



CITY COUNCIL AGENDA

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

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

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meeting
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
 - A. Police Week Proclamation
 - B. Mental Health Month Proclamation
 - C. Community Pride Day Proclamation
 - D. National Drinking Water Week Proclamation
7. Citizen Communication (5 minutes or less)

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

8. Consent Agenda
 - A. Financial Report for March 2012
 - B. Quarterly Insurance Report – January through March 2012
 - C. City Park Fitness Center Roof Retrofit Contract
 - D. 2012 Asphalt Pavement Rehabilitation Project
 - E. 120th Avenue Wall Repair Construction Contract
 - F. Engineering Services Contract for 72nd Avenue and Raleigh Street Bridge Replacement
 - G. England Water Treatment Facility Decommissioning Engineering and Construction Contracts
 - H. Change Date of Second City Council Meeting in May
9. Appointments and Resignations
 - A. Metro Wastewater Reclamation District Board of Directors Re-Appointment
10. Public Hearings and Other New Business
 - A. Resolution No. 11 re Mid-Year Service Commitment Competition and Additional Service Commitments for 2012
11. Old Business and Passage of Ordinances on Second Reading
12. Miscellaneous Business and Executive Session
 - A. City Council
13. Adjournment

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING (separate agenda)

GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS

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



WESTMINSTER

Strategic Plan

2011-2016
Goals and Objectives

FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES

- Invest in well-maintained and sustainable city infrastructure and facilities
- Secure and develop long-term water supply
- Focus on core city services and service levels as a mature city with adequate resources
- Maintain sufficient reserves: general fund, utilities funds and self insurance
- Maintain a value driven organization through talent acquisition, retention, development and management
- Institutionalize the core services process in budgeting and decision making
- Maintain and enhance employee morale and confidence in City Council and management
- Invest in tools, training and technology to increase organization productivity and efficiency



STRONG, BALANCED LOCAL ECONOMY

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



SAFE AND SECURE COMMUNITY

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



VIBRANT NEIGHBORHOODS IN ONE LIVABLE COMMUNITY

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



BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY

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



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

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, April 9, 2012, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Nancy McNally, Mayor Pro Tem Faith Winter, and Councillors Herb Atchison, Bob Briggs, Mark Kaiser, Mary Lindsey, and Scott Major were present at roll call. J. Brent McFall, City Manager, Jane Greenfield, Assistant City Attorney, and Carla Koeltzow, Deputy City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Kaiser moved, seconded by Councillor Major, to approve the minutes of the regular meeting of March 26, 2012, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that following the conclusion of this City Council meeting there would be a post meeting briefing with Council to discuss a proposal with United Power to use undergrounding funds for LED street lights. The public is welcome to attend.

Mr. McFall invited everyone to join the over 1500 volunteers who plan to help clean up our community by participating in Community Pride Day on Saturday, May 12, from 8 a.m. to 1 p.m. Individuals and groups clean up litter in the morning and then celebrate at a free barbecue at City Hall after noon. Register by Friday, May 4, by contacting Patti Wright at 303-658-2201 or email pwright@cityofwestminster.us.

CITY COUNCIL COMMENTS

Mayor Pro Tem Winter invited the public to share their ideas and comments for the redevelopment of the former Westminster Mall site by going to www.westminstercenter.us and participating in the interactive online survey. There is only one week left to do so and Council appreciates the feedback.

Councillor Major invited everyone to the Fire Station 5 Open House on May 5th from 9 a.m. to 3 p.m. He especially encouraged the citizens that live near 100th and Garland Court to take the opportunity to meet the hardworking Firefighters that work out of that station.

Councillor Briggs reported that on Saturday, April 14th at 10 a.m. behind Costco on 92nd Avenue, the Westminster 7:10 Rotary will be continuing with a project that was started 10 years ago. The Rotary Club refurbishes computers and then gives them to students who need them and attend Westminster schools. This year the event will include the 7000th computer given away by the Club. If anyone has a computer that they would like to donate to the Rotary Club for refurbishing they can contact either Councillor Briggs or Councillor Atchison. Their phone numbers and email addresses are on the City's website.

Mayor McNally added that just last month, 7:10 Rotary Club member Garth Godwin was given the honor by the Westminster Elks Club of being the Westminster Citizen of the Year due to his idea and hard work in starting and continuing the 7:10 Rotary computer giveaway. The Mayor also invited everyone to attend the Fire Department's Red Chili Cook-off this Wednesday at 6 p.m. at the Rock Bottom Brewery, 144th and Huron. Donations support the Burn Fund.

EMPLOYEE SERVICE AWARDS

Councillor Major presented a certificate and pin to Dan Shjandemaar for 20 years of service.

Mayor McNally presented certificates, pins, and monetary stipends for 25 years of service to Greg Biggers, Ron Elrod and Ed MacDonald.

Councillor Briggs presented a certificate and pin to Tim Woodard for 30 years of service.

ADAMS COUNTY MAYORS' AND COMMISSIONERS' YOUTH AWARD

The Mayor and City Council joined together to present certificates of achievement to 18 youth selected for local recognition of the Adams County Mayors' and Commissioners' Youth Award (ACMCYA). This program recognizes young people in the community whose contributions and achievements might otherwise be overlooked. The award honors young people who have overcome personal adversity, created positive change in a difficult environment or have made strides beyond their limitations. The recipients, their families and friends were privately recognized by the Council at a reception preceding the Council meeting. Receiving recognition were Jwan Sawaged, Virginia Larson, Zach Nielson, Kayla Nakata, Alicia Chavez, Joseph Trujillo, Mallisyn Bruce, Tea Anderson, Elizabeth Blue-Norton, Chloe Grossetete, Cesiah Guadarrama, Katie Ruzicka, Elijah Warner, Becca Lutton, Stevan Bailey, Roman D. Martinez, Bianca Soto Cano and Kaylana Fief.

PRESENTATIONS

Collin Wassink, a member of the Colorado State Forest Service, presented the 27th consecutive Tree City USA award to Mayor Pro Tem Winter and Council. Mayor Pro Tem Winter then presented a proclamation for Arbor Day and Earth Day to be celebrated in the City on April 21st, to City Forester John Kasza.

After reading a brief biography of Holocaust Survivor and Westminster resident Estelle Nadel, Councillor Atchison presented a proclamation to Ms. Nadel proclaiming the week of April 15 through April 22, 2012 as Holocaust Days of Remembrance in the City of Westminster.

CONSENT AGENDA

Mayor McNally removed the Metzger Farm Master Plan Implementation Construction Contract from the consent agenda to be voted on separately.

The following items were submitted for Council's consideration on the consent agenda as modified: authorize the City Manager to enter into 2012 season leases to agricultural users of certain water rights in a total amount not to exceed 1,000 acre-feet; authorize the City Manager to execute a contract amendment with California Skateparks, Inc. in the amount of \$25,000 for construction of a structural foundation system as part of the Kings Mill Skatespot construction, and authorize a 10-percent contingency in the amount of \$2,500, for a total additional expenditure of \$27,500; authorize the City Manager to enter into a contract with Jacobs Engineering Group, Inc. for the design of water main replacements in the Brookhill Shopping Center and the Vance Street Apartment Complex in the amount of \$69,954 with a 10 percent contingency in the amount of \$6,995, for a total design budget of \$76,949; final passage of Councillor's Bill No. 6 appropriating funds for open space received from the Broomfield Westminster Open Space Foundation in the amount of \$345,900 for the Metzger Farm Master Plan Implementation; final passage of Councillor's Bill No. 7 appropriating funds received from Adams County in the amount of \$81,229 for the Westminster Reformed Presbyterian Church open space acquisition grant into the Parks, Open Space and Trails (POST) Fund; and final passage of Councillor's Bill No. 8 providing for a supplemental appropriation of funds to the 2011 budget of the General, Water, General Capital Outlay Replacement, Parks Open Space and Trails, and General Capital Improvement Funds.

The Councillors did not request that any other items be removed from the Consent Agenda for individual consideration. Councillor Major moved to approve the consent agenda, as modified. Councillor Kaiser seconded the motion, and it carried unanimously.

METZGER FARM MASTER PLAN IMPLEMENTATION CONSTRUCTION CONTRACT

It was moved by Councillor Major, seconded by Councillor Atchison, to authorize the City Manager to execute a contract with the low bidder, Arrow-J Landscape and Design, Inc., in the amount of \$478,293 for construction of improvements at the Metzger Farm Open Space, and authorize a 10 percent contingency in the amount of \$47,829, for a total expenditure of \$526,122. The motion passed with Councillor Kaiser abstaining.

PUBLIC HEARING TO DESIGNATE THE BOWLES HOUSE AS A LOCAL HISTORIC LANDMARK

At 8:02 p.m. the Mayor opened a public hearing to consider an application to designate the Edward and Mahalia Bowles House, 3924 West 72nd Avenue, as a local historic landmark. Patrick Caldwell of the Planning Division provided background information concerning the application and entered into the record the public notice publication, the on-site posting, and the agenda memorandum with all attachments. He provided a PowerPoint presentation identifying the site of the house and described its historic significance.

Chris Meschuk, Chair of the Historic Landmark Board, spoke in favor of the resolution and stated he was happy to answer any questions the Council may have of the Board.

City Manager McFall also noted that the City owned the Bowles House and it already has been designated as a National Historic Landmark.

Council members had no questions regarding the application. The Mayor closed the hearing at 8:08 p.m.

RESOLUTION NO. 10 TO DESIGNATE THE BOWLES HOUSE AS A LOCAL HISTORIC LANDMARK

It was moved by Councillor Lindsey and seconded by Councillor Atchison to adopt Resolution No. 10 designating the Edward and Mahalia Bowles House as a local historic landmark pursuant to Section 11-13-7 of the Westminster Municipal Code. The motion passed unanimously on roll call vote.

ADJOURNMENT

There being no further business to come before the City Council, it was moved by Councillor Kaiser and seconded by Councillor Atchison to adjourn. The motion carried and the meeting adjourned at 8:09 P.M.

ATTEST:

Mayor

Deputy City Clerk



Agenda Item 6 A

Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Proclamation re Police Week

Prepared By: Lee Birk, Chief of Police
Cheri Spottke, Public Information Officer

Recommended City Council Action

Councillor Lindsey to present a proclamation designating May 15, 2012 as Peace Officers Memorial Day and May 13-19, 2012 as Police Week.

Summary Statement

- The President of the United States proclaims May 15 of each year as Peace Officers Memorial Day and the week in which it falls as Police Week.
- In 1994, President William J. Clinton signed into public law a joint resolution of the 103rd Congress directing that the flag of the United States be flown at half-staff on all government buildings on May 15.
- Police Week recognizes the service and sacrifice of United States law enforcement and pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others.
- A public memorial service will be held in front of the Westminster Public Safety Center on Thursday, May 10 beginning at noon to honor fallen officers and will include the Westminster Police Department Honor Guard and a bagpiper playing “Amazing Grace.”
- Chief Lee Birk will be present to accept the Proclamation on behalf of the Police Department.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

Law Enforcement officers throughout the United States will observe Peace Officers Memorial Day on May 15, 2012 and Police Week during May 13-19, 2012. On October 1, 1961, Congress asked the President to designate May 15 to honor law enforcement officers. President John F. Kennedy signed the bill into law on October 1, 1962. President Kennedy designated the calendar week during which May 15 occurs as Police Week in recognition of the service given by men and women who, day and night, stand guard in our midst to protect us through enforcement of our laws. It was not until May 15, 1982 that the first National Peace Officers Memorial Day Service was held. In 1991, President George H. W. Bush dedicated the Law Enforcement Officers Memorial, which commemorates the service and ultimate sacrifice of America's law enforcement officers.

According to a Proclamation by President George W. Bush in 2002, "Peace Officers Memorial Day and Police Week pay tribute to the local, state, and federal law enforcement officers who serve and protect us with courage and dedication. These observances also remind us of the ongoing need to be vigilant against all forms of crime, especially to acts of extreme violence and terrorism."

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Proclamation

WHEREAS, in 2011, across the United States, 166 law enforcement officers lost their lives in the line of duty; and,

WHEREAS, more than 19,000 federal, state, and local law enforcement officers have died in the line of duty and their names are engraved on the National Law Enforcement Officers Memorial in Washington D.C.; and,

WHEREAS, we pay homage to the heroes who have fallen in the line of duty and pray for the families and friends left behind; and,

WHEREAS, the Westminster Police Department has 183 authorized commissioned police officers,

WHEREAS, Westminster police officers responded to 119,792 police service events in 2011,

WHEREAS, with valor and devotion, our law enforcement officers stand watch on the front lines and help make our communities safer and more secure; and,

WHEREAS, fulfilling their duties with courage and commitment, law enforcement officers work tirelessly and put themselves in harm's way, exemplifying the good and decent character of America.

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim May 15, 2012 as

PEACE OFFICERS MEMORIAL DAY

and May 13-19, 2012 as

POLICE WEEK

in the City of Westminster, and urge all citizens to thank the men and women who have answered the call to serve in law enforcement for their commitment to justice and to their communities.

Signed this 23rd day of April 2012.

Nancy McNally, Mayor



Agenda Item 6 B

Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Mental Health Month Proclamation

Prepared By: Linda Yeager, City Clerk

Recommended City Council Action

Councillor Briggs to present the proclamation for Mental Health Month.

Summary Statement

- The Jefferson Center for Mental Health and Community Reach, which serves Adams County residents, have requested that the City proclaim the month of May 2012 as Mental Health Month in the City of Westminster.
- The City has been very supportive of these mental health organizations both through the City's Human Services funding and in-kind contributions.
- By proclaiming May Mental Health Month, citizens, government agencies, public and private institutions, businesses, and schools will be asked to recommit resources to increasing awareness and understanding of mental health, provide appropriate and accessible services for all citizens, and make mental health a priority
- Representatives of both agencies will be present to accept the proclamation.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

Community Reach and the Jefferson Center for Mental Health have requested that the month of May 2012 be recognized as Mental Health month in the City of Westminster in order to increase community awareness that:

- mental illnesses and substance abuse disorders are treatable, and recovery is possible when appropriate treatment services are available and accessible.
- mental health is a key component to a person's overall health. Persons with mental health and substance abuse disorders who have access to local, community-based prevention, intervention, and treatment services are much less likely to require the more expensive alternatives of hospitalization or incarceration, and their chances of becoming homeless are greatly reduced.
- demand for mental health and substance abuse treatment has reached record levels in Colorado.

In 2012, the City will provide \$6,500 to Jefferson Center for Mental Health as part of the Human Services Agency Funding. Additionally, Community Reach receives an in-kind contribution from the City in the form of facility space for their Westminster office in the former 76th Avenue Library building. Representatives of both agencies will be in attendance to accept the proclamation.

This proclamation supports the City's Strategic Plan goal of a Safe and Secure Community by acknowledging the City's support of health services that encourage citizens to take responsibility for their own well-being.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Proclamation

WHEREAS, Mental illnesses and substance abuse disorders are treatable, and recovery is possible when appropriate treatment services are available and accessible; and

WHEREAS, Mental health is a key component to a person's overall health; and

WHEREAS, The community mental health system is advancing an integrated health care approach by addressing mental health and substance abuse disorders together with physical health to realize better patient outcomes, reduced health care costs, and improved patient satisfaction; and

WHEREAS, Persons with mental health and substance abuse disorders who have access to local, community-based prevention, intervention, and treatment services are much less likely to require the more expensive alternatives of hospitalization or incarceration, and their chances of becoming homeless are greatly reduced; and

WHEREAS, The demand for mental health and substance abuse treatment has reached record levels in Colorado.

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim May 2012 as

MENTAL HEALTH MONTH

and call upon all citizens, government agencies, public and private institutions, businesses, and schools to recommit our communities and resources to increasing awareness and understanding of mental health, providing appropriate and accessible services for all citizens, and making mental health a priority.

Dated this 23rd day of April, 2012.

Nancy McNally, Mayor



Agenda Item 6 C

Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Proclamation re Community Pride Day

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

Recommended City Council Action

Mayor Nancy McNally is requested to present a proclamation to Open Space Volunteer Coordinator Patti Wright proclaiming May 12, 2012, as Community Pride Day in the City of Westminster.

Summary Statement

- For several years, the City of Westminster and Hyland Hills Park and Recreation District have partnered for Community Pride Day, the largest annual volunteer trash cleanup in Westminster.
- Community Pride Day activities will include litter pickup in right-of-ways, greenbelts, trails, parks, and open space sites throughout the City and District. This cleanup program fosters residents' commitment to a cleaner community and attracts volunteers from scout troops, homeowners associations, schools, civic organizations, businesses, families, and church groups.
- The event will conclude at Westminster City Hall with a barbecue sponsored by the City of Westminster, Hyland Hills Park and Recreation District, and the Westminster Rotary Club, with assistance from the Westminster Youth Advisory Panel. Food, entertainment, music, door prizes, and fire engine rides are featured at the barbecue.

Expenditure Required: \$3,000

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

Policy Issue

None identified

Alternative

None identified

Background Information

Community Pride Day was established over 20 years ago in recognition of the Keep America Beautiful anti-litter campaign. This popular volunteer cleanup event has grown from a few hundred volunteers to over 1,600 volunteers last year.

On May 12, 2012, volunteers will begin cleaning up along designated routes at approximately 8 a.m. After completion of their cleanup, volunteers meet at Westminster City Hall to celebrate their hard work with food, entertainment, and prizes. The barbecue's entertainment includes music and games provided by Bryce Jackman. Hotdogs and hamburgers will be prepared at City Hall, courtesy of the Westminster Rotary Club chefs, along with soda pop, chips, and dessert. Partnership with the Westminster Rotary Club and donations by area merchants are instrumental in providing a quality event for the volunteers.

Mayor Nancy McNally is requested to read the Community Pride Day proclamation and recognize sponsors. During the barbecue, the Westminster Fire Department will offer antique fire engine rides. The Westminster Youth Advisory Panel is also volunteering at the barbecue to help make it a success.

Action on this item addresses the Beautiful and Environmentally Sensitive City Strategic Plan goal.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Proclamation

WHEREAS, Keep America Beautiful, a national nonprofit organization, strives to empower individuals to take greater responsibility for enhancing their community environments, and therefore sponsors the Great American Cleanup; and

WHEREAS, The City of Westminster and Hyland Hills Park and Recreation District have joined together to mobilize citizens to take action in their communities and to support the nation's largest volunteer beautification and improvement project; and

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

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

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

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim May 12, 2012,

COMMUNITY PRIDE DAY

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

Signed this 23rd day of April, 2012.

Nancy McNally, Mayor



Agenda Item 6 D

Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Proclamation re National Drinking Water Week

Prepared By: Steve Ramer, Chemist

Recommended City Council Action

Councillor Major to present the proclamation to declare the week of May 6 through 12, 2012 as “National Drinking Water Week” in the City of Westminster.

Summary Statement

- City Council is requested to proclaim the week of May 6 through 12, 2012 as “National Drinking Water Week” in the City of Westminster.
- The objective of National Drinking Water Week is to educate and inform the public of the importance of a safe, reliable public water source; the need for wise use of water and water conservation and protection; and to involve our citizens in water quality activities.
- This Proclamation represents Council’s continued support of the City’s goal to promote a safe domestic water supply for its residents.
- Chemist Steve Ramer will attend the City Council meeting to accept the proclamation.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

The City has supported the National Drinking Water Week program for over two decades. The Public Works and Utilities Department's Utilities Planning and Engineering Division will coordinate the 2012 National Drinking Water Week program scheduled for the week of May 6 through 12. Information on caring for the City's precious water resources will be available in the lobby at Westminster's Irving Street Library from 9:00 A.M. – 8 P.M. Monday thru Wednesday, 9:00 A.M. – 5 P.M. Thursday and Friday, and on display at the City Park Recreation Center during the month of May.

In conjunction with this activity, a poster contest for elementary school students and an essay contest for junior high school students will be conducted. The winning posters and essays will be on display at the Semper Water Treatment Facility for the remainder of the year.

