATION OF CONTRACT FOR DEFAULT: If, through any cause, the Contractor shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if the Contractor shall violate any of the covenants, agreements, or stipulations of this Contract, the State shall, in addition to other remedies, thereupon have the right to terminate this Contract for default by giving written notice to the Contractor of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. In that event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, products, submittals, and reports or other material prepared by the Contractor under this Contract shall, at the option of the State, become its property, and the Contractor shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.
- Notwithstanding the above, Contractor shall not be relieved of liability to the State for any damages sustained by the State by virtue of any breach of the Contract by the Contractor, and the State may withhold any payments to the Contractor for the purpose of setoff until such time as the exact amount of damages due the State from the Contractor are determined.
21. TERMINATION BY STATE: The State may terminate this Contract at any time the State determines that the purposes of the distribution of State monies under the Contract would no longer be served by completion of the Project. The State shall effect such termination by giving written notice of termination to the Contractor and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination. In that event, all finished or unfinished documents and other materials paid for with State funds shall, at the option of the State, become its property. If the Contract is terminated by the State as provided herein, the Contractor will be paid an amount which bears the same ratio to the total compensation as the services actually performed bear to the total services of the Contractor covered by this Contract, less payments of compensation previously made. Provided, however, that if less than sixty percent (60%) of the project covered by this Contract has been completed upon the effective date of such termination, the Contractor shall be reimbursed (in addition to the above payment) for that portion of the actual out-of-pocket expenses (not otherwise reimbursed under this Contract) incurred by the Contractor during the Contract period which are directly attributable to the uncompleted portion of the project covered by this Contract. If this Contract is terminated due to the fault of the Contractor, Paragraph 20 hereof relative to termination shall apply.

22. **CHANGES:** This Contract is intended as the complete integration of all understandings between the parties, at this time, and no prior or contemporaneous addition, deletion, or other amendment hereto, including an increase or decrease in the amount of monies to be paid to the Contractor, shall have any force or effect whatsoever, unless embodied in a written contract amendment incorporating such changes executed and approved pursuant to the State's Fiscal Rules. Notwithstanding this provision, modifications to Exhibit A (Scope of Work) and/or to Exhibit C (List of Submittals) may be approved by letter of agreement, agreed to in writing by all parties, providing that no such letter of agreement may alter either the total amount of funds payable under the contract, as set forth in Paragraph 5, or the contract period, as set forth in Paragraph 4, unless such changes are embodied in a written contract amendment executed and approved pursuant to the State's Fiscal Rules.
23. **CONFLICT OF INTEREST:** Contractor agrees not to engage in any conduct, activity, or transaction related to this contract which would constitute a conflict of interest under any applicable State or Federal law.
24. **COMPLIANCE WITH APPLICABLE LAWS:** At all times during the performance of this Contract, the Contractor shall strictly adhere to all applicable Federal and State laws that have been or may hereafter be established.
25. **SEVERABILITY:** To the extent that this Contract may be executed and performance of the obligations of the parties may be accomplished within the intent of the Contract, the terms of this Contract are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof. The waiver of any breach of a term hereof shall not be construed as waiver of any other term.
26. **BINDING ON SUCCESSORS:** Except as herein otherwise provided, this Contract shall inure to the benefit of and be binding upon the parties, or any subcontractors hereto, and their respective successors and assigns.
27. **ASSIGNMENT:** No party, nor any subcontractors hereto, may assign its rights or duties under this Contract without the prior written consent of the other parties.
28. **SURVIVAL OF CERTAIN CONTRACT TERMS:** Notwithstanding anything herein to the contrary, the parties understand and agree that all terms and conditions of this contract and the exhibits and attachments hereto which may require continued performance of compliance beyond the termination date of the contract shall survive such termination date and shall be enforceable by the State as provided herein in the event of such failure to perform or comply by the Contractor or its subcontractors.
29. **BOND REQUIREMENT:** If this contract involves the payment of more than fifty thousand dollars for the construction, erection, repair, maintenance, or improvement of any building, road, bridge, viaduct, tunnel, excavation or other public work for this State, the Contractor shall, before entering upon the performance of any such work included in this contract, duly execute and deliver to the State official who will sign the contract, a good and sufficient bond or other acceptable surety to be approved by said official in a penal sum not less than one-half of the total amount payable by the terms of this contract. Such bond shall be duly executed by a qualified corporate surety conditioned upon the faithful performance of the contract and in addition, shall provide that if the Contractor or his subcontractors fail to duly pay for any labor, materials, team hire, sustenance, provisions, provender or other supplies used or consumed by such Contractor or his subcontractor in performance of the work contracted to be done or fails to pay any person who supplies rental machinery, tools, or equipment in the prosecution of the work the surety will pay the same in an amount not exceeding the sum specified in the bond, together with interest at the rate of eight per cent per annum. Unless such bond is executed, delivered and filed, no claim in favor of the Contractor arising under such contract shall be audited, allowed or paid. A certified or cashier's check or a bank money order payable to the Treasurer of the State of Colorado may be accepted in lieu of a bond. This provision is in compliance with CRS 38-26-106.
30. **CORA DISCLOSURE:** To the extent not prohibited by federal law, this Contract and the performance measures and standards under CRS §24-103.5-101, if any, are subject to public release through the Colorado Open Records Act, CRS §24-72-101, et seq.
31. **STATEWIDE CONTRACT MANAGEMENT SYSTEM:** If the maximum amount payable to Grantee under this Grant is \$100,000 or greater, either on the Effective Date or at anytime thereafter, this §31 applies.

Grantee agrees to be governed, and to abide, by the provisions of CRS §24-102-205, §24-102-206, §24-103-601, §24-103.5-101 and §24-105-102 concerning the monitoring of vendor performance on state contracts and inclusion of contract performance information in a statewide Contract Management System.

Grantee's performance shall be subject to Evaluation and Review in accordance with the terms and conditions of this Grant, State law, including CRS §24-103.5-101, and State fiscal rules, policies and guidance. Evaluation and Review of Grantee's performance shall be part of the normal Grant administration process and Grantee's performance will be systematically recorded in the statewide Contract Management System. Areas of Evaluation and Review shall include, but shall not be limited to quality, cost and timeliness. Collection of information relevant to the performance of Grantee's obligations under this Grant shall be determined by the specific requirements of such obligations and shall include factors tailored to match the requirements of Grantee's obligations. Such performance information shall be entered into the statewide Contract Management System at intervals established herein and a final Evaluation, Review and rating shall be rendered within 30 days of the end of the Grant term. Grantee shall be notified following each performance Evaluation and Review, and shall address or correct any identified problem in a timely manner and maintain work progress.

Should the final performance Evaluation and Review determine that Grantee demonstrated a gross failure to meet the performance measures established hereunder, the Executive Director of the Colorado Department of Personnel and Administration (Executive Director), upon request by CHS, and showing of good cause, may debar Grantee and prohibit Grantee from bidding on future grants. Grantee may contest the final Evaluation, Review and rating by: (a) filing rebuttal statements, which may result in either removal or correction of the evaluation (CRS §24-105-102(6)), or (b) under CRS §24-105-102(6), exercising the debarment protest and appeal rights provided in CRS §§24-109-106, 107, 201 or 202, which may result in the reversal of the debarment and reinstatement of Grantee, by the Executive Director, upon showing of good cause.

SPECIAL PROVISIONS

(The Special Provisions apply to all contracts except where noted in italics.)

1. **CONTROLLER'S APPROVAL.** CRS 24-30-202 (1).
This contract shall not be valid until it has been approved by the Colorado State Controller or designee.
2. **FUND AVAILABILITY.** CRS 24-30-202(5.5).
Financial obligations of the State payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.
3. **GOVERNMENTAL IMMUNITY.**
No term or condition of this contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, of the Colorado Governmental Immunity Act, CRS 24-10-101 et seq., or the Federal Tort Claims Act, 28 U.S.C. 1346(b) and 2671 et seq., as applicable now or hereafter amended.
4. **INDEPENDENT CONTRACTOR.**
Contractor shall perform its duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the State. Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Contractor or a third party. Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this contract. Contractor shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. Contractor shall (a) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (b) provide proof thereof when requested by the State, and (c) be solely responsible for its acts and those of its employees and agents.
5. **COMPLIANCE WITH LAW.**
Contractor shall strictly comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.
6. **CHOICE OF LAW.**
Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. Any provision incorporated herein by reference which purports to negate this or any other Special Provision in whole or in part shall not be valid or enforceable or available in any action at law, whether by way of complaint, defense, or otherwise. Any provision rendered null and void by the operation of this provision shall not invalidate the remainder of this contract, to the extent capable of execution.
7. **BINDING ARBITRATION PROHIBITED.**
The State of Colorado does not agree to binding arbitration by any extra-judicial body or person. Any provision to the contrary in this contract or incorporated herein by reference shall be null and void.
8. **SOFTWARE PIRACY PROHIBITION.** Governor's Executive Order D 002 00.
State or other public funds payable under this contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Contractor hereby certifies and warrants that, during the term of this contract and any extensions, Contractor has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Contractor is in violation of this provision, the State may exercise any remedy available at law or in equity or under this contract, including, without limitation, immediate termination of this contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.
9. **EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST.** CRS 24-18-201 and 24-50-507.
The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this contract. Contractor has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Contractor's services and Contractor shall not employ any person having such known interests.
10. **VENDOR OFFSET.** CRS 24-30-202 (1) and 24-30-202.4. *[Not Applicable to intergovernmental contracts]*
Subject to CRS 24-30-202.4 (3.5), the State Controller may withhold payment under the State's vendor offset intercept system for debts owed to State agencies for: (a) unpaid child support debts or child support arrearages; (b) unpaid balances of tax, accrued interest, or other charges specified in CRS 39-21-101, et seq.; (c) unpaid loans due to the Student Loan Division of the Department of Higher Education; (d) amounts required to be paid to the Unemployment Compensation Fund; and (e) other unpaid debts owing to the State as a result of final agency determination or judicial action.
11. **PUBLIC CONTRACTS FOR SERVICES.** CRS 8-17.5-101. *[Not Applicable to agreements relating to the offer, issuance, or sale of securities, investment advisory services or fund management services, sponsored projects, intergovernmental agreements, or information technology services or products and services]*
Contractor certifies, warrants, and agrees that it does not knowingly employ or contract with an illegal alien who will perform work under this contract and will confirm the employment eligibility of all employees who are newly hired for employment in the United States to perform work under this contract, through participation in the E-Verify Program or the Department program established pursuant to CRS 8-17.5-102(5)(c). Contractor shall not knowingly employ or contract with an illegal alien to perform work under this contract or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract. Contractor (a) shall not use E-Verify Program or Department program procedures to undertake pre-employment screening of job applicants while this contract is being performed, (b) shall notify the subcontractor and the contracting State agency within three days if Contractor has actual knowledge that a subcontractor is employing or contracting with an illegal alien for work under this contract, (c) shall terminate the subcontract if a subcontractor does not stop employing or contracting with the illegal alien within three days of receiving the notice, and (d) shall comply with reasonable requests made in the course of an investigation, undertaken pursuant to CRS 8-17.5-102(5), by the Colorado Department of Labor and Employment. If Contractor participates in the Department program, Contractor shall deliver to the contracting State agency, Institution of Higher Education or political subdivision a written, notarized affirmation, affirming that Contractor has examined the legal work status of such employee, and shall comply with all of the other requirements of the Department program. If Contractor fails to comply with any requirement of this provision or CRS 8-17.5-101 et seq., the contracting State agency, institution of higher education or political subdivision may terminate this contract for breach and, if so terminated, Contractor shall be liable for damages.
12. **PUBLIC CONTRACTS WITH NATURAL PERSONS.** CRS 24-76.5-101. Contractor, if a natural person eighteen (18) years of age or older, hereby swears and affirms under penalty of perjury that he or she (a) is a citizen or otherwise lawfully present in the United States pursuant to federal law, (b) shall comply with the provisions of CRS 24-76.5-101 et seq., and (c) has produced one form of identification required by CRS 24-76.5-103 prior to the effective date of this contract.

CONTRACT SIGNATURE PAGE

THE PARTIES HERETO HAVE EXECUTED THIS CONTRACT

*Persons signing for Contractor hereby swear and affirm that they are authorized to act on Contractor's behalf and acknowledge that the State is relying on their representations to that effect.

CONTRACTOR:
(Grant Recipient)

STATE OF COLORADO
John W. Hickenlooper, GOVERNOR

City of Westminster

Legal Name of Contracting Entry

BY: _____
Executive Director or Designee
Edward C. Nichols, President

History Colorado, the Colorado Historical Society

Date: _____

Department of Higher Education

STATE HISTORICAL FUND

*Signature of Authorized Officer

BY: _____
Director or Designee
Steve W. Turner, Vice President OAHIP & SHIP/Deputy SHPO

Date: _____

WAIVER CONTRACT REVIEWER

BY: _____
Contracts Officer or Designee
Susan Frawley, State Historical Fund

Date: _____

ALL CONTRACTS MUST BE APPROVED BY THE STATE CONTROLLER

CRS 24-30-202 requires that the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performances or for any goods and/or services provided hereunder.

STATE CONTROLLER
David J. McDermott, CPA

BY: _____
Joseph Bell
CHS, Vice President Finance, Facilities & Regional
Museums

Date: _____

Revised, February 15, 2012
\\chs-db\gifts\Document\01105705.doc
Approval/Easement Contract E

SCOPE OF WORK

- I. **Project Purpose:** The purpose of this project is the exterior restoration of the Schoenberg Farm Milk and Ice House in Westminster, Colorado.
- II. **A. Preservation Tasks:**
 1. Prepare site for foundation repairs
 - i. Excavate and backfill for helical piers and foundation
 - ii. Excavate to install forms for voids
 2. Break existing foundation to prepare for helical pier installation
 - i. Concrete break and haul as required or foundation and masonry repair
 - ii. Remove debris
 - iii. Cut/core concrete
 3. Abate lead-based paint as needed to complete repairs within the scope of work
 4. Repair foundation using concrete and helical piers
 - i. Install 38 helical piers as per plans
 - ii. Perform chipping and dry pack work at existing footings
 - iii. Re-pour concrete at exterior and interior repairs
 - iv. Install structural steel angle irons and channel at footings as per sheet S1.0
 5. Repair masonry walls
 - i. Replace bricks per plans
 - ii. Remove loose mortar and non-historic mortar
 - iii. Reset bricks where needed
 - iv. Repoint bricks with mortar
 - v. Epoxy repairs as needed
 6. Provide rough carpentry shoring to stabilize buildings during foundation and masonry repair
 7. Provide temporary roofing repairs, gutters and downspouts to protect foundation during repairs
- B. Architectural, Engineering and Archaeological Services:**
 1. Provide architectural and structural engineering construction administration and maintenance plan
 2. Archaeological monitoring of ground disturbance
 3. Concrete testing, geotechnical observation, mortar analysis

In accordance with Section 12-47.1-12-1 C.R.S. (1999) The Limited Gaming Act which authorizes the Colorado Historical Society to administer the State Historical Fund as a statewide grants program.

PROJECT BUDGET

TASK	AMOUNT
A. Preservation Tasks:	
1. Prepare site for foundation repairs	\$19,009
2. Break existing foundation to prepare for helical pier installation	\$19,507
3. Abate lead-based paint as needed to complete repairs within the scope of work	\$250
4. Repair foundation using concrete and helical piers	\$71,092
5. Repair masonry walls	\$27,649
6. Provide rough carpentry shoring to stabilize buildings	\$1,560
7. Provide temporary roofing repairs, gutters and downspouts	\$3,300
<i>Subtotal A: Preservation Tasks</i>	<i>\$142,367</i>
B. Architectural, Engineering and Archaeological Services	\$12,085
C. Performance Bond, General Conditions, Contractor's Fee	
1. General Conditions and Bonds (22% of A)	\$31,347
2. Contractor's Fee (18% of A)	\$25,894
D. Project Management (4% of A, B, C)	\$8,372
E. Grant Administration (<1% of A, B, C) *	\$1,200
<i>Project Subtotal **</i>	<i>\$ 221,265</i>
<i>Contingency †</i>	<i>\$21,169</i>
PROJECT TOTAL	\$ 242,434
Grant Request (70 %)	\$169,704
Cash Match (30 %)	\$72,730
‡Easement Update Fee	\$3,000
Easement Total	\$3,000
Grant Award Totals with Easement Update Fees	\$172,704

* Grant Administration cannot exceed 15% of *Subtotal* amount

** Grant payments will be based off *Project Subtotal* amount. Total payments will be Grant Award percentage of *Project Subtotal* up to a maximum of the Grant Award Amount.

†Contingency - Must receive written approval from SHF Staff prior to use

‡Easement Fees – This item may not be used on other tasks and may not exceed budgeted amount

Travel must be within SHF/State allowable rates (\$.51/mile – mileage, \$100/night – Hotel, \$46/day – Per Diem)

LIST OF SUBMITTALS

Project Reports		
<u>Project Reports</u>	<u>Due Date</u>	<u>Society Response</u>
a. Payment Request Form (Attachment 1). Deliverables #1 – 3 below must be reviewed and approved before Advance payment is made.	N/A	Advance payment of grant award \$46,466.
b. Progress Report # 1	June 1, 2013	Review*
c. Progress Report # 2	August 1, 2013	Review*
d. Progress Report # 3	October 1, 2013	Review*
e. Progress Report # 4	December 1, 2013	Review*
f. 1 st Interim Financial Report (Attachment 1). Deliverables #4 - 11 below must be reviewed and approved before 1 st Interim payment is made.	December 15, 2013 **	Review & Approve. 1 st Interim payment of grant award \$46,466. †
g. Progress Report # 5	February 1, 2014	Review*
h. Progress Report # 6	April 1, 2014	Review*
i. Progress Report # 7	June 1, 2014	Review*
j. 2 nd Interim Financial Report (Attachment 1). Deliverables # 12 below must be reviewed and approved before 2 nd Interim payment is made.	July 15, 2014 **	Review & Approve. 2 nd Interim payment of grant award \$46,466. †
k. Progress Report # 8	August 1, 2014	Review*
l. Progress Report # 9	October 1, 2014	Review*
m. Progress Report # 10	December 1, 2014	Review*
n. Progress Report # 11	February 1, 2015	Review*
o. Payment Request Form. Invoice for Easement Update Fee. Deliverable #18 below must be reviewed and approved before Easement payment is made.	February 15, 2015	Review & Approve. Easement Update Fee Payment of \$3,000.
p. Final Financial Report (Attachment 1)	February 15, 2015 ***	Review & Approve. Final payment of grant award \$15,488. †

*At the discretion of the SHF technical staff, progress reports may not receive a response.

** Interim financial report due date is a guideline. Please submit Interim financial report when 40% or more of advance has been expended and you are ready for the next payment.

† Payment may increase due to approval of contingency funds.

*** Final Payment is a reimbursement ONLY after all contractors have been paid.

Project period ends on April 15, 2015. All deliverables due on or before this date.

PROJECT DELIVERABLES

Submit the following Project Deliverables. Deliverables #1- 10 must be reviewed and approved by SHF before commencement of treatments (construction).

Project Deliverables

Society Response

- | | |
|---|-------------------------------|
| 1. Initial Consultation with SHF Historic Preservation Specialist within 60 days of contract start date | Review/Comment and or Approve |
| 2. Before/existing condition photos of all areas affected by Scope of Work | Review/Comment and or Approve |
| 3. Historical photos/documentation of areas to be treated | Review/Comment and or Approve |
| 4. Subcontract Certification: Architect | Review/Comment and or Approve |
| 5. Subcontract Certification: Engineer | Review/Comment and or Approve |
| 6. Subcontract Certification: Archaeologist | Review/Comment and or Approve |
| 7. Construction Documents/Plans and Specifications | Review/Comment and or Approve |
| 8. Materials Testing Analysis and Results | Review/Comment and or Approve |
| 9. Subcontract Certification: Contractor | Review/Comment and or Approve |
| 10. Pre-construction meeting with SHF Historic Preservation Specialist | Review/Comment and or Approve |
| 11. Easement Action Form | Review/Comment and or Approve |
| 12. Interim meeting with SHF Historic Preservation Specialist | Review/Comment and or Approve |
| 13. Draft Maintenance Plan | Review/Comment and or Approve |
| 14. Two Copies of Final Maintenance Plan | Review/Comment and or Approve |
| 15. After photographs of all areas affected by Scope of Work | Review/Comment and or Approve |
| 16. OAHIP Site/Archaeological Forms | Review/Comment and or Approve |
| 17. Copy of Archaeological Report | Review/Comment and or Approve |
| 18. Complete, Certified Copy of the Signed and Recorded Easement Update | Review/Comment and or Approve |

11:\Contracts\2013\1301029 Exhibit C.docx



Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Councillor's Bill No. 14 re 2012 4th Quarter Budget Supplemental Appropriation

Prepared By: Karen Barlow, Accountant

Recommended City Council Action

Pass Councillor's Bill No. 14 on first reading, providing for a supplemental appropriation of funds to the 2012 budget of the General, Water, Legacy Ridge, Heritage at Westmoor, Fleet Maintenance, General Capital Outlay Replacement (GCORF), Sales & Use Tax, Parks Open Space & Trails (POST), General Capital Improvement (GCIF), and Community Development Block Grant (CDBG) Funds.

Summary Statement

- At the end of each quarter, Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- General Fund amendments:
 - \$1,124,144 Lease Proceeds
 - \$439,173 Grant Proceeds
 - \$314,097 Permit & Conference Center Fees
 - \$172,522 Reimbursements
 - \$87,689 Program Revenue
 - \$2,539 Miscellaneous
- Water Fund amendments:
 - \$4,249 Interest Earnings
- Legacy Ridge Fund amendments:
 - \$132,222 Lease Proceeds
 - \$680 Reimbursements
 - (\$42,600) Transfer
- Heritage at Westmoor Fund amendments:
 - \$42,600 Transfer
- Fleet Fund amendments:
 - \$69,326 Transfers
 - \$61,696 Carryover

- General Capital Outlay Replacement Fund amendments:
 - \$929,366 Lease Proceeds
 - \$58,446 Grants
 - \$10,173 Reimbursements

- Sales & Use Tax Fund amendments:
 - \$3,560,337 Sales & Use Taxes

- Parks, Open Space & Trails Fund amendments:
 - \$11,039 Sales & Use Taxes
 - \$1,925 Transfers
 - \$710 Rent
 - \$416 Interest Earnings

- General Capital Improvement Fund amendments:
 - \$304,662 Accommodations Taxes
 - \$5,830 Transfers
 - \$1,925 Carryover

- Community Development Block Grant Fund amendments:
 - \$5,725 Rent
 - \$40 Interest Earnings

Expenditure Required: \$7,298,931

Source of Funds: The funding sources for these budgetary adjustments include lease proceeds, permit & conference center fees, reimbursements, grants, program revenue, miscellaneous, interest earnings, carryover, sales & use taxes, rent, accommodations taxes, and transfers.

