



CITY COUNCIL AGENDA

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

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 7) and Citizen Presentations (Section 12) are reserved for comments on any issues or items pertaining to City business except those for which a formal public hearing is scheduled under Section 10 when the Mayor will call for public testimony. Please limit comments to no more than 5 minutes duration except when addressing the City Council during Section 12 of the agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
 - A. Recognition of the Winter 2006/2007 Snow Busters
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 2007
 - B. Great West Retirement Services Contract re City of Westminster Deferred Compensation Plan
 - C. Park Services Landscape Maintenance Contract
 - D. City Participation in the Rocky Mountain Rail Authority
 - E. Comprehensive Roadway Plan Update – Consultant Contract
 - F. 144th Avenue and I-25 Interchange Project – Amended Construction Engineering Service Contract
 - G. 78th Avenue and Stuart Street Water and Sewer Pipelines Construction Contract
 - H. 94th Avenue and Quitman Street Lift Station Elimination Engineering Contract
 - I. Annual Large Item Cleanup Program Contract
 - J. 2007 Wastewater Collection System Improvement Project / Phase I Contract
 - K. 2007 Raw Water Transmission Evaluation and Reclaimed / Raw Water Interconnect Project Contract
 - L. Second Reading Councillor's Bill No. 12 re Restrictions on Gifts to City Officials and Employees
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. Resolution No. 14 re Application to State Historical Fund for Semper Farmhouse Exterior Restoration
 - B. Councillor's Bill No. 13 re Repealing Chapters 2 and 3 of Title VIII re Property Standards
 - C. Councillor's Bill No. 14 re Appropriation re Fire Department Replacement Brush Truck
 - D. Purchase of a Replacement Brush Truck for the Fire Department
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes), Miscellaneous Business, and Executive Session
 - A. City Council
13. Adjournment

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.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, MARCH 26, 2007 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Scout Troop 21 presented the colors and led the Council, Staff, and audience in the Pledge of Allegiance. The Scouts were Kyle Cottingham, Scott Jones, Jason Bolt, and Tony Solo.

ROLL CALL

Mayor McNally and Councillors Dittman, Kaiser, Lindsey, Major, and Price were present at roll call. Mayor Pro Tem Kauffman was absent and excused. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Major moved, seconded by Dittman, to approve the minutes of the regular meeting of March 12, 2007, as written and presented. The motion passed unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that the City Council would immediately reconvene as the Westminster Economic Development Authority Board of Commissioners following adjournment of this meeting.

With sadness, Mr. McFall announced the resignation of Public Works and Utilities Director Jim Arndt, who had accepted employment with the City of Manhattan Beach, California. Mr. McFall cited numerous accomplishments of Mr. Arndt that would be his legacy to the community and wished him well in all his future endeavors. Mr. Arndt thanked Mr. McFall and City Council and praised his staff. His tenure with the City had been mutually valuable and he appreciated the opportunity to serve the citizens of Westminster.

CITY COUNCIL COMMENTS

Mayor McNally reminded the public of this week's Chili Cook Off at the Rock Bottom Brewery, the next event in the Westminster Fire Department's annual fundraising activities that the brewery graciously hosted. The Mayor said that 14 Mayors had participated in the Metro North Mayors Roundtable. The meeting would soon air on Channel 8.

PRESENTATIONS

The Mayor and City Council proudly presented certificates of appreciation to the volunteers of the Snowbusters program and praised their hard work and dedication during the recent winter. The 42 Snowbusters helped to ensure that snow was cleared from the sidewalks and the homes of 60 of their fellow citizens in need were accessible.

CITIZENS COMMENT

Kaaren Hardy, 5133 West 73rd Avenue, voiced support of Resolution No. 14 and the City's application for State Historical funds to restore the exterior of the Semper Farmhouse.

Linda Graybill, a local teacher, concurred with Ms. Hardy, predicting that Charles Semper would approve of the City preserving the farm. Her students visited the farm twice a year, and she was grateful that the City recognized the importance of preserving its historical structures.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: the February 2007 financial report; authority for the City Manager to execute a five-year contract with Great West Retirement Services as the provider for the administration, record keeping and custody of the City's Deferred Compensation Plan; authority for the City Manager to enter into an amended contract with TruGreen Landcare in the amount of \$379,777 for landscape maintenance services; authority to expend \$5,000 in 2007 and \$5,000 in 2008 for a two-year municipal membership for the City of Westminster in the Rocky Mountain Rail Authority; authority for the City Manager to execute a contract with Bucher, Willis & Ratliff Corporation in the amount of \$164,790 for an update of the City's Comprehensive Roadway Plan and authority for a \$10,210 project contingency; authority for the City Manager to execute an amended construction engineering contract for the 144th Avenue and I-25 Interchange Project with Felsburg, Holt & Ullevig for an additional amount of \$166,354, revising the total contract to an amount not to exceed \$1,416,319; authority for the City Manager to execute a \$1,521,351 contract with BT Construction Inc. for construction of the 78th Avenue/Stuart Street water and sewer pipelines with a 10% construction contingency of \$152,135, authorize a contract amendment with the City's design engineer S.A. Miro in an amount not to exceed \$20,547 for additional design and construction management related services, and, based on recommendation of the City Manager that the public interest would best be served, authorize a sole source contract with J & T Consulting Inc. in the amount not to exceed \$78,054 for owner's representative services on a time and material basis for a total project budget of \$1,772,087; authority for the City Manager to execute a contract with URS Corporation in the amount of \$164,614 for engineering design and construction management services for the 94th Avenue and Quitman Street Life Station Elimination, authority for a \$16,461 contingency for a total design and construction management project of \$181,075, and authorize a \$18,925 contract with the City's legal counsel Carlson, Hammond and Paddock to assist Staff in negotiation of partial service exclusion with the Metro Wastewater Reclamation District; authority for the City Manager to execute a contract for 2007 Large Item Cleanup Services with the low bidder, Waste Management of Colorado, in the amount of \$69,828 and authorize a \$5,000 contingency; authority for the City Manager to execute a \$732,735 contract with a 10% contingency budget for Insituform Technologies Inc. for rehabilitation of 30,207 feet of 8- to 12-inch sanitary sewer line and 162 feet of 24-inch storm sewer line; authority for the City Manager to execute a \$165,819 contract with Stantee Consulting Inc for evaluation of Westminster's Raw Water Transmission System and Reclaimed/Raw Water Interconnect alignment alternatives and authorize a 10% contingency of \$16,582; and final passage of Councillor's Bill No. 12 imposing restrictions on gifts to City officials and employees.

Mayor McNally asked if Councillors wished to remove any items from the consent agenda for discussion purposes or separate vote. There was no request. It was moved by Councillor Dittman and seconded by Councillor Major to approve the consent agenda as presented. The motion passed unanimously.

RESOLUTION NO. 14 RE STATE HISTORICAL FUNDING FOR SEMPER FARMHOUSE EXTERIOR

Councillor Price moved to adopt Resolution No. 14, Series 2007, authorizing the City Manager to execute a grant application to the State Historical Fund for \$133,775 to combine with a proposed cash match of \$45,000 to complete the exterior restoration of the Semper Farmhouse. Councillor Lindsey seconded the motion. Councillors expressed deep personal satisfaction in supporting the motion and in taking steps to preserve Westminster's history. They thanked Vicky Bunsen for her constant vigilance and demonstrated passion for historic preservation. At roll call, the motion passed unanimously.

COUNCILLOR'S BILL NO. 13 REPEALING CHAPTERS OF TITLE VIII RE PROPERTY STANDARDS

Upon a motion by Councillor Major, seconded by Councillor Price, the Council voted unanimously at roll call to adopt Councillor's Bill No. 13 on first reading amending the Westminster Municipal Code by repealing Chapters 2 and 3 of Title VIII relating to property standards.

COUNCLLOR'S BILL NO. 14 APPROPRIATING GCORF CARRYOVER TO GCORF ACCOUNT

It was moved by Councillor Dittman, seconded by Councillor Major, to adopt Councillor's Bill No. 14 authorizing the appropriation of \$74,653 from the 2006 General Capital Outlay Replacement Fund (GCORF) carryover to the appropriate GCORF account. The motion passed unanimously on roll call vote.

AUTHORITY TO PURCHASE REPLACEMENT BRUSH TRUCK FOR FIRE DEPARTMENT

It was moved by Councillor Dittman and seconded by Major to authorize purchase of one Type VI Brush Truck from C.E.T. Fire Pumps Manufacturing for an amount not to exceed \$74,653. The motion passed unanimously.

ADJOURNMENT

There was no further business to come before the City Council, and the Mayor adjourned the meeting at 7:38 p.m.

ATTEST:

Mayor

City Clerk



Agenda Item 6 A

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Recognition of the Winter 2006/2007 Snow Busters

Prepared By: Pam Mayhew, Volunteer Coordinator
Rachel Harlow-Schalk, Environmental and Administrative Services Officer

Recommended City Council Action

Present certificates of appreciation to the 42 dedicated Snowbusters for all of their hard work helping their fellow citizens during the 2006/2007 winter season.

Summary Statement

- City Council is requested to present certificates in recognition of time dedicated to the City and its residents by the winter 2006/2007 Snowbusters.
- The 2006/2007 winter season saw the worst snow fall in many years.
- These 42 dedicated citizens helped ensure that snow was removed from the sidewalks of 60 of their fellow citizens in need.
- Council is asked to provide a certificate of appreciation to all of the Snow Busters in recognition of their dedication to their community.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Does the City Council wish to recognize the efforts of this group of volunteers for their support during the 2006/2007 winter season?

Alternative

Council could decide to use some other means to recognize this group of volunteers.

Background Information:

The Snowbusters Program began in November of 1988. Since that time, the number of volunteers has grown from one to forty-two. Any Westminster resident interested in receiving support from this group must fill out an application identifying their needs. Only residents without family to assist in the metro area qualify for this service. Additionally, Snowbuster volunteers must fill out an application so that they can be matched with needy citizens near them.

Snowbusters are required to remove the snow from the sidewalk in the public right of way in front of the home. Any additional snow removal on private property is not required and such removal is an agreement between the Snowbuster and the homeowner. This year's snow removal work was beyond what has been seen in many years. The dedication of this group of volunteers during this season was incredible given that many took on two homes to help those in need.

Active Snowbuster Volunteers:

Mary Joy Barajas
Randy Carroll
Stacy Chavez
Brooke and Colby Coen
Zach Davis
Taylor Farnsworth
Eric Henson
Jason, Craig and Steve Kippenhan
Jerry Malberg
Andy Mead
Rich Parker
Gary Pedigo Jr.
Brian Poggenklass
Sally Rendon
Steve Smithers
Sean Torrence
Jody, Kyle and Sean Wickers
Chelsea Wolf

Ben Beaty
Jay and Angela Caudill
Brad Chronowski
Jeff Colgan
Jim Duncan
Cathy Harder
Courtney Jacobs
Ed and Carol Larmore
Dave Maxwell
Joe Owen
Gary Pedigo
Vaughn Pepper
Allison Rehor
Becky Scott
John Tan
Montoya Whitman
Joshua Williams

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Financial Report for February 2007
Prepared By: Tammy Hitchens, Finance Director

Recommended City Council Action

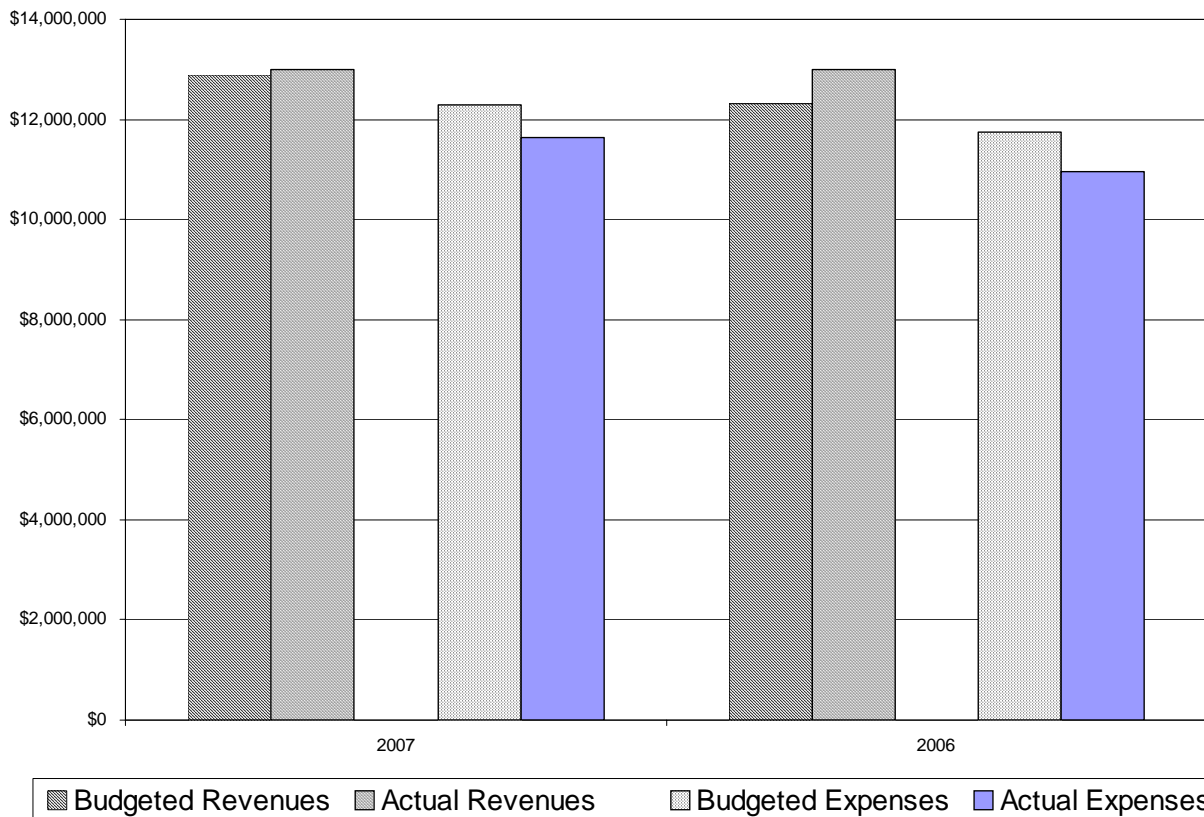
Accept the Financial Report for February as presented.

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. Revenues also include carryover where applicable. The revenues are pro-rated based on 10-year historical averages. Expenses are also pro-rated based on 5-year historical averages.

The General Fund revenues and carryover exceed expenditures by \$1,347,000. The following graph represents Budget vs. Actual for 2006 – 2007.

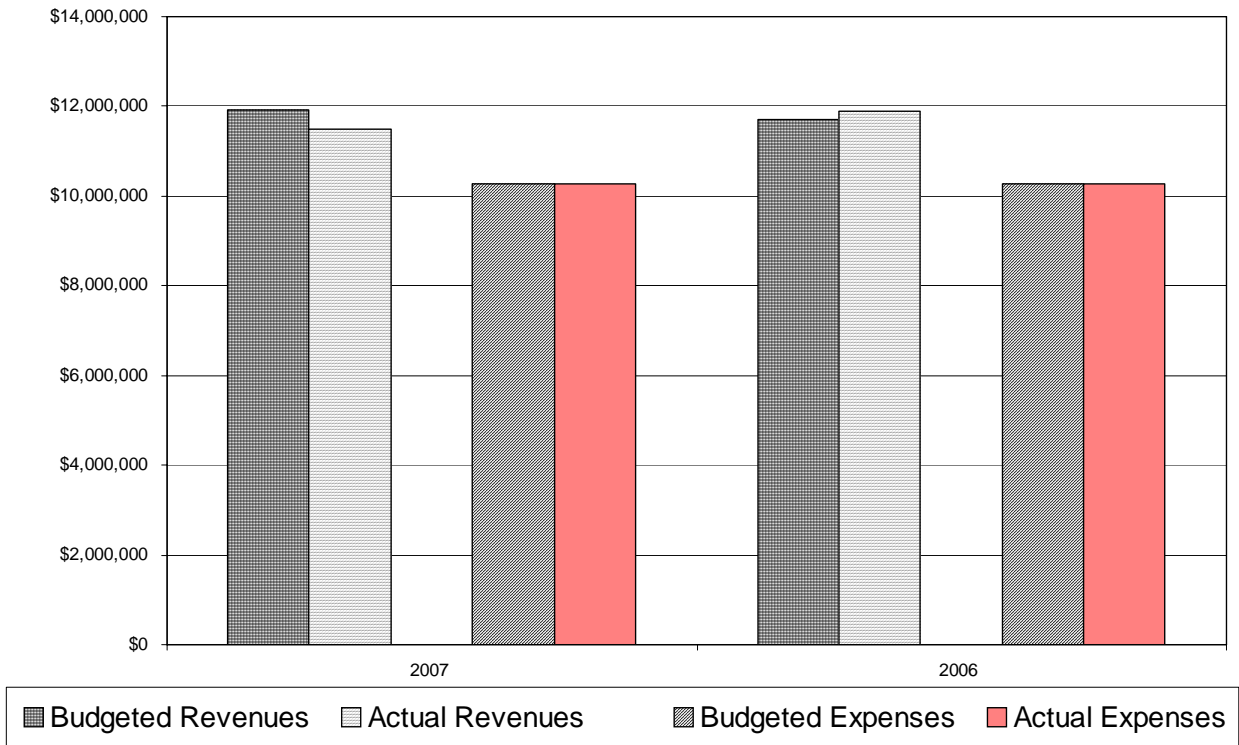
**General Fund
Budget vs Actual**



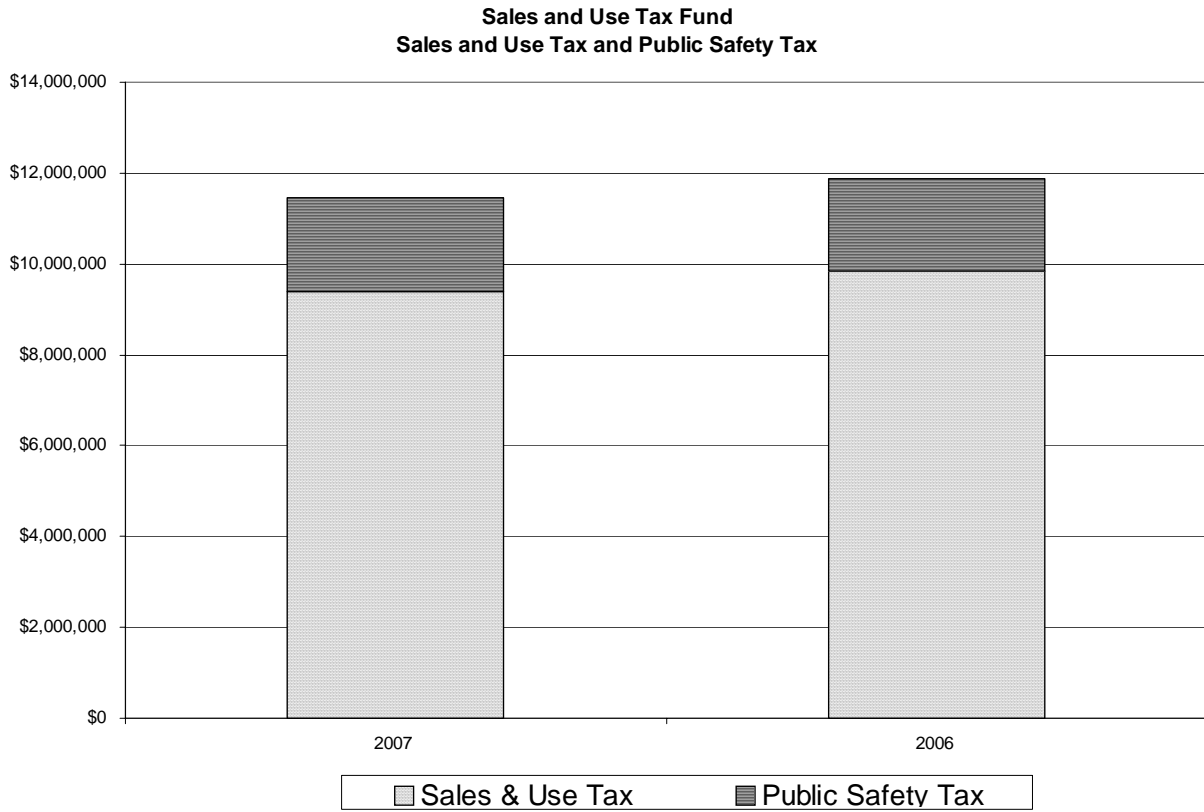
The Sales and Use Tax Fund's revenues and carryover exceed expenditures by \$1,219,000

- On a year-to-date cash basis, sales & use tax returns are down 2.7%.
- On a year-to-date basis, across the top 25 shopping centers, total sales & use tax receipts are up 7.9% from the prior years. This includes Urban Renewal Area money that is not available for General Fund use. Without Urban Renewal money, total sales and use tax receipts are up 0.5%.
- The top 50 Sales Taxpayers, who represent about 63% of all collections, were down 0.3% after adjusting for one time audit revenue and Urban Renewal Area money that is not available for General Fund use.
- The Westminster Mall is down 16% on a year-to-date basis.
- Building Use Tax is down 39.4% year-to-date over 2006.

