



CITY COUNCIL AGENDA

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

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

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
 - A. Day Without Hate Proclamation
 - B. Community Pride Day Proclamation
 - C. Arbor Day/Earth Day/Tree City USA Proclamation
7. Citizen Communication (5 minutes or less)

The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to remove an item for separate discussion. Items removed from the consent agenda will be considered immediately following adoption of the amended Consent Agenda.

8. Consent Agenda
 - A. Contract Amendment with Atkins North America, Inc. for Lighting on US 287
 - B. Westminster Station Platform Betterment Design
 - C. Light Duty Vehicle Purchases Over \$75,000
 - D. Wild Land Fire Brush Truck Purchase
 - E. Microsoft Exchange 2013 License Purchase
 - F. Department of Homeland Security Regional Grant Award
 - G. Quails Crossing Park Playground Renovation
 - H. Heritage Golf Course Modifications
 - I. 2014 Library Materials Purchases Over \$75,000
 - J. 2014 Asphalt Pavement Rehabilitation Project
 - K. 2014 Concrete Replacement Project Contract Renewal
 - L. 2014 Water Meter and Meter Parts Purchases
 - M. Big Dry Creek Wastewater Treatment Facility Digester Boiler Replacement Construction Contracts Award
 - N. Easement for Electrical Service Extension to New Irrigation Well at Strasburg Natural Resource Farm
 - O. Second Reading of Councillor's Bill No. 5 Approving CLUP Amendment to Legacy Ridge West Filing No. 8
 - P. Second Reading of Councillor's Bill No. 6 Authorizing 2013 4th Quarter Budget Supplemental Appropriation
 - Q. Second Reading of Councillor's Bill No. 7 re Employee Political Activity
 - R. Second Reading of Councillor's Bill No. 8 re Golf Course Maintenance Equipment
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. Councillor's Bill No. 9 re Proposed Economic Development Agreement with Surefire Medical Inc.
 - B. Councillor's Bill No. 10 re Alley Vacation within Lots 5-9 & Lots 40-44, Block 120, Westminster Subdivision
 - C. Councillor's Bill No. 11 re 120th Avenue Underpass Project Supplemental Appropriation
11. Old Business and Passage of Ordinances on Second Reading
12. Miscellaneous Business and Executive Session
 - A. City Council
 - B. Executive Session

13. Adjournment

NOTE: Persons needing an accommodation must notify the City Clerk no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. You can call 303-658-2161/TTY 711 or State Relay or write to lyeager@cityofwestminster.us to make a reasonable accommodation request.

GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS

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



WESTMINSTER
Strategic Plan
 2013-2018
 Goals and Objectives

STRONG, BALANCED LOCAL ECONOMY

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



SAFE AND HEALTHY COMMUNITY

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



personnel

FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES

- Invest in well-maintained and sustainable city infrastructure and facilities
- Secure and develop long-term water supply
- Focus on core city services and service levels as a mature city with adequate resources
- Maintain sufficient reserves: general fund, utilities funds and self insurance
- Maintain a value driven organization through talent acquisition, retention, development and management
- Prepare for next generation of leaders; managers and employees.
- Maintain and enhance employee morale and confidence in City Council and management
- Invest in tools, training and technology to increase organization productivity and efficiency



VIBRANT NEIGHBORHOODS IN ONE LIVABLE COMMUNITY

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



BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY

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



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

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, MARCH 24, 2014, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Herb Atchison, Mayor Pro Tem Faith Winter and Councillors Bruce Baker, Bob Briggs, Alberto Garcia, and Anita Seitz were present at roll call. Councillor Emma Pinter was absent. Also present were Deputy City Manager Stephen P. Smithers, City Attorney Martin McCullough, and City Clerk Linda Yeager.

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Baker, to approve the minutes of the regular meeting of March 10, 2014, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. Smithers reported that approximately 3,000 biennial surveys about City services had been mailed randomly to citizens recently. He urged recipients to complete and return the surveys, as the information received through them was of great value to the City.

COUNCIL REPORTS

Councillor Garcia reported that the Council had a very productive meeting with the Board of Education members from all three School Districts serving Westminster the past week. Conversations focused on how the four entities could collaborate to better serve their common constituencies. He thanked Mayor Atchison for organizing the meeting, as it had been fruitful.

Mayor Atchison reported that state and federal elected officials were hosting a meeting on April 26 from 1 to 4 p.m. at Hinkley High School in Aurora to distribute information to high school students and their families about how to apply for 2015 admission to military academies. Students interested in being sponsored for admission to the academies were encouraged to attend with their parents.

BUSINESS LEGACY AWARDS

Mayor Atchison and City Councillors joined to present the first quarter Business Legacy Awards to businesses celebrating 25 to 40 years of operating within the City. Present to accept awards in recognition of their achievements were: Garner Homes celebrating 25 years; Mission Hill Management and Park Center Lounge celebrating 30 years; and Brunswick Zone Westminster and Los Arcos celebrating 35 years. Also recognized but unable to attend were: A & R Plumbing, Inc., Lamps Plus #28, Miles Upholstery, Pachello's Printing, and Woodstone Village LP, all celebrating 25 years; Bally's Total Fitness and Crestline Mortgage celebrating 30 years; Colorado Educational Theatre celebrating 35 years; and AAA Aqua Distiller celebrating 40 years. A reception that honored these businesses and featured appetizers from Bender's Bar and Grill had preceded the Council meeting.

PROCLAMATIONS

Councillor Garcia read a proclamation declaring April 2014 to be Child Abuse Prevention Month. He presented the proclamation to Ashley Irlando and Vanessa DeMott, representatives from the Ralston House.

Councillor Briggs read a proclamation declaring April 2014 to be Donate Life Month. Present to accept the proclamation were Dale Sparks, Amy Thompson, Tiffany Pierce, and Joel Davis, volunteers with Donor Alliance.

Mayor Pro Tem Winter read a proclamation declaring April 6 through 12 to be City of Westminster Volunteer Week in celebration of National Volunteer Week and in recognition of the significant contributions volunteers made to the overall success of the City organization and the quality of life of Westminster citizens. Accepting the proclamation with Volunteer Coordinator Marina Miller were volunteers from many City departments.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: approve the February 2014 Financial Report as presented; authorize the purchase of the 4.09-acre Kenneth H. Johnson Living Trust property located at 11645 Federal Boulevard for open space for \$1,078,000, including earnest money in the amount of \$10,000 plus closing costs not to exceed \$5,000 and authorize the City Manager to execute all documents required to close on the purchase of the property; based on the City Manager's report, find that the public interest would be best served by a negotiated contract with Jacobs Engineering Group, Inc. for construction engineering services for the 72nd Avenue/Raleigh Street Bridge Replacement project, authorize the City Manager to execute a contract with Jacobs Engineering Group, Inc. in the amount of \$679,407 for construction engineering services, authorize a project contingency of \$68,000, and apportion the expense to the General Capital Improvement Fund project account and the Utility Fund project account; authorize the City Manager to execute a contract with the low bidder, Goodland Construction, Inc. in the amount of \$239,790 for improvements to Rodeo Market Park with a 10% contingency of \$23,979 for a total project cost of \$263,769; authorize the purchase of a John Deere backhoe from Honnen Equipment, utilizing the 2013 bid award in place from Rio Blanco County, for the amount of \$116,901 (less trade-in allowance of \$47,500, resulting in a net cost of \$69,401), and authorize the purchase of a John Deere mini excavator also from Honnen Equipment, utilizing the Colorado Multiple Assembly of Procurement Officials (MAPO) bid award for the amount of \$36,331.85; authorize the City Manager to purchase Workers' Compensation Excess Insurance for a two-year policy at \$84,469 from Midwest Employers Casualty Company; based on the recommendation of the City Manager, determine that the public interest would be best served by awarding contracts and approve 2014 expenditures to the following vendors: Titleist, not to exceed \$75,000, Nike U.S.A. Golf Division, not to exceed \$75,000, Oakley, not to exceed \$75,000 and LL Johnson Distributing, not to exceed 75,000; find that the public interest would be served by authorizing the City Manager to execute a contract with Martin Marietta Materials, Inc. in the amount of \$307,280 for the reconstruction of the asphalt pavement in the secure parking lot at the Public Safety Center, plus a contingency amount of \$35,000, for a total authorized expenditure of \$342,280; authorize the City Manager to execute the second amendment to the Contract to Buy and Sell Real Estate, in substantially the same form as distributed in the agenda packet, with Urban Pacific Multi-Housing, LLC and Pacific West Communities, Inc., and to take all actions necessary to close this land sale; and award the Downtown Westminster roadway design contract to the low bidder, Drexel, Barrell & Co, authorize the City Manager to execute a contract in the amount of \$394,195 for this design work, authorize an additional \$59,000 as a design contingency, and authorize the transfer of \$453,195 from the General Capital Improvement Fund, Orchard Parkway account to the General Capital Improvement Fund, Westminster Center Urban Reinvestment Project account.

Councillor Baker removed the last item on the consent agenda for individual consideration. Mayor Pro Tem Winter moved, seconded by Councillor Briggs, to approve the consent agenda with the exception of Agenda Item 8J. The motion carried with all Council members voting in favor.

DOWNTOWN WESTMINSTER ROADWAY DESIGN CONTRACT

It was moved by Councillor Baker, seconded by Councillor Briggs, to table this item until more specific financial information was provided to make a prudent decision as to this process, the mechanics of it and the revenue streams needed to support it were known. The motion was defeated by a 2:4 vote with Councillors Garcia and Seitz, Mayor Pro Tem Winter, and Mayor Atchison voting no.

It was moved by Mayor Pro Tem Winter, seconded by Councillor Seitz, to award the Downtown Westminster roadway design contract to the low bidder, Drexel, Barrell & Co, authorize the City Manager to execute a contract in

the amount of \$394,195 for this design work, authorize an additional \$59,000 as a design contingency, and authorize the transfer of \$453,195 from the General Capital Improvement Fund, Orchard Parkway account to the General Capital Improvement Fund, Westminster Center Urban Reinvestment Project account. The motion carried by a 4:2 margin with Councillors Baker and Briggs voting no.

PUBLIC HEARING TO AMEND CLUP AND APPROVE THE LEGACY RIDGE WEST FILING NO. 8 ODP

At 7:43 p.m., the Mayor opened a public hearing to consider a Comprehensive Land Use Plan (CLUP) amendment and the Legacy Ridge West Filing No. 8 Official Development Plan (ODP). Mac Cummins, Planning Manager, entered into the record the agenda memorandum and its attached documents, as well as evidence that public notification provisions of the Westminster Municipal Code regarding this matter had been satisfied. This proposed residential development consisted of approximately 42.3 acres and was located at the northeast corner of Sheridan Boulevard and 107th Drive. The applicant, Ryland Homes, proposed a mix of 89 single-family detached housing units and 65 patio villa paired units in 32 buildings. The proposed CLUP amendment would change and reconfigure the designations on the site from R-18, R-8, and R-3.5 to R-8 and R-3.5, eliminating the R-18 designation. The residential densities and home types were in conformance with the existing Preliminary Plan.

Alan Cunningham of PCS Group represented Ryland Homes and displayed drawings of the layout design of the development that showed the street and traffic circulation, grading, trail connections and design of the single-family detached and patio villa paired units to be constructed.

Mayor Atchison opened the hearing for public input. No one wished to speak.

Mr. Cummins reported that the Planning Commission had considered this matter on March 11 and had voted to recommend approval of the CLUP amendment and the ODP. There were no additional questions, and the Mayor closed the hearing at 8:05 p.m.

COUNCILLOR'S BILL NO. 5 APPROVING LEGACY RIDGE WEST FILING NO. 8 CLUP AMENDMENT

Upon a motion by Councillor Briggs, seconded by Councillor Seitz, the Council voted unanimously at roll call to pass Councillor's Bill No. 5 on first reading to amend the Comprehensive Land Use Plan by changing the designation on the site from R-18, R-1, and R-3.5 to R-8 and R-3.5 based on a finding that the proposed amendment met the Comprehensive Plan Goal of, "Providing opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles, and age groups within the City."

LEGACY RIDGE WEST FILING NO. 8 ODP APPROVED

Councillor Briggs moved to approve the Legacy Ridge West Filing No. 8 Official Development Plan based on a finding that the criteria set forth in Section 11-5-15 of the Westminster Municipal Code had been met. Councillor Baker seconded the motion and it passed unanimously.

PUBLIC HEARING ON WALLACE VILLAGE THIRD AMENDED PDP

At 8:08 p.m., the Mayor opened a public hearing to consider the Third Amended Preliminary Development Plan for Wallace Village with the use of "Assembly Halls, Event Centers, Churches; Includes Private Functions such as Weddings, Receptions, Conference Center, and Similar" changed to a permitted use instead of a prohibited use. Mr. Cummins entered the agenda memorandum and attached documentation into the record and advised that the Westminster Municipal Code's requirements regarding public notification of this hearing had been fulfilled. This was a City-initiated PDP amendment, supported by all property owners of the Standley Lake Marketplace Shopping Center located at the northeast corner of Wadsworth Parkway and Church Ranch Road. The list of proposed allowed and prohibited land uses better reflected the allowed and prohibited uses at other retail centers than the current PDP.

Councillors sought reassurance that the City had initiated this request to accommodate property owners who favored the proposed amendment and found it difficult to coordinate all of the property owners to initiate a PDP amendment to add land uses. Mr. Cummins confirmed that it was the burden of determining who all of the property owners were. When asked about the City's authority to represent all of the property interests, Mr. McCullough indicated the City had authority to regulate land uses in general and when there were existing land uses, it could rezone property as long as the rezoning did not result in was a taking of a vested property right.

The Mayor opened the hearing for public comment. No one wished to speak and there were no further questions from Council.

Mr. Cummins advised that the Planning Commission had considered this matter on March 11 and recommended approval to City Council. Commissioners had a lengthy discussion about the potential positive and negative impacts of introducing assembly uses within a retail commercial center. The consensus was to suggest that Council study the matter further and determine if it would be appropriate to establish a maximum area restriction for assembly uses in retail commercial centers.

The Mayor closed the hearing at 8:18 p.m.

WALLACE VILLAGE THIRD AMENDED PDP APPROVED

It was moved by Councillor Seitz, seconded by Councillor Garcia, to approve the Third Amended Preliminary Development Plan for Wallace Village, with the use of "Assembly Halls, Event Centers, Churches; Includes Private Functions such as Weddings, Receptions, Conference Center, and Similar" changed to a permitted use instead of a prohibited use based on a finding that the criteria set forth in Sections 11-5-9(A)(2)(b) and 11-5-14, Westminster Municipal Code, had been met. The motion passed unanimously.

RESOLUTION NO. 6 AUTHORIZING IGA WITH UDFCD FOR LITTLE DRY CREEK DRAINAGEWAY

It was moved by Councillor Seitz and seconded by Mayor Pro Tem Winter to adopt Resolution No. 6 authorizing the City Manager to execute an intergovernmental agreement with the Urban Drainage and Flood Control District for the Little Dry Creek Major Drainageway Planning and Flood Hazard Area Delineation update. The motion passed unanimously on roll call vote.

COUNCILLOR'S BILL NO. 6 AUTHORIZING 2013 4TH QTR BUDGET SUPPLEMENTAL APPROPRIATION

Upon a motion by Councillor Briggs, seconded by Mayor Pro Tem Winter, the Council voted unanimously at roll call to pass Councillor's Bill No. 6 on first reading providing for a supplemental appropriation of funds to the 2013 budget of the General, Water, Fleet Maintenance, General Capital Outlay Replacement, Sales and Use Tax, Parks Open Space and Trails, General Capital Improvement, and Community Development Block Grant Funds.

COUNCILLOR'S BILL NO. 7 AMENDING W.M.C. RE EMPLOYEE POLITICAL ACTIVITY

It was moved by Councillor Garcia, seconded by Mayor Pro Tem Winter, to pass Councillor's Bill No. 7 on first reading authorizing City Council to add Section 4 to Title I, Chapter 24, of the Westminster Municipal Code concerning Employee Political Activity. On roll call vote, the motion passed with all members of Council voting affirmatively.

CONTRACTS AWARDED FOR GOLF COURSE MAINTENANCE EQUIPMENT

It was moved by Councillor Briggs to accept the National Intergovernmental Purchasing Alliance (IPA) negotiated contract bid for Golf Course Maintenance Equipment (GCME) from LL Johnson Distributing for Toro GCME and award the separate contracted bids with Potestio Brothers Equipment Inc. (John Deere turf utility vehicles), C&M Golf & Grounds Equipment (Cushman light duty utility vehicles) and Kubota Tractor Corporation doing business

as B&G Equipment, Inc. (Kubota 71 HP tractor); and authorize the City Manager to execute a lease/purchase agreement to fund the purchase of the City's GCME for both Legacy Ridge and the Heritage Golf Courses. Mayor Pro Tem Winter seconded the motion and it carried unanimously.

COUNCILLOR'S BILL NO. 8 APPROPRIATING FUNDS FOR LEASE/PURCHASE OF GCME

It was moved by Councillor Briggs and seconded by Councillor Garcia to pass Councillor's Bill No. 8 on first reading to appropriate an amount not to exceed \$1,101,069 in the Golf Course Fund for the lease proceeds for Golf Course Maintenance Equipment. The motion passed unanimously on roll call vote.

MODIFICATION OF LEASE/PURCHASE MASTER LEASE AGREEMENT

Councillor Briggs moved, seconded by Mayor Pro Tem Winter, to authorize the City Manager to add to the existing master lease a lease/purchase agreement in the amount not to exceed \$1,101,069. The motion carried with all Council members voting affirmatively.

ADJOURNMENT

There was no further business to come before the City Council, and, hearing no objections, Mayor Atchison adjourned the meeting at 8:31 p.m.

ATTEST:

City Clerk

Mayor



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Day Without Hate Proclamation

Prepared By: Linda Yeager, City Clerk

Recommended City Council Action

Mayor Pro Tem Winter to present the “Day Without Hate” Proclamation to Standley Lake High School students.

Summary Statement

- After the Virginia Tech shootings in 2007, Standley Lake High School students formed a Day Without Hate Club with the intent of drawing attention to stopping school violence.
- Since then, students across Colorado and the nation have taken this incredibly positive day to their communities to say that they will not tolerate violence or hate.
- Friday, April 25, 2014, is the Day Without Hate and participants will wear white t-shirts signifying peace and a visible symbol of solidarity.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

A Day Without Hate was created by a group of Standley Lake High school students seven years ago to bring attention to school violence and promote unity throughout their high school community. The group organized the first Day Without Hate and invited fellow students to wear white as a way to inspire others to live at least one day without allowing hate into their lives. Thought to be a one-time event, a Day Without Hate has grown in Colorado and throughout the nation. Mini-assemblies to discuss issues like bullying and homophobia are held in participating schools and a concert will be held Friday evening for all high school participants in Colorado.

This annual event has grown to include Day Without Hate white t-shirts. 100% of the proceeds from the sale of the t-shirts fuels the Day Without Hate Peace Scholarship and pays for the Day Without Hate Rally. Over the past two years almost \$10,000 has been awarded to students working to promote the ideals of Day Without Hate.

Jessica Day and Chaye Gutierrez, Standley Lake High School students, will be present to accept this proclamation.

Acknowledging the concept of a Day Without Hate supports City Council's Strategic Plan goals of a Safe and Healthy Community and Vibrant Neighborhoods In One Livable Community by recognizing a student initiative that fosters responsibility for their own safety and promotes an event to spread their desire for a peaceful, unified world in Westminster, as well as all communities in Jefferson County, in Colorado, and in the nation.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Proclamation

WHEREAS, In May 2007, a small committee of Standley Lake High School students and teachers formed the first Day Without Hate with a goal to draw attention and promote nonviolence, respect, and unity within our schools; and

WHEREAS, Today, tens of thousands of students and community members across Jefferson County, the state of Colorado and the nation participate in Day Without Hate as a celebration of unity, a rejection of fear, and a commitment to work toward nonviolent solutions in any conflict in our schools; and

WHEREAS, We, as a community, are responsible for cultivating an atmosphere of tolerance among our diverse populations; and

WHEREAS, By publicly acknowledging and celebrating Day Without Hate, the City of Westminster makes a stand with our schools to reject fear and violence and work toward embracing our differences and promoting an inclusive, safe, and harmonious environment for all of our residents.

NOW, THEREFORE, I, Herb Atchison, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim Friday, April 25, 2014, to be

A DAY WITHOUT HATE

and commend the sound concept of promoting awareness of nonviolence, respect, and unity within our educational system and our community.

Signed this 25th day of April, 2014.

Herb Atchison, Mayor



Agenda Item 6 B

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Proclamation re Community Pride Day

Prepared By: Richard Dahl, Park Services Manager
Patti Wright, Open Space Volunteer Coordinator

Recommended City Council Action

Mayor Atchison is requested to present a proclamation to Open Space Volunteer Coordinator Patti Wright proclaiming May 10, 2014, as Community Pride Day in the City of Westminster.

Summary Statement

- Community Pride Day began over 25 years as part of the Keep America Beautiful campaign.
- For 15 years, the City of Westminster and Hyland Hills Park and Recreation District have partnered for Community Pride Day, the largest annual volunteer trash cleanup in Westminster.
- Community Pride Day activities will include litter pickup in right-of-ways, greenbelts, trails, parks, and open space sites throughout the City and District. This cleanup program fosters residents' commitment to a cleaner community and attracts volunteers from scout troops, homeowners associations, schools, civic organizations, businesses, families, and church groups.
- Research has shown that removing litter and debris encourages and promotes a clean community, long after the cleanup is completed.
- The removal of litter can actually decrease the amount of trash that is thrown down along streets and trails and in parks and open space.
- The event will conclude at Westminster City Hall with a barbeque starting at approximately 11:00 a.m. sponsored by the City of Westminster, Hyland Hills Park and Recreation District, and the Westminster Rotary Club, with assistance from the Westminster Youth Advisory Panel. Food, entertainment, music, door prizes, and fire engine rides are featured at the barbeque.

Expenditure Required: \$3,500

Source of Funds: General Fund - Parks, Recreation, and Libraries Operating Budget

Policy Issue

None identified

Alternative

None identified

Background Information

Community Pride Day was established over 25 years ago in recognition of the Keep America Beautiful anti-litter campaign. This popular volunteer cleanup event has grown from a few hundred volunteers to over 1,500 volunteers last year.

It is estimated that 800-900 bags of trash and many piles of debris were picked up by volunteers in 2013 as part of Community Pride Day. This event fosters a sense of community and ownership, and helps Westminster and Hyland Hills Park and Recreation District look great for the busy summer season.

Volunteers are recruited through email, flyers, Channel 8, banners, newsletters, social media and other means. Interested participants contact Patti Wright in the weeks preceding the event to register. Many of the volunteers return year after year. Groups are assigned to areas that are as convenient as possible and age-appropriate for group members. Individual registrants are included in a group that is assigned as needed the week before the event. This process ensures that volunteers are working throughout the city.

On May 10, 2014, volunteers will begin cleaning up along designated routes at approximately 8 a.m. After completion of their cleanup, volunteers meet at Westminster City Hall to celebrate their hard work with food, entertainment, and prizes. The barbecue's entertainment includes music and games provided by Jackman Brothers Entertainment, Inc. Additional entertainment is provided by dancers from Westminster's Youth Dance Program. The Westminster Fire Department provides rides on the antique fire engine. Hotdogs and hamburgers will be prepared at City Hall, courtesy of the Westminster Rotary Club chefs, along with soda pop, chips, and dessert. Partnership with the Westminster Rotary Club and donations by the City of Westminster, Hyland Hills Park and Recreation District, and area merchants are instrumental in providing a quality event for the volunteers.

Mayor Herb Atchison is requested to read the Community Pride Day proclamation at the barbecue and recognize sponsors for their donations. The Westminster Youth Advisory Panel is also volunteering at the barbecue to help make it a success.

Community Pride Day provides an opportunity to advance the mission statement of Parks, Recreation and Libraries – Together we create exceptional opportunities for a vibrant community with a commitment to nature, wellness and literacy. A vibrant community is one in which residents can look proudly at clean streets, trails, open space and parks. In addition, a commitment to nature includes the health and vitality of our natural areas, which requires the removal of trash and debris. By engaging volunteers in this activity, the power of the event surpasses the one-day cleanup and becomes an ongoing commitment from residents to protect and advocate for their city. The continued popularity of this event demonstrates that many people enjoy the immediate positive impact of cleaning up trash, as well as the feeling of community as they come together as one large group.

