



## 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 (item 7) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
  - A. City Manager's Report
5. City Council Comments
6. Presentations
  - A. National Crime Victims' Rights Week
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 citizen wishes to have an item discussed. Citizens then may request that the subject item be removed from the Consent Agenda for discussion separately.

8. Consent Agenda
  - A. February 2005 – Financial Report
  - B. Contract for a Replacement Utility Billing System
  - C. Purchase of Replacement Light-, Medium- and Heavy-Duty Trucks and Public Safety Vehicles
  - D. Table Mountain Animal Center Annual Assessment
  - E. Intergovernmental Agreement with Jefferson County re Prisoner Transport
  - F. Strasburg Natural Resource Farm Mobile Pivot Irrigation System Bids
  - G. Award Contract for Construction of the Bull Canal Reclaimed Waterline
  - H. Award Contract for 2005 Slurry Seal Project
  - I. Award Contract for 2005 Chipseal Project
  - J. Huron Street and West 128<sup>th</sup> Avenue – Engineering Design Contract
  - K. Second Reading Councillor's Bill No. 14 Amending the CLUP for "The Retreat" at Church Ranch
9. Appointments and Resignations
10. Public Hearings and Other New Business
  - A. TABLED Councillor's Bill No. 13 re Country Club Village Business Assistance Package
  - B. Councillor's Bill No. 17 re Rozek Company Business Assistance Package
  - C. Councillor's Bill No. 18 re McBride Brothers LLC Business Assistance Package
  - D. Public Hearing re East Bradburn Rezoning, PDP and ODP
  - E. Councillor's Bill No. 19 re East Bradburn Rezone
  - F. East Bradburn PDP and ODP
  - G. Resolution No. 15 re Residential Competition Service Commitment Awards
  - H. Resolution No. 16 re Conveyance of City-owned Property (Guildner) to Westminster Housing Authority
  - I. Councillor's Bill No. 20 re Approval of City Council Allowance
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business
  - A. Executive Session
13. Adjournment

## **GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS**

- A.** The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.
- B.** Any person wishing to speak other than the applicant will be required to fill out a “Request to Speak or Request to have Name Entered into the Record” form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.
- C.** The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.
- D.** The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.
- E.** When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.
- F.** City Staff enters A copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;
- G.** The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);
- H.** Staff presents any additional clarification necessary and states the Planning Commission recommendation;
- I.** All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.
- J.** Final comments/rebuttal received from property owner;
- K.** Final comments from City Staff and Staff recommendation.
- L.** Public hearing is closed.
- M.** If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, MARCH 28, 2005 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor McNally, Mayor Pro-Tem Kauffman and Councillors, Dittman, Dixon, Hicks, and Price were present at roll call. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present. Councillor Davia was absent.

CONSIDERATION OF MINUTES

Councillor Dittman moved, seconded by Hicks, to approve the minutes of the meeting of March 14, 2005. Councillor Dixon abstained, as she had not attended the referenced meeting. The balance of Council voted unanimously to approve the motion.

CITY MANAGER COMMENTS

Brent McFall, City Manager, announced that Council would meet with staff on April 8 and 9 at the Heritage Clubhouse to update the Strategic Plan. Additionally, he advised Council that six candidates for the Finance Director position were scheduled to be interviewed during the first week of April.

CITY COUNCIL COMMENTS

Mayor McNally reported that the Mayor's Eggstravaganza held at the City Park Recreation Center had been a success. She thanked those who had helped organize the event, noting their worthwhile contributions had put smiles on the faces of many children. The Mayor also reminded the public that Senator Windels and Representative Benefield would hold a Town Hall Meeting in Council Chambers on April 2.

Mayor Pro-Tem Kauffman reported that the Fire Department's efforts to support the Burn Unit through a series of fundraisers at Rock Bottom Brewery, the most recent a Chili Cook-off, had again enjoyed great attendance. He commended the Fire Department, as well as the owner and staff of Rock Bottom Brewery.

PROCLAMATION

Mayor McNally proclaimed the week of April 10 to be City of Westminster Crime Victims' Week. Councillor Dixon read the proclamation and proudly presented it on Council's behalf to Barb Lamanna, Victim Services Coordinator.

CITIZEN COMMUNICATION

Mayor McNally called on Marty McCullough, City Attorney, to inform the public of City Council's role in quasi-judicial matters. Mr. McCullough solicited cooperation to ensure that Council could remain unbiased to hear and judge pending land use applications.

Jack Knowles, 3220 West 96<sup>th</sup> Avenue, asked questions about Holly Park. It was suggested that he contact Community Development staff for complete and accurate information relative to his concerns.

CONSENT AGENDA

The following items were considered as part of the consent agenda: the February 2005 Financial Report; authority for the City Manager to execute a contract with Advanced Utility Systems for replacement of the utility billing system;

authority to purchase replacements for specific trucks and public safety vehicles; authority to pay 2005 assessment of \$67,676.85 to Table Mountain Animal Center for animal shelter services; authority for the City Manager to execute an Intergovernmental Agreement with Jefferson County for prisoner transport; awarding a contract to Superior Irrigation and Electric in the amount of \$97,060 for equipment, supplies and installation of a Zimmatic pivot irrigation system at the Strasburg Natural Resource Farm; authority for the City Manager to execute a contact with American Infrastructure, Inc. for construction of the Bull Canal Reclaimed Waterline; authority for the City Manager to sign a contract with Quality Resurfacing Company for the 2005 Slurry Seal Project; authority for the City Manager to sign a contract with A-1 Chipseal Company for the 2005 Chipseal Project, as well as an Intergovernmental Agreement with the City of Federal Heights for their financial share of the project; authority for the City Manager to execute a contract with Kirkham Michael & Associates, Inc. P.C. for final design of improvements to Huron Street and West 128<sup>th</sup> Avenue adjacent to Adams 12 High School for an amount not to exceed \$62,500; and passage on second reading of Councillor's Bill No. 14 amending the Comprehensive Land Use Plan for Church Ranch Home Place Filing No. 3, Lot 2.

Mayor McNally asked if any member of Council or the audience wished to remove an item from the consent agenda for discussion purposes or separate vote. There was no request.

Councillor Dittman moved, seconded by Dixon to approve the consent agenda items as presented. The motion carried unanimously.

#### COUNCILLOR'S BILL RE ROZEK COMPANY BUSINESS ASSISTANCE PACKAGE

Upon a motion by Mayor Pro-Tem Kauffman, seconded by Councillor Dixon, the Council voted unanimously at roll call to pass Councillor's Bill No. 17 on first reading thereby authorizing the City Manager to execute and implement the \$6,700 business assistance package with the Rozek Company. The referenced plan included \$1,825 in permit fee rebates, \$1,875 in construction use tax rebates, and \$3,000 in equipment use tax rebates at move-in.

Scott Adams of the Rozek Company thanked Council.

#### COUNCILLOR'S BILL RE McBRIDE BROTHERS LLC BUSINESS ASSISTANCE PACKAGE

It was moved by Councillor Dixon, seconded by Dittman, to adopt Councillor's Bill No. 18 on first reading authorizing the City Manager to execute and implement a \$2,000 business assistance package with McBride Brothers LLC. This plan included \$500 in permit fee rebates, \$375 in construction use tax rebates, and \$1,125 in equipment sales and use tax rebates at move-in. At roll call, the motion passed unanimously.

#### PUBLIC HEARING RE EAST BRADBURN PARCEL REZONE

At 7:31 P.M. the Mayor opened a public hearing to consider rezoning a 10.14-acre parcel located at the southwest corner of 120<sup>th</sup> Avenue and Lowell Boulevard and referred to as the East Bradburn Property. If approved, the parcel would be rezoned from O-1 Open District to Planned Unit Development. The project proposed 117 units of single-family, for sale, attached homes in a variety of configurations that would be distinct, but blend with existing townhomes in Bradburn. John Quinn, Planner II, entered copies of the agenda memorandum and other related items as exhibits. Grant McCargo, representing the applicant, Kinglet LLC, provided a power point presentation to display the proposed design of units and the topography of the site. No others wished to speak. The hearing was closed at 7:42 P.M.

#### COUNCILLOR'S BILL NO. 19 REZONING THE EAST BRADBURN PROPERTY

Councillor Hicks moved, seconded by Price, to adopt Councillor's Bill No. 19 rezoning the East Bradburn property from O-1 Open District to Planned Unit Development based on findings set forth in Section 11-5-3 of the Westminster Municipal Code. At roll call vote, the motion carried unanimously.

PDP WITHIN THE EAST BRADBURN PUD

Upon a motion by Councillor Hicks, seconded by Councillor Price, the Council voted unanimously to approve the Preliminary Development Plan within the East Bradburn Planned Unit Development with the condition that cash-in-lieu of Public Land Dedication is paid to the City in the amount of \$280,800. This action was based on a determination that the findings set forth in Section 11-5-14 of the Westminster Municipal Code had been satisfied.

RESOLUTION NO. 15 RE RESIDENTIAL COMPETITION SERVICE COMMITMENT AWARDS

It was moved by Councillor Price, seconded by Dixon, to adopt Resolution No. 15 awarding Category B-4 Service Commitments to the Village on the Promenade traditional mixed-use neighborhood development. This action related to the Growth Management Program and was based on the findings established in Section 11-3-1 of the Westminster Municipal Code. At roll call, the motion passed unanimously.

Larry Fullerton of the Fullerton Company thanked Council.

RESOLUTION NO. 16 CONVEYING CITY-OWNED PROPERTY (GUILDNER) TO WHA

Councillor Dittman moved, seconded by Hicks, to adopt Resolution No. 16 authorizing the City Manager to sign the necessary legal documents to convey to the Westminster Housing Authority a parcel of City-owned property located at 7000 King Street adjacent to Little Dry Creek and commonly referred to as the “Guildner” property. The motion passed unanimously on roll call vote.

COUNCILLOR’S BILL NO. 20 RE APPROVAL OF COUNCIL ALLOWANCE

It was moved by Councillor Price and seconded by Hicks to adopt on first reading Councillor’s Bill No. 20 providing City Council a monthly allowance in the amount of \$200/month for Councillors and Mayor Pro-Tem and \$250/month for the Mayor to cover cell phone, internet service, fax line and car expenses, such as local commuting costs, effective November 14, 2005. The monthly allowance would include an automatic adjustment every two years in concert with the adoption of the two-year budget and tied to the Denver-Boulder Consumer Price Index.

Based on personal experience, Councilor Dixon opposed to the motion, as the proposed allowance was far less than actual expenses Council members incurred. Elected officials devoted a considerable amount of time representing their constituents and should not lose income doing so.

At roll call, the motion carried by a 5:1 margin with Councillor Dixon voting no.

ADJOURNMENT:

Mr. McFall announced that Council would be meeting in executive session immediately after adjournment to conduct attorney/client discussions relative to Holly Park.

There was no further business to consider, and the meeting adjourned at 7:50 P.M.

ATTEST:

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

\_\_\_\_\_  
Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Proclamation re National Crime Victims' Rights Week

**Prepared By:** Dan Montgomery, Chief of Police  
Barb Lamanna, Victim Services Coordinator

**Recommended City Council Action**

Present a proclamation to the Victim Services Coordinator proclaiming the week of April 10, 2005 as Victims' Rights Week in the City of Westminster.

**Summary Statement**

- The week of April 10, 2005 has been designated as National Crime Victims' Rights week and Staff is recommending that the City support this recognition.
- Locally, The Westminster Police Department Victim Services Unit is joining with criminal justice system professionals, victim services programs and concerned citizens to honor crime victims and their courage.
- The 2005 theme, "Justice isn't served until crime victims are" is demonstrated by the Westminster Police Department's Victim Services Unit contact with over 3,200 victims in 2004.
- Councillor Sam Dixon will present the proclamation.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

The City has adhered to the victims' rights provided for in the Colorado Constitution with written policies and procedures as outlined in the Police Department Manual. The Westminster Municipal Court consistently upholds these constitutional provisions. This proclamation is consistent with City policy regarding the rights of crime victims.

**Alternative**

No alternatives identified.

**Background Information**

The year 2005 marks the 22nd anniversary of the commemoration of National Crime Victims' Rights Week. Since 1992, when the citizens of Colorado overwhelmingly supported a constitutional amendment guaranteeing specific rights to crime victims, the criminal justice system has acknowledged the hardships faced by victims of crime, and the courage they display in overcoming those hardships. The state of Colorado, and especially the City of Westminster, has been proactive to ensure that crime victims receive support, information and referrals to assist in their recovery and to afford them every opportunity to have input into the criminal justice system. The City of Westminster will be joining Jefferson County and Adams County at ceremonies honoring crime victims and those who work to ensure their rights.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

## PROCLAMATION

**WHEREAS**, crime and the threat of violence have profound and devastating effects on individuals, families and communities in American; and

**WHEREAS**, over 24 million people in the United States are touched by crime each year; and

**WHEREAS**, the threat and reality of terrorism have challenged *all* Americans to realize the devastating consequences of violent crime, and their important roles in providing support to individuals and communities who are victimized; and,

**WHEREAS**, crime in America results in significant physical, psychological, financial and spiritual effects on countless innocent victims; and

**WHEREAS**, there are over 10,000 community and system-based victim service programs across our nation that provide a wide range of services and support to victims of crime; and

**WHEREAS**, America as a nation continues to face threats to our personal and public safety, and continues to commit its collective energies to help our fellow citizens who are hurt by crime.

**NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff do hereby proclaim the week of April 10, 2005 to be**

### **CITY OF WESTMINSTER CRIME VICTIMS' WEEK**

to urge the citizenry to honor crime victims and those who serve them during this week and throughout the year by continuing to fulfill the promise of justice and compassion for crime victims as individuals, as communities, and as a nation dedicated to justice for all.

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Nancy McNally, Mayor





**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Financial Report for February 2005  
**Prepared By:** Tammy Hitchens, Acting Finance Director

**Recommended City Council Action**

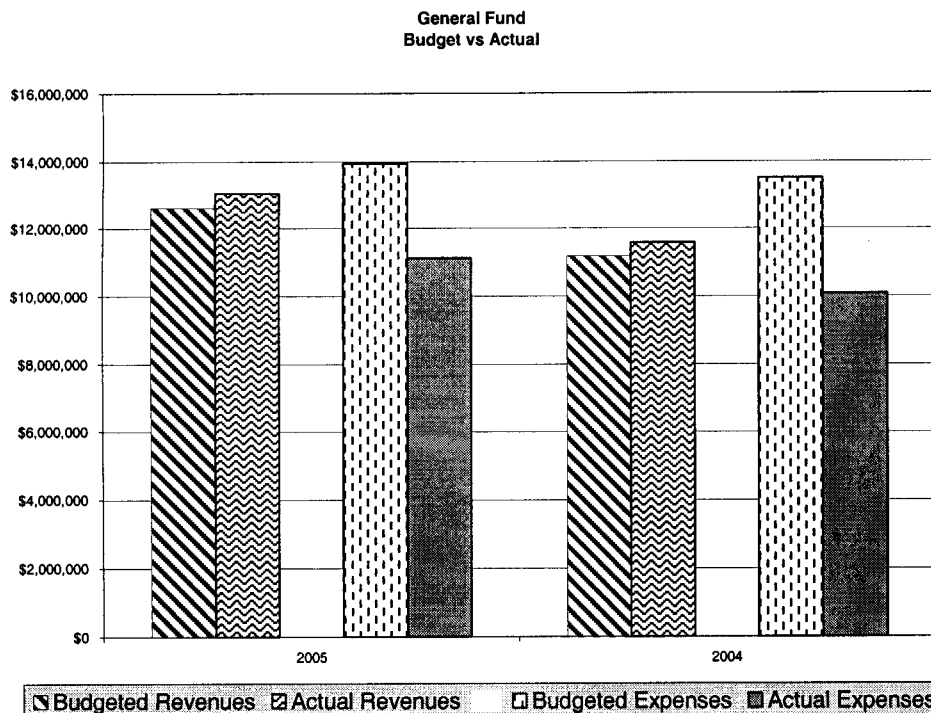
Accept the Financial Report for February as presented.

**Summary Statement**

City Council is requested to review and accept the attached monthly financial statement. The Shopping Center Report is also attached. Unless otherwise indicated, "budget" refers to the pro-rated budget. The revenues are pro-rated based on historical averages. Expenses are pro-rated based on 1/12 of the year.

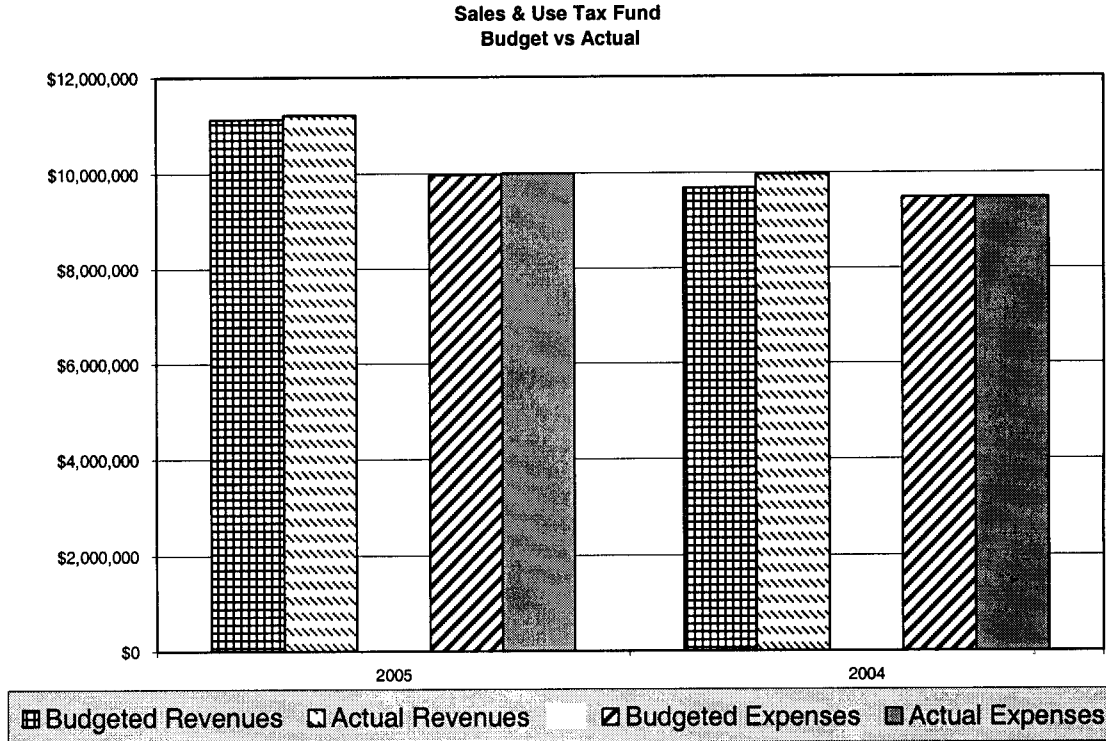
City Council will note that Staff has changed the format of this report in order to make it easier to read. Staff believes the use of graphs will allow City Council to gain a quicker snapshot of the City's financial condition. This format will be fine-tuned over the coming months, and any City Council input would be welcomed.

The General Fund revenues exceed expenditures by \$1,909,000. The following graph represents Budget vs. Actual for 2004 – 2005.

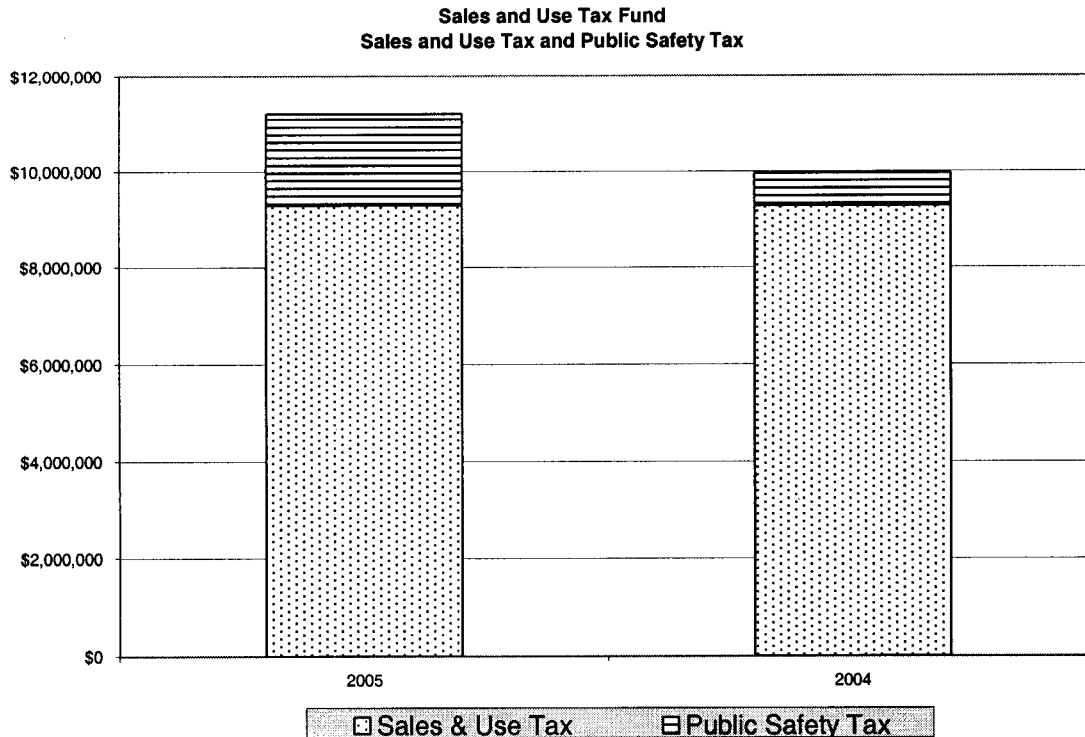


The Sales and Use Tax Fund's revenues exceed expenditures by \$1,218,000.

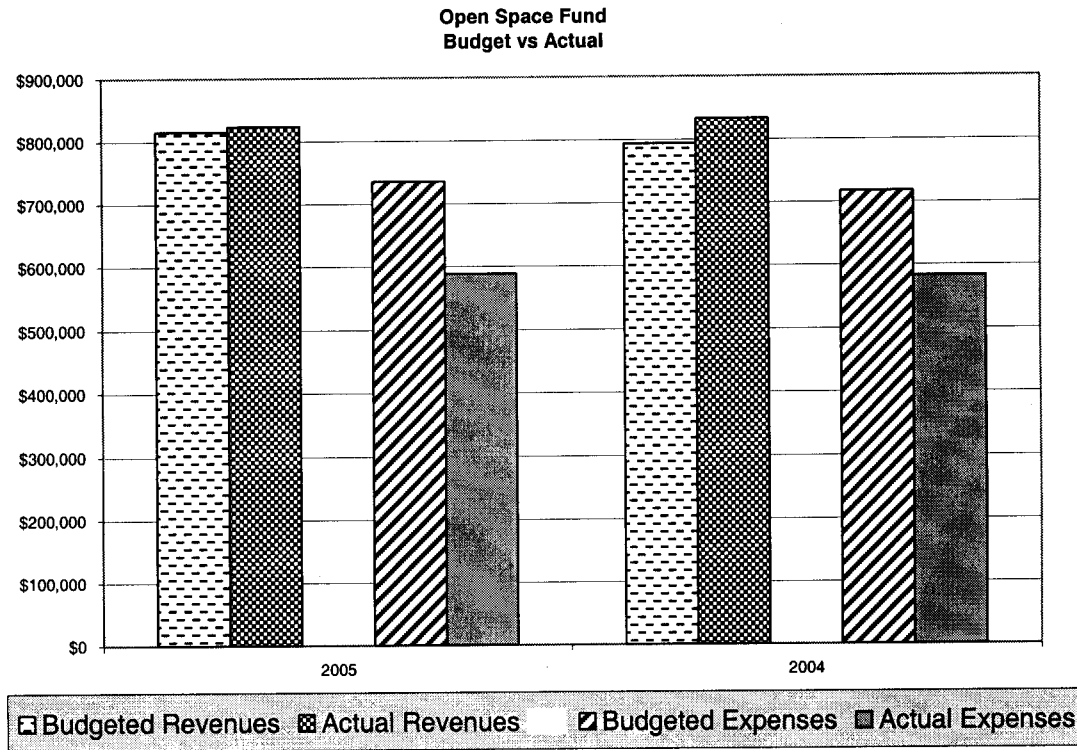
- On a year-to-date basis, across the top 25 shopping centers, total sales & use tax receipts are up 8% (adjusted).
- The top 50 Sales Taxpayers, who represent about 65% of all collections, were up 12% (adjusted).
- The Westminster Mall was down 5%.
- The February 2005 revenues include \$207,000 from a one-time sales tax audit payment.



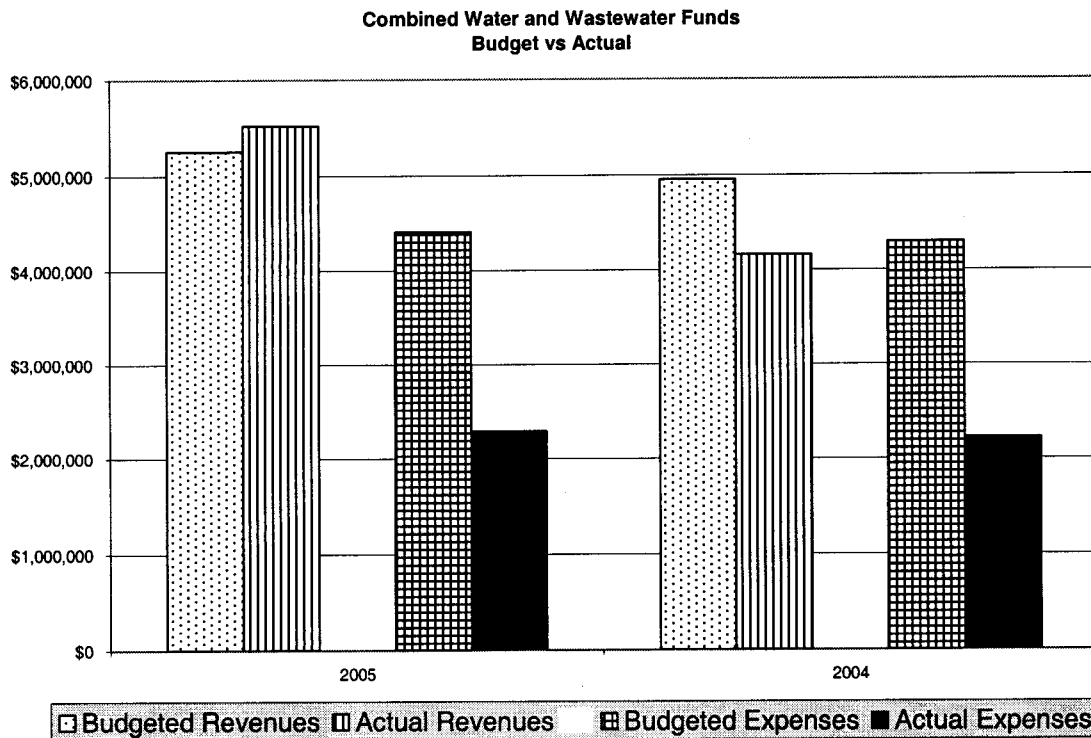
The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.