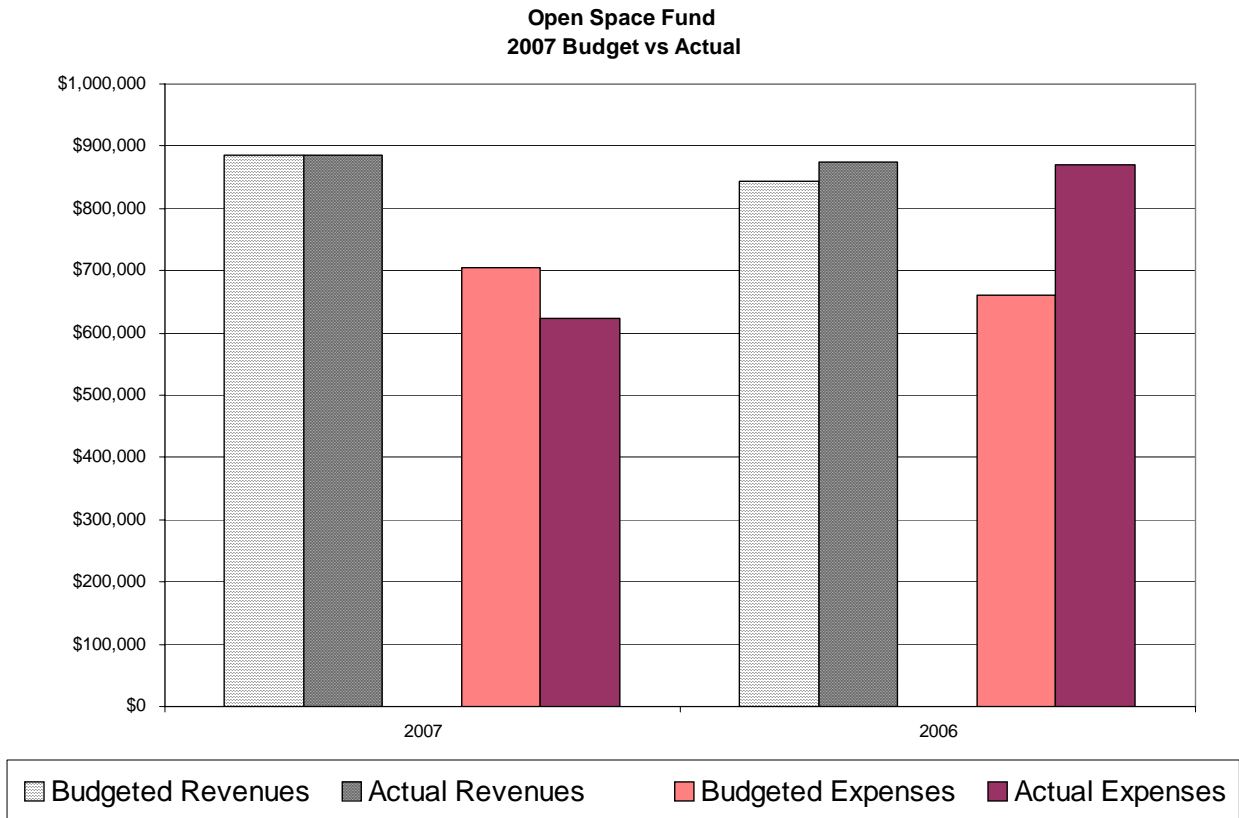
**Sales & Use Tax Fund
Budget vs Actual**



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

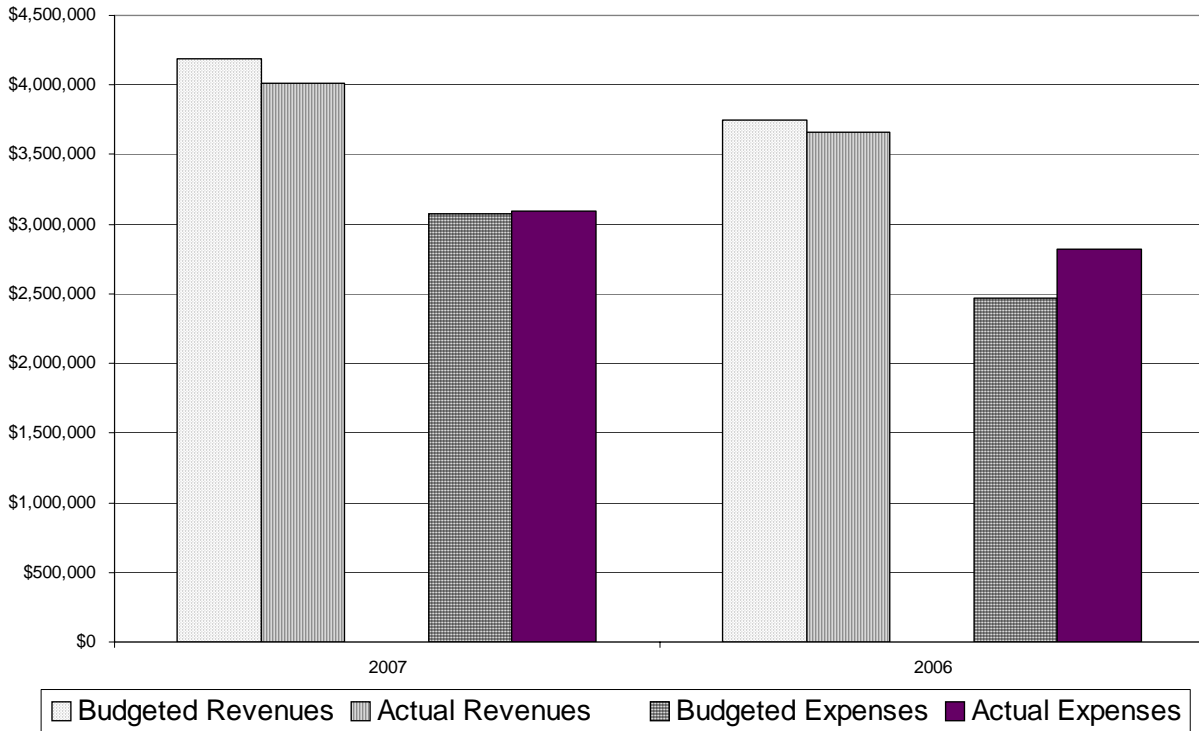


The Open Space Fund revenues exceed expenditures by \$260,000.



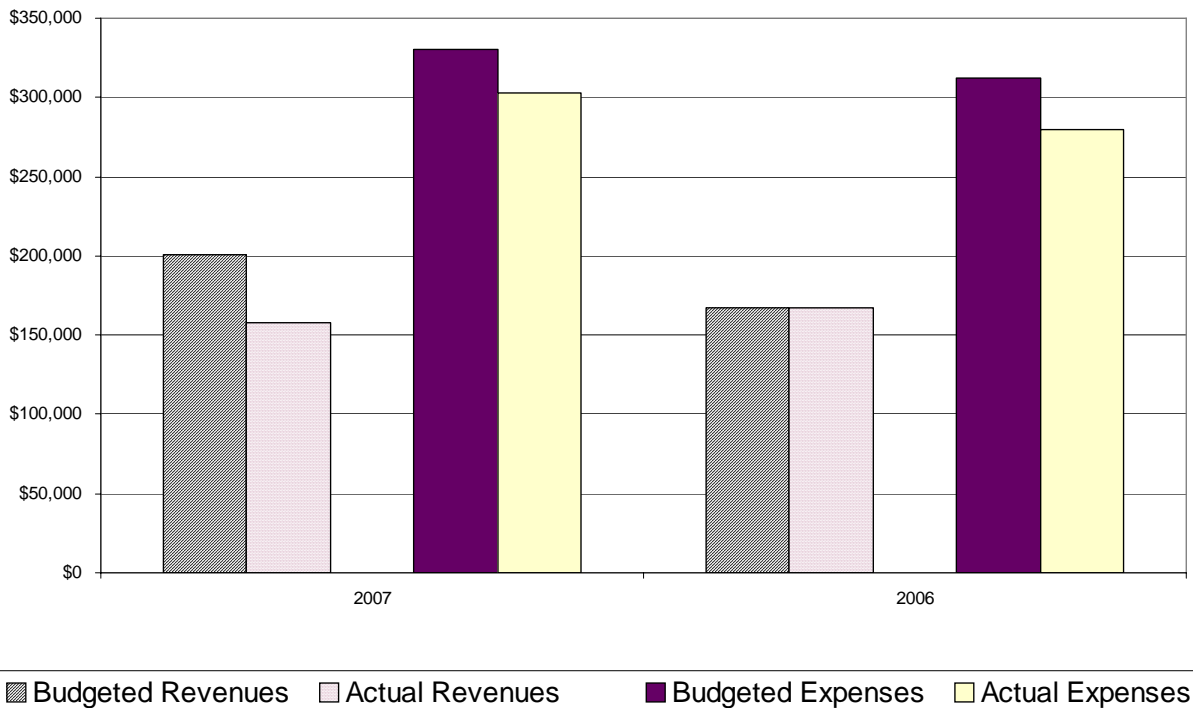
The combined Water & Wastewater Funds' operating revenues and carryover exceed operating expenses by \$919,000. \$18,523,000 is budgeted for capital projects and reserves.

**Combined Water and Wastewater Funds
2007 Operating Budget vs Actual**



The combined Golf Course Funds' expenditures exceed revenues by \$145,000. Revenues are down more than normal due to the abnormal snow storms. A one time Other Financing Source and Use of \$582,144, which was for a lease purchase of golf carts, is not included in 2006. This adjustment was made in order to reflect a more appropriate comparison between years.

**Golf Course Enterprise
Budget vs Actual**



Policy Issue

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

Alternative

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

Background Information

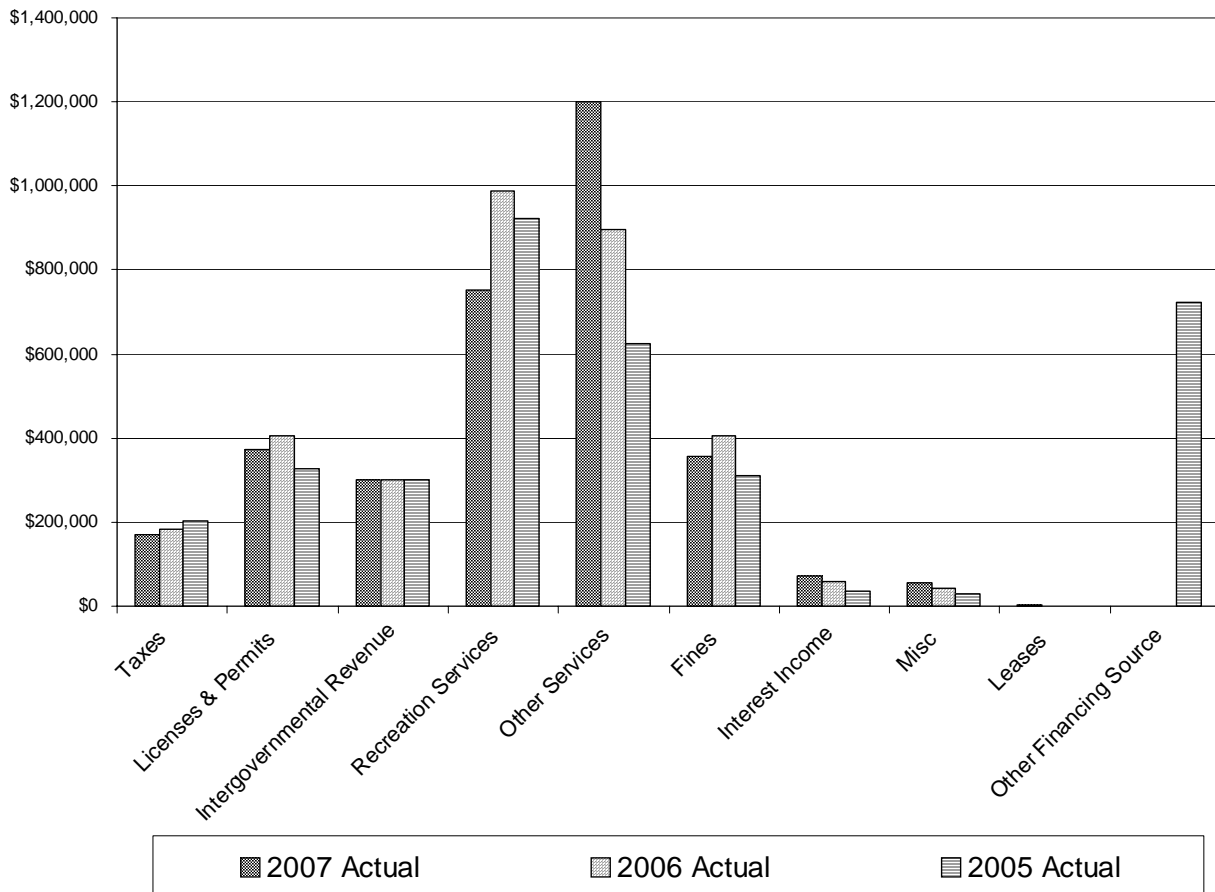
This section includes a discussion of highlights of each fund presented.

General Fund

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

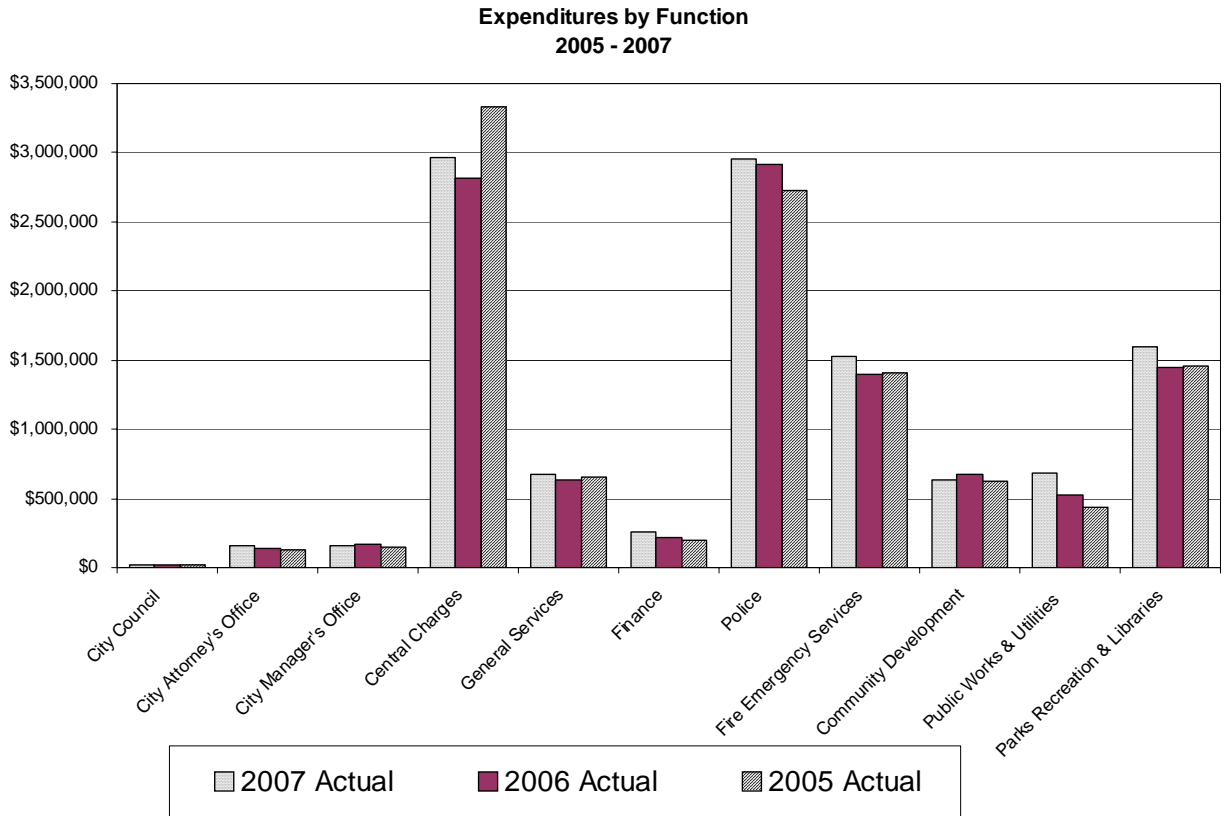
The following chart represents the trend in actual revenues from 2005 – 2007 year-to-date.

**General Fund Revenues without Transfers and Carryover
2005 - 2007**



The increase in Other Services reflects the Infrastructure fee. The 2005 Other Financing Source was the lease purchase of computers. There is a timing difference reflected in Recreation Services due to the new Standley Lake boat permit lottery system. Revenues will be received in March rather than February.

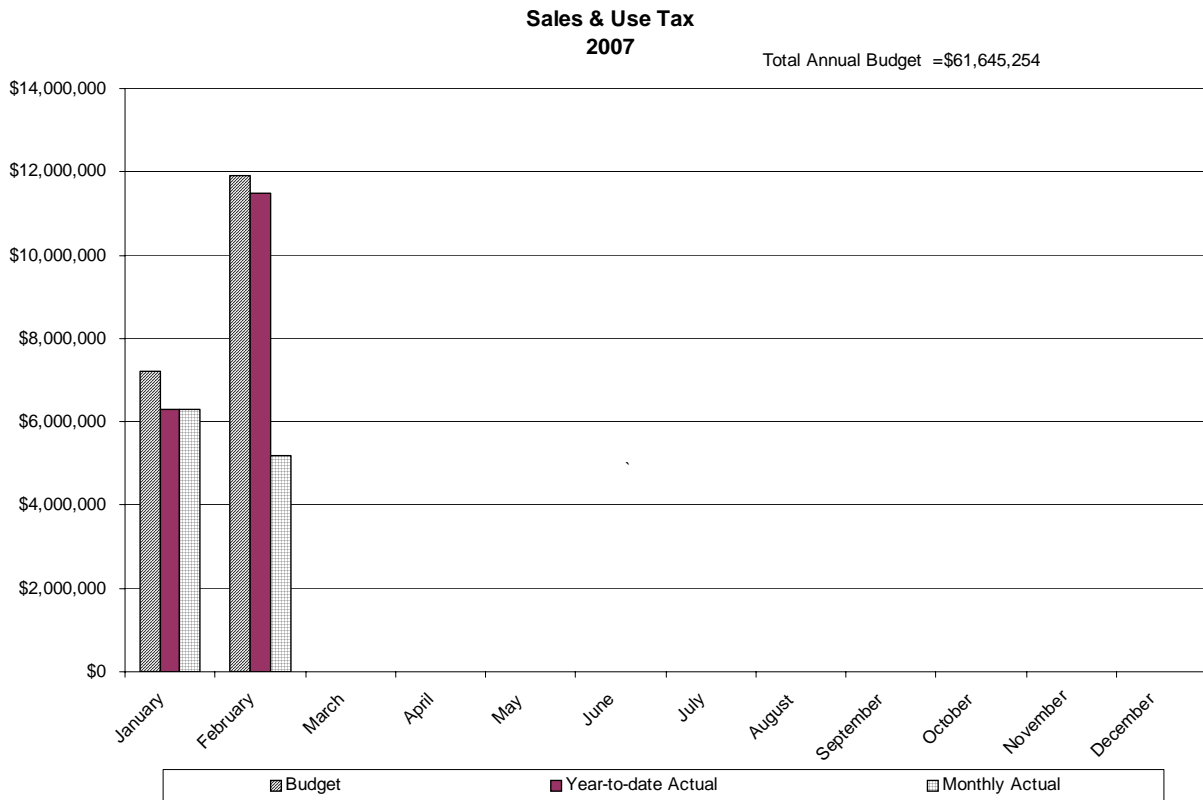
The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2005 –2007.



