



WESTMINSTER
COLORADO

APRIL 10, 2000
7:00 P.M.
AGENDA

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

Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Presentations
 - A. Employee Service Award Recognition for 10, 15, 20, and 25 years of service
 - B. Proclamation re Arbor Day/Earth Day/Tree City USA Activities April 21st
 - C. Proclamation re Victim Rights Week April 9-15
 - D. Certificate of Achievement for Excellence in Financial Reporting
5. Citizen Communication
6. Report of City Officials
 - A. City Manager's Report
7. City Council Comments

The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any citizen wishes to have an item discussed. Citizens then may request that the subject item be removed from the Consent Agenda for discussion separately.

8. Consent Agenda
 - A. West View Recreation Center Furniture, Fixtures and Equipment Contracts
 - B. Purchase of Conventional Cab Tractor for Utilities Division from Transwest Trucks for \$91,711
 - C. Purchase of Tandem Dump Truck with plow from White Volve Trucks of Colo for \$108,899
 - D. Purchase of Skid Steer Loader from BobCat of the Rockies, for \$29,521
 - E. 2000 Asphalt Pavement Rehabilitation Project Bid to Brannan Sand and Gravel Co for \$2,271,391
 - F. Purchase of End Dump Truck Trailer
 - G. Councillor's Bill No. 19 re US36 and Tennyson Street Sewer Project
 - H. Councillor's Bill No. 20 re 1999 Carryover Appropriation
 - I. Councillor's Bill No. 21 re Amendments to Transportation Commission Duties and Responsibilities
 - J. Councillor's Bill No. 22 re Caulkins Ditch Annexation ROW (Dixon-Merkel)
 - K. Councillor's Bill No. 23 re Caulkins Ditch for O-1 Zoning (Dixon-Merkel)
 - L. Councillor's Bill No. 24 re Comprehensive Land Use Plan Amendment for Caulkins Ditch (Dixon-Merkel)
 - M. Councillor's Bill No. 25 re Restorative Justice Grant Appropriations (Merkel-Smith)
 - N. Councillor's Bill No. 26 re IGA re Jefferson County Head Start (Atchison-Merkel)
 - O. Councillor's Bill No. 27 re Public Safety Facility Project Appropriation (Smith-Dixon)

9 Appointments and Resignations

- A. TABLED – Asset Forfeiture Committees and Reports

10 Public Hearings and Other New Business

- A. Public Hearing re Westminster Promenade Filing #2 Preliminary Development Plan
- B. Westminster Promenade Filing #2 Preliminary Development Plan
- C. Resolution No. 30 re BAM Animal Hospital Annexation at 7453 West 105th Avenue
- D. Consulting Services Contract for McKay Lake Drainage from Bull Canal to Big Dry Creek from Sear- Brown Group for \$57,100

- E. Resolution No. 31 re Reclassification of the South Westminster Revitalization Projects Coordinator Position
- F. Financial Advisor Contract with James Capital Advisors Inc
- G. Purchase of Computer Hardware, Training Services and Technical Services for ERP system
- H. Councillor's Bill No. 28 re Local Law Enforcement Block Grant and Mandalay Middle School Bicycle Patrol Grant Appropriation
- I. Councillor's Bill No. 29 re Establishing Reclaimed Water System Rates and Operating Policies
- K. Resolution No. 32 re Radionuclide Soil Action Level Oversight Panel Final Recommendation
- L. Councillor's Bill No. 30 re Amendment to Planning and Zoning Commission Ordinance
- M. Councillor's Bill No. 31 re Amendment to Special Permit and License Board Ordinance

11. Old Business and Passage of Ordinances on Second Reading

None

12. Citizen Presentations and Miscellaneous Business

A. City Council

B. Request for 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 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, APRIL 10, 2000 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Atchison, Hicks, Merkel, Moss and Smith. Also present were William Christopher City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent none.

CONSIDERATION OF MINUTES:

A motion was made by Atchison and seconded by Merkel to accept the minutes of the meeting of March 27, 2000 with no additions or corrections. The motion carried unanimously.

PRESENTATIONS:

Mayor Heil presented service pins and certificates of appreciation to the following employees celebrating 10, 15, 20, and 25 years of service with the City: 10 years – Hilary Holland, Richard Knott and Arnie Koeltzow; 15 years – Marty McCullough, Jackie Osantowski, Doug Sgambelluri, Keith Smith and Dan Strietelmeier; 20 years – Tim Burandt, Rand Farnsworth, Ray Glasmann, David Green, James Hamon, Dan Ives, Janice Kraft, Matt Lutkus, Phillip Maimone, James McCarthy, Ralph Moffitt, Tony Noce, Ranceford Okada and Sandy Schwab. Mayor Heil and Police Chief Dan Montgomery presented Darrell Tygart with a service pin, certificate of appreciation and a check for \$2,500 in recognition of his 25 years of service with the City.

Mayor Heil presented a proclamation to Open Space Supervisor Rod Larsen proclaiming April 21 as Arbor Day and accepted the City's 15th year Tree City USA Award as presented by Ralph Campbell from the Colorado State Forest Service.

Mayor Heil and Police Chief Dan Montgomery presented a proclamation proclaiming the week of April 9-15, 2000 as Victims' Rights Week to Victim Services Coordinator Jacqueline June.

Mayor Heil presented the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting to Finance Director Mary Ann Parrot and Accounting Manager Tammy Hitchens.

CITIZEN COMMUNICATION:

Desiree Scott, Arrowhead Home Owners Association president addressed Council to request a pedestrian bridge over the drainage culvert from the Arrowhead subdivision to Sherwood Park, and she passed out pictures.

Gabe Sanchez of the US Census Bureau thanked Councillor Merkel, Rigo Leal and Brian Bosshardt for all their work on disseminating Census information. He stated that 68% of Westminster residents have returned their Census information to date.

Kim Grice, Committee for a Better Way addressed Council concerning the Rocky Flats 50 acre burn which occurred last week and the proposed burn to be held on April 15th. Department of Energy representative John Rampe was present to address Council.

Cathy Dawson, Broomfield resident, addressed Council regarding the poisoning of prairie dogs at the northeast corner of 112th Avenue and Federal Boulevard and suggested the City look at the Ft. Collins plan on prairie dog relocation.

CITY COUNCIL COMMENTS:

Mayor Heil commented on the Grand Opening of the Westin Westminster and thanked CMO Staff for their work on the reception. Councillor Smith complimented the Mayor on the good job she did at the Westin opening. Councillor Merkel reminded everyone about the importance of filling out their Census forms. She also thanked all employees who worked on disseminating the Census information to the public, including Rigo Leal and Brian Bosshardt. Councillor Hicks attended the Constitutional Government class at Betty Adams Elementary School. He stated the National League of Cities conference would be held in Utah, since the Utah State Legislature is recognizing Martin Luther King day. Councillor Merkel attended the Jefferson High School Forum which appealed to the media to emphasize the good that students do. Councillor Atchison attended the Jefferson County Mayor/Commissioners meeting, and reported that Morrison is pursuing Home Rule City status, and elimination of term limits. Councillor Moss commented on the awards from Crown Pointe Academy that were presented to the Mayor and City Manager.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: West View Recreation Center Furniture, Fixtures and Equipment Contracts - Authorize the City Manager to execute purchase orders to Star Trac Inc. in the amount of \$81,500 and to K. O. S. in the amount of \$55,000 for cardiovascular and cable strength and weight equipment and charge these expenses to the appropriate CIP account; and authorize the purchase of a 2-inch water and a six-inch sewer tap for \$87,609 and charge this expense to the appropriate CIP account; Purchase of Conventional Cab Tractor – Award bid for the conventional cab tractor to the low bidder, Transwest Trucks, Inc, in the amount of \$91,711 and charge the expense to the appropriate 2000 Public Works and Utilities budget account; Purchase of Tandem Dump Truck with Plow – Award the bid for the tandem dump truck to the low bidder, White Volvo Trucks of Colorado, in the amount of \$108,899 and charge the expense to the appropriate 2000 Public Works and Utilities budget account; Purchase of Skid Steer Loader – Award the bid for the Skid Steer Loader to the low bidder, BobCat of the Rockies, in the amount of \$29,521 and charge the expense to the appropriate 2000 Public Works and Utilities budget account; 2000 Asphalt Pavement Rehabilitation Project Bid - Authorize the City Manager to sign a contract for the 2000 Asphalt Pavement Rehabilitation Project with the low bidder, Brannan Sand and Gravel Co., in the amount of \$2,271,391, authorize a \$80,000 contingency amount, and charge the expense to the appropriate 2000 Department of Public Works and Utilities Infrastructure Improvements Division Budget and the 2000 Utilities Field Operations Budget; and authorize the City Manager to sign the intergovernmental agreements with Adams County School Districts #14 and #50 for the Districts' asphalt parking lot repairs as part of the City's projects, at the Districts' expense; Purchase of End Dump Trailer – Award the bid for the trailer to the low bidder, Transwest Trailers, Inc, in the amount of \$31,650 and charge the expense to the appropriate 2000 Public Works and Utilities budget account; Councillor's Bill No. 19 re US 36 and Tennyson Street Sewer Project; Councillor's Bill No. 20 re 1999 Carryover Appropriation; Councillor's Bill No. 21 re Transportation Commission Duties and Responsibilities Amendments; Councillor's Bill No. 22 re Caulkins Ditch Annexation ROW; Councillor's Bill No. 23 Caulkins Ditch for O-1 Zoning; Councillor's Bill No. 24 Comprehensive Land Use Plan Amendment for Caulkins Ditch; Councillor's Bill No. 25 re Restorative Justice Grant Appropriations; Councillor's Bill No. 26 re IGA with Jefferson Council Head Start; and Councillor's Bill No. 27 re Public Safety Facility Project Appropriation.

The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. Councillor Hicks requested that item 8A, West View Recreation Center Furniture, Fixtures and Equipment Contracts, be removed from the Consent Agenda.

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

WEST VIEW RECREATION CENTER FURNITURE, FIXTURES & EQUIPMENT CONTRACTS:

A motion was made by Moss and seconded by Smith to authorize the City Manager to execute purchase orders to Star Trac Inc. in the amount of \$81,500 and to K. O. S. in the amount of \$55,000 for cardiovascular and cable strength and weight equipment and charge these expenses to the appropriate CIP account; and authorize the purchase of a 2-inch water and a six-inch sewer tap for \$87,609 and charge this expense to the appropriate CIP account. The motion carried unanimously.

ASSET FORFEITURE COMMITTEES AND REPORTS:

A motion was made by Atchison and seconded by Dixon to remove this item from the Table. The motion carried unanimously.

A motion was made by Atchison and seconded by Dixon to appoint Angela Habben to the Police Department's Asset Forfeiture Committees. The motion carried unanimously.

PUBLIC HEARING ON WESTMINSTER PROMENADE FILING NO. 2 PDP:

At 8:30 P.M. the meeting was opened to a public hearing on the Preliminary Development Plan for Westminster Promenade Filing No. 2. Planning Manager Dave Shinneman entered a copy of the Agenda Memorandum, Planning Commission recommendation and other related items as exhibits. Richard Crouse, developer was present to address Council. No one spoke in opposition. At 8:40 P.M. the public hearing was declared closed.

WESTMINSTER PROMENADE FILING NO. 2 PRELIMINARY DEVELOPMENT PLAN:

A motion was made by Dixon and seconded by Hicks to approve the Preliminary Development Plan for Westminster Promenade Filing No. 2 based on the findings that the Preliminary Development Plan is compatible with existing development in the area; meets the requirements of the Westminster Municipal Code Section 11-5-14; and the proposed zoning is in conformance with the City's Comprehensive Land Use Plan. The motion carried unanimously.

RESOLUTION NO. 30 – BAM ANIMAL HOSPITAL ANNEXATION PETITION:

A motion was made by Merkel and seconded by Smith to adopt Resolution No. 30 accepting the annexation petition submitted by the BAM Animal Hospital and make the findings required by State Statute on the sufficiency of the petition; and set the date of June 26, 2000 for the annexation hearing. Upon roll call vote, the motion carried unanimously.

CONSULTING SERVICES CONTRACT FOR DESIGN OF MCKAY LAKE DRAINAGEWAY:

A motion was made by Smith and seconded by Merkel to authorize the City Manager to execute a consulting services contract with the Sear-Brown Group in the amount of \$57,100 for the evaluation of McKay Lake Drainageway Channel Alignments and Crossing Structures and the preliminary design of the selected alternative. The motion carried unanimously.

RESOLUTION NO. 31 – SOUTH WESTMINSTER REVITALIZATION COORDINATOR POSITION:

A motion was made by Smith and seconded by Hicks to adopt Resolution No. 31 authorizing the reclassification of the unclassified 1.0 FTE Projects Coordinator South Westminster Revitalization to an unclassified 1.0 FTE Senior Projects Coordinator position in the City pay plan. Upon roll call vote, the motion carried unanimously.

FINANCIAL ADVISOR CONTRACT:

A motion was made by Dixon and seconded by Atchison to authorize the City Manager to execute a contract with James Capital Advisors, Inc., in substantially the same form as attached to the Agenda Memorandum, at the following fees, to be paid out of bond issuance costs: First \$10million at \$.75 per bond (\$4,500 minimum); Next \$10million at \$.50 per bond; Next \$20million at \$.50 per bond; and, Over \$40million at \$.25 per bond (\$22,500 maximum), with additional project costs, to be determined as necessary, but not currently planned, at \$135 per hour, to be paid out of professional fees in the Finance Administration budget, as appropriated. James Manire, President of James Capital Advisors, Inc. was present to address Council. The motion carried unanimously.

PURCHASE FOR NEW HR/PAYROLL AND FINANCIAL MANAGEMENT SYSTEM:

A motion was made by Merkel and seconded by Dixon to authorize an amendment to the JD Edwards contract to include training and technical services in an amount not to exceed \$401,200 which includes a 15% contingency; and authorize the purchase of server hardware and maintenance from Compac through WSCA and software from MicroSoft through the Select program in an amount not to exceed \$200,000 to include a 5.5% contingency. The motion carried unanimously.

COUNCILLOR'S BILL NO. 28 – LOCAL LAW ENFORCEMENT BLOCK GRANT APPROPRIATION:

A motion was made by Smith and seconded by Dixon to pass Councillor's Bill No. 28 on first reading appropriating \$37,803 to the Police Department Patrol Services 2000 Budget and \$2,000 to the Police Department Community Services Division budget. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 29 – RECLAIMED WATER SYSTEM RATES AND OPERATING POLICIES:

A motion was made by Hicks and seconded by Merkel to pass Councillor's Bill No. 29 on first reading amending Title VIII, adding Chapter 12 Reclaimed Water Regulations, to the Westminster Municipal Code. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 32 – RADIONUCLIDE SOIL ACTION LEVEL:

A motion was made by Moss and seconded by Atchison to Table Resolution No. 32 requesting that the Rocky Flats Cleanup Agreement regulators; the Department of Energy, the Colorado Department of Public Health and Environment, Environmental Protection Agency, upon the review of the Risk Assessment Corporation final report, adopt the recommended plutonium soil action level number of "35 picocuries per gram for plutonium 239 & 240" for soil cleanup at Rocky Flats, and that the number be incorporated into the Rocky Flats Cleanup Agreement. Upon roll call vote, the motion carried with 5 aye votes and dissenting votes by Dixon and Hicks.

COUNCILLOR'S BILL NO. 30 – CHANGES TO PLANNING COMMISSION ORDINANCE:

A motion was made by Hicks and seconded by Dixon to pass Councillor's Bill No. 30 on first reading amending Title II, Chapter 2, Planning and Zoning Commission, to the Westminster Municipal Code. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 31 – CHANGES TO SPECIAL PERMIT & LICENSE BOARD ORDINANCE:

A motion was made by Merkel and seconded by Hicks to pass Councillor's Bill No. 31 on first reading amending Title II, Chapter 5, Special Permit and License Board, to the Westminster Municipal Code. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Mayor Heil stated there would be an Executive Session concerning personnel matters.

ADJOURNMENT:

The meeting was adjourned at 9:05 P.M.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000
Subject: Presentation of Employee Service Awards
Prepared by: Michele Kelley, City Clerk

Introduction

The Mayor is requested to present service pins and certificates of appreciation to those employees who are celebrating their 10th, 15th, 20th, and 25th anniversary of employment with the City.

Summary

In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting. . In addition, the one employee celebrating 25 years of service will be presented with a check for \$2500.

Staff Recommendation

Mayor present service pins and certificates of appreciation to employees celebrating 10, 15, 20 years of service with the City, and providing special recognition to our 25 year employee with the presentation of a \$2,500 check.

Background Information

The following employees will receive a ten year service pin and certificate:

Hilary Holland	General Services	Associate Judge
Richard Knott	Parks, Recreation & Libraries	Irrigator I
Arnie Koeltzow	Community Dvelopment	Records Management Technician

The following employees will receive a fifteen year service pin and certificate:

Marty McCullough	City Attorney's Office	City Attorney
Jackie Osantowski	Parks, Recreation & Libraries	Guest Relations Clerk II
Doug Sgambelluri	Police Department	Senior Police Officer/Investigations
Keith Smith	Police Department	Senior Police Officer
Dan Strietelmeier	Public Works & Utilities	Senior Water Resources Engineer

Employee Service Awards

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The following 20 year employees will be presented with a certificate and service pin:

Tim Burandt	Fire Department	Fire Lieutenant/Emergency Services
Rand Farnsworth	Fire Department	Fire Paramedic/Emergency Services
Ray Glasmann	Public Works & Utilities	Plant Supervisor/WW Plant
David Green	Fire Department	Fire Lieutenant/Emergency Services
James Hamon	Fire Department	Fire Captain/Emergency Services
Dan Ives	Police Department	Senior Police Officer/Patrol
Janice Kraft	Police Department	Technical Services Administrator
Matt Lutkus	General Services	Deputy City Manager for Adm
Phillip Maimone	Police Department	Senior Police Officer/Patrol
James McCarthy	Police Department	Senior Police Officer/Patrol
Ralph Moffitt	Public Works & Utilities	Equipment Operator II/Utilities
Tony Noce	Fire Department	Fire Engineer/Emergency Services
Ranceford Okada	Police Department	Senior Police Officer/Patrol
Sandy Schwab	Police Department	Administrative Coordinator

In 1986, City Council adopted a resolution to award individuals who have given 25 years of service to the City with a \$2,500 check to show appreciation for such a commitment. Under the program, employees receive \$100 for each year of service, in the aggregate, following the anniversary of their 25th year of employment. The program recognizes the dedicated service of those individuals who have spent most, if not all, of their career with the City.

