



## CITY COUNCIL AGENDA

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

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

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meeting
4. Report of City Officials
  - A. City Manager's Report
5. City Council Comments
6. Presentations
7. Citizen Communication (5 minutes or less)

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

8. Consent Agenda
  - A. Financial Report for April 2014
  - B. Purchase of Fleet Maintenance Service Truck over \$75,000
  - C. Biosolids Composting
  - D. Pressure Zone 3 Expansion Preliminary Design Contract
  - E. Standley Lake Bypass Project Construction and Engineering Contracts
  - F. Little Dry Creek Interceptor Sewer Repair and Replacement Project
9. Appointments and Resignations
10. Public Hearings and Other New Business
  - A. Councillor's Bill No. 14 Authorizing 1<sup>st</sup> Quarter 2014 Budget Supplemental Appropriation
  - B. Resolution No. 10 Designating a Creative District in South Westminster
11. Old Business and Passage of Ordinances on Second Reading
  - A. TABLED Councillor's Bill No. 12 Adding New Section to Title XI, W.M.C., Voter Registration Information
12. Miscellaneous Business and Executive Session
  - A. City Council
  - B. Executive Session - Consultation with the City Attorney's office concerning Councillor's Bill No. 12 regarding voter registration information, as authorized by Section 1-11-3(C) (8), W.M.C., and Section 24-6-402(4)(b), C.R.S.
13. Adjournment

**WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING (Separate Agenda)**

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

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

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



WESTMINSTER  
**Strategic Plan**  
2013-2018  
Goals and Objectives

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**STRONG, BALANCED LOCAL ECONOMY**

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



**SAFE AND HEALTHY COMMUNITY**

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



**FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES**

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



**VIBRANT NEIGHBORHOODS IN ONE LIVABLE COMMUNITY**

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



**BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY**

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



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

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, MAY 12, 2014, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Winter led the Council, Staff, and audience in the Pledge of Allegiance.

ROLL CALL

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

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Baker, to approve the minutes of the regular meeting of April 28, 2014, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall reported that Community Pride Day had been a huge success with more than 1,200 volunteers joining in the event, which ended in the City Hall Plaza with a picnic lunch for all participants.

The next meeting of City Council would be held on Monday, May 19. The meeting had been rescheduled because Memorial Day would be celebrated on the normal meeting date of May 26 and City offices would be closed in observance of the holiday.

Following adjournment of this meeting, the Council would hear presentations at a post-meeting briefing in the Council Board Room, followed by an executive session to obtain direction from City Council regarding a proposed Economic Development Incentive Agreement with Ace Hardware pursuant to Section 1-11-3(C)(4), W.M.C., and Section 24-6-402(4)(e), C.R.S.

COUNCIL REPORTS

Councillor Briggs noted that Susan Grafton, Economic Development Manager, had been recognized by the Colorado Economic Development Council as the developer of the year. Although Ms. Grafton was not in attendance, he suggested that Council formally recognize her accomplishment in the near future. He also reported that he had participated with John Carpenter, Community Development Director, and City Manager McFall in an interview process to consider establishing an Arts and Creative District in Westminster. The process was going forward and would hopefully come to a successful conclusion. Other communities who had received this designation in the past had benefited from promotional advertising as a place to visit.

Councillors Garcia and Pinter elaborated on Community Pride Day and the enthusiasm with which the citizenry showed their pride in the community. Picking up trash and preparing open spaces, parks, rights-of-way and public spaces for the change in seasons was not glamorous, but the number of volunteers that participated in this annual event every May demonstrated how important it was to residents. They congratulated staff on organizing such a successful event.

Councillor Pinter reported that on May 7 the City announced its partnership with OliverMcMillan of San Diego to develop the Downtown Westminster site. Details about the firm were on the City's website. She was flying to San Diego immediately following this meeting to visit with the firm's staff and invited any one with questions they hoped to have answered to send her a text, tweet, or email so she could obtain the information.

Councillor Seitz was pleased to have participated in her first telephone Town Hall Meeting the prior week. This proved to be a successful means to promote community engagement with approximately 4,500 citizens involved during the meeting. Further, she and other members of Council had attended the Union Station Gala and Grand

Opening in Denver the past week. The renovated transportation hub would prove instrumental in future development of the metro area, including the northern corridor.

Mayor Pro Tem Winter noted that Mayor Atchison was out of town to receive a leadership in regionalism award in recognition of the role he played in promoting regional collaboration.

### PRESENTATION

Councillor Seitz was proud to present the Denver Regional Council of Governments (DRCOG) 2014 Local Government Gold Award for the Westminster Comprehensive Plan to Senior Urban Designer Sarah Nurmela and Planning Manager Mac Cummins, who were present with their families. Ms. Nurmela had authored the document and Mr. Cummins had played an integral role in the project. This annual award was made to honor excellence, innovation, collaboration, and leadership in creating great places.

### PROCLAMATION

Councillor Briggs presented to Ryan Johnson of Economic Development a proclamation that declared May 12 through 16 to be Small Business Week. The observance recognized the role of small businesses as essential ingredients to the continued strength and wellbeing of the economy. Mr. Johnson summarized activities being held throughout the week and urged the public to support local small businesses.

### CITIZEN COMMUNICATION

Joseph Hein, 1785 West 130<sup>th</sup> Place, and Chuck Wright, 4705 West 105<sup>th</sup> Drive, spoke in opposition to final passage of Councillor's Bill No. 12 concerning dissemination of voter registration information by landlords. Both believed the proposed legislation was unconstitutional, violating not only a property owners' rights but also the right of free speech. Citizens had a duty to register to vote, educate themselves on the candidates and issues, and cast a ballot. Distributing voter registration information within tenant lease packages transferred a responsibility from government to private property owners and held the property owners accountable by imposition of a fine. Messrs. Hein and Wright urged Council to vote no on the measure.

### CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: authorize the City Manager to execute a contract with Black & Veatch Corporation in the amount of \$128,800 to provide engineering services for the Biosolids Dewatering Pilot Testing and Pre-Design project at the Big Dry Creek Wastewater Treatment Facility, plus a contingency amount of \$12,880 for a total authorized expenditure of \$141,680; and authorize the expenditure of \$2,391,700 from various accounts in the Utility Capital Improvement Fund and \$277,500 from the Stormwater Utility Capital Improvement Fund Little Dry Creek Drainage Project, for a total of \$2,669,200, for the purpose of acquiring additional water supply.

Councillor Seitz moved, seconded by Councillor Garcia, to approve the consent agenda as presented. The motion carried with all Council members voting in favor.

### COUNCILLOR'S BILL NO. 13 TO DISBAND THE BOARD OF BUILDING CODE APPEALS

It was moved by Councillor Briggs and seconded by Councillor Baker to pass on first reading Councillor's Bill No. 13 changing the Westminster Municipal Code by disbanding the Board of Building Code Appeals and replacing the functions of that Board with an Ad Hoc Building and Fire Code Appeals Committee. At roll call, the motion carried unanimously.

COUNCILLOR'S BILL NO. 12 ADDING 11-12-19 TO W.M.C. RE VOTER REGISTRATION INFORMATION

It was moved by Councillor Garcia, seconded by Councillor Pinter, to table until June 9, 2014, the second reading Councillor's Bill No. 12 adding Section 19 to Title XI, Chapter 12 of the Westminster Municipal Code Concerning Voter Registration Information. At roll call, the motion passed unanimously.

ADJOURNMENT

There was no further business to come before the City Council, and, hearing no objections, Mayor Pro Tem Winter adjourned the meeting at 7:28 p.m.

ATTEST:

\_\_\_\_\_  
Mayor Pro Tem

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



Agenda Memorandum

City Council Meeting  
May 19, 2014



**SUBJECT:** Financial Report for April, 2014

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

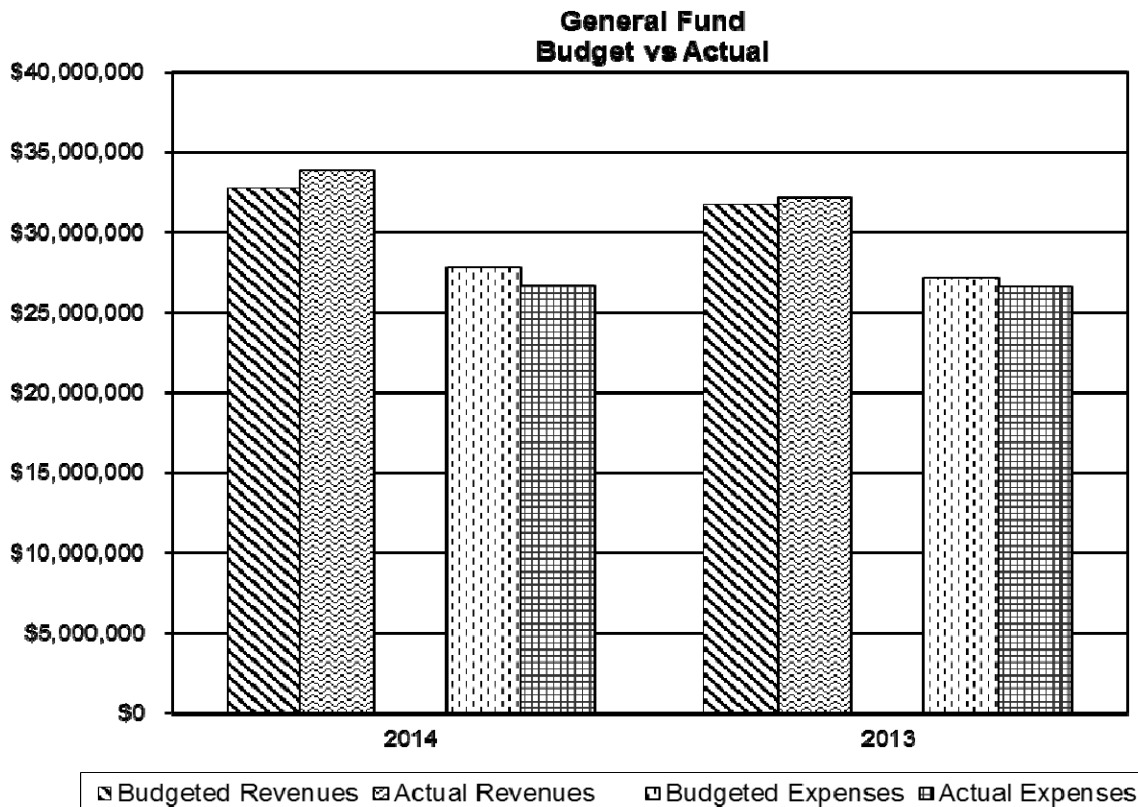
**Recommended City Council Action**

Accept the Financial Report for April as presented.

**Summary Statement**

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

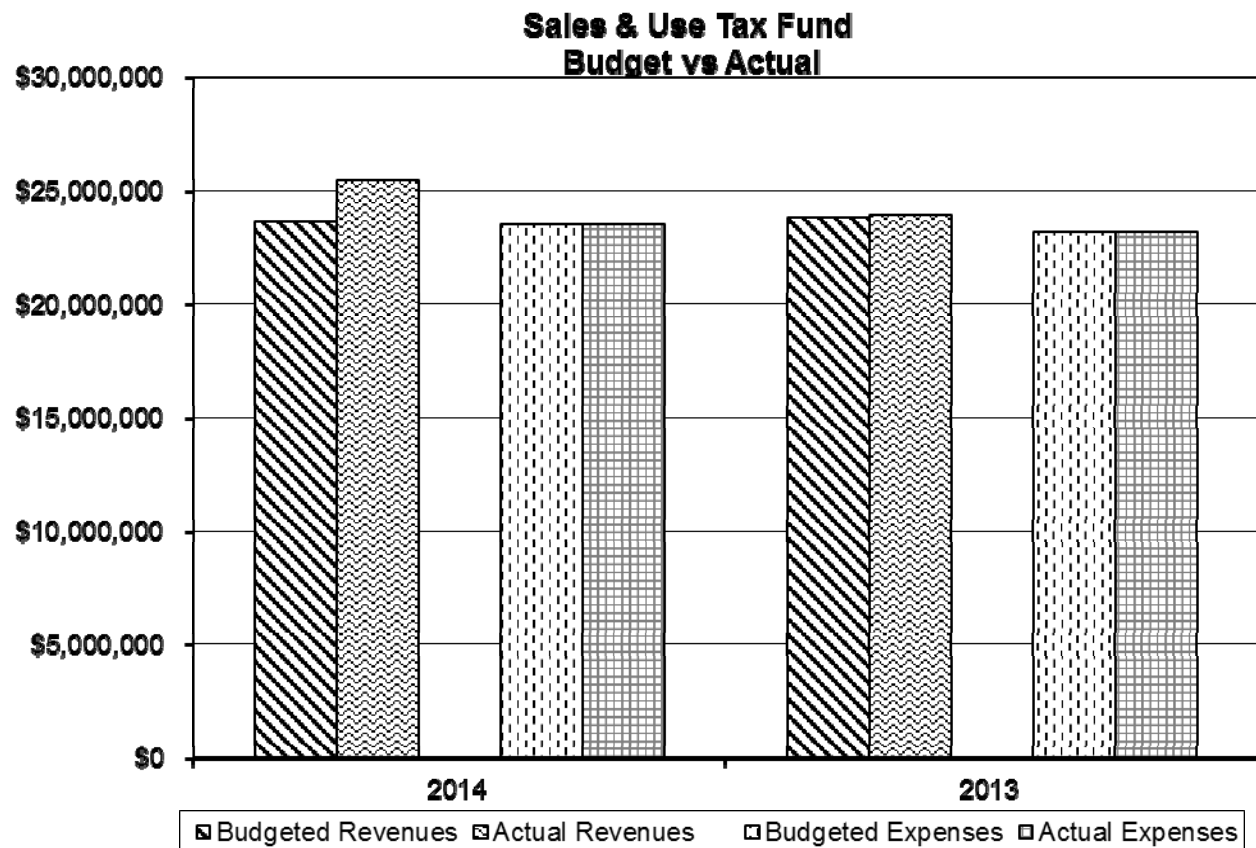
Current projections show General Fund revenues and carryover exceeding expenditures by \$2,240,716. The following graph represents Budget vs. Actual for 2013-2014.



2014 revenue reflects positive budget to actual variances in intergovernmental, recreation services, and miscellaneous revenue categories. Intergovernmental includes new revenue generated from the revenue sharing agreement between Westminster and Thornton in the North Huron urban renewal area (URA). Recreation services is up due to special promotions in 2014, and miscellaneous revenue includes reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.

Current projections show the Sales and Use Tax Fund revenues exceeding expenditures by \$1,809,621. On a year-to-date cash basis, total sales and use tax is up 4.8% from 2013. Key components are listed below:

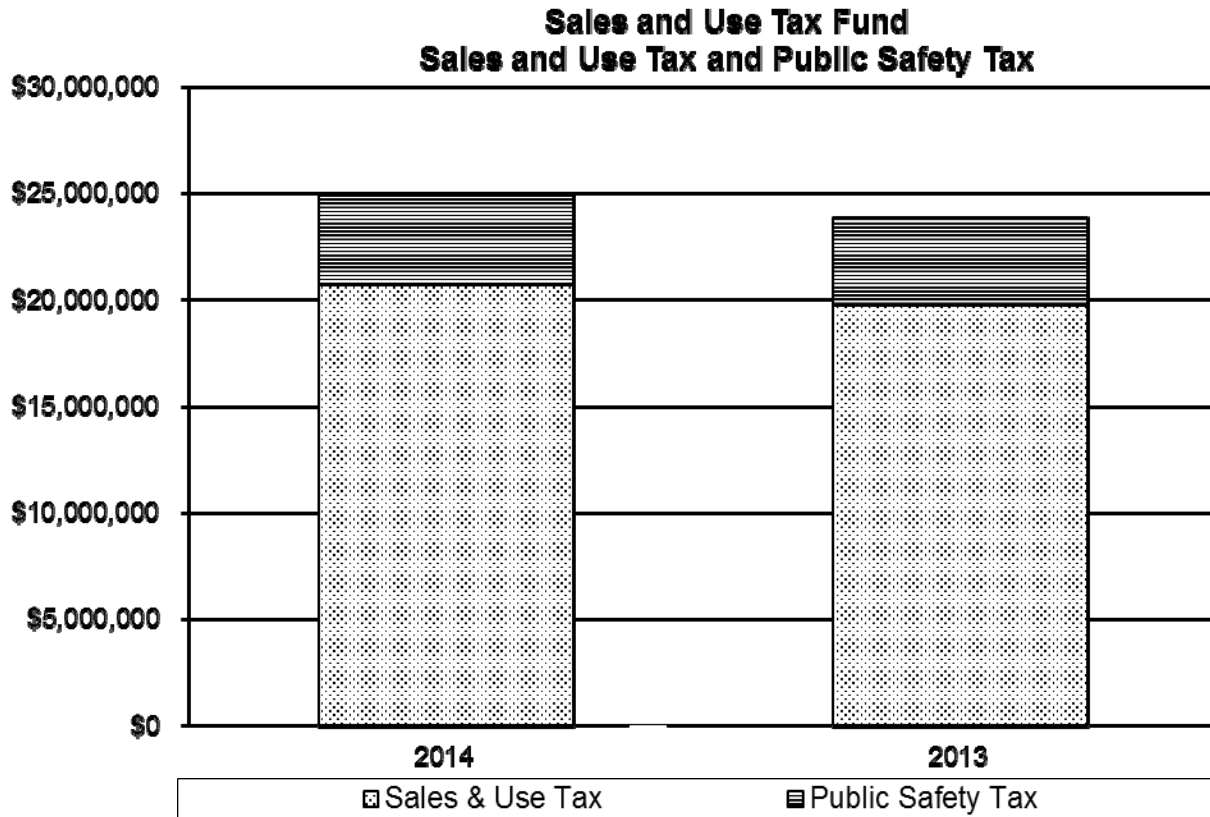
- On a year-to-date basis, across the top 25 shopping centers, total sales and use tax receipts are up 1.0% from the prior year.
- Sales tax receipts from the top 50 Sales Taxpayers, representing about 56.0% of all collections, are up 1.6% for the month when compared to 2013.
- Urban renewal areas make up 37.7% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 86.0% of this money is being retained for General Fund use.



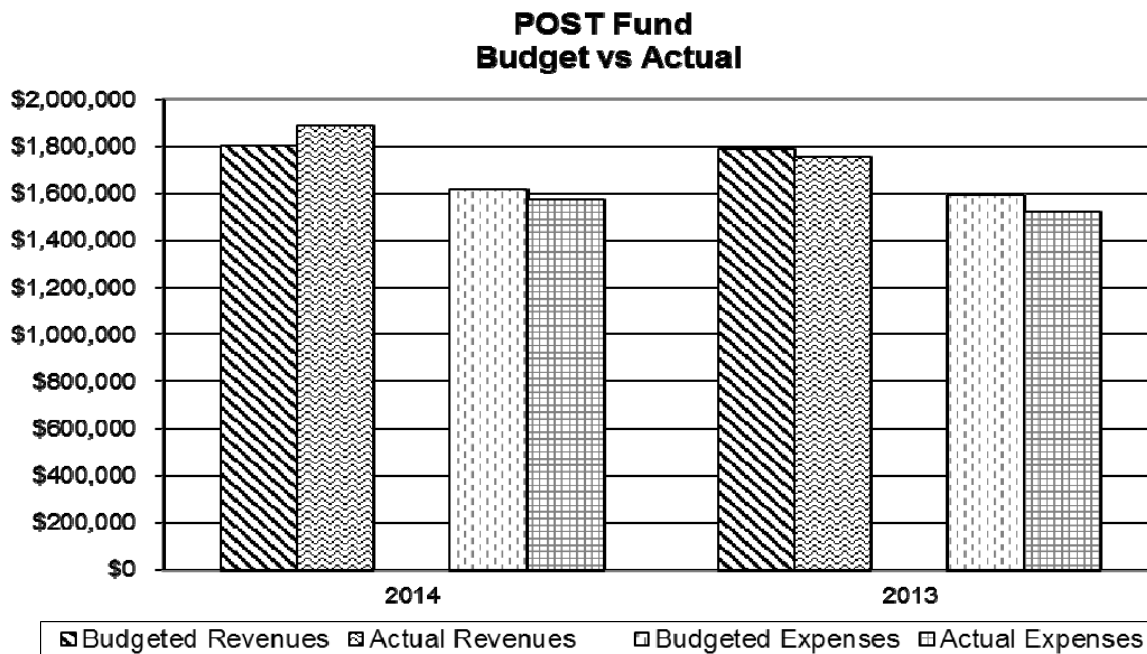
2014 revenue includes reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.



