

May 19, 1997  
7:00 PM

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

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meeting**
4. **Presentations**
  - A. Goodwill Industries' Community Employer of the Year Award
5. **Citizen Communication (5 minutes or Less in Length)**
6. **Report of City Officials**
  - A. City Manager's Report
7. **City Council Comments**

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

8. **Consent Agenda**
  - A. Cotton Creek Park Design and Construction Services
  - B. 128th Avenue & Huron Street Project
  - C. CB No. 30 re Appropriation of Bond Proceeds (Merkel-Allen)
9. **Appointments and Resignations**

None
10. **Public Hearings and Other New Business**
  - A. Continued Public Hearing re Olson Technological Park 2nd Amended PDP
  - B. TABLED Second Amended PDP re Olson Technological Park
  - C. Promenade East Services Agreement
  - D. Westminster Promenade Plaza Project
  - E. Resolution No. 30 re ADCO Open Space & Park Land Tax Proposal
  - F. Resolution No. 31 re Criminal Assistant Title Change/Upgrade
  - G. Resolution No. 32 re Northwest Parkway
  - H. Councillor's W & WW Enterprise Bill No. 3 re Loan Agreement
11. **Old Business and Passage of Ordinances on Second Reading**

None
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
  - A. First Quarter Activity Report
  - B. Financial Report for April, 1997
  - C. City Council
  - D. Request for Executive Session
13. **Adjournment**

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, MAY 19, 1997 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Allen, Harris, Merkel, Scott and Smith. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michael Allen, Deputy City Clerk. Absent none.

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Harris to accept the minutes of the meeting of May 12, 1997 with no additions or corrections. The motion carried unanimously.

PRESENTATIONS:

Tim Welker, President of Goodwill Industries, presented the "Community Employer of the Year" award to the City of Westminster which was accepted by Contract Services Coordinator Jerry Cinkosky.

REPORT OF CITY OFFICIALS:

City Manager Bill Christopher stated that a public meeting will be held on May 27 at Shaw Heights Middle School to seek input from Shaw Heights residents on the idea of annexing the Shaw Heights enclave into the City. The Jefferson County Transportation Plan Policy meeting is also scheduled that evening; and the Meet the City COG meeting will be held at the Community Senior Center at 7:00 P.M. on May 22.

CITY COUNCIL COMMENTS:

Mayor Pro Tem Dixon reported on the Business Retention visits she made, a meeting with Rocky Flats representatives, thanked the Community Development Staff for their work on the Showcase Event, and DARE Graduations she attended. Councillor Merkel remarked on the Plaza Redevelopment meeting she attended on May 15. Councillor Allen reported on the RTD Board meeting held May 13 at which the City presented its plan for the Commuter Rail system and that he attended a DARE Graduation at Harris Park Elementary School.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Cotton Creek Park Design and Construction Services contract, authorizing the City Manager to sign a contract with DHM Design Corporation in the amount of \$53,919; add a 5% design contingency, and authorizing the total amount of \$57,000 to be expended from the appropriate project account in the 1997 General Capital Improvement Project Fund; 128th Avenue and Huron Street Lighting project, authorizing expenditure of \$31,479 to Public Service Company of Colorado for the installation of street lights for the 128th Avenue and Huron Street project and charge this expense to the appropriate project account in the General Capital Improvement Fund; and Councillor's Bill No. 30 re Appropriation of Bond Proceeds. The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. There was no request.

A motion was made by Harris and seconded by Scott to adopt the consent agenda items as presented. The motion carried unanimously.

CONTINUED PUBLIC HEARING - OLSON TECHNOLOGICAL PARK 2ND AMENDED PDP:

At 7:25 P.M. the meeting was opened to a continued public hearing on the proposed second amended PDP for the Olson Technological Park. Planning Manager Larry Hulse gave a brief review of the changes made to the PDP. Steve Rasmussen, representing MIE Investment Company, presented Council with some preliminary marketing material and answered questions from Council. No one spoke in opposition to the proposed request. At 7:34 P.M. the public hearing was declared closed.

TABLED - SECOND AMENDED PDP FOR OLSON TECHNOLOGICAL PARK:

A motion was made by Allen and seconded by Scott to remove this item from the Table. The motion carried unanimously.

A motion was made by Allen and seconded by Merkel to approve the proposed Second Amended Preliminary Development Plan for the Olson Technological Park on condition that the following changes be made to the text: (a) Office/warehouse shall be shown as the only allowed use. This would include the following types of uses: light manufacturing, distribution, processing, fabrication, assembly, general research, laboratories, warehousing, enclosed outdoor storage, office, medical/dental, banking and retail uses which are ancillary to office/warehouse uses such as print shops and sit-down restaurants. (b) Metal siding be eliminated as a possible building material. The architecture will be shown in detail in the Official Development Plan and will be integrated in design, materials, and colors with an overall concern for quality and compatibility with the general area.