Sales and Use Tax Funds (Sales & Use Tax Fund and Open Space Sales & Use Tax Fund)

These funds are the repositories for the 3.85% City Sales & Use Tax for the City. The Sales & Use Tax Fund provides monies for the General Fund, the Capital Project Fund and the Debt Service Fund. The Open Space Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, buy open space, 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 Open Space Sales & Use Tax.

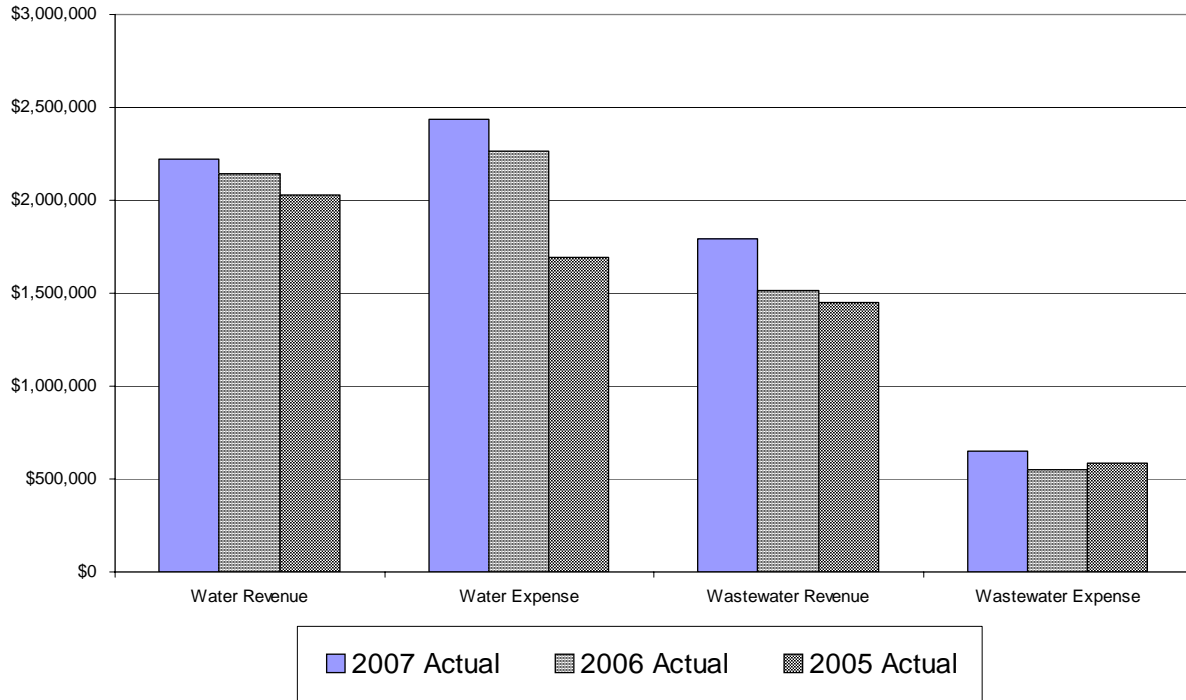


Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)

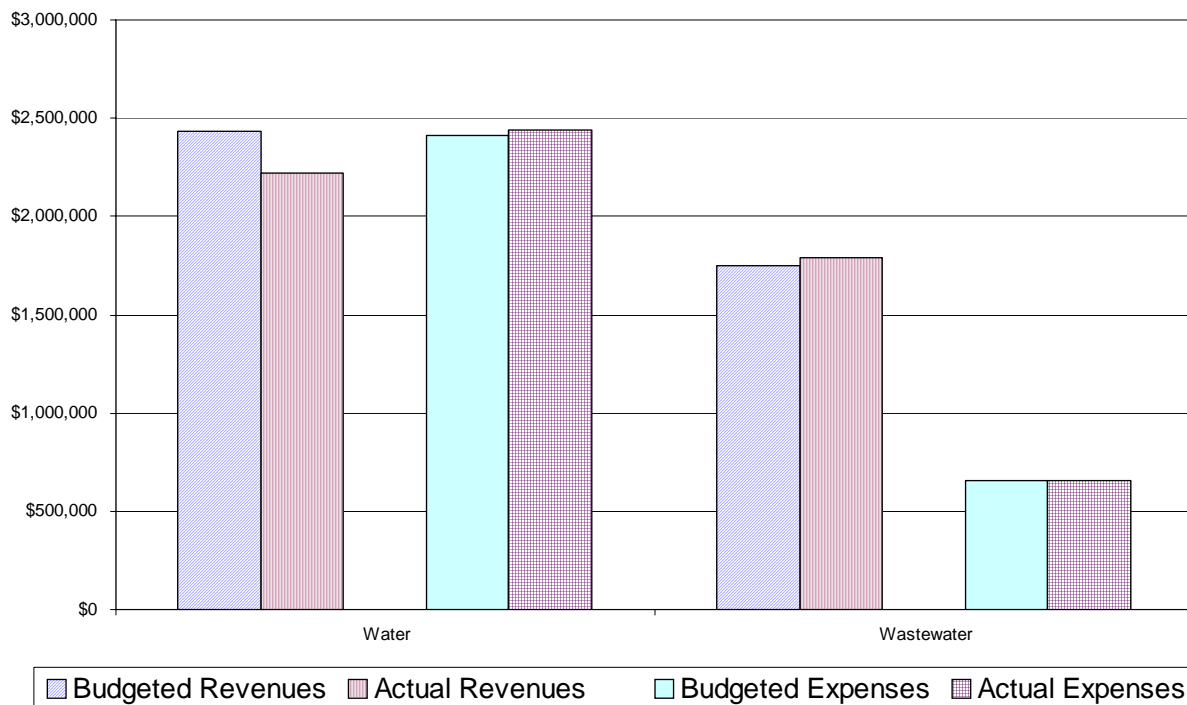
This fund reflects the operating results of the City's water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital projects.

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

**Water and Wastewater Funds
Operating Revenue and Expenses 2005-2007**



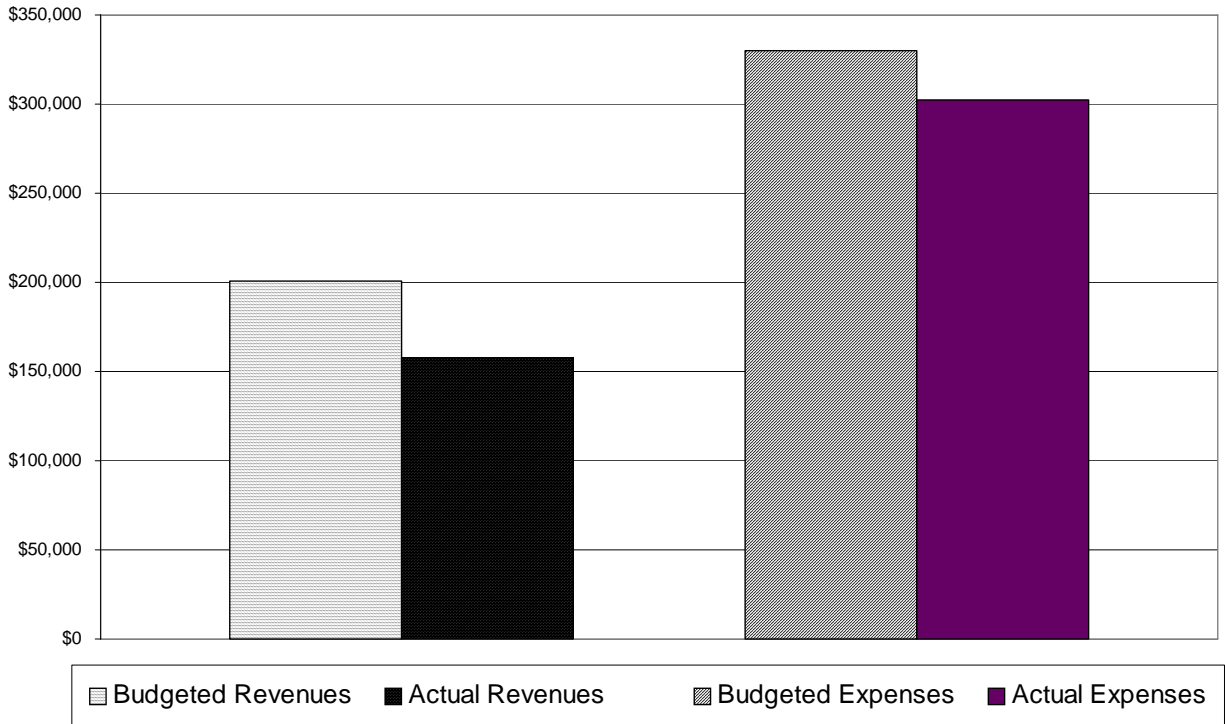
**Water and Wastewater Funds
2007 Operating Budget vs Actual**



Golf Course Enterprise (Legacy and Heritage Golf Courses)

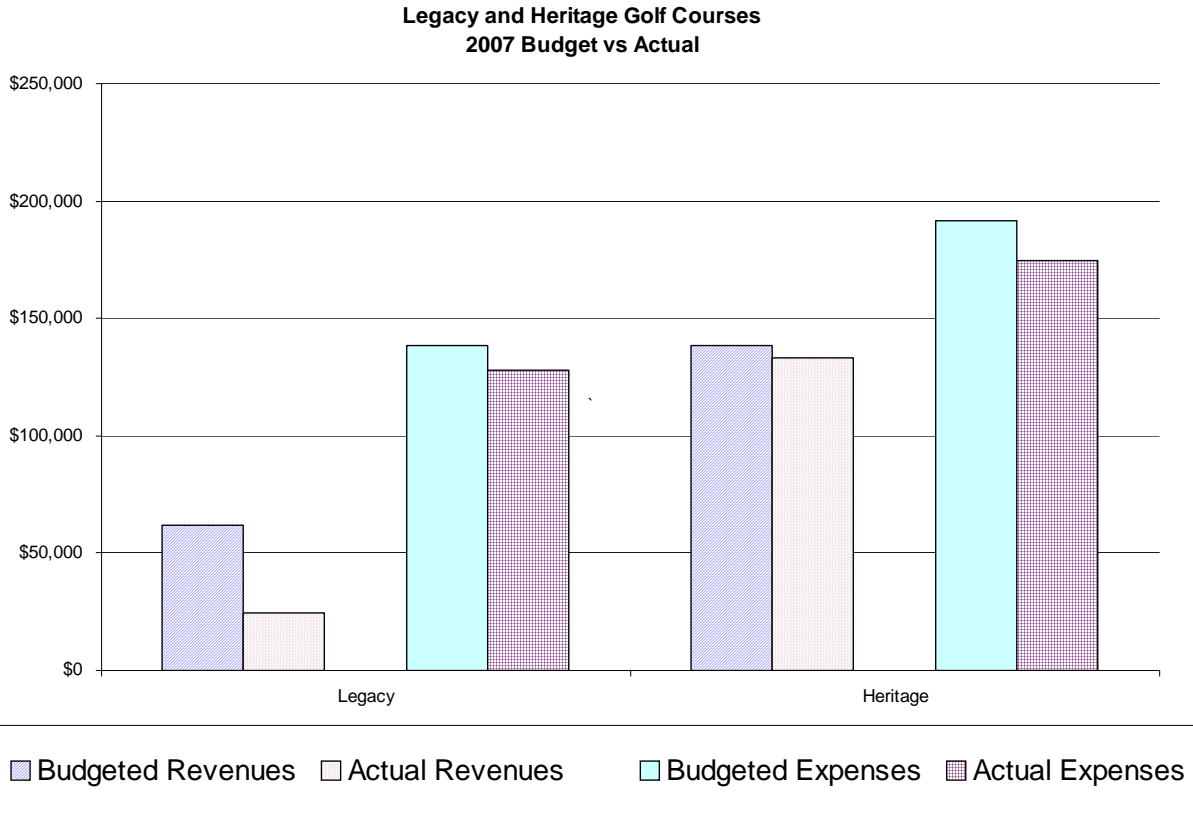
This enterprise reflects the operations of the City's two municipal golf courses.

**Combined Golf Courses
2007 Budget vs Actual**



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

Heritage's expenses reflect the lease payments that were started in July of 2006. A one time Other Financing Source and Use of \$582,144, which was a lease purchase of golf carts, was omitted from 2006 Heritage Revenue and Expense for comparison purposes.



Respectfully submitted,

J. Brent McFall
City Manager

Attachments

**City of Westminster
Financial Report
For Two Months Ending February 28, 2007**

Description General Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Revenues and Carryover						
Taxes	4,870,787	194,636		169,154	(25,482)	86.9%
Licenses & Permits	1,675,000	265,300		371,642	106,342	140.1%
Intergovernmental Revenue	4,721,000	267,700		300,391	32,691	112.2%
Recreation Services	5,611,336	708,591		752,260	43,669	106.2%
Other Services	8,419,964	1,053,680		1,199,632	145,952	113.9%
Fines	2,311,250	323,575		355,868	32,293	110.0%
Interest Income	360,000	60,000		71,789	11,789	119.6%
Misc	1,519,145	253,191		54,595	(198,596)	21.6%
Leases	1,564,170	39,862		4,200	(35,662)	10.5%
Interfund Transfers	58,249,468	9,708,245		9,708,245	-	100.0%
Sub-total Revenues	<u>89,302,120</u>	<u>12,874,780</u>		<u>12,987,776</u>	<u>112,996</u>	<u>100.9%</u>
Carryover	-	-		-	-	
Revenues and Carryover	<u>89,302,120</u>	<u>12,874,780</u>		<u>12,987,776</u>	<u>112,996</u>	<u>100.9%</u>
Expenditures						
Expenses	205,023	29,700		23,017	(6,683)	77.5%
City Attorney's Office	1,064,790	163,830		159,227	(4,603)	97.2%
City Manager's Office	1,121,996	171,365		161,530	(9,835)	94.3%
Central Charges	23,791,551	3,080,978		2,968,225	(112,753)	96.3%
General Services	5,030,427	728,613		677,115	(51,498)	92.9%
Finance	1,806,674	272,621		254,605	(18,016)	93.4%
Police	19,789,580	3,029,064		2,955,059	(74,005)	97.6%
Fire Emergency Services	10,648,095	1,610,456		1,530,140	(80,316)	95.0%
Community Development	4,594,371	703,198		639,136	(64,062)	90.9%
Public Works & Utilities	7,381,630	681,504		680,725	(779)	99.9%
Parks, Recreation & Libraries	13,867,983	1,827,807		1,591,636	(236,171)	87.1%
Total Expenditures	<u>89,302,120</u>	<u>12,299,136</u>		<u>11,640,415</u>	<u>(658,721)</u>	<u>94.6%</u>
Revenues and Carryover Over(Under) Expenditures	<u>-</u>	<u>575,644</u>		<u>1,347,361</u>	<u>771,717</u>	

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)
MONTH OF FEBRUARY 2007

Center Location Major Tenant	/----- Current Month -----/			/----- Last Year -----/		/----- %Change -----/			
	General Sales	General Use	Total	General Sales	General Use	Total Sales	Use	Total	
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART	373,482	3,091	376,573	345,884	1,111	346,995	8	178	9
WESTMINSTER MALL 88TH & SHERIDAN 4 DEPARTMENT STORES	319,196	6,476	325,673	296,622	4,302	300,925	8	51	8
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN COMP USA/CIRCUIT CITY	252,568	1,135	253,703	206,871	302	207,173	22	276	22
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	202,739	202	202,940	206,703	16	206,720	-2	1152	-2
SHOPS AT WALNUT CREEK 104TH & REED TARGET	173,172	1,501	174,673	98,087	685	98,772	77	119	77
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	168,961	1,667	170,627	174,147	7,084	181,231	-3	-76	-6
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	109,126	47,304	156,430	900	977	1,877	12024	4744	8235
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	130,938	16,415	147,353	98,686	15,145	113,831	33	8	29
SHERIDAN CROSSING SE CORNER 120TH & SHER ALBERTSONS	123,115	2,876	125,991	165,066	2,402	167,468	-25	20	-25
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	104,673	364	105,037	79,679	329	80,008	31	11	31
THE ORCHARD 144TH & I-25 JC PENNEY	81,146	1,010	82,155	0	0	0	*****	*****	*****
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	68,447	174	68,621	68,945	108	69,053	-1	61	-1
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	65,498	391	65,889	77,386	1,445	78,832	-15	-73	-16
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	51,277	442	51,719	52,862	195	53,058	-3	126	-3
WILLOW RUN 128TH & ZUNI	49,696	253	49,949	51,918	314	52,232	-4	-19	-4

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)
MONTH OF FEBRUARY 2007

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
SAFEWAY WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	49,208	170	49,378	46,753	1,922	48,675	5	-91	1
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	48,084	113	48,196	51,979	142	52,122	-8	-21	-8
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	42,338	436	42,774	45,357	229	45,586	-7	90	-6
NORTHVIEW S SIDE 92ND YATES-SHER ALBERTSONS	41,035	840	41,875	39,300	343	39,643	4	145	6
CHURCH RANCH CORPORATE CENTER CHURCH RANCH BOULEVARD LA QUINTA	9,320	27,590	36,909	15,580	17,499	33,079	-40	58	12
HIDDEN LAKE NE CORNER 72 & SHERIDAN ALBERTSONS	33,954	244	34,198	33,015	753	33,767	3	-68	1
GREEN ACRES NORTH SIDE 112TH SHER-FED CONOCO/FRCC	27,822	278	28,100	29,228	652	29,880	-5	-57	-6
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	7,645	18,178	25,823	8,564	32,453	41,017	-11	-44	-37
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	25,184	594	25,778	23,783	327	24,110	6	81	7
MISSION COMMONS W SIDE WADSWORTH 88-90TH BIG 5 SPORTS	22,888	573	23,461	26,580	12	26,592	-14	4764	-12
	2,581,512	132,317	2,713,829	2,243,897	88,747	2,332,645	15	49	16

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY YTD (CC)
MONTH OF FEBRUARY 2007

Center Location Major Tenant	YTD 2007			YTD 2006			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total Sales	Use	Total	
WESTMINSTER MALL 88TH & SHERIDAN 4 DEPARTMENT STORES	1,020,039	10,291	1,030,330	1,216,116	8,777	1,224,893	-16	17	-16
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART	999,764	4,949	1,004,713	947,825	2,923	950,749	5	69	6
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN COMP USA/CIRCUIT CITY	630,977	3,609	634,586	560,329	1,290	561,620	13	180	13
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	464,536	1,908	466,444	452,398	844	453,242	3	126	3
SHOPS AT WALNUT CREEK 104TH & REED TARGET	439,035	2,152	441,187	289,791	1,861	291,652	52	16	51
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	383,868	2,858	386,726	422,036	9,054	431,090	-9	-68	-10
SHERIDAN CROSSING SE CORNER 120TH & SHER ALBERTSONS	350,293	4,601	354,894	389,879	3,638	393,516	-10	26	-10
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	320,079	28,881	348,960	290,550	34,816	325,365	10	-17	7
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	275,084	10,307	285,391	235,126	900	236,026	17	1046	21
THE ORCHARD 144TH & I-25 JC PENNEY	235,942	1,470	237,413	0	0	0	*****	*****	*****
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	234,127	691	234,817	258,230	2,490	260,720	-9	-72	-10
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	189,746	889	190,635	189,497	928	190,425	0	-4	0
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	165,391	47,345	212,736	900	977	1,877	18274	4748	11235
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	121,536	664	122,200	127,716	661	128,376	-5	0	-5
WILLOW RUN 128TH & ZUNI	112,084	583	112,667	113,427	844	114,271	-1	-31	-1

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY YTD (CC)
MONTH OF FEBRUARY 2007

Center Location Major Tenant	YTD 2007			YTD 2006			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total Sales	Use	Total	
SAFEWAY STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	111,410	832	112,243	118,943	658	119,601	-6	26	-6
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	105,698	723	106,421	102,489	3,827	106,316	3	-81	0
NORTHVIEW S SIDE 92ND YATES-SHER ALBERTSONS	90,916	3,207	94,123	77,963	676	78,639	17	375	20
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	78,165	9,335	87,500	87,391	1,571	88,963	-11	494	-2
HIDDEN LAKE NE CORNER 72 & SHERIDAN ALBERTSONS	70,775	652	71,427	63,958	921	64,879	11	-29	10
MISSION COMMONS W SIDE WADSWORTH 88-90TH BIG 5 SPORTS	69,422	762	70,184	71,698	214	71,912	-3	257	-2
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	50,541	2,152	52,693	53,489	779	54,268	-6	176	-3
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	46,949	1,881	48,830	54,751	1,154	55,904	-14	63	-13
MEADOW POINTE NE CRN 92ND & OLD WADS CARRABAS	45,292	198	45,490	38,752	78	38,831	17	154	17
WESTMINSTER SQUARE NW CORNER 74TH & FED ARC THRIFT STORE	43,323	792	44,116	53,403	1,612	55,015	-19	-51	-20
	6,654,993	141,732	6,796,725	6,216,658	81,492	6,298,150	7	74	8



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Contract with Great West Retirement Services to provide services for the City of Westminster Deferred Compensation Plan

Prepared By: Gordon Tewell, Pension Administrator

Recommended City Council Action

Authorize the City Manager to execute a five year contract with Great West Retirement Services as the provider for the administration, record keeping and custody of the City of Westminster Deferred Compensation Plan.

