

April 22, 1996
7:00 PM

Notice to Readers: City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the City Council's part as issues have been discussed by Council previously. Council may defer final action on an item to a future meeting. Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meetings**
4. **Presentations**
 - A. Presentation re DRCOG Innovation Award
 - B. Proclamation re Al Meikeljohn Day
 - C. Proclamation re National Drinking Water Week
 - D. NRPA Excellence in Aquatics Award
 - E. Service Awards for City Employees
5. **Citizen Communication (5 minutes or Less in Length)**
6. **Report of City Officials**
 - A. City Manager's Report
7. **City Council Comments**

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

8. **Consent Agenda**
 - A. Standley Lake Aeration Design Evaluation Contract
 - B. Northwest Business Park Acquisition
 - C. Change Date for May Council Meeting
 - D. CB No. 18 re Maple Place Rezoning (Dixion-Smith)
 - E. CB No. 19 re Active Residential Developments (Smith-Merkel)
 - F. CB No. 20 re Ramada Hotel Easement Vacation (Allen-Merkel)
 - G. CB No. 21 re Cedar Bridge Easement Vacation (Merkel-Smith)
9. **Appointments and Resignations**
 - A. Metro Wastewater District Appointment
10. **Public Hearings and Other New Business**
 - A. Maple Place Public Land Dedication Waiver Request
 - B. Sale of PRIME Computer System
 - C. Councillor's Bill No. 22 re Prime Computer Sale
 - D. Councillor's Bill No. 23 re 1995 Carryover & Incentive Funds
 - E. Pension Administration Staffing
 - F. Formation of Metro Dive Rescue Team
 - G. Resolution No. 15 re Adams County Transportation Plan
 - H. CDOT IGA re Wadsworth Parkway Access Management Plan
 - I. Resolution No. 16 re Goetz Annexation Petition
 - J. Councillor's Bill No. 24 re Huron Street Improvements Funds
 - K. Resolution No. 17 re Carlson Company Land Acquisition
 - L. Councillor's Bill No. 25 re Carlson Company Land Acquisition
 - M. Resolution No. 18 re Artwalls Grant Matching Funds
 - N. Resolution No. 19 re CDOT Contract re Little Dry Creek Trail

11. Old Business and Passage of Ordinances on Second Reading

None

12. Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business

- A. Financial Report for March, 1996
- B. City Council
- C. Request for Executive Session
 - 1. 104th Ave SID Bond Issue - Attorney/Client Matter
 - 2. Pending Lawsuit - Attorney/Client Matter
 - 3. Land Use Matter - Attorney/Client Matter

13. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY APRIL 22, 1996 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Allen, Harris, Merkel and Scott. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Gallegos, City Clerk. Absent was Councillor Smith.

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Dixon to accept the minutes of the meeting of April 8, 1996 with no additions or corrections. Councillor Harris requested to abstain as he was not present at the meeting. The motion carried with Councillor Harris abstaining.

PRESENTATIONS:

Mayor Heil, Director of Public Works & Utilities Ron Hellbusch, Utilities Operations Manager Alex Iacovetta and Environmental Compliance Coordinator Susan Nachtrieb accepted the Denver Regional Council of Governments Innovations Awards for Cooperative Service Delivery and Productivity Improvement presented by Roland Cole, Chair of the Denver Regional Council of Governments.

Mayor Heil presented a proclamation to State Senator Al Meiklejohn proclaiming April 22, 1996 as Al Meiklejohn Day in the City of Westminster.

Mayor Heil presented a proclamation to Water Plant Laboratory Analyst and Program Coordinator Steve Ramer, proclaiming the week of May 6-12, 1996 as National Drinking Water Week in the City of Westminster.

Mayor Heil and Council recognized the following employees celebrating 10 years of service with the City: Jakki Crenshaw, Patricia Davis, Joyce Garcia, Kristin Graves, Mike Happe, Bill Hayward, Keith Henry, Barb Killcoyne, Cecil Lynch, Richard Malesko, Pat Peters, Ted Roberts, Sally Simkavitz, Derry Upshaw and Mark Watters. Service pins and certificates of appreciation were accepted by those present.

Mayor Heil and Council recognized the following employees celebrating 15 years of service with the City: Ralph Dopheide, Alaine Festing, Katie Harberg, Nick Hartney, Paul Johanson, Erick Knopinski, Ralph Prokopy, Ken Quenzer, Tim Sigwarth and Dave Tallman. Service pins and certificates of appreciation were accepted by those present.

Mayor Heil and Council recognized the following employees celebrating 20 years of service with the City: Gene Boespflug, Pat Martinez, Jim Moreland, Gary Pedigo, Judy Sample, Brad Sundling and Al Wilson. Service pins and certificates of appreciation were accepted by those present.

CITIZEN COMMUNICATION:

Margaret Hellman, President of the Westminster Commons Resident Council, addressed Council thanking them for the new refrigerators that have been installed and noted that the managers for the Commons are very good.

CITY COUNCIL COMMENTS:

Mayor Heil thanked Mayor Pro Tem Dixon for the time she has devoted to the National League of Cities Energy Communities Alliance.

Councillor Allen commented on the City being home to the Colorado Rapids professional soccer team.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Standley Lake Aeration Design Evaluation Contract; Northwest Business Park Acquisition; Change of date for May 27 Council meeting to May 20; Councillor's Bill No. 18 re Maple Place Rezoning; Councillor's Bill No. 19 re Active Residential Developments; Councillor's Bill No. 20 re Ramada Hotel Easement Vacation and Councillor's Bill No. 21 re Cedar Bridge Easement Vacation. The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. There was no request.

A motion was made by Dixon and seconded by Merkel to adopt the consent agenda items as presented with the recommendation stated on the Council Agenda Memorandums. The motion carried unanimously.

APPOINTMENTS AND RESIGNATIONS:

A motion was made by Harris and seconded by Allen to reappoint Alex Iacovetta to the Metro Wastewater Reclamation District's Board of Directors, with the term of office to be July 1, 1996 through June 30, 1998. The motion carried unanimously.

MAPLE PLACE PUBLIC LAND DEDICATION WAIVER REQUEST:

A motion was made by Dixon and seconded by Allen to deny the request to waive the Public Land Dedication for the Maple Place subdivision. Wayne Smith, property owner, was present to address Council. The motion carried unanimously.

SALE OF PRIME COMPUTER SYSTEM:

A motion was made by Harris and seconded by Allen to authorize the sale of the City's PRIME computer to 1st Solutions Inc. in the amount of \$8,500. The motion carried unanimously.

COUNCILLOR'S BILL NO. 22 - PRIME COMPUTER SALE APPROPRIATION:

A motion was made by Harris and seconded by Allen to pass Councillor's Bill No. 22 on first reading appropriating revenue from the sale of the PRIME computer into the 1996 Data Processing Budget in the Utility Fund. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 23 - 1995 CARRYOVER AND INCENTIVE FUNDS:

A motion was made by Allen and seconded by Scott to pass Councillor's Bill No. 23 on first reading appropriating certain carryover and incentive funds into the 1996 budgets of the General and Utility funds. Upon roll call vote, the motion carried unanimously.

PENSION ADMINISTRATION STAFFING:

A motion was made by Harris and seconded by Dixon to add a full-time Accounting Technician I position for Pension Administration with the salary and benefits for this position to be paid by the employee pension funds as part of the participants' pension administrative fees. The motion carried unanimously.

FORMATION OF METRO DIVE RESCUE TEAM:

A motion was made by Dixon and seconded by Scott to authorize the City Manager to sign the Intergovernmental Agreement that establishes the Metro Dive Rescue Team between the City of Westminster, West Metro Fire Authority, and Castlewood Fire Protection District. The motion carried unanimously.

RESOLUTION NO. 15 - ADAMS COUNTY TRANSPORTATION PLAN:

A motion was made by Merkel and seconded by Dixon to adopt Resolution No. 15 which endorses the Adams County Transportation Plan. Upon roll call vote, the motion carried unanimously.

CDOT IGA FOR WADSWORTH PARKWAY ACCESS MANAGEMENT PLAN:

A motion was made by Scott and seconded by Dixon to authorize the City Manager to sign an Intergovernmental Agreement with the Colorado Department of Transportation to regulate vehicular access for those sections of Wadsworth Parkway (State Highway 121) between 88th Avenue and 104th Avenue. The motion carried unanimously.

RESOLUTION NO. 16 - GOETZ ANNEXATION PETITION:

A motion was made by Harris and seconded by Allen to adopt Resolution No. 16 accepting the annexation petition submitted by Mary Goetz, and make the findings required by State Statute on the sufficiency of the petition and sets the date of June 10, 1996 for the annexation hearing. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 24 - HURON STREET IMPROVEMENTS FUNDS:

A motion was made by Allen and seconded by Dixon to pass Councillor's Bill No. 24 on first reading appropriating \$25,653 received from Interstate Highway Construction, Inc., and the balance remaining in the Huron Street Improvement project account to the Residential Street Maintenance Reconstruction project account. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 17 - CARLSON COMPANY LAND ACQUISITION:

A motion was made by Scott and seconded by Dixon to adopt Resolution No. 17 authorizing the City Manager to proceed with the acquisition of a parcel of land owned by Carlson Realty Company located south of the Big Dry Creek Water Reclamation Facility, to complete the buffer zone around the Reclamation Facility. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 25 - CARLSON COMPANY LAND ACQUISITION:

A motion was made by Scott and seconded by Merkel to pass Councillor's Bill No. 25 on first reading appropriating 1995 Utility Fund Tap Fee carryover in the amount of \$345,000 into the appropriate 1996 Wastewater Budget account to fund the purchase of the Carlson Company land acquisition. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 18 - ARTWALLS GRANT MATCHING FUNDS:

A motion was made by Harris and seconded by Dixon to adopt Resolution No. 18 authorizing \$10,000 from the Community Enhancement Program Capital Project account in the General Capital Improvement Fund as a matching source for a grant in the amount of \$10,000 from the Jefferson County Cultural Council for the City Park Artwalls phased project. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 19 - LITTLE DRY CREEK TRAIL CONTRACT WITH CDOT:

A motion was made by Merkel and seconded by Scott to adopt Resolution No. 19 authorizing the City Manager to sign a contract with the Colorado Department of Transportation authorizing the City's financial obligation of matching funds for the Little Dry Creek Trail project. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Council reviewed the Financial Report for March, 1996.

Mayor Heil recognized members of Boy Scout troops 33 and 334 who were in attendance at the meeting to earn badge credits.

The Mayor stated there would be an Executive Session concerning a 104th Avenue SID Bond Issue, a pending lawsuit and a Land Use matter.

ADJOURNMENT:

The meeting was adjourned at 7:52 P.M.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996
Subject: Presentation re DRCOG Innovation Award
Prepared by: Michele Gallegos, City Clerk

Introduction

City Council is requested to accept the First Place Innovations Award for Cooperative Service Delivery and Second Place for Productivity Improvement from the Denver Regional Council of Governments (DRCOG).