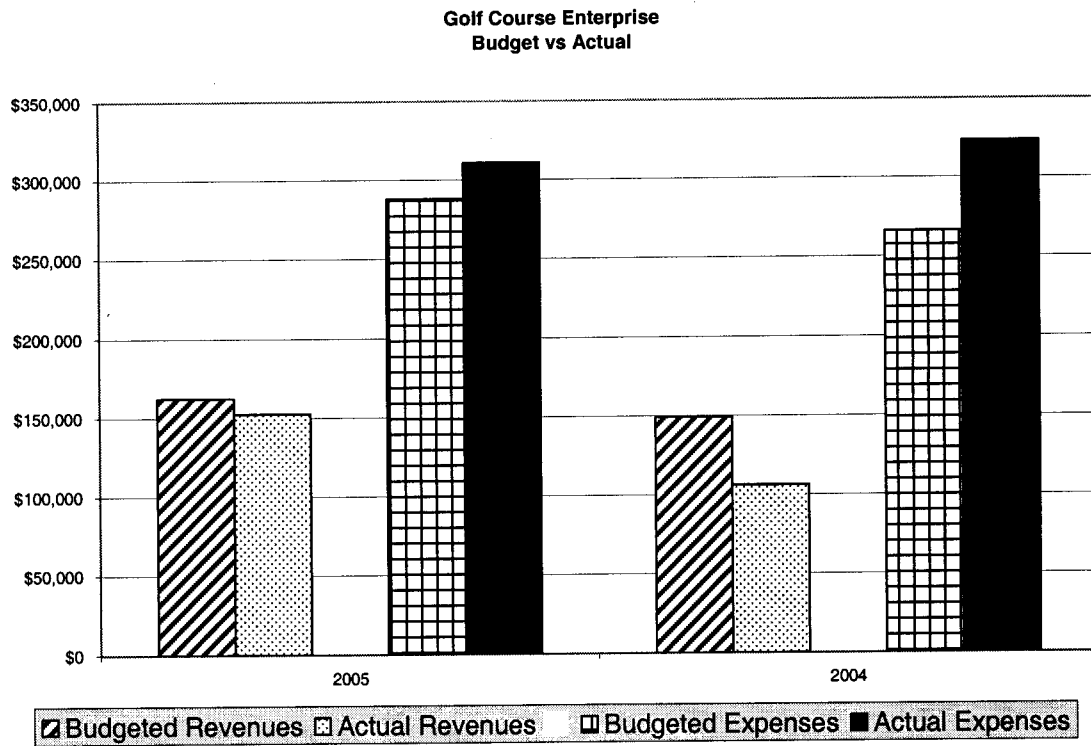
The Open Space Fund's revenues exceed expenditures by \$236,000.



The combined Water & Wastewater Funds' revenues exceed expenses by \$3,232,000.



The combined Golf Course Funds' revenues are under expenditures by \$158,000.



**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.

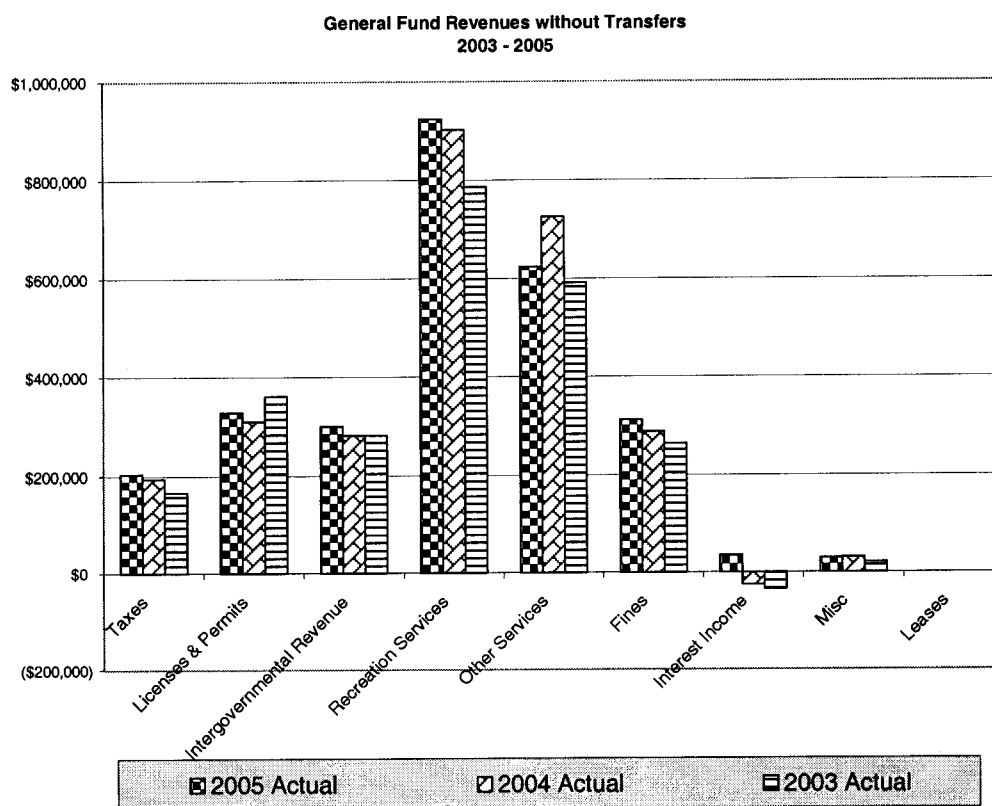
**Background Information**

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

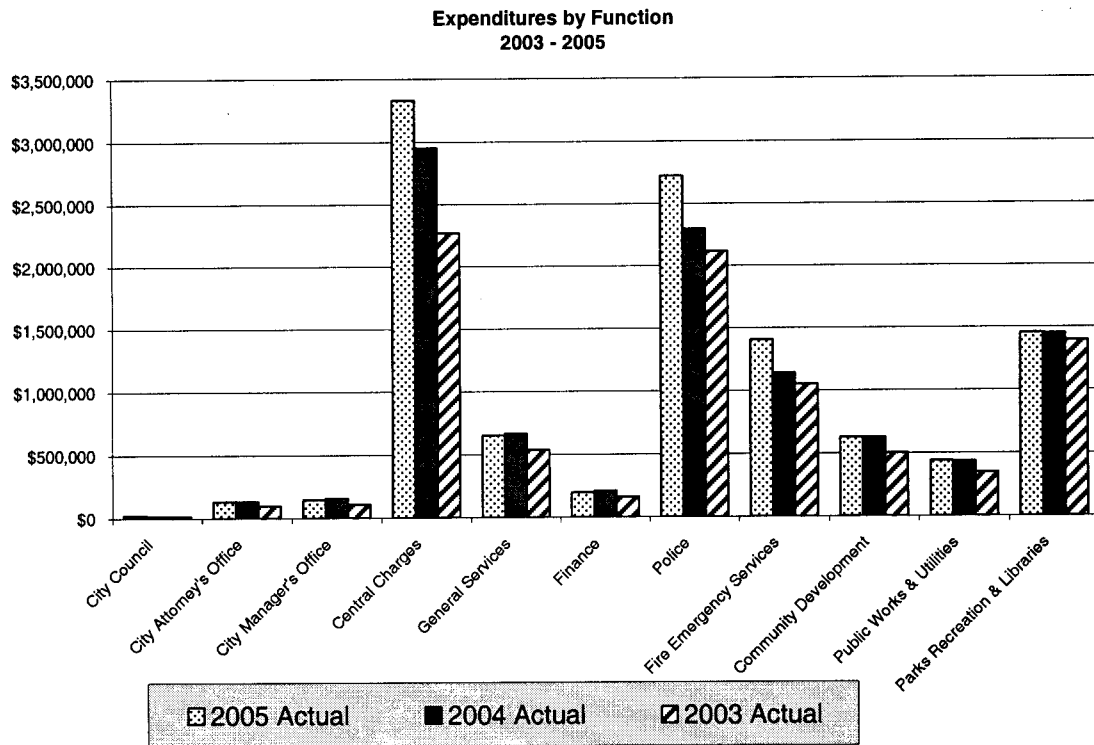
**General Fund**

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 2003 – 2005.



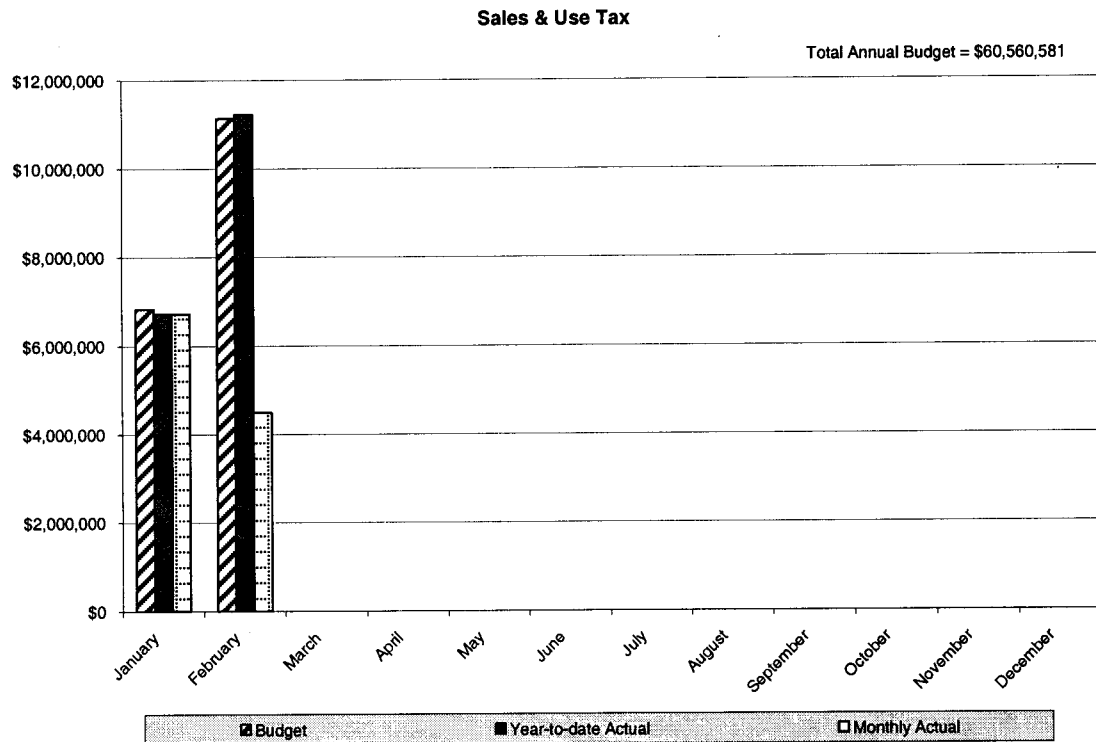
The following chart identifies where the City is focusing its resources. The chart shows spending for 2003 – 2005.



**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.

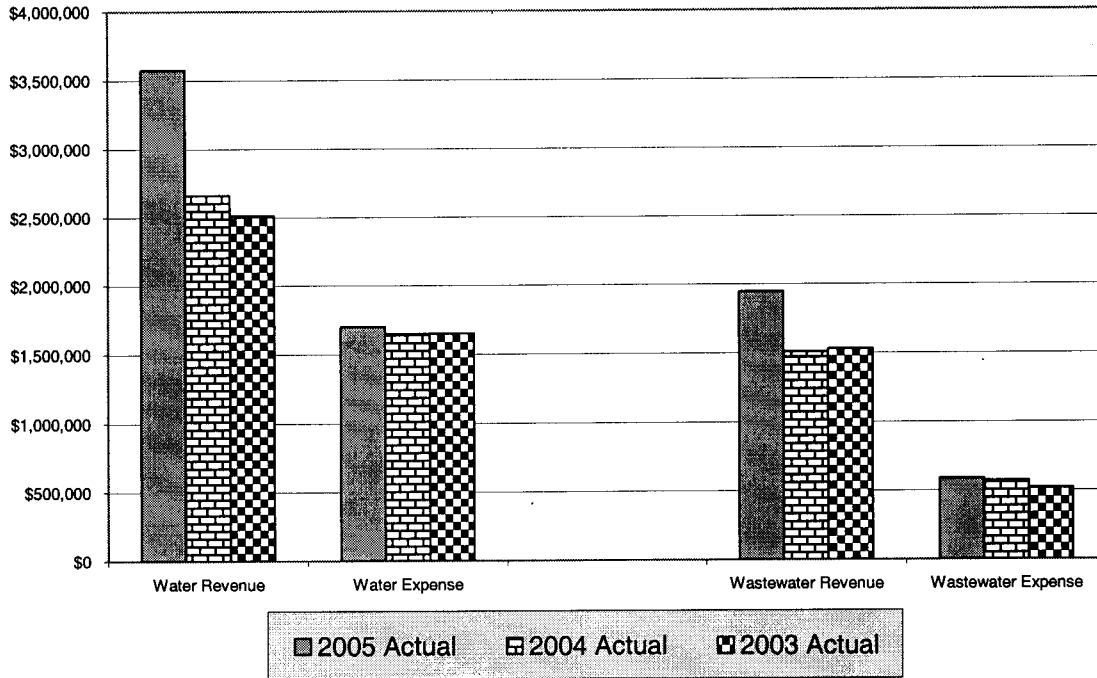


**Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)**

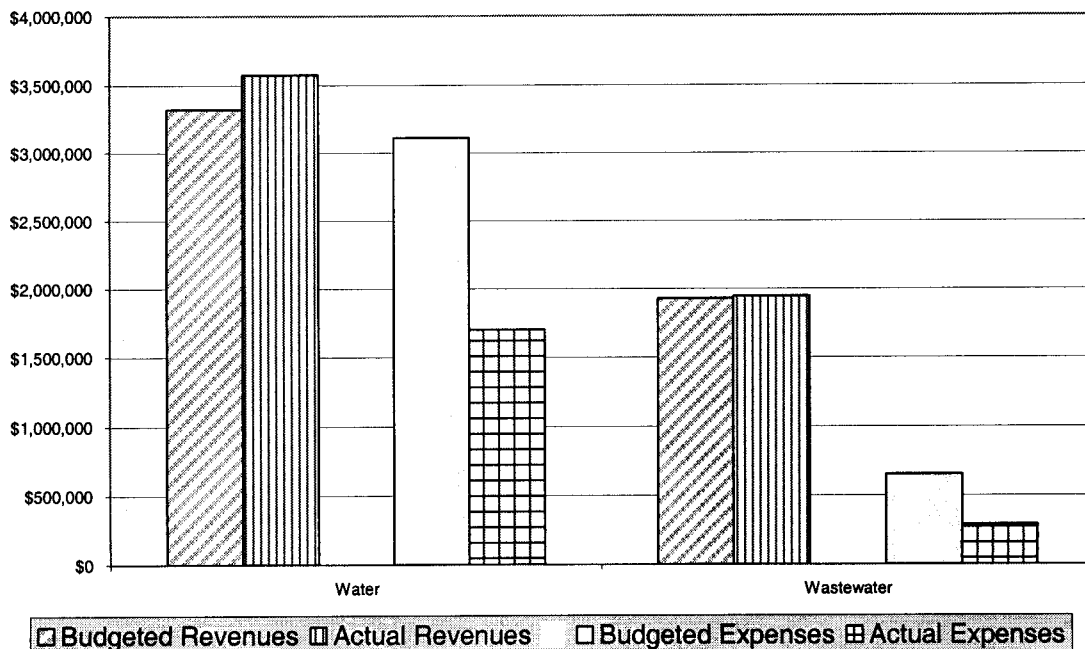
This fund reflects the operating results of the City's water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital projects.

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

**Water and Wastewater Funds  
Revenue and Expenses 2003-2005**



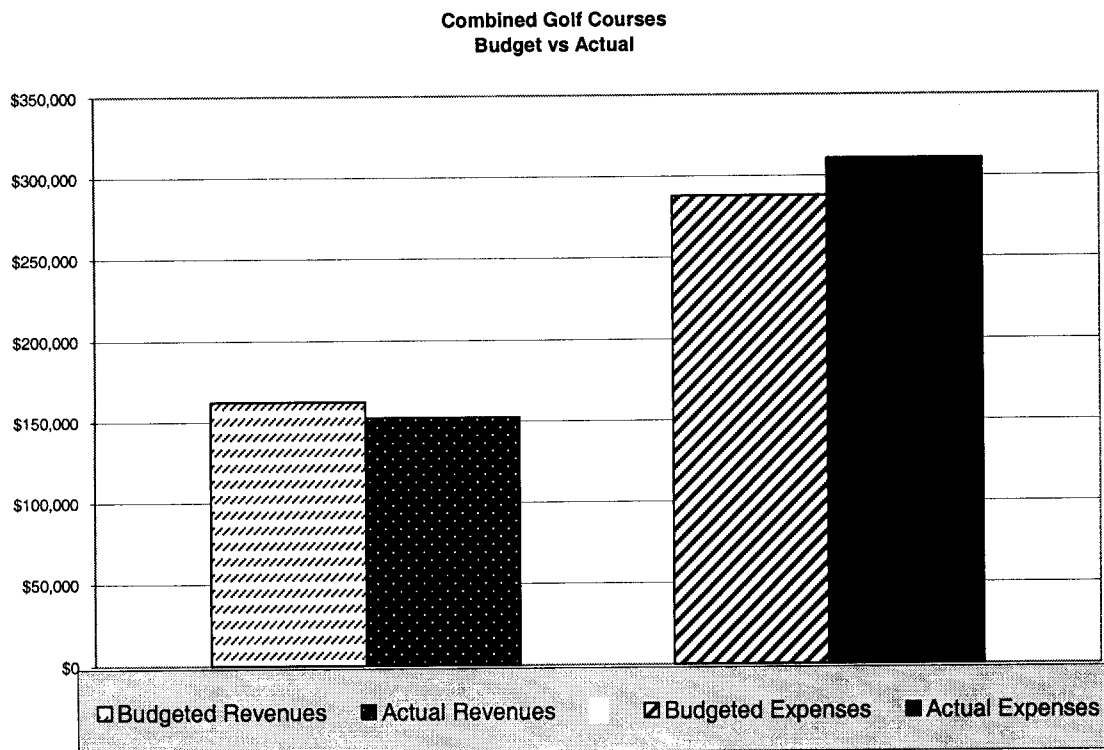
**Water and Wastewater Funds  
Budget vs Actual**



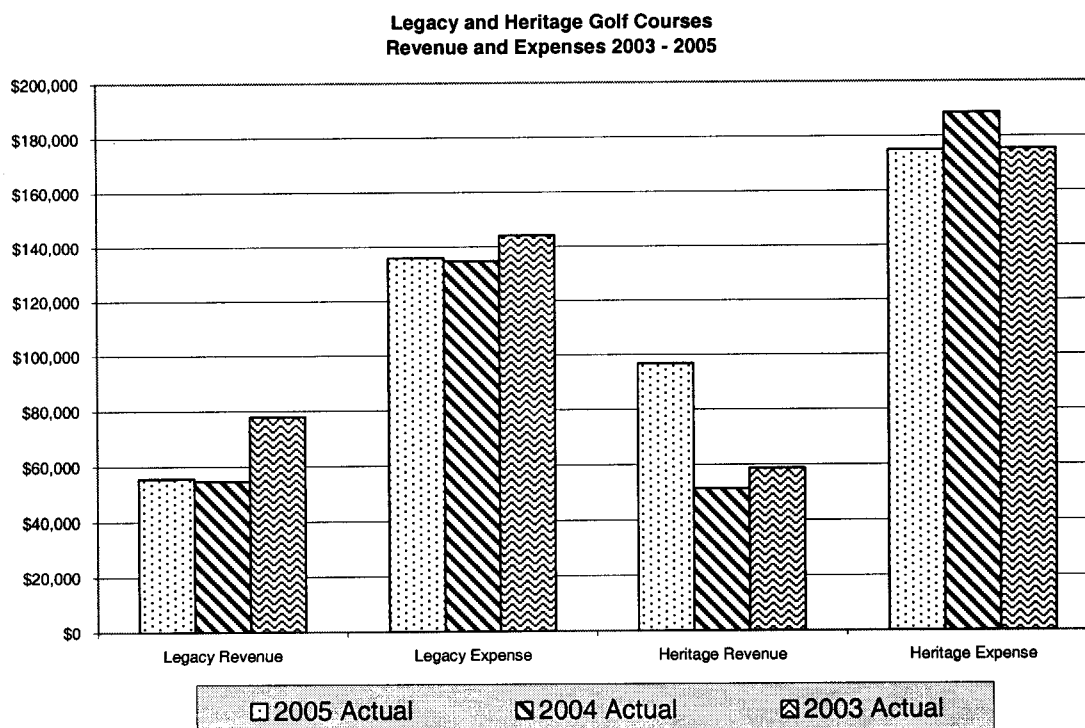


**Golf Course Enterprise (Legacy and Heritage Golf Courses)**

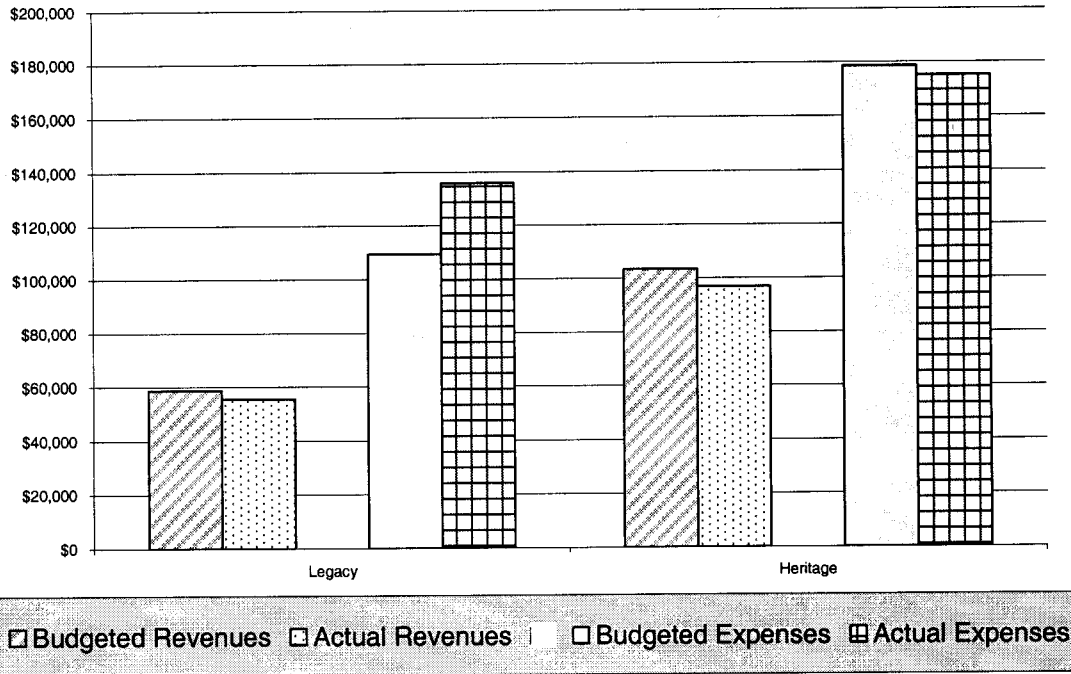
This enterprise reflects the operations of the City's two municipal golf courses. The enterprise as a whole is in a negative position, with net income currently \$158,000 under budget for the year. On October 11, 2004, City Council approved a four-point program to provide relief to the golf courses over the coming years.