The Parks, Recreation and Libraries Needs Assessment (July 2013) reported the following: "Respondents indicated that protecting the natural environment, creating a beautiful community, providing green, natural spaces, trails and paths and opportunities to support wellness were the most important purposes of parks and recreation." Community Pride Day provides the opportunity to

support these purposes. Cleaning up trash and debris protects the environment and creates a beautiful community. The importance of natural spaces, trails, and paths would be impaired if unsightly and dangerous litter and trash build up. Participants wellness needs are engaged as they get outside, walk, bend, and reach.

It should be noted that many children participate in Community Pride Day with their families, scouts, schools and churches. This instills values and community involvement in our future residents, voters, and decision makers. The “ready-made” quality of Community Pride Day appeals to the current busy generation. Everything is provided – trash bags, pick up of filled bags, assigned location, and great barbeque.

Westminster’s coordination of Community Pride Day supports City Council’s Strategic Plan goal of a Beautiful and Environmentally Sensitive City by creating an event that cleans the city of litter and debris, raises the awareness of residents about litter, and engages volunteers to take ownership of their community to make a positive difference in the health, beauty and vitality of our streetscapes and natural areas.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Proclamation

WHEREAS, The City of Westminster and Hyland Hills Park and Recreation District have joined together to mobilize citizens to take action in their communities; and

WHEREAS, The goal of Community Pride Day is to bring together youth, government, businesses, families, neighborhoods, and community leaders to help clean up the City and Hyland Hills Park and Recreation District and share pride in our community; and

WHEREAS, Westminster and Hyland Hills Park and Recreation District have organized a cleanup program with sponsors and donations from the community; and

WHEREAS, The caring citizen-volunteers of our communities are ready and willing to do their part to engage in cleanup activities and demonstrate their civic pride and individual responsibility.

NOW, THEREFORE, I, Herb Atchison, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim May 10, 2014,

COMMUNITY PRIDE DAY

in the City of Westminster and call upon all citizens and civic organizations to recognize and support the efforts of the volunteers and citizens who take pride in keeping Westminster and Hyland Hills Park and Recreation District clean places to live.

Signed this 14th day of April, 2014.

Herb Atchison, Mayor



Agenda Item 6 C

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Proclamation re Arbor Day/Earth Day/Tree City USA

Prepared By: John Kasza, City Forester

Recommended City Council Action

Councillor Briggs will present a proclamation to City Forester John Kasza proclaiming April 19, 2014, as Arbor Day and Earth Day in the City of Westminster, and accept the Tree City USA Award as presented by Kyle McCatty, a member of the Colorado State Forest Service.

Summary Statement

Kyle McCatty, a member from the Colorado State Forest Service will present the Tree City USA award to the Mayor and City Council. This will be the 29th consecutive year that the City has received the Tree City USA Award.

Councillor Bob Briggs is requested to present the City's Arbor Day and Earth Day proclamation to City Forester John Kasza.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

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 many foreign countries.

The Tree City USA Award is sponsored by the National Arbor Day Foundation and recognizes towns and cities across America that meets the standards of the Tree City USA Program. This program 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 Program elements:

1. A Tree Board or Department (The City's Board consists of John Kasza, Rod Larsen, Rich Dahl, and Don Tripp.)
2. A community tree ordinance, (Title XIII, Chapter 3)
3. A community forestry program with an annual budget of at least \$2/capita
4. An Arbor Day observance and proclamation

In 1962, Senator Gaylord Nelson of Wisconsin suggested that, due to rising concern over the state of the environment, one day be set-aside in observance of the environment. The first Earth Day was held on April 20, 1970. Earth Day is now celebrated annually on April 22 to raise awareness of and encourage citizen participation in activities that sway the balance of life and the Earth. For the City of Westminster, April 19, 2014, is established as Earth Day in order to coordinate with Arbor Day events. Each year, a different theme is chosen and the 2014 theme is "Green Cities" to help cities around the world become more sustainable and reduce their carbon footprint.

The Arbor Day, Earth Day and Tree City Proclamation is aligned with the Parks, Recreation and Libraries mission of: Together we create exceptional opportunities for a vibrant community with a commitment to nature, wellness and literacy.

95% of the respondents to the 2012 City survey indicated that they agreed that beautiful parks and open spaces described the image of Westminster. This was followed by 88% of the respondents agreeing that environmentally sensitive described the image of Westminster. 91% of respondents in the 2013 Parks, Recreation and Libraries survey indicated that protecting the natural environment and promoting environmental sustainability are essential and important Park, Recreation and Library Functions. This is followed by 89% of the respondents indicated that creating a more beautiful community as essential and important Park, Recreation and Library Functions.

The events scheduled for Arbor Day and Earth Day are as follows:

Arbor Day School Program and Tree Planting: Thursday, April 17, 2014 at Sheridan Green Elementary School, 10951 Harlan St., Westminster, CO 80020 at 1:00 p.m.

Park Service Division Staff will present an Arbor Day Program to the Sheridan Green Elementary 4th grade classes and plant a tree in Stratford Park. Winners of the poster contest will be recognized and tree seedlings and educational literature will be distributed.

Arbor Day and Earth Day Celebration: Saturday, April 19, 2014 at City Park Recreation Center, 9:00 a.m. to 12:00 p.m.

Park Service Division Staff will distribute bare-root Swamp White Oak, Prairiefire Crabapple, and Eastern Redbud trees, educational literature, and wood chip mulch. Panorama Orthopedics & Spine Center is sponsoring the seedling giveaway for the third year with the purchase of 300 trees. Members of the Environmental Advisory Board and Green Team will be on hand to provide information on living green, recycling, household hazardous waste, and storm water protection. Because the attendees are community involved and consciously aware of needs in the community, Volunteer Services will also host an open house for local non-profit and outreach organizations to showcase their volunteer opportunities during the event.

The proclamation meets City Council's Strategic Plan Goals of "Vibrant Neighborhoods in One Livable Community" and "Beautiful and Environmentally Sensitive City."

Respectfully submitted,

J. Brent McFall
City Manager

Attachment: Proclamation

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day called Arbor 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, are a source of joy and spiritual renewal, 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, Westminster has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways; and

WHEREAS, In 1970, Senator Gaylord Nelson of Wisconsin, suggested in a speech that a one-day demonstration be held to show concern for the environment. April 22, 1970, was designated the original Earth Day. Denis Hayes, then a Harvard Law School student, left school to organize the event, which involved thousands of schools, universities, and environmental groups as well as members of Congress and officials and activists throughout the U.S.; and

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

WHEREAS, This year's national theme for Earth Day is "Green Cities."

NOW, THEREFORE, I, Herb Atchison, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim Saturday, April 19, 2014,

ARBOR DAY and EARTH 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; urge all citizens to plant trees to gladden the hearts and promote the wellbeing of present and future generations; and further urge all citizens to become aware of water quality impacts.

Signed this 14th day of April, 2014.

Herb Atchison, Mayor



Agenda Item 8 A

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Contract Amendment with Atkins North America, Inc. for Lighting on US 287 Bridge Replacement Project

Prepared By: John Burke, Senior Projects Engineer

Recommended City Council Action

Based on the recommendation of the City Manager, find that the public interest will be served by authorizing the City Manager to enter into a sole source contract with Atkins North America, Inc. in an amount not to exceed \$66,091.

Summary Statement

- The Colorado Department of Transportation (CDOT) is currently in the design process for the replacement of the Federal Boulevard (US 287) Bridge over the Burlington Northern/ Santa Fe Railroad at approximately 69th Avenue in Westminster.
- CDOT selected Atkins North America, Inc. to prepare the construction drawings for this \$15 million bridge replacement project.
- The City entered into a sole-source, negotiated contract with Atkins North America, Inc. in the amount of \$49,156 to design certain enhancements associated with the bridge replacement project. These enhancements include items such as accent pedestrian railing, widened medians, sidewalks and striping the road to create a six-lane facility.
- Additional work in the amount of \$16,935 has been identified that puts the amount of this contract over the \$50,000 threshold requiring City Council approval for sole source contracts.
- The purpose of this additional work is to add light pole foundation design to Atkins' scope of work to allow the poles to be mounted on the outside edge of the bridge structure.
- Funds for this contract amendment are currently available in the Federal Boulevard Bridge Enhancements project of the General Capital Improvement Fund.

Expenditure Required: \$66,091

Source of Funds: General Capital Improvement Fund—Federal Boulevard Bridge Enhancements

Policy Issue

Should City Council proceed with the sole source contract approval with Atkins North America, Inc. for the design of light pole foundations on the Colorado Department of Transportation's Federal Boulevard (US 287) bridge replacement project?

Alternative

City Council could chose to not approve this sole source contract. Staff recommends the approval of continuing to work with Atkins North America, Inc. in order to provide a safe and aesthetically pleasing environment for motorists and pedestrians at this location.

Background Information

In 2012, City staff was notified that the existing Federal Boulevard Bridge over the Burlington Northern/Santa Fe railroad was to be replaced as part of the Bridge Enterprise Fund administered through the Colorado Department of Transportation (CDOT). The replacement of this bridge, currently scheduled for construction in 2014-15, is very timely given the current construction activity and redevelopment efforts occurring in this area, particularly with the Westminster Station planned opening in 2016. Unfortunately, CDOT has historically taken the position that bridge replacements on the State Highway system can only provide "in kind" structures to those being replaced, and the cost of any desired aesthetic enhancements must be borne by the local jurisdiction. Since the City has created a favorable identity over the past few decades by providing such enhancements to many bridges, including a few that are owned by CDOT, the City Council directed staff to pursue similar improvements to this proposed bridge on Federal Boulevard.

During the initial project scoping meeting with CDOT, staff requested that CDOT consider adding certain elements into their project, which include widening the road to accommodate a six-lane facility, adding a traffic signal at the future Westminster Station Drive intersection, enhancing the vehicular and pedestrian railings and widening the median to allow the installation of a future "City of Westminster" monument sign. Recently through some value engineering decisions, CDOT decided to locate the light poles for this project within the center median of the highway. CDOT contacted City staff to inform them of this decision that would visually impact the future signage, art and landscaping that is proposed in the median. To resolve this conflict, City staff has offered, subject to Council's approval, to pay the differential cost to move the light poles to the outside edge of the road.

In a future City Council meeting, staff will bring an Intergovernmental Agreement (IGA) between CDOT and the City of Westminster to cover the construction costs associated with the requested enhancements. Additionally, it is important to note that the City will be requesting reimbursement from CDOT for certain elements the City is constructing that directly benefit this CDOT project. These items are associated with the Little Dry Creek drainage project and the Westminster Station infrastructure project. Specifically, CDOT will pay the City for a proportionate share of the proposed regional water quality facility at Westminster Station Drive, the extension of the drainage culverts under Federal Boulevard and grading into City owned property that will eliminate the need to construct retaining walls.

The funding for this project is available from the General Capital Improvement Fund—Federal Boulevard Bridge Enhancements. It should be noted that this particular funding originated from CDOT's purchase of City-owned property that was needed for the US 36 widening project that is currently under construction.

SUBJECT: Atkins North America, Inc. Contract Amendment for Lighting on US 287

Page 3

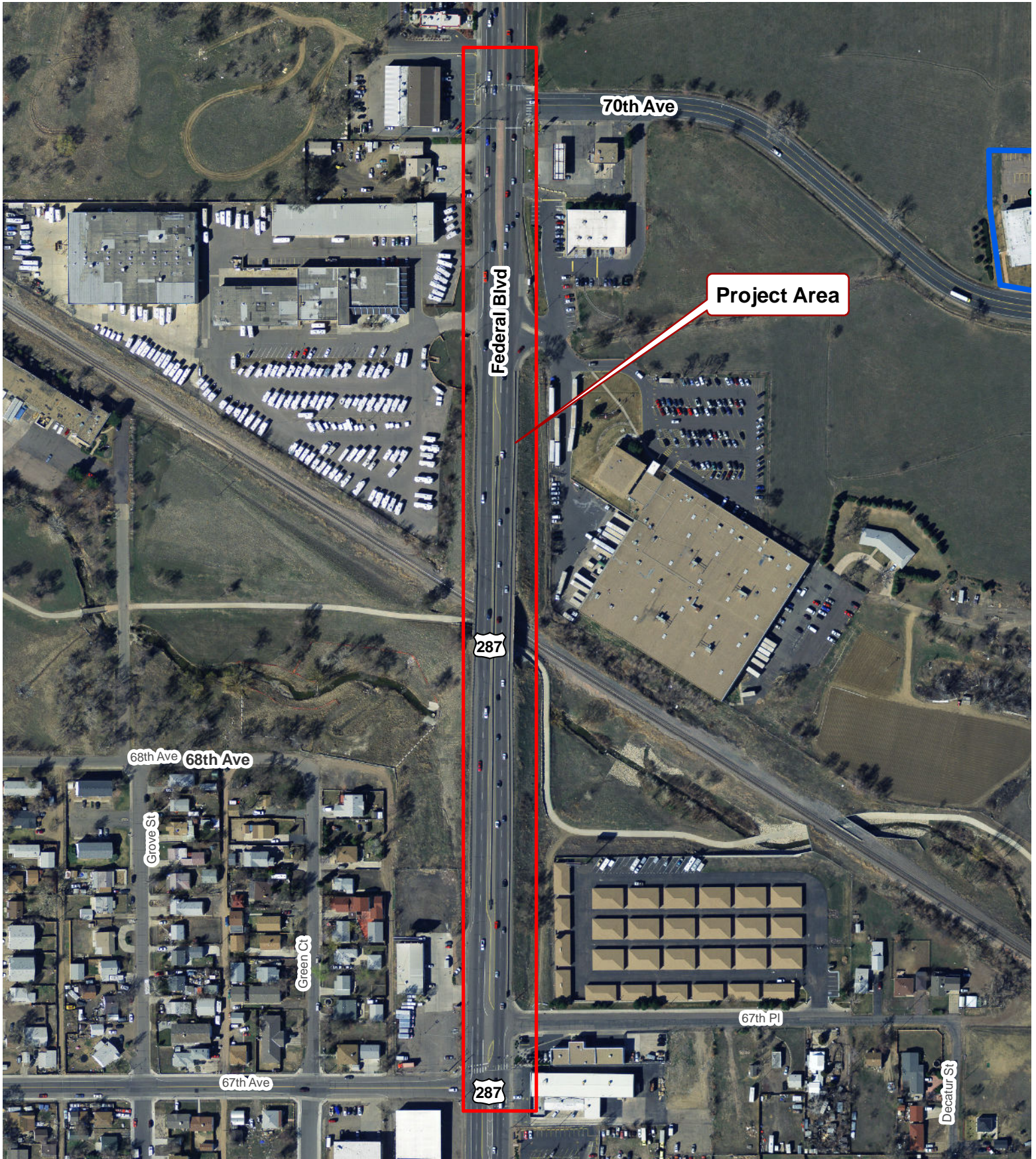
The Federal Boulevard Bridge Enhancement project supports City Council's goals of "Vibrant Neighborhoods in One Livable Community" and "Beautiful and Environmentally Sensitive City."

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Vicinity Map

Vicinity Map



Project Area



0 125 250 500 Feet



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Westminster Station Platform Betterment Design

Prepared By: John Burke, Senior Projects Engineer

Recommended City Council Action

Authorize payment of \$1,179,322 to the Regional Transportation District for the design of a City-requested betterment of the Westminster Station platform.

Summary Statement

- The City and the Regional Transportation District (RTD) entered into an Intergovernmental Agreement (IGA) for the Northwest Rail Electrified Segment Westminster Station in June 2012. The IGA allows the City to implement an alternative approach to RTD's base plan for commuter and bus access, parking and pedestrian areas that will support the proposed Westminster Station commuter rail facility. Through its contract with Denver Transit Partners (DTP), the concessionaire for the Eagle P3 project, RTD has retained the responsibility for certain elements of the station plan including the track work, the station platform and the pedestrian tunnel that serves it. The IGA also has procedures through which the City can request upgrades (betterments) of the RTD elements of the station at a negotiated cost with Denver Transit Partners.
- In this betterment, the City is requesting that DTP construct the pedestrian tunnel under the tracks and grade the land at the south end of the tunnel in such a manner as to allow residents and commuters alike direct access to the Little Dry Creek Park and Open Space area. This particular design also allows for the installation of an elevator for enhanced Americans with Disabilities Act (ADA) accessibility, and the platform will be increased in size to allow for a unique overlook of the park area under the shade of the signature large canopy structure.
- The original design as presented to Council was estimated at \$6,065,000 by DTP. Staff identified a maximum of \$4,300,000 available for this betterment request. Due to this funding shortage, RTD, DTP and staff have been working diligently over the past eight weeks on value engineering concepts for this betterment request. The current rough order of magnitude (ROM) estimate is now at \$4,535,693 and staff is confident this number will be reduced below the \$4,300,000 budget as the value engineering and detailed design work is advanced.
- In order to keep working on the value engineering and meet the current deadlines for revenue service, RTD and DTP are requesting that the City authorize payment of just the design fees for this betterment request in the amount of \$1,179,322 by April 17th.
- Funds have been appropriated for the expense in the Westminster Station South project account.

Expenditure Required: \$1,179,322

Source of Funds: General Capital Improvement Fund—Westminster Station South

Policy Issue

Should the City pay the Regional Transportation District to have its concessionaire design the betterment request for the Westminster Station Platform?

Alternative

The alternative to the recommended action is to go forward with RTD's base plan for the Westminster Station platform. While that is a completely serviceable approach to the commuter rail system, it would preclude any direct access to the Little Dry Creek Park for future Transit Oriented Development residents and commuter rail users alike. Plus the City's proposed design is vastly more attractive and helps to encourage development in the surrounding areas. For this reason, staff recommends authorization of this expenditure for the Westminster Station platform betterment request.

Background Information

Staff made a detailed presentation to the City Council on February 3, 2014 to discuss some of the complexities of this particular project and asked for Council approval to continue pursuing the current vision of the Westminster Station and Transit Oriented Development (TOD) projects. This betterment request was identified as needing City Council authorization to keep the project moving forward without delay claims from DTP.

In June 2012, the City Council gave approval to an Intergovernmental Agreement (IGA) with the Regional Transportation District (RTD) that calls for RTD to pay the City what RTD would have spent to design and build much of the infrastructure that would have supported the RTD base plan for Westminster Station, and the City would then implement alternative facilities. Under the IGA, the City will be responsible for providing bus and commuter access, utilities, parking, and a pedestrian plaza serving the station, but now will be able to do so in a form that fits with proposed transit-oriented-development and other revitalization efforts in the area. RTD and its concessionaire, Denver Transit Partners (DTP), retain responsibility for the design and construction of the commuter rail track, the station platform and the pedestrian tunnel that serves it. There are numerous interfaces between the parties' responsibilities.

This betterment request is critical to gaining access from the TOD to the Little Dry Creek Park and Open Space project which is seen as an important amenity to the existing and future residents of this area in addition to the regional commuter rail users. In addition to opening up pedestrian access between the TOD and the park, this proposed betterment also includes the design and construction of an elevator, widening the platform area and installing a large signature canopy that will span the overlook area.

In order to continue working on the value engineering concepts and still meet the revenue service dates, DTP has stated they will need a notice to proceed on the design work for this betterment request no later than April 17, 2014. The concessionaire is requesting the authorization of \$1,179,322 for design work at this time to continue this effort. In the next six months as the design reaches the 90% complete level, DTP will provide RTD and the City with a final price for this betterment and request authorization from the City to finalize the remaining cost for this betterment request. It is important to note that the \$1,179,322 for design is included in the \$4,535,693 rough order of magnitude.

Additionally, the City was successful through collaboration with the sixteen stakeholders along the Northwest Corridor to receive \$700,000 specifically earmarked for the construction of the elevator at Westminster Station. This \$700,000 was included in the maximum budget amount of \$4,300,000 the City identified for this betterment request.

Staff will work diligently over the next few months to get the total costs down to meet the budget of \$4,300,000. It is reasonable to expect that staff will return to Council for authorization of a payment to RTD for the difference between \$4,300,000 and \$1,179,322 sometime in the next six months.

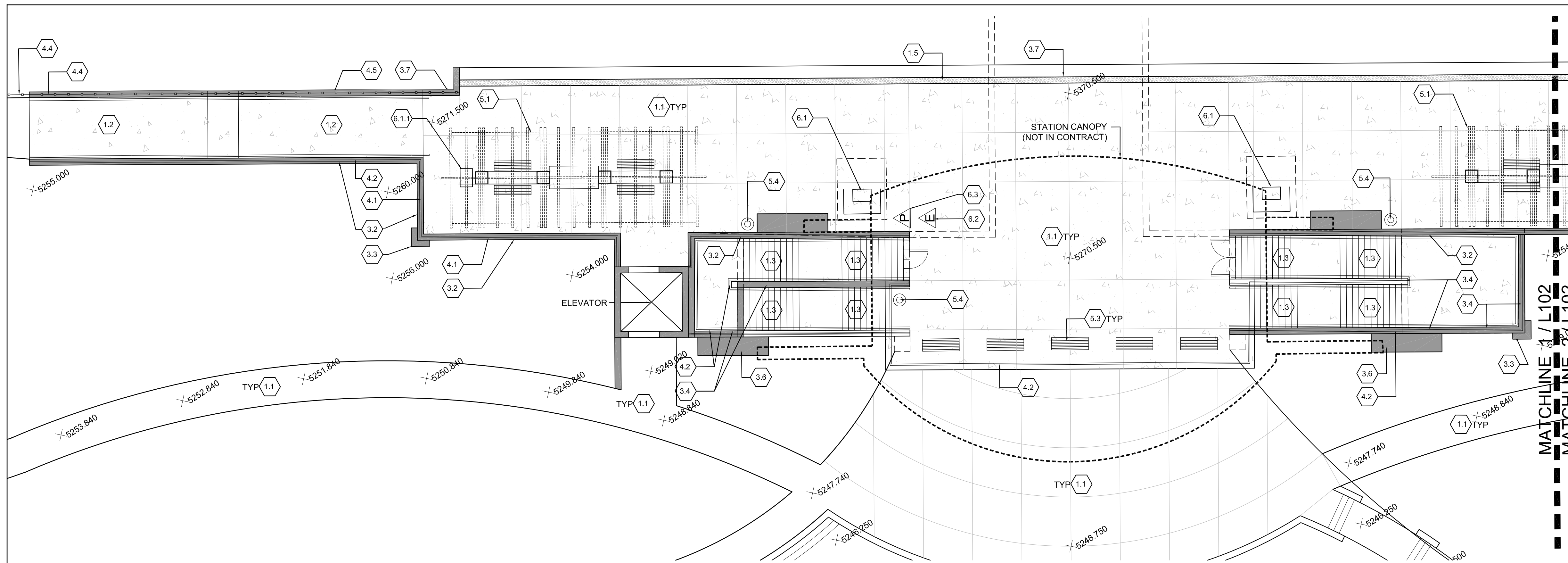
With the proposed betterment requests the City is making in addition to the planned redevelopment efforts in the Transit Oriented Development area, Westminster Station will be unique, inviting, and, more importantly, a catalyst for the transformation of south Westminster.