A friendly amendment was made by Smith to add the word "accessory" before "enclosed outdoor storage," in condition (a). The friendly amendment was accepted by the makers of the motion. The motion as amended carried unanimously.

PROMENADE EAST SERVICES AGREEMENT:

A motion was made by Harris and seconded by Merkel to authorize the City Manager to sign an agreement with Development Planning Associates, Inc. in an amount not to exceed \$8,000 per month for 1997 and \$6,000 per month for 1998 to assist with the planning, coordination, scheduling and expediting of the Promenade East project and charge this expense to the appropriate project account in the General Capital Improvement Fund. John Lyda of Development Planning Associates was present to address Council. The motion carried unanimously.

WESTMINSTER PROMENADE PLAZA PROJECT:

A motion was made by Harris and seconded by Allen to authorize the expenditure of \$1.8 million for construction of the improvements in the Westminster Promenade Plaza; authorize the City Manager to execute an agreement with Roche Constructors, Inc. to act as general contractor for the Promenade West plaza construction at a fee of 3.5% of the cost of the work and charge the expense to the appropriate project account in the General Capital Improvements Fund. The motion carried unanimously.

RESOLUTION NO. 30 - ADAMS COUNTY PARKS & OPEN SPACE TAX PROPOSAL:

A motion was made by Merkel and seconded by Allen to adopt Resolution No. 30 which formally states the City of Westminster's support for an Adams County Parks and Open Space Sales and Use Tax, which includes modifications by the Westminster City Council.

A motion was made by Dixon and seconded by Smith to amend the main motion to add the following to No. 2 of the Resolution: 1/3% of the Point of Sale Tax is to be kept by Adams County for use in the unincorporated portions of the County only.

A friendly amendment was made by Scott that the amendment be changed that 50% be returned to the Point of Sale and 50% be left to the discretion of the Commissioners. The makers of the amendment accepted the friendly amendment.

After discussion by Council, Councillor Scott stated he would withdraw the friendly amendment.

A motion was made by Smith and seconded by Scott to Table Resolution No. 30. The motion carried unanimously.

RESOLUTION NO. 31 - CRIMINALIST TITLE CHANGE AND POSITION UPGRADE:

A motion was made by Scott and seconded by Dixon to adopt Resolution No. 31 authorizing a change of title for the Criminalist to Senior Criminalist, and approving a change of title for the Criminalist Assistant to Criminalist and increasing the salary from a Grade 39 to a Grade 47. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 32 - NORTHWEST PARKWAY:

A motion was made by Scott and seconded by Smith to adopt Resolution No. 32 which further updates the City of Westminster's position on the Northwest Parkway. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S W&WW ENTERPRISE BILL NO. 3 - LOAN AGREEMENT:

A motion was made by Dixon and seconded by Allen to pass Councillor's W&WW Utility Enterprise Bill No. 3 on first reading approving a \$3.6 million loan agreement between the Enterprise and the Westminster Economic Development Authority and authorizing the President of the W&WW Enterprise to sign the loan agreement. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 31 - APPROPRIATION OF CARRYOVER FUNDS:

A motion was made by Harris and seconded by Merkel to pass Councillor's Bill No. 31 on first reading increasing the 1997 budget of the Utility Fund, Sales & Use Tax Fund, and General Capital Improvement Projects Fund and authorizing a supplemental appropriation from the 1997 estimated revenues in the various funds.

Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Council reviewed the 1997 First Quarter Activity Report and the Financial Report for April 1997.

Mayor Heil invited Council and Staff to the grand opening of the new Albertson's at 5150 W. 120th Avenue on Wednesday, May 21.

The Mayor stated there would be an Executive Session to discuss the Ice Arena negotiations and Shopping Center Economic Development prospects.

ADJOURNMENT:

The meeting was adjourned at 8:25 P.M.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** May 19, 1997  
**Subject:** Goodwill Industries' Community Employer of the Year Award  
**Prepared by:** Jerry Cinkosky, Contract Services Coordinator

### **Introduction**

City Council is requested to accept the Goodwill Industries' Community Employer of the Year Award from Tim Welker, President of Goodwill Industries.

### **Summary**

Each year Goodwill Industries, Inc. recognizes employers for their support in creating partnerships for employment of Goodwill personnel. This year the City of Westminster was chosen for its Community partnership with Goodwill Industries.