Policy Issue

Does City Council support amending the appropriations for the 2012 budget of the General, Water, Legacy Ridge, Heritage at Westmoor, Fleet Maintenance, General Capital Outlay Replacement, Sales & Use Tax, Parks Open Space & Trails, General Capital Improvement, and Community Development Block Grant Funds as outlined?

Alternative

The alternative would be not to amend the 2012 budget appropriations for the General, Water, Legacy Ridge, Heritage at Westmoor, Fleet Maintenance, General Capital Outlay Replacement, Sales & Use Tax, Parks Open Space & Trails, General Capital Improvement, and Community Development Block Grant Funds and to utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred expenses and covered them with their current budget or planned projects in anticipation of appropriation of these additional funds.

Background Information

The attached Councillor's Bill is a routine action addressing the need to adjust revenue and expenditure appropriations as a result of activities or events that were not anticipated during the normal budget process.

The Police Department received \$75,187 from the Colorado Department of Public Safety for the Colorado Auto Theft Prevention Authority (CATPA). The grant reimburses the salary for a sworn Auto Theft Investigator to participate in the Metropolitan Auto Theft Task Force. The funds are being appropriated to the department's Salaries account.

The Police Department received \$45,962 from the 17th Judicial District Victim Assistance and Law Enforcement (VALE). The grant reimburses the salary for a Victim Advocate position working with the Municipal Court Fast Track Domestic Violence Program. The funds are being appropriated to the department's Salaries account.

The Police Department received \$21,617 from the 1st Judicial District VALE. The grant reimburses the salary for a Victim Advocate position working with the Municipal Court Fast Track Domestic Violence Program. The funds are being appropriated to the department's Salaries account.

The Police Department received \$24,700 from the Office of the President, Office of National Drug Control Policy. The grant reimburses the North Metro Task Force (NMTF) for the salary for a part-time Technical Services Coordinator. The funds are being appropriated to the department's Salaries account.

The Police Department received \$26,390 from the US Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG). This is partial funding for the Police Department's agency contribution to North Metro Task Force for their operations budget. The funds are being appropriated to the Police Department's Lease Payments-Investigative Section account.

The Police Department received \$13,394 from the North Metro Task Force High Intensity Drug Tracking Area (HIDTA) as reimbursement for overtime incurred by the department's Task Force members working on Federal HIDTA cases. The reimbursement from the Task Force was for overtime incurred from July through December 2012, and it is being appropriated to the department's Overtime account.

The Police Department received \$425 from the Adams County Victim and Witness Assistance & Law Enforcement Board. This is a training scholarship reimbursement for the VitalHearts Secondary Trauma Resiliency Training provided to the Victim Advocate staff. The reimbursement is being appropriated to the department's Career Development account.

The Police Department received \$1,000 from the Melinda Taylor Custodian for the Victim Assistance Fund and \$1,700 from the 1st Judicial District VALE. These reimbursements are for Colorado Victim Advocate (COVA) Scholarships for the 2012 COVA Conference. The reimbursements are being appropriated to the department's Career Development account.

The Police Department received \$500 from the Westminster Legacy Foundation. These funds were used for the department's 2012 Santa Cops Program to purchase gifts for underprivileged children residing in the City of Westminster. The grant is being appropriated to the department's Supplies account.

The Police and Fire Departments received \$59,072 from the Jefferson County Emergency Communications Authority Board for the Sprint air card (wireless data) charges associated with the mobile data computers (MDC's) that are utilized in the police and fire vehicles for access to the computer aided dispatch (CAD) and other mobile systems. The funds are being appropriated to the Police (\$41,360) and Fire department's (\$17,712) Telephone accounts.

The Police Department received \$1,835 from the Jefferson County Emergency Communications Authority Board (E911). This was reimbursement for training costs of the Denver 911 Critical Incident Training and the Intergraph Conference. The reimbursement is being appropriated to the department's Career Development account.

The Police Department received \$65,276 from the Jefferson County Emergency Communications Authority Board (E911). This was reimbursement for the CAD portion of the Intergraph Corporation software maintenance agreement and travel expenses for two department employees who attended the Intergraph/Hexagon Users Conference. The reimbursement is being appropriated to the department's Maintenance/Repair of Equipment and Career Development accounts.

The Police Department received \$13,622 from the State of Colorado Department of Transportation for their participation in the 2012 High Visibility Impaired Driving Enforcement (HVIDE) campaign. The grant reimburses overtime incurred by enforcement officers while working the Labor Day, Halloween, Fall Festival, Thanksgiving, and Holiday Party enforcement campaigns. The funds are being appropriated to the department's Overtime account.

The Police Department provides businesses located in the City of Westminster contractual police security for their businesses and special events. This police security is considered extra duty and the revenue received from this service reimburses the police department for the hours worked by the officers. In order to cover the extra duty overtime expense incurred year to date, the amount of \$73,700 is being appropriated to the department's Extra Duty Overtime account.

The Police Department hosts training classes for other agencies and organizations. The department exceeded its projection of the revenue it would collect from the classes by \$5,300, and this amount is being appropriated to the department's Career Development-Training account.

In 2011, City Council approved funding for the purchase of a Police Department negotiation command post to replace a unit that was nearly 25 years old. It was determined that a stand-alone trailer, with a dedicated tow vehicle, would be the best option. The dedicated tow vehicle was purchased in 2011 from the GCORF-PST account for a total of \$24,280. This left \$65,720 remaining in GCORF for the

acquisition of the trailer. Since the cost of the custom trailer unit cost more than the \$65,720 budgeted for the trailer, Staff worked with the E911 Authority Board for the additional funding. The Authority Board agreed to reimburse the costs associated with upsizing the generator and the associated power supply upgrades needed for dispatching. The total amount of the reimbursement agreed to was \$10,173 and the Authority Board reimbursement was received in December 2012. A supplemental appropriation is being requested to appropriate the funds to the GCORF-PST account.

The Fire Department received \$10,776 from the West Metro Fire Protection District on behalf of the Colorado Urban Search and Rescue Task Force One. This reimbursement is for overtime incurred by the Fire Department personnel while working the Lower North Fork fire, and the funds are being appropriated to the Salaries Overtime account.

The Fire Department received \$1,280 from the West Metro Fire Protection District on behalf of the Colorado Urban Search and Rescue Task Force One. This reimbursement is for annual physicals for team members that are required in order to participate in deployments and trainings. The funds are being appropriated to the Professional Services account.

The Fire Department received \$960 from the Windsor-Severance Fire Protection District. This grant is for Juvenile Fire Setter training and certification. The funds are being appropriated to the Career Development account.

The Fire Department received \$420 from Mile-High Regional Emergency Medical and Trauma Advisory Council to offset the cost of annual ambulance inspections. These funds are being appropriated to the Professional Services EMS account.

The Fire Department received \$231,598 from the State of Colorado Forest Service on behalf of the Wildland Team. These funds were received as reimbursement for Salary Overtime and expenses incurred during the Wildland Team deployment to the High Park, Third Water Springs, Pine Ridge, Horse Thief Canyon, Myrtle, Butte, Minadoka, BKF Command, Mob Center, Bear Gulch, Fairfield, Region 24 Complex, Move Up, and Mossagate fires in Colorado, South Dakota, Oregon, Idaho, Nebraska and Wyoming. The funds are being appropriated to the Salaries Overtime account, Supplies account, and as a transfer to GCORF. A transfer from the General Fund in the amount of \$58,446 is being appropriated to the Wildland Truck Replacement CIP in GCORF, which will assist with future wildland apparatus replacement.

The Fire Department received \$10,861 from the State of Colorado for the Emergency Management Program Grant (EMPG). This money will be used to continue developing a City of Westminster Emergency Plan and support exercises and training. These funds are being appropriated to the Contract Services (EM Grant) account.

The Fire Department received \$1,102 in class registration fees for conducting CPR training classes and \$1,200 for Safety Spirit Awards. These funds are being appropriated to the Supplies EMS account to replenish EMS supplies used during CPR classes.

Staff is recommending that \$19,300 be reallocated from the General Fund's Central Charges budget to the General Fund's Finance Department budget to cover regular salaries. Commencing in 2007, the City began budgeting for attrition savings in regular salaries in the General Fund as a means to help address a shortfall within the General Fund and to more closely align the budget with actual expenditures. Staff had not previously budgeted for attrition in projecting regular salaries for two primary reasons: 1) the City had maintained a very conservative approach to budgeting (assume 100% staffing and salary/merit increases for incumbents) and 2) the challenge of identifying where the attrition savings may be incurred.

For example, if the City Manager's Office has no turnover during one year but the Police Department does, the same may not be true the following year. This is the challenge in budgeting for attrition; no certainty exists for where the actual salary savings may occur in any given year. Since the 2007/2008 Budget, the City has budgeted for attrition by applying a flat percentage to all General Fund regular salaries' accounts. It has been noted each year that Staff may need to return with a clean-up budget resolution to move funds as necessary from one department to another based on where the actual attrition has occurred, since moving funds across departmental lines requires City Council's authorization. 2012 is the first year where savings in other non-regular salaries accounts were not sufficient to cover any overage in regular salaries in a given department due to the lack of turnover. In 2012, the Finance Department had minimal turnover and due to the practice of budgeting for attrition, the regular salaries accounts for the General Fund Finance Department exceeded budget by approximately \$31,420. However, due to savings in other accounts within the Department, only \$19,300 is being requested to be reallocated from the General Fund Central Charges budget savings to bring the total Finance Department budget into balance.

Staff is recommending that \$61,696 in carryover from the Fleet Maintenance Fund balance be appropriated to cover inventory transferred to Factory Motor Parts and sent to Auction due to obsolesced items, which resulted in a reduction in inventory and an increase in expenditures for parts. Inventory as of year-end was reduced by \$59,552 and Auction Revenue of \$2,144 was received allowing the appropriation of \$61,696 of fund balance to assist in the year-end inventory expenditures.

Staff is requesting a transfer of \$69,326 from the General Services Department of the General Fund to the Fleet Maintenance Fund to cover the additional inventory expense realized by a year-end inventory adjustment that could not be covered through the appropriation of fund balance.

General Services received \$2,539 from the State of Colorado for the City's drop-off recycling program. These funds are being appropriated to the department's Solid Waste Collection Customer Service account.

The Westminster Youth Scholarship Fund in the Parks and Recreation Department received \$6,387 from various community events in 2012, including the Holy COW Trail Stampede, Concerts in the Park, concessions at Special Events, and art shows. These funds are used to award scholarships for City-sponsored recreation programs to youth who could not otherwise afford to participate. The funds are being appropriated to the Special Promotions Youth Scholarship account.

The Parks, Recreation, and Libraries Department was reimbursed \$5,120 for auto accidents that resulted in tree damage. The funds are being requested for appropriation to the Tree Mitigation Program CIP account to be used for tree replacement and pruning.

Staff is requesting that transfers from GCIF to Legacy Ridge be reduced by \$42,600 and transfers from GCIF to Heritage at Westmoor be increased by \$42,600. The current Pay Plan reflects a 2.0 Full Time Equivalent (FTE) Golf Worker at Legacy Ridge and 1.0 FTE Golf Worker at Heritage Golf Courses. In reality, the Golf Worker assignments are reverse (i.e., 1.0 FTE at Legacy and 2.0 FTE at Heritage). They were charged to the correct expenditure accounts in the correct Golf Courses during 2012. However, the funds were not budgeted to match how the staffing is utilized. As such, this supplemental appropriation request is intended to appropriate the funds in the correct Golf Course to cover the actual expense incurred during 2012.

The Legacy Ridge Golf Course was reimbursed \$680 from a guest for damage to a tree. The funds are being requested for appropriation to the Landscape Supplies account to be used for tree replacement.

As an important element of economic development, the City sometimes utilizes Economic Development Agreements (EDAs) and Intergovernmental Agreements (IGAs) to attract and retain high quality development to provide employment opportunities and increased revenue for City service provisions. A portion of the new revenue generated from projects is utilized to fund these agreements. When issued, payments related to these agreements are recorded as a reduction to the appropriate revenue account, thereby reflecting only the net new revenue received on the City's financial statements. The Government Accounting Standards Board (GASB) requires the new revenues to be fully recorded as received, and the applicable rebate of revenues to be recorded as an expense. This housekeeping appropriation makes the appropriate changes to the City's budget to reflect this requirement as follows: \$3,560,337 in the Sales and Use Tax Fund to record the IGA with the City of Thornton for the North I-25 corridor and various other EDAs involving sales and use taxes; \$304,662 in the General Capital Improvement Fund (GCIF) to record various EDAs involving the Accommodations Tax; \$314,097 in the General Fund to record various EDAs involving building permit and conference center fees; and \$11,039 in the Parks, Open Space, and Trails Fund (POST) for various EDAs involving sales and use taxes; for a total increase of \$4,190,135 to City revenues and expenses.

On October 11, 2012, the City entered into a Master Lease agreement with J.P. Morgan Chase Bank to refinance eight capital leases currently held with other vendors. The new agreement reduced the interest rate paid to 1.39%, for a savings of nearly \$78,000, and did not extend the length of the maturity dates of the original lease terms. In order to properly reflect the receipt of the lease proceeds and the subsequent use of the proceeds on the City's books, the lease proceeds of \$2,185,732 are being appropriated to the Other Financing Use and Paying Agent Fees accounts in the General Fund, Legacy Ridge Fund, and GCORF.

CDBG contains \$40 in restricted funds from current-year interest earnings on Section 108 loan funds. CDBG also contains \$5,725 in restricted funds from current-year rent revenue received from the properties that were purchased for the Lowell Redevelopment project. The City's agreement with HUD restricts the use of these funds. Staff recommends that this amount of \$5,765 be appropriated to the CIP for the Lowell Redevelopment Project.

The Water Fund received interest payments throughout 2012 in the amount of \$4,249 on the Water 2010 Bond Issue. Issuance restrictions require the interest earnings to be appropriated for use on the respective projects or debt service. The funds are requested for appropriation for debt service in the Interest Payments account.

GCIF contains \$1,925 in restricted carryover funds from prior-year interest earnings on 2007D POST bonds. Issuance restrictions require the interest earnings to be appropriated for use on the respective projects or debt service. Staff recommends that this amount be appropriated to the POST 2007D CIP to be used towards the purchase of approved land acquisitions. In addition, the POST 2007D fund has received interest earnings of \$416 in 2012, and it is recommended these interest earnings also be used towards the purchase of approved land acquisitions in the POST 2007D fund.

Staff is requesting that \$710 be appropriated to the Bonnie Stewart CIP for rent funds that were collected for residential property on newly-acquired open space property. The grant provided by Jefferson County specifies that any net revenue from rental of the two residences on this property shall be spent for future improvements to this property. The rental period shall not exceed two years, and 24% of the net income shall be paid to Jefferson County. This appropriation to the CIP will allow the funds to be spent in accordance with our grant agreement.

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

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Bldg Permit Com ADCO	1000.40185.0010	\$350,000	\$38,849	\$388,849
Bldg Permit Com JEFFCO	1000.40185.0020	250,000	93,291	343,291
Bldg Permit Res JEFFCO	1000.40190.0020	200,000	98,110	298,110
Federal Grants	1000.40610.0000	74,500	49,307	123,807
State Grants	1000.40620.0000	53,011	320,407	373,418
Other County Grants	1000.40640.0000	0	420	420
Adams County Grants	1000.40640.0010	0	45,962	45,962
Jefferson County Grants	1000.40640.0020	0	21,617	21,617
Other Grants	1000.40650.0057	1,000	1,460	2,460
Youth Scholarships	1000.41030.0528	0	6,387	6,387
Gen Fee Conf Ctr-EDA/IGA	1000.41310.0075	0	83,847	83,847
Off Duty Police Services	1000.41340.0000	150,000	73,700	223,700
Off Duty Fire Services	1000.41340.0013	0	2,302	2,302
PD Training	1000.41360.0000	18,000	5,300	23,300
General	1000.43060.0000	364,334	7,659	371,993
Reimbursements	1000.43080.0000	69,376	167,402	236,778
Lease Proceeds	1000.46005.0000	0	1,124,144	1,124,144
Total Change to Revenues			<u>\$2,140,164</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contract Services	10010900.67800.0000	\$40,650	(\$19,300)	\$21,350
Contract Svcs-EDA/IGA	10010900.67800.0075	0	314,097	314,097
Paying Agent Fees	10010900.78600.0000	0	22,042	22,042
Other Fin Use	10010900.78800.0000	0	1,102,102	1,102,102
Transfers Fleet	10010900.79800.0300	14,000	69,326	83,326
Transfers Capital Replacement	10010900.79800.0450	255,290	58,446	313,736
Transfers GCIF	10010900.79800.0750	932,276	5,120	937,396
Ads & Legal Notices	10012070.65200.0000	13,000	(926)	12,074
Election Expense	10012070.67900.0000	28,000	(27,900)	100
Supplies	10012070.70200.0135	16,000	(6,000)	10,000
Professional Services	10012130.65100.0000	157,662	(20,500)	137,162
Maint/Rep Equip	10012130.66100.0000	11,840	(8,000)	3,840
Electricity & Gas	10012130.67200.0000	26,376	(6,000)	20,376
Solid Waste Collect Cust Serv	10012390.67300.0702	45,285	2,539	47,824
Regular Salaries	10015240.60200.0000	275,324	12,805	288,129
Regular Salaries	10015250.60200.0000	513,528	6,495	520,023
Telephone	10020050.66900.0000	147,016	41,360	188,376
Regular Salaries-Invest. Section	10020300.60200.0344	3,059,986	167,466	3,227,452

Salaries OT-Investigation Section	10020300.60400.0344	186,227	13,394	199,621
Career Development-Investigation Section	10020300.61800.0344	16,592	3,125	19,717
Career Dev-Comm Sect	10020300.61800.0345	5,800	2,863	8,663
Career Dev-Training	10020300.61800.0612	12,000	5,300	17,300
Maint/Repair Equipment-Records & Property Section	10020300.66100.0343	193,142	63,301	256,443
Lease Pmts-Inv Section	10020300.67700.0344	77,343	26,390	103,733
Supplies-Prof Svcs	10020300.70200.0341	8,619	500	9,119
Salaries OT-Extra Duty	10020500.60400.0005	150,000	73,700	223,700
Salaries OT-Traffic	10020500.60400.0348	101,995	13,622	115,617
Career Dev-Patrol Adm Section	10020500.61800.0000	27,593	947	28,540
Salaries Overtime	10025260.60400.0000	196,016	128,924	324,940
Salaries Overtime-EMS	10025260.60400.0546	75,844	47,150	122,994
Career Dev	10025260.61800.0000	23,402	960	24,362
Prof Serv	10025260.65100.0000	50,007	1,280	51,287
Prof Serv EMS	10025260.65100.0546	14,930	420	15,350
Telephone	10025260.66900.0000	71,397	17,712	89,109
Contract Services (EM Grant)	10025260.67800.0545	14,710	10,861	25,571
Supplies	10025260.70200.0000	31,825	7,854	39,679
Supplies EMS	10025260.70200.0546	4,660	2,302	6,962
Spec Prom Yth Scholarship	10050760.67600.0528	9,324	6,387	15,711
Total Change to Expenses			<u>\$2,140,164</u>	

These appropriations will amend Water Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Interest Earnings Water 2010	2000.42520.1201	\$0	<u>\$4,249</u>	\$4,249
Total Change to Revenues			<u>\$4,249</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Interest Payments	20010900.78400.0000	\$2,123,435	\$4,249	\$2,127,684
Total Change to Expenses			<u>\$4,249</u>	

These appropriations will amend Legacy Ridge Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Misc Legacy Ridge	2200.40850.0220	\$9,817	\$680	\$10,497
TRF GCIF	2200.45000.0750	85,000	(42,600)	42,400
Lease Proceeds	2200.46005.0000	0	<u>132,222</u>	132,222
Total Change to Revenues			<u>\$90,302</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Other Fin Use	22010900.78800.0000	\$0	\$132,222	\$132,222
Regular Salaries	22050720.60200.0000	379,452	(36,600)	342,852
Regular Salaries Club Ops	22050720.60200.0249	171,978	(6,000)	165,978
Landscape Supplies	22050720.71000.0000	36,100	<u>680</u>	36,780
Total Change to Expenses			<u>\$90,302</u>	

These appropriations will amend The Heritage at Westmoor Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
TRF GCIF	2300.45000.0750	\$423,000	<u>\$42,600</u>	\$465,600
Total Change to Revenues			<u>\$42,600</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Regular Salaries	23050720.60200.0000	\$323,512	<u>\$42,600</u>	\$366,112
Total Change to Expenses			<u>\$42,600</u>	

These appropriations will amend Fleet Maintenance Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	3000.40020.0000	\$0	\$61,696	\$61,696
TRF General Fund	3000.45000.0100	14,000	<u>69,326</u>	83,326
Total Change to Revenues			<u>\$131,022</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Parts	30012460.73600.0000	\$192,921	<u>\$131,022</u>	\$323,943
Total Change to Expenses			<u>\$131,022</u>	

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

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Reimbursements	4500.43080.0000	\$0	\$10,173	\$10,173
TRF General Fund	4500.45000.0100	255,290	58,446	313,736
Lease Proceeds	4500.46005.0000	0	<u>929,366</u>	929,366
Total Change to Revenues			<u>\$997,985</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Paying Agent Fees	45010900.78600.0000	\$0	\$16,822	\$16,822
Other Fin Use	45010900.78800.0000	0	912,544	912,544
Capital Outlay - PST	80645010911.80400.8888	1,959,714	10,173	1,969,887
Wildland Truck Replacement	81145010911.80400.8888	42,250	<u>58,446</u>	100,696
Total Change to Expenses			<u>\$997,985</u>	

These appropriations will amend Sales and Use Tax Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
ST Returns-EDA/IGA	5300.40070.0075	\$0	\$3,108,977	\$3,108,977
UT Returns-EDA/IGA	5300.40095.0075	0	24,077	24,077
UT Building-EDA/IGA	5300.40100.0075	0	<u>427,283</u>	427,283
Total Change to Revenues			<u>\$3,560,337</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contract Svcs-EDA/IGA	53010900.67800.0075	\$0	<u>\$3,560,337</u>	\$3,560,337
Total Change to Expenses			<u>\$3,560,337</u>	

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

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
UT Building-EDA/IGA	5400.40100.0075	\$0	\$11,039	\$11,039
Interest Earnings POST Bond D	5400.42520.0175	0	416	416
Gen Misc Rentals	5400.43060.0540	59,074	710	59,784
TRF Gen Capital Improve	5400.45000.0750	0	<u>1,925</u>	1,925
Total Change to Revenues			<u>\$14,090</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contract Svcs-EDA/IGA	54010900.67800.0075	\$0	\$11,039	\$11,039
Transfers GCIF	54010900.79800.0750	714,417	710	715,127
2007D Post Bond	80754010798.80400.8888	0	<u>2,341</u>	2,341
Total Change to Expenses			<u>\$14,090</u>	

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

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
TRF General Fund	7500.45000.0100	\$654,802	\$5,120	\$659,922
TRF - Open Space	7500.45000.0540	0	710	710
Carryover	7501.40020.0000	345,696	1,925	347,621
Accom Tax-EDA/IGA	7501.40055.0075	0	<u>304,662</u>	304,662
Total Change to Revenues			<u>\$312,417</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contract Svcs-EDA/IGA	75010900.67800.0075	\$0	\$304,662	\$304,662
Transfers Open Space	75010900.79800.0540	0	1,925	1,925
Tree Mitigation Program	80575050425.80400.8888	81,001	5,120	86,121
Bonnie Stewart CIP	81275030001.80400.8888	0	<u>710</u>	710
Total Change to Expenses			<u>\$312,417</u>	

These appropriations will amend Community Development Block Grant Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Rentals	7600.40900.0000	\$0	\$5,725	\$5,725
Interest-HUD 108	7600.42535.0558	0	<u>40</u>	40
Total Change to Revenues			<u>\$5,765</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Lowell Redvl HUD Section 108	81276030998.80400.8888	\$579,700	\$5,765	\$585,465
Total Change to Expenses			<u>\$5,765</u>	

These adjustments will bring the City’s accounting records up-to-date to reflect the various detailed transactions.