The following 25 year employee will be presented with a certificate, service pin and check:

Darrell Tygart	Police Department	Sergeant/Patrol Services
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Darrell was hired by the City on February 26, 1975, promoted to Senior Police Officer on March 1, 1978 and to Police Sergeant on January 1, 1985. In January, 1989, Darrell was appointed to supervise and coordinate the Adams County Critical Incident Team and received specialized training in the area of officer involved shooting investigations. Darrell still holds this position and has trained most of the shoot teams within the state and several out of state teams. Darrell also served as the coordinator of the Adams County Coroners Task force; panel member of the Metro North Chamber of Commerce Leadership Program, assisted in training counselors for Human Services Inc (Shelter Care facility); taught Criminal Justice at the University of Denver's Graduate School of Social Work and assisted in the training of the Arson Investigation Unit for the Westminster Fire Department. With Jackie June, wrote the "fast track" domestic violence program for the City. Conceptualized, developed, implemented and administered the Citizens Training Academy which has also resulted in a very successful and active Alumni Association.

Darrell has received the Adams County Bar Association Peace Officer of the Year award, 1986; City of Westminster Excellence in Action Award for designing and implementing the current Beat Boundary system with subsequent changes to the Radio Assignment system and the revision for Daily Field Activity report – 1988; Westminster Police Protective Association Police officer of the Year "Duane Reffel" Award – 1989; Adams County Victim Advocate Coalition "Dale R. McLauhlin" Award for Investigation Commanders – 1991, Westminster Police Department Distinguished Service Medal for the successful apprehension of an armed robbery suspect while he was robbing Citizen's Bank – 1995.

Since the age of 17, Darrell's only full time jobs have been a Marine and a Police Officer.

On April 5th, the City Manager hosted an employee awards luncheon at which time 6 City employees received their five year service pins, while recognition was also be given to those who are celebrating their 10th, 15th, 20th and 25th anniversary. This was the first of three luncheons for 2000 to recognize and honor City employees for their service to the public.

The aggregate City service represented among this group of employees is 410 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens.

Respectfully submitted,

William M. Christopher
City Manager

10 Year

Hilary Holland
Richard Knott
Arnie Koeltzow

Keltz ow

15 year

Marty McCullough
Jackie Osantowski

A san tow ski
(like in cow)

Doug Sgambelluri

Scam bel ure

Dan Strietelmeier

Street til meyer

20 year

Tim Burandt
Rand Farnsworth
Ray Glasmann
James Hamon
Janice Kraft
Matt Lutkus

Ber ant

Phillip Maimone
James McCarthy

May mon ee

Ralph Moffitt
Ranceford Okada
Sandy Schwab

O ka da

25 Year

Darrell Tygart

Ty gert



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000
Subject: Proclamation re Arbor Day/Earth Day/Tree City USA Activities
Prepared by: Keith Wood, City Forester

Introduction

City Council is requested to proclaim Friday, April 21 as Arbor Day in the City of Westminster. In addition, the Mayor and Councillors are requested to accept the City's 15th consecutive Tree City USA award.

Summary

The City's annual Tree City USA award presentation is requested to be presented on Monday, April 10 at the Westminster City Council meeting. Ralph Campbell of the Colorado State Forest Service will present the Tree City USA award to the Mayor and City Council.

The Mayor will present the City's Arbor Day proclamation to Open Space Supervisor Rod Larsen. Mr. Larsen will be at the City Council meeting and will accept the proclamation on behalf of the citizens of Westminster.

Calendar of events scheduled for Arbor Week are as follows:

Arbor Day School Program

- Thursday, April 20 - 1:00 P.M. at Arapahoe Ridge Elementary, 13095 Pecos Street

The presentation at the elementary school will include approximately 120 fourth graders and will cover the history of Arbor Day. Prizes for the poster contest will be awarded, with the first place winner to receive a potted evergreen tree from The Plant Store. Second through tenth place winners receive English oak saplings. The fourth graders at the school will be given a tree planting demonstration. Students will receive buttons, balloons, Colorado Tree Coalition champion tree posters, and ponderosa pine seedlings.

Arbor Day Celebration

- Saturday, April 22 - 9:00 A.M. - 3:00 P.M. at City Park Recreation Center, 10455 Sheridan Boulevard

Parks Division Staff will distribute 250, English oak (bare root) saplings and 150 ponderosa pine (bare root) seedlings, buttons, balloons, and literature. A tree sale will be held. Colorado Tree Coalition champion tree posters will be distributed for free. A drawing will be held for a 5-gallon, potted fruit tree donated by The Plant Store. The Mayor's Easter Egg Hunt will take place at City Park that morning as well.

Staff Recommendation

Present a proclamation to Open Space Supervisor Rod Larsen proclaiming April 21, 2000 as Arbor Day in the City of Westminster, and accept the Tree City USA Award as presented by Ralph Campbell from the Colorado State Forest Service.

Background Information

In 1872, J. Sterling Morton, the editor of Nebraska's first newspaper, proposed a tree-planting holiday to be called Arbor Day. Since that time, Arbor Day celebrations have spread to every state in the nation and to many foreign countries, as well.

The Tree City USA award is sponsored by the National Arbor Day Foundation and recognizes towns and cities across America that meet the standards of the Tree City USA program. It is designed to recognize those communities that effectively manage their public tree resources, and to encourage the implementation of community tree management based on four Tree City USA standards:

- > A Tree Board or Department (the City's board consists of Keith Wood, Rich Dahl, Bill Walenczak, and Rod Larsen)
- > A community tree ordinance
- > A community forestry program with an annual budget of at least \$2/capita
- > An Arbor Day observance and proclamation

The Growth Award is also provided by the National Arbor Day Foundation to recognize environmental improvement and encourage higher levels of tree care throughout America. It is designed not only to recognize achievement, but also to communicate new ideas and help the leaders of all Tree City USA recipients plan for improving community tree care.

The recipient of the award must be a Tree City USA award winner in at least its second year, spend as much as the previous year on community forestry, and reach certain levels in the following categories:

- > Education and public relations
- > Partnerships
- > Planning and management
- > Tree planting and maintenance

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Proclamation

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, The holiday called Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, Trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Westminster has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways.

NOW, THEREFORE, the City Council of the City of Westminster, Colorado, hereby proclaims Friday, April 21, 2000, as ARBOR DAY in the City of Westminster, and urge all citizens to support efforts to protect our trees and to support our City's urban forestry program; and further urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

Signed this 10th day of April, 2000.

Nancy M. Heil, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Victim Rights Week

Prepared by: Dan Montgomery, Chief of Police and Jacqueline June, Victim Services Coordinator

Introduction

City Council is requested to proclaim the week of April 9 through April 15 as Victims' Rights week in the City of Westminster.

Summary

The City is supporting the national recognition of Victims' Rights Week. Locally, the Westminster Police Department Victim Services Unit is joining with criminal justice system professionals, victim services programs and concerned citizens to observe the twentieth anniversary of National Crime Victims' Rights Week.

Staff Recommendation

Council proclaim April 9 through April 15 as Victims' Rights Week in the City of Westminster.

Background Information

The year 2000 marks the twentieth anniversary of the commemoration of National Crime Victims' Rights Week. For many years, victims were the "forgotten element" of the criminal justice system. Today, many programs are in place to assist the victims of crime, including the Victim Assistance Unity of the Westminster Police Department. Police Chief Dan Montgomery and Victim Services Coordinator Jacqueline June will be present to accept this proclamation on behalf of victims everywhere.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

WHEREAS, the Year 2000 marks the twentieth anniversary of the commemoration of National Crime Victims' Rights Week; and

WHEREAS, the victims rights discipline in America has, for nearly three decades, dared to dream of a nation that is free from violence and an America where crime victims are consistently provided supportive services to help them cope with the trauma of crime victimization;

WHEREAS, while the rate of most crimes continues to decrease, U.S. residents still experience nearly 31 million criminal victimizations annually, including nearly 8.1 million violent crimes; and

WHEREAS, over 30,000 federal and state laws have been passed that define and protect the rights of crime victims; 32 states including Colorado, have passed constitutional amendments that afford victims important participatory rights throughout the criminal and juvenile justice systems; and a federal constitutional amendment is currently pending in the U.S. Congress; and

WHEREAS, important partnerships have been formed among criminal and juvenile justice agencies, allied professionals, and victim services to ensure that crime victims are treated with dignity and respect; and

WHEREAS, our nation's commitment to victim assistance, crime prevention, and public safety has resulted in countless individual and collaborative initiatives that truly do our community justice; and

WHEREAS, the year 2000 affords us the opportunity to continue to dream of a nation where liberty and justice for all includes each and every person who has been touched by crime;

NOW, THEREFORE, the Westminster City Council does hereby proclaim April 9 through 15, 2000 as

VICTIMS' RIGHTS WEEK

In the City of Westminster and encourages our citizens to participate in acknowledging the dream we have of a nation where no crime victim goes unserved, and every crime victim is afforded rights and services, and fair treatment by the justice system and by society.

Signed this 10th day of April, 2000.

Nancy M. Heil, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Certificate of Achievement for Excellence in Financial Reporting

Prepared by: Mary Ann Parrot, Finance Director

Introduction

The Mayor is asked to present, on behalf of the City Council, the Government Finance Officer's Certificate of Achievement for Excellence in Financial Reporting to Accounting Manager Tammy Hitchens, Accountant Karen Creager, Accountant Cherie Sanchez, and Accountant Vicki Adams.

Summary

The City of Westminster has earned the Certificate of Achievement for Financial Reporting for its 1998 Comprehensive Annual Financial Report (CAFR). This is the sixteenth consecutive year the City has received this prestigious award from the Government Finance Officers Association (GFOA).

Staff Recommendation

Mayor Heil will present the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting award to the Accounting Staff.

Background Information

City Staff is pleased to report that the City of Westminster has again been awarded the Certificate of Achievement for Financial Reporting for its 1998 CAFR. This is the sixteenth consecutive year the City has received this award, conferred by the GFOA of the United States and Canada. This Certificate is the highest recognition attainable for excellence in governmental accounting and financial reporting.

To satisfy the requirements of the Certificate program, a CAFR must be generally free of ambiguities and the potential for misleading inferences. In addition, the financial statements, supporting schedules, statistical tables and narrative explanations required for a Certificate help to assure the presentation of data necessary for analysis by the many user groups with legitimate interest in the financial affairs of the City. These groups include the City Council, the State Auditor's Office, investors and creditors, grant resource providers, taxpayers and others. Reports qualifying for a Certificate also provide a detailed vehicle by which market analysts, potential investors and others may assess the relative attractiveness of the City's securities compared to alternative investment opportunities. Westminster's report was evaluated by an impartial special review committee composed of government finance officers, independent CPAs, educators and others with particular expertise in governmental accounting and financial reporting from across the nation. The award acknowledges that Westminster fulfills the letter and the spirit of full disclosure of its financial records.

The individual within the City who was most instrumental in achieving the Certificate for 1998 is Tammy Hitchens, Accounting Manager. Other Finance staff provided vital assistance. Special thanks go to Karen Creager, Christy Cutler, Cherie Sanchez, Vicki Adams, Barb Cinkosky, Sherry Sparks, and the rest of the Accounting Staff. Their efforts, under Tammy's direction, insured that the 1998 CAFR clearly communicated Westminster's financial story. The City should be justifiably proud of this continuing achievement and recognition.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000
Subject: West View Recreation Center Furniture, Fixtures & Equipment Contracts
Prepared by: Philo Shelton, Design Development Manager

Introduction

City Council action is requested to authorize the City Manager to execute purchase orders to Star Trac Inc. in the amount of \$81,500 for the purchase of Cardiovascular Equipment and to K. O. S. in the amount of \$55,000 for the purchase of cable strength and weight equipment. Also, City Council action is requested to authorize the purchase of a 2” water and sewer tap for \$87,609. Funds for these expenses are available in the West View Recreation Center CIP fund.

Summary

Furniture, Fixtures and Equipment (FF&E) is a budget dedicated to the owner to complete a building project for items that a construction contractor would not provide in their contract. For this project, the FF&E budget includes items such as weight and fitness equipment, furniture, PA, TV and stereo equipment, office and janitorial supplies, window coverings, signage and other miscellaneous items. City Council appropriated \$210,000 in the 2000 CIP budget for FF&E for West View Recreation Center.

The cardiovascular equipment and strength and weight equipment are major items to be purchased with the FF&E budget. Staff solicited quotes from six vendors and received four quotes that are summarized below.

Company	Cardiovascular Equipment	Cable Strength and Weight Equipment
Star Trac	\$81,500	-
K.O.S.	\$86,500	\$55,000
All About Fitness	\$88,000	\$65,000
Advanced Fitness	\$102,000	\$60,000

The types of cardiovascular equipment included in this quote are treadmills, elliptical runners, rowers, climber, hiker, recumbent and up-right bikes. The types of cable strength and weight equipment included in this quote are chest and shoulder presses, leg combination machines, abductors, tower units, benches and free weights.

A two-inch potable water tap and a six-inch sewer tap are required for the building. Irrigation of the landscaping at West View Recreation Center will be by the reclaimed water system that is supplied through the Heritage Golf Course irrigation system.

Alternative

City Council could decide to select the next lowest priced vendor. However, the equipment that is being selected is presently used at City Park Fitness Center and this equipment has proven to be durable.

Staff Recommendation

Authorize the City Manager to execute purchase orders to Star Trac Inc. in the amount of \$81,500 and to K. O. S. in the amount of \$55,000 for cardiovascular and cable strength and weight equipment and charge these expenses to the appropriate CIP account; and authorize the purchase of a 2-inch water and a six-inch sewer tap for \$87,609 and charge this expense to the appropriate CIP account.

Background

The weight room equipment chosen was not only the lowest price quote, it is also with the same equipment that was supplied at the City Park Fitness Center, which has resulted in an overwhelming success. The City Park Fitness Center equipment has proven to be reliable and the public acceptance of the style and function of that equipment was a factor in selecting the equipment for West View Recreation Center.

West View Recreation Center's total project budgeted funds are available from the following sources; \$660,000 from Westminster CIP funds, \$4.0 million Parks, Open Space and Trails (POST) bond money, a \$500,000 contribution from Westfield Development Inc., a \$225,000 JCOS Joint Venture Grant and a 7.0 acre land contribution from the Westfield Development Inc. Funds from Jefferson County Open Space (JCOS) Joint Venture Grant were used to help fund the community room, a playground and trail connections.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Project Area Map



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: 2000 Asphalt Pavement Rehabilitation Project Bid

Prepared by: Ray Porter, Infrastructure Improvements Manager

Introduction

City Council action is requested to award the bid for the 2000 Asphalt Pavement Rehabilitation Project and authorize the City Manager to execute intergovernmental agreements with Adams County School Districts No. 14 and No. 50. Funds have been specifically allocated in the 2000 Department of Public Works and Utilities Infrastructure Improvements Division Budget and the 2000 Utilities Field Operations Budget for this expense.

Summary

City Council approved funds in the 2000 Infrastructure Improvements Division Budget for resurfacing and reconstruction of 32.8 lane miles of paved roadways on 47 streets throughout the City.

Formal bids were solicited in accordance with City Charter bidding requirements for the 2000 Asphalt Pavement Rehabilitation Project. Five contractors obtained bid packages and four bids were received. The low bidder, Brannan Sand and Gravel Co., at \$2,271,391, meets all the City bid requirements and successfully completed the City's 1999 paving project. Adams County School Districts #14 and District #50 participated in this bid process and \$337,732 of Brannan's bid is for school district work. Also participating in this bid is the Utilities Field Operations' construction crew for patching behind waterline replacements at a cost of \$268,058.

Staff Recommendation

Authorize the City Manager to sign a contract for the 2000 Asphalt Pavement Rehabilitation Project with the low bidder, Brannan Sand and Gravel Co., in the amount of \$2,271,391, authorize a \$80,000 contingency amount, and charge the expense to the appropriate 2000 Department of Public Works and Utilities Infrastructure Improvements Division Budget and the 2000 Utilities Field Operations Budget; and authorize the City Manager to sign the intergovernmental agreements with Adams County School Districts #14 and #50 for the Districts' asphalt parking lot repairs as part of the City's projects, at the Districts' expense.

Background Information

Contractual asphalt work prices increased 7% from 1999. The increase can be attributed to the rising cost of oil throughout the country.

The 2000 Asphalt Pavement Rehabilitation Project consists of 32.8 lane miles of street improvements at 47 locations throughout the City. This program was recommended by Staff after each street segment was carefully analyzed through the computerized pavement management process and the most cost effective rehabilitation strategies have been determined and assigned to each street segment.

Also included in the 2000 Asphalt Pavement Rehabilitation Project are parking lot repairs and resurfacing for Adams County School Districts' #14 and #50. This joint bidding continues to be a beneficial practice for School District taxpayers. Bid prices are lower than what the School Districts were paying in 1989 for same type of asphalt repairs.