Summary

Each year the Denver Regional Council of Governments (DRCOG) recognizes cost-saving and efficient management by local governments and is intended to encourage creative approaches to providing services to citizens. Awards are presented in three categories: Cooperative Service Delivery, Productivity Improvement and Public-Private Partnership.

This year Westminster won first place in the Cooperative Service Delivery award for the Jefferson County Hazardous Waste Storage Facility.

In addition, Westminster won second place in the Productivity Improvement award for the privatizing of laboratory testing services at the Big Dry Creek Wastewater Treatment Plant (BDCWWTP) and reorganizing the Water Operations Division.

Roland Cole, Chair of the Denver Regional Council of Governments Board of Directors, and Councilmember from Commerce City will be present to make these presentations. Ron Hellbusch, Director of Public Works and Utilities, Alex Iacovetta, Utilities Operations Manager and Susan Nachtrieb, Environmental Compliance Coordinator will also be present.

Staff Recommendation

Council accept Denver Regional Council of Governments Innovations Awards for Cooperative Service Delivery and Productivity Improvement.

Background Information

The Jefferson County Household Hazardous Waste Storage Authority consists of Jefferson County and the Cities of Arvada, Edgewater, Golden, Lakewood, Morrison, Mountain View, Westminster and Wheat Ridge. This facility has been in operation since December, 1994 and is a permanent collection and storage facility for household hazardous waste, recycling waste, evidentiary wastes and inherited wastes. This facility provides an excellent service to the residents of Westminster, making it convenient to safely dispose of household hazardous materials without the necessity of storing the materials for an annual collection.

The Big Dry Creek Waste Water Treatment Plant project, one of the first to fully contract out lab services for water treatment, was formalized on August 1, 1994 with the transfer of three affected people into different positions. This project is innovative not only in its ability to save the City over \$115,000 annually, but also for its successful relocation of those employees displaced by the privatization.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996
Subject: Proclamation re Al Meiklejohn Day
Prepared by: Devin Granbery, Management Intern

Introduction

City Council is requested to proclaim Monday, April 22 as Al Meiklejohn Day in the City of Westminster.

Summary

The purpose of this Proclamation is to recognize Senator Al Meiklejohn for his service to the country, state, City and community.

Staff Recommendation

City Council present the Proclamation to Senator Al Meiklejohn proclaiming April 22, 1996 as Al Meiklejohn Day in the City of Westminster.

Background Information

Al Meiklejohn was born June 18, 1923, in Omaha, Nebraska. He moved to Denver and graduated from Denver South High School in 1940. Mr. Meiklejohn then attended the University of Denver where he earned a B.S. in accounting and a Juris Doctorate. Today, Mr. Meiklejohn is a practicing attorney and Certified Public Accountant, as well as serving as a State Senator.

Al Meiklejohn served his country as a Major in the Air Force during WW II, earning three battle stars and an air medal with silver and bronze oakleaf clusters. Mr. Meiklejohn flew 35 missions as a B-17 pilot, and was shot down four times.

Elected to the Colorado Senate in 1972, Mr. Meiklejohn is currently serving his sixth, and last, term as Senator for Senate District 19, which encompasses the Jefferson County portion of Westminster. Mr. Meiklejohn is the Chairman of the Senate Education Committee, which he has chaired for over ten years, and a member of the Senate Business Affairs and Labor Committee. He has also served as a member of the Senate Transportation and Appropriations Committees. Further, Mr. Meiklejohn serves as Vice Chairman of the Achievement Committee and as a member of the Uniform State Laws Committee.

Al Meiklejohn has been a leading authority in the fields of education, transportation and school finance for over 25 years. He served as President of Jefferson County School District R-1 from 1973 to 1977, as an officer of the Colorado Association of School Boards from 1973 to 1977, and as Director of the National Association of School Boards from 1976 to 1977.

Mr. Meiklejohn is a member of the Denver and Colorado Bar Associations, the Colorado Society of C.P.A.s, and the Transportation Lawyers Association (president, 1968).

Mr. Meiklejohn is married to wife Mindy, and they have four children: Pamela Ann, Shelly Lou, Bruce Ian and Scott Alvin.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Proclamation

PROCLAMATION

WHEREAS, Al Meiklejohn has faithfully served and represented the City of Westminster and its citizens in the Colorado Senate for the past 24 years; and

WHEREAS, Al Meiklejohn has been the Chairman of the Senate Education Committee for over ten years, and also currently serves as a member of the Senate Business Affairs and Labor Committee; and

WHEREAS, Al Meiklejohn served as President of Jefferson County School District R-1 from 1973 to 1977, as an officer of the Colorado Association of School Boards from 1973 to 1977, and as Director of the National Association of School Boards from 1976 to 1977; and

WHEREAS, Al Meiklejohn served his country as a Major in the Air Force during World War II, flying over 35 missions, getting shot down four times, and earning three battle stars and an air medal with silver and bronze oakleaf clusters; and

WHEREAS, Al Meiklejohn has been a leading authority in the fields of education, transportation and school finance for over 25 years; and

WHEREAS, Al Meiklejohn is a practicing attorney and Certified Public Accountant, and is a member of the Denver and Colorado Bar Associations, the Colorado Society of C.P.A.s, and the Transportation Lawyers Association; and

WHEREAS, the City of Westminster and the State of Colorado have greatly benefited from Al Meiklejohn's selfless public service.

NOW, THEREFORE, the City Council of the City of Westminster, Colorado, do hereby proclaim April 22, 1996 as

AL MEIKLEJOHN DAY

in the City of Westminster.

Signed this 22nd day of April, 1996.

Date: April 22, 1996
Subject: Proclamation re National Drinking Water Week
Prepared by: Carl Hill, Utilities Plants Coordinator

Introduction

City Council is requested to present a proclamation proclaiming the week of May 6-12, as "National Drinking Water Week" in the City of Westminster. Steve Ramer, Water Plant Laboratory Analyst and Program Coordinator for the Westminster Water Week Program, will be at the City Council meeting to accept the proclamation.

Summary

National Drinking Water Week focuses on the importance and limited nature of our Nation's water supply. The objective of this week is to educate and inform the public of the importance of a safe, reliable public water source, the need for water conservation and protection, and to encourage each local water utility to involve its citizens in water promotion activities.

Staff Recommendation

Proclaim the week of May 6-12, 1996 as "National Drinking Water Week" in the City of Westminster.

Background Information

The City program scheduled for the week of May 6-12, will be coordinated by the Public Works and Utilities Water Plants Division. A booth and display will be set up at the Westminster Mall on May 9-11. The display will include a table top display on water treatment, a TV/VCR unit for viewing water related films, handouts and brochures on water conservation, water treatment, and water quality. A drawing will also be held for a traveling lawn sprinkler.

In conjunction with this activity, classroom presentations will be offered to Elementary and Junior High School students. There will be a poster contest for Elementary students and an essay contest for Junior High students, all of which will be displayed at the Kings Mill Library and Recreation Center. The winning posters and essays will be on display at the Semper Water Treatment Plant for the remainder of the year.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Proclamation

WHEREAS, Our health, comfort and standard of living depend on an abundant supply of safe, high quality water; and

WHEREAS, The problems and challenges of meeting future water supply needs are many and growing in complexity; and

WHEREAS, The ever increasing need for domestic water makes expansion of storage, supply and distribution facilities, the water quality monitoring and continued training of skilled personnel essential.

NOW, THEREFORE, The City Council of the City of Westminster, Colorado, does hereby proclaim the week of May 6-12, 1996 as

National Drinking Water Week

in the City of Westminster and ask all citizens to join in extending our appreciation to the dedicated men and women of our Westminster Municipal water system, and urge that Westminster citizens participate in National Drinking Water Week activities and become more informed about Westminster's water supply and system.

Signed this 22nd day of April, 1996.

Date: April 22, 1996
Subject: NRPA Excellence in Aquatics Award
Prepared by: Laura Magnetti, Recreation Supervisor

Introduction

City Council is requested to accept the National Recreation and Park Association's (NRPA) 1996 Excellence in Aquatics Award from Kent Blumenthal, NRPA Regional Director of the Western Service Center.

Summary

The Department of Parks, Recreation and Libraries has been chosen National Recreation and Park Association's Class III (population 50,000-100,000) winner of the 1996 Excellence in Aquatics Award. The award was presented to Staff at the National Aquatic Conference in Palm Springs, California on March 10. Ruthie Rogers will attend the Council meeting to represent City Staff as this award is presented to the Mayor and City Council. The following City Staff will also attend the award presentation: Ken Watson, Recreation Facilities Manager; Ruthie Rogers, Greg McSwain, and Deb Larsen, Recreation Supervisors.

Staff Recommendation

Accept the 1996 Excellence in Aquatics Award plaque from Kent Blumenthal.

Background Information

The Excellence in Aquatics Award annually honors communities who demonstrate excellence in managing, planning, and programming diversified aquatic interests. Specifically, the award addresses needs assessment techniques, facilities, attendance, problem solving techniques, staff training, promotion, financial and staff resources, accessibility, community and special interest group involvement, and staff involvement on a local, state, and regional level.

Westminster Parks, Recreation and Libraries won the National Aquatics Award in 1990, the year of the program's inception. As a 1990 winner, Westminster was not eligible to reapply until 1996 and again captured the award in the Class III Division, communities with populations of 50,000 to 100,000.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996
Subject: Presentation of Service Awards
Prepared by: Michele Gallegos, City Clerk

Introduction

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

Summary

In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting.

Staff Recommendation

City Council present service pins and certificates of appreciation to employees celebrating 10, 15, and 20 years of service with the City.

Background Information

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

Jakki Crenshaw	Finance Department	Micro Computer Analyst II
Patricia Davis	Parks, Rec & Lib	Clerk Receptionist
Joyce Garcia	General Services	Personnel Technician
Kristin Graves	Parks, Rec & Lib	Librarian II
Mike Happe	Public Works & Util	Water Resources Eng
Bill Hayward	Public Works & Util	Sr Maintenanceworker
Keith Henry	Police Department	Sr Police Officer
Barb Killcoyne	Police Department	Victim Advocate
Cecil Lynch	Public Works & Util	Electro Mechanic Spec
Richard Malesko	General Services	Sr Maintenance Worker
Pat Peters	Public Works & Util	Streets Crew Leader
Ted Roberts	Parks, Rec & Lib	Irrigation II
Sally Simkavitz	General Services	Collections Invest
Derry Upshaw	Police Department	Sr Police Officer
Mark Watters	Police Department	Sr Police Officer

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

Ralph Dopheide	Public Works & Util	Plant Operator IV
Alaine Festing	Police Department	Records Specialist II
Katie Harberg	City Manager's Off	Public Info Officer
Nick Hartney	Police Department	Sr Police Officer
Paul Johanson	Parks, Rec & Lib	Parks Crew Leader
Erick Knopinski	Police Department	Sr Police Officer
Ralph Prokopy	Parks, Rec & Lib	Irrigation II
Ken Quenzer	General Services	Bldg Mtnc Supt
Tim Sigwarth	Police Department	Sr Police Officer
Dave Tallman	Police Department	Sr Police Officer

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

Gene Boespflug	Police Department	Sergeant
Pat Martinez	Police Department	Sr Police Officer
Jim Moreland	Fire Department	Emergency Med Svcs
Gary Pedigo	Fire Department	Battalion Chief
Judy Sample	Police Department	Sergeant
Brad Sundling	Fire Department	Lieutenant
Al Wilson	Police Department	Lieutenant

On April 17th, the City Manager hosted an employee awards luncheon at which time 6 City employees received their five year service pins, while recognition also was given to those who are celebrating their 10th, 15th, and 20th anniversary. This was the first of three luncheons for 1996 to recognize and honor City employees for their service to the public.