Tim Welker, President of Goodwill Industries will be present to make this presentation. Jerry Cinkosky who is the City Staff person responsible for supervising this contract, will be present Monday evening to accept the award on behalf of the City.

### **Staff Recommendation**

Council accept the "Community Employer of the Year" award from Tim Welker, President of Goodwill Industries.

### **Background Information**

As an alternative to hiring additional City custodial staff, Council authorized funding for contractual services during 1996, to provide additional daytime custodial services at City Hall. In March of 1996 Staff contracted with Goodwill Industries to provide these services. This Council action created a job placement for Goodwill Industries and has resulted in a dollar savings for the City. This has proved to be a "win-win" situation for both the City and Goodwill Industries.

Goodwill employee Carol Olivacz, who works for the General Services Department providing custodial maintenance services at City Hall, was also honored as the Community Worker of the Year.

The program has been so successful over the past year, Staff has added an additional Goodwill Industries' contractual position to provide custodial services at City Park Recreation Center. This has resulted in enhanced customer service for the guests of that facility.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** May 19, 1997  
**Subject:** Cotton Creek Park Design and Construction Services  
**Prepared by:** Philo Shelton, Park Project Engineer

### **Introduction**

City Council action is requested to authorize an expenditure of \$57,000 from the Cotton Creek Park Expansion Capital Improvement Project Account and authorize the City Manager to sign contract with DHM Design Corporation for \$53,919 to develop construction drawings and bid documents, and provide construction observation services for Cotton Creek Park. Funds are available in the appropriate Cotton Creek Park Expansion project account in the General Capital Improvement Fund for this expense.

### **Summary**

In April, three landscape architectural firms were asked to submit proposals to prepare the construction documents from the Cotton Creek Park Master Plan. Of the three firms solicited, two submitted proposals: Design Studios West (DSW) and DHM Design. EDAW did not submit a proposal.

- |                       |                    |
|-----------------------|--------------------|
| 1. DHM Design         | \$53,919 total fee |
| 2. Design Studio West | \$70,760 total fee |

Given a proposed construction budget of \$700,000, DHM design fees are 5.6% of construction costs and construction observation fees are 2.1% of construction costs. These percentages are reasonable and are well within the industry standards for park design and construction observation services. DHM did the original master plan for the park and is familiar with the project's requirements. The final plan and working drawings will be developed in accordance with the attached master plan, which has been reviewed and approved by the residents of Cotton Creek, as well as City Council.

### **Staff Recommendation**

Authorize the City Manager to sign a contract with DHM Design Corporation in the amount of \$53,919; add a 5% design contingency; and authorize the total amount of \$57,000 to be expended from the appropriate project account in the 1997 General Capital Improvement Project Fund.

### **Background Information**

Cotton Creek Park became the first joint park ownership site to be built between the City of Westminster and Adams County District 12. This 3.2 acre park was dedicated on September 17, 1981. As the neighborhood grew and the school reached its capacity of 700 students, the demand on the existing park exceeded sustainability. The park's turf could not be maintained because of its heavy use. Staff, along with the "Parents Action Committee" (PAC) at Cotton Creek Elementary School, recommended the expansion of the small (3.2 acres) school/park site that currently exists. The vacant land next to the park was the logical choice to expand the park.

Another consideration in favor of this expansion was that the area around Cotton Creek Subdivision and Legacy Ridge Golf Course is continuing to rapidly develop. Finally, it was noted that there are limited opportunities for neighborhood park sites between 104th and 112th Avenues and between Sheridan Boulevard and Lowell Boulevard.

City Staff began negotiations with Slokker of Cotton Creek Inc. in early 1993 to pursue the purchase of 7.5 acres of land adjacent to the Cotton Creek Elementary School. On November 14, 1994, City Council passed resolution No. 84 which authorized the City Manager to acquire 7.5 acres of land from Slokker at Cotton Creek to add on to the Cotton Creek School/Park. The land was negotiated and purchased for \$440,000.

DHM Design was hired to help Staff develop a Master Plan for Cotton Creek Park. In May 1996, Staff and DHM began the master planning process for Cotton Creek Park. Approximately 45 people attended a public meeting to provide input on the master planning process for their neighborhood park. An informal survey was taken at that time. Since the residents requested some park elements that were not contained on this informal survey, a revised survey was mailed to the Cotton Creek Subdivision. Of the 630 mailed surveys, 263 were returned, for a 42% response rate. The surveys returned by mail allowed each family in the Cotton Creek neighborhood an opportunity to vote on the park elements to go into their neighborhood park. DHM Design then used the results of the mailed survey to develop three park development alternatives based on a construction budget of \$700,000.