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

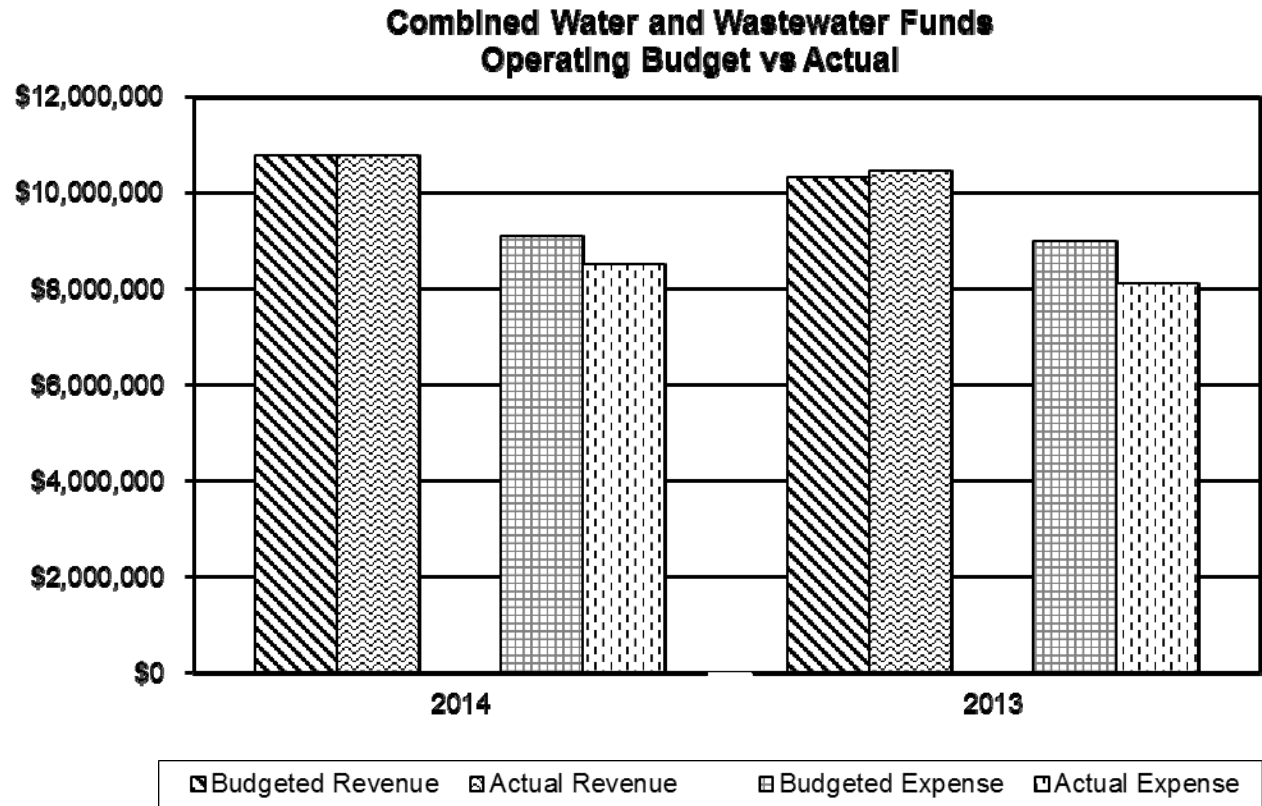


Current projections show Parks Open Space and Trails Fund revenues exceeding expenditures by \$130,909.

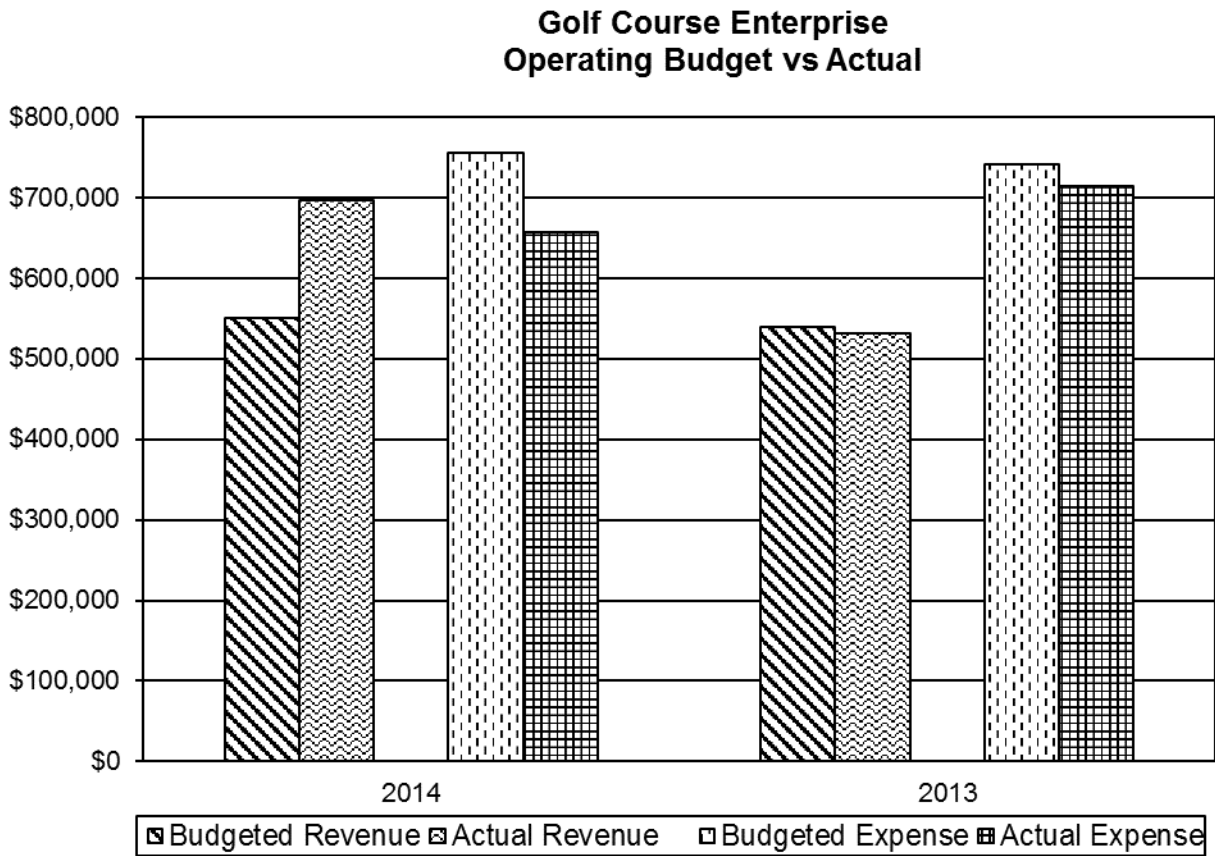


2014 revenue includes reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.

Current projections show combined Water & Wastewater Fund revenues below expenditures by \$1,547,730. This is mostly due to tap fees.



Current projections show combined Golf Course Fund revenues and carry over exceeding expenditures by \$245,101.



2014 Golf Course revenue exceeds budget in part because of various promotions, proceeds from the Golf Expo, as well as green fees.

**Policy Issue**

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

**Alternative**

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

**Background Information**

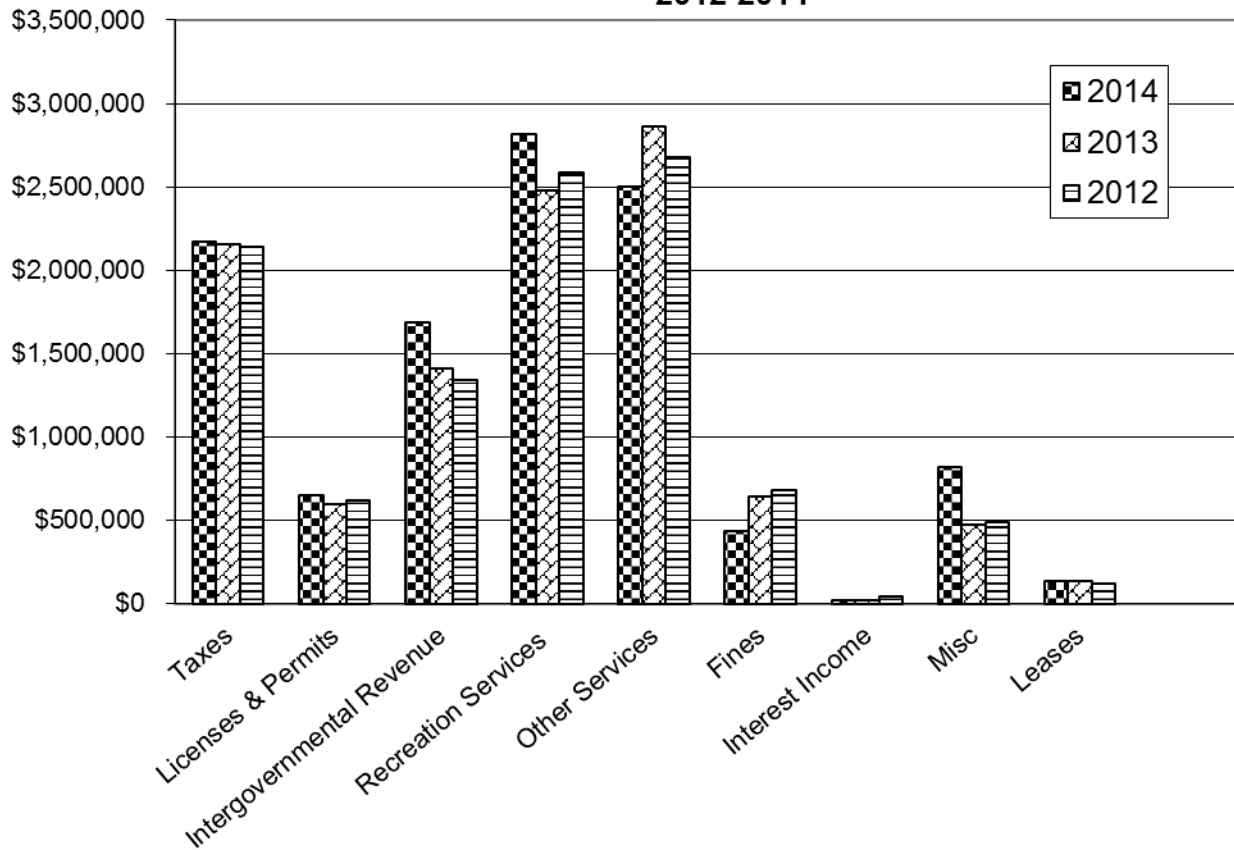
This section includes a discussion of highlights of each fund presented.

**General Fund**

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

The following chart represents the trend in actual revenues from 2012-2014 year-to-date.

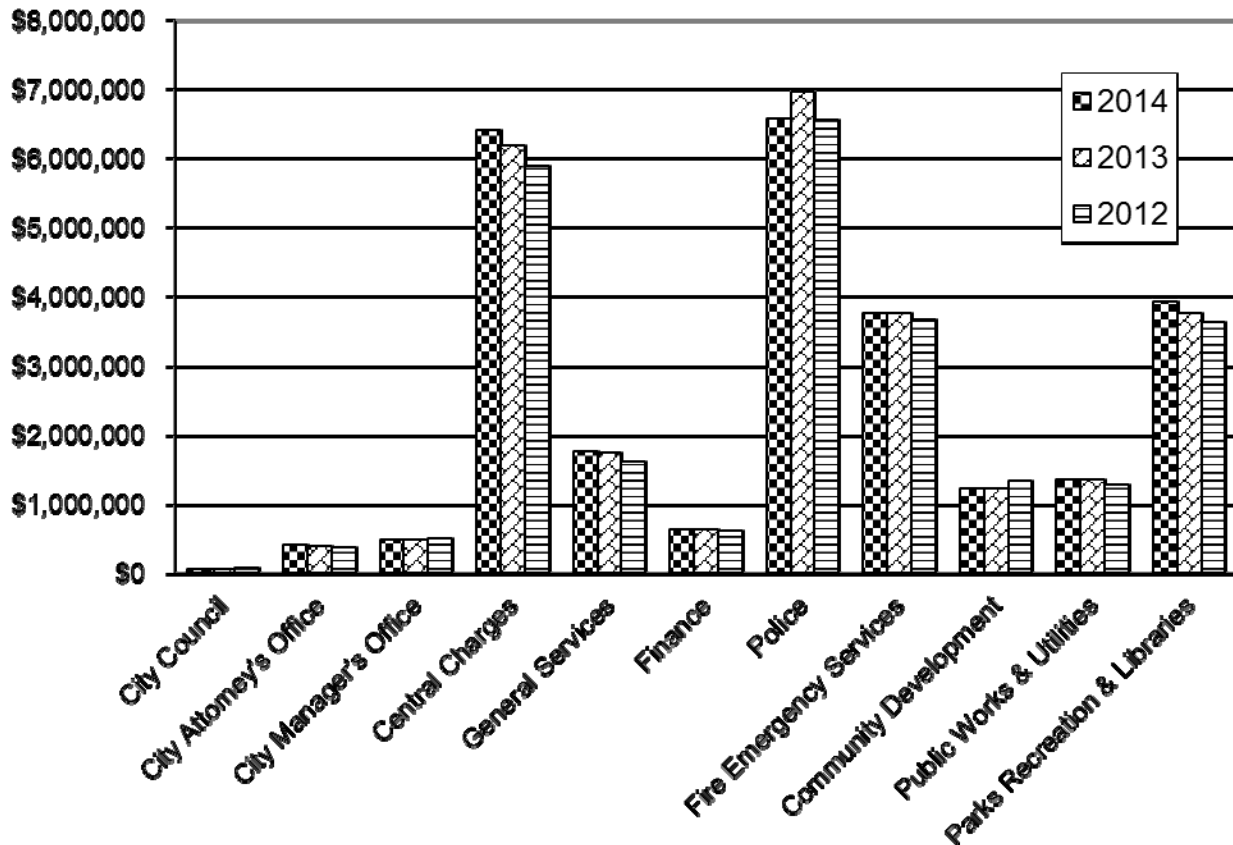
**General Fund Revenues without Transfers, Carryover, and Other Financing Sources  
2012-2014**



Intergovernmental revenue reflects urban renewal income generated by a revenue sharing agreement between Westminster and Thornton for the North Huron URA. Recreation Services reflects an increase

in pass revenue and youth activity fees as an outcome of the various Parks, Recreation and Libraries promotions. The decrease in Other Services revenue is caused by a significant write down of EMS ambulance billings as well as a variance in the timing of franchise fee receipts between years. Fines are lower in 2014 mostly because of a decrease in traffic fines. Miscellaneous revenue is higher due mostly to reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA and certain building permit fee rebates.

**General Fund Expenditures by Function, less Other Financing Uses  
2012-2014**

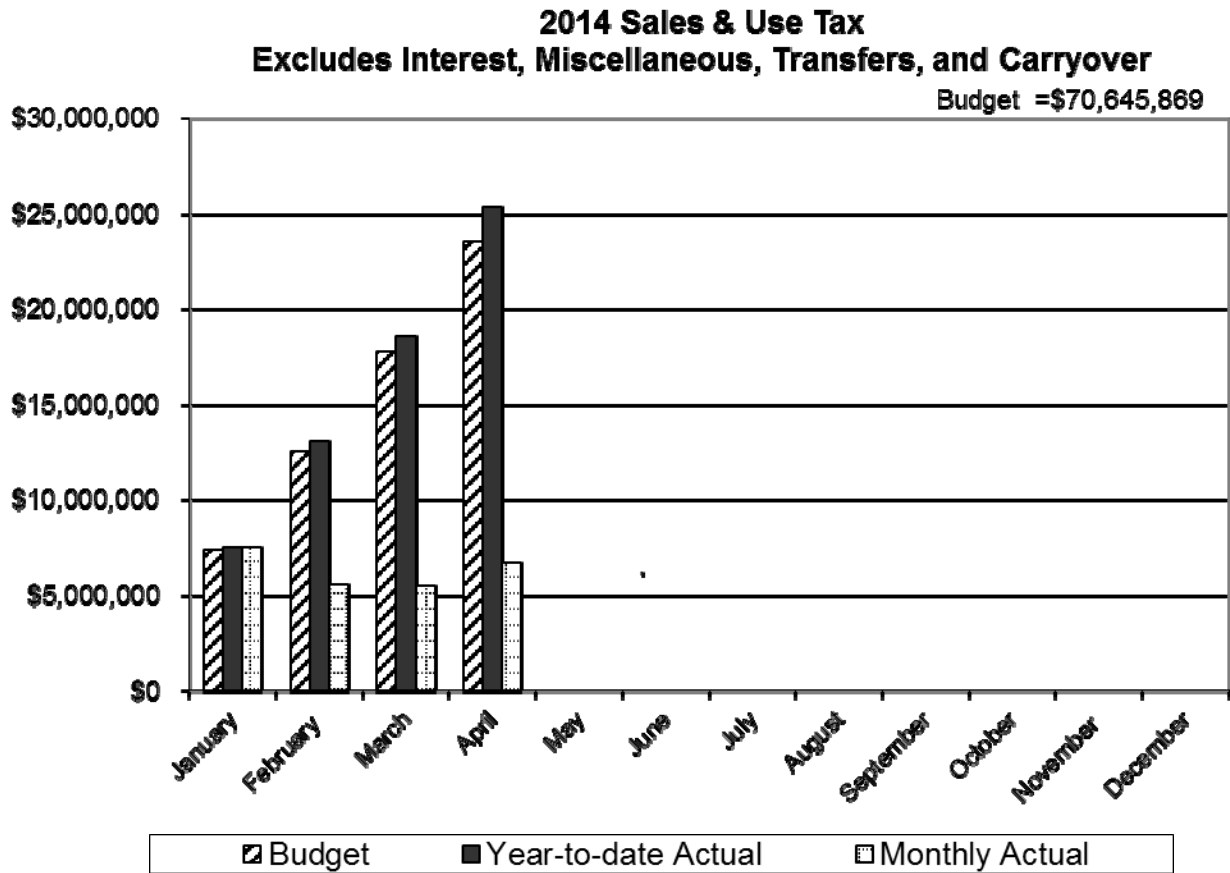


2014 Central Charges expenditures are higher when compared to prior years mostly because of membership and capital replacement fees as well as employer paid insurance premiums. Police expenditures are slightly less than in 2013 primarily because of decreased costs for maintenance and repair of equipment, ammunitions, and salaries. PRL expenditures are slightly higher when compared to prior years primarily due to salaries, contract services and supplies.

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

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

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

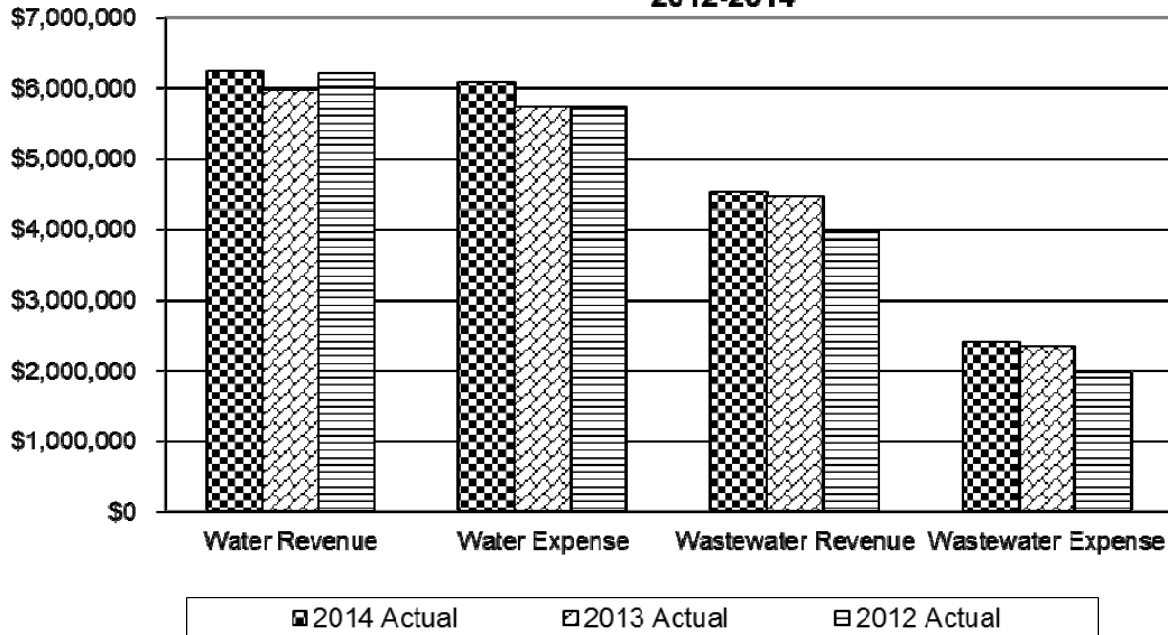


**Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)**

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

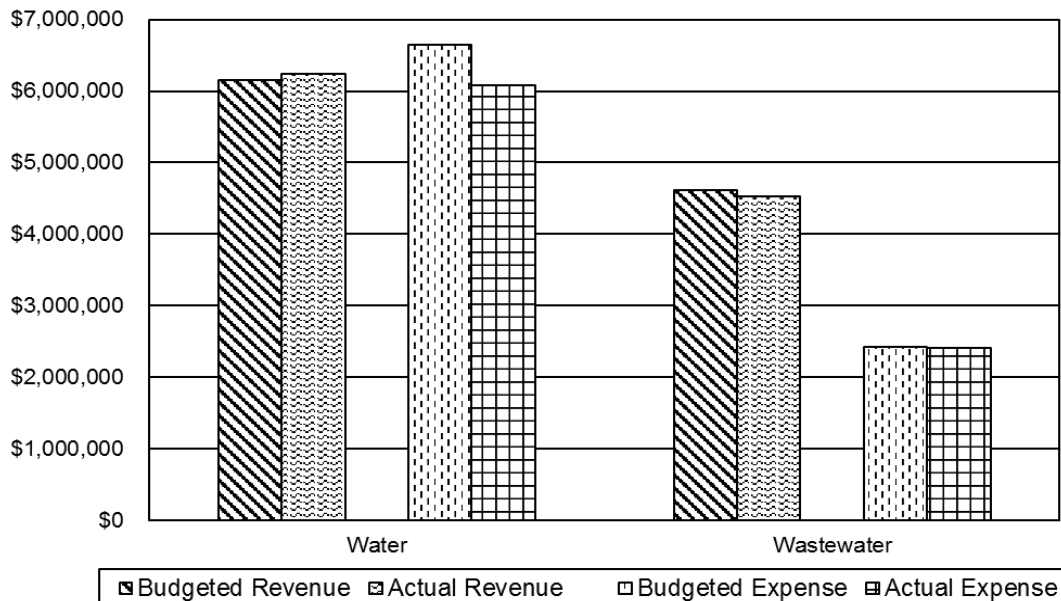
These graphs represent segment information for the Water and Wastewater funds.