Summary Statement

- The City offers a deferred compensation plan, established under section 457(b) of the Internal Revenue Services code, to all employees and City Councillors. A 457(b) plan allows employees to defer income on a pre-tax basis. The City opted out of Social Security, effective January 1, 1976. For City Councilor's and non-benefited employees, this plan serves as the required Social Security replacement. In addition, benefited employees may utilize this plan to defer current income in order to supplement their retirement income.
- In late 2006, the Deferred Compensation Plan Committee (Committee) issued a Request for Proposal (RFP) for the administration, record keeping and custodianship of the City's Deferred Compensation Plan. The current five year contract with AIG/Valic expires at the end of March. Responses were received from five national retirement plan providers. Staff reviewed the responses and selected three finalists based on several criteria including plan fees, available fund universe, education and customer service.
- The three finalists made presentations to the Committee on January 8, 2007. Based on the above criteria, the Committee selected Great-West as the successor to AIG/Valic as administrator, record keeper and custodian to the City of Westminster Deferred Compensation Plan. The fees paid to Great West will be paid through a revenue sharing agreement between the investment firms providing the investments options in the plan and Great West Retirement Services. There is no expenditure of City funds required for this transaction.

Expenditure Required: \$0

Source of Funds: As discussed in the background information below, the fees paid to Great West will be paid through a revenue sharing agreement between the investment firms providing the investments options in the plan and Great West Retirement Services.

Policy Issue

Does City Council desire to enter into a contract with Great West Retirement Services as the City's deferred compensation provider?

Alternative

Remain with the current provider. This is not recommended for the following reasons:

The fund selection with Great West is at least as good or better than AIG/Valic. The service available to employees is as good as or better than AIG/Valic. Great West will make representatives available for 36 days of on-site education and training to assist City employees in fund selection, investment advice, plan education and retirement planning an increase of 50% over the days offered by AIG/Valic in their RFP response. Great West will make account advice available at no cost to City employees in person, via their toll-free line or through their Internet site. Costs to the employees are lower. Based on an expense ratio .10% lower than the current provider, the employees in the plan will save a total of approximately \$24,000 in administrative fees over the course of the first year.

Background Information

The current contract with AIG/Valic is expiring March 31, 2007. The Committee, put together to evaluate proposals and make a recommendation, included the following individuals:

- Matt Lutkus, Deputy City Manager
- Tammy Hitchens, Finance Director
- Debbie Mitchell, Human Resources Manager
- Gordon Tewell, Pension Administrator
- Kim McDaniel, Pension Benefit Specialist

The Committee was assisted by Innovest Portfolio Solutions, consultants to The City of Westminster Pension Plan and Deferred Compensation Plan, in selecting the provider for the next 5 years.

Innovest and City Staff issued an RFP, received and reviewed responses and conducted in-depth interviews with three finalists. Responses were received from AIG/Valic, Great West, ICMA-RC, Nationwide, and Charles Schwab. The three finalists were AIG/Valic, Great West and Schwab. When the choice was narrowed to Great West Retirement Services, Staff contacted four references: the State of Colorado, Jefferson County School District, City of Lakewood, and the City of Loveland. All four contacts provided excellent references indicating that Great West provided exceptional customer service and quality education and training for employees. The contacts indicated that Great West demonstrates a willingness to be flexible with their programs and highlighted the readiness of Great West employees to go above and beyond standard practice to provide quality service.

Three major criteria were used to evaluate the proposals:

- Fund Offerings
- Customer Service and Education
- Plan Fees

A summary is provided below with additional details within these three broad categories.

Fund Offerings

- Great West offers a universe of more than 85 mutual fund families with no restriction on the use of proprietary funds. Three other providers required the use of at least one proprietary fund. Great West also indicated a willingness to work with the City to add funds to their fund universe should the City find a fund it would like to add to the plan that is not in the current Great West universe.

- Great West offered a creative solution for non-benefited employees with no direct cost to the employees. Three other providers offered only solutions that required a direct fee ranging from \$25-\$50 be charged to the non-benefited employee accounts.
- Great West offered to provide custom asset allocation models created from the funds in the plan at no additional cost.

Customer Service and Education

- Great West offered to have their onsite advisors available for as many as 36 days of training, education and individual consultations.
- The City will be able to select the service representative of their choice from among the various Great West advisors.
- Great West's educational material is robust and a significant improvement over the City's current provider.
- Great West offers two types of employee advice models. Employees can take advantage of both these models through various channels including online versions, via the toll-free line and in-person during an individual consultation. Innovest was able to negotiate the use of both tiers of advice models at no expense to City employees.
- Great West has a robust web presence with tools, educational materials and account functionality that is superior to the present provider.

Costs

All investment options in the deferred compensation plan impose asset-based administrative fees and expenses that are disclosed in the form of expense ratios, which are the percentage deducted from the assets of each fund annually. Since expense ratios reflect deductions from the assets of a fund, these expenses are borne by the individual participants in the plan. It is common for an investment management company to market many classes of the same mutual fund. The only difference between these classes may be the level of expense ratio.

The main purpose of the expense ratio is to compensate the investment managers, who manage the mutual funds available in the plan. However, a portion of each expense ratio is shared with the plan provider - the company that handles the administration, record keeping and custody of the plan, to compensate the provider for the distribution and record keeping of the investment. This revenue sharing amount is the explicit cost that the provider will receive for handling the plan. At times the plan provider will pass some of this revenue sharing back to the plan in the form of fee rebates.

Because there are several classes of mutual funds that plan providers can make available to the plans they service, the best comparison of costs for each provider is to compare the weighted average of the expense ratio less any fee rebates of the investments the provider would make available to the plan. Each respondent was asked to provide the weighted average of the expense ratio plus information on the revenue sharing and fee rebates based on the current menu of funds in the plan and the class of fund they would provide. Great West provided the lowest overall expense ratio after the fee rebate. They also shared more of the rebate with the City's plan.

Other

- Headquartered in Denver since 1978, Great West Retirement Services is a well-established insurance and financial services provider. Their clients include 15 state governments. They currently provide record keeping and communication services to over 40,000 public employees within the State of Colorado. Great West Retirement Services is a division of Great West Life and Annuity Insurance Company, currently rated A+ by AM Best, AA+ by Fitch, AA by Standard and Poor's and Aa3 by Moody's.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 C

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Park Services Landscape Maintenance Contract

Prepared By: Richard Dahl, Park Services Manager
Rod Larsen, Open Space Supervisor

Recommended City Council Action

Authorize the City Manager to enter into an amended contract with TruGreen Landcare in the amount of \$379,777 for landscape maintenance services.

Summary Statement

- In 2004, City Council awarded a multi-year contract to TruGreen Landcare for \$174,738 for landscape maintenance and \$57,127 for right of way mowing/spraying. The entire landscape maintenance contract is scheduled to be re-bid for the 2008 season.
- The City's landscape maintenance and right of way mowing contracts have exceeded their original approved spending limits due to additional areas added to the maintenance schedule over the past three years. Areas added include medians at Federal Boulevard and US 36, the 136th Avenue and I-25 interchange, the 92nd Avenue and US 36 interchange, the linear-buffer park at the Promenade and Westminster Boulevard and other smaller landscape sites.
- These newer areas have added an additional \$147,912 to the original contract costs, which also includes a three percent annual increase to the original bid and a \$15,000 contingency for additional repairs caused by vandalism, vehicle accidents and irrigation malfunctions. The square footage costs for the additional areas are consistent with the original 2004 bid.
- City Council appropriated funds for these additional expenditures in the 2007 budget.
- With increasing park acreage and maintenance responsibilities, Park Staff has found it more cost effective to use contractors to maintain non-park areas. Using contractors to mow, irrigate, and clean non-park areas such as streetscapes and medians allows Staff the time to properly maintain new and existing parks to standards expected by Westminster residents as expressed in the Citizen Survey.

Expenditure Required: \$379,777

Source of Funds: General Fund - Parks, Recreation and Libraries Operating Budget
General Capital Improvement Fund - Community Enhancement Project

Policy Issue

Does the City wish to continue the use of outside contractors to perform specific park maintenance operations instead of using in-house Staff, supplies and equipment?

Alternatives

1. Do not approve the additional expenditure for increased maintenance areas and rely on City Staff to take over the maintenance of the properties. Staff estimates that this alternative would require an expenditure of \$250,000 to hire additional personnel and purchase the necessary equipment to maintain the additional designated areas. This compares to the proposed contractual cost of \$147,912.
2. Take no action. Due to the limited time frame involved for spring maintenance, Staff does not recommend this option if service levels are to be maintained.

Background Information

The Park Services Division is currently divided into four maintenance districts, with 92nd Avenue and Sheridan Boulevard being the dividing lines. Since 1985, this system has worked well and allowed Staff to devote enough time to the parks and public facilities within each district. However, with the addition of new park sites, public facilities and streetscapes, it has become evident that new methods of utilizing available resources are needed. In light of this, park employees proposed, researched, and collected information for the use of contract maintenance as a viable alternative to maintain streetscape and medians throughout the City.

For the past ten years, the use of private contractors to maintain these areas has been an effective use of resources and City Council has been supportive in providing funding for contract maintenance. This private contractual approach has worked very well by allowing City crews to concentrate on services they can perform more efficiently and at a greater level of detail. A multi-year contract allows the contractor to amortize equipment required to maintain the areas, builds a working relationship with Staff, and results in more favorable bidding results.

City Council previously allocated adequate funds in the 2007 Park, Recreation and Libraries Department operating budget and the Capital Improvement Projects Community Enhancement fund for the maintenance of City-owned streetscapes and medians in addition to open space areas.

Open Space Supervisor Rod Larsen is the contract manager and has administered other maintenance agreements over the past several years and has gained extensive insight into issues dealing with private contractors. This experience, along with Staff input, was used to develop the documents and maintenance standards for the Landscape Maintenance Contract and Right of Way Mowing contract that TruGreen Landcare currently operates under. TruGreen has proven to be a reliable and trustworthy company over the past three years.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 D

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: City Participation in the Rocky Mountain Rail Authority

Prepared By: Dave Downing, City Engineer

Recommended City Council Action

Authorize the expenditure of \$5,000 in 2007 and \$5,000 in 2008 for a two-year municipal membership for the City of Westminster in the Rocky Mountain Rail Authority.

Summary Statement

- Former Regional Transportation District (RTD) Director and former State Representative Bob Briggs is spearheading an effort to have an Albuquerque/Denver/Cheyenne rail corridor plus a Denver International Airport/west slope rail corridor along I-70 designated as the eleventh and final High Speed Rail Corridor (HSRC) in the nation by the Federal Railroad Administration. The benefits of such a designation would be (1) the ability to receive specific federal funding, and (2) the opportunity to become part of a nationwide network of high speed rail lines in the future.
- The first step in attaining HSRC status is to prepare a feasibility study for the proposal. The Colorado Department of Transportation (CDOT) has appropriated \$1.246 million for this purpose, but a 20% local match (\$311,500) is required.
- The Rocky Mountain Rail Authority (RMRA) has been formed to receive the monies and sponsor the feasibility study. Every affected local government has been invited to join the RMRA to gain representation on the Board of Directors. It is expected that sufficient commitments will be made in 2007 to cover the \$311,500 local obligation.
- On November 15, 2006, the Westminster Transportation Commission unanimously voted to recommend to the City Council that the City of Westminster join the Rocky Mountain Rail Authority.

Expenditure Required: \$5,000 in 2007 and \$5,000 in 2008

Source of Funds: General Fund – Central Charges Operating Budget

Policy Issue

Should the City of Westminster participate in the Rocky Mountain Rail Authority?

Alternative

The City is under no obligation to participate in the Authority. However, if Council believes that it is important to explore feasible alternatives to address future transportation needs, the Rocky Mountain Rail Authority appears to be a viable possibility. Staff recommends that the City reserve a seat on the Board of Directors by joining the RMRA.

Background Information

The proposal to designate the Rocky Mountain Corridor as the eleventh High Speed Rail Corridor in the country, if implemented, would serve the nearly seven million citizens of Colorado, Wyoming and New Mexico as well as hundreds of thousands of visitors annually with over 1,000 miles of passenger rail track. In order to qualify as a high speed service, the trains would have to average speeds of 90 miles per hour over 75% of the time on its routes.

Ten corridors have already been granted this designation by the Federal Railroad Administration. Those corridors are as follows:

- 1.) California Corridor (San Diego to Sacramento)
- 2.) Pacific Northwest Corridor (Eugene to Vancouver, B.C.)
- 3.) Chicago Hub (Minneapolis to Louisville)
- 4.) Florida Corridor (Miami to Tampa)
- 5.) Southeast Corridor (Jacksonville to Raleigh)
- 6.) Gulf Coast Corridor (Houston to Atlanta)
- 7.) Keystone Corridor (Philadelphia to Pittsburgh)
- 8.) Empire Corridor (New York City to Buffalo)
- 9.) Northern New England Corridor (Montreal to Boston)
- 10.) South Central Corridor (San Antonio to Little Rock)

If selected as the eleventh HSRC, the Rocky Mountain Corridor would be positioned to become a central link in this vast network of high speed service covering the nation.

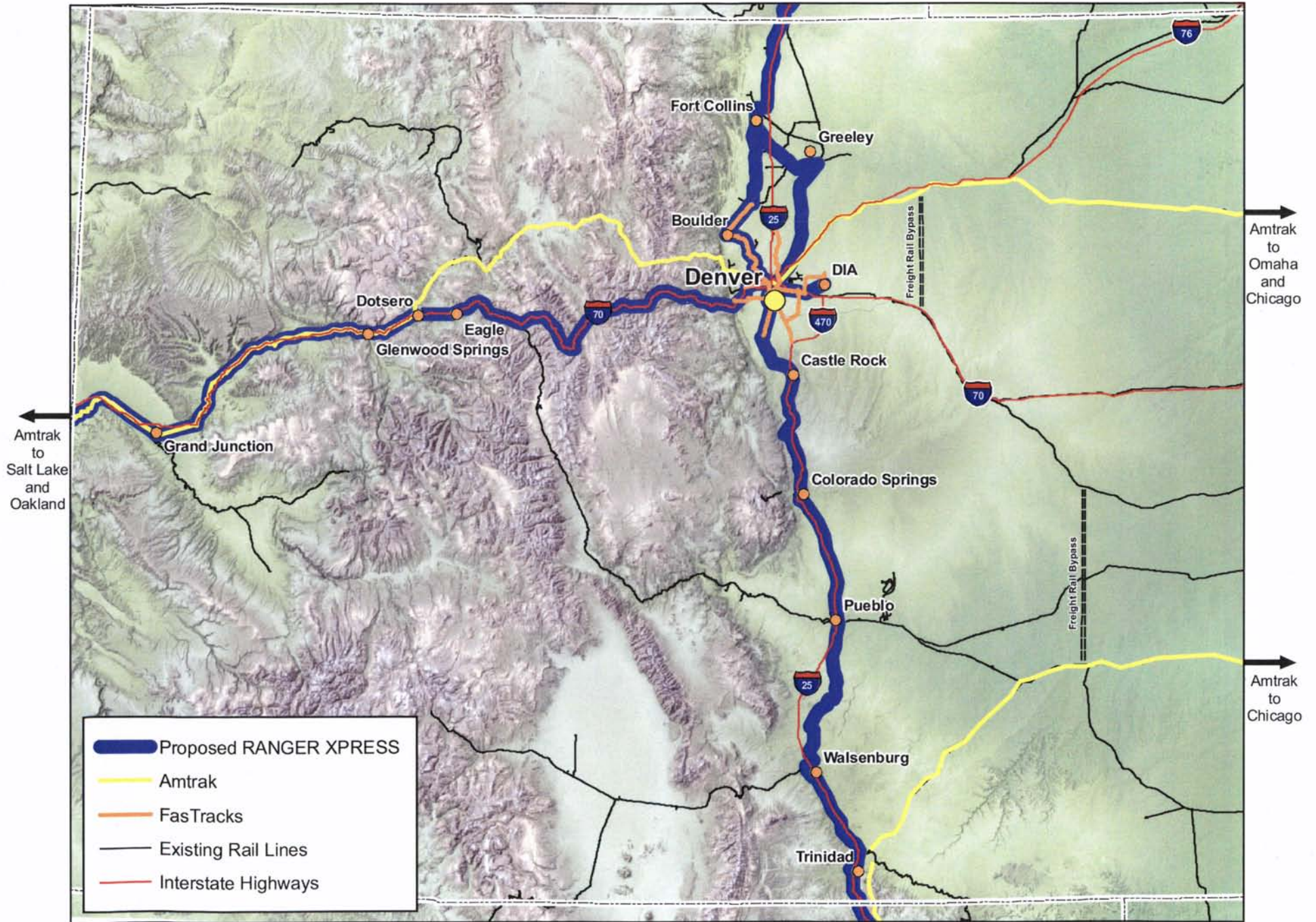
In 2007, it is anticipated that sufficient contributions from affected local jurisdictions will be collected to launch the Feasibility Study relatively early in the year. That study will explore issues such as the capacity of existing tracks, the cost to relocate freight trains from those existing tracks, the cost to improve tracks to allow passenger train speeds of up to 110 miles per hours, potential ridership and operating costs. An intermediate goal of the RMRA is to potentially approach the Colorado voters in November of 2008 with a ballot issue to create a Regional Transportation Authority for funding purposes, and the ultimate goal is to commence actual passenger service in 2014 to 2016, which is also the approximate timetable for FasTracks service to be operational. Obviously, a good deal of analysis must be completed and consensus must be reached before a project of this magnitude can proceed. The upcoming Feasibility Study will address several of these issues.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – map of the Colorado rail service area

PROPOSED RANGER XPRESS PASSENGER RAIL SERVICE





WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Comprehensive Roadway Plan Update – Consultant Contract

Prepared By: Michael Normandin, Transportation Engineer

Recommended City Council Action

Authorize the City Manager to execute a contract with Bucher, Willis & Ratliff Corporation (BWR) in the amount of \$164,790 for an update of the City's Comprehensive Roadway Plan and authorize a project contingency of \$10,210.

Summary Statement

- The current Roadway Plan was approved by City Council in March of 1994. Since that time, the City has revised the Comprehensive Land Use Plan and several transportation planning efforts have been undertaken that greatly affect future transportation patterns. The proposed update of the Roadway Plan will reflect these efforts and other changes needed.
- The proposed Roadway Plan update will evaluate existing traffic conditions, identify improvements to mitigate deficiencies, identify long range transportation improvements and explore opportunities to enhance linkages between the City's transportation system (vehicular and pedestrian) and that of the Regional Transportation District (RTD) and the Colorado Department of Transportation (CDOT).
- Requests for Proposals were advertised and four qualified consultants submitted proposals. The firm of BWR was chosen for the update of the Roadway Plan. BWR has extensive experience in preparing transportation plans for municipalities throughout the nation.
- Funds for this planning effort and contingency were approved by City Council in the 2007 budget and are available in the appropriate project in the General Capital Improvement Fund.