The results of the bidding were as follows:

<u>Contractor</u>	<u>City Bid</u>	<u>School Dist. #14 & #50 Bid</u>	<u>Total</u>
Brannan Sand & Gravel	\$1,933,659	\$337,732	\$2,271,391
Asphalt Specialties	\$2,035,248	\$359,161	\$2,394,409
LaFarge Corporation	\$2,254,659	\$397,881	\$2,652,540
Asphalt Paving	\$2,802,387	\$494,539	\$3,296,926
Staff Estimate	\$2,002,124	\$349,068	\$2,351,192

An alternative to this approach is to combine the bids for the concrete replacement projects and the Asphalt Rehabilitation Project. Staff concerns include:

- Contract administration costs would decrease because there would only be one bid instead of three.
- Bid prices for concrete work would increase because the general contractor's profit margin would be added to the subcontractor's profit margin and costs.
- The contract time would have to be extended into the late fall.
- There would be a risk of not completing the contract in 2000.
- The likelihood of extending the work outside the window of time for the prime construction season and weather creates a greater risk for poor quality construction.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Location List

**CITY OF WESTMINSTER
DEPARTMENT OF PUBLIC WORKS AND UTILITIES
2000 ASPHALT PAVEMENT REHABILITATION PROJECT
PROJECT NO. SPR-00-4**

**Reconstruction Streets
Locations List**

Note: CDS = cul-de-sac

	Location
1.	Elk Drive, Osceola Street to Raleigh Street
2.	69 th Place, Lowell Boulevard to Osceola Street
3.	Osceola Street, 69 th Avenue to Elk Drive
4.	80 th Avenue and Lowell Boulevard Intersection
5.	Bryant Street, 84 th Avenue to Alcott Street
6.	Osceola Street, 78 th Avenue to Maria Street
7.	78 th Way, Osceola Street to Bradburn Boulevard
8.	Stuart Place, 80 th Avenue to Tennyson Street
9.	Tennyson Street, 80 th Avenue to Turnpike Drive
10.	Irving Street, 92 nd Avenue to 94 th Avenue
11.	Kendall Street, 112 th Avenue to 116 th Avenue
12.	King Street, 104 th Avenue to 107 th Avenue
13.	104 th Court, Dale Circle to East End
14.	104 th Lane, Dale Circle to West End
15.	Utica Court, 90 th Avenue to 92 nd Avenue
16.	88 th Place, Estes Street to Cody Street
17.	9200-9212 W. 100 th Circle (CDS)
18.	9214-9228 W. 100 th Circle (CDS)
19.	9230-9242 W. 100 th Circle (CDS)
20.	9247-9233 W. 100 th Circle (CDS)
21.	9244-9256 W. 100 th Circle (CDS)

Resurfacing Streets
Location List
Project SPR-00-4

Note: CDS = cul-de-sac

	Location
1.	Turnpike Drive, Lowell Boulevard to Grove Street
2.	85 th Avenue, Alcott Street to Zuni Street
3.	76 th Avenue, Zenobia Street to Winona Court
4.	Yates Street, 92 nd Avenue to 88 th Avenue
5.	88 th Avenue, Yates to Wagner Street
6.	92 nd Avenue Sheridan Boulevard to Vrain Street
7.	Pecos Street, 112 th Avenue to 600 Ft. South of 120 th Avenue
8.	Baylor Lane, Oakwood Drive to Circle Drive
9.	Clemson Lane, Oakwood Drive to Circle Drive
10.	Stuart Street, 92 nd Avenue to 90 th Avenue
11.	90 th Place, 90 th Avenue to 90 th Avenue
12.	Allison Court, 90 th Avenue to 90 th Drive
13.	Ammons Court, 90 th Place to South End
14.	90 th Drive, Yarrow Street to West End
15.	Zepher Court, 90 th Court to South End
16.	Balsam Court, 90 th Place to South End
17.	9345-9323 West 100 th Circle (CDS)
18.	Julian Way, 92 nd Avenue to Knox Court
19.	92 nd Avenue, Lowell Boulevard to Federal Boulevard
20.	105 th Way, Jellison Way to 105 th Place
21.	Jellison Way, Independence Street to 105 th Way
22.	104 th Place, Dale Circle to West End
23.	Dale Circle, 105 th Drive to 105 th Drive
24.	Kendall Street, 116 th Avenue to City Limits
25.	115 th Avenue, Kendall Street to 5880 West 115 th Avenue
26. *	112 th Avenue, Sheridan Boulevard to Westminster Boulevard

* This Street will receive an Ultra-thin Bonded Wearing Course. (NovaChip)

File: Asphalt resurfacing streets



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000
Subject: Purchase of an End Dump Trailer for Utilities Division
Prepared by: Carl F. Pickett, Purchasing Specialist

Introduction

City Council action is requested to award the bid for an end dump trailer in the amount of \$31,650.00 to be used by the Utilities Division. Funds have been specifically allocated in the 2000 General Fund, Public Works and Utilities Department budget for this expense.

Summary

In February 2000, Purchasing sent out formal bid proposals for an end dump trailer. This is a thirty five foot trailer with a dump body. The low bid was received from Transwest Trailers, Inc. The end dump trailer to be purchased was previously approved by City Council in the 2000 Budget.

An alternative to the proposed purchase would be to not purchase the end dump trailer at this time.

Staff Recommendation

Award the bid for the trailer to the low bidder, Transwest Trailers, Inc, in the amount of \$31,650.00 and charge the expense to the appropriate 2000 Public Works and Utilities Budget account.

Background Information

As part of the 2000 Budget, City Council approved the purchase of an end dump trailer. This piece of equipment is a new addition to the fleet. The function of an end dump trailer is like a long dump truck without the truck. The hauling capability is close to three times that of a normal dump truck. The end dump trailer will be used to haul a variety of construction materials used for construction and water line replacement, including squeegee and road base. Used with the conventional cab tractor, it will allow the City to avoid over \$100,000 annually in construction costs by enabling City staff to haul its own material instead of contracting that service. In addition, the trailer will also be used for trash collection and will serve as a backup for Street Division's end dump trailer. Increased City services makes this a much needed addition to the fleet.

Bids were solicited from these four vendors:

Sauber Manufacturing	No Bid
Beal Trailers of Colorado	No Bid
Fruhauf Trailer Sales	No Bid
Transwest Trucks of Colorado	\$31,650.00

Purchase of End Dump Trailer for Utilities Division
Page 2

The low bid from Transwest Trailers meets all the City's specifications for this bid. The cost of the trailer, \$31,650.00 is within the amount previously approved by City Council for this expense.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: TABLED Asset Forfeiture Committees and Reports

Prepared by: Dan Montgomery, Chief of Police

Introduction

City Council action is requested to appoint Angela Habben to the Police Department's Asset Forfeiture Committees pursuant to the requirements of Colorado Revised Statutes 16-13-702. In addition, CRS 16-13-701 requires that the seizing agency provide City Council a written report accounting for all forfeited monies or property awarded to the Police Department by the courts, and expenditures of those funds.

Summary

CRS 16-13-702 requires that a committee on the disposition of forfeited property be created and retained for each seizing agency. The composition of the committee(s) for a seizing agency must include: the District Attorney of the judicial district having jurisdiction over the forfeited property, or a designee of such district attorney; the head of the seizing agency, or the designee of such person; and a representative of the governmental body having budgetary authority over the seizing agency. This representative may be a City Councillor, City staff member, or an interested citizen. Because Westminster is located in two counties, it is necessary to have two committees: one for Adams County and one for Jefferson County. In the case of federal forfeitures, either committee may be utilized.

City Council appointed George Hovorka to serve on both committees in 1992 when he was a City Councillor, and he continued to serve on the committees with City Council's authorization as an interested citizen. George informed Police Department Staff that he is retiring from the committees and it is necessary for City Council to appoint someone to assume George's position on both the Adams County and Jefferson County committees. The five following candidates have expressed an interest in the position: Fred Allen; Angela Habben; Deb Haviland; Don Rhoda; and Myron Treber.

At the March 27th Council meeting, City Council tabled action on this item.

Staff Recommendation

Remove this item from the table and appoint Angela Habben to the Police Department's Asset Forfeiture Committees.

Background Information

The reporting requirements to City Council under CRS 16-13-701 increased the accountability of law enforcement agencies in the asset forfeiture process, and required that a committee on the disposition of forfeited property be created for each seizing agency. Because Westminster lies in two counties, a committee was formed for each one. The current Asset Forfeiture Committee members are:

TABLED Asset Forfeiture Committees and Reports

Page 2

Adams County

Dan Montgomery, Chief of Police
George Hovorka, Citizen
Robert Doyle, Adams County D.A.'s Office

Jefferson County

Dan Montgomery, Chief of Police
George Hovorka, Citizen
Mark Pautler, Jefferson County D.A.'s Office

George Hovorka has advised us that he is resigning from the committees. Therefore, it is necessary for City Council to appoint someone to assume George's position on both of the committees.

Asset Forfeiture funds are monies, in the form of cash or assets, seized legally as a result of criminal activity in accordance with established judicial guidelines. The criminal activity associated with asset forfeitures are most notably narcotics investigations. The Westminster Police Department is a participant in two vice/narcotic task forces, West Metro Task Force (Jefferson County) and North Metro Task Force (Adams County). Most, if not all, of the forfeited assets are split equally among all of the participating agencies who are members of the task force. As a part of the asset forfeiture statute, the District Attorney's Offices are entitled to a percentage of the forfeited assets as a fair-share payment for their processing and handling of these forfeiture cases before the courts.

Staff would like to take this opportunity to recommend the appointment of Angela Habben to the Police Department's Asset Forfeiture Committees. Ms. Habben is Branch Manager for the new Vectra Bank at West 72nd Avenue and Irving Street, is interested in this program, and has a strong background in financial matters.

There are four alternative choices for Council's consideration, each having an interest in these committees, and each being well-qualified to serve.

- Fred Allen – Mr. Allen recently retired from the Westminster City Council and is in the real estate appraisal business.
- Deb Haviland – Ms. Haviland is the Public Relations Coordinator for District 50 Schools.
- Don Rhoda – Mr. Rhoda is the retired Principal of Ranum High School.
- Myron Treber – Mr. Treber is in the human relations business and is a former member of the City's Personnel Board.

All of these suggested alternate candidates reside in Westminster, and are very involved in community activities. In Staff's opinion, any of the five would do an excellent job in the fulfilling the duties and responsibilities as a member of the committees.

In accordance with the Attorney General's Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies, the City is required to submit an Annual Certification Report regarding any federally shared monies received and expended upon the completion of each fiscal year. Also required is that a written report be submitted to City Council accounting for any forfeited monies or property awarded to the police department by the courts. The following report covers activity January 1, 1999 through December 31, 1999 and provides the asset forfeiture revenues and expenditures for the three asset forfeiture accounts.

Adams County Asset Forfeiture Account:

<u>1999</u>				
<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Interest</u>	<u>Ending Balance</u>
\$13,202.63	\$12,118.76	\$3,309.55	\$1,677.51	\$23,689.35

Expenditure Description:

\$3,162.00	Adams County District Attorney's Office—Juvenile Assistance Interaction Block Grant Match
\$ 44.55	Adams County District Attorney's Office—Share of Forfeitures
<u>\$ 103.00</u>	Connolly's Towing—Impound Fees for Seized Vehicle
\$3,309.55	

Jefferson County Asset Forfeiture Account:

<u>1999</u>				
<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Interest</u>	<u>Ending Balance</u>
\$15,736.76	\$820.69	\$6,224.00	\$739.11	\$11,072.56

Expenditure Description:

\$1,000.00	City of Westminster Holy COW Trail Stampede Donation
\$4,924.00	Two PC's—Police Department West Metro Drug Task Force Members
<u>\$ 300.00</u>	Jefferson County District Attorney's Office share of forfeitures
\$6,224.00	

Federal Asset Forfeiture Account:

<u>1999</u>				
<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Interest</u>	<u>Ending Balance</u>
\$30,517.12	\$672.30	\$14,320.80	\$1,198.50	\$18,067.12

Expenditure Description:

\$11,832.00	FBINAA Section 1 Training for Police Department FBINAA members
\$ 238.80	Calibre Press Officer Survival Training for department personnel
\$ 2,250.00	Training at Colorado State University-Denver, Certificate Series in Project Management
<u>\$14,320.80</u>	

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Westminster Promenade Filing No. 2 Preliminary Development Plan

Prepared By: Max Ruppeck, Senior Project Manager

Introduction

City Council is requested to hold a public hearing and take action on the Preliminary Development Plan for Westminster Promenade Filing No. 2.

Summary

The intent of this Preliminary Development Plan is to provide a northward extension of the Westminster Promenade with commercial uses such as retail, full-service restaurants and commercial recreation. Commercial recreation would include uses such as indoor skateboard facilities, bowling alleys and athletic clubs, but would exclude motion picture theaters.

Applicant/Property Owner

The applicants/property owners are the Westcol Center L.L.C. and the City of Westminster

Location

The subject property is located on the west side of Westminster Boulevard, approximately one-quarter mile north of West 104th Avenue and immediately north of the Westminster Promenade Filing No. 1 (AMC Theater and retail complex).

Size of Site

The total area of Filing No. 2 is 3.47 acres in area. There are two building sites separated by a publicly owned drive whose areas are 2.37 acres and 1.10 acres.

Description of Proposed Use

The proposed uses for the property include Business and Professional Offices, Retail Sales and Services, Retail Shops, Financial Institutions and Commercial Recreational Uses. The building height limit will be 40-feet. The larger lot (2.37 acres) is intended to be developed with a multi-tenant user consisting of commercial recreation, restaurants and retail. The smaller lot (1.10 acres) will be a single restaurant or retail use.

Major Issues

There are no major issues other than the proposed uses and height limitations.

Planning Commission Recommendation

The Planning Commission held a public hearing for this Preliminary Development Plan amendment on March 28, 2000 and recommended approval by a 4-0 vote. Commissioner Lockridge abstained from voting and excused himself from participation in the proceedings due to his employment with the applicant's planning consultant. No one from the public spoke in favor or in opposition to the proposed Preliminary Development Plan.

Staff Recommendation

1. Hold a public hearing.
2. Approve the Preliminary Development Plan for Westminster Promenade Filing No. 2 based on the findings that the Preliminary Development Plan is compatible with existing development in the area; meets the requirements of the Westminster Municipal Code Section 11-5-14; and the proposed zoning is in conformance with the City's Comprehensive Land Use Plan.

Alternative Actions

1. City Council could disapprove the application and development of the property would not be allowed at this time.
2. City Council could revise the list of proposed uses to be more restrictive as well as further limit the height limitation proposed (40-ft.).

Background Information

Architectural/Building Materials

Future development in Filing No. 2 will follow the Architectural Design Guidelines for the Westminster Promenade (which are summarized in the text of the attached Preliminary Development Plan) and will be consistent with the existing architecture in the Promenade including the AMC Theater and retail complex. Allowed building materials are generally stone, brick, stucco and structural and ornamental metals. The specific architectural design will be reviewed at the Official Development Plan.

Public Land Dedication, Parks, Trails

No public land dedication is required for this commercial project. The proposed development will be a northward extension of the Westminster Promenade and will have an enhanced pedestrian connection to the Promenade utilizing consistent paving materials and design themes of the existing Promenade development.

Access and Circulation

The subject properties will be immediately accessed off of the northern leg of Promenade Drive. A public access road intersecting Promenade Drive and extending northwestward splits the Preliminary Development Plan into two development parcels of 2.37 acres to the southwest of the drive and 1.10 acres northeast of the drive. The public drive is an extension of the access drive to the AMC Theater property, which leads to the northern drop-off for the AMC Theater. There will be 8-foot walks on both sides of the drive extending to the existing Promenade development from the subject property.

Site Design

While the specific site design will be determined with a future Official Development Plan, the two development sites (identified as Lot 2 and Lot 3 on the Preliminary Development Plan) are intended to be developed as follows:

- Lot 2 – A multi-tenant complex consisting of commercial recreation, restaurants and/or retail uses on a 2.37 acre site;
- Lot 3 – Most likely, a single retail or restaurant use on a 1.10 acre site.

Lot 1 is owned by the City of Westminster and will be developed for public parking. Lot 1 is not part of this Preliminary Development Plan.

Signage

All signage will conform to the Westminster Promenade Design Guidelines and the City of Westminster Municipal Code.

Service Commitment Category

Service Commitments for Filing No. 2 will be allocated from Category C, Commercial Uses.

Referral Agency Responses

No responses have been received from any public agency or utility company.

Public Comments

No comments from the public have been received. All of the properties immediately abutting Filing No. 2 are owned by the City or AMC Theaters.

Surrounding Land Use/Zoning/Comprehensive Land Use Plan Designation

The property to the north and west are owned by the City and is currently being developed for public parking. Westminster Boulevard lies to the northeast. The property east of Westminster Boulevard is a public landscaped area which buffers the development from the Sheridan Green Subdivision. The parcel to the southeast is owned by the AMC Theater and a part of the Westminster Promenade Filing No. 1 Official Development Plan. The Comprehensive Land Use Plan refers to the “Northeast Comprehensive Development Plan” jointly adopted by Jefferson County and the City of Westminster as the governing land use document for the subject property. The Northeast Comprehensive Development Plan stipulates “uses permitted by the City of Westminster subsequent to annexation and Planned Unit Development approval”.

Respectfully submitted,

William M. Christopher
City Manager

Attachments



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Resolution No. 30 re the BAM Animal Hospital Annexation

Prepared by: David Falconieri, Planner III

Introduction

City Council action is requested on the attached resolution concerning a finding of compliance with statutory requirements for the petitions requesting annexation of the property located at 7453 West 105th Avenue and establishing a hearing date. The proposed annexation consists of approximately 4.55 acres located south of Lower Church Lake on the north side of 105th Avenue.

Summary

The applicants in this case are proposing the construction of an animal hospital that will contain only indoor runs. This would be the first redevelopment project for the area defined as "Sub-Area C" in the Northeast Comprehensive Development Plan (please refer to attached map). That area is entirely located within the Jefferson County Airport Influence Area and as such, is slated to redevelop as commercial property. The proposed use is compatible with that plan.

The plan anticipates that Reed Street will eventually provide access to the entire area when it is connected to 105th Avenue, but until that connection is made, the applicant would be required to improve 105th Avenue west to Wadsworth Boulevard and use that for access.