The betterment request for the Westminster Station Platform Betterment design helps achieve the City Council's Strategic Plan Goals of a "Strong, Balanced Local Economy" and "Vibrant Neighborhoods In One Livable Community" by contributing to the development of a multi-modal transportation system and the transit-oriented community that is expected to grow around the station.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment—Architectural Representation

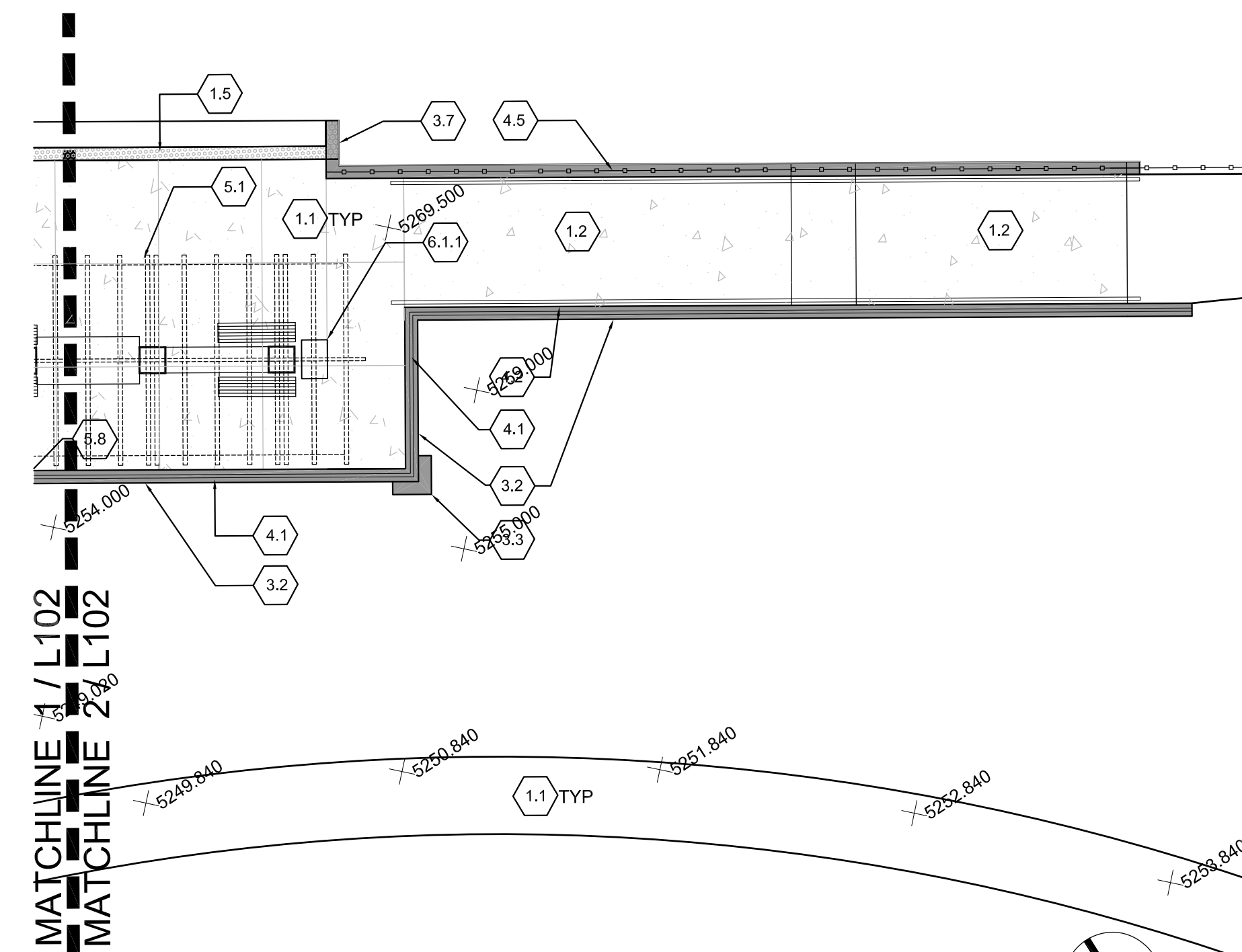
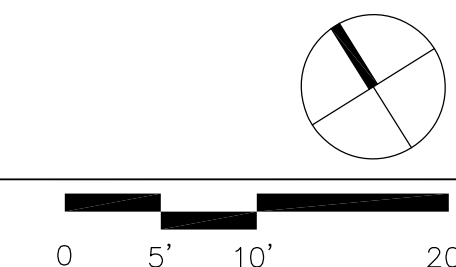


KEYNOTE TABLE

KEYNOTE	DESCRIPTION	SHT #
1.0 PAVEMENTS		
1.1	CIP CONCRETE PAVEMENT (GREY) - BROOM FINISH	
1.2	CIP CONCRETE RAMP (GREY) - BROOM FINISH	
1.3	CIP CONCRETE STAIR (GREY) - BROOM FINISH	
1.5	TRUNCATED DOME PAVERS PER RTD STANDARD	
3.0 WALLS, PILASTERS, COLUMNS		
3.1	CIP CONC. COLUMN W/ MASONRY VENEER	
3.2	CIP CONC. RETAINING WALL W/ MASONRY VENEER - HT. VARIES	
3.3	CIP CONC. PILASTER W/ MASONRY VENEER - HT. VARIES	
3.4	CIP CONC. CHEEK WALL W/ MASONRY VENEER	
3.6	CIP CONC. CANOPY ARCH ABUTMENT W/ MASONRY VENEER	
3.7	CIP CONC. PLATFORM WALL, FORM FINISH (HT. VAR., 48" MAX.)	
4.0 HANDRAILS, GUARDRAILS, FENCING		
4.1	ORNAMENTAL STEEL GUARDRAIL - 42" HT.	
4.2	ORNAMENTAL STEEL GUARDRAIL - 42" HT. WITH STAIR HANDRAIL - 36" HT.	
4.3	STAIR HANDRAIL (FLOOR MOUNT) - 36" HT.	
4.4	ORNAMENTAL STEEL FENCE - 6' HT. (PER RTD STANDARD)	
4.5	ORNAMENTAL STEEL FENCE - 6' HT. (PER RTD STANDARD) WITH STAIR HANDRAIL - 36" HT.	
5.0 STRUCTURES, SITE FURNISHINGS		
5.1	PLATFORM SHELTER - INDUSTRIAL LOFT MOD. (2-SIDED)	
5.2	BENCH - RTD STANDARD	
5.3	BENCH - RADIAL, TWO-SIDED	
5.4	TRASH RECEPTACLE - RTD STANDARD	
5.5	36" STEEL DOOR	
5.6	PRECAST UNDERPASS BY OTHERS	
5.7	PRECAST HEADWALL BY OTHERS	
5.8	CIP CONC. RETAIN. WALL (10' MAX. HT.)	
6.0 RTD EQUIPMENT		
6.1	TICKET VALIDATING/VENDING MACHINE W/ SCREEN	
6.1.1	TICKET VALIDATING/VENDING MACHINE W/O SCREEN	
6.2	EMERGENCY PHONE	
6.3	PAY PHONE	

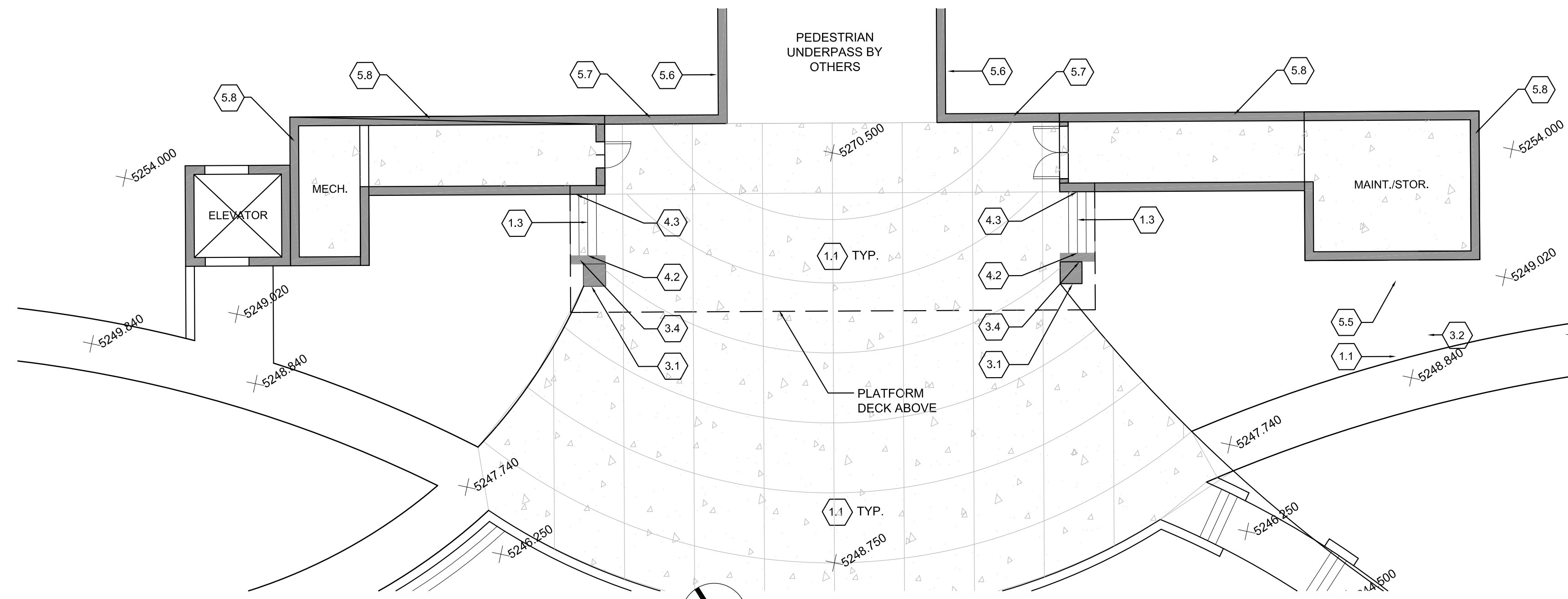
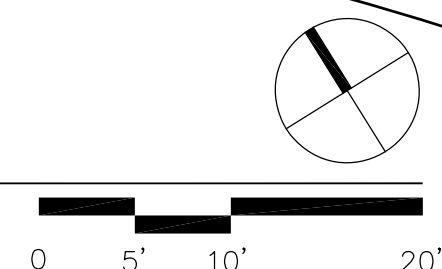
1 PLATFORM ENLARGEMENT PLAN

L201 SCALE: 1" = 10'-0"



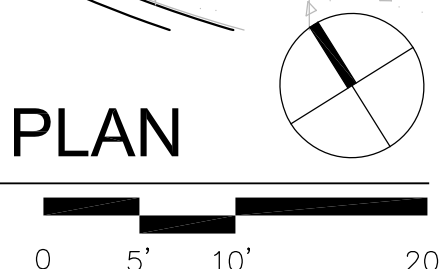
2 PLATFORM ENLARGEMENT PLAN

L201 SCALE: 1" = 10'-0"



3 LOWER LEVEL ENLARGEMENT PLAN

L201 SCALE: 1" = 10'-0"



WESTMINSTER STATION
WESTMINSTER, COLORADO

ISSUE DATE:	REVIEWED:	
DRAWN:	PROG. SET	
REV: #	DATE	DESCRIPTION
1	01.27.12	30% CD SET
2	08.20.12	30% CD SET
3	11.09.12	30% CD SET
4	02.26.13	30% CD SET
5	04.03.13	30% CD SET
6	03.07.14	VE SET

VE DOCUMENTS

PROJECT #: 12.608.001

SHEET TITLE
MATERIALS PLAN

SHEET NUMBER

L201



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Light Duty Vehicle Purchases Over \$75,000

Prepared By: Jeffery H. Bowman, Fleet Manager

Recommended City Council Action

Based on the results of the State of Colorado light duty vehicle bid, award the bid for four Chevrolet light duty vehicles to John Elway Chevrolet in the amount of \$107,778, bringing the total expenditure, to date, with John Elway Chevrolet to \$145,354.

Summary Statement

- City Council is requested to approve four light duty vehicle purchases based on the State of Colorado light duty vehicle bid to John Elway Chevrolet. These vehicles were previously approved and are within the amount authorized by City Council in the 2014 General Capital Outlay Replacement Fund, and the 2014 Utilities Replacement Fund as outlined below:
 - General Capital Outlay Replacement Fund
 - Three vehicles for the Parks Recreation and Libraries Department
 - Utilities Vehicle Replacement Fund
 - One vehicle for the Public Works and Utilities Department
- Staff purchased two light duty vehicles for the Police Department from John Elway Chevrolet during the first quarter of 2014 using Arapahoe County Bid IFB-11-85 at a cost of \$37,576 before an expected April 2014 cut-off date. These vehicles were previously approved and are within the amount authorized by City Council in the 2014 PST – General Capital Outlay Replacement Fund.
- If approved, Staff anticipates purchasing the remaining four vehicles from John Elway Chevrolet on the State of Colorado bid award at a cost of \$107,778. Cumulative purchases from John Elway Chevrolet will be for a total of \$145,354 requiring City Council approval.
- The City saves considerable dollars by purchasing vehicles through cooperative bid awards such as the State of Colorado and the Arapahoe County vehicle bid processes when possible.

Expenditure Required: \$107,778

Source of Funds:	\$82,348	General Capital Outlay Replacement Fund
	\$25,430	Utilities Vehicle Replacement Fund

Policy Issue

Should the City approve the purchase for four light duty vehicles using the State of Colorado vehicle bid award, exceeding \$75,000 as outlined in this agenda memorandum?

Alternative

Council could choose to not approve the purchase of four light duty vehicles. This alternative is not recommended because all of the vehicles needing to be replaced have a maintenance history that make it impractical to keep them in regular service.

Background Information

City Staff documents the details for each replacement vehicle being purchased. These details are critical and require extensive review because a vehicle ordered using a government award cannot be exchanged. When a cut-off date is issued by the manufacturer for a specific model, vehicles ordered after that date become the next model year; in this case, they would become 2015 models. Missing the cut-off date generally means an increase in cost, a delay receiving the vehicle as current year models are being produced, and requiring the City to maintain the old vehicle for a longer period of time. On March 25, 2014 two Chevrolet Malibu’s were ordered for the Police Department from John Elway Chevrolet, using the Arapahoe County vehicle bid, avoiding the anticipated April cut-off date.

The remaining four vehicles that were awarded to John Elway Chevrolet on the State of Colorado vehicle bid are pickup trucks, with cut-off dates after April 30, 2014. Including the four pickup trucks, the cumulative purchases to John Elway Chevrolet will exceed \$75,000, requiring Council approval.

All approved replacement vehicles identified in the table below have reached a point where it is no longer economically reasonable to maintain them in service. Please note, the life-to-date vehicle maintenance costs in the table do not include accident repairs or fuel cost. All vehicles are used to either transport crews, plow snow, operate water valves, tow trailers, or perform investigative services around the City.

DEPT.	OLD UNIT #	YEAR	REPLACEMENT MAKE/MODEL	MILES	LIFE-TO-DATE VEHICLE MAINTENANCE COST	NEW VEHICLE MAKE/MODEL	PRICE	BIDDER AWARDED
Parks, Recreation & Libraries	7093	2003	Chevrolet 2500 Crew Cab	91,150	\$23,139	Chevrolet 3500 Crew Cab	\$28,809	John Elway Chevrolet
Parks, Recreation & Libraries	7094	2004	Chevrolet 2500 Crew Cab	101,548	\$23,107	Chevrolet 3500 Crew Cab	\$28,809	John Elway Chevrolet
Parks, Recreation & Libraries	7095	2004	Chevrolet 2500 Regular Cab Pickup with Plow	102,282	\$12,261	Chevrolet 2500 Regular Cab Pickup with Plow	\$24,730	John Elway Chevrolet
Public Works & Utilities	9795	2003	Chevrolet Utility Box 3500	99,294	\$26,633	Chevrolet Utility Box 3500	\$25,430	John Elway Chevrolet

SUBJECT: Light Duty Vehicle Purchases Over \$75,000

Page 3

The replacement of these vehicles supports Council's Strategic Plan goals of Safe and Healthy Community, Financially Sustainable City Government Providing Exceptional Services, and Beautiful and Environmentally Sensitive City by maintaining a cost effective, dependable fleet of vehicles.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Wild Land Fire Brush Truck Purchase

Prepared By: Jeffery H. Bowman, Fleet Manager

Recommended City Council Action

Award the purchase for one wild land fire brush truck to the low bidder, C.E.T. Fire Pumps MFG LTD in the amount of \$96,859.

Summary Statement

City Council action is requested to award one 2014 wild land fire brush truck purchase based on the City of Westminster bid FD 12-25-0-2013, to C.E.T. Fire Pumps MFG LTD. This wild land fire brush truck was previously budgeted and is within the amount authorized by City Council in the 2014 PST General Capital Outlay Replacement Fund budget as outlined below:

- City Council action is requested to award one wild land fire brush truck built on a 2014 Ford F550 chassis, to replace unit 5163, a 1995 Chevrolet wild land fire brush truck that is currently one of two brush trucks in use.
- The City of Westminster solicited seven wild land fire brush truck builders and based on the results of bid FD 12-25-0-2013, C.E.T. Fire Pumps MFG LTD was low bid.
- City Council previously approved \$115,176 in the 2014 Public Safety Tax General Capital Outlay Replacement Fund (GCORF) budget to purchase the wild land fire brush truck.

Expenditure Required: \$96,859

Source of Funds: Public Safety General Capital Outlay Replacement Fund

Policy Issue

Should the City proceed with the purchase of one 2014 Ford F550 with mounted wild land brush fire-fighting equipment installed from the low bidder, C.E.T. Fire Pumps MFG LTD?

Alternatives

1. Reject the Westminster bid and instruct Staff to re-bid the wild land fire brush truck. This alternative is not recommended because the City of Westminster bid FD 12-25-0-2013 was sent directly to seven wild land fire brush truck vendors nationwide and Canada.
2. Do not purchase the proposed replacement wild land fire brush truck in 2014. This alternative is not recommended because the 1995 wild land fire brush truck does not meet the needs of the Fire Department and has a maintenance history that makes it impractical to keep them in regular service.

Background Information

As part of the 2014 Budget, City Council funded the purchase of one wild land fire brush truck. The standard wild land fire brush truck is a 2-ton, crew-cab truck for Westminster Fire Department, similar to unit 5164, a 2008 Ford F550. Unit 5163, the 1995 Chevrolet truck being replaced is a regular cab, 1-ton truck. The regular cab does not allow Fire Department to adequately staff the truck, as seating for two Fire personnel is limited. Modified in later years to serve as a wild land fire brush truck, 5163 was originally purchased as a utility bed truck with a snow plow attachment. Being a 1-ton truck, weight carrying capacity has been limited since the conversion in 1997. Replacement of 5163 by C.E.T. Fire Pumps MFG LTD, would insure that both of the City of Westminster Fire Department wild land fire brush trucks would be identical. C.E.T. Fire Pumps MFG LTD built 5164, a 2008 2-ton wild land fire brush truck. This 2014 replacement of 5163 would provide standardized wild land fire brush trucks for operation, and would minimize maintenance training requirements for Fleet Mechanics.

CITY DEPARTMENT	REPLACEMENT VEHICLE	LIFE-TO-DATE VEHICLE MAINTENANCE COST	NEW VEHICLE MAKE/MODEL	NEW VEHICLE PRICE	BIDDER AWARDED
Fire	Unit 5163 1995 Chevrolet Wild Land Fire Brush Truck	\$24,073	2014 Ford F550 with C.E.T. Mounted Fire Equipment	\$96,859	C.E.T. Fire Pumps MFG LTD

Below is the bid tabulation for City of Westminster Bid F 10-23-0-2013:

Contractor Name	CET	Front Range	Max Fire	Wild Fire Truck & Equipment	Unruh Fire	SVI	Advanced Fabrication and Manufacturing
Price w/ Discounts	\$96,859 w/Shipping	\$126,287	\$106,608	\$103,248.73	No Bid	No Bid	No Bid
Warranty	Lifetime Tank Components vary by manufacturer	One Year	One Year	One – 3 years depending on component			
Delivery Time	12 Weeks after receipt of Cab/Chassis	October 15, 2014	90 Days after receipt of Cab/Chassis	120 Days after receipt of Cab/Chassis			
Options Included	Meets all Specs	Meets all Specs	Meets all Specs	Meets all Specs.			
Model Year	2014 F550	2014 F550	2014 F550	2014 F550			

Although three of the companies who were sent bid packages chose not to bid, staff believes the bid from C.E.T. Fire Pumps MFG LTD is a good, competitive bid. This recommended purchase meets Council's Strategic Plan goals of Safe and Healthy Community and Financially Sustainable City Government Providing Exceptional Services by keeping a highly dependable fleet of wild land fire brush trucks in the fleet and obtaining the best possible price for these vehicles.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Microsoft Exchange 2013 License Purchase

Prepared By: David Puntenney, Information Technology Director
Scott Rope, Information Systems Manager
Dave Cotton, Information Technology Supervisor

Recommended City Council Action

Upon recommendation of the City Manager, find that the State of Colorado Microsoft Select pricing meets City Charter bidding requirements and authorize Staff to proceed with 2014 calendar year purchases of 1,300 Microsoft Exchange 2013 licenses through Insight in an amount not to exceed \$200,000. Additionally, authorize the expenditure of \$50,000 for the purchase of hardware for mailbox storage and implementation services for a total project cost of \$250,000. The storage and implementation services will be purchased from Dell under the Western States Contracting Alliance (WSCA) meeting City Charter bidding requirements. Microsoft Office licenses will be purchased through the Microsoft select government volume licensing program, meeting City bidding requirements.

Summary Statement

- The City currently uses Microsoft Exchange 2007 for email, calendar and contacts.
- The City plans to update the Microsoft Exchange environment every five years. In 2010, the City evaluated Microsoft Exchange 2010 and determined that upgrading at that time was not warranted based on features, user requirements and cost.
- By forgoing the upgrade to Microsoft Exchange 2010, the City saved approximately \$250,000.
- Staff fully evaluated several solutions before selecting an on premise Microsoft Exchange 2013 approach; including Microsoft Office 365 (cloud service offering), Microsoft Exchange 2013 hosted offsite by Dell, and Google Apps.
- This project includes budgeted funds to add additional storage for mailboxes.
- City Council authorized funds in the 2013 Major Software CIP to purchase Microsoft licenses required for these upgrades.
- The City participates with the State of Colorado in the Microsoft Select program, which enables the City to purchase Microsoft software at a significant discount. The program is administered through Insight.
- An upgrade to Exchange 2013 eliminates the need to purchase six replacement servers specifically for Exchange, since the new version of Exchange can be deployed in a virtual server environment.

Expenditure Required: \$250,000

Source of Funds: General Capital Improvement Fund - Major Software CIP (\$100,650)
General Capital Improvement Fund - Public Safety Major Software CIP (\$50,325)
Utility Fund – Major Software CIP (\$99,025)

Policy Issue

Should the City upgrade to the new Microsoft Exchange 2013?

Alternatives

1. Forgo the purchase of Microsoft Exchange 2013 licenses and continue to use the current software. This alternative is not recommended for the following reasons:
 - The City will lose support for the Microsoft Exchange product in the future, as Microsoft will eventually end support for the Exchange 2007 version.
 - In May, 2014 the six physical servers hosting Microsoft Exchange 2007 would need to be replaced at a cost of \$42,000.
 - The City loses the opportunity to benefit from valuable enhancements and capabilities contained within the new version of Microsoft Exchange. A few of those enhancements include:
 - Data loss prevention
 - Advanced Anti-spam and Malware protection
 - Improved reliability and redundancy in the event of a disaster
 - Larger mailbox storage capacity
 - Simplified administration
 - Full feature web interface
 - Ability to run Exchange in a virtual server environment
2. Implement Google Apps Office Suite
 - During evaluation, Staff determined that the Google Apps Office offering was not mature enough in features and compatibility to meet City needs.
 - Google email offering does not include a traditional folder structure to allow employees to store their email for retrieval at a later time.
 - The Google offering is located on the Internet and employees would not have access to their documents and email if the Internet connection failed.
 - Significant training would be required for all employees as the user interface is much different than Microsoft Exchange.
 - Over a five year period, the cost for this alternative exceeds the cost of the proposed on premise solution.
3. Implement Microsoft's Cloud Office Suite 365
 - Microsoft Office 365 does not provide the City with a local licensed copy of the Office Suite. In the event the City decides to abandon the Office 365 cloud solution and return to an on premise approach, the City would be required to purchase the Microsoft Exchange licenses and implementation services.
 - Microsoft Office 365 is not easily configurable with the City's Avaya unified communications systems. Staff was not able to successfully understand how using Office 365 would be able to deliver voicemails to an employee's inbox or duplicate other features that employees have today. Staff learned that at a minimum additional hardware would be required to achieve Office 365 integration with the City's phone system.
 - Cost studies performed by staff revealed the Microsoft 365 solution exceeds the cost of the proposed on premise solution.
4. Move to a third party provider (DELL) where the Microsoft Exchange Environment would be hosted
 - Cost studies performed by staff revealed the third party provider (DELL) solution exceeds the cost of the proposed on premise solution.

Five Year Cost Comparison of Options Evaluated

	2014	2015	2016	2017	2018	Total
Google Apps	\$51,150.00	\$51,150.00	\$51,150.00	\$51,150.00	\$51,150.00	\$255,750.00
Microsoft Office 365	\$92,000.00	\$92,000.00	\$92,000.00	\$92,000.00	\$92,000.00	\$460,000.00
Dell Hosted Microsoft Exchange	\$74,000.00	\$74,000.00	\$74,000.00	\$74,000.00	\$74,000.00	\$370,000.00
On Premises Microsoft Exchange	\$250,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250,000.00

The Google Apps, Microsoft Office 365 and the Dell Hosted Microsoft Exchange alternatives still require that City staff perform user administration and email configuration and management. Those alternatives would save only very minimal staff time in server deployments, backups and software patching.

