



## CITY COUNCIL AGENDA

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

Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 7) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meetings**
4. **Report of City Officials**
  - A. City Manager's Report
5. **City Council Comments**
6. **Presentations**
  - A. Presentation of Employee Service Awards
  - B. Terri Thompson, International Teacher Recognition Award Recipient
  - C. Flanders's Field Poppy Month
  - D. Cover the Uninsured Week
  - E. National Drinking Water Week
  - F. Presentation by Adams County School District 50 Students
7. **Citizen Communication (5 minutes or less)**

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

8. **Consent Agenda**
  - A. March 2005 – Financial Report
  - B. Redevelopment Agreement with Village Homes re South Sheridan Urban Renewal Area
  - C. Bond and Service Agreements re Tax Increment Bond Financing for 144<sup>th</sup> Ave. and North Huron
9. **Appointments and Resignations**
10. **Public Hearings and Other New Business**
  - A. TABLED Councillor's Bill No. 13 re Country Club Village Business Assistance Package
  - B. Public Hearing re Shoenberg Farms Amended PDP
  - C. Shoenberg Farms Amended PDP
  - D. Councillor's Bill No. 23 re The Shops at Walnut Creek Supplemental Appropriation
  - E. Councillor's Bill No. 24 re Westminster Armed Forces Tribute Garden
  - F. Councillor's Bill No. 25 re 1<sup>st</sup> Quarter 2005 Supplemental Appropriation
  - G. Confirmation of New Finance Director
11. **Old Business and Passage of Ordinances on Second Reading**
12. **Citizen Presentations (longer than 5 minutes) and Miscellaneous Business**
  - A. Executive Session – Business Assistance Package
13. **Adjournment**

**WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING**

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

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

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, APRIL 25, 2005 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

CONSIDERATION OF MINUTES

Councillor Hicks moved, seconded by Davia, to approve the minutes of the meeting of April 11, 2005. The motion passed unanimously.

CITY MANAGER COMMENTS

Brent McFall, City Manager, announced that Westminster Pride Days would be held May 14 and invited participation. Mr. McFall expressed appreciation of the employees who would be recognized by Council at this meeting for their years of service to the City, as well as to Council for continued support of and participation in the Employee Service Award Program. In conclusion, Mr. McFall announced that Council would meet in executive session to discuss a business assistance package and an economic development matter following this meeting.

CITY COUNCIL COMMENTS

Mayor Pro Tem Kauffman proudly reported that Ken Watkins of the Fire Department and the Continuum Partners in association with the City had received awards at a recent meeting of the Denver Regional Council of Governments (DRCOG). Further, he publicly thanked Alan Miller on his recent retirement following years of dedicated service and numerous contributions to the residents of Westminster.

Councillor Dixon reported on Rocky Flats meetings that were being held with frequency each week. Additionally, she had attended groundbreaking ceremonies for the expansion of St. Anthony's Hospital.

Mayor McNally also had attended St. Anthony's groundbreaking ceremonies and was excited the facility would remain in the community. She announced the Mayor/Council Breakfast and the National Day of Prayer Breakfast would be on May 5.

EMPLOYEE SERVICE AWARDS

Councillor Hicks presented certificates and pins for 20 years of service to: Terri Hamilton, Judy O'Brien, Eric Sisler, and Tim Torres.

Mayor McNally presented certificates, pins, and a monetary stipends for 25 years of service to: Mary Joy Barajas, Jeff Brotzman, Marty Chase, Lisa Chrisman, Jinny Jasper, Norm Kellett, Pete Kosak, Bob Moran, Dave Noell, and Matt Rippy.

Councillor Price presented certificates and pins for 30 years of service to: Lee Birk, Ted Hulstrom, Mike Lynch, Larry Pruegner, Carolyn Schierkolk, and Ken Watson.

PROCLAMATIONS

Councillor Dittman presented a proclamation to honor Terri Thompson, recipient of the International Reading Association's 2005 Regie Routman Teacher Recognition Award. Ms. Thompson was a first-grade reading teacher at Arapahoe Ridge Elementary School in Westminster.

Councillor Davia proclaimed May to be Flanders' Field Poppy Month and presented the proclamation to members of the America Legion Post #52.

Councillor Dixon proclaimed May 1 through 8 to be Cover the Uninsured Week. Accepting the proclamation were Laura Wegscheid of Centura St. Anthony Hospitals and Marty Arizumi of the Colorado Health and Hospital Association.

Mayor Pro Tem Kauffman proclaimed May 1 through 7 to be National Drinking Water Week. He presented the proclamation to Steve Ramer, the City's Laboratory Analyst/Program Coordinator.

#### PRESENTATION BY ADAMS COUNTY SCHOOL DISTRICT 50 STUDENTS

The City Council listened to four Adams County School District 50 high school students relate the highlights of a recent trip to Washington D.C. where they participated in the Close-Up Government Program.

#### CITIZEN COMMUNICATION

Beverly Wheeler, 911 West 139<sup>th</sup> Court, wanted the Police Department to continue responding immediately to residential security alarms, inquired about the City's sign regulations, and appreciated the Art Exhibit in the lobby of City Hall, as well as the Arbor Day celebration held recently.

Gary Scofield, 7130 Canosa Court, thanked Councillors for their service to the community and described problems he and members of his neighborhood had encountered at a recent public hearing before the Board of Adjustment. He suggested that members of the City's Boards and Commissions should be reminded of their responsibilities and aware of the City's regulations when considering issues.

#### CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: the March 2005 Financial Report; authority for the City Manager to execute a Redevelopment Agreement between the City, the Westminster Economic Development Authority, and Village Homes in the South Sheridan Urban Renewal Area; and authority for the City Manager to execute, in a form approved by the City Attorney's Office, agreements for special legal counsel services provided by Sherman & Howard and Kutak Rock relative to the proposed issuance of 2005 Certificates of Participation for financing the eastern half of the 144<sup>th</sup> Avenue/I-25 Interchange.

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

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

#### PUBLIC HEARING RE SHOENBERG FARMS AMENDED PDP

At 8:18 P.M., Mayor McNally opened a public hearing to consider the Shoenberg Farms Amended Preliminary Development Plan (PDP). The property was located on the northwest corner of 72<sup>nd</sup> Avenue and Sheridan Boulevard and designated retail commercial under the Westminster Comprehensive Land Use Plan. The approved PDP stipulated certain uses would terminate after January 1, 1992. A business license had been requested by a landscaping company, requiring amendment of the PDP to update the allowed uses if the license were to be granted. Daniel Osborn of the Planning Division entered copies of the agenda memorandum and other related items as exhibits. No one wished to testify, and the hearing was closed at 8:26 P.M.

#### SHOENBERG FARMS AMENDED PDP

Councillor Dittman moved, seconded by Councillor Dixon, to approve the Shoenberg Farms Amended Preliminary Development Plan as submitted, based on findings that the provisions of Section 11-5-14 of the Westminster Municipal Code had been met. The motion passed unanimously.

COUNCILLOR’S BILL NO. 23 RE SHOPS AT WALNUT CREEK SUPPLEMENTAL APPROPRIATION

It was moved by Councillor Davia, seconded by Dixon, to pass Councillor’s Bill No. 23 on first reading providing for a supplemental appropriation of \$1.6 million from the 2004 General Fund carryover and unappropriating \$1,513,951 from the Promenade/Mandalay Gardens project in the General Capital Improvement Fund to be transferred to the Westminster Economic Development Authority Fund for the Shops at Walnut Creek project. On roll call vote, the motion passed unanimously.

COUNCILLOR’S BILL NO. 24 RE WESTMINSTER ARMED FORCES TRIBUTE GARDEN

Councillor Price moved to adopt Councillor’s Bill No. 24 on first reading authorizing a supplemental appropriation in the amount of \$144,000 reflecting the City’s receipt of a Jefferson County Open Space Joint Venture Grant for use on the Armed Forces Tribute Garden. Seconded by Councillor Davia, the motion carried unanimously on a roll call vote.

ARMED FORCES TRIBUTE GARDEN CONTRACT FOR DESIGN SERVICES AWARDED

Councillor Price moved to authorize the City Manager to execute a contract with DHM Design in the amount of \$101,669 for design services related to the Armed Forces Tribute Garden project and to authorize a contingency fund in the amount of \$10,167. Councillor Davia seconded the motion. This action was based on the City Manager’s recommendation and Council’s finding that the public interest would best be served by awarding the contract to DHM Design as the most qualified bidder. The motion passed unanimously.

COUNCILLOR’S BILL NO. 25 RE 2005 1<sup>ST</sup> QUARTER BUDGET SUPPLEMENTAL APPROPRIATION

Mayor Pro Tem Kauffman moved, seconded by Dittman, to pass Councillor’s Bill No. 25 on first reading providing for supplementary appropriations to the 2005 budget of the General, General Capital Improvement and Utility Funds. At roll call, the vote was unanimous.

CONFIRMATION OF NEW FINANCE DIRECTOR

It was moved by Councillor Hicks, seconded by Dittman, to confirm the appointment of Tammy Hitchens as the new Finance Director for the City of Westminster. The motion carried unanimously.

ADJOURNMENT:

There was no further business to come before Council, and the meeting adjourned at 8:28 P.M.

ATTEST:

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

\_\_\_\_\_  
Mayor



**WESTMINSTER**

**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005



**SUBJECT:** Presentation of Employee Service Awards

**Prepared by:** Linda Yeager, City Clerk

**Recommended City Council Action**

Present service pins and certificates of appreciation to employees celebrating 20, 25, and 30 years of service with the City, and provide special recognition to the City's 25-year employees with the presentation of a \$2,500 bonus.

**Summary Statement**

- City Council is requested to present service pins and certificates of appreciation to those employees who are celebrating their 20<sup>th</sup>, 25<sup>th</sup> and 30<sup>th</sup> anniversaries of employment with the City.
- In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, and City Council recognition of employees with 20 years or more of service, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting.
- In 1986, City Council adopted a resolution to award individuals who have given 25 years of service to the City with a \$2,500 bonus to show appreciation for such a commitment. Under the program, employees receive \$100 for each year of service, in the aggregate, following the anniversary of their 25th year of employment. The program recognizes the dedicated service of those individuals who have spent most, if not all, of their careers with the City.
- There are 11 employees celebrating 25 years of service, and each will be presented with a check for \$2,500, less income tax withholding following their 25<sup>th</sup> anniversary date.
  - Councillor Price will present the 30-year certificates.
  - Mayor McNally will present the 25-year certificates.
  - Councillor Hicks will present the 20-year certificates.

**Expenditure Required:** \$ 27,500

**Source of Funds:** General Fund - Fire Department \$2,500, General Services \$5,000, Public Works and Utilities \$2,500, Police \$5,000, City Manager's Office \$2,500, Community Development, \$2,500, and Parks, Recreation & Libraries, \$7,500

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

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

Shawn Gonzales	Police Department	Secretary
Terri Hamilton	Community Development	Planner III
Rosemary Hudnall	Fire Department	Administrative Secretary
Judy O'Brien	Police Department	Property Evidence Technician
Donna Powell	Police Department	Secretary
Eric Sisler	Parks, Recreation & Libraries	Application Specialist
Tim Torres	Police Department	Senior Police Officer

The following 25-year employee will be presented with a certificate, service pin and check for \$2,500, minus amounts withheld for Federal and State income taxes:

Mary Joy Barajas	City Manager's Office	Executive Secretary to City Manager
Steve Bourcy	Parks, Recreation & Libraries	Foreman
Jeff Brotzman	General Services	Print Shop Coordinator
Marty Chase	Parks, Recreation & Libraries	Equipment Operator II
Lisa Chrisman	General Services	Senior Human Resources Analyst
Jinny Jasper	Parks, Recreation & Libraries	Guest Relations Clerk II
Norm Kellett	Fire Department	Fire Engineer
Pete Kosak	Police Department	Code Enforcement Officer
Bob Moran	Public Works & Utilities	Equipment Operator II
Dave Noell	Community Development	Engineering Construction Inspector
Matt Rippey	Police Department	Sergeant

The following 30-year employees will be presented with a certificate and service pin:

Lee Birk	Police Department	Deputy Police Chief
Ted Hulstrom	Parks, Recreation & Libraries	Mechanic II
Mike Lynch	Police Department	Senior Police Officer
Larry Pruegner	Parks, Recreation & Libraries	Foreman
Carolyn Schierkolk	Public Works & Utilities	Data Processing Technician
Ken Watson	Parks, Recreation, & Libraries	Regional Parks & Golf Manager

On May 25, the City Manager will host an employee awards luncheon at which time 12 employees will receive their 15 year service pin, 12 employees will receive their 10 year service pin, and 11 employees will receive their 5 year service pin, while recognition will also be given to those who are celebrating their 20<sup>th</sup>, 25<sup>th</sup> and 30<sup>th</sup> anniversary. This is the second luncheon for 2005 to recognize and honor City employees for their service to the public.

The aggregate City service represented among this group of employees is 950 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens. Biographies of each individual being recognized are attached.

Respectfully submitted,

J. Brent McFall, City Manager  
Attachment

## 20-Year Employees

**Shawn Gonzales (GONE ZAHL ES)**, who is the secretary to the Deputy Chief of Investigations & Technical Services Division in the Police Department, started her employment with the City in 1985 as a secretary in Investigations. She transferred to Patrol Services after 2 years and remained there for 16 years. Shawn recently transferred to the Investigations & Technical Services Division where her duties include all administrative clerical duties, as well as coordination of the budget for all divisions and transcription of tapes and case files. Shawn is a hard-working, dedicated employee who loves the people at the PD.

**Terri Hamilton** holds a degree in landscape architecture and has worked on numerous development projects such as Northpark, Arrowhead, Stratford Lakes, Westminster City Center Marketplace, and the redevelopment of the Westminster Plaza shopping center. Terri has also contributed to various code and design guidelines of the City, such as revisions to Public Land Dedication Requirements, School Land Dedication Requirements, the Commercial Guidelines and Revised Landscape Regulations and the City Sign Code. Terri credits City Council and her co-workers for making Westminster such a fantastic place to work.

**Rosemary Hudnall (HUD NULL)** began working for the City in 1985 as a part-time clerk typist for the Public Works and Utilities Department. In 1988 she was promoted to a secretarial position in Public Works and Utilities and in 1997 was promoted to Fire Department Administrative Secretary.

**Judy O'Brien** was hired for a part time position in May, 1985 as a Property Evidence Clerk. Later that year she was hired as a Community Service Officer and assigned to the Evidence Section. The position was retitled to Property Evidence Technician. She served on the building design project and was involved with the logistics of the move to our current Public Safety Facility. She has been an active member of the Colorado Association of Property & Evidence Technicians for the past 13 years serving as Vice President, Secretary and Board Member and currently serves as President.

**Donna Powell** started in the Police Department in May 1985 as Secretary for Investigations and transferred to Patrol Services where she worked for 16 years. She recently transferred to Investigations and Technical Services as Secretary to the Commander and to the Records Supervisor. She is a hard working, dedicated employee who loves the people at the PD.

**Eric Sisler (SIS LER)** has worked for the City in progressively more responsible jobs since he was 16 years old. His first position was a page at the 76<sup>th</sup> Avenue Library. He has driven the bookmobile, provided courier service between libraries, worked at the circulation desk and in technical services. He helped design the technical layout of the two current library buildings and has migrated the library data from an old system to a brand new system—twice for the City and once for Front Range Community College. He is currently part of the Automation Services Department and is responsible for the Library's networks, servers, computers and software.

**Tim Torres (TOR REZ)** -- 17 of Tim's 20-year career with the Police Department has been in patrol. He's been part of the S.W.A.T. Team for more than 16 years and has twice been recognized as the "Officer of the Year." Tim takes great pride in his previous service as a Public Information Officers in the Police Department.