**Water and Wastewater Funds  
Operating Revenues and Expenditures  
2012-2014**



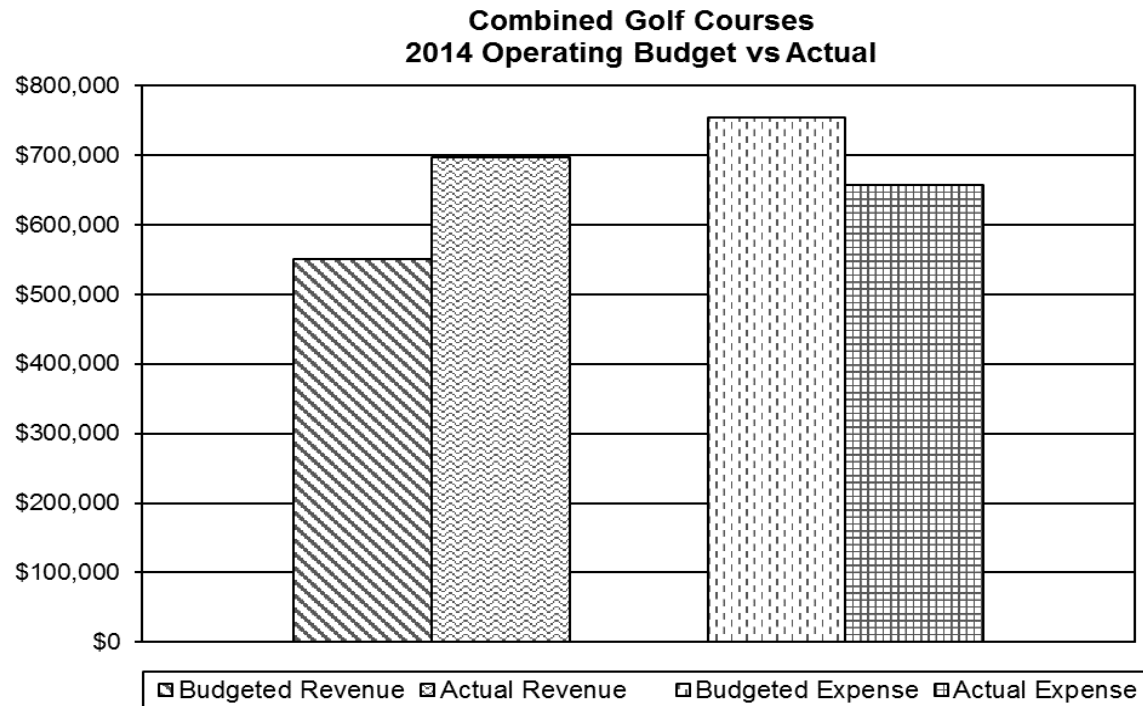
Water and Wastewater revenue variances are due to changes in billing rates; in the Water Fund the variance is also due to the effect of climatic variations on water consumption. While 2014 Water expense exceeds prior years, overall it is under prorated budget.

**Water and Wastewater Funds  
2014 Operating Budget vs Actual**



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

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



Combined Golf Course revenues exceed budget in part because of various promotions, proceeds from the Golf Expo, as well as green fees.





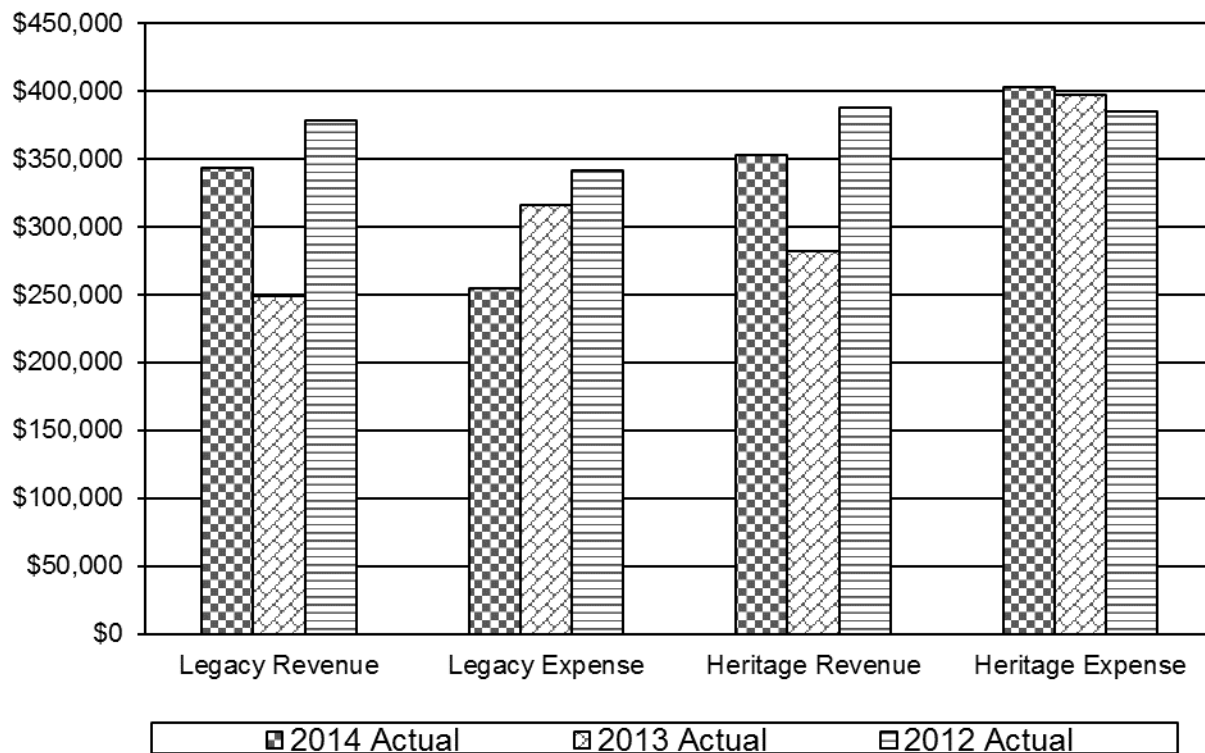
Golf Course revenues exceed budget in part because of various special promotions that ran in January and February as well as proceeds from the Golf Expo and green fees.

Legacy’s favorable budget to actual expenditure variance results primarily from salary, utility and commodity savings; expenditures for Legacy’s inventory for resale later this year will help smooth this variance.

Heritage’s expenditure variance is mostly due to an increase of inventory in the golf shop in preparation for the golf season.

The following graph represents the information for each of the golf courses.

**Legacy and Heritage Golf Courses  
Operating Revenue and Expenditures  
2012-2014**



Revenue variances are due primarily to climatic effects on charges for services including driving range and greens fees. In February, several special promotions and the Golf Expo generated additional revenue for the courses.

Legacy expenditures reflect a decrease in salaries as a result of a restructuring at the golf course and a decrease in the purchases of golf shop inventory between years. In contrast, Heritage expenditures increased over 2013 due to an increase in purchases of golf shop inventory for the 2014 golf season.

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

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Financial Statements
- Shopping Center Report

**City of Westminster**  
**Financial Report**  
**For Four Months Ending April 30, 2014**

| Description<br>General Fund                  | Budget     | Pro-rated<br>for Seasonal<br>Flows |                  | Notes | Actual           | (Under) Over<br>Budget | Budget<br>% |
|----------------------------------------------|------------|------------------------------------|------------------|-------|------------------|------------------------|-------------|
|                                              |            | Budget                             | Actual           |       |                  |                        |             |
| <b>Revenues</b>                              |            |                                    |                  |       |                  |                        |             |
| Taxes                                        | 5,617,500  | 2,197,969                          | 2,170,780        |       | 648,380          | (27,189)               | 98.8%       |
| Licenses & Permits                           | 1,622,000  | 510,774                            | 648,380          |       | 137,606          | 137,606                | 126.9%      |
| Intergovernmental Revenue                    | 5,035,980  | 1,273,356                          | 1,683,327        | (1)   | 409,971          | 409,971                | 132.2%      |
| Charges for Services                         |            |                                    |                  |       |                  |                        |             |
| Recreation Services                          | 6,775,338  | 2,307,948                          | 2,812,433        | (2)   | 504,485          | 504,485                | 121.9%      |
| Other Services                               | 9,412,865  | 2,667,050                          | 2,501,470        |       | (165,580)        | (165,580)              | 93.8%       |
| Fines                                        | 2,150,000  | 710,752                            | 435,344          | (3)   | (275,408)        | (275,408)              | 61.3%       |
| Interest Income                              | 55,000     | 13,335                             | 18,841           |       | 5,506            | 5,506                  | 141.3%      |
| Miscellaneous                                | 1,657,987  | 359,933                            | 821,510          | (4)   | 461,577          | 461,577                | 228.2%      |
| Leases                                       | 401,779    | 136,777                            | 136,777          |       | 0                | 0                      | 100.0%      |
| Interfund Transfers                          | 66,881,386 | 22,293,795                         | 22,293,795       |       | 0                | 0                      | 100.0%      |
| Sub-total Revenues                           | 99,609,835 | 32,471,689                         | 33,522,657       |       | 1,050,968        | 1,050,968              | 103.2%      |
| Carryover                                    | 265,000    | 265,000                            | 265,000          |       | 0                | 0                      | 100.0%      |
| Total Revenues                               | 99,874,835 | 32,736,689                         | 33,787,657       |       | 1,050,968        | 1,050,968              | 103.2%      |
| <b>Expenditures</b>                          |            |                                    |                  |       |                  |                        |             |
| City Council                                 | 254,094    | 75,912                             | 64,733           |       | (11,179)         | (11,179)               | 85.3%       |
| City Attorney's Office                       | 1,316,607  | 395,438                            | 420,725          | (5)   | 25,287           | 25,287                 | 106.4%      |
| City Manager's Office                        | 1,597,872  | 485,607                            | 484,945          |       | (662)            | (662)                  | 99.9%       |
| Central Charges                              | 26,745,374 | 6,596,139                          | 6,409,893        |       | (186,246)        | (186,246)              | 97.2%       |
| General Services                             | 6,122,526  | 1,868,494                          | 1,760,273        |       | (108,221)        | (108,221)              | 94.2%       |
| Finance                                      | 2,133,622  | 639,829                            | 631,016          |       | (8,813)          | (8,813)                | 98.6%       |
| Police                                       | 21,578,228 | 6,739,772                          | 6,563,825        |       | (175,947)        | (175,947)              | 97.4%       |
| Fire Emergency Services                      | 12,616,015 | 3,894,191                          | 3,764,484        |       | (129,707)        | (129,707)              | 96.7%       |
| Community Development                        | 4,360,815  | 1,351,537                          | 1,226,927        |       | (124,610)        | (124,610)              | 90.8%       |
| Public Works & Utilities                     | 8,180,693  | 1,640,261                          | 1,362,196        |       | (278,065)        | (278,065)              | 83.0%       |
| Parks, Recreation & Libraries                | 14,968,989 | 4,125,337                          | 3,933,752        |       | (191,585)        | (191,585)              | 95.4%       |
| Total Expenditures                           | 99,874,835 | 27,812,517                         | 26,622,769       |       | (1,189,748)      | (1,189,748)            | 95.7%       |
| <b>Revenues Over(Under)<br/>Expenditures</b> | <u>0</u>   | <u>4,924,172</u>                   | <u>7,164,888</u> |       | <u>2,240,716</u> |                        |             |

- (1) Budget to actual variance includes new revenue from the North Huron URA as a result of the revenue sharing agreement between Westminster and Thornton.
- (2) Budget to actual variance reflects PR&L promotions for passes and youth camp registration.
- (3) Budget to actual variance is due mostly to traffic fines.
- (4) Budget to actual variance includes unbudgeted reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.
- (5) Budget to actual variance is due mostly to one-time personnel service charges.

**City of Westminster**  
**Financial Report**  
**For Four Months Ending April 30, 2014**

| Description<br>Sales and Use Tax Fund | Pro-rated<br>for Seasonal |            |            | Notes | Actual    | (Under) Over<br>Budget | %<br>Budget |
|---------------------------------------|---------------------------|------------|------------|-------|-----------|------------------------|-------------|
|                                       | Budget                    | Flows      | Budget     |       |           |                        |             |
| <b>Revenues</b>                       |                           |            |            |       |           |                        |             |
| Sales Tax                             |                           |            |            |       |           |                        |             |
| Sales Tax Returns                     | 48,071,133                | 16,392,856 | 17,415,048 |       | 1,022,192 |                        | 106.2%      |
| Sales TX Audit Revenues               | 729,000                   | 242,757    | 272,372    |       | 29,615    |                        | 112.2%      |
| S-T Rev. STX                          | 48,800,133                | 16,635,613 | 17,687,420 |       | 1,051,807 |                        | 106.3%      |
| Use Tax                               |                           |            |            |       |           |                        |             |
| Use Tax Returns                       | 8,390,000                 | 2,420,745  | 2,765,931  |       | 345,186   |                        | 114.3%      |
| Use Tax Audit Revenues                | 785,000                   | 261,405    | 175,239    |       | (86,166)  |                        | 67.0%       |
| S-T Rev. UTX                          | 9,175,000                 | 2,682,150  | 2,941,170  |       | 259,020   |                        | 109.7%      |
| Total STX and UTX                     | 57,975,133                | 19,317,763 | 20,628,590 |       | 1,310,827 |                        | 106.8%      |
| Public Safety Tax                     |                           |            |            |       |           |                        |             |
| PST Tax Returns                       | 11,971,773                | 4,082,493  | 4,249,274  |       | 166,781   |                        | 104.1%      |
| PST Audit Revenues                    | 308,500                   | 102,731    | 89,488     |       | (13,243)  |                        | 87.1%       |
| Total Rev. PST                        | 12,280,273                | 4,185,224  | 4,338,762  |       | 153,538   |                        | 103.7%      |
| Interest Income                       | 61,000                    | 20,333     | 20,862     |       | 529       |                        | 102.6%      |
| Miscellaneous                         | 0                         | 0          | 344,727    | (1)   | 344,727   | 344,727                |             |
| Interfund Transfers                   | 329,463                   | 109,821    | 109,821    |       | 0         |                        | 100.0%      |
| Total Revenues                        | 70,645,869                | 23,633,141 | 25,442,762 |       | 1,809,621 |                        | 107.7%      |
| <b>Expenditures</b>                   |                           |            |            |       |           |                        |             |
| Central Charges                       | 70,645,869                | 23,548,623 | 23,548,623 |       | 0         |                        | 100.0%      |
| Revenues Over(Under)<br>Expenditures  | 0                         | 84,518     | 1,894,139  |       | 1,809,621 |                        |             |

(1) Budget to actual variance includes unbudgeted reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.

City of Westminster  
Financial Report  
For Four Months Ending April 30, 2014

| Description<br>POST Fund    | Pro-rated<br>for Seasonal |           | Notes | Actual    | (Under) Over<br>Budget | %<br>Budget |
|-----------------------------|---------------------------|-----------|-------|-----------|------------------------|-------------|
|                             | Budget                    | Flows     |       |           |                        |             |
| <b>Revenues</b>             |                           |           |       |           |                        |             |
| Sales & Use Tax             | 5,152,477                 | 1,760,617 |       | 1,807,353 | 46,736                 | 102.7%      |
| Interest Income             | 10,000                    | 3,333     |       | 2,789     | (544)                  | 83.7%       |
| Miscellaneous               | 85,030                    | 28,343    | (1)   | 69,708    | 41,365                 | 245.9%      |
| Interfund Transfers         | 24,537                    | 8,179     |       | 8,179     | 0                      | 100.0%      |
| Total Revenues              | 5,272,044                 | 1,800,472 |       | 1,888,029 | 87,557                 | 104.9%      |
| <b>Expenditures</b>         |                           |           |       |           |                        |             |
| Central Charges             | 4,932,328                 | 1,532,992 |       | 1,506,918 | (26,074)               | 98.3%       |
| Park Services               | 339,716                   | 83,579    | (2)   | 66,301    | (17,278)               | 79.3%       |
| Total Expenditures          | 5,272,044                 | 1,616,571 |       | 1,573,219 | (43,352)               | 97.3%       |
| <b>Revenues Over(Under)</b> |                           |           |       |           |                        |             |
| Expenditures                | 0                         | 183,901   |       | 314,810   | 130,909                |             |

- (1) Budget to actual variance includes unbudgeted reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.
- (2) Budget to actual variance is mainly due to capital outlay.

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2014**

| Description                                  | Pro-rated<br>for Seasonal |                   | Notes | Actual            | (Under) Over<br>Budget | %<br>Budget   |
|----------------------------------------------|---------------------------|-------------------|-------|-------------------|------------------------|---------------|
|                                              | Budget                    | Flows             |       |                   |                        |               |
| <b>Water and Wastewater Funds - Combined</b> |                           |                   |       |                   |                        |               |
| <b>Operating Revenues</b>                    |                           |                   |       |                   |                        |               |
| License & Permits                            | 75,000                    | 25,000            |       | 31,920            | 6,920                  | 127.7%        |
| Rates and Charges                            | 47,265,414                | 10,602,187        |       | 10,591,752        | (10,435)               | 99.9%         |
| Miscellaneous                                | 410,000                   | 136,666           |       | 143,935           | 7,269                  | 105.3%        |
| <b>Total Operating Revenues</b>              | <b>47,750,414</b>         | <b>10,763,853</b> |       | <b>10,767,607</b> | <b>3,754</b>           | <b>100.0%</b> |
| <b>Operating Expenditures</b>                |                           |                   |       |                   |                        |               |
| Central Charges                              | 6,134,349                 | 2,044,783         |       | 2,047,779         | 2,996                  | 100.1%        |
| Finance                                      | 644,754                   | 211,479           |       | 201,752           | (9,727)                | 95.4%         |
| Public Works & Utilities                     | 20,849,893                | 5,844,591         |       | 5,402,277         | (442,314)              | 92.4%         |
| Parks, Recreation & Libraries                | 152,417                   | 18,747            |       | 12,721            | (6,026)                | 67.9%         |
| Information Technology                       | 2,992,253                 | 954,529           |       | 824,921           | (129,608)              | 86.4%         |
| <b>Total Operating Expenditures</b>          | <b>30,773,666</b>         | <b>9,074,129</b>  |       | <b>8,489,450</b>  | <b>(584,679)</b>       | <b>93.6%</b>  |
| <b>Operating Income (Loss)</b>               | <b>16,976,748</b>         | <b>1,689,724</b>  |       | <b>2,278,157</b>  | <b>588,433</b>         |               |
| <b>Other Revenue and Expenditures</b>        |                           |                   |       |                   |                        |               |
| Tap Fees                                     | 8,662,000                 | 2,887,333         |       | 733,719           | (2,153,614)            | 25.4%         |
| Interest Income                              | 323,847                   | 107,949           |       | 125,400           | 17,451                 | 116.2%        |
| Interfund Transfers                          | 8,906,830                 | 8,906,830         |       | 8,906,830         | 0                      | 100.0%        |
| Debt Service                                 | (7,204,825)               | 0                 |       | 0                 | 0                      |               |
| <b>Total Other Revenue (Expenditures)</b>    | <b>10,687,852</b>         | <b>11,902,112</b> |       | <b>9,765,949</b>  | <b>(2,136,163)</b>     |               |
| <b>Revenues Over(Under) Expenditures</b>     | <b>27,664,600</b>         | <b>13,591,836</b> | (1)   | <b>12,044,106</b> | <b>(1,547,730)</b>     |               |

(1) Net revenues are used to fund capital projects and reserves.