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



Legacy and Heritage Golf Courses  
Budget vs Actual



Respectfully submitted,

J. Brent McFall, City Manager

Attachments

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-Rated	% Pro-Rated Budget
<b>General Fund</b>						
<b>Revenues</b>						
Taxes	4,503,416	185,298		203,886	18,588	110%
Licenses & Permits	1,730,000	274,750		328,475	53,725	120%
Intergovernmental Revenue	4,750,000	281,200		299,875	18,675	107%
Charges for Services						
Recreation Services	5,254,500	608,175		923,777	315,602	152%
Other Services	5,945,257	637,399		624,125	(13,274)	98%
Fines	1,950,000	273,000		311,957	38,957	114%
Interest Income	250,000	41,667		34,952	(6,715)	84%
Misc	335,392	55,899		29,176	(26,723)	52%
Leases	1,025,000	-		-	-	
Refunds	(65,000)	(10,833)		-	10,833	0%
Interfund Transfers	57,262,989	9,543,832		9,571,693	27,861	100%
Other Financing Sources	721,425	721,425		721,425	-	100%
Sub-total Revenues	<u>83,662,979</u>	<u>12,611,812</u>		<u>13,049,341</u>	<u>437,529</u>	<u>103%</u>
Carryover	-	-		-	-	
Revenues	<u>83,662,979</u>	<u>12,611,812</u>		<u>13,049,341</u>	<u>437,529</u>	<u>103%</u>
<b>Expenditures</b>						
City Council	190,233	31,706		23,549	(8,157)	74%
City Attorney's Office	918,580	153,097		131,777	(21,320)	86%
City Manager's Office	1,107,609	184,602		148,961	(35,641)	81%
Central Charges	21,731,366	3,621,894		3,332,174	(289,720)	92%
General Services	4,888,180	814,697		652,358	(162,339)	80%
Finance	1,572,918	262,153		197,997	(64,156)	76%
Police	18,834,202	3,139,034		2,723,732	(415,302)	87%
Fire Emergency Services	9,943,875	1,657,313		1,405,503	(251,810)	85%
Community Development	4,504,520	750,753		628,151	(122,602)	84%
Public Works & Utilities	7,092,197	1,182,033		439,874	(742,159)	37%
Parks Recreation & Libraries	12,879,299	2,146,550		1,456,036	(690,514)	68%
Total Expenditures	<u>83,662,979</u>	<u>13,943,832</u>		<u>11,140,112</u>	<u>(2,803,720)</u>	<u>80%</u>
Revenue Over(Under) Expend	<u>-</u>	<u>(1,332,020)</u>		<u>1,909,229</u>	<u>3,241,249</u>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Sales and Use Tax Fund</b>						
<b>Revenues</b>						
Sales Tax						
Sales Tax Returns	39,979,309	8,034,281		7,939,045	(95,236)	99%
Sales Tx Audit Revenues	545,000	126,765		256,416	129,651	202%
S-T Rev. STX	<u>40,524,309</u>	<u>8,161,046</u>		<u>8,195,462</u>	<u>34,415</u>	100%
Use Tax						
Use Tax Returns	9,712,377	1,115,521		1,089,889	(25,632)	98%
Use Tax Audit Revenues	500,000	128,000		5,748	(122,252)	4%
S-T Rev. UTX	<u>10,212,377</u>	<u>1,243,521</u>		<u>1,095,637</u>	<u>(147,884)</u>	88%
Total STX and UTX	<u><u>50,736,686</u></u>	<u><u>9,404,567</u></u>		<u><u>9,291,099</u></u>	<u><u>(113,469)</u></u>	99%
Public Safety Tax						
PST Tax Returns	9,067,240	1,670,871		1,906,959	236,088	114%
PST Audit Returns	209,000	33,691		9,143	(24,548)	27%
Total Rev. PST	<u>9,276,240</u>	<u>1,704,562</u>		<u>1,916,102</u>	<u>211,540</u>	112%
Total Interest Income	<u>119,572</u>	<u>19,929</u>		<u>8,860</u>	<u>(11,069)</u>	44%
Carryover	428,083					
Total Revenues	<u><u>60,560,581</u></u>	<u><u>11,129,058</u></u>		<u><u>11,216,060</u></u>	<u><u>87,002</u></u>	101%
<b>Expenditures</b>						
Central Charges	<u>60,560,581</u>	<u>9,970,444</u>		<u>9,998,305</u>	<u>27,861</u>	100%
Revenues Over(Under) Expenses	<u><u>-</u></u>	<u><u>1,158,614</u></u>		<u><u>1,217,755</u></u>	<u><u>59,141</u></u>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Open Space Fund</b>						
<b>Revenues</b>						
Sales & Use Tax	4,389,869	811,404		815,562	4,158	101%
Intergovernmental Revenue	-	-		-	-	
Interest Income	25,000	4,167		7,308	3,141	175%
Sale of Assets	-	-		-	-	
Miscellaneous	-	-		1,000	1,000	
Sub-total Revenues	<u>4,414,869</u>	<u>815,571</u>		<u>823,870</u>	<u>8,299</u>	<u>101%</u>
Carryover	-	-		-	-	
Total Revenues	<u>4,414,869</u>	<u>815,571</u>		<u>823,870</u>	<u>8,299</u>	<u>101%</u>
<b>Expenditures</b>						
Central Charges	<u>4,414,869</u>	<u>735,812</u>		<u>588,222</u>	<u>(147,590)</u>	<u>80%</u>
Revenues Over(Under) Expend	<u>-</u>	<u>79,759</u>		<u>235,648</u>	<u>155,889</u>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Water and Wastewater Fund-Combined</b>						
<b>Revenues</b>						
License & Permits	70,000	11,667		11,330	(337)	97%
Charges for Services						
Rates and Charges	31,698,593	3,499,432		3,437,006	(62,426)	98%
Tap Fees	6,900,000	1,448,750		1,811,001	362,251	125%
Interest Income	1,450,000	218,600		236,798	18,198	108%
Miscellaneous	460,000	76,667		25,752	(50,915)	34%
Sub-total Water/Wastewater Revenues	40,578,593	5,255,116		5,521,887	266,771	105%
Carryover	-	-		-		
<b>Total Revenues</b>	40,578,593	5,255,116		5,521,887	266,771	105%
<b>Expenditures</b>						
Central Charges	12,500,281	1,004,190		807,151	(197,039)	80%
Finance	552,747	92,125		67,938	(24,187)	74%
Public Works & Utilities	17,459,799	2,909,966		1,053,162	(1,856,804)	36%
Information Technology	2,465,766	410,961		361,754	(49,207)	88%
<b>Total Operating Expenses</b>	32,978,593	4,417,242		2,290,005	(2,127,237)	52%
<b>Revenues Over(Under) Expenses</b>	7,600,000	837,874		3,231,882	2,394,008	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-Rated	% Pro-Rated Budget
<b>Water Fund</b>						
<b>Revenues</b>						
License & Permits	70,000	11,667		11,330	(337)	97%
Charges for Services						
Rates and Charges	22,124,843	2,046,887		1,989,888	(56,999)	97%
Tap Fees	4,900,000	1,073,400		1,416,659	343,259	132%
Interest Income	850,000	119,000		131,342	12,342	110%
Miscellaneous	450,000	75,000		25,752	(49,248)	34%
Sub-total Water Revenues	<u>28,394,843</u>	<u>3,325,954</u>		<u>3,574,971</u>	<u>249,017</u>	<u>107%</u>
Carryover	-	-		-	-	
Total Revenues	<u>28,394,843</u>	<u>3,325,954</u>		<u>3,574,971</u>	<u>249,017</u>	<u>107%</u>
<b>Expenses</b>						
Central Charges	10,240,260	691,364		549,818	(141,546)	80%
Finance	552,747	92,125		67,938	(24,187)	74%
Public Works & Utilities	11,508,770	1,918,128		721,767	(1,196,361)	38%
Information Technology	2,465,766	410,961		361,754	(49,207)	88%
Total Operating Expenses	<u>24,767,543</u>	<u>3,112,578</u>		<u>1,701,277</u>	<u>(1,411,301)</u>	<u>55%</u>
Revenues Over(Under) Expenses	<u>3,627,300</u>	<u>213,376</u>		<u>1,873,694</u>	<u>1,660,318</u>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Wastewater Fund</b>						
<b>Revenues</b>						
Charges for Services						
Rates and Charges	9,573,750	1,452,545		1,447,118	(5,427)	100%
Tap Fees	2,000,000	375,350		394,342	18,992	105%
Interest Income	600,000	99,600		105,456	5,856	106%
Miscellaneous	10,000	1,667		-	(1,667)	0%
Sub-total Water Revenues	<u>12,183,750</u>	<u>1,929,162</u>		<u>1,946,916</u>	<u>17,754</u>	<u>101%</u>
Carryover	-	-		-	-	
Total Revenues	<u>12,183,750</u>	<u>1,929,162</u>		<u>1,946,916</u>	<u>17,754</u>	<u>101%</u>
<b>Expenditures</b>						
Central Charges	2,260,021	312,826		257,333	(55,493)	82%
Public Works & Utilities	5,951,029	991,838		331,395	(660,443)	33%
Total Operating Expenses	<u>8,211,050</u>	<u>1,304,664</u>		<u>588,728</u>	<u>(715,936)</u>	<u>45%</u>
Revenues Over(Under) Expenses	<u><u>3,972,700</u></u>	<u><u>624,498</u></u>		<u><u>1,358,188</u></u>	<u><u>733,690</u></u>	



**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Storm Drainage Fund</b>						
<b>Revenues</b>						
Business Fees						
Charges for Services	900,000	150,000		136,956	(13,044)	91%
Interest Income	-	-		8,418	8,418	
<b>Total Revenues</b>	<u>900,000</u>	<u>150,000</u>		<u>145,374</u>	<u>(4,626)</u>	<u>97%</u>
<b>Expenses</b>						
Organization Support Services	100,000	16,667		212	(16,455)	1%
Engineering	75,000	12,500		-	(12,500)	0%
Street Maintenance	100,000	16,667		192	(16,475)	1%
<b>Total Expenses</b>	<u>275,000</u>	<u>45,834</u>		<u>404</u>	<u>(45,430)</u>	<u>1%</u>
<b>Revenues Over(Under) Expenses</b>	<u>625,000</u>	<u>104,166</u>		<u>144,970</u>	<u>40,804</u>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Golf Courses Combined</b>						
<b>Revenues</b>						
Charges for Services	3,083,363	120,559		110,762	(9,797)	92%
Interest Income	-	-		-	-	
Interfund Transfers	250,000	41,667		41,667	-	100%
<b>Total Revenues</b>	<b>3,333,363</b>	<b>162,226</b>		<b>152,429</b>	<b>(9,797)</b>	<b>94%</b>
<b>Expenses</b>						
Central Charges	190,977	25,133		29,152	4,019	116%
Recreation Facilities	2,643,396	262,881		281,741	18,860	107%
<b>Total Expenses</b>	<b>2,834,373</b>	<b>288,014</b>		<b>310,893</b>	<b>22,879</b>	<b>108%</b>
Operating Income (Loss)	498,990	(125,788)		(158,464)	(32,676)	
Debt Service Expense	498,990	-		-	-	
<b>Revenues Over(Under) Expenditures</b>	<b>-</b>	<b>(125,788)</b>		<b>(158,464)</b>	<b>(32,676)</b>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Legacy Ridge Fund</b>						
<b>Revenues</b>						
Charges for Services	1,365,387	58,712		55,582	(3,130)	95%
Interest Income	-	-		-	-	0%
<b>Total Revenues</b>	<u>1,365,387</u>	<u>58,712</u>		<u>55,582</u>	<u>(3,130)</u>	<u>95%</u>
<b>Expenses</b>						
Central Charges	99,377	13,317		13,864	547	104%
Recreation Facilities	1,266,010	96,217		122,005	25,788	127%
<b>Sub-Total Expenses</b>	<u>1,365,387</u>	<u>109,534</u>		<u>135,869</u>	<u>26,335</u>	<u>124%</u>
Revenues Over(Under) Expenditures	<u>-</u>	<u>(50,822)</u>		<u>(80,287)</u>	<u>(29,465)</u>	

**City of Westminster  
Financial Report  
For the Two Months Ending February 28, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Heritage at Westmoor Fund</b>						
<b>Revenues</b>						
Charges for Services	1,717,976	61,847		55,180	(6,667)	89%
Interfund Transfers	250,000	41,667		41,667	-	100%
<b>Total Revenues</b>	<u>1,967,976</u>	<u>103,514</u>		<u>96,847</u>	<u>(6,667)</u>	<u>94%</u>
<b>Expenses</b>						
Central Charges	91,600	11,816		15,288	3,472	129%
Recreation Facilities	1,377,386	166,664		159,736	(6,928)	96%
<b>Sub-Total Expenses</b>	<u>1,468,986</u>	<u>178,480</u>		<u>175,024</u>	<u>(3,456)</u>	<u>98%</u>
Operating Income	498,990	(74,966)		(78,177)	(3,211)	
Debt Service Expense	498,990	-		-	-	0%
<b>Revenues Over(Under) Expenses</b>	<u>-</u>	<u>(74,966)</u>		<u>(78,177)</u>	<u>(3,211)</u>	

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)  
MONTH OF FEBRUARY 2005

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
WESTMINSTER MALL 88TH & SHERIDAN 5 DEPARTMENT STORES	315,013	2,510	317,523	330,389	3,643	334,032	-5	-31	-5
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART	292,794	1,249	294,043	327,693	1,940	329,633	-11	-36	-11
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN COMP USA/CIRCUIT CITY	224,286	273	224,560	210,767	5,072	215,839	6	-95	4
MISSION COMMONS W SIDE WADSWORTH 88-90TH GATEWAY COMPUTERS	216,883	3,333	220,217	27,498	12	27,510	689	27200	701
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	193,123	185	193,309	183,669	202	183,871	5	-8	5
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	173,428	883	174,311	164,728	605	165,333	5	46	5
SHERIDAN CROSSING SE CORNER 120TH & SHER ALBERTSONS	128,879	5,533	134,412	127,551	1,561	129,112	1	254	4
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	108,217	14,835	123,052	94,491	15,792	110,283	15	-6	12
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	83,037	77	83,113	94,648	103	94,751	-12	-26	-12
SHOPS AT WALNUT CREEK 104TH & REED TARGET	78,832	338	79,170	0	0	0	*****	*****	*****
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	60,746	10,670	71,415	37,665	261	37,926	61	3986	88
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	68,371	27	68,398	73,032	544	73,576	-6	-95	-7
OFFICE MAX CENTER SW CORNER 88TH & SHER OFFICE MAX	59,318	1,456	60,774	47,069	225	47,294	26	547	29
WILLOW RUN 128TH & ZUNI SAFEWAY	54,364	2,153	56,518	49,422	177	49,599	10	1115	14
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL	10,820	45,188	56,008	8,784	390	9,174	23	11488	511

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)  
MONTH OF FEBRUARY 2005

Center Location Major Tenant	Current Month			Last Year			%Change	
	General Sales	General Use	Total	General Sales	General Use	Total Sales	Use	Total
LUCENT TECHNOLOGY								
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	54,926	188	55,114	59,545	295	59,839	-8	-36 -8
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	51,091	820	51,911	53,064	134	53,198	-4	510 -2
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	41,717	258	41,976	34,262	667	34,928	22	-61 20
GREEN ACRES NORTH SIDE 112TH SHER-FED CONOCO/FRCC	33,115	402	33,517	32,361	0	32,361	2	***** 4
BROOKHILL IV E SIDE WADS 90TH-92ND MEDIA PLAY	28,130	404	28,534	36,227	39	36,266	-22	930 -21
PLAZA AT WESTMINSTER MALL W SIDE HARLAN 88TH -91ST PAPER WAREHOUSE	28,012	145	28,157	14,230	246	14,476	97	-41 95
LA CONTE PLAZA E SIDE FEDERAL 72-74TH SHERMAN TANK	22,905	127	23,032	18,832	354	19,185	22	-64 20
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	22,491	528	23,019	22,405	7,645	30,050	0	-93 -23
WESTMINSTER SQUARE NW CORNER 74TH & FED ARC THRIFT STORE	21,238	749	21,987	22,159	230	22,389	-4	225 -2
SUMMIT SQUARE NE CORNER 84TH & FED SAFEWAY	21,350	76	21,426	22,697	3,497	26,194	-6	-98 -18
	2,393,090	92,407	2,485,496	2,093,187	43,635	2,136,822	14	112 16

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)  
MONTH OF FEBRUARY 2005

Center Location Major Tenant	/----- YTD 2005 -----/			/----- YTD 2004 -----/			/--- %Change ---/		
	General Sales	General Use	Total	General Sales	General Use	Total Sales	Use	Total	
WESTMINSTER MALL 88TH & SHERIDAN 5 DEPARTMENT STORES	1,243,889	7,170	1,251,059	1,384,159	12,466	1,396,625	-10	-42	-10
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART	880,008	4,938	884,946	930,050	4,466	934,516	-5	11	-5
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN COMP USA/CIRCUIT CITY	585,404	1,133	586,537	564,425	9,996	574,421	4	-89	2
MISSION COMMONS W SIDE WADSWORTH 88-90TH GATEWAY COMPUTERS	254,926	3,425	258,351	70,086	72	70,158	264	4638	268
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	428,147	542	428,689	423,795	492	424,287	1	10	1
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	426,556	2,441	428,996	388,992	1,746	390,738	10	40	10
SHERIDAN CROSSING SE CORNER 120TH & SHER ALBERTSONS	357,105	14,542	371,647	337,607	2,773	340,380	6	424	9
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	283,406	37,397	320,803	236,860	48,073	284,933	20	-22	13
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	255,031	4,014	259,046	286,684	835	287,519	-11	381	-10
SHOPS AT WALNUT CREEK 104TH & REED TARGET	245,097	2,516	247,613	0	0	0	*****	*****	*****
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	195,676	12,122	207,798	172,369	437	172,807	14	2671	20
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	192,111	608	192,718	207,434	1,546	208,980	-7	-61	-8
OFFICE MAX CENTER SW CORNER 88TH & SHER OFFICE MAX	146,818	1,874	148,692	112,213	859	113,073	31	118	32
WILLOW RUN 128TH & ZUNI SAFEWAY	113,497	6,259	119,756	115,405	865	116,270	-2	624	3
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL	26,134	83,118	109,252	18,904	45,260	64,165	38	84	70

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)  
MONTH OF FEBRUARY 2005

Center Location Major Tenant	YTD 2005			YTD 2004			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
LUCENT TECHNOLOGY STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	118,535	874	119,409	134,795	839	135,634	-12	4	-12
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	109,645	4,301	113,946	123,390	362	123,752	-11	1087	-8
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	85,688	1,612	87,300	64,948	3,123	68,071	32	-48	28
GREEN ACRES NORTH SIDE 112TH SHER-FED CONOCO/FRCC	35,120	717	35,837	35,156	78	35,233	0	824	2
BROOKHILL IV E SIDE WADS 90TH-92ND MEDIA PLAY	94,504	1,634	96,138	106,895	77	106,971	-12	2027	-10
PLAZA AT WESTMINSTER MALL W SIDE HARLAN 88TH -91ST PAPER WAREHOUSE	44,627	1,729	46,355	36,561	8,293	44,854	22	-79	3
LA CONTE PLAZA E SIDE FEDERAL 72-74TH SHERMAN TANK	43,401	175	43,576	51,386	671	52,057	-16	-74	-16
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	54,098	973	55,071	52,311	11,126	63,437	3	-91	-13
WESTMINSTER SQUARE NW CORNER 74TH & FED ARC THRIFT STORE	50,657	5,032	55,689	49,859	779	50,638	2	546	10
SUMMIT SQUARE NE CORNER 84TH & FED SAFEWAY	42,989	239	43,229	51,544	5,246	56,790	-17	-95	-24
	6,313,066	199,385	6,512,450	5,955,830	160,479	6,116,309	6	24	6





**WESTMINSTER  
COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Contract for a Replacement Utility Billing System

**Prepared By:** Byron Jefferson, Revenue Administrator

**Recommended City Council Action**

Based on the report of the City Manager, that City Council finds that the public interest would be best served by accepting the bid for this work from Advanced Utility Systems (Advanced). Authorize the City Manager to sign a contract for the purchase of a utility billing system with Advanced Utility Systems not to exceed \$485,000, and approve a project contingency of \$84,000 and charge the expenses to the appropriate Utility Fund Capital Project account. Authorize a total project budget of \$721,500, including hardware, consultant fees and software costs.

**Summary Statement**

- The current utility billing system is antiquated and has outlived its useful life.
- The current utility billing system lacks functionality in terms of providing adequate consumption information to the customer.
- The utility billing system accounts for over \$32,000,000 in Utility Fund revenue per year.
- City Council approved funds in the Utility Fund, Capital Project budget for the purchase of a utility billing software package.
- Requests for information were posted via the Internet and also sent to 15 vendors, with 10 vendors responding. Requests for proposals were sent to the three most qualified vendors. The finalists made presentations to staff and the field was narrowed to two. Site visits were made to the two vendors' current customers and references were checked.
- The selection team chose Advanced because it had the most comprehensive response in terms of product quality and customer support.
- Advanced comes highly recommended by all contacted references.
- The negotiation team was able to lower the final bid costs by 21% during negotiations with Advanced.
- Adequate capital improvement funds have been appropriated to fund this project.
- City Council authorized \$750,000 for this project.

**Expenditure Required:** \$721,500

**Source of Funds:** Utility Fund Capital Improvement—Utility Billing Software Replacement Project

**Policy Issue**

Should the City purchase and implement a new utility billing system to increase its efficiency and improve customer service?

**Alternative:**

Do not proceed with the Utility Billing software upgrade. This action is not recommended due to several reasons:

- Antiquated software to manage Utility Billing customers will continue to perform inefficiently and non-effectively
- Advantages of the latest technology will not be realized
- The City will not benefit from improved processes in the Finance Department
- Computer data entries and efficiencies will not be maximized through program integrations
- Improved customer service will not be realized

**Background Information**

The utility billing system the City is currently using was developed in 1988 and modified in 1995. The current system was developed in-house and has outgrown its original design. Many of the day-to-day processes are still performed manually and can not be automated with the current system. The demands on customer service and the growing complexity of utility rates will make the current system obsolete in coming years. To keep up with evolving complexities of the water, wastewater, stormwater and concrete replacement rate structure and continue to provide a high-level of customer service. Staff proposed implementing a new system before the current one was no longer functional.

Originally a budget of \$250,000 was requested in 2003 and \$500,000 in 2004. Subsequently, due to budgetary restraints, the budget was moved to \$250,000 in 2004 and \$500,000 in 2005. In 2003, a cross departmental team was created to evaluate the utility needs from a billing, information technology, maintenance, accounting, water consumption and GIS perspective. A Strategic Utility Management Information Team dubbed "SUMIT," included an outside consultant, Rebecca Davidson from Burlstone Inc, who was working in that capacity with the maintenance management and building permit systems. SUMIT has representatives from Finance, Public Works and Utilities, Engineering and Information Technology.

Requests for information were posted via the Internet and also sent to 15 vendors. In total, 10 vendors responded and the team narrowed the list to the three who best met the critical needs of the City. After vendor demonstrations, interviews, site visits and conference calls, the team determined that Advanced Utility Systems would best fit the needs of the City. The following is a summary of the original bids prior to modifications and interfaces:

<u>Vendor</u>	<u>Original Bids *</u>
1. Advanced Utility Systems	\$393,000
2. Harris Computer Systems	\$329,570
3. ACS Springbrook	\$165,800

\* Does not include costs for hardware, system integration and implementation or travel

The original bid prices vary significantly because the basis for these bids was not consistent from vendor to vendor. In general the initial bids included costs for only the core product and very preliminary estimates for implementation costs. For example, the quote of the apparent low bidder, ACS Springbrook, was incomplete as it did not include any estimated costs for data conversion assistance and

**SUBJECT: Utility Billing System Replacement Contact Page 3**

project management and consulting. Further, their estimate for training costs did not contemplate the level of service that the team was looking for from a vendor. Including costs for these functions would have brought their costs more in line with Advanced Utility Systems and Harris Computer systems. In the end, they were eliminated because their system would not provide the functionality that the team expected from a new utility system.

The two finalists the team selected were Advanced and Harris. The team interviewed each finalist and made site visits to existing water utility customers of each company. During site visits and vendor interviews the team evaluated system functionality, flexibility, report writing capabilities, vendor maintenance, implementation service, support and more. All members of the team concurred that Advanced Utilities ranked highest and best met Westminster's requirements. Vendors then refined their estimates to include all anticipated costs for software licenses, hardware, data conversion, training, project management and other soft costs.

The final quote from Advanced that included all costs to customize the system to fit the needs of the City's water utility, convert the data, and go live was initially \$613,000. A negotiation team of Byron Jefferson, Revenue Administrator, David Puntenney, Information Technology Director, Carl Pickett, Purchasing Officer and Rebecca Davidson, Burlstone Inc (an outside consultant assisting on this project) negotiated directly with representatives of Advanced to clarify services to be provided and agree on a final price. After the negotiations, Advanced agreed to a price of \$485,000. This price includes costs for software licenses, conversion, system configuration and interfaces, installation, training, project management, and travel. Budgeted costs over and above the vendor's quote include the consultant's fee, costs for additional hardware, expenses to upgrade our interactive voice response system and a 15% contingency.

**SUMIT Project Budget**

<b>Item</b>	<b>Amount</b>
Contract with Advanced Utility Systems	\$485,000
Hardware and software purchases	\$45,000
Contract with Burlstone, Inc. for implementation consulting	\$30,000
Miscellaneous project-related costs (such as additional consulting/training services, programming, interface development etc.)	\$77,500
Subtotal of Project Budget	\$637,500
Project contingency	\$ 84,000
Grand Total of Project Budget	\$721,500

SUMIT members will begin the implementation process upon City Council's approval.

Respectfully submitted,

J. Brent McFall  
City Manager

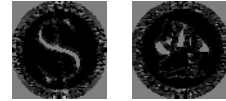


**WESTMINSTER**  
**COLORADO**

**Agenda Item 8 C**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Purchase of Light, Medium, and Heavy Duty Trucks, and Public Safety Vehicles

**Prepared By:** Carl F. Pickett, Purchasing Officer

**Recommended City Council Action**

Award the State of Colorado Bid for one staff car and ten light duty trucks to Daniels Chevrolet for \$214,825, one SUV patrol unit to Colorado State Patrol for \$18,489, three light duty trucks to Dallenbach Motors for \$63,013, two medium duty trucks to Freightliner for \$75,825, and one heavy duty dump truck to Navistar, Inc and OJ Watson for \$111,238.

**Summary Statement**

- City Council action is requested to award vehicle purchases based on the State of Colorado award for light duty trucks and public safety vehicles, the U.S. General Services Administration (GSA) award for a SUV patrol unit and the Colorado Department of Transportation (CDOT) bids for medium duty and heavy duty trucks.
- The City saves considerable dollars by purchasing these vehicles through the State Bid.
- All vehicles recommended for purchase, except the one staff car being replaced due to an accident, have been previously approved and are within the amount authorized by City Council in the 2005 Budget.

**Expenditure Required:** \$ 483,390

**Source of Funds:** General Capital Outlay Replacement Fund, Utility Fund, and the Property and Liability Self-Insurance Fund.

**Policy Issue**

Whether or not to approve the use of the State Bid for purchase of the vehicles outlined in this agenda memorandum.

**Alternatives**

- Reject State and CDOT bids and instruct City Staff to re-bid vehicles. This is not recommended because the State Bid reflects the purchasing power of all the political sub-divisions in the state. The City would not be able to match the bid prices afforded by the State Bid.
- Do not purchase some or all of the proposed replacement and new vehicles in 2005. This is not recommended because all of these vehicles have a maintenance history that makes it impractical to keep them in regular service, based on Fleet Maintenance recommendations.