Expenditure Required: \$175,000

Source of Funds: General Capital Improvement Fund – Roadway Plan Update

Policy Issue

Should the City proceed with the update of the Roadway Plan?

Alternative

Alternatives include postponing or abandoning the update of the Roadway Plan. The proposed Roadway Plan update will provide City Staff and Council with the tools necessary to make interactive land use and transportation decisions. For these reasons, the postponement or abandonment alternatives are not recommended.

Background Information

The current Roadway Plan was adopted by City Council in March of 1994. Since that time, several of the improvements identified in that Plan have been implemented. The 1994 Plan has served City Staff well in transportation planning efforts, but certain revised land use assumptions as well as the pending implementation of some major transportation systems, such as FasTracks, call for an update to the City's Roadway Plan.

When completed, the Roadway Plan update should achieve the following objectives:

- Identify existing transportation deficiencies and interim or short range solutions
- Identify future transportation deficiencies and long range solutions
- Establish the relationship between land use and transportation needs
- Provide a travel demand model for testing future transportation improvement alternatives
- Provide flexibility in evaluating the transportation impacts of land use changes
- Quantify the traffic congestion relief benefits of transportation improvement projects
- Identify costs for transportation improvement projects
- Identify potential funding sources for transportation improvement projects
- Adopt transportation management policies
- Identify transportation system management strategies and opportunities
- Identify inter-modal linkages between pedestrian/bicycle use and the FasTracks System

Requests for Proposals were publicly advertised and four very qualified firms responded. Since the potential scope of a comprehensive transportation planning study of this type is not finite, Staff asked the consultants to identify the maximum amount of work that they could perform within the budget amount of \$165,000 (excluding a \$10,000 contingency). Hence, a comparison of fees is not appropriate in this instance; all of the proposed fees ranged between \$164,790 and \$165,000. In Staff's opinion, BWR submitted the proposal demonstrating the best value for the dollar and the greatest understanding of the City's needs. Staff is very comfortable in recommending that this firm be retained for the update of the Roadway Plan.

Through the course of this study, which should be completed by the end of 2007, Staff and the consultant will conduct two public meetings and at least one presentation to the City Council. Input from the City's Transportation Commission will also be solicited.

Respectfully submitted,

J. Brent McFall
City Manager



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: 144th Avenue and I-25 Interchange Project –
Amended Construction Engineering Services Contract

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute an amended construction engineering services contract for the 144th Avenue and I-25 Interchange Project with Felsburg, Holt & Ullevig (FHU) for an additional amount of \$166,354, which will revise the total contract to an amount not to exceed \$1,416,319.

Summary Statement

- On August 8, 2005, Council authorized the original construction services contract with FHU in the amount of \$1,249,965 and authorized a contingency of \$100,000.
- An amendment to the construction engineering contract with FHU is necessary due to the additional time needed to inspect the landscaping portion of the project and to pay for other services from FHU that were above and beyond the original scope of work for this project. For example, the consultant spent many additional hours to work on weekends and nights at City Staff's request to complete the project by August 31, 2006.
- The Intergovernmental Agreement (IGA) between the Cities of Westminster and Thornton for this project allows for contract amendments with concurrence from both Cities. Thornton has agreed to the requested contract amendment. The IGA also requires Thornton to reimburse the City for half of these additional costs in the future.
- Funds for this expense are available in both the Westminster Economic Development Authority (WEDA) Bond Funds and proceeds from the issuance of Certificates of Participation.

Expenditure Required: A total of \$1,416,354, (\$708,177 from Certificates of Participation and \$708,177 from WEDA Bonds)

Source of Funds: Proceeds from the issuance of Certificates of Participation and WEDA Bonds

Policy Issue

Should the City amend the contract with FHU for construction engineering services?

Alternative

Do not authorize execution of the amendment to the contract with FHU. Staff does not recommend this alternative for the following reasons:

- FHU has performed in an excellent manner on this project and Staff does not recommend reducing the level of inspection when many of the important architectural elements of the bridge as well as the landscaping are still being installed. These features of the project will detract from the overall appearance if not installed and inspected with care.
- When Council authorized the original contract on August 8, 2005, a \$100,000 contingency was also approved. The requested amendment is \$66,354 above the approved contingency amount but is also well below FHU's originally proposed fee.

Background Information

The aggressive schedule of The Orchard Town Center commercial development required the completion of the first phase of the 144th/Avenue/I-25 Interchange by October 2006. This first phase initially contemplated the construction of the south half of the new bridge across I-25, the interchange ramps, a through lane in both directions along 144th Avenue and left turn lanes at all major intersections. This phasing approach was revised with the full closure of 144th Avenue during construction that allowed the completion and opening of all of the travel lanes for the project on August 31, 2006, approximately 1 ½ months before the obligated date. The completion of the roadway elements of the interchange will be substantially complete in March of 2007 with landscaping completion in July 2007. This accelerated completion of the first phase of the project required overtime work by the contractor which, in turn, caused overtime work for FHU for the observation of this work. Additionally, the delayed start in the landscaping work due to weather conditions makes it necessary to extend FHU's contract by a few months to observe this portion of the project. Both the unforeseen overtime and the extra landscape observations were not in the scope of work that was negotiated by Staff and approved by Council on August 8, 2005.

FHU's proposed amended fee is 6.91% of the expected construction cost. By comparison, their actual fee on the 136th Interchange project was 6.77%. Staff's experience for other City-managed projects of this size is that the fee is typically in the 8% range. By comparison, the Colorado Department of Transportation uses a construction engineering fee percentage on their projects that ranges between 16% and 21% for this same effort that the City is requiring FHU to perform. The amended fee proposed by FHU will assure that this project will be completed with the high standards that the City expects. Staff believes it is in the best interest of the public to approve this contract amendment with FHU.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: 78th Avenue/Stuart Street Water and Sewer Pipelines Construction Contract

Prepared By: Abel Moreno, Capital Projects and Budget Manager

Recommended City Council Action

Authorize the City Manager to execute a contract with BT Construction, Inc. in the amount of \$1,521,351 for the construction of the 78th Avenue/Stuart Street Water and Sewer Pipelines; authorize a ten percent construction contingency in the amount of \$152,135; authorize a contract amendment with the City's design engineer S.A. Miro in an amount not to exceed \$20,547 for additional design and construction management related services; and authorize a sole source contract based on the recommendation of the City Manager that the public interest would best be served with J&T Consulting, Inc in the amount not to exceed \$78,054 for owner's representative services on a time and material basis for a total project budget of \$1,772,087.

Summary Statement

- The 78th Avenue/Stuart Street Water Lines project will provide water transmission capacity to the southeast part of the City replacing the capacity lost when the former England Water Treatment Facility was decommissioned.
- The project consists of installing approximately 2,500 linear feet of 24-inch water line in 78th Avenue, one steel encasement in the 78th Avenue right-of-way under the Burlington Northern Santa Fe Railroad, 2,000 linear feet of 16-inch water line in Stuart Street from 78th Avenue to 75th Avenue, nine water lateral connections, 24 water service connections, and 910 linear feet of 8-inch sanitary sewer line in 78th Avenue from Zenobia Street to Xavier Street with six sanitary sewer lateral connections. This work will achieve increased fire flows and volume to the southeast part of the City.
- A change order with S.A. Miro is due to additional design engineering related to adding 910 linear feet of sanitary sewer lines, changing the design drawings for the waterline from 16-inch to 24-inch in 78th Avenue (per the City's Infrastructure Master Plan completed in 2006), and an increase to the hourly rate for staff time to complete the project.
- Staff is recommending the hiring of J&T Consulting, Inc. to provide project management related services. This work could be performed by Westminster staff; however, all staff are currently working on other projects. In order to complete this necessary project in a timely manner, additional outside resources are required. Costs associated with project management are included in the project budget whether this function is provided by City forces or by contractors.
- The sanitary sewer line was scheduled to be replaced as part of the City's Local Sewer Line Replacement Project. Since the water line was also being replaced in 78th Avenue, Staff combined the design and construction of both lines to minimize inconvenience and disruption to area residents.
- The total authorized budget for this project is \$2,561,550. Approximately \$126,000 has already been spent for engineering design services leaving a project account balance of \$2,435,550. All contracted and estimated costs are within the current approved project budget. Improvements are scheduled to be completed during the 3rd quarter of 2007.

Expenditure Required: \$1,772,087

Source of Funds: Utility Fund CIP - 78th Avenue Pipeline Project (\$1,697,188)
Local Sewer Line Replacements (\$74,899)

Policy Issue

Should the City award the 78th Avenue/Stuart Street Water and Sanitary Sewer Pipelines project to BT Construction, Inc., authorize a 10-percent contingency, authorize a change order to S.A. Miro, and authorize a contract with J&T Consulting, Inc. for owner representative services for a total amount of \$1,772,087?

Alternatives

One option is to select one of the other four contractors that bid on this project. This option is not recommended since Staff believes BT Construction, Inc. is the lowest responsible bidder capable of completing this work. BT Construction, Inc. has previously completed projects successfully for the City.

Another option is to reject all of the bids and re-advertise for additional contractors to bid the project. Staff does not recommend this alternative because the City received five bids from respected pipeline construction contractors.

Background Information

The 78th Avenue/Stuart Street Water Line project consists of installing approximately 2,500 linear feet of 24-inch water line in 78th Avenue, one steel encasement in the 78th Avenue right-of-way across the Burlington Northern Santa Fe Railroad, 2,000 linear feet of 16-inch water line in Stuart Street from 78th Avenue to 75th Avenue, nine water lateral connections, and 24 water service connections. This project will provide water transmission capacity to the southeast part of the City, providing higher volumes and fire flow.

The 78th Avenue Sanitary Sewer Line project consists of open-cut replacing 910 linear feet of 8-inch sanitary sewer line in 78th Avenue from Zenobia Street to Xavier Street, with six sanitary sewer lateral connections and one service connection. This portion of the project is needed due to structural deficiencies including sagging, cracks, and offset joints in the existing sewer line.

S.A. Miro, Inc. was contracted to provide design and construction phase services in the amount of \$90,400 in August, 2004. In October 2005, City Council authorized a contract amendment in the amount of \$34,301 for a revised contract of \$124,701. The contract amendment was issued due to revising the previous alignment that had located the pipeline in Stuart Street from 78th Avenue to 75th Avenue and in 75th Avenue from Stuart Street to Sheridan Boulevard. Staff directed S.A. Miro to prepare design drawings for the water line route going through Wolff Run Park in lieu of the 75th Avenue and Stuart Street alignments, which was estimated to save the City approximately \$200,000. However, the Utility System Infrastructure Study recommended that two pressure zones be created in this vicinity of the City, which eliminated Wolff Run Park as a viable water line route. Staff also issued one additional change order to S.A. Miro in the amount of \$1,100 to complete a legal description for an easement through private property near 75th Avenue and Stuart Street for a revised contract total of \$125,801. The requested change order #2 in the amount of \$20,547 will bring the total S.A. Miro contract to \$146,348.

The funding breakdown for the project is as follows:

Item	Amount
Design Services	\$125,801
Additional Design Services	\$20,547
Design/Construction Management Contingency	\$13,560
Construction	\$1,521,351
Construction Contingency (10%)	\$152,135
Owner’s Representative Services	\$78,054
Street Cut Impact Fees	\$76,058
Total	\$1,987,506
Current Authorized Budget	\$2,561,550
Budget Surplus/(Shortfall)	\$574,044

The City received five qualified bids on March 12, 2007, with BT Construction, Inc. submitting the lowest qualified bid. After thoroughly reviewing all five bids and checking references, Staff is recommending award to BT Construction who has successfully completed water line installation projects for the City.

The construction bid tabulation is as follows:

Contractor Name	Amount
BT Construction	\$1,521,351.00
Tierdael Construction	\$1,710,131.50
T. Lowell Construction	\$1,825,000.00
ERS Constructors	\$2,002,574.00
Concrete Express	\$2,351,928.00
Engineer's Estimate (S.A. Miro)	\$1,768,191.31

At the conclusion of the water line construction on 78th Avenue and Stuart Street, the City's Street Division will be managing a street reconstruction project on both streets. The cost effectiveness and resident convenience of the street reconstructions have played a factor in determining that this approach is the most suitable for these City streets. In lieu of paying the street cut impact fees and patching back to normal depths, Staff will be recommending that 78th Avenue and Stuart Street be reconstructed using the City's street improvement program that is currently out to bid. Bids for the asphalt work are due back to the City on March 28, 2007 with anticipated City Council action of April 9, 2007.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

78th Avenue/Stuart Street Water and Sewer Pipelines





WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: 94th Avenue and Quitman Street Lift Station Elimination Engineering Contract

Prepared By: Michael C. Wong, P.E., Senior Engineer
Abel Moreno, Capital Projects and Budget Manager

Recommended City Council Action

Authorize the City Manager to execute a contract with URS Corporation in the amount of \$164,614 for engineering design and construction management services for the 94th Avenue and Quitman Street Lift Station Elimination; authorize a contingency in the amount of \$16,461 for a total design and construction management project budget of \$181,075, and authorize a contract with the City’s legal counsel Carlson, Hammond and Paddock in the amount of \$18,925 to assist Staff in negotiation of partial service exclusion with the Metro Wastewater Reclamation District (Metro District).

Summary Statement

- Proposals for engineering design and construction management for the elimination of the 94th Avenue and Quitman Street Lift Station was requested from five consulting firms in February 2007. All five firms submitted proposals, and URS was determined to be the most qualified consultant.
- The scope of work includes an engineering study to abandon the existing Lift Station in place, selection of an alternate alignment for a new gravity sanitary sewerline with the least impact to area residents and the Hyland Hills Golf Course, design and construction management services for the proposed gravity sewer for transmitting sewage to the Big Dry Creek Wastewater Treatment Facility, and assistance to City Staff in negotiation of easements, agreements and permit applications.
- The total project budget of \$2 million will span over 2007 and 2008 with most of it (\$1.8 million) to be appropriated in 2008. However, depending on negotiations with Hyland Hills, Staff may recommend to fully fund the improvements in 2007. Should that happen, Staff will return to City Council for a supplemental appropriation in 2007.
- The URS Master Plan identified three potential routes for the new gravity sanitary sewer, all of which traverse the Hyland Hills Golf Course. Staff has initiated discussions with Hyland Hills Staff regarding this project.
- A provision in Metro policy requires the City to request exclusion of partial service if current flow is diverted from Metro’s Treatment Plant. The procedure involves passing a City ordinance requesting the change and formal approval by the Board of the Metro District. Staff is recommending hiring outside legal counsel to assist Staff in negotiations with Metro.

Expenditure Required: \$200,000

Source of Funds: Utility Fund Capital Improvement Program - 94th and Quitman Lift Station Elimination

Policy Issues

Should the City execute a contract in the amount of \$164,614 with URS for the design and construction management of the 94th Avenue and Quitman Street Lift Station Elimination project?

Should Council authorize the use of outside legal counsel to assist in the negotiations with Metro?

Alternatives

The City could choose from the following alternatives:

1. Reject staff recommendation to execute a contract with URS and choose not to eliminate the Lift Station. Consequently, basements in this area will remain at risk due to lift station failure, and the City will not realize lower operations and maintenance expenses.
2. Reduce the scope of engineering work to lower the contract cost. Included in the contract is an item that could be eliminated. URS will investigate a local service area bounded by 95th and 96th Avenue, between Osceola and Perry Street. The elevation of this service area is too low with respect to the lift station wet well, and the sanitary sewer line has poor hydraulic gradient. It will be advantageous to know if improvements to this service area can be constructed and be incorporated into the new gravity sewer line design.

Staff does not recommend either of these alternatives.

Background Information

The existing Lift Station located at 94th Avenue and Quitman Street is situated in a fully developed residential area. The Lift Station serves an area bounded by 92nd Avenue on the south, 97th Avenue on the north, Xavier Street on the west and Green Court on the east (see attached Lift Station Location Map). The facility handles average sewage flows of 0.5 million gallons a day (MGD). The Lift Station has a wet well with pump house, two force mains, dual pumps, and is equipped with an emergency generator and appurtenances. To eliminate the Lift Station, it is necessary to install approximately 4,000 linear feet of gravity sewer from 94th Avenue and Quitman Street to connect to existing City sanitary sewers.

The residential area served by the 94th Avenue and Quitman Street Lift Station is relatively low and flat with respect to the lift station wet well. There is not sufficient storage capacity either in the wet well or in the sewer pipeline to store sewage in the case of a pump station failure. Due to power outages and/or equipment malfunctions, sewer backups in residential basements have occurred in the past. Staff recommends elimination of the subject lift station for the following reasons:

1. Eliminate potential basement sewer backups due to power outage and/or pump failure
2. Save operations and maintenance costs on the lift station
3. Lower annual sewage treatment costs paid to Metro
4. Transmit the flow to Big Dry Creek Wastewater Treatment Plant to increase the effluent flow for the City's reclaimed water system

The short list of six engineering firms qualified for this type of work was based on the review of 63 Engineering firms who submitted Statements of Qualification (SOQs) to the City for PW/U CIP projects. The firms were generally categorized by engineering specialty. Request for proposals were sent on January 31, and a preproposal conference was held with only five firms to clarify scope of work on February 16, 2007. The firm of Stantec Engineers decided not to respond to the Request for Proposal. Proposals were received by the City of Westminster on February 23, 2007. The following is a tabulation of the proposals submitted by the consulting firms:

<u>Consulting Firms</u>	<u>Proposed Cost</u>
URS Corporation	\$164,614
Merrick Company	\$172,133
Parson-Brinkerhoff	\$202,928
Brown and Caldwell	\$306,082
Carollo Engineers	\$332,907

Upon evaluation of the proposals, Staff selected the firms of URS and Carollo Engineers to be the most qualified firms. On March 7, 2007 both firms were invited back for a selection interview to verify their project understanding and cost proposals. Staff selected URS based on their qualification and proposed cost of \$164,614. In 2006, URS successfully completed the Infrastructure Study and provided a Master Plan report to the City. All contracted and estimated costs are within the current approved project budget.

City Staff met with Hyland Hills Staff to discuss the project and get input on three conceptual routes across the golf course. Hyland Hills Staff prefers Alternate A (map attached), which is also the City Staff's preferred route. Hyland Hills indicated that the preferred construction window is between November 2007 and February of 2008, but would work with the City if construction falls outside that timeframe.

Staff anticipates the design being completed in July 2007 and construction of the new facility between November 2007 and February 2008, depending on negotiations with Metro and the Hyland Hills Parks and Recreation District.

Elimination of the 94th Avenue and Quitman Street Lift Station requires the City to request exclusion of partial service from Metro. Staff recommends retaining Carlson, Hammond and Paddock, LLC to assist the city in negotiation with Metro. The law firm has effectively and successfully represented the City of Westminster in water and wastewater related legal matters since 1977, and their rates are competitive.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



URS

URS Corporation
8181 East Tullis Ave.
Denver, CO 80237

**94th & Quitman Lift Station
Location Map**

Date: February 2007
Created by: ERR



City of Westminister



Agenda Item 8 I

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Annual Large Item Cleanup Program Contract

Prepared By: Dave Cantu, Contract Maintenance Supervisor
Ray Porter, Street Operations Manager

Recommended City Council Action

Authorize the City Manager to execute a contract for 2007 for Large Item Cleanup Services with the low bidder, Waste Management of Colorado, in the amount of \$69,828 and authorize a contingency of \$5,000.

Summary Statement

- City Council approved funds for this expense in the 2007 Department of Public Works and Utilities, Street Operations Division budget.
- The City of Westminster received one bid for the 2007 Large Item Cleanup Program. The bid was within budget (\$69,828) however, this cost is three times higher per pickup (\$66) than last year's price (\$21.72).
- Formal bids were solicited from eight contractors in accordance with the City bidding requirements for the 2007 Large Item Cleanup Program.
- The only bidder, Waste Management of Colorado, meets all of the City bid requirements and has successfully completed similar projects in the Denver metro area including the City of Westminster 2006 Large Item Cleanup Program.