City of Westminster  
Financial Report  
For Four Months Ending April 30, 2014

| Description<br>Water Fund                  | Budget            | Pro-rated<br>for Seasonal<br>Flows |                   | Notes | Actual           | (Under) Over<br>Budget | %<br>Budget  |
|--------------------------------------------|-------------------|------------------------------------|-------------------|-------|------------------|------------------------|--------------|
|                                            |                   |                                    |                   |       |                  |                        |              |
| <b>Operating Revenues</b>                  |                   |                                    |                   |       |                  |                        |              |
| License & Permits                          | 75,000            |                                    | 25,000            |       | 31,920           | 6,920                  | 127.7%       |
| Rates and Charges                          | 33,445,414        |                                    | 5,995,520         |       | 6,066,551        | 71,031                 | 101.2%       |
| Miscellaneous                              | 400,000           |                                    | 133,333           |       | 141,135          | 7,802                  | 105.9%       |
| <b>Total Operating Revenues</b>            | <b>33,920,414</b> |                                    | <b>6,153,853</b>  |       | <b>6,239,606</b> | <b>85,753</b>          |              |
| <b>Operating Expenditures</b>              |                   |                                    |                   |       |                  |                        |              |
| Central Charges                            | 4,294,054         |                                    | 1,431,351         |       | 1,429,528        | (1,823)                | 99.9%        |
| Finance                                    | 644,754           |                                    | 211,479           |       | 201,752          | (9,727)                | 95.4%        |
| Public Works & Utilities                   | 14,405,355        |                                    | 4,030,731         |       | 3,613,642        | (417,089)              | 89.7%        |
| PR&L Standley Lake                         | 152,417           |                                    | 18,747            |       | 12,721           | (6,026)                | 67.9%        |
| Information Technology                     | 2,992,253         |                                    | 954,529           |       | 824,921          | (129,608)              | 86.4%        |
| <b>Total Operating Expenditures</b>        | <b>22,488,833</b> |                                    | <b>6,646,837</b>  |       | <b>6,082,564</b> | <b>(564,273)</b>       | <b>91.5%</b> |
| <b>Operating Income (Loss)</b>             | <b>11,431,581</b> |                                    | <b>(492,984)</b>  |       | <b>157,042</b>   | <b>650,026</b>         |              |
| <b>Other Revenue and (Expenditures)</b>    |                   |                                    |                   |       |                  |                        |              |
| Tap Fees                                   | 7,567,000         |                                    | 2,522,333         |       | 594,754          | (1,927,579)            | 23.6%        |
| Interest Income                            | 233,665           |                                    | 77,888            |       | 97,376           | 19,488                 | 125.0%       |
| Interfund Transfers                        | 8,619,230         |                                    | 8,619,230         |       | 8,619,230        | 0                      | 100.0%       |
| Debt Service                               | (5,697,476)       |                                    | 0                 |       | 0                | 0                      |              |
| <b>Total Other Revenues (Expenditures)</b> | <b>10,722,419</b> |                                    | <b>11,219,451</b> |       | <b>9,311,360</b> | <b>(1,908,091)</b>     |              |
| <b>Revenues Over(Under) Expenditures</b>   | <b>22,154,000</b> |                                    | <b>10,726,467</b> | (1)   | <b>9,468,402</b> | <b>(1,258,065)</b>     |              |

(1) Net revenues are used to fund capital projects and reserves.

City of Westminster  
Financial Report  
For Four Months Ending April 30, 2014

| Description<br>Wastewater Fund           | Pro-rated<br>for Seasonal |                  | Notes | Actual           | (Under) Over<br>Budget | %<br>Budget |
|------------------------------------------|---------------------------|------------------|-------|------------------|------------------------|-------------|
|                                          | Budget                    | Flows            |       |                  |                        |             |
| <b>Operating Revenues</b>                |                           |                  |       |                  |                        |             |
| Rates and Charges                        | 13,820,000                | 4,606,667        |       | 4,525,201        | (81,466)               | 98.2%       |
| Miscellaneous                            | 10,000                    | 3,333            |       | 2,800            | (533)                  | 84.0%       |
| Total Operating Revenues                 | <u>13,830,000</u>         | <u>4,610,000</u> |       | <u>4,528,001</u> | <u>(81,999)</u>        | 98.2%       |
| <b>Operating Expenditures</b>            |                           |                  |       |                  |                        |             |
| Central Charges                          | 1,840,295                 | 613,432          |       | 618,251          | 4,819                  | 100.8%      |
| Public Works & Utilities                 | 6,444,538                 | 1,813,860        |       | 1,788,635        | (25,225)               | 98.6%       |
| Total Operating Expenditures             | <u>8,284,833</u>          | <u>2,427,292</u> |       | <u>2,406,886</u> | <u>(20,406)</u>        | 99.2%       |
| <b>Operating Income (Loss)</b>           | <u>5,545,167</u>          | <u>2,182,708</u> |       | <u>2,121,115</u> | <u>(61,593)</u>        |             |
| <b>Other Revenue and Expenditures</b>    |                           |                  |       |                  |                        |             |
| Tap Fees                                 | 1,095,000                 | 365,000          |       | 138,965          | (226,035)              | 38.1%       |
| Interest Income                          | 90,182                    | 30,061           |       | 28,024           | (2,037)                | 93.2%       |
| Interfund Transfers                      | 287,600                   | 287,600          |       | 287,600          | 0                      | 100.0%      |
| Debt Service                             | (1,507,349)               | 0                |       | 0                | 0                      |             |
| Total Other Revenues (Expenditures)      | <u>(34,567)</u>           | <u>682,661</u>   |       | <u>454,589</u>   | <u>(228,072)</u>       |             |
| <b>Revenues Over(Under) Expenditures</b> | <u>5,510,600</u>          | <u>2,865,369</u> | (1)   | <u>2,575,704</u> | <u>(289,665)</u>       |             |

(1) Net revenues are used to fund capital projects and reserves.



City of Westminster  
 Financial Report  
 For Four Months Ending April 30, 2014

| Description                              | Budget           | Pro-rated<br>for Seasonal<br>Flows | Notes | Actual         | (Under) Over<br>Budget | %<br>Budget   |
|------------------------------------------|------------------|------------------------------------|-------|----------------|------------------------|---------------|
|                                          |                  |                                    |       |                |                        |               |
| <b>Storm Drainage Fund</b>               |                  |                                    |       |                |                        |               |
| <b>Revenues</b>                          |                  |                                    |       |                |                        |               |
| Charges for Services                     | 2,698,000        | 899,333                            |       | 862,692        | (36,641)               | 95.9%         |
| Interest Income                          | 38,000           | 12,667                             |       | 6,875          | (5,792)                | 54.3%         |
| Miscellaneous                            | 0                | 0                                  |       | 88,275         | 88,275                 |               |
| Total Revenues                           | <u>2,736,000</u> | <u>912,000</u>                     |       | <u>957,842</u> | <u>45,842</u>          | <u>105.0%</u> |
| <b>Expenditures</b>                      |                  |                                    |       |                |                        |               |
| General Services                         | 86,200           | 12,844                             |       | 10,098         | (2,746)                | 78.6%         |
| Community Development                    | 178,990          | 56,919                             |       | 54,155         | (2,764)                | 95.1%         |
| PR&L Park Services                       | 200,000          | 25,600                             |       | 18,801         | (6,799)                | 73.4%         |
| Public Works & Utilities                 | 329,810          | 49,801                             |       | 166            | (49,635)               | 0.3%          |
| Total Expenditures                       | <u>795,000</u>   | <u>145,164</u>                     |       | <u>83,220</u>  | <u>(61,944)</u>        | <u>57.3%</u>  |
| <b>Revenues Over(Under) Expenditures</b> | <u>1,941,000</u> | <u>766,836</u>                     | (1)   | <u>874,622</u> | <u>107,786</u>         |               |

(1) Net revenues are used to fund capital projects and reserves.

City of Westminster  
 Financial Report  
 For Four Months Ending April 30, 2014

| Description<br>Golf Courses Combined     | Pro-rated<br>for Seasonal |                  | Notes | Actual         | (Under) Over<br>Budget | %<br>Budget   |
|------------------------------------------|---------------------------|------------------|-------|----------------|------------------------|---------------|
|                                          | Budget                    | Flows            |       |                |                        |               |
| <b>Operating Revenues</b>                |                           |                  |       |                |                        |               |
| Charges for Services                     | 3,019,336                 | 550,132          |       | 695,873        | 145,741                | 126.5%        |
| Total Revenues                           | <u>3,019,336</u>          | <u>550,132</u>   |       | <u>695,873</u> | <u>145,741</u>         | <u>126.5%</u> |
| <b>Operating Expenditures</b>            |                           |                  |       |                |                        |               |
| Central Charges                          | 211,700                   | 71,653           |       | 59,165         | (12,488)               | 82.6%         |
| Recreation Facilities                    | 2,609,991                 | 682,928          |       | 598,089        | (84,839)               | 87.6%         |
| Total Expenditures                       | <u>2,821,691</u>          | <u>754,581</u>   |       | <u>657,254</u> | <u>(97,327)</u>        | <u>87.1%</u>  |
| <b>Operating Income (Loss)</b>           | <u>197,645</u>            | <u>(204,449)</u> |       | <u>38,619</u>  | <u>243,068</u>         |               |
| <b>Other Revenues and Expenditures</b>   |                           |                  |       |                |                        |               |
| Interest Income                          | 0                         | 0                |       | 2,033          | 2,033                  | 100.0%        |
| Other Financing Sources                  | 1,101,068                 | 1,101,068        |       | 1,101,068      | 0                      | 100.0%        |
| Other Financing Use                      | (1,107,149)               | (1,107,149)      |       | (1,107,149)    | 0                      | 100.0%        |
| Debt Service                             | (770,708)                 | (302,643)        |       | (302,643)      | 0                      | 100.0%        |
| Interfund Transfers                      | 579,143                   | 193,048          |       | 193,048        | 0                      | 100.0%        |
| Carryover                                | 200,000                   | 200,000          |       | 200,000        | 0                      | 100.0%        |
| Total Other Revenue (Expenditures)       | <u>2,354</u>              | <u>84,324</u>    |       | <u>86,357</u>  | <u>2,033</u>           |               |
| <b>Revenues Over(Under) Expenditures</b> | <u>199,999</u>            | <u>(120,125)</u> | (1)   | <u>124,976</u> | <u>245,101</u>         |               |

(1) Net revenues are used to fund capital projects and reserves.

City of Westminster  
Financial Report  
For Four Months Ending April 30, 2014

| Description<br>Legacy Ridge Fund         | Pro-rated<br>for Seasonal<br>Flows |           | Notes | Actual    | (Under) Over<br>Budget | %<br>Budget |
|------------------------------------------|------------------------------------|-----------|-------|-----------|------------------------|-------------|
|                                          | Budget                             | Flows     |       |           |                        |             |
| <b>Operating Revenues</b>                |                                    |           |       |           |                        |             |
| Charges for Services                     | 1,609,968                          | 275,305   |       | 343,089   | 67,784                 | 124.6%      |
| Total Revenues                           | 1,609,968                          | 275,305   |       | 343,089   | 67,784                 | 124.6%      |
| <b>Operating Expenditures</b>            |                                    |           |       |           |                        |             |
| Central Charges                          | 98,900                             | 33,527    |       | 25,510    | (8,017)                | 76.1%       |
| Recreation Facilities                    | 1,332,698                          | 358,496   |       | 228,984   | (129,512)              | 63.9%       |
| Total Expenditures                       | 1,431,598                          | 392,023   |       | 254,494   | (137,529)              | 64.9%       |
| <b>Operating Income (Loss)</b>           | 178,370                            | (116,718) |       | 88,595    | 205,313                |             |
| <b>Other Revenues and Expenditures</b>   |                                    |           |       |           |                        |             |
| Interest Income                          | 0                                  | 0         |       | 1,164     | 1,164                  |             |
| Other Financing Sources                  | 540,431                            | 540,431   |       | 540,431   | 0                      | 100.0%      |
| Other Financing Use                      | (543,431)                          | (543,431) |       | (543,431) | 0                      | 100.0%      |
| Debt Service                             | (207,100)                          | (172,276) |       | (172,276) | 0                      | 100.0%      |
| Interfund Transfers                      | 31,730                             | 10,577    |       | 10,577    | 0                      | 100.0%      |
| Carryover                                | 100,000                            | 100,000   |       | 100,000   | 0                      | 100.0%      |
| Total Other Revenue (Expenditures)       | (78,370)                           | (64,699)  |       | (63,535)  | 1,164                  |             |
| <b>Revenues Over(Under) Expenditures</b> | 100,000                            | (181,417) | (1)   | 25,060    | 206,477                |             |

(1) Net revenues are used to fund capital projects and reserves.

City of Westminster  
Financial Report  
For Four Months Ending April 30, 2014

| Description                              | Pro-rated<br>for Seasonal |           | Notes | Actual    | (Under) Over<br>Budget | %<br>Budget |
|------------------------------------------|---------------------------|-----------|-------|-----------|------------------------|-------------|
|                                          | Budget                    | Flows     |       |           |                        |             |
| <b>Heritage at Westmoor Fund</b>         |                           |           |       |           |                        |             |
| <b>Operating Revenues</b>                |                           |           |       |           |                        |             |
| Charges for Services                     | 1,409,368                 | 274,827   |       | 352,784   | 77,957                 | 128.4%      |
| Total Revenues                           | 1,409,368                 | 274,827   |       | 352,784   | 77,957                 | 128.4%      |
| <b>Operating Expenditures</b>            |                           |           |       |           |                        |             |
| Central Charges                          | 112,800                   | 38,126    |       | 33,655    | (4,471)                | 88.3%       |
| Recreation Facilities                    | 1,277,293                 | 324,432   |       | 369,105   | 44,673                 | 113.8%      |
| Total Expenditures                       | 1,390,093                 | 362,558   | (1)   | 402,760   | 40,202                 | 111.1%      |
| <b>Operating Income (Loss)</b>           | 19,275                    | (87,731)  |       | (49,976)  | 37,755                 |             |
| <b>Other Revenues and Expenditures</b>   |                           |           |       |           |                        |             |
| Interest Income                          | 0                         | 0         |       | 869       | 869                    | 100.0%      |
| Other Financing Sources                  | 560,637                   | 560,637   |       | 560,637   | 0                      | 100.0%      |
| Other Financing Use                      | (563,718)                 | (563,718) |       | (563,718) | 0                      | 100.0%      |
| Debt Service                             | (563,608)                 | (130,367) |       | (130,367) | 0                      | 100.0%      |
| Interfund Transfers                      | 547,413                   | 182,471   |       | 182,471   | 0                      | 100.0%      |
| Carryover                                | 100,000                   | 100,000   |       | 100,000   | 0                      | 100.0%      |
| Total Other Revenue (Expenditures)       | 80,724                    | 149,023   |       | 149,892   | 869                    |             |
| <b>Revenues Over(Under) Expenditures</b> | 99,999                    | 61,292    | (2)   | 99,916    | 38,624                 |             |

- (1) Recreation Facilities budget variance is due mostly to inventory purchases in preparation for the golf season.  
(2) Net revenues are used to fund capital projects and reserves.

CITY OF WESTMINSTER  
 GENERAL RECEIPTS BY CENTER  
 MONTH OF APRIL 2014

| Center<br>Location<br>Major Tenant                                     | /----- Current Month -----/ |                |         | /----- Last Year -----/ |                |         | /--- %Change ---/ |      |       |
|------------------------------------------------------------------------|-----------------------------|----------------|---------|-------------------------|----------------|---------|-------------------|------|-------|
|                                                                        | General<br>Sales            | General<br>Use | Total   | General<br>Sales        | General<br>Use | Total   | Sales             | Use  | Total |
| THE ORCHARD<br>144TH & I-25<br>JC PENNEY/MACY'S                        | 484,058                     | 12,495         | 496,554 | 465,484                 | 11,977         | 477,461 | 4                 | 4    | 4     |
| WESTFIELD SHOPPING CENTER<br>NW CORNER 92ND & SHER<br>WALMART 92ND     | 332,356                     | 1,167          | 333,523 | 347,416                 | 975            | 348,391 | -4                | 20   | -4    |
| SHOPS AT WALNUT CREEK<br>104TH & REED<br>TARGET                        | 277,501                     | 2,724          | 280,225 | 272,881                 | 8,819          | 281,700 | 2                 | -69  | -1    |
| NORTHWEST PLAZA<br>SW CORNER 92 & HARLAN<br>COSTCO                     | 233,144                     | 943            | 234,087 | 215,592                 | 383            | 215,975 | 8                 | 146  | 8     |
| SHERIDAN CROSSING<br>SE CORNER 120TH & SHER<br>KOHL'S                  | 190,968                     | 1,573          | 192,542 | 185,349                 | 634            | 185,983 | 3                 | 148  | 4     |
| BROOKHILL I & II<br>N SIDE 88TH OTIS TO WADS<br>HOME DEPOT             | 189,317                     | 980            | 190,297 | 193,911                 | 1,428          | 195,339 | -2                | -31  | -3    |
| SHOENBERG CENTER<br>SW CORNER 72ND & SHERIDAN<br>WALMART 72ND          | 173,293                     | 5,727          | 179,020 | 174,178                 | 453            | 174,631 | -1                | 1164 | 3     |
| INTERCHANGE BUSINESS CENTER<br>SW CORNER 136TH & I-25<br>WALMART 136TH | 167,899                     | 626            | 168,524 | 169,822                 | 6,725          | 176,546 | -1                | -91  | -5    |
| PROMENADE SOUTH/NORTH<br>S/N SIDES OF CHURCH RANCH BLVD<br>SHANE/AMC   | 144,905                     | 16,944         | 161,848 | 132,059                 | 16,993         | 149,052 | 10                | 0    | 9     |
| CITY CENTER MARKETPLACE<br>NE CORNER 92ND & SHERIDAN<br>BARNES & NOBLE | 118,581                     | 5,281          | 123,862 | 105,709                 | 239            | 105,948 | 12                | 2114 | 17    |
| NORTH PARK PLAZA<br>SW CORNER 104TH & FEDERAL<br>KING SOOPERS          | 119,882                     | 1,005          | 120,887 | 118,739                 | 4,352          | 123,091 | 1                 | -77  | -2    |
| WESTMINSTER MALL<br>88TH & SHERIDAN<br>JC PENNEY                       | 82,499                      | 893            | 83,392  | 76,160                  | 1,152          | 77,311  | 8                 | -22  | 8     |
| STANDLEY SHORES CENTER<br>SW CORNER 100TH & WADS<br>KING SOOPERS       | 82,349                      | 204            | 82,553  | 79,451                  | 641            | 80,093  | 4                 | -68  | 3     |
| ROCKY MOUNTAIN PLAZA<br>SW CORNER 88TH & SHER<br>GUITAR STORE          | 71,195                      | 223            | 71,418  | 65,917                  | 163            | 66,080  | 8                 | 37   | 8     |
| VILLAGE AT THE MALL<br>S SIDE 88TH DEPEW-HARLAN<br>TOYS 'R US          | 61,768                      | 502            | 62,270  | 73,045                  | 295            | 73,341  | -15               | 70   | -15   |

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
MONTH OF APRIL 2014

| Center<br>Location<br>Major Tenant                                           | Current Month    |                |           | Last Year        |                |           | %Change |      |       |
|------------------------------------------------------------------------------|------------------|----------------|-----------|------------------|----------------|-----------|---------|------|-------|
|                                                                              | General<br>Sales | General<br>Use | Total     | General<br>Sales | General<br>Use | Total     | Sales   | Use  | Total |
| WESTMINSTER PLAZA<br>FEDERAL-IRVING 72ND-74TH<br>SAFEWAY                     | 56,310           | 320            | 56,629    | 54,741           | 494            | 55,235    | 3       | -35  | 3     |
| WESTMINSTER CROSSING<br>136TH & I-25<br>LOWE'S                               | 53,128           | 193            | 53,321    | 65,423           | 208            | 65,632    | -19     | -7   | -19   |
| VILLAGE AT PARK CENTRE<br>NW CORNER 120TH & HURON<br>CB & POTTS              | 51,385           | 543            | 51,928    | 46,338           | 1,593          | 47,931    | 11      | -66  | 8     |
| NORTHVIEW<br>92ND AVE YATES TO SHERIDAN<br>H MART                            | 45,134           | 155            | 45,289    | 28,655           | 220            | 28,875    | 58      | -29  | 57    |
| LUCENT/KAISER CORRIDOR<br>112-120 HURON - FEDERAL<br>LUCENT TECHNOLOGY       | 10,414           | 33,502         | 43,917    | 13,482           | 44,565         | 58,046    | -23     | -25  | -24   |
| STANDLEY LAKE MARKETPLACE<br>NE CORNER 99TH & WADSWORTH<br>SAFEWAY           | 40,666           | 1,480          | 42,145    | 45,717           | 188            | 45,905    | -11     | 687  | -8    |
| RAINBOW SHOPPET<br>NE CORNER 120TH & MELODY<br>FAIRFIELD INN                 | 20,647           | 12,820         | 33,467    | 15,818           | 236            | 16,054    | 31      | 5337 | 108   |
| BROOKHILL IV<br>E SIDE WADS 90TH-92ND<br>MURDOCH'S                           | 32,372           | 541            | 32,914    | 30,203           | 253            | 30,456    | 7       | 114  | 8     |
| WILLOW RUN<br>128TH & ZUNI<br>SAFEWAY                                        | 31,238           | 146            | 31,385    | 37,089           | 709            | 37,798    | -16     | -79  | -17   |
| BOULEVARD SHOPS<br>94TH & WADSWORTH CORRIDOR<br>AMERICAN FURNITURE WAREHOUSE | 29,008           | 374            | 29,382    | 24,924           | 191            | 25,115    | 16      | 96   | 17    |
|                                                                              | 3,100,016        | 101,362        | 3,201,378 | 3,038,104        | 103,886        | 3,141,989 | 2       | -2   | 2     |