The aggregate City service represented among the group of employees is 470 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens.

Respectfully submitted,

William M. Christopher
City Manager

10 Year Employees

Kristin Graves	Parks, Rec & Lib	Librarian II
Mike Happe	Public Works & Util	Water Resources Eng
Keith Henry	Police Department	Sr Police Officer
Barb Killcoyne	Police Department	Victim Advocate
Cecil Lynch	Public Works & Util	Electro Mechanic Spec
Pat Peters	Public Works & Util	Streets Crew Leader
Ted Roberts	Parks, Rec & Lib	Irrigation II
Sally Simkavitz	General Services	Collections Invest
Mark Watters	Police Department	Sr Police Officer

15 Year Employees

Alaine Festing	Police Department	Records Specialist II
Katie Harberg	City Manager's Off	Public Info Officer
? Nick Hartney	Police Department	Sr Police Officer
Ken Quenzer	General Services	Bldg Mtnc Supt

20 Year Employees

Gene Boespflug	Police Department	Sergeant
? Pat Martinez	Police Department	Sr Police Officer
Gary Pedigo	Fire Department	Battalion Chief
Judy Sample	Police Department	Sergeant
Brad Sundling	Fire Department	Lieutenant
Al Wilson	Police Department	Lieutenant

Date: April 22, 1996

Subject: Standley Lake Aeration Design Evaluation Contract Award

Prepared by: Tom Settle, Water Quality Coordinator

Introduction

City Council action is requested to authorize the City Manager to execute a contract with CH2M Hill for the design of an aeration system for Standley Lake.

Summary

The Cities of Northglenn, Thornton, and Westminster contracted with the CH2M Hill consulting firm in late 1995 to conduct a nutrient control study on Standley Lake. The Study included engineering services for the evaluation, cost estimation, and recommendation of alternatives for providing nutrient removal and/or control for Standley Lake. Control of nutrients will inhibit algae growth and is essential to maintaining good water quality. Aeration was identified as the most cost-effective alternative.

The next phase of these efforts is to conduct a design evaluation which will provide specific design parameters and further clarify the potential cost of constructing an aeration system for Standley Lake. The design parameters will be used for final design/construction. The cost information is necessary for each Cities' budget process.

City Staff worked closely with Northglenn and Thornton staff in the original selection of CH2M Hill for the study. As part of the study proposal each firm was asked to provide an estimate of design evaluation costs for a chosen alternative. This was an element considered in the selection process and one reason CH2M Hill was chosen.

Staff, together with the Northglenn and Thornton representatives, recommends award of the contract to CH2M Hill.

Under the terms of the Water Quality Cost-Sharing IGA, Westminster will contract with the consultant and handle the contract administration. Northglenn and Thornton will then reimburse Westminster for their share of the expenses in this project. Westminster's net share of the cost will be \$15,750.

Staff Recommendation

Authorize the City Manager to sign an engineering services contract with CH2M Hill for conducting the Standley Lake Nutrient Control Study in the amount of \$35,000; authorize the expenditure of funds from the Water Resources Division Professional Services account in the Water and Wastewater Fund, and bill Northglenn and Thornton for their respective share of the costs' in accordance with the Water Quality Cost-sharing Intergovernmental Agreement.

Background Information

The Standley Lake Cities continue to be very proactive in protecting the quality of the water supply stored in Standley Lake. Under the Clear Creek Watershed Management Agreement, the Cities have agreed to instituting measures which would control the nutrient availability within the lake, if substantial progress has not been made in reducing the nutrient loading in Clear Creek and the Colorado Water Quality Control Commission has been petitioned to establish a phosphorus control regulation for Standley Lake .

The emphasis of the Nutrient Control Study centered on a two-day workshop. The workshop will brought together the Cities staff members and a cross-section of lake management experts to review all the available data, current methods, and goals relating to nutrient control for the lake. It involved "brainstorming" through all the alternatives with all of the people "at the table" in order to weed out the weakest alternatives right away and allow the engineering work to focus on the concepts with the most potential. The Cities felt this approach was very powerful and the best use of available resources in achieving the goal of the study. The Nutrient Control Study identified aeration as the most appropriate and cost-effective measure to implement.

Three aeration alternatives were identified as being capable of meeting the general requirements of the Cities. It is the opinion of CH2M Hill and the Cities that each of the systems should be modeled for their ability to transfer oxygen to the water, to ensure proper sizing and efficient operation. One system is currently favored for its simplicity and minimal impact to recreation on the reservoir, however, installation and long term operational costs must be considered. Each of the systems has an estimated cost of construction of \$1.0 to \$1.3 million and annual operating expenses of \$130,000 to \$150,000.

Once the design evaluation is complete, funding of Westminster's share of the system will be requested as a Capital Improvement Project in the near future.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996
Subject: Northwest Business Park Acquisition
Prepared by: Tami Berry, Legal Assistant

Introduction

City Council action is requested to ratify the payment of \$55,559.95 to the Jefferson County Treasurer for back taxes due for the Northwest Business Park Property.

Summary

In order to receive a Sheriff's Deed to the Northwest Business Park following the City's foreclosure action, the City has paid the real property taxes owing, together with all interest and penalties, through the date of the Sheriff's Deed. Ratification of the April 16, 1996, payment to the Jefferson County Treasurer is needed to coincide with the date of issuance of the Sheriff's Deed.

Staff Recommendation

Ratify the payment of \$55,559.95 from the appropriate Land Acquisition Account to the Jefferson County Treasurer for back taxes due for the approximately 88 acres of the Northwest Business Park.

Background Information

On February 24, 1995, the City commenced a foreclosure action against the owners of the Northwest Business Park and all others having any interest in the property seeking title to the property for unpaid special assessment taxes. On November 6, 1995, the Jefferson County District Court signed an Order granting the City's Motion for Judgment on the Pleadings, which allowed the City to obtain a Judgment and Decree of Foreclosure on the property. Pursuant to the December 4, 1995, Decree of Foreclosure, a foreclosure sale was held by the Jefferson County Sheriff on January 24, 1996. The City submitted the only bid for the property (in the form of its Special Improvement District lien) and obtained a Certificate of Purchase for the property.

Any junior lienholders had 75 days from the date of the sale, or until April 8, 1996, in which to redeem the property. No Notice of Intent to Redeem was filed with the Jefferson County Sheriff by the April 8 deadline. Therefore, a Sheriff's Deed for the property was issued effective April 16, 1996, to the City of Westminster.

The Jefferson County Treasurer had previously stipulated to the City's foreclosure subject to payment of outstanding real property taxes owing on the property. The lien against the property for real property taxes was senior to the City's lien. Therefore, the City agreed to pay all outstanding taxes to Jefferson County following the foreclosure sale and issuance of a Sheriff's Deed to the City for the property.

Respectfully submitted,

William M. Christopher, City Manager

Date: April 22, 1996
Subject: Change Date for Last Council Meeting in May
Prepared by: Michele Gallegos, City Clerk

Introduction

City Council action is requested to change the date of the last Council meeting in May at this time.

Summary

The last City Council meeting of May would normally be held on Monday, May 27th, which is Memorial Day and City Hall will be closed that day in observance of this holiday.

Council recently discussed changing the date of this meeting to May 20th and eliminating one Study Session during May.

Council is requested to formally change the date of the last Council meeting in May to Monday, May 20th.

Staff Recommendation

Change the date of the last City Council meeting in May from May 27th to Monday, May 20th.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996

Subject: Metro Wastewater Reclamation District Board
Appointment

Prepared by: Michele Gallegos, City Clerk

Introduction

City Council action is requested by the Metro Wastewater Reclamation District, to make an appointment to the Board of Directors. Alex Iacovetta, Utility Operations Manager, is the City's current representative. His term of office will expire June 30, 1996.

Summary

Alex Iacovetta is directly involved in the day-to-day wastewater operations and administration for the City of Westminster, and he has served on the Board since 1990. One advantage in having a Utility Staff member serve on the Board is they have a technical working knowledge of the City's wastewater system. Westminster has two representatives on the Board. The City's other representative is Allen Jones who fills a "citizen" category appointment.

Staff Recommendation

Reappoint Alex Iacovetta to the Metro Wastewater Reclamation District's Board of Directors, with the term of office to be July 1, 1996 through June 30, 1998.

Background Information

The Metro Wastewater Reclamation District Board meets at 7:00 P.M. on the third Tuesday of each month. In addition, all Board Members serve on one operation committee, which meets monthly either in the morning or at noon.

Board members must live within the Metro Wastewater Reclamation District boundaries. City Council obviously has many "choices" on who to appoint to this Board position. However, it is thought that having a City Utilities Staff person on the Board provides an advantage to the City.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996
Subject: Maple Place Public Land Dedication Wavier Request
Prepared by: Larry Hulse, Planning Manager

Introduction

City Council action is requested to not amend or make a waiver to the Public Land Dedication (PLD) requirement as found in the Westminster Municipal Code (WMC), Section 12-2-2 (E).

Summary

At the first reading of the Maple Place rezoning, Mr. Wayne Smith requested that the PLD or cash-in-lieu of dedication fee be waived. This would be a precedent setting action by City Council as this section of the City Code has been consistently enforced to require at least 10% of a residential project be dedicated for public purposes or a cash payment in-lieu of the dedication. The Public Land Dedication will be considered at the time of the Official Development Plan review and at that time it will be determined if the project will be required to pay either "cash-in-lieu of dedication" or dedicate public land in conjunction with the actual design and layout of the Maple Place single family residential subdivision. The amount of cash-in-lieu or land dedication does not appear to be an undo hardship compared to any other development.

Staff Recommendation

Deny the request to waive the Public Land Dedication.

Background Information

At the April 8th City Council meeting Wayne Smith, the applicant for the Maple Place Rezoning, requested that the City Council waive the Public Land Dedication (PLD) requirement of the City Code for the Maple Place subdivision. Attached is a letter from Mr. Smith which explains his reasons for the request to waive the 10% land or cash dedication requirements.