Staff Recommendation

Adopt Resolution No. 30 accepting the annexation petition submitted by the BAM Animal Hospital and make the findings required by State Statute on the sufficiency of the petition. This resolution also sets the date of June 26, 2000, for the annexation hearing.

Background

Upon receiving a petition for annexation, the City Council is required by State Statute to make a finding of whether or not said petition is in compliance with Section 31-12-107 (1) C.R.S. In order for the petition to be found in compliance, Council must find that the petition contains the following information:

1. An allegation that the annexation is desirable and necessary.
2. An allegation that the requirements of Section 31-12-104 and 31-12-105 C.R.S have been met. (These sections are to be reviewed by the Council at the formal public hearing.)
3. Signatures and mailing addresses of at least 50 percent of the landowners of the land to be annexed. (In this case, Max and Janice Peterson, signers of the petition, own 100 percent of the property.)
4. The legal description of the land to be annexed.
5. The date of each signature.
6. An attached map showing the boundaries of the area.

Planning Staff has reviewed the petition and has determined that it complies with the above requirements.

If the City Council finds that the petition is in substantial compliance with these requirements, a resolution must be approved that establishes a hearing date at which time the Council will review the merits of the proposed annexation.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. 30

INTRODUCED BY COUNCILLORS

SERIES OF 2000

WHEREAS, there has been filed with the City Clerk of the City of Westminster, a petition, copies of which are attached hereto and incorporated by reference, for the annexation of certain territory therein-described to the City;

WHEREAS, the City Council has been advised by the City Attorney and the City Manager that the petition and accompanying map are in substantial compliance with Sections 31-12-101, et.seq., Colorado Revised Statutes, as amended;

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

1. City Council finds the said petitions and annexation maps to be in substantial compliance with all state statutory requirements, including C.R.S. Section 31-12-107 (1).
2. City Council hereby establishes June 26th, 2000, 7:00 PM at the Westminster City Council Chambers, 4800 West 92nd Avenue, for the annexation hearing required by C.R.S. Section 31-12-108 (1).
3. City Council hereby orders the City Clerk to give notice of the annexation hearing in accordance with C.R.S. Section 31-12-108 (2).

Passed and adopted this 10th day of April, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Consulting Services Contract for the Preliminary Design of the McKay Lake Drainageway from the Bull Canal to Big Dry Creek

Prepared by: Sheila Beissel, Senior Civil Engineer

Introduction

City Council action is requested to authorize the City Manager to execute a consulting services contract with The Sear-Brown Group in the amount of \$57,100 for the evaluation of the McKay Lake drainageway channel alignments from the Bull Canal to Big Dry Creek and crossing structures at the Bull Canal, Interstate 25 and Washington Street, as well as the preliminary design of the selected alternative. Funds for this expense are available in the Miscellaneous Storm Drainage Project of the General Capital Improvement Project Fund.

Summary

With the pending construction of a new interchange on I-25 at 136th Avenue, the development of the currently vacant parcels generally located south of 144th Avenue and west of I-25 will likely begin in earnest. Much of these undeveloped lands are inundated by the 100-year floodplain for the outfall drainageway from McKay Lake (see attached map). The logical drainage “solution” within this basin is a regional approach to the implementation of improvements (e.g., regional detention in McKay Lake; new crossing structure under I-25). City Staff is currently working with the owners of many of these vacant parcels to evaluate strategies to finance the various components of the regional drainage improvements. However, it would be extremely beneficial to obtain the results of the proposed evaluation of McKay Lake Drainageway Channel Alignments and the preliminary design of a selected alternative at this time in order to fully understand the cost ramifications of solving the regional drainage problem. For that reason, City Staff proposes that City funds from the Miscellaneous Storm Drainage Project of the General Capital Improvement Project Fund be utilized at this time to fund the desired consulting services contract.

Staff Recommendation

Authorize the City Manager to execute a consulting service contract with The Sear-Brown Group in the amount of \$57,100 for the evaluation of McKay Lake Drainageway Channel Alignments and Crossing Structures and the preliminary design of the selected alternative.

Background

The McKay Lake drainageway extends from the outlet of McKay Lake at Approximately 144th Avenue and Zuni Street to Big Dry Creek east of Interstate 25 at approximately 140th Avenue and Washington Street. The 100-year floodplain was defined for this drainageway in the 1986 Flood Hazard Area Delineation for Quail Creek & Tributaries and McKay Lake Basin. With the current topography, the floodplain is very wide and shallow. Currently, there is no crossing structure for the Bull Canal or Interstate 25. Water would simply pond behind these two embankments until they are over-topped.

An Outfall System Plan (OSP) for the McKay Lake basin, sponsored by the City, the Urban Drainage and Flood Control District, and the City of Broomfield, is currently being completed. The OSP generally describes the drainage improvements needed for the entire drainage basin. The OSP does not address the needed improvements in detail. The main components of the OSP for this drainageway are regional detention in McKay Lake; crossing structures at Interstate 25, Huron Street, Bull Canal, and Washington Street; and channelization.

With the construction of the 136th Avenue interchange, commercial development in this corridor will begin. The existing floodplain inundates a large portion of the area in this corridor limiting the amount of developable acreage. The drainage improvements outlined in the OSP will reduce the width of the 100-year floodplain and, thus, increase the amount of developable property.

The majority of the drainage improvements will be constructed by developers as a ‘normal’ part of the development process. Two of the components -- namely regional detention in McKay Lake and a crossing structure at Interstate 25 -- benefit more than one property owner and should be funded by all the benefiting property owners. City Staff is currently evaluating various implementation strategies to finance these components and a reasonable cost estimate is needed.

Requests for proposals were sent to three consulting firms: Muller Engineering, The Sear-Brown Group, and Martin/Martin Inc. Proposals were submitted by Martin/Martin and The Sear-Brown Group. The project cost by The Sear-Brown Group is \$57,100. The project cost for Martin/Martin is between \$65,000 and \$75,100. Both firms have the expertise and staff available to complete the project in a timely fashion; however, the proposal submitted by The Sear-Brown Group was more comprehensive and implied a more thorough understanding of the project goals.

As an option, the project scope can be limited to just the alternative analysis. Staff does not recommend this. If only the alternative analysis is completed, the channel alignment would be coordinated with the City of Thornton and several crossing alternatives for Interstate 25 and the Bull Canal would be analyzed. However, only a ‘ballpark’ cost estimate of the drainage improvements would be provided which may create future funding problems.

Respectfully submitted,

William M. Christopher
City Manager

Attachments



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Financial Advisor Contract

Prepared by: Bill Christopher, City Manager
Mary Ann Parrot, Finance Director

Introduction

City Council is requested to authorize a contract with James Capital Advisors, Inc., as Financial Advisor for the City for five years at the following fee scale, based on bond size:

- First \$10million at \$.75 per bond (\$4,500 minimum)
- Next \$10million at \$.50 per bond
- Next \$20million at \$.50 per bond
- Over \$40million at \$.25 per bond (\$22,500 maximum)

Funds for these fees would be budgeted in the respective bond issues. Additional projects would be determined on a pay-as-you-go basis at a cost of \$135 per hour, as determined by appropriated funds in the Finance Department's budget.

Summary

The City has historically included the functions of Financial Advisor and Bond Underwriter as combined functions. In 1997, the City segregated the functions with two objectives in mind: first, to avoid the conflict of interest that can arise when one firm attempts to work as bond underwriter and financial advisor; and second, to reduce bond costs. This practice has worked well and has eliminated the actual and potential conflict of interest when one firm attempts to carry out responsibilities of both roles. In addition, since 1997, this strategy has also saved the City approximately \$125,000 net of Financial Advisor fees. This is because the bond structure has been improved to reduce interest costs and underwriting fees have been negotiated down to reflect market conditions. Both of these results came from adding the independent financial advisor to the team, to deal with highly technical issues on behalf of the City.

As a result of the successful addition of this person to the team, in April 1999 City Council directed Staff to take the following actions:

- Segregate the functions of Underwriter and Financial Advisor.
- Draft a contract with Hanifen, Imhoff Inc. as the City's underwriter. This was completed and approved by City Council in June 1999.
- Seek an independent Financial Advisor on a competitive basis after completion of the Westminster Mall/Westminster Boulevard financing. Staff completed this and has summarized the results below. Staff is recommending the hiring of the firm James Capital Advisors, Inc., as the best-qualified firm for the least cost.

Four proposals were received and reviewed:

- George K. Baum & Company
- Bigelow & Company
- U.S. Bancorp/ Piper Jaffray
- James Capital Advisors, Inc.

All firms were qualified to make a proposal, and all firms complied with the RFP requirements. The reasons for selecting James Capital Advisors, Inc., include the following:

- James Capital Advisors, Inc. has worked with the City for the past three years and is the most familiar with the City's financial management, financial and credit positions, and debt portfolio.
- James Capital Advisor's Inc. is experienced in the field and has an excellent reputation with the New York credit rating agencies, insurers and bankers in general.
- James Capital Advisor's Inc. has proven the firm can add value and has saved the City approximately \$125,000 on the past three bond underwritings.
- James Capital Advisor's Inc. is a financial advisory firm only. By contracting with his firm, the City is not reducing the field of underwriters available to bid on the City's bonds. This is not the case with hiring one of the other three firms, as they are primarily underwriters.
- James Capitals Advisor's Inc.'s fee structure was tied for the lowest overall costs, and his familiarity and organizational fit gave him the competitive edge for the sake of the City.
- James Capital Advisor's Inc., as a solo practitioner, has made arrangements for his replacement if he is unable to meet his commitments on a short-term basis. On a long-term basis, the City would have to seek a replacement, but this is also a possibility if one of the other firms was selected, as there is no guarantee the other team members would add as much value or be as satisfactory.

Staff Recommendation

Authorize the City Manager to execute a contract with James Capital Advisors, Inc., in substantially the same form at attached, at the following fees, to be paid out of bond issuance costs:

- First \$10million at \$.75 per bond (\$4,500 minimum)
- Next \$10million at \$.50 per bond
- Next \$20million at \$.50 per bond
- Over \$40million at \$.25 per bond (\$22,500 maximum)

Additional project costs, to be determined as necessary, but not currently planned, at \$135 per hour, to be paid out of professional fees in the Finance Administration budget, as appropriated.

Background Information

In response to City Council's direction in April 1999, Staff developed a Request for Proposals for Financial Advisory Services for the City (RFP). It was released in February 2000 and sent to eight firms in the Denver metropolitan area. Those firms were registered investment advisors with the Securities and Exchange Commission, and listed as Financial and Investment Advisors and/or Dealers and Underwriters in The Bond Buyers Municipal Marketplace (also known as "The Red Book" of registered investment bankers), the primary reference guide for investment banking firms. In order to keep the functions of Financial Advisor and Underwriter separate, the RFP included a provision wherein the Financial Advisory firm could not also compete to act as underwriter.

After release of the RFP, a pre-proposal conference was held wherein four firms attended out of eight solicited for proposals. Two firms declined to submit proposals: A.G. Edwards and Kirkpatrick Pettis. The reasons given were the demand for their services in the underwriter's role and their desire to remain in the role of underwriter.

Four proposals were received, reviewed and summarized by Staff:

- George K. Baum & Company
- Bigelow & Company
- U.S. Bancorp/Piper Jaffray
- James Capital Advisors, Inc.

A selection committee comprised of the City Manager, Finance Director, Treasury Manager, and Mr. Dee Wisor of Sherman & Howard, reviewed the proposals and conducted interviews on Friday, March 24. The evaluation criteria included qualifications/experience, organizational fit, and cost. All four of the firms were highly qualified. One of the cost proposals was the "high bid", one was mid-range and two were tied for least cost. James Capital Advisors, Inc. was one of the two firms tied for least cost. Because Mr. Manire has acted as the City's Financial Advisor on the past four bond issues, his organizational fit was best. In addition, his is the only firm which does not act as both underwriter and financial advisor. His firm does no underwriting, thereby guaranteeing the City an independent advisory function, avoiding potential conflict of interest. Lastly, he has garnered significant savings for the City on the last three bond issues, which Staff quantified at approximately \$125,000.

Alternatives include selecting another firm or rejecting all proposals and re-issuing the RFP. The former is not recommended as the other firms, although highly qualified, are not as knowledgeable of the City and have fee scales that are the same as, or higher than, that of James Capital Advisors. The latter alternative is also not recommended, as this restricts the financing efforts currently in the pipeline, and is not necessary. Of the firms submitting proposals, all were highly qualified and could have done the work the City needs to have completed.

Staff will be available at the April 10 meeting to answer City Council questions.

Respectfully submitted,

William M. Christopher
City Manager

Attachment



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Purchase for new HR/Payroll and Financial Management System

Prepared by: Tammy Hitchens, Accounting Manager
Debbie Mitchell, Human Resources Manager
Jakki Erosky, Information Systems Manager

Introduction

City Council approval is requested to authorize Staff to amend the JD Edwards contract for an integrated Human Resources, Payroll and Financial Management System to include training and technical services in the amount not to exceed \$401,200. If approved, the total contract with JD Edwards will not exceed \$1,016,200. Hardware and software server needs for the project have been identified and City Council is requested to authorize the purchase of hardware and software from Compac through the Western States Contract Alliance (WSCA) and MicroSoft through the Select program in the amount not to exceed \$200,000. These project components are included within the total project budget previously identified to City Council. Funds are available in the current General Capital Projects Fund and the Utility Operating Budget and are identified in the five year Capital Improvement Plan.

Summary

Staff continues to work on the two year implementation of a new fully integrated financial and human resources system. These integrated systems are also known as Enterprise Resource Planning (ERP) systems. City Council approved the purchase of the JD Edwards software system on February 28, 2000. This approval included the purchase and installation of software and maintenance services. Since that date, Initial Application Scope and Requirements and Technical Scope sessions were held to identify the specific costs related to a detailed training plan and all of the hardware and software needs associated with the project. It was also to develop an estimate of technical services such as quality assurance and project oversight needed from JD Edwards Staff. The specific costs identified for these components are \$401,200 for the training and technical services and \$200,000 for the hardware and software.

Staff Recommendation

Authorize an amendment to the JD Edwards contract to include training and technical services in an amount not to exceed \$401,200 which includes a 15% contingency; and authorize the purchase of server hardware and maintenance from Compac through WSCA and software from MicroSoft through the Select program in an amount not to exceed \$200,000 to include a 5.5% contingency.

Background

City Council approved the selection of JD Edwards One World software on February 28, 2000. This software will replace the existing custom financial system the City has been utilizing for over 18 years. It will also replace the current HR and Payroll system, Spectrum HR/Pay, used by the City for the past 12 years. City Council approved the purchase of software, maintenance and initial installation. Since that time, staff has conducted two work plan development meetings to define the initial function and technical scope and requirements for the entire project. This effort provided a forum to define tasks, hours of work, a high level timeline for project milestones, skills and individuals needed to complete the work, specific training requirements and server hardware, software and maintenance needed to successfully complete the project.

This high level work plan provided Staff with necessary information to develop the training, hardware/software and technical services budgets for the project. The scope meeting documents were also used to define the scope of work required of the implementation vendor. These documents were a component of a Request for Proposal to vendors for implementation services on the project. Staff is in the process of reviewing those proposals and plans to request City Council approval of the selected implementation vendor in late April or early May of this year. Seven year financing will be arranged as soon as all the project costs are finalized.

City Staff is recommending that City Council approve the purchase of the following major components:

- Training;
- JD Edwards Technical Services;
- Server Hardware, Software and Maintenance.

Training

Training for the project team, including functional leads for each module and Information Technology Staff, have been identified. The training is available only through JD Edwards certified courses delivered either at the JD Edwards site or in a customized course at the City. The City cost for JD Edwards training is \$510 per day per person or \$5,000 per day for a custom class at City facilities. These fees represent a 5% discount from the normal class rates. A list of the courses, hours and fees is attached. Technical classes are listed separately. The estimated training from JD Edwards is 386 days or \$205,400. Other technical training has been estimated at \$3,600. City Staff will deliver end user training, except for the functional leads who will receive their training as part of the project team. A 15% contingency is build into the recommended training budget of \$240,400.

JD Edwards Technical Services

There are a number of technical tasks and quality assurance measures that JD Edwards requires be completed under JD Edwards direction or by JD Edwards staff. This requirement is to ensure that each implementation of the One World software has a high probability of being successfully implemented. JD Edwards is concerned that the project stays on-time and on-budget, as well as provide the desired functionality at the completion of the project. With this philosophy in mind, JD Edwards requires that the City purchase a number of technical services and project oversight from them. These services provide a methodology for implementation; technology and functional readiness assessments and project planning and oversight services. These services are delivered on a time and materials basis, with hourly rates of \$185 to \$215. JD Edwards estimated the total services cost based on the two initial scope planning sessions with staff. The estimated cost for all services is \$139,800. This does not include travel expenses, although local JD Edwards staff have been identified for the project. A 15% contingency has been included in the recommended technical services budget of \$160,800. The combined training and technical services expense negotiated with J. D. Edwards is \$401,200.

Server Hardware, Software and Maintenance

Information Technology Staff participated in the Technology Scope and Requirements session with JD Edwards and Compac computer staff. This day-long session provided an opportunity for Staff to identify the project's hardware and software needs. Subsequent to this meeting, Information Technology Staff investigated specific hardware and software equipment options and costs. The following is a list of the recommended hardware and software purchases:

Purchase for new HR/Payroll and Financial Management System
Page 3

Enterprise Server and Software	\$ 67,550
Deployment Server and Software	\$ 17,805
Web Based Client Server and Software	\$ 23,890
Batch Server and Software	\$ 17,280
Development/Test Server and Software	\$ 28,105
1 st Year Maintenance on 5 Servers – 24X7 – 4 hour response	\$ 18,830
Server Racks, Switches, Monitors	\$ 16,201
Contingency	<u>\$ 10,339</u>

Total \$200,000

The City's technology standard is that all personal computers and servers will be Compac computers. This allows Information Technology Staff to only support one brand of computer. Western States Contract Alliance (WSCA), which is a group comprised of the State of Colorado and 14 other states, has negotiated a contract with Compac for computer hardware. The City is able to take advantage of the pricing negotiated by WSCA by buying directly from Compac.