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
APRIL 2014 YEAR-TO-DATE

| Center<br>Location<br>Major Tenant                                     | YTD 2014         |                |           | YTD 2013         |                |           | %Change |      |       |
|------------------------------------------------------------------------|------------------|----------------|-----------|------------------|----------------|-----------|---------|------|-------|
|                                                                        | General<br>Sales | General<br>Use | Total     | General<br>Sales | General<br>Use | Total     | Sales   | Use  | Total |
| THE ORCHARD<br>144TH & I-25<br>JC PENNEY/MACY'S                        | 1,849,796        | 59,402         | 1,909,198 | 1,852,536        | 58,108         | 1,910,644 | 0       | 2    | 0     |
| WESTFIELD SHOPPING CENTER<br>NW CORNER 92ND & SHER<br>WALMART 92ND     | 1,402,202        | 9,443          | 1,411,645 | 1,434,597        | 4,575          | 1,439,172 | -2      | 106  | -2    |
| SHOPS AT WALNUT CREEK<br>104TH & REED<br>TARGET                        | 1,039,287        | 7,447          | 1,046,734 | 1,076,561        | 19,290         | 1,095,852 | -3      | -61  | -4    |
| NORTHWEST PLAZA<br>SW CORNER 92 & HARLAN<br>COSTCO                     | 991,317          | 38,554         | 1,029,871 | 903,721          | 2,754          | 906,475   | 10      | 1300 | 14    |
| BROOKHILL I & II<br>N SIDE 88TH OTIS TO WADS<br>HOME DEPOT             | 777,212          | 5,733          | 782,945   | 803,253          | 6,872          | 810,125   | -3      | -17  | -3    |
| SHERIDAN CROSSING<br>SE CORNER 120TH & SHER<br>KOHL'S                  | 721,165          | 10,504         | 731,669   | 727,828          | 3,835          | 731,663   | -1      | 174  | 0     |
| INTERCHANGE BUSINESS CENTER<br>SW CORNER 136TH & I-25<br>WALMART 136TH | 707,084          | 1,999          | 709,083   | 679,216          | 8,553          | 687,770   | 4       | -77  | 3     |
| SHOENBERG CENTER<br>SW CORNER 72ND & SHERIDAN<br>WALMART 72ND          | 694,628          | 7,372          | 701,999   | 733,239          | 4,212          | 737,452   | -5      | 75   | -5    |
| PROMENADE SOUTH/NORTH<br>S/N SIDES OF CHURCH RANCH BLVD<br>SHANE/AMC   | 608,699          | 92,834         | 701,533   | 565,994          | 64,675         | 630,670   | 8       | 44   | 11    |
| NORTH PARK PLAZA<br>SW CORNER 104TH & FEDERAL<br>KING SOOPERS          | 593,271          | 3,956          | 597,227   | 579,840          | 7,676          | 587,516   | 2       | -48  | 2     |
| CITY CENTER MARKETPLACE<br>NE CORNER 92ND & SHERIDAN<br>BARNES & NOBLE | 448,231          | 6,899          | 455,130   | 479,628          | 11,432         | 491,060   | -7      | -40  | -7    |
| STANDLEY SHORES CENTER<br>SW CORNER 100TH & WADS<br>KING SOOPERS       | 401,750          | 1,070          | 402,821   | 384,549          | 1,550          | 386,099   | 4       | -31  | 4     |
| VILLAGE AT THE MALL<br>S SIDE 88TH DEPEW-HARLAN<br>TOYS 'R US          | 272,443          | 1,617          | 274,059   | 297,985          | 997            | 298,982   | -9      | 62   | -8    |
| ROCKY MOUNTAIN PLAZA<br>SW CORNER 88TH & SHER<br>GUITAR STORE          | 269,086          | 1,895          | 270,981   | 252,638          | 825            | 253,463   | 7       | 130  | 7     |
| WESTMINSTER PLAZA<br>FEDERAL-IRVING 72ND-74TH<br>SAFEWAY               | 222,066          | 1,505          | 223,571   | 217,712          | 2,429          | 220,141   | 2       | -38  | 2     |

CITY OF WESTMINSTER  
 GENERAL RECEIPTS BY CENTER  
 APRIL 2014 YEAR-TO-DATE

| Center<br>Location<br>Major Tenant                                           | YTD 2014         |                |            | YTD 2013         |                |            | %Change |     |       |
|------------------------------------------------------------------------------|------------------|----------------|------------|------------------|----------------|------------|---------|-----|-------|
|                                                                              | General<br>Sales | General<br>Use | Total      | General<br>Sales | General<br>Use | Total      | Sales   | Use | Total |
| WESTMINSTER MALL<br>88TH & SHERIDAN<br>JC PENNEY                             | 201,995          | 2,536          | 204,532    | 211,045          | 3,393          | 214,438    | -4      | -25 | -5    |
| WESTMINSTER CROSSING<br>136TH & I-25<br>LOWE'S                               | 198,363          | 485            | 198,848    | 209,207          | 1,074          | 210,282    | -5      | -55 | -5    |
| VILLAGE AT PARK CENTRE<br>NW CORNER 120TH & HURON<br>CB & POTTS              | 186,633          | 3,209          | 189,842    | 177,290          | 7,829          | 185,119    | 5       | -59 | 3     |
| STANDLEY LAKE MARKETPLACE<br>NE CORNER 99TH & WADSWORTH<br>SAFEWAY           | 171,690          | 2,122          | 173,812    | 179,715          | 773            | 180,487    | -4      | 175 | -4    |
| NORTHVIEW<br>92ND AVE YATES TO SHERIDAN<br>H MART                            | 165,380          | 3,783          | 169,162    | 99,387           | 1,780          | 101,167    | 66      | 113 | 67    |
| WILLOW RUN<br>128TH & ZUNI<br>SAFEWAY                                        | 125,578          | 803            | 126,381    | 126,212          | 1,283          | 127,495    | -1      | -37 | -1    |
| BROOKHILL IV<br>E SIDE WADS 90TH-92ND<br>MURDOCH'S                           | 121,262          | 1,310          | 122,572    | 107,998          | 4,362          | 112,360    | 12      | -70 | 9     |
| STANDLEY PLAZA<br>SW CORNER 88TH & WADS<br>WALGREENS                         | 101,374          | 2,019          | 103,392    | 102,645          | 1,818          | 104,462    | -1      | 11  | -1    |
| BOULEVARD SHOPS<br>94TH & WADSWORTH CORRIDOR<br>AMERICAN FURNITURE WAREHOUSE | 101,262          | 1,262          | 102,524    | 87,704           | 1,542          | 89,246     | 15      | -18 | 15    |
| MEADOW POINTE<br>NE CRN 92ND & OLD WADS<br>CARRABAS                          | 92,178           | 109            | 92,287     | 96,910           | 295            | 97,205     | -5      | -63 | -5    |
|                                                                              | 12,463,950       | 267,869        | 12,731,819 | 12,387,410       | 221,932        | 12,609,342 | 1       | 21  | 1     |





**Agenda Memorandum**

City Council Meeting  
May 19, 2014



**SUBJECT:** Purchase of Fleet Maintenance Service Truck

**Prepared By:** Jeffery H. Bowman, Fleet Manager

**Recommended City Council Action**

Authorize the Fleet Maintenance Division to source a used, or reconditioned field service body, mounted on a used or new cab/chassis truck for an amount not to exceed \$100,000.

**Summary Statement**

- City Council is requested to approve spending authority for a used or reconditioned field service truck in lieu of a new field service truck. This vehicle was previously approved for replacement and will be within the amount authorized by City Council in the 2014 General Capital Outlay Replacement Fund. Various services will be researched for the used vehicle purchase.
- The current Fleet Maintenance Service Truck is a 1993 Chevrolet 1-Ton, utility body with a manual bumper crane, no air compressor and no welder, with 72,000 miles.
- Averaging approximately 3,300 miles per year, a used or reconditioned service truck makes financial sense when compared to buying new.
- Unlike purchasing a new service truck using City of Westminster or CDOT bids, purchasing a used service truck presents unique challenges as used equipment is sold through dealers and auctions using National Automobile Dealers Association (NADA) pricing as reference.

**Expenditure Required:** not to exceed \$100,000

**Source of Funds:** General Capital Outlay Replacement Fund

**Policy Issue**

Should the City approve the purchase for a used fleet maintenance service truck, not to exceed \$100,000 as outlined in this agenda memorandum?

**Alternative**

Council could choose to not approve the purchase of the fleet maintenance service truck. This alternative is not recommended because the vehicle needing to be replaced has a maintenance history that makes it impractical to keep in regular service and the truck is not equipped with service related equipment such as a hydraulic crane, an air compressor, or welder; all important tools for performing service repairs on City of Westminster vehicles.

**Background Information**

As the 2014 vehicle replacements were being developed, it was noted that although the current Fleet Maintenance service truck, Unit #1100, was a 22 year-old truck, it has only 72,000 miles. The distance traveled for most service repairs on City of Westminster vehicles is generally within the city limits. Having most service calls within 10 miles has helped keep the truck mileage fairly low, despite its age. Unless the vehicle repair is at the Strasburg Farm, a service call involves a short travel to a broken down vehicle, at which point the service truck becomes a portable repair facility, providing tools and support for the mechanic. The current field service truck is a 3500 Chevrolet truck equipped with a small manual bumper crane that can lift up to 500 pounds and can pull a trailer equipped with an air compressor and welder, if needed.

A purpose-built fleet maintenance service truck is designed with a hydraulic crane for lifting items such as large truck tires, an air compressor for airing tires and operating air driven tools, a welder for making field repairs to asphalt or snow equipment and finally some type of new and used oil storage. These items are important for service work and are quite costly. In some cases a new, well equipped service truck can reach \$200,000. Understanding that the City of Westminster Fleet Maintenance Division operates its service truck 3,300 miles per year opened the consideration for buying a used, well equipped service truck at a lower cost than new.

One example of a used service truck is a vehicle located at Glosser Equipment in South Lake, Texas. This service truck is a 2008 Ford F-650 diesel service truck with 110,000 miles, an 8,000 pound hydraulic crane, new air compressor and new welder, along with storage capability for oils at an asking price of \$89,500. Equipped with a Cummins diesel engine, the current 110,000 miles coupled with Fleet Maintenance average 3,300 miles per year travel on service calls, offers a long range solution, while equipping mechanics with full service capabilities at a reduced cost. Fleet Maintenance Staff are trained to evaluate the condition of vehicles and equipment. When evaluating used service trucks, Fleet Maintenance Staff would work with the City of Westminster Purchasing Officer and consider the asking price compared to its evaluated condition. Comparing the evaluated condition, price and vehicle age to new truck and mounted equipment values using sources, such as the CDOT bid awards, develops a baseline cost comparison. If a used service truck's evaluated condition and price is determined to be fair, a final comparison of used truck values would be evaluated using the fee based NADA Commercial truck pricing guides.

A used service truck purchase presents unique challenges when compared to buying a new service truck through the normal bid process. A used service truck is sold through a used truck dealer or an auction. In each of these sale scenarios, the selling agent will sell the vehicle to the first available purchaser. Fleet Maintenance is requesting that if a used service truck becomes available through one of the used service truck sources, it be allowed to make the purchase as long as it does not exceed \$100,000.

The approved replacement vehicle identified in the table below has reached a point where it is no longer economically reasonable to maintain in service. Please note that the life-to-date vehicle maintenance costs in the table do not include accident repairs or fuel cost. The service truck is used to make field service calls around the City and to maintain tractors and trucks at the Strasburg Farm.

**SUBJECT:**

Purchase of Fleet Maintenance Service Truck over \$75,000

Page 2

| <b>DEPARTMENT</b> | <b>OLD<br/>UNIT #</b> | <b>YEAR</b> | <b>REPLACEMENT<br/>MAKE/MODEL</b> | <b>MILES</b> | <b>LIFE-TO-DATE<br/>VEHICLE<br/>MAINTENANCE COST</b> |
|-------------------|-----------------------|-------------|-----------------------------------|--------------|------------------------------------------------------|
| Fleet Maintenance | 1100                  | 1993        | Chevrolet 3500 Crew               | 72,043       | \$34,405                                             |

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

Respectfully submitted,

J. Brent McFall  
City Manager



Agenda Memorandum

City Council Meeting  
May 19, 2014



**SUBJECT:** Biosolids Composting

**Prepared By:** Tim Woodard, Wastewater Treatment Superintendent  
Stephen Gay, Utilities Operations Manager

**Recommended City Council Action**

Authorize the City Manager to raise the contract limit from \$49,000 to \$75,000 for both the A-1 Organics Composting Facility and the Renewable Fiber Composting Facility for the composting of biosolids during inclement weather and wet field conditions in 2014 with options for two additional one-year renewals in 2015 and 2016 for \$75,000 each plus any unit price cost adjustments based on Consumer Price Index for All Urban Consumers, subject to annual appropriation.

**Summary Statement**

- The Big Dry Creek Wastewater Treatment Facility uses the A-1 Organics Composting Facility and the Renewable Fiber Composting Facility to dispose of biosolids during wet weather or when the farm fields are wet. Existing contracts and City policies allow expenditures up to \$49,000 per contract in 2014 for this purpose. Due to inclement weather in 2014, the City has already expended approximately \$22,000 at A-1 Organics and \$23,000 at Renewable Fiber.
- Anticipating that further inclement weather in 2014 may be possible, Staff is seeking authority to continue using these facilities, if necessary, by increasing the authorized limit to \$75,000 for each. This increase in funding of up to \$52,000 will come from existing sources already approved.
- A-1 Organics and Renewable Fiber are the only biosolids composting facilities available along the Front Range that can be utilized for biosolids disposal. Staff solicited quotes from 3 vendors. Parker Ag, the third vendor, no longer provides composting services.
- As proposed, annual contract renewals for 2015 and 2016 will require agreement by both parties and any unit price cost adjustments will be based on Consumer Price Index for All Urban Consumers.

**Expenditure Required:** \$52,000

**Source of Funds:** Utility Fund - Operating Budget

**Policy Issue**

Should the Big Dry Creek Wastewater Treatment Facility spend additional funds of up to \$52,000 and raise the contract limits from \$49,000 to \$75,000 for both A-1 Organics and Renewable Fiber for biosolids composting in the remainder of 2014 and authorize two additional one-year renewals in 2015 and 2016 for \$75,000 each plus any unit price cost adjustments based on Consumer Price Index for All Urban Consumers?

**Alternative**

The City could contract with a biosolids contractor to dewater and haul biosolids from the Big Dry Creek Treatment Facility during inclement weather. This alternative would be more expensive than contracting with A-1 Organics and/or Renewable Fiber and is not recommended.

**Background Information**

Prior to 2004, the Big Dry Creek Treatment Facility applied biosolids on farm fields located near the facility. The closer fields allowed operators to transport and dispose of larger volumes of biosolids in a given week. Residential development of farm properties relatively close to the facility impacted the disposal of biosolids, and in 2004 the City began using A-1 Organics on an as-needed basis to dispose of biosolids.

Currently, the Big Dry Creek Treatment Facility transports and disposes of 20 tractor trailer loads of thickened biosolids per week at the Strasburg Natural Resources Farm in Strasburg, Colorado. In the event of downtime or wet farm fields, the production at the facility exceeds application abilities, requiring the use of A-1 Organics and/or Renewable Fiber.

To date in 2014, the City has experienced significant inclement weather, resulting in increased use of A-1 Organics and Renewable Fiber. Staff is recommending increasing the limit from \$49,000 to \$75,000 for both the A-1 Organics and the Renewable Fiber contracts to allow for the possibility that the inclement weather continues to the end of 2014.

Staff also recommends that Council authorize Staff to include options for two additional one-year renewals in 2015 and 2016 for \$75,000 each plus any unit price cost adjustments based on Consumer Price Index for All Urban Consumers, subject to annual appropriation.

Composting biosolids properly helps achieve City Council's Strategic Plan goals of "Financially Sustainable City Government Providing Exceptional Services" by contributing to the objectives of well-maintained City infrastructure and facilities.

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
May 19, 2014



**SUBJECT:** Pressure Zone 3 Expansion Preliminary Design Contract

**Prepared By:** Dan Strietelmeier, Senior Engineer  
Stephen Grooters, Senior Projects Engineer

**Recommended City Council Action**

Authorize the City Manager to execute a contract with Burns & McDonnell Engineering Company, Inc. in the amount of \$555,018 to provide preliminary design services for the Pressure Zone 3 Expansion, plus a contingency in the amount of \$55,502, for a total authorized expenditure of \$610,520.

**Summary Statement**

- Improvements to the water system in central Westminster have been part of the utility master planning process for many years. Priority improvements target the area west of US 36 to Pierce Street and north/south between approximately 88th Avenue and the Farmers High Line Canal.
- Work includes connecting this improvement area to an adjacent section of the distribution system referred to as Pressure Zone 3. This will increase system performance and redundancy now and through build-out for a large portion of the City.
- The project includes new water transmission mains, a new booster pump station and a new water storage tank. See the attached map for approximate locations of these facilities.
- The project will also improve the reliability of the overall water distribution system by adding redundancy to the existing pressure Zone 3 area and will help relieve high demands placed on adjacent distribution system infrastructure.
- Staff prepared a Request for Proposals for the completion of the preliminary design phase services and distributed it to seven engineering firms qualified to perform this work. Three proposals were received.
- Staff recommends awarding the contract to Burns and McDonnell Engineering Company, Inc. based on their competitive pricing, proposed scope of work, familiarity with the City's infrastructure and the successful utilities infrastructure design experience of their proposed project team.
- This contract is for preliminary design services. At the completion of this work, Staff will return to City Council with a contract for final design services.
- Adequate funds were budgeted and are available for this phase of the project.

**Expenditure Required:** \$610,520

**Source of Funds:** Utility Fund Capital Improvement – Pressure Zone 3 Expansion Project

### **Policy Issue**

Should the City execute a contract with Burns and McDonnell Engineering Company, Inc. for preliminary design engineering for the Pressure Zone 3 Expansion project?

### **Alternatives**

- Council could choose to not proceed with the preliminary design phase for the Pressure Zone 3 Expansion project. This is not recommended due to the near-term improvements recommended to increase the reliability of the City's water distribution system.
- The City could award the contract to another firm but Staff does not recommend this alternative since Burns and McDonnell presented the most qualified proposal and in Staff's opinion provides the best value to the City.
- The City could re-issue the request for preliminary design proposals. Staff does not recommend this alternative because the City received and evaluated three proposals from qualified engineering design firms, and Burns and McDonnell was determined to be the most qualified firm to perform the utility infrastructure preliminary design and has proposed competitive pricing.

### **Background Information**

This phase of the Pressure Zone 3 Expansion project is for the preliminary design of new water transmission mains, a new pump station and a new elevated water storage tank within the water distribution system. These improvements will connect areas of long-standing low pressures to existing infrastructure set at higher pressures referred to as Pressure Zone 3. The overall intent of this project is to improve portions of the distribution system to meet the level of service experienced elsewhere in the system for adequate water pressure and flow and storage for irrigation, firefighting, and emergencies.

The Pressure Zone 3 Expansion Project will incorporate customers west of US 36 to Pierce Street and north/south between approximately 88th Avenue and the Farmers High Line Canal. The improvements will be sized for build-out demands within the City, including anticipated development and redevelopment. In addition to improving services to this area, the project will relieve water supply and storage currently demanded from other areas of the distribution system and increase levels of service, reliability, and redundancy in a relatively large portion of the City.

The preliminary design scope includes an alternatives analysis to optimize several project components including:

- Sites for the new elevated storage tank, new booster pump station and the optimum alignments for the new water transmission lines.
- The most cost-effective water transmission line sizes, pump station capacity and tank dimensions.
- Land title and survey work to streamline subsequent acquisition of necessary project easements.
- Project phasing options to match available budget, revenue, and anticipated expenditures.

Staff will be implementing a comprehensive public notification process to keep City customers informed with this project and its impacts. The outreach will include information letters mailed to the neighborhood surrounding the sites and a Project Information Open House to address concerns and review architectural renderings of the new facilities.

Staff distributed a Request for Proposals (RFP) for the preliminary design of the Pressure Zone 3 Expansion to seven local engineering firms qualified and specializing in this type of work. Three proposals were received. The other firms were appreciative of the opportunity, asked to be considered for future projects and provided feedback that they did not have staff available in the time frame required for this large-scale project. The three firms that submitted proposals and their hourly fee ranges are presented below:

| <u>Engineering Firm</u>                     | <u>Hourly Fee Range</u> |
|---------------------------------------------|-------------------------|
| Burns & McDonnell Engineering Company, Inc. | \$60/hr. to \$205/hr.   |
| Carollo Engineers                           | \$90/hr. to \$247/hr.   |
| Black & Veatch Engineers                    | \$85/hr. to \$198/hr.   |

After evaluating written proposals, Staff interviewed the top two firms. Overall, Staff recommends that Burns and McDonnell be selected for this work. This recommendation is based on their successful response to the following criteria as outlined in the Request for Proposals:

- Response to specific requirements in the RFP, clarity and presentation of proposed scope, tasks and fee.
- The firm’s background and expertise in completing water tank projects of similar size, scope, and complexity.
- Firm's references related to the ability to complete project requirements on schedule and within budget.
- Firm's reputation with the City and familiarity with City codes, policy, procedures, and regulations.
- Professional background and experience of each key person of the project team.
- Key team member availability and commitment to the project.
- Level of effort, competitive firm fee and competitive hourly rates for staff assigned to this project relative to their experience level.
- Experience in the design of energy saving measures and life cycle cost analysis.

Burns and McDonnell’s hourly rate ranges for their key professional staff were \$139 to \$205 per hour and are consistent with their previous work performed for the City and similar to the ranges of other firms. Fees for preliminary design ranged from \$555,018 to \$708,204. Burns and McDonnell’s total fee was the lowest of the three proposals received, and their innovative approach will progress the preliminary design of the project to an equivalent end point to firms proposing higher fees. Their approach is comprehensive and their team highly qualified with a history of successful projects - many with the City - that are similar in size and scope. In Staff’s opinion, contracting with Burns and McDonnell to complete the preliminary design services will result in the highest quality end product and provide the best value to the City. Following successful completion of this preliminary design phase, Staff intends to negotiate with Burns and McDonnell for final design services and plans to return to City Council for approval of additional work.