The proposed action supports the City Council’s strategic goals of Financially Sustainable City Government Providing Exceptional Services; Safe and Secure Community; Strong, Balanced Local Economy; Vibrant Neighborhoods in One Livable Community; and Beautiful and Environmentally Sensitive City.

Respectfully submitted,

J. Brent McFall
 City Manager
 Attachment – Ordinance

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. 14

SERIES OF 2013

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE 2012 BUDGETS OF THE GENERAL, WATER, LEGACY RIDGE, HERITAGE AT WESTMOOR, FLEET MAINTENANCE, GENERAL CAPITAL OUTLAY REPLACEMENT, SALES & USE TAX, PARKS OPEN SPACE & TRAILS, GENERAL CAPITAL IMPROVEMENT, AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2012 ESTIMATED REVENUES IN THE FUNDS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2012 appropriation for the General, Water, Legacy Ridge, Heritage at Westmoor, Fleet Maintenance, General Capital Outlay Replacement, Sales & Use Tax, Parks Open Space & Trails, General Capital Improvement, and Community Development Block Grant Funds initially appropriated by Ordinance No. 3550 is hereby increased in aggregate by \$7,298,931. This appropriation is due to the receipt of funds from lease proceeds, permit & conference center fees, reimbursements, grants, program revenue, miscellaneous, interest earnings, carryover, sales & use taxes, rent, accommodations taxes, and transfers.

Section 2. The \$7,298,931 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 A dated March 25, 2013 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

General Fund	\$2,140,164
Water Fund	4,249
Legacy Ridge Fund	90,302
Heritage at Westmoor Fund	42,600
Fleet Maintenance Fund	131,022
General Capital Outlay Replacement Fund	997,985
Sales & Use Tax Fund	3,560,337
Parks, Open Space & Trails Fund	14,090
General Capital Improvement Fund	312,417
Community Development Block Grant Fund	<u>5,765</u>
Total	<u>\$7,298,931</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 25th day of March, 2013.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of April, 2013.

ATTEST:

Mayor

City Clerk



Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Resolution No. 12 re Competitive State Historic Fund Grant Application for the Semper-Allison Farm Barn

Prepared By: Tony Chacon, Community Development Senior Projects Coordinator

Recommended City Council Action

Adopt Resolution No. 12 authorizing the Department of Community Development to apply for a competitive grant from the State Historic Fund by April 1, 2013, for 75% of the cost to repair and stabilize the historic barn located at 9215 Pierce Street.

Summary

- The Semper-Allison Farm site has been owned by the City since 1989, and has been maintained by the City’s Department of Parks, Recreation and Libraries with City Open Space operations funds.
- In 2005, the Semper-Allison Farm site was designated as a Westminster Local Historic Landmark. The State Historical Fund (SHF) offers competitive grants for repair of such historically designated structures.
- The competitive grants are available to Certified Local Governments (CLG), and the City of Westminster is a qualified CLG. The Department of Community Development is the designated entity in the City to coordinate CLG items.
- The Department of Community Development and the Department of Parks, Recreation and Libraries wish to pursue a grant for the general repair and stabilization of the Semper-Allison Barn.
- The competitive grant provides up to 75% (\$128,632) of the funding for repairs. The City would need to match the remaining 25% (\$42,878) of the total cost estimated at \$171,510. Staff is proposing to allocate carryover funds from 2012 operating budget savings to cover this expense later this summer.
- In 2011, construction documents were completed for the rehabilitation of the barn with \$16,777 in SHF grant funds. These construction documents will be updated and used for this project.
- All proposed work will follow the United States Secretary of the Interior's Standards for the Treatment of Historic Places, and the National Park Service's Technical Preservation Briefs will be consulted and their recommendations will be followed. The proposed project will complete the necessary first step toward the barn's public use and prevent it from further deterioration.
- The City’s Historic Landmark Board considers the repairs to the Semper-Allison Barn a high priority and strongly recommends support of the competitive grant application.

Expenditure Required: \$171,510

Source of Funds: \$128,632 – State Historical Fund
\$ 42,878 – Proposed General Fund Carryover from 2012

Policy Issue

Should the City Council authorize Staff to apply for a competitive grant that exceeds \$50,000 from the State Historic Fund for the general repair and stabilization of the Semper-Allison Barn?

Alternative

The City Council could choose not to authorize Staff to apply for the grant. The City would need to fund the full cost of repairs to the Semper-Allison Barn or choose to not do the repairs at this time.

Staff does not recommend this alternative because:

- These are critical repairs to stabilize a very deteriorated structure that is a key historic structure in the City;
- The barn is a good example of a barn style from the time period when it was built, and is in danger of collapse; and
- The barn contributes significantly to the agricultural history of the Semper-Allison site.

Background Information

The Semper-Allison Farm was acquired by the City as open space in 1989. At that time, the property was valued mainly for its wildlife habitat, the small poplar forest, and the fine grove of mature trees, including the largest apple tree in the state. As the City's commitment to historic preservation developed, however, the historic significance of the site emerged. In 2006, a Historic Structure Assessment (HSA) was completed for the property. The HSA was completed by SLATERPAULL Architects with funding from the SHF. In 2009, the exterior restoration of the farm house was completed with a \$133,006 grant from the State Historical Fund. In 2011, construction documents were completed for the rehabilitation of the barn, also with \$16,777 in SHF grant funds. These construction documents will be updated and used for the proposed project.

The farm is located on a four-acre site that includes the Sempers' 1880 homesteaders' house (with 1961 Allison addition), a small barn from the period of significance, two privies, an early brick-lined well and a later well, large irrigation canals and ditch laterals, a remnant fruit orchard that includes the largest common apple tree in the state of Colorado and other structure remnants. A City goal was to protect the historic rural farm environment, and therefore the City designated the house and the barn, as well as a number of site features such as the well, the orchard and a ditch lateral, as contributing to the status of the site as a local historic landmark. In addition, the site is adjacent to the historic railroad alignment and the historic alignment of the Cherokee Trail (also known as the Overland Wagon Company Road).

The four-acre parcel owned by the City was once part of a 160-acre tract of land obtained by the Sempers from the U. S. Government under the Preemption Act of 1841 at a cost of \$2.50 an acre. The Semper era, 1880-1917, was considered the period of significance when the local landmark designation was established, however, the community remains interested in honoring the Allisons, who owned the property from 1917 to 1989, and the Allisons are frequently mentioned in connection with this property. Only five people (two Sempers and three Allisons) occupied the property since 1880.

The Sempers were prominent in the social affairs of Denver. Charles was a member of the Pioneer Society, the Pioneer Printers, and the Confederate Veterans. Although they had no children, Mr. Semper was interested in the cause of education and served on the school board for the joint school District No. 1, Jefferson and Arapahoe Counties, beginning in 1880. When the district was later divided in 1883 or 1888, the Jefferson County portion became District No. 39 and was named the Semper School District. The schoolhouse built by the Sempers existed on the south side of 92nd Avenue until it was demolished during a road improvement project in the 1980s.

A post office was originally located in the Semper home, but was moved to the grocery store south of the tracks in 1889. Mrs. Semper was the first postmistress, appointed on December 28, 1882. She served in that capacity until June 13, 1889. The Semper Land Company was organized on March 2, 1880, for the purpose of “buying and selling lands in the counties of Jefferson and Arapahoe and also buying, managing, controlling, selling, and transferring all water rights and shares of ditch stock to said land.”

The village of Semper existed from about 1880 (incorporated in 1886) until about 1930, although the schoolhouse was used until the 1960s or later. Semper is found on maps from that period and was a train stop for many years, both for passengers and agricultural use. The association of the site with the history of the village of Semper continues to be explored.

Summary of Proposed Work

The 540 square foot Semper Farm barn is currently in poor condition. Ongoing deterioration at the property is evident, particularly when photos from the 2006 Historic Structure Assessment for the property are compared with current photos. If not addressed, deterioration will continue to accelerate. This deterioration will result in further loss of historic materials, and given the structural deficiencies of the building, may result in wholesale loss of the historic resource. Currently the gable end walls of the barn are sagging approximately 2 1/2 inches, and as noted, this condition has worsened within the last several years. This racking is the result of foundation movement due to expansive soils. The slab on grade, which forms the floor of the barn, is notably cracked and displaced. A soils report was completed as part of the construction documents phase for the project. This report indicated that the native soils on the property are expansive, and have caused the slab displacement. As such, the existing slab will need to be removed, the soils below the slab reconditioned, and a new slab poured. In addition, the existing foundation walls are cracked, being subject to the same movement as the slab on grade. The foundation walls require helical piers to underpin the foundation. Once these piers are in place, the building can be jacked to a level condition and movement will be arrested. When excavated for installation of the helical piers, foundation waterproofing will be applied to prevent water infiltration at the concrete foundation walls. This will allow for repairs to the wall framing above as well as the roof framing. Currently, the roof framing is undersized. This has resulted in low points in the roof. Wide flange beams will be added to the roof structure, in locations that are not visible, to bolster the structure. The roof materials are very deteriorated and these will also be replaced.

The 180 square foot shed addition to the barn is also in very poor condition and will be similarly rehabbed and stabilized.

Upon completion of the structural rehabilitation, the windows, doors, wood siding and trim can be rehabilitated. It is critical to complete the structural rehabilitation prior to addressing the siding and trim to ensure that movement on the building has been halted and no further damage will occur to the windows, doors, siding and trim as the result of building movement due to expansive soils or due to jacking the building into place.

Recommendation by the Historic Landmark Board

Per WMC 11-13-4(G), the Historic Landmark Board may pursue financial assistance for preservation and history-related programs.

On March 5, 2013, the Historic Landmark Board reviewed the application for State Historic Fund grant assistance. The Board recommended that the City Council support submission of a grant application to the State Historic Fund by April 1, 2013, requesting funds to assist with the rehabilitation of the barn at the Semper/Allison Farm historical site. The Board discussed the importance of The Historic Landmark Board resolution; please see Attachment A.

City Strategic Goals

This proposed action would meet City Council's Strategic Goals of Vibrant Neighborhoods in One Livable Community by preserving and restoring historic assets. Also, the goal of a Beautiful and Environmentally Sensitive City would be supported because the green space that includes the Semper-Allison barn would continue to be maintained.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Historic Landmark Board Resolution No. 2013-001
- City Council Resolution re Semper-Allison barn

RESOLUTION

A RESOLUTION SUPPORTING
A COMPETITIVE STATE HISTORIC FUND GRANT APPLICATION FOR
CONSTRUCTION FUNDS FOR THE REHABILITATION OF THE SEMPER/ALLISON
FARM BARN

RESOLUTION NO. 2013-001

INTRODUCED BY BOARD MEMBER

SERIES OF 2013

WHEREAS, the Semper Farm farmhouse, barn, outbuildings, and wells were acquired by the City of Westminster in 1992, and were designated a local historic landmark in 2005; and

WHEREAS, the State Historic Fund offers competitive grants for funding repair and maintenance of such historic designated structures; and

WHEREAS, the competitive grants are available to Certified Local Governments (CLG), and the City of Westminster is a qualified CLG. The Department of Community Development is the designated entity in the City to coordinate CLG items; and

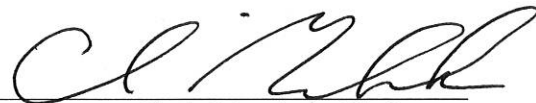
WHEREAS, the Department of Community Development wishes to pursue a grant for funds to assist with the continuing rehabilitation of the barn at the Semper/Allison Farm; and

WHEREAS, the competitive grant provides up to 75% of the funding for rehabilitation. The City would need to match the remaining 25% of the total cost; and

WHEREAS, the City's Historic Landmark Board considers the repair and stabilization of the Semper Farm barn a high priority, and strongly recommends support of the competitive grant application; and

NOW, THEREFORE, be it resolved by the Historic Landmark Board of the City of Westminster a recommendation of support for submission of a grant application to the State Historic Fund by April 1, 2013, requesting funds to assist with the rehabilitation of the barn at the Semper/Allison Farm historical site.

PASSED AND ADOPTED this 5th day of March 2013.



Chris Meschuk, Chair

RESOLUTION

RESOLUTION NO. **12**

INTRODUCED BY COUNCILLORS

SERIES OF 2013

**A RESOLUTION AUTHORIZING
A COMPETITIVE STATE HISTORIC FUND GRANT APPLICATION
FOR SEMPER-ALLISON BARN REPAIRS**

WHEREAS, the Semper-Allison Barn has been owned by the City since 1989 and has been maintained by the City's Building Operations and Maintenance Division in the Department of General Services; and

WHEREAS, in 2006 the Semper-Allison Barn was designated as a local historic landmark, and the State Historic Fund offers competitive grants for repair and maintenance of such historic designated structures; and

WHEREAS, the competitive grants are available to Certified Local Governments (CLG), and the City of Westminster is a qualified CLG. The Department of Community Development is the designated entity in the City to coordinate CLG items; and

WHEREAS, the Department of Community Development and the Department of Parks, Recreation and Libraries wish to pursue a grant for general repair and stabilization of the Semper-Allison Barn; and

WHEREAS, the competitive grant provides up to 75% (\$128,632) of the funding for repairs. The City would need to match the remaining 25% (\$42,878) of the total cost estimated at \$171,510; and

WHEREAS, the City's Historic Landmark Board considers the Semper-Allison Barn repairs a high priority and strongly recommends support of the competitive grant application; and

WHEREAS, the Historic Structure Assessment of the Semper-Allison Barn completed in 2006, identified the barn as one of the primary items at the site in need of repair.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER, COLORADO that Staff shall submit a grant application to the State Historic Fund by April 1, 2013, requesting funding for general repair and stabilization of the Semper-Allison Barn.

PASSED AND ADOPTED this 25th day of March, 2013.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office



Agenda Memorandum

City Council Meeting
March 25, 2013



SUBJECT: Resolution No. 13 re Adoption of Water Conservation Plan

Prepared By: Stu Feinglas, Water Resources Analyst

Recommended City Council Action

Adopt Resolution No. 13 adopting a water conservation plan for the City.

Summary Statement

- Westminster's conservation program is an integral part of meeting the City's buildout water supply.
- Staff presented a draft plan to City Council at the June 4, 2012 Study Session.
- A Conservation Plan will provide a roadmap for the City to reach the conservation goals recently identified by Council as a part of the Comprehensive Water Supply Plan (CWSP). These goals are an important component of the City's buildout water supply.
- A State-approved Plan will also allow the City to qualify for future funding from the Colorado Water Conservation Board (CWCB) and the Colorado Water Resources and Power Development Authority for water and infrastructure projects.
- Staff has met all State requirements for the development of a Water Conservation Plan. The Plan has been preliminarily reviewed by the Colorado Water Conservation Board.
- The public comment process produced one written comment through the City's Facebook page, which has been included in the Plan.
- Once adopted, the plan will be submitted to the Colorado Water Conservation Board for approval.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issue

Should the City adopt the final Water Conservation Plan continuing conservation planning efforts to meet buildout water supply needs?

Alternative

Council could choose not to adopt the Water Conservation Plan. Staff does not recommend pursuing this alternative because it would limit the ability to meet conservation goals as identified by Council that will help the City achieve buildout water supply. The City would also not be eligible to receive funding from the Colorado Water Resources and Power Development Authority for future water and infrastructure projects.

Background Information

Westminster has been a leader among Colorado utilities in promoting and implementing sensible water efficiency measures, having implemented comprehensive water conservation measures since 1976. Most of the measures that have been implemented over the past 35 years are still part of the conservation program in 2013. As a result, the City has realized significant water savings that have reduced the City's need for new water supply purchases.

The development of a Water Conservation Plan is a part of the City's overall Comprehensive Water Supply Plan (CWSP). The CWSP includes conservation as a critical water source for the City to meet its future water needs. The proposed Water Conservation Plan develops long term strategies for water conservation programs, implementation and tracking of water savings to assure attainment of the water conservation goals required to meet the City's future buildout water needs.

The City obtained its first State-approved Water Conservation Plan in 1996 in accordance with the State's Water Conservation Act of 1991. The Water Conservation Act of 2004, HB 04-1365, modified the requirements for a Water Conservation Plan and reaffirmed that all covered entities must have an updated approved water conservation plan on file with the State. The legislation established that an approved Water Conservation Plan is required in order to receive grants or loans from the Colorado Water Conservation Board and the Colorado Water Resources and Power Development Authority.

In 2006, the State required previous conservation plans to be updated with new specifications. Grant funding was offered by the State to help water providers develop these new plans. On May 10, 2010, City Council approved two contracts with Aquacraft, Inc. The first contract was to perform a Water Conservation Verification Study on residential water demand to quantify current residential water use and potential water conservation savings, assess the effectiveness of the City's conservation programs and review the City's projections of future water use. Council was presented information on the Conservation Verification Study at its May 2, 2011 Study Session including data about how the City's residential customers use water and where conservation savings might be achieved. The Verification Study confirmed that Westminster residents are already efficient water users. The second contract was to develop a Water Conservation Plan for State approval using the data from the Verification Study in conjunction with the City's Comprehensive Water Supply Plan.

Using the water demand projections developed in the CWSP, Staff evaluated future water supply needs. Planned water supply projects, including conservation, were evaluated and included in the final CWSP to meet the future gap in water supply and demand.

Staff presented an updated CWSP to Council on June 4, 2012. At that time, Council determined that the gap would be met through the identified water supply projects and water conservation. Within that gap analysis, the City has identified a 2,200 acre feet goal that will be met through demand reductions to be accomplished by a combination of passive and active water conservation measures addressed in the proposed Water Conservation Plan.

Given the high level of efficiency already accomplished in Westminster, a goal of conserving another 2,200 acre feet of water by buildout is realistically achievable. This represents a 6% reduction in buildout water demand due to future conservation savings.

The City’s water conservation program addresses all residential and non-residential water users. Both indoor and outdoor water uses were evaluated for savings and cost effectiveness. The City has determined that water savings from conservation will not be needed to meet the City’s water demands until buildout approaches. Most of the fixtures and appliances in use today, such as washing machines and toilets, will be replaced by residents with more efficient models by buildout without the City’s involvement. This allows the City to categorize the fixture and appliance savings as passive; no direct City action will be required.

The proposed Water Conservation Plan is a long term roadmap to help the City track progress and meet its future conservation goals. The plan includes the following set of innovative and effective water conservation measures targeted for implementation by 2015. Water savings from these measures will continue to accrue through buildout.

Conservation Measure	Description	Acre Foot Savings by Buildout
Utility water system loss control	In 2011, water loss through the City’s distribution system was determined to be 6.52%, which is considered to be a low rate regionally. Maintaining this water loss rate while continuing to make improvements are the fundamental goals for the City’s program.	150
Passive fixture replacement	Existing toilets, washers and other water using fixtures will be replaced by customers due to the age of the fixtures or remodeling and redevelopment.	1,650
*Leak alert notification	Customer accounts that trigger a water leak alert via the utility billing system will be sent a simple leak check alert notification via email or the U.S. Mail. The leak check alert will notify the customer of a possible leak and recommend courses of action to further investigate and remedy the situation.	200
*Informational water budget	The City will develop landscape water budgets that will provide a reasonable estimate of expected water use at a site based on the irrigated area and landscape. Comparisons on actual consumption vs. water budget estimate will be provided to customers.	200
*Improved customer information	The City will use GIS technology to provide customers with a tool for information about water use and information on where efficiency improvements can be made.	
*Irrigation audits	The City will continue to offer free irrigation system audits upon request.	
	Total Conservation Savings To Be Achieved by Buildout (AF)	2,200

* Included in the Adopted 2013-2014 Budget.