The required software will be purchased through the MicroSoft Select program. The Select program allows the City to receive discounted software directly from MicroSoft.

Respectfully submitted,

William M. Christopher
City Manager

Attachments: Training Outline



Technology Training Estimate

	No.	No.	Cost
	<u>Students</u>	<u>Days</u>	
Foundation: Common Foundation B73.3.1	2	1	1,020
Foundation: Enterprise Report Writing I B73.3.1	2	3	3,060
Foundation: Enterprise Report Writing II B73.3.1		3	
Technical: CNC™ Foundation B73.3.1	2	2	2,040
Technical: System Administration B73.3.1	2	5	5,100
Technical: Deploying Modifications B73.3.1	2	5	5,100
Technical: Install Overview B73.3.1	2	3	3,060
Technical: Upgrade Overview B73.3.1	2	1	1,020
Technical: Tools Foundation B73.3.1	2	1	1,020
Technical: Designing Forms I B73.3.1	2	4	4,080
Technical: Advanced Tools B73.3.1	2	5	5,100
Technical: Design Batch Applications B73.3.1		5	
Technical: Programming Workflow B73.3.1	2	2	2,040
Technical: Table Conversions B73.3.1		1	
Total			\$32,640



Application Project Team Training

City of Westminster

STD=0

TRAINING ESTIMATE

Custom

February 29, 2000

	<u>No.</u>	<u>No.</u>	<u>@Client=1</u>	<u>Cost</u>	<u>Student</u>
	<u>Students</u>	<u>Days</u>	<u>@JDE = 2</u>		<u>days</u>
<u>B733 OneWorld Financials</u>					
Foundation: OneWorld Common Foundation	10	1.0	1	5,000	10
Foundation: Address Book	4	1.0	0	2,040	4
Job Track: Accounts Payable Manager	4	3.0	0	6,120	12
Job Track: Accounts Receivable Manager	4	4.0	0	8,160	16
Job Track: Credit/Collection Manager	4	4.0	0	8,160	16
Foundation: Financial Overview	0	2.0	0	0	0
Fast Track: Financials for Public Services	10	8.0	1	40,000	80
Job Track: Accounting Manager	4	4.0	0	8,160	16
Job Track: Budget Manager	2	1.0	0	1,020	2
Job Track: Financial Reporting Manager	4	2.0	0	4,080	8
Job Track: Project Manager	4	2.0	0	4,080	8
Foundation: Enterprise Report Writing I	4	1.0	0	2,040	4
Foundation: Enterprise Report Writing II	4	3.0	0	6,120	12
Job Track: Asset Manager I	2	2.0	0	2,040	4
Job Track: Asset Manager II	2	1.0	0	1,020	2
<u>B733 OneWorld Human Resource Management</u>					
Fast Track: Human Resource Management Part I	10	3.0	1	15,000	30
Fast Track: Human Resource Management Part II	10	5.0	1	25,000	50
Job Track: Human Resources Manager	4	3.0	0	6,120	12
Job Track: Benefit Manager/Specialist	4	2.0	0	4,080	8
Job Track: Payroll Manager	4	5.0	0	10,200	20
Job Track: Payroll Administrator	4	3.0	0	6,120	12
<u>B733 OneWorld Distribution</u>					
Job Track: Purchasing for Non-Inventory	4	4.0	0	8,160	16

Total Training

	172,720	342.0
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WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Councillor's Bill No. 28 re Local Law Enforcement Block Grant and the Mandalay Middle School Bicycle Patrol Grant

Prepared by: Dan Montgomery, Chief of Police and Norm Prewitt, School Resource Officer

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading appropriating: \$37,803 from the Local Law Enforcement Block Grants (LLEBG) Program to the Police Department Patrol Services Division Budget for the purchase of 15 portable radios; and \$2,000 from the Colorado Regional Community Policing Institute, School Based Line Officer Grant, to the Police Department Community Services Division Budget for the purchase of a police bicycle.

Summary

In December 1999, the Police Department applied for a federal Local Law Enforcement Block Grant which provides funding for the purchase of law enforcement related equipment. The grant was approved and the Police Department accepted the award and special conditions on March 8, 2000. The funding of \$37,803 from this grant will be used for the purchase of 15 police portable radios.

In November 1999, the Police Department applied for a School Based Line Officer Grant. The grant provides funding for a police bicycle and equipment for bike patrol in the Mandalay Middle School area and adjacent bike paths. The grant was approved by the Department of Criminal Justice on November 4, 1999 for the 2000 school year, and provides \$2,000 to fund a police bicycle and related equipment for an officer to patrol the Mandalay Middle School area and adjacent bike paths.

Staff Recommendation

Pass Councillor's Bill No. 28 on first reading appropriating \$37,803 to the Police Department Patrol Services 2000 Budget and \$2,000 to the Police Department Community Services Division budget.

Background Information

Local Law Enforcement Block Grants Program

The Police Department submitted a grant application for a Federal Local Law Enforcement Block Grant (LLEBG) in the amount of \$37,803. The purpose of the grant is for the purchase of equipment used to support law enforcement and is for the calendar year 2000. On March 8, 2000, the Bureau of Justice Assistance (BJA) informed the Police Department that the grant application was approved. Staff accepted the award and special conditions to the grant. Acceptance of the award and special conditions do not result in an automatic payment of the block grant funds. Under the special conditions of the grant, the Police Department is not allowed to request the draw down of the approved funds until City Council has approved the grant funding at a public City Council meeting.

The Police Department has previously identified the need to increase the number of portable radios. These hand-held radios are a critical piece of equipment issued to every officer. They are a vital piece of officer safety equipment and allow officers to remain in contact with the Police Communications Center, supervisors, and each other when they are out of their cars conducting police investigations or duties. Radio availability has become a problem during shift overlaps and on weekends when a number of officers are deployed on special assignments or extra-duty work. The LLEBG grant funds will be used to purchase 15 additional portable radios at the cost of \$2,300 each. The LLEBG required cash match would be absorbed in the adopted 2000 budget with funds already designated to purchase additional portable radios.

Mandalay Middle School Bicycle Patrol Grant

Mandalay Middle School is located in the middle of a large residential neighborhood in the City and there are many approaches to the school, including several miles of bicycle paths. There are two neighboring elementary schools that have complained in the past about some of the middle school students trespassing on their campuses. Bicycle paths lead to those schools as well. Mandalay Middle School has a student population of approximately 975 students. In order to insure the safety of these students and the students of the surrounding elementary schools, a more aggressive and thorough patrol could be made on a bicycle. Officer Norm Prewitt, the School Resource Officer at Mandalay Middle School has been trained and certified as a police bicycle patrol officer. With a bicycle, Officer Prewitt will be able to immediately implement a bicycle patrol in the neighborhood, including the bike paths that, otherwise, are not readily accessible to the officer.

In September 1999, the Westminster Police Department and Mandalay Middle School entered into a partnership agreement to participate in the addition of a bicycle patrol to the existing School Resource Officer Program. The Westminster Police Department applied for a Colorado Regional Community Policing Institute School Based Line Officer Grant. The grant application request was for funding of a "One Trek 8000 Police Special" bike and related equipment totaling \$2,000. The Police Department has agreed to maintain the bicycle and equipment, and Mandalay Middle School will allow the officer time to patrol the school and neighborhood on the bike.

The grant application was approved in November 1999 for funding of the bicycle and equipment in the 2000 school year and the check was received in February 2000.

The addition of the bicycle patrol to the school will be assessed through community input, such as comments from students and parents in the neighborhood. Additionally, the School Resource Officer will seek feedback from the school administration at all three schools, for their observations on increased safety of the students. This assessment will be an ongoing process and will be addressed specifically at the beginning and end of the school year.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. 28

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2000 BUDGET OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2000 appropriation for the General Fund, initially appropriated by Ordinance No. 2728 in the amount of \$61,747,852 is hereby increased by \$39,803 which, when added to the fund balance as of the City Council action on April 24, 2000, will equal \$61,940,471. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of a federal Local Law Enforcement Block Grant to fund the purchase of police portable radios; and a Colorado Regional Community Policing Institute School Based Line Officer Grant to fund the School Resource Officer Bicycle Patrol program through the purchase of a bicycle and related equipment.

Section 2. The \$39,803 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>\$ Increase</u>	<u>Final Budget</u>
<u>REVENUES</u>			
Intergovernmental –Police Grants 10-0447-000	\$0	\$39,803	\$39,803
<u>EXPENSES</u>			
Capital Outlay – Other Equipment 10-20-50-406-000	\$8,426	\$37,803	\$46,229
Miscellaneous Supplies/Equipment 10-20-27-321-000	\$30,700	\$2,000	\$32,700

Section 3 - Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this Ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

Section 4. This ordinance shall take effect upon its passage after the second reading. 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 10th day of April, 2000. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ___th day of _____, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Councillor's Bill No. 29 Establishing Reclaimed Water System Rates and Operating Policies

Prepared by: Tom Settle. Water Quality Coordinator

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading amending certain sections of the City Code related to the regulation of Reclaimed Water.

Summary

City Council approval is requested for the attached Councillor's Bill which would amend Title VIII of the City Code governing Health and Sanitation with the addition of Chapter 12. This new Chapter defines the regulations governing the use of water originating from the City's new Reclaimed Water System. The City is currently at 95% completion in the construction of the Reclaimed Water System. The City must identify the guidelines for the use of reclaimed water including tap fees and rates, and water application regulations and limitations. The proposed regulations would set the user rates and tap fees at 80% of the comparable commercial potable water service charges. Projected revenues from the reclaim system have been incorporated into the 2000 and 2001 budget planning process based on the rates established in these proposed regulations.

The regulations also define the operational requirements that must be followed by the reclaimed water users. Land-use types that can utilize reclaimed water such as parks, golf courses and common areas within multi-family developments are identified in the proposed regulations. They will regulate control of watering times, areas that can be watered and other system operational issues. The majority of these elements are required by the Colorado Department of Public Health and Environment (CDPHE) in order to operate a reclaimed water system under their permit system.

The recommended changes will provide the operational guidelines necessary for the reclaimed water system.

Recommendation

Pass Councillor's Bill No. 29 on first reading amending Title VIII, adding Chapter 12 Reclaimed Water Regulations to the Westminster Municipal Code.

Background

Reclaimed water is a distinct and separate utility service from potable water supply and wastewater collection/treatment. As such, this requires the utility ordinances to be updated to reflect this new service and define its own set of regulations. Proposed reclaimed water fees would be indexed at 80% of the commercial/irrigation rates for potable water for both rates and tap fees. Research was conducted regarding the charges for reclaimed water by other systems in Colorado as well as around the United States. The rates ranged from no use fees in states that utilize reclaimed water systems as a means to dispose of wastewater to 80% of potable rates in the more-arid areas of the country where water is a scarce commodity. The proposed rates will recover all of the annual operational costs and a portion of the capital investment.

The remainder of the \$21 million Reclaimed Water System (RWS) capital investment recovery is spread across the other Utility (water and wastewater) rate structures by incorporating the capital project costs into the rates and through reclaimed tap fees for new development. This dispersion of the investment recovery across the water and wastewater fee structures is reasonable since the project serves as a water supply and a wastewater treatment system.

In addition to the rates and fees, important points proposed in the regulations include:

- Appropriate uses for reclaimed water
- Exchanging an existing potable water tap for one on the RWS
- Specifications for connections that are exclusive to the RWS
- Procedures for the safe management of sites using reclaimed water, such as warning signs

The Colorado Department of Public Health and Environment has several requirements for the operation of a RWS. One requirement is a discharge permit, similar to a wastewater treatment facility that outlines specific water quality standards. A second requirement is a set of specific reclaimed water application guidelines that outline when and where it can be used. The City code serves this role. These guidelines must then be passed on to any user through a signed agreement between the user and the supplier of reclaimed water. The agreements for the initial non-city users have been executed and were included with the City's application for a discharge permit for the facility. The discharge permit has now been issued.

The CDPHE has taken an unexpected turn toward more-lenient control regulations that may allow the City to irrigate a broader spectrum of land use types than previously anticipated. This means that the high quality of water produced by the RWS may be suitable for irrigating certain residential areas such as townhome developments and single-family greenbelt areas. Staff is currently awaiting a determination of whether CDPHE will allow such uses. Water Resources and Treatment Staff believes that it is a valid and safe use of reclaimed water.

The RWS components include the Westminster Reclaimed Water Treatment Facility south of the Big Dry Creek Wastewater Treatment Facility at 13150 Huron Street, a standpipe at the existing Northridge tank site south of Westminster City Hall, and approximately 95,000 lineal feet of 2-inch to 36-inch diameter distribution system pipe. All of these components, except for the treatment facility, are complete. Completion of the facility is scheduled for June 2000, in time for most of the 2000 irrigation season.

The RWS initial phase can serve approximately 1,100-acre feet of irrigation usage. The initial City sites that will be served include Legacy Ridge Golf Course, The Heritage at Westmoor Golf Course, City Park, and Westminster City Hall. In addition, Lucent Technologies, Front Range Community College, and Ryan Elementary School park will be served with the first phase.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2000

COUNCILLOR'S BILL NO. 29
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE ESTABLISHING RECLAIMED WATER SYSTEM RATES AND OPERATING POLICIES

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title 8 of the Westminster Municipal Code is hereby amended by the addition of the following:

CHAPTER 12 RECLAIMED WATER REGULATIONS

8-12-1: DEFINITIONS: FOR THE PURPOSE OF THIS CHAPTER CERTAIN WORDS AND TERMS USED HEREIN ARE DEFINED AS FOLLOWS:

(A) CONSUMER: ANY PERSON, CITY FACILITY, FIRM OR CORPORATION RECEIVING WATER FROM THE CITY RECLAIMED WATERWORKS.

(B) MAINS: THE MAIN PIPES AND CONNECTIONS FORMING A PART OF THE CITY RECLAIMED WATERWORKS.

(C) METER: THE DEVICE, APPROPRIATE TO THE PREMISE SERVED, INSTALLED TO MEASURE THE AMOUNT OF WATER PASSING THROUGH IT, WITH AN ACCURACY OF BETWEEN NINETY FIVE PERCENT (95%) AND ONE HUNDRED ONE PERCENT (101%) OF ACTUAL QUANTITIES DELIVERED. THE TERM SHALL ALSO INCLUDE DETECTOR DEVICES FOR WATER PASSING THROUGH FIRE SERVICE LINES.

(D) METER SERVICE CHARGE: THE FEE FOR MAINTAINING THE METER, READING THE METER, PERIODICALLY BILLING THE ACCOUNT, AND PROCESSING PAYMENTS.

(E) RECLAIMED WATER: THAT WATER, WHICH ORIGINATES FROM THE CITY'S RECLAIMED WATER TREATMENT FACILITY AND IS DISTRIBUTED THROUGH THE RECLAIMED WATER DISTRIBUTION SYSTEM FOR THE EXPRESS PURPOSE OF NON-POTABLE USES.

(F) SERVICE COMMITMENT: THE AVERAGE WATER SERVICE PROVIDED TO ONE SINGLE FAMILY DETACHED DWELLING UNIT.

(G) SERVICE PIPE: A BRANCH PIPE WITH ITS FITTINGS AND CONNECTIONS THROUGH WHICH WATER IS TAKEN.

(H) STREET: ANY STREET, AVENUE, ALLEY, LANE OR OTHER THOROUGHFARE.

(I) TAP: AN OPENING OR CONNECTION IN THE MAINS THROUGH WHICH WATER IS TAKEN.

(J) USER: THE OWNER OF THE PROPERTY UPON WHICH THE RECLAIMED WATER IS TO BE UTILIZED.

8-12-2: APPROPRIATE USES: RECLAIMED WATER WILL BE MADE AVAILABLE FOR IRRIGATION PURPOSES ON COMMERCIAL/INDUSTRIAL SITES, PARKS, GOLF COURSES AND LARGE COMMON AREAS WITHIN RESIDENTIAL DEVELOPMENTS, AS ALLOWED BY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THAT ARE WITHIN 2000 FEET OF THE RECLAIMED WATER DISTRIBUTION SYSTEM. IT WILL NOT BE AVAILABLE FOR INDIVIDUAL, SINGLE-FAMILY RESIDENTIAL USE.

8-12-3: TAP PERMIT REQUIRED:

(A) NO RECLAIMED WATER TAP SHALL BE MADE ON ANY RECLAIMED WATER MAIN, EITHER PUBLIC OR PRIVATE, OR ANY OTHER PORTION OF THE WATERWORKS OF THE CITY WITHOUT FIRST SECURING APPROVAL THEREFOR. THE APPLICATION FOR A RECLAIMED WATER TAP PERMIT SHALL BE MADE IN WRITING UPON A FORM FURNISHED BY THE CITY AND SHALL CLEARLY STATE THE TAP SIZE, ADDRESS, AND PERSON APPLYING FOR TAP AND ANY OTHER INFORMATION AS THE CITY MAY REASONABLY REQUIRE.

(B) RECLAIMED SERVICE LINES AND METER VAULTS MAY BE INSTALLED AS PART OF WATER MAIN CONSTRUCTION, IF PRIOR APPROVAL HAS BEEN RECEIVED FROM THE CITY. THE INSTALLATIONS OF THESE SERVICE LINES AND METER VAULTS ARE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY AND SHALL BE IN ACCORDANCE WITH ADOPTED CITY STANDARDS AND SPECIFICATIONS.