The City's PLD requirements have been a part of the WMC since 1982 and have been consistently applied to all residential development. The code provisions reads:

"No major land development containing proposed or potential residential uses shall be approved by the City unless the applicant for such development provides for the dedication of public lands to the City for parks, open space, schools or other public purposes as determined by the City in accordance with this section."

City Code also allows that the dedication can be a cash-in-lieu payment to the City if the City finds that the dedication of land would not serve the public interest. The fee is based upon the fair market value of the land which would otherwise be required to be dedicated. Fair market value is determined as of the date that the dedication to the City would take place which is generally at the time of the subdivision plat.

When Maple Place Planned Unit Development (PUD), a townhome project of 22 units, was approved in 1983, the agreement was that a PLD cash-in-lieu of payment would satisfy this code requirement. This payment was not completed at that time as the property was not platted.

Now that the property is being rezoned to RE, single family residential district, an Official Development Plan will need to be prepared which would provide the opportunity to determine if a land dedication is necessary or if a cash-in-lieu payment would be acceptable. A possible dedication of an area along the Burlington Northern Railroad tracks would accommodate a narrow trail linking the southern part of the City with the Westminster Center area. It is the City Staff's belief that given the current interest in pedestrian access and trail development, that indeed a trail linking the Maple Place PUD would be an amenity for this housing subdivision in the future.

City Staff's concern is the precedent of waiving this requirement which has been consistently applied to all residential projects. The dedication requirement for Maple Place is minimal as the Maple Place PUD is 1.2 acres which would mean a dedication of .12 acres of land or equivalent in cash.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996

Subject: Councillor's Bill No. re Sale of PRIME Computer System

Prepared by: David Puntteney - Data Processing Manager

Introduction

City Council action is requested to authorize the sale of and award the bid for the sale of the City's PRIME computer and to pass the attached Councillor's Bill on first reading appropriating the proceeds of the sale to the Utility Fund. Formal bids in accordance with City Charter bidding requirements were solicited for the sale of this equipment.

Summary

The Data Processing Division has completed the planned conversion of all software applications from the PRIME computer to the Hewlett Packard computer. Since the City has no further need for the PRIME computer, which is now obsolete technology, Staff recommends the City sell this computer.

In compliance with the City Charter bidding requirements, formal bids were solicited in the area newspaper and bids were sent to area purchasers of used equipment to maximize the return on this sale.

The proceeds from the sale, together with amounts previously budgeted in 1996 for lease payments, will allow the payoff of the remaining amount due on the PRIME computer.

Staff Recommendation

1. Authorize the sale of the City's PRIME computer to 1st Solutions Inc. in the amount of \$8,500.
2. Pass Councillor's Bill No. on first reading appropriating revenue from the sale of the PRIME computer into the 1996 Data Processing Budget in the Utility Fund.

Background Information

In 1993, Staff recommended the City purchase a Hewlett Packard computer system, and begin the process of converting all data and application programs from the PRIME computer to the Hewlett Packard computer. City Council authorized the purchase of the new computer, which was installed in late 1993. Since then Staff has successfully converted all applications to the Hewlett Packard system, and is now ready to discontinue use of the PRIME computer.

The City Charter and Purchasing Ordinance require that the sale of surplus items with a value in excess of \$5,000 be approved by City Council. The sale of the City's PRIME computer comes under this requirement.

In order to maximize the value from the sale of this computer, formal bids were solicited from area dealers in used computer equipment and a solicitation was advertised in the local newspaper. The results of this solicitation are as follows:

Revacomp	\$5,600
1st Solutions	\$8,500

The high bid from 1st Solutions Inc. is within the amount that could be expected for the sale of this type and age of computer equipment.

The PRIME computer was acquired through lease purchase which was entered into on January 20, 1992, with Affiliated National Bank-Westminster, now Bank One. As of the date of this Council action, the outstanding principal on the lease is \$25,758. Funds from the sale of the PRIME, together with amounts previously budgeted in 1996 for lease payments, will be sufficient to pay off the lease for this computer.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 1996 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1996 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1996 appropriation for Water portion of the Utility Fund initially appropriated by Ordinance No. 2385 in the amount of \$18,276,156 is hereby increased by \$8,500 which, when added to the fund balance as of the City Council action on April 22, 1996, will equal \$18,762,489. The actual amount in the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of revenue from the sale of the PRIME Computer.

Section 2. The \$8,500 increase in the Utility Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>Final Budget</u>			
<u>REVENUES</u>			
Sale of Assets			
20-1066-400	\$0	<u>\$8,500</u>	\$8,500
<u>EXPENSES</u>			
Principal Payment			
20-15-23-601-000	\$59,203	<u>\$8,500</u>	\$67,703

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 22nd day of April, 1996.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this _____ day of _____, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996
Subject: Councillor's Bill No. re 1995 Carryover Items and Incentive Funds
Prepared by: Nancy Alberts, Accounting Manager

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading appropriating certain 1995 carryover funds and incentive funds as described into the General Fund and Utility Fund.

Summary

Due to various departments saving money and revenues coming in higher than estimated, a carryover balance ABOVE what was budgeted in 1996 has been realized. For the past several years, the City typically has enjoyed a carryover in addition to what has been budgeted due to the practice of trying to be slightly conservative in estimating revenues. The carryover will not be proposed for appropriation until final audited figures are available and the TABOR calculations are completed.

At this time, only routine and "housekeeping" items are being recommended for appropriation. These items include the appropriation of:

1. Incentive funds of \$55,054. This amount consists of savings by departments. It is calculated by an approved formula previously adopted by Council Resolution whereby each department is allowed to retain a portion of savings.
2. Certain items and services which were budgeted in 1995 but which were not received or provided until 1996. This amounted to \$439,305. These funds are available from unspent 1995 Budget appropriations for the various items.
3. Receipts of \$2,021 for the Westminster Faire and \$5,418 for Police Department training exceeded actual expenses in 1995, but are needed to offset projected 1996 expenses.

Staff Recommendation

Pass Councillor's Bill No. on first reading appropriating certain carryover and incentive funds into the 1996 budgets of the General and Utility Fund.

Background Information

The unaudited carryover, over and above what was budgeted in 1996, is as follows:

Appropriation of 1995 Carryover Items and Incentive Funds
Page 2

Fund	Amount Available	Recommended for appropriation at this time
General	\$2,086,020	\$431,518
Reserve	9,208	-0-
Fleet	70,580	-0-
Utility	6,665,671	70,280
Sales & Use	708,220	-0-
Open Space	257,183	-0-
Conservation Trust	212,877	-0-
General Capital Improvements Fund	728,557	-0-

A. 1995 CARRYOVER FOR INCENTIVE BUDGETING

Through Resolution No. 40, Series of 1989, City Council adopted an Incentive Budget Program, whereby a portion of departmental savings realized would be reappropriated to the applicable departments. The formula for determining the amount of Incentive Budget Funds is that departments receive 100% of the first \$5,000 in savings and 25% of any savings above \$5,000. This amount is limited to the amount of excess carryover. The amount to be distributed to the various departments through the Incentive Budget Program is listed below.

GENERAL FUND

City Council	\$885
City Manager's Office	1,547
General Services	6,596
Police	8,496
Fire	13,338
Community Development	<u>8,655</u>
Total General Fund	<u>39,517</u>

UTILITY FUND

Finance	1,783
Water	<u>13,754</u>
Total Utility Fund	<u>15,537</u>

B. REAPPROPRIATION OF ITEMS APPROVED IN 1995

Certain items ordered in 1995 were not received until 1996. In addition, certain services, authorized in 1995, were not fully performed by the end of the year. Staff recommends the items described below be reappropriated in 1996.

Police: Two items totaling \$153,380 as follows:

1. \$115,148 for equipment relating to the Computer Aided Field Reporting System (CAFRS) system. All of the equipment was not received prior to year end. This equipment consists mainly of lap top computers.

2. \$38,232 for the replacement of police cars. Two police cars were wrecked and insurance proceeds were not received until late in the year, after the regular order for cars was completed.

Fire: Four items totaling \$49,508 as follows:

1. \$3,987 for new badges which were ordered before the end of the year but were not received until 1996.
2. \$28,190 for fire station concrete replacement and drain repair, roof and gutter repair, and construction of a mezzanine sprinkler system. These services were contracted for in 1995 but were not completed until 1996.
3. \$16,635 for wetsuits, radios, strobe lights, and self contained breathing apparatus which were all ordered in 1995 but not received until 1996.
4. \$696 for bills relating to the Westminster Combat Team's travel out of state.

Community Development: Three items totaling \$84,083 as follows:

1. \$19,147 of printing funds that were budgeted for economic development marketing pieces which won't be used until 1996.
2. \$61,436 of business assistance payments for which incentive commitments had not been made as of year end.
3. \$3,500 for professional services relating to the landscape regulations. This project was not completed prior to the close of 1995 due to the requirement to adopt the Regulations as part of the Municipal Code and not by reference as originally planned.

Parks, Recreation & Libraries: Two items totaling \$97,591 as follows:

1. \$60,000 for the recreation computer registration system which is still being implemented into 1996.
2. \$37,591 received from grants for youth programs to be administered in 1996.

UTILITY FUND

Water: Two items totaling \$33,335 as follows:

1. \$14,500 for construction of a mezzanine at the Water Operations Building which will provide additional storage for equipment and will free up space in the heated storage for snow vehicles. This project was not able to be completed in 1995.
2. \$18,835 for services related to the Water Quality Intergovernmental Agreement entered into with Thornton. Delays in decisions by Thornton caused the work schedule to lag, delaying completion of the project until in 1996.

Wastewater: One item totalling \$21,408 which relates to a light truck ordered in 1995 but not received until 1996.

C. MISCELLANEOUS ITEMS

1. \$2,021 was left at the end of the year for the Westminster Faire. This needs to be carried over to offset expenses in 1996.

2. \$5,418 was left at the end of the year for training classes the Police Department offers to outside agencies. This needs to be carried over to offset expenses in 1996.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 1996 BUDGET OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM ADDITIONAL 1995 ESTIMATED REVENUES IN THE VARIOUS FUNDS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1996 appropriation for the General Fund, initially appropriated by Ordinance No. 2385 in the amount of \$42,517,000 is hereby increased by \$431,518 which, when added to the fund balance as of the City Council action on April 22, 1996, will equal \$44,329,370. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of carryover available from 1995.