The City's National Drinking Water Week program meets the City's goal of a Safe and Secure Community and a Beautiful and Environmentally Sensitive City by providing educational opportunities.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Proclamation

WHEREAS, citizens' 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 storage, supply and distribution facilities, and water quality monitoring and continued training of skilled personnel essential.

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby proclaim the week of May 6 through 12, 2012, 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 23th day of April, 2012.

Nancy McNally, Mayor



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Financial Report for March 2012
Prepared By: Tammy Hitchens, Finance Director

Recommended City Council Action

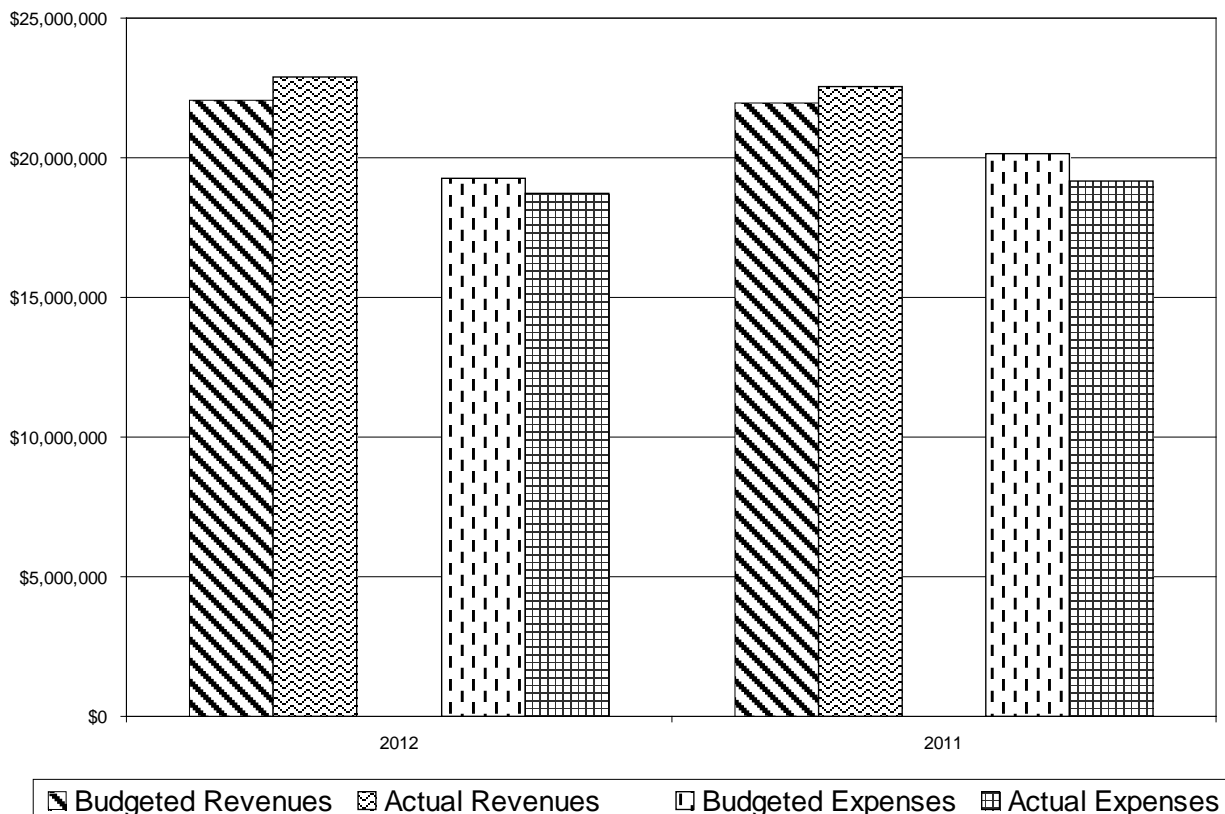
Accept the Financial Report for March as presented.

Summary Statement

City Council is requested to review and accept the attached monthly financial statement. The Shopping Center Report is also attached. Unless otherwise indicated, "budget" refers to the pro-rated budget. The budget numbers that are presented reflect the City's amended adopted budget. Both revenues and expense are pro-rated based on 10-year historical averages.

The General Fund revenues exceed expenditures by \$4,192,980. The following graph represents Budget vs. Actual for 2011-2012.

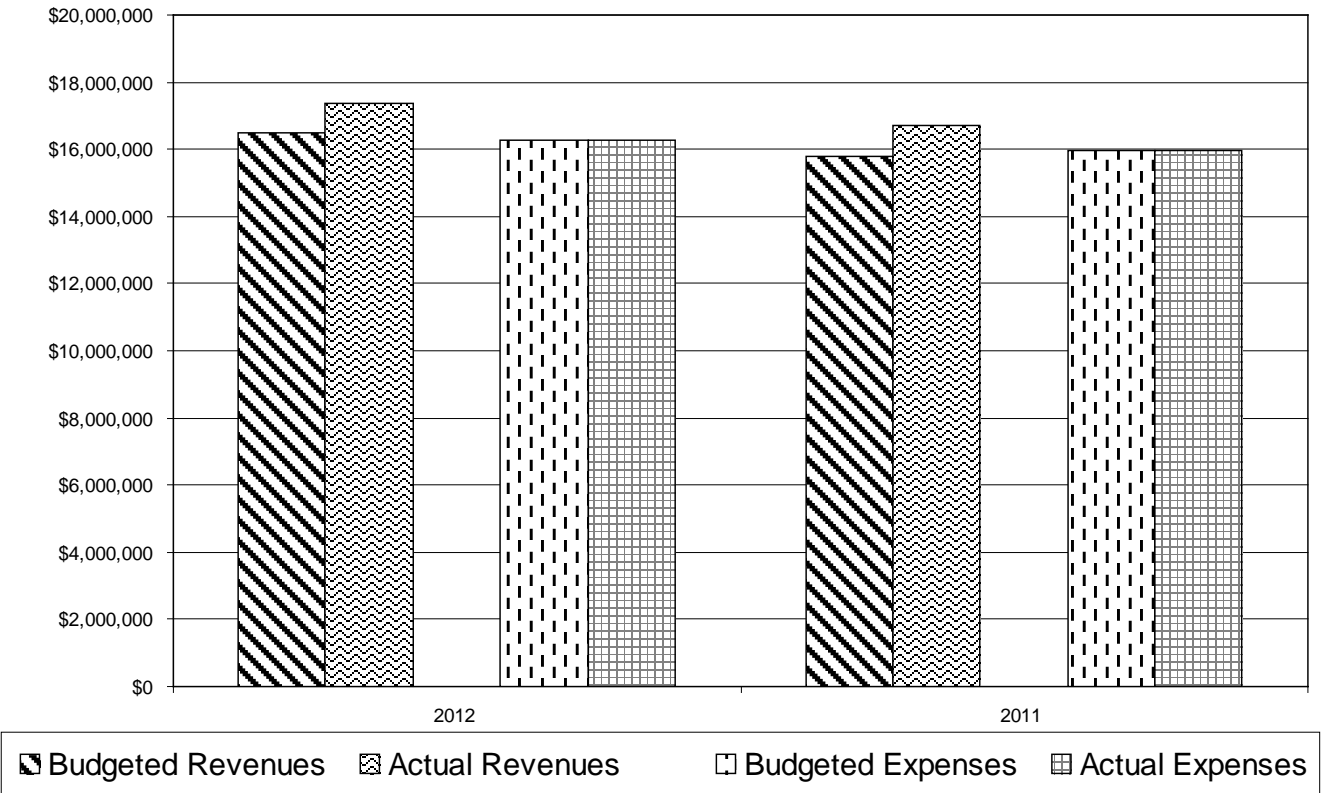
**General Fund
Budget vs Actual**



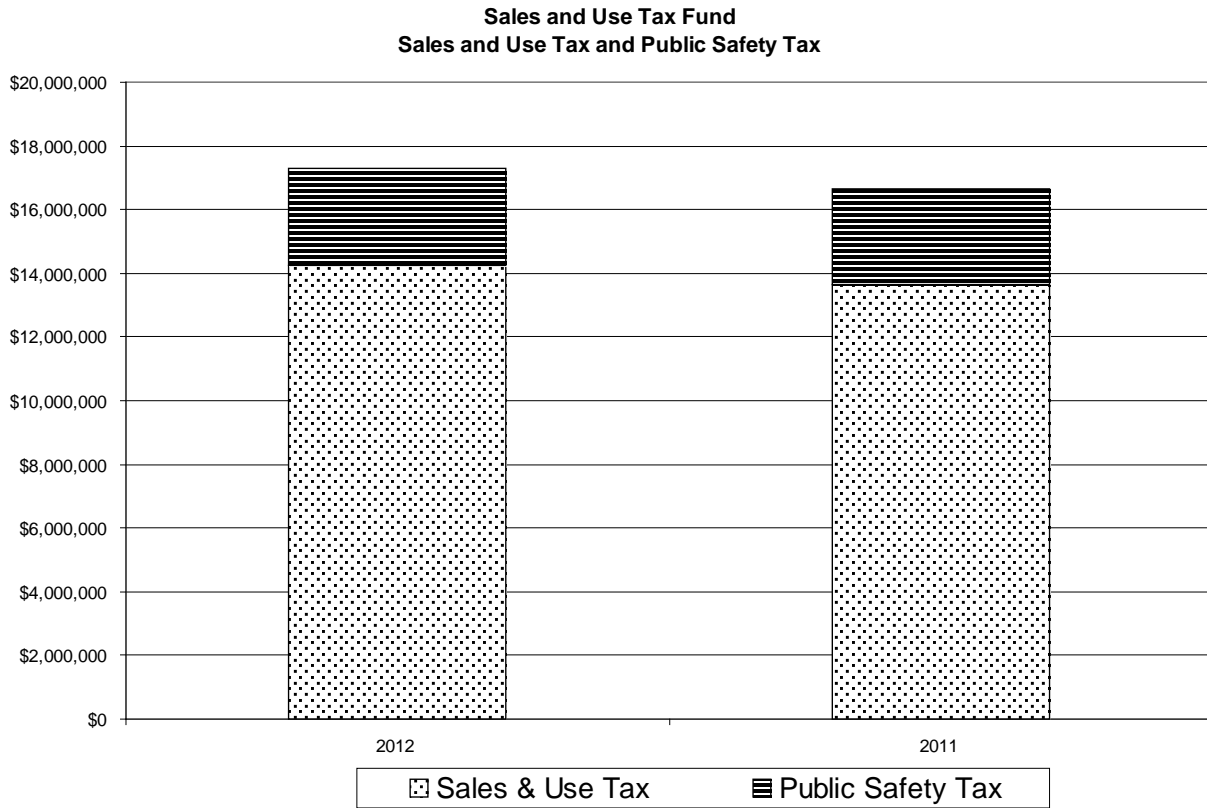
The Sales and Use Tax Fund revenues exceed expenditures by \$1,133,026. On a year-to-date cash basis, total sales and use tax is up 4.2% from 2011. Key components are listed below:

- On a year-to-date basis, across the top 25 shopping centers, total sales and use tax receipts are even with the prior year.
- Sales tax receipts from the top 50 Sales Taxpayers, representing about 63.0% of all collections, are up 4.7% for the month.
- Urban renewal areas make up 41.8% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 82.0% of this money is being retained for General Fund use.
- Auto Use tax is up 21.5% on a year-to-date basis.

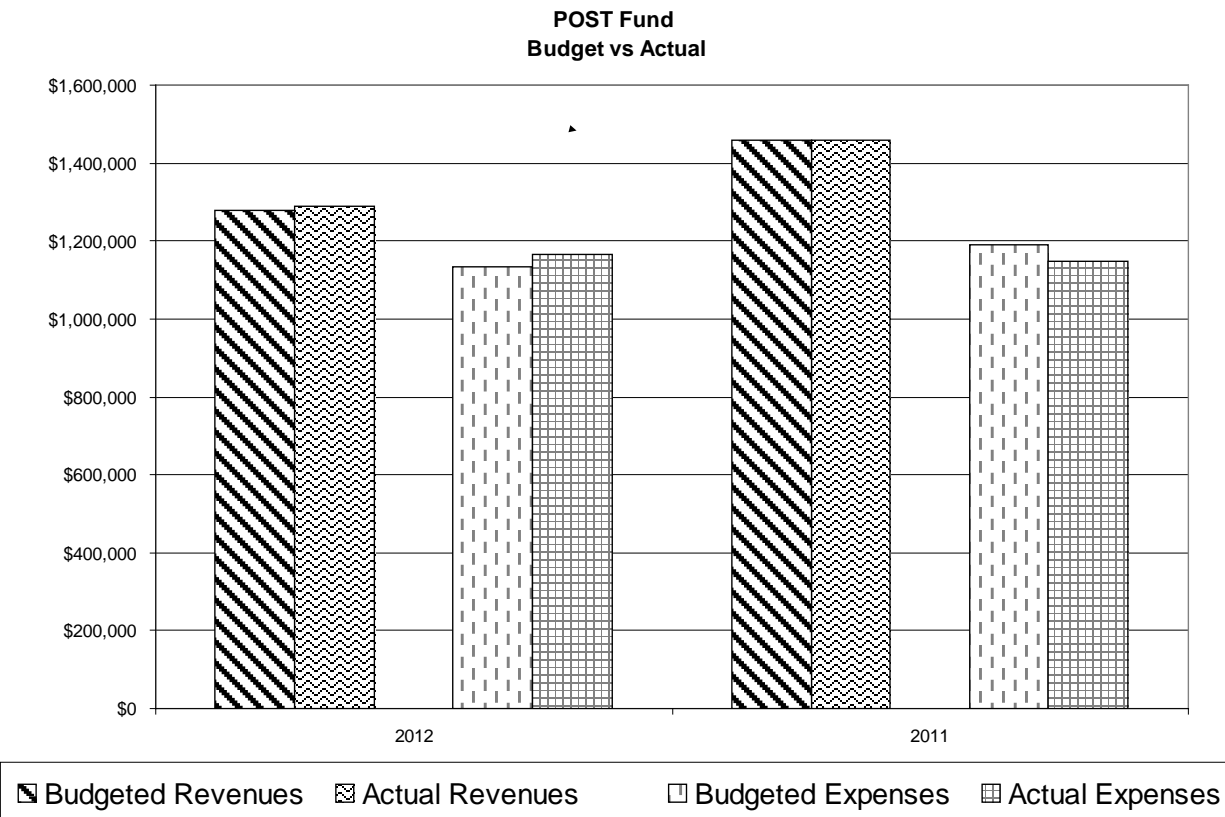
**Sales & Use Tax Fund
Budget vs Actual**



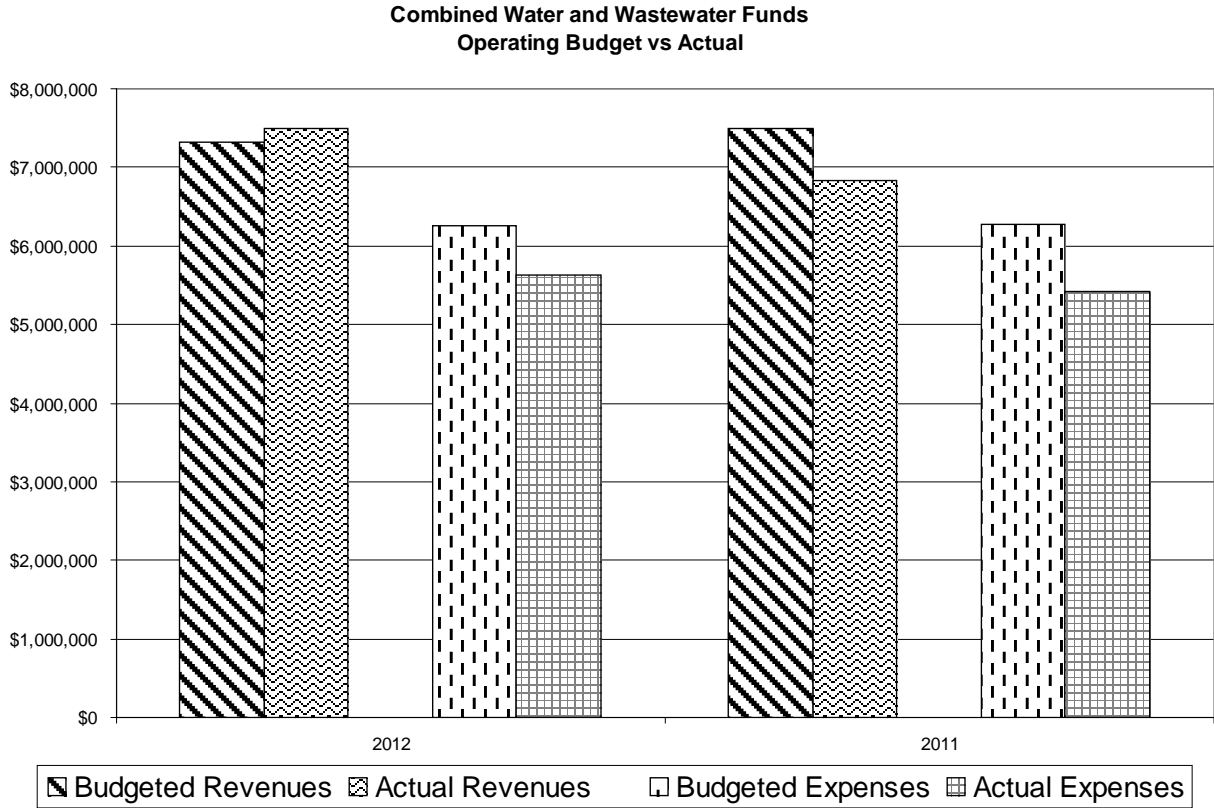
The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.



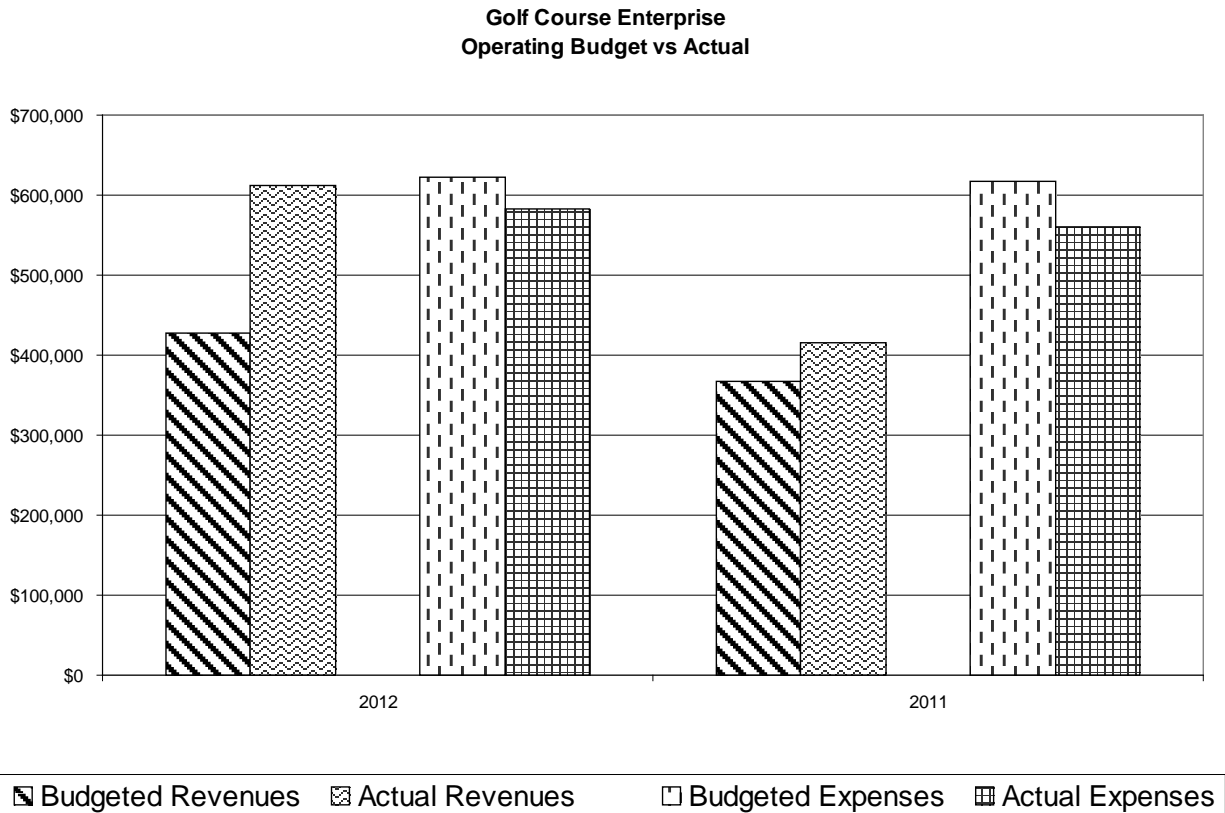
The Parks Open Space and Trails Fund revenues exceed expenditures by \$123,325.