Background Information

In 1988, the City installed a Data General mini-computer system to provide 68 employees with word processing, electronic mail and scheduling software. The Data General Comprehensive Electronic Office (CEO) software was upgraded each year to provide employees with enhanced features and new functionality. The Data General System served the City well until 1998 when it was replaced with a Windows based PC system and Microsoft Exchange software. Today, the City has over 1300 employees who benefit from the City’s email system. Over the past year, Staff evaluated the several Office software solutions for email including Microsoft’s Office 365 (cloud offering), Google Apps, on premise Microsoft Exchange 2013 and Dell cloud hosted Microsoft Exchange service. IT staff concluded that a traditional on premise installation of the Microsoft Exchange 2013 would be the best and lowest cost solution for the City over the next five years. Prior to the next scheduled upgrade in 2018, Staff will again evaluate alternatives to determine if a cloud based offering or other office software solution would provide greater benefit and lower cost for the City.

Microsoft Exchange 2013 incorporated many enhancements and new features that improves usability and reliability, and reduces administration time. A few of the enhancements include:

- **Simplified administration** – Ability to use a single web-based interface with the Exchange Administration Center for all Exchange services, both on-premises and online.
- **Large low-cost mailboxes** - Support for larger mailboxes while using less expensive storage.
- **Protection of sensitive data** – Provides the ability to set parameters to prevent user’s from mistakenly sending sensitive information to unauthorized people.
- **Intuitive, touch-enabled inbox experience on just about any device** - Users can get more done from anywhere with an inbox that provides a clean and uncluttered experience, where the relevant and important information is optimized for different form-factors. The same design in the Outlook desktop interface has been applied to both the browser and mobile interfaces.
- **Increased collaboration and functionality** – Microsoft Exchange 2013 calendaring functionalities provide easy ways to share calendars with anyone within or outside of the City, giving authorized contacts immediate access to calendar information. Users can create and publish Internet calendars to Microsoft Office Online, add and share Internet calendar subscriptions, e-mail calendar snapshots, or even send a customized electronic business card to others.
- **Virtual Environment capabilities** – Eliminates the need for physical servers and increases redundancy capabilities by allowing for deployment in a virtual server environment.

In an effort to achieve the best possible pricing on Microsoft Exchange, as well as other Microsoft software, the City entered into the Microsoft Select Volume Licensing Program in 1998. Westminster joined the State of Colorado and 11 other Colorado government agencies in this agreement in order to achieve volume pricing for Microsoft software purchases. Purchasing through this agreement will result in a savings of 17% discount off retail pricing.

Cooperative purchasing is a powerful, proven tool to save taxpayer money by creating access to the best value possible and reducing administrative overhead. WSCA (the Western States Contracting Alliance) and NASPO (the National Association of State Procurement Officials) use a competitive, lead-state procurement model to capture the best value for common government requirements, including personal computers and peripherals. The City will purchase storage hardware from Dell at or below the WSCA prices, thereby meeting City purchasing requirements and minimizing costs. Using this approach for purchasing also saves time and money that would normally be associated with RFP development, advertising, evaluating proposals, and contract management.

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

This proposal supports City Council's Strategic Plan goals of Financially Sustainable City Government Providing Exceptional Services by investing in technology to increase productivity and efficiency.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Department of Homeland Security Regional Grant Award

Prepared By: Lee Birk, Chief of Police
Russell Bowers, Public Safety Communications Administrator
Scott Rope, Information Technology

Recommended City Council Action

Authorize the Police Department to pursue the Department of Homeland Security Regional Grant opportunity in the amount of \$193,500 for the purpose of purchasing and installing mobile commercial grade broadband data routers in frontline police vehicles.

Summary Statement

- The Police Department expressed its interest in the Department of Homeland Security (DHS) Regional Grant in April 2013. Staff's interest was to leverage the grant opportunity to purchase 60 mobile commercial grade broadband data routers for frontline police vehicles.
- This grant is offered through the Governor's Office of Preparedness, Division of Homeland Security and Emergency Management in conjunction with the Urban Areas Security Initiative (UASI) and the North Central Region All-Hazards Emergency Management Region (NCR) of the State of Colorado. While the City of Westminster's project idea was not selected for grant funding in 2013, it remained on the Integrated Priority List (IPL) for future funding if additional grant funds were to become available.
- On March 20, 2014, the Police Department was notified by the UASI and the NCR Joint Board that, due to residual funding from existing DHS grants, there is a high probability that the City of Westminster's grant project could receive funding this year. The grant requires a 21% match from the City, which is available in the Police Department operating budget.

Expenditure Required: \$40,645 (local match)

Source of Funds: 2014 Police Department Capital Outlay Radio Budget

Policy Issue

Should the City of Westminster Police Department pursue the DHS Regional Grant funding for the purchase of 60 mobile commercial grade broadband data routers for frontline police vehicles?

Alternative

Direct Staff not to pursue the DHS Regional Grant funds. This option is not recommended, as Staff's opinion is that the installation of mobile commercial grade broadband data routers will improve communications for frontline police services and this grant opportunity will leverage significant outside funding resources to enable the purchase of this equipment.

Background Information

This grant is offered through the Governor's Office of Preparedness, Division of Homeland Security and Emergency Management in conjunction with the Urban Areas Security Initiative (UASI) and the North Central Region All-Hazards Emergency Management Region (NCR) of the State of Colorado.

As an active member of both the UASI and NCR, the City of Westminster has the ability to apply for DHS funding. A core mission of the DHS is to enhance the ability of State, local and tribal governments, and non-profit organizations to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other disasters. The DHS preparedness grant programs are the funding mechanisms for building and sustaining national preparedness capabilities. The UASI and NCR Regions have regional committees whose tasks are to evaluate the needs of the Region within their capability area and recommend sub-projects to the UASI Working Group and the NCR Board of Directors to determine the framework for regional grant project/funding requests under the DHS.

The DHS Regional Grants fund a range of preparedness activities, including personnel, planning, organization, equipment purchases, training, exercises, and management/administration costs. The funding priorities for the 2013 DHS Regional Grant are to enhance regional preparedness and capabilities in 25 high-threat, high-density areas. The 9/11 Act requires states to dedicate 25% of UASI funds to law enforcement terrorism prevention activities.

On February 15, 2013, UASI and the NCR of the State of Colorado posted the 2013 DHS Regional Grant process and the Grant Guidance was released May 21, 2013. The Police Department had expressed its interest in the DHS Regional Grant in April 2013. Staff's interest was to leverage the grant opportunity to purchase 60 mobile commercial grade broadband data routers for frontline police vehicles. During a joint board meeting on June 13, 2013, the UASI and the NCR Boards approved the Integrated Priority List (IPL) that listed the submitted potential grant projects. However, only projects with priority numbers 1-23 were identified for 2013 funding, with partial funding availability for priority number 24. The City of Westminster's project was below the cut line listing as number 29 out of 42 submitted projects. On March 20, 2014, Staff was notified by the UASI and NCR joint board that due to residual funding from existing DHS grants, there is a high probability that the Westminster Police Department's grant project request could receive funding in 2014.

The DHS Regional Grant process is highly competitive. Being awarded the DHS Regional Grant will allow for the purchase of 60 mobile commercial grade broadband data routers (\$193,500) for use in frontline police vehicles. The mobile commercial grade broadband data routers (mobile routers) will provide multiple data portals to the users in or around the vehicle. They are capable of connecting to all national broadband carriers, secure Wi-Fi hot spots, as well as national and regional Long Term Evolution (LTE) systems. They also provide Global Positioning System (GPS) data, Radio Frequency Identification (RFID) for tracking tagged equipment, and tracking data for connectivity coverage assessment per carrier.

The mobile router would replace the physical aircards that the City currently uses in police patrol vehicles, accident investigations vans and animal management vans. These commercial grade broadband data routers are an 8 to 10 year solution for data connectivity. Each mobile router will have a Verizon SIM card installed and it will connect to Verizon 3G and 4G cellular sites. The mobile router takes the Verizon connectivity and converts it into a 300 foot Wi-Fi hotspot that will provide the laptop computers or any other authorized device connectivity back into the City's network.

Since the implementation of the Mobile Data Computers (MDCs) in the Police Department, connection issues that rely on cellular technology to link these computers to the Computer Aided Dispatch (CAD) data has persisted for several years. When this connection is lost, police personnel lose critical data, such as mapping, vehicle location, status updates, and information download, causing delays in response times, efficiency and capturing critical data.

In order for the MDCs to work correctly, there needs to be a reliable way to connect them to the CAD information coming out of the Public Safety Communications Center. This is done by relying on cellular telephone service using an aircard that uses one carrier network, like Sprint or Verizon. For years, the police department has experienced the loss of cellular signal that has varied in frequency based on location in the City, the amount of foliage on the trees, signal strength, and other unknown factors. Once the signal is lost, when the signal is regained, there is additional delay in returning to full function while the MDC "boots" back up. This has made personnel very frustrated and has impacted the usefulness of the MDCs. These issues occur most frequently in the southern portion of the City.

In 2013, key staff from the Information Technology (IT) and the Public Safety Communications Center thoroughly studied and discussed this type of solution, and came to the agreement that it was time for the City to move in this direction. IT thoroughly reviewed the merits, costs, downsides, and options of implementation. IT also determined that the impact of hosting the server for these devices would be minimal. Currently, the City has deployed 20 of these devices, 19 in frontline fire vehicles and one in the police SWAT command post/negotiator trailer. With the use of these devices over the past year, it is now a proven and viable technology.

The DHS Regional Grant Program requires matching funds of 21%, which is \$40,645. Funds are available in the 2014 Police Department Capital Outlay Radio Budget to meet the matching requirements.

Action on this item supports City Council's Strategic Plan goals of Safe and Healthy Community and Financially Sustainable City Government Providing Exceptional Services.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 G

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Quails Crossing Playground Renovation

Prepared By: Kathy Piper, Landscape Architect II

Recommended City Council Action

Authorize the City Manager to execute a contract with the low bidder, T2 Construction, Inc., in the amount of \$207,569 for Quails Crossing Playground Renovation with a 10% contingency of \$27,756 for a total project cost of \$228,325.

Summary Statement

- Quails Crossing Park is located at 13402 Kalamath Street. (See attached site photo)
- This playground renovation project will include new play equipment, accessible surfacing, a new sidewalk to the play areas that meets the current ADA guidelines, a small rock walk to hold the existing grade and provide additional seating areas around the playground and replace a small section of crusher fines trail to concrete to eliminate maintenance due to erosion.
- Bids were solicited from four reputable construction companies with experience in park construction. All four companies submitted bids with T2 Construction, Inc. providing the low bid.
- The construction will start in late May and be completed by the end of July 2014.
- T2 Construction Inc. has successfully completed several construction projects for the City including the newly completed Torii Square Park and Jessica Ridgeway Memorial Park.

Expenditure Required: \$228,325

Source of Funds: General Capital Improvement Fund – Park Renovation Project

Policy Issue

Should the City proceed with the park renovation at Quails Crossing Park?

Alternatives

City Council could choose to not authorize the construction renovation at this time, however, Staff does not recommend this option as the equipment has been identified for renovation as part of the Parks Inventory and playground assessment program. While the playground equipment has been maintained since installation in 1997, the equipment is now 17 years old and needs major repairs. The existing sidewalk leading to the play area is not ADA compliant with a grade of over 10%, which is 5% steeper than current ADA regulations allow. The sand play surface does not meet the ADA accessible guidelines and the surface ADA tiles installed in 1997 have become a safety issue.

City Council could choose to reduce the scope of the project by eliminating the small section of crusher fines trail that connects to existing concrete to save on the overall cost of the project by \$21,940. Staff recommends paving this section of soft trail since it is located within the flood plain and is repaired on a regular basis when there is flooding along Quail Creek. Paving this section would save future maintenance Staff time and provide easier ADA access.

Background Information

Quails Crossing Park has been part of the City since 1983. The park is located at 13402 Kalamath Street and is 3.1 acres with the majority of the acreage within the 100-year flood plain. In 1997, Staff designed a small playground for the north portion of the site that lays outside the flood plain. Since the original construction of the playground, additional residential and retail development have occurred to the north and east of the site which in turn has increased the use of the park. As part of the Quail Creek storm water improvements in 2007, an 8' wide crusher fines soft trail connection was added along Quail Creek to connect to the existing trail system.

In 2006, Staff identified Quails Crossing Park for renovation as part of a City wide park inventory and was to be replaced in 2013. When the Jessica Ridgeway Memorial Park became the priority; Quails Crossing Park was moved to 2014 for playground replacement.

In the City of Westminster Parks, Recreation and Libraries Department Citizen's Needs Assessment 2013; 87% of residence of Westminster believe that creating a beautiful community, providing trails, paths and supporting physical wellness were very important. Keeping the citizen's priorities in mind, along with the new Parks, Recreation and Libraries mission statement, ***"Together we create exceptional opportunities for a vibrant community with a commitment to nature, wellness and literacy,"*** Staff has designed a place that will keep the community neighborhood vibrant and provide wellness opportunities for a variety of ages and abilities through new play equipment, trail connections and access.

The new playground will have a space theme. A three tier space ship with multiple slides and activities will be part of the main play structure. Several other free standing pieces have also been selected that will spin and/or rotate. Staff selected play pieces from a variety of manufactures to strengthen the space theme and playability of the playground. Fifty percent of the play pieces now are required to be accessible to all children. The existing sidewalk leading to the playground will be modified to allow for accessibility to both play areas. The sand within the current play area will also be replaced with an engineered wood fiber that is ADA accessible.

Staff solicited bids from four companies, and the City received four responses (see below). Staff reviewed the bids and determined that T2 Construction, Inc. was the low bidder. T2 Construction, Inc. has done a variety of projects in the past such as Carroll Butts Park, Countryside irrigation renovations, and Willowbrook Park, Torii Square Park and Jessica Ridgeway Memorial Park. Construction will begin in late May and completion is expected by the end of July.

	T2 Construction Inc.	Goodland Construction	ArrowJ Landscaping	RichDell
Base Bid	185,629.00	214,739.75	194,184.16	185,856.00
Add Alternate-Crusher fines trail to concrete	21,940.00	3,984.50	22,157.70	25,184.45
10% Contingency	20,756.90	21,872.42	21,634.18	21,104.40
TOTAL	228,325.80	240,596.67	237,976.04	232,144.85

Funds for this project were budgeted and are available in the Park Renovation Project account in the General Capital Improvement Fund.

This project meets City Council’s Strategic Plan Goals of “Financially Sustainable City Government Providing Exceptional Services,” “Vibrant Neighborhoods In One Livable Community,” and “Beautiful and Environmentally Sensitive City.”

Respectfully submitted,

Brent McFall
City Manager

Attachments: Quails Crossing Park Playground Renovation Map

Quails Crossing Park Playground Renovation





Agenda Item 8 H

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Heritage Golf Course Modifications

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

Recommended City Council Action

Based on the recommendation of the City Manager, determine that the public interest would best be served by awarding the bid for modification of golf course design features of hole #9 at the Heritage at Westmoor Golf Course (Heritage) to Mid-America Golf and Landscape in the amount of \$96,750, plus a contingency amount of \$29,025, and an additional \$15,000 for fencing and tree replacement for a total authorized expenditure of \$140,775.

Summary Statement

- Trimble contacted the City shortly after opening its new facility with concerns regarding golf balls striking their property and the safety of their employees and guests. The actions recommended are a direct result of researching numerous options on how to address this issue.
- All costs will be reimbursed by Trimble.
- Bids were solicited from four qualified contractors: Modern Golf & Turf, LLC, Mid-America Golf and Landscape, ECI, Inc. and Landscapes Unlimited, Inc. to provide the necessary services to modify the existing tees, cart path, bunkers, fairway alignment and native area of hole #9. ECI Inc. and Landscapes Unlimited declined to submit a bid after reviewing the scope of work.
- Although not the lowest bidder, Mid-America Golf was the only contractor available to complete the work in the time frame needed (Spring of 2014). The public interest would best be served by accepting the bid for the modification of #9 from Mid-America Golf and Landscape.
- Funds for this project are available in the General Golf Course Improvement CIP fund and also in the Golf Course Improvement Fund JCOS; however costs will be fully reimbursed by Trimble.

Expenditure Required: \$140,775

Source of Funds: General Golf Course Improvement CIP Fund
General Golf Course Improvement Fund- JCOS
All funds to be reimbursed by Trimble

Policy Issue

Should City Council approve the contract and contingency for the modification of existing golf course design features of hole #9 at the Heritage?

Alternatives

1. Do not authorize the recommended contract and contingency for the modifications to #9 and leave the golf hole in its original state. The changes recommended are to both Trimble's and the City's advantage as there is certainty that the golf balls will continue to land on Trimble property and the golfers are liable for damage. Trimble is willing to pay for the modifications. The changes do not impact quality of play and there will be minimal disruption to the Heritage operations.
2. Do not authorize the recommended contract and contingency for the modifications to #9 and leave the golf hole in its original state and allow Trimble to install a protective netting system on their property. The effectiveness of a large net is not proven (the contrary is often noted) and the aesthetic impact to our Audubon International Signature Sanctuary course is not desirable.
3. City Council could authorize only a portion of the funds requested in the original contract and contingency and reduce the amount of the requested expenditure related to the modifications of #9. Staff has spent considerable time working with Trimble, charting golf shots leaving the property and consulting with the original golf course architect and his staff. Staff has determined the requested action is the best and least expensive approach to modify #9 to reduce the number of golf balls leaving the golf course property.
4. City Council could instruct staff to solicit an additional bid. Staff does not recommend this action as all contractors with a local presence (four contractors) were contacted and asked to submit an official bid. Two responded and only one (Mid-America Golf and Landscape) can accomplish the project within the timeframe identified by Trimble and the City. Soliciting another contractor outside the Denver metro area will slow the process of hiring a contractor and jeopardize the goal of trying to have this work completed prior to May 1, 2014. Staff feels comfortable that the two submitted bids are competitive and price out the scope of work accordingly. The two submitted bids are approximately 10% of each other.

Background Information

The Heritage Golf Course at Westmoor opened for play in September of 1999. In 2002, with a commitment to the environment and sustainable resource management, The Heritage became the 40th golf course worldwide to be certified in the Audubon International Signature Sanctuary Program. The Heritage provides full golf amenities such as 18-hole championship-quality design, along with exceptional golf course conditions, driving ranges/practice facilities and restaurant operations.

Trimble Navigation Limited approached the City in 2009 with the possibility of constructing a new office building in the Westmoor Technology Park (WTP) on property located directly east of the Heritage Golf Course at Westmoor adjacent to hole #9. Through the course of Trimble's construction the City's community development and golf staff's attended various meetings concerning the distinct possibility of golf balls entering the desired Trimble building location. Information was provided to Trimble on extensive studies done on golf ball scatter patterns conducted by the USGA in the mid-1990's. Based on these discussions, the building site was moved slightly from the original design location and additional landscaping was included.

Construction of the new Trimble building started in early 2012 and the building was opened in May of 2013. In September of 2013, Trimble staff notified the City that they wanted to meet concerning the issue of golf balls being found on the Trimble property. In October, City Staff met with Trimble staff to discuss concerns about the safety of employees, visitors and property. At that time, Trimble discussed the possibility of constructing a large net to protect their building, installing safety cameras to hold Heritage customers liable for any damages and posting liability signage as ways to address this issue. Trimble staff also asked the City to consider making modifications to hole #9 to reduce the number of balls entering the property. Staff agreed to look into possible solutions.

Before any action could be recommended, Staff took the initiative to monitor tee shots from hole #9 over two different fall weekends and tracked approximately 409 tee shots to determine the extent of the issue. During that time, 4 tee shots, or approximately 1%, were hit out of the Heritage property boundary fence and into Trimble property. Applying this percentage to the 32,155 total rounds played in 2012, approximately 322 balls could be expected to be hit onto Trimble property, 161 of which could land in or on the parking lot or surrounding asphalt. Staff then contacted Mike Hurdzan and his associate, Bill Kerman, the original architects of the golf course, to assist with the issue. Mr. Kerman completed a report with his recommendations for the best possible adjustments to alleviate a majority of golf balls leaving the property and also provide the least amount of disruption of play.

Staff then met with Trimble staff to present a proposal of the possible modifications to #9. Trimble, was in favor of the changes and, through an MOU, committed to pay for 100% of all costs associated with the project. The City will manage the project and the basic modifications to the hole would involve: realigning the black, blue and white tees, shifting the first half of the fairway approximately 10-12 yards to the west, moving approximately 450' of cart path and a fairway bunker to the west to match the new fairway line and creating a protective berm that could be landscaped with large pine trees to help stop other errant golf shots from entering Trimble property.

While bids were solicited from four contractors, two responded and Mid-America Golf was the only company available to complete the work in the timeframe identified (Spring of 2014). Work needs to be completed prior to the busy Summer season to minimize impact on both participants and revenue. Trimble is in agreement with this selection and supports paying this contractor

This project supports City Council's Strategic Plan goals of Strong, Balanced Local Economy, Financially Sustainable City Government Providing Exceptional Services, and Beautiful and Environmentally Sensitive City.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment: Agreement for Cost Reimbursement from Trimble Navigation Limited



WESTMINSTER

March 17, 2014

Ms. Angela Williams
Trimble Navigation Limited
10368 Westmoor Drive
Westminster, CO 80021

City of Westminster
Department of
Parks, Recreation
and Libraries

4800 West 92nd Avenue
Westminster, Colorado
80031

303-658-2400
FAX 303-706-3926

This letter is to acknowledge the agreement made between Trimble Navigation Limited (Trimble) and the City of Westminster (City) regarding the project at the Heritage at Westmoor Golf Course (Heritage). Please note that the Westminster City Council must also approve this project.

On Tuesday, January 21st, 2014, we met to discuss potential options to address concerns with golf balls from the Heritage landing on Trimble property. As was previously agreed, Bill Kerman, an architect for the Heritage was contracted to provide a professional design option to adjust play on hole #9. This recommended design was reviewed at the meeting, along with some cost estimates from Modern Golf & Turf, LLC.

The following was agreed upon:

- The City will act as the project manager and will oversee and supervise the work. All work and costs are to be reviewed and approved by Trimble prior to implementation.
- The City will solicit at least two competitive bids for the work done to adjust the alignment of hole #9, including but not limited to, reconfiguring the tee boxes (less expensive option), shifting the fairway to the west, moving the cart path down the new fairway lines, and moving the fairway bunker to realign with the fairway and creating a native area where the current path exists.
- A review of expanding the berm to straddle both the City's and Trimble's property was to take place and subsequent e-mails from David Wells approved soliciting cost estimates (attached). If the berm is agreed upon, the property line remains as it currently exists and the berm will straddle both properties.
- An ODP will be jointly worked on and submitted to the City (at no cost to Trimble). No further design costs or bonds will be assessed.
- As was agreed to in the meeting, the City will maintain the berm on City property, and Trimble on their property, as it is done currently. The warranty from whomever installs the trees will cover all trees installed under their contract. Replacement of the trees outside the warranty period shall be the responsibility of the City or Trimble, depending on which side of the property line with the commitment to maintain the intended safety buffer.



- Trimble agreed to reimburse the City for the full, direct costs of the project. Initial cost estimate of approximately \$65,000 was identified for the movement of the tee boxes and cart alignment. Additional costs for the berm were subsequently agreed to be added into the project by David Wells and, depending on the option selected by Trimble, are approximately as follows:
 - Mid-America Golf Bid- \$96,750 +30 % (\$29,025) contingency if needed, fencing approximately \$5,000, tree replacement/move approximately \$10,000 for an approximate total of \$140,775. See attached bids and cost breakdowns. Finalized costs will be based on items selected.
 - Modern Golf Bid- \$85,278 (includes \$3,000 contingency removed from Modern Golf's bid) +30 % (\$25,583) contingency if needed, fencing approximately \$5,000, tree replacement/move approximately \$10,000 for an approximate total of \$125,861. See attached bids and cost breakdowns. Finalized costs will be based on items selected.
- Final design of the hole alignment, landscaping and project costs require written approval by Trimble.
- Full payment of the direct costs of the project must be made by Trimble to the City within 30 days of the City's final settlement with the general contractor on the project, payable to:

City of Westminster
c/o Peggy Boccard
4800 West 92nd Ave
Westminster, CO 80031
- At the time of payment, the City will deliver lien waivers for all work.

I hereby agree to the above terms



Angela Williams

3.21.14
Date



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: 2014 Library Materials Purchases Over \$75,000

Prepared By: Kate Skarbek, Library Services Manager

Recommended City Council Action

Based on the recommendation of the City Manager, determine that the public interest will be best served by awarding contracts to Baker and Taylor not to exceed \$282,150, and Midwest Tapes not to exceed \$90,000 for a grand total not to exceed \$372,150 for the purchase of library materials and eMaterials.