**Background Information**

As part of the 2005-2006 Budget, City Council approved the purchase of fourteen light duty trucks in 2005. In addition, two medium and one heavy duty units were approved. The one staff car being replaced was totaled in an accident and was not scheduled for replacement. The cost of replacement is being covered by the other drivers insurance, and by the City’s Self-Insurance Fund.

The light duty, medium duty and heavy duty trucks to be replaced are Units #1004, #1177, #2411, #7003, #7021, #7029, #7704, #7027, #6102, #9314, #9303, #9153, #8106, #8606, #8564, #8615 and #9783. They have reached a point where it is no longer economically reasonable to maintain them in service. Information regarding each vehicle replacement is as follows:

UNIT #	YEAR	MAKE	MODEL	MILES	VEHICLE MAINTENANCE COSTS LIFE TO DATE (LTD)
1004	1999	Chevrolet	Van	86,430	\$10,854.71
1177	1993	Nissan	Pick-up	73,079	\$5,194.25
2411	1994	GMC	2500	95,708	\$12,699.89
7003	1990	GMC	3500	72,724	\$16,367.00
7021	1994	Chevrolet	K-30	47,191	\$24,277.68
7029	1995	GMC	1500	96,626	\$5,575.46
7704	1997	Ford	E350	74,840	\$9,970.70
7027	1996	Chevrolet	2500	100,963	\$16,079.07
6102	1994	Chevrolet	3500	49,281	\$24,814.95
9314	1993	GMC	2500	84,828	\$16,338.23
9153	1988	Nissan	Pick-up	52,828	\$3,859.35
8106	1999	Chevrolet	Van	126,420	\$14,191.67
8606	1990	Chevrolet	1500	105,273	\$9,614.44
8564	1996	Chevrolet	Lumina	76,509	\$10,215.79
8615	1998	GMC	2500	105,210	\$21,892.27
9783	1997	Freightliner	Dump Truck	7,923 Hours	*\$148,738.94

\*Unit 9783 was in a severe damage accident resulting in major repairs making up the bulk of the cost of the unit maintenance. Transmission, driveline damage, and engine work are the major factors for continued maintenance. The accident was a result of a City of Westminster employee who is no longer with the City.

**SUBJECT:** Purchase of Light, Medium, and Heavy Duty Trucks, and Public Safety Vehicles Page 3

The State Bid was sent out in September of 2004 and received responses from local vendors. The bids from Daniels Chevrolet and Dallenbach Motors for the light duty trucks, the bid from Freightliner for the medium duty trucks, and the bid from Navistar and OJ Watson for the heavy duty dump truck with plow meet all specifications and requirements set by the City. In addition, some vehicles will require additions to them. A small dump body from Layton Truck, two prisoner transport inserts from Mavron, Inc., an animal control insert from Mavron, Inc., and a forestry chipping box from Southco Industries are included in the cost of the seventeen staff vehicles - \$444,349, which is within the amount previously approved by City Council for this expense.

In addition, one new cargo van was approved for prisoner transport, and the bid amount of \$25,153 is within the amount previously approved by City Council for this expense. The one staff car is being replaced through insurance funds was on State Bid for \$13,888. The staff car was unit 8140.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 8 D

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
March 28, 2005



**SUBJECT:** Table Mountain Animal Center Annual Assessment

**Prepared By:** Janice Kraft, Neighborhood Services Administrator

### Recommended City Council Action

Authorize payment of \$67,676.85 to Table Mountain Animal Center for the City's 2005 assessment for animal sheltering services.

### Summary Statement

On November 25, 1996 City Council authorized the City Manager to enter into an intergovernmental agreement for the provision of all animal sheltering functions for the City of Westminster to be located at Table Mountain Animal Center (TMAC). Westminster is party to this intergovernmental agreement with Jefferson County, Lakewood, Wheat Ridge, Arvada, Golden, Morrison, Mountain View, and Edgewater. Annual contributions to the operating costs of TMAC are shared by these nine entities and are determined by an assessed valuation based on population. The intergovernmental agreement restricts these assessments paid to TMAC to no more than 50% of the annual operating costs. The remaining amount is to be obtained through fundraising efforts.

The \$67,676.85 2005 assessment is \$2,676.85 more than the amount budgeted for this expense. This is due to the fact that a preliminary estimate was received from Table Mountain prior to adoption of the 2005/2006 budget. This overage will be absorbed within the 2005 General Fund Police Department Operating Budget.

**Expenditure Required:** \$67,676.85

**Source of Funds:** 2005 General Fund Police Department Operating Budget

**Policy Issue**

Should City Council authorize the expense of \$67,676.85 for Westminster's 2005 assessment of operating costs for Table Mountain Animal Center?

**Alternative**

The City could examine alternatives to obtaining animal sheltering services from Table Mountain Animal Center. Staff has examined alternatives in the recent past and continues to find the services provided by Table Mountain to be cost effective.

**Background Information**

City Council directed Staff to research the feasibility of outsourcing the animal control function. In March of 1996 Staff presented several options to City Council that included:

- › Total outsourcing of the entire animal control operation to another agency such as Adams County or Jefferson County.
- › Total outsourcing of the entire animal control operation to a private entity, such as Boulder Valley Humane Society.
- › Outsourcing of only the animal sheltering operation to Table Mountain Animal Center.

In November 1996 City Council directed the City Manager to enter into an agreement with Table Mountain Animal Center for the provision of all animal sheltering functions, effective January 1, 1997.

This intergovernmental agreement set out the method for calculating each participating agencies assessment for TMAC operating expenses. An annual operating budget is to be established by the TMAC Director and approved by a Board of Directors made up of representatives of each of the nine participating agencies. Each of those participating entities' contribution to that operating budget is determined based on population. No more than 50% of TMAC's annual operating budget is funded through these assessments. The remaining amount comes through fundraising efforts by the Table Mountain Animal Center Foundation Board.

Approximately two years ago, TMAC began to experience difficulties with retaining management staff. This turnover created turmoil amongst the workers and volunteers and tensions developed between the TMAC management, the Board of Directors in place at the time, and the Foundation Board. Due to vacancies in management, operational efficiency began to deteriorate and day to day problems and issues were compounding and not being adequately addressed.

The Chiefs of Police and the Jefferson County Sheriff determined that over the years the membership on the Board of Directors had gradually changed to first line supervisors for animal management units when the function of this board is better suited to mid-level managers. The Chiefs and Sheriff reconstituted the Board of Directors in August 2003.

The first order of business for this new Board of Directors was to contract with a private consulting firm that specializes specifically in management of non-profit organizations. These consultants took over temporary management of TMAC and embarked upon a complete audit of its operations to include financials, staffing, infrastructure, and operational policies.



Subsequent to this review, the consultant made several recommendations to the Board of Directors that involved some significant changes. The recommendations included a major restructuring of management staffing and an increase in some management salaries. The consultant determined that part of the turnover problem was that the level of management experience needed was not supported by the salary being paid. It was also determined that the annual operating budget was too low to keep up with the increasing demands for service and the daily operations of the center were under-funded. There were several capital expenses to the infrastructure of the building that were not anticipated, i.e. a failure of some of the mechanical systems, an overhaul of the crematorium, and a change in the federal requirements for cat cages that necessitated a purchase of all new cages.

The Board of Directors determined that it was necessary to do an overall jurisdictional assessment increase of \$175,000 for 2005 to address these pressing issues. The City of Westminster's 2005 assessment of \$67,676.85 reflects this increase. Historically, the City's assessment has raised an average of 5% per year. The assessment in 2000 was \$30,906, in 2001 it was \$34,451, in 2002 it was \$35,664, in 2003 it was \$38,188, and in 2004 it was \$38,952. Staff anticipates that annual increases will return to 4-5% beginning in 2006.

Very positive changes are occurring regularly at TMAC, management has been turned over from the consulting firm to a new Executive Director, the issues with instability in staffing have significantly improved, the conditions of the infrastructure have been addressed, and service levels to animal management units and the public have increased. The TMAC Board of Directors are taking a very active role in monitoring the operations and Staff believes that Table Mountain Animal Center is back on track. Staff will also continue to periodically evaluate options for animal sheltering in order to maintain the best services in the most cost effective manner.

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Intergovernmental Agreement with Jefferson County re Prisoner Transport

**Prepared By:** Matt Raia, Commander, Investigation Services

**Recommended City Council Action**

Authorize the City Manager to sign an Intergovernmental Agreement between Jefferson County and Westminster for prisoner transport service, on an as needed basis.

**Summary Statement**

- The Westminster Police Department has dedicated personnel assigned to transport prisoners between jails for appearance in the Westminster Municipal Court.
- The Jefferson County Sheriff's Office has dedicated personnel assigned to transport prisoners between jails for appearance in Jefferson County Courts.
- The Jefferson County Sheriff's Office and Westminster desire to enter into an agreement that provides for the Jefferson County Sheriff's Office to provide prisoner transport services for Westminster, on an as needed basis, in the event that Westminster prisoner transport personnel are unavailable. The agreement also provides for the Jefferson County Sheriff's Office to provide prisoner transport for Westminster prisoners housed in jails outside the Denver metro area.
- The Intergovernmental Agreement has been drafted and approved by the City Attorney's Office and is attached.

**Expenditure Required:** Estimated not to exceed \$1,000 per year

**Source of Funds:** General Fund - Police Department Operating Budget

**Policy Issue**

Should the City of Westminster enter into an Intergovernmental Agreement with Jefferson County for the Jefferson County Sheriff's Office to provide prisoner transport services on behalf of the Westminster Police Department, on an as needed basis?

**Alternative**

Do not enter into an Intergovernmental Agreement with Jefferson County, which would result in the Westminster Police Department needing to seek an alternative emergency back up for prisoner transports, including those outside the Denver Metro area.

**Background Information**

Police agencies within the State of Colorado are responsible for transporting prisoners from different jails within the state to appear in municipal courts and county courts as required. For example, a prisoner may be incarcerated at the Douglas County Jail, either pending trial or serving a sentence from that jurisdiction and needs to be transported to the Westminster Municipal Court to appear on charges filed in Westminster. Currently the Westminster Police Department has two detectives assigned to provide this transport service, in addition to processing individuals sentenced to jail by the Westminster Municipal Court. At present, patrol officers provide transport service as a back up to the court officers, on an as needed basis. This causes patrol resources to be affected and diminishes the ability of patrol to respond to calls for service in a timely manner. It also affects the level of service the Police Department can provide to the Municipal Court. The court transport officers are also required to occasionally make trips to jails outside the Denver Metro area to pick up prisoners for appearance in Westminster Municipal Court, and in some instances to return them. This takes a considerable amount of time and reduces the availability of a court officer to assist the Municipal Court.

The Jefferson County Sheriff's Office has agreed to provide prisoner transport services for the Westminster Police Department on an as needed basis for a fee, to include transport of prisoners to and from jails outside the Denver Metro area. Taking advantage of this service will enable Westminster to have a backup prisoner transport service when needed, as well as relieve Westminster from transporting prisoners outside the Denver Metro area. Westminster's only obligation under the agreement is to pay the established fee on a per transport basis, when the Jefferson County Sheriff's Office provides prisoner transport service at the request of Westminster.

Should Jefferson County or Westminster elect to terminate this agreement either may do so with no obligation, other than for Westminster to pay any outstanding fees for transport services rendered prior to the termination of the agreement.

Respectfully submitted,

J. Brent McFall  
City Manager

**INTERGOVERNMENTAL AGREEMENT  
FOR PRISONER TRANSPORT SERVICES**

**THIS AGREEMENT**, dated for reference purposes only this 1<sup>st</sup> day of April 2005, is entered into by and between the **COUNTY OF JEFFERSON, STATE OF COLORADO**, a body politic and corporate (the "County"), for the use and benefit of the **JEFFERSON COUNTY SHERIFF'S OFFICE** (the "Sheriff's Office") and the **CITY OF WESTMINSTER, COLORADO** (the "City")(collectively, the "Parties").

**WHEREAS**, pursuant to the provisions of C.R.S. §29-1-203 and §18(2)(a) of Article XIV of the Colorado Constitution, the County and the City are legally authorized to cooperate and contract with each other for the purpose of intergovernmentally providing any function, service or facility authorized to it, and to provide for the joint exercise of the function, service or facilities; and

**WHEREAS**, the City is authorized as part of its governmental functions to request the issuance of writs mandating the appearance of prisoners in the Jefferson County County and District Courts, and warrants for the arrest of persons who have violated the laws of the State of Colorado within the jurisdiction of the City (the "Westminster arrestees" or "arrestees"); and

**WHEREAS**, the County is authorized as part of its governmental functions to pick up and transport such persons to the Jefferson County Detention Facility (the "Facility"); and

**WHEREAS**, the County and the City are desirous of cooperating for the County to transport Westminster arrestees to the Facility for a mutually agreed upon price.

**NOW, THEREFORE**, for and in consideration of the mutual promises, covenants and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the County and the City agree as follows:

**ARTICLE I  
Period of Agreement**

This Agreement shall commence on April 1, 2005 and shall continue to and including March 31, 2006. The County reserves the right to renew this Agreement for three (3) additional one-year periods by giving written notice of its intent to renew prior to the end of the then-current term. As this Agreement may continue beyond the current year, the parties understand and intend that any financial obligation contained herein is contingent upon each party's legislative bodies' authorization of funds. No expense incurred pursuant to this Agreement shall be construed to be a general obligation indebtedness within the meaning of any provision of Article X, Section 20 of the Colorado Constitution.

**ARTICLE II  
Transport of Arrestees**

**A.** The Jefferson County Sheriff's Office Transportation Unit (the "Transportation Unit") will pick up and transport Westminster arrestees to the Facility at the request of the City. The City will designate an employee of the Westminster Police Department to coordinate the pick up and transport of Westminster arrestees with designated Transportation Unit Personnel.

**B.** The County, in its sole discretion, may coordinate the transport of certain Westminster arrestees outside the Denver metropolitan area with Transports Across Colorado, a network of law enforcement agencies working in cooperation to facilitate the transport of prisoners. The City agrees to pay the County the full price for the transport of each Westminster arrestee, as set forth in Article III of this Agreement, whether or not Transports Across Colorado is involved in the transport of that arrestee.

**C.** The County, in its sole discretion, may refuse to pick up or transport any Westminster arrestee.

**ARTICLE III**  
**Payment**

A. The City shall pay the County seventy-five dollars (\$75) for the transport of the first Westminster arrestee per trip. If additional Westminster arrestees are transported in the same trip, a charge of thirty-five dollars (\$35) for each additional inmate shall be assessed.

B. On a monthly basis, the County shall provide a written invoice to the City, detailing the number of transports and arrestees included in each transport. The County and City shall work together to review and confirm the number of transports prior to the submission of the invoice to the City. Payment shall be due thirty (30) days following the date of invoice.

C. The County reserves the right to increase the rates described in Article III, paragraph A above, upon mutual agreement of the parties to this Agreement, which agreement shall be set forth in writing and shall serve as an amendment to this Agreement.

**ARTICLE IV**  
**Termination**

This Agreement may be terminated by either party upon written notice to the other party of its intention to terminate thirty (30) days prior to the effective date of termination. The County's obligations to the City under this Agreement shall terminate upon termination of this Agreement. The City shall be obligated to pay for all transports provided by the County through the date of termination of this Agreement.

**ARTICLE V**  
**No Liability**

To the extent permitted by law and without waiving rights provided under the Colorado Governmental Immunity Act or other law, the City shall hold and save the County, its elected officials, agents and employees harmless, and shall indemnify the County from any costs, damages, claims injuries or losses incurred by the City or any other person resulting from the provision of transportation services under this Agreement.

**ARTICLE VI**  
**Employment Status**

It is mutually understood and agreed by and between the parties hereto that neither this Agreement nor any services performed hereunder shall constitute any change in the employment status of any employees of the parties to this Agreement. It is additionally understood and agreed that the City shall have no right to control or direct the activities of any employee of the County during the performance of any services under this Agreement. Each of the parties shall, at its own expense, keep in full force and effect during the term of this Agreement, statutory workers' compensation insurance or adequate self-insurance funds to provide coverage for its own personnel.

**ARTICLE VII**  
**Amendments to this Agreement**

This Agreement constitutes the entire agreement between the County and the City and may only be amended in writing executed by both parties.

**ARTICLE VIII**  
**Officials Not To Benefit**

No elected official or employee of the County or the City shall be personally paid or personally receive directly or indirectly any share or part of this Agreement or any benefit that might arise therefrom.

**ARTICLE IX  
Venue and Governing Law**

Venue for any and all legal actions regarding the transactions covered herein shall lie in the District Court in and for the County of Jefferson, State of Colorado, and this Agreement shall be governed by the laws of the State of Colorado.

**ARTICLE X  
Notices**

Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or registered mail, postage and fees prepaid, addressed to the party to whom such notice is to be given at the address set forth below, or at such other address as has been previously furnished in writing to the other party.

County:                   Sergeant Al Vorhies  
                              Transportation Unit  
                              Jefferson County Sheriff's Office  
                              200 Jefferson County Parkway  
                              Golden, Colorado 80401

City:                     City of Westminster

**ARTICLE XI  
Assignment**

This Agreement may not be assigned by either party without the prior written consent of the other party.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement.

COUNTY OF JEFFERSON  
STATE OF COLORADO

By: \_\_\_\_\_  
Jim Congrove, Chairman  
Board of County Commissioners  
Date: \_\_\_\_\_

STATE OF COLORADO    )  
                                  )ss  
COUNTY OF JEFFERSON    )

The foregoing Intergovernmental Agreement for Prisoner Transport Services was acknowledged before me by Jim Congrove as Chairman of the Jefferson County Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

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

By: \_\_\_\_\_  
T.B. Mink, Sheriff  
Date: \_\_\_\_\_

STATE OF COLORADO     )  
                                          )ss  
COUNTY OF JEFFERSON    )

The foregoing Intergovernmental Agreement for Prisoner Transport Services was acknowledged before me by T. B. Mink, Sheriff, Jefferson County, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Joanne Kortendick, Assistant County Attorney

CITY OF WESTMINSTER, COLORADO

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

STATE OF COLORADO     )  
                                          )ss  
COUNTY OF JEFFERSON    )

The foregoing Intergovernmental Agreement for Prisoner Transport Services was acknowledged before me by J. Brent McFall, as City Manager, Westminster, Colorado this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Witness my hand and official seal.  
My commission expires: \_\_\_\_\_

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

APPROVED AS TO FORM:

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Strasburg Natural Resource Farm Mobile Pivot Irrigation System Bids

**Prepared by:** Ron Hellbusch, Special Projects Coordinator

**Recommended City Council Action**

Award the bid for the equipment, supplies and installation for a Zimmatic pivot irrigation system at the City of Westminster Strasburg Natural Resource Farm to Superior Irrigation and Electric in the amount of \$97,060.

**Summary Statement**

- Three bids were received from established farm pivot irrigation system firms experienced in designing, installing and operations.
- The pivot irrigation system would maximize the efficient irrigation of 100 acres of farm land currently irrigated by the tenant farmer using pipe manually placed in the fields.
- The mobile pivot irrigation system provides a far more consistent and thorough coverage of the fields that results in greater crop production, maximizes income to the City, enhances the land value of the farm, reduces well pumping energy costs and maximizes water conservation.
- \$127,000 was approved by City Council for the acquisition of the pivot irrigation system in the 2005 Utility Fund.

**Expenditure Required:** \$97,060

**Source of Funds:** Utility Fund—Public Works and Utilities CIP



**Policy Issue**

Should the City of Westminster enhance the operation of the Strasburg Natural Resource Farm and increase the biosolids applications by converting crop irrigation from manual, labor intensive irrigation practices to the use of an automatic mobile pivot farm irrigation system?

**Alternative**

The City could choose to continue irrigation operations at the Strasburg Natural Resource Farm by manual irrigation practices, as opposed to the more efficient automatic, mobile pivot irrigation system.

**Background Information**

The City owns approximately 3,000 acres of farm land north of Strasburg, Colorado, on which the Big Dry Creek Wastewater Treatment Facility biosolids waste product is applied by injecting into the soil. 1,100 acres is planted in dry land crops, primarily wheat, approximately 500 acres is used to raise irrigated crops, the remaining 1,600 acres is comprised of pasture land for cattle operations, Comanche Creek drainage basin bottom land, farm buildings and land set aside for future crop production and bio-solids operations.

Half of the irrigated land is already being irrigated by a mobile pivot irrigation system. The installation of the recommended pivot system will allow an additional 100 acres of current manually irrigated land to be covered by an automatic system. Corn and alfalfa are the primary crops grown on the irrigated acreage.

Consistent and thorough irrigation coverage of farm land allows greater volumes of biosolids to be applied than dry land or low intensity surface irrigation practices. The automatic mobile pivot irrigation system will optimize biosolids application volumes by allowing an additional 15% in biosolids to be applied over surface irrigation applications.

The water supply source for the irrigated farm land and for the proposed mobile pivot irrigation system are two permitted and decreed irrigation wells located in close proximity to the planned pivot system installation.

The specification for the mobile pivot irrigation equipment and full installation includes the following components:

- 1,500 feet of 8 inch and 6 ¼ inch galvanized pipe
- Nine 8 ½ foot towers, each spanning 157 feet overall
- Extension of piping from two nearby irrigation wells to the pivot system
- 50 h.p. booster pump transporting water from an irrigation well to the pivot system
- Electrical panel on the pivot system to control water flow and booster pump operations
- Necessary county electrical installation and inspection permits
- One year equipment, installation and operations warranty
- 45 day installation time schedule

The following bids were received by the City on February 1:

Superior Irrigation and Electric, Wiggins, Colorado	\$ 97,060
Woods Sprinkler Services, Ft. Morgan, Colorado	\$ 101,105
Aqua Irrigation, Sterling, Colorado	\$ 103, 885
Approved Budgeted Funds -	\$127,000
Staff Estimate -	\$115,000

City staff and the tenant farm operators will provide oversight during the installation of the mobile pivot irrigation system by the contractor.

Respectfully Submitted,

J Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Award for Construction of the Bull Canal Reclaimed Waterline

**Prepared By:** Diane M. Phillips, Reclaimed Water System Coordinator

**Recommended City Council Action**

Authorize the City Manager to execute a contract with American Infrastructure, Inc. in the amount of \$531,794 for the construction of the Bull Canal Reclaimed Waterline and authorize a 10% contingency of \$53,179.

**Summary Statement**

- This project would provide for the construction of a 16-inch reclaimed line from the Huron Street and Bull Canal intersection going north along the canal to an area along 136<sup>th</sup> where a casing has been installed to place the reclaimed line under 136<sup>th</sup> Avenue (see map attached).
- Bids were received from seven construction firms on March 8.
- American Infrastructure, Inc. submitted the lowest bid and it is recommended that the City contract with them to provide the construction of this reclaimed waterline.

**Expenditure Required:** \$584,973

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

**Policy Issue**

Should the City award a contract to American Infrastructure, Inc. for the construction of the Bull Canal Reclaimed Waterline in the amount of \$531,794 and provide a contingency of \$53,179.

**Alternative**

The City could delay the construction of this line but expanding the full use of the reclaimed water supply could be compromised. In addition, future construction costs will likely increase.

**Background information**

Extensive development is occurring in the north portion of the City. The reclaimed water will provide irrigation water to this area. This will preserve our potable water supply for continued development. The Reclaimed Water Treatment Facility is located adjacent to the Big Dry Creek Wastewater Treatment Facility and the reclaimed line has been extended north from the facility in Huron Street to the Bull Canal. This installation was done in conjunction with the widening of Huron Street to coordinate projects.

This project provides for the construction of the reclaimed line from the Huron Street and Bull Canal intersection going north along the canal to an area along 136<sup>th</sup> where a casing has been installed to place the reclaimed line under 136<sup>th</sup> Avenue. This line will be 16-inches in diameter and future construction is planned to extend this line north to development in the area of 144<sup>th</sup> and Huron. The line will be installed in an existing easement along the Bull Canal.

Bids were received on March 8 from seven firms and those costs are listed below. The engineer's estimate was \$600,000.

American Infrastructure, Inc.	\$531,794
Farner Construction	\$591,295
AUI Construction	\$602,435
CCSI Construction	\$608,888
New Design Construction	\$635,611
WM Brown Construction	\$683,160
Scott Construction	\$1,004,485

American Infrastructure, Inc. had the lowest bid. They are a qualified and capable firm and the design engineer for the project has checked their references and recommends American for this project.