Expenditure Required: \$74,828

Source of Funds: Street Division Operating Budget

Policy Issue

Should the City accept the bid costs for the 2007 Large Item Cleanup Program with Waste Management of Colorado?

Alternatives

An alternative to this program includes refunding registration fees and discontinue the program. Staff does not recommend the alternative. The alternative will likely upset residents who took the time to register and expect the service.

Another alternative would be to re-bid the program in the hope of getting more bidders and a more competitive price. Staff does not recommend this alternative as it is highly doubtful that the bid result would change. The private haulers do not see this as a lucrative service offering to pursue.

Background Information

- Due to the rising cost of this program experienced in 2006, changes were initiated in the 2007 Program in an attempt to reduce costs and continue the program. Changes included a \$10 fee per participating household, a participation registration process and establishment of a maximum debris pile of 4' x 4' x 8'.
- In 2006, 8,056 residents participated in the program when there was no fee for participation. In 2007, under new program guidelines, 1,049 residents registered for participation.
- The following sealed bid was received:
Waste Management of Colorado \$69,828
- Based on a lower level of participation, Staff estimated that the per pickup cost would increase by around 60%. The actual 2007 increase in per pickup cost based on the Waste Management bid is 204%.
- Waste Management has cited the following reasons for the substantial cost increase:
 - Rising fuel costs
 - Dump fees have increased 23%
 - Labor is all overtime
 - After experiencing the pickup last year, Waste Management has included costs for wear and tear on their equipment given the nature of items picked up
 - This year's lack of participants (less stops per mile) with the requested number of stops also results in crews being less efficient
- Staff will assess the operation of this year's program and make recommendations to City Council for future years.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 J

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: 2007 Wastewater Collection System Improvement Project/Phase I

Prepared By: Richard A. Clark, Utilities Operations Manager
Andy Mead, Utilities Operations Coordinator

Recommended City Council Action

Authorize the City Manager to execute a contract with Insituform Technologies Inc., in the amount of \$732,735 with a 10% contingency budget of \$73,274, for a total project budget of \$806,009 for rehabilitation of 30,207 feet of 8 to 12 inch sanitary sewer line and 162 feet of 24 inch storm sewer line.

Summary Statement:

- This project consists of the rehabilitation of approximately 30,207 feet of 8 to 12 inch diameter sanitary sewer line and 162 feet of 24 inch storm sewer line by using trenchless technology, cured-in-place pipe (CIPP).
- Formal bids were issued and a bid opening took place on March 8, 2007. Three proposals for this project were received. The lowest responsible bid was submitted by Insituform Technologies Inc. This contractor has been utilized by the City in the past and has provided a high quality work product.
- Adequate funds were budgeted for this expenditure in the 2007 Utility Fund Capital Improvement Projects Budget.

Expenditure Required: \$ 806,009

Source of Funds: 2007 Utility Fund Capital Improvement Projects Budget

Policy Issue

Should the city utilize Utility Fund Capital Improvement Project funds to complete the needed sewer line rehabilitation project using an outside contractor as specified in the contract documents?

Alternative

Delay this sanitary sewer and storm sewer line rehabilitation project. This alternative is not recommended as the City would assume responsibility for additional sewer line failures and damages that may occur due to line collapse.

Background Information

The Utility Operations Division budgets annually for the rehabilitation of deteriorated small diameter (15-inches and below) sanitary sewer lines. Sewers are assigned a numerical condition rating during the tri-annual inspection program and the most severely deteriorated lines are selected for rehabilitation first. Over extended periods of time, hydrogen sulfide gas from the sewage dissolves away the concrete mortar and causes joint leaks and crown corrosion along the sewer lines. This can eventually cause the sewer's structural support to fail and can cause a total line collapse. The selected sewer lines related to this project were identified as a priority for rehabilitation due to their advanced deteriorating condition.

In 2007, the sanitary sewer line rehabilitation program funding was significantly expanded to \$2,100,000 and moved from the Utilities Division Operating Budget to the Utility Fund Capital Improvements Program (CIP) portion of the budget. This expanded funding allows for an accelerated schedule of rehabilitation of the sanitary sewer lines in need of repair throughout the city. The goal is to address all sanitary sewer lines with a rating of poor or failing in the Pipe Assessment and Certification Program (PACP) over the next five years. This initial sewer line rehabilitation project will require 40 percent of the funding available in the Capital Improvement Project account for 2007. The remaining funds in the account will be utilized for a second phase/project of sanitary sewer line rehabilitation to be submitted for consideration tentatively in May of this year. Additional smaller projects using a variety of techniques may be conducted throughout the year.

The project scope of work for the 2007 Wastewater Collection System Improvement Project/Phase 1 consists of repairing 30,207 feet of 8-inch through 12-inch sanitary sewer lines and 162 feet of 24 inch storm sewer line using trenchless technology methods (internal cured-in-place lining of the existing sewer pipe.) Trenchless technology has proven very successful and less disruptive for residents and traffic flows. This process of rehabilitating sewer lines has been successfully utilized by the City in past years and has been a reliable method of repair. The project work will take place generally in the former Standley Lake Sanitation District area and the Sunset Ridge neighborhood. Attached is a listing of addresses/locations and a map of the areas to be completed within the scope of this project.

The 2007 Wastewater Collection System Improvement Project was advertised for notice and bids were accepted until March 8, 2007. Three contractors submitted bids. The City has utilized the services of Insituform Technologies Inc. in the past and has been very satisfied with the quality of their work. The results of the submitted bids are as follows:

Wildcat Civil Services	\$ 909,727
Western Slope Utilities	\$ 795,166
Insituform Technologies Inc.	\$ 732,735
Estimated Cost	\$ 810,422

The lowest proposal from Insituform Technologies is about 10 percent below the 2006 program's cost, using the same unit prices for similar items. Staff anticipates that the contractor, Insituform Technologies Inc., will commence work in April 2007 and will complete this project by the end of September 2007.

Respectfully submitted,

J. Brent McFall, City Manager
Attachments

2007

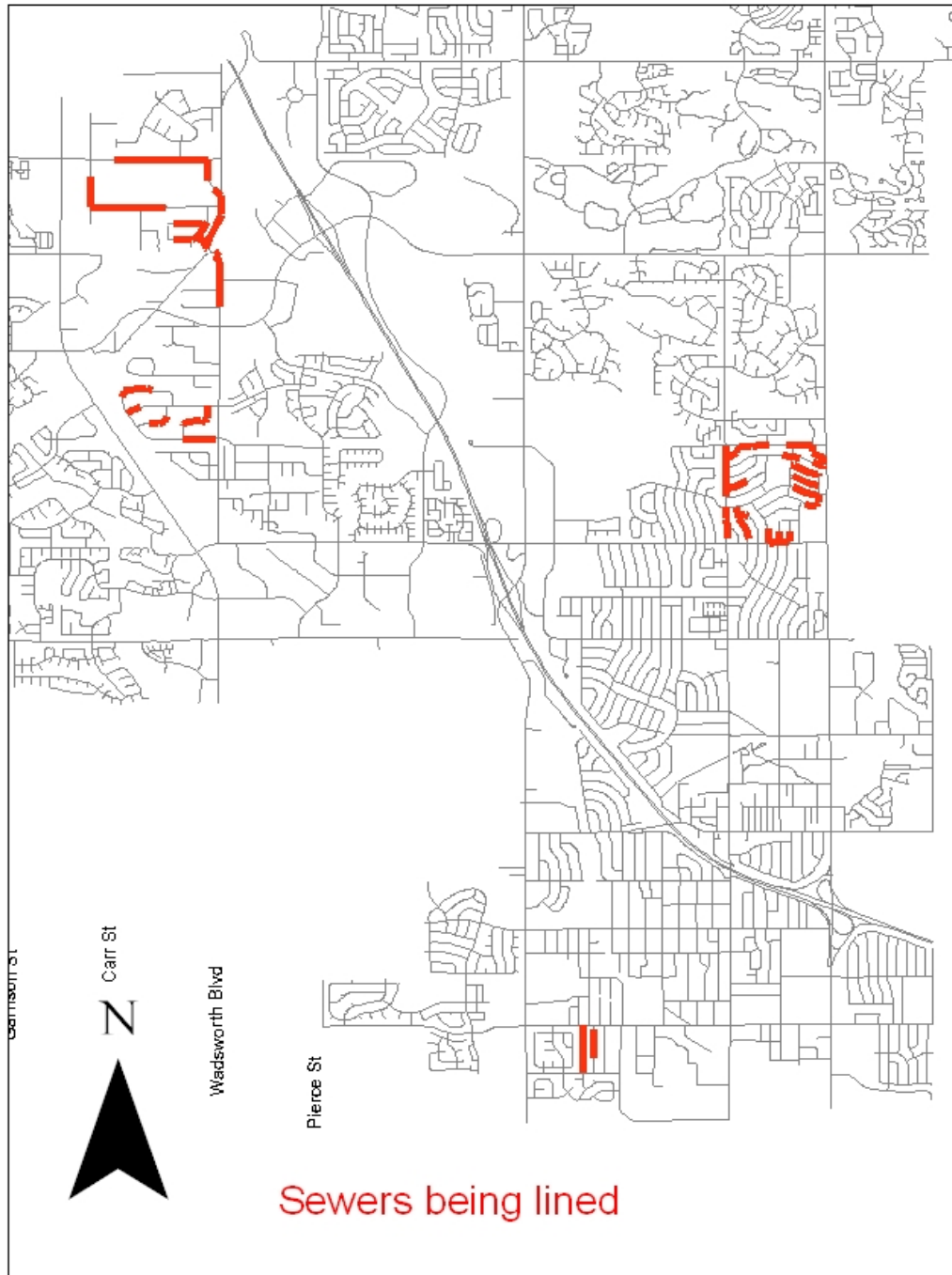
Lining Program
Phase 1

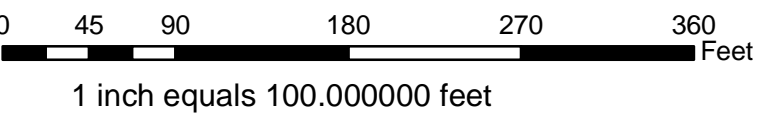
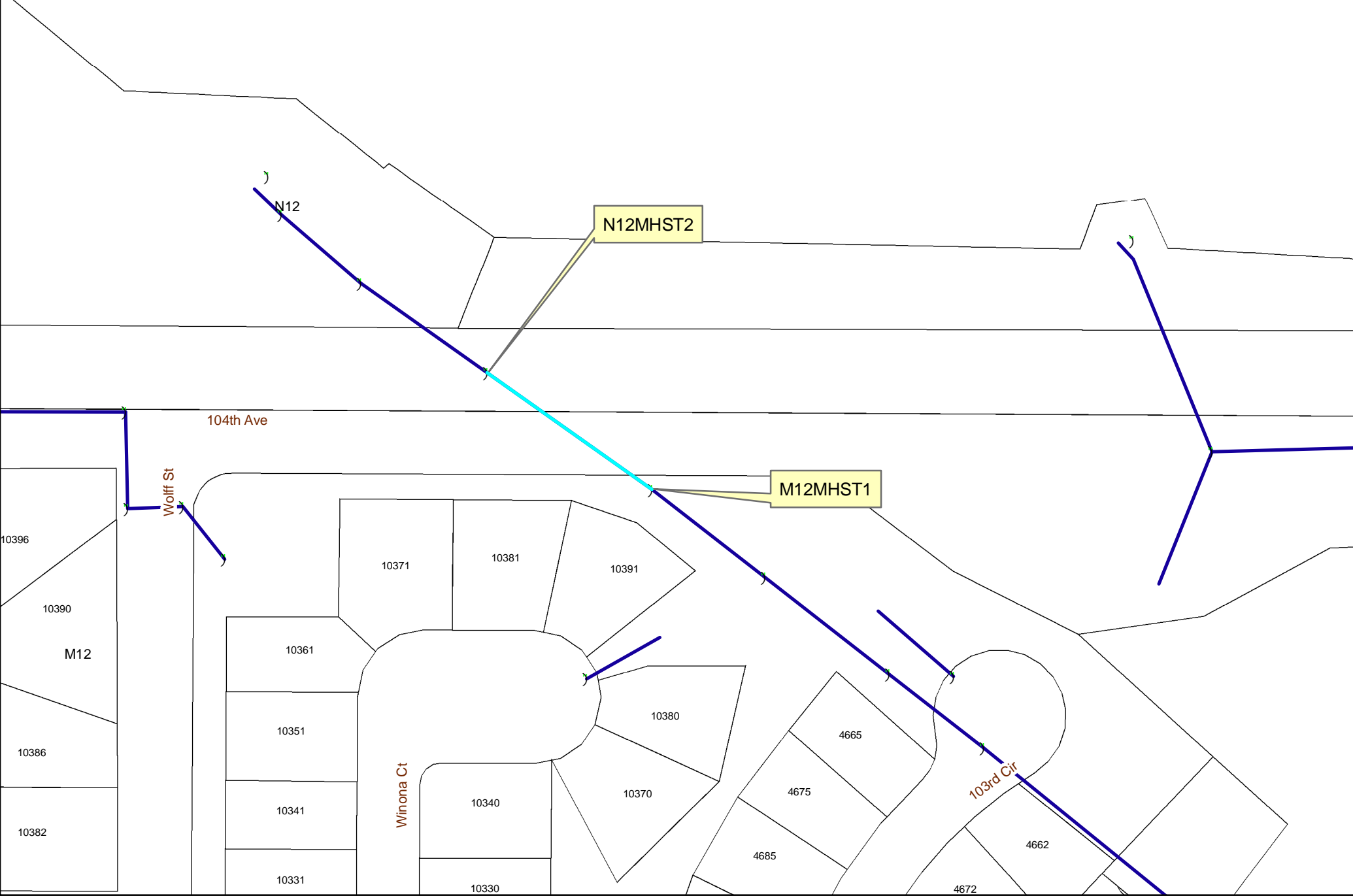
No	Manhole Up	Manhole Down	Address	Size	Length	Unique	Taps
1	L16MH018	L16MH019	9753 Zephyr Dr	8	227	4459	2
2	L16MH076	L16MH019	9783 Zephyr Dr	8	115	4462	0
3	L16MH019	L16MH031	8232 98th Ave	8	238	4461	2
4	L16MH031	L16MH032	8142 98th Ave	8	194	4464	2
5	L16MH052	L16MH034	9651 Allison Way	8	240	4455	1
6	L16MH034	L16MH035	9700 Allison Way	8	147	4454	2
7	L16MH035	L16MH036	9730 Allison Way	8	138	4453	0
8	L16MH014	L16MH013	7720 96th Ave	8	331	4440	4
9	L16MH013	L16MH012	7650 96th Ave	8	319	4439	3
10	L16MH012	L16MH002	7630 96th Ave	8	253	7677	2
11	L16MH062	L16MH011	9679 Yukon Ct	8	50	4451	0
12	L16MH011	L16MH010	9679 Yukon Ct	8	130	4450	0
13	L16MH010	L16MH009	9709 Yukon Ct	8	380	4444	3
14	L16MH009	L16MH008	9759 Yukon Ct	8	127	4445	1
15	L16MH008	L16MH007	9758 Yukon Ct	8	80	4443	0
16	L16MH007	L16MH006	9737 Yukon Ct	8	350	4442	1
17	L16MH061	L16MH060	9813 Zephyr Dr	8	139	4465	1
18	L16MH060	L16MH024	9823 Zephyr Dr	8	123	4466	0
19	L16MH024	L16MH025	9833 Zephyr Dr	8	399	4467	4
20	L16MH025	L16MH026	9853 Zephyr Dr	10	104	4468	1
21	L16MH026	L16MH027	9853 Zephyr Dr	10	171	4469	1
22	M15MH024	M15MH023	10225 Wadsworth Blvd	12	213	7658	0
23	M15MH023	M15MH022	10225 Wadsworth Blvd	12	251	7656	1
24	M15MH022	M15MH020	10355 Wadsworth Blvd	12	352	7654	5
25	M15MH021	M15MH020	10325 Wadsworth Blvd	12	399	7639	1
26	M15MH020	M16MH016	10395 Wadsworth Blvd	12	239	7638	1
27	M16MH016	N15MH001	10395 Wadsworth Blvd	12	147	7637	0
28	N16MH007	N16MH004	10415 Wadsworth Blvd	8	77	7640	0
29	N16MH005	N16MH007	10581 Wadsworth Blvd	8	282	4206	0
30	N16MH006	N16MH005	10500 Wadsworth Blvd	8	405	4207	1
31	N15MH016	N16MH006	10560 Wadsworth Blvd	8	312	4208	3
32	N15MH017	N15MH016	10600 Wadsworth Blvd	8	201	4191	0
33	N16MH039	N16MH007	10468 Wadsworth Blvd	8	176	4172	0
34	N16MH035	N16MH039	7821 104TH PI	8	215	4217	1
35	N16MH038	N16MH037	7962 104TH PI	8	150	4214	3
36	N16MH037	N16MH036	7922 104TH PI	8	340	4215	4
37	N16MH036	N16MH035	7821 104TH PI	8	118	4216	0
38	N16MH034	N16MH035	10538 Yukon Way	8	381	6728	0
39	N16MH030	N16MH034	10558 Yukon Way	8	110	4213	1
40	N16MH031	N16MH032	7960 105TH PI	8	339	4210	6
41	N16MH032	N16MH033	7869 105TH PL	8	402	4211	3
42	N16MH033	N16MH034	7769 105TH PI	8	80	4212	0
43	N17MH006	N17MH005	10795 Dover St	8	398	4205	1

No	Manhole Up	Manhole Down	Address	Size	Length	Unique	Taps
44	N17MH005	N17MH004	10680 Dover St	8	375	4204	3
45	N17MH004	N17MH003	10605 Dover St	8	36	4203	0
46	N17MH003	N17MH067	8460 106th Ave	8	319	4202	2
47	N17MH067	N17MH002	8440 106th Ave	8	56	4201	0
48	N17MH002	N16MH018	8440 106th Ave	8	263	32208	3
49	N16MH018	N16MH017	8397 106th Ave	8	313	4200	2
50	N16MH017	N16MH016	8300 106th Ave	8	358	4199	4
51	N16MH016	N16MH015	8200 106th Ave	8	327	4198	0
52	N16MH015	N16MH014	8200 106th Ave	8	330	4197	2
53	N17MH008	N16MH020	8385 108th Ave	8	401	4175	3
54	N16MH020	N16MH021	8235 108th Ave	8	398	4176	2
55	N16MH021	N16MH022	8105 108th Ave	8	401	4177	2
56	N16MH022	N16MH023	8095 108th Ave	8	395	4178	3
57	N16MH023	N16MH041	7965 108th Ave	8	111	4180	1
58	N16MH041	N16MH024	7965 108th Ave	8	294	4179	0
59	N16MH024	N16MH025	7611 108th Ave	8	402	4182	0
60	N16MH040	N16MH025	7650 108th Ave	8	26	4181	0
61	N16MH025	N16MH026	10789 Yukon St	8	211	4183	0
62	N16MH026	N16MH027	10789 Yukon St	8	400	4185	4
63	N16MH028	N15MH018	10700 Yukon St	8	300	4187	0
64	N15MH018	N15MH017	10620 Wadsworth Blvd	8	276	4189	1
65	F12MH001	E12MH006	7200 Wolff St	8	446	1821	14
66	E12MH006	E12MH007	7131 Wolff St	8	426	1822	14
67	E12MH007	E12MH028	7062 Wolff St	8	445	7203	12
68	E12MH012	E12MH011	7193 Winona Ct	8	399	1823	13
69	E12MH011	E12MH010	7124 Winona Ct	8	403	1824	14
70	K10MH105	K10MH104	3190 94th Ave	8	402	1474	14
71	K10MH104	K10MH103	3170 94th Ave	8	169	1475	5
72	K10MH103	K10MH102	3130 94th Ave	8	170	1476	4
73	K10MH110	K10MH109	3150 94th Ave	8	166	1478	6
74	K10MH109	K10MH108	3130 94th Ave	8	87	1479	2
75	K10MH108	K10MH107	3120 94th Ave	8	63	1480	2
76	K10MH107	K10MH106	9360 Green Ct	8	77	1481	2
77	K10MH106	K10MH102	9370 Green Ct	8	212	1482	3
78	K10MH101	K10MH100	3251 Mowry Pl	8	403	1469	14
79	K10MH100	K10MH099	3160 Mowry Pl	8	170	1470	5
80	K10MH099	K10MH098	3131 Mowry Pl	8	170	1471	3
81	K10MH096	K10MH095	3261 Kassler Pl	8	80	1462	2
82	K10MH095	K10MH094	3251 Kassler Pl	8	90	1463	2
83	K10MH094	K10MH093	3211 Kassler Pl	8	350	1464	12
84	K10MH093	K10MH092	3141 Kassler Pl	8	168	1465	5
85	K10MH092	K10MH091 Drop	3111 Kassler Pl	8	57	1466	1
86	K10MH097	K10MH091 Drop	9740 Green Ct	8	49	1473	1
87	K10MH090	K10MH124 Lift Sta	9480 Federal Blvd	8	81	1468	0
88	K10MH115	K10MH114	3330 95th Ave	8	247	1457	8
89	K10MH114	K10MH113	3260 95th Ave	8	218	1458	6
90	K10MH112	K10MH111	3121 95th Ave	8	148	1460	5
91	K10MH111	K10MH081	3021 95th Ave	8	148	1461	2
92	K10MH083	K10MH081	9521 Green Ct	8	253	1456	1
93	K10MH082	K10MH083	3010 96th Ave	8	300	1454	6
94	K10MH088	K10MH087	3310 96th Ave	8	337	1449	6
95	K10MH087	K10MH120	3190 96th Ave	8	332	1450	4
96	K10MH120	K10MH086	9591 Green Ct	8	63	1451	0