## 25-Year Employees

**Mary Joy Barajas (BAH RAH HUS)** started with the City as a junior CEO Student in high school receiving school credit for working in the Personnel Office. She worked in Community Development for 17 years in the Building Division and was promoted to the City Manager's Office in 1998 and as Executive Secretary to the City Manager in August, 2001. Mary Joy was the coordinator for the Employee Picnic for a number of years, member of the original Employee Advisory Committee and is currently a member of the City's Wellness Committee. Mary Joy is married to Vince with 3 children and one granddaughter.

**Steve Bourcy (BORE SEE)** started working for the City in March of 1980. His job responsibilities involved swimming pool maintenance, irrigation systems, and park renovations. In the mid-80's the department reorganized and Steve's responsibilities moved to Parks maintenance. During his career he has supervised forestry, rights-of-way, pools, park renovation, and irrigation systems. His current responsibilities are City Park, south Westminster, and pool electro mechanics. Steve is also the lead person responsible for computerizing the City's 75+ irrigation systems.

**Jeff Brotzman (BRAHTS MUN)** started working 20 hours per week for \$4.25 an hour while he was attending high school. He was the sole person in the Print Shop, printing about 800,000 sheets of paper a year. Today he is a full-time employee supervising two part-time assistants, with annual printing production of 4.3 million sheets a year. The print shop was created when Jeff started with the City and had one black-only press with two pieces of support equipment. Today's equipment includes one single-color press and one two-color press with 6 pieces of support equipment. The Print Shop now produces the City letterhead, business cards, envelopes, as well as flyers and forms. Jeff is proud of the Shop and its staff and notes that the money saved and convenience provided are huge assets to the City.

**Marty Chase** has had a hand in building most of the City's playgrounds and trails. He designed and created many of the Christmas decorations, such as the Christmas trains, the soldiers, and the giant Santa that is over Council Chambers during the holiday season.

**Lisa Chrisman (KRIS MEN)** started with the City as a senior in high school working as a clerk receptionist on a part time basis at the Swim and Fitness Center. She held a variety of positions in Parks, Recreation and Libraries as she worked her way through college. In 1984 she accepted a benefited Recreation Specialist position. She continued to work in PR&L until 1991 when she accepted a Human Resources Analyst position in General Services. Lisa was instrumental in developing the Employee Wellness Program.

**Jinny Jasper** has worked at 5 of the City's Recreational facilities over the years starting at the Swim and Fitness Center, moving to City Park Recreation Center, City Park Fitness Center and now West View and Countryside. Jinny has a great sense of humor and is adept at making people smile and laugh. Jinny is married with 2 sons and a 3 year old granddaughter.

**Norm Kellett (KELL IT)** started his career with the City of Westminster in 1980 as a Firefighter I. He was promoted to his current position as Fire Engineer in 1984. In 1992, Norm met Cari Henderson, who was also working for the City as the Ambulance Billing Clerk. Norm and Cari married and are celebrating 13 years of marriage. In 2003, Norm was part of a 4-man team to participate in the Learning Channel's "Junk Yard Wars." Norm's Team, "The American Eagles" competed against 2 other teams to design, construct and fly a plane made out of scrap metal and parts. Their plane successfully flew for over one minute before the flight was cut short due to the terrain. When off duty, Norm enjoys restoring and driving classic cars and spending time with his family.

**Pete Kosak (KO SACK)** began his career with the City in March of 1980 in Community Services as an Animal Control Officer. After chasing down dogs, coaxing cats from trees, helping citizens remove pigeons from their fireplaces and lassoing cows and horses in open space, Pete decided he

needed a change. He was promoted to Code Enforcement Officer in May of 1985. He spent the next 20 years enforcing violations such as junk vehicles, weeds, trash complaints and many others too numerous to mention. Pete Kosak became an icon in the neighborhoods that he serviced. He developed a rapport with the citizens that allowed him to work through conflict with neighbors that time and again resulted in a win/win situation.

**Bob Moran (MORE ANN)** began his career with the City as a seasonal employee before being hired by the Street Operations Division in 1980 where he worked for seven years. Bob was transferred to the Utilities Operations Division in 1987 as a maintenance worker and continues working in that Division as an Operator II. Bob's hobbies include dirt biking, camping, and snow and water skiing. Bob has two children that keep him very busy; a 9 year old son and a daughter who just turned 13. Bob also recently purchased a house just west of Pueblo in the town of Westcliff and spends many weekends working on it.

**David Noell (NO ELL)** began working for the City of Westminster in the Streets Department during the spring of 1980. He remembers when 92<sup>nd</sup> Avenue was a two-lane road without sidewalks and 72<sup>nd</sup> Avenue was the main street in Westminster. After years of plowing snow and repairing streets he transferred to the Utilities Division where he became a crew leader. Instead of working on the asphalt on top of the streets, he worked with the water and sewer lines below them. In 1995 David had an opportunity to be cross-trained as an Engineering Construction Inspector and moved from the sewers to the big house—City Hall. What was envisioned as a two-year position in the Engineering Division remains David's assigned duty ten years later. He calls his journey in Westminster's employ a very rewarding experience that's allowed him to not only grow professionally, but also be part of the City's ever changing and growing history.

**Matt Rippey (RIP EE)** Matt has been associated with the City since August of 1980 when he was first hired as a seasonal employee. In April of 1981 Matt was hired as a CSO with the Police Department and worked in Animal Control until being hired by the Jefferson County Sheriffs Department as a Deputy Sheriff. Matt returned to the City of Westminster when he was hired as an officer in 1985. During his colorful career, he has successfully served as a detective in the Investigations Division and a School Resource Officer at Westminster High School. Matt was promoted to Sergeant in December of 2002 and served in the Patrol Division until he was assigned to the traffic section in January of this year.

## 30-Year Employees

**Lee Birk** began his career with the Police Department on March 3, 1975. He attended the Jefferson County Sheriff's Academy where he graduated as the top academic recruit. He was promoted to Sergeant in 1978, promoted to Lieutenant in 1981 and to Captain in 1985. In 1989 he was assigned by the City Manager to serve for nine months as the Acting Director of General Services. In 2004 he was promoted to his current position Deputy Chief of Police and manages the Investigations and Technical Services Division of the Police Department. He was the first SWAT commander and established the Westminster team and was instrumental in establishing the Police Department physical fitness program. He has served as a Board Member of the Westminster Federal Credit Union and currently is the appointed member of the Police Department Pension Board. He was co-chair of the Employee Futures 2A Task Force that worked on the public safety tax initiative. He is in the final phase of completing his Masters Degree from the University of Colorado, with a major in Executive Leadership in Criminal Justice.

**Ted Hulstrom (HULL STRUM)** started as an Equipment Specialist, was promoted to Mechanic I and promoted to Mechanic II. Ted has lived on Huron Street just south of the Forrest City Project for over 40 years and has experienced a lot of changes within the community during that time. Ted remembers when Federal Boulevard was a gravel road. Ted is married with 3 grown children and several grandchildren.

**Mike Lynch** started with the City as a Police Cadet assigned to Animal Control and was hired as a police officer the day he turned 21 years of age. He has been assigned as a Detective for 25 years and has worked homicide and assault cases for the past 22 years. During that time, Mike has been the Lead Detective on 49 homicides and is proud of his 100% clearance rate on those cases. Having handled almost 5,000 criminal investigations during his tenure, Mike is qualified as an expert witness in both Adams and Jefferson County Courts. He has been recognized "Detective of the Year" by the Adams County Bar Association and was the recipient of a similar award from the Jefferson County District Attorney's Office. Mike has twice received the "Officer of the Year" award from the Elks Lodge. He is proud of his tenure with the City and has witnessed numerous changes in law enforcement over the years.

**Larry Pruegner (PROOG NER)** started as a seasonal employee and became a maintenance worker in the Parks Dept. He was promoted to Senior Parksworker in 1976, advanced to crewleader in 1978 and promoted to Parks Foreman in 1979. He has 6 grandchildren from 7 months old up to 18 years old. His hobby is old cars, particularly Buicks. His oldest car is a 1955 Buick Super Convertible.

Once upon a time a young girl, **Carolyn Schierkolk (SURE KOLK)**, had an employment interview with a fine intelligent gentleman by the name of Alan Miller. This wise man fortuitously sent Carolyn on the yellow brick road to the Department of Public Works, then known as Operational Services, and an enchanted 30-year career in the Emerald City of Westminster. She hasn't clicked her heels yet.

**Ken Watson** started his career with the City in May 1975 just before the City's first recreation center, the Swim & Fitness Center, opened. In the two weeks prior to that facility's grand opening, he taught the first recreation class ever offered by the City, a 5-day youth tennis class, taught at the two courts near the old City Hall. Ken recalls he had 6 kids in the class and there was NO FEE!" Ken speaks with pride about all the projects he's been able to work on for the City and the community. He's been involved in all of the recreation center planning and construction projects and several renovation projects too. Ken considers his greatest accomplishment the customer service program he initiated in 1986, just prior to the opening of the City Park Recreation Center. Patterned after Disney's Guest/Host training program, it has guided hundreds of full-time, part-time and seasonal staff members and has coached them to look for ways to provide exceptional service to every guest. Ken notes similarities between this 19-year old program and the City's SPIRIT values of today. He considers it a great experience to have worked in a department that literally started from

the ground up and is now recognized as a nationally award-winning Parks, Recreation & Libraries Department.



**WESTMINSTER**  
**COLORADO**

**Agenda Item 6 B**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005

**SUBJECT:** Proclamation for Terri Thompson, International Teacher Recognition Award Recipient

**Prepared By:** Joe Reid, Public Information Specialist

**Recommended City Council Action**

Councillor Chris Dittman will present a proclamation to Terri Thompson, who will be receiving the Regie Routman Teacher Recognition Award for 2005 from the International Reading Association.

**Summary Statement**

- Terri Thompson has been selected to receive the Regie Routman Teacher Recognition Award for 2005 from the International Reading Association.
- Terri teaches first-grade reading at Arapahoe Ridge Elementary School in Westminster, where she has been teaching since the school opened eight years ago.
- Terri will be attending the International Reading Association annual conference in San Antonio, Texas, during the first week of May to receive the award.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

Terri Thompson has been selected to receive the Regie Routman Teacher Recognition Award for 2005 from the International Reading Association. The award is presented by the International Reading Association to honor an outstanding regular classroom elementary teacher of reading and language arts in grades K-6 each year.

The award is dedicated to improving teaching and learning through reflective writing about his or her teaching and learning process. The award is named after Regie Routman, one of the foremost authors of books written to improve the teaching of reading and writing.

Terri teaches first-grade reading at Arapahoe Ridge Elementary School in Westminster, where she has been teaching since the school opened eight years ago and she will attend the International Reading Association annual conference in San Antonio, Texas, during the first week of May to receive the award.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

**WHEREAS**, Terri Thompson has been selected to received the Regie Routman Teacher Recognition Award for 2005; and

**WHEREAS**, the award is presented by the International Reading Association to honor an outstanding regular classroom elementary teacher of reading and language arts in grades K-6 each year; and

**WHEREAS**, the award is dedicated to improving teaching and learning through reflective writing about a teacher's teaching and learning process; and

**WHEREAS**, Terri is in her eighth year teaching at Arapahoe Ridge Elementary School in Westminster; and

**WHEREAS**, Terri will travel to the International Reading Association annual conference in San Antonio, Texas, during the first week of May to receive the award.

**NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby congratulate Terri Thompson on her upcoming teacher recognition award.**

Signed this 25<sup>th</sup> day of April, 2005.

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Nancy McNally, Mayor



## Agenda Item 6 C

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
April 25, 2005

**SUBJECT:** Proclamation re Poppy Month- Veteran's of Foreign Wars Awareness Month

**Prepared by:** Christy Owen, Management Intern II

### Recommended City Council Action

Councillor Dave Davia will present a proclamation to American Legion Post #52 proclaiming the month of May as Poppy Month in the City of Westminster.

### Summary Statement

- City Council is requested to proclaim the month of May as Poppy month in the City of Westminster.
- This month is dedicated to increase awareness to the Veterans of Foreign Wars. The poppy is the official flower.
- Al Kunze and Marvin Matthews of the American Legion Post #52 will be present to accept this proclamation.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A



**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The American Legion was chartered by the United States Congress in 1919 as a Patriotic wartime veteran's organization. American Legion Post #52 is located in Westminster and regularly meets each month at Westminster Fire Station #2. Recently, Post #52 adopted the Westminster Veteran's Memorial Garden at City Park as an ongoing community project. The American Legion serves over 3 million members in the United States and abroad.

One of the American Legion's internationally recognized symbols is the Flanders Field Poppy. The Flanders Field Poppy was inspired by a poem written by World War I Colonel John McCrea of Canada's First Brigade Artillery. Colonel McCrea wrote the poem "In Flanders Fields" to express grief over the "row on row" of graves of soldiers who had died on Flanders' battlefields located in western Belgium and northern France. The poem became a rallying cry to all who fought in World War I.

The poem had a huge impact in the United States and two women, Anna E. Guerin of France and Moina Michael of Georgia worked to initiate the sale of artificial poppies to help orphans and others left destitute by the war. With the help of the American Legion in 1920, the poppy has become known as the Flower of Remembrance in the United States, Britain, France, Canada, Australia and New Zealand. The poppy has subsequently been adopted as the official memorial flower of the Veteran's of Foreign Wars. In 1923 the VFW started to use unemployed and disabled veterans to produce the poppy and today the VFW distributes 14 million poppies worldwide.

Through the promotion of the Flanders Field Poppy, veterans have helped countless disabled veterans, widows, widowers, and orphans over the years. The handmade poppies are not sold; rather donations have supported the poppy production and distribution.

Nationally, the month of May is recognized by many veterans' organizations as Poppy Month and the following resolution will dedicate May as Poppy Month in Westminster.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

**WHEREAS**, the American Legion was chartered by Congress in 1919 as a patriotic, mutual help, war time veterans' organization. The American Legion is a community service organization that numbers nearly 3 million men and women in nearly 15,000 American Legion Posts and Auxiliary Units worldwide; and

**WHEREAS**, American Legion Post #52 in Westminster, Colorado, seeks to support our troops stationed across the globe and in combat duty; and

**WHEREAS**, the annual sale of poppies by American Legion Post #52 offers an opportunity for the people of this community to express their solicitude for those affected by foreign wars; and

**WHEREAS**, the proceeds of the Flanders Field Poppy fundraising campaign are used exclusively for the benefit of disabled and needy veterans, the widows, widowers and orphans; and

**WHEREAS**, May is the month that the American Legion Organization and the Veteran's of Foreign Wars recognize the Flanders Field Poppy.

**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 month of May as**

## **POPPY MONTH**

In support of the American Legion's efforts to assist those in need and encourage the public to support the American Legion's efforts.

Signed this 25<sup>th</sup> day of April, 2005.

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Nancy McNally, Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005



**SUBJECT:** Proclamation re Cover the Uninsured Week

**Prepared by:** Linda Yeager, City Clerk

**Recommended City Council Action**

City Council proclaim May 1 through 8, 2005 as Cover the Uninsured Week. Councillor Dixon will present a proclamation to a member of the Cover the Uninsured Coalition.

**Summary Statement**

- The Denver Cover the Uninsured Coalition has requested that the City proclaim May 1 through 8 to be Cover the Uninsured Week in Westminster.
- The City has previously supported this worthwhile effort to increase public knowledge that health coverage for all Americans is a widely-shared community value and must be a top priority.
- A Coalition member will be in attendance Monday evening to accept the proclamation.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**SUBJECT:** Proclamation re Cover the Uninsured Week

Page 2

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The Denver Cover the Uninsured Coalition has requested that the week of May 1 through 8 be recognized as Cover the Uninsured Week in Westminster to increase community awareness of the 720,000 Colorado residents who have no health care coverage.