Summary Statement

- The Westminster Municipal Code requires all purchases over \$75,000 be authorized by City Council. Staff has taken a conservative approach in interpreting this requirement to include transactions where the cumulative total purchases of similar commodities or services from one vendor in a calendar year exceed \$75,000.
- As with past practices, these are negotiated contracts with Baker & Taylor and Midwest Tapes, formal bidding was not used. However, these contracts are consistent with the City's book and electronic media purchases over several years, and Staff will continue to compare prices with other vendors and where lower prices can be obtained, another vendor will be used. In most instances, however, Baker and Taylor and Midwest Tapes have consistently offered the lowest prices on the items ordered when compared to other suppliers. In addition, the Colorado Library Consortium (CLiC) has negotiated discount rates for libraries with Baker and Taylor and Midwest Tape. A copy of the discount rates negotiated is included at the end of this Agenda Memorandum. Higher discounts ensure more reading materials are available for the community to practice literacy.
- Funds were previously appropriated in the 2014 Budget and are available in the General Fund for the purchases.

Expenditure Required: \$372,150

Source of Funds: General Fund- Parks, Recreation and Libraries Operating Budget

Policy Issue

Should City Council waive formal bidding requirements and approve the purchase of library materials and electronic resources from the two recommended vendors in 2014?

Alternative

Do not approve the purchases as recommended and request that Staff go out to bid on each item. The alternative is not recommended for the reasons outlined in the background information section of this agenda memorandum.

Background Information

In 2013, library materials purchased from Baker and Taylor (B&T) was \$175,511 which was 57% of the library materials budget expenditures. Staff anticipates that purchases from B&T will likely rise in 2014 over what has been purchased in past years due in large part to changes in the publishing industry including the rising popularity of electronic books or eMaterials. Baker and Taylor does license or sell eBooks from Gale Cengage and a few other publishing houses.

Baker and Taylor consistently provides the City with good customer service and low prices. Their procedures coordinate well with the City's procedures, so using them improves Staff efficiency. The discounts that B&T offers the City are very competitive pricewise. In instances where Staff receives a better discount from a different vendor, materials are ordered from the other vendor. The City receives the majority of its standing orders from B&T because they are the most competitive. In addition, B&T maintains an up-to-the second interactive inventory and ordering website that Staff can use to manage the City's library orders.

Each year the library compares pricing and services among the large library vendors of B&T, Ingram, Amazon.com and Midwest Tapes and others. Service considerations are the ease of online ordering, technological coordination with our database and shipment practices that include invoicing and turnaround time. Pricing considerations are noted for overall discount prices. B&T continues to offer the most competitive services, in terms of format and discounts, which can be up to 45%.

Unlike Baker & Taylor, Midwest Tape specializes in selling only audiovisual materials and supplies to public libraries. Consequently, they excel in this area, offering lower prices and good service on audiovisual material. Midwest therefore receives the bulk of Westminster library's audiovisual orders. Midwest provides electronic records to include in the online catalog as well as a single-disc replacement service should only one disc in a multivolume set become inoperable. Midwest also does not charge shipping costs so the item costs are kept to a bare minimum. Staff has found Midwest's services to be timely, accurate, and efficient. In 2013, Westminster purchases from Midwest totaled \$58,777. Given how close this amount is to the \$75,000 threshold, Staff is requesting Council's approval to possibly exceed \$75,000 in purchases with Midwest Tapes in 2014 should patron demand require increasing the library's DVD, music CD, and audiobook collections at a higher rate than in the past. Increased Midwest purchases will be a likely outcome of adding the Blu-ray film format to the collection on April 12, 2014.

Library materials and eMaterials play an important role in fulfilling the department's mission: "Together we create exceptional opportunities for a vibrant community with a commitment to nature, wellness and literacy." City libraries serve well beyond the physical constraints of Irving Street and College Hill. At the close of 2013, the Westminster Public Library offered 225,950 books, audiobooks, music CDs, DVDs, and subscribed to 239 print serials on behalf of the community. Of these, 18,668 were new to the collection in 2013. Collectively, these items circulated 1,015,864 times to patrons. The library also licensed 28,858 eMaterials titles including eBooks, eAudiobooks, eMusic, and eFilms. Not all of these eMaterials generate a checkout in the same way a physical item does. Of those that do, 18,438

downloads circulated to Westminster patrons. The others are eMaterials available to read in patron's browsers, not as a download. Each vendor counts access a slightly different way so an accurate tally of how many times the entire browseable eMaterial collection was accessed is not available. For instance, the 179 titles in the Sesame Street eBook subscription were viewed 43,397 times after the collection was made available to the public in June. The 5,830 title reference ebook collection from the vendor, Ebsco, though, was searched only 4,091 times throughout the entire year. The Sesame Street collection encourages early childhood literacy while the Ebsco reference collection supports upper educational attainment.

These purchase requests support the City's Strategic Plan Goal of "Financially Sustainable City Government Providing Exceptional Services."

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: 2014 Asphalt Pavement Rehabilitation Project

Prepared By: Rob Dinnel, Street Project Specialist
Dave Cantu, Street Operations Division Manager

Recommended City Council Action

Authorize the City Manager to execute a contract for the 2014 Asphalt Pavement Rehabilitation Project with the low bidder, Asphalt Specialties Company, Inc., in the amount of \$983,854 and authorize a contingency of \$100,000 for a total authorized expenditure of \$1,083,854.

Summary Statement

- The Asphalt Pavement Rehabilitation Project includes milling and Hot Mix Asphalt (HMA) overlay resurfacing of 9.7 lane miles of paved roadway as well as water main replacement trench patching at 11 locations.
- Formal bids were solicited in accordance with City bidding requirements for the 2014 Asphalt Pavement Rehabilitation Project. Requests for proposals were sent to six contractors, with three responding.
- The low bidder, Asphalt Specialties Company, Inc., meets all of the City bid requirements and has successfully completed similar Westminster projects over the past 24 years.
- Adequate funds were budgeted and are available for this planned expense in the 2014 Department of Public Works and Utilities Street Operations Division and Utility Field Operations Division budgets.

Expenditure Required: \$1,083,854

Source of Funds: General Fund – Street Operations Division Operating Budget - \$733,854
Utility Fund – Utilities Field Operations Division Budget - \$350,000

Policy Issue

Should this bid be awarded to the low bidder, Asphalt Specialties Company, Inc., for the 2014 Asphalt Pavement Rehabilitation Project?

Alternatives

1. An alternative to this project is to combine the bids for the Concrete Replacement Project and the Asphalt Pavement Rehabilitation Project. This alternative is not recommended because although administrative costs would decrease with only one bid instead of two, bid prices for concrete work or asphalt work would increase because the general contractor’s profit margin would be added to the subcontractor’s cost, and the contract time would have to be increased.
2. With regard to the resurfacing portion of the project, the City could choose to not resurface some or all of the streets earmarked for an HMA overlay. This alternative is not recommended because the City’s Pavement Rehabilitation strategy has been identified as the most appropriate, cost effective process to prolong pavement life. Delay will result in further pavement deterioration and higher repair costs at a later date.

Background Information

The Asphalt Pavement Rehabilitation Project includes resurfacing of 9.7 lane miles of paved roadway as well as water main replacement trench patching at 11 locations.

These street improvements have been reviewed and determined to be the most effective utilization of available resources consistent with the City’s Pavement Management Process.

The low bidder, Asphalt Specialties Company, Inc., meets all City bid requirements and has successfully completed numerous roadway projects in Westminster since the early 1990’s.

The following sealed bids were received:

1. Asphalt Specialties Company, Inc.	\$983,854
2. Brannan Sand & Gravel Co	\$1,036,801
3. Martin Marietta Materials	\$1,108,342
4. Aggregate Industries Inc.	NO BID
5. APC Construction Co., LLC	NO BID
6. Premier Paving, Inc.	NO BID
City Staff’s Estimate	\$1,063,380

Asphalt Specialties 2014 bid prices reflect a 10.3% increase over 2013 bid pricing on salient bid items. This overall cost increase is primarily due to increases in liquid asphalt prices and traffic control costs for milling and paving operations on arterial and collector roadways.

The proposed action supports City Council’s goals of “Financially Sustainable City Government Providing Exceptional Services” and “Vibrant Neighborhoods In One Livable Community” by providing well maintained City infrastructure through timely resurfacing and reconstruction of roadways.

Respectfully submitted,

J. Brent McFall
City Manager


Attachment - Map

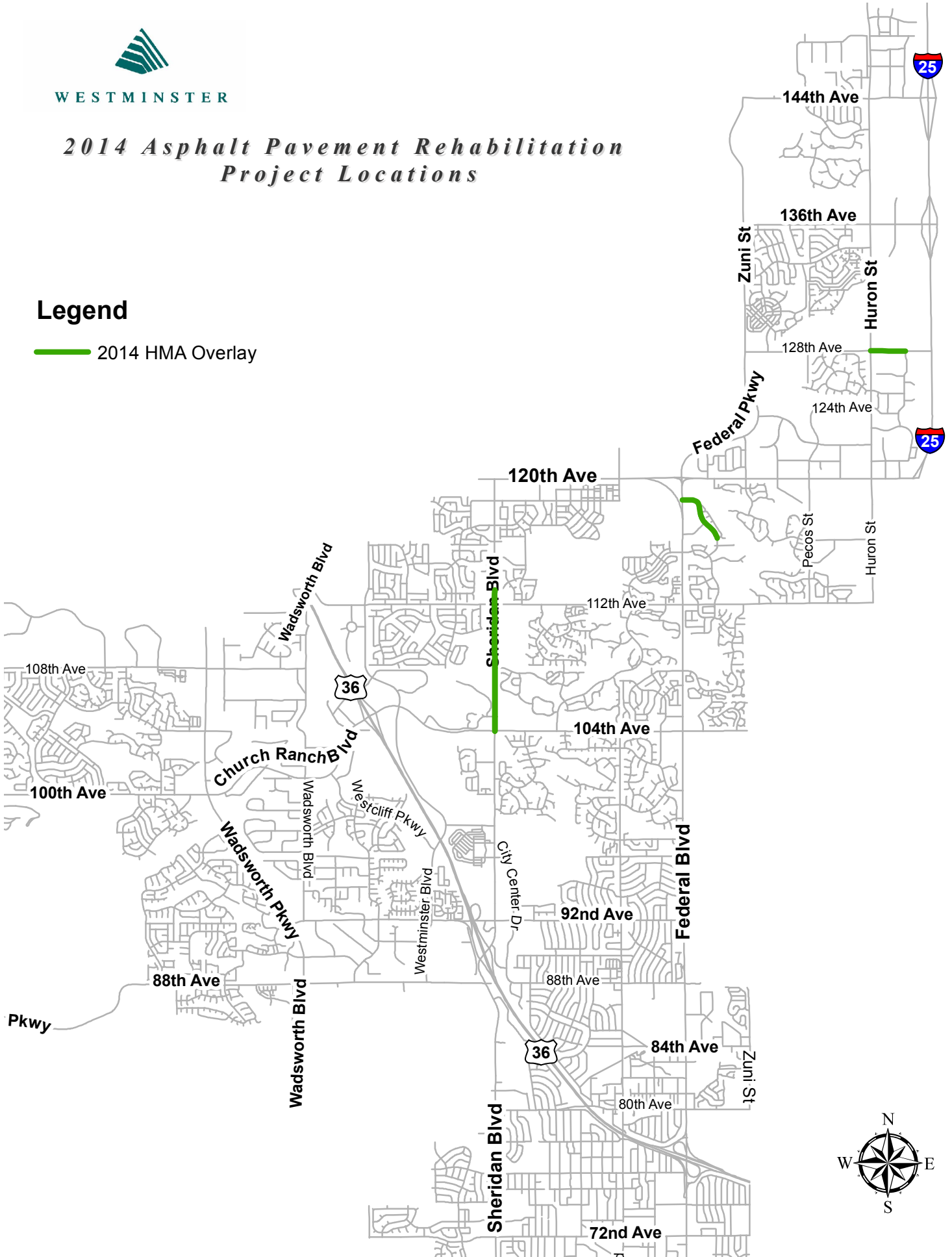


WESTMINSTER

2014 Asphalt Pavement Rehabilitation Project Locations

Legend

 2014 HMA Overlay





Agenda Item 8 K

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: 2014 Concrete Replacement Project Contract Renewal

Prepared By: Rob Dinnel, Street Projects Specialist
Dave Cantu, Street Operations Manager

Recommended City Council Action

Find that the public interest will be served by authorizing the City Manager to execute a renewal of the current concrete replacement project contract with Keene Concrete, Inc. for the 2014 calendar year in the amount of \$1,043,000; and authorize a contingency of \$100,000 for a total authorized expenditure of \$1,143,000.

Summary Statement

- On March 18, 2013, City Council approved the current concrete replacement project contract with Keene Concrete, Inc. with the option of annual contract renewals for 2014 and 2015. Annual unit price adjustments, if any, were to be based on the Consumer Price Index for Urban Consumers (CPIU) which amounted to an increase of 2.8%.
- Staff met with Keene Concrete, Inc. concerning contract renewal, 2014 quantities and unit price increases. The contractor requested a 7.7% increase and substantiated industry cost increases associated with the project including concrete, asphalt, fuel and labor.
- Given the positive experience working with Keene Concrete, Inc., Keene's responsiveness to citizens' concerns, substantiation of cost increase, current Denver metro bid pricing on similar work ranging from 4% to 17% higher than the City's projected 2014 costs on salient quantity items, and the fact that 2014 unit pricing is still 2% lower than the 2013 second low bidder; Staff recommends extension of the current contract for one additional year.
- Adequate funds were budgeted and are available for replacement of 30,000 linear feet of deteriorated curbs, gutters, sidewalks, crosspans, and curb ramps in conjunction with planned street rehabilitation projects scheduled for 2014 and 2015, as well as concrete replacement required during water main replacement and repair on an as needed basis.

Expenditure Required: \$1,143,000

Source of Funds: General Fund- Street Operations Division Operating Budget - \$1,083,000
Utility Fund - Utilities Field Operations Budget - \$60,000

Policy Issue

Should the City extend the current Concrete Replacement Project contract with Keene Concrete, Inc., for the replacement of concrete curbs, gutters and sidewalks for one additional year?

Alternative

The City could choose to prepare bid documents and advertise the 2014 Concrete Replacement Project contract for competitive bid submittals. This alternative is not recommended because the 2013 Concrete Replacement Project contract was bid competitively and approved with renewal options for 2014 and 2015. Keene Concrete, Inc. provided a very competitive bid in 2013 and substantiated 2014 industry increases associated with the project. Staff has researched other entities' concrete replacement bids in 2014 and is confident that Keene Concrete's 2014 pricing represents the best value to the City, particularly since its 2014 prices are 2% lower than the 2013 second low bid prices. Another round of bidding is highly unlikely to result in any savings to the City and could possibly increase City costs. In addition, going through the bid process would delay 2014 Concrete Replacement Projects and any 2014 Pavement Rehabilitation Projects that include concrete replacement.

Background Information

Formal bids were solicited in accordance with the City bidding requirements for the 2013 Concrete Replacement Project. Keene Concrete, Inc. was the successful low bidder of five contractors responding and was awarded the bid.

The contract documents for the 2013 Concrete Replacement Project included a clause to allow renewal of the contract for two additional one-year periods (2014/2015), if beneficial to both parties. 2014 is the first renewal year.

Annual unit price cost adjustments, if any, were to be based on the Consumer Price Index for Urban Consumers which amounted to 2.8%. However, when Staff met with the contractor to discuss contract renewal issues, the contractor requested a 7.7% increase above 2013 unit prices to cover industry specific cost escalations outside of the contractor's control. Staff required the contractor to provide specific documentation detailing changes in fixed cost associated with the work. In determining if continuance of the contract was beneficial to both parties, Staff verified the contractor submittals substantiating cost increases in raw materials. Staff also performed comprehensive research on other concrete replacement bids for similar work in the Denver Metro area and found prices ranging from 4% to 17% higher than the City's projected 2014 costs on larger quantity items. In addition, 2014 pricing is still 2% lower than the 2013 second low bidder.

This proposed Council action supports City Council's Strategic Plan Goals of "Financially Sustainable City Government Providing Exceptional Services" and "Vibrant Neighborhoods In One Livable Community" by meeting the following objectives: well-maintained City infrastructure and facilities and maintain and improve neighborhood infrastructure.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - map

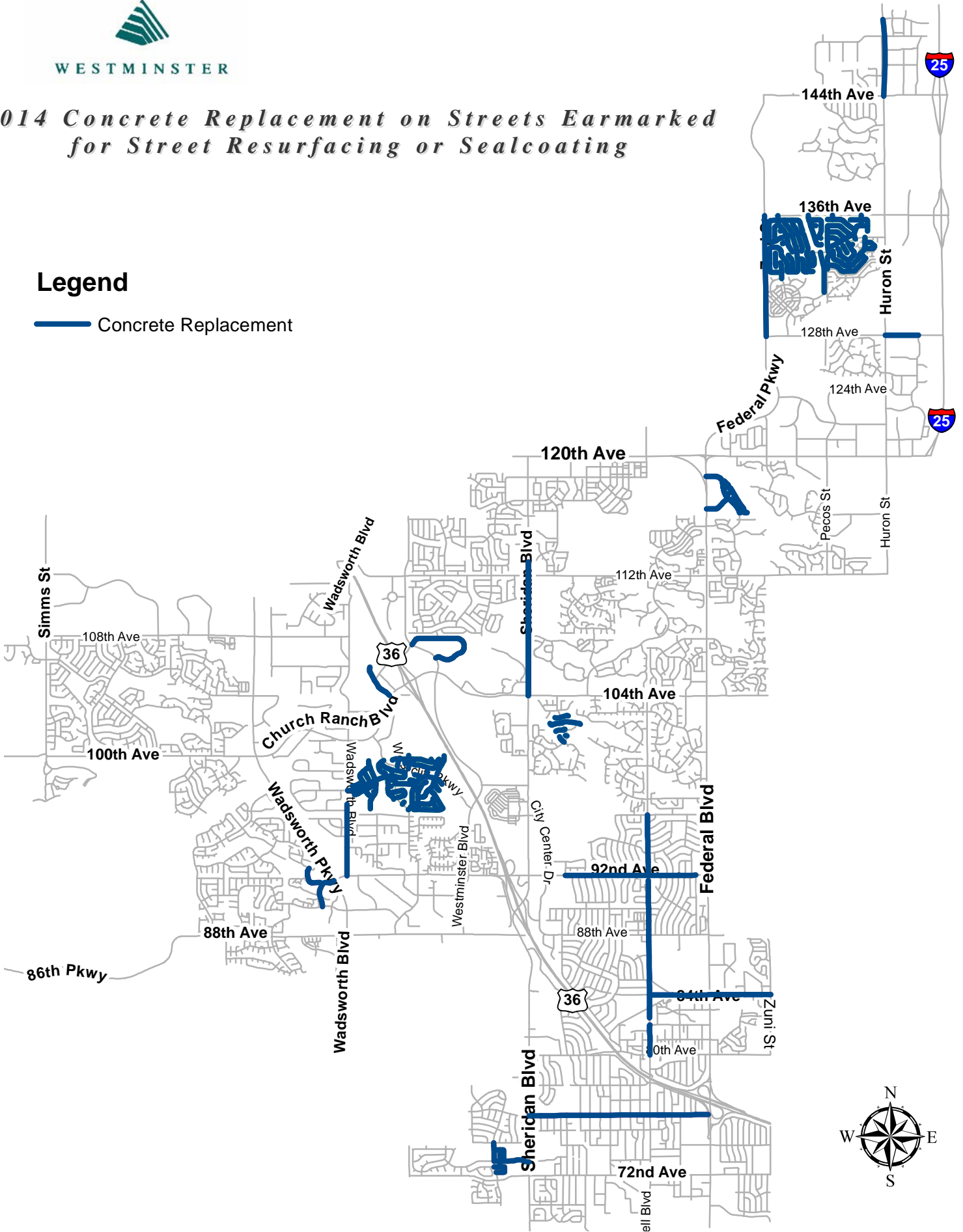


WESTMINSTER

2014 Concrete Replacement on Streets Earmarked for Street Resurfacing or Sealcoating

Legend

— Concrete Replacement





Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: 2014 Water Meter and Meter Parts Purchases

Prepared By: Stephen Gay, Utilities Operations Manager
Robert L. Booze, Distribution & Collection Superintendent

Recommended City Council Action

Upon recommendation of the City Manager, find that the public interest is best served by authorizing a negotiated purchase from the sole source provider, National Meter & Automation, Inc. for new water meter replacement transponders, chambers and disc assembly purchases in the amount of \$118,912 and cumulative purchases from National Meter & Automation, Inc. in an amount not to exceed \$128,912 for calendar year 2014.

Summary Statement

- The Utilities Division anticipates purchasing meter bodies, transponders, and repair/replacement parts for its meters.
- Staff is requesting approval to negotiate these purchases from National Meter & Automation, Inc., due to the Badger Orion meter reading system being a proprietary item and only available from Badger Meter Company through the authorized local distributor, National Meter & Automation, Inc.
- Throughout the year, additional ancillary purchases for meter parts, etc., beyond the \$118,912 may be necessary. Staff is requesting authorization for the base purchase of \$118,912 plus authorization to make purchases up to an additional \$10,000 as needed throughout 2014 from National Meter & Automation, Inc. not to exceed a total of \$128,912.
- Adequate funds are budgeted and available for this expense.

Expenditure Required: Not to exceed \$128,912

Source of Funds: Utility Fund – 2014 Utilities Operations Division Budget

Policy Issue

Should City Council authorize the purchase of new meter bodies, transponders, and repair/replacement parts for large meters?

Alternative

An alternative would be to only purchase a portion of the meters, transponders and repair parts and delay the purchase of most of the replacement transponders and parts to next year. This is not recommended as this would delay installing new meter parts, which could lead to problems with the accuracy of the meters.

Background Information

In 2005, the City began a water meter retrofit program. All existing Badger TRACE water meters were replaced or retrofitted with the new ORION transponder by the end of 2010 as these are more effective and reliable than the TRACE transponder. Badger water meters have long been established as the City’s standard water meter. National Meter & Automation, Inc. is the western regional Badger Water Meter sole supplier. The meters and transponders furnished by National Meter & Automation, Inc. meet all required specifications set by the City.

Cost information is listed below:

Categories	Extended Costs
Meter Bodies	\$18,458
Meter Transponders	\$15,484
Fire Hydrant Meter Assembly	\$17,761
Meter Chambers (Disc and Turbo)	\$1,658
Replacement Meters	\$50,551
Miscellaneous Meter Repair Parts	\$15,000
	<u><u>\$118,912</u></u>

Staff anticipates purchasing materials throughout 2014 for the base amount of \$118,912 but may have additional needs beyond the base amount. Staff is requesting authority to purchase material up to \$128,912 on an as-needed basis. Material will be ordered and used as required to provide accurate water meter readings. Staff is confident that the pricing provided by National Meter & Automation, Inc. is reasonable and competitive.

This purchase helps achieve the City Council’s Strategic Plan Goal of “Financially Sustainable City Government” by contributing to the objective of well-maintained City Infrastructure and Facilities.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Big Dry Creek Wastewater Treatment Facility Digester Boiler Replacement
Construction Contracts Award

Prepared By: Kent Brugler, Senior Engineer
Stephen Grooters, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute a contract with RK Mechanical, Inc., in the amount of \$474,440 for construction of the digester boiler replacements at the Big Dry Creek Wastewater Treatment Facility, plus a contingency of \$47,444, for a total authorized expenditure of \$521,884; and authorize an amendment to the Black & Veatch Corporation's design contract for construction management services in the amount of \$113,874 plus contingency of \$11,387, for a total authorized expenditure of \$125,261.

Summary Statement

- The Big Dry Creek Wastewater Treatment Facility (BDCWWTF) uses two hot water boilers as part of its treatment processes. These hot water boilers are nearly twenty years old, have recently experienced increased maintenance needs and are recommended for replacement.
- The design phase of the project was completed and bids received at the end of February 2014. The City solicited bids from nine contractors and received five competitive bids.
- R K Mechanical, Inc. presented the lowest responsible bid and City Council is requested to approve their contract for the replacement of the boilers.
- The City contracted with Black & Veatch Corporation to provide design and bidding services for the project. Based on their successful performance to date, Staff negotiated a contract amendment with them to provide construction phase engineering services. Approval of this amendment is requested.
- Construction is scheduled for completion by the end of 2014.
- Adequate funds are available and were budgeted for this project.

Expenditure Required: \$647,145

Source of Funds: Utility Fund Capital Improvement – Big Dry Creek Wastewater Treatment Facility: 2013 Major Repairs and Replacement

Policy Issues

1. Should City Council authorize a contract with the lowest responsible bidder, RK Mechanical, Inc.?
2. Should City Council authorize an amendment to the Black & Veatch contract to include engineering services during construction?