Most of the conservation savings identified in the plan are from indoor water uses. The City has high confidence that savings from replacing older fixtures and appliances with newer models will be permanent since in most cases the inefficient versions are no longer manufactured or available for purchase. With the City’s residential outdoor water use currently at very efficient levels, additional outdoor savings potentials are low. The proposed conservation measures will continue to target high irrigation users.

Staff has met all State requirements for the development of this conservation plan. The plan as written has been preliminarily reviewed by the CWCB. A 60 day public comment process has been completed and the comments received are included in the Plan. One comment was received through the City's Facebook page describing the Plan as a good idea that needs a lot of thought. After Council's formal adoption, the plan will be submitted to the CWCB for State approval. Staff intends to evaluate the Water Conservation Plan periodically per State requirements. This review will allow the City to modify programs to meet the City's water needs based on future water demand and supply data.

Along with the programs developed to meet specific conservation goals, the City will continue to implement the following measures:

- Conservation based rate and tap fee structures.
- Code requirements for submetering multifamily and commercial units and mandatory recycling of water at car washes.
- The City's landscape ordinance that requires efficient irrigation hardware, irrigation audits and efficient landscapes in new construction.
- The Garden-in-a-Box program introducing residents to water efficient gardens.
- The Slow the Flow residential irrigation audit program.
- Ongoing Utility Water Loss Control, Pressure Management and Leak Detection Programs.
- The Reclaimed Water Program.
- Educational programs such as the annual Children's Water Festival and workshops targeting the general public as well as industry groups.

The Water Conservation Plan supports City Council's goals of Financially Sustainable City Government Providing Exceptional Services, Vibrant Neighborhoods In One Livable Community and Beautiful and Environmentally Sensitive City by contributing to the objective of securing and developing a long-term water supply.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Resolution
- City of Westminster Water Conservation Plan

RESOLUTION

RESOLUTION NO. **13**

INTRODUCED BY COUNCILLORS

SERIES OF 2013

**A RESOLUTION
ADOPTING A WATER CONSERVATION PLAN
FOR THE CITY OF WESTMINSTER, COLROADO**

WHEREAS, the City of Westminster must design and implement a water supply and distribution system to meet expected buildout water demands; and

WHEREAS, City Council recognizes that the Comprehensive Water Supply Plan determined that water saved through conservation will be needed to meet buildout water supply needs; and

WHEREAS, the City of Westminster has developed a Water Conservation Plan designed to achieve water savings to meet buildout water demands; and

WHEREAS, the Conservation Plan was presented to the public through a 60-day public comment process; and

WHEREAS, all public comments submitted were included in the Plan; and

WHEREAS, pursuant to HB 04-1365, adopted on June 4, 2004, a State-approved plan will qualify the City for future funding opportunities offered by the Colorado Water Conservation Board, and the Colorado Water Resources and Power Development Authority for water and infrastructure projects; and

WHEREAS, it is City Council's intent to adopt a Water Conservation Plan designed to meet buildout water demands and submit it to the Colorado Water Conservation Board for approval.

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

The City Council officially adopts the Water Conservation Plan attached hereto.

PASSED AND ADOPTED this 25th day of March, 2013.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

City Attorney's Office

CITY OF WESTMINSTER WATER CONSERVATION PLAN



Photo courtesy of David Koski.

March 2013

Prepared by



WESTMINSTER

and



Aquacraft prints on recycled paper containing 100% post-consumer waste.



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City of Westminster

Stuart Feinglas

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Bill DeOreo, P.E.

Matt Hayden

Leslie Martien

Renee Davis, P.E.

EXECUTIVE SUMMARY

The City of Westminster (City or Westminster) has a long history of support for water conservation. City Council, in the past, has provided direction to Staff to implement effective inclining block water rates as well as a progressive tap fee structure designed to promote conservation by all water customers as well as developers and builders. Rebate incentives for conservation measures are used strategically to promote installation and retrofit of water efficient appliances. Education of students through Water Festivals and other means helps ensure that future generations maintain the focus on water conservation. The City has prepared this updated Water Conservation Plan to provide a roadmap for future water efficiency program implementation in Westminster.

The development of this Water Conservation Plan is a part of the City's overall Comprehensive Water Supply Plan (CWSP). The CWSP develops a strategy to meet the current and future water needs of the City in a truly integrated and interactive process. The CWSP uses projections of buildout water demand based on the City's Comprehensive Land Use Plan (CLUP) and compares this with the planned buildout yield of the City's water supply system to define a buildout water supply/demand gap. A key goal of the CWSP is to eliminate any identified supply gap in an appropriate timeframe for buildout of the City.

Population

Projecting buildout population uses data from several sources and creates a projection 25 to 30 years in the future. The data used for the projection is based on today's understanding of future conditions. Westminster's approach for population projections is conservative, using a higher density than projected in the City's current Comprehensive Landuse Plan based on regional trends. Decisions made today will affect the City's water supply in the future when water will be scarcer and options for increasing water supply more expensive and difficult. The Colorado Department of Local Affairs projects an average population increase within Jefferson and Adams counties from 2010 to 2040 of about 38%, roughly equivalent to the projections used in this plan.

Since the City is designing a buildout water supply, a conservative approach to water demand is required. For the purposes of water supply planning, Water Resources staff utilizes high end population density estimates based on the current vision of the City at buildout. Current Official City buildout population projections are for 123,909 residents within the City at buildout. Under a theoretical high end buildout water demand scenario, Water Resources staff is basing its planning on providing water service to a maximum of 152,000 people within the City of Westminster and an additional 18,600 people outside the city limits for a total of 170,600 people.

Westminster acknowledges the variability of any buildout projection that assumes achievement of a hypothetical maximum population in the future. Experience has shown that buildout seldom, if ever,

really occurs. Instead, cities adapt to new conditions and development realities as they grow to their urban boundaries. What is considered buildout in 2012 may not be considered buildout in 2040.

Future Demand

In conjunction with preparation of the CWSP, a baseline demand forecast starting from 2010 and going out to 2040 was prepared. This baseline forecast did not include the impact of water conservation of any kind, even passive water savings. Adjusted water demand in 2010 was 21,951 AF and under the baseline forecast has increased by 14,249 AF to 36,200 AF in 2040.

Using the baseline forecast prepared by the City, Aquacraft developed a demand forecast that includes the impact of the City's planned water conservation program measures. Under this forecast, it is estimated that water demand at 2040 will be reduced by 2,200 AF as result of passive and active water conservation measures. Further reductions will be realized as use of the City's reclaimed water system increases from 1,600 AF currently, to the buildout demand of 3,500 AF.

Conservation Goal

The City has identified that demand reductions accomplished by a combination of passive and active water conservation measures will reduce the water supply gap by approximately 2,200 AF in 2040. Given the high level of demand reductions already accomplished in Westminster (as documented through the residential analysis presented in this plan), a goal of conserving another 2,200 AF over the next 28 years (~79 AF per year) is realistically achievable. This goal will be re-evaluated on a regular basis, as Westminster intends to update the Water Conservation Plan every 7 years. This means that three additional plan updates will be completed before 2040, affording ample opportunity to update and refine the City's conservation program and goals as needed.

Conservation Program

The City has implemented water conservation measures since 1976. Most of the measures that have been implemented over the past 35 years are still part of the conservation program in 2012. Westminster has been a leader among Colorado utilities in promoting and implementing sensible water efficiency measures.

Westminster's water conservation program over the next seven years addresses all residential and non-residential demand sectors in the City and includes a set of innovative and effective water conservation measures. Some of these measures, such as Westminster's highly effective tap fee ordinance, have been developed and implemented over many years. Other measures, such as the proposed new informational water budget and leak reduction program that identifies leaks using advanced metering infrastructure (AMI), offer substantial opportunity for additional demand reductions.

INTRODUCTION

The City of Westminster (City or Westminster) has a long history of support for water conservation. City Council, in the past, has provided direction to Staff to implement effective inclining block water rates as well as a progressive tap fee structure designed to promote conservation by developers and builders. Rebate incentives for conservation measures are used to promote installation and retrofit of water efficient appliances. Education of students through Water Festivals and other means helps ensure that future generations maintain the focus on water conservation. The City has prepared this updated Water Conservation Plan to provide a roadmap for future water efficiency program implementation in Westminster.

The City has implemented comprehensive water conservation measures for more than 35 years, starting in 1976 when Westminster was one of the first municipalities in Colorado to:

- Implement an increasing block rate pricing structure for residential water users, and
- Modify the Municipal Building Code to require efficient plumbing fixtures in all new development.

This conservation plan continues the City's legacy of innovative and forward-thinking water planning and management.

Plan Preparation, Review, and Approval Process

The City's Water Conservation Plan was prepared by Aquacraft, Inc. Water Engineering and Management working in close coordination with Stuart Feinglas, Water Resources Analyst for the City, and the staff of the Westminster Utilities Planning and Engineering Division. Preparation of the conservation plan was funded in part by a Water Conservation Planning Grant from the Colorado Water Conservation Board (CWCB).

This conservation plan was prepared during the second phase of a two part study. Phase 1 involved conducting a detailed Residential Water Demand Study in Westminster that quantified how water is being used in the largest end uses category. The concept of conducting a Residential Water Demand Study in concert with preparation of a Water Conservation Plan enabled the City to include empirical data on existing demands and levels of efficiency in the Water Conservation Plan. Summary results from the Residential Water Demand Study are presented later in this plan document.

Westminster conducted a request for proposals (RFP) bidding process for these two projects and contracted with Aquacraft to conduct the Residential Water Demand Study and prepare the City's Water Conservation Plan.

Aquacraft prepared the conservation plan to both meet the needs and water savings goals of the City and to meet the statutory requirements for water conservation plans set out in Colorado Statutes Title 37 Water and Irrigation – Colorado Water Conservation Board (CWCB) and Compacts 37-60-126. These laws require a state approved water conservation plan for covered entities as a condition of seeking financial assistance from the CWCB.

The State requires the Conservation Plan be open for a 60-day public comment process prior to submission to the CWCB. The following 2 paragraphs will be finalized after the public comment process.

Once the Water Conservation Plan was fully reviewed by City staff and completed, the City conducted a 60 day public review process where the plan was posted on the City's website along with notices that public comments are requested. Only one person commented during the 60-day period.

The final step was to obtain approval for the plan from the Westminster City Council.

Service Area Characteristics

Westminster is a growing suburban community within the South Platte Basin that offers a wide choice of housing, excellent schools, and public facilities. With direct access to major highways, Westminster's central location between Denver and Boulder puts it within easy reach of major business centers, retail centers, and a variety of entertainment and recreational facilities. Activities in Denver or Boulder are a 20-minute drive in either direction and the drive from Westminster to Denver International Airport takes approximately 30 minutes. Westminster's water service area, shown in Figure 1, includes Federal Heights and Shaw Heights.

Westminster is a residential community with a significant commercial and industrial sector.

Water deliveries in 2010, as shown in Figure 2, go largely to the residential sector (61.9%) with the commercial and industrial sectors accounting for about 11% of deliveries. The City has a number of large irrigated parks and non-irrigated open space area. Municipal water use accounted for 3.1% of total demand in 2010. Potable irrigation accounted for 9.9% of demand and reclaimed water (used for irrigation) accounted for 7.6% of demand.

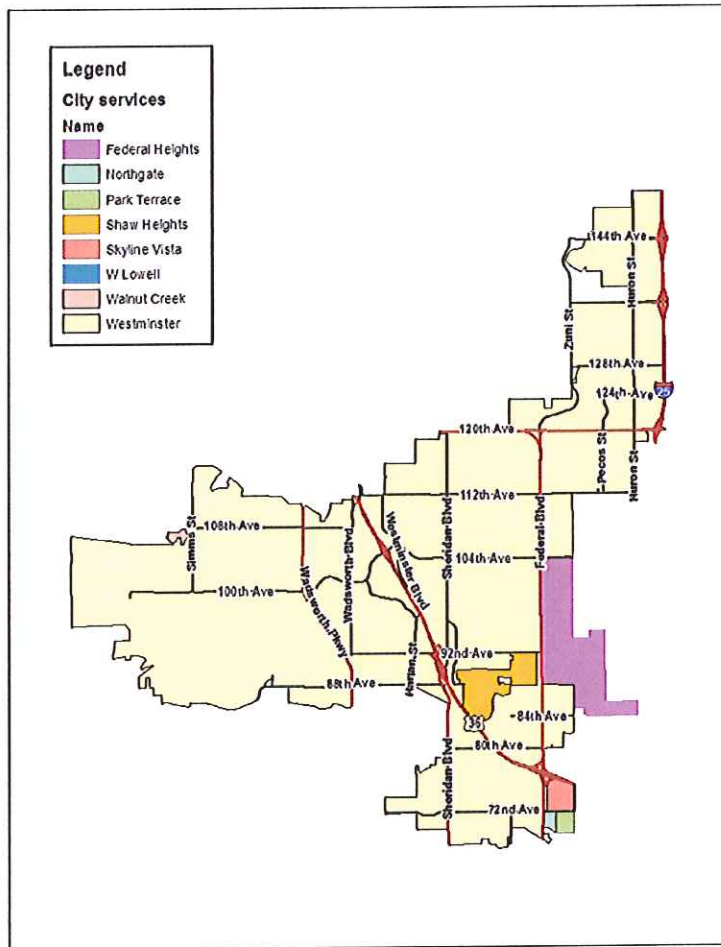


Figure 1: Westminster water service area

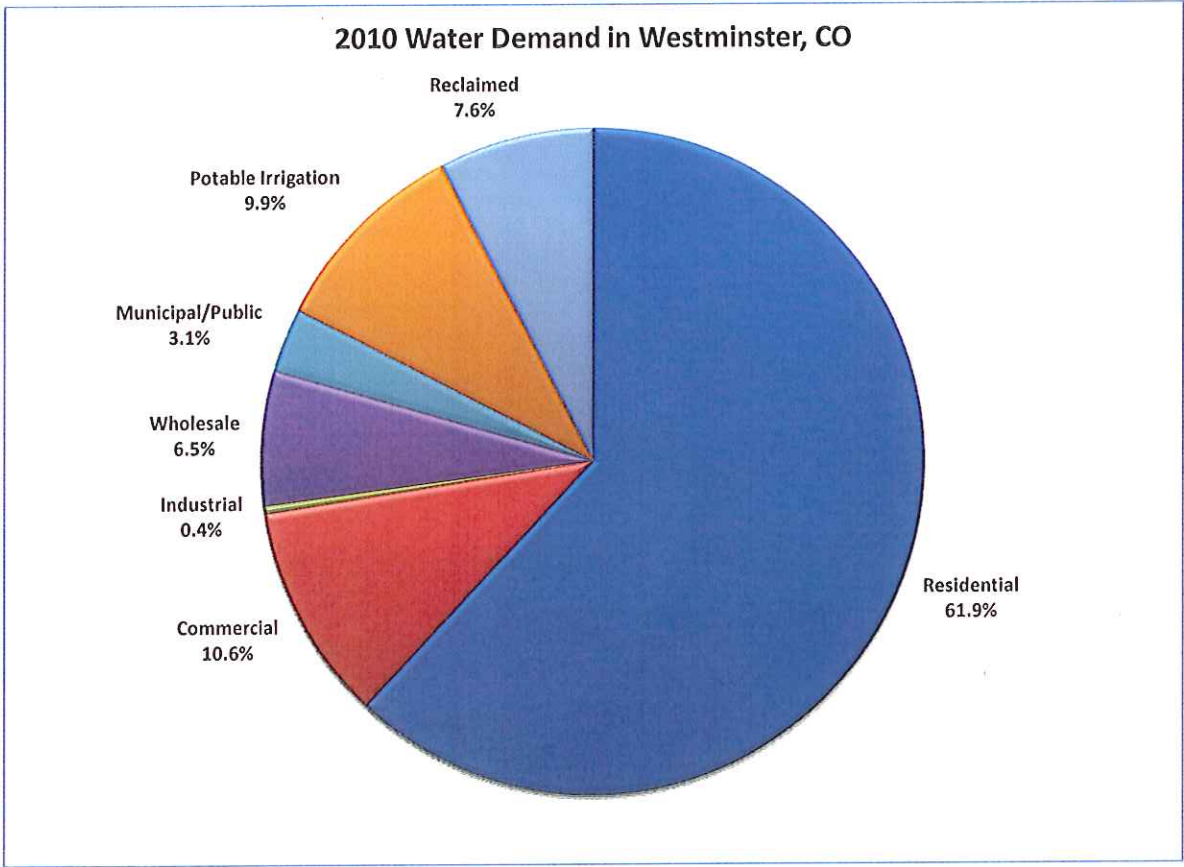


Figure 2: 2010 Westminster water deliveries by customer category

WATER SYSTEM PROFILE

The City of Westminster has invested considerable resources towards developing a water supply system that provides high quality, reliable, and sustainable raw water and reclaimed water supplies to meet the City's existing and future water demands. The implementation of the Comprehensive Water Supply Plan, including water conservation programs, will be required to maintain the reliability of the water supply system at buildout. The City's drinking water supply consists of surface water delivered to Standley Lake (Figure 3). The City provides a number of irrigation customers with reclaimed water, which is wastewater effluent that has been further treated and disinfected to provide a non-potable supply.

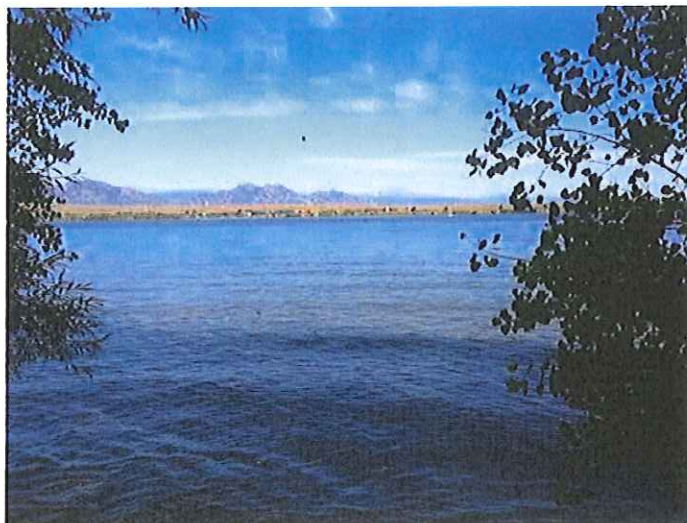


Figure 3: Standley Lake

Water Supply

The City currently owns and operates a water supply system centered on Standley Lake. Standley Lake receives water from a number of different sources including irrigation ditches that divert water from Clear Creek near Golden, water from Coal Creek, and water from Denver Water that is delivered from the West Slope through Denver's system into the City's water supply. The City's raw water system is designed to meet the full demand of the City in a drought equal to the most severe recorded drought that occurred during the years 1953 through 1956. This drought is estimated to have a recurrence interval of 75 - 100 years.

It is anticipated that at buildout, 87% of the City's water supply will come from the South Platte River Basin which has been identified as water short in the Statewide Water Supply Initiative (SWSI) recommendations and findings.

Reclaimed Water Supply

The City is able to complement its raw-water supply by reclaiming wastewater for use as an irrigation source, while preserving drinking water for human consumption. The City's Reclaimed Water Treatment Facility (Figure 4) provides secondary treatment to wastewater treated at the Big Dry Creek Wastewater Treatment Facility. Up to 6 million gallons per day can be treated and distributed to reclaimed water

customers through separate reclaimed water distribution mains. The City provides reclaimed water for irrigation purposes at golf courses, parks, commercial properties, right of ways, and common areas of home owners' associations. Currently, the City has 95 reclaimed water customers and 106 reclaimed water connections.

The City's reclaimed water program has operated since 2000. Developing reclaimed water is critical to meeting the City's growing water demands. At buildout, the City plans for reclaimed water to comprise more than ten percent of the City's total water supply, irrigating twenty-five percent of all irrigated areas within the City and saving 3,500 AF of potable water supply. The City, being a summer peaking utility, directly benefits in a reduction of peak potable water demand by supplying reclaimed water for irrigation to approved customers. Westminster's water reclamation program has been acclaimed by the U.S. Environmental Protection Agency and the State of Colorado for environmental stewardship.



Figure 4: City of Westminster Reclaimed Water Treatment Facility

Water Treatment

The City maintains two water treatment facilities designed to produce a total of 59 million gallons per day. Under current planning projections, this capacity should be sufficient to meet buildout demands. The Semper Water Treatment Facility is capable of treating 44 million gallons per day using conventional filtration technology. The Northwest Water Treatment Facility is capable of treating up to 15 million gallons per day using state-of-the-art membrane micro-filtration. Average daily water consumption for the City is currently 18 million gallons per day with a peak day of up to 44 million gallons per day.

Adequacy of Supply to Meet Future Demand

The City of Westminster has been proactive in pursuing water supply options including water purchases, reclaimed water, conservation, and projects designed to maximize water exchange potential and increase water supply. Current water supply along with planned supply projects, including 2,200 acre feet of water anticipated to be saved through conservation by buildout, have been identified in the City's Comprehensive Water Supply Plan to meet future water demands. The water supply identified in

the Comprehensive Water Supply Plan is sufficient to meet the future projected water demands of the City at buildout. In addition, the City's Public Works and Utilities, Community Development and Parks departments are working closely together to assure that water supply and water demand are included in decisions on future development and park projects. This coordination is occurring through the update of the City's Comprehensive Land Use Plan which will develop options for how the City may develop and allocate water supplies to meet water demands. The main objective of this effort will be to create a policy by which the City can maximize development flexibility while remaining within the City's water availability.

BASELINE WATER USE

Water use in Westminster has varied over the past seven years in response to the 2002 drought, wet conditions such as 2009, on-going water efficiency efforts, the economy, and other factors. Retail water deliveries from 2004 – 2010 are presented in Table 1 and shown as a bar graph in Figure 5. The average of annual retail deliveries over this seven year period was 19,573 AF, which means that 2010, with deliveries of 19,460 AF, was the most “average” year of the past seven. The largest percentage change in water use occurred in the municipal/public sector which has decreased usage and in the potable irrigation and reclaimed sectors which have seen increases since 2004.