A representative of the Coalition will be in attendance to accept the Proclamation.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

**WHEREAS**, 45 million Americans do not have health care coverage; and

**WHEREAS**, eight out of ten people who are uninsured are in working families; and

**WHEREAS**, there are more than 8 million children in America without health coverage; and

**WHEREAS**, uninsured Americans are more often ill and die younger than those who are covered, and suffer needlessly because they go without the health care they need; and

**WHEREAS**, the price of health care continues to rise, and fewer individuals and families can afford to pay for coverage, and fewer businesses are able to provide coverage for their employees.

**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 1 through 8, 2005, to be**

**COVER THE UNINSURED WEEK  
IN WESTMINSTER, COLORADO**

and in recognition of the urgency of seeking solutions to this, one of America's greatest problems, urge the citizens of Westminster to participate in appropriate activities to **"Get America Covered."**

Signed this 25<sup>th</sup> day of April, 2005

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Nancy McNally, Mayor



## Agenda Item 6 E

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
April 25, 2005



**SUBJECT:** Proclamation re National Drinking Water Week

**Prepared by:** Steve Ramer, Laboratory Analyst/Program Coordinator

### Recommended City Council Action

Proclaim the week of May 1 through 7, 2005 as “National Drinking Water Week” in the City of Westminster. Mayor Pro Tem Tim Kauffman will present the proclamation to Steve Ramer, Laboratory Analyst/Program Coordinator for the City of Westminster.

### Summary Statement

- City Council is requested to proclaim the week of May 1 through 7, as “National Drinking Water Week” in the City of Westminster.
- Steve Ramer, Water Quality Laboratory Analyst and Program Coordinator for the Westminster Water Week Program, will be at the City Council meeting to accept the proclamation.
- National Drinking Water Week focuses on the importance of a safe, domestic water supply and the limited nature of our Nation’s drinking water supply resources. The objective of this week is to educate and inform the public of the importance of a safe, reliable public water source, the need for wise use of water and water conservation and protection, and to encourage each local water utility to involve its citizens in water promotion activities.

Expenditure Required: \$ 0

Source of Funds: N/A

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The City program, scheduled for the week of May 1 through 7, will be coordinated by the Public Works and Utilities Department's Water Resources and Treatment Division. A booth and display will be set up at the Westminster Mall from May 5 through 7. The display will include a tabletop display on water treatment, a TV/VCR unit for viewing water related films, handouts and brochures on water conservation, water treatment, and water quality. A drawing will also be held for a gift certificate from Home Depot.

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.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

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

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

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

**NOW, THEREFORE, 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 1 through 7, 2005, 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 25<sup>th</sup> day of April 2005.

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Nancy McNally, Mayor





## Agenda Item 6 F

**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005

**SUBJECT:** Presentation by Adams County School District 50 Students

**Prepared by:** Linda Yeager, City Clerk

**Recommended City Council Action:**

Mayor and City Council listen to the Close Up presentation by School District 50 High School students.

**Summary Statement:**

- City Council is requested to listen to several Adams County School District 50 High School students relay their experience in the Washington D.C. "Close Up Government" Program. This was a week long trip to Washington, D.C.
- Mark Ramsey, social studies teacher at Westminster High School and sponsor of the trip to Washington D.C. and several of the students that participated in this program will be present to make a short presentation on their impressions of their visit to Washington, D.C. and the workings of the federal government.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**SUBJECT:** Presentation by Adams County School District 50 Students

Page 2

**Policy Issues:**

None identified

**Alternatives:**

None identified

**Background Information:**

The City of Westminster provides matching funds to the School District No. 50 Education Foundation to send high school students to Washington, D.C. as part of the Washington Close Up Government Program.

This week long program experience occurred the week of March 6 through 12. This program gives students the opportunity to interact with their legislators at the national level.

Respectfully submitted,

J. Brent McFall  
City Manager



Agenda Memorandum

City Council Meeting  
April 25, 2005



**SUBJECT:** Financial Report for March 2005

**Prepared By:** Tammy Hitchens, Finance Director

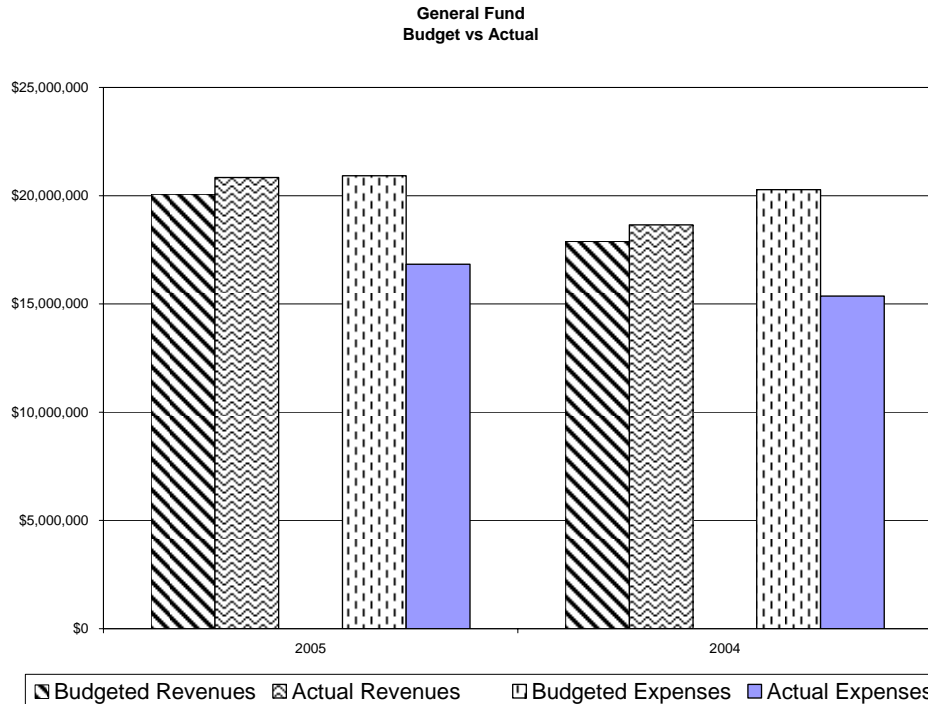
**Recommended City Council Action**

Accept the Financial Report for March as presented.

**Summary Statement**

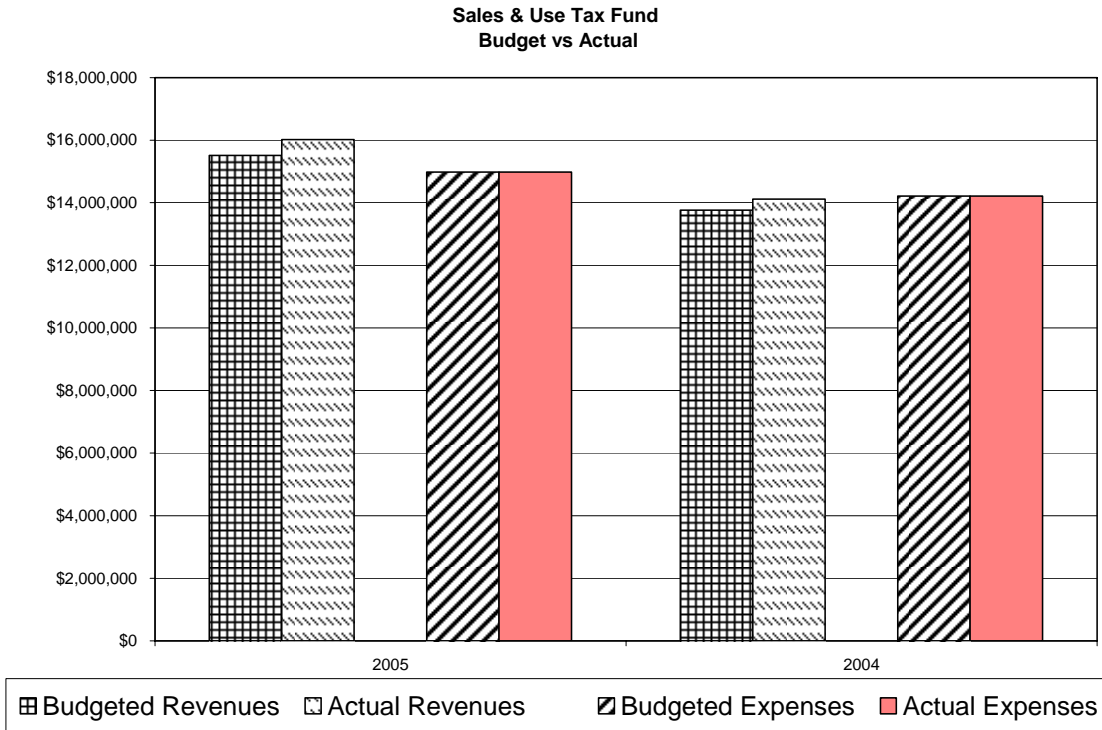
City Council is requested to review and accept the attached monthly financial statement. The Shopping Center Report is also attached. Unless otherwise indicated, "budget" refers to the pro-rated budget. The revenues are pro-rated based on historical averages. Expenses are pro-rated based on 1/12 of the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

The General Fund revenues exceed expenditures by \$4,000,355. The following graph represents Budget vs. Actual for 2004 – 2005.

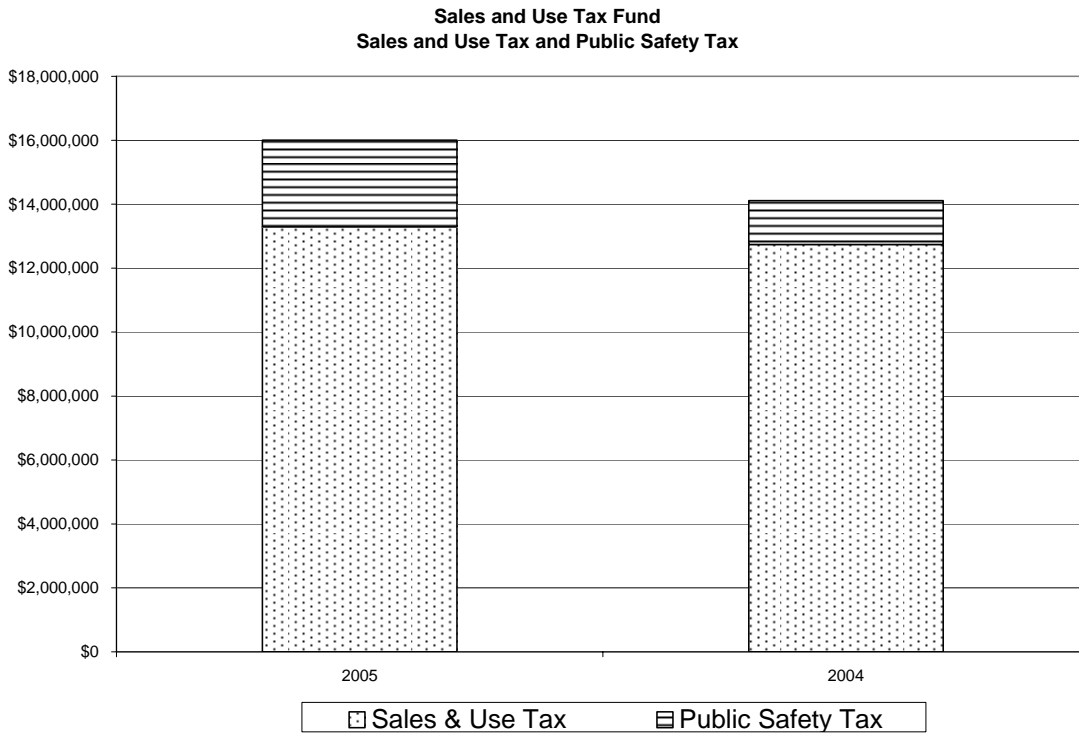


The Sales and Use Tax Fund's revenues exceed expenditures by \$1,035,000.

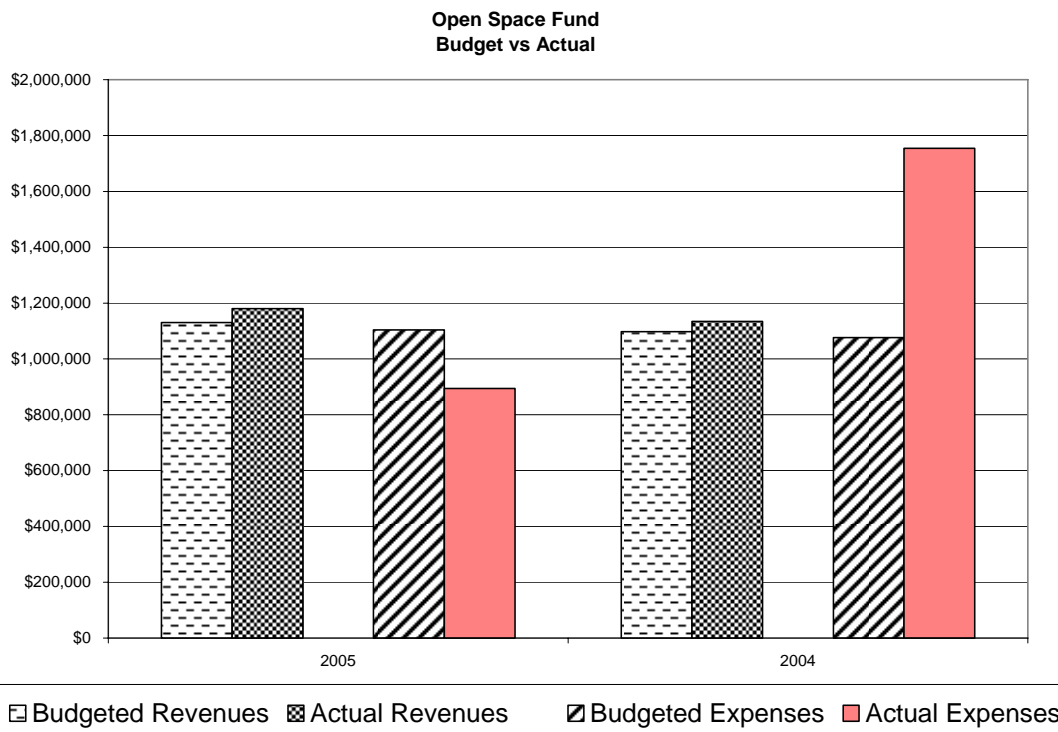
- On a year-to-date basis, across the top 25 shopping centers, total sales & use tax receipts are up 10%. It should be noted that there are timing differences and anomalies in this report that overstate the revenue picture.
- The top 50 Sales Taxpayers, who represent about 65% of all collections, were up 5.6%.
- The Westminster Mall is up 18%. This reflects the consolidation of the JC Penney's Home Store and other time differences, including a double payment by Sears.
- The March 2005 revenues include \$255,000 from a one-time use tax audit payment.