Funds for preliminary and final design phases have been allocated for the project by City Council. Preliminary design work is anticipated to commence immediately with final design of the expansion project to begin this fall. The overall project, with construction, is currently estimated to cost \$35 million. This project helps achieve City Council’s Strategic Plan Goals of “Financially Sustainable City Government Providing Exceptional Services” and “Vibrant Neighborhoods in One Livable Community” by contributing to the objectives of well-maintained City infrastructure and facilities and maintaining neighborhood infrastructure.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment



# City of Westminster Zone 3 Expansion Project Conceptual Plan of Improvements



City of Westminster





Agenda Item 8 E

Agenda Memorandum

City Council Meeting  
May 19, 2014



**SUBJECT:** Standley Lake Bypass Project Construction and Engineering Contracts

**Prepared By:** Julie Koehler, Senior Engineer  
Stephanie Bleiker, Senior Engineer  
Stephen Grooters, Senior Projects Engineer

**Recommended City Council Action**

Authorize the City Manager to execute a contract with the low bidder, T. Lowell Construction Inc. in the amount of \$4,363,440 for construction of the Standley Lake Bypass Project plus a contingency of \$436,344 for a total authorized expenditure of \$4,799,784; and authorize an amendment to the design contract with Hatch Mott MacDonald, LLC to include engineering services during construction in the amount of \$607,155 plus a contingency of \$60,716 for a total of \$667,871, increasing the total authorized expenditure with this contractor from the previously approved amount of \$703,615 to \$1,371,486.

**Summary Statement**

- The City’s water supply system diverts raw water from various sources, delivers it through conveyance systems to Standley Lake, and distributes it through pipelines to the City’s water treatment facilities.
- Because all water must go through Standley Lake, additional system redundancy is desired to maintain reliable service should facilities be taken offline for emergencies, maintenance, or other reasons. A bypass pipeline was determined to be the best way to achieve that redundancy.
- The final design for the Standley Lake Bypass project was completed in January 2014 and construction bids were called in February 2014.
- Staff recommends that City Council approve award of the construction contract to the low bidder, T. Lowell Construction Inc.
- Hatch Mott McDonald, LLC. (HMM) was selected earlier through a competitive process for initial project engineering, which anticipated negotiating a contract for subsequent project phases. It is Staff’s assessment that HMM provides the best value for engineering services during construction, particularly their successful performance to date and ability to streamline project tasks.
- Staff recommends awarding the contract to HMM based on their competitive pricing, familiarity with the City’s infrastructure in the area and the successful completion of earlier project phases. Staff negotiated a competitive scope of work and fee with HMM and is requesting Council approval of the contract amendment.
- Construction is scheduled to be completed by summer 2015.
- Adequate funds are available for the project.

**Expenditure Required:** \$5,467,655

**Source of Funds:** Water Fund – Standley Lake Bypass Pipeline

**Policy Issues**

1. Should City Council authorize a contract with T. Lowell Construction Inc.?
2. Should the City authorize an amendment to HMM’s contract to add engineering services during construction?

**Alternatives**

1. The City could choose to reject all of the construction bids and rebid the project. The City received three bids from qualified construction companies. The two lowest bids were within a tight range of each other and both were close to the engineering cost estimate, which indicates competitive pricing. It is unlikely that new bids would be lower, and Staff recommends awarding the contract to the low bidder, T. Lowell Construction, Inc.
2. The City could choose to construct the improvements at a later date. However, the benefit of this project has been well studied and documented. The planning and design of this project was thorough and has identified the most cost-effective improvements to accomplish the bypass of Standley Lake using existing City facilities, minimizing operations and maintenance costs and protecting the City’s raw water resources. Staff recommends no delay in construction of this critical project.
3. Council could choose to request engineering proposals for engineering services during construction. This is not recommended as Staff believes that HMM provides the best value for this project. HMM is very familiar with the project requirements and the City infrastructure involved. The negotiated scope is competitive for the work. Staff recommends that HMM be retained for engineering services during construction.

**Background Information**

As part of the Comprehensive Water Supply Plan, Council gave Staff direction to pursue added redundancy to the City’s raw water supply system. The Standley Lake Bypass Study was initiated to identify the most cost-effective means to provide redundancy specific to Standley Lake and its outlet works. The outcome of the Bypass Study was the recommendation to construct new facilities at strategic locations to improve raw water delivery, and to provide redundancy and flexibility to manage raw water during planned or emergency equipment outages. The main work for this project includes installing a four-foot diameter water pipeline approximately 3,000 feet long with water and communications systems improvements at six locations as shown in the attached map.

The final design of the project was completed in January 2014 and a request for bids sent to nine qualified contractors. Three competitive bids were received and are summarized in the following table. Contractors who did not submit bids for the project indicated that availability of their crews and equipment did not match the required construction schedule.

| <b>Contractors</b>             | <b>Bid Price</b> |
|--------------------------------|------------------|
| T. Lowell Construction Inc.    | \$4,363,440      |
| Layne Heavy Civil Construction | \$4,591,500      |
| Aslan Construction, Inc.       | \$6,226,820      |
| Engineer’s Estimate            | \$4,457,000      |

A review of the bids received indicated that T. Lowell’s bid was valid and the dollar amount reasonable for the scope of the work. For reference, their bid is approximately five percent lower than the next highest bid and within one percent of the Engineer’s Estimate. The tight cluster of these three costs indicates a competitive bid and Staff recommends T. Lowell be awarded the construction contract.

Construction is anticipated to commence following award of the contract with substantial completion anticipated by summer 2015.

Following successful completion of the project design, Staff negotiated a contract amendment for engineering services during construction with HMM in the amount of \$607,155; Staff is recommending a contingency of \$60,716 for this amendment for a total of \$667,871. City Council approved the base contract (engineering design) with HMM in September 2012 plus two new scope items (Farmers' Highline Canal flow control gate replacement and replacing an existing emergency release valve and vault with one of larger size and capacity) in June 2013 for an authorized expenditure of \$703,615. City Council action is requested to amend the contract with HMM to continue engineering services during construction, bringing the total authorized expenditure to \$1,371,486, including contingency. Costs for construction management services are estimated to be approximately 13% of the project's construction cost and are reasonable given the complex scope of work. Included in HMM's services during construction are two critical elements for the City: 1) providing full time construction observation at six construction sites; and 2) assisting Staff in the preparation of a detailed operations agreement with the Farmers Highline Canal (FHL) and an operations manual. HMM has provided quality conceptual and final design work on the project and is very familiar with the existing conditions and the design intent of the new facilities. The HMM team is able to streamline project tasks and provide the best value to the City. Staff is recommending approval of the amendment to HMM's contract for this purpose.

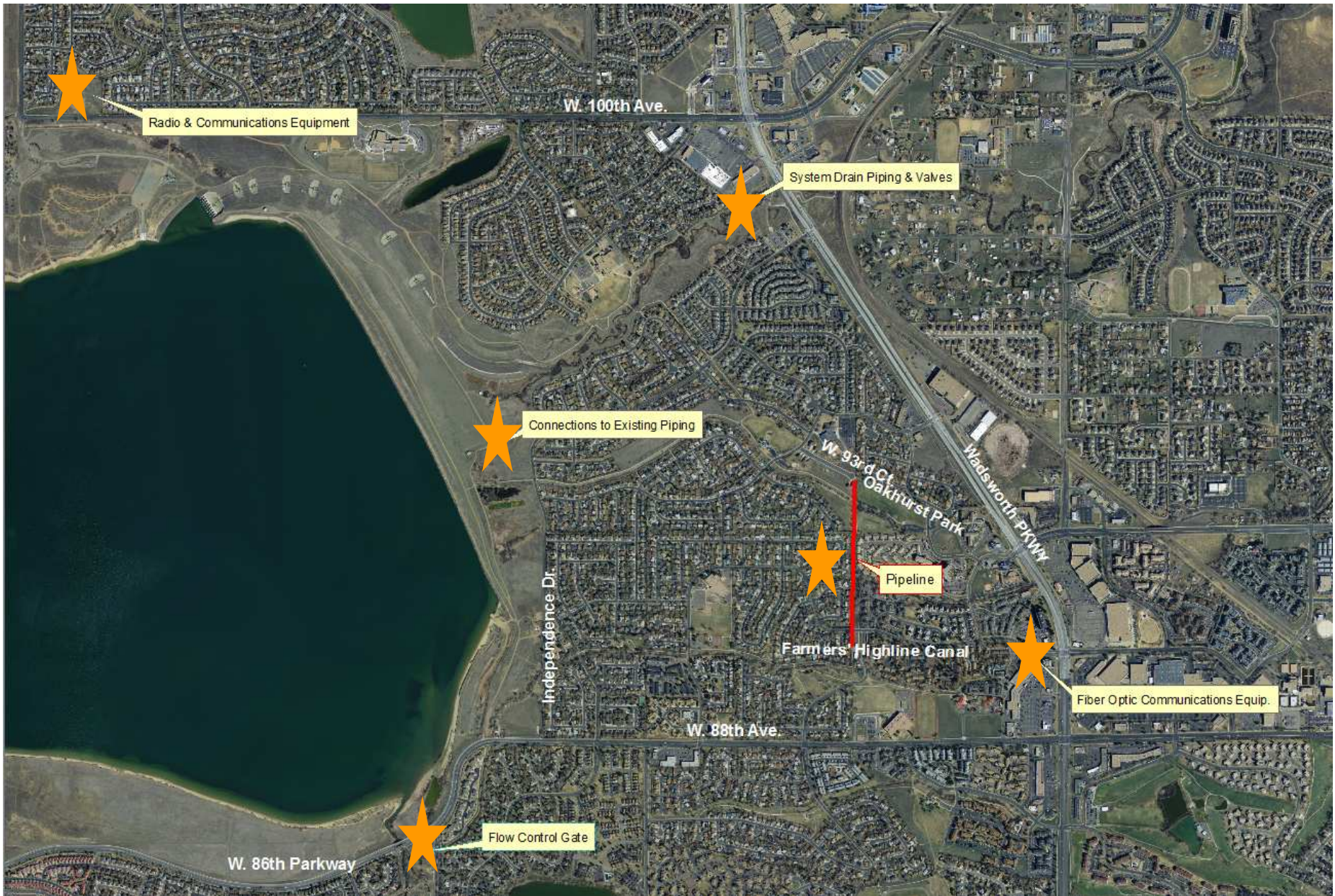
Adequate funds are available for the project.

The timely progress on the Standley Lake Bypass Project will assist the City in meeting City Council's Strategic Plan goals of providing "Financially Sustainable City Government Providing Exceptional Services," "Safe and Secure Community" and ensuring "Vibrant Neighborhoods In One Livable Community." With a water supply system that has reliable water delivery in place, the City can deliver water to its customers when interruptions would otherwise interfere.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Map



Map of Standley Lake Bypass Project System Improvement Sites



**Agenda Memorandum**

City Council Meeting  
May 19, 2014



**SUBJECT:** Little Dry Creek Interceptor Sewer Repair and Replacement Project

**Prepared By:** Stephanie Bleiker, Senior Engineer  
Stephen Grooters, Senior Projects Engineer

**Recommended City Council Action**

Authorize the City Manager to execute a contract with HDR Engineering, Inc. in the amount of \$741,640 for the predesign of the Little Dry Creek Interceptor Sewer Repair and Replacement Project, plus a contingency of \$74,164, for a total authorized expenditure of \$815,804.

**Summary Statement**

- Wastewater from the southern third of the City flows through a large sanitary sewer collection system known as the Little Dry Creek interceptor sewer.
- This sewer system services City customers from as far north as City Hall and extends through relatively older areas of Westminster on its way south to the final discharge into the Metro Wastewater Reclamation District system (see attached map).
- In 2012, Public Works and Utilities completed a condition and capacity assessment of the City's wastewater collection systems. The work identified several segments of the Little Dry Creek sewer that are greater than 50 years old, in poor condition, have reached the end of their useful life, and have inadequate hydraulic capacity to handle flows anticipated from development and redevelopment.
- The first of priority improvements has been constructed. The purpose of this project is to implement the remaining priority repairs and replacements.
- Out of four proposals for predesign engineering services, Staff is recommending a contract be awarded to HDR Engineering, Inc. (HDR). HDR submitted the most qualified and comprehensive proposal and their scope of work is competitive for the work proposed.
- Contingent on the success of this work, Staff intends to bring back a recommendation to contract with HDR for the subsequent final design of the project.
- Adequate funds are available in the Little Dry Creek Interceptor Repair Design account.

**Expenditure Required:** \$815,804

**Source of Funds:** Utility Fund - Little Dry Creek Interceptor Sewer Repair Predesign

**Policy Issue**

Should the City execute a contract with HDR for the preliminary design of the Little Dry Creek Interceptor Sewer Repair and Replacement Project?

**Alternatives**

1. The City could decide not to contract with HDR for the project's preliminary design. This is not recommended because HDR is highly qualified to do the work and provides best value for the project. HDR is very familiar with the City's sewer collection system infrastructure having successfully completed the City's sewer master planning project in 2012, and their fee is competitive.
2. The City could decide to delay this project. This is not recommended because the repair and replacement work identified is a priority in the sewer system and necessary to address age and condition issues.

**Background Information**

In 2012, Staff completed a condition and capacity analysis of the City of Westminster's large diameter sanitary sewers. Recommendations identified projects throughout the City, with particular priority for repair and replacement projects within south Westminster. The sewer that services customers in the south portions of the City, referred to as the Little Dry Creek Interceptor Sewer, is old, in poor condition, and has limited capacity to support development and redevelopment. Several projects have already been implemented including: 1) Sewer replacement between Lowell and Federal, 2) Integrating sewer replacement as part of the 72<sup>nd</sup> and Raleigh Street Bridge Replacement Project, and 3) incorporating sewer betterments for work associated with the RTD FasTracks project near the proposed Westminster Station. Additional work is needed to address remaining priority repairs and replacements and is consolidated into this Little Dry Creek Interceptor Sewer Repair and Replacement Project. The attached map shows the interceptor sewers that are included.

The first phase of the project is preliminary design and the confirmation of several project issues including property boundaries and rights of way, preferred pipeline alignments and pipe sizing, project phasing, alternative contracting methods, and appropriate construction sequencing. In addition, the first phase includes preparing documents required for potential easement and/or land acquisition.

Staff sent a Request for Proposals to seven engineering firms that specialize in projects of this size and complexity. Four proposals were received as listed below. The firms that did not respond indicated that the size and timing of the project did not match their available resources or they did not feel competitive for this size and scope of a project.

The HDR team is recommended based on their response to the criteria outlined in the Request for Proposals:

- The overall quality of the proposal demonstrates a strong understanding of project scope and the City's goals and expectations.
- The firm understands the project schedule constraints and proposes an approach to meeting project objectives on schedule.
- The total level of effort relative to the proposed approach is appropriate. HDR's proposal delivers a complete preliminary design that will help streamline subsequent design efforts.
- HDR's design fees are reasonable and competitive for projects of this size. HDR and their team are a full service design/construction engineering firm, fully qualified to model, design and provide engineering construction phase services.

- The firm has recent and relevant project experience in the Colorado region and within the City for work of similar size, scope and complexity, and received positive reference feedback regarding past project performance and the performance of individuals proposed for the project.
- The project schedule and task breakdown demonstrates a clear understanding of the project and City goals, objectives, and schedule.
- The firm has a local office of team members who have intimate knowledge of the City's Little Dry Creek interceptor sewer system.

The four firms that submitted proposals and hourly rate ranges for their key staff were as follows:

| Engineering Firm     | Fee Range             |
|----------------------|-----------------------|
| Hatch Mott MacDonald | \$80/hr. to \$195/hr. |
| HDR                  | \$78/hr. to \$230/hr. |
| URS                  | \$53/hr. to \$177/hr. |
| CH2M Hill            | \$70/hr. to \$190/hr. |

Engineering fees were based on each firm's proposed approach and ranged from \$395,100 to \$796,210. HDR's proposed engineering fee was \$741,640. The HDR team is the best qualified and presented the best approach. Their fee is relatively higher than some of the proposals received because they included additional scope of work to advance the predesign phase beyond that identified in the other firms' proposals and help streamline subsequent final design tasks. Their team had the strongest knowledge of Westminster's Little Dry Creek interceptor sewer system having successfully completed the sewer master plan study in 2012, and their proposed approach can potentially reduce overall project life cycle costs. Retaining the HDR team to complete the predesign will result in a better end project and provide the best value to the City.

Existing funds in the Little Dry Creek Sewer account are sufficient to fund this preliminary design.

The timely progress on the Little Dry Creek Interceptor Sewer Repair and Replacement Project will assist the City in meeting City Council's Strategic Plan goals of providing "Financially Sustainable City Government Providing Exceptional Services," and "Vibrant Neighborhoods in One Livable Community" with a wastewater collection system that is reliable and meets the City's current and future needs.

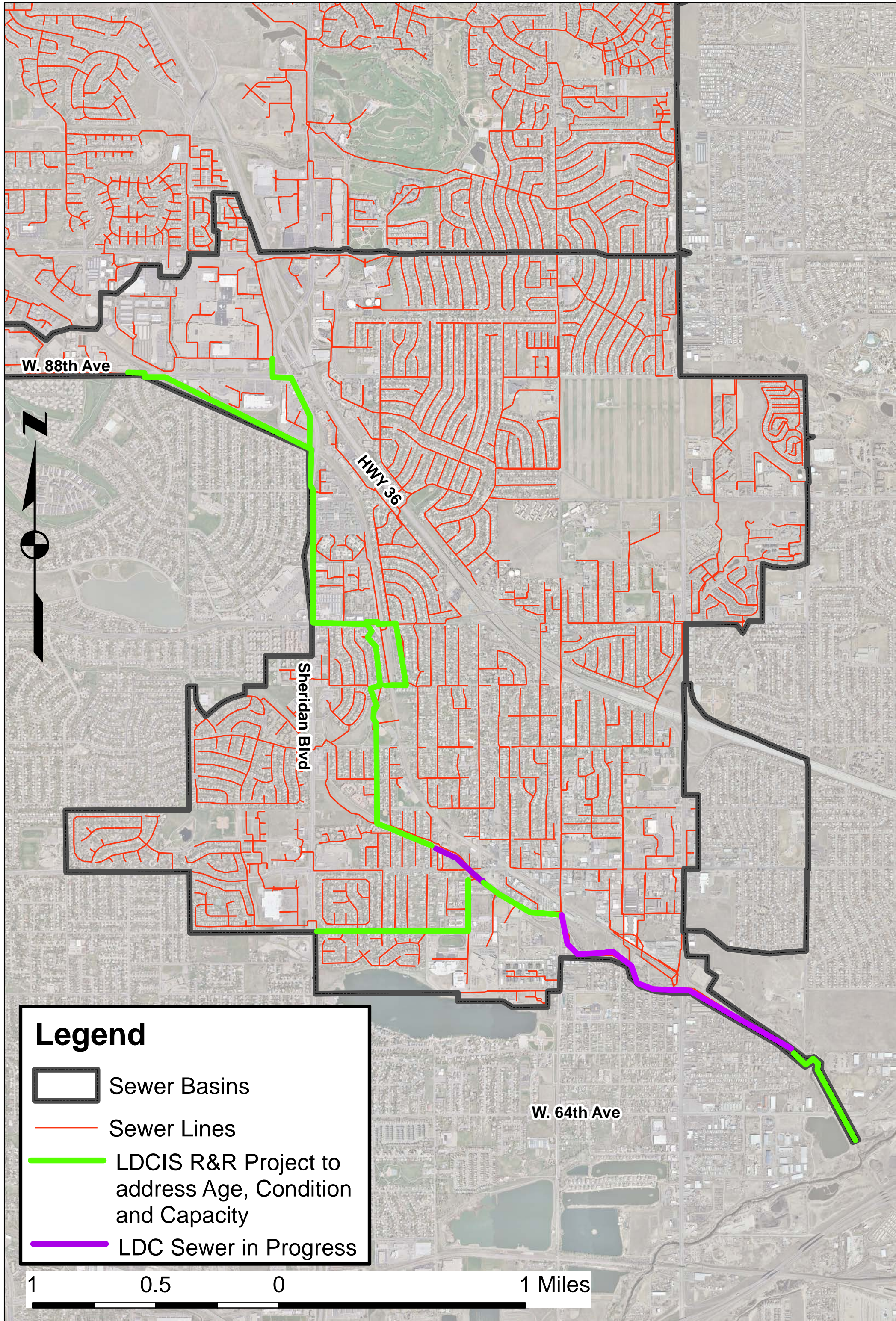
Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Map



# LITTLE DRY CREEK INTERCEPTOR SEWER REPAIR AND REPLACEMENT PROJECT





**Agenda Memorandum**

City Council Meeting  
May 19, 2014



**SUBJECT:** Councillor's Bill No. 14 re 2014 1<sup>st</sup> Quarter Budget Supplemental Appropriation

**Prepared By:** Karen Barlow, Accountant

**Recommended City Council Action**

Pass Councillor's Bill No. 14 on first reading, providing for a supplemental appropriation of funds to the 2014 budget of the General, Storm Drainage, Sales and Use Tax, and General Capital Improvement (GCIF) 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.
- General Fund amendments:
  - \$240,196 Reimbursements
  - \$74,388 Grant Proceeds
  - \$4,871 Miscellaneous
- Storm Drainage Fund amendments:
  - \$88,262 Reimbursements
- Sales and Use Tax Fund amendments:
  - \$287,291 Reimbursements
- General Capital Improvement Fund amendments:
  - \$525,138 Transfers

**Expenditure Required:** \$1,220,146

**Source of Funds:** The funding sources for these budgetary adjustments include reimbursements, grant proceeds, miscellaneous, and transfers.