(C) PAYMENT OF THE TAP FEE WHEN THE CONSTRUCTION REQUIRES A BUILDING PERMIT SHALL BE MADE NO EARLIER THAN THE DATE UPON WHICH A BUILDING PERMIT IS ISSUED AND NO LATER THAN THE DATE UPON WHICH THE CERTIFICATE OF OCCUPANCY FOR THE PROPERTY CONNECTING TO THE CITY WATER SYSTEM IS ISSUED. PAYMENT OF THE RECLAIMED WATER TAP FEE FOR AN IRRIGATION SYSTEM, OR FOR ANY OTHER INSTALLATION OR CONSTRUCTION NOT REQUIRING ISSUANCE OF A BUILDING PERMIT, SHALL BE AT THE TIME OF WATER TAP PERMIT APPLICATION. THE AMOUNT OF SUCH FEE SHALL BE CALCULATED ACCORDING TO THE CITY'S SERVICE COMMITMENT CALCULATION FORMULAS AND THE FEE SCHEDULE IN EFFECT AT THE TIME PAYMENT IS MADE.

(D) FOR EXISTING FACILITIES, WHICH DO NOT REQUIRE A CERTIFICATE OF OCCUPANCY, AND THAT HAVE AN EXISTING IRRIGATION TAP OR USE AN EXISTING TAP FOR IRRIGATION PURPOSES, A RECLAIMED WATER TAP PERMIT WILL BE REQUIRED BUT WILL HAVE NO ADDITIONAL TAP FEE CHARGED IF THE TAPS ARE THE SAME SIZE, WHEN THE EXISTING POTABLE CONNECTION IS EXCHANGED FOR A RECLAIMED WATER CONNECTION. PRIOR TO RECLAIMED WATER METER BEING INSTALLED EXISTING POTABLE WATER TAP MUST BE ABANDONED.

(E) WHERE ANY UNIT CURRENTLY HAVING A RECLAIMED WATER TAP IS DEMOLISHED, AND A BUILDING PERMIT FOR RECONSTRUCTION PURPOSES IS ISSUED WITHIN ONE YEAR OF THE DATE OF DEMOLITION, NO NEW TAP FEE SHALL BE REQUIRED AND THE NEW UNIT SHALL BE REGARDED AS BEING SERVED BY THE TAP IN SERVICE PRIOR TO DEMOLITION OF THE UNIT. FAILURE TO SATISFY THE ABOVE CRITERIA SHALL CONSTITUTE AN ABANDONMENT OF THE RECLAIMED WATER TAP AND THE SERVICE COMMITMENT AND ANY SUBSEQUENT CONSTRUCTION SHALL BE DONE IN CONFORMANCE WITH THE CITY CODE OF THE CITY OF WESTMINSTER.

(F) WHERE ANY UNIT CURRENTLY HAVING A RECLAIMED WATER TAP IS VACANT FOR MORE THAN THIRTY-SIX (36) CONSECUTIVE MONTHS, IT SHALL CONSTITUTE AN ABANDONMENT OF THE WATER TAP AND SERVICE COMMITMENT AND THE METER SHALL BE REMOVED BY THE CITY. ANY SUBSEQUENT OCCUPATION OF THAT UNIT SHALL BE DONE IN CONFORMANCE WITH THE CITY CODE OF THE CITY OF WESTMINSTER.

8-12-4: TAP FEE:

(A) THE RECLAIMED WATER TAP APPLICANT WILL SUBMIT PLANS IDENTIFYING THE PROPOSED IRRIGATED AREA AND ITS TOTAL SQUARE FOOTAGE/ACREAGE. THIS INFORMATION WILL BE USED TO CALCULATE A PROJECTED WATER DEMAND FOR THE PURPOSE OF DETERMINING THE EQUIVALENT POTABLE TAP SIZE. THE APPLICANT SHALL THEN PAY 80% OF THE FEES SET FORTH IN 8-7-3, WATER TAP FEE, THE TOTAL OF WHICH SHALL BE KNOWN AS THE RECLAIMED WATER TAP FEE, WHICH SHALL BE PAID UPON ISSUANCE OF THE TAP PERMIT OR AS OTHERWISE REQUIRED BY SECTION 8-12-2.

(B) PROVISION OF MATERIALS AND WORK: FOR ALL RECLAIMED WATER TAPS, THE APPLICANT SHALL FURNISH ALL LABOR AND WORK, AND ALL MATERIALS AS SPECIFIED BY THE CITY EXCEPT AS PROVIDED BY THIS PARAGRAPH. THE CITY SHALL PROVIDE THE APPLICANT WITH A LIST OF REQUIRED MATERIALS AND APPROVED SUPPLIERS, AT THE TIME OF APPLICATION.

8-12-5: SPECIFICATIONS:

(A) THE CITY WILL SPECIFY ALL MATERIALS THAT THE APPLICANT IS TO FURNISH PURSUANT TO ADOPTED CITY STANDARDS AND SPECIFICATIONS. RECLAIMED WATER USE WILL BE METERED THROUGH A SINGLE VAULT FOR EACH CUSTOMER SITE. METER VAULTS SHALL BE LOCATED ONLY WITHIN PUBLIC RIGHTS OF WAY, PUBLIC EASEMENTS, OR CITY EASEMENTS. LOCATION AND GRADE SHALL BE SUBJECT TO APPROVAL OF THE CITY. ONCE INSTALLED AND APPROVED, ALL RECLAIMED METERING EQUIPMENT BECOMES THE PROPERTY OF THE CITY.

(B) AUTHORIZATION TO INSTALL ANY TAP OR METER MAY BE WITHHELD BY THE CITY IF THE APPLICANT IS IN VIOLATION OF ANY LAW OF THE CITY OR IN DEFAULT IN ANY AGREEMENT WITH THE CITY. IT SHALL BE UNLAWFUL TO USE, OR PERMIT TO BE USED ANY RECLAIMED WATER TAP INSTALLATION UNTIL THE METER HAS BEEN APPROVED OR SET BY THE CITY. UPON APPROVAL, THE ENTIRE METER INSTALLATION SHALL BECOME THE PROPERTY OF THE CITY.

(C) EACH RECLAIMED WATER TAP SHALL BE ASSIGNED A SERVICE ADDRESS AND BILLING ACCOUNT IN THE NAME OF THE PROPERTY OWNER OR MANAGER.

(D) SEPARATE IRRIGATION WATER TAPS AND METERS SHALL BE REQUIRED FOR ALL NEW NON-RESIDENTIAL DEVELOPMENTS IF THE IRRIGATED AREA EXCEEDS 40,000 SQUARE FEET OF TURF, OTHER HIGH WATER USE LANDSCAPING, OR COMBINATION THEREOF, AS DETERMINED BY THE CITY MANAGER OR HIS DESIGNEE.

8-12-6: WATER RATE SCHEDULE:

(A) ALL RECLAIMED WATER DELIVERED FROM THE CITY RECLAIMED WATER SYSTEM SHALL BE METERED, AND THE CHARGE THEREFORE SHALL BE SET AT 80% OF THE EXISTING COMMERCIAL WATER RATES AS SET FORTH IN 8-7-9.

(B) CONTINUANCE OF CUSTOMER CHARGES: MONTHLY CUSTOMER CHARGES SHALL BE ASSESSED IN ALL CASES DURING THE IRRIGATION SEASON INCLUDING WHERE NO WATER IS CONSUMED UNTIL SUCH TIME AS CITY PERSONNEL ARE SPECIFICALLY REQUESTED TO DISCONTINUE RECLAIMED WATER SERVICE AT THE METER. MONTHLY CUSTOMER CHARGES WILL NOT BE ASSESSED IN THE MONTHS WHEN RECLAIMED WATER IS NOT AVAILABLE FOR DELIVERY FROM THE SYSTEM.

8-12-7: COMPUTATION OF RATE:

(A) THE SCHEDULE OF WATER RATES SHALL BE APPLIED TO WATER USED OR CONSUMED AS DETERMINED BY THE WATER METER READINGS THAT ARE MADE BY THE CITY, AS PROVIDED IN SECTION 8-12-5.

(B) RECLAIMED WATER METERS ARE TO BE READ TO THE LAST FULL THOUSAND (1,000) GALLONS COUNTED. ANY METER READING CONTAINING A PORTION OF ONE THOUSAND (1,000) GALLONS SHALL BE ROUNDED DOWN TO THE NEAREST ONE THOUSAND (1,000) GALLONS.

(C) TESTS OF RECLAIMED WATER METERS, BY CUSTOMER REQUEST, WILL BE PERFORMED AT ACTUAL COST. THIS FEE WILL BE WAIVED IF THE METER IS OVER-REGISTERING. IF THE METER IS OVER-REGISTERING, THE CUSTOMER WILL RECEIVE A CREDIT FOR EXCESS CHARGES ON THE PRIOR TWELVE (12) MONTHS CONSUMPTION. IF CITY RECORDS INDICATE A METER CHANGE OR ACCURACY TEST DURING THE TWELVE (12) MONTHS, THE CREDIT WILL APPLY FROM THE DATE OF THE METER CHANGE OR TEST.

8-12-8: DELINQUENT PAYMENTS AND SERVICE CHARGES:

(A) THE CITY SHALL HAVE ALL REMEDIES AVAILABLE AS DESCRIBED IN 8-7-7.

8-12-9: TAMPERING OR A BYPASS PROHIBITED:

(A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO TAMPER WITH ANY METER OR TO INSTALL OR USE ANY BY PASS OR OTHER DEVICE WHEREBY WATER MAY BE DRAWN FROM A SERVICE PIPE WITHOUT BEING REGISTERED BY THE METER.

(B) ALL METERS SHALL BE KEPT IN GOOD REPAIR BY THE CITY, AND SHALL BE AND REMAIN THE PROPERTY OF THE CITY AND UNDER ITS CONTROL. NO METER SHALL BE SET SO THAT THERE SHALL BE MORE THAN TWO FEET (2') OF EXPOSED UNMETERED SERVICE PIPE.

8-12-10: DUTY OF CONSUMER:

(A) ALL RECLAIMED WATER METER VAULTS SHALL BE PLACED AND MAINTAINED SO THAT THE VAULTS ARE READILY ACCESSIBLE TO WATER UTILITY PERSONNEL, AWAY FROM TREES AND BUSHES AND OUTSIDE OF FENCES.

(B) NO PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A RECLAIMED WATER METER VAULT IS LOCATED SHALL OBSTRUCT THE VAULT IN ANY MANNER SO THAT ACCESS TO THE METER IS PREVENTED. IF SUCH OBSTRUCTION IS NOT REMOVED WITHIN THE PERIOD OF TIME PRESCRIBED IN THE NOTICE REQUIRED IN SUBSECTION (F) BELOW, THE OWNER OR POSSESSOR SHALL BE DEEMED TO HAVE CONSENTED TO THE CITY'S ENTRY ONTO THE PROPERTY FOR THE PURPOSE OF REMOVING THE OBSTRUCTION AND GAINING ACCESS TO THE METER. ALL COSTS INCURRED IN THE REMOVAL OF THE OBSTRUCTION SHALL BE CHARGED TO THE WATER CONSUMER, OWNER OR POSSESSOR AS PRESCRIBED IN SUBSECTION (G).

(C) NO PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A RECLAIMED WATER METER PIT IS LOCATED SHALL FAIL TO MAINTAIN LANDSCAPING AROUND THE METER PIT TO PROVIDE AT LEAST THREE FEET (3') OF UNOBSTRUCTED ACCESS TO THE METER FROM THE PUBLIC RIGHT OF WAY AND AT LEAST FIVE FEET (5') OF VERTICAL CLEARANCE ABOVE THE METER PIT.

(D) NO PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A RECLAIMED WATER METER PIT IS LOCATED SHALL PLACE A FENCE IN SUCH LOCATION THAT THE FENCE WILL OBSTRUCT ACCESS TO THE METER PIT FROM THE PUBLIC RIGHT OF WAY.

(E) NO PERSON OWNING OR POSSESSING THE PROPERTY ON WHICH A RECLAIMED WATER METER PIT IS LOCATED SHALL FAIL TO ASSURE THAT LANDSCAPE MATERIALS TALLER THAN FOUR INCHES (4") ARE NO CLOSER THAN SIX INCHES (6") TO THE METER PIT NOR SHALL ANY SUCH PERSON ALLOW ANY LANDSCAPING MATERIAL TO COVER ANY PART OF THE METER PIT LID.

(F) IF THE CITY MANAGER OR HIS DESIGNEE FINDS THAT ANY PERSON HAS FAILED TO COMPLY WITH ANY OF THE REQUIREMENTS OF SUBSECTIONS (B), (C), (D), (E), OF THIS SECTION, THE MANAGER SHALL NOTIFY THE RECLAIMED WATER CONSUMER, OWNER OR POSSESSOR OF THE PROPERTY BY HAND DELIVERY OR CERTIFIED MAIL THAT HE SHALL BE REQUIRED TO COMPLY WITHIN FIFTEEN (15) DAYS OF THE DATE OF DELIVERING OR MAILING THE NOTICE.

(G) IF THE PERSON SO NOTIFIED FAILS TO COMPLY WITH THE REQUIREMENTS OF THE NOTICE, THE MANAGER MAY CAUSE THE WORK TO BE DONE AND CHARGE THE COSTS THEREOF, TOGETHER WITH AN AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) FOR ADMINISTRATIVE COSTS, TO THE PERSON SO NOTIFIED. SUCH COSTS SHALL BE ADDED TO THE CHARGES FOR WATER SERVICE, AND FAILURE TO PAY SUCH COST SHALL WARRANT AND AUTHORIZE THE CITY IN SHUTTING OFF THE WATER.

(H) ALL USERS OF RECLAIMED WATER WILL BE REQUIRED TO SUBMIT A CERTIFICATION STATEMENT SIGNED BY THE USER OR LEGAL REPRESENTATIVE OF THE USER, THAT IT HAS BEEN PROVIDED WITH A COPY OF THE STATE REGULATIONS AND HAS AGREED TO COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE REGULATIONS, IN PARTICULAR THE CONDITIONS FOR APPLICATION OF RECLAIMED DOMESTIC WASTEWATER MEETING UNRESTRICTED USE STANDARDS, AND TO ALLOW ACCESS TO THE SITE TO PERFORM MONITORING AND ANALYSIS, AS REQUIRED BY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(I) ALL RECLAIMED WATER USERS WILL HAVE CLEARLY VISIBLE SIGNAGE POSTED ON THE SITE WHICH CALLS ATTENTION TO THE FACT THAT RECLAIMED WATER IS UTILIZED FOR IRRIGATION. WORDING USED WILL BE, OR SIMILAR TO, "NON-POTABLE IRRIGATION WATER – DO NOT DRINK."

(I) IRRIGATION CONTROL. USER SHALL CONTROL THE USE OF RECLAIMED WATER TO THOSE AREAS INDICATED IN THE PERMIT APPLICATION.

1) IRRIGATION SHALL BE CONTROLLED TO MINIMIZE PONDING AND RUNOFF OF RECLAIMED WATER.

2) DIRECT AND WINDBLOWN SPRAY SHALL BE CONFINED TO THE AREA DESIGNATED AND APPROVED FOR RECLAIMED WATER IRRIGATION, TO THE EXTENT POSSIBLE.

3) PRECAUTIONS SHALL BE TAKEN SO THAT RECLAIMED WATER IS NOT SPRAYED ON ANY FACILITY OR AREA NOT DESIGNATED FOR RECLAIMED WATER IRRIGATION, SUCH AS PASSING VEHICLES, BUILDINGS, POTABLE WATER FOUNTAINS AND OTHER DISPENSERS, OR FOOD HANDLING AREAS.

4) THE IRRIGATION SYSTEM SHALL BE CONFIGURED AND SECURED IN A MANNER THAT ONLY PERMITS OPERATION BY AUTHORIZED PERSONNEL.

5) THERE SHALL BE NO HOSE BIB CONNECTIONS TO ANY EXISTING OR NEW PIPING CONNECTED TO THE RECLAIMED WATER SYSTEM.

6) THERE SHALL BE NO SPRAYING OF RECLAIMED WATER OVER OUTDOOR DRINKING WATER FOUNTAINS IN PUBLIC AREAS.

7) THERE SHALL BE NO CONNECTION BETWEEN THE POTABLE WATER SUPPLY AND ANY PIPING CONTAINING RECLAIMED WATER. SUPPLEMENTING RECLAIMED WATER WITH POTABLE WATER SHALL NOT BE ALLOWED EXCEPT THROUGH AN AIR-GAP SEPARATION. POTABLE WATER SUPPLEMENTATION IS ONLY AVAILABLE FOR "POND STORAGE" CUSTOMERS WITH AN AIR-GAP SEPARATION. FOR "DIRECT TO REUSE" CUSTOMERS, THERE SHALL BE NO CONNECTION WHATSOEVER BETWEEN A TEMPORARY OR SUPPLEMENTAL SYSTEM AND THE RECLAIMED SYSTEM, EITHER UPSTREAM OR DOWNSTREAM OF THE POINT OF DELIVERY, AT ANY TIME.

(K) GENERAL PROVISIONS. THE FOLLOWING GENERAL PROVISIONS ALSO APPLY TO THE USE OF RECLAIMED WATER FOR IRRIGATION:

- 1) TANK TRUCKS AND OTHER EQUIPMENT WHICH ARE USED TO DISTRIBUTE RECLAIMED WATER SHOULD BE CLEARLY IDENTIFIED WITH WARNING SIGNS.
- 2) ADEQUATE MEASURES SHALL BE TAKEN TO PREVENT THE BREEDING OF INSECTS AND OTHER VECTORS OF HEALTH SIGNIFICANCE.
- 3) THE USER SHALL MAINTAIN AS-BUILT PLANS OF THE USE AREA SHOWING ALL BUILDING, POTABLE AND RECLAIMED WATER FACILITIES, THE SEWAGE COLLECTION SYSTEM, ETC.
- 4) INSPECTION, SUPERVISION, AND EMPLOYEE TRAINING SHOULD BE PROVIDED BY THE USER TO ASSURE PROPER OPERATION OF THE RECLAIMED WATER SYSTEM.

8-12-11: USING WATER FROM ANOTHER CONNECTION PROHIBITED: IT SHALL BE UNLAWFUL FOR ANY CONSUMER TO PERMIT RECLAIMED WATER TO BE TAKEN THROUGH HIS SERVICE PIPE FOR THE USE OF ANY PERSON WHOSE PREMISES ARE NOT CONNECTED FOR THE USE OF RECLAIMED WATER FROM THE CITY'S MAINS.