Section 2. The \$431,518 increase in the General Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Carryover			
10-0090-000	<u>\$1,978,852</u>		
\$431,518			
<u>\$2, 410,370</u>			
<u>EXPENSES</u>			
Council Incentive			
10-01-01-444-000	\$-0-	\$885	\$885
City Manager Incentive			
10-05-05-444-000	-0-	1,547	1,547
General Services Incentive			
10-12-05-444-000	-0-	6,596	6,596
Police Computer Hardware/Software			
10-20-50-405-000	342	115,148	115,490
Police Vehicles			
10-20-50-401-000	283,000	38,232	321,232
Police Incentive			
10-20-05-444-000	-0-	8,496	8,496
Fire Career Development			
10-25-26-144-000	17,000	696	17,696
Fire Uniforms			

10-25-26-112-000	37,760	3,987	41,747
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Fire Bldgs & Grounds

10-25-26-332-000	26,115	28,190	54,305
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Fire Other Equipment 10-25-26-406-000	33,000	16,635	49,635
Fire Incentive 10-25-26-444-000	-0-	13,338	13,338
CD Printing 10-30-34-242-000	20,000	19,147	39,147
CD Business Assistance 10-30-34-297-000	125,000	61,436	186,436
CD Professional Services 10-30-36-209-000	46,200	3,500	49,700
Community Development Incentive 10-30-05-444-000	-0-	8,655	8,655
PR&L Computer Hard/Software 10-50-76-405-000	20,000	60,000	80,000
PR&L Supplies 10-50-76-312-529	8,500	10,260	18,760
PR&L Other Contractual Services 10-50-76-299-529	16,000	27,331	43,331
PR&L Other Contractual Services 10-50-76-299-564	-0-	2,021	2,021
Police Training 10-20-05-144-612	4,650	<u>5,418</u>	10,068
Total change to Expenses		<u>\$431,518</u>	

Section 3. The 1996 appropriation for the Utility Fund, initially appropriated by Ordinance No. 2385 in the amount of \$26,960,000 is hereby increased by \$70,280 which, when added to the fund balance as of the City Council action on April 22, 1996, will equal \$27,601,776. The actual amount in the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of carryover available from 1995.

Section 4. The \$70,280 increase in the Utility Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Carryover 20-0090-000	\$(527,545)	\$48,872	\$(478,673)
Carryover 21-0090-000	1,312,507	<u>21,408</u>	1,333,915

Total change to revenues

\$70,280

EXPENSES

Professional Services			
20-35-48-209-000	\$260,000	18,835	278,835
Water Incentive			
20-35-05-444-000	-0-	13,754	13,754
Utility System Materials			
20-35-50-333-000	45,000	14,500	59,500
Finance Incentive			
20-15-24-444-000	-0-	1,783	1,783
Vehicles			
21-35-50-401-000	215,000	<u>21,408</u>	236,408
Total change to expenses		<u>\$70,280</u>	

Section 5 - 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 6. This ordinance shall take effect upon its passage after the second reading.

Section 7. 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 22nd day of April, 1996.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of _____, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996
Subject: Pension Administration Staffing
Prepared by: Marjorie Miller, Pension Administrator

Introduction

City Council is requested to approve the addition of a full-time Accounting Technician for Pension Administration with the salary and benefits to be paid from the employee pension funds.

Summary

The City of Westminster maintains three defined contribution money purchase pension plans for its employees. A full-time Pension Administrator is employed by the City to administer the pension. Since 1988, the Pension Administrator's salary has been paid by the pension funds.

In order to assist the Administrator in providing adequate control over the recordkeeping functions and in providing employee pension education, a temporary Accounting Technician I, whose salary was paid by the pension fund, was hired May 1, 1995.

The increase in demand for services over the past year indicates that the need for an assistant for the Administrator is increasing and is on-going rather than temporary. Although the salary and benefits for the assistant would continue to be paid by the pension fund, it is highly desirable that the person in this position be a City employee who is subject to the same policies and regulations as regular City employees. There would be no hard dollar costs to the City.

Staff Recommendation

Add a full-time Accounting Technician I position for Pension Administration with the salary and benefits for this position to be paid by the employee pension funds as part of the participants' pension administrative fees.

Background Information

The Ordinance established in 1987 authorizes the Trustee, at the discretion of the City Manager, to charge all reasonable expenses incurred in the administration of the pension plans to the respective pension trust funds. In 1991, City Council approved the Pension Administrator position as a .5 FTE with salary to be paid by the employee pension plans. In 1994, Council approved an increase in the Pension Administrator position from part time to full time. The Administrator's benefits are paid by the City because this position also oversees the City's deferred compensation program.

In 1994, the Pension Boards expanded the investment options available to pension participants and provided that the Plan Administrator would deal directly with fund managers.

Since then, it has become apparent that the responsibilities for administering the pension plans will continue to increase as participants request more services. In addition, recent changes in state statutes have increased the complexity of accounting for pension investments. The current level of service and accountability will be impossible to maintain without additional staffing. The Pension Boards have voted to pay the increased cost of an assistant and have recommended that the position be retained.

The Accounting Technician I position will not be an additional cost to the City because the salary and benefits will be reimbursed by the pension funds. It is important that the Accounting Technician is a City employee subject to the same policies and regulations as their co-workers. Pension cost projections for the current year presented to the Pension Boards include the salary and benefits for this position and have been approved by the Boards.

Respectfully submitted,

William M. Christopher
City Manager

Date: April 22, 1996
Subject: Formation of Metro Dive Rescue Team
Prepared By: Gary Pedigo, Battalion Chief

Introduction

City Council action is requested to authorize the City Manager to sign an Intergovernmental Agreement (IGA) with West Metro Fire Authority and Castlewood Fire Protection District for the formation of the Metro Dive Rescue Team.

Summary

In February, 1994, dive personnel from the City of Westminster, West Metro Fire Authority, and Castlewood Fire Protection District met to discuss the formation of a metro wide Dive Rescue Team. Administrative and Operational Boards were developed to set the idea in motion. An IGA is necessary to allow the three teams to operate as a single dive rescue unit. The IGA was written and has been reviewed and approved by the City Attorney's Office.

Benefits to be derived from this agreement include:

- * Better utilization of specialized dive equipment and personnel between the three jurisdictions.
- * Enhanced training between agencies in areas such as Ice Rescue, Water Safety, Hypothermia Protection, and Drowning Prevention.
- * Provides for the establishment of a billing schedule for services provided. Services would be billed in non-emergency situations where recovered items are insured or in situations where services are provided outside of the three participating jurisdictions. Monetary receipts would offset personnel, equipment, and capital expenditures.

Staff Recommendation

Authorize the City Manager to sign the Intergovernmental Agreement that establishes the Metro Dive Rescue Team between the City of Westminster, West Metro Fire Authority, and Castlewood Fire Protection District.

Background Information

The Westminster Fire Department Dive Rescue Team has been in operation since the 1960's. Staffed by Volunteer Firefighters, the team provided underwater recovery services to find drowning victims. In the mid-1970's, paid Fire Department staff began to take on this responsibility and upgraded the services offered to include water rescue services. The team now consists of fifteen highly skilled technical divers from the Fire and Police Departments. Duties range from finding a piece of vital evidence to jumping from a helicopter to rescue potential drowning victims.

The Dive Rescue Team also provides water safety education classes to State and local government agencies as well as the general public.

Previously there was an agreement in place with the Adams County Sheriff that contractually bound the City to provide dive services to Adams County. City Council approved dissolution of the old agreement in 1995. A copy of the agenda memorandum and the letter to Adams County dissolving the previous agreement is attached.

The Fire Department continues to seek new and improved ways to serve the citizens of Westminster while minimizing use of personnel and tax dollars. The formation of a regional dive team provides specialized service at the lowest possible cost as well as allow the organizations to invoice entities requesting assistance for expenses incurred during dive operations. The billing will occur based on individual situations which are outside of the three participating jurisdiction's normal operations.

The team's training and service delivery will be unique in this Metro area. Therefore, the team does expect to be asked to respond to areas outside of the Denver Metro area on occasion. The consolidation of the three Fire Department teams will better serve the citizens of Westminster and the Denver Metro area.

Respectfully submitted,

William M. Christopher
City Manager

Attachments (4)

Date: April 22, 1996

Subject: Resolution No. re Adams County Transportation Plan

Prepared by: Michael Normandin, Transportation Engineer

Introduction

City Council action is requested to adopt the attached Resolution which endorses the Adams County Transportation Plan.

Summary

In early 1995, Adams County initiated an effort to develop a County-wide transportation plan. A Policy Advisory and Technical Advisory Committee member from each governmental jurisdiction of the County as well as representatives from the Denver Regional Council of Governments (DRCOG), the Regional Transportation District (RTD), the Colorado Department of Transportation (CDOT), the Metro North Chamber of Commerce and the Front Range Airport met monthly throughout the planning process to provide input. Councillor Ann Merkel and Transportation Engineer Mike Normandin are Westminster's representatives. By late December, a draft plan was developed with the final product completed in March of 1996. The Adams County Commissioners are asking that each jurisdiction consider endorsement of the Adams County Transportation Plan to demonstrate that the plan is indeed a coordinated effort.

Attached to this Agenda Memorandum is an executive summary of the Adams County Transportation Plan. A few key points to be noted are as follows:

- > The purpose of the Adams County Transportation Study was to prepare a multi-modal transportation plan to guide the implementation of transportation expansions and upgrades through the year 2020 and beyond. A key objective of the plan is to coordinate the independently produced transportation plans of the participating cities to ensure compatibility and a coordinated implementation strategy for regional improvements.
- > The Transportation Plan documents and provides technical support for the following:
 - 1) Transportation related goals and policies which will be used as the philosophical basis for future transportation planning.
 - 2) An ultimate transportation vision plan which identifies key roadway and transit corridors to serve county mobility needs consistent with the potential buildout of Adams County and its component cities.
 - 3) A 2020 Transportation Plan which identifies those roadway and transit improvements needed to serve the travel demand projections and the 20-25 year planning horizon.
 - 4) A fiscally constrained transportation plan component which balances currently anticipated revenues over the 20-25 year planning horizon with the priority improvements of the 2020 Transportation Plan.

- > The County-wide transportation improvements anticipated to be needed to adequately serve the 2020 travel demands are preliminarily anticipated to exceed \$1.84 billion. Over the next 25 years, it is anticipated that \$1.41 billion will be available for transportation projects in the county which is \$425 million less than needed to implement the 2020 needs base plan. The projected revenues for the next 25 years include revenues from federal funds, CDOT, Adams County, local entities, the private sector and the E-470 Authority. As a result of the funding shortfall, the fiscally constrained plan was prepared to reduce a certain amount of projects in order to accommodate the \$425 million shortfall.
- > Historic information sources were utilized to provide a general basis for estimating future revenues including DRCOG information on current funding levels and capital improvement programs currently adopted by CDOT, Adams County, local jurisdictions and the E-470 Authority. The City of Westminster's projected revenue over the next 25 years for local projects within Adams County is \$48 million (\$1.9 million per year). This projected revenue was based upon historic expenditures for transportation improvements for the Adams County portion of the City over the last three to five years. It should be noted that these revenue projections do not obligate the City to commit to any specific annual funding level. The revenue projections were developed to be used as a planning tool to give the governmental entities a feel for what the transportation needs are over the next 25 years. Prior to the development of this plan, no one had a real grasp on what the cost of transportation needs. This projected funding level is adequate to accommodate most of the improvements identified in the City's Comprehensive Roadway Plan as well as the DRCOG 2015 Regional Transportation Plan within the Adams County portion of the City.
- > The key components of the plan include two interchanges on I-25 between 120th Avenue and State Highway 7, expansion of bus/HOV facilities on I-25 and on U.S. 36, widening of I-25, U.S. 36, the principal arterial streets and minor arterial streets to provide needed capacity, the extension of Federal Boulevard from 120th Avenue to 128th Avenue and the establishment of new transit corridors along the existing Burlington Northern Railroad line, the proposed Northwest Parkway corridor and on 120th Avenue. No specific technologies have been identified for these new transit corridors, but could include bus/HOV, rail and enhanced on street bus service (i.e., 120th Avenue).