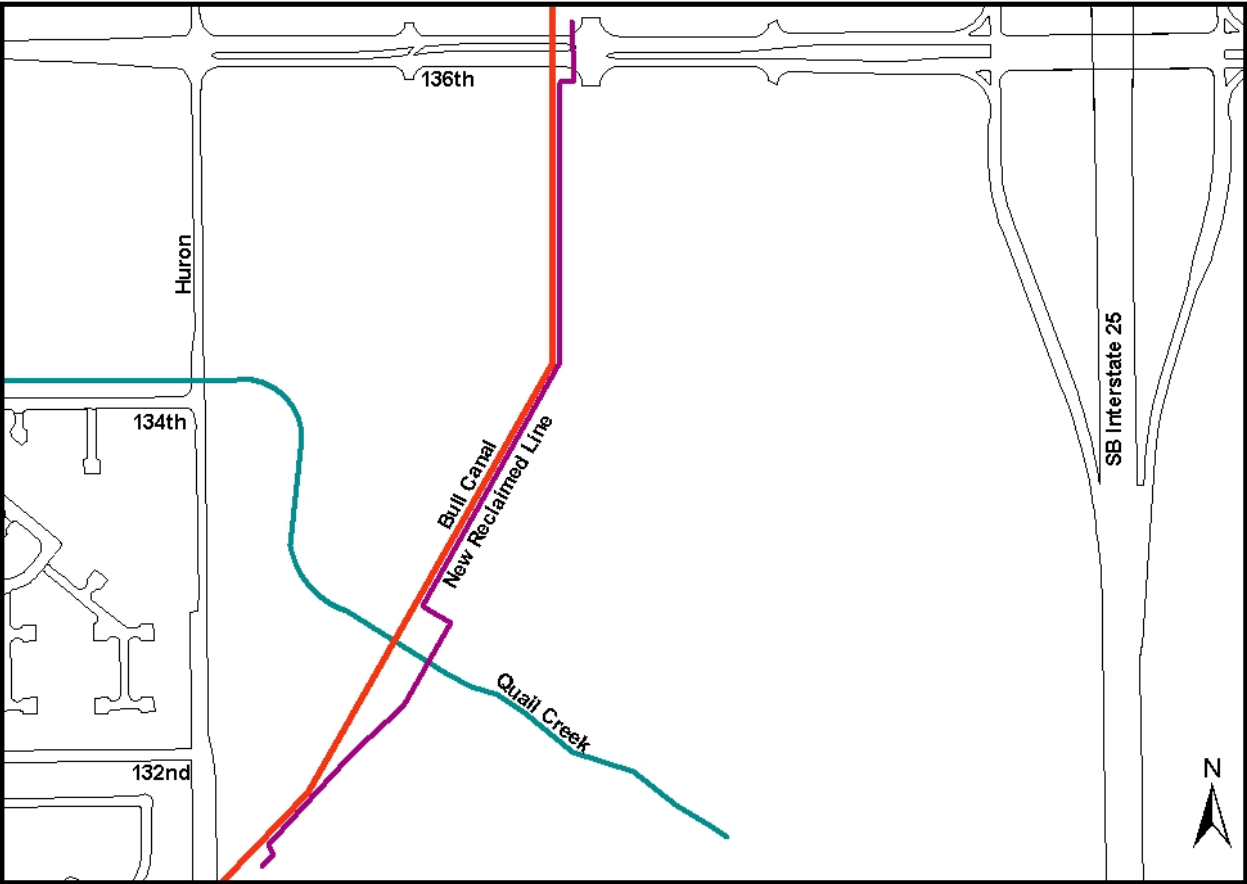
The budget for construction of the Bull Canal Reclaimed Waterline is \$600,000. Funds for this project are available in the Reclaimed Project Construction account and it is recommended that these funds be used to extend this portion of the reclaimed waterline.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

# Bull Canal Reclaimed Waterline





**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** 2005 Slurry Seal Project Bid

**Prepared By:** Ray Porter, Infrastructure Improvements Division Manager

**Recommended City Council Action**

Authorize the City Manager to sign a contract for the 2005 Slurry Seal Project to the low bidder, Quality Resurfacing Company, in the total amount of \$284,876; which includes a contingency of \$25,000 (9%).

**Summary Statement**

- Funds are available and were specifically budgeted for this expense in the 2005 Department of Public Works and Utilities - Infrastructure Improvements Division budget and the 2005 General Fund Capital Improvements Program for this expenditure.
- Formal bids were solicited in accordance with City Charter bidding requirement for the 2005 Slurry Seal Project. Request for bids were sent to the three contractors in the metropolitan area who do this type of surface treatment with two responding.
- Sixty-one streets totaling 31.44 lane miles of improvement will receive the Slurry Seal Surface treatment (see attached location list).
- The surface treatment will also be applied at seven City facility parking lots (see attached location list) representing the equivalent of 6.2 lane miles of pavement improvement.

**Expenditure Required:** \$284,876

<b>Source of Funds:</b>	General Fund - Infrastructure Improvements Division -	\$196,876
	General Fund Capital Improvement Fund -	\$ 88,000
	City Facilities Parking Lot Maintenance Project	

**Policy Issue**

Should City Council approve authorization to award the 2005 Slurry Seal Bid to Quality Resurfacing Company?

**Alternatives**

1. Resurface these streets with a thin 1” overlay of Hot-Mix Asphalt (HMA). With this alternative, the cost would increase by 156% and the strength of the pavement structure would increase by less than 5%.
2. Apply a chipseal surface to the streets earmarked for slurry seal. The cost with this alternative would increase by 57%. Using this process would decrease the amount of total Citywide street work compared to using the slurry seal treatment. Staff has determined the chipseal process would not be the most cost effective improvement strategy for these selected streets at this time.

**Background Information**

The low bidder, Quality Resurfacing Company, meets all of the City bid requirements and has successfully completed this process for the City in 2001, 2002 and 2003, (no Slurry Seal was performed in 2004).

The 2005 Slurry Seal Project represents a total of 31.44 lane miles of pavement surface improvements at sixty-one street locations and the equivalent of another 6.2 lane miles at seven City facility parking lots (see location list). Staff believes slurry seal is the best alternative for these selected streets and all locations have been extensively reviewed through the computerized pavement management process.

In an effort to respond to citizen concerns, staff will again be sending a letter to affected residents explaining the process of the slurry seal application and what to expect during the curing period.

The following sealed bids were received:

Quality Resurfacing Company	\$ 284,876
Intermountain Pavement Preservation, LLC	\$ 289,580
Staff Estimate	\$ 351,339

The Slurry Seal application price of \$0.88 per square yard is a decrease of 4% below the 2003 price. This decrease is directly attributed to a larger quantity of work on this year’s bid.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

### 2005 Slurry Seal Street List

1. Otis Street, 116<sup>th</sup> Avenue to 115<sup>th</sup> Avenue
2. Newland Street, 116<sup>th</sup> Avenue to 115<sup>th</sup> Avenue
3. Marshall Court, 116<sup>th</sup> Avenue to 115<sup>th</sup> Avenue
4. Marshall Street, 116<sup>th</sup> Avenue to 115<sup>th</sup> Avenue
5. Kendall Circle, 116<sup>th</sup> Avenue to North End
6. 116<sup>th</sup> Avenue, Kendall Street to Main Street
7. Kendall Street, 112<sup>th</sup> Avenue to 116<sup>th</sup> Avenue
8. Newland Street, 112<sup>th</sup> Avenue to 112<sup>th</sup> Place
9. 112<sup>th</sup> Place, Kendall Street to Otis Street
10. 113<sup>th</sup> Place, Kendall Street to Lamar Street
11. Lamar Street, 112<sup>th</sup> Place to 114<sup>th</sup> Avenue
12. 114<sup>th</sup> Avenue, Lamar Street to Otis Street
13. Marshall Street, 114<sup>th</sup> Avenue to 113<sup>th</sup> Place
14. 113<sup>th</sup> Place, 112<sup>th</sup> Place to Newland Street
15. Marshall Court, 113<sup>th</sup> Place to 114<sup>th</sup> Avenue
16. Newland Street, 114<sup>th</sup> Avenue to 113<sup>th</sup> Avenue
17. 113<sup>th</sup> Avenue, 112<sup>th</sup> Place to Otis Street
18. Otis Street, 112<sup>th</sup> Place to 114<sup>th</sup> Avenue
19. 113<sup>th</sup> Place, Otis Street to Main Street
20. Jay Street, 115<sup>th</sup> Avenue to Harlan Street
21. Harlan Street, 115<sup>th</sup> Avenue to Jay Street
22. Bryant Street, 72<sup>nd</sup> Avenue to 74<sup>th</sup> Avenue
23. Canosa Court, 74<sup>th</sup> Avenue to Skyline Drive
24. 73<sup>rd</sup> Avenue, Canosa Court to Eliot Street
25. Eliot Street, 73<sup>rd</sup> Avenue to Skyline Drive
26. Decatur Street, 74<sup>th</sup> Avenue to Skyline Drive
27. Dale Court, 74<sup>th</sup> Avenue to Skyline Drive
28. Clay Street, 73<sup>rd</sup> Avenue to 74<sup>th</sup> Avenue
29. Clay Street, 74<sup>th</sup> Avenue to Skyline Drive
30. Bryant Street, 74<sup>th</sup> Avenue to Skyline Drive
31. Beach Court, 74<sup>th</sup> Avenue to Skyline Drive
32. Alcott Street, 74<sup>th</sup> Avenue to Skyline Drive
33. Skyline Drive, 74<sup>th</sup> Avenue to Eliot Street
34. Eliot Circle, 72<sup>nd</sup> Avenue to 72<sup>nd</sup> Avenue
35. 74<sup>th</sup> Avenue, Federal Boulevard to Zuni Street
36. Zuni Street, 72<sup>nd</sup> Avenue to 74<sup>th</sup> Avenue
37. Clay Street, Fern Drive to 72<sup>nd</sup> Avenue
38. Canosa Court, 70<sup>th</sup> Avenue to 72<sup>nd</sup> Avenue
39. Bryant Way, Fern Drive to Canosa Court
40. Beacon Way, Fern Drive to 71<sup>st</sup> Avenue
41. 71<sup>st</sup> Avenue, Beacon Way to West End
42. Beach Street, Fern Drive to 72<sup>nd</sup> Avenue
43. Alcott Street, Fern Drive to 72<sup>nd</sup> Avenue
44. Sheldon Avenue, Beacon Way to City Limits
45. Berthoud Street, Beach Street to 72<sup>nd</sup> Avenue
46. Bryant Street, Beacon Way to 72<sup>nd</sup> Avenue
47. Fern Drive, Clay Street to City Limits
48. 100<sup>th</sup> Avenue, Sheridan Boulevard to Benton Street
49. Ames Street, 100<sup>th</sup> Avenue to 100<sup>th</sup> Court

**2005 Slurry Seal Street List** continued

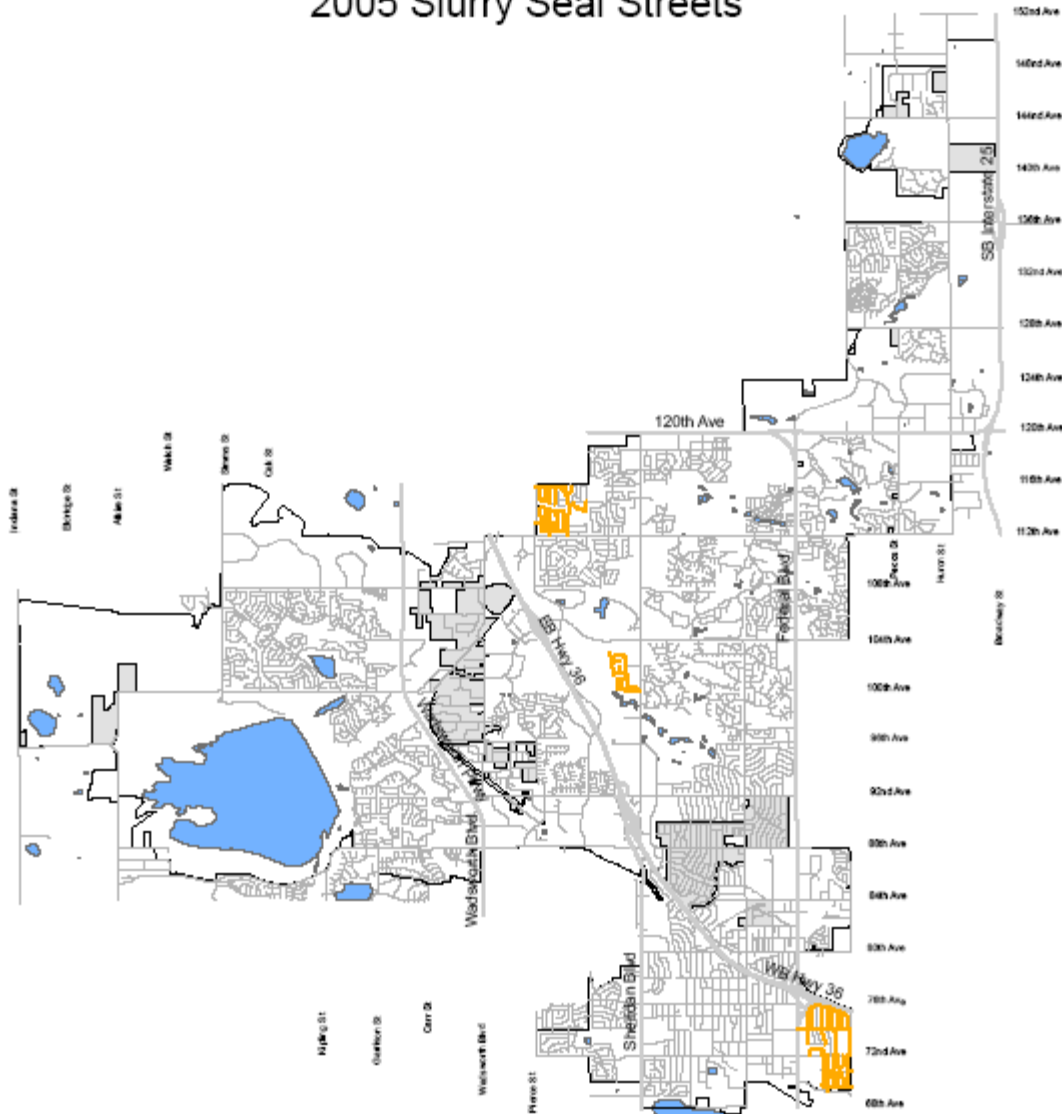
50. 100<sup>th</sup> Court, 5240 to 5356
51. Benton Street, 100th Avenue to 103rd Avenue
52. 100th Place, Benton Street to Depew Street
53. Chase Street, 100th Place to 100th Court
54. Depew Street, 100th Place to 100th Court
55. 100th Court, Depew Street to Benton Street
56. 101st Avenue, Benton Street to Eaton Street
57. Eaton Street, 10060 to 10330
58. Depew Street, 101st Avenue to North End
59. 102nd Place, Eaton Street to East End
60. 103rd Avenue, Eaton Street to Benton Street
61. 102nd Avenue, Benton Street to Sheridan Boulevard

**2005 City Facility Parking Lot Maintenance Project**

1. Legacy Ridge Golf Course (Turfgrass Management Facility & main parking lot)
2. Westminster Municipal Court (all parking lots)
3. Countryside Little League Ball Fields
4. Promenade Parking Lot South of Westin Hotel (100% City owned)
5. Promenade parking lots West & North of Ice Center (50% cost shared by others)
6. Oakhurst Park 1, East and West lots/9311 Larkbunting Drive
7. Oakhurst Park 2, East and West lots/9255 Ammons Street



# City of Westminster Infrastructure Improvements Division 2005 Slurry Seal Streets



## Legend

— 2005 Slurry Seal Streets





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** 2005 Chipseal Project Award

**Prepared By:** Ray Porter, Infrastructure Improvements Manager

**Recommended City Council Action**

- Based on the recommendation of the City Manager, the City Council finds that the public interest would be best served by awarding this contract to A-1 Chipseal Company as the sole source contractor. Authorize the City Manager to sign a contract for the 2005 Chipseal Project to A-1 Chipseal Company in the amount of \$1,425,465.
- Authorize the City Manager to sign an Intergovernmental Agreement with the City of Federal Heights for their portion of the project - \$42,878.

**Summary Statement**

- City Staff negotiated project costs with A-1 Chipseal Company for 357,693 square yards of conventional chipseal to be applied on 106 Westminster residential and collector streets and another 255,226 square yards of 7/8" thick double bonded hot applied chipseal resurfacing on five arterial streets and one major collector street (see location list), in the amount of \$1,382,587.
- A-1 Chipseal has successfully completed chipseal projects in the City of Westminster for the past eight years (1997 – 2004).
- 2005 negotiated unit prices for chipseal will increase 8% over the 2004 bid prices due primarily to the escalating costs for oil.
- 2005 project includes major streets such as 104<sup>th</sup> Avenue from Zuni Street to Federal Boulevard; 104<sup>th</sup> Avenue from Sheridan Boulevard to U.S. 36 and Church Ranch Boulevard from U.S. 36 to Wadsworth Parkway.
- The City of Federal Heights will reimburse Westminster \$42,878 through authorization of an Intergovernmental Agreement for their portion of east bound 104<sup>th</sup> Avenue, Federal Boulevard to Zuni Street, thus reducing actual cost for the City of Westminster to \$1,382,587.

**Expenditure Required:** \$ 1,425,465

**Source of Funds:** General Fund  
 - Infrastructure Improvements Division Operating Budget (\$925,465)  
 General Capital Improvement Fund  
 - Arterial Roadway Resurfacing (\$500,000)

## **Policy Issue**

Should the City accept the negotiated costs with A-1 Chipseal Company? A-1 Chipseal Company has been and remains the sole contractor in the metropolitan area for chipseal construction.

## **Alternatives**

1. Bid the chipseal work with the annual Street Reconstruction/Resurfacing Project.
  - A double profit margin would be realized once A-1 Chipseal becomes a sub-contractor
  - Costs would increase by an estimated 15%
  - Only one contract would be necessary
  - A-1 Chipseal Company would still be performing the work
2. Resurface the conventional chipseal streets with a thin 1” overlay of hot-mix asphalt (HMA). With this alternative, the cost would double and the strength of the pavement structure would increase by less than 5%. The pavement’s flexibility would not increase as it does with the chipseal. Thus, within two to three years, the pavement surface would need a chipseal, due to oxidation.
3. Slurry seal residential streets instead of chipseal.
  - Cost would decrease by 57%.
  - The life expectancy of these pavements would be extended 4 – 6 years with the slurry seal versus 8 – 10 years with the chipseal.
  - Cracksealing would most likely be needed within 2 – 3 years versus 8 – 10 years with the chipseal due to the slurry seal being a more rigid surface than the flexible chipseal.

## **Background Information**

The 2005 Chipseal Project represents a total of 87 lane miles of pavement surface improvements to 112 street segments throughout the City of Westminster.

The double bonded hot applied chipseal resurfacing will be applied on six (6) major roadways, totaling 36 lane miles of improvements. The extended pavement life is 8 – 10 years for the double chipseal resurfacing application on major roadways. The conventional single process chipseal will be done to 51 lane miles of residential roadways at 106 locations throughout the city. The life expectancy of these residential roadways will be extended 8 – 10 years with this economical process. This chipsealing project is recommended by Staff after each street segment was carefully analyzed through the computerized Pavement Management process. It was determined that these preventative maintenance strategies would be the most cost effective.

In an effort to respond to citizen concerns, Staff will again be sending a letter to affected residents explaining the process of the chipseal application and what to expect during the curing period. Special attention will be given to consistent and timely inspection during the construction process and sweeping will be scheduled the day after the chipseal is applied. Once sweeping is done, a fogseal will be applied over the surface to seal loose rock from the top down. The fogseal finish has upgraded the quality of construction and has been done successfully for the past 12 years.

The sole source contractor, A-1 Chipseal Company, has successfully completed chipseal projects over the past eight years in Westminster and the cities of Denver, Aurora, Frederick, Lakewood, Arvada, Golden, Northglenn, Loveland, Estes Park, Adams County, Douglas County, Jefferson County, Elbert County, and the Colorado Department of Transportation (CDOT). A-1 Chipseal’s owner has been in the business since 1981 and the City of Westminster has been chipsealing City streets since 1976.

**SUBJECT:** 2005 Chipseal Project Award

Page 3

The chipseal unit price of \$1.38 per square yard increased 8% from the 2004 price due to the rising costs of oil. The 7/8" thick double hot applied chipseal application price of \$3.28 per square yard represents an increase of 4% from the 2004 price. All residential streets will be patched and cracksealed by City Street Maintenance crews to prepare them for the chipseal application. Arterial streets will be crack sealed by a contractor not yet determined.

The City of Federal Heights has agreed to execute an Intergovernmental Agreement for the portion of 104<sup>th</sup> Avenue, Federal Boulevard to Zuni Street that lies within their jurisdiction. Federal Heights will reimburse Westminster \$42,878, which is included in the project costs and will be required funding to complete the project's scope of work.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

## 2005 Sealcoating List

1. Independence Street, 100<sup>th</sup> Avenue to 97<sup>th</sup> Avenue
2. 97<sup>th</sup> Avenue, Jellison Way to Holland Circle
3. Holland Circle, 97<sup>th</sup> Avenue to Independence Street
4. 99<sup>th</sup> Place, Independence Street to Kline Street
5. Kline Street, 99<sup>th</sup> Place to 98<sup>th</sup> Avenue
6. 98<sup>th</sup> Avenue, Kline Street to Jellison Way
7. Johnson Court, 98<sup>th</sup> Avenue to North End
8. Jellison Way, North End to East End
9. Kipling Street, 98<sup>th</sup> Avenue to Jellison Way
10. 99<sup>th</sup> Avenue, Independence Street to 98<sup>th</sup> Avenue
11. Jellison Street, 97<sup>th</sup> Avenue to 99<sup>th</sup> Place
12. Iris Street, 97<sup>th</sup> Avenue to 99<sup>th</sup> Avenue
13. Independence Way, 97<sup>th</sup> Avenue to Independence Street
14. 97<sup>th</sup> Place, Jellison Way to 97<sup>th</sup> Drive
15. 97<sup>th</sup> Drive, Jellison Way to Kipling Street
16. 97<sup>th</sup> Court, 97<sup>th</sup> Drive to North End
17. 98<sup>th</sup> Avenue, Holland Circle to Garland Drive
18. Garland Drive, 98<sup>th</sup> Avenue to Hoyt Street
19. Hoyt Street, 100<sup>th</sup> Avenue to Holland Circle
20. Hoyt Way, Holland Circle to North End
21. Hoyt Lane, Hoyt Way to West End
22. Hoyt Place, Holland Circle to South End
23. Holland Court, Holland Circle to North End
24. 99<sup>th</sup> Way, Holland Circle to South End
25. 99<sup>th</sup> Place, Holland Circle to South End
26. 99<sup>th</sup> Avenue, Holland Circle to 100<sup>th</sup> Avenue
27. Garland Court, 99<sup>th</sup> Avenue to East End
28. Garland Court, 99<sup>th</sup> Avenue to West End
29. Garrison Way, 98<sup>th</sup> Avenue to North End
30. Garrison Lane, 98<sup>th</sup> Avenue to South End
31. Garrison Court, 98<sup>th</sup> Avenue to North End
32. 98<sup>th</sup> Place, Garland Drive to East End
33. 98<sup>th</sup> Court, Garland Drive to West End
34. 98<sup>th</sup> Way, Garland Drive to East End
35. Garland Place, Garland Drive to West End
36. Garland Lane, Garland Drive to South End
37. Legacy Ridge Parkway, 104<sup>th</sup> Avenue to 112<sup>th</sup> Avenue
38. 96<sup>th</sup> Drive, Pierce Street to Kendall Court
39. Kendall Court, Marshall Way to 96<sup>th</sup> Place
40. 96<sup>th</sup> Place, Kendall Court to Newland Court
41. Newland Court, 96<sup>th</sup> Place to 96<sup>th</sup> Drive
42. Lamar Place, 96<sup>th</sup> Drive to 96<sup>th</sup> Place
43. 96<sup>th</sup> Place, Newland Court to West End
44. Newland Court, 96<sup>th</sup> Drive to 9837 Newland Court
45. Marshall Way, Newland Court to 98<sup>th</sup> Court
46. 97<sup>th</sup> Place, Marshall Way to South End
47. 98<sup>th</sup> Court, Otis Drive to East End

**2005 Sealcoating** (Continued)

48. Otis Drive, Westcliff Parkway to 98<sup>th</sup> Court
49. Otis Drive, 98<sup>th</sup> Court to 96<sup>th</sup> Drive
50. 97<sup>th</sup> Court, Otis Drive to West End
51. 98<sup>th</sup> Place, Otis Drive to West End
52. Pierce Street, Westcliff Parkway to 99<sup>th</sup> Avenue
53. 99<sup>th</sup> Avenue, Jay Street to West End
54. Jay Street, Westcliff Parkway to North End
55. 98<sup>th</sup> Drive, 99<sup>th</sup> Avenue to North End
56. Kendall Court, 99<sup>th</sup> Avenue to North End
57. 98<sup>th</sup> Drive, 99<sup>th</sup> Avenue to 99<sup>th</sup> Avenue
58. Otis Court, 99<sup>th</sup> Avenue to South End
59. Otis Street, Westcliff Parkway to North End
60. 96<sup>th</sup> Court, Pierce Street to East End
61. 97<sup>th</sup> Circle, Pierce Street to Pierce Street
62. 97<sup>th</sup> Place, Pierce Street to Newland Court
63. 98<sup>th</sup> Circle, Pierce Street to Pierce Street
64. Quay Loop, Pierce Street to South End
65. Quay Loop, Pierce Street to Quay Loop
66. Quay Way, 98<sup>th</sup> Avenue to Reed Street
67. Reed Street, 98<sup>th</sup> Avenue to Westcliff Parkway
68. 98<sup>th</sup> Avenue, Pierce Street to Wadsworth Boulevard
69. Teller Court, 98<sup>th</sup> Avenue to North End
70. Teller Court, 98<sup>th</sup> Avenue to South End
71. Teller Lane, Teller Court to 97<sup>th</sup> Place
72. 97<sup>th</sup> Place, Teller Court to West End
73. 97<sup>th</sup> Place, 97<sup>th</sup> Place to 98<sup>th</sup> Avenue
74. Upham Drive, 98<sup>th</sup> Avenue to Teller Court
75. Upham Court, Upham Drive to South End
76. 98<sup>th</sup> Place, Upham Drive to West End
77. Pierce Street, 9221 – 9227
78. Pierce Street, 9226 – 9236
79. Pierce Street, 9238 – 9254
80. Pierce Street, 9251 – 9265
81. Pierce Street, 9300 – 9320
82. Pierce Street, 9330 – 9350
83. Pierce Street, 9400 – 9412
84. Pierce Street, 9440 – 9452
85. Pierce Street, 9510 – 9522
86. Pierce Street, 9524 – 9536
87. 93<sup>rd</sup> Place, Wadsworth Boulevard to 7410 W. 93<sup>rd</sup> Place
88. Webster Court, 93<sup>rd</sup> Place to South End
89. 93<sup>rd</sup> Way, 93<sup>rd</sup> Place to Upham Way
90. Upham Way, 93<sup>rd</sup> Way to South End
91. Vance Court, 93<sup>rd</sup> Way to South End
92. 92<sup>nd</sup> Place, Upham Way to Teller Street
93. 92<sup>nd</sup> Place, Teller Street to South End
94. 92<sup>nd</sup> Lane, Teller Street to 92<sup>nd</sup> Avenue
95. Teller Street, 92<sup>nd</sup> Lane to 96<sup>th</sup> Avenue
96. 96<sup>th</sup> Avenue, Teller Street to Wadsworth Boulevard