In October 1996, the second community meeting was held to present the three alternatives. Approximately 30 people attended this meeting. Each alternative showed a different park plan with various combinations of elements, but all having a construction budget of \$700,000. The residents wanted a combination of two of the alternatives. DHM Design then went back to develop a Master Plan that addressed the combination of the two alternatives that would work within the project budget.

In January 1997, a meeting was held to present the master plan and approximately 35 people attended. The residents were pleased with the master plan since it combined the two alternatives effectively. In addition to the community meeting, the master plan was presented to the Principal at Cotton Creek Elementary School, Dr. Bruno. He was pleased with the master plan and asked to have a copy of the plan to be displayed at the school for several weeks, where it was well received.

In March 1997, City Council approved the master plan. The master planning, design, and construction project budget for Cotton Creek Park is \$800,000, which is detailed in the following budget summaries.

<b>CIP Budget Summary</b>		<b>Project Budget Summary</b>	
1996 CIP	\$100,000	Master Plan	\$27,000
1997 CIP	\$350,000	Design	\$57,000
1998 CIP (Proposed)	<u>\$350,000</u>	Construction	<u>\$716,000</u>
Total	\$800,000	Total	\$800,000

Respectfully submitted,

William M. Christopher, City Manager

Attachments: Master Plan, 2 - Perspectives

**Date:** May 19, 1997  
**Subject:** 128th Avenue and Huron Street Project  
**Prepared by:** David W. Loseman, Senior Projects Engineer

### **Introduction**

City Council action is requested to authorize the payment of \$31,479 to Public Service Company of Colorado for the installation of street lights for the 128th Avenue and Huron Street Project. Funds for this expense are available in the appropriate project account in the General Capital Improvement Fund.

### **Summary**

Construction of the 128th Avenue and Huron Street Project began in early March 1997 and is approximately 60 percent complete. The intersection will be improved from the existing two-lane facility to a principal arterial intersection.

As part of this project, it is necessary to install street lights along Huron Street from 123rd Avenue to the 128th Avenue and Huron Street intersection and also for a distance of approximately 400-feet in the other directions from the intersection. Public Service Company typically designs and constructs street lights on all City roadway projects and will do so for this project.

The actual cost for design and installing street lights for this project is \$48,119, however, the City receives a construction allowance from Public Service Company in the amount of \$640 per street light. This lowers the City's total cost to \$31,479.

### **Staff Recommendation**

Authorize the expenditure of \$31,479 to Public Service Company of Colorado for the installation of street lights for the 128th Avenue and Huron Street Project and charge this expense to the appropriate project account in the General Capital Improvement Fund.

### **Background Information**

This project consists of the construction of street, drainage, traffic control, street lights and selected utility improvements necessary to reconstruct the 128th Avenue and Huron Street intersection within the City of Westminster. These arterial streets are experiencing heavy traffic flow, most noticeably in the morning and evening "rush hour" peak times. The current average daily traffic (ADT) on Huron Street is 11,000 vehicles while 128th Avenue experiences 8,000 vehicles per day. Two-lane streets such as these are inadequate for those traffic loads. In the Year 2010, the ADT for Huron Street is expected to rise to 27,000 vehicles and 128th Avenue to 20,000 vehicles. This intersection is an important link for the City since it conveys traffic not only from the northern limits of Westminster but also to and from the surrounding entities of Broomfield, Thornton and unincorporated Adams County.



According to the Westminster Comprehensive Roadway Master Plan, both Huron Street and 128th Avenue are classified as principal arterial streets. The construction drawings for the project include building a four-lane facility including any necessary auxiliary lanes along both Huron Street and 128th Avenue for a distance of 400 feet to the west, north and east and to 123rd Avenue to the south.

The City typically installs street lights on all road improvement projects and are recommending authorization to purchase and install them on this project. Public Service Company has estimated the cost to fabricate and install street lights in the project at \$48,119. A construction allowance of \$640 per light lowers the City's cost to \$31,479. Due to the construction allowance given to the City by Public Service Company, the project private contractor cannot install these street lights at a lower cost. Therefore, Staff is recommending approval of this request.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment: Map

**Date:** May 19, 1997  
**Subject:** CONTINUED - Olson Technological Park 2nd Amended PDP  
**Prepared by:** David Falconieri, Planner III

### **Introduction**

City Council action is requested to remove the request for an amended Preliminary Development Plan (PDP) for the Olson Technological Park from the table, and to take action on the request.