Staff Recommendation

Adopt Resolution No. which endorses the Adams County Transportation Plan.

Background Information

Goals and policies for the Adams County Transportation system were developed with the intent to develop an efficient and cost effective transportation network with a County-wide emphasis and a cooperative approach to the financing for the mutual benefits of the citizens and businesses of the County and cities within Adams County. A summary of the Adams County Transportation Plan Goals and Policies is as follows:

1. Maintain a spirit of cooperation through a dynamic plan that coordinates the update and amendment process for the County plan with the cities.

2. Coordinate the capital improvement programs of the cities and the county to support the county-wide system.
3. Cooperatively pursue methods of financing for transportation improvements to the system identified through the joint CIP process.
4. Ensure that private development pays its fair share of improvements to the transportation network.
5. Coordinate regional transportation improvement program submittals on a county-wide basis.
6. Improve public transportation in Adams County and make it a higher priority.
7. Develop a comprehensive bicycle and pedestrian trail plan for Adams County to coordinate county and city trail systems.
8. Preserve the unique character of selected scenic roadways that have special aesthetic, environmental or historic qualities through intergovernmental agreements between the county and the affected cities.
9. Reduce travel demand in Adams County and the Denver region.
10. Preserve the functional integrity of the county roadway system through coordinated right-of-way, access and street cross-section guidelines; acquire right-of-way; and regulate access in a coordinated fashion.

The study process was conducted in three separate phases which included inventory, analysis and plan development. During the inventory phase, a composite of adopted transportation plans within the county were reviewed for consistency issues, technical feasibility and new concepts. In addition, existing conditions were compiled which included transit inventory, roadway inventory, functional classification and safety characteristics.

The final Adams County Transportation Plan is represented in four distinct formats consisting of:

- > Goals and Policies
- > Long-Range Transportation Concept Plan (the Ultimate Vision Plan)
- > 2020 Transportation Plan (based upon 2020 Travel Demand Needs)
- > 2020 Fiscally Constrained Plan (based upon 2020 Anticipated Revenues)

These formats of the Adams County Transportation Plan are documented in terms of a transit element, a regionally consistent functional classification system for roadways, a freeway access plan and a system management plan. It is anticipated that the Transportation Plan will be reviewed and updated every two years to maintain consistency between plans of the cities and reflected changes in unincorporated areas.

Respectfully submitted,

William M. Christopher
City Manager
Attachment

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER TO ENDORSE THE ADAMS COUNTY TRANSPORTATION PLAN

WHEREAS, the substantial growth that Adams County has experienced during the last decade has driven the need to develop a County-wide Multi-Modal Transportation Plan, and;

WHEREAS, the purpose of the Adams County Transportation Plan is to guide the implementation of transportation expansions and upgrades through the year 2020 and beyond, and;

WHEREAS, a Policy Advisory and Technical Advisory Committee were formed to provide input throughout the planning process, and;

WHEREAS, the Adams County Transportation Plan contains goals and policies which will be used as the philosophical basis for future transportation planning.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Westminster that the Adams County Transportation Plan is hereby endorsed.

Passed and adopted this 22nd day of April, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996

Subject: CDOT IGA re Wadsworth Parkway Access Management Plan

Prepared by: Michael Normandin, Transportation Engineer

Introduction

City Council action is requested to authorize the City Manager to sign an Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) for a comprehensive and mutually acceptable Roadway Access Design Plan for Wadsworth Parkway (State Highway 121) from 88th Avenue to 104th Avenue.

Summary

For the past several months, City Staff and the consultanting firm of Felsburg, Holt & Ullevig, in conjunction with CDOT Staff, have been developing an Access Management Plan to address future access needs along Wadsworth Parkway between 88th Avenue and 104th Avenue. Specifically, this plan evaluated, within the context of existing access, the need for additional future signalized and unsignalized access points to Wadsworth Parkway.

Attached is an Executive Summary that was presented to the property owners adjacent to the Wadsworth Parkway corridor. Individual meetings were held with key property owners along the corridor which include the Brentcross Shops, Boulevard Plaza Commercial, Westbrook Commercial and the Crown Point Commercial developments. These four property owners own parcels of land where new access points are proposed or where existing access points may be modified. A public workshop was held in July, 1995, with all of the property owners adjacent to the corridor which was hosted by City Staff, CDOT Staff and representatives from Felsburg, Holt & Ullevig.

Staff Recommendation

Authorize the City Manager to sign an Intergovernmental Agreement with the Colorado Department of Transportation to regulate vehicular access for those sections of Wadsworth Parkway (State Highway 121) between 88th Avenue and 104th Avenue.

Background Information

The development of an Access Management Plan on Wadsworth Parkway was initially discussed with the Colorado Department of Transportation (CDOT) when the developer of the Builder's Square project at 90th Avenue and Wadsworth Parkway (SullivanHayes Company) was requesting additional access onto Wadsworth Parkway. At CDOT's request, the City agreed to develop an Access Management Plan for Wadsworth Parkway and has been working on the Plan since June of 1994.

Figure 1 contained in the attached Executive Summary, illustrates the proposed Access Management Plan for this 2.2 mile segment of highway. It also depicts the land uses that must be serviced.

As shown, in addition to the six previously existing signalized intersections, signalization is proposed for one currently unsignalized location and one location which was recently signalized (Independence Drive and Wadsworth Parkway). The one proposed additional signal location at 101st Avenue and Wadsworth Parkway is the only remaining unsignalized full-movement intersection along this section of Wadsworth Parkway. Wadsworth Parkway and 101st Avenue is projected to meet traffic signal warrants under future development traffic levels. The inclusion of the proposed additional signal will cause only minimal impairment to peak hour traffic movement along Wadsworth Parkway.

Also included in the Plan are five proposed additional unsignalized access locations, subject to the existing and/or potential future needs of the adjacent development. These additional unsignalized accesses consist of: Three right-in/right-out only accesses, one three-quarter movement (right and left turns in, right turn out only) access, and one right-turn out only access.

The five proposed, additional unsignalized accesses contained in this Plan are needed to serve existing and future development along this segment of Wadsworth Parkway. These accesses have been located so as to meet the minimum spacing requirements indicated in the **State Highway Access Code**. It should be further noted that the three-quarter access at Boulevard Plaza Commercial is conditional upon redevelopment of the Brentcross Shops, including closure of the 92nd Avenue full-turn access to this parcel.

This Access Management Plan identifies reasonable and appropriate access for the existing and future land uses adjacent to Wadsworth Parkway between 88th Avenue and 104th Avenue. The extensive analyses conducted during the preparation of this plan indicate that the Plan will serve to minimize the impacts of the additional accesses, and will help to maintain mobility along this section of the Wadsworth Parkway corridor.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: April 22, 1996
Subject: Resolution No. re Goetz Annexation Petition
Prepared By David Falconieri, Planner III

Introduction:

City Council action is requested to adopt the attached Resolution finding statutory compliance of the proposed Goetz Subdivision annexation petition and establishing a hearing date on June 10, 1996.

Summary

The property owned by Mary Goetz is located on the south side of 106th Avenue, approximately 200 feet east of Dover Street (see vicinity map). The proposed annexation consists of a four acres, and is proposed to be zoned Planned Unit Development (PUD), for two single family detached residences.

City water and wastewater utility lines already serve the site. The property is currently improved with one single family residence which is located on a one-acre lot. The balance of the property is vacant. The one-acre parcel was subdivided without proper subdivision approvals from Jefferson County. In order to remedy that, the applicant has agreed to submit a subdivision plat for City approval if the Council agrees to the annexation.

This proposed annexation would qualify as an infill development as defined in the Growth Management ordinance and would therefore be regarded as a Category A project. The proposed PUD would permit a single new residence to be built on the vacant portion. It is important to note that if the property were subdivided in the County, the City would still be obligated to provide water and sewer taps in accordance with the provisions of the Standley Lake District Dissolution Agreement.

Staff Recommendation

Adopt Resolution No. accepting the annexation petition submitted by Mary Goetz, and make the findings required by State Statute on the sufficiency of the petition. This resolution also sets the date of June 9, 1996 for the annexation hearing.

Background Information

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

1. An allegation that the annexation is desirable and necessary.
2. An allegation that the requirements of Section 31-12-104 and 31-12-105 of the C.R.S. have been met.

(These Sections are to be reviewed by the Council at a formal public hearing).

3. Signatures and mailing addresses of at least 50% of the landowners of the land to be annexed. (In this case, Mary Goetz, signer of the petition, owns 100% of the property).
4. The legal description of the land to be annexed.
5. The date of each signature.
6. An attached map showing the boundaries of the area.

Planning Staff reviewed the petition and found, to Staff's satisfaction, that the above statements appear in the petition and therefore is of the opinion that the petition complies with the above requirements.

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

Respectfully Submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

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

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

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

1. City Council finds the said petition and annexation map to be in substantial compliance with all state statutory requirements, including C.R.S. Section 31-12-107(1).

2. City Council hereby establishes June 10, 1996, 7:00 p.m., at the Westminster City Council Chambers, 4800 West 92nd Avenue, for the annexation hearing required by C.R.S. Section 31-12-108(1).

2. City Council hereby orders the City Clerk to give notice of the annexation hearing in accordance with C.R.S. Section 31-12-108(2).

Passed and adopted this 22nd day of April, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996

Subject: Councillor's Bill No. re Huron Street Improvements

Prepared by: Sam LaConte, Street Operations Manager

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading appropriating \$25,653 to the 1996 Street Improvement Project. Funds in this appropriation originate from Interstate Highway Construction, Inc., (IHC), in lieu of an extended warranty period for a portion of the Huron Street Improvement Project, which was completed in September of 1995.

Summary

A sum of \$25,000 was received from IHC in lieu of an extended warranty on a small portion of the Huron Street Reconstruction Project. The funds are not needed at this point in time for any replacement work and it is not anticipated that they will be needed in the future. The retainage was requested by City Staff as an insurance measure for repairs due to a possible surface deterioration of a small section of roadway of the southbound driving lanes between the two driveways of the Kaiser Permanente Building. In addition to the \$25,000 retainage, the City's portion of the project balance is \$653, resulting in a project balance of \$25,653.