Table 1: Retail water deliveries by Westminster, 2004 – 2010 (acre-feet)

	2004	2005	2006	2007	2008	2009	2010
Residential	11,592	12,544	13,522	12,705	13,060	11,343	12,056
Commercial	1,922	2,013	2,148	2,147	2,140	2,002	2,058
Industrial	80	82	105	96	69	63	73
Wholesale	1,305	1,309	1,405	1,359	1,343	1,288	1,271
Municipal/Public	892	1,063	951	906	705	461	605
Potable Irrigation	1,221	1,444	1,997	1,877	2,329	1,651	1,925
Reclaimed	679	753	1,263	1,130	1,430	1,155	1,474
Total	17,691	19,208	21,390	20,220	21,076	17,963	19,460

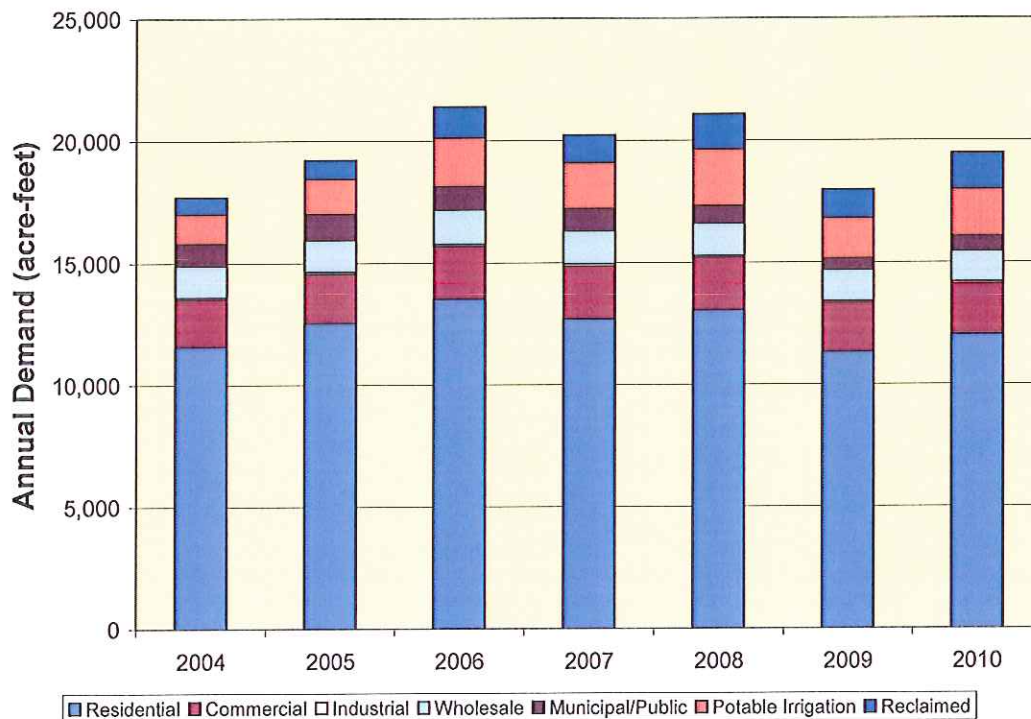


Figure 5: Retail water deliveries Westminster, 2004-2010 (acre-feet)

2011 Residential Water Demand Study

The residential sector in Westminster receives more than 63% of the annual retail water deliveries on average and is the sector most responsible for driving demand in the City up or down. To better understand water use in the residential sector, the City hired Aquacraft in 2010 to conduct a residential water use study. The research was completed in 2011 and the results are summarized here. The key findings from this study were used to help prepare this Water Conservation Plan.

Purpose and Goals

The purpose of the Residential Water Demand Study was to closely examine water use and water use patterns of the City, and specifically of the single-family residential customers in the City, to help inform demand forecasting and water conservation planning efforts. This study provides data on the water use patterns of single-family households in Westminster in 2011, and compares these demands against measurements made in Westminster in 1995 and 1999 and also against other recent end use studies.

The specific goals of the Residential Water Demand Study were to:

- Review Westminster's demand projections
- Assess the current penetration rates of conserving fixtures and measures
- Prepare realistic future demand and savings estimates for Westminster based on anticipated natural replacement rates and utility-sponsored conservation efforts
- Revise (as necessary) Westminster's demand projections and integrate the new forecast into the Water Conservation Plan and the City's Comprehensive Water Supply Plan (CWSP).

The concept of conducting a Residential Water Demand Study in concert with preparation of a Water Conservation Plan enabled the City to include empirical data on existing demands and levels of efficiency in the Water Conservation Plan.

Methodology

This study examined water demands in Westminster from both macro and micro perspectives. Annual demand across the City was studied, as well as detailed household-level demands. The research process was designed to inform the development of the City's updated Water Conservation Plan.

This study investigated both indoor and outdoor residential water use patterns in Westminster through a combination of billing data, surveys, and flow trace analyses. Household indoor uses measured in this study were compared against usage patterns measured in Westminster in 1995 and 1999 as well as the Residential End Uses of Water Study (AWWA 1999) and other more recent end use studies. The study also investigated relationships between household indoor use and key variables such as the number of

residents, the size of the household, and the types of fixtures and appliances present. Outdoor use was quantified both from the perspective of total annual use and application rate.

The following key steps were fundamental to the research process in this study:

1. Assemble customer data including -
 - a. Historic consumption data (from 2000 - 2010)
 - b. Utility customer information including customer category, name, address, phone number (for survey), date of account activation, etc.
 - c. Meter information including meter size
 - d. Historic conservation program participation information including participation date, program, rebate level (if applicable), etc.
 - e. Available demographic data
 - f. Account information including account start date, age of home or business, etc.
 - g. GIS coverage to determine irrigable area
 - h. Local climate and weather data to calculate irrigation requirements
2. Select representative sample of 1,000 single-family (SF) customers to receive survey
3. Design and implement customer survey
4. Select sample of 70 accounts for end use analysis
5. Collect and analyze two weeks of end use data for 70-account sample (61 useable data sets were obtained)
6. Prepare research database
7. Evaluate water use in Westminster

Results

Key Survey Findings

Key findings from the residential survey are bulleted below:

Landscape and Irrigation

- **Regular outdoor irrigation** - Most households in Westminster (90.6%) irrigate their outdoor landscape regularly during the irrigation season which typically runs from late April through early October.
- **Turf grass and mulch are the most common landscape materials** - Turf grass (of any variety) was the most common landscape material (90.9%) among the homes in this study followed by non-living ground cover such as mulch (70.1%), vegetable or flower garden (64.0%), non-native trees and shrubs (48.5%), and desert/native trees and shrubs (22.6%).
- **Automatic irrigation systems are the norm** - Of those who regularly irrigate, nearly 75% are equipped with an automatic irrigation system which amounts to 67.4% of all survey respondents. This suggests that about 2/3 of homes in Westminster are equipped with an in-ground irrigation system.
- **Irrigation timing is adjusted frequently** - Survey responses indicated that more than half of respondents adjust the timer on their irrigation system at least once per month.

- **No rain or soil moisture sensors** - Rain sensors and soil moisture sensors do not appear to be prevalent technologies in Westminster. None of the survey respondents reported having a rain sensor or soil moisture sensor.
- **A few hot tubs, fewer swimming pools** - Swimming pools are uncommon in Westminster. Only 0.8% of respondents reported having a swimming pool at home. Survey results indicate that 8% of respondents have an outdoor hot tub or spa.

Westminster Water Services

Respondents were asked their opinion about Westminster water services and pricing policies. Respondents indicated the extent that they agreed or disagreed with a number of statements. To evaluate their responses, a score was established for each ranking where: 2 = strongly agree, 1 = somewhat agree, -1 = somewhat disagree, -2 = strongly disagree, 0 = neutral or not applicable (NA) in some cases. The average score for each question was then calculated. A positive score indicates agreement and a negative score indicates disagreement.

- **Respondents liked Westminster's water services** - The strongest agreement was found in response to the statement, "The City of Westminster provides reliable water service" (1.71 average). Strong agreement was also found for the following statements, "Conservation of water is critical for the future of the City of Westminster" (1.49 average); "Water provided by the City of Westminster is safe to drink" (1.48 average); and "I conserve water because it is the right thing to do" (1.39 average).
- **Respondents were not aware of City rebate programs** - The strongest disagreement was found in response to the statement, "I am aware of rebates offered by the City of Westminster" (-0.50 average). No other statement received a negative score indicating a majority disagreement.

Drought Response

Survey respondents indicated which drought response measures they feel are most appropriate for Westminster.

- **Voluntary restrictions preferred** - Voluntary restrictions received the highest response (51.1%) followed by mandatory restrictions (37.3%). Other options received a substantially lower response rate.

Age and Size of Homes and Households

- The average respondent's home was built in 1982.
- The oldest surveyed home was built in 1940 and the newest was built in 2008.
- The average move-in year of survey respondents was 1995.
- The respondents indicated that their households have an average of 2.57 people (2.03 adults, 0.07 infants, 0.28 children, and 0.19 teenagers).
- An average of 0.67 adults stay at home during the day.
- The average home in this survey has 3.41 bedrooms.

Water Use Analysis

Annual Demands

The City of Westminster maintains records of water consumption going back more than ten years. For this study, only residential water demands from 2000 – 2010 were considered. Single-family household demands varied over this time due to a variety of factors including a significant drought in 2002-03. In 2010, residential demands accounted for 61.9% of all Westminster water deliveries (including wholesale and reclaimed). Key results are summarized here.

- **Average of 112.5 thousand gallons (kgal) per year** - The average per household annual water use during this time period was 112.5 kgal per year and the overall trend was a decline in per household water use.
- **Indoor/Outdoor Use** - From 2000 – 2010, Westminster residential customers used an average of 60.2 kgal per year for indoor purposes and 52.3 kgal per year for outdoor purposes.
- **More water used indoors annually** - In general, residential customers in Westminster tend to use more water indoors than outdoors over the course of the year. Looking only at consumption in 2010, residential customers in Westminster used 54.4% of their total annual water use indoors (non-seasonal) and 45.6% outdoors (seasonal). Since 2000, average non-seasonal (indoor) use has exceeded seasonal (outdoor) use every year except 2008.
- **Irrigation tracks changing weather** - City residents are clearly altering their irrigation patterns to match the prevailing weather conditions, which means they are paying close attention to the weather and the condition of their landscape.
- **Potential for increased outdoor use exists** - Outdoor water use cannot and will not decline indefinitely (unless climate conditions continue to become cooler and wetter from now on or people make permanent changes to the size and type of landscapes prevalent in the community). The results from this study suggest that if the climate conditions trend towards the hot and dry in the future, Westminster citizens will respond by increasing outdoor water use to maintain landscape quality.

Daily Household Use

During the data logging period, the 61 households in this study used an average of 148 gallons per household per day (gphd) and the median use was 138 gphd. The 2010 average daily non-seasonal water use across the entire residential sector in Westminster was 153.6 gallons per household per day. These results are not statistically different at the 95% confidence level, confirming the representativeness of the sample selected for this study. These results are presented in Table 2.

Table 2: Household water use statistics

Parameter	Average (gphd)	Std. Deviation	Sample Size (N)
Total logged use	148.1	76	61
Indoor logged use	138	132	61
Non-seasonal use for population (2010)	153.6	33.3	27,739

Even though the data logging effort was conducted in December and January, nominal “non-irrigation” months, there was still a small amount of outdoor use that was measured through the flow trace analysis effort. This is not surprising since winter watering of trees and some other plants is a recommended practice in Colorado, particularly during a dry winter such as 2010-11. It was found that approximately 10 gphd of water was going to outdoor uses during the logging period. The average indoor household use measured during the logging period was 138 gphd.

Indoor Water Use and Conservation Potential

Single-family households in Westminster are using water quite efficiently in 2011 and there is only a limited potential for additional water savings indoors in the future.

When water use in the Westminster sample was compared against water use found in the 1999 Residential End Uses of Water Study (REUWS) national sample, it was found to be significantly lower in household water use for toilets, clothes washing, faucets, other uses and leaks. Shower, bath and dishwasher use, however, was much the same.

In Westminster, the average indoor per household use was 138 gphd. In the 1999 REUWS, the average indoor per household use was 177 gphd. This means that the households in Westminster are using 22.3% less water indoors than this previous national sample.

Indoor Per Capita Use

Residents in Westminster used 55.4 gallons per capita per day (gpcd) in the 2011 study. Toilets were the largest end use (13.5 gpcd), followed by showers (12.3 gpcd), clothes washers (11.5 gpcd), faucets (7.9 gpcd), and leaks (7.2 gpcd). A comparison on the indoor per capita use measured in Westminster and the 1999 REUWS is presented in Table 3.

Compared with the baseline 1999 REUWS, residents in Westminster are using 22.3% less water indoors per capita. Measurable demand reductions have been achieved in toilet use, clothes washer use, faucet use and in leakage. Most of the other end uses are quite similar. This indicates that Westminster homes today are equipped with more efficient fixtures and appliances than typical homes in the late 1990s.

When indoor use for each study was normalized for a family of three, accounting for the non-linear nature of per capita demand, it was discovered that homes in Westminster use 30% less than the homes in the 1999 REUWS. Furthermore when normalized, the homes in Westminster used only 10% more water indoors than a group of high-efficiency homes Aquacraft recently studied for the U.S. Environmental Protection Agency (EPA). These high-efficiency homes were built to the EPA WaterSense

specification and were among the most water efficient homes Aquacraft has ever studied. This result indicates that while additional indoor demand reductions are likely, homes in Westminster have already achieved an impressive level of efficiency to date.

Table 3: Average per capita per day usage – Westminster (2011) and REUWS (1999)

	2011 Westminster Study (gpcd)	1999 REUWS (gpcd)
Sample Frame	Random Sample	Random Sample
End Use		
Toilet	13.5	18.5
Shower	12.3	11.6
Clothes washer	11.5	15.0
Faucet	7.9	10.9
Bath	0.7	1.2
Dishwasher	0.9	1.0
Leaks	7.2	9.5
Other	1.4	1.6
INDOOR TOTAL	55.4	69.3
Sample size (N)	61	1,188

Fixtures and Appliances

The flow trace analysis process allows for a detailed examination of water use by each type of fixture and appliance regularly used by single-family households. For this study, the analyses were focused on the efficiency level achieved to date in Westminster and the conservation potential for the future.

Toilets

Analysis of the flow trace data indicates that the average per household flush volume in the City is 2.68 gallons per flush (gpf) and the median is 2.41 gallons per flush.

In the Westminster end use study sample, 47.5% of the households had an average household flush volume below 2.2 gallons per flush. This represents the average of all toilet flushes in the homes, which includes homes with multiple toilets of various efficiency levels. Over 16% of the study homes had an average flush volume at or below 1.6 gallons per flush and 3.3% of the homes had an average flush volume below 1.3 gallons per flush (the high-efficiency level). On the less water efficient side, 26.2% of the study homes had an average flush volume greater than or equal to 3.5 gpf, 16.4% were above 4 gpf, and 3.3% were above 5 gpf. These results are shown in Figure 6.

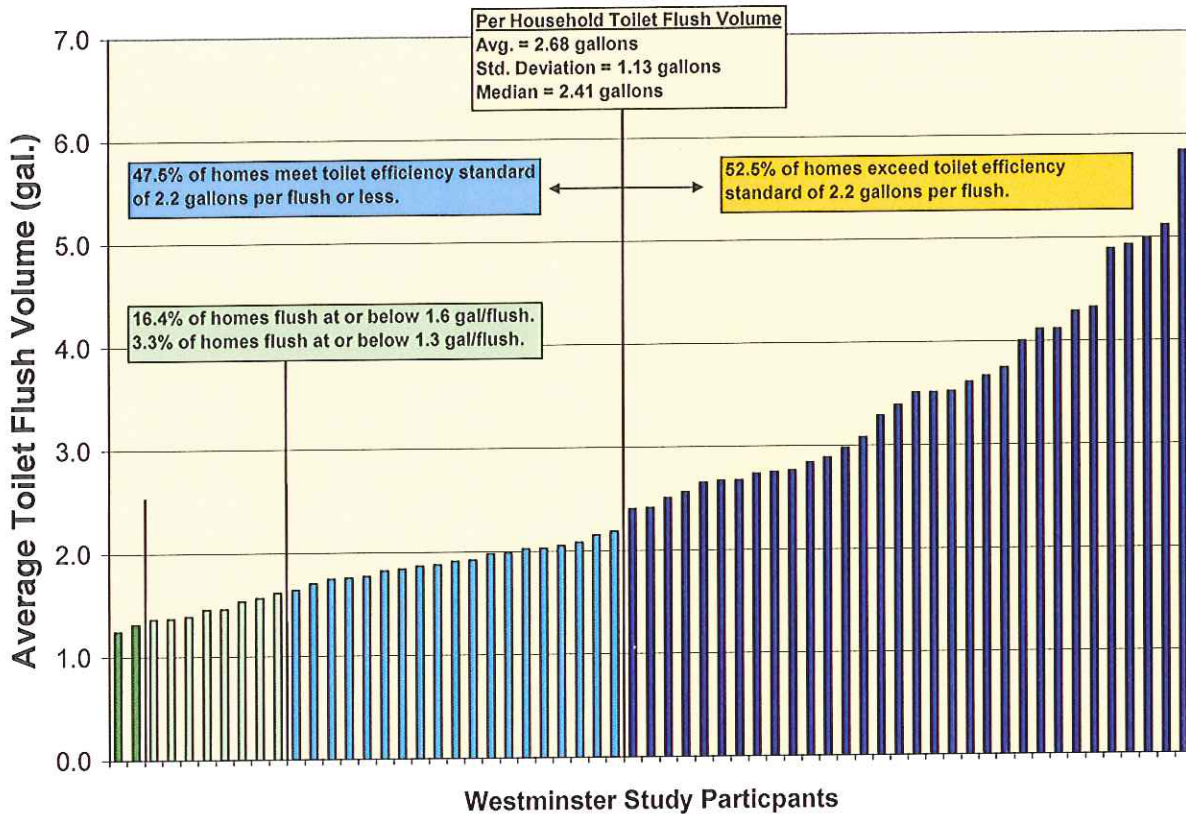


Figure 6: Average toilet flush volume for all study participants and toilet flush volume statistics

This study concludes that a high percentage of toilets in Westminster have been upgraded to ultra-low-flush toilets (ULFT). A ULFT is a toilet designed to use 1.6 gallons per flush. A high-efficiency toilet (HET) is designed to use 1.28 gallons per flush or less. About half of the residential customers have average flush volumes in the ULFT or better range, 25% of the homes appear to be fully equipped with ULFT or better toilets, and 44% have a mixture of ULFT or better and high volume toilets. On the other hand the data suggest that over 30% of the homes still were not equipped with any ULFT or better toilets at the time the data were collected in 2010.

Residents in Westminster flushed an average of 5.26 times per person per day which is quite similar to the flushing frequency found in numerous Aquacraft studies where flushing frequency has consistently been found to be between 5 and 6 flushes per person per day.

The “useful life” of a toilet fixture is somewhat of an unknown value in water efficiency literature. Conventional wisdom suggests that toilets are typically replaced every 25 years; however recent survey results (outside of Westminster) indicate that some people hang onto their old fixtures much longer. It is not uncommon to find the useful life of a toilet set at 40 or even 50 years. For the purpose of this

study and the Westminster Water Conservation Plan, a useful life of 40 years will be assumed for toilet fixtures.

A 40 year useful life suggests that about 2.5% of the older toilet fixtures in Westminster will be replaced each year. If all homes with an average flush volume greater than 2.2 gpf are put into the “older toilet fixture” category, then it is calculated that about 330 households per year will replace their toilets with new, efficient models.

Clothes Washers

Water used for clothes washing accounted for 20.8% of indoor use in this study. The average volume per load of laundry measured in this study was 31.9 gallons per load (gpl) and the median was 35.5 gpl. In the 1999 REUWS, the average clothes washer volume was 40.9 gpl, so the typical clothes washer in Westminster appears to be 22% more efficient than this previous national sample.

Today’s water efficient clothes washers use about 25 gpl or less, while older models use about 45 gpl. In Westminster, 35% of the laundry loads measured during this study used 25 gpl or less and 37% of the laundry loads used 40 gpl or more. The remaining 28% used between 25 and 40 gpl. As with toilets, there are a mixture of fixtures and appliances currently installed in Westminster households. While substantial water efficiency has already been achieved, there remain significant savings to be realized. These results are presented in Figure 7.

It is anticipated that homes in Westminster will continue to improve the efficiency of clothes washing in the coming years. Federal Department of Energy rules will ensure that in the future, only more water-efficient clothes washers will be available for sale in the US. The average useful life of a clothes washer is 14 years. The results from this study indicate that in the coming years up to 65% of the residential customers in Westminster could increase their water use efficiency for clothes washing.

A 14 year useful life suggests that about 7.1% of the clothes washers in Westminster will be replaced each year. It is becoming increasingly difficult to purchase a new clothes washer that uses more than 25 gpl because of steadily improving Department of Energy standards for washers. It is not unreasonable to assume that all new washer purchases in the coming years will be efficient models.