Alternatives

1. The City could choose to reject all bids and rebid the project. This is not recommended because the City received bids from five qualified construction companies that were within a close range, and below the engineering cost estimate for project construction. As such, Staff believe these bids are competitive for the scope of work involved.
2. The City could choose to construct the improvements at a later date. However, due to the age of the boilers and the increasing maintenance needs, Staff recommends the improvements be made at this time.
3. Council could choose to request proposals for engineering services during construction. This is not recommended as Staff believes Black & Veatch provides the best value for this project. In addition, they were originally selected for design services via a competitive process that anticipated subsequent engineering services during construction. Their project team is intimately familiar with the improvements needed, having successfully completed the design and bidding phases of the project. Their knowledge will streamline key project tasks and provide the best value to the City.

Background Information

Over the last several years, Staff developed a comprehensive repair and replacement program for all of the assets at the BDCWWTF and identified and prioritized repair and replacement needs. As part of that program, two hot water boilers were identified for replacement. The two boilers are necessary for the plant treatment processes and because they have reached the end of their useful life they were scheduled for replacement as part of the 2013/2014 Capital Improvement Program.

The project design phase was completed in February and the request for bids was sent to nine qualified contractors. Five competitive bids were received on February 27, 2014 and are summarized in the following table:

<u>Contractor</u>	<u>Bid Price</u>
RK Mechanical, Inc.	\$474,440
Glacier Construction, Inc.	\$528,800
Aslan Construction	\$643,885
Velocity Constructors	\$659,467
Olson Plumbing & Heating	\$369,918 (Bid withdrawn by bidder due to error)
Engineer's Estimate	\$1,000,050

The original apparent low bidder, Olson Plumbing & Heating, withdrew their bid within the permissible time period after bid opening due to an omission in their bid. A review of the remaining bids received indicated that RK Mechanical, Inc.'s bid was valid and the dollar amount reasonable for the scope of work. RK Mechanical is a large, national mechanical contracting firm, and a check of their background and references were favorable. As such, Staff recommends they be awarded the construction contract.

SUBJECT: Big Dry Creek Wastewater Treatment Facility Digester Boiler Replacement Page 2

Construction is anticipated to commence following award of the contract with substantial completion anticipated by December 2014.

Black & Veatch was selected for the design and bidding phases of the project through a competitive process and their contract authorized by Council in September 2013. Following successful completion of the project design, Staff negotiated a competitive contract amendment for engineering services during construction in the amount of \$113,874. Black & Veatch has provided quality design and construction phase services to the City on previous projects with the City and their staff is familiar with the BDCWWTF facility, City standards, and project requirements. As such, their team is able to streamline project tasks and provide the best value to the City. Staff is requesting approval of this amendment to the Black & Veatch Engineering Services Contract at this time.

Funding for the project was included in the 2013 Utilities Fund capital improvements budget and no new monies are being requested at this time.

The BDCWWTF Boiler Replacement Project helps achieve the City Council's Strategic Plan Goals of "Financially Sustainable City Government Providing Exceptional Services" and "Beautiful and Environmentally Sensitive City" by contributing to the objectives of well-maintained City infrastructure and facilities and providing wastewater treatment service with reduced risk of system failures.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Easement for Electrical Service Extension to a New Irrigation Well at the Strasburg Natural Resource Farm

Prepared By: Kent Brugler, Senior Engineer
Stephen Grooters, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute a no-cost General Right-of-Way Easement agreement with the Intermountain Rural Electric Association at the City's Strasburg Natural Resource Farm.

Summary Statement

- City Council authorized the replacement of three irrigation wells at the City's Strasburg Natural Resource Farm (SNRF) on July 22, 2013.
- One of the three wells was powered by a diesel-engine driven pump, and a new electrical service must be extended to this well site.
- The local electric service provider, Intermountain Rural Electric Association (IREA), recently completed the design of the overhead electric service extension to the well over City-owned property, requiring the granting of an easement to IREA for an area of approximately 4.09 acres.
- City Code requires City Council to approve easements in excess of 2.0 acres.
- There are no costs associated with the granting of this easement.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City grant an easement to IREA for extending an electric service to one of the irrigation wells at the SNRF?

Alternatives

The City could choose one of the following alternatives:

1. City Council could decline the granting of the easement to IREA and require the well pump to be powered by a new diesel-engine drive. This alternative would result in higher costs and be less reliable than an electric motor drive.
2. City Council could choose to have the new electric service extension routed along a different path to the well site. This alternative would result in higher costs since the easement path proposed represents the shortest distance from existing IREA facilities to the well site.

Staff does not recommend either of these alternatives.

Background Information

In 2013, City Council authorized the replacement of three City-owned and operated irrigation wells at the Strasburg Natural Resource Farm (SNRF). One of the wells was upgraded from a diesel-engine driven pump to an electric motor driven pump, consistent with the other two wells. The local power provider, Intermountain Rural Electric Association (IREA), recently completed their design of the service extension to the new well site. Approximately 5,900 feet of new electric service line must be extended across the SNRF property to energize the new pump. Staff has worked with IREA to draft an easement of approximately 4.09 acres to IREA for the new electrical service line. Per City Code, easement areas over 2 acres require Council Approval. There are no costs associated with the granting of this easement.

The Strasburg Irrigation Wells Replacement Project helps achieve the City Council’s Strategic Plan Goals of “Financially Sustainable City Government Providing Exceptional Services” by contributing to the objectives of well-maintained City infrastructure.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – General Right-of-Way Easement Agreement with map

APPROVED AS TO LEGAL FORM:

JWA

General Right-of-Way Easement

Title: IREA

Date: 4-9-14

File no.: 14014.2k

For IREA Use Only
Section 26, 34, 35 Township 2
Range 62
W/O # BBB296

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 North U.S. Highway 85, P.O. Drawer A
Sedalia, Colorado 80135
303-688-3100

GENERAL RIGHT-OF-WAY EASEMENT
(Overhead & Underground Combination Access)

KNOW ALL MEN BY THESE PRESENTS, that the City of Westminster, a home-rule municipal corporation, Grantor, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto THE INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION, a Colorado Corporation (hereinafter called the "Association"), whose address is 5496 North U.S. Highway 85, Sedalia, Colorado 80135, and to its successors or assigns, a right-of-way and easement 30 feet in width for the construction and continued operation, maintenance, inspection, repair, alteration, and replacement of an electric transmission and/or distribution line or system attached to poles or other supports, together with guys and other attachments, underground cables, wires, conduits, manholes, splicing boxes, testing terminals located on the surface or underground, and other attachments and incidental equipment and appurtenances upon, over, under, and across the following premises belonging to the said Grantor situated in the County of Adams and State of Colorado, and more particularly described as follows:

See Exhibit A which depicts the easement plat and legal description.

Together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including, for the installation and maintenance of said line, the right to cut, trim, and remove trees, brush, overhanging branches, shrubbery, and other obstruction that may interfere with or threaten to endanger the operation, maintenance, and repair of said line or system; to place location markers on the surface, on or beyond said right-of-way and easement for the said underground facilities, where appropriate; to license, permit, or otherwise agree to the joint use or occupancy of the line or system, whether overhead or underground, by any other person, association, or corporation for electrification purposes; and to open and close any fences crossing said right-of-way and easement or, when agreed to by Grantor, to install gates and stiles in said fences; and together with the right to use that portion of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

The undersigned agrees that all poles, wires, and other facilities installed upon, over, under, or across the above described lands by the Association shall remain the property of and may be removed at the option of the Association.

Grantor for himself/herself, his/her heirs, executors, administrators, successors, and assigns, while reserving the right to use said strip of land for all purposes not inconsistent with the rights herein granted to said Association, hereby covenants that no structures shall be erected, or combustible material or property shall be permitted, on said strip, and that the said strip shall not be used in any manner which will interfere with or damage the facilities installed pursuant to this grant, or interfere with the maintenance, repair, and replacement of said facilities.

The undersigned covenants that he/she is the owner of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except the following:

N/A

IN WITNESS WHEREOF, the undersigned have set their hands and seals this _____ day of _____, _____.

In the presence of

J. Brent McFall, City Manager

Printed Name of Owner City of Westminster

Signature

STATE OF COLORADO

) ss.

Signature

County of

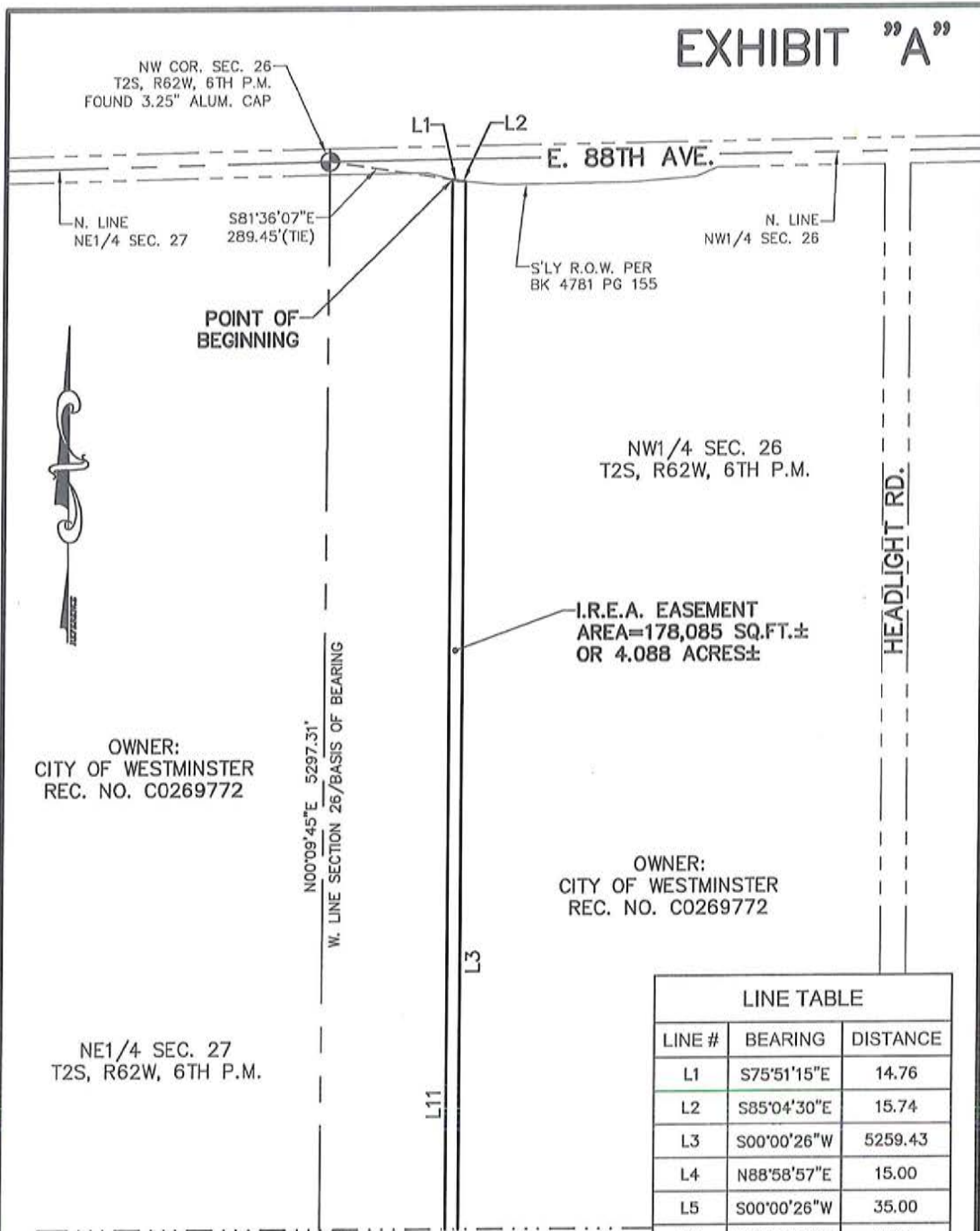
The foregoing instrument was acknowledged before me this _____ day of _____, _____, by

Witness my hand and official seal.

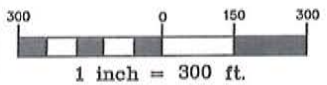
My Commission expires: _____

Notary Public

EXHIBIT "A"



LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S75°51'15"E	14.76
L2	S85°04'30"E	15.74
L3	S00°00'26"W	5259.43
L4	N88°58'57"E	15.00
L5	S00°00'26"W	35.00
L6	S88°58'57"W	35.15
L7	N00°00'26"E	15.00
L8	S88°58'57"W	636.63
L9	N01°01'03"W	30.00
L10	N88°58'57"E	627.32
L11	N00°00'26"E	5254.92



- 1.) PARCEL OWNERSHIP IS BASED ON THE RECORDS OF THE COUNTY ASSESSOR.
- 2.) ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3.) THE ONLY PURPOSE OF THIS EXHIBIT IS TO SHOW THE LOCATION OF THE EASEMENT(S).
- 4.) THIS DOCUMENT SHALL BE CONSIDERED NULL AND VOID IF IT DOES NOT BEAR THE ORIGINAL SIGNATURE AND SEAL OF THE PROFESSIONAL LAND SURVEYOR OR IF ALTERED IN ANY WAY.

<p>Precision Survey & Mapping, Inc. Professional Land Surveying Consultants 9145 E. Kenyon Ave., Suite 101, Denver, CO 80237 Tel:(303) 753-9799 Fac:(303) 753-4044</p>	DRN. BY: J.L.	FILE: R10824.dwg	<h2>UTILITY EASEMENT</h2>
	CHKD. BY: C.J.	SHEET: 1 OF 3	
	DATE: 2/11/14	JOB #: R10824	
	SCALE: 1" = 300'		

EXHIBIT "A"

MATCH LINE: SEE SHEET 1 OF 3

N. LINE SE1/4 SEC. 27

N. LINE SW1/4 SEC. 26



SE1/4 SEC. 27
T2S, R62W, 6TH P.M.

I.R.E.A. EASEMENT
AREA=178,085 SQ.FT.±
OR 4.088 ACRES±

N00°09'45"E 5297.31'
W. LINE SECTION 26/BASIS OF BEARING

L11
L3

OWNER:
CITY OF WESTMINSTER
REC. NO. C0269772

HEADLIGHT RD.

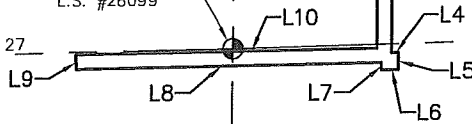
OWNER:
CITY OF WESTMINSTER
REC. NO. C0269772

SW1/4 SEC. 26
T2S, R62W, 6TH P.M.

SW COR. SEC. 26
T2S, R62W, 6TH P.M.
FOUND 3.25" ALUM. CAP
L.S. #26099

S. LINE SEC. 27

S. LINE SEC. 26



NE1/4 SEC. 34
T2S, R62W, 6TH P.M.

OWNER:
CITY OF WESTMINSTER
REC. NO. C0269772

NW1/4 SEC. 35
T2S, R62W, 6TH P.M.



1 inch = 300 ft.

- 1.) PARCEL OWNERSHIP IS BASED ON THE RECORDS OF THE COUNTY ASSESSOR.
- 2.) ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.
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Precision Survey & Mapping, Inc.
professional land surveying consultants
8145 E. Kenyon Ave., Suite 101, Denver, CO 80237
Tel:(303) 753-9799 Fax:(303) 753-4044

DRN. BY: J.L.
CHKD. BY: C.J.
DATE: 2/11/14
SCALE: 1" = 300'

FILE: R10824.dwg
SHEET: 2 OF 3
JOB #: R10824

UTILITY EASEMENT

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 26, THE NORTHWEST QUARTER OF SECTION 35 AND THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, ALSO BEING A PORTION OF LANDS DESCRIBED AT RECEPTION NO. C0269772, FILED IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING OF THIS DESCRIPTION IS ALONG THE WEST LINE OF SAID SECTION 26, ASSUMED TO BEAR N00°09'45"E A DISTANCE OF 5297.31 FEET FROM A 3.25" ALUMINUM CAP L.S. #26099 FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 26 TO A 3.25" ALUMINUM CAP-ILLEGIBLE FOUND AT THE NORTHWEST CORNER OF SAID SECTION 26;

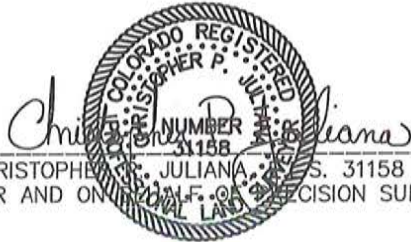
BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF EAST 88TH AVENUE PER BOOK 4781, PAGE 155, SAID POINT BEARS S81°36'07"E A DISTANCE OF 289.45 FEET FROM SAID NORTHWEST CORNER OF SECTION 26;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES:

1.) S75°51'15"E A DISTANCE OF 14.76 FEET;
2.) THENCE S85°04'30"E A DISTANCE OF 15.74 FEET;
THENCE S00°00'26"W A DISTANCE OF 5259.43 FEET; THENCE N88°58'57"E A DISTANCE OF 15.00 FEET; THENCE S00°00'26"W A DISTANCE OF 35.00 FEET; THENCE S88°58'57"W A DISTANCE OF 35.15 FEET; THENCE N00°00'26"E A DISTANCE OF 15.00 FEET; THENCE S88°58'57"W A DISTANCE OF 636.63 FEET; THENCE N01°01'03"W A DISTANCE OF 30.00 FEET; THENCE N88°58'57"E A DISTANCE OF 627.32 FEET; THENCE N00°00'26"E A DISTANCE OF 5254.92 FEET TO THE POINT OF BEGINNING; WHENCE SAID SOUTHWEST CORNER OF SECTION 26 BEARS S03°16'56"W A DISTANCE OF 5263.65 FEET;

THE AREA OF SAID PARCEL IS 178,085 SQ.FT. OR 4.088 ACRES, MORE OR LESS.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



Christopher P. Juliana 02/11/14
CHRISTOPHER P. JULIANA, S. 31158 DATE
FOR AND ON BEHALF OF PRECISION SURVEY & MAPPING, INC.



Precision Survey & Mapping, Inc.

PROFESSIONAL LAND SURVEYING CONSULTANTS
9145 E. Kenyon Ave., Suite 101, Denver, CO 80237
Tel: (303) 753-9799 Fax: (303) 753-4044

DRN. BY: J.L.
CHKD. BY: C.J.
DATE: 2/11/14
SCALE: 1" = 300'

FILE: R10824.dwg
SHEET: 3 OF 3
JOB #: R10824

UTILITY
EASEMENT



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Second Reading of Councillor’s Bill No. 5 Approving a Comprehensive Land Use Amendment to Legacy Ridge West Filing No. 8

Prepared By: Walter G. Patrick, Planner

Recommended City Council Action:

Pass Councillor’s Bill No. 5 on second reading to amend the Comprehensive Land Use Plan by changing the designation on the site from R-18, R-8, and R-3.5 to R-8, and R-3.5. This recommendation is based on a finding that the proposed amendment meets the Comprehensive Plan Goal of “Providing opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles, and age groups within the City.”

Summary Statement

- The proposed Comprehensive Plan amendment will change and reconfigure the designations on this site from R-18, R-8, and R3.5 to R-8 and R-3.5, eliminating the R-18 designation (see Attachment A).
- The proposed residential development consists of approximately 42.3 acres and is located at the northeast corner of Sheridan Boulevard and 107th Drive.
- The applicant, Ryland Homes, is proposing a mix of 89 single-family detached housing units and 64 patio villa paired units (32 buildings).
- The proposed residential densities and home types are in conformance with the existing Preliminary Development Plan (PDP). This property is the last vacant parcel of residential land governed by the Legacy Ridge West PDP.
- Councillor’s Bill No. 5 was passed on first reading by City Council on March 24, 2014.

Expenditure Required: \$ 0

Source of Funds: N/A

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Ordinance
- EXHIBIT A – Comprehensive Plan Map

BY AUTHORITY

ORDINANCE NO. **3718**

COUNCILLOR'S BILL NO. **5**

SERIES OF 2014

INTRODUCED BY COUNCILLORS
Briggs - Seitz

**A BILL
FOR AN ORDINANCE AMENDING THE WESTMINSTER
COMPREHENSIVE PLAN**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council finds that:

a. An application for an amendment to the Westminster Comprehensive Plan has been submitted to the City for its approval pursuant to W.M.C. § 11-4-16(D), by the owner of the properties described below, incorporated herein by reference, requesting a change in the land use designations from a combination of R-18, R-8, and R3.5 to a combination of only R-8 and R-3.5 for the 42.3 acre property located at the northeast corner of Sheridan Boulevard and 107th Avenue.

b. Such application has been referred to the Planning Commission, which body held a public hearing thereon on March 11, 2014, after notice complying with W.M.C. § 11-4-16(B) and has recommended approval of the requested amendments.

c. Notice of the public hearing before Council has been provided in compliance with W.M.C. § 11-4-16(B) and the City Clerk has certified that the required notices to property owners were sent pursuant to W.M.C. § 11-4-16(D).

d. Council, having considered the recommendations of the Planning Commission, has completed a public hearing and has accepted and considered oral and written testimony on the requested amendments.

e. The owners have met their burden of proving that the requested amendment will further the public good and will be in compliance with the overall purpose and intent of the Comprehensive Plan, particularly Goal LU-G-7 for the provision to "Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles, and age groups within the city."

Section 2. The City Council approves the requested amendments and authorizes City staff to make the necessary changes to the map and text of the Westminster Comprehensive Plan to change the designation of the property more particularly described as follows: Lot 1 of 107th and Sheridan Subdivision, from R-18, R-8, and R3.5 to R-8 and R-3.5, as depicted on the map attached as Exhibit A, hereto and incorporated herein.

Section 3. Severability: If any section, paragraph, clause, word or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 4. This ordinance shall take effect upon its passage after second reading.

Section 5. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 24th day of March, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED
this 14th day of April, 2014.