## **2005 Sealcoating** (Continued)

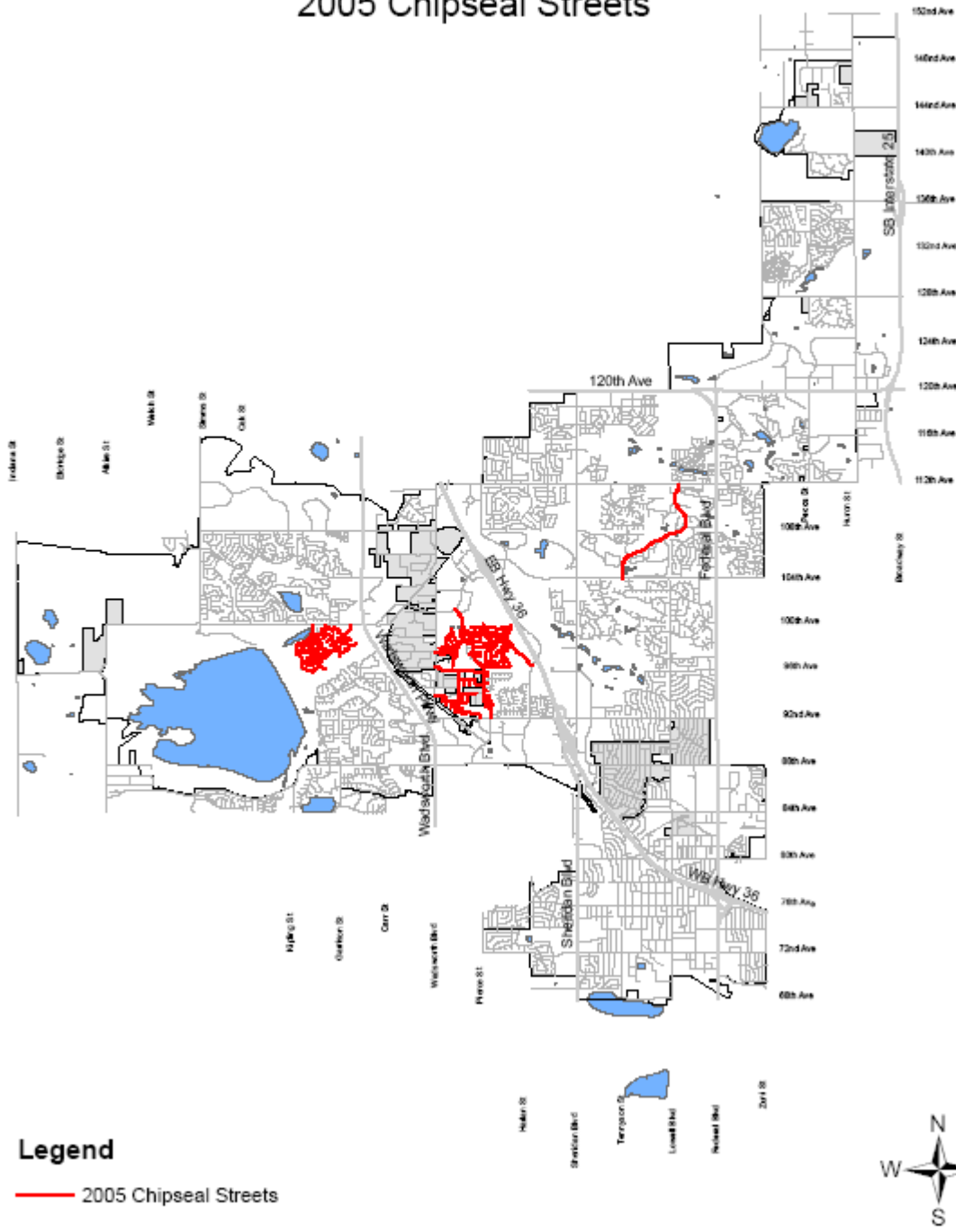
97. 96<sup>th</sup> Avenue, Teller Street to Pierce Street
98. Reed Way, Teller Street to 94<sup>th</sup> Avenue
99. Saulsbury Circle, Reed Way to North End
100. 94<sup>th</sup> Avenue, Teller Street East
101. 94<sup>th</sup> Avenue, Teller Street to West End
102. 95<sup>th</sup> Avenue, Teller Street to Pierce Street
103. Reed Court, 95<sup>th</sup> Avenue to South End
104. Saulsbury Court, 95<sup>th</sup> Avenue to South End
105. Pierce Street, 92<sup>nd</sup> Avenue to Westcliff Parkway
106. Westcliff Parkway, Church Ranch Boulevard to Westminster Boulevard

## **2005 Arterial and Collector Streets**

### **Sealcoating**

1. » 72<sup>nd</sup> Avenue, Lowell Boulevard to Sheridan Boulevard
  2. » Lowell Boulevard, 92<sup>nd</sup> Avenue to 104<sup>th</sup> Avenue
  3. » Church Ranch Boulevard, U.S. 36 to Wadsworth Parkway
  4. » 104<sup>th</sup> Avenue, U.S. 36 to Sheridan Boulevard
  5. » 104<sup>th</sup> Avenue, Federal Boulevard to Zuni Street
  6. » 88<sup>th</sup> Avenue, Harlan Street to 200 foot East of Sheridan Boulevard
- » Double Bonded Hot Applied Chipseal Resurfacing

# City of Westminster Infrastructure Improvements Division 2005 Chipseal Streets







## Agenda Item 8 J

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
March 28, 2005



**SUBJECT:** Huron Street and West 128<sup>th</sup> Avenue – Engineering Design Contract

**PREPARED BY:** Richard M. Kellogg, Jr., Senior Projects Engineer

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

Authorize the City Manager to execute a contract with Kirkham Michael & Associates, Inc. P.C. for the final design of street improvements to Huron Street and West 128<sup>th</sup> Avenue adjacent to the Adams 12 High School in an amount not to exceed \$56,500; and authorize a \$6,000 design contingency.

#### **Summary Statement:**

- With the construction of the new high school at the southeast corner of the intersection of Huron Street and 128<sup>th</sup> Avenue, traffic volumes and turning movements will increase along these two streets. Additional auxiliary lanes and signalized intersections will be required to handle projected traffic movements safely.
- The City of Westminster and the Adams 12 Five Star School District will be entering into an Intergovernmental Agreement (IGA) that will address several issues, including the street widening and intersection improvements. The City will be responsible for these costs.
- Proposals were requested from qualified engineering consultants and reviewed for their experience with similar projects, their familiarity with the Huron Street and West 128<sup>th</sup> Avenue project, and the value indicated by their proposed fees for the expected scope of the work. The firm of Kirkham Michael was chosen from a group of five consultants for the final design effort.
- The design contract with Kirkham Michael will be in an amount not to exceed \$56,500. A project contingency of \$6,000, which will be held in a separate account, is also requested.

**Expenditure Required:** Not to exceed \$62,500

**Source of Funds:** General Capital Improvement Fund - New Development Participation Project

**Policy Issues**

Should the City proceed with the design work for the Huron Street and West 128<sup>th</sup> Avenue street widening and intersection improvements project?

**Alternative**

The alternative is to postpone or abandon the final design of these roadways. Given the desire of both the City and the Adams 12 Five Star School District to attain this project design so that construction can be completed by August 2006, this alternative is not recommended.

**Background Information**

The widening of the east side of Huron Street between West 125<sup>th</sup> Avenue (the entrance into the new high school) and West 128<sup>th</sup> Avenue including a signalized intersection at West 125<sup>th</sup> Avenue will become important with increased traffic volumes and turning movements into and out of the high school site. Additionally, the West 128<sup>th</sup> Avenue entrance into the high school site at the Delaware Street alignment requires deceleration and acceleration lanes and a signalized intersection to facilitate increased traffic volumes and turning movements.

Staff issued a Request for Proposals to five firms that recently exhibited excellent qualifications to perform this type of design work. Of these five, one firm declined to participate and four firms responded with proposals. All four firms were equally qualified to prepare the design, so the consultant selection was based upon the following fee proposals:

<u>Firm</u>	<u>Fees</u>
<b>Kirkham Michael &amp; Associates, Inc., P.C.</b>	<b>\$ 56,500</b>
<b>Felsburg Holt &amp; Ullevig</b>	<b>\$ 75,250</b>
<b>Burns &amp; McDonnell</b>	<b>\$ 79,660</b>
<b>ASCG Incorporated</b>	<b>\$ 86,351</b>
<b>J.F. Sato and Associates</b>	<b>Declined to Respond</b>

A detailed review of the proposals by Staff concluded with the recommendation that the firm of Kirkham Michael be awarded the contract for final design of the Huron Street and West 128<sup>th</sup> Avenue project. The proposal submitted by Kirkham Michael demonstrated a thorough understanding of the project. Add to this their proposed fee, which is the lowest of the four candidates, and Staff believes that they are a good choice for this project. Staff is recommending award of the contract for final design to Kirkham Michael.

In addition, authorization is sought for \$6,000 for a project contingency. This brings the total needed funding to \$62,500.

Respectfully submitted,

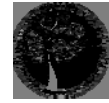
J. Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Second Reading for Councillor’s Bill No. 14 Amending the Comprehensive Land Use Plan for Church Ranch Home Place Filing No. 3, Lot 2, “The Retreat”

**Prepared By:** Max Ruppeck, Senior Project Manager

**Recommended City Council Action**

1. Pass Councillor’s Bill No. 14 on second reading amending the Comprehensive Land Use Plan (CLUP) for Church Ranch Home Place Filing No. 3, Lot 2, changing the designation from “Business Park” to “R-8 Residential.” This recommendation is based on the finding that the amendment is in the public good and on the following findings set forth in the Westminster Comprehensive Land Use Plan:
  - a. The Plan is in need of revision as proposed; and
  - b. The amendment is in conformance with the overall purpose, intent, goals, and policies of the Plan; and
  - c. The proposed amendment is compatible with existing and planned surrounding land uses; and
  - d. The proposed amendment would not result in excessive detrimental impacts to the City’s existing or planned infrastructure systems.

**Summary Statement**

- The subject property is a 2.7-acre parcel located at 10190 Wadsworth Boulevard. The site is currently developed with a 54 bed senior care facility called “The Retreat.”
- Staff is recommending a designation of R-8 Residential that would bring the CLUP into conformance with the existing land use.
- This request was approved on first reading by City Council on March 14, 2005.

**Expenditure Required:** \$ 0  
**Source of Funds:** N/A

Respectfully submitted,

J. Brent McFall  
City Manager

BY AUTHORITY

ORDINANCE NO. **3199**

COUNCILLOR'S BILL NO. **14**

SERIES OF 2005

INTRODUCED BY COUNCILLORS

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A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN

WHEREAS, the owner of the property described below has requested an amendment to the City's Comprehensive Land Use Plan to change the designation for said property from Business Park to R-8 Residential ; and

WHEREAS, the Planning Commission has reviewed the proposed amendment and has recommended approval to the City Council.

NOW THEREFORE, the City Council hereby finds that the requested amendment will be in the public good and in compliance with the overall intent of the Comprehensive Land Use Plan.

Section 1. The City Council authorizes City Staff to make the necessary changes to the maps and text of the Westminster Comprehensive Land Use Plan which are necessary to alter the designation of the Retreat at Church Ranch property from Business Park to R-8 Residential, legally described as follows: A parcel of land being a portion of Church Ranch Home Place P.U.D., as recorded at Reception No. 88080484, situated in the northeast quarter of Section 14, Township 2 South, Range 69 West of the Sixth Principal Meridian, City of Westminster, County of Jefferson, State of Colorado, and being more particularly described as follows:

Commencing at the north quarter corner of said Section 14: Thence S04°44'56", a distance of 1,322.43 feet to a point on the northerly line of said Church Ranch Home Place P.U.D. and the southerly line of Tract 57D of Mandalay Gardens as recorded at Reception No. 194693, said point also being the point of beginning; thence N89°48'31"E, along northerly line of said P.U.D. and southerly line of said Tract 57D, a distance of 439.62 feet; thence leaving said northerly and southerly line, S01°04'20"W, a distance of 281.44 feet; thence N89°53'57"W, a distance of 439.58 feet; thence N01°04'20"E, along a line which is the easterly right-of-way of Olde Wadsworth Boulevard, a distance of 279.30 feet to the point of beginning.

Parcel contains 123,619 square feet or 2.83 acres more or less.

Section 2. Severability: 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 deemed unenforceable shall not affect any of the remaining provisions.

Section 3. This ordinance shall take effect upon its passage after second reading.

Section 4. 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 14<sup>th</sup> day of March, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of March, 2005.

ATTEST:

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City Clerk

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Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Councillor's Bill No. 17 re Rozek Company Business Assistance Package

**Prepared By:** Becky Hogan, Economic Development Program Coordinator

**Recommended City Council Action**

Pass Councillor's Bill No. 17 on first reading authorizing the City Manager to execute and implement the business assistance package (BAP) with the Rozek Company. The BAP totals \$6,700, which includes \$1,825 in permit fee rebates, \$1,875 in construction use tax rebates, and \$3,000 in equipment use tax rebates at move-in.

**Summary Statement**

- The Rozek Company, formerly known as MicroTek has been a Westminster business for 8 years.
- The Rozek Company is expanding their business operations and is looking to sell their facility at 7160 Irving Street to McBride Brothers LLC.
- The company is a light assembler of art and drafting kits for technical education and also assembles computer and related items for educational systems.
- The Rozek Company is considering purchasing the building at 7981 W. 103th Avenue, formerly occupied by Level 3 Communications in Church Ranch Business Center.
- At move-in 14 jobs would be retained, with average salaries of \$43,000.
- Assistance is based upon the retention of a quality Westminster employer, providing light assembly jobs and purchasing existing vacant space in the City.

**Expenditure Required:** \$ 6,700 (Rebates)

**Source of Funds:** The business assistance package with the Rozek Company will be funded through revenue received from permit fees, construction use tax, and sales and use tax on furniture, fixtures, and equipment at move-in.

**Policy Issue**

Does Council desire to provide assistance to the Rozek Company based on the retention of a quality Westminster business and the retention of primary jobs to the City?

**Alternatives**

Do Nothing: One alternative to offering the business assistance package is to offer nothing to this company. Though the City may not lose the project if assistance is not provided, the result would be that the City's value of retaining existing businesses and retaining primary jobs would not be supported.

Provide Less: Another alternative is to provide less assistance than what is recommended. The recommended assistance package is consistent with other business retention packages.

Provide More: A third alternative would be to provide a greater amount of assistance than recommended. There is financial capacity for additional funding. However, it is staff's opinion that additional assistance is not needed, as it is consistent with other business retention packages.

**Background Information**

The Rozek Company is a light assembler of art and drafting kits, as well as computer components for educational training. The company purchased the building at 7160 Irving Street and has operated in the City for 8 years. In 2004, the Rozek Company outgrew their current space and began looking to purchase another building that could accommodate future growth. Rozek Company is considering purchasing 40,000 square feet in the single story office space at Church Ranch Business Center, formerly occupied by Level 3 Communications. Rozek Company will employ 14 people at move-in with an estimated average salary of \$43,000 per year. In three years the company anticipates growth to 22 employees with an average payroll of \$1 million. It is anticipated that Rozek Company will generate over \$17,850 of new revenue directly to the City in the first five years of operation. This is based on \$250,000 in tenant finish and new equipment purchases of \$200,000 at move-in.

Based upon these figures, staff recommends the following business assistance package:

<b>Proposed Assistance</b>	<b><u>Approximate Value</u></b>
<u>Building Permit-Fee Rebate</u> 50% of the building related fees (excluding water & sewer tap fees) will be rebated (\$3,650 x 50% = \$1,825)	\$1,825
<u>Building Use Tax Rebate</u> 50% of the General Use Tax (excludes the City's .25% Open Space Tax and .6% public safety tax) on construction materials for this project will be rebated (\$250,000 x 50% = \$125,000 x 3% = \$3,750 x 50% = \$1,875)	\$1,875
<u>Sales and Use Tax on Furniture and Fixtures Rebate</u> For the period 3 months prior and the 3 months after Rozek Company obtain the Certificate of Occupancy for the new Westminster facility, the City will rebate 50% of the General Sales and Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) collected on the furnishing and equipment purchased to furnish the new facility (\$200,000 new equipment x 3% = \$6,000 Use Tax x 50% = \$3,000)	\$3,000

**Total Proposed Assistance Package Not To Exceed**

**\$6,700**

This assistance package is based upon the City's goals to retain light manufacturing and assembly companies, retaining primary jobs, and fill existing space. The Rozek Company is planning on purchasing a building in the City, thus continuing a long term commitment to the Westminster.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO. **3201**

COUNCILLOR'S BILL NO. **17**

SERIES OF 2005

INTRODUCED BY COUNCILLORS  
**KAUFFMAN - DIXION**

**A BILL  
FOR AN ORDINANCE AUTHORIZING A BUSINESS ASSISTANCE PACKAGE  
WITH THE ROZEK COMPANY TO AID IN THEIR RELOCATION TO  
7981 WEST 103TH AVENUE IN CHURCH RANCH BUSINESS CENTER  
IN WESTMINSTER, COLORADO**

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

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

WHEREAS, the Rozek Company plans to purchase the building at 7981 West 103th Avenue in Church Ranch Business Center, in Westminster, and

WHEREAS, a proposed Assistance Agreement between the City and the Rozek Company is attached hereto as Exhibit "A" and incorporated herein by this reference.

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

**THE CITY OF WESTMINSTER ORDAINS:**

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

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

Section 3. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 28th day of March 2005.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 11th day of April 2005.

ATTEST:

\_\_\_\_\_  
Mayor

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



## Exhibit A

### BUSINESS ASSISTANCE PACKAGE FOR THE ROZEK COMPANY IN THE CITY OF WESTMINSTER

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2005, between the CITY OF WESTMINSTER (the "City"), and the Rozek Company.

WHEREAS, the City wishes to provide certain assistance to Rozek Company to aid in the retention and expansion of this company to vacant space in the City; and

WHEREAS, Rozek Company plans to purchase the building at 7981 West 103th Avenue in Church Ranch Business Center in Westminster, thus providing additional primary job retention within the City; and

WHEREAS, City Council finds the execution of this Agreement will serve to provide benefit and advance the public interest and welfare of the City and its citizens by securing the location of this economic development project within the City.

In consideration of the mutual promises set forth below, the City and the Rozek Company agree as follows:

1. Building Permit Fee Rebates. The City shall rebate to the Rozek Company 50% of the building related permit fees, required under W.M.C. Section 11-10-3 (E), excluding water and sewer tap fees, collected from the Rozek Company in connection with the finish and occupancy of the building at 7981 West 103<sup>rd</sup> Avenue, with a projected move-in date of second quarter 2005. The permit fee rebate shall not exceed \$1,825.

2. Use Tax Rebate- Construction. The City shall rebate to the Rozek Company 50% of the Building Use Tax on the construction materials, collected from the Rozek Company in connection with the tenant finish of 7981 West 103<sup>rd</sup> Avenue in Westminster, required under W.M.C. sections 4-2-9 and 4-2-3. The rebate shall not exceed \$1,875.

3. Sales and Use Tax Rebate- Furniture and Fixtures At Move-In. For a period of 3 months before and 3 months after the Rozek Company obtains the Certificate of Occupancy for the Westminster facility at 7981 West 103<sup>rd</sup> Avenue, the City will rebate 50% of the General Sales and Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) collected on the furnishing and equipment purchased to furnish the new facility. The rebate shall not exceed \$3,000.

4. Payments of Rebates. Rebates will be paid to the Rozek Company by the City in quarterly installments from revenue actually collected and received by the City from the Rozek Company. Payments of each quarterly installment shall be made within 20 days of the calendar quarter end and will be submitted electronically.

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

6. Termination. This Business Assistance Package shall terminate and become void and of no force or effect upon the City if the Rozek Company has not moved into 7981 West 103<sup>rd</sup> Avenue by December 31, 2005 or should the Rozek Company not comply with the City regulations or code.

7. Business Termination. In the event the Rozek Company ceases business operations within the City within three (3) years after the new operations commence, then the Rozek Company shall pay to the City the total amount of fees and taxes that were due and payable by the Rozek Company to the City but were rebated by the City, as well as reimburse the City for any funds provided to the Rozek Company pursuant to this Agreement.

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

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

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

**ROZEK COMPANY**

**CITY OF WESTMINSTER**

\_\_\_\_\_  
Michael Rozek  
President

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

ATTEST:

ATTEST:

\_\_\_\_\_

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

**Adopted by Ordinance No.**



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Councillor's Bill No. 18 re McBride Brothers LLC Business Assistance Package

**Prepared By:** Becky Hogan, Economic Development Program Coordinator

**Recommended City Council Action**

Pass Councillor's Bill No. 18 on first reading authorizing the City Manager to execute and implement the business assistance package (BAP) with McBride Brothers LLC, a Colorado limited liability company. The BAP totals \$2,000, which includes \$500 in permit fee rebates, \$375 in construction use tax rebates, and \$1,125 in equipment sale and use tax rebates at move-in.

**Summary Statement**

- City Council action is requested to pass the attached Councillor's Bill that authorizes the execution of the attached business assistance package with McBride Brothers LLC.
- McBride Brothers LLC is a limited liability corporation for KSI Swiss and McBride Machine Tool Corporation. These companies assemble and distribute precision tool machines.
- McBride Brothers LLC is relocating from Louisville, Colorado to 7160 Irving Street, and purchasing the Rozek Company (formerly MicroTek) building in South Westminster.
- McBride Brothers LLC has been informed that this building falls in the boundaries of the Westminster transit development area, in which redevelopment could occur sometime in future.
- McBride Brothers LLC will employ 6 people at move-in, with average salaries of \$81,000.
- Assistance is based upon the attraction of a new business to Westminster and the addition of primary jobs to the City.

**Expenditure Required:** \$ 2,000 (Rebates)

**Source of Funds:** The business assistance package with McBride Brothers LLC will be funded through revenue received from permit fees, construction use tax, and sales and use tax on furniture, fixtures, and equipment at move-in.

**Policy Issue**

Does Council desire to provide assistance to McBride Brother LLC based on the attraction of new business to Westminster and the additional primary jobs to the City?

**Alternatives**

Do Nothing: One alternative to offering the business assistance package is to offer nothing to this company. Though the City may not lose the project if assistance is not provided, the result would be that the City's value of attracting new businesses and adding primary jobs would not be supported.

Provide Less: Another alternative is to provide less assistance than what is recommended. The recommended assistance package is consistent with other business recruitment packages.

Provide More: A third alternative would be to provide a greater amount of assistance than recommended. There is financial capacity for additional funding. However, it is staff's opinion that additional assistance is not needed, as it is consistent with other business recruitment packages.

**Background Information**

McBride Brothers LLC is currently located in the Colorado Tech Center in Louisville. This company is a limited liability corporation for KSI Swiss and McBride Machine Tool Corporation, who assemble and distribute precision tool machines.

The McBride brothers have been Westminster residents for over 35 years, all whom have graduated from Westminster High School. The family is planning on purchasing the current Rozek Company (formerly MicroTek) building at 7160 Irving, and using the building as corporate offices, as well as an assembly and distribution facility. McBride Brothers LLC is aware that this building is located in a future redevelopment area. They are estimating that the company may outgrow this facility within 3 to 5 years and that the timing could coincide with the redevelopment plans for the future.

The company anticipates beginning a building purchase in April 2005. McBride Brothers LLC will employ 6 people at move-in with an estimated average salary of \$81,000 per year. In five years the company anticipates growth to 12 employees with an annual payroll of approximately \$1.2 million.

It is anticipated that McBride Brothers LLC will generate over \$12,250 of new revenue directly to the City in the first five years of operation. This is based on \$50,000 in tenant finish and \$75,000 in new equipment purchases at move-in.

Based upon these figures, staff recommends the following business assistance package:

**Proposed Assistance**

**Approximate  
Value**

Building Permit-Fee Rebate

\$500

50% of the building related fees (excluding water & sewer tap fees) will be rebated (\$1,000 x 50% = \$500)

Building Use Tax Rebate

\$375

50% of the General Use Tax (excludes the City's .25% open space tax and .6% public safety tax) on construction materials for this project will be rebated (\$50,000 tenant finish x 50% = \$25,000 x 3% = \$750 x 50% = \$375)

Rebates on Sales and Use Tax on Furniture and Fixtures at Move-in \$ 1,125

For a period of 3 months before and 3 months after McBride Brothers LLC obtain the Certificate of Occupancy for the new Westminster facility, the City will rebate 50% of the Sales and General Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) collected on the furnishing and equipment purchased to furnish the new facility (\$75,000 new equipment at move-in x 3% sales and use tax= \$2,250 x 50% = \$1,125)

**Total Proposed Business Assistance Package Not To Exceed \$2,000**

This assistance package is based upon the City's goal to attract new companies and primary jobs. The attraction of this company to the South Westminster site, increases the City's ability to retain this company as they continue to grow in the future.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO. **3202**

COUNCILLOR'S BILL NO. **18**

SERIES OF 2005

INTRODUCED BY COUNCILLORS  
**DIXION - DITTMAN**

**A BILL  
FOR AN ORDINANCE AUTHORIZING A BUSINESS ASSISTANCE PACKAGE  
WITH McBRIDE BROTHERS LLC  
TO AID IN THEIR RELOCATION TO 7160 IRVING STREET  
IN WESTMINSTER, COLORADO**

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

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

WHEREAS, McBride Brothers LLC plans to purchase the building at 7160 Irving Street in Westminster, and

WHEREAS, a proposed Assistance Agreement between the City and McBride Brothers LLC is attached hereto as Exhibit "A" and incorporated herein by this reference.

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

**THE CITY OF WESTMINSTER ORDAINS:**

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

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

Section 3. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 28th day of March 2005.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 11th day of April 2005.

ATTEST:

\_\_\_\_\_  
Mayor

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

## Exhibit A

### BUSINESS ASSISTANCE PACKAGE FOR McBRIDE BROTHERS LLC IN THE CITY OF WESTMINSTER

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2005, between the CITY OF WESTMINSTER (the "City"), and McBRIDE BROTHERS LLC.