8-12-12: CREDIT FOR OVERCHARGE: THE CITY FINANCE DIRECTOR OR FINANCE STAFF MAY GIVE CREDIT TO ANY UTILITY CUSTOMER THAT HAS BEEN OVERCHARGED. THE CREDIT MUST NOT EXCEED THE INTENT OF THIS ORDINANCE.

8-12-13: WATER SHORTAGE OR DROUGHT: IN THE EVENT OF A WATER SHORTAGE OR DROUGHT EMERGENCY THAT REQUIRES THE REDUCTION OF THE USE OF WATER FROM THE RECLAIMED WATER UTILITY, THE CITY MANAGER SHALL HAVE THE AUTHORITY TO IMMEDIATELY REQUIRE AND IMPLEMENT MANDATORY REDUCTIONS AS HE DEEMS NECESSARY FOR THE PROTECTION OF THE PUBLIC AS DESCRIBED IN SECTION 8-7-24. SUCH REDUCTIONS OR WATER RESTRICTIONS SHALL BE IN EFFECT UNTIL SUCH TIME AS THE CITY COUNCIL OR THE CITY MANAGER REMOVES THEM. IN THE EVENT OF A PROLONGED DROUGHT OR OTHER WATER SHORTAGE EMERGENCY THAT MAY REQUIRE WATER RESTRICTIONS OR LIMITATIONS FOR MORE THAN FIFTEEN (15) DAYS, THE CITY COUNCIL MAY ADOPT BY RESOLUTION, A LONG TERM WATER CONSERVATION PLAN AS DESCRIBED IN SECTION 8-7-24.

8-12-14: WATER TAP FEE CREDITS:

(A) IF A PARCEL OF LAND HAS AN EXISTING WATER TAP IN SERVICE AND THE OWNER PROPOSES TO CHANGE THE IRRIGATION PORTION OF THE WATER USE TO RECLAIMED WATER, THAN NO ADDITIONAL TAP FEE WILL BE CHARGED FOR CONNECTION TO THE RECLAIMED WATER SYSTEM.

(B) IF ANY TAP IS INSTALLED AND COMPLETED WITHOUT RECEIVING PROPER INSPECTION AND APPROVAL BY THE CITY, NO TAP FEE CREDIT SHALL BE GIVEN.

(C) ABANDONMENT. IF A DEMOLITION OR VACATION OF A UNIT RESULTS IN AN ABANDONMENT OF A RECLAIMED WATER TAP, NO CASH REFUND SHALL BE GRANTED FOR ANY TAPS RELEASED FROM SERVICE, AND NO TAP FEE CREDIT SHALL BE GRANTED AT THE TIME A NEW TAP PERMIT IS ISSUED.

Section 2 - Severability. The provisions of this ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this ordinance to have any meaning whatsoever.

Section 3. This ordinance shall take effect upon its passage after the second reading. 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 10th day of April, 2000.

Passed, enacted on second reading, and full text ordered published this _____ day of April, 2000.

ATTEST:

MAYOR

CITY CLERK



WESTMINSTER COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Resolution No. 32 re Radionuclide Soil Action Level

Prepared by: Mary Harlow, Rocky Flats Coordinator

Introduction

City Council action is requested to adopt the attached Resolution approving the Risk Assessment Corporation recommended plutonium 239 & 249 soil cleanup level of “35 picocuries per gram” and recommending that this number be incorporated into the Rocky Flats Cleanup Agreement by the cleanup agreement regulators.

Summary

The City of Westminster and the City of Broomfield worked together to obtain the Department of Energy funded scientific review of the Interim Radionuclide Soil Action Levels that were set by the Rocky Flats Cleanup Agreement (RFCA) regulators in 1996. The scientific review is completed and Risk Assessment Corporation (RAC) provided a soil cleanup level for plutonium recommendation to the Radionuclide Soil Action Level Oversight Panel (RFSALOP) based on that review. The recommendation was unanimously adopted by all Panel members.

The Rocky Flats Cleanup Principles adopted an interim Radionuclide Soil Action Level for plutonium in 1996 that was immediately questioned by the City of Westminster and the community. The City was instrumental in obtaining a Department of Energy funded scientific review of the interim standard. Risk Assessment Corporation (RAC) has completed the review using the most restrictive exposure scenario of a hypothetical resident rancher with two children. The risk of a prairie fire is included in the RAC recommended cleanup level of 35 picocuries per gram of soil for plutonium. The current soil action levels are not adequate to protect surface water after closure. A better cleanup level with a ponding system would help to minimize the onsite source of plutonium migration into surface water drainages and ensure that offsite flows are protected through Woman Creek, Walnut Creek and Smart Ditch.

Staff Recommendation

Adopt Resolution No. 32 requesting that the Rocky Flats Cleanup Agreement regulators; the Department of Energy, the Colorado Department of Public Health and Environment, Environmental Protection Agency, upon the review of the Risk Assessment Corporation final report, adopt the recommended plutonium soil action level number of “35 picocuries per gram for plutonium 239 & 240” for soil cleanup at Rocky Flats, and that the number be incorporated into the Rocky Flats Cleanup Agreement.

Background Information

The United States Department of Energy (DOE), Colorado Department of Public Health and Environment (CDPHE), and the Environmental Protection Agency (EPA) adopted interim action levels for surface soils, subsurface soils, surface water and groundwater in 1996. Immediate controversy was generated as soon as the numbers were announced. Both the City of Westminster and the Rocky Flats Citizens Advisory Board (CAB) sent a letter to DOE Headquarters, requesting a National Academy of Science review of the standard to determine if it was protective of human health and the environment. DOE declined both requests.

Radionuclide Soil Action Levels (RSALs) specify how much radioactive material may remain in soil after “cleanup”. “Cleanup” action is triggered where the quantity in soil exceeds the “action level”. RSALs are the closest thing we have to an official definition of “clean.” Plutonium 239, which is the most dominant form at Rocky Flats, remains a radioactive threat for 240,000 years. Particles left in the soil could end up in surface water or in bits of breathable dust.

The cities of Westminster and Broomfield, CAB, and public interest groups then determined that a DOE scientific review of the standard using site specific data should be undertaken. Former Congressman David Skaggs supported the community effort and encouraged DOE to fund the study. DOE took the unprecedented step to fund a citizen controlled review of the standard in late 1998 after nearly two years of community effort to have the standard reviewed.

Mayor Pro Tem Sam Dixon and Mayor Pro Tem Hank Stovall, City of Broomfield, served on the selection committee for panel members. The cities of Westminster, Broomfield, Boulder, Arvada, Louisville, three scientific experts special interest group, Citizens Advisory Board and citizens served on the thirteen-member panel. Rocky Flats Coordinator Mary Harlow and Mayor Pro Tem Hank Stovall, Broomfield, co-chaired the panel.

The Risk Assessment Corporation was selected by the panel to provide the scientific review of the standard. RAC was tasked with; reviewing cleanup levels at other sites; investigating computer models currently available to determine RSALS; determining inputs and assumptions to the model used at Rocky Flats, determine a methodology for soil action levels, perform an independent calculation of RSALS for Rocky Flats, come up with a sampling protocol, interact with the Actinide Migration Panel and develop a public involvement strategy.

To enhance the quality and credibility of this effort the panel solicited public funding to form a Peer Review Team comprised of five nationally recognized experts with backgrounds related to this scientific study.

Results. RAC used the most restrictive exposure scenario, that of a hypothetical resident rancher with two children and added the probability of a prairie fire to recommend to the Oversight Panel that a 35 picocurie per gram soil action level would be protective of a future site user and therefore would provide protection for offsite residents of nearby communities as well. Under no circumstances RAC determined should the number exceed 80 picocuries per gram. The 35 picocuries/gram assumes a 90% probability that the 15 mrem per year EPA dose limit will not be exceeded. (See attached Technical summary, comparison chart for cleanup levels at other sites and the interim soil action levels compared to RAC’s recommendation)

Members of the Radionuclide Soil Action Level Oversight Panel unanimously adopted the RAC recommendation at their February meeting.

Science has not as yet determined the affects of low level radiation at the cellular level. Until such a decision is made, it is necessary to be conservative in determining cleanup standards.

Surface Water Protection. The current RFCA interim radionuclide soil action level is not low enough to ensure that surface water onsite will meet the standard at closure. The RAC proposed number might not be low enough to provide protection according to the Actinide Migration Scientists.

The RFCA principles will need to determine the appropriate standard for protecting onsite surface water at closure. Protection of water quality will affect final cleanup decisions. Ensuring that the drainages of Walnut Creek, Woman Creek and Smart Ditch, which drains into Standley Lake, are protected during and after closure is important to the City of Westminster.

Kaiser-Hill is proposing using a combination of erosion control, interceptor ditches and ponding structures to ensure that water leaving the site meets the surface water plutonium standard. A better soil cleanup level such as RAC has proposed, would aid in reducing the sources of plutonium contamination that will continue to erode into onsite surface water drainages after closure.

Although DOE has indicated that a better soil cleanup will increase cleanup cost, there has been no assessment made by DOE of the costs of soil remediation. The EPA has hired a consultant and is in the process of determining the costs for soil remediation. A report should be available in early May 2000.

The RFCA principles will review the RAC proposal as well as other new information related to soil action levels and make a decision by the end of this year as to whether or not to change the standard. RFCA languages specifies that a Soil Action level needs to be protective for a future resident and ensure compliance with the RFCA surface water standard on and offsite after closure.

Although Westminster is directly affected by cleanup agreement decisions the City nor any other municipality has been allowed to participate in the RFCA principles decision making process.

Alternatives

The City of Westminster could determine that the current Radionuclide Soil Action Levels are sufficient to obtain a protective cleanup. This action would result in a larger amount of plutonium being left in the soil at Rocky Flats which would weather and become resuspended into the air and/or migrate into surface water long after the site is cleaned up and closed. This would pose an unacceptable, continuing risk to residents of Westminster and their drinking water supply Standley Lake.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. 32

INTRODUCED BY COUNCILLORS

SERIES OF 2000

WHEREAS, the City of Westminster and Standley Lake, the water supply for our community, lies directly down wind from the Rocky Flats Environmental Technology Site; and

WHEREAS, the Rocky Flats Cleanup Agreement (RFCA) principles, the Colorado Department of Public Health and Environment, Environmental Protection Agency and the Department of Energy adopted a plutonium soil cleanup level interim standard in 1996 that was not supported by the City of Westminster and raised an immediate concern in the City and adjoining communities that the amount of plutonium that would be left in the soil at Rocky Flats would pose a long-term risk to offsite communities through resuspension of plutonium in the air and migration into surface water that flow from the Site neighborhoods in our community; and

WHEREAS, the City of Westminster immediately requested that the Department of Energy provide a National Academy of Science (NAS) review of the interim standard; and

WHEREAS, the DOE declined to provide a NAS review and therefore the Cities of Westminster and Broomfield worked together to obtain DOE support and funding for an independent scientific review using site specific data of the interim plutonium soil standard; and

WHEREAS, a 13 member Radionuclide Soil Action Level Oversight Panel (RSALOP) co-chaired by representatives of both cities and with membership consisting of other local governments scientific community experts, citizens advisory board, special interests groups and citizens was formed in 1998 and a consultant Risk Assessment Corporation (RAC) was chosen by the panel to provide the scientific review; and

WHEREAS, the RAC has completed their primary objective to review the radionuclide soil action levels (RSALs) adopted by the RFCA regulators; and

WHEREAS, RAC considered a number of different potential pathways for exposure to radioactive materials in Rocky Flats soil including inhalation, ingestion and external exposure as well as the impacts of a prairie grass fire and the related effects on radiation dose which was not included in the original calculation for soil action levels, and

WHEREAS, RAC developed a limiting hypothetical scenario a rancher living on the land with a family and including a child and an infant which would serve as the most restrictive case when calculating a soil action level assuming a 90% probability that the dose limit associated with federal guidance under CERCLA (Comprehensive, Environmental Response, Compensation, and Liability Act) will not be exceeded; and

WHEREAS, RAC is recommending 35 picocuries gram as the technically based Radionuclide Soil Action Level for Rocky Flats, and

WHEREAS, the RFCA specifies that a soil action level number must be used that would be protective for a future resident and surface water, and the level will ensure compliance with the surface water standard, and

WHEREAS, the RFCA regulators will be reconsidering soil action levels this year and that this study as well as new information could lead to the need to readjust the soil cleanup levels,

NOW THEREFORE, be it resolved that the Westminster City Council resolves that

1. Cleaning up the radionuclide contamination in the soil at the Rocky Flats Environmental Technology Site to the highest and safest level possible with current technology, regardless of future use of the site, is important to assuring that the amount of radionuclides left in the soil at closure will not exceed the recommended exposure limits of a future site user and will provide for the long term protection of residents of the City of Westminster and their drinking water supply Standley Lake.
2. The Risk Assessment Corporation has performed a scientific review of the current interim radionuclide soil action levels and has determined that the amount of plutonium 239 & 240 that can safely be left in the soil at Rocky Flats is 35 picocuries per gram. The City of Westminster therefore urges the Department of Energy, Colorado Department of Public Health and Environment, Environmental Protection Agency to review the final report of the Risk Assessment Corporation and to adopt the RAC recommended number and incorporate into the Rocky Flats Cleanup Agreement for soil cleanup at the Rocky Flats Environmental Technology Site.
3. The City of Westminster requests that the Cleanup Agreement regulators begin working with City Staff as soon as possible to determine the steps necessary to ensure protection of the Walnut and Woman Creek drainage's from the continued migration of residual plutonium both onsite and offsite during cleanup and after closure. Surface water issues have the potential to delay cleanup.

Passed and adopted this 10TH day of April, 2000

ATTEST

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Councillor's Bill No. 30 re Changes to the Planning Commission Ordinance

Prepared by: Brian Bosshardt, Management Assistant

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading regarding changes to the Ordinance that establishes the Planning and Zoning Commission.

Summary

City Council approval is requested for the attached Councillor's Bill which would amend Title 2 Chapter 2 of the City Code governing powers and duties and other associated provisions of the Planning And Zoning Commission.

Minor changes to 2-2-2 Powers and Duties of the Planning and Zoning Commission have been made. Changes related to the voting requirements of the Commission have been added to section 2-2-4 Rules and Regulations. Also, section 2-2-7 has been added regarding procedures for an Acting Chairperson. Finally, section 2-2-8 Attendance and the definition of excused and unexcused absences has been added to the ordinance.

Staff Recommendation

Pass Councillor's Bill No. 30 on first reading amending Title II, Chapter 2 Planning And Zoning Commission to the Westminster Municipal Code.

Background

City Council directed the Council liaisons to meet with their respective Boards and Commissions to review the following two items. Since then, each Councillor has been working with their respective Boards and Commissions to discuss:

- 1) reviewing their powers and duties included in their enabling ordinance which established the Board or Commission to determine if they need to be updated and modified (i.e., what they do); and
- 2) updating the bylaws to include an attendance policy and definition of excused/unexcused absences.

Council recognized that "one size did not fit all" and therefore, an attendance policy that best represents the Boards and Commissions meeting habits is being crafted by each advisory group.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2000

COUNCILLOR'S BILL NO. 30
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING TITLE II CHAPTER TWO OF THE WESTMINSTER MUNICIPAL CODE RELATING TO THE PLANNING AND ZONING COMMISSION

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title 2 Chapter 2 of the Westminster Municipal Code is hereby amended by the addition of the following:

CHAPTER 2

PLANNING AND ZONING COMMISSION

2-2-1: CREATION

2-2-2: POWERS AND DUTIES

2-2-3: POLICY FROM COUNCIL

2-2-4: RULES AND REGULATIONS

2-2-5: REFERRALS TO PLANNING COMMISSION

2-2-6: COMMISSION RECOMMENDATIONS

2-2-7: ACTING CHAIRPERSON, QUORUM, PROCEDURE

2-2-8: ATTENDANCE

2-2-1: CREATION: There is hereby created a Planning and Zoning Commission hereinafter referred to as "THE PLANNING COMMISSION" consisting of seven (7) regular members and two (2) alternate members. (319 374 1588 1741 2068 2300)

2-2-2: POWERS AND DUTIES: The powers and duties of the Planning Commission shall include, but not be limited to, the following: (319 1741 1970 2068)

(A) The review and approval of a planning document regarding the future growth and development of the City considering the following, as applicable: population distribution and growth; local resources and finances; circulation and transportation; existing and future land usage; park, recreation; location and capacity of public and private utilities; subdivision regulations; and zoning regulations for the control of the height, area, bulk, location and use of buildings, structures and premises and the minimum areas, width and depth of lots; existing and proposed county and regional comprehensive plans; and any other factors specified by City Council.

(B) The review of proposed development plans within the boundaries of the City to determine their compliance with applicable ordinances, and resolutions, the City's planning document and their conformance with good planning practices. Preliminary Plats, Official Development Plans and Amended Preliminary Plats and Official Development Plans not approved administratively by the City Manager shall be decided by the Planning Commission in accordance with Title XI, Chapter 5 Section 13 of this Code.

(C) The review of all proposed annexations to the City to determine their compliance with applicable ordinances, resolutions, plans and policies of the City, and their conformance with good planning practices, and the subsequent submittal of the annexation proposals to the City Council together with the Planning Commission's recommendations for approval or rejection and any recommendations regarding the terms of an annexation agreement between the petitioners and the City.

(D) Review of all zoning and rezoning requests to determine compliance with existing ordinances, resolutions, plans and policies of the City and their conformance with good planning practices.

2-2-3: POLICY FROM COUNCIL: (1741 2068) The City Council shall establish the policies to be followed by the Planning Commission regarding developments, the growth management plan, annexation, zoning, public hearings, and similar matters affecting the Commission, and shall from time to time review and reaffirm or revise said policies.