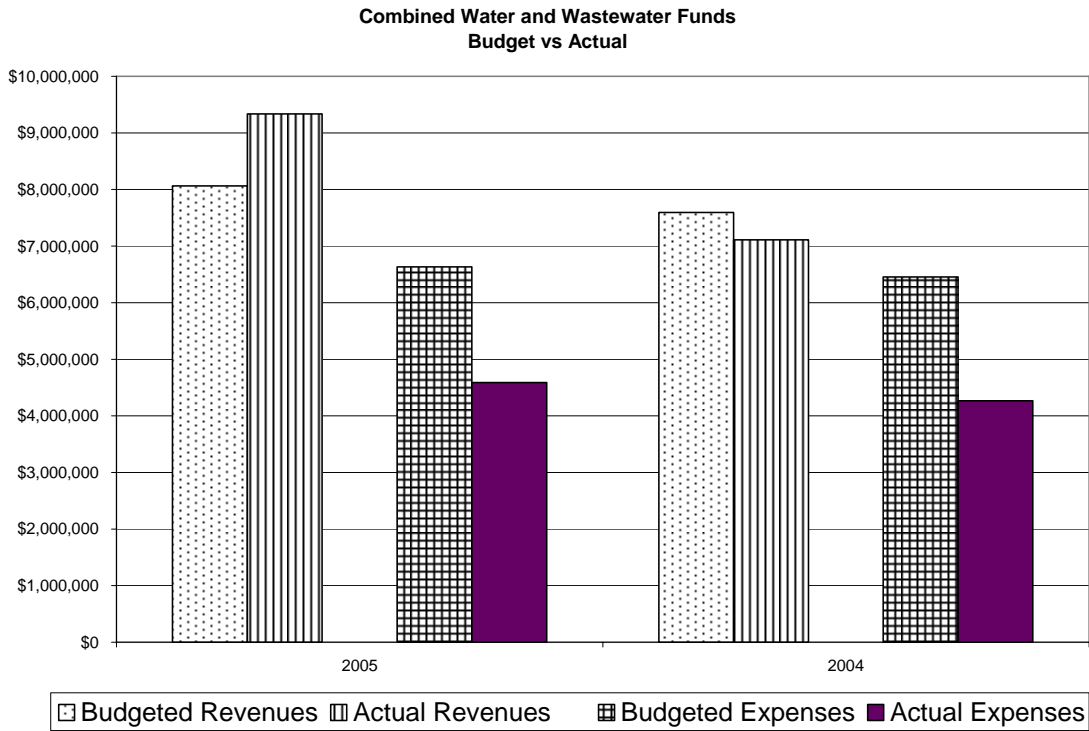
The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.



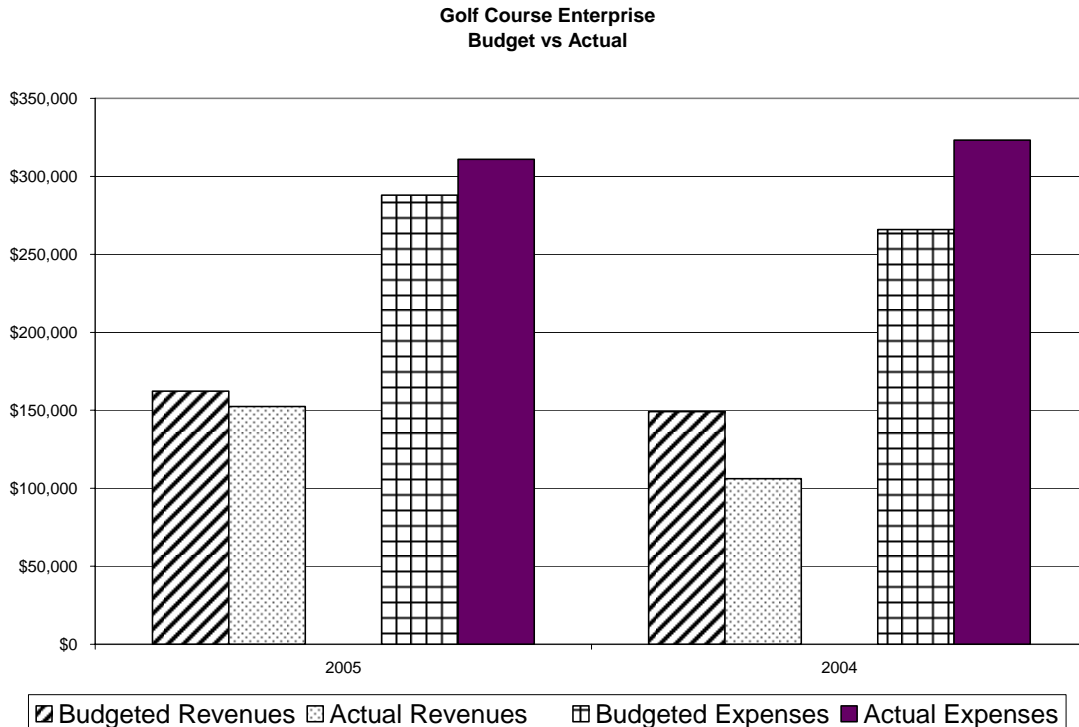
The Open Space Fund's revenues exceed expenditures by \$286,000.



The combined Water & Wastewater Funds' revenues exceed expenses by \$4,748,000.



The combined Golf Course Funds' revenues are under expenditures by \$200,000.



**Policy Issue**

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

**Alternative**

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

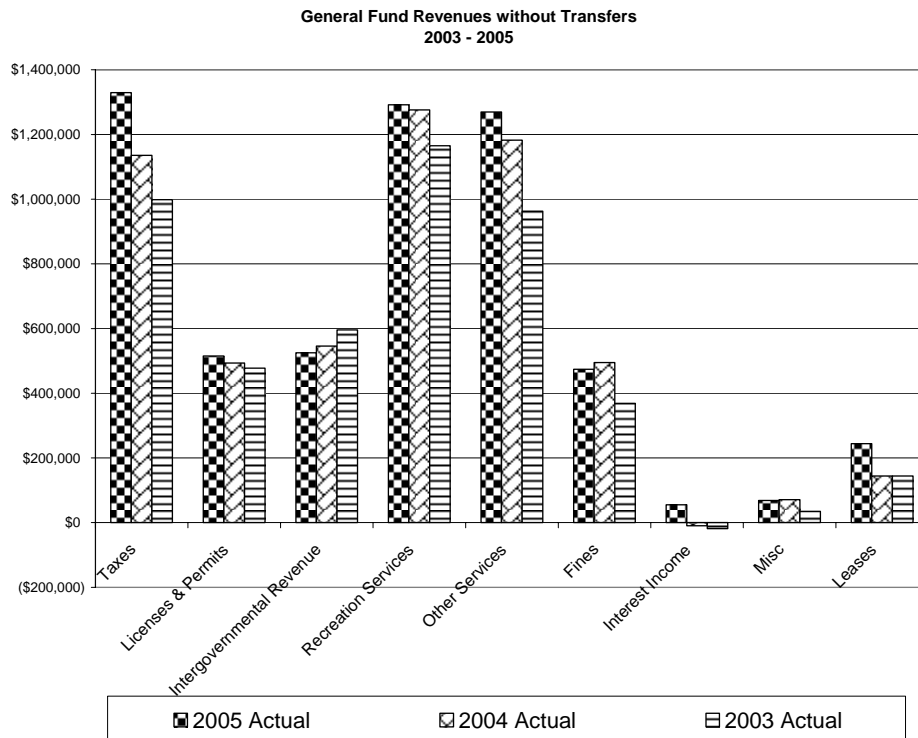
**Background Information**

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

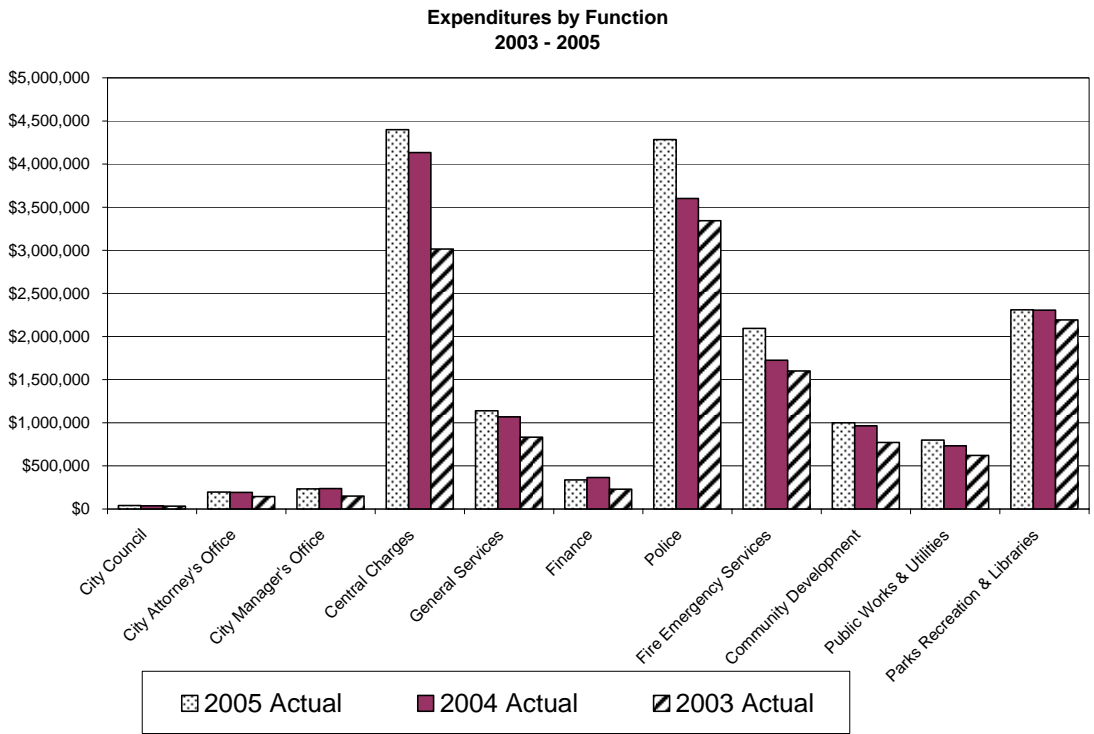
**General Fund**

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

The following chart represents the trend in actual revenues from 2003 – 2005.



The following chart identifies where the City is focusing its resources. The chart shows year to date spending for 2003 – 2005 (through March).

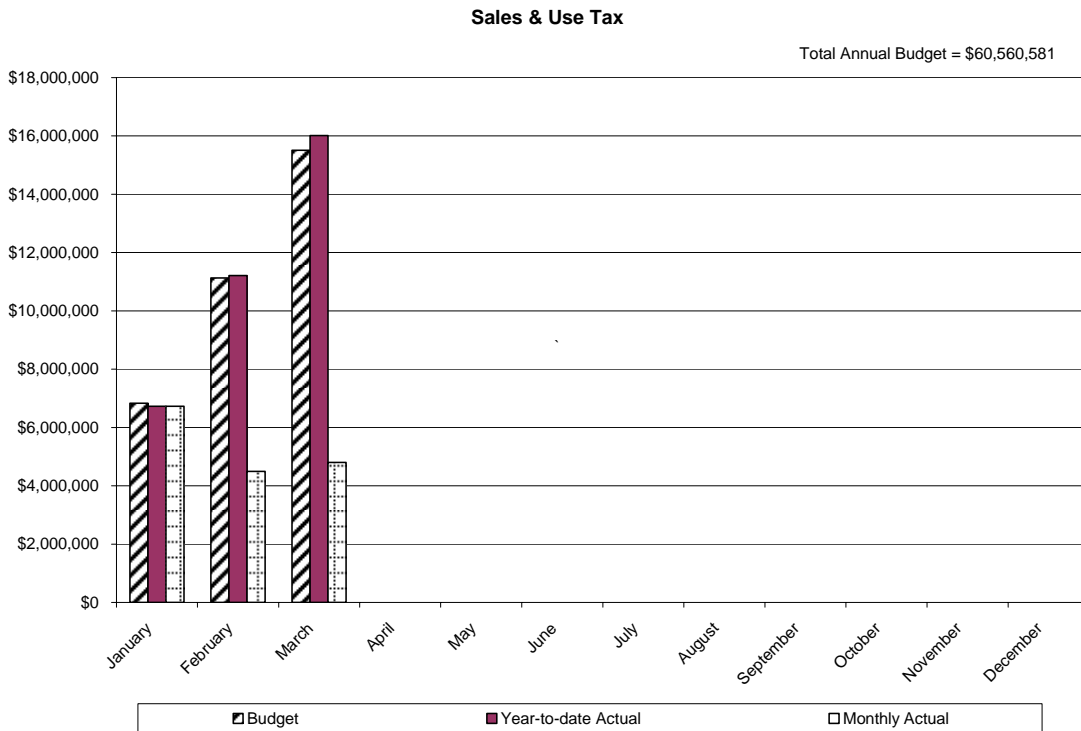




**Sales and Use Tax Funds (Sales & Use Tax Fund and Open Space Sales & Use Tax Fund)**

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

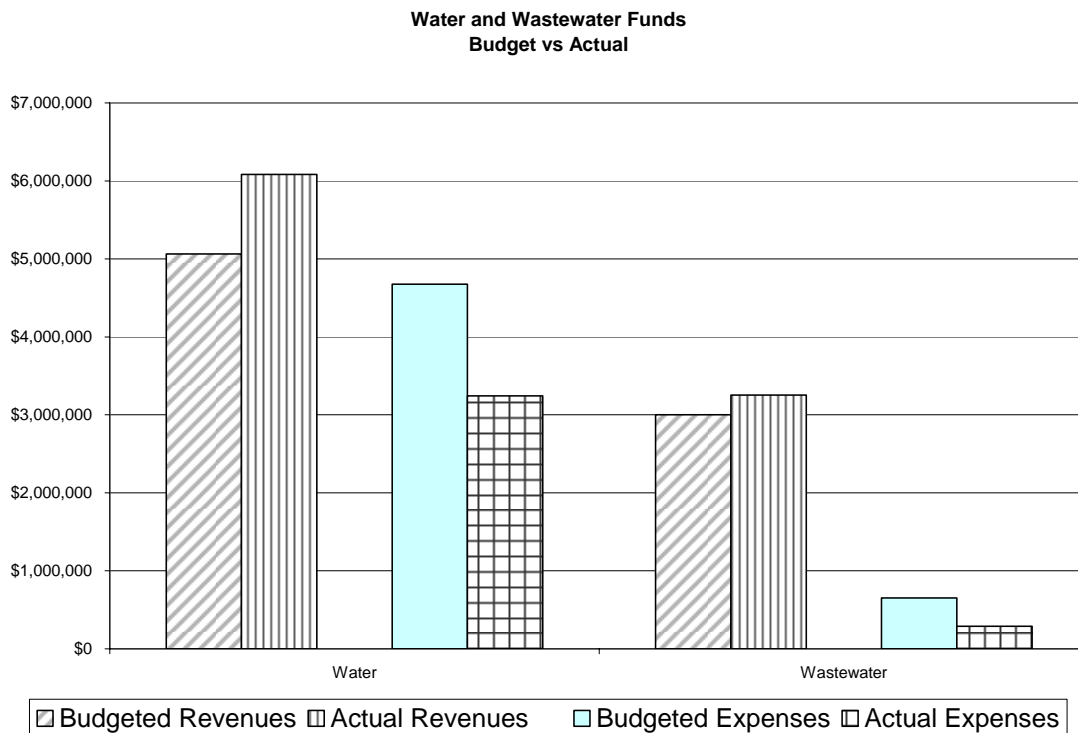
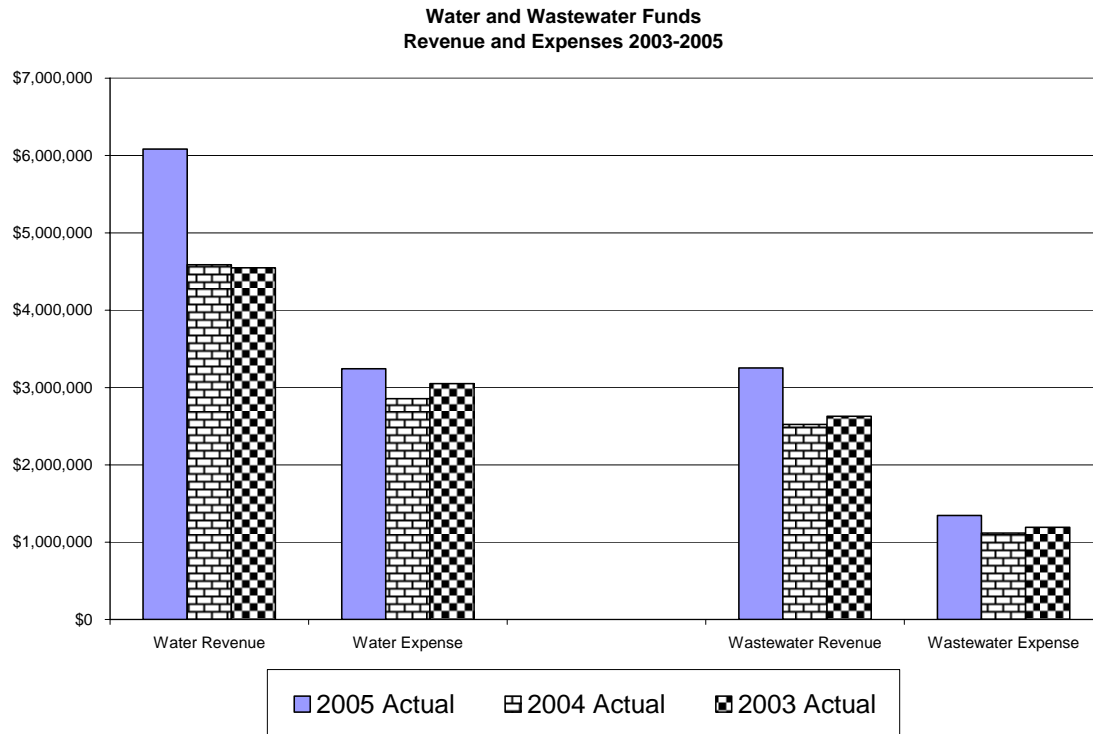
This chart indicates how the City's Sales and Use Tax revenues are being collected on a monthly basis. This chart does not include Open Space Sales & Use Tax.