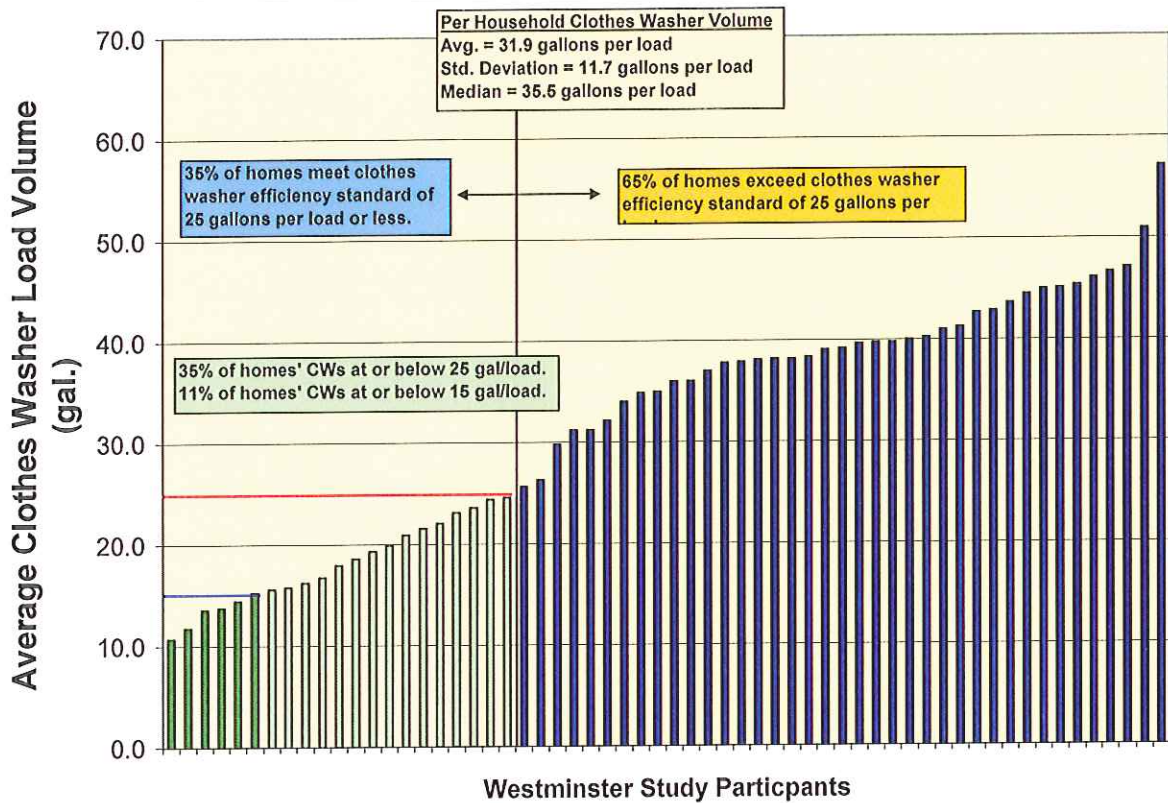


Figure 7: Average clothes washer load volume for all participants and load volume statistics

Showers

Showers are the second largest indoor end use (after toilets) accounting for 22.2% of the residential indoor demand. Participants in this study used an average of 12.3 gpcd for showering which was a little higher than the 11.6 gpcd found in the 1999 REUWS. There does not appear to have been any efficiency gains (or losses) in showering in Westminster over the past 15 years. Shower water use is essentially unchanged from what it was in the late 1990s to today.

Additional efficiency improvements from showering are hard to predict, but based on the results of this study, Westminster should not assume that the water use for showering will decrease in the future.

Faucets

Faucet use accounted for 14.3% of indoor use in Westminster, making it the fourth largest indoor end use. Study participants used an average of 7.9 gpcd for faucets during this study. This is 27.5% less than the 10.9 gpcd measured for faucet use in the 1999 REUWS.

Faucet flow rates in Westminster are substantially lower than were measured for the REUWS, but faucets are operating for longer periods of time in Westminster. This suggests some faucet uses are volume based. Residents in Westminster ran the faucet for an average of 10.1 minutes per person per day which was substantially longer than the 8.2 minutes per person per day measured in the REUWS. In Westminster, the average faucet flow rate was 0.9 gallons per minute (gpm), but in the 1999 REUWS the average faucet flow rate was 1.3 gpm.

Increased faucet use efficiency in Westminster will be challenging to achieve. It appears that typical faucet flow rates are already considerably lower than what was measured in the 1999 REUWS.

Additional faucet savings will likely only be available through modified behavior rather than technological efficiency improvements; although, it is possible that increased adoption of hands-free faucet devices could reduce faucet run times. No study has been able to document water savings from residential hands-free faucet devices to date.

Dishwashers

Dishwashers accounted for only 1.6% of indoor water use in Westminster. Study participants used an average of 0.9 gpcd for automatic dishwashing. This was quite comparable to the volume of water found for dishwashing in other recent end use studies.

An average dishwasher load used 6.4 gallons per load in Westminster. There are dishwashers on the market that use 5 gallons per load or less, but it appears that customers in Westminster have relatively efficient washers installed right now.

Leaks

In Westminster, leakage accounted for 13% of indoor water use. The study homes leaked an average of 16.8 gallons per household per day and 7.2 gallons per capita per day during the study period. It is likely that much of this leakage is going down the drain into the sewer system. Homes in the 1999 REUWS leaked an average of 9.5 gpcd, so the 7.2 gpcd leakage rate found in Westminster represents a 25% reduction in per capita leakage rates.

Leakage rates could be reduced in the future, but this is usually best accomplished through implementation of advanced metering infrastructure (AMI) which, if implemented properly, can provide leakage alerts to customers with unexpected or unexplained usage.

Outdoor Water Use and Conservation Potential

Single-family residential irrigators in Westminster appear to be well tuned in to prevailing weather conditions and to adjust their irrigation patterns accordingly when the weather becomes wetter or drier. The average irrigation application rate of the Westminster survey respondents changed dramatically in response to changes in weather. For example, 2009 was a cool and wet year comparatively and the average irrigation application rate in Westminster reached the lowest level of the decade – even lower than in 2004 in the drought response shadow. In 2010 when the irrigation requirement was substantially higher than 2009, the average irrigation application rate climbed.

The study sample households in Westminster applied substantially less water than was theoretically required for a turf grass landscape. On average this group applied 67.7% of the theoretical requirement from 2000 – 2010. If we allow for a 5% under-estimate of the actual irrigated areas the average would be about 73%—still substantially below the annual irrigation requirement. This indicates that many single-family residential irrigators in Westminster use substantially less water than might be expected based on the weather conditions.

Figure 8 shows the percent of the 2010 irrigation requirement that was applied by the end use study sample.

These results suggest that outdoor water conservation efforts in Westminster should be targeted at the relatively small percentage (12.9%) of customers who are applying more than 100% of the theoretical requirement. The City should also consider programs and regulations to help ensure that those customers who are currently irrigating at an efficient level continue this practice. Real potential for increased outdoor use exists in Westminster, particularly among customers who are currently manually irrigating but who could install an automatic irrigation system in the future. Manual irrigators include all customers who do not have an in-ground system with an automatic timer. Working to ensure that new landscapes and irrigation systems installed in Westminster in the future are as water efficient as possible can help manage and mitigate potential demand increases.

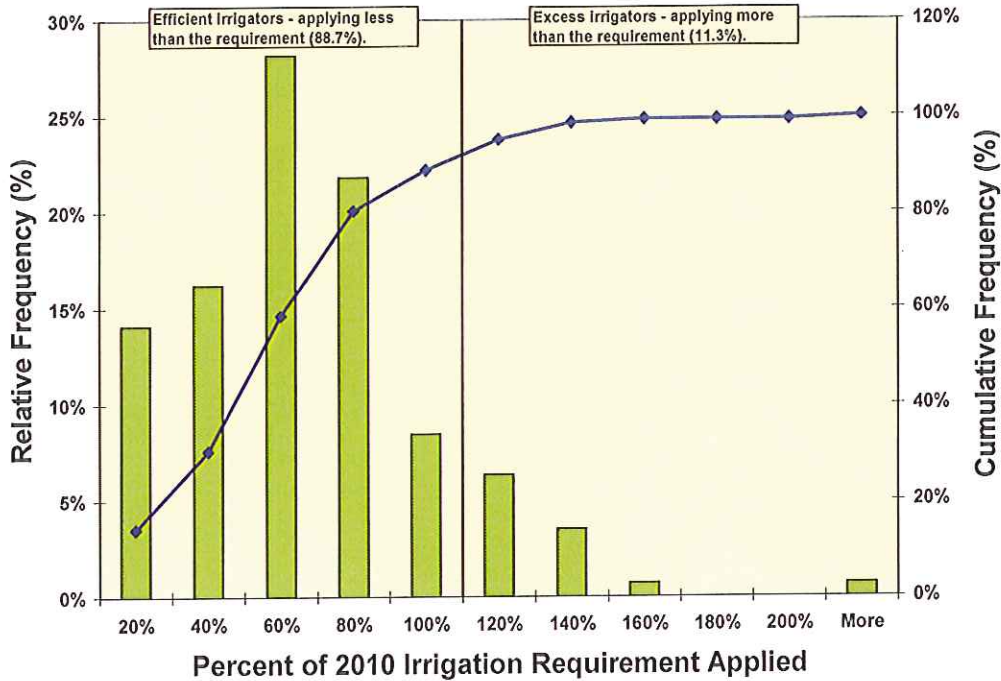


Figure 8: Histogram showing the percent of 2010 irrigation requirement applied by end use study sample (n=70)

There is not great potential to further reduce single-family residential outdoor water demands in Westminster. In this study group, the excess irrigation measured in 2010 only accounted for 3% of all outdoor demand. In other words, if the 12.9% of the study sample that applied more than 100% of the theoretical irrigation requirement (TIR) in 2010 reduced their use to exactly 100% of the TIR the savings would only amount to a 3% reduction in outdoor use.

By contrast, the level of under-irrigation in this sample of households is much more significant. If all households that applied less than the TIR in 2010 were to increase their irrigation application rate to match the TIR, outdoor use would be approximately 35% higher. It appears that the level of under-irrigation in Westminster is much more significant than the level of excess irrigation. The potential to increase outdoor demands, particularly among those currently manually irrigating, is far more significant than the potential for reducing outdoor demands. This is a finding with important implications for the City. Planning for the future of irrigation in Westminster includes expected increases in outdoor use among customers who are currently drastically under-irrigating. Customers who over-irrigate will be targeted for various outdoor efficiency interventions described below.

Single-family residential outdoor irrigation in Westminster has been at a relatively low average rate over the past 10 years, indicating that relatively few customers in Westminster over-irrigate. The City should be aware that outdoor use in Westminster could increase due to:

- Conversions of landscapes that are currently manually irrigated to automatic irrigation.
- Changes in customer preferences regarding plants and landscape materials.
- Hotter and drier climate conditions.

Water Costs and Pricing

The City of Westminster utilizes an inclining block rate water billing structure that encourages conservation by charging a higher rate the more water that is consumed. Details of the City’s rate structure, stormwater management and metering fees are presented in Table 4, Table 5, and Table 6.

Residential demand accounted for 62% of total demand in 2010. The City’s rate structure is particularly well designed for residential customers. Block 1 covers just the first 4,000 gallons of usage, which is a reasonable amount of water for indoor demand for a family of four. Block 2 is from 5,000 – 20,000 gallons of usage which is sufficient to irrigate 5,000 square feet of turf during the hottest month of the year. Block 3 is all usage greater than 20,000 gallons per month.

Table 4: Westminster water and sewer rates and rate structure (effective 1/1/2012)

	Inside City Limits	Shaw Heights	Outside City Limits
Residential Water	(per 1,000 gallons)		
1,000 - 4,000 gallons	\$2.38	\$2.61	\$2.97
5,000 - 20,000 gallons	\$3.93	\$4.32	\$4.91
More than 20,000	\$5.82	\$6.40	\$7.27
Multi-Unit, HOA & Residential Irrigation	\$4.88	\$5.36	\$6.10
Commercial (based on meter size)			
Block 1 - below Breakpoint (chart below)	\$4.88	\$5.36	\$6.10
Block 2 - above Breakpoint (chart below)	\$5.94	\$6.53	\$7.42
Reclaimed Water (based on meter size)			
Block 1 - below Breakpoint (chart below)	\$3.90	\$4.29	\$4.87
Block 2 - above Breakpoint (chart below)	\$4.74	\$5.21	\$5.92
Sewer Rates (January thru March water average)		(times average/month)	
Residential single-family	\$4.35	\$4.35	\$5.43
All others	\$4.86	\$4.86	\$6.07
New Residents (flat rate)	\$21.81	\$21.81	\$27.26

Meter Service Charges	(per month)		
Residential	\$6.67	\$7.33	\$8.33
Commercial and all others	Based on meter size	Based on meter size	Based on meter size
Miscellaneous Charges and Fees	(per month)		
Infrastructure Charge	\$4		
Late Fee	\$5	\$5	\$5
Return Check Fee	\$30	\$30	\$30

Table 5: Stormwater management fees (effective 1/1/12)

	Stormwater Management Fee (per month)
Single-family detached residential	\$3.00/mo. (Average impervious area for a home is calculated at 3,100 sq. ft.)
All other property (Commercial, apartments, townhomes, etc.)	\$0.97/mo./1,000 sq. ft. of impervious area. (Impervious area includes roofs, driveways, sidewalks, etc.)

Table 6: Monthly metering fees (effective 1/1/12)

Meter Size Breakdown Points (monthly fee)				
Meter Size	Inside City Limits	Shaw Heights	Outside City Limits	Block monthly use breakpoint (gal.)
5/8"	\$6.67	\$7.33	\$8.33	20,000
3/4"	\$10.58	\$11.63	\$13.22	30,000
1"	\$14.57	\$16.02	\$18.21	50,000
1-1/2"	\$22.99	\$25.28	\$28.73	100,000
2"	\$31.88	\$35.06	\$39.85	160,000
3"	\$65.20	\$71.72	\$81.50	350,000
4"	\$76.70	\$84.37	\$95.87	600,000
6"	\$118.89	\$130.77	\$148.61	1,250,000
Other sizes available on request				

PROPOSED TREATED WATER PROJECTS

The City of Westminster has no treated water supply projects planned for the coming years beyond standard maintenance of lines and infrastructure. It is estimated that current water treatment capacity of 59 mgd is sufficient to meet buildout demands. There are no identifiable treated water supply projects that could be delayed or cancelled as a result of future demand reductions achieved through conservation.

Review of Current Policies and Planning Initiatives

Comprehensive Water Supply Plan

The development of a Water Conservation Plan is a part of the City's overall Comprehensive Water Supply Plan (CWSP). The CWSP develops a strategy to meet the current and future water needs of the City in a truly integrated and interactive process. The CWSP uses updated projections of buildout water demand based on the City's Comprehensive Land Use Plan (CLUP) and compares this with an updated planned buildout yield of the City's water supply system to define a buildout water supply/demand gap. A key goal of the CWSP is to eliminate any identified supply gap in an appropriate timeframe for buildout of the City.

The CWSP is a portfolio intended to identify and meet the buildout water supply/demand gap by expanding some components of the City's existing water supply system, constructing some new capital projects, and capturing demand modifications and reductions. The CWSP components include water conservation efforts, expanding the reclaimed water system, water rights purchases, system improvements, and identifying other potential solutions to future needs.

Other Westminster Plans and Initiatives

The City of Westminster prepares and regularly updates the following plans:

- **Water System Master Plan** - Focused on the water distribution and treatment systems.
- **Sewer Master Plan** - Focused on the sewer collection and treatment systems.
- **Raw Water Infrastructure Master Plan** - Focused on the raw water delivery and reservoir systems.
- **South Westminster Non-Potable Water Supply Plan** - Focuses on the potential delivery of non-potable raw water to irrigation customers in south Westminster, freeing up higher quality water for potable demands.
- **Reclaimed Water Master Plan** - Focuses on the treatment, delivery, and potential customer identification and timing of connection for the reclaimed water system.

- **Parks Master Plan** - A master plan for City parks which is used to determine water application rates and potential future demands.
- **Drought Plan** - Details trigger points and projects for use during times of water shortages.

Additional plans mentioned in the comprehensive water supply section:

- **Water Supply Plan** - Determines the yield of the City's water portfolio
- **Comprehensive Land Use Plan** - Identifies the current developed and undeveloped lands and the uses for which they are approved.
- **Water Demand Plan** - Applies historic water use and predicted trends to existing and planned development to generate a buildout water demand.
- **Water Conservation Plan** – Sets out conservation program description and goals for the coming years. Developed in accordance with the Water Conservation Act of 2004 and to meet the provisions of Colorado Revised Statute Section 37-60-126.

POPULATION PLANNING AND PROJECTIONS

In 2010, Westminster provided treated drinking water to an estimated population of 123,647. This estimate includes customers in the Westminster, Shaw Heights, Federal Heights, and a small number outside of these municipal boundaries.

Projecting buildout population uses data from several sources and creates a projection 25 to 30 years in the future. The data used for the projection is based on today's understanding of future conditions. Westminster's approach for population projections is conservative, using a higher density than projected in the City's current Comprehensive Landuse Plan. Decisions made today will affect the City's water supply in the future when water will be scarcer and options for increasing water supply much more expensive and difficult. The Colorado Department of Local Affairs projects an average population increase within Jefferson and Adams counties from 2010 to 2040 of about 38%, roughly equivalent to the projections used in this plan.

Westminster bases its population forecasts on land use and density and frequently adjusts projections based on observed and planned changes. For example, a recent trend showing increased multifamily housing construction has lead city water planners to increase their estimate of the anticipated density in some parts of Westminster, resulting in an increased buildout population forecast.

Since the City is designing a buildout water supply, a conservative approach to water demand is required. For the purposes of water supply planning, Water Resources staff utilizes high end population density estimates based on the current vision of the City at buildout. Current Official City buildout population projections are for 123,909 residents within the City at buildout. Under a theoretical high end buildout water demand scenario, Water Resources staff is basing its planning on providing water service to a maximum of 152,000 people within the City of Westminster and an additional 18,600 people outside the city limits for a total of 170,600 people.

While Westminster uses these estimates for planning purposes, the City acknowledges the inaccuracy of any buildout projection that assumes achievement of a hypothetical maximum population in the future. Experience has shown that buildout seldom, if ever, really occurs. Instead, cities adapt to new conditions and development realities as they grow to their urban boundaries. What is considered buildout in 2012 may not be considered buildout in 2030.

WATER CONSERVATION PROGRAMS AND MEASURES

Conservation Goals and Identified Programs and Measures

The City of Westminster has identified a future water supply gap in 2040 of approximately 2,200 AF which is to be met through demand reductions accomplished by a combination of passive and active water conservation measures. Given the high level of demand reductions already accomplished in Westminster (as documented through the residential analysis presented earlier in this plan), setting an achievable goal of conserving another 2,200 AF over the next 28 years (~79 AF per year) makes sense. This goal will be re-evaluated on a regular basis as Westminster intends to update the water conservation plan every 7 years. This means that four additional plan updates will be completed before 2040 affording ample opportunity to update and refine the City's conservation program and goals as needed.

Conservation Program and Demand Forecasts

Westminster's water conservation program over the next seven years addresses all residential and non-residential demand sectors in the City and includes a set of innovative and effective water conservation measures. Some of these measures, such as Westminster's highly effective tap fee ordinance, have been developed and implemented over many years. Other measures, such as the proposed new informational water budget and leak reduction program that identifies leaks using advanced metering infrastructure (AMI), offer substantial opportunity for additional demand reductions.

Current Program

The City has implemented comprehensive water conservation measures since 1976. Most of the measures that have been implemented over the past 35 years are still part of the conservation program in 2012. Westminster has been a leader among Colorado utilities in promoting and implementing sensible water efficiency measures. In 1976, Westminster was one of the first municipalities to:

- Implement an increasing block rate water conservation pricing structure for residential water users.
- Meter and charge all water users including City parks and construction water users.
- Modify the Municipal Building Code to require low water plumbing fixtures in all new development.

All of these program measures are still in place in 2012.

Starting in 1976 and continuing through 2012, the City has implemented a series of additional water conservation measures. Arranged by customer category impacted, these conservation measures include:

Outdoor Conservation - Irrigation and Landscape

- Installation of two weather stations to collect evapotranspiration (ET) data that are utilized by the City's Parks Department in a computerized irrigation scheduling program that schedules irrigation at City parks, Legacy Ridge Golf Course and other City facilities.
- Installation of computerized irrigation controls at City Park and Legacy Ridge Golf Course that allow for automatic and remote control of irrigation to increase efficiency.
- Rain sensors on 90 percent of irrigation time clocks for City parks and City facilities that shut off irrigation during significant precipitation.
- Xeriscape Seminars offered for free through the Department of Parks, Recreation and Libraries.
- Irrigation audits offered through the Center for Resource Conservation
- "Garden in a box" landscaping program offered through the Center for Resource Conservation
- City Landscape Ordinance that includes landscape water budgets, required irrigation controllers, and required soil amendments

Conservation Information and Education

- Water Awareness presentations that are made to local elementary schools and displays at malls and public facilities during Water Awareness Week.
- Children's water festivals in local schools

City-Wide Measures, Codes, and Municipal Conservation

- Ongoing Utility Water Loss Control, Pressure Management, and Leak Detection Program
- Ongoing Meter Testing and Calibration Program.
- Reclaimed water program
- City Landscape Ordinance that includes landscape water budgets, required irrigation controller technologies, and required soil amendments
- Water waste ordinance in City Code
- Regular review and update of City's conservation-oriented water rates
- Tap fee structure encouraging built-in water efficiency in new construction
- City Growth Management Plan
- Municipal code requiring submetering
- City efficiency audits conducted by Siemens

Residential Indoor Conservation

- Rebates for water efficient clothes washers
- Multi-family toilet retrofit program

Commercial, Industrial, and Institutional Indoor Conservation

- Water recycling requirement for car washes
- Tap fee structure encouraging built-in water efficiency in new CII construction

More detailed descriptions of some of these ongoing water conservation programs and measures are provided below.

Rebates for Water Efficient Clothes Washers

Beginning in 2003 and continuing through 2011 the City has rebated 2,584 toilets and 1,345 washing machines in single-family and small multifamily projects, for a total of \$328,560 in rebates resulting in over 120 acre-feet of water saved at an average cost of \$2,725 per acre-foot saved—enough water to fully supply 280 single-family homes with their annual water needs.

Municipal Code Requires Submetering

- Since 1996 the Westminster municipal code has required all multifamily units which do not share a common hot water supply system to have individual submeters installed.
- Since 2006 all new townhome units must have individual water meters installed.
- Since 2006 all individual businesses in a complex must be submetered.
- Submetering places the responsibility and the ability to track water use with the water user. Studies have shown that water users who pay for their individual water use are more likely to use less water.

Water Loss Control and Water Pressure Management

The City implements an aggressive water loss control program that includes implementation of the AWWA Water Loss Audit methodology, meter testing, repair, and replacement, water main rehabilitation and replacement, and pressure management. The City uses acoustic water leak detection regularly with 2 City owned devices and contracts periodically with a leak detection company on specific zone projects. In 2011 water loss in the City was estimated to be 6.52% - which is one of the lowest levels of water loss achieved by the City over the past 20 years. The City is in the process of identifying pressure zones within the City where water pressures are higher than optimal. Reducing high pressures in these areas offer the opportunity to decrease water leakage on both the City and customer side of the meter. The proposed zones are prioritized with pressure in the oldest areas to be reduced first to maximize water savings. Reduced pressures decrease the possibility that new leaks will develop and lowers losses from existing leaks. Further water savings are achieved by reducing the flow from water use fixtures as they are used.