The combined Water & Wastewater Fund revenues exceed expenses by \$4,025,141. Operating revenues exceed operating expenses by \$1,863,658. \$14,860,000 is budgeted for capital projects and reserves.



The combined Golf Course Fund expenditures exceed revenues by \$30,158.



Policy Issue

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

Alternative

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

Background Information

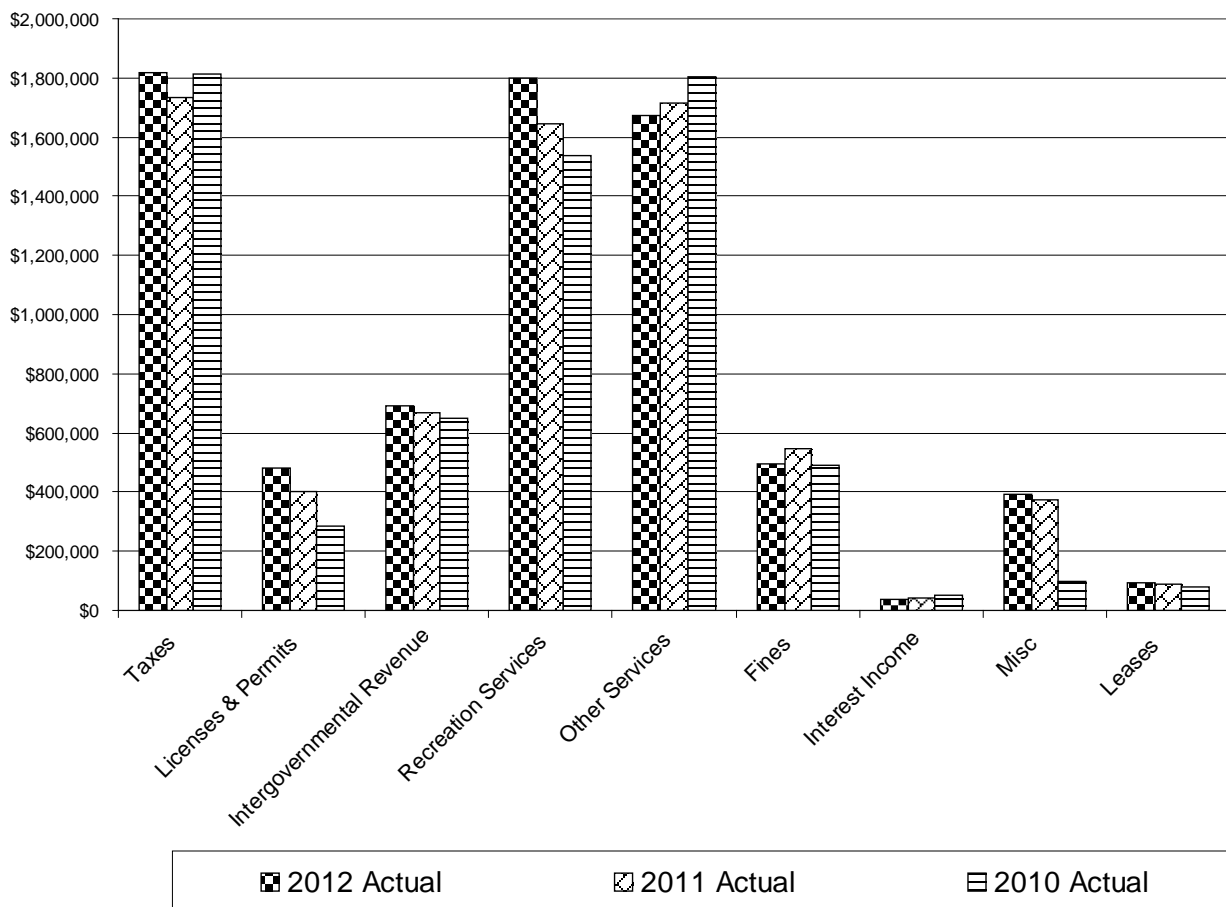
This section includes a discussion of highlights of each fund presented.

General Fund

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

The following chart represents the trend in actual revenues from 2010-2012 year-to-date.

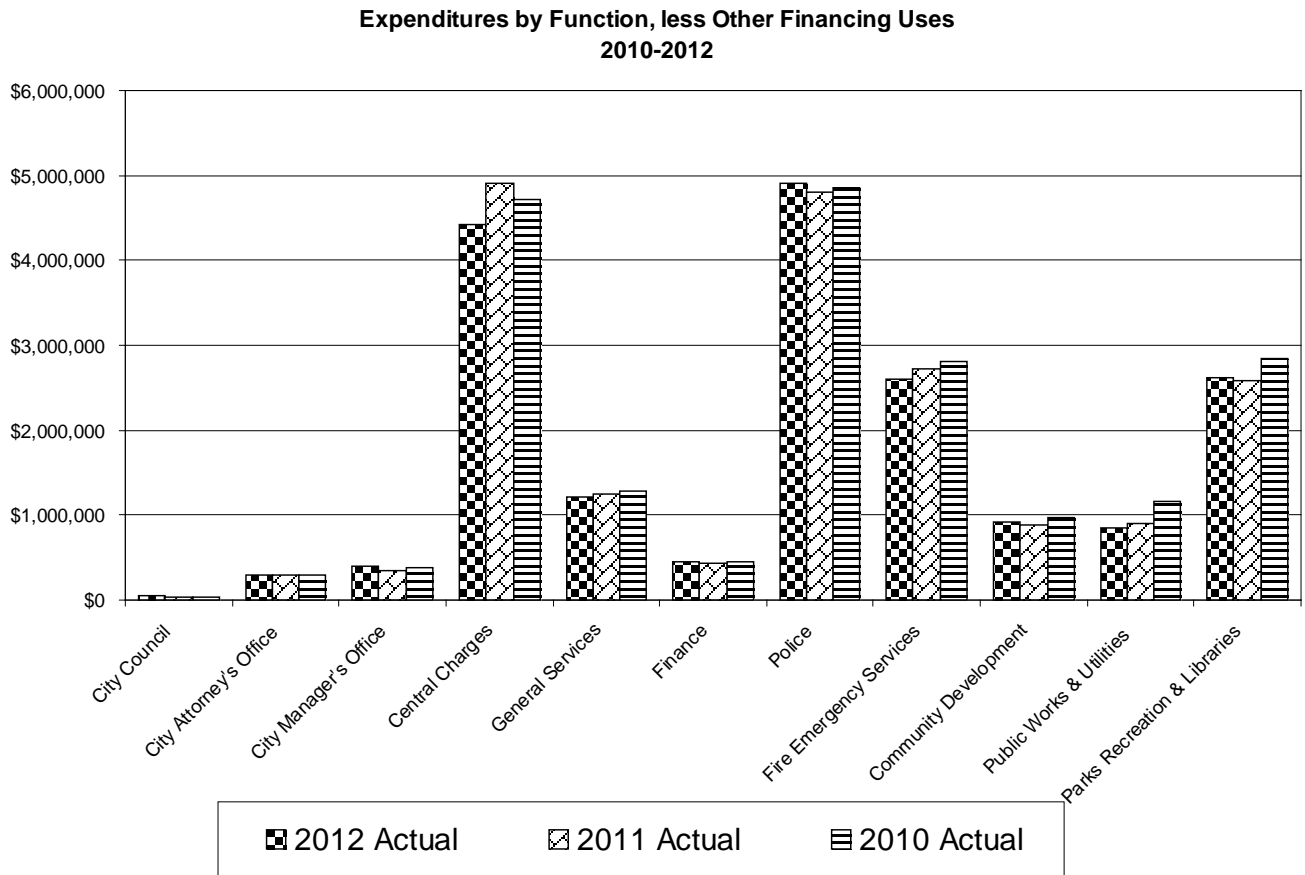
**General Fund Revenues without Transfers, Carryover, and Other Financing Sources
2010-2012**



Significant differences between years in General Fund revenue categories are explained as follows:

- Taxes increased primarily from property tax revenue.
- License and Permit revenue increased primarily from commercial building permit activity.
- Recreation Services revenue increased from fees for passes, admissions, fitness and recreation programs.

The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2010-2012.



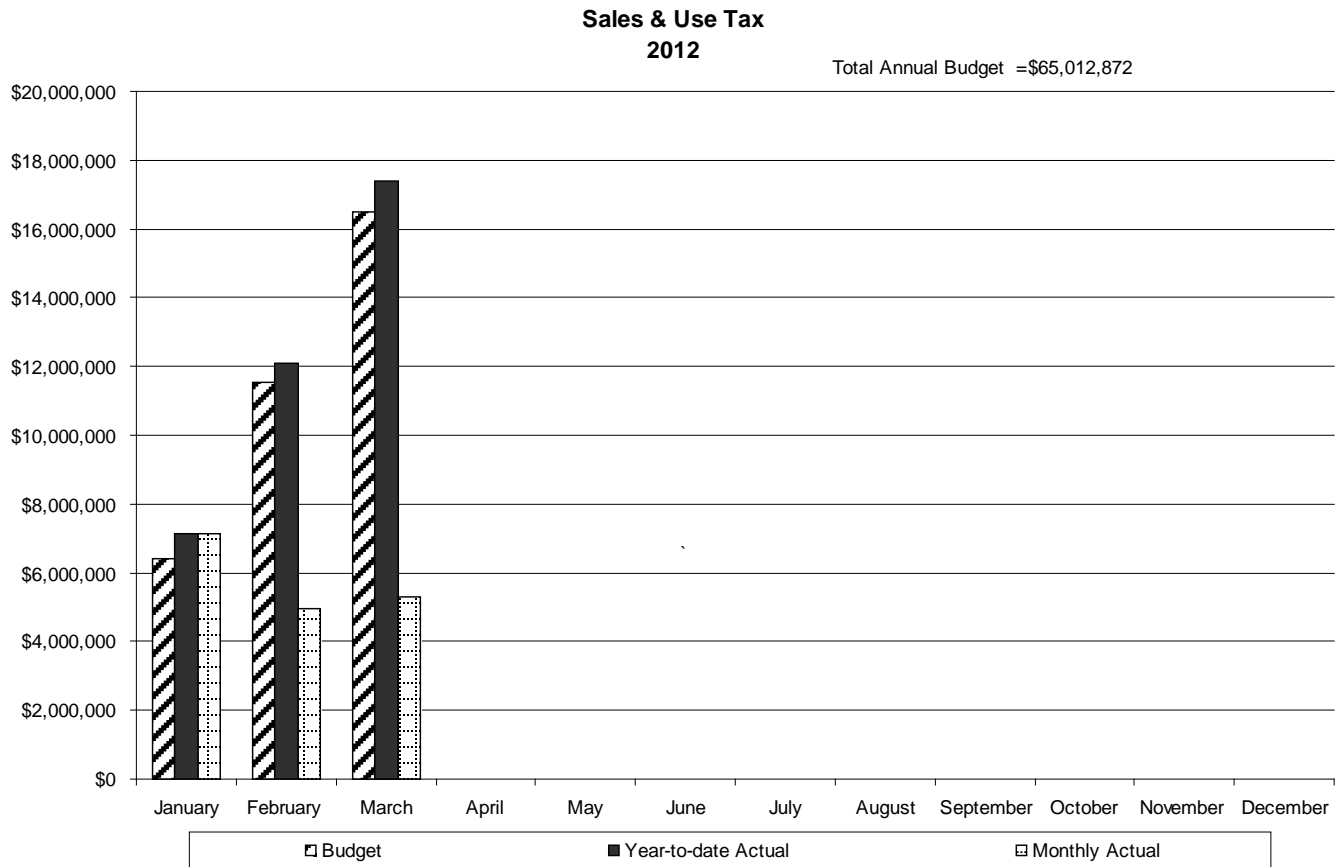
Significant differences between years in General Fund expenditure categories are explained as follows:

- Central Charges expenditures decreased due to a timing difference in the recording of payroll related insurances and a reduction of transfers from the General Fund.

Sales and Use Tax Funds (Sales & Use Tax Fund and Parks, Open Space and Trails Sales & Use Tax Fund)

These funds are the repositories for the 3.85% City Sales & Use Tax for the City. The Sales & Use Tax Fund provides monies for the General Fund, the General Capital Improvement Fund, and the Debt Service Fund. The Parks, Open Space, and Trails Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, pay bonds related to the Heritage Golf Course, buy open space land, and make park improvements on a pay-as-you-go basis. The Public Safety Tax (PST) is a 0.6% sales and use tax to be used to fund public safety-related expenses.

This chart indicates how the City's Sales and Use Tax revenues are being collected on a monthly basis. This chart does not include Parks, Open Space, and Trails Sales & Use Tax.

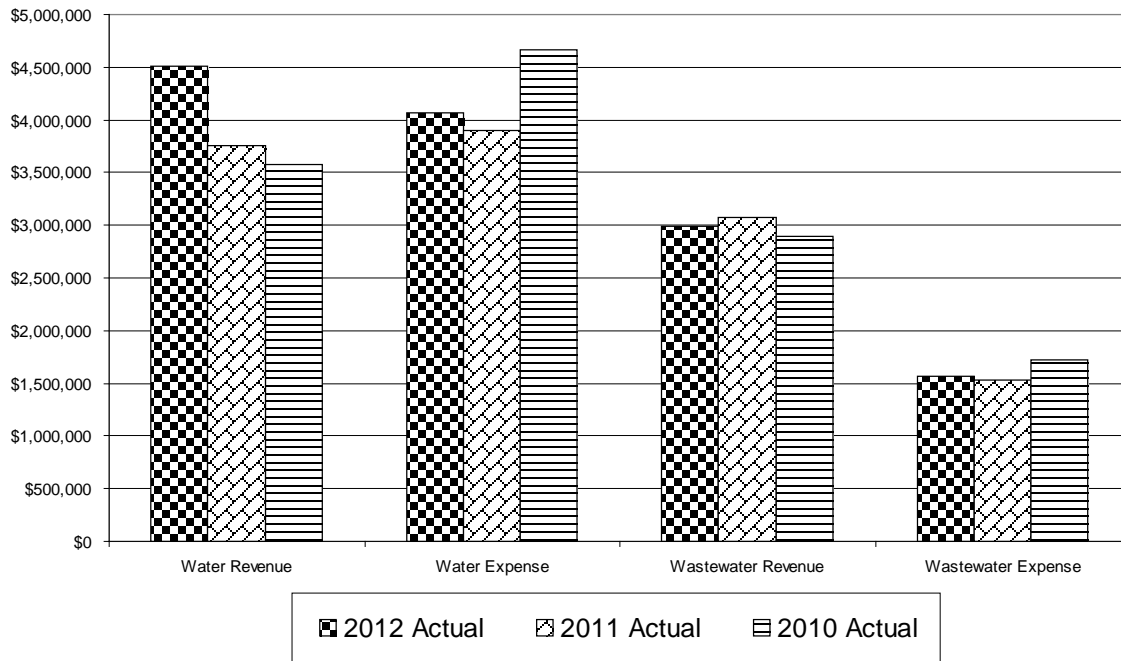


Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)

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

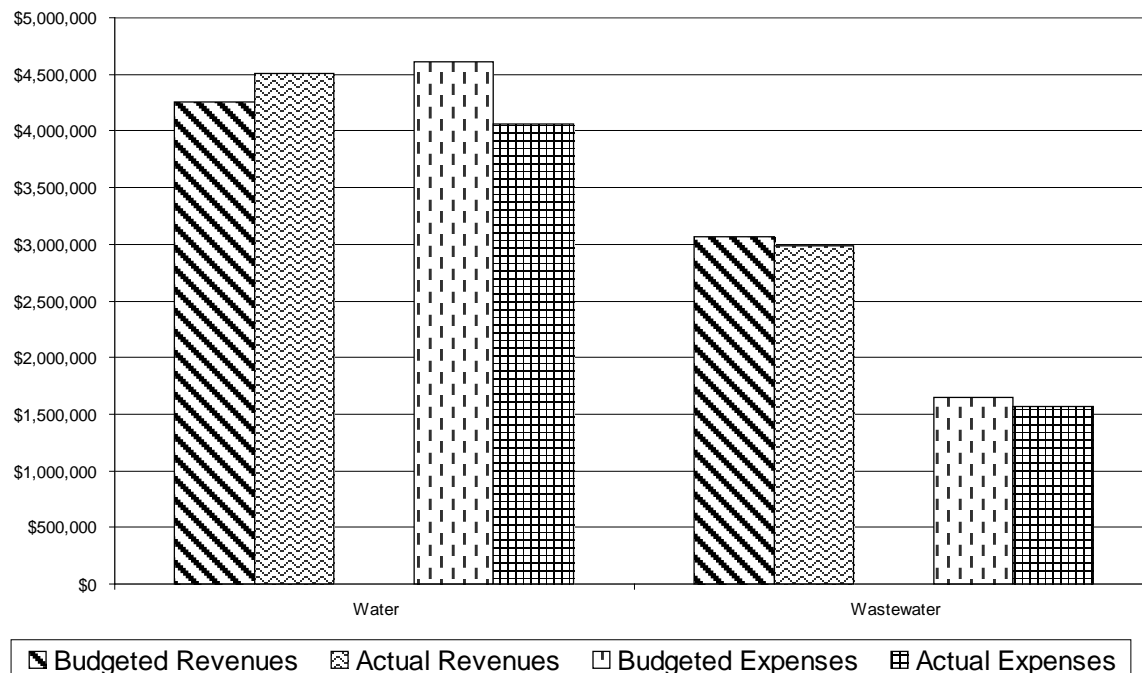
These graphs represent segment information for the Water and Wastewater funds.