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

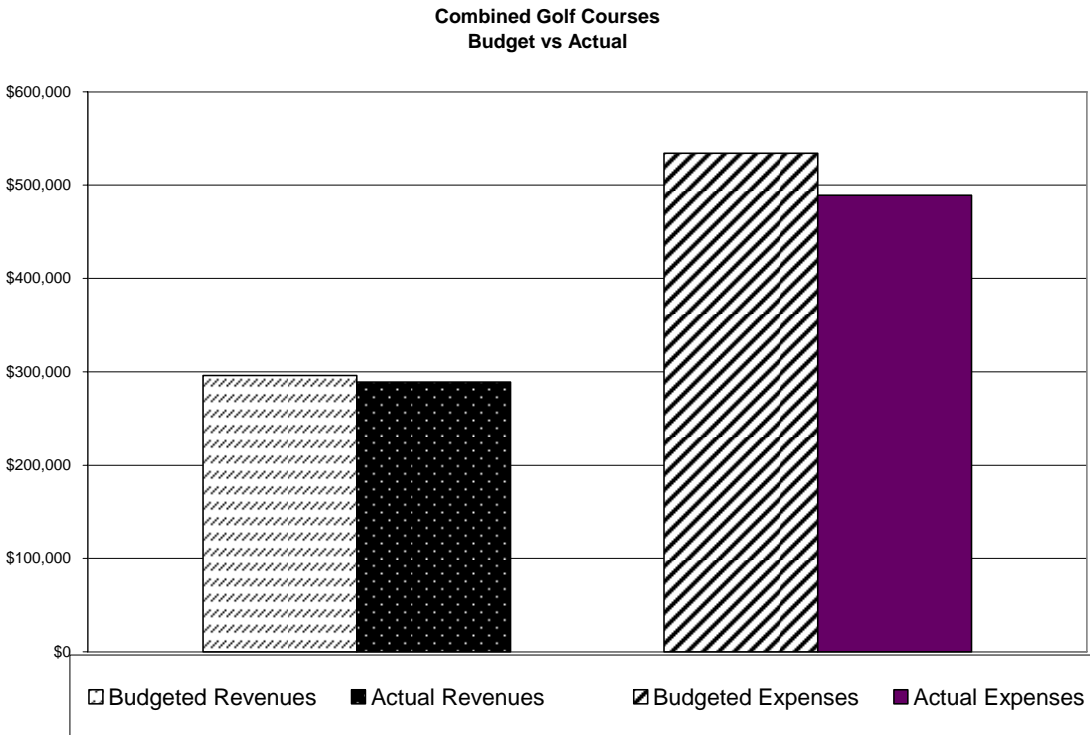
This fund reflects the operating results of the City's water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital projects.

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

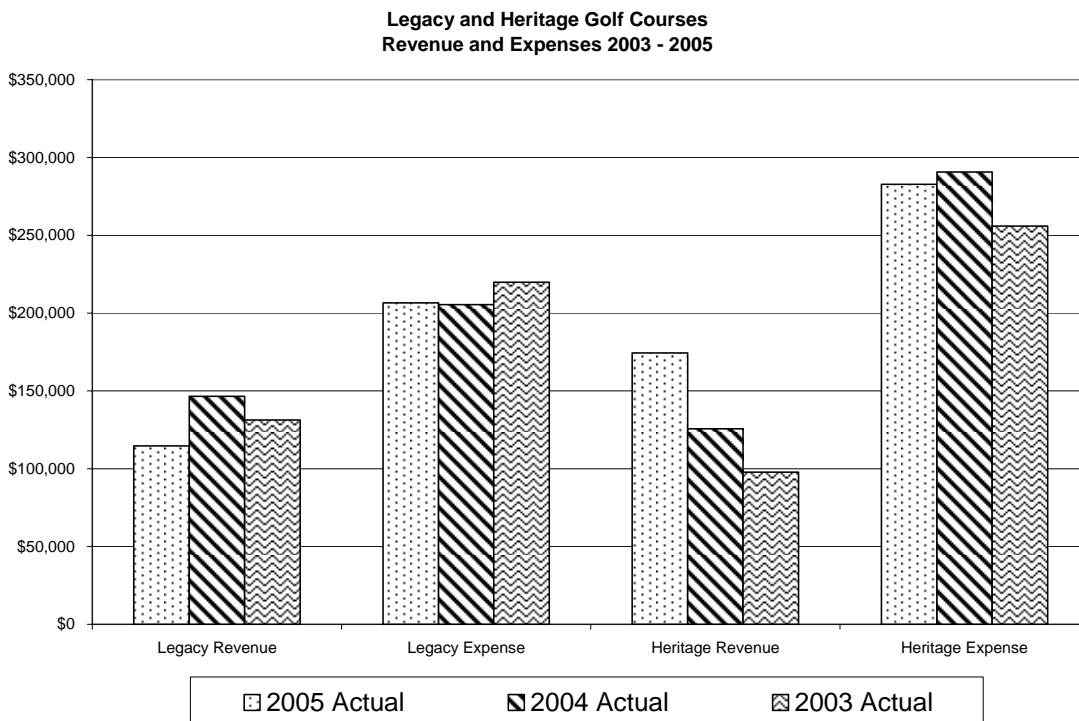


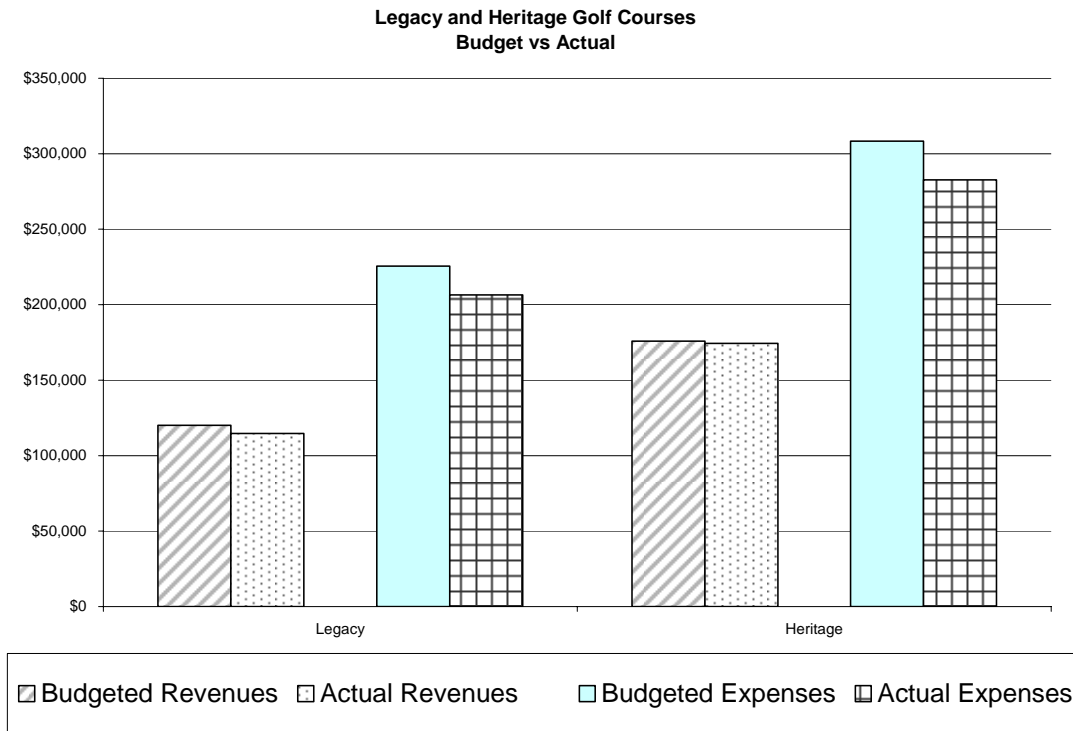
**Golf Course Enterprise (Legacy and Heritage Golf Courses)**

This enterprise reflects the operations of the City's two municipal golf courses. The enterprise as a whole is in a positive position, with net income currently \$38,000 over budget for the year. On October 11, 2004, City Council approved a four-point program to provide relief to the golf courses over the coming years.



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





Respectfully submitted,

J. Brent McFall, City Manager

Attachments

**City of Westminster  
Financial Report  
For the Three Months Ending March 31, 2005**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
<b>Golf Courses Combined</b>						
<b>Revenues</b>						
Charges for Services	3,083,363	233,540		215,261	(18,279)	92%
Interest Income	0	0		1,295	1,295	
Miscellaneous	0	0		10,000	10,000	
Interfund Transfers	250,000	62,500		62,500	0	100%
<b>Total Revenues</b>	<u>3,333,363</u>	<u>296,040</u>		<u>289,056</u>	<u>(6,984)</u>	<u>98%</u>
<b>Expenses</b>						
Central Charges	190,977	42,199		43,739	1,540	104%
Recreation Facilities	2,643,396	491,813		445,532	(46,281)	91%
<b>Total Expenses</b>	<u>2,834,373</u>	<u>534,012</u>		<u>489,271</u>	<u>(44,741)</u>	<u>92%</u>
Operating Income (Loss)	498,990	(237,972)		(200,215)	37,757	
Debt Service Expense	498,990	0		0	0	
<b>Revenues Over(Under) Expenditures</b>	<u>0</u>	<u>(237,972)</u>		<u>(200,215)</u>	<u>37,757</u>	











## Agenda Item 8 B

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
April 25, 2005



**SUBJECT:** Redevelopment Agreement Concerning Residential Development in the South Sheridan Urban Renewal Area

**Prepared By:** Aaron B. Gagné, Senior Projects Coordinator

### Recommended City Council Action:

Authorize the City Manager to execute a Redevelopment Agreement between the City of Westminster, the Westminster Economic Development Authority and Village Homes in substantially the same form as the attached agreement.

### Summary Statement:

- The City of Westminster established the South Sheridan Urban Renewal Area (“URA”) in 2004, as defined in Attachment B. One of the goals of that program was to foster the redevelopment of the former Shoenberg Farms property.
- Village Homes, an experienced residential builder in the Denver Metro area, purchased properties north and south of 72<sup>nd</sup> Avenue in the URA that were the site of the bankrupt “Ambiance” project.
- In furtherance of the goals of the URA and the overall South Westminster Revitalization Plan, a mixture of residential and commercial redevelopment is desired, with the residential development being concentrated north of 72<sup>nd</sup> Avenue. Village Homes can assist in this overall redevelopment plan by selling their property south of 72<sup>nd</sup> Avenue to a commercial developer.
- The proposed Redevelopment Agreement recognizes certain extraordinary costs of redeveloping the property north of 72<sup>nd</sup> Avenue, including increased infrastructure costs and the costs of regional stormwater facilities.
- The proposed Redevelopment Agreement is “self-supporting” – utilizing only fee and tax increment revenue to fund the assistance package. Other parcels and projects within the URA are not being relied upon to fund any portion of the proposed Agreement.

**Expenditure Required:** \$ 606,500

**Source of Funds:** Actual fees and taxes remitted by Village Homes in the course of developing the subject property

## **Policy Issue**

Should the City Council enter into a Redevelopment Agreement with Village Homes to facilitate and assist in the redevelopment of large vacant and underutilized properties within the South Sheridan Urban Renewal Area?

## **Alternatives**

1. City Council could choose to not enter into the proposed redevelopment agreement, thereby limiting the commercial redevelopment opportunities on vacant lands south of 72<sup>nd</sup> Avenue.
2. City Council could choose to attempt to negotiate a redevelopment agreement of lesser value – something that Village Homes has already indicated that they would not entertain.

## **Background Information**

In late 2003 and early 2004, the City of Westminster conducted a blight study and established an urban renewal area that included property highlighted as the adopted area on the map in Attachment B.

In 2004, staff began working with the owners of the Shoenberg Plaza Shopping Center at the southwest corner of 72<sup>nd</sup> and Sheridan, with Village Homes, the owner of lands west of Sheridan on Depew Street north and south of 72<sup>nd</sup> Avenue and with Jerry Tepper, the owner of the frontage properties and the historic Shoenberg Farm site at the northwest corner of 72<sup>nd</sup> and Sheridan. The overall efforts have been to achieve the goals and objectives set forth in the urban renewal plan – improving properties, infrastructure and economic health of the area. A major commercial project is under review for the Shoenberg Plaza site, residential plans are under review for Village Homes, and conceptual commercial and possibly mixed-use are plans being developed for the Tepper properties.

In the course of the in-depth discussions between the private property owners and Department of Community Development staff, certain extraordinary redevelopment costs were identified. The property owned by Village Homes on the south side of 72<sup>nd</sup> Avenue was identified as appropriate for an expansion of the commercial property on which the struggling Shoenberg Shopping Center sits. To address the identified extraordinary costs, staff desired to facilitate the sale of the property south of 72<sup>nd</sup> Avenue at a price that would encourage the redevelopment of the Shoenberg Shopping Center.

The structure of the proposed agreement is such that actual fees, including permit and plan review fees, and taxes, including business use taxes and increments property taxes, will be rebated to the Developer in the month following their actual collection. These rebates are to total no more than \$606,500, a value that was arrived on the following basis:

- a. **Carrying Costs.** The City and WEDA proposes to pay the Developer an installment of the Developer Incentive in the amount of \$25,000 to cover carrying costs on the South Parcel.
- b. **Stormwater Detention.** In order to manage stormwater on a regional basis in the overall Project Area, the City and WEDA that overall project area stormwater be managed on the South Parcel, which will require a connection under 72<sup>nd</sup> Avenue. An estimated payment of up to \$46,200 has been allotted to said improvements.
- c. **Sanitary Sewer.** In order to provide sanitary sewer service to easterly portions of the North Parcel, it may be necessary to construct an approximately 400 foot sanitary connect to the east across the Shoenberg Farms property. An estimated payment of up to \$13,600 has been allotted to these improvements.

d. **Depew Street Extension.** The City and WEDA propose an extension of Depew Street north from its current terminus for an additional 640 +/- feet, which must include ,at a minimum, (i)construction of the full width of Depew Street, (ii) one curb cut to allow access to the Developer’s project, (iii) one curb cut to allow access to Faversham Park and (iv) landscaping, irrigation and sidewalks on both sides of Depew Street. An estimated payment of up to \$195,000 has been allotted to these improvements.

e. **Additional Land Acquisition.** The Parties desire to expand the residential development on the north side of West 72<sup>nd</sup> Avenue to include the North Parcel plus additional land to the east, up to an additional 10 acres (“Additional Property”). The City and WEDA shall provide reimbursement to Developer for its costs in acquiring the Additional Property, based on an estimate of \$0.75 per square foot of additional acreage, not to exceed a total of \$32,670 per acre or a total of \$326,700.