### **Summary**

The City Council reviewed this request at their May 12th regular meeting, and continued the public hearing and tabled action on the issue in order to allow the applicant to work with Staff in an effort to refine the allowed uses as shown on the PDP. The applicant has agreed to changing the use designations so that only office/warehouse uses are allowed on Lots 1A through 5.

### **Staff Recommendation**

1. Open the continued public hearing
2. Remove the Second Amended Preliminary Development Plan from the table.
3. Approve the proposed Second Amended Preliminary Development Plan for the Olson Technological Park on condition that the following changes be made to the text:
  - a. Office/warehouse shall be shown as the only allowed use. This would include the following types of uses: light manufacturing, distribution, processing, fabrication, assembly, general research, laboratories, warehousing, enclosed outdoor storage, office, medical/dental, banking and retail uses which are ancillary to office/warehouse uses such as print shops and sit-down restaurants.
  - b. Metal siding be eliminated as a possible building material. The architecture will be shown in detail in the Official Development Plan and will be integrated in design, materials, and colors with an overall concern for quality and compatibility with the general area.

### **Background Information**

At the May 12th hearing, Council members expressed a concern that the uses permitted within the PDP were too broad. The applicant has agreed that their product is the office/warehouse type building which may have several different uses within it. Therefore they have agreed to eliminate the use categories Industrial and Commercial in order to make it clearer that the uses shown on the PDP are to be performed only within the limited scope of the office/warehouse building.

Mr. Steve Rasmussen representing MIE Investment Company will be in attendance to answer any questions about the proposed project.

After reviewing the Architectural controls listed on page 2 of the PDP, they also agreed to eliminate metal siding from the list of allowed building materials. Their typical product is a brick building, but the other types of building materials listed would all be acceptable on this site, should they decide on a different architectural look. The Official Development Plan review will include the architectural plans and elevations, building design and materials, site plan, landscape plan, and screening in specific detail.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** May 19, 1997  
**Subject:** Promenade East Services Agreement  
**Prepared by:** Alan Miller, Assistant City Manager

### **Introduction**

City Council action is requested to considering authorizing the City Manager to sign a professional services agreement with Development Planning Associates, Inc. to act as Promenade East project coordinator, scheduler, and expeditor for the City. The cost of the agreement would not exceed \$8,000 per month for 1997 and is planned to be revised to \$6,000 per month top set during 1998. Funds for this agreement are available in the General Capital Improvement Fund Promenade East Project account.

### **Summary**

The City used John Lyda of Development Planning Associates, Inc. to help negotiate the business assistance and development agreement on the Promenade East project with Inland Pacific. His help has been very valuable given his private sector experience in retail and office development and management. Now that the City is moving into the actual development phase, there is a need to have one person work on coordination, scheduling and expediting issues. John Lyda also would work on finalizing various other agreements that were contemplated with the overall business assistance and development agreement such as the actual conference center lease agreement, the land transfers, and the common area maintenance associations for both east and west Promenade. Given the size, scope, scale and complexity of the Promenade East project, Staff believes that this assistance from John Lyda would be invaluable in helping to assure a final quality development.

The top set figure of \$8,000 per month would allow John Lyda to spend up to 3/4 time just on the Promenade East project for the rest of 1997. If that amount of time was not warranted, then the amount spent would be reduced accordingly. It is planned that this contract would then be revised to have a top set of \$6,000 per month for 1998 with an estimated 25 hours per week of time devoted to Promenade East.

### **Staff Recommendation**

Authorize the City Manager to sign an agreement with Development Planning Associates, Inc. in an amount not to exceed \$8,000 per month for 1997 and \$6,000 per month for 1998 to assist with the planning, coordination, scheduling and expediting of the Promenade East project and charge this expense to the appropriate project account in the General Capital Improvement Fund.

### **Background Information**

The Promenade East project consists of about 35 acres and will include a two or three sheet ice arena, 100,000-120,000 square foot office building, a 350 room plus hotel and a 50,000 square foot conference center adjacent to a attractively designed promenade with a lake feature, landscape planters, fountains, shade structures and other amenities. There will be an engineering consultant, a landscape architect firm, building architects, and a site general contractor to coordinate. There will be numerous details to work out on timing, scheduling, planning, coordination, and various associated agreements.