**Water and Wastewater Funds
Operating Revenue and Expenses 2010-2012**



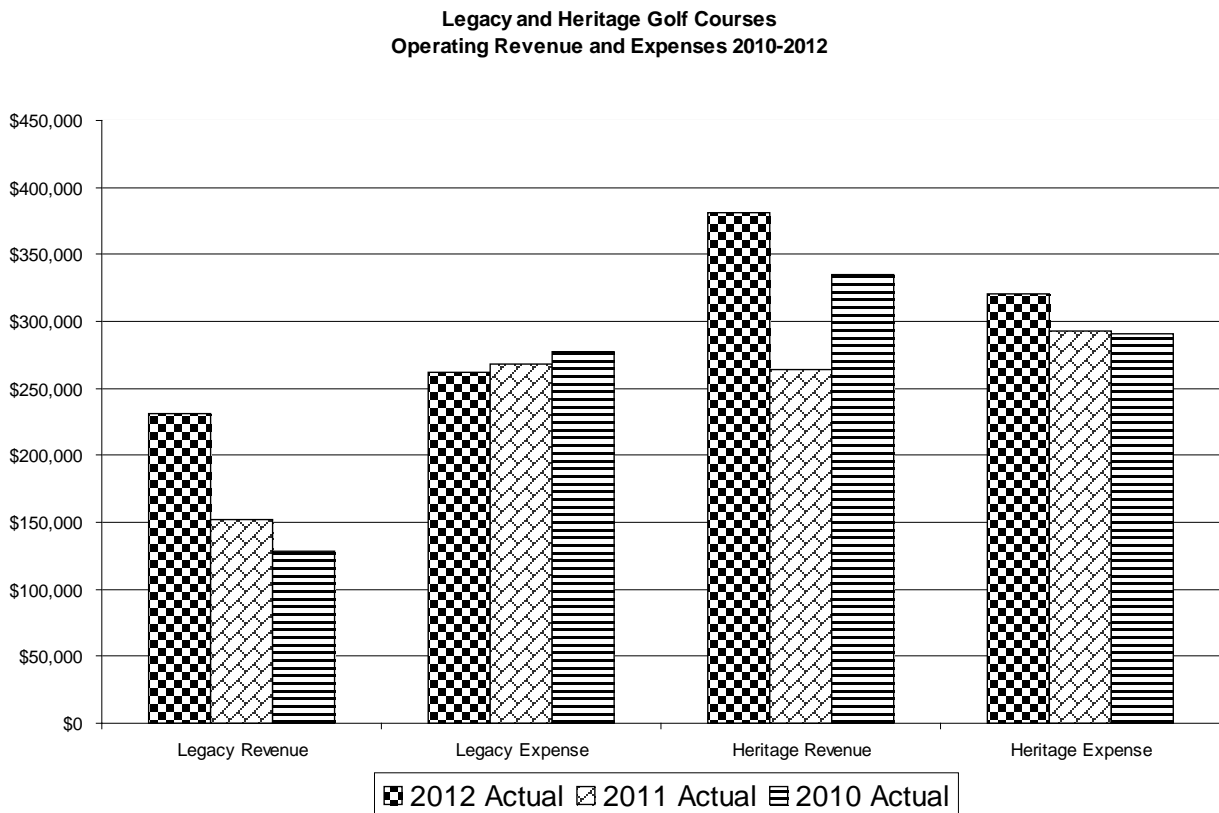
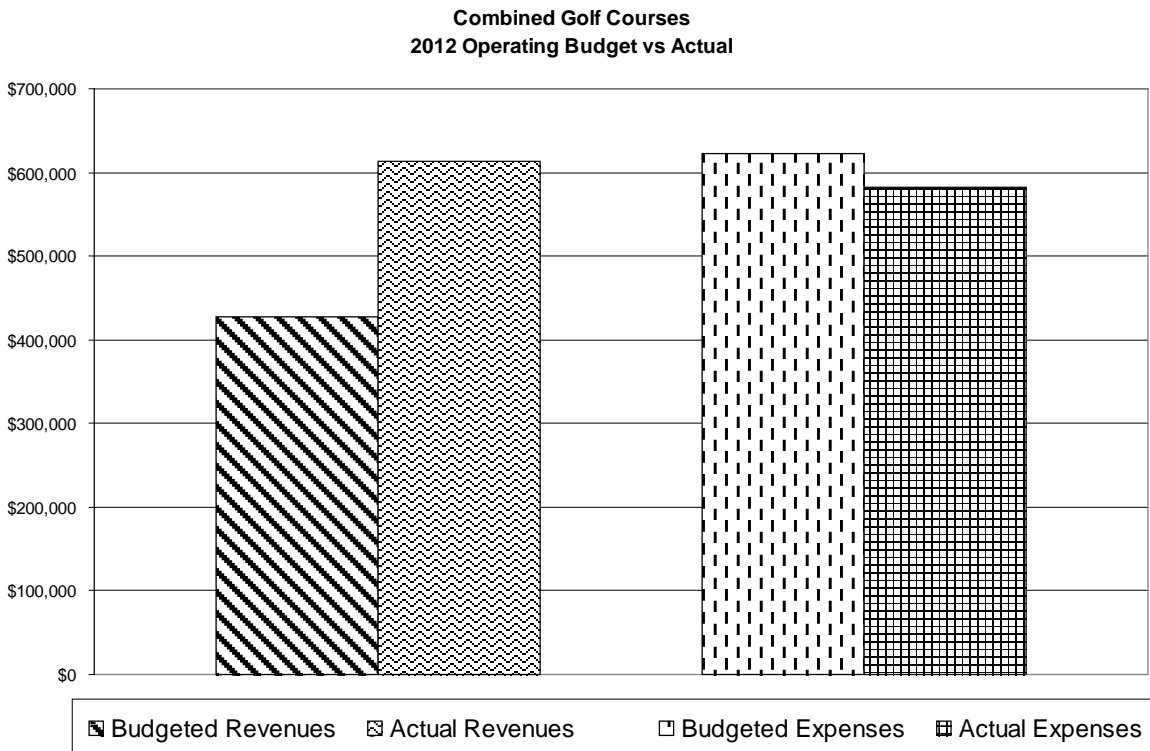
The water revenue variance is due to the effect of climatic variations on water consumption and 2012 changes to billing rates. Water expense in 2010 was elevated due to the timing of a payment for annual ditch assessments.

**Water and Wastewater Funds
2012 Operating Budget vs Actual**



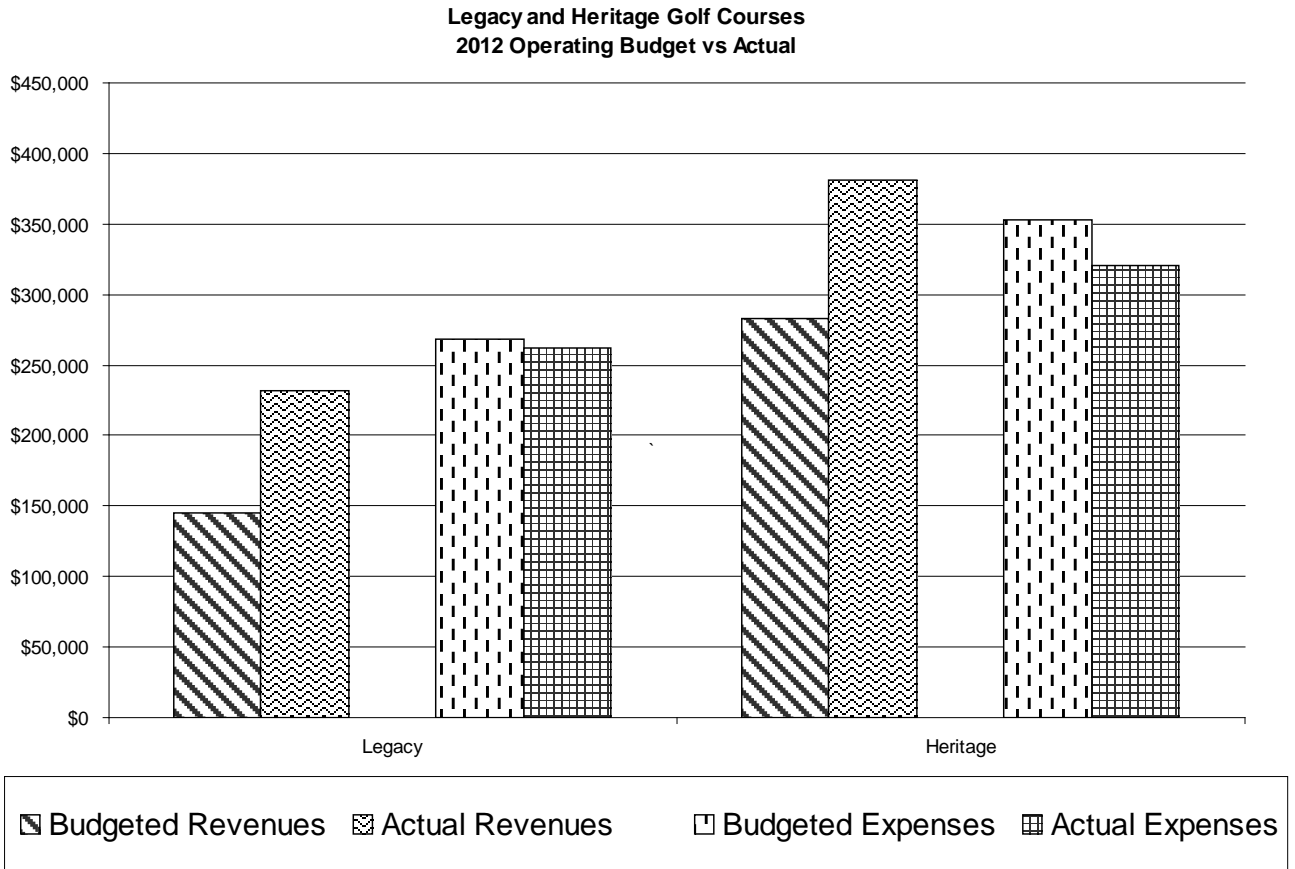
Golf Course Enterprise (Legacy and Heritage Golf Courses)

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



Charges for services including driving range and green fees at both courses account for the increase in revenues. Transfers from other funds to the golf courses also increased, after being decreased in 2011. The transfer decreased in 2011 as a result of savings from refunding of the bonds.

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



This financial report supports City Council’s Strategic Plan Goal of Financially Sustainable City Government Providing Exceptional Services by communicating timely information on the results of City operations and to assist with critical decision making.

Respectfully submitted,

J. Brent McFall, City Manager

Attachments

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	%
General Fund						
Revenues						
Taxes	5,575,590	1,536,289		1,818,127	281,838	118.3%
Licenses & Permits	1,415,000	331,704		482,542	150,838	145.5%
Intergovernmental Revenue	5,041,200	588,176		692,266	104,090	117.7%
Charges for Services						
Recreation Services	6,418,338	1,569,424		1,797,782	228,358	114.6%
Other Services	9,530,020	1,825,753		1,674,897	(150,856)	91.7%
Fines	2,110,000	509,799		493,054	(16,745)	96.7%
Interest Income	180,000	18,163		35,969	17,806	198.0%
Miscellaneous	1,733,562	172,372	(1)	392,978	220,606	228.0%
Leases	386,208	92,078		92,078	0	100.0%
Interfund Transfers	61,684,647	15,421,162		15,421,162	0	100.0%
Total Revenues	94,074,565	22,064,920		22,900,855	835,935	103.8%
Expenditures						
City Council	240,119	57,656		50,257	(7,399)	87.2%
City Attorney's Office	1,197,089	276,938	(2)	293,744	16,806	106.1%
City Manager's Office	1,492,443	355,744	(2)	398,256	42,512	112.0%
Central Charges	25,031,200	4,354,560	(3)	4,422,099	67,539	101.6%
General Services	5,825,352	1,355,249		1,205,651	(149,598)	89.0%
Finance	1,994,706	459,271		443,869	(15,402)	96.6%
Police	20,379,206	4,936,724		4,908,667	(28,057)	99.4%
Fire Emergency Services	11,777,934	2,768,768		2,601,070	(167,698)	93.9%
Community Development	4,125,271	957,518		918,798	(38,720)	96.0%
Public Works & Utilities	7,767,031	845,098		850,837	5,739	100.7%
Parks, Recreation & Libraries	14,244,214	2,892,601		2,614,627	(277,974)	90.4%
Total Expenditures	94,074,565	19,260,127		18,707,875	(552,252)	97.1%
Revenues Over(Under)						
Expenditures	0	2,804,793		4,192,980	1,388,187	

Budget to actual variances reflect:

- (1) an intergovernmental reimbursement and significant purchasing card rebate
- (2) an increase in contractual and other personnel service expenditures
- (3) annual memberships and subscription expenditures

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Sales and Use Tax Fund						
Revenues						
Sales Tax						
Sales Tax Returns	44,669,579	11,525,351		12,098,272	572,921	105.0%
Sales Tx Audit Revenues	719,000	179,750		184,139	4,389	102.4%
S-T Rev. STX	<u>45,388,579</u>	<u>11,705,101</u>		<u>12,282,411</u>	<u>577,310</u>	104.9%
Use Tax						
Use Tax Returns	7,193,750	1,473,026		1,765,003	291,977	119.8%
Use Tax Audit Revenues	785,000	196,250		189,540	(6,710)	96.6%
S-T Rev. UTX	<u>7,978,750</u>	<u>1,669,276</u>		<u>1,954,543</u>	<u>285,267</u>	117.1%
Total STX and UTX	<u><u>53,367,329</u></u>	<u><u>13,374,377</u></u>		<u><u>14,236,954</u></u>	<u><u>862,577</u></u>	106.4%
Public Safety Tax						
PST Tax Returns	10,985,043	2,956,607		2,989,960	33,353	101.1%
PST Audit Revenues	308,500	77,125		74,707	(2,418)	96.9%
Total Rev. PST	<u>11,293,543</u>	<u>3,033,732</u>		<u>3,064,667</u>	<u>30,935</u>	101.0%
Interest Income	95,000	23,750		20,373	(3,377)	85.8%
Interfund Transfers	257,000	64,250		64,250	0	100.0%
Total Revenues and Carryover	<u>65,012,872</u>	<u>16,496,109</u>		<u>17,386,244</u>	<u>890,135</u>	105.4%
Expenditures						
Central Charges	<u>65,012,872</u>	<u>16,253,218</u>		<u>16,253,218</u>	<u>0</u>	100.0%
Revenues Over(Under) Expenditures	<u>0</u>	<u>242,891</u>		<u>1,133,026</u>	<u>890,135</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description POST Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Revenues						
Sales & Use Tax	4,814,510	1,252,635		1,276,618	23,983	101.9%
Interest Income	3,400	850		5,960	5,110	701.2%
Sale of Assets	0	18,438		0	(18,438)	
Miscellaneous	85,030	2,820		2,850	30	101.1%
Interfund Transfers	19,000	4,750		4,750	0	100.0%
Total Revenues	<u>4,921,940</u>	<u>1,279,493</u>		<u>1,290,178</u>	<u>10,685</u>	<u>100.8%</u>
Expenditures						
Central Charges	4,644,100	1,085,229		1,136,748	51,519	104.7%
Park Services	277,840	47,687		30,105	(17,582)	63.1%
	<u>4,921,940</u>	<u>1,132,916</u>		<u>1,166,853</u>	<u>33,937</u>	<u>103.0%</u>
Revenues Over(Under)						
Expenditures	<u>0</u>	<u>146,577</u>		<u>123,325</u>	<u>(23,252)</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Water and Wastewater Funds - Combined						
Operating Revenues						
License & Permits	75,000	18,750		21,060	2,310	112.3%
Rates and Charges	43,153,638	7,195,312		7,331,940	136,628	101.9%
Miscellaneous	435,000	108,750		140,960	32,210	129.6%
Total Operating Revenues	<u>43,663,638</u>	<u>7,322,812</u>		<u>7,493,960</u>	<u>171,148</u>	102.3%
Operating Expenses						
Central Charges	5,875,355	1,468,839		1,469,707	868	100.1%
Finance	669,344	159,973		132,788	(27,185)	83.0%
Public Works & Utilities	20,349,992	3,961,468		3,389,884	(571,584)	85.6%
Parks, Recreation & Libraries	132,272	5,820		5,035	(785)	86.5%
Information Technology	2,778,352	669,583		632,888	(36,695)	94.5%
Total Operating Expenses	<u>29,805,315</u>	<u>6,265,683</u>		<u>5,630,302</u>	<u>(635,381)</u>	89.9%
Operating Income (Loss)	<u>13,858,323</u>	<u>1,057,129</u>		<u>1,863,658</u>	<u>806,529</u>	
Other Revenue and Expenses						
Tap Fees	3,700,000	1,079,200		1,065,796	(13,404)	98.8%
Interest Income	553,600	138,400		78,419	(59,981)	56.7%
Interfund Transfers	3,967,501	991,876		991,876	0	100.0%
Sale of Assets	0	0		25,392	25,392	
Debt Service	(7,219,424)	0		0	0	
Total Other Revenue (Expenses)	<u>1,001,677</u>	<u>2,209,476</u>		<u>2,161,483</u>	<u>(47,993)</u>	
Increase (Decrease) in Net Assets	<u>14,860,000</u>	<u>3,266,605</u>		<u>4,025,141</u>	<u>758,536</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Water Fund						
Operating Revenues						
License & Permits	75,000	18,750		21,060	2,310	112.3%
Rates and Charges	30,892,138	4,129,937		4,347,079	217,142	105.3%
Miscellaneous	425,000	106,250		140,038	33,788	131.8%
Total Operating Revenues	<u>31,392,138</u>	<u>4,254,937</u>		<u>4,508,177</u>	<u>253,240</u>	106.0%
Operating Expenses						
Central Charges	4,152,445	1,038,111		1,038,082	(29)	100.0%
Finance	669,344	159,973		132,788	(27,185)	83.0%
Public Works & Utilities	14,246,761	2,740,247		2,256,562	(483,685)	82.3%
PR&L Standley Lake	132,272	5,820		5,035	(785)	86.5%
Information Technology	2,778,352	669,583		632,888	(36,695)	94.5%
Total Operating Expenses	<u>21,979,174</u>	<u>4,613,734</u>		<u>4,065,355</u>	<u>(548,379)</u>	88.1%
Operating Income (Loss)	<u>9,412,964</u>	<u>(358,797)</u>		<u>442,822</u>	<u>801,619</u>	
Other Revenue and Expenses						
Tap Fees	3,000,000	861,200		857,680	(3,520)	99.6%
Interest Income	365,600	91,400		55,272	(36,128)	60.5%
Interfund Transfers	2,984,511	746,128		746,128	0	100.0%
Sale of Assets	0	0		25,392	25,392	
Debt Service	(5,715,075)	0		0	0	
Total Other Revenues (Expenses)	<u>635,036</u>	<u>1,698,728</u>		<u>1,684,472</u>	<u>(14,256)</u>	
Increase (Decrease) in Net Assets	<u>10,048,000</u>	<u>1,339,931</u>		<u>2,127,294</u>	<u>787,363</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Wastewater Fund						
Operating Revenues						
Rates and Charges	12,261,500	3,065,375		2,984,861	(80,514)	97.4%
Miscellaneous	10,000	2,500		922	(1,578)	36.9%
Total Operating Revenues	<u>12,271,500</u>	<u>3,067,875</u>		<u>2,985,783</u>	<u>(82,092)</u>	97.3%
Operating Expenses						
Central Charges	1,722,910	430,728		431,625	897	100.2%
Public Works & Utilities	6,103,231	1,221,221		1,133,322	(87,899)	92.8%
Total Operating Expenses	<u>7,826,141</u>	<u>1,651,949</u>		<u>1,564,947</u>	<u>(87,002)</u>	94.7%
Operating Income (Loss)	<u>4,445,359</u>	<u>1,415,926</u>		<u>1,420,836</u>	<u>4,910</u>	
Other Revenue and Expenses						
Tap Fees	700,000	218,000		208,116	(9,884)	95.5%
Interest Income	188,000	47,000		23,147	(23,853)	49.2%
Interfund Transfers	982,990	245,748		245,748	0	100.0%
Debt Service	(1,504,349)	0		0	0	
Total Other Revenues (Expenses)	<u>366,641</u>	<u>510,748</u>		<u>477,011</u>	<u>(33,737)</u>	
Increase (Decrease) in Net Assets	<u>4,812,000</u>	<u>1,926,674</u>		<u>1,897,847</u>	<u>(28,827)</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Storm Drainage Fund						
Revenues						
Charges for Services	2,050,000	512,500		497,787	(14,713)	97.1%
Interest Income	82,000	20,500		11,728	(8,772)	57.2%
Miscellaneous	0	0		15	15	
Total Revenues	<u>2,132,000</u>	<u>533,000</u>		<u>509,530</u>	<u>(23,470)</u>	95.6%
Expenses						
General Services	86,200	9,482		9,799	317	103.3%
Community Development	169,090	40,243		38,427	(1,816)	95.5%
PR&L Park Services	200,000	16,800		16,608	(192)	98.9%
Public Works & Utilities	322,710	27,108		15,457	(11,651)	57.0%
Total Expenses	<u>778,000</u>	<u>93,633</u>		<u>80,291</u>	<u>(13,342)</u>	85.8%
 Increase (Decrease) in Net Assets	 <u>1,354,000</u>	 <u>439,367</u>		 <u>429,239</u>	 <u>(10,128)</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Golf Course Funds - Combined						
Revenues						
Charges for Services	2,745,022	239,771		424,081	184,310	176.9%
Interest Income	0	0		711	711	
Interfund Transfers	751,143	187,786		187,786	0	100.0%
Total Revenues	<u>3,496,165</u>	<u>427,557</u>		<u>612,578</u>	<u>185,021</u>	<u>143.3%</u>
Expenses						
Central Charges	208,427	52,763		46,774	(5,989)	88.6%
Recreation Facilities	3,287,738	569,044		535,646	(33,398)	94.1%
Total Expenses	<u>3,496,165</u>	<u>621,807</u>		<u>582,420</u>	<u>(39,387)</u>	<u>93.7%</u>
Increase (Decrease) in Net Assets	<u>0</u>	<u>(194,250)</u>		<u>30,158</u>	<u>224,408</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Legacy Ridge Fund						
Revenues						
Charges for Services	1,456,167	123,774		209,371	85,597	169.2%
Interest Income	0	0		711	711	
Interfund Transfers	85,000	21,250		21,250	0	100.0%
Total Revenues	<u>1,541,167</u>	<u>145,024</u>		<u>231,332</u>	<u>86,308</u>	159.5%
Expenses						
Central Charges	109,383	28,002		25,301	(2,701)	90.4%
Recreation Facilities	1,431,784	240,540		236,775	(3,765)	98.4%
Total Expenses	<u>1,541,167</u>	<u>268,542</u>		<u>262,076</u>	<u>(6,466)</u>	97.6%
Increase (Decrease) in Net Assets	<u>0</u>	<u>(123,518)</u>		<u>(30,744)</u>	<u>92,774</u>	