The proposed redevelopment agreement will achieve the following:

- Extension of Depew Street adjacent to Faversham Park;
- Creation of a regional stormwater management system to address needs both north and south of 72<sup>nd</sup> Avenue;
- Extension of sanitary sewer lines to service the Village Homes residential project;
- The sale of the more commercial-appropriate property to the south of 72<sup>nd</sup> Avenue to a commercial developer.

Lastly, the structure of the proposed redevelopment agreement is such that the agreement is self-funding by the Village Homes residential project, and neither relies upon other URA projects nor other sources of funding to fulfill the terms of the agreement. As fees and taxes are paid to the City by Village Homes in the natural course of developing their own property, they would be rebated in accordance with the terms of the agreement. Portions of these funds would be collected by the City, and as a result of the URA status of the area, portions would be controlled by WEDA, but in either case, there will be no capital outlay required by the City or WEDA.

Respectfully Submitted,

J. Brent McFall  
City Manager

Attachments: “Attachment A” – Redevelopment Agreement  
“Attachment B” – South Sheridan Urban Renewal Area Map

## ***ATTACHMENT A – Redevelopment Agreement***

### **REDEVELOPMENT AGREEMENT CONCERNING RESIDENTIAL DEVELOPMENT IN THE SOUTH SHERIDAN URBAN RENEWAL AREA**

#### **CITY OF WESTMINSTER, COLORADO**

THIS REDEVELOPMENT AGREEMENT (“Agreement”) is entered into by and between **Village Homes of Colorado, Inc.** (the “Developer”), with offices at 100 Inverness Terrace East, Suite 200, Englewood, Colorado 80112, the Westminster Economic Development Authority (“WEDA”) with offices at 4800 West 92<sup>nd</sup> Avenue, Westminster, Colorado, and the **City of Westminster** (the “City”), with offices at 4800 West 92<sup>nd</sup> Avenue, Westminster, Colorado 80031 (the Developer, WEDA and the City are sometimes jointly referenced as the “Parties” herein), upon the terms and conditions set forth below.

#### **Recitals**

WHEREAS, the City established the South Sheridan Urban Renewal Area on March 29, 2004, in order to achieve the goals set forth in the South Sheridan Redevelopment Plan and the South Westminster Strategic Revitalization Plan; and

WHEREAS, it is the intent of the Parties to work cooperatively to facilitate new development and redevelopment in the areas southwest and northwest of the intersection of West 72<sup>nd</sup> Avenue and Sheridan Boulevard in the City (the “Project Area”); and

WHEREAS, Developer has purchased two parcels described in Exhibit A (the “South Parcel”) and in Exhibit B (the “North Parcel”) for residential development within the City; and

WHEREAS, the City and WEDA are also working with the owners of the land east of the South Parcel (“Commercial Owner”) to determine the feasibility of commercial redevelopment, which may incorporate the South Parcel; and

WHEREAS, the sale of the South Parcel by Developer to Commercial Owner will allow for said commercial redevelopment, and the City desires to facilitate said sale by providing Developer certain reimbursements, in accordance with this Agreement; and

WHEREAS, the City intends to seek compatible plans and standards for the anticipated commercial development that may occur on the property east of and adjacent to the North Parcel so that the entire Project Area has a consistent and integrated urban design.

WHEREAS, the Developer intends to enter into or has entered into a contract to sell the South Parcel to Commercial Owner; and

WHEREAS, coordinated development of public infrastructure, including streets and stormwater management, will result in better utilization of land and financial resources by the Parties, to the benefit of the citizens of the City.

## **Terms of Redevelopment Agreement**

NOW THEREFORE, in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties express their understanding, intent and agreement as follows:

1. **City Acknowledgments.** The City acknowledges that Commercial Owner may submit rezoning and/or other land use amendment requests for the South Parcel to the City. The City further acknowledges that the requirements of §§11-5-7(A)(4)(a) and 11-4-16(D)(2) of the Westminster Municipal Code, regarding owner consent, must be met prior to the City's approval of any such application. In the event that the Developer does not close on its sale of the South Parcel to the Commercial Owner, the City, on its own accord and at its expense, agrees to pursue a land use change for the South Parcel to a residential designation of no less density than its previous residential designation. In the event that this agreement is terminated, the preceding provision as it specifically applies to the intent of the City to pursue the restoration of a residential zoning designation in the event of the failure of the Commercial Owner to close on the South Parcel shall survive independent of this agreement.

2. **Potential Developer Incentives.** If the South Parcel is conveyed to Commercial Owner or other commercial developer on or before April 19, 2006 at a price of no more than \$2.00 per square foot, the City and WEDA shall provide an incentive to the Developer in the amount of \$606,500 ("Developer Incentive"), and the parties agree that the Developer Incentive will be paid in installments after certain improvements are constructed by Developer or certain real property is acquired by Developer as described in this Section. In order to establish the timing of the payments to Developer, the Developer Incentive may be allocated as follows:

a. **Carrying Costs.** The City and WEDA shall pay Developer an installment of the Developer Incentive in the amount of \$25,000 to cover carrying costs on the South Parcel in accordance with the reimbursement terms set forth in Section 5 below.

b. **Stormwater Detention.** In order to manage stormwater on a regional basis in the overall Project Area, the City and WEDA desire that drainage from the North Parcel be consolidated into a regional drainage system with the drainage south of West 72<sup>nd</sup> Avenue via the installation of a connection from the North Parcel to a point of connection to be installed on the northerly boundary of the South Parcel by the ultimate developer of the South Parcel. An estimated payment of up to \$46,200 has been allotted to said improvements, and said payment shall be paid to Developer in accordance with the reimbursement terms set forth in Section 5 below. Developer understands that access and maintenance agreements for that common stormwater facility shall be the responsibility of the Developer in conjunction with the ultimate developer of the South Parcel. Should the contemplated commercial development on the south side of 72<sup>nd</sup> Avenue not occur, the Developer shall have the right, through its own Preliminary Development Plan and Official Development Plan process, to install a stormwater detention facility on the South Parcel. In the event that this Agreement is terminated, the preceding provision as it specifically applies to the ability of the Developer to locate a common stormwater management facility on the South Parcel shall survive independent of this agreement.

c. **Sanitary Sewer.** In order to provide sanitary sewer service to easterly portions of the North Parcel, it may be necessary for a sewer main extension to be built to an existing 8" lateral off of Sheridan Boulevard for a total of 400 +/- feet and a connection to be made to sanitary sewer improvements to be installed on the parcel of land immediately to the east of the North Parcel or to a sanitary sewer connection on the South Parcel. The Developer will need to construct this extension at its own expense. An estimated payment of up to \$13,600 has been allotted to said improvements, and said payment shall be paid to Developer in accordance with the reimbursement terms set forth in Section 5 below. Developer agrees to provide to the City easements for the installation of the sewer main extension. If necessary, the City and WEDA agree to actively participate in securing said easements.

d. **Depew Street Extension.** The City and WEDA desire an extension of Depew Street north from its current terminus for an additional 640 +/- feet, which must include ,at a minimum, (i)construction of the full width of Depew Street, (ii) one curb cut to allow access to the Developer's project, (iii) one curb cut to allow access to Faversham Park and (iv) landscaping, irrigation and sidewalks on both sides of Depew Street. Such design and construction shall be in accordance with the City's *Standards and Specifications for the Design and Construction of Public Improvements*. This street construction will need to be completed by the Developer at its own expense. An estimated payment of up to \$195,000 has been allotted to said improvements, and said payment shall be paid to Developer in accordance with the reimbursement terms set forth in Section 5 below.

e. **Additional Land Acquisition.** The Parties desire to expand the residential development on the north side of West 72<sup>nd</sup> Avenue to include the North Parcel plus additional land to the east, up to an additional 10 acres ("Additional Property"). If this additional acreage is acquired by the Developer and if the South Parcel is conveyed to a commercial developer, the City and WEDA shall provide reimbursement to Developer for its costs in acquiring the Additional Property, based on an estimate of \$0.75 per square foot of additional acreage, not to exceed a total of \$32,670 per acre or a total of \$326,700. Said reimbursement shall be paid in accordance with the reimbursement terms set forth in Section 5 below.

f. **Payment of Developer Incentive Not Conditioned.** Notwithstanding anything to in this Agreement to the contrary, but subject to the sale of the South Parcel to the Commercial Owner under the terms of paragraph 2. above, the Developer Incentive shall be paid to Developer whether or not the improvements described in this Section 2 are constructed or Additional Property is acquired by Developer. If a certain improvement is not constructed or the Additional Property is not acquired by Developer, then the portion of the Developer Incentive that was allocated to the improvement that was not constructed or the Additional Property shall be paid on or before the last day of the month after the month in which Developer has paid fees to the City, including, without limitation, construction use taxes and permit fees, (but not including park development fees, utility fees or tap fees) in a total amount equal to said portion of the Developer Incentive.

### **3. Land Use Regulations.**

a. It is the City's intent that development plans submitted by the Developer to the City shall be subject to the City's standard planning, engineering and overall development review processes.

b. The Developer intends to design and build its project with appropriate applications of the City's Traditional Mixed-Use Neighborhood Development (TMUND) guidelines. These design features will continue to be reviewed and considered in the context of the overall Planned Unit Development ("PUD") review process.

c. The North and South Parcels are exempt from the City's water service allocation competition per Councillor's Bill No. 3 passed January 12, 2004 amending Title 11, Chapter 3 of the Westminster Municipal Code pertaining to the South Westminster Residential Project definition within the Growth Management Program. Such an exemption is not a guarantee of water service allocations.

d. The City agrees to use best efforts to process Developer's application for a preliminary development plan in accordance with the timelines incorporated into the Community Development Department Plan Submittal Document Guidelines.

**4. Public Land Dedication.** The Developer acknowledges that park development fees and public land dedications will be required in accordance with the City's regulations and ordinances. The parties acknowledge that an excess of four (4) acres of land were dedicated to the City for public parks in association with the original Shoenberg Farms PUD, and that said excess four acres shall be apportioned, on a pro-rata basis based on the acreage, among the remaining undeveloped residential properties east of Depew Street, west of Sheridan and north of West 72<sup>nd</sup> Avenue, generally known as the former Shoenberg Farms site, and applied to the public land dedication requirements for each of those properties. Further, the parties agree that the land dedication value for public land dedication requirements for the North Parcel shall be \$80,000 per acre, and that the land dedication value for school land dedication requirements for the North Parcel shall be \$60,000 per acre. The City agrees that any park development fees collected in connection with the South Parcel and North Parcel shall be applied first by the City to the costs of construction of the parking lot and other improvements in Faversham Park, with the final disposition of any excess funds being at the sole discretion of the City.

**5. City Reimbursements.** The source of the payment of the Developer Incentive shall be fees paid by Developer to the City, including, without limitation, construction use taxes, permit fees, but shall not include park development fees, utility fees or tap fees, and such other reimbursement sources that may be available and appropriate. Notwithstanding the forgoing to the contrary, if all fees paid by Developer are insufficient to reimburse Developer the full amount of the Developer Incentive, then WEDA shall use new incremental real property taxes, as contemplated by §31-25-107(9), C.R.S., collected by the City solely from the North Parcel as a source of payment of the Developer Incentive.

Basis for Calculating Reimbursements

Assistance for connection to regional detention facility (\$42/l.f.):	\$ 46,200
Assistance for extension of Depew Street (\$300/l.f.)	195,000
Assistance for additional land acquisition (not to exceed) (\$.75/sq.ft.)	326,700
Assistance for sanitary sewer main extension (\$34/l.f.)	13,600
South Parcel carrying costs (not to exceed)	25,000
	<i><u>Total reimbursement of \$606,500.</u></i>

If the City and WEDA have not received fees from Developer or real property taxes from the North Parcel in an amount equal to or greater than the amount of the full installment of the Developer Incentive that is then due in accordance with Section 2, then the City and WEDA shall make partial payments of said installment on a monthly basis as fees or real property taxes are received until said installment is paid in full. Notwithstanding the eventual timing of the reimbursement payments to Developer, Developer acknowledges that no interest shall accrue on any portion of the reimbursement amount.

6. **Notices.** All notices required or permitted hereunder shall be delivered in person or by facsimile, by overnight courier, or by registered or certified mail, postage prepaid, return receipt requested, to such Party at its address shown below, or to any other place designated in writing by such Party:

City: City of Westminster  
4800 W. 92<sup>nd</sup> Avenue  
Westminster, Colorado 80031  
Attention: J. Brent McFall, City Manager  
Facsimile: (303) 430-1809  
Voice: 303.430.2400 x2010

WEDA: Westminster Economic Development Authority  
4800 W. 92<sup>nd</sup> Avenue  
Westminster, Colorado 80031  
Attention: J. Brent McFall, Executive Director  
Facsimile: (303) 430-1809  
Voice: 303.430.2400 x2010

With a copy to: City of Westminster  
4800 W. 92<sup>nd</sup> Avenue  
Westminster, Colorado 80031  
Attention: Marty McCullough, City Attorney  
Facsimile: (303) 650-0158  
Voice: 303.430.2400 x2231

Developer: Village Homes  
100 Inverness Terrace East, Suite 200  
Englewood, Colorado 80112  
Attn: Gary Ryan, Senior Vice President  
Facsimile: 303-795-1467  
Voice: 303-795-1976

With a copy to: Davis & Ceriani, P.C.  
1350 17<sup>th</sup> Street, Suite 400  
Denver, Colorado 80202  
Attn: Edward R. Gorab  
Facsimile: 303-534-4618  
Voice: 303-534-9000

Any such notice shall be deemed received upon delivery, if delivered personally or by facsimile, one (1) day after delivery to the courier, if delivered by courier, and three (3) days after deposit into the United States Mail, if delivered by registered or certified mail.

7. **Entire Agreement.** This Agreement represents the entire agreement of the Parties with respect to the matters set forth herein. This Agreement may not be amended except in writing signed by all of the Parties.

8. **Conflicts of Interest.** No member of the governing body of the City or WEDA, any employee of the City or WEDA who exercises responsibility concerning the Project, or any individual or firm providing consulting or legal services in connection with the Project shall have any interest, direct or indirect, in this Agreement and none of the foregoing persons or entities shall participate in any decision relating to this Agreement that affects his or her personal interest or the interest of any corporation, partnership or association in which he or she is directly or indirectly interested.



9. **Authority.** The City and WEDA represent and warrant that the person executing this Agreement on behalf of the City and WEDA has all requisite power and authority to bind the City and WEDA to the agreements herein

10. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

11. **Good Faith of the Parties, Consents and Approvals.** In performance of this Agreement or in considering requests for extension of time, the Parties agree that they will act in good faith and will not act unreasonably, arbitrarily, capriciously or unreasonably withhold or delay any approval required by this Agreement. Except as otherwise provided in this Agreement, whenever consent or approval of a Party is required in performance of this Agreement, such consent or approval shall not be unreasonably withheld, conditioned or delayed.

12. **No Partnership.** Nothing contained in this Agreement shall be deemed to constitute a joint venture or partnership relationship or any other arrangement, business, financial or otherwise, between City and the Developer or between WEDA and the Developer.

13. **No Third Party Beneficiaries.** No third party beneficiary rights are intended or created in favor of any person not a party to this Agreement. The rights of Developer under this Agreement shall not inure to the benefit of any third party other than a permitted assignee (including without limitation any owner of a fee or leasehold interest in any portion of the Site), unless Developer specifically assigns such rights to such party.

14. **Further Assurances.** Each party hereto shall from time to time execute and deliver such further documents and take such further actions as the other party or its counsel may reasonably request to effectuate the intent of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

VILLAGE HOMES OF COLORADO, INC.