One alternative is to place these funds in to an escrow account until needed, but the funds can best serve the citizens now. A second alternative is to add the funds to the Residential Street Maintenance and Reconstruction project for immediate use.

Staff Recommendation

Pass Councillor's Bill No. on first reading appropriating \$25,653 received from Interstate Highway Construction, Inc., and the balance remaining in the Huron Street Improvement project account to the Residential Street Maintenance Reconstruction project account.

Background Information

During the reconstruction of Huron Street, from 112th Avenue to 119th Avenue which was a joint venture between the Cities of Westminster and Northglenn, Staff had minor concerns relating to a small section of the project. When the concrete pavement was being placed on the west side between the two driveways of the Kaiser Permanente Building, the city experienced a heavy afternoon rain shower. The contractor did not cover the freshly laid concrete pavement as required in the document specifications. The contractor contends that there was no damage to the surface or the structure of the pavement. Staff from both cities agree that no damage to the structure of the pavement has occurred, but there are some concerns regarding the condition of the concrete surface.

The contractor was offered three alternatives. One was to remove the entire section and replace it; or two, extend the warranty period on this section of the project; or three, to deduct \$25,000 from the total cost of the project.

The contractor opted to deduct the \$25,000 and be relieved of any further obligations after the full one year warranty of the total project.

The City of Northglenn said that since the section in question is within the jurisdiction of Westminster, Westminster should retain the \$25,000, and be responsible for any future repairs to that section of roadway. To date, the pavement is showing no deterioration of the surface and is performing as well as the rest of the roadway. Staff is recommending that this \$25,000 be added to the 1996 residential street improvements. The \$25,653 will be earmarked for the concrete and asphalt replacement work on Utica Court and 109th Avenue in the Cotton Creek Subdivision. This street is the next in priority for repairs in accordance to the City's Pavement Management Program.

If, in the future, repairs are required to this section of Huron Street, it will be taken out of that particular year's improvement account. In addition to the \$25,000 retainage, a project balance of \$1,306 was realized, and divided between both cities resulting in an additional appropriation of \$653 as Westminster's portion.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 1996 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1996 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1996 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 2385 in the amount of \$14,590,129 is hereby increased by \$25,653 which, when added to the fund balance as of the City Council action on April 22, 1996, will equal \$15,621,793. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of funds received for street repair.

Section 2. The \$25,653 increase in the Capital Improvement Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>Final Budget</u>			
<u>REVENUES</u>			
Miscellaneous Income			
75-1072-000	\$17,712	<u>\$25,653</u>	\$43,365
<u>EXPENSES</u>			
Residential Street and Reconstruction Project			
75-30-88-555-171	\$1,500,833	<u>\$25,653</u>	
\$1,526,486			

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 22nd day of April, 1996.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this _____ day of May, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996

Subject: Carlson Company Land Acquisition

Prepared by: Ron Hellbusch, Director of Public Works and Utilities
Alex Iacovetta, Utilities Operations Manager

Introduction

City Council action is requested to adopt the attached Resolution authorizing proceeding with the acquisition of a parcel of land located south of the Big Dry Creek Water Reclamation Facility (BDCWRF) to provide a buffer zone around the BDCWRF; and pass the attached Councillor's Bill on first reading authorizing a supplemental appropriation of 1995 Utility Fund carryover revenues in the amount of \$345,000 to fund the purchase.

Summary

Early in 1995, Carlson Realty Company contacted the City regarding the potential purchase of property they own south of the BDCWRF.

The City and Carlson Realty Company have negotiated a price of \$345,000. The purchase of this property will complete a buffer zone around the BDCWRF. The buffer zone is necessary to limit development along North Huron Street from encroaching too close to the BDCWRF, which will help in minimizing complaints about the BDCWRF.

Staff Recommendation

1. Adopt Resolution No. authorizing the City Manager to proceed with the acquisition of a parcel of land owned by Carlson Realty Company located south of the Big Dry Creek Water Reclamation Facility, to complete the buffer zone around the Reclamation Facility.
2. Pass Councillor's Bill No. on first reading appropriating 1995 Utility Fund Tap Fee carryover in the amount of \$345,000 into the appropriate 1996 Wastewater Budget Account.

Background Information

It was determined some years ago, the City should establish a buffer zone around the Big Dry Creek Water Reclamation Facility (BDCWRF). The buffer zone is necessary to limit development along North Huron Street from encroaching too close to the BDCWRF, which will help in minimizing operations complaints.

Early in 1995, Mr. Carlson contacted the City regarding the potential purchase of property he owns south of the BDCWRF.

City Staff has been in negotiations with Carlson Company on the purchase of an 18.7 acre tract of land during the past year. Carlson Company is committed to the dedication of approximately 23 acres of additional property to the City to satisfy development requirements.

Carlson Company and the City have agreed upon a purchase price of \$345,000 in total for the parcel of 18.7 acres of land.

Staff has determined the price is fair and equitable for both the City and Carlson Company. Staff believes the purchase of this property would be in the best interest of the City and citizens. Adequate funds are available from unappropriated 1995 Utility Fund revenues in the form of tap fee revenue which is above the adopted budget and year end projected amount.

If the City does not purchase buffer property around the BDCWRF, development will likely take place in close proximity of the BDCWRF. The City always attempts to be sensitive to the residents and businesses near City facilities. By providing this buffer zone around the BDCWRF, the City would be demonstrating this priority and sensitivity.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. _____

INTRODUCED BY COUNCILLORS

SERIES OF 1996

WHEREAS, the City of Westminster has determined that it is necessary to the public health, safety, and welfare to obtain the land described in Exhibit A as a buffer zone around the Big Dry Creek Water Reclamation Facility in order to limit development along North Huron Street from encroaching too close to the Big Dry Creek Water Reclamation Facility (BDCWRF), which will help in minimizing the potential for odor and other operations complaints from neighboring property owners; and

WHEREAS, appraisal services have been obtained in order to determine the fair market value for these parcels; and

WHEREAS, the City has made an earnest good faith offer of purchase for each of the subject parcels; and

WHEREAS, a municipal public purpose exists to acquire the property; and

WHEREAS, legal counsel for the City of Westminster advises that the City's right of eminent domain may be exercised should normal negotiations fail; and

WHEREAS, the City finds that if acquisition by condemnation of any parcel described in this resolution is commenced, immediate possession by the City will be necessary for the public health, safety, and welfare,

NOW, THEREFORE, the City Council of the City of Westminster resolves that:

1. The City Manager is hereby authorized to establish the just compensation to be offered to acquire the property.

2. City Staff is authorized to cause negotiations to be initiated to acquire the parcels and interests identified in Exhibit A on the basis of the appraised value, or such amount as may seem just and reasonable to facilitate such acquisition without the necessity of condemnation, and the City Manager is hereby authorized to acquire such parcels consistent with applicable law, including the execution of all documents necessary to complete these purchases. The negotiations that have previously been conducted are hereby ratified.

3. The City Attorney of the City of Westminster is authorized to take all necessary legal measures to acquire the properties in question, including proceeding with condemnation of the properties in question against the owner or owners and any other persons or entities claiming an interest therein or thereto, and to take such other or further action as may be reasonably necessary for or incidental to the filing and diligent prosecution of any litigation or proceeding required to obtain the properties should normal negotiations fail or exceed the time constraints of the overall project. In the event that acquisition by condemnation is commenced, the City Attorney is further authorized to request immediate possession of the properties.

4. The City Manager shall be further authorized to incur reasonable costs associated with acquiring the properties in question, including, without limitation, the cost of title examination, title insurance, appraisal fee payments mandated by statute, normal closing costs, filing fees and charges, and all other related or incidental costs or expenses customarily associated with the acquisition or condemnation of property. The costs shall be charged to unappropriated 1995 Utility Fund revenues; and

5. The Utilities Project Engineer is hereby authorized to amend the legal descriptions of the parcels to be acquired, and the nature of the interests to be acquired, if necessary.

PASSED AND ADOPTED this 22nd day of April, 1996.

Mayor

ATTEST:

City Clerk

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 1996 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1996 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1996 appropriation for Wastewater portion of the Utility Fund initially appropriated by Ordinance No. 2385 in the amount of \$8,683,844 is hereby increased by \$345,000 which, when added to the fund balance as of the City Council action on April 22, 1996, will equal \$9,122,507. The actual amount in the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of carryover for the acquisition of land to complete the buffer zone around Big Dry Creek Water Reclamation Facility.

Section 2. The \$345,000 increase in the Wastewater portion of the Utility Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>\$ Increase</u>	<u>Final Budget</u>
<u>REVENUES</u>			
Carryover			
21-0090-000	\$1,312,507	<u>\$345,000</u>	
\$1,657,507			
<u>EXPENSES</u>			
Big Dry Creek Plant Expansion			
21-35-88-555-086	\$0	<u>\$345,000</u>	
\$345,000			

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 22nd day of April, 1996.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this _____ day of _____, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996

Subject: Resolution No. re Artwalls Grant Matching Funds

Prepared by: Karen Walker, Recreation Supervisor I

Introduction

City Council action is requested to adopt the attached Resolution authorizing an expenditure of \$10,000 from the Community Enhancement Program Project account in the General Capital Improvement Fund for use as the City match in applying for a cultural district grant in the amount of \$10,000 administered by the Jefferson County Cultural Council.

The Westminster Community Artist Series, as the required non-profit organization, will submit the actual application to the Jefferson County Cultural Council for a Scientific and Cultural Facilities District Tier III Grant to continue phased completion of the City Park Artwalls.

Summary

Jefferson County Cultural Council is responsible for awarding and distributing proceeds from the one-tenth of one percent sales tax which supports scientific and cultural facilities within a six-county area.

Application guidelines require that the organization applying for funding meet the requirements of section 501(c) of the federal "Internal Revenue Code of 1986," as amended, whose primary purpose is to provide for the enlightenment and entertainment of the public through the production, presentation, exhibition, advancement, or preservation of art, music theater, dance, zoology, botany, natural history, cultural history, or agencies of local government that have such primary purpose, benefiting Jefferson County residents. Grantees must also provide evidence of financial stability including a matching cash source. The joint efforts of the City and the Westminster Community Artist Series meet these requirements with the approval of the resolution.

Staff Recommendation

Adopt Resolution No. authorizing \$10,000 from the Community Enhancement Program Capital Project account in the General Capital Improvement Fund as a matching source for a grant in the amount of \$10,000 from the Jefferson County Cultural Council for the City Park Artwalls phased project.

Background Information

The Westminster Community Artist Series and Westminster City Council agreed, in June 1992, to join forces and established a sub-committee with a primary purpose of working towards stronger arts promotion in the Jefferson County area of the City. The joint committee agreed on pursuing phased completion of the City Park Artwalls as a goal.

Resolution re Artwalls Grant Matching Funds

Page 2

The Artwalls project began in 1987 as an Art in the Park regional competition to commission site-specific outdoor artwork. A jury selected Colorado artist, Ken Williams, and recommended his work to City Council in 1988. For economic reasons, however, this project was tabled and a contract was not awarded.