**City of Westminster
Financial Report
For Three Months Ending March 31, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Heritage at Westmoor Fund						
Revenues						
Charges for Services	1,288,855	115,997		214,710	98,713	185.1%
Interfund Transfers	666,143	166,536		166,536	0	100.0%
Total Revenues	<u>1,954,998</u>	<u>282,533</u>		<u>381,246</u>	<u>98,713</u>	134.9%
Expenses						
Central Charges	99,044	24,761		21,473	(3,288)	86.7%
Recreation Facilities	1,855,954	328,504		298,871	(29,633)	91.0%
Total Expenses	<u>1,954,998</u>	<u>353,265</u>		<u>320,344</u>	<u>(32,921)</u>	90.7%
Increase (Decrease) in Net Assets	<u>0</u>	<u>(70,732)</u>		<u>60,902</u>	<u>131,634</u>	

CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MONTH OF MARCH 2012

Center Location Major Tenant	/----- Current Month -----/			/----- Last Year -----/			/--- %Change ---/		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	334,286	13,361	347,647	330,513	14,204	344,717	1	-6	1
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	337,831	7,360	345,191	312,936	1,001	313,936	8	636	10
SHOPS AT WALNUT CREEK 104TH & REED TARGET	211,904	3,265	215,168	197,200	11,702	208,902	7	-72	3
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	197,049	627	197,675	186,457	1,069	187,526	6	-41	5
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	188,845	344	189,189	176,723	381	177,104	7	-10	7
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	154,258	5,065	159,323	137,039	1,362	138,401	13	272	15
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	150,100	582	150,682	145,824	418	146,242	3	39	3
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	143,934	5,768	149,702	134,517	263	134,779	7	2096	11
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	126,321	14,724	141,045	114,596	21,027	135,623	10	-30	4
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	110,594	623	111,217	96,865	5,815	102,680	14	-89	8
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	109,893	637	110,529	113,294	230	113,524	-3	177	-3
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	74,805	294	75,099	76,049	492	76,541	-2	-40	-2
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	57,838	3,492	61,330	53,240	317	53,557	9	1000	15
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	58,642	102	58,745	58,525	102	58,627	0	0	0
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	21,635	34,513	56,148	4,093	25,079	29,172	429	38	92

CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MONTH OF MARCH 2012

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	51,565	471	52,036	53,080	481	53,561	-3	-2	-3
WESTMINSTER MALL 88TH & SHERIDAN 2 DEPARTMENT STORES	39,893	5,514	45,407	146,763	12,261	159,023	-73	-55	-71
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	42,933	138	43,071	45,356	220	45,576	-5	-37	-6
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	40,763	343	41,105	42,926	53	42,979	-5	543	-4
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	40,422	220	40,642	36,955	1,270	38,225	9	-83	6
WESTMOOR NW OF 108TH AND WADSWORTH GE ACCESS	3,775	30,724	34,499	2,701	31,101	33,802	40	-1	2
WILLOW RUN 128TH & ZUNI SAFEWAY	32,108	168	32,276	30,092	534	30,625	7	-68	5
RANCH RESERVE NE CORNER 112TH & FEDERAL FITNESS 19	16,194	15,412	31,606	3,036	0	3,036	433	*****	941
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	27,495	458	27,952	26,771	114	26,885	3	302	4
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	23,939	3,277	27,216	23,330	802	24,131	3	309	13
	2,597,021	147,480	2,744,501	2,548,879	130,296	2,679,175	2	13	2

CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MARCH 2012 YEAR-TO-DATE

Center Location Major Tenant	YTD 2012			YTD 2011			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	1,240,728	52,358	1,293,087	1,173,691	58,470	1,232,161	6	-10	5
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	1,128,423	9,652	1,138,075	1,096,704	4,956	1,101,660	3	95	3
SHOPS AT WALNUT CREEK 104TH & REED TARGET	718,749	5,676	724,425	703,965	16,355	720,321	2	-65	1
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	647,120	1,454	648,574	619,216	2,234	621,451	5	-35	4
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	602,062	1,647	603,709	590,114	1,532	591,645	2	8	2
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	538,102	7,373	545,475	500,047	3,620	503,667	8	104	8
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	502,917	8,767	511,684	474,118	2,633	476,751	6	233	7
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	499,988	1,706	501,694	509,543	1,664	511,207	-2	3	-2
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	415,918	3,002	418,919	370,943	21,997	392,940	12	-86	7
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	399,303	46,722	446,025	374,132	90,225	464,357	7	-48	-4
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	384,872	3,052	387,923	403,014	3,919	406,932	-5	-22	-5
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	279,176	1,097	280,272	292,069	4,284	296,353	-4	-74	-5
WESTMINSTER MALL 88TH & SHERIDAN 2 DEPARTMENT STORES	255,346	8,044	263,390	453,604	15,723	469,326	-44	-49	-44
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	231,089	3,805	234,894	252,687	1,424	254,111	-9	167	-8
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	184,073	501	184,573	191,655	516	192,171	-4	-3	-4

CITY OF WESTMINSTER
GENERAL RECEIPTS BY CENTER
MARCH 2012 YEAR-TO-DATE

Center Location Major Tenant	YTD 2012			YTD 2011			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	162,106	5,056	167,162	157,400	808	158,208	3	526	6
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	143,035	3,109	146,143	148,441	1,167	149,609	-4	166	-2
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	133,847	445	134,292	137,578	651	138,229	-3	-32	-3
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	124,018	1,478	125,496	115,362	2,257	117,618	8	-35	7
WILLOW RUN 128TH & ZUNI SAFEWAY	98,939	1,501	100,440	95,371	1,298	96,670	4	16	4
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	81,124	362	81,486	69,608	11,024	80,633	17	-97	1
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	73,695	2,087	75,782	77,841	1,109	78,949	-5	88	-4
MEADOW POINTE NE CRN 92ND & OLD WADS CARRABAS	73,495	161	73,656	67,463	298	67,761	9	-46	9
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	71,266	6,004	77,271	69,049	2,037	71,086	3	195	9
NORTHVIEW 92ND AVE YATES TO SHERIDAN SALTGRASS	67,853	2,119	69,972	70,277	584	70,860	-3	263	-1
	9,057,243	177,177	9,234,420	9,013,892	250,785	9,264,677	0	-29	0



Agenda Item 8 B

Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Quarterly Insurance Claims Report – January through March 2012

Prepared By: Martee Erichson, Risk Manager

Recommended City Council Action

Accept the First Quarter 2012 Insurance Claims Report.

Summary Statement

- The attached report provides detailed information on each insurance claim made to the City including the City's claim number, date of loss, claimant's name and address, a summary of the claim, and the claim's status. Since all claims represent a potential liability to the City, Risk Management Staff works closely with the City Attorney's Office on litigated claims to make sure that the interests of both the City and the citizen are addressed in each instance. The listing of the claims in this report is provided in accordance with Westminster Municipal Code 1-30-3.
- In accordance with Code provisions, the Risk Manager, acting as the City Manager's designee, has the authority to settle claims of less than \$30,000. However, under the City's contract with the Colorado Intergovernmental Risk Sharing Agency (CIRSA), CIRSA acts as the City's claims adjuster and settlement of claims proceed with the concurrence of both CIRSA and the Risk Manager. The City retains the authority to reject any settlement recommended by CIRSA, but does so at the risk of waiving its insurance coverage for such claims.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

Information on the status of each claim received during the 1st quarter of 2012 is provided on the attached spreadsheet. All Incident Report forms are signed and reviewed by appropriate supervisors, Safety Committee representatives and department heads. Follow-up action, including discipline if necessary, is taken on incidents where City employees are at fault.

For the first quarter of 2012, Staff has noted the following summary information:

- Twelve of the 23 claims reported in the first quarter of 2012 are closed at this time.
- Total claims for the quarter and year-to-date are broken down by department as follows:

Department	1st Qtr 2012			YTD
	Total Claims	Open	Closed	Total
City Attorney's Office (CAO)	1	0	1	1
Community Development (CD)	1	0	1	1
Fire	1	0	1	1
Police (PD)	3	2	1	3
Parks, Recreation and Libraries (PRL)	4	0	4	4
Public Works and Utilities (PWU) – Streets Maintenance	3	2	1	3
Public Works and Utilities (PWU) – Utility Operations	9	7	2	9
Public Works and Utilities (PWU) – Utilities Planning & Engineering	1	0	1	1
TOTAL	23	11	12	23

Risk Management supports Council’s Strategic Plan goals of a Financially Sustainable City Government and Safe and Secure Community by working to mitigate the cost of claims to the City and maintaining a loss control program that strives to keep City streets and facilities safe for the general public.

Respectfully submitted,

J. Brent McFall
City Manager

**Quarterly Insurance Report
January - March 2012**

Claim Number	Loss Date	Dept.	Claimant	Address	Claim Description	Payment	Status	Notes
2012-006	1/9/2012	PWU - Util	William Beichley	9790 Quitman Way, Westminster CO 80030	Claimant's home was damaged from a sewer backup.	\$ 6,535.30	Open	Sewer backup was caused by root growth in the City's main line that occurred past the industry standard three year maintenance schedule and before the line was scheduled to be cleaned under the City's new four year schedule.
2012-019	1/15/2012	PD	Lori Snyder	8430 Sheridan, D-108, Westminster CO	Police Officer placed claimant's personal property on top of his patrol vehicle during an investigation and forgot about the property. When the Officer drove off, the property was lost.	\$ -	Open	CIRSA investigating
2012-025	1/21/2012	PRL	Yungkeun Park	2746 E. 132nd Pl., Thornton CO 80241	Claimant was injured when she fell down the stairs at City Park Recreation Center.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City.
2012-026	1/25/2012	CAO	Ronald Marble	7050 S. Marshall St., Littleton CO 80128	Claimant's attorney filed a Summons in a Civil Action and Complaint with the City alleging the City failed to respond to the claimant's request for declaratory judgment.	\$ -	Closed	Claimant's attorney dropped the City from the Complaint as the City is not a proper party to a declaratory action.

Claim Number	Loss Date	Dept.	Claimant	Address	Claim Description	Payment	Status	Notes
2012-034	2/3/2012	PWU - Streets	Trailside Townhomes HOA	c/o MSI, 390 Interlocken Crescent, Ste 500, Broomfield CO 80021	City employee driving a City dump truck with a plow attached damaged claimant's fence.	\$ -	Open	CIRSA investigating
2012-042	2/7/2012	PRL	Terry Daniels	8950 W 87th Pl., Arvada CO 80005	City Parks Division employee driving a City vehicle while plowing snow damaged claimant's fence.	\$ 250.00	Closed	
2012-043	2/7/2012	PWU - Util	Conception Cardona	3740 W 73rd Ave., Westminster CO 80030	Water main break caused damage to claimant's personal property.	\$ -	Open	Claim denied based on Colorado Governmental Immunity Act; however, claimant will be paid under the City's "good neighbor" settlement program.
2012-043	2/7/2012	PWU - Util	Becky Silver (Owner, 3717 W 73rd Ave)	10154 Meade Ct., Westminster CO 80031	Water main break caused damage to claimant's rental property.	\$ -	Open	Claim denied based on Colorado Governmental Immunity Act; however, claimant will be paid under the City's "good neighbor" settlement program.
2012-043	2/7/2012	PWU - Util	Sharon and Richard LaBounty	3716 W 73rd Ave., Westminster CO 80030	Water main break caused damage to claimant's personal property.	\$ 1,003.45	Open	Claim denied based on Colorado Governmental Immunity Act; however, claimant will be paid under the City's "good neighbor" settlement program.

Claim Number	Loss Date	Dept.	Claimant	Address	Claim Description	Payment	Status	Notes
2012-043	2/7/2012	PWU - Util	Theresa Holiday	3717 W 73rd Ave., Westminster CO 80030	Water main break caused damage to claimant's personal property.	\$ -	Open	Claim denied based on Colorado Governmental Immunity Act; however, claimant will be paid under the City's "good neighbor" settlement program.
2012-043	2/7/2012	PWU - Util	Lisa Holiday	3717 W 73rd Ave., Westminster CO 80030	Water main break caused damage to claimant's personal property.	\$ -	Open	Claim denied based on Colorado Governmental Immunity Act; however, claimant will be paid under the City's "good neighbor" settlement program.
2012-043	2/7/2012	PWU - Util	Crystal Baker	3717 W 73rd Ave., Westminster CO 80030	Water main break caused damage to claimant's personal property.	\$ -	Open	Claim denied based on Colorado Governmental Immunity Act; however, claimant will be paid under the City's "good neighbor" settlement program.
2012-045	2/8/2012	Fire	John Harness	7169 Russell Ct., Arvada CO 80007	Fire Department employee driving a City ambulance hit claimant's parked car.	\$ 642.20	Closed	
2012-049	2/14/2012	PWU - Streets	Dana Rivera	541 W 123rd Ave #9201, Westminster CO 80234	Claimant alleges her vehicle was damaged when she hit a pothole.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City.

Claim Number	Loss Date	Dept.	Claimant	Address	Claim Description	Payment	Status	Notes
CLAIMS SUBMITTED RECENTLY WITH OCCURRENCE DATE PRIOR TO 1st QUARTER 2012:								
2011-124	5/17/2011	PRL	Tito Muniz	15836 W. 74th Pl., Arvada CO 80007	Claimant alleges that power washing by city employees caused damage to his boat.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City.
2011-384	7/8/2011	CD	David Kunz	2520 W. 104th Cr., Westminster CO 80031	Claimant alleges his home landscaping has been damaged due to improper drainage along 104th Avenue.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City.
2011-391	7/8/2011	PWU - Eng	Magnum Colorado One	2733 E Parleys Way, Ste #300, Salt Lake City UT 84109	Claimant alleges business property at 8670 Wolff Court in Westminister was damaged due to flooding of a nearby ditch.	\$ -	Closed	Claim denied and claimant was referred to the Allen Ditch Company.
2011-397	9/21/2011	PWU - Util	Qwest	c/o CMR, 615 N Classen Blvd., Oklahoma City OK 73106	Claimant alleges City Utility crew employees damaged a buried Qwest cable during a water excavation.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City as City staff relied on a locate by an outside party.
2011-389	10/18/2011	PD	Corey Tran	8330 Zuni St. #223, Denver CO 80221	Claimant alleges his vehicle is being illegally impounded.	\$ -	Closed	The vehicle had already been returned to the owner by the time the City received the claim.

Claim Number	Loss Date	Dept.	Claimant	Address	Claim Description	Payment	Status	Notes
2011-394	10/29/2011	PRL	Corey Weaver	11398 Lima St., Henderson CO 80640	Claimant alleges his child was injured when the child fell off a ladder at a Westminster playground.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City.
2011-398	10/31/2011	PWU - Util	Xcel Energy	Claims Dept., P O Box 840, Denver CO 80201	Claimant alleges City Utility crew employees damaged an Xcel line while digging an installation of a utility line.	\$ -	Closed	Claim denied based on Colorado Governmental Immunity Act and investigation found no evidence of negligence on the part of the City as City staff relied on a locate by an outside party.
2011-373	12/21/2011	PWU - Streets	Elijah Bustamante and Michelle Ogeda	1183 W 133rd Ct., Westminster CO 80234	City Street Division employee driving a City snow plow made a u-turn in front of claimants' vehicle causing an accident.	\$ -	Open	CIRSA investigating
2011-405	12/29/2011	PD	Preston Boyer	10942 Kingston St., Henderson CO 80640	Claimant's attorney filed a Notice of Claim with the City alleging the claimant suffered injuries and damages during his arrest by Westminster Police Officers.	\$ -	Open	CIRSA investigating
					TOTAL	\$ 8,430.95		



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: City Park Fitness Center, Roof Retrofit Contract

Prepared By: Jerry Cinkosky, Facility Manager

Recommended City Council Action

Authorize the City Manager to execute a contract with the low bidder B & M Roofing of Colorado, Inc., in the amount of \$92,327 for the roof retrofit at City Park Fitness Center and authorize a construction contingency in the amount of \$9,000 for a total expenditure of \$101,327.

Summary Statement

- Since 2009, the roof at the City Park Fitness Center has been leaking. In 2009, the City spent \$5,800 on repairs; in 2010, an additional \$8,000 was invested in the roof; and in 2011, \$10,000 was spent. In 2011, leaks over the upstairs restrooms caused substantial damage requiring closure of the restrooms for replacement of sections of the ceilings impacting Center operations.
- In February 2012, Staff evaluated the current roof conditions at the Fitness Center and identified the need for retrofitting the roof to reduce the need for on-going annual repairs and maintain the roof's useful life.
- In March 2012, a Request for Proposals was sent to four roofing companies to retrofit the roof at the Fitness Center. All companies had completed successful roof replacements or retrofits on City facilities over the past eight years. On April 3, 2012, a bid opening was held and B & M Roofing Company of Colorado, Inc., submitted the lowest proposal to retrofit the roof.
- Adequate funds were budgeted and are available for this repair.

Expenditure Required: \$101,327

Source of Funds: Building Operations and General Capital Improvement Fund
-Parks & Recreation Projects

Policy Issue

Should City Council authorize the roof retrofit at the City Park Fitness Center?

Alternative

City Council could direct Staff to continue making annual repairs to the existing roof at the City Park Fitness Center. Staff does not recommend this approach based on anticipated increased annual repair costs, potential of additional damages to insulation under the roof and impacts to the Center’s operations ultimately inconveniencing Center guests.

City Council could direct Staff to replace the roof at the City Park Fitness Center. Staff does not recommend this alternative because the roof is in good condition and replacement is not necessary to maintain the roof’s useful life.

Background Information

In 2009, the City Park Fitness Center began experiencing a number of roof leaks. Despite on-going maintenance and costly repairs over the past three years, the roof continues to leak causing damage to the interior of the Center. Since 2009, the City has spent \$23,800 repairing both the roof and interior finishes at the Center.

In February 2012, Staff contacted Garland Roofing Consultants to help assess the Center’s roof condition and make recommendations to address leaks and maintain the useful life of the existing roof. Garland has been assisting the City over the past seven years with the management of facility roofs and their expertise has helped the City maintain the useful life of several facility roofs. After a thorough review, Garland and Staff determined the roofing system was in good condition and a total roof replacement was not needed. Replacing the existing roof system would have cost between \$380,000 to \$420,000. Instead of replacement, the recommendation is to repair seams, patch the repairs made over the years and to apply a single-component aliphatic urethane liquid waterproofing membrane. The membrane will maintain, repair, restore and upgrade the performance of the aging single-ply rubber roofing material at the Center. Additionally, the membrane will add ultra violet ray protection helping to maintain internal temperatures and reduce energy costs associated with cooling the building. The City has experienced success using the membrane at the Municipal Service Center and Sports Center.