WHEREAS, the City wishes to provide certain assistance to McBride Brothers LLC to aid in the retention and expansion of this company to vacant space in the City; and

WHEREAS, McBride Brothers LLC plans to purchase the building at 7160 Irving Street in Westminster, thus providing additional primary job creation within the City; and

WHEREAS, City Council finds the execution of this Agreement will serve to provide benefit and advance the public interest and welfare of the City and its citizens by securing the location of this economic development project within the City.

In consideration of the mutual promises set forth below, the City and McBride Brothers LLC agree as follows:

1. Building Permit Fee Rebates. The City shall rebate to McBride Brothers LLC 50% of the building related permit fees, required under W.M.C. Section 11-10-3 (E), excluding water and sewer tap fees, collected from McBride Brothers LLC in connection with the finish and occupancy of the building at 7160 Irving Street, with a projected move-in date of second quarter 2005. The permit fee rebate shall not exceed \$500.

2. Use Tax Rebate- Construction. The City shall rebate to McBride Brothers LLC 50% of the Building Use Tax on the construction materials, collected from McBride Brothers LLC in connection with the tenant finish of 7160 Irving Street in Westminster, required under W.M.C. sections 4-2-9 and 4-2-3. The rebate shall not exceed \$375.

3. Sales and Use Tax Rebate- Furniture and Fixtures At Move-In. For a period of 3 months before and 3 months after McBride Brothers LLC obtains the Certificate of Occupancy for the Westminster facility at 7160 Irving Street, the City will rebate 50% of the General Sales and Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) collected on the furnishing and equipment purchased to furnish the new facility. The rebate shall not exceed \$1,125.

4. Payments of Rebates. Rebates will be paid to McBride Brothers LLC by the City in quarterly installments from revenue actually collected and received by the City from McBride Brothers LLC. Payments of each quarterly installment shall be made within 20 days of the calendar quarter end and will be submitted electronically.

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

6. Termination. This Business Assistance Package shall terminate and become void and of no force or effect upon the City if McBride Brothers LLC has not moved into 7160 Irving Street by December 31, 2005 or should McBride Brothers LLC not comply with the City regulations or code.

7. Business Termination. In the event McBride Brothers LLC ceases business operations within the City within three (3) years after the new operations commence, then McBride Brothers LLC shall pay to the City the total amount of fees and taxes that were due and payable by McBride Brothers LLC to the City but were rebated by the City, as well as reimburse the City for any funds provided to McBride Brothers LLC pursuant to this Agreement.

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

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

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

**McBRIDE BROTHERS LLC**

**CITY OF WESTMINSTER**

\_\_\_\_\_  
Thomas McBride  
Manager

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

ATTEST:

ATTEST:

\_\_\_\_\_

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

**Adopted by Ordinance No.**





## Agenda Item 10 D, E & F

**WESTMINSTER**  
**COLORADO**

City Council Meeting  
March 28, 2005



**SUBJECT:** Public Hearing re East Bradburn Rezoning, Preliminary Development Plan, and Official Development Plan

**Prepared By:** John Quinn, AICP, Planner II

### **Recommended City Council Action**

1. Hold a public hearing.
2. Adopt Councillor's Bill No. 19 rezoning the East Bradburn property from O-1 Open District to Planned Unit Development. This recommendation is based on the findings set forth in Section 11-5-3 of the Westminster Municipal Code.
3. Approve the Preliminary Development Plan within the East Bradburn Planned Unit Development with the condition that cash-in-lieu of Public Land Dedication be paid to the City in the amount of \$280,800. This recommendation is based on a determination that the findings set forth in Section 11-5-14 of the Westminster Municipal Code have been met.

### **Summary Statement**

- The East Bradburn site is comprised of 10.14 acres of land and is located at the southwest corner of 120<sup>th</sup> Avenue and Lowell Boulevard.
- The project utilizes the traditional mixed use neighborhood principles of development; narrow streets, pedestrian and bicycle orientation, inter-connected streets and block patterns, and a variety of parks oriented to the residents of the neighborhood.
- The East Bradburn project borders the residential portion of the larger Bradburn development that is currently under development to the west.
- The proposed East Bradburn project contains 117 units of single-family, for sale, attached homes in a variety of configurations that blend with, but are distinct in style from the townhomes that have been built in Bradburn.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Planning Commission Recommendation**

At the March 8, 2005 Planning Commission meeting, Planning Commission voted unanimously (6-0) to approve the East Bradburn Official Development Plan within the East Bradburn Planned Unit Development with the condition that cash-in-lieu of Public Land Dedication be paid to the City in the amount of \$280,800. This recommendation is based on a determination that the findings set forth in Section 11-5-15 of the Westminster Municipal Code have been met. The Planning Commission approval is conditional upon the City Council approving the rezoning and the Preliminary Development Plan.

**Policy Issues**

Should the City approve the rezoning of the East Bradburn property from O-1 Open District to Planned Unit Development?

Should the City approve the East Bradburn Preliminary Development Plan within the East Bradburn Planned Unit Development?

Should the City approve the East Bradburn Official Development Plan within the East Bradburn Planned Unit Development?

**Alternatives**

1. Deny the rezoning of the East Bradburn property from O-1 Open District to Planned Unit Development based on the determination that one or more findings set forth in Section 11-5-3 of the Westminster Municipal Code have not been met.
2. Deny the East Bradburn Preliminary Development Plan based on the determination that one or more findings set forth in Section 11-5-14 of the Westminster Municipal Code have not been met.
3. Deny the East Bradburn Official Development Plan based on the determination that one or more findings set forth in Section 11-5-15 of the Westminster Municipal Code have not been met.

**Background Information**

The proposed East Bradburn development is located on the southwest corner of 120<sup>th</sup> Avenue and Lowell Boulevard. The site is comprised of 10.14 acres of land and proposes 117 single-family attached (for sale) homes that will offer three different townhome designs and architectural styles. The plan contains a community clubhouse, swimming pool, and children's play area. The project proposes three neighborhood parks of various sizes. The largest park facility is located adjacent to the intersection of 118<sup>th</sup> Place and Lowell Boulevard adjacent to the Academy of Charter Schools now under construction east of Lowell Boulevard. The park is slightly over one-half an acre and will provide large boulders with a sand base for children to play on, in addition to a large open area surrounded by trees.

Applicant/Property Owner

Kinglet LLC (Foster Site):  
P.O. Box 2396  
Telluride, Colorado 81435-2396

City of Westminster (Open Space)  
4800 W. 92<sup>nd</sup> Avenue  
Westminster, Colorado 80031

A small portion of the site is owned by the City of Westminster. Kinglet LLC is finalizing a purchase and sale agreement for the site that will be presented to City Council for approval in the near future.

Developer:  
Urban Village Management Incorporated  
1530 16<sup>th</sup> Street, Suite 200  
Denver, Colorado 80202

Surrounding Land Use and Comprehensive Land Use Plan Designations

The property to the west is the Bradburn mixed-use development and is designated on the Comprehensive Land Use Plan (CLUP) as Traditional Mixed-Use Neighborhood (TMUND). The property to the north across 120<sup>th</sup> Avenue, is in the City and County of Broomfield, and has a variety of commercial uses. The property to the east across the Lowell Boulevard extension is the Academy of Charter Schools now under construction. The property to the south of 118<sup>th</sup> Place extended is also a part of the Charter School site. The property is designated on the CLUP as Public/Quasi Public. The East Bradburn site is designated in the current CLUP as Traditional Mixed-Use Neighborhood. The site is comprised of 10.14 acres and is vacant.

Site Plan Information

The East Bradburn site is a rectangular parcel of land bounded on the north by 120<sup>th</sup> Avenue, on the east by the extension of Lowell Boulevard, on the south by the extension of 118<sup>th</sup> Place, and on the west by the Bradburn development now under construction. The site is comprised of 10.14 acres and is vacant.

The buildings proposed will be a combination of brick and siding with attention to detailing. Roof breaks are included to provide interest to the elevations. The townhome buildings have a residential scale and the intermittent parks will provide useful recreational spaces for the residents. A variety of brick, paint, and roof colors will be provided.

The landscaping plan for the tree lawns designates a variety of deciduous trees of various species. The buyers of the townhomes that have garages separated from the main building will have the opportunity to select one of three rear yard landscaping packages that will be installed by the developer. All of the home buyers will also have this same option available to select front yard landscaping packages.

Traffic and Transportation

The access to the East Bradburn site is via the extensions of Lowell Boulevard and 118<sup>th</sup> Place that are currently under construction. Both of these streets have center medians that will control turning movements into and out of the adjacent charter school site. The residential units face onto public streets or a park and have alley loaded garages. The interior streets are laid out in a grid system and are purposefully narrow (two-way with parking on one side) to slow traffic and encourage walking and bicycle usage.

Service Commitment Category

City Council awarded a total of 83 Service Commitments to this project as a result of the 2004, TMUND Category B-4 Competition. The 117 dwelling units proposed in this project will require 81.9 Service Commitments.

Public Comments

The public meeting for this proposed development took place on September 16, 2004 at the Front Range Community College. Only one person appeared and that was a representative from the Academy of Charter Schools, the adjoining property owner to the east. There were no negative comments made concerning the design, unit mix or density of the project.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

**BY AUTHORITY**

ORDINANCE NO. **3203**

COUNCILLOR'S BILL NO. 19

SERIES OF 2005

INTRODUCED BY COUNCILLORS  
**HICKS - PRICE**

A BILL

FOR AN ORDINANCE AMENDING THE ZONING LAW AND ESTABLISHING THE ZONING CLASSIFICATION OF CERTAIN DESCRIBED PROPERTY IN A PARCEL OF LAND LOCATED IN SECTION 33, TOWNSHIP 1 SOUTH, RANGE 68 WEST, 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council finds:

- a. That an application for the zoning of the property described below from O-1 Open District to Planning Unit Development zoning has been submitted to the City for its approval pursuant to Westminster Municipal Code Section 11-5-1.
- b. That Council has completed a public hearing on the requested zoning pursuant to the provisions of Chapter 5 of Title XI of the Westminster Municipal Code.
- c. That based on the evidence produced at the public hearing, the City Council finds that the proposed zoning complies with all requirements of City Code, including, but not limited to, the provisions of Westminster Municipal Code Section 11-5-3.
- d. That the proposed zoning is compatible with existing zoning and land uses of adjacent properties in the general vicinity of the property proposed for zoning.
- e. That the proposed zoning is consistent with all applicable general plans and policies concerning land use and development relative to the property proposed for zoning.

Section 2. The Zoning District Map of the City is hereby amended by reclassification of the property described herein from O-1 Open District to Planned Unit Development:

A parcel of land located in the northeast quarter of Section 6, Township 2 South, Range 68 West of the Sixth Principal Meridian, County of Adams, State of Colorado, more particularly described as follows:

Commencing at the northeast corner of said Section 6, whence the north quarter corner thereof bears S89°57'06"W, a distance of 2635.70 feet; thence S00°27'46"E, along the east line of the northeast quarter of said Section 6, a distance of 185.00 feet to a point on the south right-of-way line of West 120<sup>th</sup> Avenue; thence S89°57'06"W, along said south right-of-way line, a distance of 45.00 feet to the northwest corner of Academy of Charter Schools Subdivision, being the point of beginning; thence along the boundary of said Academy of Charter Schools Subdivision, the following three (3) courses:

1. S00°27'46"E, a distance of 684.76 feet to a point of curve;
2. Along a curve to the right having a delta of 90°24'52", a radius of 35.00 feet and an arc length of 55.23 feet to a point of tangent;
3. S89°57'06"W, along said tangent, a distance of 579.24 feet to a point on the west line of the east half of the east half of the northeast quarter of said Section 6;

Thence N00°25'36"W, along said west line, a distance of 720.02 feet to a point on the south right-of-way line of said West 120<sup>th</sup> Avenue; thence N89°57'06"E, along said south right-of-way line, a distance of 614.04 feet to the point of beginning. Containing 442,006 square feet or 10.147 acres more or less.

Section 3. This ordinance shall take effect upon its passage after second reading.

Section 4. 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 28<sup>th</sup> day of March, 2005.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 11<sup>th</sup> day of April, 2005.

ATTEST:

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Mayor

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City Clerk



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Resolution No. 15 re Residential Competition Service Commitment Awards

**Prepared By:** Shannon Sweeney, Planning Coordinator

**Recommended City Council Action**

Adopt Resolution No. 15 awarding Category B-4 Service Commitments to the Village on the Promenade traditional mixed use neighborhood development. This resolution relates to the City’s Growth Management Program and is based on the findings established in Section 11-3-1 of the Westminster Municipal Code.

**Summary Statement**

- The City received five applications (see attached map for locations) for four of the five residential competitions (no single-family detached projects were submitted). One single-family attached (SFA), one multi-family (MF), one senior housing, and two traditional mixed use neighborhood developments (TMUND) were submitted. See the Background section for a summary of each submittal.
- Four of the five applications received requested Comprehensive Land Use Plan (CLUP) amendments in order to change the allowed land use or residential density to accommodate the proposals. Three of the requested amendments were denied or withdrawn earlier this month. Therefore, no award is recommended to the single-family attached, multi-family, and senior housing proposals since the CLUP does not support the proposed requests.
- With the remaining two projects (both in the TMUND category and both proposed in the Promenade), Staff recommends award to the 63-unit Village on the Promenade proposed for the site on the east side of Westminster Boulevard between the Ice Centre and the Westin Hotel. This site is already designated District Center and allows the residential use proposed.
- Staff is withholding a recommendation on the second TMUND project (proposed on the west side of Westminster Boulevard south of the Circle Point office park) to work further with the applicant on a suitable design for that site and has agreed to give the applicant until the end of May to submit an acceptable proposal. Following that, Staff will bring an award recommendation for approval or denial on this project to City Council. This site is designated Business Park and would require a CLUP amendment to District Center.
- The attached resolution awards 32 of the 82 Service Commitments set aside for 2005 and the project does not require additional Service Commitments in future years for this proposal. The award is contingent upon ultimate City approval of any necessary documents and does not commit the City to approve any document or project as a result of this award.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

## **Policy Issue**

As a result of the residential competition process, should the City award Service Commitments as proposed to one new traditional mixed use neighborhood development?

## **Alternative**

Adopt the attached resolution as recommended but deny the Service Commitment award to the second TMUND project and direct Staff not to work further with the applicant. The judging committee did not choose this project for award based on the design of the project, but they did think the site is appropriate for a TMUND project. Staff would like the opportunity to work with the applicant further to address the design concerns and incorporate more of the TMUND design principles listed in the City's design guidelines. If this can be achieved, Staff would plan to bring the project back to City Council with a recommendation of award early this summer.

## **Background Information**

In December 2004, City Council allocated 82 Service Commitments (SCs) in 2005 to be awarded on a competitive basis for the five competition categories as follows:

- 20 SCs (20 new units in 2005) for one new single-family detached (SFD) project
- 18 SCs (25 new units in 2005) for one new single-family attached (SFA) project
- 13 SCs (25 new units in 2005) for one new multi-family (MF) project
- 6 SCs (15 new units in 2005) for one new senior housing project
- 25 SCs (25-50 new units in 2005 depending on unit types) for one new traditional mixed use neighborhood development (TMUND) project

The intent of these SC competitions is for a limited number of new residential projects to proceed to the City's development review process. Any project awarded SCs must process any required documents (including CLUP amendments, if necessary). The City does not require that applications for the competitions comply with the CLUP designation for the site, but a CLUP amendment must be submitted with the application. It is not necessary for projects to process their CLUP amendments prior to the awards. The SC awards do not obligate the City to approve any required plan or document as a result of the award. Should any project not receive approval of any required documents, the SCs are returned to the water supply figures.

This year, the City received a total of five applications for four of the five competitions (no single-family detached applications were submitted). Of the five applications received, four included CLUP amendment applications, and three of these were processed prior to these awards. Two of these proposed amendments were withdrawn and one was denied by City Council, so no awards are recommended for the Reserve at Northridge (SFA), Brookhill Lofts (MF), and the Retreat at Church Ranch expansion (senior housing). Given the decreasing number of development submittals and the limited developable acreage remaining in the City, Staff is going to review with Council over the coming months how effective the Residential Competition Service Commitment Program will be in the future.

Notification letters were mailed to the applicants who submitted projects for these competitions indicating that only one project will be recommended for award on March 28. Because detailed site development plans are not reviewed as part of this competition process, and significant changes typically occur during the development review process, the sketch plans submitted for these competitions are not reviewed with City Council as part of these competitions. Developers of these projects have been informed that presentations will not be scheduled for the City Council meeting on March 28, 2005 since the developers would tend to focus on site plans not yet reviewed with the City. Developers were also notified that, while it is not required for them to attend the City Council meeting, they are welcome to attend.

The table below details each applicant's request. (The shaded project is recommended for award).

RESIDENTIAL COMPETITION SUBMITTALS - 2005						# SCs Requested			
Project Name/Location	Developer	Acres	Units	du/a*	Score	2005	2006	2007	Total
<b>Single-Family Detached Projects:</b>									
no applications received						# SCs available for 2005: 20			
<b>Single-Family Attached Project:</b>									
Reserve at Northridge Park Centre Dr. & 122nd	Centex Homes	14.5	111	7.6	1250	0	42	36	78
<b>TOTALS</b>						<b>0</b>	<b>42</b>	<b>36</b>	<b>78</b>
						# SCs available for 2005: 18			
<b>Multi-Family Project:</b>									
Brookhill Lofts NWC 90th & Vance	Sullivan Hayes	3.2	96	30	3650	48	0	0	48
<b>TOTALS</b>						<b>48</b>	<b>0</b>	<b>0</b>	<b>48</b>
						# SCs available for 2005: 13			
<b>Senior Housing Project:</b>									
Retreat at Church Ranch Expan. NEC 102nd & Wadsworth Blvd.	Jeffrey Williams	2.8	23	11	975	6	2.5	0	8
<b>TOTALS</b>						<b>6</b>	<b>2.5</b>	<b>0</b>	<b>8</b>
						# SCs available for 2005: 6			
<b>Traditional Mixed Use Neighborhood Development Projects:</b>									
1. The Village Promenade West of Westminster Boulevard	Lauth Dev.	15	472	43.8	n/a	25	100	111	236
2. Village on the Promenade East of Westminster Boulevard	Fullerton Company	1.05	63	60	n/a	32	0	0	32
<b>TOTALS</b>						<b>57</b>	<b>100</b>	<b>111</b>	<b>268</b>
						# SCs available for 2005: 25			
						<b>Total #SCs recommended for award: 32</b>			
						<b>Total #SCs allocated for 2005: 82</b>			

\*dwelling units per acre

Each competition and additional information about each submittal is detailed below:

**Single-Family Attached**

The Reserve at Northridge proposed by Centex Homes included 111 single-family attached units on a 14.5-acre site north of 122<sup>nd</sup> Avenue at Park Centre Drive in the Northridge development at Park Centre. Residential uses are not currently permitted in this location that is designated Business Park on the CLUP. Earlier this month, Planning Commission recommended denial and City Council denied the CLUP amendment request to allow residential on this site in order to follow the goals and policies within the CLUP related to preserving the employment-generating business park areas in the City. Therefore no award is recommended to this project since the site does not allow residential uses.



**Multi-Family**

The Brookhill Lofts project, originally submitted in 2004 and rejected in the competition process, was resubmitted for the 2005 competition with a request for a new CLUP category allowing 30 dwelling units per acre. The site currently permits a maximum of eight dwelling units per acre. This new category proposed was discussed with City Council on February 28, and Council directed Staff not to pursue a new category since the CLUP already permits higher densities in district centers, transit-oriented developments, and TMUND areas. The developer was notified of this direction and withdrew their request for the CLUP change. Because the CLUP does not permit this density level on this site, no award is recommended.

Although the City had previously requested changes to the site plan in the 2004 competition in order to conform to the City's minimum design guidelines, the developer (Sullivan Hayes) re-submitted the project without the requested changes.

**Senior Housing**

The Retreat at Church Ranch was submitted as a proposed expansion of the existing assisted care facility at the northeast corner of 102<sup>nd</sup> Avenue and Wadsworth Boulevard. Because the density of the existing project is eight dwelling units per acre, and an application was submitted for a 23-unit addition, a CLUP amendment for an R-18 designation up to 18 dwelling units per acre was requested. The site was built prior to the design guidelines currently in place for senior housing projects, and the existing site does not meet the City's minimum requirements for open space area. The expansion area of the proposal would further reduce the open area on the site, so Staff did not support the request for increased density on the site. The developer withdrew their application for the R-18 request, and because the site is already built at the maximum eight dwelling units per acre, no award is recommended.

**Traditional Mixed Use Neighborhood Development**

Because the TMUND competition is not based on a point system and is instead judged by a design jury, the judging committee used the criteria established in the City's TMUND Guidelines to evaluate the two projects. These design elements include: a compact and walkable community, a mixed-use center, a pedestrian-oriented district, interconnected street/block patterns, narrow streets, and a variety of parks.

The jury consisted of five outside panelists, with extensive backgrounds with these types of communities in the Denver metro area, and seven City staff members who have been involved in the review of the Bradburn project. The outside design jury members included:

- Arlo Braun: Architect who has designed most of the houses and civic buildings in the Belle Creek New Urbanism project in Adams County and homes in the Stapleton redevelopment project as well as in Bradburn.
- Tim Van Meter: Architect who assisted the City in developing the Traditional Mixed-Use Neighborhood Development Guidelines. In addition, he has been involved with New Urbanism projects in other parts of the country.
- Heidi Majerik: Civil engineer and the Residential Development Manager for Forest City Stapleton Inc., the master developers for the Stapleton development.
- Tom Lyon: Principal with Wolff-Lyon Architecture and designer of the East Bradburn project. This firm has been involved in residential and office/retail developments at Stapleton and in Boulder.
- Mark Johnson: Principal and founder of Civitas who has extensive urban design involvement with Stapleton, Lowry, Belmar, and Bradburn. Civitas has also been involved in several Denver redevelopment projects.

The design jury highly recommended the Village on the Promenade project proposed by the Fullerton Company for the vacant site in the Promenade between the Westin Hotel and the Ice Centre. The jury did not believe the second project (The Village Promenade proposed by Lauth Development for the west side of Westminster Boulevard south of the Circle Point office park) included a sufficient number of the TMUND criteria to be recommended for approval but did believe that a traditional mixed use neighborhood project on that site was a good idea. The jury had numerous suggestions for redesign of the site, and if City Council supports Staff working further with the applicant, the developer would be asked to incorporate those recommendations and enhancements in the design. Below are summaries of the two projects as submitted. Because the names of both projects are so similar and both are located in the Promenade area, the developer name is indicated in parentheses for each.

Village on the Promenade (Fullerton Company): This project is proposed on a 1.05-acre site between the Westin Hotel and the Ice Centre in the Promenade. The application requests five stories of multi-family residential (a total of 63 multi-family units) built above first-floor retail with underground parking. (This proposal does not exceed the height of the office building currently approved for the site). The developer requests all 32 Service Commitments needed for the project in 2005. The CLUP is designated District Center and permits the mixture of proposed uses. While the 32 SCs requested is more than the 25 set aside for the competition, these additional seven SCs could be accommodated since no other projects are recommended for award at this time. An additional 50 SCs were set aside and are available from the other competitions where no award is recommended.

The Village Promenade (Lauth Development): This application proposes a total of 472 multi-family units (236 Service Commitments) on a 15-acre site on the west side of Westminster Boulevard just south of the Circle Point development to be constructed over a three-year period (2005-2007). The project also consists of three acres of office and 5.6 acres of private open space. The site is currently designated Business Park and a CLUP amendment change to District Center is requested to permit residential on the property.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments:

Resolution 15 Category B-4 Competition and Service Commitment Awards  
Vicinity Map

RESOLUTION

RESOLUTION NO. **15**

INTRODUCED BY COUNCILLORS

SERIES OF 2005

**PRICE - DIXION**

**CATEGORY B-4 (NEW TRADITIONAL MIXED-USE NEIGHBORHOOD DEVELOPMENT)  
COMPETITION AND SERVICE COMMITMENT AWARDS**

WHEREAS, the City of Westminster has adopted by Ordinance No. 2848 a Growth Management Program for the period 2000 through 2010; and

WHEREAS, the goals of the Growth Management Program include balancing growth with the City's ability to provide water and sewer services, preserving the quality of life for the existing Westminster residents, and providing a balance of housing types; and

WHEREAS, within the Growth Management Program there is a provision that Service Commitments for residential projects shall be awarded in Category B-4 (new traditional mixed-use neighborhood development) on a competitive basis through criteria adopted periodically by resolution of the City Council and that each development shall be ranked within each standard by the degree to which it meets and exceeds the said criteria; and

WHEREAS, the City's ability to absorb and serve new traditional mixed-use neighborhood development is limited, and the City of Westminster has previously adopted Resolution No. 71, Series of 1999, specifying the various standards for new traditional mixed-use neighborhood development projects based upon their relative impact on the health, safety and welfare interests of the community, and has announced to the development community procedures for weighing and ranking projects prior to receiving the competition applications; and

WHEREAS, the City of Westminster has previously allocated 25 Service Commitments for the year 2005 for use in servicing one new traditional mixed-use neighborhood project based on the criteria set forth in Section 11-3-1 of the Westminster Municipal Code; and

WHEREAS, two applications were received for the traditional mixed-use neighborhood development competition with a total of 268 Service Commitments requested over the next three years for the total build-out of the 535 total residential units proposed; and

WHEREAS, a design jury evaluated the two proposals and highly recommended award to the Village on the Promenade project proposed by the Fullerton Company for the vacant site in the Promenade between the Westin Hotel and the Ice Centre.

NOW, THEREFORE, be it resolved by the City Council of the City of Westminster, that:

1. Category B-4 Service Commitment awards are hereby made to the specific projects listed below as follows:

<u>Project</u>	<u>Location</u>	<u>2005/Total</u>
Village on the Promenade	E. of Westm. Bl. between Westin Hotel and Ice Centre	32

2. These Service Commitment awards to the projects listed above are conditional and subject to the following:

- a. For each project, the applicant must complete and submit proposed development plans to the City for the required development review processes.
- b. Service Commitment awards for the projects listed above, if approved by the City, may only be used within the projects specified above.
- c. These Service Commitment awards shall be subject to all of the provisions specified in the Growth Management Program within Chapter 3 of Title XI of the Westminster Municipal Code.