**Policy Issue**

Does City Council support amending the appropriations for the 2014 budget of the General, Storm Drainage, Sales and Use Tax, and General Capital Improvement Funds as outlined?

**Alternative**

The alternative would be not to amend the 2014 budget appropriations for the General, Storm Drainage, Sales and Use Tax, and General Capital Improvement Funds and to utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred expenses and covered them with their current budget or planned projects in anticipation of appropriation of these additional funds.

**Background Information**

The attached Councillor's Bill is a routine action addressing the need to adjust revenue and expenditure appropriations as a result of activities or events that were not anticipated during the normal budget process.

The Parks, Recreation, and Libraries Department received a grant of \$24,423 from the State of Colorado. The funds are being appropriated to Library Materials accounts for the purchase of books and electronic materials to enhance early literacy and learning.

The Community Development Department received a reimbursement of \$88,262 from the Crestview Water & Sanitation District. During the construction of the Little Dry Creek Interceptor Sewer and Crestview Sanitary Sewer relocation project, it was determined that an additional six hundred feet of the Crestview sanitary system needed to be repaired. Since this was outside of the original scope of the project and the value of replacing this part of the system was a benefit both to the City of Westminster and the Crestview Water and Sanitation District, Crestview offered to pay for the additional work. The benefit to the City is that this additional sanitary sewer line will now be repaired and relocated in such a way as to not impact the future Little Dry Creek Park project and associated infrastructure. The \$88,262 is the full amount of the engineering design and construction for this additional work. Staff is requesting that these funds be appropriated to the Little Dry Creek Regional Detention capital project account.

The Public Works and Utilities Department received \$619 in subrogation monies. This was for street signs damaged throughout the City, and the funds are being appropriated to the Signing Materials account in the Street Division.

The Public Works and Utilities Department received \$500 in scholarship money from the Colorado Asphalt Pavement Association (CAPA). Kurt Muehlemeyer, Pavement Management Coordinator, was awarded this scholarship to be used for training. The funds are being appropriated to the Career Development account in the Street Division.

The City received a reimbursement of \$606,500 from the Westminster Economic Development Authority (WEDA). This was in accordance with the Intergovernmental Cooperation Agreement between the City of Westminster and WEDA approved on March 10, 2014. The reimbursement was for costs that the City had incurred associated with a redevelopment agreement benefitting the South Sheridan Urban Renewal Area (URA) and City-incurred costs related to maintenance of improvements in the URA. The intended use of the reimbursed funds is for improvement projects in the City. However, Staff is requesting that a portion of the reimbursement, or \$81,362, be used to backfill earmarked tax dollars that were rebated with the balance of the funds, or \$525,138, being transferred to the General Capital Improvement Fund for the South Westminster TOD project. Typically, sales tax incentive rebates exclude the 0.25% open space tax and the 0.6% public safety tax. In the case of the economic development agreement approved in the South Sheridan Urban Renewal Area, this exclusion was omitted in error. This reimbursement by WEDA provides the opportunity to restore those earmarked taxes that were rebated by omission. Staff is requesting that the \$525,138 be appropriated to the Westy Station South capital project account.

The General Services Department received \$4,371 from the State of Colorado for the City’s drop-off recycling program. These funds are being appropriated to the department’s Solid Waste Collection Customer Service account.

The Police Department received \$4,279 from the State of Colorado Department of Transportation for their participation in the High Visibility Impaired Driving Enforcement (HVIDE) campaign. The grant reimburses overtime incurred by enforcement officers while working the New Year’s and Superbowl enforcement campaigns. The funds are being appropriated to the department’s Overtime account.

The Police Department received \$5,353 from the State of Colorado Department of Transportation, Law Enforcement Assistance Funding (LEAF) Grant, for overtime incurred while officers worked DUI enforcement for the period of July 1, 2013 through June 30, 2014. The funds are being appropriated to the department’s Overtime account.

The Police Department received \$1,730 from the Jefferson County Emergency Communications Authority Board (E911). This was reimbursement for training expenses for Communications supervisory personnel. This includes the Powerphone Supervisor training, online training, and the Association of Public Safety Communications Officers (APCO) Emergency Medical Dispatch Instructor course. The reimbursement is being appropriated to the department’s Career Development account.

The Fire Department received \$11,600 from the State of Colorado for the Emergency Management Program Grant (EMPG). These funds are to be used to continue developing the City of Westminster Emergency Management program. Specifically, the funds will be used for plan updates and business and faith-based outreach programs.

The Fire Department received \$994 from the West Metro Fire Protection District on behalf of the Colorado Urban Search and Rescue Task Force One. This reimbursement is for overtime incurred by the Fire Department personnel while assisting with the maintenance and inventory of the Hazardous Material Equipment Push Package (HEPP). This work ensures that the Hazmat equipment is ready when needed. The funds are being appropriated to the Salaries Overtime account.

The Fire Department received \$27,739 from the West Metro Fire Protection District on behalf of the Colorado Urban Search and Rescue Task Force One. This reimbursement is for overtime incurred by the Fire Department personnel while assisting with the Lyons flood. The funds are being appropriated to the Salaries Overtime account.

These appropriations will amend General Fund revenue and expense accounts as follows:

**REVENUES**

| Description              | Account Number  | Current Budget | Amendment        | Revised Budget |
|--------------------------|-----------------|----------------|------------------|----------------|
| Federal Grants           | 1000.40610.0000 | \$35,000       | \$40,333         | \$75,333       |
| State Grants             | 1000.40620.0000 | 63,000         | 34,055           | 97,055         |
| General                  | 1000.43060.0000 | 282,737        | 4,871            | 287,608        |
| Reimbursements           | 1000.43080.0000 | 55,000         | <u>240,196</u>   | 295,196        |
| Total Change to Revenues |                 |                | <u>\$319,455</u> |                |

**EXPENSES**

| Description                   | Account Number      | Current Budget | Amendment | Revised Budget |
|-------------------------------|---------------------|----------------|-----------|----------------|
| Transfers GCIF                | 10010900.79800.0750 | 73,009         | 237,847   | 310,856        |
| Solid Waste Collect Cust Serv | 10012390.67300.0702 | 60,044         | 4,371     | 64,415         |
| Career Dev-Comm Sect          | 10020300.61800.0345 | 4,400          | 1,730     | 6,130          |
| Salaries OT-Traffic           | 10020500.60400.0348 | 55,000         | 9,632     | 64,632         |
| Salaries Overtime             | 10025260.60400.0000 | 217,126        | 20,388    | 237,514        |

|                              |                     |         |                  |         |
|------------------------------|---------------------|---------|------------------|---------|
| Salaries Overtime-EMS        | 10025260.60400.0546 | 71,750  | 8,345            | 80,095  |
| Contract Services (EM Grant) | 10025260.67800.0545 | 0       | 11,600           | 11,600  |
| Career Development           | 10035450.61800.0000 | 14,031  | 500              | 14,531  |
| Signing Materials            | 10035450.72600.0000 | 53,150  | 619              | 53,769  |
| Library Materials            | 10050620.71600.0000 | 275,000 | 14,823           | 289,823 |
| Library eMaterials           | 10050620.71700.0000 | 47,150  | <u>9,600</u>     | 56,750  |
| Total Change to Expenses     |                     |         | <u>\$319,455</u> |         |

These appropriations will amend Storm Drainage Fund revenue and expense accounts as follows:

REVENUES

| Description              | Account Number  | Current Budget | Amendment       | Revised Budget |
|--------------------------|-----------------|----------------|-----------------|----------------|
| Reimbursements           | 2500.43080.0000 | \$0            | <u>\$88,262</u> | \$88,262       |
| Total Change to Revenues |                 |                | <u>\$88,262</u> |                |

EXPENSES

| Description                    | Account Number         | Current Budget | Amendment       | Revised Budget |
|--------------------------------|------------------------|----------------|-----------------|----------------|
| Little Dry Creek Reg Detention | 80825030829.80400.8888 | \$1,870,249    | <u>\$88,262</u> | \$1,958,511    |
| Total Change to Expenses       |                        |                | <u>\$88,262</u> |                |

These appropriations will amend Sales and Use Tax Fund revenue and expense accounts as follows:

REVENUES

| Description              | Account Number  | Current Budget | Amendment        | Revised Budget |
|--------------------------|-----------------|----------------|------------------|----------------|
| Reimbursements           | 5300.43080.0000 | \$0            | <u>\$287,291</u> | \$287,291      |
| Total Change to Revenues |                 |                | <u>\$287,291</u> |                |

EXPENSES

| Description              | Account Number      | Current Budget | Amendment        | Revised Budget |
|--------------------------|---------------------|----------------|------------------|----------------|
| Transfers GCIF           | 53010900.79800.0750 | \$2,435,534    | <u>\$287,291</u> | \$2,722,825    |
| Total Change to Expenses |                     |                | <u>\$287,291</u> |                |

These appropriations will amend General Capital Improvement Fund revenue and expense accounts as follows:

REVENUES

| Description              | Account Number  | Current Budget | Amendment        | Revised Budget |
|--------------------------|-----------------|----------------|------------------|----------------|
| TRF General Fund         | 7500.45000.0100 | \$0            | <u>\$237,847</u> | \$237,847      |
| TRF Sales & Use Tax      | 7500.45000.0530 | 2,435,534      | <u>287,291</u>   | 2,722,825      |
| Total Change to Revenues |                 |                | <u>\$525,138</u> |                |

EXPENSES

| Description              | Account Number         | Current Budget | Amendment        | Revised Budget |
|--------------------------|------------------------|----------------|------------------|----------------|
| Westy Station South      | 81375030073.80400.8888 | \$1,802,000    | <u>\$525,138</u> | \$2,327,138    |
| Total Change to Expenses |                        |                | <u>\$525,138</u> |                |

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

The proposed action supports the City Council's strategic goals of Strong, Balanced Local Economy, Safe and Healthy Community, Financially Sustainable City Government Providing Exceptional Services, Vibrant Neighborhoods in One Livable Community and Beautiful and Environmentally Sensitive City.

Respectfully submitted,

J. Brent McFall  
City Manager  
Attachment – Ordinance

BY AUTHORITY

ORDINANCE NO. **14**

COUNCILLOR'S BILL NO.

SERIES OF 2014

INTRODUCED BY COUNCILLORS

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**A BILL**

**FOR AN ORDINANCE AMENDING THE 2014 BUDGETS OF THE GENERAL, STORM DRAINAGE, SALES AND USE TAX, AND GENERAL CAPITAL IMPROVEMENT FUNDS, AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the General, Storm Drainage, Sales and Use Tax, and General Capital Improvement Funds initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$1,220,146. This appropriation is due to the receipt of funds from reimbursements, grants, miscellaneous, and transfers.

Section 2. The \$1,220,146 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10A dated May 19, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

|                                  |                    |
|----------------------------------|--------------------|
| General Fund                     | \$319,455          |
| Storm Drainage Fund              | 88,262             |
| Sales and Use Tax Fund           | 287,291            |
| General Capital Improvement Fund | <u>525,138</u>     |
| Total                            | <u>\$1,220,146</u> |

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 19<sup>th</sup> day of May, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9<sup>th</sup> day of June, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

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



## Agenda Item 10 B

### Agenda Memorandum

City Council Meeting

May 19, 2014



**SUBJECT:** Resolution No. 10 Regarding Creation of an Arts District in South Westminster

**Prepared By:** Tony Chacon, Senior Projects Coordinator

### Recommended City Council Action

Approve Resolution No. 10 supporting the creation of an arts district in the South Westminster revitalization area.

### Summary Statement

- City staff has embarked on many planning and programming endeavors as a means of revitalizing and redeveloping the South Westminster area into a desirable and sustainable community;
- The South Westminster Strategic Revitalization Plan that was adopted by City Council in 2001 that promoted arts and culture as a potential revitalization tool;
- A study conducted in 2005 by Artspace USA, a nationally renowned art development consultant, identified the South Westminster area as a prime location to attract and develop the arts and related enterprises;
- The City has made substantial investments in support of the arts in South Westminster with the acquisition and improvement of property to house the Rodeo Market Community Arts and Cultural Center and the community theater, and facilitated the creation of the South Westminster Arts Group (SWAG) to promote and provide arts and cultural activities and events;
- The Harris Park commercial area of South Westminster supports an existing and growing concentration of artists and arts related and supporting businesses and facilities, and is host to two arts and cultural events being the Historic Westminster Jazz and Art Fest and the Orchard Festival;
- The growth of the arts in the Harris Park commercial area, combined with the City's MAC for Active Adult Lifestyles Center and the Irving Street Library, make the area viable for establishment as a state-designated Creative Industries District;
- The creation of an arts district in South Westminster would further support the City's revitalization efforts and work towards strengthening the economic base of the area;
- The Historic Westminster Art District (HWAD) has been invited by the State to apply for participation in the Creative Industries District program subject to support from the City of Westminster; and
- The State requires a resolution or ordinance adopted by the City Council as a means of showing the community's support towards creation of the creative district.

**Expenditure Required:** \$10,000 (Over a 2-year period and only upon acceptance into the State program)

**Source of Funds:** South Westminster Capital Improvements Program Fund



## **Policy Issue**

Should the City Council adopt a resolution in support of creating a State designated Creative Industries District?

## **Alternatives**

- The City could choose to not pursue creation of an arts district. This alternative is not recommended as there is evidence to show that arts related activities can have a positive impact on revitalizing a neighborhood.
- The City could choose not to pursue designation as a state-certified creative district and establish a City designated district. Staff does not recommend this alternative because being accepted into the State program provides a high level of planning and technical support in capacity building, along with a small start-up stipend.

## **Background Information**

City staff has embarked on many planning and programming endeavors as a means of revitalizing and redeveloping the South Westminster area into a desirable and sustainable community. The South Westminster Strategic Revitalization Plan, adopted by City Council in 2001, promoted arts and culture as a potential revitalization tool. In implementing the plan, City staff began to study the desirability of attracting artists and arts-related business and development in the South Westminster area as a revitalization tool. Artspace USA, an arts development consultant, was hired by the City in 2005 to evaluate the prospect for developing an arts community. The consultant visited historic buildings, met with business and property owners and city officials, and conducted focus groups with lenders, developers and artists in the South Westminster community. Based on its findings, Artspace concluded that the South Westminster area, and more particularly the historic Harris Park neighborhood, provided the bones for creating an arts community and attracting artists and arts-related businesses accordingly. The study concluded that the existing housing and commercial stock, along with possible redevelopment of property to accommodate artists, particularly affordably priced housing, could serve the residential and working needs of creative professionals such as artists, musicians, dancers and other workers in the arts.

In further support of developing the infrastructure to support an arts community, Staff envisioned the possibility of creating a community-scale arts and cultural center that could be operated by either the City or an arts-supporting non-profit (eventually being the South Westminster Arts Group). The location for such a facility presented itself when the Rodeo Market building at 3915 W. 73<sup>rd</sup> Avenue, immediately adjacent to the historic Westminster Grange Hall, became available for purchase. Given the opportunity, the Westminster Housing Authority acquired the Rodeo Market building in 2004. Similar to the Westminster Grange building to the west, the Rodeo Market contributed significantly to the history of commercial development in Westminster having been the community's first designated "supermarket." The City expended over \$160,000, a significant portion of which was provided as a grant from the State Historic Fund, in restoring the historic façade and improving the interior space to accommodate utilization as a community center and gallery. The space was then leased to the South Westminster Arts Group to operate in this capacity.

To further success in making South Westminster an attractive locale for the arts, the City worked to develop non-profit organizational capacity to assist in promoting and sponsoring arts and cultural programming. Accordingly City staff worked with a group of local community members to form the South Westminster Arts Group (SWAG) that was established with the mission of assisting the City in implementing arts and cultural programming for the South Westminster neighborhood. SWAG currently leases the City-owned building at 3915 West 73<sup>rd</sup> Avenue from which it operates the Rodeo Market

Community Arts and Cultural Center, which serves as a hub for community-based arts programming and activities. SWAG currently provides or partners in providing a number of arts and cultural activities and programs for the community that include the following:

- Sculpture on 73<sup>rd</sup> Avenue Public Sculpture Garden;
- The Second Saturday Art Walk;
- The annual Orchard Festival;
- Children's education programming including a free drop-in clinic, holiday art projects as part of the Westminster Hometown Christmas event, and outreach programs at the Westminster Faire, the Historic Westminster Jazz and Art Fest, and the Summer Celebration;
- Adult education programming including drawing, painting, and writing classes; and,
- Art gallery showings.

The Historic Westminster Arts District (HWAD), formed in 2010 by a collection of arts businesses, also works in collaboration with both the City of Westminster and SWAG to further the growth of creative industries and arts in South Westminster. Organizationally, HWAD provides marketing support for member businesses in South Westminster, with a particular focus on businesses being part of or serving the arts community. HWAD focuses its recruitment of businesses in the historic Harris Park commercial area generally bounded by Lowell Boulevard, 72<sup>nd</sup> Avenue, Bradburn Boulevard and 73<sup>rd</sup> Avenue. HWAD also coordinates themes and activities centered around monthly art walks and facilitates the annual Historic Westminster Jazz and Art Fest.

The City also works cooperatively with a number of other community art organizations including the North Metro Arts Alliance (NMAA), the Paletteers Art Club, and Hyland Hills Parks & Recreation District, all of which contribute to arts endeavors and have a physical presence in South Westminster.

The City has also made significant investment in public infrastructure improvement over the last 20 years that have contributed to the area becoming an arts destination. These improvements have included streetscape improvements to several streets including Lowell Boulevard, 72<sup>nd</sup> Avenue, 73<sup>rd</sup> Avenue, Federal Boulevard, and Meade Street, which have contributed to the area becoming an aesthetically appealing, walkable community. Park improvements have also been completed, including construction of the Irving Street Park, Torii Square Park, and the Rodeo Market Park, each of which serves as a venue for varying interests and uses. The Rodeo Market Park, for instance, serves as home to an outdoor art sculpture exhibit that is changed out annually, and the Irving Street Park serves to host larger scale concerts and events. Several pieces of public art have also been installed throughout the area.

In addition, the City owns and operates the MAC, an active adult lifestyles center located on the northwest corner of Hooker Street and 72<sup>nd</sup> Avenue, and the Irving Street Library and Park serve as venues providing classes and activities on a regular basis. The MAC further serves as an art gallery showcasing high quality paintings by members of the Westminster Paletteers Art Club. The Irving Street Park operates in support of both the MAC and the library and also serves to host free summer concerts provided by the City of Westminster. South Westminster is also host to two significant arts related events being the Historic Westminster Jazz and Art Fest, held on the grounds of the historic Hidden Lake High School, and the Orchard Festival held in the heart of the historic Harris Park commercial area at 73<sup>rd</sup> Avenue and Orchard Court.

Since the implementation of its initial activities, the City has seen significant success in the continuing evolution of an arts community in South Westminster, particularly in the Harris Park commercial area generally located between Lowell Boulevard and Bradburn Boulevard from 72<sup>nd</sup> Avenue to 73<sup>rd</sup> Avenue. Where the neighborhood was once considered virtually devoid of the arts, the area is now home to several galleries and arts-related businesses, a host to at least two festivals, and has become an attractive home base for aspiring artists. This interest from the arts community and associated activity continues to grow through the efforts of the City, the South Westminster Arts Group, and the Historic Westminster Art

District with support from the North Metro Arts Alliance. This level of success to date and the anticipated future growth have placed the City in a solid position to pursue designation of a portion of South Westminster as a State-designated creative district. Designation would provide a tremendous boost to the City's efforts to revitalize South Westminster through the creation and acknowledgement of the area as a destination for artists and patrons of the arts.

In 2011, the Colorado legislature passed a bill encouraging the formation of creative districts in communities, neighborhoods or contiguous geographic areas, for the purposes of:

- Attracting artists and creative entrepreneurs to a community, infusing new energy and innovation, which in turn will enhance the economic and civic capital of the community;
- Creating hubs of economic activity, thereby enhancing the area as an appealing place to live, visit and conduct business, as well as create new economic activity;
- Attracting visitors;
- Revitalizing and beautifying communities;
- Providing a focal point for celebrating and strengthening a community's unique identity;
- Showcasing cultural and artistic organizations, events and amenities;
- Contributing to the development of healthy communities; and
- Improving the quality of life of the State's residents.

The State Office of Creative Industries is charged with providing leadership and a helping hand to local communities desirous of developing their own creative district by certifying Creative Districts, offering incentives to encourage business development, exploring new incentives that are directly related to creative enterprises, facilitating local access to State assistance, enhancing the visibility of Creative Districts, providing technical assistance and planning help, ensuring broad and equitable program benefits and fostering a supportive climate for arts and culture. Through these efforts, the State works in partnership to develop the capacity and sustainability of creative districts as an economic and community development tool, and to serve as an incubator to assist creative districts with a variety of elements to ensure success.