2-2-4: RULES AND REGULATIONS: (319 2068)

(A) The Planning Commission shall meet at least once each month if there are matters pending and such other times as it may deem necessary. EACH MEMBER OF THE BOARD SHALL BE REQUIRED TO VOTE ON EACH ITEM BEFORE THE BOARD UNLESS A CONFLICT OF INTEREST HAS BEEN DETERMINED TO EXIST. A MEMBER OF THE BOARD MAY VOTE ON ITEMS WHERE THEY WERE ABSENT, IF THE HEARING IS CONTINUED, PROVIDED THEY HAVE REVIEWED THE ELECTRONIC RECORDING OF THE PREVIOUS TESTIMONY PRIOR TO THE CONTINUATION OF THE HEARING. IF THE RECORDING IS NOT REVIEWED THEN THIS EFFECTED MEMBER IS TO BE EXCUSED FROM VOTING ON THE MATTER DUE TO HAVING NOT HEARD THE ENTIRE TESTIMONY PRESENTATION.

MEMBERS MAY BE EXCUSED FROM VOTING ON PREVIOUS MEETINGS MINUTES IF THEY WERE ABSENT FROM THAT RESPECTIVE MEETING. BEING EXCUSED FROM VOTING MUST BE RECOGNIZED BY THE CHAIRPERSON AND DULY NOTED IN THE MINUTES OF THE PRESENT MEETING.

(B) The Commission shall make and adopt its own bylaws, subject to the approval of the City Council, which shall include, but not be limited to, the following procedures:

1. The election of officers and establishment of the duties of such officers.
2. The scheduling and conduct of regular and special meetings and public hearings.
3. The submittal of applications and petitions for annexations, development plan approvals, amendments to development plans, zonings and rezonings, and any matter within the jurisdiction of the Planning Commission.
4. The exercise of any of the duties of the Planning Commission set forth in this Code.

2-2-5: REFERRALS TO PLANNING COMMISSION: (319 1741 1970 2068) All applications and petitions for annexations, subdivision development plan approvals, amendments to preliminary and official development plans, zonings and rezonings, plat approvals, and such other matters as the City Council or City Manager may deem pertinent shall be referred to the Planning Commission for its review and action in accordance with the provisions of Chapter 5 Section 13 of Title XI of this Code.

2-2-6: COMMISSION RECOMMENDATIONS: (319 1741 2068)

(A) When the Planning Commission is required to submit recommendations to the Council such recommendations shall be substantially in one of the following forms:

1. Approval;
2. Approval subject to specified conditions;
3. Rejection because of specified findings.

Each recommendation shall be accompanied by findings of fact sufficient to support the recommendation.

2-2-7: ACTING CHAIRPERSON; QUORUM; PROCEDURE: (908 1741 2068 2229) IN THE ABSENCE OF THE ELECTED CHAIRPERSON, THE VICE-CHAIRPERSON SHALL ASSUME THE DUTIES OF THE CHAIRPERSON FOR THAT RESPECTIVE MEETING.. A QUORUM SHALL CONSIST OF FOUR (4) MEMBERS, AND A DECISION OF A MAJORITY OF THE MEMBERS PRESENT SHALL CONTROL.

ANY ABSENT MEMBER MAY JOIN IN A PENDING DECISION OF THE BOARD SUBJECT TO SECTION 2-1-3. ALL PUBLIC HEARINGS SHALL AT A MINIMUM BE RECORDED ELECTRONICALLY, OR AS DEEMED NECESSARY BY THE CHAIRPERSON, MAY BE STENOGRAPHICALLY RECORDED BY A COURT REPORTER ENGAGED BY THE CITY AND PAID OUT OF FEES PAID BY THE APPLICANT

2-2-8: ATTENDANCE

(A) DEFINITION: FOR THE PURPOSES OF CITY CHARTER SECTION 5.3 CONCERNING VACANCIES IN BOARD AND COMMISSION OFFICES, WHETHER AN ABSENCE IS "EXCUSED" OR "UNEXCUSED" SHALL BE DETERMINED AS FOLLOWS:

EXCUSED ABSENCE - AN ABSENCE MAY BE EXCUSED IN INSTANCES OF FAMILY EMERGENCY, WORK-RELATED COMMITMENTS OR MEDICAL NECESSITY.

UNEXCUSED ABSENCE - AN ABSENCE WILL BE DEFINED AS "UNEXCUSED" WHEN NO PRIOR NOTIFICATION IS PROVIDED TO THE CHAIR OR STAFF LIASION. AN ABSENCE CAN ALSO BE DEEMED UNEXCUSED WHEN NOTIFICATION IS PROVIDED TO THE CHAIR OR STAFF LIASION, BUT THE REASON FOR ABSENCE DOES NOT MEET THE REQUIREMENTS OF AN EXCUSED ABSENCE. AN ABSENCE IS UNEXCUSED WHEN IT IS NOT RELATED TO THE INSTANCES OF FAMILY EMERGENCY, WORK-RELATED COMMITMENTS OR, MEDICAL NECESSITY.

(B) IN ORDER FOR AN ABSENCE FROM A MEETING TO BE TERMED "EXCUSED", THE MEMBER SHALL PROVIDE NOTIFICATION TO THE CHAIR OR STAFF LIAISON, BY TELEPHONE OR IN WRITTEN FORM, AT LEAST TWENTY-FOUR HOURS IN ADVANCE OF ANY REGULAR OR SPECIAL MEETING. SUCH NOTIFICATION MAY BE EXCUSED BY THE CHAIR, ONLY IN EXTENUATING CIRCUMSTANCES, WHICH SHALL BE CONSIDERED ON A CASE BY CASE BASIS. THE MEMBER WILL BE REQUIRED TO PROVIDE A REASON FOR THE REQUESTED ABSENCE, WHICH WILL BE REVIEWED BY THE CHAIR AND DECLARED AT THE MEETING AS A EXCUSED OR UNEXCUSED ABSENCE BY THE CHAIR. UPON MOTION BY ANY UNAFFECTED MEMBER OF THE BOARD OR COMMISSION, AT THE SAME OR NEXT FOLLOWING MEETING, THE DECISION OF THE CHAIR AS TO WHETHER THE ABSENCE IS EXCUSED OR UNEXCUSED, MAY BE REVIEWED AND EITHER SUSTAINED OR OVERTURNED BY A VOTE OF THE ENTIRE BOARD OR COMMISSION. A RECORD OF THIS DECISION SHALL BE MADE IN THE MINUTES OF THE MEETING.

Section 2. This ordinance shall take effect upon its passage after the second reading. 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 10th day of April, 2000.

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

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: April 10, 2000

Subject: Councillor's Bill No. 31 re Changes to the Special Permit and License Board Ordinance

Prepared by: Brian Bosshardt, Management Assistant

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading regarding changes to the Ordinance that sets forth the Special Permit and License Board's responsibilities and attendance policy.

Summary

City Council approval is requested on the attached Councillor's Bill which would amend Title 2 Chapter 5 of the City Code governing powers and duties and other associated provisions of the Special Permit and License Board.

Letter A of Section 2-5-2 Powers and Duties for the Special Permit and License Board remains the same. No modifications were deemed to be needed. Voting requirements of Section 2-5-5 Meetings have been added. Finally, section 2-5-6 Attendance and the definition of excused and unexcused absences has been added to the Special Permit and License Board ordinance.

Staff Recommendation

Pass Councillor's Bill No. 31 on first reading amending Title II, Chapter 5 Special Permit and License Board to the Westminster Municipal Code.

Background

City Council directed the Council liaisons to meet with their respective Boards and Commissions to review the following two items. Since then, each Councillor has been working with their respective Boards and Commissions to discuss:

- 1) reviewing their powers and duties included in their enabling ordinance which established the Board or Commission to determine if they need to be updated and modified (i.e., what they do); and
- 2) updating their bylaws to include an attendance policy and definition of excused/unexcused absences.

Council recognized that "one size did not fit all" and therefore, an attendance policy that best represents the Boards and Commissions meeting habits is being crafted by each advisory group.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **31**

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING TITLE II CHAPTER FIVE OF THE WESTMINSTER MUNICIPAL CODE REGARDING THE SPECIAL PERMIT AND LICENSE BOARD

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title 2 Chapter 5 of the Westminster Municipal Code is hereby amended by the addition of the following:

CHAPTER 5

SPECIAL PERMIT AND LICENSE BOARD

2-5-1: CREATION

2-5-2: POWERS AND DUTIES

2-5-3: BYLAWS

2-5-4: ACTING CHAIRPERSON; QUORUM; PROCEDURE

2-5-5: MEETINGS

2-5-6: ATTENDANCE

2-5-1: CREATION: (908 1741 2068) There is hereby created a Special Permit and License Board, hereinafter referred to as "the Board," consisting of seven (7) regular members and one (1) alternate member.

2-5-2: POWERS AND DUTIES: (1741 2037 2068 2229 2251)

(A) The Special Permit and License Board, acting as the Local Licensing Authority, pursuant to Section 5-14-2, shall conduct public hearings, approve or deny applications for licenses, renew or deny renewal of licenses, suspend or revoke licenses, and carry out all other functions authorized by Chapter 14 of Title V of this Code and the Colorado Beer and License Codes.

(B) The Special Permit and License Board shall conduct public hearings, approve or deny applications for licenses, renew or deny renewal of licenses, and cancel, suspend or revoke the following licenses. All decisions of the Board on these licenses are final, subject only to appeal to a court of competent jurisdiction. (2229)

1. Amusement Center Licenses, pursuant to Chapter 9 of Title V of this Code; and
2. Dance Hall and cabaret licenses, pursuant to Chapter 16 of Title V of this code.
3. Massage Parlor Licenses, pursuant to Chapter 15 of Title V of this Code;
4. Escort Service Licenses, pursuant to Chapter 19 of Title V of this Code;
5. Special Use Permits, pursuant to Section 8, Chapter 4 of Title XI of this Code
6. Business License under review for denial, revocation, or suspension shall be reviewed in a public meeting conducted by the Special Permit and License Board.

2-5-3: BYLAWS: (908 2068 2229) The Board shall make and adopt by resolution its own bylaws, in conformity with applicable statutes and ordinances. Bylaws shall be reviewed annually for necessary updating .

2-5-4: ACTING CHAIRPERSON; QUORUM; PROCEDURE: (908 1741 2068 2229) In the absence of the elected Chairperson the Vice-Chairperson shall assume the duties of the Chairperson for that respective meeting.. A quorum shall consist of four (4) members, and a decision of a majority of the members present shall control. Any absent member may join in a pending decision of the Board subject to Section 2-1-3. All public hearings shall AT A MINIMUM be recorded electronically, OR AS DEEMED NECESSARY BY THE CHAIRPERSON MAY BE stenographically recorded by a Court Reporter engaged by the City and paid out of fees paid by the applicant.

2-5-5: MEETINGS: (908 2068) The Board shall meet at least twice a month unless there is no business to conduct. EACH MEMBER OF THE BOARD SHALL BE REQUIRED TO VOTE ON EACH ITEM BEFORE THE BOARD UNLESS A CONFLICT OF INTEREST HAS BEEN DETERMINED TO EXIST. A MEMBER OF THE BOARD MAY VOTE ON ITEMS WHERE THEY WERE ABSENT, IF THE HEARING IS CONTINUED, PROVIDED THEY HAVE REVIEWED THE ELECTRONIC RECORDING OF THE PREVIOUS TESTIMONY PRIOR TO THE CONTINUATION OF THE HEARING. IF THE RECORDING IS NOT REVIEWED THEN THIS EFFECTED MEMBER IS TO BE EXCUSED FROM VOTING ON THE MATTER DUE TO HAVING NOT HEARD THE ENTIRE TESTIMONY PRESENTATION.

MEMBERS MAY BE EXCUSED FROM VOTING ON PREVIOUS MEETINGS MINUTES IF THEY WERE ABSENT FROM THAT RESPECTIVE MEETING. BEING EXCUSED FROM VOTING MUST BE RECOGNIZED BY THE CHARIPERSON AND DULY NOTED IN THE MINUTES OF THE PRESENT MEETING.

2-5-6: ATTENDANCE

(A) DEFINITION: FOR THE PURPOSES OF CITY CHARTER SECTION 5.3 CONCERNING VACANCIES IN BOARD AND COMMISSION OFFICES, WHETHER AN ABSENCE IS “EXCUSED” OR “UNEXCUSED” SHALL BE DETERMINED AS FOLLOWS:

EXCUSED ABSENCE - AN ABSENCE MAY BE EXCUSED IN INSTANCES OF FAMILY EMERGENCY, WORK-RELATED COMMITMENTS OR MEDICAL NECESSITY.

UNEXCUSED ABSENCE - AN ABSENCE WILL BE DEFINED AS “UNEXCUSED” WHEN NO PRIOR NOTIFICATION IS PROVIDED TO THE CHAIR OR STAFF LIASION. AN ABSENCE CAN ALSO BE DEEMED UNEXCUSED WHEN NOTIFICATION IS PROVIDED TO THE CHAIR OR STAFF LIASION, BUT THE REASON FOR ABSENCE DOES NOT MEET THE REQUIREMENTS OF AN EXCUSED ABSENCE. AN ABSENCE IS UNEXCUSED WHEN IT IS NOT RELATED TO THE INSTANCES OF FAMILY EMERGENCY, WORK-RELATED COMMITMENTS OR, MEDICAL NECESSITY.

(B) IN ORDER FOR AN ABSENCE FROM A MEETING TO BE TERMED “EXCUSED”, THE MEMBER SHALL PROVIDE NOTIFICATION TO THE CHAIR OR STAFF LIAISON, BY TELEPHONE OR IN WRITTEN FORM, AT LEAST TWENTY-FOUR HOURS IN ADVANCE OF ANY REGULAR OR SPECIAL MEETING. SUCH NOTIFICATION MAY BE EXCUSED BY THE CHAIR, ONLY IN EXTENUATING CIRCUMSTANCES, WHICH SHALL BE CONSIDERED ON A CASE BY CASE BASIS. THE MEMBER WILL BE REQUIRED TO PROVIDE A REASON FOR THE REQUESTED ABSENCE, WHICH WILL BE REVIEWED BY THE CHAIR AND DECLARED AT THE MEETING AS A EXCUSED OR UNEXCUSED ABSENCE BY THE CHAIR. UPON MOTION BY ANY UNAFFECTED MEMBER OF THE BOARD OR COMMISSION, AT THE SAME OR NEXT FOLLOWING MEETING, THE DECISION OF THE CHAIR AS TO WHETHER THE ABSENCE IS EXCUSED OR UNEXCUSED, MAY BE REVIEWED AND EITHER SUSTAINED OR OVERTURNED BY A VOTE OF THE ENTIRE BOARD OR COMMISSION. A RECORD OF THIS DECISION SHALL BE MADE IN THE MINUTES OF THE MEETING.

Section 2. This ordinance shall take effect upon its passage after the second reading. 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 10th day of April, 2000.

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

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of Proceedings of the regular City Council meeting held Monday, April 10, 2000.

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Atchison, Hicks, Merkel, Moss and Smith. Absent none.

The minutes of the meeting of March 27, 2000 were approved with no additions or corrections.

The Mayor presented service pins and certificates of appreciation to employees celebrating 10, 15, 20 and 25 years of service with the City; accepted the City's 15th year Tree City USA Award and proclaimed April 21 as Arbor Day; and the week of April 9-15 as Victims' Rights Week; and presented the GFOA's Certificate of Achievement for Excellence in Financial Reporting to the Finance Director and Accounting Manager.

Council appointed Angela Habben to the Police Department's Asset Forfeiture Committees.

At 8:30 P.M. a public hearing was held on the Westminster Promenade Filing No. 2 Preliminary Development Plan.

Council approved the following: West View Recreation Center Furniture, Fixtures and Equipment Contracts; Purchases of Tandem Dump Truck, Skid Steer Loader, End Dump Truck Trailer and Conventional Cab Tractor; 2000 Asphalt Pavement Rehabilitation Project bid; Westminster Promenade Filing No. 2 PDP; Consulting Services Contract for McKay Lake Drainageway design; Financial Advisor Contract; and Purchase of new HR/Payroll and Financial Management system.

Council Tabled Resolution No. 32 re Radionuclide Soil Action Level.

The following Councillor's Bills were introduced and passed on first reading:

A BILL FOR AN ORDINANCE INCREASING THE 2000 BUDGET OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THE FUND. Purpose: Appropriate Local Law Enforcement Block Grant and Mandalay Middle School Bicycle Patrol Grant.

A BILL FOR AN ORDINANCE ESTABLISHING RECLAIMED WATER SYSTEM RATES AND OPERATING POLICIES. Purpose: Regulations and rates for Reclaimed Water.

A BILL FOR AN ORDINANCE AMENDING TITLE II, CHAPTER TWO OF THE WESTMINSTER MUNICIPAL CODE RELATING TO THE PLANNING AND ZONING COMMISSION. Purpose: Amend powers and duties of the Planning Commission.

A BILL FOR AN ORDINANCE AMENDING TITLE II, CHAPTER FIVE OF THE WESTMINSTER MUNICIPAL CODE REGARDING THE SPECIAL PERMIT AND LICENSE BOARD. Purpose: Amend powers and duties of the Special Permit and License Board.

The following Councillor's Bill were passed and adopted on second reading:

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

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

A BILL FOR AN ORDINANCE AMENDING TITLE II, CHAPTER 7 OF THE WESTMINSTER MUNICIPAL CODE PERTAINING TO THE TRANSPORTATION COMMISSION POWERS AND DUTIES.

A BILL FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY 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 ZONING 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 COMPREHENSIVE LAND USE PLAN.

A BILL FOR AN ORDINANCE INCREASING THE 2000 BUDGET OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THE FUND.

A BILL FOR AN ORDINANCE APPROVING A LEASE WITH JEFFERSON COUNTY FOR USE OF THE KINGS MILL BUILDING FOR A HEAD START PROGRAM.

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

The following Resolutions were adopted:

Resolution No. 30 - BAM Animal Hospital Annexation Petition.

Resolution No. 31 – Reclassification of South Westminster Revitalization Projects Coordinator Position.

At 9:05 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window April 20, 2000.