In March of this year, based on product recommendations and specifications from Garland, Staff sent out a Request for Proposals to four roofing companies with experience applying the membrane and who have completed successful roof retrofits and replacements on other City facilities.

The Fitness Center roof retrofit proposal opening was held on April 3, 2012, with the following results:

D&D Roofing	\$104,985
CRW Roofing	\$101,591
Alpine Roofing Co., Inc.	\$100,085
B & M Roofing of Colorado, Inc.	\$ 92,327

Staff recommends awarding B & M Roofing the project based on their lowest proposal cost.

By retrofitting the roof at the City Park Fitness Center and not maintaining the currently costly annual repairs, the City’s investment in well-maintained and sustainable facilities supports the Strategic Plan goal of Financially Sustainable City Government Providing Exceptional Services. This project also supports

SUBJECT: City Park Fitness Center, Roof Retrofit Contract

Page 3

the City's Beautiful and Environmentally Sensitive City Strategic Plan goal by applying a membrane that will add ultra violet ray protection while helping to maintain internal temperatures and reduce energy costs associated with cooling the building.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: 2012 Asphalt Pavement Rehabilitation Project

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

Recommended City Council Action

Authorize the City Manager to execute a contract for the 2012 Asphalt Pavement Rehabilitation Project with the low bidder, Asphalt Specialties Company, Inc., in the amount of \$583,467; and authorize an 8.5% contingency of \$49,595, for a total project budget of \$633,062.

Summary Statement

- Council approved adequate funds for this expense in the 2012 Department of Public Works and Utilities Street Operations Division and Utility Field Operations Division budgets.
- Formal bids were solicited in accordance with city bidding requirements for the 2012 Asphalt Pavement Rehabilitation Project. Requests for proposals were sent to six contractors with five responding.
- The low bidder, Asphalt Specialties Company, Inc., meets all of the City bid requirements and has successfully completed similar Westminster projects over the past 22 years.
- The Asphalt Pavement Rehabilitation Project includes resurfacing of 7 lane miles of paved roadway on 8 streets throughout the city for the Street Operations Division and water main replacement trench patching at 12 planned locations for the Utilities Field Operations Division.

Expenditure Required: \$ 633,062

Source of Funds: General Fund – Street Operations Division Operating Budget - \$435,319
Utility Fund – Utilities Field Operations Division Budget - \$197,743

Policy Issue

Should this bid be awarded to the low bidder, Asphalt Specialties Company, Inc., for the 2012 Pavement Rehabilitation Project?

Alternatives

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

Background Information

The Asphalt Pavement Rehabilitation Project includes resurfacing of 7 lane miles of paved roadway on 8 streets throughout the city for the Street Operations Division and water main replacement trench patching at 12 planned locations for the Utilities Field Operations Division.

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

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

The following sealed bids were received:

1. Asphalt Specialties Company, Inc.	\$583,467
2. Aggregate Industries Inc.	\$637,349
3. Brannan Sand & Gravel Co.	\$655,057
4. Martin Marietta Materials	\$665,057
5. APC Construction Co., LLC	\$745,443
6. Premier Paving, Inc.	NO BID
City Staff’s Estimate	\$583,586

City Staff’s estimated cost of \$583,586 included an increase over 2011 pricing of 6% based on supplier pricing forecasts for 2012, Asphalt Specialties Company Inc.’s actual bid increased by 6%. The increase can be attributed to volatile oil and fuel costs that have risen substantially since last year.

As part of a cooperative effort with the Adams County School District #12, the City also included pavement rehabilitation bid quantities for various District parking lots. The dollar amounts for the School District portion are not reflected in the \$583,467 City award. The School District will be responsible to award and administer a contract for their work.

The proposed council action supports City Council's goals of Financially Sustainable City Government Providing Exceptional Services as well as Vibrant Neighborhoods and Commercial Areas by providing well maintained city infrastructure through timely resurfacing and reconstruction of roadways.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Location Lists (2)
- Map

City of Westminster

Department of Public Works and Utilities
Street Operations Division

2012 Utilities Trench Patch Locations

- 1) 73rd Avenue, Bradburn Boulevard east to Lowell Boulevard
- 2) Benton Court, Depew Way north to cul-de-sac
- 3) Depew Way, 115th Avenue south / east to 11312 Benton Court
- 4) Chase Way, 11352 Benton Court north / west to 11477 Depew Way
- 5) 123rd Avenue, east of Huron Street / in apartments parking lot south of 123rd Avenue
- 6) 101st Avenue, Yates Street east to Wolff Street
- 7) Wolff Street, 101st Avenue north to 102nd Avenue (include 60' cul-de-sac)
- 8) 101st Place, Wolff Street south / east to 100th Court
- 9) LaPlace Court, Oakwood Drive north to Bradburn Drive
- 10) 82nd Avenue, LaPlace Court east to 3870 W. 82nd Avenue
- 11) 95th Avenue, Pierce Street west to 6981 W 95th Avenue
- 12) Grove Street, 92nd Avenue south to 90th Place

City of Westminster

Department of Public Works and Utilities
Street Operations Division

2012 Asphalt Pavement Rehabilitation Project

- 1) 90th Avenue, Cody Street, 91st Avenue and Field Street, continuous roadway from Wadsworth Boulevard to 88th Avenue
- 2) Garrison Street, 100th Avenue to 103rd Avenue
- 3) 102nd Place, Garland Street to 101st Avenue
- 4) 101st Avenue, Garrison Street to northeast end (cul-de-sac)
- 5) Flower Court, 102nd Place to south end (cul-de-sac)
- 6) 101st Place, Garrison Street to west end (cul-de-sac)
- 7) 100th Place, Garrison Street to west end (cul-de-sac)
- 8) 100th Way, Garrison Street to west end (cul-de-sac)
- 9) *Sheridan Boulevard, 88th Place to 96th Avenue

*5" HMA full depth production patching – 1,000 sq. yds.



WESTMINSTER

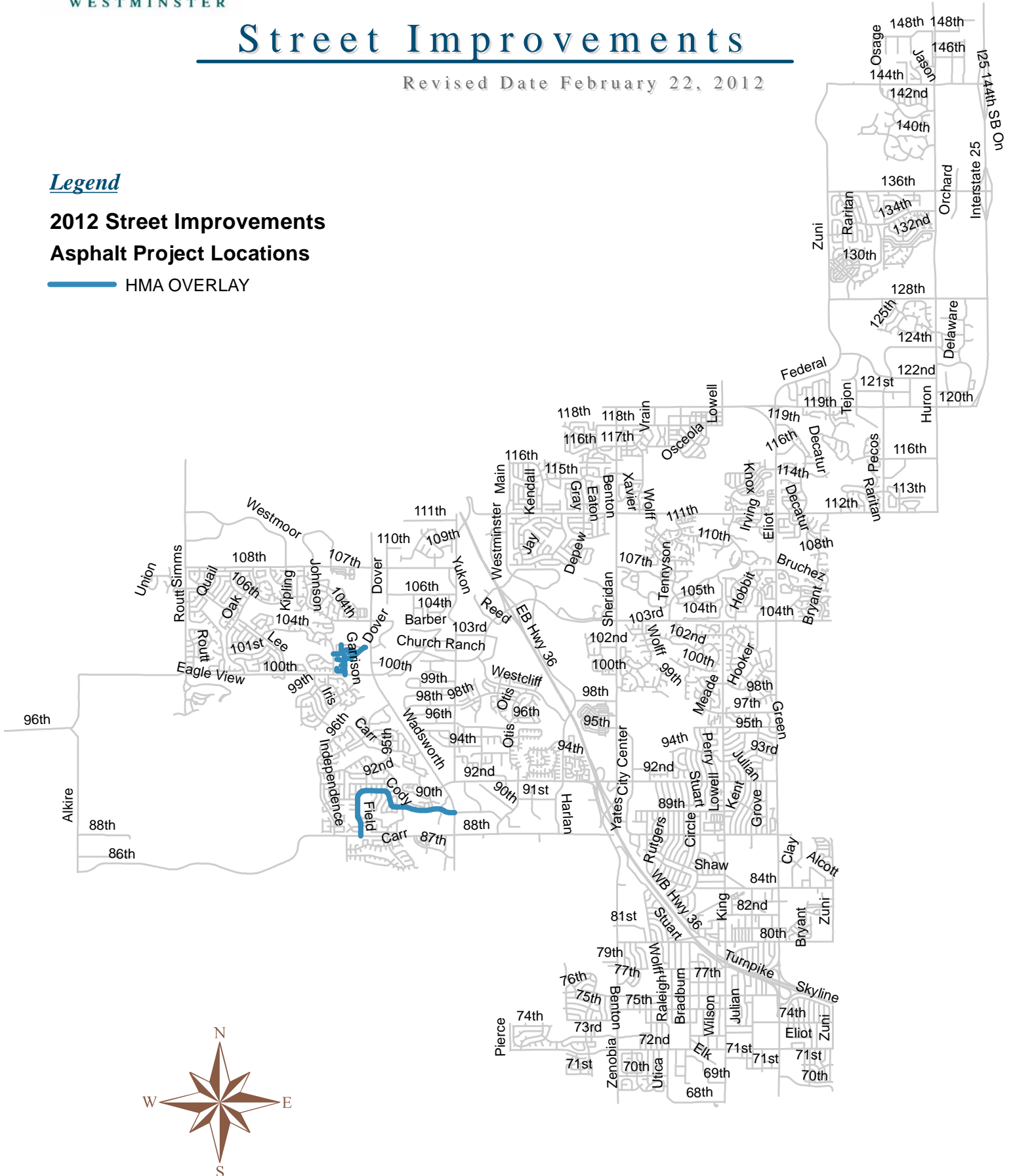
Street Improvements

Revised Date February 22, 2012

Legend

2012 Street Improvements Asphalt Project Locations

 HMA OVERLAY





Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: 120th Avenue Wall Repair - Construction Contract

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

Authorize the City Manager to execute a contract with the low bidder, Hallmark, Inc., in the amount of \$66,257 for the 120th Avenue Wall Repair Project, and authorize a construction contingency in the amount of \$2,000.

Summary Statement

- On October 25, 2004, City Council approved the formation of The Ranch Special Improvements District for the purpose of constructing, financing and maintaining the brick wall along the south side of 120th Avenue between approximately Decatur Street and Tejon Street.
- On November 8, 2004, Council approved a construction contract with USA Masonry, Inc. in the amount of \$419,424 to construct this brick wall.
- Since that time, the wall has suffered some minor structural failures which should be repaired before a more significant failure occurs.
- This wall repair project was advertised for bids for six weeks beginning on February 9, 2012, and bids were opened on March 22, 2012. Five contractors submitted bids, with the lowest responsible bid being submitted by Hallmark, Inc.

Expenditure Required: \$68,257

Source of Funds: General Capital Improvement Fund
- Miscellaneous CD Construction Projects Account

Policy Issue

Should the City proceed with the 120th Avenue Wall Repair Project?

Alternative

An alternative includes postponing the construction of this project. Given the nature of the failures recently observed along this wall, staff believes that it is more cost effective to repair the minor failures now rather than repair significant failures in the future.

Background Information

On October 25, 2004, City Council approved the formation of The Ranch Special Improvements District (SID) for the purpose of constructing, financing and performing routine maintenance on the brick wall located along the south side of 120th Avenue between approximately Decatur Street and Tejon Street. The SID will expire in 2014. After that time, the maintenance of this wall will be the sole responsibility of the City. Unfortunately, the type of maintenance to this wall that is now necessary cannot be described as “routine,” and it will require a three year phasing due to the limited amount of funds budgeted in the Miscellaneous CD Construction Projects account. The first phase is to repair the most structurally deficient portions of the wall starting at Zuni Street and running 710 feet to the west.

The project was advertised for six weeks, and bids were opened on March 22, 2012. Five bidders submitted bids with the lowest bid being submitted by Hallmark, Inc. The bid results are as follows:

<u>Contractor</u>	<u>Submitted Bid</u>
Hallmark, Inc	\$113,533.00 *
Noraa Concrete Construction Corporation	\$138,595.00
Ammex	\$164,820.00
New Design Construction	\$175,743.30
Structures, Inc	\$266,058.00

*The lowest responsible bid submitted by Hallmark, Inc. included the repair of approximately 1,194 feet of fence; however, their bid price was above the current project budget. Staff negotiated a revised price for 710-feet of wall using Hallmark’s bid unit prices, and that revised price is \$66,257.00. This price will allow the City to proceed with the most structurally deficient portions of the wall at this time.

Staff has reviewed the results of the bidding procedure and recommends that the low bidder, Hallmark Inc., be awarded the contract for construction in the amount of \$66,257. Staff has not worked with Hallmark in the past but has spoken with their references who highly recommend them. The contingency amount of \$2,000 is approximately 3% of the cost of construction. Staff believes that this is an adequate contingency for a project of this size and relatively minor complexity.

This project supports Council’s goal of providing “Vibrant Neighborhoods and Livable Communities.”

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Engineering Services Contract for 72nd Avenue and Raleigh Street Bridge Replacement

Prepared By: Stephen Baumann, Assistant City Engineer

Recommended City Council Action

Find that the public interest is best served by a negotiated contract with Jacobs Engineering Group, Inc for engineering services for the 72nd Avenue/Raleigh Street Bridge Replacement project; and authorize the City Manager to execute a contract with Jacobs Engineering Group, Inc in the amount of \$347,613 for engineering design and preparation of construction bid documents for the 72nd Avenue/Raleigh Street Bridge Replacement project; authorize \$55,000 for title commitment and appraisal expenses; and authorize a project contingency of \$34,761

Summary Statement

- Planning and preliminary engineering efforts over the past several years have resulted in a recommended project to replace the culvert that carries 72nd Avenue over Little Dry Creek at the Raleigh Street intersection. The replacement of the outdated water and sewer system facilities in the same general area is being incorporated into the design work, which is expected to start construction in 2013. The project will be implementing the first phase of improvements planned for the 72nd Avenue corridor by rebuilding 72nd Avenue from approximately Stuart Street to Bradburn Boulevard, and set the stage for future phases, including a realignment of Bradburn Boulevard to connect to 72nd Avenue at Raleigh Street.
- A total project budget of \$5.5 to \$5.9 million is expected to be necessary for this first phase project, drawn from the General Capital Improvement Fund and the Utility Fund as well as utilizing \$1.84 million of federal funding, awarded to the City under the Colorado Department of Transportation's off-system bridge inspection and replacement program.
- City staff is recommending that the contract for final design engineering and the preparation of bid documents for the project be awarded to Jacobs Engineering Group, Inc, at a negotiated fee of \$347,613. Jacobs brings important continuity to the next step in this project, having provided planning and preliminary design services for the 72nd Avenue corridor under contracts won by competitive proposal processes.

Expenditure Required: \$437,374

Source of Funds: General Capital Improvement Fund (GCIF)
 - Bradburn Realignment AdCo Road Tax - \$341,076
 Utility Fund - 72nd Avenue/Bradburn Water Account - \$24,074
 Utility Fund - 72nd Avenue/Bradburn Wastewater Account - \$72,224

Policy Issue

Should the City contract for engineering services for the 72nd Avenue/Raleigh Street bridge replacement project with the Jacobs Engineering Group based on a negotiated scope of work and fees?

Alternative

The alternative in this case is to follow the more usual procedures for securing professional engineering services by requesting proposals, short-listing and interviewing the most qualified firms and confirming the comparative value represented by the proposal of the firm that is recommended to City Council. The Request For Proposal process can take from six to eight weeks.

The 72nd Avenue/Raleigh Street bridge replacement project is the outcome of efforts started in 2007, when the City requested and received proposals from 11 firms for the planning and engineering services necessary to evaluate future improvements to 72nd Avenue from Meade Street to Utica Street. The group of proposers was narrowed to two firms, with Jacobs Engineering Group (previously Carter-Burgess, Inc) offering both the lowest fees and the most competent and comprehensive scope of work. Council awarded the contract to Jacobs, which then prepared the 72nd Avenue Planning Study (2009). No change orders were necessary.

In 2010, proposals were requested for preliminary engineering of 72nd Avenue and realignment of Bradburn Boulevard north of 72nd Avenue. Seven firms responded and three firms were short-listed based on the strength of their proposals. As would be expected, Jacobs' understanding of the assignment was superior to the others. For this contract, the fees proposed by the three firms ranged from \$85,000 to \$144,000. Based on staff's recommendation, City Council awarded the preliminary design contract to Jacobs at a cost of \$98,000.

The process of securing engineering services for the 72nd Avenue Planning Study and for the preliminary engineering of the 72nd Avenue/Bradburn Realignment is summarized here to show that the Jacobs Engineering Group has gone through two competitions and has been found to provide high-quality engineering services at competitive prices. City staff is very satisfied with Jacobs' performance under the two contracts, and the product of its staff's efforts was instrumental in the City securing \$1.8 million of outside funding to replace the Little Dry Creek culvert. While another firm might have performed the previous contracts as well, and another firm might well beat Jacobs' price for final design engineering services in yet a third RFP process, no other firm knows the project area or the assignment better than Jacobs. Jacobs' experience in this segment of 72nd Avenue is unparalleled, and the technical team that prepared the planning study and the preliminary engineering drawings for the 72nd Avenue and Bradburn Boulevard realignment remains largely intact for this final design assignment. Staff is confident that the fee schedule and scope of work that has been negotiated with Jacobs for the design of the 72nd Avenue/Raleigh Street bridge replacement is competitively priced and also offers the best opportunity for a successful outcome.

Background Information

As part of the continuing effort to revitalize the south Westminster area, in 2008, the City sponsored a planning study for the 72nd Avenue corridor, covering an area from Meade Street west to Utica Street. Much of the infrastructure there has been in service for over 40 years, and the corridor is characterized by narrow sidewalks, inadequate traffic operations facilities, aging water and sewer and the clutter of overhead utility lines. The 72nd Avenue Planning Study was completed in 2009 by Jacobs Engineering Group after its staff evaluated the existing conditions, reviewed alternatives and developed recommendations for future projects that would address these shortcomings. Jacobs had been chosen from 11 firms that had submitted proposals for the planning study contract.

Among the recommendations of the planning study was the replacement of the concrete culvert that carries 72nd Avenue and its intersection with Raleigh Street over Little Dry Creek. This structure has had declining ratings in the bi-annual inspection program for off-systems bridges that is administered by the Colorado Department of Transportation (CDOT). While the structure remains serviceable, the study brought attention to its limited remaining life. The other major recommendation was that Bradburn Boulevard be realigned to intersect 72nd Avenue at Raleigh Street. There is now a 200-foot offset of these streets that reduces safety and causes operational problems at the two intersections.

In 2010, proposals were received from seven firms for preliminary design of a project that would realign Bradburn Boulevard with Raleigh Street and replace the old culvert with a bridge, raising the intersection several feet to improve the flow conditions of Little Dry Creek during major storm events and also raising the trail along Little Dry Creek so that it does not flood so often during minor storms. Jacobs won that contract as well. In parallel with this evaluation, the Utilities Division looked at the condition of water and sewer systems in the area. While some replacement of water and sewer is occasioned by the bridge replacement itself, the project also presented an opportunity to replace and repair aging utility systems in the same general project area—a priority project for the Utilities Division due to their condition and hydraulic capacity concerns. That concept was refined during preliminary design and the utility system upgrades are expected to be incorporated into the first phase of the 72nd Avenue corridor improvements if possible.

For several years, the Colorado Municipal League has sponsored applications to CDOT's Special Highway Committee for federal funding to replace bridges where CDOT's off-system bridge inspection program had found highly-deficient structures. The Little Dry Creek culvert met those criteria and in 2009 the City was successful in securing a grant for \$1.1 million. That success was repeated in 2010, when the Special Highway Committee authorized another \$743,000 for the replacement. The combined grant has been programmed for 2013 and requires matching funds of \$461,000 from the City. The plan review and administration of the federal funding must be coordinated through CDOT. This process is more involved than the typical City-sponsored capital project that the City would do and will be further challenging with the inclusion of the necessary utility system upgrades that will be paid for from the Water and Wastewater Utility Funds.