Multifamily Toilet Retrofit Program

In 2011, the City implemented a multifamily toilet rebate program. The program provided select multifamily complexes with high-efficiency toilets for one or two buildings with separate water accounts. The goal was to demonstrate savings so that the management of the complex would be

motivated to fund the replacement of the remaining inefficient toilets for the entire complex. Since multifamily complexes have specific budgetary and labor availability issues, the program was designed to provide the rebate at the time of purchase and allow for an extended installation period.

Many multifamily projects in Westminster were built prior to 1994 and have toilets that use 3.5, or more, gallons per flush. In 1994, Congress enacted water savings legislation requiring that toilets use no more than 1.6 gallons per flush. Current toilets use 1.28 gallons per flush while providing superior performance compared to toilets manufactured prior to 1994. Rebates were issued for 1.28 toilets that qualify for the EPA's WaterSense program, of which Westminster is a partner.

During 2011, the City funded rebates for the replacement of 289 toilets in 7 multifamily complexes. All toilets were purchased in 2011 and installations continue in 2012. It is anticipated that all toilets will be installed in the first quarter of 2012. Each toilet replaced was pre-inspected by City staff ensuring that only high water use toilets were replaced. After the installation is complete, a post inspection will occur.

The following is a summary of 2011's program accomplishments:

- The total cost of the rebates was \$24,080
- Estimated water savings is 8.85 acre-feet
- The cost per acre-foot of water saved is \$2,725
- Enough water is saved to supply 20.5 homes with their total water needs annually

Commercial, Industrial, and Institutional Customers

Submetering

Since 2006, a City ordinance has required that all new commercial units in Westminster that share a water meter must have submeters installed so that the water use from each business can be measured. Studies have shown that water users who have their water use metered and pay for this measured usage use less water on average (Mayer, et. al. 2004).

Water Recycling

All car washes built in Westminster since 1996 have been required to install recycling systems so that at least 50% of the annual wash water can be reused.

Tap Fee Ordinance

Westminster's innovative tap fee structure provides incentive for water conservation in new non-residential construction. Separate infrastructure and water resources fees are included within the total water tap fee. This provides an incentive for developers to reduce tap size and water requirements by installing water efficient fixtures and processes. The City calculates each tap size by the type and

number of fixtures installed. Changing fixtures to water saving units can reduce the total fixture units on the tap which can in many instances allow for a smaller tap to be installed saving thousands of dollars on the water and sewer tap fees. The water resources requirements of each non-residential tap are calculated independently of the tap size and a savings in water resources requirements can reduce the water resources portion of the water tap fee. Irrigation taps in Westminster are sized based on calculated water requirements using key data such as the irrigated area (square feet) and the anticipated water requirements of the landscape. Once the potential demands are estimated, then the City uses this information to determine the required service line and tap size to adequately serve the property. This provides a built-in incentive for new customers to install water conserving landscapes as a lower water requirement will result in a smaller system connection fee.

Estimated Savings from Current and Past Water Conservation Efforts

The City has documented the impact of current and past water conservation efforts through a variety of studies and analysis. Several of these savings estimates are described below. The City is working on an analysis to estimate the impacts of water conservation in Westminster since 1980, but this is not yet completed.

Per Capita Changes 2000 – 2010

A simple analysis of system-wide per capita use shows significant water savings were achieved in Westminster from 2000 – 2010. As shown in Table 7, over the ten year period from 2000 – 2010, the population in the City increased by 5.1%. Over that same time treated water deliveries were reduced by 11.4% resulting in a 17.8% reduction in per capita potable water produced. The results from the 2011 Residential Demand Study (discussed below) confirm that these changes in water use are largely due to both active and passive water conservation efforts. Replacing 1,474 acre feet of potable water demand with reclaimed water is included in the per capita demand reduction.

Table 7: Changes in water use in Westminster (2000 – 2010)

Year	Population	Water Delivered (AF)*	Per Capita Potable Water Produced at the Plant (gpcd)
2000	100,940	20,363	169
2010	106,114	18,034	139
% Change	5.1%	-11.4%	-17.8%

*Does not include reclaimed water

Residential Indoor Savings Estimate

Residents in Westminster used 55.4 gallons per capita per day (gpcd) according to results from the 2011 Westminster Residential Water Demand Study. A comparison on the indoor per capita use measured

in Westminster and the 1999 Residential End Uses of Water Study (REUWS) is presented earlier in this plan document in Table 3.

Compared with the baseline 1999 REUWS, residents in Westminster are using 22.3% less water indoors per capita. Measurable demand reductions have been achieved in toilet use, clothes washer use, faucet use and in leakage. Most of the other end uses are quite similar. This indicates that Westminster homes today are equipped with more efficient fixtures and appliances than typical homes in the late 1990s.

When indoor use for each study was normalized for a family of three, accounting for the non-linear nature of per capita demand, it was discovered that homes in Westminster use 30% less than the homes in the 1999 REUWS.

Estimated Impact of Reclaimed Water System

The City's reclaimed water system has had a significant impact on the City's raw water requirements. In 2010 the City delivered 1,474 AF of reclaimed water for irrigation purposes. This represents a net reduction in the amount of water the City would have been required to treat and deliver to meet current demands. 1,474 AF represents 8.1% of the treated water demand in 2010.

Proposed New Water Conservation Program Measures

The following new program measures will be added to Westminster's water conservation program portfolio in 2012 and beyond. The primary goal of these measures is to target high and inefficient water use and to focus limited conservation resources on the areas where significant demand reductions can be achieved.

Leak Alert Notification

Leakage on the customer side of the meter remains a problem for Westminster residents. Findings from the 2011 Residential Water Demand Study showed that leakage accounts for 13% of indoor use in Westminster homes. For a small number of high leakage properties, leakage may account for 40% of indoor demand or more. A leak alert notification system appears to be one of the best methods available for identifying potential leaks and notifying customers that a problem may exist.

Using the City's steadily expanding advanced metering infrastructure (AMI), customers with unanticipated water use (typically measured through hourly meter reads taken during the early morning hours) will be sent a simple "leak check alert" notification via email or the US Mail. The leak check alert will notify the customer of a possible leak and recommend courses of action to further investigate and remedy the situation.

This program will be implemented for all customers equipped with the necessary AMI meters. Westminster has designed a leak alert post card that informs the customer (in a friendly manner) that a leak may have been detected in their home. The post card also identifies the most likely source of indoor leaks (e.g. toilet flappers) as well as other possible leak locations. Using the AMI system, the City can perform on-going checks to determine if leakage has been abated in homes that have been alerted. The impact of the program can thus be monitored and quantified.

In the residential water demand study, it was found that 5% of the study homes had leaks that exceeded 100 gallons per household per day. If these leaks were to occur unabated, each house could leak more than 36,500 gallons per year. These are the customers who will be the focus of the leak alert notification.

Implementation target for 2012 -13: All customers.

Informational Water Budget

Landscape water budgets have been shown to be one of the most effective tools for establishing irrigation efficiency. Identified as Best Practice 7 in the Colorado WaterWise *Guidebook of Best Practices for Municipal Water Conservation in Colorado*, landscape water budgets provide essential information to help customer manage their outdoor water use through better understanding of consumption patterns and efficiency levels. Under this program, the City will develop landscape water budgets for as many customers as possible, but focused on dedicated irrigation accounts to start.

Westminster has excellent aerial imagery and GIS coverage for measuring landscape areas and establishing water budgets. The water budget will provide a reasonable estimate of expected water use at a site based on the irrigated area and landscape. Comparisons on actual consumption versus water budget estimate will be provided to customers as an informational email or letter in the US Mail. The water budgets will be tied to the City's water rate structure and will be for informational purposes only.

As currently envisioned, the comparison will show the customer how much water they actually used to irrigate the designated property versus an empirical estimate (i.e. water budget) of the volume of water required to irrigate the parcel efficiently. If a customer's water use is at or below the water budget then their irrigation use can be deemed efficient based on this analysis and the water budget may not appear on their utility bill. However, if the actual water use exceeds the water budget then improved water efficiency may be possible triggering the water budget section of the utility bill. While the City is considering using the utility bill for the informational water budget, billing system capabilities may require distribution of the information in a separate mailing or through the City's website. Most customers have no idea if they are irrigating efficiently or not and this program offers the opportunity to

inform and educate. Customers whose irrigation demand dramatically exceeds their water budget will be targeted for efficiency intervention. All customers will be able to use the City's online web resources to see their irrigation water use as well as leak alerts and other measures.

Implementation target for 2012 -13: All customers.

Irrigation Audits

Best Practice 10 in the Colorado WaterWise *Guidebook of Best Practices for Municipal Water Conservation in Colorado* calls for "irrigation efficiency evaluations" also known as irrigation audits. Performed by a trained auditor, irrigation audits provide on the ground evaluations (and often repairs) of automatic irrigation systems.

Under this program the City will offer free irrigation system audits to high water use customers targeted via the informational water budget and other statistical targeting methods or upon request. The irrigation system audits will be conducted by trained experts and will correct deficiencies in irrigation systems.

Implementation target for 2012 -13: 200 customers

Improved Customer Water Use Feedback and Information

The City will use AMI and GIS technology to provide customers with actionable information about water use and information on where efficiency improvements can be made. The City hopes to target this program at customers whose water use dramatically exceeds empirically derived expectations. This effort is closely linked with the informational water budget program described above. The ultimate goal is to develop a regular process for identifying what appears to be wasteful water use via monthly billing data, to alert customers about the potential situation, and then offer information and support to help them reduce their demand.

Implementation target for 2012 -13: 200 customers

Summary of Current and New Conservation Program Measures

Table 8 presents a summary of the water conservation program measures Westminster is implementing and plans to implement into the future.

Table 8: Summary of existing and new water conservation measures

Measure	Sectors Impacted	Description
Increasing block rate pricing structure	All	The City utilizes an inclining block rate water billing structure that encourages conservation by charging a higher rate the more water that is consumed.
Metering and billing all customers including construction sites	All	All customers regardless of type or size are metered and must pay for water based on the volume used.
Individual meters or sub meters required	Townhomes, Multifamily, Commercial	New customers in these categories must install individual meters or submeters in each unit.
Meter testing and calibration program	All	The City maintains a rigorous meter testing and calibration regime.
Since 1996 mandatory recycling at car washes	Commercial car washes	All car washes built since 1996 are required to recycle at least 50% of annual car wash water use.
Education and information	All	The City implements a variety of water and conservation education and information programs including: Water Awareness presentations at schools, Water Awareness Week, Xeriscape seminars, utility website, participation in Colorado Water Wise, bill stuffers and other informational brochures.
Landscape and irrigation regulations implemented in 2004	All new customers with a landscape.	The City requires an approved landscape plan, soil amendments, and an automatic irrigation system. A landscape architect reviews landscape plans. An Official Development Plan Inspector inspects amended soil and reviews irrigation system audits. New non single family landscapes have a maximum 15 gallons per square foot landscape water requirement and a maximum 50% turf area.
Leak alert notification	All applicable	New measure. Using the City's steadily expanding advanced metering infrastructure (AMI) customers with unanticipated water use (typically during the early morning hours) will be sent a simple leak check alert notification via email or the US Mail. The leak check alert will notify the customer of a possible leak and recommend courses of action to further investigate and remedy the situation.
Informational water budget	All applicable	New measure. The City will develop landscape water budgets for as many customers as possible, but focused on dedicated irrigation accounts to start. The water budget will provide a reasonable estimate of expected water use at a site based on the irrigated area and landscape. Comparisons on actual consumption vs. water

Measure	Sectors Impacted	Description
		budget estimate will be provided to customers. Those that dramatically exceed their water budget will be targeted for efficiency intervention.
Improved Customer Water Use Feedback and Information	All applicable	New measure. The City will use AMI and GIS technology to provide customers with actionable information about water use and information on where efficiency improvements can be made. The City hopes to target this program at customers whose water use dramatically exceeds empirically derived expectations.
Irrigation audits	All applicable	The City will continue to offer free irrigation system audits to high water use customers targeted via the informational water budget and other statistical targeting methods or upon request. The irrigation system audits will be conducted by trained experts and will correct deficiencies in irrigation systems.
Irrigation efficiency improvements	Municipal	The City continues to upgrade and improve the efficiency of irrigation at parks and golf courses by installing ET weather stations, computer irrigation controls, and rain sensors. The City has implemented irrigation system conservation upgrade at sites on an ongoing basis which has produced significant water savings. The City pays for all water used for City parks and facilities.
Conservation-oriented tap fee structure	Non-residential	Separate infrastructure and water resources fees are included within the total water tap fee providing incentive to reduce tap size and water requirements by installing water efficient fixtures and processes.
Fixture and appliance rebates	Residential and commercial	The City has offered various rebates for water efficient toilets, clothes washers, and other fixtures and appliances. The City's rebate program is strategic and focuses on new and emerging product areas.
Utility water loss control	Utility & distribution system	Westminster conducts an annual system water audit using AWWA M36 methodology and auditing software. The most recent audit was completed in 2011. The City has an active system leak detection and repair program. In 2011 water loss was determined to be 6.52%, a low rate. Maintaining this low level and making small improvements are the fundamental goals for the City's program.

Demand Forecast

In conjunction with preparation of the City's CWSP, a demand forecast starting from 2010 and going out to 2040 was prepared. This baseline forecast did not include the impact of water conservation of any kind including passive water savings. Adjusted water demand in 2010 was 21,951 AF and under the baseline forecast has increased by 14,249 AF to 36,200 AF in 2040. The adjustment methodology is outlined below.

The baseline demand forecast was developed to anticipate the real potential for increased water demand in regions of the City that are currently using less water than expected. The baseline demand forecast includes the following elements:

- Weather adjusted historic water use for 1996-2010 at the water meter is used as a baseline current water demand.
- Outdoor and indoor average use is calculated individually by account. Outdoor use is adjusted for actual irrigation requirements. Current accounts without history in the full time period are averaged for the years of use that exist.
- Average historic unmetered water uses added in.
- Average historic raw water deliveries added in.
- Water use projected from current undeveloped areas, by development category, based on historic water use of similar developments built after 1995 by development category is added in.
- Current water use on undeveloped areas is subtracted as the current use will be replaced with the developed use.
- Average water loss 1996-2010 added in.
- The difference between historic vacancy rates and base level full occupancy vacancy rates are used to adjust average historic water use to full occupancy base level vacancy rates.
- Single-family outdoor water use is adjusted to 100% single-family for accounts that underuse below average. Average irrigation demand, based on 2011 residential water demand study, is 67% of required irrigation applied in single-family homes 2001-2010.
- Adjustment is made for identified redevelopment projects new water use.
- Adjustment is made for proposed projects that are not within a current land use category (higher density, etc)
- Use from underused large non-residential taps added in to reflect future business activity.

Using the baseline forecast described above and prepared by the City, Aquacraft developed a demand forecast that includes the impact of the City's planned water conservation program measures. Under this forecast it is estimated that demand at 2040 will be reduced by 2,200 AF as result of passive and active water conservation measures. Water savings estimates from Westminster conservation program measures are shown in Table 9. A chart showing the baseline forecast and forecast with conservation is presented in Figure 11.

Westminster updates its demand forecast on a regular basis and can make adjustments up or down as deemed justified by the observed demand patterns. The City incorporates periodic updates to

development categories in the Comprehensive Land Use Plan. Westminster intends to update their water conservation plan and savings forecast every seven years as required by statute.

Table 9: Water savings estimates for Westminster conservation program measures

Conservation Program Measure	Estimated Annual Water Savings (AF)	Estimated Water Savings at 2040 (AF)
Water loss control	5.4	150
Residential indoor savings from natural replacement of fixtures & appliances (<i>passive savings</i>)	53.6	1,500
CII indoor savings from natural replacement (<i>passive savings</i>)	5.4	150
Information and education	0.0	0
Leak alert program	7.1	200
Landscape and outdoor savings via audits, improved customer water use feedback, information oriented water billing, water budgets	7.1	200
Total	78.6	2,200

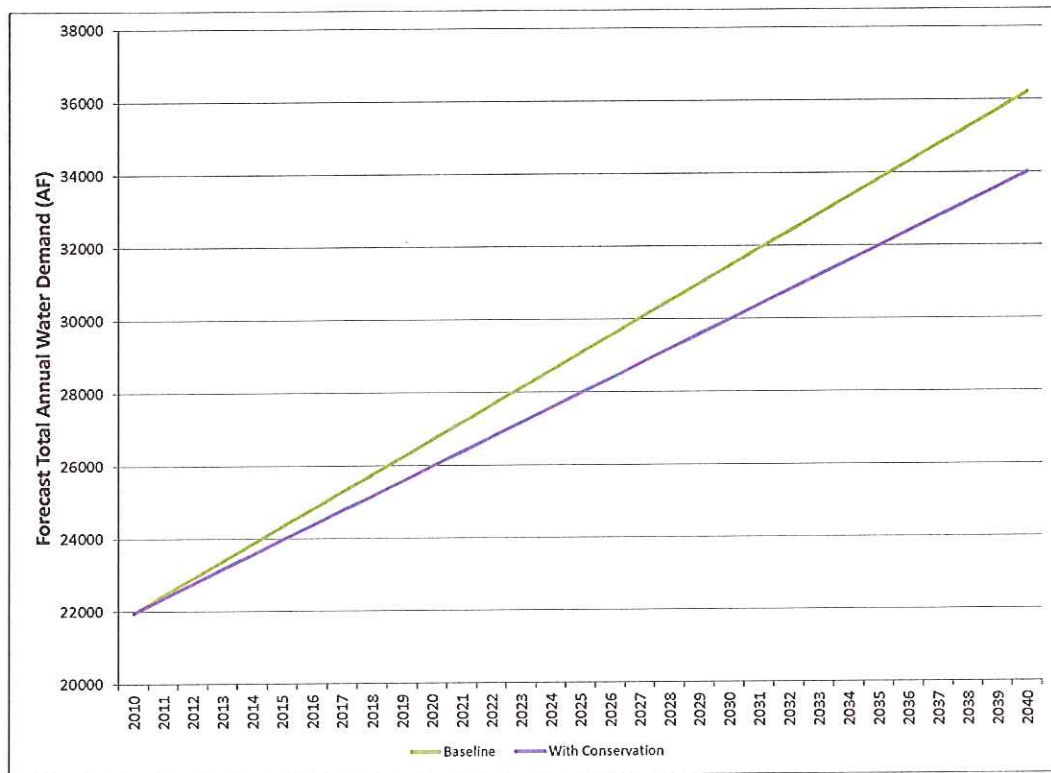


Figure 11: 2040 Westminster demand forecast, baseline and with conservation

Implementation Plan for Westminster Conservation Program

Stuart Feinglas, Water Resources Analyst for the City, also wears the hat of water conservation coordinator and is chiefly responsible for implementation of this plan. Mr. Feinglas has been successfully implementing the City's water conservation program for 11 years and is one of the most experienced conservation professionals in Colorado. The City will continue to work to budget money and pursue CWCB water efficiency grants to further its water conservation goals.

Monitoring and Evaluation

The City monitors water use on a monthly basis to identify trends early. Accounts are reviewed for high usage and no usage. Accounts showing unusual trends are flagged for further research and may receive notification if the usage is determined to be due to a problem. Monthly usage by account is downloaded into Excel spreadsheets where it is then aggregated in several ways including by customer class, general account type, specific account type, and meter type. Water production, reclaimed water production, raw water inflows, and sewer inflows are tracked daily. Population is tracked annually and used with consumption in various ways to calculate several per capita water demands. Weather data from the Lakewood Climate Station is used to generate monthly irrigation requirements for use in normalizing annual water use by account so that irrigation usage can be tracked and compared to past years as well as projected for future years. All identified water use from temporary meters and unmetered uses such as street cleaning are added to the City's water use totals. Annually, other data sources from flow meters and calibration results are reviewed to determine if a correction factor is required due to production metering errors. Indoor water use is calculated each year by averaging December, January and February usage by account.

Once collected the data is used to track total water use trends by sector and account type. Per capita usage is calculated for single family, residential only and total water use for the City. Unaccounted for water is calculated for both the potable and reclaimed water systems as well as for the total combined water distribution system through internal analysis and by using the AWWA Water Audit software. Additionally, raw water in compared to water delivered as the customer meter analysis is conducted.

In 2011 the City performed a Residential Water Use study to determine available conservation potential and better quantify irrigation demands. The full results are detailed earlier in the document under the section "2011 Residential Water Demand Study". Through data logging random homes water use in 10 second increments and using the Trace Wizard software the City was able to determine water use patterns and the type of water use fixtures, including water usage by fixture, in the home. Irrigated areas for the test properties were measured and categorized using GIS. The City hopes to update the residential study and possibly add other customer categories at intervals in the future.

Normalized water use data is aggregated by land use category to calculate water use by development type. The results are used, along with trend projections (population density per unit, units per acre, irrigated areas and other factors) and conservation goals, to develop buildout water use demand projections. Actual water use per year and any changes do development category demands are tracked and used to update projections, generally every 5 years.

Cost benefit ratios for conservation programs are calculated prior to designing a program to estimate savings and determine a required budget. If the ratio is within anticipated levels the program is chosen for implementation. When conservation programs are implemented the City tracks usage for all participants and periodically compares pre and post water use levels to verify savings and to propose modifications to the program. The new savings data are then used when designing future programs and calculating cost benefits as well as projecting conservation savings potential for buildout water demands.

The City has found that by collecting sufficient data up front and creating consistent models for analysis, reliable and verifiable results can be used in many ways from program design and evaluation to full integration of demand projections and conservation savings into the Comprehensive Water Supply Plan resulting in a truly integrated approach.

Future Conservation Plan Updates

The City plans to review and update this conservation plan every seven (7) years. The next update is scheduled to be completed in 2019.