ATTEST:

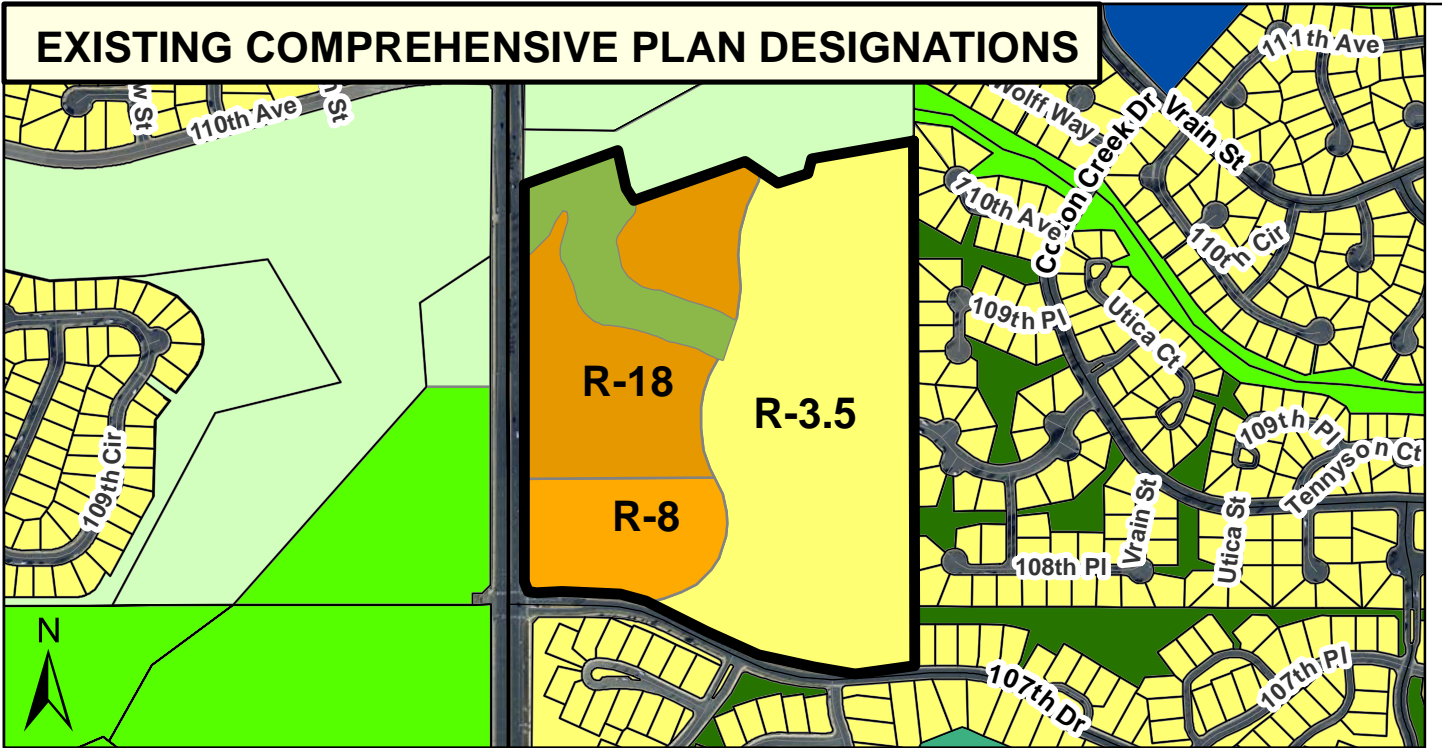
Mayor

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney's Office

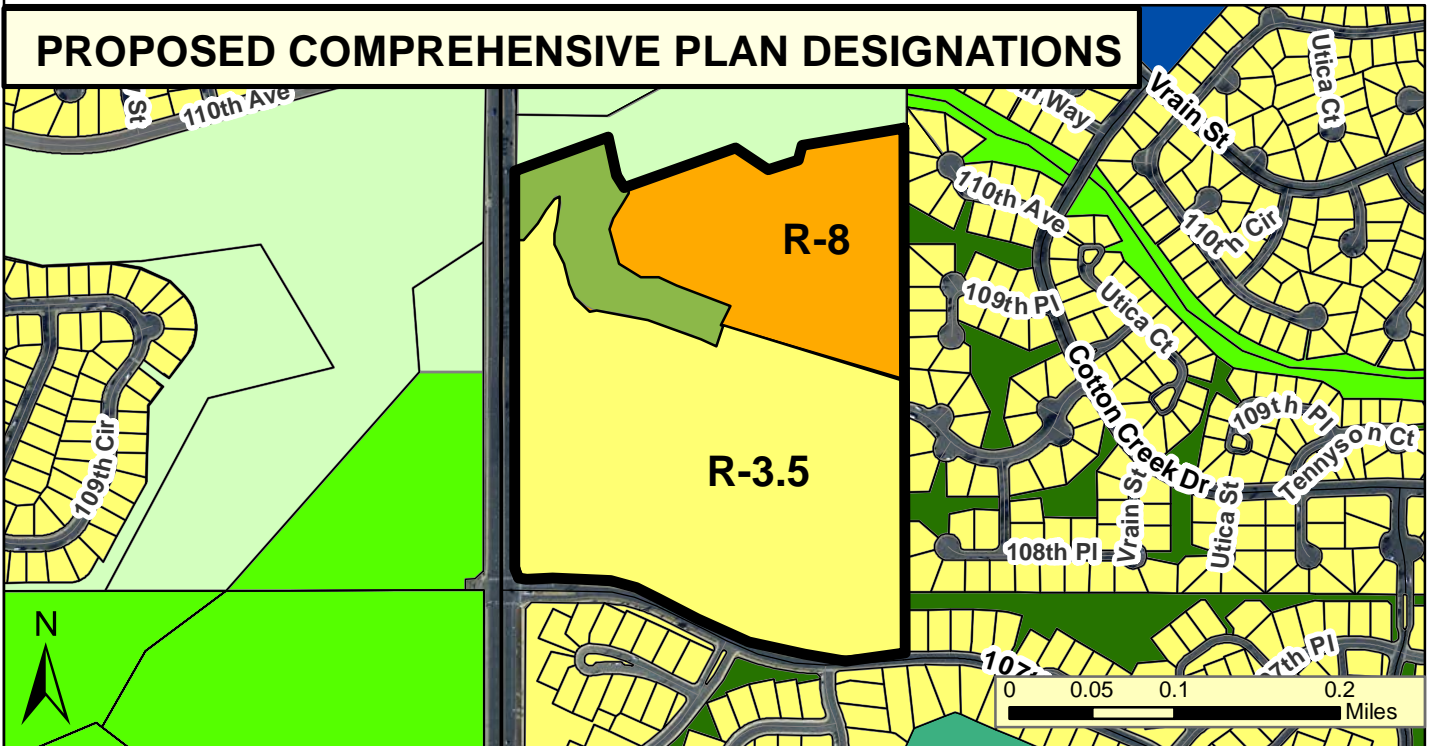
EXISTING COMPREHENSIVE PLAN DESIGNATIONS



Legend

	R-1		R-36		Office		Private Park/Open Space
	R-2.5		TMUND		Office/RD Low		Golf Courses
	R-3.5		Mixed Use		Office/RD High		Public/Quasi Public
	R-5		Mixed Use Center		Flex/Light Industrial		Major Creek Corridor
	R-8		Retail Commercial		City Open Space		RxR ROW
	R-18		Service Commercial		Public Parks		

PROPOSED COMPREHENSIVE PLAN DESIGNATIONS





Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Second Reading of Councillor’s Bill No. 6 re 2013 4th Quarter Budget Supplemental Appropriation

Prepared By: Karen Barlow, Accountant

Recommended City Council Action

Pass Councillor’s Bill No. 6 on second reading, providing for a supplemental appropriation of funds to the 2013 budget of the General, Water, Fleet Maintenance, General Capital Outlay Replacement (GCORF), Sales and Use Tax, Parks Open Space and Trails, General Capital Improvement (GCIF), and Community Development Block Grant (CDBG) Funds.

Summary Statement

- City Council action is requested to adopt the attached Councillor’s Bill on second reading, authorizing a supplemental appropriation to the 2013 Budget of the General, Water, Fleet Maintenance, General Capital Outlay Replacement, Sales and Use Tax, Parks Open Space and Trails, General Capital Improvement and Community Development Block Grant Funds.
 - General Fund amendments total: \$ 751,829
 - Water Fund amendments total: \$ 2,690
 - Fleet Maintenance Fund amendments total: \$ 49,185
 - General Capital Outlay Replacement Fund amendments total: \$ 32,200
 - Sales and Use Tax Fund amendments total: \$4,249,935
 - Parks, Open Space and Trails Fund amendments total: \$ 284,776
 - General Capital Improvement Fund amendments total: \$ 819,280
 - Community Development Block Grant Fund amendments total: \$ 15,952

- This Councillor’s Bill was approved on first reading on March 24, 2014.

Expenditure Required: \$6,205,847

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

Respectfully submitted,

J. Brent McFall
City Manager
Attachment – Ordinance

BY AUTHORITY

ORDINANCE NO. **3719**

COUNCILLOR'S BILL NO. **6**

SERIES OF 2014

INTRODUCED BY COUNCILLORS
Briggs - Winter

**A BILL
FOR AN ORDINANCE AMENDING THE 2013 BUDGETS OF THE GENERAL, WATER,
FLEET MAINTENANCE, GENERAL CAPITAL OUTLAY REPLACEMENT, SALES AND USE
TAX, PARKS OPEN SPACE AND TRAILS, GENERAL CAPITAL IMPROVEMENT, AND
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING A
SUPPLEMENTAL APPROPRIATION FROM THE 2013 ESTIMATED REVENUES IN THE
FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2013 appropriation for the General, Water, Fleet Maintenance, General Capital Outlay Replacement, Sales and Use Tax, Parks Open Space and Trails, General Capital Improvement, and Community Development Block Grant Funds initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$6,205,847. This appropriation is due to the receipt of funds from permit & conference center fees, reimbursements, grants, program revenue, miscellaneous, interest earnings, carryover, sales & use taxes, rent, accommodations taxes, sale of assets, and transfers.

Section 2. The \$6,205,847 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 G dated March 24, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

General Fund	\$751,829
Water Fund	2,690
Fleet Maintenance Fund	49,185
General Capital Outlay Replacement Fund	32,200
Sales and Use Tax Fund	4,249,935
Parks, Open Space and Trails Fund	284,776
General Capital Improvement Fund	819,280
Community Development Block Grant Fund	<u>15,952</u>
Total	<u>\$6,205,847</u>

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

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of March, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 14th day of April, 2014.

ATTEST:

Mayor

City Clerk



Agenda Item 8 Q

Agenda Memorandum

City Council Meeting
April 14, 2014

SUBJECT: Second Reading of Councillor's Bill No. 7 Adding Section 4, Title I, Chapter 24 to W.M.C. re Employee Political Activity

Prepared By: Marty McCullough, City Attorney
Debbie Mitchell, Director of General Services

Recommended City Council Action

Pass Councillor's Bill No. 7 on second reading authorizing the addition of Section 4 to Title 1, Chapter 24, of the Westminster Municipal Code concerning Employee Political Activity.

Summary Statement

- City Council action is requested to pass the attached Councillor's Bill on second reading to add Section 4 to Title 1, Chapter 24, of the Westminster Municipal Code concerning Employee Political Activity. The ordinance will clarify the rights and limits of City employees to participate in City Council campaigns.
- The City Manager will modify the Personnel Policies and Rules to reflect these changes upon Council's adoption of the proposed ordinance.
- This Councillor's Bill was passed on first reading on March 24, 2014.

Expenditure Required: \$0

Source of Funds: N/A

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Ordinance

BY AUTHORITY

ORDINANCE NO. **3720**

COUNCILLOR'S BILL NO. **7**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

Garcia - Winter

A BILL

FOR AN ORDINANCE ADDING SECTION 4 TO TITLE 1, CHAPTER 24, OF THE WESTMINSTER MUNICIPAL CODE CONCERNING EMPLOYEE POLITICAL ACTIVITY

THE CITY OF WESTMINSTER ORDAINS:

Section 1: Title 1, Chapter 24, W.M.C., is hereby AMENDED by the addition of the following new section:

1-24-4: POLITICAL ACTIVITY:

- (A) EMPLOYEE POLITICAL ACTIVITY: City employees are hereby restricted from actively participating in the municipal politics of the City, but shall not be otherwise restricted from engaging in their normal rights and responsibilities as citizens.
- (B) PROHIBITED POLITICAL ACTIVITY:
- (1) An employee shall not:
 - (a) Use any City resource in support of or in opposition to any issue or candidate;
 - (b) Distribute or display political stickers, buttons or similar materials while in City uniform, during working hours or at City facilities;
 - (c) Actively campaign for or against any issue or candidate during working hours or at City facilities;
 - (d) Actively campaign for or against any issue or candidate while wearing a uniform that identifies the employee as a City employee;
 - (e) Serve as an officer of any organization which has the primary purpose of promoting the candidacy of any person for City office;
 - (f) Directly solicit, receive, collect, handle, disburse, contribute, or account for assessments, contributions, or other funds in support of the candidacy of any person for City office;
 - (g) Actively participate in a fund-raising activity of a candidate for City office;
 - (h) Actively organize or manage the political campaign of a candidate for City office;
 - (i) Solicit votes in support of or in opposition to a candidate for City office;
 - (j) Drive voters to the polls on behalf of a candidate for City office;
 - (k) Endorse or oppose a candidate for City office in a political advertisement, broadcast, campaign literature, or similar material; or
 - (l) Address a convention, caucus, rally, or similar gathering in support of or in opposition to a candidate for City office
 - (m) The foregoing restrictions shall not be construed as (1) limiting the political activity of a spouse or any family member of an employee; (2) including an employee's unintentional or unwitting participation in City Council campaign materials or election activities or (3) "friending," "following" or similar interactions with City Council and Mayoral candidates through social media sites such as Facebook, Twitter and LinkedIn, to the extent such interactions do not include any activity otherwise prohibited by this ordinance.
 - (2) All employees are free to engage in political activity to the widest extent consistent with the restrictions imposed by law and this section, so long as any such activity is done in the

employee's capacity as a private citizen and not in the capacity of a City employee. Subject to the limitations of subsection one (1) of this section, each employee retains the right to:

- (a) Register and vote in any election;
- (b) Display a political yard sign, picture, sticker, badge, or button;
- (c) Participate in the nonpartisan activities of a civic, community, social, labor, or professional organization;
- (d) Be a member of a political party or other political organization and participate in its activities to the extent consistent with this ordinance;
- (e) Attend a political convention, rally, fund-raising function, or other political gathering, including those of candidates for City Office;
- (f) Sign a political petition as an individual, other than a petition for the nomination or recall of a City Councillor or the Mayor;
- (g) Expend personal funds, make contributions in kind, and use personal time to urge electors to vote in favor of or against any issue or candidate before the electorate, except any candidate for City office;
- (h) Seek election to City office, provided that the employee resigns or takes formally authorized unpaid leave from City employment prior to any campaign activities being undertaken on his or her behalf or filing a nomination petition;
- (i) Run for nomination or election as a candidate in any election not involving City government;
- (j) Be politically active in connection with a charter or constitutional amendment, referendum, approval of a municipal ordinance or any other question or issue of a similar character; and
- (k) Otherwise participate fully in public affairs, except as prohibited by law, in a manner which does not materially compromise the public's confidence in the neutrality, efficiency, or integrity of the employee or the City government.

(C) SUPERVISORS: No supervisor shall in any way coerce an employee to campaign for or against any candidate or issue, nor retaliate, intimidate or discriminate against any employee for any political activity permitted by this ordinance.

(D) SOLICITATION: It shall be unlawful for a candidate for the office of City Councillor or Mayor to solicit knowingly, directly or indirectly, a City employee to contribute money or campaign for or against any candidate for the office of City Councillor or Mayor. This provision shall not prohibit coincidental contacts with City employees through mass mailings or distribution of literature.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of March, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 14th day of April, 2014.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

City Attorney's Office



Agenda Item 8 R

Agenda Memorandum

City Council Meeting
April 14, 2014

SUBJECT: 2nd Reading of Councillor's Bill No. 8 re Golf Course Maintenance Equipment

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

Recommended City Council Action

Pass Councillor's Bill No. 8 on second reading authorizing the City Manager to add to the existing master lease, a lease/purchase agreement in the amount not to exceed \$1,101,069 appropriated into the Golf Course Fund for the lease proceeds for golf course maintenance equipment at both Legacy Ridge and the Heritage at Westmoor Golf Courses.

Summary Statement

- This Councillors' Bill was passed on first reading on March 24, 2014 approving the lease/purchase and finance costs of a new golf course maintenance equipment package. This includes replacing an aging fleet of equipment and provides four new pieces of equipment not included in the original package to meet the demand of increased participation and impacts of weather at each golf course.
- Over a six-year lease/purchase period the total lease/purchase/financing cost is estimated to be \$1,170,141. Current budgeted lease payments funds of \$188,000 will be increased by approximately \$7,000 available in the Golf Course Fund to adequately cover the estimated lease payment not to exceed a total of \$195,000 and are subject to annual appropriation in subsequent years. The interest rate is determined on the date of commitment defined in the master lease agreement approved by City Council in 2001 and is projected to be between 2.5% to 3.0%.

Expenditure Required: \$1,101,069

Source of Funds: Equipment Acquisition-Proceeds from KeyBank Master Lease in the Golf Course Fund

Annual Lease payments-Heritage Golf Course at Westmoor and Legacy Ridge Golf Course Operating Accounts

Respectfully submitted,

J. Brent McFall
City Manager

Attachment Councillor's Bill No. 8

BY AUTHORITY

ORDINANCE NO. **3721**

COUNCILLOR'S BILL NO. **8**

SERIES OF 2014

INTRODUCED BY COUNCILLORS
Briggs - Garcia

**A BILL
FOR AN ORDINANCE AMENDING THE 2014 BUDGET OF THE LEGACY RIDGE AND
HERITAGE AT WESTMOOR FUNDS AND AUTHORIZING A SUPPLEMENTAL
APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUND.**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the Legacy Ridge and Heritage at Westmoor Funds initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$1,101,069. This appropriation is due to an increase in the master lease for these funds.

Section 2. The \$1,101,069 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 I-K dated March 24, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

Legacy Ridge Fund	\$540,431
Heritage at Westmoor Fund	<u>560,638</u>
Total	<u>\$1,101,069</u>

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

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of March, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 14th day of April, 2014.

ATTEST:

Mayor

City Clerk



Agenda Item 10 A

Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Councillor's Bill No. 9 re Proposed Economic Development Agreement with Surefire Medical Inc.

Prepared By: Ryan Johnson, Economic Development Specialist

Recommended City Council Action

Pass Councillor's Bill No. 9 on first reading authorizing the City Manager to execute and implement an Economic Development Agreement with Surefire Medical Inc.

Summary Statement

- Surefire Medical Inc. is a medical device company, currently headquartered and located in the Westpark Business Park in Westminster.
- The five year old company has outgrown its current space in Westminster, and is now considering expansion in Westminster as well as other neighboring jurisdictions and also in Miami, Florida.
- Surefire Medical Inc. is considering relocating to a new facility in the Lake Arbor Industrial Park. This new facility will be 20,000-25,000 square feet and will serve as the headquarters for the company including the manufacturing operations. (See attached location map)
- Surefire Medical Inc. employs 31 people nationwide at an average wage of \$115,000 per year. The company plans to add 48 people over the next five years.
- Part of the expansion includes the potential relocation of all operations from Miami, Florida to Westminster, Colorado.
- Assistance is based on the City's desire to retain and expand an existing basic employer and to put unoccupied light industrial space into service.
- Should Surefire Medical Inc. decide to move out of Westminster within 5 years of the approval of this EDA, the assistance would have to be reimbursed to the City by the company.

Expenditure Required: Not to exceed \$33,211 (Rebates)

Source of Funds: The EDA with Surefire Medical Inc. will be funded through revenue received from permit fees, construction use tax, and use tax on equipment, furniture and fixture purchases for the Surefire Medical Inc. project.

Policy Issues

Should the City provide assistance to Surefire Medical Inc. based upon the City's objectives to attract primary employers and to fill existing vacant space?

Alternatives

Do Nothing: One alternative to offering the above business assistance package is to offer nothing to this company. Though the City may lose the project if assistance is not provided, the result would be that the City's values of retaining quality companies and filling existing vacant space would not be supported.

Provide Less: Another alternative is to provide less assistance than what is recommended. The recommended assistance package represents 1.36% of the company's total investment in tenant improvements, equipment, furniture and fixtures and is considered modest.

Provide More: A third alternative would be to provide a greater amount of assistance than recommended. Staff has recommended an assistance package that is 50% of the total 5-year projected revenue. It is Staff's opinion that additional assistance is not needed.

Background

Surefire Medical Inc. develops, manufactures, and sells a device used in delivering chemotherapy in liver cancer patients. Surefire's product is unique in that it ensures that chemotherapy is delivered directly to the tumor in the liver. In traditional methods, chemotherapy is delivered through an IV and goes to other organs before reaching the liver.

The company started in Westminster in July, 2009 and has steadily grown over the last two years. There are two causes of the proposed expansion. First, the current Westminster facility has become too small as the company has grown, so the expansion will involve relocating to another facility that has more room. Secondly, Surefire is considering relocating its Miami, Florida operation's, including its manufacturing, to Westminster.

The proposed new location for Surefire is 20,000 square feet. If Surefire is successful in relocating the manufacturing jobs from Florida to Westminster, Surefire Medical would also execute its option for an additional 5,000 square feet for a clean room and manufacturing facilities. The company needs to be located in its new facility by this fall due to its rapid growth and the lack of space at its current facility.

Because of the competition with Florida, City Staff has been working with its partners at the State Office of Economic Development and International Trade (OEDIT) to access assistance from the State. Surefire Medical received approval from the State Economic Development Commission on March 13, 2014 for the Job Growth incentive Tax Credit totaling \$311,824 over five years.

The City has also been working with Surefire and the Jefferson County Economic Development Corporation (JEC) to access assistance from the County via personal property tax rebates. Other county resources that are being explored include: utilizing the American Job Center (workforce center) to search for local talent, relocation resources for spouses of employee's, information on school districts, housing, and parks and open space.

Retaining Surefire in Westminster and assisting in relocating manufacturing jobs to Colorado will bring \$2,430,000 in investments to the City over the next five years. Additionally, the company plans to add 48 employees at an average salary of \$115,000 over the same five years resulting in total annual payroll of \$6.3 million dollars.

It is estimated that the company will generate \$73,873.84 in new revenues for the City over the next five years.

Based on a 5-year projection of direct and indirect City tax and fee revenue, Staff recommends the following business assistance package:

Proposed Assistance	Approximate <u>Value</u>
<u>Building Permit-Fee Rebate</u> 50% of the building related fees (excluding water & sewer tap fees) will be rebated (\$6,422 x 50% = \$3,211)	\$3,211
<u>Construction Use Tax Rebate</u> 50% of the General Use Tax (excludes the City’s .25% Open Space Tax and .60% Public Safety Tax) on construction materials for this project will be rebated (\$500,000 construction valuation x 50% x 3% x 50% = \$3,750)	\$3,750
<u>Equipment, Furniture and Fixtures Sales & Use Tax Rebate</u> For the period 3 months prior and the 60 months (5 years) after Surefire Medical, Inc. obtains the Certificate of Occupancy for the new Westminster facility, the City will rebate 50% of the General Sales and Use Tax (excludes the City’s .25% Open Space Tax and .60% Public Safety Tax) collected on the furnishing and equipment purchased for the new facility (\$1,750,000 new equipment x 3% Use Tax x 50% = \$26,250)	\$26,250
Total Proposed Assistance Package Not To Exceed	\$33,211

As Council will note, the assistance being proposed is 50% of the total direct general use tax, and fee revenues projected from the project in the first 5 years of operation.

Conclusion

This assistance package is based upon the City’s goal of a “Strong, Balanced Local Economy.” As a primary employer, Surefire Medical, Inc. will help strengthen the City’s basic employment base by not only staying in Westminster but by also bringing new operations from out-of-state in to the City.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Ordinance
- Exhibit A – Agreement
- Location Map

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **9**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN ORDINANCE AUTHORIZING THE ECONOMIC DEVELOPMENT AGREEMENT
WITH SUREFIRE MEDICAL INCORPORATED**

WHEREAS, the successful attraction and retention of expanding primary businesses in the City of Westminster provides employment opportunities and increased revenue for citizen services and is therefore an important public purpose; and

WHEREAS, it is important for the City of Westminster to remain competitive with other local governments in creating assistance for businesses to expand or relocate in the City; and

WHEREAS, Surefire Medical Incorporated plans to relocate and occupy a new facility located at 6262-6272 W. 91st Avenue in Westminster; and

WHEREAS, a proposed Economic Development Agreement between the City and Surefire Medical Incorporated is attached hereto as Exhibit "A" and incorporated herein by this reference.

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

THE CITY OF WESTMINSTER ORDAINS:

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 14th day of April, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of April, 2014.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office

Exhibit "A"
ECONOMIC DEVELOPMENT AGREEMENT
FOR
SUREFIRE MEDICAL INCORPORATED

THIS ECONOMIC DEVELOPMENT AGREEMENT is made and entered into this 14th day of April, 2014, between the CITY OF WESTMINSTER (the "City") and SUREFIRE MEDICAL INCORPORATED, a Colorado Corporation (the "Company").

WHEREAS, the City wishes to provide assistance to aid in the expansion of the Company to the City; and

WHEREAS, the Company plans to relocate, lease and occupy a new space located at 6262-6272 W. 91st Avenue (the "new facility"), thus providing primary job growth within the City; and

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

In consideration of the mutual promises set forth below, the City and the Company agree to the following:

1. Building Permit Fee Rebates. The City shall rebate to the Company 50% of the building permit fees that are otherwise required under W.M.C. Section 11-10-3 (E) for the remodeling and improvements in the new facility. This rebate excludes water and sewer tap fees. The permit fee rebate will be approximately \$3,211.

2. Use Tax Rebate-Construction. The City shall rebate to the Company 50% of the Building Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) on construction materials collected from the remodeling and improvements in the new facility that are otherwise required under W.M.C. Sections 4-2-9 and 4-2-3. The use tax rebate will be approximately \$3,750.

3. Sales and Use Tax Rebate – Furniture and Fixtures. For the period of 3 months prior and 60 months after the Company obtains a Certificate of Occupancy or passes a final inspection for the new facility, the City will rebate 50% of the Westminster General Sales and Use Tax (excludes the City's .25% Open Space Tax and .6% Pubic Safety Tax) on equipment and furnishings purchased by the Company for this facility. The rebate will be approximately \$26,250.

- a. The rebate shall include use tax payments paid directly to the City by the Company, and/or sales tax collected from the Company and remitted to the City by City licensed businesses.
- b. Rebates will be based on the documentation prescribed by the City and provided by the Company which illustrates purchases or delivery of any such furnishings, fixtures, or equipment that occurred within the City of Westminster and that taxes were paid to and collected by the City.

4. Maximum Amount of Rebate – The total rebate is not to exceed \$33,211.

5. Payment of Rebates – The Company will file returns and pay City sales and use taxes due no less frequently than on a calendar quarter. Rebates shall be calculated for each calendar quarter based upon revenue actually collected and received by the City in connection with the move by the Company into the new facility.