To assure overall coordination, timeliness, and scheduling as well as having a private sector perspective, Staff believes this contract is extremely important. John Lyda of Development Planning Associates, Inc. is a City resident who also has his business located in the City. He has an ownership and commitment to the project concept consistent with that of the City. With his broad private sector background in retail and office development and management, John Lyda is extremely well suited to this project.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** May 19, 1997  
**Subject:** Westminster Promenade Plaza Project  
**Prepared by:** David W. Loseman, Senior Projects Engineer

## **Introduction**

City Council action is requested to authorize the City Manager to execute an agreement with Roche Constructors, Inc. for the construction of the Westminster Promenade Plaza Project and to authorize the expenditure of an amount not to exceed \$1,800,000 for this construction. Funds for this expense are available in the Promenade West project account in the General Capital Improvement Fund.

## **Summary**

Construction of the Plaza improvements in the Westminster Promenade Plaza is scheduled to begin in early June. The City is responsible for constructing this portion of the Promenade under a cost sharing agreement with the Promenade Developer, 104th and Pierce Development Company.

Roche Constructors are currently under contract with the developer to construct other site improvements for the Promenade.

City Staff believes it is in the best interest of the City and the success of the project to also hire Roche Constructors to construct the Plaza improvements. To "open bid" this project to any general contractor would, in Staff's opinion, seriously affect the scheduling and coordination of this project.

City Staff has negotiated a fee of 3.5% of the construction cost for Roche to act as general contractor on the Plaza. This is the same arrangement that Roche has with the developer. General contractors typically are paid between 3.5% and 9% for a project of this size and complexity. The actual fee to be paid Roche will be based on the low bids submitted by all sub-contractors, but should be approximately \$60,000. Staff will be involved in the bidding process with all of Roche's sub-contractors to assure that the City obtains the most favorable price for the construction of this project.

The authorization for the expenditure of up to \$1,800,000 is necessary so that Staff can approve the selection of all sub-contractors on May 22. This allows construction to begin immediately and should keep the project on schedule. Staff will inform Council of the actual cost of constructing this project once this bidding process is completed.

## **Staff Recommendation**

Authorize the expenditure of \$1.8 million for construction of the improvements in the Westminster Promenade Plaza; authorize the City Manager to execute an Agreement with Roche Constructors, Inc. to act as general contractor for the Promenade West plaza construction at a fee of 3.5% of the cost of the work and charge the expense to the appropriate project account in the General Capital Improvements Fund.

## **Background Information**

Staff has been working with 104th & Pierce Development Company, LLC, the developers of the Westminster Promenade property to design and construct a unified development plan for the area north of 104th Avenue between U.S. 36 and Westminster Boulevard (Promenade West). The project includes high-quality architectural guidelines and unique design features, and includes the twenty-four screen AMC theatre complex, entertainment-oriented retail shops and restaurants. The Promenade East will feature an ice arena and the recently announced Westin Hotel. These will be connected by a pedestrian-oriented walk-way or "Promenade" with special features such as a water fountain, gazebo, special landscaping planter boxes and uniquely designed interlocking concrete pavers.

Responsibility for the improvements to the Promenade West are shared by the City, the developer and AMC Theatres. The developer will construct the parking area around the theatres and the retail shops. AMC is responsible for the theatres themselves. Both will share the cost of the Plaza improvements which will accommodate the pedestrian traffic in the entire complex. The City is responsible for getting the Plaza constructed in time for the opening of the theatres in November. The estimated cost of the Plaza improvements should not exceed \$1.8 million.

Plans for the plaza improvements are now complete and could be put out for public bid. Given the complexity of this project, it would be valuable to have one general contractor coordinating all activities of construction and scheduling so this project can be completed by November 1997. The developer of this project has hired Roche Constructors, Inc. for all other site work and City Staff believes that it is in the best interest of the City and the project to hire Roche for the construction of the Promenade Plaza as well. A fee of 3.5% of the construction cost has been negotiated with Roche. This is the same as the fee being charged by Roche to the Developer.

City Staff is familiar with Roche Constructors, Inc. and believes that this company is very capable of performing this type of work. The actual work would be bid for by the sub-contractors to Roche so costs will be competitive.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** May 19, 1997  
**Subject:** Resolution No. re Adams County Parks and Open Space Tax Proposal  
**Prepared by:** Bill Christopher, City Manager

### **Introduction**

City Council action is requested to adopt a formal Resolution stating City Council's position on the citizen initiated Adams County Parks and Open Space Tax Proposal.

### **Summary**

A citizen-based group known as "Support Parks and Open Space (Adams County)" is pursuing support from Cities throughout Adams County pertaining to their proposed Parks and Open Space tax proposition. They intend to request the Adams County Commissioners place the ballot proposition on the November, 1997 ballot.

Key provisions of the citizen group tax proposal is outlined in the background section of this memorandum.