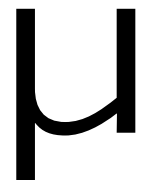
No	Manhole Up	Manhole Down	Address	Size	Length	Unique	Taps
97	K10MH086	K10MH085	9551 Green Ct	8	125	1452	4
98	K10MH085	K10MH084	9551 Green Ct	8	114	1453	4
99	J10MH109	J10MH108	3200 92nd Ave	8	271	1374	2
100	K10MH040	J10MH108	9231 Hooker St	8	278	1413	8
101	J10MH108	J10MH107	3300 92nd Ave	8	270	1395	0
102	K10MH035	J10MH107	9241 Hazel Ct	8	293	1411	8
103	J10MH107	J10MH106	3199 92nd Ave	8	268	1396	0
104	J10MH106	K10MH032	3340 92nd Ave	8	368	1397	10
105	K10MH016	K10MH015	9330 Julian Way	8	85	1386	2
106	K10MH015	K10MH010	9321 Julian Way	8	215	1387	2
107	K10MH014	K10MH013	9210 Knox Ct	8	200	1375	7
108	K10MH013	K10MH012	9231 Knox Ct	8	150	1376	5
109	K10MH012	K10MH011	9260 Knox Ct	8	289	1377	9
110	K10MH011	K10MH010	9290 Knox Ct	8	77	1378	1
111	K10MH010	K10MH009	9360 Knox Ct	8	270	1379	7
112	K10MH004	K10MH003	9210 Lowell Blvd	8	314	1369	8
113	K10MH003	K10MH002	9270 Lowell Blvd	8	260	1370	6
114	K10MH002	K10MH001	9400 Lowell Blvd	8	300	1742	7
115	K10MH063	K10MH062	3410 Kellogg Pl	8	338	1430	3
116	K10MH062	K10MH061	3520 Kellogg Pl	8	251	1431	6
117	K10MH065	K10MH061	9455 Lowell Blvd	8	270	1367	4
118	K10MH070	K10MH065	9485 Lowell Blvd	8	274	1366	4
119	K10MH061	K10MH054	9423 Lowell Blvd	8	270	1368	4
120	K10MH116	K10MH117	3281 96th Ave	8	242	1445	3
121	K10MH117	K10MH118	3331 96th Ave	8	239	1446	3
122	K10MH118	K10MH119	3451 96th Ave	8	335	1447	3
123	K10MH119	K10MH075	9590 King Way	8	96	1441	3
124	K10MH075	K10MH074	9570 King Way	8	112	1442	3
125	K10MH074	K10MH073	9550 King Way	8	247	1443	7
126	K10MH073	K10MH071	9510 King Way	8	89	1444	3
127	K10MH072	K10MH072	9598 Lowell Blvd	8	334	1364	6
128	K10MH071	K10MH070	9535 Lowell Blvd	8	273	1365	4
			Total		30,480		427
	M12MHST1	N12MHST2	4700 W 104th Ave	24	162	Storm	0

2007 Wastewater Collection System Improvement Project Phase 1





24" Storm Sewer to be lined





WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: 2007 Raw Water Transmission Evaluation and Reclaimed/Raw Water Interconnect Project Contract

Prepared By: Dan Strietelmeier, P.E., Senior Engineer
Abel Moreno, Capital Projects and Budget Manager

Recommended City Council Action

Authorize the City Manager to execute a contract with Stantec Consulting Inc. in the amount of \$165,819 for the evaluation of Westminster's Raw Water Transmission System and Reclaimed/Raw Water Interconnect alignment alternatives; authorize a ten percent contingency in the amount of \$16,582 for a total project budget of \$182,401.

Summary Statement

- The 2006 Extended Reclaimed Water Master Plan recommended supplementing the Reclaimed Water system supply with raw water from the Standley Lake raw water pipelines.
- Prior to construction of an interconnect between the Reclaimed and raw water systems, careful evaluation of the City's raw water pipelines is needed to determine capacity and pipeline condition.
- A Request for Proposals was sent to six engineering firms who were pre-qualified by Staff to submit a proposal, and the City received proposals from two firms. The other four firms stated they could not commit adequate resources to complete this project.
- After evaluation of the proposals and interviews with the two firms, Staff recommends the award of the contract to Stantec Consulting Inc. based on their understanding of the project scope, prior experience with similar projects, technical and administrative capabilities, professional references and total man-hours and fee outlined in their proposal.
- This contract will include hydraulic modeling, pipeline assessment and alternatives evaluation leading up to design. If City Council concurs with Staff's recommendation, Stantec Consulting Inc. will be given the opportunity to negotiate a contract for design, bidding and construction administration at the completion of this evaluation phase. Once Staff confirms that Stantec has proposed competitive pricing, the negotiated design and construction management services contract will be brought before City Council for authorization.
- The authorized Utility Fund Capital Improvement Project budget for the Reclaimed/Raw Water interconnect is \$7,200,000 which assumes construction of over two miles of new interconnect pipeline.
- This evaluation phase will be completed during the 2nd quarter of 2007; the design phase should begin in the 3rd quarter of 2007 and completion of construction is anticipated for mid-2008.

Expenditure Required: \$182,401
Source of Funds: Utility Fund Capital Improvement Program – Reclaimed/Raw Water Interconnect Project

Policy Issue

Should the City proceed with the evaluation and alternative analysis work required for the Reclaimed/Raw Water Interconnect alignment, and award the contract at this time to Stantec Consulting Inc.?

Alternative

The City could choose not to approve the Contract, and either place the project on hold, or award the contract to the other engineering firm from which the City accepted a proposal. This is not recommended since Staff believes that Stantec Consulting Inc. provided the most qualified technical proposal and the project has been approved in the 2007/2008 Utility Fund Capital Improvement Budget. Delaying the project could result in not having adequate water supply for the Reclaimed system in 2008.

Background Information

Westminster's raw water transmission system includes two parallel pipelines between Standley Lake and the Semper Water Treatment Facility and a pipeline between Standley Lake and the Northwest Water Treatment Facility. Westminster's reclaimed distribution system extends along 108th Avenue (see attached map). In order to select the best alignment and location for an interconnect between the systems, an inspection and evaluation of the existing raw water transmission system will need to be performed. The evaluation will provide a summary of the raw water transmission system's ability to meet potable water and reclaimed water demands at build-out for Westminster. Evaluation of the City's raw water pipelines was also recommended by URS Corporation in the recently completed Infrastructure Master Plan, and this project will accomplish that objective.

The evaluation of the raw water transmission pipelines will identify risks and vulnerabilities, and provide a recommendation for repair and replacement of the pipelines. The evaluation will include inspection alternatives and an optional internal inspection of Westminster's existing 36-inch Standley to Semper raw water concrete pipeline that was constructed in 1973. The consultant will be asked to recommend a pipeline layout and point of connection between the raw water pipelines and reclaimed system based on the raw water pipeline evaluation, hydraulic analysis and capacity determination. The interconnect components will include a new pipeline segment, 4.5 million gallons per day pump station and tie-in to a raw water line. New Reclaimed water customers in the area of the interconnect will also be connected to the system during the construction phase. The new reclaimed customer connections are also included in the 2007/2008 Utility Fund Capital Improvement Budget. The consultant will perform a cost/benefit analysis of several alternative interconnect alignments.

The short list of engineering firms qualified for this type of work was based on the review of 63 Engineering firms who submitted Statements of Qualification (SOQs) for PW/U CIP projects. The firms were generally categorized by engineering specialty. In January of 2007, Staff sent a Request for Proposals (RFP) to six firms that qualified for the 2007 Reclaimed/Raw Water Interconnect project, and received proposals from two of the firms. During the proposal process, Staff gave all six firms the opportunity to meet individually and discuss the project requirements; five of the firms opted to meet with the City and two firms submitted a proposal with their respective fees:

Engineering Firm	Engineering Fee
Stantec Consulting Inc.	\$165,819
HDR Inc.	\$183,330

Staff evaluated each technical proposal and compared the two firms based on their technical approach to the project, experience on similar projects and administrative ability to complete the project within the City's requirements. Staff interviewed both firms to discuss their proposals in more detail, including the project team assigned to the project, specific project experience, proposed scope of work and proposed man-hour and fee schedule. Based on these evaluations, interviews, and

references, Staff determined that Stantec Consulting Inc. provided the most comprehensive and responsive proposal that addressed all the project requirements. Stantec Consulting Inc. included Integra Engineering as a sub consultant. Integra Engineering has evaluated concrete pipelines and soils that are similar to Westminster's concrete pipeline and soil conditions.

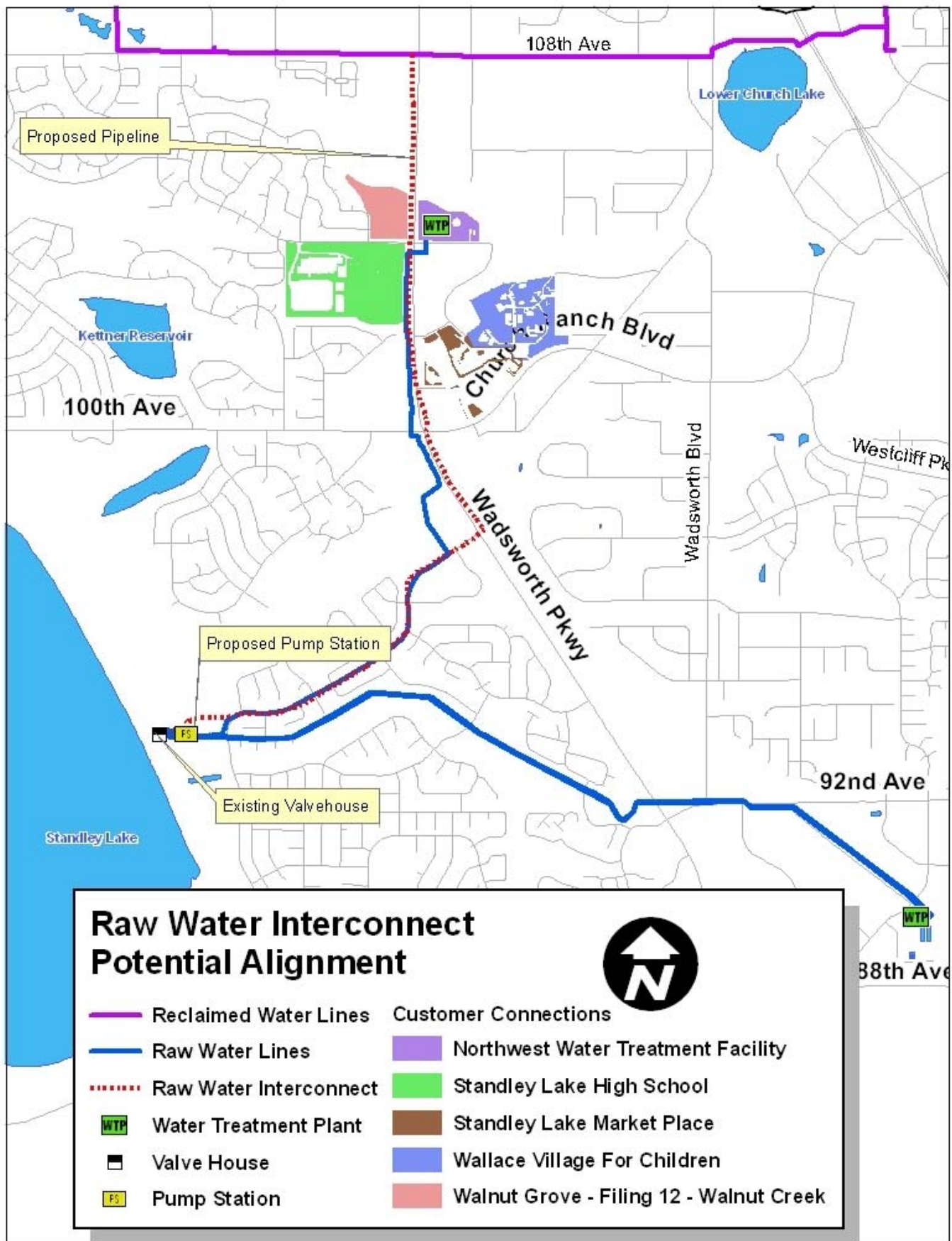
At the completion of this evaluation phase Stantec Consulting Inc. will be given the opportunity to negotiate for the design, bidding, construction observation and construction management services for the entire project. Staff determined it would be difficult for a consultant to submit a proposal for design and construction services at this stage of the project without a more accurate understanding of the construction route, complexity and estimated duration of construction. The proposals were, however, evaluated based on the consultant's project approach, project team and experience with pipeline design and construction.

The evaluation phase is expected to be completed in June of 2007 and design is expected to begin in July of 2007 after a new contract is negotiated and submitted to City Council for approval. Construction could begin in November 2007, with project completion anticipated for mid-2008. All contracted and estimated costs are within the current project Authorized Budget.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



Raw Water Interconnect Potential Alignment



- | | | | |
|---|------------------------|---|---|
|  | Reclaimed Water Lines |  | Northwest Water Treatment Facility |
|  | Raw Water Lines |  | Standley Lake High School |
|  | Raw Water Interconnect |  | Standley Lake Market Place |
|  | Water Treatment Plant |  | Wallace Village For Children |
|  | Valve House |  | Walnut Grove - Filing 12 - Walnut Creek |
|  | Pump Station | | |



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007

SUBJECT: Second Reading of Councillor's Bill No. 12 re Restrictions on Gifts to City Councillors, Boards and Commission Members and City Employees

Prepared By: Marty McCullough, City Attorney
Matt Lutkus, Deputy City Manager

Recommended City Council Action

Pass Councillor's Bill No. 12 on the second reading regarding restrictions on gifts to city officials and employees.

Summary Statement

- Councillor's Bill No. 12 was passed on first reading by City Council on March 12, 2007.
- In November 2006, Colorado voters approved Amendment 41, which included provisions related to the acceptance of gifts by public officials.
- The Amendment, which subsequently became Article XXIX of the Colorado Constitution, contains a provision that states that the Article does not apply to home-rule cities that adopt policies that address the matters contained in the Article.
- The proposed Councillor's Bill that is attached for City Council's consideration provides for a gift policy that addresses the sections in the Article related to gifts to local government officials and employees. Once this ordinance is approved, the provisions of Article XXIX will not be applicable to City of Westminster officials and employees, who will then be governed by the standards set forth in the ordinance.
- The proposed ordinance prohibits the acceptance of any gifts that would influence a public official's actions. The absence of this provision in Amendment 41 is probably the most glaring oversight in the draftsmanship of the Amendment. In addition, while the Article provides for an administrative process for handling complaints or violations of the Article, the proposed Westminster Ordinance makes violations of this policy a criminal action that could result in fines, imprisonment or both.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO. **3341**

COUNCILLOR'S BILL NO. **12**

SERIES OF 2007

INTRODUCED BY COUNCILLORS
DITTMAN - KAUFFMAN

**A BILL
FOR AN ORDINANCE ADDING A NEW CHAPTER TO THE WESTMINSTER
MUNICIPAL CODE CONCERNING GIFTS TO CITY COUNCILLORS, BOARD AND
COMMISSION MEMBERS, AND CITY EMPLOYEES**

WHEREAS, the City of Westminster is a Colorado home-rule municipality created, existing and operating pursuant to the authority and powers granted to it by Colo. Const. Article XX, section 6; and

WHEREAS, an initiated amendment to the Colorado Constitution known as Amendment 41, "Ethics in Government," was passed by Colorado voters on November 7, 2006; and

WHEREAS, Amendment 41 added Article XXIX to the Colorado Constitution; and

WHEREAS, Article XXIX expressly provides that its requirements shall not apply to home-rule counties or home-rule municipalities that have adopted charters, ordinances, or resolutions that address the matters covered by Article XXIX; and

WHEREAS, the City Council, in enacting this ordinance, intends that the requirements of Article XXIX shall not apply to the City of Westminster upon the final adoption of this ordinance and any subsequent amendments thereof.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER COLORADO, ORDAINS:

Section 1. Title I, W.M.C., is hereby amended BY THE ADDITION OF A NEW CHAPTER 33 to read as follows:

**CHAPTER 33
GIFTS**

1-33-1: GIFTS TO CITY COUNCILLORS, MEMBERS OF THE CITY'S BOARDS AND COMMISSIONS, AND CITY EMPLOYEES:

(A) No City Councillor, member of a City Board or Commission, or City employee, directly, or indirectly through the spouse or any legal dependent thereof, shall solicit, receive or accept cash, a gift of substantial value, or a gift of substantial economic benefit that:

1. Given the circumstances, a reasonable person would conclude would tend to cause the City Councillor, Board or Commission member, or City employee to depart from the faithful and impartial discharge of his or her public duties; or

2. The City Councillor, Board or Commission member, or City employee knows or that a reasonable person in his or her position should know is primarily for the purpose of rewarding the City Councillor, Board or Commission member, or City employee for official action taken or to be taken.

(B) Nothing in this Chapter shall be deemed or construed as limiting the authority of the City Manager to regulate the receipt, acceptance, or solicitation of cash and gifts by City employees. In the event of any conflicts between any such regulation established by the City Manager and any provision of this ordinance, the more restrictive provision shall apply.

(C) It shall be unlawful for any City Councillor, Board or Commission member, or City employee to solicit, accept, or receive any cash or gift in violation of this Chapter. Any such violation is a criminal offense and punishable by a fine or imprisonment, or both, as provided in section 1-8-1 of this Code.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12th day of March, 2007.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of March, 2007.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office



Agenda Item 10 A

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Resolution No. 14 re Application to State Historical Fund for Semper Farmhouse Exterior Restoration

Prepared By: Vicky Bunsen, Community Development Programs Coordinator

Recommended City Council Action

Adopt Resolution No. 14 authorizing the City Manager to execute a grant application to the State Historical Fund for \$133,775 to combine with a proposed cash match of \$45,000 to complete the exterior restoration of the Semper Farmhouse.

Summary Statement

The Charles and Julia Semper Farm is a designated local historic landmark located northwest of 92nd Avenue and Pierce Street on City open space. The farmhouse was built between 1880 and 1882 and is the only known residence remaining from the town of Semper. The farmhouse and other structures on the property are in state of serious disrepair. In order to alleviate the blight in this otherwise very appealing publicly owned natural refuge and also to restore a structure that will play a role in the interpretation of Semper history, it is proposed to use \$45,000 in Community Development Block Grant funds as a required cash match and apply to the State Historical Fund for a grant in the amount of \$133,775 to complete the exterior restoration of the Semper Farmhouse.