COMPLIANCE WITH STATE PLANNING REQUIREMENTS

Colorado Revised Statute § 37-60-126 requires a covered entity to develop, adopt, make publicly available, and implement a water conservation plan that will encourage its domestic, commercial, industrial, and public facility customers to use water more efficiently. Key elements that must be considered in development of the plan are listed as follows:

1. Water-saving measures and programs including: (I) water-efficient fixtures and appliances; (II) water-wise landscapes; (III) water-efficient industrial and commercial water-using processes; (IV) water reuse systems; (V) distribution system leak identification and repair; (VI) information and education; (VII) conservation oriented rate structure; (VIII) technical assistance; (IX) regulatory measures designed to encourage water conservation; (X) incentives to implement water conservation techniques including rebates.
2. Role of conservation in the entity's supply planning.
3. Plan implementation, monitoring, review, and revision.
4. Future review of plan within 5-7 years.
5. Estimated savings from previous conservation efforts as well as estimates from implementation of current plan and new plan.
6. A 60-day minimum public comment period.

The following section of the plan details Westminster's compliance with this statute.

Westminster Compliance

The City of Westminster developed this conservation plan in order to comply with C.R.S. § 37-60-126. Each element of compliance is documented below.

1. Consideration of specific conservation measures -

(I) Fixture and appliances – Current and proposed program includes: Westminster operates a multifamily toilet replacement program and has offered rebates for toilets and clothes washers in recent years. Based on the results of the residential water demand study, it appears Westminster is making good progress towards the goal of full saturation of efficient toilets, clothes washers, faucets, and showers. New customers are incented to join the Westminster water system with efficiency built-in because of the City's tap fee structure that results in significant financial savings for new businesses that are efficient from the start. This tap fee

program, coupled with education and natural replacement has worked effectively to date and will be continued into the future.

(II) Water wise landscape – Current and proposed program includes: The City requires an approved landscape plan, soil amendments, and an automatic irrigation system. A landscape architect reviews landscape plans. New non single family landscapes have a maximum 15 gallons per square foot landscape water requirement and a maximum 50% turf area. An Official Development Plan Inspector inspects amended soil and reviews irrigation system audits. Westminster conducts between 200 – 220 irrigation water audits per year for customers targeted as high outdoor water users. The City continues to upgrade and improve the efficiency of irrigation at parks and golf courses by installing ET weather stations, computer irrigation controls, and rain sensors. The City also provides support for implementation of CRC’s “Garden-in-a-box” program.

(III) Commercial, Industrial and Institutional (CII) measures – Current and proposed program includes: Westminster has effectively mandated water efficiency in the CII sector through planning rules and regulations. The City’s tap fee structure is the single most important effort in this regard. Westminster’s tap fee structure incents new CII customers to install water efficient fixtures, appliances, and landscape during the initial construction phase by offering significantly lower connection charges for customers that implement efficiency measures. The City requires submetering in all new commercial units that share a common utility meter. Additionally, Westminster has important code requirements for water intensive businesses. For example, since 1996 all car washes in Westminster have been required to recycle their water. The City also has landscape regulations that apply to CII customers that help ensure new landscapes have the maximum opportunity for water efficiency.

(IV) Water reuse systems – The City has an extensive reclaimed water system and has established a goal of meeting more than 10% of total demand through reclaimed water at buildout.

(V) Water loss and system leakage reduction – Current program includes: Westminster conducts an annual system water audit using AWWA M36 methodology and auditing software. The most recent audit was completed in 2011. The City has an active system leak detection and repair program. In 2011 loss was determined to be 6.52%, a low rate. Maintaining this low level and making small improvements are the fundamental goals for the City’s program. The City is working to improve pressure management within the system to prevent leaks and maintains an active meter testing and replacement program.

(VI) Information and public education – Current program includes: The City implements a variety of water and conservation education and information programs including: Water Awareness presentations at schools, Water Awareness Week, Xeriscape seminars, utility website, participation in Colorado Water Wise, bill stuffers and other informational brochures. The City will develop landscape water budgets for as many customers as possible, but focused on dedicated irrigation accounts to start. The water budget will provide a reasonable estimate of expected water use at a site based on the irrigated area and landscape. Comparisons on actual consumption versus water budget estimate will be provided to customers. Those that dramatically exceed their water budget will be targeted for efficiency intervention. The City will use AMI and GIS technology to provide customers with actionable information about water use and information on where efficiency improvements can be made. The City hopes to target this program at customers whose water use dramatically exceeds empirically derived expectations.

(VII) Water rate structure – All customers regardless of type or size are metered and must pay for water based on the volume used. The City utilizes an inclining block rate water billing structure that encourages conservation by charging a higher rate the more water that is consumed. The City maintains a rigorous meter testing and calibration regime.

(VIII) Technical assistance – Using the City’s steadily expanding advanced metering infrastructure (AMI) customers with unanticipated water use (typically during the early morning hours) will be sent a simple leak check alert notification via email or the US Mail. The leak check alert will notify the customer of a possible leak and recommend courses of action to further investigate and remedy the situation.

(IX) Regulatory measures – Current program includes: Separate infrastructure and water resources fees are included within the total water tap fee providing incentive to reduce tap size and water requirements by installing water efficient fixtures and processes. The City requires an approved landscape plan, soil amendments, and an automatic irrigation system. A landscape architect reviews landscape plans. An Official Development Plan Inspector inspects amended soil and reviews irrigation system audits.

(X) Incentives – The City has offered various rebates for water efficient toilets, clothes washers, and other fixtures and appliances. The City’s rebate program is strategic and focuses on new and emerging product areas.

2. Role of conservation in Westminster supply planning.

The development of a Water Conservation Plan is a part of the City's overall Comprehensive Water Supply Plan (CWSP). The CWSP provides a strategy for meeting the current and future water needs of the city in a truly integrated and interactive process. The CWSP uses updated projections of buildout water demand based on the City's Comprehensive Land Use Plan (CLUP) and compares this with an updated planned buildout yield of the City's water supply system to define a buildout water supply/demand gap. A key goal of this planning effort is to eliminate any identified supply gap in an appropriate time frame for buildout of the City.

3. Plan implementation, monitoring, review, and revision.

Stuart Feinglas, Water Resources Analyst for the City, also wears the hat of water conservation coordinator and is chiefly responsible for implementation of this plan. Westminster has developed a careful plan implementation program along with monitoring mechanisms and scheduled review and revisions. Westminster monitors water demand monthly and assesses changes in demand on an annual basis. This plan will be updated every seven years.

4. Future review of plan within seven years.

The City intends to review and update the water conservation every seven years. The next review is scheduled to occur in 2019.

5. Estimated savings from previous conservation efforts and current plan.

Over the ten year period from 2000 – 2010, the population in the City increased by 5.1%. Over that same time treated water deliveries were reduced by 11.4% resulting in a 17.8% reduction in per capita potable water produced. The results from the 2011 Residential Demand Study (discussed below) confirm that these changes in water use are largely (if not entirely) due to both active and passive water conservation efforts.

7. Public comment period. The Westminster conservation plan approval process included the required 60-day comment period.

Notice of Public Comment Period

The following legal notice was published in the *Westminster Window* newspaper on Dec. 13, 2012:

LEGAL NOTICE OF PUBLIC COMMENT City of Westminster

A sixty (60) day Public Comment Period will open for a proposed City of Westminster Water Conservation Plan on Friday, Dec 14, 2012 and run through Monday, Feb 11, 2013. The City of Westminster has developed the proposed water conservation plan to be submitted to the Colorado Water Conservation Board for State approval. The plan contains historic and current information on the City's water use and water systems as well as goals for identified future water conservation programs. The plan is available and comments may be submitted through the City of Westminster website: www.cityofwestminster.us

All comments must be received by Monday, February 11, 2013.

Published in the
Westminster Window
December 13, 2012
00028248

The public comment period ran for 60 days from Dec. 14, 2012 – February 11, 2013.

Additional proof of publication was provided by the Westminster Window and is shown below:

**WESTMINSTER WINDOW
PROOF OF PUBLICATION**

State of Colorado }
County of Adams }ss

I, Mikkel Kelly, do solemnly swear that I am the Publisher of the WESTMINSTER WINDOW; that the same is a weekly newspaper published in the County of Adams, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Adams for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 30, 1923, entitled "Legal Notices and Advertisements," or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated December 13, A.D. 2012 and that the last publication of said notice was in the issue of said newspaper dated December 13, A.D. 2012.

In witness whereof I have hereunto set my hand this 13th day of December, A.D. 2012.

Mikkel Kelly

Subscribed and sworn to before me, a notary public in the County of Adams, State of Colorado, this 13th day of December, A.D. 2012.

Barbara Kay Stolte

Notary Public

My Commission expires October 12, 2016

7360 Lowell Blvd. • Westminster, CO 80030

**BARBARA KAY STOLTE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19874196221
MY COMMISSION EXPIRES 10/12/2016**

Public Comments Received

The following comments on the Water Conservation Plan were submitted to the City. The comments are reprinted below:

From G. Fonseca - Good idea, it's a shame to see the city parks being watered when it's raining or windy. By the way... That solar powered pump in Carol Butts park, is that for a solar powered irrigation system? If so that is a awesome system!

From G. Fonseca - Wait a sec.. Just thought of something: This could be a double edged sword... I signed up for the Home Energy Audit and got the insulation upgraded, We also put in High Efficiency Windows and even put in a Clean burning wood stove and took out all the old

fashioned light bulbs yet we done save anything on our gas or electric bill. We also replaced the old evaporative cooler with a brand new one a few years ago with the rebate from the water company. Let me guess, now I am going to be penalized for owning a evaporative cooler? Oh yea, and don't forget... I have a decent sized garden in my backyard. I don't know if I can afford any new "Conservation programs" at this time as the prior programs just ended up costing us money and we never saw a decrease in our utilities... This Conservation program really needs some extremely deep thought.

AGENDA

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING

MONDAY, March 25, 2013

AT 7:00 P.M.

1. Roll Call

2. Minutes of Previous Meeting (February 25, 2012)

3. Purpose of Special WEDA Meeting is to consider

A. Sale of the Holly Park Parcel to High Pointe Holdings LLC

4. Executive Session

Discussion of strategy and progress on negotiations related to the Westminster Urban Center Redevelopment and the possible sale, acquisition, trade or exchange of property interests, including future leases, and provide instructions to the Authority's negotiators as authorized by CRS 24-6-402 (4)(a) and 24-6-402(4)(e).

5. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY
MONDAY, FEBRUARY 25, 2012, AT 8:16 P.M.

ROLL CALL

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

APPROVAL OF MINUTES

Board Member Briggs moved, seconded by Major, to approve the minutes of the meeting of December 10, 2012, as written. The motion carried unanimously.

PUBLIC HEARING TO AMEND THE 2012 BUDGET

At 8:17 p.m., the Chairperson opened a public hearing to consider a budget amendment to the 2012 budget. Mr. McFall reported that Staff was present to answer any questions that Council or the public might have. There were none. The Chairperson invited public comment. There was none and the public hearing was closed at 8:18 p.m.

RESOLUTION NO. 148 AUTHORIZING SUPPLEMENTAL APPROPRIATION TO 2012 BUDGET

It was moved by Board Member Major, seconded by Kaiser, to adopt Resolution No. 148 authorizing a supplemental appropriation to the 2012 Westminster Economic Development Authority budget. On roll call vote, the motion passed unanimously.

ADJOURNMENT

There was no further business for the Authority's consideration, and it was moved by Winter, seconded by Major, to adjourn. The motion passed and the meeting adjourned at 8:18 p.m.

Chairperson

ATTEST:

Secretary

WEDA Agenda Item 3 A

Agenda Memorandum

Westminster Economic Development Authority Meeting
March 25, 2013



SUBJECT: Sale of the Holly Park Parcel to High Pointe Holdings LLC

Prepared By: John Carpenter, Director of Community Development

Recommended Board Action

Authorize the Executive Director to execute a purchase and sale agreement with High Pointe Holdings LLC to sell the Holly Park property for \$670,000, and authorize closing costs of up to \$5,000.

Summary Statement

- The Westminster Economic Development Authority has received an offer from High Pointe Holdings LLC to acquire the 5.7 acre Holly Park site located at the northwest corner of 96th Avenue and Federal Boulevard.
- The offer is for \$670,000. The net proceeds from the sale after deducting closing costs and the 5% broker fee totaling about \$38,500 or about \$631,500.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City accept the offer to sell the Holly Park site to High Pointe Holdings LLC for \$670,000?

Alternative

City Council could reject the proposed sale price and authorize a counter offer. Staff does not recommend this since the City's broker believes the price to reflect the current value for the site.

Background Information

In 2005, the Westminster Economic Development Authority (WEDA) acquired the 5.7 acre Holly Park site for a price of \$1,245,000 that included \$81,900 to demolish uncompleted structures. The parcel was acquired as a result of a condemnation action by WEDA. The acquisition was funded through interfund loans of \$120,000 in General Funds and \$1,125,000 in General Capital Improvement Funds. At the time, there were several partially completed and abandoned townhome structures on the site. Construction on the buildings ceased about 3 years earlier. For years the City unsuccessfully attempted to get the owner and lender to complete construction or sell to another party that would move on developing the remaining property.

A total of 12 townhomes (out of 70 units) were completed and sold. WEDA excluded these properties from its acquisition. These townhome units are accessed from Green Court that was partially constructed but never got its final layer of asphalt applied.

The uncompleted structures and foundations on the site were removed and the site re-graded and revegetated. A "for sale" sign was put on the site with a City employee as the contact person. In 2008 the national real estate market collapsed and no serious inquiries were received on the property. The property was listed by a commercial broker for a period of time with no success.

In 2012, the market for vacant residentially zoned properties improved and the property was listed with Stu Mosko, with the firm of Cassidy Turley, a national commercial real estate firm that is also prominent in the Denver area.

WEDA recently received an offer on the property from High Pointe Holdings LLC, that is an affiliate of Century Communities, that builds townhomes and single family homes in Westminster and throughout the metro area. Century intends to build townhomes on the site.

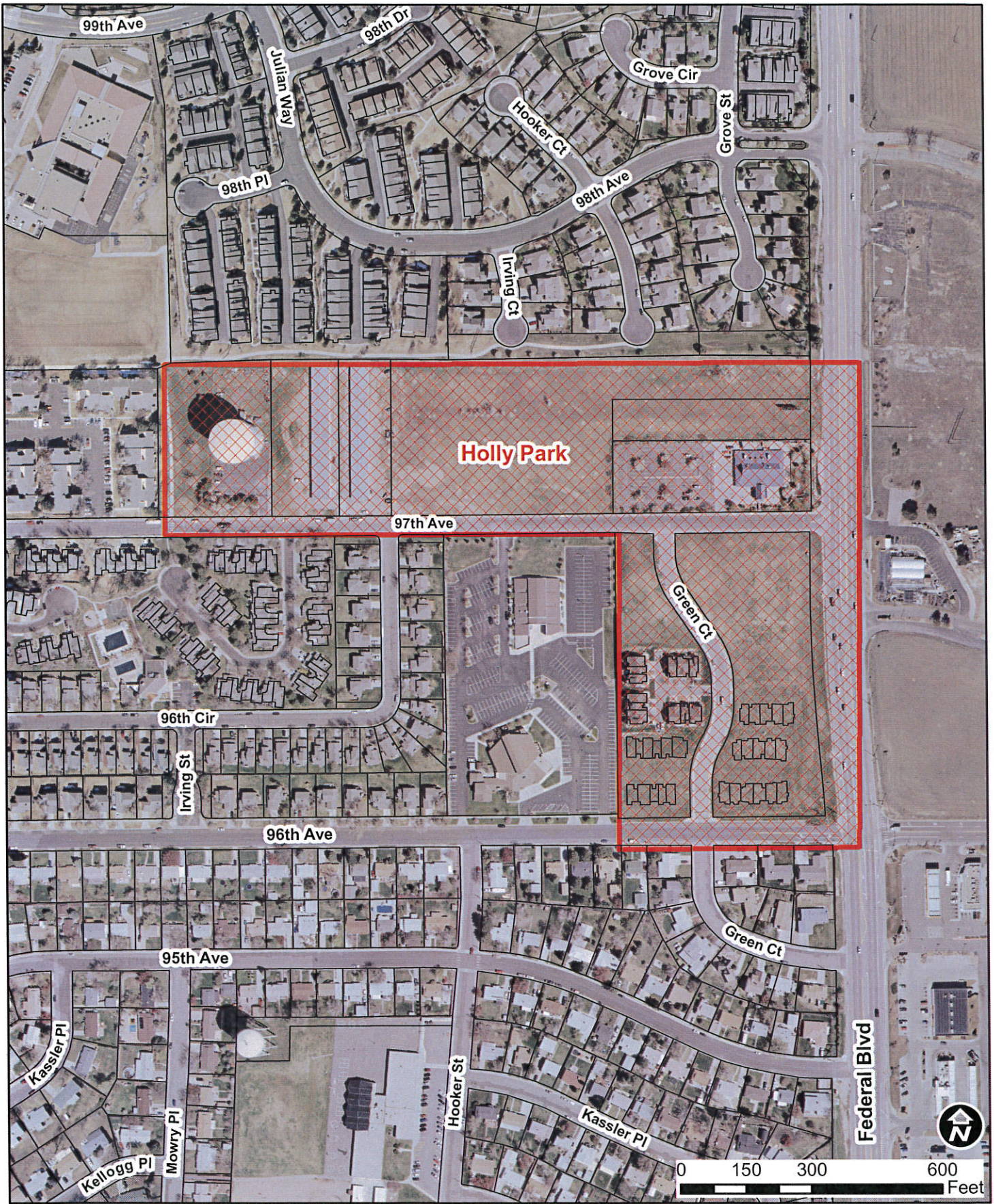
After receiving an offer of \$580,000 from High Pointe, WEDA's broker evaluated data from sales of comparable nearby properties and advised that a counter offer of \$670,000 be made. This offer has been accepted contingent upon approval by City Council. The buyer is also obligated to complete the required corrections and uncompleted capital improvements. The proposed sales price reflects the sharp drop in the value of townhome zoned properties as a result of the Great Recession.

The entire Holly Park site (both WEDA owned land and the existing 12 townhomes), plus additional nearby lands are within the Holly Park Urban Renewal area (URA) (see attached map). The URA was created in 2004. Property and sales tax increment (TIF) is collected in the URA. The Finance Department anticipates receiving \$3,300 in property tax increment in 2013. To date, no tax increment has been collected in the URA. The URA will expire in 2029. The proposed townhomes will add significant additional TIF revenues. If 58 new townhomes are built and the average property tax is \$1,500 per unit per year, upon completion, the development will generate an additional \$87,000 per year.

Respectfully submitted,

J. Brent McFall
Executive Director

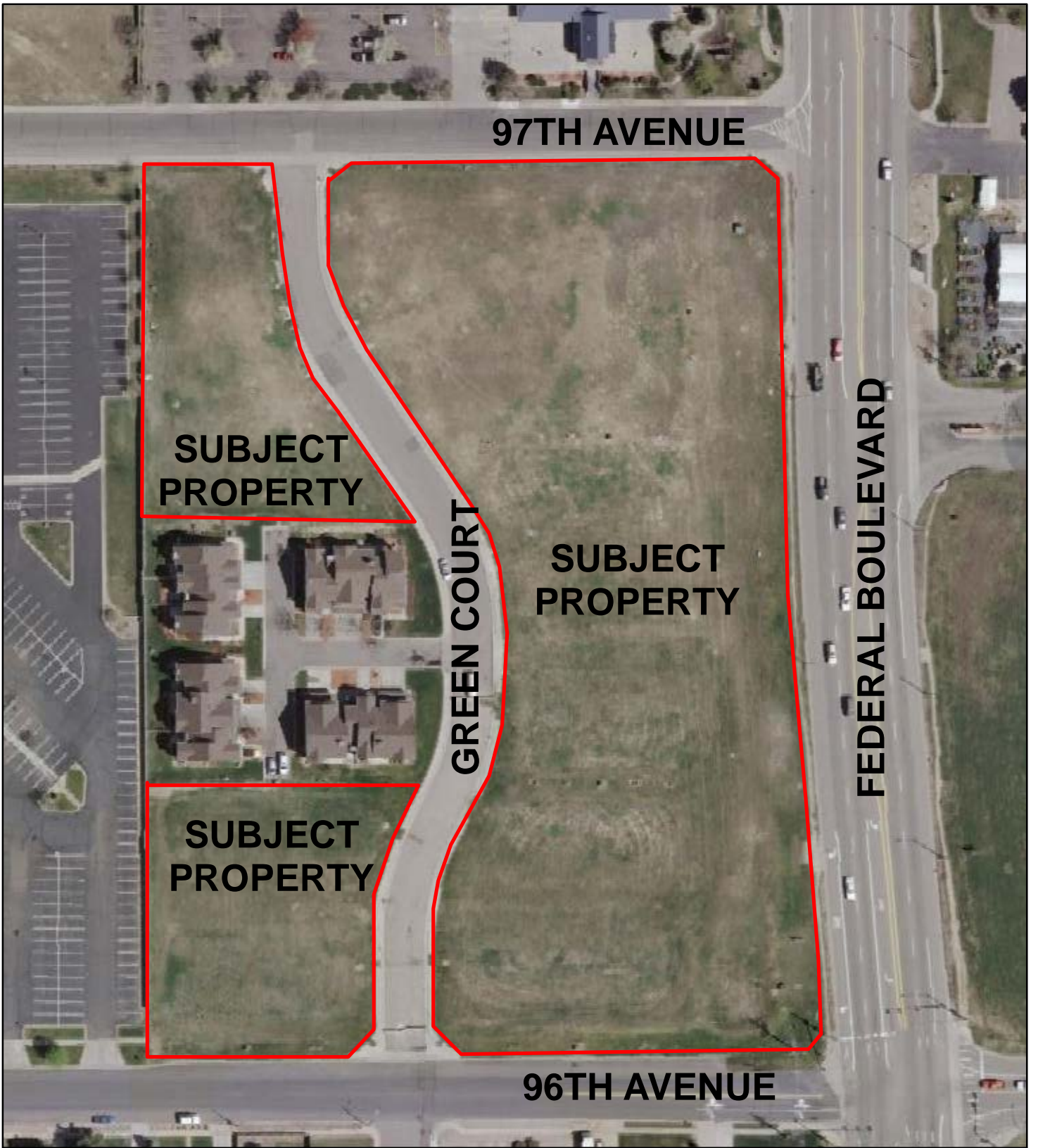
Attachments: Map – Urban Renewal Area
Map – Holly Park Subdivision to be sold



1 inch = 300 feet

 Holly Park URA

Holly Park Urban Renewal Area



HOLLYPARK SUBDIVISION