By: \_\_\_\_\_  
Gary M. Ryan, Senior Vice President

CITY OF WESTMINSTER

By: \_\_\_\_\_  
Name: J. Brent McFall  
Title: City Manager

ATTEST:

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

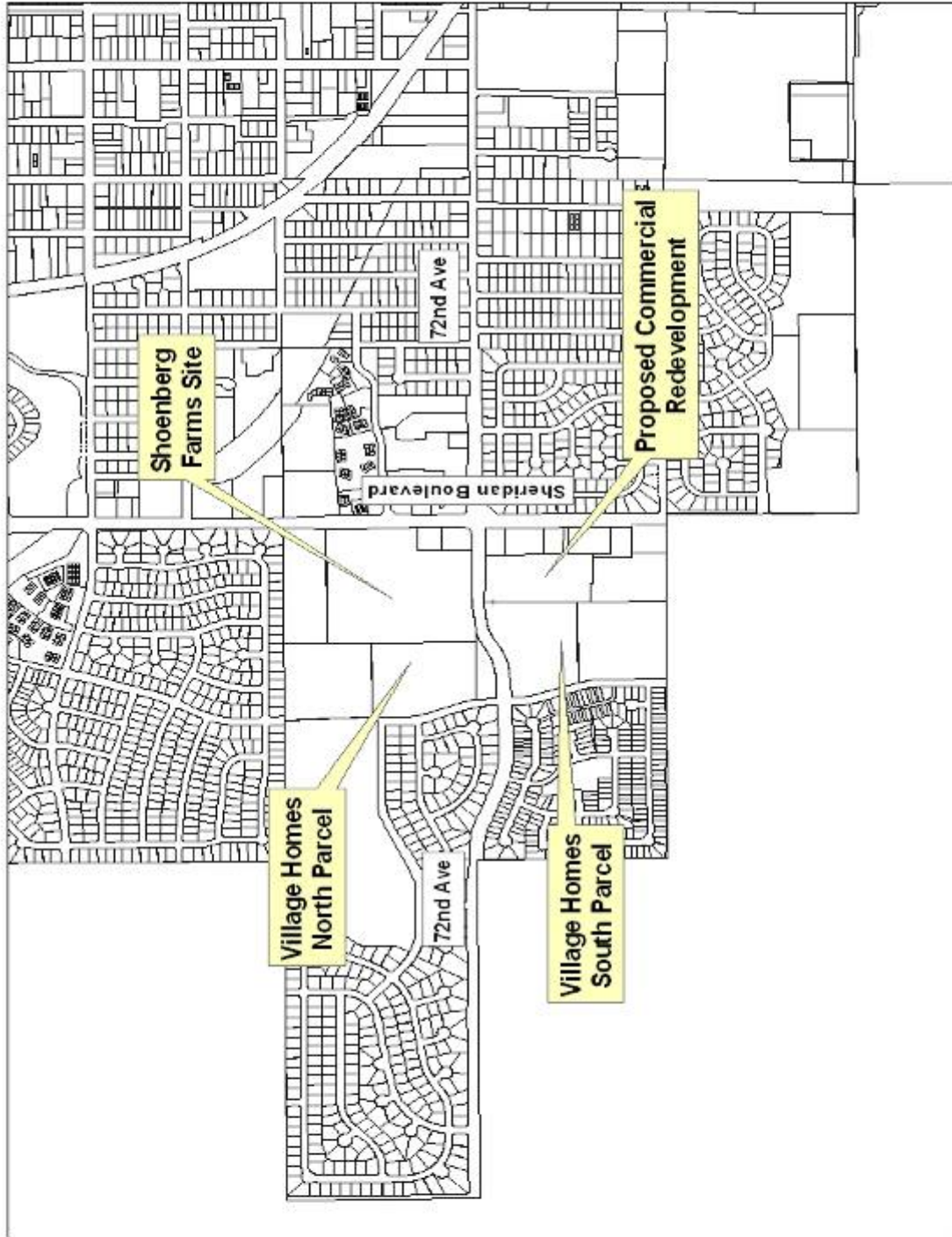
WESTMINSTER ECONOMIC  
DEVELOPMENT AUTHORITY

By: \_\_\_\_\_  
Name: J. Brent McFall  
Title: Executive Director

ATTEST:

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

**ATTACHMENT A – Vicinity Map**





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005



**SUBJECT:** Bond and Disclosure Counsel Service Agreements for the 144<sup>th</sup> Avenue Interchange Certificates of Participation Financing

**Prepared By:** Martin R. McCullough, City Attorney

**Recommended City Council Action**

City Council is requested to authorize the City Manager to execute the following agreements, in a form to be approved by the City Attorney's Office, for special legal counsel services in connection with the proposed issuance of the City's 2005 Certificates of Participation for financing the eastern half of the 144<sup>th</sup> Avenue/I-25 Interchange:

1. Sherman & Howard, for bond counsel services, for a total fee not to exceed \$35,000, plus actual expenses not to exceed \$1,000.
2. Kutak Rock, for disclosure counsel services, for a fee of \$22,000, plus costs not to exceed \$1,000.

**Summary Statement**

All special counsel agreements are subject to approval by the City Council in accordance with City Charter requirements. Sherman & Howard has acted as bond and special counsel for the City on several past financings, including the COP issue for the City's Capital Facilities Financing. Kutak Rock has also acted on several past financings as disclosure counsel for the City. The proposed fees are considered within the range of fees experienced for similar financings in the past, and will be included as part of the issuance cost for the COP financing.

**Expenditure Required:** Not to exceed \$57,000, plus expenses not to exceed \$2,000

**Source of Funds:** COP proceeds

**Policy Issue**

Whether or not to retain bond and disclosure counsel on behalf of the City for the upcoming issuance of the City's 2005 Certificates of Participation for the 144<sup>th</sup> Avenue and I-25 Interchange Project.

**Alternative**

Do not retain special legal counsel for this transaction. This is not recommended because the Certificates of Participation cannot be sold in the market without an opinion of bond counsel and an Official Statement prepared by disclosure counsel.

**Background Information**

An integral component of The Orchard at Westminster retail project at 144<sup>th</sup> Avenue and I-25 is the construction of a new highway interchange at this location ("Interchange"). The western half of this Interchange will be financed by the Westminster Economic Development Authority ("WEDA"), and the eastern half will be financed by the City. Because WEDA may not spend tax increment revenues outside of its boundaries, and because WEDA's boundaries are co-extensive with the City, that part of the Interchange that is located east of I-25 in Thornton requires separate financing.

The City has previously executed an Intergovernmental Agreement ("IGA") with the City of Thornton for the construction and financing of the eastern half of the Interchange. The IGA provides that the City will construct and finance this portion of the Interchange, but shall be reimbursed by Thornton through the retention of Thornton's share of sales tax revenues that would otherwise be paid over to the City of Thornton pursuant to the Revenue Sharing Agreement between Westminster and Thornton within the I-25 corridor. These revenues will be applied to pay the debt service on the City's COP's.

As with all public, tax-exempt financings, this financing will require an opinion from a nationally recognized law firm regarding certain tax-related matters. Mr. Dee Wisor of Sherman & Howard has served as the City's bond counsel on numerous other issues and is thoroughly familiar with the City's Charter, ordinances, and outstanding bond covenants. Certificate of Participation financings are especially complex, and therefore more costly in terms of legal services, because of collateral, insurance, and title issues.

In addition, federal securities laws require the City to issue an Official Statement in connection with this financing. Kutak Rock is a recognized expert in disclosure matters under the federal securities laws. This firm has acted in this capacity on numerous other bond issues and financings, and is familiar with the City's financial position, the general economic condition of the City, the City's detailed financial information, and other material facts related to the City pertinent to the preparation of a satisfactory Official Statement in connection with this financing.

The fees quoted by the recommended firms are reasonable and in line with past financings, and the familiarity of these firms with the City and its financial and legal documents is very valuable. The efficiencies in retaining these firms are significant and will help assure an expeditious closing of this very important financing.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 10 B&C

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
April 25, 2005



**SUBJECT:** Public Hearing and Action on Shoenberg Farms Amended Preliminary Development Plan

**Prepared By:** Daniel E. Osborn, Planner II

### Recommended City Council Action

1. Hold a public hearing.
2. Approve the Shoenberg Farms Amended Preliminary Development Plan (PDP) as submitted, based on the findings that the provisions in Section 11-5-14 of the Westminster Municipal Code have been met.

### Summary Statement

- Jerry Tepper is the owner of the property located on the northwest corner of 72<sup>nd</sup> Avenue and Sheridan Boulevard that is designated retail commercial under the Westminster Comprehensive Land Use Plan.
- The property is subject to a PDP that was approved by the City on May 24, 1973.
- The PDP stipulated that certain uses be terminated as allowed uses after January 1, 1992. Those uses include: lawn and garden supply, firewood sales, merchandise renting and leasing, and other similar uses. After this date, a PDP amendment is required to establish appropriate land uses for the property.
- As part of the redevelopment efforts in the area, staff is working with the property owner to redevelop the property. In the interim, the owner would like to utilize the existing dairy building as a landscaping business to generate income to help defer the cost of redevelopment planning by leasing a portion to a landscape business.
- A business license has been requested by the landscape company requiring an amendment to the PDP to update the allowed uses.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Planning Commission Recommendation**

The Planning Commission reviewed this proposal on April 12, 2005, and voted unanimously (7-0) to recommend approval to City Council of the Shoenberg Farms Amended PDP as submitted.

Three people asked clarifying questions regarding the proposal and no one spoke in opposition.

**Policy Issue**

Should the City approve the Shoenberg Farms Amended PDP?

**Alternative**

Deny the PDP amendment or approve the amendment with modifications. If the PDP is not approved at this time, the potential user of the site could be lost.

**Background Information**

Applicant/Property Owner

The applicant in this case is the City of Westminster. The City Code permits the City to initiate and approve a PDP for an area, if such is deemed necessary, to update the zoning for that area.

Surrounding Land Use and Comprehensive Land Use Plan Designations

West: Vacant property designated retail commercial and residential R-5 by the Westminster Comprehensive Land Use Plan.

South: An existing retail commercial center zoned C-1 and designated retail commercial by the CLUP.

East: An existing retail commercial center zoned Planned Unit Development (PUD) and designated retail commercial by the CLUP.

North: Vacant property designated retail commercial and residential R-5 by the CLUP.

Site Plan Information

No site plan for this minor PDP amendment has been submitted. The amendment only applies to the business located at the northwest corner of 72<sup>nd</sup> Avenue and Sheridan Boulevard within the dairy building.

Traffic and Transportation

No adverse traffic impacts or measurable increase will occur as part of this proposal.

Service Commitment Category

No additional Service Commitments will be required.

Referral Agency Responses

No outside agency referrals were required for this action.

Public Comments

Two citizen responses were received. Both were for clarification of the proposed amendment and neither had additional concerns.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment  
- Vicinity Map



## Agenda Item 10 D

**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Meeting  
April 25, 2005



**SUBJECT:** Councillor's Bill No. 23 re The Shops at Walnut Creek Supplemental Appropriation

**Prepared By:** David W. Loseman, Senior Projects Engineer

### Recommended City Council Action

Pass Councillor's Bill No. 23 on first reading providing for a supplemental appropriation of \$1,600,000 from the 2004 General Fund carryover and unappropriating \$1,513,951 from the Promenade/Mandalay Gardens project in the General Capital Improvement Fund to be transferred to the Westminster Economic Development Authority (WEDA) Fund for the Shops at Walnut Creek project.

### Summary Statement

- The remaining WEDA trust balance is insufficient to pay for all of the obligations relating to the construction of the Shops at Walnut Creek project.
- City Council is being requested to advance WEDA \$1,600,000 from the 2004 General Fund carryover and the remaining budgeted amount of \$1,513,951 from the Promenade/ Mandalay Gardens Project account in the General Capital Improvement Fund for WEDA to use to satisfy its obligations with Westminster Development Company, Lawrence Construction Company, TranSystems Corporation and any attorney fees related to the Weigel condemnation appeal. The City understands that the Authority agrees to repay the City for the \$1,600,000 of funds advanced using proceeds from the sale of WEDA owned land within the project area, any possible funds obtained from the appeal relating to the Weigel condemnation case or project revenues from tax increment.
- The \$1,600,000 budget shortage is due to land acquisition costs being higher than anticipated, and the delay in the transfer (and sale) of the RTD Park-N-Ride parcel to the City. Once the RTD parcel is sold these funds will be used to reimburse the City.
- The \$1,513,951 remaining in the existing City project account is already budgeted for this project and the requested action to move these funds to a WEDA account is only necessary for WEDA to spend these funds since all of the contracts for this project are with WEDA and not the City.
- Adequate funds are available from 2004 General Fund operating carryover revenues to fund this request.

**Expenditure Required:** \$ 3,113,951

**Source of Funds:** 2004 General Fund carryover and excess project funds from the Promenade/Mandalay Gardens Project in the General Capital Improvement Fund



**Policy Issue**

Should Council authorize the appropriation of \$1,600,000 of General Fund carryover and authorize the transfer of excess projects of \$1,513,951 in the Promenade/Mandalay Gardens project to WEDA so WEDA can meet its current financial obligations relating to the project with WEDA agreeing to repay the City \$1,600,000?

**Alternatives**

Council could decide to not appropriate the advance to WEDA or transfer the excess project funds to WEDA. This action is not recommended as the Authority must meet its current financial obligations and the City will be repaid \$1,600,000, which is the amount above the currently budgeted amount.

Council could also decide not to have WEDA repay the City for \$1,600,000 of the amount of the advance. Staff believes that these funds should be repaid to the General Fund as they are more appropriately an obligation of WEDA.

**Background Information**

The Westminster City Council established the Mandalay Gardens Urban Renewal Area on March 17, 2003. After that time staff negotiated with the property owners in Mandalay Gardens to purchase their land for the proposed Mandalay Gardens Town Center Project (now known as the Shops at Walnut Creek). Staff was successful at purchasing the property of 20 of the 22 individual property owners in Mandalay Gardens. Condemnation motions were filed in the other two cases. In the case of the Property owned by Raymond and Tangeree Weigel a Petition in Condemnation was filed with the District Court July 1, 2003. At that time an amount of \$1,524,000 was deposited with the Court.

WEDA does not have enough cash in the Project Fund to pay for public improvements related to the Shops at Walnut Creek project. The requested supplemental appropriation is the cash needed to complete the construction of the public improvements in the project area in order to permit the developer to build and lease properties in a timely manner and to complete the construction of the underpass under US 36. The commercial operation of the Shops at Walnut Creek is necessary for the Authority to realize incremental tax revenues needed to make debt payments and repay the City \$1,600,000 of the funds it has advanced.

The proceeds of the advance will be recorded on the books of the Westminster Economic Development Authority in the Capital Project Account, for use in construction related activities and land acquisition appeals.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2005

COUNCILLOR'S BILL NO. **23**  
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$82,941,554 is hereby increased by \$1,600,000 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$85,291,685. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the appropriation of 2004 carryover to be loaned to WEDA for the Shops at Walnut Creek project.

Section 2. The \$1,600,000 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<b>REVENUES Description</b>	<b>Account Number</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Revised Budget</b>
Carryover	1000.40200.0000	\$0	<u>\$1,600,000</u>	\$1,600,000
Total Change to Revenues			<u>\$1,600,000</u>	
<b>EXPENSES Description</b>	<b>Account Number</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Revised Budget</b>
Other Financing Use	10010900.78800.0000	\$0	<u>\$1,600,000</u>	\$1,600,000
Total Change to Expenses			<u>\$1,600,000</u>	

Section 3. The 2005 appropriations for the General Capital Improvement Fund do not change. The general ledger accounts changed are shown below for informational purposes.

<b>EXPENSES Description</b>	<b>Account Number</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Revised Budget</b>
Prom/Mandalay	80175030201.80400.8888	\$1,518,784	\$(1,513,951)	\$4,833
Transfer to WEDA	75010900.79800.0680	0	<u>1,513,951</u>	1,513,951
Total Change to Expenses			<u>\$0</u>	

Section 4. – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

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

Section 6. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25<sup>th</sup> day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9<sup>th</sup> day of May, 2005.