Expenditure Required: \$45,000 (City grant matching funds)

Source of Funds: Community Development Block Grant

Policy Issue

Should the City Council authorize a grant application in the amount of \$133,775 to the State Historical Fund, to be combined with \$45,000 in Community Development Block Grant funds, to complete the exterior restoration of the Semper Farmhouse?

Alternative

Do not authorize the grant application. This alternative is not recommended because there is no other source of available funding to begin restoration work at the Charles and Julia Semper Farm.

Background Information

The Charles and Julia Semper Farm was designated a local historic landmark in 2005. The farm was established under the Homestead Act in 1880-82 by the Sempers, who also worked with other pioneer families to incorporate the town of Semper in 1886 and established businesses such a general store, post office and train depot. They also established the Semper School, which educated children through the 1940s.

The only known residence remaining from the town of Semper is the Semper Farmhouse, all other structures having been demolished over the years as urban development advanced on the area. Although the Semper Farmhouse was inhabited until about 1989, it fell into disrepair over time and has been heavily vandalized for years. The Parks Division worked for many years to try to protect the area from further damage. A few years ago, a new strategy was implemented. The Semper Farm was established as a local historic landmark and the Farm was opened up for more active public use. A community garden was established and a parking lot was constructed in order to provide a trailhead for the Farmers' High Line Canal Trail that crosses the property. The property provides an ample opportunity for education and interpretation of Semper history and the wildlife and botany of the site. A site plan was developed that contemplates interpretive trails, rehabilitation of the apple orchard and restoration of the historic structures. Not only does this allow the neighborhood to enjoy the open space more fully, but vandalism is discouraged by the presence of more people.

The State Historic Fund awarded a \$9,900 grant in 2006 to develop assessments of the remaining historic structures on the Semper Farm. The architect developed a three-phase approach to restoration which provided estimates as follows:

Phase I	Farmhouse exterior restoration	\$173,020
Phase II	Farmhouse interior restoration	\$169,813
Phase III	Outbuilding restoration	\$122,421

The proposal is to implement Phase I, farmhouse exterior restoration, which would alleviate the blighted condition of the farmhouse and provide a historically accurate restoration that would help implement the historic educational goals of the site plan. The work could successfully stop at this point, or proceed to the next phase, which would involve restoration of the interior, including adaptive upgrades to allow the house to be used for modern purposes, such as City or non-profit offices or programming. The third phase would allow for restoration of historic outbuildings for interpretive purposes and would include sufficient adaptive upgrades to the barn to allow the interior to be used for meetings or other programming. Future phases of this project will be dependent on the availability of funding.

In order to proceed with Phase I, a construction contractor experienced in historic preservation projects was asked to visit the farmhouse and develop a budget for exterior restoration. The contractor's calculations confirmed the architect's estimates from mid-2006. Items added to the estimate include a

14% contingency and also \$2,000 to develop a manual for future building care and maintenance. Thus, the total project estimate is \$178,775.

The State Historical Fund requires a minimum of a 25% cash match in order to apply for grants. The \$45,000 cash match was proposed as a use of 2007 Community Development Block Grant funding and was approved by the City Council on November 27, 2006. CDBG funds are permitted to be used for historic preservation projects in order to alleviate blight conditions and to benefit low and moderate income residents. The blighted condition of the Semper Farmhouse is documented with the historic structure assessment, but it would also be helpful for the City Council to recognize the blighted condition in the attached resolution approving moving forward with this grant application. CDBG funding was also used to provide the cash match for the State Historical Fund grant for the Westminster Grange Hall exterior restoration.

The work that would be completed in the Phase I project includes foundation rehabilitation, roof replacement, structural framing repairs, removal of the non-historic siding and restoration of the historic siding (and addition of siding where appropriate), historic window and door replacement or restoration, and life safety upgrades including appropriate exterior lighting, an annunciated fire detection system and a security system to combat vandalism. If approved, the grant application would be submitted on April 2, 2007, and grant awards will be announced on August 1, 2007. Grants require about three months to complete the contracting process, so this project would be bid and completed in 2008.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **14**

INTRODUCED BY COUNCILLORS

SERIES OF 2007

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE STATE HISTORICAL FUND FOR \$133,775 TO COMPLETE THE EXTERIOR RESTORATION OF THE SEMPER FARMHOUSE

WHEREAS, the Charles and Julia Semper Farm is a designated local historic landmark, and

WHEREAS, the farmhouse on the site is the only known residence remaining from the 19th Century town of Semper, and

WHEREAS, the farmhouse is in a state of serious disrepair and such disrepair is a blight on the City's open space and the neighborhood, and

WHEREAS, given the historic significance and landmark designation of the farmhouse, it is necessary to alleviate the blighted state of the farmhouse by completing an exterior restoration of it rather than demolishing it,

NOW, THEREFORE, the City Council of the City of Westminster resolves that the City Manager is authorized to execute a grant application to the State Historical Fund for \$133,775 to complete the exterior restoration of the Semper Farmhouse to be combined with funds totaling \$45,000 from the City's 2007 Community Development Block Grant allocation.

PASSED AND ADOPTED this 26th day of March, 2007.

Mayor

ATTEST:

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Councillor's Bill No. 13 re Repealing Chapters 2 and 3 of Title VIII
re Property Standards

Prepared By: Eugene Mei, Assistant City Attorney

Recommended City Council Action

Pass Councillor's Bill No. 13 on first reading amending the Westminster Municipal Code to repeal Chapters 2 and 3 of Title VIII relating to property standards.

Summary Statement

- City Council recently adopted Ordinance No. 3338 consolidating code sections commonly used by Code Enforcement Officers into one chapter titled Property Standards and changing requirements and additional standards for owners relating to the use and maintenance of their property.
- As part of that ordinance, certain housekeeping amendments were made to related code sections concerning nuisance abatement, rental housing maintenance and sidewalk obstructions, including the repeal and reenactment of Chapter 1 of Title VIII. Chapters 2 and 3 of Title VIII should also be repealed in order to avoid duplicative and conflicting provisions related to Code Enforcement and property maintenance.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should City Council adopt the proposed ordinance repealing Chapters 2 and 3 of Title VIII in order to avoid duplicative and conflicting Code provisions related to property maintenance standards?

Alternative

Do not adopt the proposed ordinance. Staff does not recommend this alternative as doing so would create duplicative and conflicting provisions in the Code related to property maintenance standards.

Background Information

Council adopted Ordinance No. 3338 on second reading on February 26, 2007. Section 3 of that ordinance repealed and reenacted Chapter 1 of Title VIII related to property standards. Chapters 2 and 3 of Title VIII, relating to weeds, rubbish, trash, junk or junk vehicles should have also been repealed at that time, since these violations are now part of Chapter 1 of Title VIII related to property standards.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **13**

SERIES OF 2007

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN ORDINANCE AMENDING THE WESTMINSTER MUNICIPAL CODE TO REPEAL
CHAPTERS 2 AND 3 OF TITLE VIII RELATED TO PROPERTY MAINTENANCE
STANDARDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Chapters 2 and 3 of Title VIII, W.M.C., are hereby REPEALED IN THEIR ENTIRETY.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 26th day of March, 2007.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of April, 2007.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office



Agenda Item 10 C & D

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
March 26, 2007



SUBJECT: Councillor's Bill No. 14 re 2006 General Capital Outlay Replacement Fund Carryover and Authorization for the Purchase of a Replacement Brush Truck (Attack Unit) for the Fire Department

Prepared By: Bill Work, Deputy Fire Chief
Derik Minard, Fire Captain
Danny Fitch, Fire Lieutenant

Recommended City Council Action

1. Approve Councillor's Bill No. 14 authorizing the appropriation of \$74,653 from the 2006 General Capital Outlay Replacement Fund (GCORF) carryover to the appropriate 2007 GCORF account.
2. Authorize the purchase of one Type VI Brush Truck from C.E.T. Fire Pumps Manufacturing in an amount not to exceed \$74,653.

Summary Statement

- The 2006 General Capital Outlay Replacement Fund (GCORF) included \$70,000 in budgeted funds for the replacement of Unit #5101, which is a 1993 Chevrolet 4X4 Attack (Brush) truck.
- Purchase of this truck was delayed in 2006 due to the unavailability of the Ford 550 chassis on which this truck will be built. That chassis is now available.
- Formal bids were received from five vendors: S and S Fire Apparatus, Max Fire, Summit Emergency Apparatus, Pride Enterprise, and C.E.T. Fire Pumps Manufacturing (C.E.T.).
- Staff has completed an extensive review of each bid package, a specification review and completed a customer satisfaction survey of current users of each product.
- C.E.T. is the low bid out of the five proposals received and met all the specifications and options desired by the Fire Department. This Brush Truck will be a 2008 Ford 550 4X4 chassis with a custom built flat bed body containing a water tank, water pump, foam capabilities, storage cabinets, and the equipment to meet the "Type VI" classification as designated by the National Wildland Coordinating Group (NWCG).
- C.E.T. will be able to deliver the finished product within six months of placing the order, estimated to be about September of 2007.
- C.E.T. is located in eastern Canada. The C.E.T. product has received very high recommendations from various departments, districts, and manufacturers who currently use their apparatus.
- Staff is requesting that City Council authorize the appropriation of 2006 GCORF carryover at this time in order to proceed with the purchase of this apparatus in 2007 to avoid additional delays. Staff has analyzed the 2006 year and GCORF numbers and has confirmed that funds are available for this expense.

Expenditure Required: \$74,653

Source of Funds: General Capital Outlay Replacement Fund (GCORF) 2006 Carryover

Policy Issues

1. Does City Council want to approve the early appropriation of the carryover funds from the 2006 GCORF account for this purchase?
2. Does City Council wish to approve the low bid replacement of Unit #5101, which is a 1993 Chevrolet 4X4 Attack (Brush) truck?

Alternatives

1. City Council could choose to delay this purchase until the normal carryover process takes place in late June or early July. This is not recommended for several reasons. Further delay will jeopardize the probability of being able to get the desired Ford chassis for another year. This chassis is in high demand and short supply. Delaying this purchase will most likely result in further price increases.
2. City Council could choose to keep the current brush truck, Unit #5101, rather than replacing it as recommended by the Fleet Division. This is not recommended due to the age, poor condition, and limited capability of the current vehicle. The current unit is 14 years old and has been recommended for replacement by Fleet Maintenance due to maintenance costs and the vehicle's general condition.
3. City Council could choose to purchase a smaller chassis than the Ford 550 and have staff remount the current bed, tank, pump and accessories. This is not recommended because the main concerns with the current vehicle is that it is overweight, has low clearance for an off-road type vehicle, and the condition of the current pump and tank is marginal.

Background Information

The new Brush Truck will replace an existing 1993 Chevrolet 4X4 Brush/Utility Truck, known on the Fire Department as "Attack 1." This truck is currently housed at Fire Station Five. This truck is not permanently staffed but rather is crossed-staff by available personnel and responds to field, grass, and brush type fires. These types of fires often require the capability to drive on non-paved surfaces, over rough and varying terrain and require the ability to pump water from the apparatus while it is being driven. The intent of this new vehicle is to provide the City with a light weight, high clearance vehicle that has pump and foam application abilities to extinguish fires in open space and urban-wildland interface areas. In addition, this new vehicle will allow more fire personnel (three-to-four personnel instead of two) to access fire areas with greater ease and maneuverability.

Justification for replacing "Attack 1" includes the following:

- The current truck is fourteen years old.
- The body and compartments are starting to rust and will require extensive body work to repair.
- The truck can safely transport only two crew members, which can hamper effective on-scene productivity during fire extinguishment. The ability to transport three to four personnel on the apparatus is preferred.
- The truck is over weight and has low clearance. This limits usefulness in events that are off-road or in areas with difficult access.
- The truck has a manual transmission, which has led to clutch problems, especially during off-road use, and can be difficult to drive.

Bid Results:

The City Purchasing Agent sent out a request for bids to twenty-two truck manufacturers. Vendors were provided with the Type VI truck specifications that also included required options and the associated equipment desired by the Westminster Fire Department. Bids were received from five vendors, of which, only two met the requirements of the Fire Department. C.E.T. is the lowest bid of the five proposals received.

Vendor 1 **C.E.T. Manufacturing**
Total: \$72,553

Other Bids

Vendor 2 **Pride**, Daytona Beach, Florida
Total- \$75,088

Vendor 3 **Max Fire**, Castle Rock, Colorado
Total- \$79,997

Vendor 4 **S and S**, Clifton, Colorado
Total- \$88,333

Vendor 5 **Summit**, Commerce City, Colorado
Total- \$89,057

NOTE: These bids were all based on the availability of the 2007 Ford 550 chassis. Since the opening of these bids, the availability of the 2007 chassis has diminished. C.E.T. has guaranteed a 2008 model Ford 550 chassis for an additional \$2,100. Even with the additional cost of the 2008 model, the total purchase price of \$74,653 would still remain low bid, even compared to the 2007 models.

Delivery time:

CET Fire Pumps will deliver their product in approximately six months from a signed contract. CET will deliver the finished product to the City.

Specification and Dealer Evaluations:

Staff did an extensive review of each of the bid packages and completed a reference check with current users of each apparatus. Staff also assessed the ability to do warranty work and to provide support such as parts replacement. CET received favorable remarks from all current users.

Warranties:

- Complete unit - CET Fire Pumps MFG warrants that products are free from defects in material and workmanship for a period of twenty-four months from the date of purchase.
- Pump assembly - CET Fire Pumps MFG unconditionally guarantees to replace any defective parts, irrespective of the length of service.
- Water tank - Lifetime warranty

Staff is respectfully requesting that 2006 carryover for the General Capital Outlay Replacement Fund (GCORF) be appropriated with the authorization to purchase this apparatus. Normally, the carryover funds would be requested later in June or July, at which time the annual audit is complete. However, due to delays already incurred with the purchase of this replacement apparatus and the escalating costs associated with further delays, Staff is requesting that the carryover for this one item be approved at this time. While only \$70,000 was originally budgeted in 2006 for this replacement and not expended in 2006, confident that the funds needed for this purchase are available in the GCORF remaining balance from 2006. Staff requests that City Council approve the attached ordinance on first reading authorizing the appropriation of this carryover request at this time.

This appropriation will amend General Capital Outlay Replacement Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	4500.40020.0000	\$0	\$74,653	\$74,653
Total Change to Expenses			<u>\$74,653</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Capital Outlay— PST Appropriation Holding	80645010911.80400.8888	\$420,920	\$74,653	\$495,573
Total Change to Expenses			<u>\$74,653</u>	

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

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **14**

SERIES OF 2007

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN ORDINANCE AMENDING THE 2007 BUDGET OF THE GENERAL CAPITAL
OUTLAY REPLACEMENT FUND AND AUTHORIZING A SUPPLEMENTAL
APPROPRIATION FROM THE 2007 ESTIMATED REVENUES IN THE FUND**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2007 appropriation for the General Capital Outlay Replacement Fund initially appropriated by Ordinance No. 3316 is hereby increased by \$74,653. This appropriation is due to the appropriation of 2006 carryover.

Section 2. The \$74,653 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 C&D, dated March 26, 2007 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Capital Outlay Replacement Fund	\$74,653
Total	<u>\$74,653</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 26th day of March, 2007.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of April, 2007.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the regular meeting of the Westminster City Council held Monday, March 26, 2007. Mayor McNally and Councillors Dittman, Kaiser, Lindsey, Major, and Price were present at roll call. Mayor Pro Tem Kauffman was absent and excused.

The minutes of the March 12, 2007 regular meeting were approved.

Council presented certificates of appreciation to 42 Snowbusters in recognition of their dedication and hard work helping fellow citizens by shoveling snow during the 2006/2007 winter season.

Council approved the following: February 2007 Financial Report; Great West Retirement Services contract for the City's Deferred Compensation Plan; Park Services landscape maintenance contract; City participation in the Rocky Mountain Rail Authority; Comprehensive Roadway Plan Update consultant contract; 144th Avenue/I-25 Interchange Project amended construction engineering service contract; 78th Avenue/Stuart Street water and sewer pipelines construction contract; 94th Avenue and Quitman Street lift station elimination engineering contract; Annual Large Item Cleanup Program contract; 2007 Wastewater Collection System Improvement Project Phase I contract; 2007 Raw Water Transmission Evaluation and Reclaimed/Raw Water Interconnect Project contract; purchase of a replacement brush truck for the Fire Department; and final passage of Councillor's Bill No. 12 re restrictions on gifts to City officials and employees.

Council adopted Resolution No. 14 approving an application to the State Historical Fund for Semper Farmhouse exterior restoration.

Council passed the following Councillor's Bill on first reading:

A BILL FOR AN ORDINANCE AMENDING THE WESTMINSTER MUNICIPAL CODE TO REPEAL CHAPTERS 2 AND 3 OF TITLE VIII RELATED TO PROPERTY MAINTENANCE STANDARDS. Purpose: removing duplicate provisions of the Code now contained in another section entitled Property Standards.

A BILL FOR AN ORDINANCE AMENDING THE 2007 BUDGET OF THE GENERAL CAPITAL OUTLAY REPLACEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2007 ESTIMATED REVENUES IN THE FUND. Purpose: appropriation of \$74,653 to purchase replacement brush truck for Fire Department.

The meeting adjourned at 7:38 p.m.

By Order of the Westminster City Council
Linda Yeager, City Clerk

Published in the Westminster Window on April 5, 2007

ORDINANCE NO. 3341
SERIES OF 2007

COUNCILLOR'S BILL NO. 12
INTRODUCED BY COUNCILLORS
DITTMAN - KAUFFMAN

A BILL FOR AN ORDINANCE ADDING A NEW CHAPTER TO THE WESTMINSTER MUNICIPAL CODE CONCERNING GIFTS TO CITY COUNCILLORS, BOARD AND COMMISSION MEMBERS, AND CITY EMPLOYEES

WHEREAS, the City of Westminster is a Colorado home-rule municipality created, existing and operating pursuant to the authority and powers granted to it by Colo. Const. Article XX, section 6; and

WHEREAS, an initiated amendment to the Colorado Constitution known as Amendment 41, "Ethics in Government," was passed by Colorado voters on November 7, 2006; and

WHEREAS, Amendment 41 added Article XXIX to the Colorado Constitution; and

WHEREAS, Article XXIX expressly provides that its requirements shall not apply to home-rule counties or home-rule municipalities that have adopted charters, ordinances, or resolutions that address the matters covered by Article XXIX; and

WHEREAS, the City Council, in enacting this ordinance, intends that the requirements of Article XXIX shall not apply to the City of Westminster upon the final adoption of this ordinance and any subsequent amendments thereof.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER COLORADO, ORDAINS:

Section 1. Title I, W.M.C., is hereby amended BY THE ADDITION OF A NEW CHAPTER 33 to read as follows:

**CHAPTER 33
GIFTS**

1-33-1: GIFTS TO CITY COUNCILLORS, MEMBERS OF THE CITY'S BOARDS AND COMMISSIONS, AND CITY EMPLOYEES:

(A) No City Councillor, member of a City Board or Commission, or City employee, directly, or indirectly through the spouse or any legal dependent thereof, shall solicit, receive or accept cash, a gift of substantial value, or a gift of substantial economic benefit that:

1. Given the circumstances, a reasonable person would conclude would tend to cause the City Councillor, Board or Commission member, or City employee to depart from the faithful and impartial discharge of his or her public duties; or
2. The City Councillor, Board or Commission member, or City employee knows or that a reasonable person in his or her position should know is primarily for the purpose of rewarding the City Councillor, Board or Commission member, or City employee for official action taken or to be taken.

(B) Nothing in this Chapter shall be deemed or construed as limiting the authority of the City Manager to regulate the receipt, acceptance, or solicitation of cash and gifts by City employees. In the event of any conflicts between any such regulation established by the City Manager and any provision of this ordinance, the more restrictive provision shall apply.

(C) It shall be unlawful for any City Councillor, Board or Commission member, or City employee to solicit, accept, or receive any cash or gift in violation of this Chapter. Any such violation is a criminal offense and punishable by a fine or imprisonment, or both, as provided in section 1-8-1 of this Code.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 12th day of March, 2007. PASSED, ENACTED ON SECOND READING,
AND FULL TEXT ORDERED PUBLISHED this 26th day of March, 2007.