City Council discussed this proposition at Monday night's Study Session and directed Staff to prepare a Resolution in support of the ballot proposal with some modifications. The attached Resolution reflects the direction which City Council provided at the Study Session.

### **Staff Recommendation**

Adopt Resolution No. which formally states the City of Westminster's support for an Adams County Parks and Open Space Sales and Use Tax, which includes modifications by the Westminster City Council.

### **Background Information**

Within the last year or so, a citizens group headed by Ms. Gloria Rudden has been discussing and pursuing a proposed Parks and Open Space tax in Adams County that would be imposed on a Countywide basis. The purpose of the tax would be to raise revenue earmarking the funds to be used for Open Space land acquisitions, trail development, park land acquisition, and limited park and recreation facility development (see attached list of proposed uses). Ms. Rudden and the citizens group have been requesting support from the cities throughout Adams County, with the intent of meeting with the Adams County Commissioners to seek their support in placing the tax proposition on the November, 1997 ballot. The key provisions of the proposal that the citizens group has put forth include the following:

- 1/6 of one-cent Sales and Use Tax using State base, i.e., not on grocery sales.



- A 15-year life, which would allow the opportunity to issue bonds.
- Expenditure summary once per year in a local newspaper.
- The tax revenue would be distributed based on point of sale.
- A 70% passive and 30% active use of the tax revenue would be imposed.
- A limit of 9% administrative cost would be imposed.
- An Advisory Committee on expending the funds would be required.

Attached is a listing of the amount of revenue for each entity, assuming using the 1/6 of one-cent taxing level. In Westminster's case, based on 1996 tax collections, \$367,422 would have been derived. For unincorporated Adams County, the amount would be \$1,022,747. The 1/6 cent tax revenue would be in addition to the City of Westminster's 1/4 of 1% City Sales and Use Tax that is split for Open Space acquisitions and trail, park, land development, and recreation facilities. Furthermore, Westminster enjoys revenue from the Jefferson County 1/2 cent Open Space tax which presently generates approximately \$900,000 to Westminster on an annual basis.

The proponents of this proposition believe that a dedicated revenue source is needed to acquire Open Space and park land as well as funding limited public improvements to achieve an enhanced quality of life for residents throughout Adams County. Preserving Open Space is a key priority, given the pressures of growth. The tax would be collected by the State of Colorado and then distributed based on the point of sale methodology.

City Council discussed this request for support at Monday night's Study Session and indicated conditional support as follows:

- Increase the 1/6 cent to 1/2 cent Sales and Use Tax.
- Delete the 70%/30% expenditure mandate and allow each City to decide the best use of the earmarked revenue.
- Use point of sale as the methodology to distribute the revenue.
- Have the tax be in effect for a 15-year period.
- "DeBruce" the tax regarding Amendment 1 provisions.
- Encourage the Adams County Commissioners to put the proposition on the November, 1997 ballot.

Respectfully submitted,

William M. Christopher  
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1997

CITIZENS GROUP "SUPPORT PARKS AND OPEN SPACE (ADAMS COUNTY)"

WHEREAS, a citizens based group known as the "Support Parks and Open Space (Adams County)" is pursuing a 1/6 of one-cent Sales and Use Tax proposition earmarking tax revenue for Open Space acquisitions, park land acquisitions, and limited park and recreation facility development, and

WHEREAS, at the present time Adams County on a Countywide basis does not have an Open Space or Parks tax such as the Jefferson County 1/2 cent Open Space Tax and,

WHEREAS, the citizen based group believes there is a need and support for such a revenue stream to purchase land to be maintained as Open Space as well as acquiring land for parks and trails for the enhancement of the quality of life of citizens throughout Adams County, and

WHEREAS, the citizens group is requesting each City in Adams County to evaluate and comment on the proposal which would be tied to a 15-year life so that bonds could be issued, and

WHEREAS, the proposal calls for point of sale distribution of the 1/6 of one-cent Sales and Use Tax, with the tax to be collected by the State of Colorado and redistributed, and

WHEREAS, the Westminster City Council has reviewed the proposal and believes that it has merit subject to some modifications.

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

1. The citizen based initiative has merit and the Adams County Commissioners should place the proposition on the November, 1997 ballot with certain modifications.
2. The proposal should be modified to increase the 1/6 cent to a 1/2 cent Sales and Use Tax, delete the 70%/30% expenditure mandate, and allow each City to decide the best use of the earmarked revenue, and the tax proposal should be "DeBruced" per Amendment 1 provisions.
3. All Westminster voters are urged to become fully familiar with this initiative effort and evaluate the merits and demerits of such a Countywide tax.