The Office of Creative Industries opens up application for designation as a State-certified district every one or two years, and selects only a handful of communities into to the program. The selection process involves interested organizations/communities submitting a letter of interest from which the State selects a small number of applicants. The Historic Westminster Art Group (HWAD) submitted a letter of interest to the State in March, 2014, and has been notified that a proposed district in South Westminster is one of eleven prospects that has been invited to apply for participation in the certification program. The State intends to select seven communities from the eleven applicants to participate.

To become eligible to receive designation as a Creative District, a proposed district should be a contiguous area that includes a mix of uses within the district boundaries that are typically small enough to be walkable, and include a concentration of arts and cultural organizations and businesses, both nonprofit and for-profit. They also incorporate complementary non-arts businesses such as restaurants, offices, retail stores, housing and lodging. The districts are also characterized by vigorous arts and cultural activity such as art walks and arts-related festivals.

Becoming a Certified Creative District can have significant benefit to the community. While the primary intent of the program is not to provide a regular source of grant funding, there is some nominal financial benefit to designated Certified Districts. Potential financial sources include a Boettcher Foundation Leadership Award grant for Colorado's fiscal years 2015 and 2016, for which a Certified District must provide a cash match. Creative Industries also provides funding to Certified Districts for their first two years of certification in fiscal year 2015 and 2016. In these first two years, the local sponsoring entity must provide an annual match of \$5,000. After 2016, Certified Districts will be eligible to apply for competitive Colorado Creates grants each year.

In addition to these cash grant funding sources, there are other non-cash benefits that can be tapped to improve the capacity and sustainability of the districts. The benefits and resources available to a Creative District include the following:

- Designated Creative Industries staff to support program strategies and assist Districts;
- National and statewide marketing, advertising and social media opportunities;
- District recognition on Colorado Department of Transportation signage;
- Technical assistance from professionals in a variety of fields;
- Access to national and statewide training and conferences;
- Economic impact data and information;
- Training webinars with world renowned consultants;
- Assistance with Geographic Information System (GIS) based asset mapping;
- Access to research and best practices;
- Access to financial capital;
- Ability to leverage direct funding from other sources and partnerships; and
- Mentoring and coaching from other Colorado Certified Creative Districts.

Receiving designation as a certified Creative District by the State does not impose any regulatory restrictions or mandates on properties within the boundaries of the district. There is also no taxing authority vested by creation of a district, and therefore imposes no additional tax burden on property owners or businesses by virtue of receiving State certification.

Local governmental support is required for participation in the program. As a means of showing this support, the Office of Creative Industries requires the adoption of a resolution or ordinance supporting creation of the district. Staff has prepared a resolution for City Council consideration expressing its intention to establish a creative district in South Westminster. A map attached to the resolution shows a general area that will be further evaluated and refined to eventually define the actual district boundaries. The final district boundaries will be developed working with the community in the two-year incubation period following acceptance into the program by the State.

Adoption of the proposed resolution meets the City Strategic Plan Goal of Vibrant Neighborhoods in One Livable Community, whereby establishment of a creative district in South Westminster further promotes the revitalization efforts in the neighborhood.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment – Resolution No. 10

RESOLUTION

RESOLUTION NO. **10**

INTRODUCED BY COUNCILLORS

SERIES OF 2014

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**A RESOLUTION SUPPORTING THE FORMATION OF A COLORADO CREATIVE  
DISTRICT  
WITHIN THE CITY OF WESTMINSTER**

WHEREAS, Colorado's Creative Industries Division, within the Office of Economic Development and International Trade, was established in July 2010 to capitalize on the immense potential for Colorado's creative sector to drive economic growth in Colorado; and

WHEREAS, in 2011 the Colorado Legislature passed HB11-1031, which encourages the formation of Colorado Creative Districts in communities, neighborhoods, or contiguous geographic areas; and

WHEREAS, the City Council recognizes that the promotion and development of human creativity, arts and culture provides a unique opportunity in fulfilling the economic revival of South Westminster; and

WHEREAS, the City has made significant investment in developing infrastructure and laying the foundation to support the arts and creative industries in South Westminster; and

WHEREAS, the City Council has determined it is advantageous and appropriate to designate a portion of South Westminster as a creative district, as generally shown in Exhibit "A" which is attached hereto and incorporated by this reference; and

WHEREAS, the Historic Westminster Art District group has submitted a Letter of Intent to the State and has been invited to submit an application for candidacy to the Colorado Creative District Certification Program to become a state-certified creative district.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER:

1. That the City Council designates a portion of South Westminster as a creative district, pursuant to §24-48.5-314(3), C.R.S.
2. That the City Council supports the formation of a certified Colorado Creative District within a portion of the City of Westminster (see Exhibit "A") in accordance with the provisions of HB11-1031.
3. That the City Council supports the Historic Westminster Art District in submitting an application to the State of Colorado to participate in the formation of a state-certified creative district in South Westminster.

PASSED AND ADOPTED this 19<sup>th</sup> day of May, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

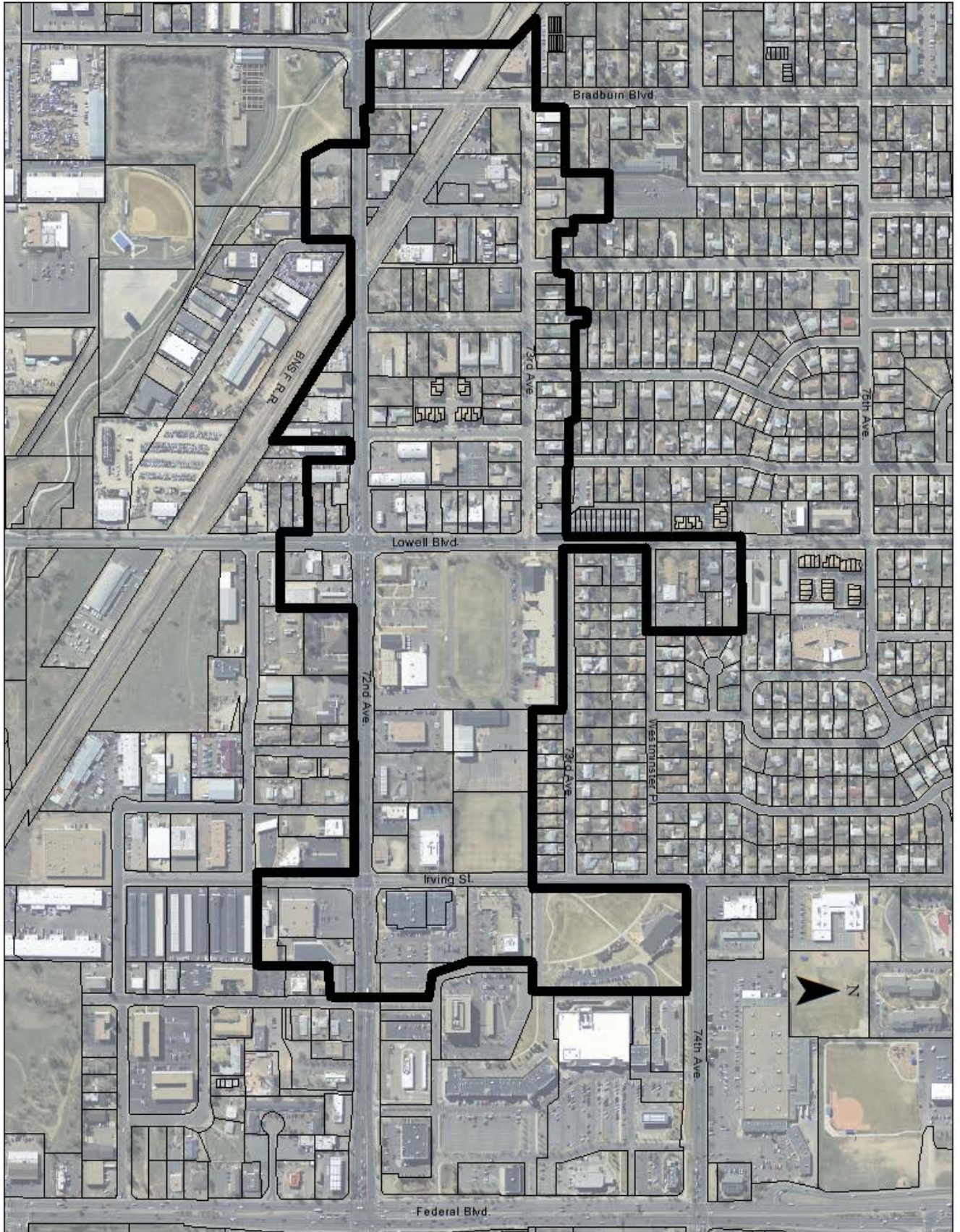
\_\_\_\_\_  
City Clerk

APPROVED AS TO LEGAL FORM:

By: \_\_\_\_\_  
Office of the City Attorney

EXHIBIT "A"

General Creative District Boundaries







**AGENDA**

**WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY  
SPECIAL MEETING**

**MONDAY, MAY 19, 2014**

**AT 7:00 P.M.**

- 1. Roll Call**
- 2. Minutes of Previous Meeting** (March 10, 2014)
- 3. Public Hearings and New Business**
  - A. License Agreement for Farmer's Market on Westminster Urban Reinvestment Project Site
- 4. Adjournment**

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY  
MONDAY, MARCH 10, 2014, AT 7:11 P.M.

ROLL CALL

Present at roll call were Chairperson Herb Atchison, Vice Chairperson Faith Winter and Board Members Bruce Baker, Bob Briggs, and Emma Pinter. Board Members Alberto Garcia and Anita Seitz were absent and excused. Also present were J. Brent McFall, Executive Director, Martin McCullough, Attorney, and Linda Yeager, Secretary.

APPROVAL OF MINUTES

Board Member Briggs moved, seconded by Board Member Baker, to approve the minutes of the meeting of February 24, 2014, as written. The motion carried unanimously.

WEDA/CITY ICA FOR REIMBURSEMENT OF CERTAIN SOUTH SHERIDAN URA COSTS

Upon a motion by Vice Chairperson Winter, seconded by Board Member Pinter, the Authority voted unanimously to authorize the Executive Director to sign an Intergovernmental Cooperation Agreement between the City of Westminster (City) and the Westminster Economic Development Authority (WEDA), in substantially the same form as attached to the agenda memorandum, providing payment to the City from WEDA for reimbursement of costs associated with a redevelopment agreement benefitting the URA and City incurred costs related to maintenance of improvements in the South Sheridan Urban Renewal Area.

PUBLIC HEARING TO CONSIDER 2014 BUDGET AMENDMENT

At 7:13 p.m. the Chairperson opened a public hearing to consider amendment of the 2014 Budget. Staff had no formal presentation and was present to answer any questions from Council or the public. The proposed budget amendment would authorize a supplemental appropriation to reimburse the City for costs incurred on behalf of the South Sheridan Urban Renewal Area.

The Authority had no questions. The Chairperson invited public comment and there was none. At 7:14 p.m., the Chairperson closed the public hearing.

RESOLUTION NO. 153 AUTHORIZING SUPPLEMENTAL APPROPRIATION TO 2014 BUDGET

It was moved by Vice Chairperson Winter and seconded by Board Member Briggs to adopt Resolution No. 153 authorizing a supplemental appropriation to the 2014 WEDA budget. At roll call, the motion passed unanimously.

ADJOURNMENT

With no further business for the Authority's consideration, Chairperson Atchison adjourned the meeting at 7:15 p.m.

ATTEST:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

# WEDA Agenda Item 3 A

## Agenda Memorandum

Westminster Economic Development Authority Meeting  
May 19, 2014



**SUBJECT:** License Agreement for a Weekly Farmers' Market on the Westminster Center Urban Reinvestment Project (WURP) Site

**Prepared By:** Aric Otzelberger, Assistant to the City Manager

### Recommended Board Action

Authorize the Executive Director to sign a license agreement with Farmer's Market USA, LLC allowing a weekly farmers' market on the WURP site on Saturdays from 10 am to 2 pm from June through November 2014.

### Summary Statement

- The Westminster Economic Development Authority (WEDA) currently has a significant property interest in the WURP site, defined as the property generally located south of 92<sup>nd</sup> Avenue, north of 88<sup>th</sup> Avenue, west of Sheridan Boulevard and east of Harlan Street.
- Local Radius, also known as Farmer's Market USA, LLC, approached the City of Westminster about holding a weekly farmers' market on the property. Local Radius has successfully managed farmers' markets in the past in Westminster, along with other communities including Arvada and Littleton. Local Radius submitted a City of Westminster Special Event Permit application for the farmers' market.
- The City of Westminster's Special Event Review Team has reviewed the application and coordinated event requirements and logistics with Local Radius.
- Per the proposed license agreement, the farmers' market is scheduled to begin on June 7 and run through November 1. The market will be open to the public from 10 am to 2 pm on Saturdays only. Time is allotted for vendor set up and tear down/cleanup as well. The general location for the farmers' market is on the west side of the Olive Garden, north of 88<sup>th</sup> Avenue and south of J.C. Penney. A map is provided in the attached license agreement.

**Expenditure Required:** \$0

**Source of Funds:** N/A

## **Policy Issue**

Should the Board authorize the Executive Director to sign a license agreement with Farmer's Market USA, LLC, allowing a weekly farmers' market on the WURP site on Saturdays from 10 am to 2 pm from June through November 2014?

## **Alternatives**

- Do not allow a weekly farmers' market on the WURP site.
- Allow a weekly farmers' market on the WURP site but require Staff to issue a formal request for proposals. Staff does not recommend this due to the time constraints that may prohibit Farmer's Market USA or other vendors from submitting a proposal and being able to commence operations on June 1.

## **Background Information**

Local Radius, also known as Farmer's Market USA, LLC, approached the City of Westminster about holding a weekly farmers' market on the WURP property. Local Radius has successfully managed farmers' markets in the past in Westminster, along with other communities including Arvada and Littleton. Local Radius submitted a City of Westminster Special Event Permit application for the farmers' market. The City of Westminster's Special Event Review Team has reviewed the application and coordinated event requirements and logistics with Local Radius.

Per the proposed license agreement, the farmers' market is scheduled to begin on June 7 and run through November 1. The market will be open to the public from 10 am to 2 pm on Saturdays only. Time is allotted for vendor set up and tear down/cleanup as well. The general location for the farmers' market is on the west side of the Olive Garden, north of 88<sup>th</sup> Avenue and south of J.C. Penney. A map is provided in the attached license agreement. Local Radius anticipates between 35 and 70 vendors depending on the date and time of year. Each vendor is allowed one ten foot by ten foot tent. The market will be "blocked" to prevent automobile traffic through the market. Farmer's Market USA will be responsible for all event cleanup at the conclusion of each market.

Per the proposed license agreement, one forty square foot sign would be allowed advertising the farmers' market within the WURP property boundary near the northwest corner of 88<sup>th</sup> Avenue and Sheridan Boulevard. This sign would be allowed to stay in place from June 1, 2014, through November 1, 2014. The license agreement would also allow placement of four temporary signs within the WURP property boundary along the north side of 88<sup>th</sup> Avenue between Sheridan Boulevard and Harlan Street. These signs would only be allowed on the Saturday of each market from 8am to 4pm.

This recommended action supports the strategic objectives of a Strong, Balanced Local Economy and Vibrant Neighborhoods in One Livable Community. It does so by establishing a community event that supports small farms and local vendors at the site of exciting forthcoming redevelopment and revitalization. The event also presents an opportunity to purchase fresh and healthy foods that are grown and produced locally.

Respectfully submitted,

J. Brent McFall  
Executive Director

Attachment – License Agreement

**LICENSE AGREEMENT TO USE A PORTION OF THE WESTMINSTER URBAN  
REINVESTMENT PROJECT SITE FOR A WEEKLY FARMERS' MARKET**

THIS LICENSE and AGREEMENT, is made and entered into this \_\_\_th day of May, 2014, between the **WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY**, hereinafter called the "Authority," and **FARMER'S MARKET USA**, a Colorado limited liability company, hereinafter called "FM USA" or "licensee" as follows:

WHEREAS, the Authority owns certain property generally located south of 92<sup>nd</sup> Avenue, north of 88<sup>th</sup> Avenue, west of Sheridan Boulevard and East of Harlan Street in the City of Westminster, known as the Westminster Urban Reinvestment Project or WURP site; and

WHEREAS, FM USA wishes to conduct a farmers' market on a portion of the WURP site; and

WHEREAS, the Authority is willing to allow such use on certain Saturdays in the months of June through November, 2014; and

WHEREAS, FM USA is willing and able to conform to the requirements of this Agreement.

NOW, THEREFORE, in consideration of the mutual understandings and agreements set forth, the Authority and FM USA agree as follows:

1. The Authority hereby grants a Revocable License to FM USA for use of the parking lot area at the WURP site as shown on Attachment A, incorporated herein by reference. The License shall commence at 2 a.m. on June 7, 2014 and shall terminate at 6 p.m. on November 1, 2014 unless earlier terminated as provided below. This License does not create or vest any property interest of any nature in the licensee.
2. FM USA will establish a market, open to the public, and sell fruits, vegetables, dairy items, meats and other products of an agrarian nature, along with homemade products including candles, soaps and non-agrarian crafts.
3. FM USA will use the parking lot area at the WURP site as shown on Attachment A from the hours of 8 am until 4 pm, on Saturdays only, from June 7, 2014 through November 1, 2014. Vendor set up will occur between the hours of 8 am and 10 am, the market will be open to the public between the hours of 10 am to 2 pm, and vendor tear down and site cleaning will occur between the hours of 2 pm and 4 pm.
4. FM USA will set up and remove all tents, booths and stands on the site and will return the site to its former condition, free of debris and litter of all kinds.
5. FM USA will furnish all necessary signs in conformance with the sign regulations of the City of Westminster. Such signage will be limited to the following: One sign ("Sign Type A") may be placed within the WURP property boundary near the northwest corner of the intersection of 88<sup>th</sup> Avenue and Sheridan Boulevard. This sign can remain in position on a daily basis from June 1 through November 1. The City will allow placement of up to four additional signs ("Sign Type B") within the WURP property boundary along the north side of 88<sup>th</sup> Avenue, between Sheridan Boulevard and Harlan Street. These signs are only allowed from 8 am to 4 pm on each Saturday from June 7, 2014 through November 1, 2014. Sign Type A shall be no larger than 40 square feet in total size and shall match the design depicted in Attachment B, hereto. Sign Type B

shall be no larger than 5 square feet in total size and shall match the design depicted in Attachment C, hereto.

6. If any water or power is required for FM USA's use of the property, FM USA will be responsible for securing, furnishing, and paying for any necessary electricity or water on site.
7. FM USA shall reimburse the Authority for any costs the Authority incurs for any damage to the site or for trash collection and disposal, should the same be required. FM USA agrees to pay such costs within ten (10) days of billing by the Authority.
8. This License and Agreement may be terminated for any reason whatsoever by either party upon seven (7) days written notice to the other. Termination shall not affect any continuing duties such as clean-up, indemnification, or insurance.
9. During the course of this License and Agreement, FM USA shall maintain Comprehensive General Liability Insurance of \$1,000,000 per occurrence. The Authority will be an additional named insured under FM USA's Comprehensive General Liability coverage. FM USA shall provide certificates of insurance to the Authority indicating compliance with this paragraph.
10. In the conduct of the farmers' market, FM USA shall act as an independent contractor and not as agent of the Authority, nor shall any provision of this License and Agreement create any partnership or joint venture between FM USA and the Authority.
11. FM USA shall maintain books and records with respect to the assessment and collection of City of Westminster sales taxes. FM USA shall ensure that all farmers' market vendors obtain a sales tax license from the City Clerk and file sales tax returns for all products sold at the farmers' market.
12. FM USA shall indemnify and hold harmless the Authority and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the use of the WURP site and conduct of the farmers' market, provided that any such claim, damage, loss or expense (1) is attributable to bodily injury, or death, or to injury to or destruction of tangible property, and (2) is caused by any negligent act or omission of FM USA, or anyone directly or indirectly employed by FM USA.
13. FM USA shall comply with all state and federal health and other laws and regulations applicable to the sale of produce and the conduct of a farmers' market.
14. This License and Agreement is not assignable by either party.

ALL NOTICES AND INSURANCE CERTIFICATES REQUIRED BY THIS AGREEMENT SHALL BE SENT TO THE CITY MANAGER'S OFFICE, ATTENTION: ARIC OTZELBERGER

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on the date first appearing above.

FARMER'S MARKET USA  
DEVELOPMENT AUTHORITY

By: \_\_\_\_\_

Printed Name: Nathan Mudd

Title: Sole Manager

Address:

5716 Yarrow Street  
Arvada, CO 80002

WESTMINSTER ECONOMIC

By: \_\_\_\_\_  
J. Brent McFall, Executive Director

Address:

4800 West 92nd Avenue  
Westminster, Colorado 80031

ATTEST:

\_\_\_\_\_  
Linda Yeager, Secretary

APPROVED AS TO LEGAL FORM

By: \_\_\_\_\_  
Authority Attorney

ATTACHMENT A





2014

LOCALRADIUS™

WESTMINSTER  
FARMERS MARKET



JUNE - FALL

**WESTMINSTER**

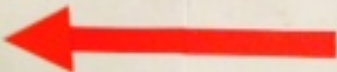
Saturdays 10am - 2pm



**FARMERS**

**MARKET**

**TODAY**



**ATTACHMENT C**