The task ahead is to design the 72nd Avenue/Raleigh Street bridge replacement, make related improvements to 72nd Avenue and Raleigh Street, replace water and sewer system components and do it in a way that will be compatible with the future realignment of Bradburn Boulevard. The bridge will be designed such that architectural enhancements can be added in the future and their cost is not included in the budget figures below. Construction of the project will require right-of-way acquisition and the final design effort will include securing title commitments and property appraisals to prepare for that. Preliminary cost estimates indicate that a total project budget of \$5.5 to \$5.9 million will be necessary, drawn from the General Capital Improvement Fund, the federal bridge replacement funds (reimbursed under an intergovernmental agreement (IGA) with CDOT), and the Utility Fund. City Council will be asked to act on the IGA and approve a resolution for property acquisition later this year. City staff is recommending that the contract for the design engineering for this project be awarded to the Jacobs Engineering Group, Inc based on a negotiated proposed fee of \$347,613.

Staff considered seeking competitive/comparative proposals for the assignment, but had to recognize the significant advantage that Jacobs had in qualifications and experience compared to any other firm. The City is the beneficiary of that advantage since the scope of work for final design of the bridge replacement and the utility work builds significantly on the knowledge gained and the groundwork laid over the past four years in both the planning study and the preliminary design project that followed it. Jacobs was instrumental in the City's successful grant application/award of \$1.84 million in federal funding that will make up 30% to 40% of the necessary budget. The firm also has extensive experience with CDOT's processes for federal-aid projects. Jacobs' staff efforts have given shape to a project that will replace the culvert, be compatible with future improvements, address utility system needs, and fit the budget constraints now in place.

As noted above, the project expenses for final design will be shared between the General Capital Improvement Fund (GCIF) and the Water and Wastewater Utility Funds. In addition to the proposed fee of \$347,613 for design engineering, a total of \$55,000 is estimated to be necessary to secure title commitments and appraisals of properties from which right-of-way will be needed. A contingency of \$34,761 is also recommended. A breakdown of the recommended authorizations between the two funds is given below:

Expenditure	GCIF	Utility Fund	
		Water	Wastewater
Final design engineering/bidding services	\$278,251	\$17,340	\$52,022
Title commitments and appraisals	\$ 35,000	\$ 5,000	\$15,000
Contingencies	\$ 27,825	\$ 1,734	\$ 5,202
Totals	\$341,076	\$24,074	\$72,224

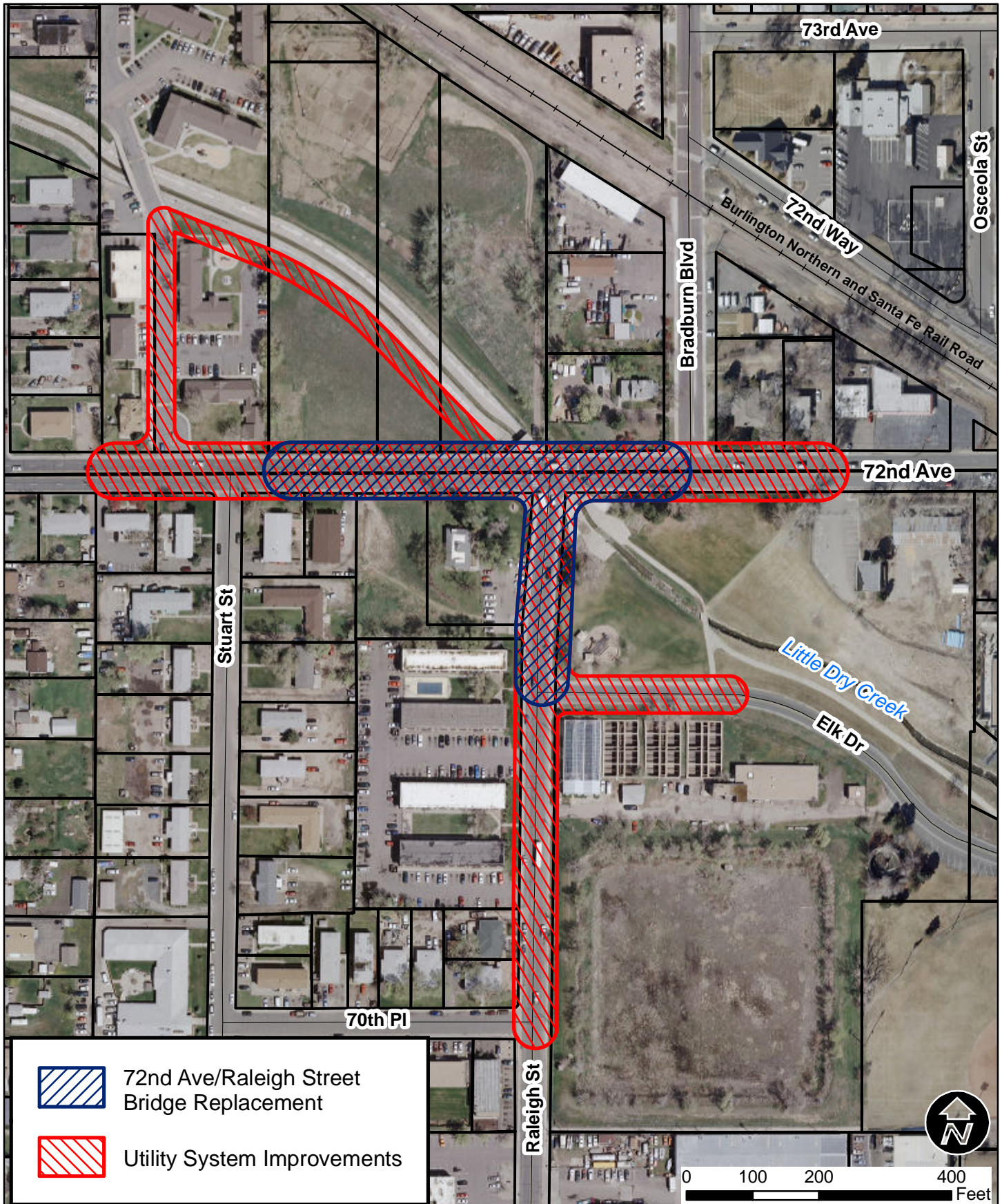
Award of the contract for final design of the 72nd Avenue/Raleigh Street bridge replacement supports City Council’s goals of “Financially Sustainable City Government Providing Exceptional Services” and “Vibrant Neighborhoods in One Livable Community.”

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Project Map

72nd Avenue/Raleigh Street -Project Area-



72nd Ave/Raleigh Street
Bridge Replacement



Utility System Improvements



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: England Water Treatment Facility Decommissioning Engineering and Construction Contracts

Prepared By: Stephanie Bleiker, Senior Engineer
Steve Grooters, Senior Projects Engineer

Recommended City Council Action

1. Authorize the City Manager to enter a contract with the low bidder American Demolition, Inc. for demolition of the England Water Treatment Facility for \$130,300 with a ten percent construction contingency in the amount of \$13,030, for a construction budget of \$143,330.
2. Execute a contract amendment with Farnsworth Group, Inc. for engineering services during construction in the amount of \$36,000 with a ten percent contingency in the amount of \$3,600, for a construction engineering services budget of \$39,600.

Summary Statement

- The England Water Treatment Facility was constructed in the late 1950s. In the late 1990s, it was removed from service because the plant could no longer reliably treat drinking water to newer, more stringent regulatory standards.
- This project consists of demolishing the England facility and preserving the site for future use by the City. The site is located at 7100 Raleigh Street (see attached map).
- Although there is security fencing around the property, the facility has been an attractive nuisance to vandals/vagrants; and theft of industrial equipment from the building has occurred.
- Overall, demolition of the facility and restoration of the site is recommended to reduce the existing risks to the public and prepare the site for potential future facilities.
- The site includes Parks, Recreation and Libraries' greenhouse and storage garage, which will be maintained in service during and following the demolition project. The clay lined reservoir adjacent to the site will also remain in place for potential future uses.
- The site itself will be useful for future City uses including a potential future non-potable water treatment system. However, none of the current structures are suitable for these future uses.
- Of the three bids received, American Demolition (the same contractor working on the City's mall demolition project) presented the lowest qualified bid in the amount of \$130,300.
- The City contracted with TEC, Inc. in July 2011 for design and bidding services. Based on their successful performance to date, Staff negotiated a contract amendment with this firm under their new name, Farnsworth Group, Inc. (Farnsworth).
- Farnsworth's fee to include construction phase engineering services is \$36,000. Because their contract value would now exceed the previously authorized design contract limit, Staff is requesting City Council approval at this time.
- The decommissioning project will begin in May 2012 with completion anticipated late Fall 2012.
- Adequate funding was budgeted and is available in the England Decommissioning Project Account, and no new funds are requested.

Expenditure Required: \$182,930

Source of Funds: Utility Fund - England Decommissioning Project Account

Policy Issues

1. Should the City execute a contract with the low bidder American Demolition, Inc. for the decommissioning of the England Water Treatment Facility?
2. Should the City authorize a contract amendment with Farnsworth Group, Inc. to perform engineering services during construction?

Alternatives

1. The City could choose to decommission the water treatment facility at a later date. However, due to the dilapidated condition of the water treatment facility structures and the risk they pose to the public, Staff recommends the site be demolished and restored now.
2. Council could choose to request proposals for construction engineering services task. This is not recommended as Staff believes that Farnsworth Group, Inc. provides the best value for this project. They were originally selected through a competitive process that contemplated future engineering construction phase services. Their project team is intimately familiar with the improvements needed, having successfully completed the design and bidding phases of the project. Their knowledge will streamline key project tasks and provide the best value to the City.

Background Information

The England Water Treatment Facility was the City's first potable water treatment plant. It was in service from the late 1950s until approximately 15 years ago when water treatment regulations surpassed the treatment capabilities of the facility. The facility was taken off-line at that time and has since served a limited purpose for the City as a storage area for miscellaneous parts and inventory. Over time the site facilities have deteriorated and now attract vandalism. Windows to the main facility building are routinely broken and people have accessed the building and facility basins to steel salvageable materials and equipment. Overall, because of the danger to the public and risk to the City, the timing is right to implement a project to prepare the site for potential future uses.

As part of this project, Staff evaluated the existing facilities to determine the potential to maintain and/or reuse them for potential future uses (i.e., a potential non-potable water treatment facility). However, because of their age, condition, and outdated design, existing structures are not able to be cost-effectively repurposed. For that reason demolition is recommended for nearly all of the site's facilities. A total of seven structures/basins will be removed, and the land they occupy will be restored with grass-land seed. The structures to remain in place will be protected during the project construction and include:

- 1) 10 Million Gallon Storage Reservoir - The 2.5-acre clay-lined reservoir will remain in place for potential future renovation and use.
- 2) Greenhouse and storage garage – Parks, Recreation and Libraries (PRL) continues to operate and maintain these buildings in good condition. A new asphalt drive located near the greenhouse and storage garage will be installed as part of the project as a site improvement.
- 3) Historic cottonwood trees - While the project does require removal of some trees on the site, there are five large cottonwood trees located along the north side of the site near Elk Drive that will be protected in place and preserved for aesthetic and environmental reasons.

The project site is located adjacent to residential properties and Westminster High School. Because of this close proximity to the public, Staff included several project items to enhance public health and safety and to limit impacts to City residences including:

- Traffic Control - A small portion of the project involves construction work within Elk Drive to abandon two utility sewer connections, and truck traffic to haul landfill materials will be heavy at times. Traffic control was designed to allow continuous through traffic, but some lane closures are anticipated to maintain safety for the motoring public and construction crews.

- Limited Construction Hours for Noise Control – Work will be limited to the hours of 7:00 A.M. to 6:00 P.M., Mondays through Fridays. Saturday work will only be permitted if necessary.
- Special Requirements for High-Level Dust Control - The contract requires continuous dust control for the entire duration of the project.
- Height Limits on Stockpiled Materials – The contract restricts the height of demolition stockpiles to limit visual impacts on neighbors.

The City sent a Request for Bids to seven qualified contractors on February 20, 2012. The following is a summary of the three bids received on March 21, 2012:

<u>Contractor Name</u>	<u>Bid Amount</u>
American Demolition, Inc.	\$ 130,300
Alpine Demolition and Recycling, Inc.	\$ 206,713
Fiori and Sons	\$ 372,771
Engineer’s Opinion of Probable Cost	\$ 489,500

Of the three bids received, American Demolition, Inc. provided the lowest qualified bid. Their bid was significantly lower than the engineer’s estimate. This combined with the tight range of bids received indicates that the City received a competitive price for the project scope of work. Therefore, Staff recommends proceeding with a contract for \$130,300 with American Demolition, Inc. with a ten percent contingency in the amount of \$13,030, for a construction budget of \$143,330. Construction is anticipated to begin early summer with completion anticipated this autumn.

The engineering for the project was awarded to TEC, Inc. for a fee of \$72,820 with a contingency of \$7,820 (total of \$80,102) through the General Engineering Services Contract approved by City Council on March 8, 2010. The contract was awarded in anticipation of continuing with construction services. Staff recommends continuing work with the TEC team (now part of a TEC-Farnsworth Group, Inc. merger) for construction services because their performance has been successful, their cost of services is competitive, and they have unique knowledge of the project and its requirements. Staff negotiated a scope of work and competitive fee with Farnsworth Group, Inc. for construction management services and recommends that City Council approve a contract amendment in the amount of \$36,000 with a ten percent contingency for an engineering construction services budget amount of \$39,600.

Overall, the cost of the engineering services are high relative to the construction bids received on this project. This is due to the detailed effort related to hazardous materials located on the site. Staff incorporated formal Phase I and Phase II environmental assessments of the site as part of the engineering phase of the project to identify and quantify hazardous materials and contractor risks/obligations regarding the disposal of those materials. Because of this effort, contractors were able to reduce the amount of risk “buffer” included in their bids and provide the City with more competitive demolition pricing. Overall, Staff believes this approach provided the best overall project cost to the City and greatly reduced the risk of significant cost changes during construction.

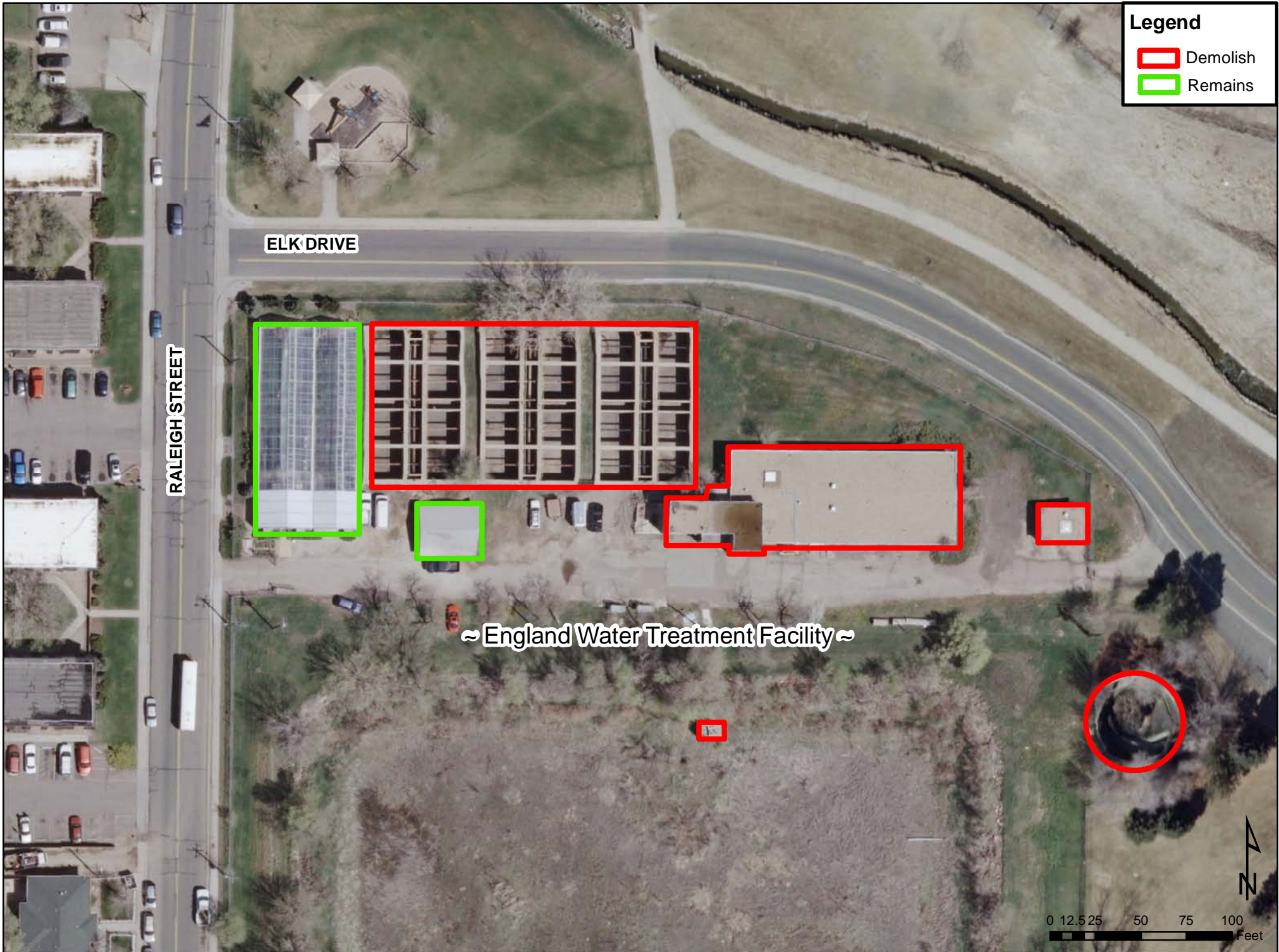
Sufficient funding exists in the England Decommissioning Project Account to fully fund this project and no new funds are requested at this time.

The England Water Treatment Facility Decommissioning Project helps achieve the City Council’s Strategic Plan Goals of “Financially Sustainable City Government Providing Exceptional Services” and “Vibrant Neighborhoods In One Livable Community” by contributing to the objectives of well-maintained City infrastructure and facilities and maintaining neighborhood infrastructure.

Respectfully submitted,

J. Brent McFall, City Manager
Attachment - Project Map

England Water Treatment Facility Decommissioning Engineering and Construction Contracts





Agenda Item 8 H

Agenda Memorandum



City Council Meeting
April 23, 2012

SUBJECT: Change Date of Second City Council Meeting in May

Prepared By: Linda Yeager, City Clerk

Recommended City Council Action

Change the date of the second regularly scheduled City Council meeting in May from May 28 to May 21, 2012.

Summary Statement

- City Council normally conducts regular meetings on the second and fourth Mondays of each month. This year, the fourth Monday of May is Memorial Day, a national holiday and City Hall offices will be closed. To adhere to Section 7.1 of the Westminster City Charter and ensure that two regular meetings are held in May, Staff recommends that the meeting normally held on the fourth Monday be rescheduled to the third Monday of May.
- If approved, City Council will conduct a Study Session on May 7 and regular meetings on May 14 and 21, 2012.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

Council could decide to leave the May 28 regular meeting date unchanged or reschedule the meeting to a different day of the week. This alternative is not recommended since Monday, May 21, is available.

Background Information

Occasionally, conflicts arise with dates of regularly scheduled Council meetings and the dates of holidays, important civic events, and/or conferences that the City Council traditionally attends requiring Council's schedule of meetings to change. This year, the second meeting in May conflicts with Memorial Day when Americans throughout the nation honor military men and women who have served or are serving to protect the freedoms of United States citizens. To observe this national holiday and comply with Section 7.1 of the Westminster City Charter requiring two regular meetings monthly, Staff recommends that the meeting held on the fourth Monday be rescheduled to the third Monday of May, May 21, 2012.