ATTEST:

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005



**SUBJECT:** Councillor's Bill No. 24 re Westminster Armed Forces Tribute Garden Supplemental Appropriation and Design Contract

**Prepared By:** Brad Chronowski, Landscape Architect II

**Recommended City Council Action:**

- Pass Councillor's Bill No. 24 on first reading authorizing a supplemental appropriation in the amount of \$144,000 reflecting the City's receipt of a Jefferson County Open Space Joint Venture Grant for use on the Armed Forces Tribute Garden.
- Based on the recommendation of the City Manager, the City Council finds that the public interest would best be served by awarding this contract to DHM Design as the most qualified bidder. Authorize the City Manager to execute a contract with DHM Design in the amount of \$101,669 for design services related to the project; and authorize a contingency fund in the amount of \$10,167. Charge the total project expense of \$111,836 to the Armed Services Memorial Garden account in the Capital Improvement Program.

**Summary Statement:**

- On November 22, 2004, Staff received City Council's approval to pursue a Jefferson County Open Space grant for the Armed Forces Tribute Garden.
- In January of 2005, Staff received notice that the Open Space Advisory Committee recommended a grant award in the amount of \$144,000 to the Jefferson County Commissioners. The resolution approving the grant was adopted by the County Commission on February 22, 2005.
- In December of 2004, Staff solicited proposals from local design professionals to refine the existing master plan and produce construction documents for the project. Staff received five eligible proposals from reputable firms.
- Staff interviewed all five firms in March 2005 and unanimously selected DHM Design.
- After some negotiations, DHM agreed to reduce the design fee by \$5,690.
- DHM Design has successfully completed like projects locally and nationwide.
- DHM Design's fee is within typical ranges for projects of this type based on the construction budget of \$1.3 million.
- The design services will be funded with 2005 Capital Improvement Program funds and the grant money from Jefferson County Open Space.

**Expenditure Required:** \$ 111,836

**Source of Funds:** General Capital Improvement Fund, Jefferson County Open Space Joint Venture Grant

**Policy Issues**

- Should the City accept the grant money from Jefferson County Open Space?
- Should the City proceed with the Armed Forces Tribute Garden project by contracting with DHM Design for professional design services?

**Alternatives**

1. City Council could choose not to accept the grant funds, but City Council has already approved a resolution authorizing Staff to pursue the grant.
2. City Council could choose to award the design project to a firm other than DHM Design. Staff does not recommend this alternative as Staff believes the proposal received from DHM Design is very competitive and reflects DHM Design's past memorial projects and their unique experience in this area of design.
3. City Council could direct Staff to repeat the design consultant procurement process in hopes to find a better qualified firm or to potentially lower the fee. Staff does not recommend this option as Staff believes the procurement process was competitive and it brought forth the highest qualified design firms in the region.

**Background Information**

Staff received approval from City Council on November 22, 2004, to pursue a Jefferson County Open Space Joint Venture grant. Staff chose to focus its efforts on the Armed Forces Tribute Garden for this grant cycle. A total of \$200,000 was requested from Jefferson County Open Space and \$144,000 was awarded. The Jefferson County Board of County Commissioners adopted the resolution to award this grant on February 22, 2005. This fundraising effort is consistent with the plan to raise the balance of the money to initiate construction in 2006.

The 2005 Capital Improvement Plan included funding in the amount of \$75,000 designated for design of the Armed Forces Tribute Garden. In December 2005, Staff solicited proposals from local, reputable and experienced design firms to refine the Master Plan and continue the design project through construction documents. The City received five highly-qualified proposals and interviewed each firm in March 2005. Following the interviews, the selection committee unanimously selected DHM Design. DHM has demonstrated its aptitude in this field with previous successfully completed projects in the area of tribute/memorial projects, most notably DHM Design has worked on several military memorial projects in New Jersey and adjacent to the Hudson River. They were the lead design company for the visitor center at Mount Rushmore. Locally, they were the lead designer for the Westminster Promenade, Engelwood Town Center and the Columbine Memorial. The firm has elevated experience in working with veterans, artists and specialists needed to ensure the success of this project. Also, DHM will provide the City with three-dimensional, rendered graphics that Staff believes will greatly aid in the fundraising effort moving forward. At the request of the City, DHM solicited their sub-consultants and reduced the design fee by \$5,690, including a reduction by DHM of \$1,500. Given the complex nature of this design project, DHM Design's design fee is within the acceptable range of 10 percent of the expected construction budget. The following list represents the firms that submitted proposals and their respective fee:

DHM Design	\$101,669
Don Godi & Associates/Landplan	\$254,894
Civitas	\$ 94,930
Design Concepts	\$ 94,382
Root Rosenman	\$ 86,213

Construction observation is not included in this contract.

Respectfully submitted,

J. Brent McFall, City Manager  
Attachment

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2005

COUNCILOR'S BILL NO. **24**  
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE 2005 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,587,000 is hereby increased by \$144,000 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$7,731,000. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the receipt of a grant from Jefferson County Open Space for the Armed Forces Tribute Garden.

Section 2. The \$144,000 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<b>REVENUE</b> Description	Account Number	Current Budget	Amendment	Revised Budget
Jeffco Open Space Grants	7501.40630.0020		\$144,000	\$144,000
Total Change to Revenues			\$144,000	
<b>EXPENSES</b> Description	Account Number	Current Budget	Amendment	Revised Budget
Armed Svc Memorial Garden	80575050406.80400.8888	\$75,000	\$144,000	\$219,000
Total Change to Expenses			\$144,000	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25th day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of May, 2005.

ATTEST:

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005



**SUBJECT:** Councillor's Bill No. 25 re 2005 1st Quarter Budget Supplemental Appropriation

**Prepared By:** Karen Creager, Internal Auditor

**Recommended City Council Action**

Pass Councillor's Bill No. 25 on first reading providing for supplementary appropriations to the 2005 budget of the General, General Capital Improvement and Utility Funds.

**Summary Statement**

- At the end of each quarter Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- This is the 2005 1st quarter supplemental appropriation.
- General Fund amendments:
  - \$345 Purchasing card rebate
  - \$500 Wal-Mart donation
- General Capital Improvement Fund amendments:
  - \$107,250 Adams County IGA payment
- Utility Fund amendments:
  - \$3,446 computer payment refund

**Expenditure Required:** \$ 111,541

**Source of Funds:** The funding sources for these expenditures include a rebate, donation, reimbursement and a refund.

**Policy Issue**

Does City Council support amending the appropriations for the 2005 budget of the General, General Capital Improvement and Utility Funds?

**Alternative**

The alternative would be not to amend the 2005 budget appropriations for the General, General Capital Improvement and Utility Funds and utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred these expenses and covered them in their current budget in anticipation of receipt of the funds.

**Background Information**

This agenda memo and attached Councillor's Bill is a routine action addressing the need to appropriate additional revenues and offsetting expenditures that resulted from increased activity or events that were not anticipated during the normal budget process.

In July 2004, the Finance Department implemented a pilot purchasing card (p-card) program by issuing approximately 40 p-cards to test the program implementation and merchant code blocks. The pilot program was very successful; therefore, in the first quarter of 2005 the program was expanded to add an additional 50 cardholders. More cardholders will be added each quarter in 2005. As part of the p-card program, the City will receive a rebate each year based on the volume of purchases made using City p-cards. In February 2005, the City received its first rebate of \$345. This rebate is low, as Staff anticipated, due to the fact that the pilot included only a minimum number of p-cards and spending was low due to establishing the program. Now that the program has been finalized and is in the process of being fully implemented, the rebate the City receives will increase each year. Since the rebate is low, it is being recommended that the rebate be appropriated to the Finance Department to help offset the cost of adding and training new cardholders in 2005. Future rebates will be appropriated to City accounts based on needs of the overall budget. (General Fund)

The Parks, Recreation and Libraries Department received a donation of \$500 from Wal-Mart to be used toward open space and forestry projects in the City. (General Fund)

On November 8, 2004 Council approved an IGA with Adams County for their financial participation in the improvements to the intersection at 80<sup>th</sup> Avenue and Federal Boulevard. As part of this IGA, Adams County sent the City a check for \$107,250. These funds are being appropriated to the 80<sup>th</sup> and Federal Intersection project. (General Capital Improvement Fund)

Information Technology has been working with Hewlett Packard to work out invoice/credit issues for invoices from 2003 and 2004 for computer purchases and returns. IT was able to get a refund of \$3,446. These funds are being appropriated into IT's computer hardware and software account for future computer purchases. (Utility Fund)

These adjustments will bring the City's accounting records up-to-date to reflect the various detailed transactions.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2005

COUNCILLOR'S BILL NO. **25**  
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$82,941,554 is hereby increased by \$845 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$83,691,685. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the receipt of the City's p-card rebate and a donation from Wal-Mart.

Section 2. The \$845 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
General Misc	1000.43060.0000	\$200,392	\$345	\$200,737
Contributions	1000.43100.0000	5,000	<u>500</u>	5,500
Total Change to Revenues			<u>\$845</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Supplies	10015050.70200.0000	\$7,470	\$345	\$7,815
Landscape Supplies	10050550.71000.0969	27,000	<u>500</u>	27,500
Total Change to Expenses			<u>\$845</u>	

Section 3. The 2005 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,587,000 is hereby increased by \$107,250 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$7,838,250. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to receipt of a reimbursement from Adams County for their share of the 80<sup>th</sup> & Federal improvements.

Section 4. The \$107,250 increase in the General Capital Improvement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Adams County	7500.40450.0010	\$0	<u>\$107,250</u>	\$107,250
Total Change to Revenue			<u>\$107,250</u>	



EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
80 <sup>th</sup> & Fed Intersection	80475030603.80400.8888	\$215,000	\$107,250	\$322,250
Total Change to Expenses			\$107,250	

Section 5. The 2005 appropriation for the Water Portion of the Utility Fund initially appropriated by Ordinance No. 3162 in the amount of \$28,394,843 is hereby increased by \$3,446 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$28,398,289. The actual amount in the Water Portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the receipt of a refund from Hewlett Packard.

Section 6. The \$3,446 increase in the Water Portion of the Utility Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
General Misc	2000.43060.0000	\$300,000	\$3,446	\$303,446
Total Changes to Revenue			\$3,446	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Comp Hard/Soft	20060230.75400.0000	\$172,250	\$3,446	\$175,696
Total Change to Expenses			\$3,446	

Section 7. – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

Section 8. This ordinance shall take effect upon its passage after the second reading.

Section 9. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25<sup>th</sup> day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9<sup>th</sup> day of May, 2005.

ATTEST:

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

\_\_\_\_\_  
Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
April 25, 2005



**SUBJECT:** Confirmation of New Finance Director

**Prepared By:** Debbie Mitchell, Human Resources Manager

**Recommended City Council Action**

Confirm the appointment of Tammy Hitchens as the new Finance Director for the City of Westminster.

**Summary Statement**

- The position of Finance Director has been vacant since Mary Ann Parrot's resignation on January 5, 2005.
- In December 2004, Adams Consulting, an executive search firm, initiated the recruitment process for Ms. Parrot's replacement. A total of 65 applications were received.
- Tara Adams of Adams Consulting assisted the City with the screening of the applications and conducted initial telephone interviews with the top 25 candidates and then later one-on-one interviews with 13 semi-finalists. The City selected 6 candidates to participate in the final selection process.
- The two-day selection process included panel interviews with employee, management, department head and City Manager's Office teams. Additionally, candidates made a presentation, completed a written exercise, completed management assessment profiles, participated in a tour with Finance division managers and attended a reception with the department head team.
- The clear choice of those involved in the selection process was Ms. Tammy Hitchens who currently serves as the City's Accounting Manager. Ms Hitchens has been filling the acting Finance Director role since Ms. Parrot's departure. Ms. Hitchens has served as Accounting Manager since 1998. She also worked for the City as the Chief Accountant and Investment Officer from 1989 to 1995. Her short time away from the City, from 1995 to 1998, rounded out her local government experience by serving as the Assistant Director of Budget and Finance for Jefferson County Schools. She is currently Treasurer of the Colorado Government Finance Officers Association (CGFOA) and previously held the position of Director and various committee chairs.
- Section 4.6 of the City Charter provides for the appointment of the Director of Finance by the City Manager with confirmation by the City Council. Ms. Hitchens has been offered and has accepted the position contingent upon Council's confirmation. If Council approves this appointment Ms. Hitchens start date will be April 26, 2005.

**Expenditure Required:** \$107,000 per year plus the cost of benefits

**Source of Funds:** General Fund, Finance Department Operating Budget

**Policy Issue**

Should City Council confirm the City Manager appointment for Finance Director?

**Alternative**

Do not confirm the appointment of Ms. Hitchens as Finance Director and require the City Manager to continue the recruitment process for candidates to fill this position. The alternative is not recommended due to the resignation of Mary Ann Parrot and the outstanding reputation and qualifications of Ms. Hitchens as recommended replacement.

**Background Information**

As provided in the Westminster City Charter, the Director of Finance is the Treasurer of the City. The Treasurer is responsible for the collection of all monies to the City including fines, taxes, license fees, assessments and all other charges. The Treasurer is also responsible for dispersing and investment of all City Funds. The Director of Finance oversees the operations of Treasury, Sales Tax, Utility Billing and Accounting.

In December of 2004, Mary Ann Parrot tendered her resignation in order to pursue other career opportunities in Santa Clara, California. Tammy Hitchens, Accounting Manager, was appointed as Acting Director of Finance.

The City hired Adams Consulting to assist with the search for a replacement. Tara Adams of Adams Consulting assisted the City with the recruitment and screening of the applications. She conducted initial telephone interviews with the top 25 candidates and then later one-on-one interviews with 13 semi-finalists. The City selected 6 candidates to participate in the final selection process.

The selection process led to strong belief that Ms. Hitchens was the best qualified and suited candidate to fill the position of Director of Finance. Her many years of stellar performance and commitment to this organization in combination with exceptional skills and professionalism made it clear that she was the top candidate.

The Westminster City Charter requires that the City Manager's appointments of Director of Finance and City Clerk be confirmed by City Council. The offer of employment to Ms. Hitchens is therefore contingent on City Council's approval Monday evening.

Respectfully submitted,

J. Brent McFall  
City Manager

## Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, April 25, 2005. Mayor McNally, Councillors Davia, Dittman, Dixon, Hicks, Kauffman, and Price were present at roll call.

The minutes of the April 11, 2005 meeting were approved.

Council recognized employees with 20, 25, and 30 years of service and heard the presentation of Adams County School District 50 students who had participated in the "Close Up Government" Program in Washington D.C.

Council issued proclamations to honor Terri Thompson, the recipient of the International Teacher Recognition Award, and to declare Flanders's Field Poppy Month, Cover the Uninsured Week, and National Drinking Water Week.

Council approved the following: the March 2005 financial report; a residential redevelopment agreement in the South Sheridan Urban Renewal Area; the bond and disclosure counsel service agreements for the 144<sup>th</sup> Avenue Interchange Certificates of Participation financing; the Shoenberg Farms amended PDP; and awarded a design services contract for the Westminster Armed Forces Tribute Garden.

A public hearing was held re the Shoenberg Farms Amended PDP.

The following Councillors' Bills were passed on first reading.

**A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS. Purpose: Shops at Walnut Creek Supplemental Appropriation**

**A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUND. Purpose: Westminster Armed Forces Tribute Garden Supplemental Appropriation**

**A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS. Purpose: 1<sup>st</sup> Quarter Budget Supplemental Appropriation**

Council confirmed the appointment of Tammy Hitchens as the City's Finance Director.

At 8:28 p.m. the meeting was adjourned.

By order of the Westminster City Council  
Linda Yeager, MMC, City Clerk  
Published in the Westminster Window on May 5, 2005