Grant application to Jefferson County Cultural Council resulted in a \$10,000 award in 1993 and another \$10,000 grant in 1994. The project was re-awarded to sculptor, Ken Williams who has designed six of the twenty six panels located in the circular drive at the recreation center Installation of the panels is anticipated mid-spring 1996. A \$10,000 grant matched with \$10,000 would complete another three artwall panels.

It is the joint committees goal to realize the completion of this anticipated 5-10 year project.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FOR A CASH MATCH SOURCE FOR A JEFFERSON CULTURAL COUNCIL SCIENTIFIC AND CULTURAL FACILITIES DISTRICT GRANT INTENDED TO PHASE COMPLETION OF THE CITY PARK ARTWALLS.

WHEREAS, the City Council of the City of Westminster and the Westminster Community Artist Series established a joint committee to carry out specified purposes; and

WHEREAS, the joint committee has recommended that the City Council of the City of Westminster approve a cash match source for a Scientific and Cultural Facilities District grant; and

WHEREAS, public art can uniquely contribute to and enrich the life of a city by sensitively and creatively manipulating the man-made environment in places where city inhabitants, employees, and visitors congregate, pass through, or use on a daily basis.

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

Section 1. The City Manager is hereby authorized to use \$10,000 from the Community Enhancement Programs Capital Improvement Project account for distribution to the Westminster Community Artist Series for the purpose of a cash match source for a Jefferson County Cultural Arts Scientific and Cultural Facilities District grant in the amount of \$10,000 for phased completion of the City Park Artwalls.

Section 2. The joint committee is hereby authorized to submit a Jefferson County Cultural Council Tier III Grant Application citing the Westminster Community Artist Series as applicant and the City Park Artwalls as the special project for which to receive funds.

Passed and adopted this 22nd day of April, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996

Subject: Resolution No. re Contract with CDOT for Little Dry Creek Trail

Prepared By: Philo Shelton, Park Project Engineer

Introduction

City Council action is requested to adopt the attached Resolution authorizing the City Manager to sign a contract with the Colorado Department of Transportation (CDOT) fulfilling the City's financial obligation of matching funds for the Little Dry Creek Trail project. The City's portion of matching funds of \$189,333 have been appropriated and are available in the General Capital Improvement Fund for this project.

Summary

Little Dry Creek Trail is funded, in part, with federal funding under the Intermodal Surface Transportation and Efficiency Act (ISTEA) program. The City of Westminster was awarded an ISTEA grant in 1992 in the amount of \$957,330 from the Denver Regional Council of Governments (DRCOG) for fiscal years 1994 and 1996. ISTEA funding for fiscal years 1994 and 1996 are \$200,000 and \$757,330 respectively and is being administered by CDOT.

City Council is requested to adopt the attached Resolution which authorizes the City Manager to enter into a contract agreement with CDOT for the federal funded ISTEA project. This contract allows for federal funds to be appropriated for construction of Little Dry Creek Trail from England Park (72nd Avenue and Raleigh Street) in the City of Westminster to the Clear Creek confluence (64th Avenue and Pecos Street) in Adams County. The Resolution also acknowledges Westminster's financial commitment of matching funds to the Little Dry Creek Trail project. Once the contract is approved by CDOT, City Staff will hire a contractor as soon as the right of way acquisitions are completed according to federal government regulations. Construction of the trail is expected to begin in Fall of 1996 with completion by Summer of 1997.

Staff Recommendation

Adopt Resolution No. authorizing the City Manager to sign a contract with the Colorado Department of Transportation authorizing the City's financial obligation of matching funds for the Little Dry Creek Trail project.

Background Information

Staff submitted an ISTEA grant application to DRCOG in 1991 to design and construct the Little Dry Creek Trail system from England Park at 72nd Avenue and Raleigh to the Clear Creek confluence. DRCOG approved the \$1.2 million Little Dry Creek Trail project and awarded an 80% matching grant in the amount of \$960,000 based on significant opportunities for commuter trips for Westminster and Arvada residents to connect into downtown Denver and Golden.

Westminster was required to match a total of \$240,000 (20%) for design, engineering, right-of-way acquisitions/easements, and construction of the Little Dry Creek Trail project.

In May 1994, City Council authorized the City Manager to approve a contract with CDOT for the first portion of work identified in the ISTEA grant which included design, engineering, and right-of-way expenses to begin the development of the Little Dry Creek Trail project. City Council also appropriated \$50,000 from the 1994 General Capital Improvement Fund and authorized a project budget of \$250,000 to begin the first phase of Little Dry Creek Trail.

A majority of the proposed Little Dry Creek Trail project is outside of the City of Westminster boundary, which ends at Lowell Boulevard. Since the majority of the trail project is within the Adams County jurisdiction, Council and Adams County Commissioners directed the Staffs from both agencies to develop an Intergovernmental Agreement (IGA) between City of Westminster and Adams County. The IGA was approved and completed on October 24, 1994. In summary, the IGA states that Westminster and Adams County will work together to acquire land and easement agreements as needed, and design and construct the trail to ensure the project is successfully completed within the limitations and guidelines of the ISTEA grant application. The IGA further states that each governmental entity (the City of Westminster and Adams County) will be responsible for maintenance, law enforcement, and public liability for the portions of trail located in their jurisdiction.

Westminster Staff has been working with the City's Public Works and Utilities Department to coordinate the design of the trail with a proposed interceptor sewer line along Little Dry Creek. In addition to the future sewer line installation, Staff has also been coordinating with Adams County and the Urban Drainage and Flood Control District for future drainage and flood control issues, and Burlington Northern for two railroad bridge underpasses on Little Dry Creek, which will also be used as an underpass for the Little Dry Creek Trail. Adams County and the Urban Drainage and Flood Control District have \$700,000 budgeted this year to construct the two railroad bridges. As part of the drainage and flood control improvements, Adams County and the Urban Drainage and Flood Control District have already completed a small length of trail from 64th Avenue to Clear Creek confluence.

In May of 1995, Loris and Associates was hired to complete design and right of way (ROW) drawings for the trail. The ROW drawings have been approved by CDOT and the design drawings will go through final review in May 1996. Staff hired a ROW agent (Western States Land Services) and an appraiser (Bonnie Roerig And Associates) for acquiring the trail ROW. The consultants are following the federal procedure for acquisitions as required as part of the ISTEA grant. Westminster open space funds are being used to acquire the ROW.

The estimated cost of the project in 1991 was \$1.2 million for design, engineering, testing, easements and/or right-of-way acquisition, and construction of 1.75 miles of trail. The original cost estimate from 1991 is too low to construct the trail based on regulatory guidelines established by the federal government and implemented by CDOT within the ISTEA grant, current design and construction costs which have increased over the past five years,

and right-of-way (ROW) acquisitions/easements expenses which have also increased. The 1991 cost estimate budgeted \$99,000 for design, \$151,000 for ROW acquisitions, and \$950,000 for construction of the trail. Given CDOT's extensive requirements for trail design, permits to acquire, and five years of inflation, design costs have risen to \$160,000 for the project. The extra funding of \$61,000 beyond the 1991 estimate of \$99,000 for designs costs is being taken from ROW budget, which is \$151,000. The balance of \$190,000 will be transferred from ROW to construction for cost increases to build the trail. Open space funds of approximately \$300,000 will be used for acquiring the right of way for the trail. To date the estimated budget is \$1.5 million to complete the project which is a 25% increase in the original project budget.

A timetable to finish design, acquisitions and construction of Little Dry Creek has been established and is as follows:

Finish Design	June 1996
Complete ROW Acquisitions	September 1996
Bid Construction of Project	September 1996
Construction of Trail to Begin	Fall 1996
Construction of Trail Completed	Summer 1997

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

A resolution of the City Council of the City of Westminster defining responsibility in the State contract for Little Dry Creek Trail improvements.

WHEREAS, the City of Westminster is vitally interested in constructing trail adjacent to Little Dry Creek from England Park at 72nd Avenue and Raleigh Street to the confluence at Clear Creek at approximately 64th Avenue and Pecos Street; and

WHEREAS, the Denver Regional Council of Governments awarded Westminster an Inter-modal Surface Transportation and Efficiency Act grant in the amount of \$757,333 in 1996 for design and construction of the Little Dry Creek Trail project; and

WHEREAS, the City of Westminster has appropriated funds in the amount of \$225,000 for the local match for the Little Dry Creek Trail project;

NOW, THEREFORE, the Westminster City Council hereby resolves that the City Manager on behalf of the City of Westminster shall enter into an agreement with the Colorado Department of Transportation on the state contract for the Little Dry Creek Trail project, and the City of Westminster shall be responsible for providing matching funds as identified in the state contract for construction of Little Dry Creek Trail project.

Passed and adopted this 22nd day of April, 1996.

ATTEST:

Mayor

City Clerk

Date: April 22, 1996
Subject: Financial Report for March, 1996
Prepared by: Nancy Alberts, Accounting Manager

Introduction

City Council action is requested to review the attached financial statements which reflect 1996 transactions through March, 1996.

Summary

There are three sections to the attached report:

1. Revenue Summary
2. Statement of Expenditures vs Appropriations
3. Sales Tax Detail

General Fund revenues represent 24% of the total budget estimate while General Fund expenditures and encumbrances represent 29% of the 1996 appropriation.

Utility Fund revenues represent 27% of the total budget estimate while expenditures and encumbrances in that fund represent 36% of the 1996 appropriation. The large amount encumbered is for payments to Thornton for treated water and to the Metro Wastewater Reclamation District for sewage treatment.

The Sales and Use Tax Fund revenues represent 28% of the total budget estimate, while the expenditures and encumbrances in that fund represent 33% of the 1996 appropriation. Total Sales and Use Tax revenues for the 25 shopping centers reported increased 13% from the same period last year and increased 9% year-to-date.

The Open Space Fund revenues represent 29% of the total budget estimate while the expenditures and encumbrances in that fund represent 23% of the 1996 appropriation.

The Golf Course Fund revenues represent 7% of the total budget estimate while the expenditures and encumbrances in that fund represent 27% of the 1996 appropriation. The encumbrances are for the golf cart lease and other foreseeable expenditures.

The General Reserve Fund revenues consist of interest earnings of \$10,486. There have been no expenditures. The appropriated balance of \$2,550,000 includes \$100,000 for Mall Revitalization and \$1,639,000 for Emergency Reserve as required by the Colorado Constitution.

Theoretically, 25% of revenues and expenditures should be realized after two months in the budget year. However, it is recognized that both revenues and expenditures do not occur on an even 1/12 flow each month of the year.

Staff Recommendation

Accept the report as presented.

Background Information

Section 9.6 of the City Charter requires that the City Manager provide, at least quarterly, financial data showing the relationship between the estimated and actual revenue expenditures to date.

Respectfully submitted,

William M. Christopher
City Manager

Attachments