The public is aware that regular Council meetings and Study Sessions are held on Mondays making it reasonable to reschedule meetings to a different Monday of the month when conflicts arise.

Rescheduling Council's regular meetings not only ensures compliance with the City's Charter, it supports the Strategic Plan Goal of Financially Sustainable City Government Providing Exceptional Services by enhancing confidence in management and City Council that services to the community will not be slowed because of holidays.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Metro Wastewater Reclamation District Board of Directors Re-Appointment

Prepared By: Mike Smith, Director of Public Works and Utilities

Recommended City Council Action

Reappoint Curtis Aldstadt to the Metro Wastewater Reclamation District's Board of Directors, with a term of office effective through June 30, 2014.

Summary Statement

- Council action is requested to reappoint Curtis Aldstadt to the Metro Wastewater Reclamation District Board of Directors. Mr. Aldstadt has represented the City of Westminster on the Metro Board of Directors since April 12, 1999.
- The Metro District Bylaws and State Statute require that in order to become a member of the Board of Directors, one must live within the member municipality and within the Metro District service area.
- At this time, there is not a City Staff member to fill the vacancy based on these requirements. Therefore, the recommendation of Staff is to fill the vacancy with Curtis Aldstadt, a City resident and business owner who currently works closely with the Department of Public Works and Utilities on a variety of issues and has represented Westminster's interest extremely well.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Metro Wastewater Reclamation District policy requires the elected body of each connector jurisdiction to appoint board of director representatives to the District governing board. Does Council wish to reappoint Mr. Aldstadt or open up the recruitment to fill this seat?

Alternative

As an alternative, Staff could solicit additional names of interested citizens who may wish to represent the City on the Metro Wastewater Reclamation Board. The value of Mr. Aldstadt's appointment is that he is currently involved with the Department of Public Works and Utilities on a number of projects that make him a valuable asset to the City. In addition, Mr. Aldstadt's involvement in the water and wastewater industry provides the City with a citizen who will protect its interest on the Metro Board of Directors and ensure representation of the City.

Background Information

The Metro Wastewater Reclamation District treats approximately 40 percent of the total wastewater generated in Westminster, with the District serving the area south of approximately West 97th Avenue.

Over the past thirteen years since Mr. Aldstadt's appointment to the Metro Wastewater Reclamation District Board of Directors he has kept City Staff informed of pertinent activities occurring at the Metro District, while also representing the City's interests very well with the Metro District.

The Metro Wastewater Reclamation District Board of Directors meets at 5:30 p.m. on the third Tuesday of each month. In addition, all Board Members serve on one operations committee, which meets monthly either in the morning or at noon. Mr. Aldstadt currently holds the position of Chairman of the Board and serves on the Executive Committee, Operations Committee, and the newly formed Northern Treatment Plant (NTF) Committee and Compensation Review Committee.

The re-appointment of Mr. Aldstadt supports Council's goals of a Financially Sustainable City Government Providing Exceptional Services by providing efficient and cost-effective internal and external services.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Memorandum

City Council Meeting
April 23, 2012



SUBJECT: Resolution No. 11 re Mid-Year Service Commitment Competition and Allocating Additional Service Commitments for 2012

Prepared By: Jana Easley, Principal Planner

Recommended City Council Action

Adopt Resolution No. 11 authorizing a second, mid-year Service Commitment competition and allocating 166 additional Service Commitments for the year 2012 to the Traditional Mixed Use Neighborhood Development category of the Growth Management Program.

Summary Statement

- Each year, the City Council allocates Service Commitments (hereafter “SC”) to the various Growth Management Program categories to serve the new development for the year. (One SC is the unit of measure for the City services, more precisely water, required for one single-family detached unit.)
- The Service Commitment Allocation table in the Background section details the recommended allocations in each category.
- Earlier in 2012, 166 SCs were awarded to two projects (Westminster Lofts on the Creek and The Village at Westminster City Center), leaving 134 SCs remaining in Category B (New Residential) and 50 SCs remaining in Category E (Senior Housing).
- Staff is requesting that 166 additional SCs be allocated for Category B Traditional Mixed Use Neighborhood Development (TMUND) projects in order to bring the Category B SCs available for B-4 (TMUND) projects to 300. This increase is to accommodate potential awards for new TMUND projects through build-out and would allow for up to 600 units in a mixed-use projects in the City.
- Historically, projects have been awarded based on the current award year only, and the total SCs needed through build-out are moved into the “Active” category. Awarding projects through build-out, rather than only through the current year, will make tracking SCs easier and provide better coordination across City departments. This change would not affect any previous approvals or awards; it would primarily affect only the administrative process for tracking SCs, and the allocations would be greater in the coming years.
- The total SC allocation for the second half 2012 from the potable water supply is 1,855 SCs. The allocation includes 300 SCs to be awarded on a competitive basis in 2012 to new TMUND projects, in this competition. SCs for projects already awarded in 2012 have been moved into the “Active” category.
- Staff is recommending competitions in only the B-4 (TMUND) category. If there are no applications submitted in the B-4 category, or if fewer SCs are needed as a result of the competitions, those remaining SCs will be returned to the City’s water supply figures.
- Because the City promotes the use of the reclaimed water system whenever possible to reduce use of potable water for irrigation purposes, the City’s allocation for the non-potable (reclaimed) water supply each year is equivalent to the total supply figure for the system (3,180 SCs).

- The City currently has approximately 12,400 SCs available for new development purposes in the water supply. City water supplies and treatment capacity are adequate to meet the additional SC allocations for 2012.
- This mid-year competition would not affect future year competitions, and staff proposes that will be a 2013 Service Commitment Competition in the fall of 2012.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issues

1. Should the City conduct a second competition this year for TMUND projects only?
2. Should the City allocate 166 additional SCs to Category B (B-4) to increase the total number of SCs to 300?

Alternatives

1. Do not authorize a second residential competition for this year. City staff has received strong interest for a second competition from developers who may have missed the first competition. This option is not recommended, as the residential competition process is the mechanism the City uses to allow residential projects to proceed to the City's development review process.
2. Authorize a mid-year competition for all residential categories. This option is not recommended because staff is concerned about creating an avenue that encourages a possible imbalance (over supply) of multi-family units. One primary goal of the growth management program is to achieve balanced, well thought-out growth. The B-4 (TMUND) category is broad and will accommodate a mix of uses, including a multi-family component as part of a more diverse project rather than a stand-alone product.
3. Authorize a mid-year competition, but do not allocate additional SCs to Category B for TMUND projects in 2012. There are still 134 Category B and 50 Category E SCs available for a second 2012 competition. This option is not recommended because it would not allow for a project that exceeds the available SCs, which may preclude a higher quality project from being awarded.

Background InformationAnnual Allocations

The City's Growth Management Program was established in 1978 to aid the City in balancing growth with the City's ability to provide and expand services including water, water treatment, sewer, police, fire, parks and recreation, etc. At the end of each year, City Staff complete projections of new development in the upcoming year and develop recommendations for City Council regarding SC allocations (the units of measure for required City services) as required by the Growth Management Program. These SC (SC) allocations are set aside on an annual basis from the overall SC supply figures to serve the demand in the following year for all of the various residential and non-residential categories designated within the Growth Management Program. City Council formally establishes these annual allocations by adoption of a resolution. SCs that are allocated but are not issued to new development during the year are returned to the water supply figures for use in future years.

With the exception of the reclaimed water category (Category R), these SC allocation recommendations have been based on historical allocations by the City and the ability of the City to provide the necessary services. "Active" residential (Categories A and L) refers to projects that are under construction, have previous binding agreements for SCs with the City (such as Legacy Ridge), meet build-out and infill development criteria, are approved projects awarded in previous competitions, or are new South Westminster residential projects (see Background section "Residential Competitions" below for additional information). Category C (Non-Residential) sets aside SCs for new commercial, office and industrial projects. The City has water agreements in place for Federal Heights, the Standley Lake Water and Sanitation District, and Shaw Heights, and a small number of SCs are allocated in Category D (Outside City Contracts) to accommodate contract requirements in those areas. Category F (Public and Contingency) reserves SCs for new City projects and facilities such as park development, libraries, fire stations, etc.

The total allocation from the potable water supply as detailed below is 1,855 SCs and is based on the projected development activity of active projects under construction, those in the City’s development review process, and submittals expected in the near future. According to figures provided by the City’s Water Resources Staff in the Department of Public Works and Utilities, there are approximately 12,400 SCs available for build-out, which is adequate to accommodate the requested additional allocation for 2012.

2012 SERVICE COMMITMENT ALLOCATIONS

CATEGORY	DESCRIPTION	PROPOSED ALLOCATIONS
<u>Potable</u>		
A and L	All Active Residential and Legacy Ridge	930
B	TMUND Category Only (for competition process)	300
C	Non-Residential	500
D	Outside City Contracts	25
E	Senior Housing (for competition process)	0
F	Public and Contingency	<u>100</u>
	Total – Potable	1,855
 <u>Non-Potable</u>		
R	Reclaimed (the reclaimed allocation each year is equal to the reclaimed SC supply)	3,180
	Total – Potable and Reclaimed	5,035

Residential Competitions

The number of new residential subdivisions is managed through the competition process. “Active” residential projects are awarded on a first-come, first-served basis (up to any limits placed on the original competitive awards). New residential projects must compete for available SCs through a competition process. The City’s Growth Management Program does allow some exceptions to the competitive process. These include new residential projects in South Westminster (south of 80th Avenue) in order to promote development and redevelopment in this older area of the City, Legacy Ridge (due to a previous binding agreement with the City), and those projects that meet “build-out” and “infill” definitions in the Westminster Municipal Code. Successful projects in the competition process are then allowed to proceed to the City’s development review process. SCs for single-family detached projects are calculated at one SC per unit, 0.7/unit for single-family attached, 0.5/unit for multi-family, and 0.35/unit for senior housing. This equates to the relative amounts of water used annually by each of these types of dwelling units.

The intent of the SC competitions is for a limited number of new residential projects to proceed to the City’s development review process. Each of the five competitions (Single-Family Detached, Single-Family Attached, Multi-Family, Senior Housing, and Traditional Mixed Use Neighborhood Developments) is based on the City’s adopted residential design guidelines for that category. With the exception of the TMUND competition (judged by a design jury), projects receive points by providing “incentive” items the applicants choose. These incentive items are listed and detailed in the residential design guidelines.

A competition was held in January 2012, and two projects (one TMUND and one Multi-Family) were awarded. The January competition was earlier than in the past 2-3 years to accommodate possible building starts in early spring through early fall, and staff intends to return to the earlier schedule in future years.

The awards to individual projects through the competition process include SCs needed in subsequent years to build out each of the winning projects. As a result, it is not necessary for the winning projects to re-compete in multiple years in order to complete the same project. If there are no applications submitted in any of the competition categories, or fewer SCs are needed as a result of the competitions, those remaining SCs are returned to the City's water supply figures.

Because SCs are awarded to new residential projects on a competitive basis and many developers do not want their possible competitors to know their plans in advance, Staff has not included a specific list of the potential sites for competition submittals; however, the requested additional residential allocations are based on recent conversations with developers about potential projects.

The Growth Management program contributes to all five of Councils goals: Financially Sustainable City Government Providing Exceptional Services; Safe & Secure Community; Strong, Balanced Local Economy; Vibrant Neighborhoods in One Livable Community; and Beautiful and Environmentally Sensitive City.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Resolution

RESOLUTION

RESOLUTION NO. **11**

INTRODUCED BY COUNCILLORS

SERIES OF 2012

**A RESOLUTION
ALLOCATING ADDITIONAL SERVICE COMMITMENTS FOR THE YEAR 2012 PURSUANT
TO THE CITY'S GROWTH MANAGEMENT PROGRAM AS SET FORTH IN CHAPTER 3,
TITLE XI OF THE WESTMINSTER MUNICIPAL CODE**

WHEREAS, the City of Westminster has adopted by Ordinance a Growth Management Program through 2020; and

WHEREAS, the City's Growth Management Program as set forth in Chapter 3, Title XI of the Westminster Municipal Code calls for the periodic determination of the availability of Service Commitments and allocation of such Service Commitments among various categories of potential users; and

WHEREAS, the City Council of the City of Westminster has, with the aid of detailed factual reports and expert opinions from its Staff and consultants, examined the raw water supply, the sewage treatment capacity, the water treatment capacity, and other factors affecting the availability of Service Commitments; and

WHEREAS, the City Council of the City of Westminster has previously determined, in connection with its adoption of Chapter 3 of Title XI of the Westminster Municipal Code, that the City's ability to award Service Commitments is restricted; and

WHEREAS, the demand of different land uses on the City's ability to provide utilities and other services vary due to density and intensity of the particular use; and

WHEREAS, City Council has previously determined that the Comprehensive Land Use Plan shall assist the City in making future decisions concerning the desired mix of land uses at build-out of the City; and

WHEREAS, it is the intent of City Council to recognize the many factors influencing demand for new water and sewer service, while remaining cognizant of the large capital investments in land and public improvements made by developers with projects that are already started, and recognizing the efficiencies inherent in encouraging the completion of existing development projects that can use existing public capital facilities before approving new ones.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER, in accordance with Sections 11-3-4 and 11-3-5 of the Westminster Municipal Code, that:

Based on all of the information available to the City Council on this date, for the period beginning April 9, 2012, through December 31, 2012, the City can make available an additional 166 Service Commitments ("SCs") to Category B (B-4/TMUND) to be added to the remaining 134 Category B Service Commitments for a total of 300 Category B (B-4/TMUND) Service Commitments without adverse effect on existing water users and without in any way endangering the health, safety, and welfare of the citizens of Westminster and of other persons dependent upon the operation of a safe and efficient public water and sanitation system by the City.

PASSED AND ADOPTED this 23rd day of April, 2012.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

City Attorney

AGENDA

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING

MONDAY, April 23, 2012

AT 7:00 P.M.

- 1. Roll Call**
- 2. Minutes of Previous Meeting** (March 26, 2012)
- 3. Purpose of Special WEDA Meeting is to**
 - A. Authorize a Change Order for Phase 2 of the Westminster Mall Demolition Project
- 4. Adjournment**

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY
MONDAY, MARCH 26, 2012, AT 7:16 P.M.

ROLL CALL

Present at roll call were Chairperson McNally, Vice Chairperson Winter and Board Members Atchison, Briggs, Kaiser, Lindsey, and Major. Also present were J. Brent McFall, Executive Director, Martin McCullough, Attorney, and Linda Yeager, Secretary.

APPROVAL OF MINUTES

Board Member Briggs moved, seconded by Board Member Major, to approve the minutes of the meeting of March 19, 2012, as written. The motion carried unanimously.

RESOLUTION NO. 140 APPROVING 1ST AMENDMENT TO COMPASS LOAN AGREEMENT

It was moved by Board Member Atchison and seconded by Vice Chairperson Winter to adopt Resolution No. 140 approving the First Amendment to the Loan Agreement between the Westminster Economic Development Authority and Compass Mortgage Corporation dated May 8, 2009 and authorizing the Executive Director to execute the Amendment. The motion passed unanimously on roll call vote.

ADJOURNMENT

There was no further business for the Authority's consideration, and it was moved by Winter, seconded by Atchison, to adjourn. The motion passed and the meeting adjourned at 7:17 p.m.

Chairperson

ATTEST:

Secretary

WEDA Agenda Item 3 A

Agenda Memorandum

Westminster Economic Development Authority Meeting
April 23, 2012



SUBJECT: Westminster Mall Demolition – Phase 2 Project Change Order

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended Board Action

Authorize the Executive Director to execute a change order with American Demolition, Inc. for the demolition of the Sears and Sears Automotive buildings in the amount of \$83,000, bringing the total contract amount to \$423,702 for the Westminster Mall Demolition – Phase 2 Project; and authorize a construction contingency in the amount of \$15,000.

Summary Statement

- Over the past few years, the Westminster Economic Development Authority (WEDA) has acquired approximately 90% of the Westminster Mall property, and Staff believes that it is in the City's best interest to continue removing a majority of the structures in preparation for the eventual redevelopment of the property. The subject change order is for the removal of the Sears and the Sears Automotive buildings. The Dillard's building, the Wards building and all of the remaining mall, with the exception of the Sears, Sears Automotive, J.C. Penney, Olive Garden, Brunswick Bowl, U.S. Bank and the dentist's office buildings, were all demolished as part of American Demolitions' original contract for Phase 2.
- Staff is recommending that this additional work be contracted via a change order in lieu of a competitive bid for several reasons. First, American Demolition is willing to perform this additional work at the unit prices that they proposed in their original contract, which was approximately \$146,000 lower in price than the next lowest bidder. Second, American Demolition is mobilized on the site, and they will be completed with the current scope of their work by the end of May. At that time, they can immediately commence the demolition of the Sears Automotive building. Finally, it would be ill-advised to have two different contractors working in overlapping work areas on this site due to contractual and warranty issues. A \$15,000 contingency is also recommended for this change order to account for any potential uncovered environmental issues.

Expenditure Required: \$98,000

Source of Funds: WEDA
- Westminster Center Urban Reinvestment Project Capital Improvement Project

Policy Issue

Should the WEDA Board approve this change order to the original contract with American Demolition for the Phase 2 Demolition Project?

Alternative

The WEDA Board could require this change order to be competitively bid. City staff recommends approval of the change order because staff is very confident that no other contractor would submit a price lower than the \$83,000 that American Demolition has proposed. This opinion is based on the original Phase 2 contract bids in which the second low bidder was approximately \$146,000 higher than the bid received from American Demolition and the fact that the change order is based on the unit prices that American Demolition used in their original bid.

Background Information

Over the past few years, the Authority has purchased many properties at the Mall making WEDA the owner of over 90% of the site. Staff is recommending demolition of portions of the Mall in a timely manner because of security costs, utility costs and the desire to show activity in the redevelopment of the property. The first phase of this effort was the demolition of the Mervyns, Macys, Steak and Ale and the theater buildings. The second phase of demolition included the Dillard's, Montgomery Wards and the main mall corridor buildings - essentially all structures within the main mall structure with the exception of the Sears and J.C. Penney stores. Accommodations for fire protection, electrical, gas, water service, sanitary sewer service and parking lot lighting will be made to maintain all of these services to J.C. Penney so that the store can continue to operate once the Mall demolition is completed.

The original contract with American Demolition for the Phase 2 Demolition Project was executed on September 29, 2011 in the amount of \$339,250. Since that time, three change orders have been issued. The first change order was in the amount of \$750 and included constructing a temporary road between the JC Penney store and the Sears store during the holiday season. The second change order was in the amount of \$14,544.63 and included additional asbestos abatement at the Dillard's building that was unforeseen because the asbestos was covered by drywall material. The third change order resulted in a deduction in the amount of \$13,842.47 that included additional asbestos remediation at several loading docks but also included a significant deduction for the cost of electrical repair work that was partially the responsibility of American Demolition. These three change orders result in a current contract amount of \$340,702.16, which is approximately 1% over the original contract amount. The fourth change order, which is the subject of this Agenda Memorandum, is the demolition of the Sears and Sears Automotive buildings in the proposed amount of \$83,000. If this change order is approved by WEDA, the new contract amount with American Demolition will be \$423,702. It should be noted that this proposed revised contract amount of \$423,702 is still approximately \$70,000 less than the next lowest bidder from the original Phase 2 bid and is further justification for staff recommending approval of this change order without a competitive bid.

WEDA's contract with Sears requires the vacation of both buildings by the end of June. In anticipation of this, an asbestos survey was recently completed for the Sears and Sears Automotive which now allows for the quick permitting and demolition of both of these buildings that should be completed by August 2012. The approval of the recommended change order will provide the most cost effective and quickest approach to removing these buildings. A \$15,000 contingency is also recommended for this change order to account for any uncovered environmental issues relating to this demolition.

WEDA action on this item meets elements of two goals in the City's Strategic Plan: Strong Balanced Local Economy, and Vibrant Neighborhoods in One Livable Community.

Respectfully submitted,

J. Brent McFall
City Manager