- d. Each Service Commitment award is conditional upon City approval of each project listed above and does not guarantee City approval of any project, proposed density, and proposed number of units.
  - e. The City of Westminster shall not be required to approve any Comprehensive Land Use Plan amendment, Preliminary Development Plan or amendment, Official Development Plan or amendment, or rezoning action necessary for development of property involved in this Category B-4 award nor shall any other binding effect be interpreted or construed to occur in the City as a part of the Category B-4 award.
  - f. Any and all projects that do not receive City approval are not entitled to the Service Commitment awards, and the Service Commitments shall be returned to the water supply figures.
  - g. The Growth Management Program does not permit City Staff to review any new residential development plans until Service Commitments have been awarded to the project. During the competition process the City Staff does not conduct any formal or technical reviews of any sketch plans submitted by applicants. It should be expected that significant changes to any such plans will be required once the City's development review process begins for any project.
  - h. Awards shown for the year 2005 are effective as of the date of this Resolution (March 28, 2005). Future year awards are effective as of January 1 of the specified year and cannot be drawn prior to that date. If fewer Service Commitments are needed for a project in any given year, the unused amount in that year will be carried over to the following year(s) provided the Service Commitments have not expired.
  - i. In order to demonstrate continued progress on a project, the following deadlines and expiration provisions apply:
    - 1) The project must proceed with the development review process and receive Official Development Plan approval by December 31, 2008, or the entire Service Commitment award for the project shall expire.
    - 2) The project must be issued at least one building permit within one year of Official Development Plan approval, or the entire Service Commitment award for the project shall expire.
    - 3) Following the issuance of the first building permit for the project, all remaining Service Commitments for a project shall expire if no building permit is issued for the project during any consecutive 12-month period.
  - j. If Service Commitments are allowed to expire, or if the applicant chooses not to pursue the development, the Service Commitment award shall be returned to the Service Commitment supply figures. The award recipient shall lose all entitlement to the Service Commitment award under those conditions.
  - k. This award resolution shall supersede all previous Service Commitment award resolutions for the specified project locations.
3. The Category B-4 Service Commitment awards shall be reviewed and updated each year. If it is shown that additional or fewer Service Commitments are needed in the year specified, the City reserves the right to make the necessary modifications.

Passed and adopted this 28th day of March, 2005.

ATTEST:

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**Subject:** Resolution No. 16 re Conveyance of City-owned Property at 7000 King Street Known as the “Guildner” Property to the Westminster Housing Authority

**Prepared By:** Tony Chacon, Senior Projects Coordinator

**Recommended City Council Action:**

Adopt Resolution No. 16 authorizing the City Manager to sign the necessary legal documents to convey a parcel of City owned property to the Westminster Housing Authority, such property being located at 7000 King Street adjacent to Little Dry Creek and commonly referred to as the “Guildner” property.

**Summary Statement**

- In 2001, the City was awarded a Brownfields grant from the U.S. Environmental Protection Agency (EPA) to assess and prepare plans for cleanup of contaminated property in south Westminster.
- In 2002, the City found environmental contaminants on the “Guildner” and “Heffley” properties (Site) along Little Dry Creek, and proceeded to negotiate a cleanup and acquisition of the properties.
- The City acquired the 4.7 acre “Guildner” parcel in 2002 in preparation for redevelopment opportunity by clearing the property of environmental contaminants and dilapidated structures.
- The Westminster Housing Authority (WHA) purchased the adjacent Heffley property in August 2004 to coordinate cleanup activities with the “Guildner” property.
- On February 14, 2005 the WHA Board authorized staff to proceed with securing a loan from the Colorado Brownfields Revolving Loan Fund (CBRLF) to provide funding for the remediation and demolition efforts on both properties. Pursuant to the loan agreement with the CBRLF, the WHA agreed to secure the loan using the property as collateral.
- Given the loan will be in the name of the WHA and a portion of the cleanup site (Guildner property) is in the ownership of the City, the CBRLF is requesting that the “Guildner” property be under the ownership of the WHA.
- The City would convey the “Guildner” property at no cost to the WHA, at which time the WHA would complete the remediation activity to the site. The WHA would hold title to the property until the loan collateral requirement is satisfied, at which time the City could request the site be transferred back to the City.
- The site will serve as collateral against the CBRLF until such time as loan is repaid or renegotiated.

**Expenditure Required:** \$0

**Source of Funds:** N/A

### **Policy Issue**

Should the City convey City-owned land to the WHA to assist in the environmental cleanup of blighted property owned by the City and the WHA along Little Dry Creek?

### **Alternative**

The City could choose to not convey the property to the WHA. Staff recommends this alternative not be considered as it could affect the ability of the WHA to secure a loan from the CBRLF, which is necessary to complete the environmental remediation and structural demolition upon the site.

### **Background Information**

Improving the southern gateways into the City of Westminster is a priority strategy within the South Westminster Strategic Revitalization Plan, approved by City Council in 2000. Staff, with the concurrence of the City Council, worked with property owners along Little Dry Creek between Federal Boulevard and Lowell Boulevard to clean up environmental problems and eliminate blight through the demolition of structures. As part of this process, the City and the WHA collectively acquired the property owned by the Guildner and the Heffley families, in preparation for possible redevelopment opportunity. The City acquired the "Guildner" property in 2004, and WHA acquired the Heffley property that same year.

Environmental assessments conducted upon the properties using a U.S. EPA Brownfield's grant found that both properties had contaminant levels requiring remediation. In addition, both properties had several buildings beyond repair and requiring demolition. Based upon its participation in the Brownfield's program, the City and WHA were eligible to seek funds for the environmental cleanup from the CBRLF. Upon receiving State approval for the cleanup from the State of Colorado Department of Public Health and Environment (CDPHE) through the Voluntary Cleanup Program (VCUP), the WHA and City proceeded to discuss a loan from the CBRLF. Based upon these discussions, the CBRLF offered a loan given the following stipulations:

- The loan amount is \$390,000. If additional funds are needed or efforts unearth other environmental conditions, the loan amount may be increased;
- The interest would be set at 2% fixed rate;
- The loan would be amortized over a 20 year period;
- No payment would be made in first two years. Annual payments of about \$25,000 would begin in 2007;
- A balloon payment of about \$260,000 would be due in 2015. The WHA would have the ability to restructure repayment of the balance due if so desired;
- The loan can be prepaid without penalty; and,
- The loan would be secured by the land as collateral.

On February 14, 2005, the WHA Board authorized Staff to proceed with finalizing the loan documents for the Executive Director's signature. Upon preparing the necessary documentation, the CBRLF advised the WHA that only a portion of the site, being the "Heffley" property, was actually in the ownership of the WHA. The balance of the site was owned by the City of Westminster. Given the entire site is to serve as the necessary collateral, the CBRLF is requesting that all of the property be held in ownership of the WHA to which the loan would be made. Upon receiving the loan, the WHA will complete the environmental remediation and structural demolition and removal.

**SUBJECT:** Conveyance of 7000 King Street to WHA

Page 3

By proceeding with the cleanup of these properties, the City will be better able to pursue prospective developers for the area adjacent to Little Dry Creek and the south Westminster transit oriented redevelopment area immediately north of the adjacent railroad tracks. Several prospective homebuilders have indicated an interest in pursuing a project in the immediate area at such time that some of the blighted conditions are remedied.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **16**

INTRODUCED BY COUNCILLORS

SERIES OF 2005

**DITTMAN - HICKS**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO CONVEY A PARCEL OF CITY OWNED PROPERTY AT 7000 KING STREET IN ASSOCIATION WITH THE ENVIRONMENTAL REMEDIATION AND STRUCTURAL DEMOLITION ON THE GUILDNER/HEFFLEY PROPERTY**

WHEREAS, the Westminster Housing Authority and City of Westminster collectively acquired seven acres of land along Little Dry Creek between Lowell Boulevard and Federal Boulevard referred to as the Guildner/Heffley site; and,

WHEREAS, the property referred to as the Heffley/Guildner site has known environmental contaminants requiring remediation, and abandoned buildings that are structurally unsafe and a haven for undesirable, unsanitary, and illegal activity; and,

WHEREAS, the City of Westminster in partnership with the Westminster Housing Authority has expended significant resources to conduct environmental assessment of the property in anticipation of remediation and demolition activity; and,

WHEREAS, the Westminster Housing Authority desires to work with the City of Westminster to prepare the site in support of transit related redevelopment which includes an affordable housing and community park element; and,

WHEREAS, the City has received approval from the State of Colorado relative to moving forward with the environmental remediation and structural demolition in accordance with an accepted Voluntary Cleanup Plan (VCUP), and the Westminster Housing Authority has secured a loan commitment from the Colorado Brownfields Revolving Loan Fund (CBRLF) in the amount of \$390,000 for the cleanup of the site; and,

WHEREAS, the CBRLF has requested the City transfer title to property located at 7000 King Street, more particularly described below, to the Westminster Housing Authority, for the purposes of providing the necessary land collateral for securing the loan from the CBRLF.

NOW, THEREFORE, be it resolved that the Westminster City Council authorizes the City Manager to execute documents necessary to convey to the Westminster Housing Authority the parcel of City owned property located at 7000 King Street, described as follows:

Parcel A:

Lots 1, 2 and 3 in Block 1, together with the 50 foot private road, Guildner Industrial Tract, according to the plat thereof recorded January 2, 1974 under File No. 14, Map No. 95, County of Adams, State of Colorado.

Parcel B:

A tract of land located in the SW 1/4 NW 1/4 of Section 5, Township 3 South, Range 68 West of the 6th P.M., described as follows:

Beginning at a point 569.2 feet East and 16.3 feet South of the Northwest corner of said SW 1/4 NW 1/4; thence South 01°15' West and parallel to the West line of said SW 1/4 NW 1/4, a distance of 477.9 feet to the True Point of Beginning; thence continuing South 01°15' West and parallel to the said West line a distance of 75.00 feet to a point on the North line of West 69th Avenue, as dedicated by the record plat of Lindie Heights Subdivision, extended; thence North 89°56' East along said North line extended and the North line of said West 69th Avenue, a distance of 75.00 feet; thence North 01°15' East and parallel with the West line of said SW 1/4 NW 1/4, a distance of 75.00 feet; thence South 89°56' West and parallel to the North line of said West 69th Avenue, a distance of 75.00 feet to the True Point of Beginning, County of Adams, State of Colorado.

APPROVED AND ADOPTED THIS 28<sup>th</sup> DAY OF MARCH 2005.

ATTEST:

\_\_\_\_\_  
Mayor

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





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
March 28, 2005



**SUBJECT:** Councillors Bill No. 20 re Approval of City Council Allowance

**Prepared By:** Barbara Opie, Assistant to the City Manager

**Recommended City Council Action**

Adopt Councillors Bill No. 20 on first reading that provides City Council a monthly allowance in the amount of \$200/month for Councillors and Mayor Pro Tem and \$250/month for the Mayor to cover cell phone, internet service, fax line and car expenses (i.e., local commuting costs), effective November 14, 2005. The monthly allowance will include an automatic adjustment every two years in concert with the adoption of the two-year budget and tied to the Denver-Boulder Consumer Price Index.

**Summary Statement**

In following up from the March 21, 2005, Study Session discussion concerning the proposed monthly allowance for City Council, Staff is recommending that City Council take a comprehensive approach and implement a monthly allowance system that addresses the cell phone and internet service as well as incorporates fax line and car usage. Per Council direction, Staff is proposing a different monthly allowance level for the Mayor as noted in the recommendation above.

A monthly allowance system is very beneficial in that it will significantly simplify administrative work for both Staff and City Council.

**Expenditure Required:** \$2,272

**Source of Funds:** General Fund, City Council Budget and 2004 Carryover Funds for 2005

### **Policy Issues**

- Does City Council wish to implement an allowance (cell phone, internet service, fax line and car use) for the Councillors, Mayor Pro Tem and Mayor rather than reimbursing for actual expenses?
- Does City Council wish to implement a different monthly allowance rate for the Mayor from the Councillors and Mayor Pro Tem (i.e., \$250/month for the Mayor versus \$200/month for Councillors and Mayor Pro Tem)?

### **Alternatives**

- Direct Staff to identify an alternative amount for the allowance for cell phone, internet service, fax line and car use.
- Direct Staff to proceed with an allowance amount for cell phone and internet service only.
- Maintain the status quo and do not implement an allowance. Staff does not recommend this approach due to the cumbersome and time consuming paperwork required to submit allowance payments for cell phone and internet service for both City Council and Staff alike (both in the City Manager's Office and Finance).

### **Background Information**

At the December 6, 2004 Study Session, City Council reviewed options for internet service providers. City Council members are currently provided an allowance to cover the expense of their basic internet service, which averages \$25/month. The Information Technology Department conducted research on higher speed internet options for City Council, including DSL and broadband services. At this meeting, Council provided direction for Staff to pursue broadband service for Council members and identify other funding options for the initial capital outlay and ongoing expenses associated with this option.

At the January 24, 2005 Post City Council meeting, Staff presented to City Council the proposal to move to a comprehensive monthly allowance to cover the expenses incurred by Councillors for cell phone, internet access, fax line and car use (i.e., local commuting costs), and eliminate the paperwork required by City Council and Staff. The original proposal totaled \$164/month per Councillor, which included \$35 for cell phone, \$43 for internet service, \$33 for fax line and \$53 for car use.

Based on the fact that the original \$164/month did not reflect City Council's actual usage as closely, City Council directed Staff to revisit the proposed allowance rate, taking into consideration higher car usage and high-speed internet service costs. At the March 21, 2005 Study Session, Staff brought back, based on this direction and further review of Council expenses, the proposal for a monthly allowance of \$200/month, which includes \$53/month for internet service \$79/month for vehicle usage, \$33 for fax line and \$35 for cell phone use. Staff believes that this dollar amount is more in line with actual Council expenses incurred for these items.

At the March 21 Study Session, Council directed Staff to bring back a proposal differentiating the Mayor's monthly allowance based on the additional duties that position has, such as membership on and attending DRCOG's Board of Directors, US 36 Mayor and Commissioners Coalition (US 36 MCC), etc.. Based on feedback provided at that Study Session, Staff is proposing the differential be based on the current difference between the Councillors' and Mayor's monthly salary, which is \$200 (Councillors receive \$800/month and the Mayor receives \$1,000/month salary). This amount equates to a 25% differential between salaries. Using the 25% difference and applying that amount to the proposed monthly allowance of \$200/month, Staff is proposing that the Mayor's allowance be \$250/month to compensate the additional duties required of the Mayor. The Mayor Pro Tem would remain at the same level as the Councillors based on Council direction provided at the Study Session.

The attached ordinance will make the allowance effective November 14, 2005 after the City Council election. By having the effective date be after the November elections, this new allowance for costs incurred as a Council member will be handled as an adjustment to City Council's compensation and done

according to City Charter Section 4.3, which states that Council may not increase nor decrease their compensation during the current term of office, except members whose terms do not expire at the next regular City election.

Since this allowance is intended to cover costs associated with being a Council member and these costs will increase over time, Staff is proposing that the allowance be automatically adjusted in the years associated with the development of the two-year budget. Staff is recommending that the allowance be tied to the Denver-Boulder Consumer Price Index (CPI) and be automatically adjusted according to the current CPI when the budget is developed. For example, when Staff begins developing the 2007/2008 Budget, the current CPI for 2006 will be applied to the Mayor Pro Tem and Councillors' \$200/month allowance and that allowance would be adjusted accordingly. So if the CPI is 2.5% in 2006, then City Council's allowance would increase by \$5.00/month for both the 2007 and 2008 budget years. The allowance would then be adjusted again as part of the development process for future budgets. Staff is recommending that this language be incorporated into the ordinance, eliminating the need to revisit the monthly allowance each budget cycle. The same biennial CPI adjustment would occur to the Mayor's monthly allowance.

The car use allowance is intended to cover commuting expenses (bus, personal vehicle use, light rail, etc.) within the Denver metropolitan area as defined by those counties included within the Denver Regional Council of Governments (DRCOG) (i.e., Adams, Arapahoe, Boulder, Broomfield, Clear Creek, Denver, Douglas, Gilpin, and Jefferson Counties). Use of personal vehicle for travel outside of the DRCOG counties will be considered a reimbursable expense at the rate equal to that allowed by the Internal Revenue Service. For example, if a Councillor attends the Colorado Municipal League's Annual Conference in Vail and uses his/her personal vehicle to travel to the conference, then the mileage for that trip is reimbursable and not counted against the monthly allowance.

If Council concurs with the allowance (cell phone, internet service, fax line and car use) at the proposed rate of \$200/month for Mayor Pro Tem and Councillors and \$250/month for Mayor, the total annual cost will be \$17,400. In addition, as noted in previous Staff Reports, the one time hardware for broadband installation costs is \$1,225 for 7 Council members. With an implementation date of November 14, the allowance would cost a total of \$2,272 for the remainder of 2005.

The total impact to the 2005 budget for these adjustments totals \$4,890 <sup>(1)</sup> as calculated below:

New broadband installation costs (one-time hardware purchases) <sup>(1)</sup>	\$1,225
New broadband internet service costs (\$53/month * 11 months * 7 Councillors)	\$4,081
Existing cell phone allowance (\$35/month per Councillor)	\$2,940
Projected fax line costs (averaging \$33/month in 2004 per Councillor)	\$2,772
Projected mileage costs (\$1,800 budgeted for 7 Councillors based on expenditure history)	\$1,800
PROPOSED new monthly allowance (\$200/mo Councillors & Mayor Pro Tem; \$250/mo Mayor) (approximately 1.5 months in 2005) <sup>(1)</sup>	\$2,272
<b>TOTAL REVISED COSTS</b>	<b>\$15,090</b>
Internet service budget (\$25/month included in City Council's 2005 Budget)	\$2,100
Cell phone allowance budget (\$35/month per Councillor)	\$2,940
Fax line budget (\$40/month per Councillor)	\$3,360
Mileage budget (included in City Council's 2005 Budget)	\$1,800
<b>TOTAL BUDGETED COSTS</b>	<b>\$10,200</b>
<b>Difference between revised and budgeted costs <sup>(1)</sup></b>	<b>- \$4,890</b>

<sup>(1)</sup> In the March 21, 2005 Staff Report, the proposed new monthly allowance estimated for the balance of 2005 was incorrect; it was listed as \$3,419. This amount included the new broadband installation costs of \$1,225, thus double counting that amount in calculating the total difference between budgeted and revised costs. The figures in the chart above reflect this correction as well as the adjustment to the Mayor's proposed allowance.

City Council's 2006 Adopted Budget includes \$2,000 for mileage, \$2,940 for cell phone, \$3,360 for fax lines and \$2,100 for internet service for a total of \$10,400 budgeted for these expenses. As previously noted, the annual cost associated with the proposed new allowance totals \$17,400 at the rate of \$200/month per Councillor/Mayor Pro Tem and \$250/month for the Mayor. Therefore, City Council's Adopted 2006 Budget is currently \$7,000 short.

For 2005, Staff is recommending that the anticipated shortfall of \$4,890 between Council's budget and the anticipated expenses be covered with carryover funds from 2004 when these are appropriated later this year. The 2006 cost will be addressed as part of the 2006 Budget amendment process this fall.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO. **3204**

COUNCILLOR'S BILL NO. **20**

SERIES OF 2005

INTRODUCED BY COUNCILLORS

**PRICE - HICKS**

A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER MUNICIPAL CODE CONCERNING SALARIES FOR ELECTIVE OFFICERS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title I, Chapter 7, W.M.C., is hereby AMENDED to read as follows:

**1-7-1: ELECTIVE OFFICERS:** The salaries of the City's elective officers shall be as follows:

Mayor	\$1,000 per month
Mayor Pro Tem, elected by Council	\$ 900 per month
Councillors, other than Mayor or Mayor Pro Tem	\$ 800 per month

THE CITY'S ELECTIVE OFFICERS SHALL RECEIVE AN ADDITIONAL MONTHLY ALLOWANCE FOR EXPENSES RELATED TO THE PERFORMANCE OF THEIR RESPECTIVE DUTIES. COMMENCING JANUARY 1, 2007, THE ALLOWANCE SHALL BE ADJUSTED, AND BIENNIALLY THEREAFTER EACH JANUARY 1, BY THE THEN CURRENT DENVER/BOULDER CONSUMER PRICE INDEX, ROUNDED TO THE NEAREST WHOLE DOLLAR. THIS ALLOWANCE SHALL BE IN LIEU OF ANY REIMBURSEMENT TO WHICH THE MAYOR, MAYOR PRO TEM OR COUNCILLOR MAY OTHERWISE BE ENTITLED TO FOR INTERNET SERVICE, FAX COMMUNICATIONS, CELL PHONE USAGE, AND LOCAL COMMUTING COSTS, INCLUDING MILEAGE FOR ATTENDANCE AT MEETINGS AND CONFERENCES LOCATED WITHIN THE DENVER METROPOLITAN AREA AS DEFINED BY THE COUNTIES INCLUDED WITHIN THE DENVER REGIONAL COUNCIL OF GOVERNMENTS (DRCOG).

THE ALLOWANCES SHALL BE AS FOLLOWS:

MAYOR	\$250 PER MONTH
MAYOR PRO TEM AND COUNCILLORS	\$200 PER MONTH

In addition, the City shall contribute to the City deferred compensation accounts of each such officer an amount equal to the officer's City deferred compensation contributions. The combined contributions from the City and the elective officer shall be subject to all applicable I.R.S. regulations, but in no event shall such combined contributions from the City and the elective officer exceed 25% of the officer's total City salary.

Section 2. This ordinance shall take effect on November 14, 2005.

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 28 day of March, 2005.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 11<sup>th</sup> day of April, 2005.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_

City Clerk

## Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, March 28, 2005. Mayor McNally, Councillors Dittman, Dixon, Hicks, Kauffman, and Price were present at roll call. Councillor Davia was absent.

The minutes of the March 14, 2005 meeting were approved.

Council proclaimed the week of April 10 to be City of Westminster Crime Victims' Week.

Council approved the following: February 2005 Financial Report; contract to replace the utility billing system; purchase of replacements for specific trucks and public safety vehicles; Table Mountain Animal Center annual assessment; IGA with Jefferson County re prisoner transport; Strasburg Natural Resource Farm Mobile Pivot Irrigation System bids; Bull Canal Reclaimed Waterline construction contract; 2005 Slurry Seal Project contract; 2005 Chipseal Project contract; Huron Street and West 128<sup>th</sup> Avenue engineering design contract; and East Bradburn PDP and ODP.

A public hearing was held re the East Bradburn rezone, PDP and ODP.

The following Councillors' Bills were passed on first reading.

A BILL FOR AN ORDINANCE AUTHORIZING A BUSINESS ASSISTANCE PACKAGE WITH THE ROZEK COMPANY TO AID IN THEIR RELOCATION TO 7981 WEST 103TH AVENUE IN CHURCH RANCH BUSINESS CENTER IN WESTMINSTER, COLORADO

A BILL FOR AN ORDINANCE AUTHORIZING A BUSINESS ASSISTANCE PACKAGE WITH McBRIDE BROTHERS LLC TO AID IN THEIR RELOCATION TO 7160 IRVING STREET IN WESTMINSTER, COLORADO

A BILL FOR AN ORDINANCE AMENDING THE ZONING LAW AND ESTABLISHING THE ZONING CLASSIFICATION OF CERTAIN DESCRIBED PROPERTY IN A PARCEL OF LAND LOCATED IN SECTION 33, TOWNSHIP 1 SOUTH, RANGE 68 WEST, 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO

A BILL FOR AN ORDINANCE AMENDING THE WESTMINSTER MUNICIPAL CODE CONCERNING SALARIES FOR ELECTIVE OFFICERS

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

A BILL FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN

Council adopted Resolution No.15 re Residential Competition Service Commitment Awards and Resolution No. 16 re conveying City-owned property (Guildner) to WHA.

At 7:50 p.m. the meeting was adjourned

By order of the Westminster City Council  
Linda Yeager, MMC, City Clerk  
Published in the Westminster Window on April 7, 2005

SERIES OF 2005

INTRODUCED BY COUNCILLORS  
**DITTMAN - DAVIA**

A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN

WHEREAS, the owner of the property described below has requested an amendment to the City's Comprehensive Land Use Plan to change the designation for said property from Business Park to R-8 Residential ; and

WHEREAS, the Planning Commission has reviewed the proposed amendment and has recommended approval to the City Council.

NOW THEREFORE, the City Council hereby finds that the requested amendment will be in the public good and in compliance with the overall intent of the Comprehensive Land Use Plan.

Section 1. The City Council authorizes City Staff to make the necessary changes to the maps and text of the Westminster Comprehensive Land Use Plan which are necessary to alter the designation of the Retreat at Church Ranch property from Business Park to R-8 Residential, legally described as follows: A parcel of land being a portion of Church Ranch Home Place P.U.D., as recorded at Reception No. 88080484, situated in the northeast quarter of Section 14, Township 2 South, Range 69 West of the Sixth Principal Meridian, City of Westminster, County of Jefferson, State of Colorado, and being more particularly described as follows:

Commencing at the north quarter corner of said Section 14: Thence S04°44'56", a distance of 1,322.43 feet to a point on the northerly line of said Church Ranch Home Place P.U.D. and the southerly line of Tract 57D of Mandalay Gardens as recorded at Reception No. 194693, said point also being the point of beginning; thence N89°48'31"E, along northerly line of said P.U.D. and southerly line of said Tract 57D, a distance of 439.62 feet; thence leaving said northerly and southerly line, S01°04'20"W, a distance of 281.44 feet; thence N89°53'57"W, a distance of 439.58 feet; thence N01°04'20"E, along a line which is the easterly right-of-way of Olde Wadsworth Boulevard, a distance of 279.30 feet to the point of beginning.

Parcel contains 123,619 square feet or 2.83 acres more or less.

Section 2. Severability: 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 deemed unenforceable shall not affect any of the remaining provisions.

Section 3. This ordinance shall take effect upon its passage after second reading.

Section 4. 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 14<sup>th</sup> day of March, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of March, 2005.