- a. If the total amount of a quarterly rebate due to the Company is at least \$100, the rebate will be paid within thirty (30) days following the end of the calendar quarter.
- b. If the total amount of a quarterly rebate due to the Company is less than \$100, such rebate will be added to the next quarterly rebate due until the total amount to be rebated is at least \$100. The accumulated amount of such rebates will then be paid within thirty (30) days following the end of the most recent calendar quarter reported.

- c. Payments shall commence for the calendar quarter during which final inspection approval is granted.
- d. No payment shall be made until the Company has obtained a City of Westminster business license for the new facility.
- e. All payments by the City shall be made electronically to the Company's designated financial institution or other account.

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

7. Termination. This Agreement shall terminate and become void and of no force or effect upon the City if the Company has not secured additional space and moved into the new facility by April 14, 2015 or should the Company not comply with the City regulations or code.

8. Business Termination. In the event the Company ceases to conduct business operations at a location within the City at any time prior to November 30, 2019, then the Company shall pay to the City the total amount of fees and taxes that were paid by or for the Company to the City and were subsequently rebated by the City to the Company pursuant to this Agreement within sixty (60) days of business termination..

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

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

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

SUREFIRE MEDICAL INCORPORATED

CITY OF WESTMINSTER

Jim Chomas
Chief Executive Officer

J. Brent McFall
City Manager

ATTEST:

ATTEST:

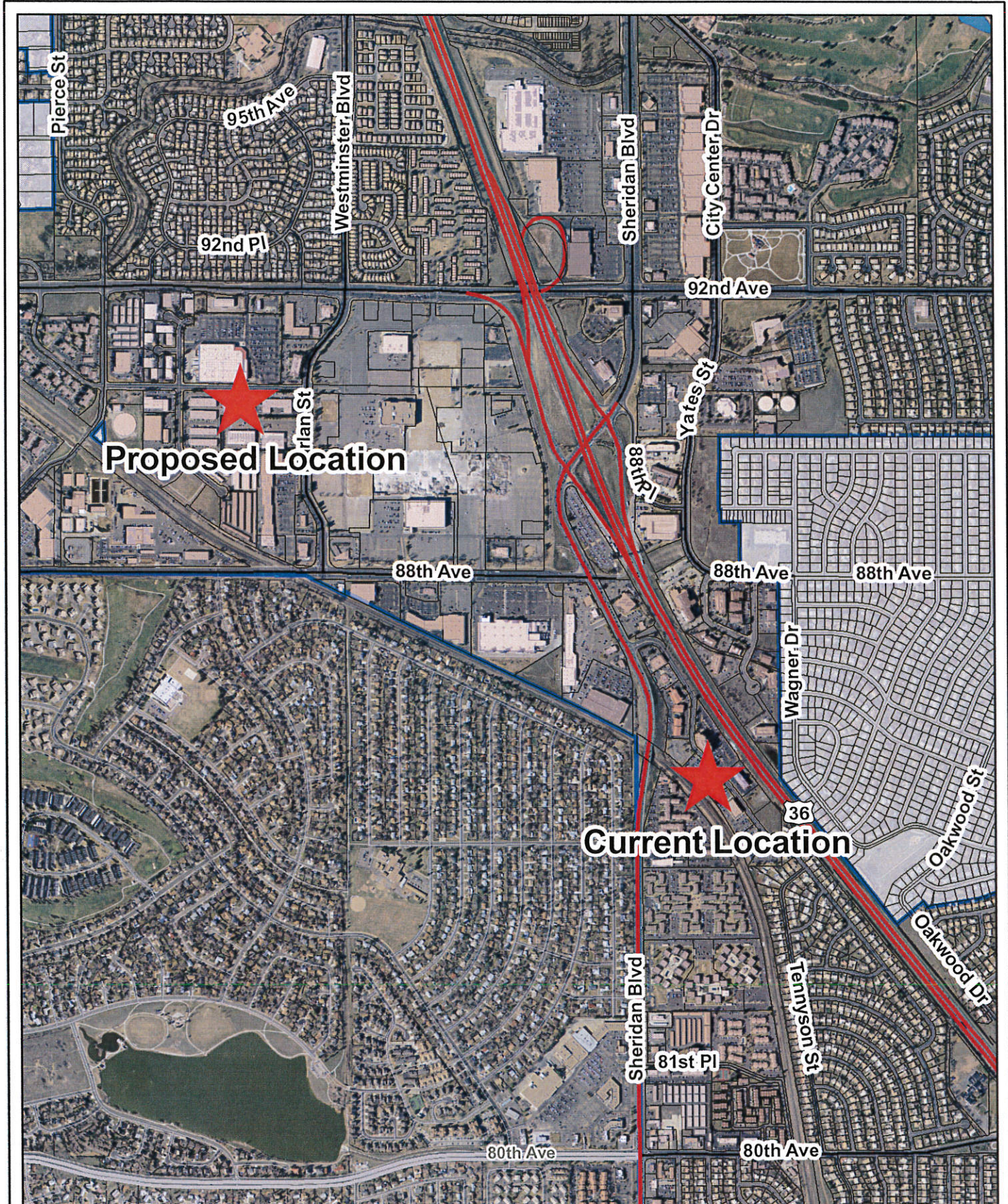
Linda Yeager
City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney's Office

Adopted by Ordinance No.

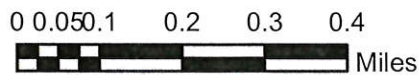
Surefire Medical, Inc. Vicinity Map



Date: 4/2/2014

GIS-AppelWestGIS/ArcGIS93 Templates/Westminster_Basic_93.mxd

City of Westminister





Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Councillor's Bill No. 10 re Alley Vacation within Lots 5-9 and Lots 40-44, Block 120, Westminster Subdivision

Prepared By: Melanie Walter, Senior Civil Engineer

Recommended City Council Action

Pass Councillor's Bill No. 10 vacating the alley within Lots 5-9 and Lots 40-44, Block 120 of the Westminster subdivision.

Summary Statement

- City Council action is requested to pass the attached Councillor's Bill to vacate the 12-foot wide alley located within the Westminster Subdivision as shown on the attached map. State statutes require that the vacation of all rights-of-way be approved by the City Council.
- Although the 12-foot wide strip of land was officially platted as an "alley," it does not give the appearance of a traditional alley. There is no paved or unpaved path located within this right-of-way, and a few backyard fences already infringe into the alley. Furthermore, the northern portion of this alley has already been vacated.
- Pete Thomas & Sons, Inc., who own all of the properties surrounding the subject alley, are requesting the alley vacation in order to unify their properties.
- The vacated alley will need to be retained as a utility easement to allow the continued use by private utility companies.
- A legal description of the alley is included in Exhibit A.
- City Staff has determined that the subject alley is no longer needed by the City except as noted above.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City vacate the subject alley, which by State Statute must be vacated by an ordinance of the City Council?

Alternative

Do not vacate the alley. This alternative is not recommended because the subject alley is not needed by the City and does not serve the general public.

Background Information

Pete Thomas & Sons, Inc., the owner of Lots 5-9 and Lots 40-44, Block 120 of the Westminster Subdivision, have requested that a certain unnecessary alley located adjacent to these lots be vacated so that the land covered by the alley can be redistributed to said lots. In accordance with State statute, the land covered by vacated rights-of-way that abuts two lots is usually distributed equally to those two, adjacent lots.

Staff has determined that the subject alley can be vacated, but a utility easement must be retained to allow the continued operation and maintenance of an existing overhead power line. It is recommended that the City Council pass the attached Councillor's Bill in order to unify these lots.

This action is consistent with City Council's goal of providing Vibrant Neighborhoods In One Livable Community.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Councillor's Bill
- Exhibit "A" Legal Description

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **10**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN ORDINANCE VACATING AN ALLEY GENERALLY LOCATED IN BLOCK 120 OF
THE ORIGINAL TOWN PLAT OF WESTMINSTER**

WHEREAS, Pete Thomas & Sons, Inc., the owner of property located at 8081 Federal Boulevard and specifically described as Lots 5-9 and 40-44 of Block 120 of the original town plat of Westminster, has requested the City vacate the 12-foot public alley located between said lots; and

WHEREAS, the City Council finds that all requirements for roadway vacation contained in the Westminster Municipal Code and applicable state statutes have been met.

NOW, THEREFORE, THE CITY OF WESTMINSTER ORDAINS:

Section 1. City Council determines that no present or future public access need exists for the area proposed for vacation.

Section 2. The area described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby vacated, reserving therefrom unto the City an easement for existing utilities, pursuant to section 43-2-303(3), C.R.S..

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

Section 4. 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 14th day of April, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of April, 2014.

Mayor

ATTEST:

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney's Office

EXHIBIT A

12-FOOT ALLEY VACATION
Block 120, Plat of Westminster
Sheet 1 of 2

A parcel of land being the 12-foot wide alleyway laying between and adjacent to Lots 5 through 9 and Lots 40 through 44, Block 120, WESTMINSTER, City of Westminster, County of Adams, State of Colorado, also being a portion of the Southwest Quarter of Section 29, Township 2 South, Range 68 West of the Sixth Principal Meridian, described particularly as follows:

Beginning at the southwest corner of said Lot 40, from which the South Quarter Corner of said Section 29 bears S 23°43'21" E (Bearings based on the east line of said Southwest Quarter being N 00°32'14" W) at a distance of 441.69 feet; thence S 89°57'29" W, 12.00 feet to the southeast corner of said Lot 9; thence N 00°24'36" W and along the west line of said 12-foot alleyway, 124.84 feet to the northeast corner of said Lot 5; thence N 89°57'29" E, 12.00 feet to the northwest corner of said Lot 44; thence S 00°24'36" E and along the east line of said 12-foot alleyway, 124.84 feet to the Point of Beginning.

Containing 1,498 square feet, or 0.034 acres, more or less.

The above description was prepared by me, or under my direct supervision, on November 5, 2013.

Christopher D. Rogers, L.S. No. 38091
Aegis Surveying, Inc., 3395 Yates St.

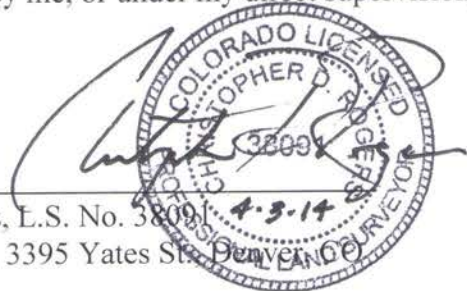


EXHIBIT A

12-FOOT ALLEY VACATION

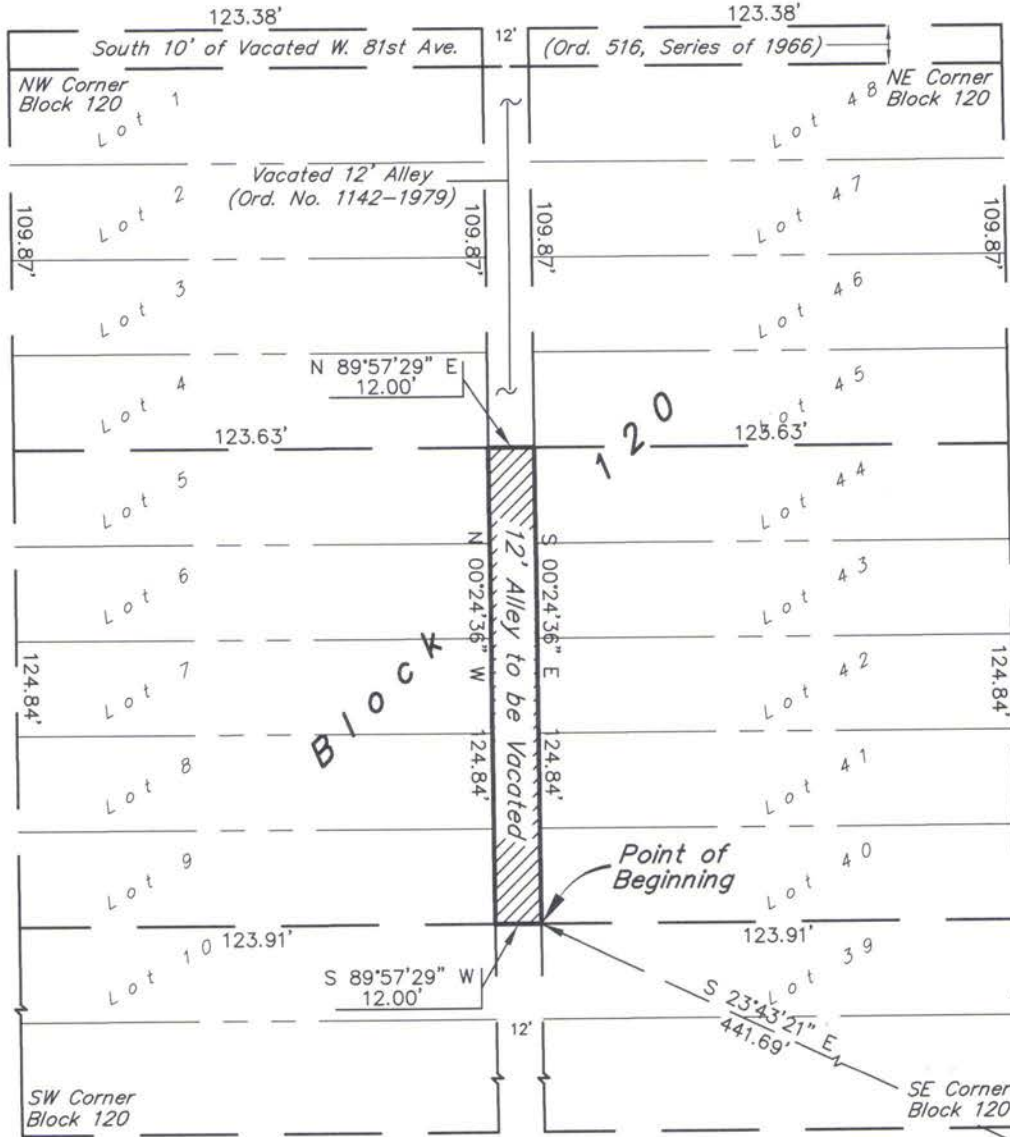
A Portion of the SW1/4 of Section 29, T. 2 S., R. 68 W. of the 6th P.M.
City of Westminster, County of Adams, State of Colorado
Sheet 2 of 2

Center Quarter Corner Section 29
2-1/2" Alloy Cap in Range Box
PLS 12111 (Per Monument Record)

W. 81st Avenue (R.O.W. 60')

Green Court (R.O.W. 66')

FEDERAL BOULEVARD



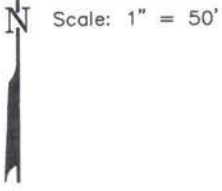
N 00°24'14\" W
East Line of the SW 1/4 Sec. 29, T. 2 S., R. 68 W.
(BASIS OF BEARING)
2639.55'

W. 80th Avenue (R.O.W. 60')

South Line of the SW 1/4 Sec. 29, T. 2 S., R. 68 W.
S 89°57'29\" W - 2644.92'

SW Corner Section 29
2-1/2\" Alloy Cap in Range Box
PLS 36561 (Per Monument Record)

South Quarter Corner Section 29
3-1/4\" Alloy Cap in Range Box
PLS 23053 (Per Monument Record)



This exhibit does not represent a monumented land survey. It is intended only to depict the attached description.

Not Valid Without
Signature And Date

Revised: April 3, 2014



Agenda Memorandum

City Council Meeting
April 14, 2014



SUBJECT: Councillor's Bill No. 11 re 120th Avenue Underpass Project Supplemental Appropriation

Prepared By: David W. Loseman, Assistant City Engineer

Recommended City Council Action

Pass Councillor's Bill No. 11 on first reading appropriating \$585,000 to the 120th Avenue Underpass Project as an advance of the Adams County share of the project's construction costs.

Summary Statement

- The City has long had a desire to construct a pedestrian underpass of 120th Avenue immediately east of the existing Ranch Creek crossing of 120th Avenue, approximately 600' east of Federal Boulevard. This underpass would provide a grade-separated connection to the Big Dry Creek Trail system for residents living south of 120th Avenue within the Ranch Subdivision.
- This project includes the construction of the underpass under 120th Avenue, the modification of an existing underpass under Federal Boulevard, north of 120th Avenue so it can be used by pedestrians, and extensive trails around the 120th Avenue and Federal Boulevard intersection (see attached map).
- The City is currently coordinating with the Colorado Department of Transportation (CDOT) on the design of the 120th Avenue and Federal Boulevard intersection improvements. This federal-aid project is scheduled for construction in 2015, but the CDOT project does not include the subject pedestrian underpass of 120th Avenue. Because of the intersection construction schedule, it is desirable to construct this underpass in 2014, prior to the CDOT intersection improvement project.
- In August 2013, the City applied for an Adams County Open Space grant for the 120th Avenue Underpass Project, also known as the "Ranch Creek Underpass and Trails Project" in the grant documents. In December 2013, a \$585,000 grant was awarded with the City's share of the project funding being \$390,000. The City's portion of the project expense (\$390,000) is already funded but it is necessary to appropriate the Adams County Open Space share (\$585,000) until reimbursement is received after construction is completed.
- Funds to "front" the Adams County Open Space share of the project expense are available in the City's Storm Drainage Fund.

Expenditure Required: \$585,000

Source of Funds: Storm Drainage Fund

Policy Issue

Should the City proceed with the design and eventual construction of the 120th Avenue Underpass Project?

Alternatives

Alternatives include postponing or abandoning the design and construction of this project. Staff does not recommend this alternative since it would mean the loss of the Adams County Open Space grant. In addition, there is a very significant number of potential trail users living south of 120th Avenue who would use the underpass. In fact, 14 citizens submitted letters to Adams County requesting that they award the grant to the City for this project.

Background Information

The 120th Avenue pedestrian underpass has been a desire of the City and many citizens in the area for many years. This underpass will serve a large resident population located south of 120th Avenue and provide for the grade separated crossing of a major highway (120th Avenue) thus providing these citizens access to the Big Dry Creek Trail system, Metzger Farms Open Space and the many businesses on the north side of 120th Avenue. A secondary but equally important benefit of this underpass is that it will pass residual 100 year stormwater flows that cannot be passed through the existing Ranch Creek box culvert under 120th Avenue without causing the overtopping of the street. While providing major flood prevention benefits, the box will be designed to be dry during minor storm events. The timing of the construction of this underpass has become critical due to the schedule for the 120th Avenue and Federal Boulevard Intersection improvement project. This federal-aid project is currently under design and scheduled for construction in 2015. It is desirable to construct the 120th Avenue pedestrian underpass prior to these intersection improvements to avoid damage to a newly constructed roadway.

The underpass project would include the following 1) construction of the underpass under 120th Avenue; 2) a modification to the south cell of the existing box culvert under Federal Boulevard, north of 120th Avenue, which would provide a grade separated crossing of Federal Boulevard; a low water crossing of Ranch Creek; 3) an extensive concrete trail system (see attached map); 4) a concrete ramp on the south side of the underpass to connect to the sidewalk along the south side of 120th Avenue.

In August 2013, the City of Westminster prepared an application to the Adams County Open Space grant program. In December 2013, the City was awarded funds in the amount of \$585,000 under the condition that a local match of \$390,000 be provided by the City. There is currently \$661,000 budgeted for this project from the Storm Drainage Fund, thus bringing the total project budget to \$1,246,000. Approval of the attached Councillor’s Bill is necessary to appropriate the Adams County share of the project costs until reimbursement is received after the construction of the project is completed. This appropriation will amend the Storm Drainage Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Open Space Grant Adams County	2500.40630.0010	\$0	<u>\$585,000</u>	\$585,000
Total Change to Revenues			<u>\$585,000</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Ranch Creek at 120 th Avenue and Federal Boulevard	81325030038.80400.8888	\$661,000	<u>\$585,000</u>	\$1,246,000
Total Change to Expenses			<u>\$585,000</u>	

This project would fulfill the City Council’s goals of Financially Sustainable City Government Providing Exceptional Services and Vibrant Neighborhoods In One Livable Community by providing a much desired pedestrian route, much of which will be paid through an outside funding source, to link neighborhoods along the Federal Boulevard corridor.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Ordinance
- Project Map

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **11**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE 2014 BUDGET OF THE STORM DRAINAGE FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUNDS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the Storm Drainage Fund initially appropriated by Ordinance No. 3655 is hereby increased by \$585,000. This increase is due to the appropriation of an Adams County Open Space Grant for construction costs necessary for the 120th Avenue Underpass Project.

Section 2. The \$585,000 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item #10 C dated April 14, 2014 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

Storm Drainage Fund	<u>\$585,000</u>
Total	<u>\$585,000</u>

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

Section 4. This ordinance shall take effect upon its passage after the second reading.

Section 5. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 14th day of April, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of April, 2014

ATTEST:

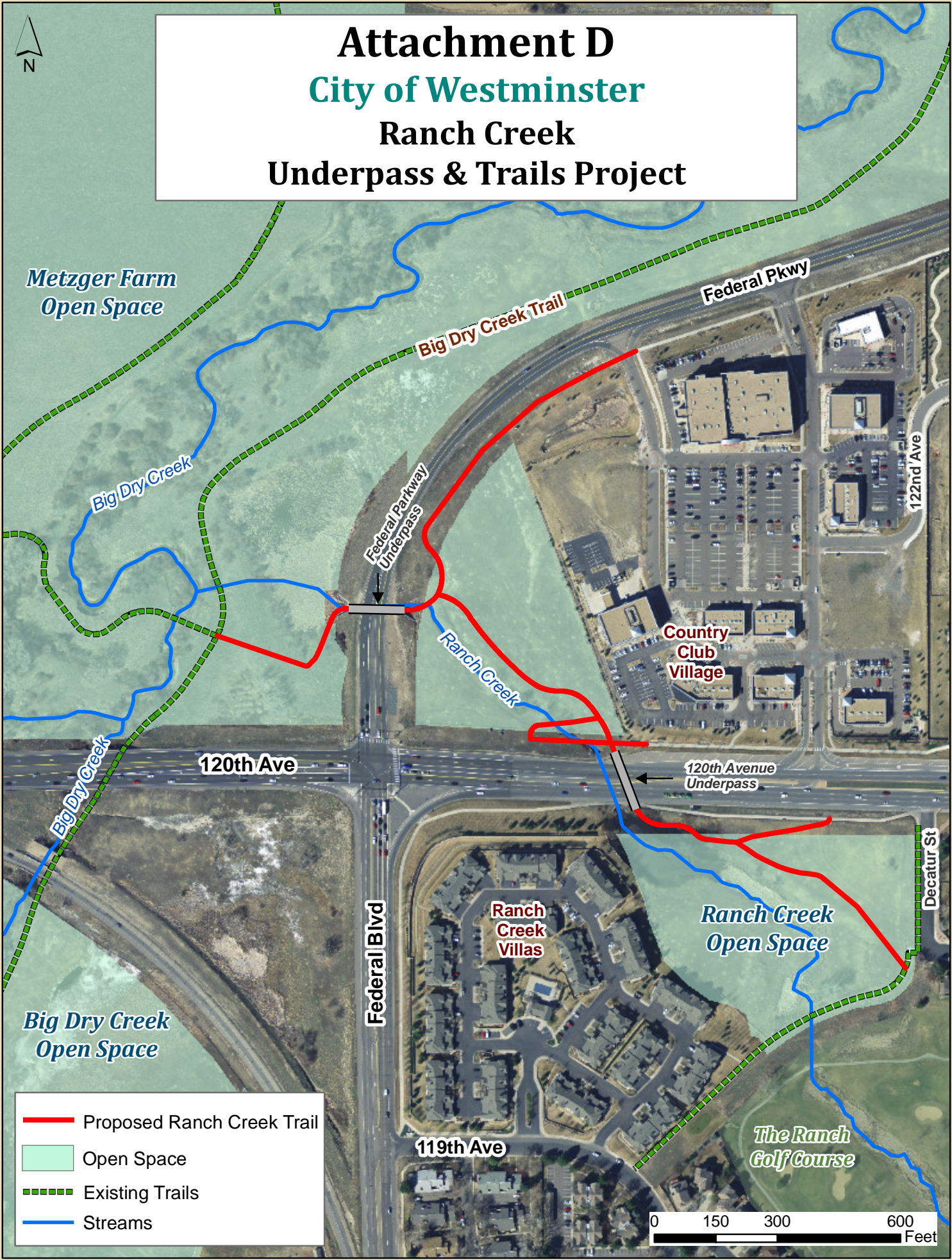
Mayor





City Clerk

Attachment D

City of Westminster

Ranch Creek Underpass & Trails Project



-  Proposed Ranch Creek Trail
-  Open Space
-  Existing Trails
-  Streams