Passed and adopted this 19th day of May, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** May 19, 1997

**subject:** Resolution No. 31 re Title Change and Upgrade for Criminalist Assistant

**Prepared by:** Matt Raia, Police Captain

### **Introduction**

City Council action is requested on the attached Resolution to change the title of Criminalist Assistant to Criminalist, and to upgrade the pay range of this position to be competitive with surrounding jurisdictions.

City Council action is also requested to change the existing title of Criminalist to Senior Criminalist in order to fall in line with surrounding jurisdictions, and to accommodate the upgrade of the Assistant Criminalist position.

### **Summary**

The position of Criminalist Assistant, due to current pay grade, has become a training ground for individuals who, after acquiring basic skills and job experience, leave the City and go to other jurisdictions for better pay.

Upgrading the salary will enable the City to require enhanced qualifications of candidates for the position, hopefully reducing the rate of turnover in this position and achieving a level of skill in the position more compatible with City needs.

### **Staff Recommendation**

Adopt Resolution No. 31 authorizing a change of title for the Criminalist to Senior Criminalist, and approving a change of title for the Criminalist Assistant to Criminalist and increasing the salary from a Grade 39 to a Grade 47.

### **Background Information**

The position of Criminalist Assistant is currently vacant due to the resignation of the individual in this position to take a position with another law enforcement agency, for a higher salary. The Criminalist Assistant position, due to the salary range, has become a training ground for individuals who, after acquiring basic skills and job experience, move on to other agencies.

The job responsibilities of the Criminal Assistant have changed over time where the individual functions are that of a Criminalist rather than merely an assistant. The Criminalist Assistant serves as an additional crime scene technician, thus, the Police Department is able to provide 24-hour coverage on an on-call basis, as well as on occasion process two crime scenes at one time. Also, the Police Department is able to process complex crime scenes more effectively and efficiently.

The position works under the direct supervision of the Senior Criminalist doing field work as well as locating, documenting, collecting, preserving, analyzing, and interpreting all types of physical evidence. This position is in charge of all photo lab operations, including taking, developing, and logging all of the crime scene film.

Employee Services surveyed Arvada, Aurora, Boulder, Englewood, Fort Collins, Lakewood, Littleton, and Thornton concerning job duties and salary range for the position of Criminalist and Criminal Assistant. As a result of the survey, it was determined that the existing Criminal Assistant title be changed to Criminalist and the pay grade increased from Grade 39 to Grade 47. Also, the title of Senior Criminalist should be added to accommodate the title change and upgrade of the Assistant Criminalist. The pay grade of the Senior Criminalist is to remain at the current 1997 grade.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment: Resolution

RESOLUTION

RESOLUTION NO. 31

INTRODUCED BY COUNCILLORS

SERIES OF 1997

AUTHORIZING A TITLE CHANGE AND UPGRADE FOR THE CRIMINALIST ASSISTANT POSITION IN THE POLICE DEPARTMENT

Whereas, the civilian positions of Criminalist and Criminalist Assistant currently exist in the Westminster Police Department authorized staffing plan, and

Whereas, the duties and responsibilities of these two positions have expanded significantly over the past several years, and

Whereas, it is essential to maintain high quality employees in these positions in order to reduce turnover, and

Whereas, a survey of similar positions in other Denver metro area cities shows that specific upgrades are necessary for the Westminster positions in order to keep them consistent and competitive with other jurisdictions,

NOW, THEREFORE, be it resolved that the Westminster City Council resolves that the following salary upgrade and title changes be authorized for the Police Department. The upgrades are described as follows:

1. A change of title for the Criminalist to Senior Criminalist. The pay grade of the Senior Criminalist is to remain at the current 1997 grade.
2. A change of title for the Criminal Assistant to Criminalist and an increase in the salary from from a grade 39 to a grade 47.

Passed and adopted this 19th day of May, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** May 19, 1997  
**Subject:** Resolution No. re Northwest Parkway  
**Prepared by:** Bill Christopher, City Manager

**Introduction**

City Council is requested to consider action on the attached Resolution which updates the City of Westminster's thinking on the proposed Northwest Parkway.

**Summary**

Interest in the Northwest Parkway Project continues to escalate, and dialogue is being held with various interested parties about the subject project. The Westminster City Council has previously articulated a position on the Parkway Project and it is suggested that an updated position be considered at this time. Westminster Officials continue to believe that it is important to achieve an outerbelt freeway system for the whole Denver metropolitan region.

**Staff Recommendation**

Adopt Resolution No. which further updates the City of Westminster's thinking on the Northwest Parkway.

**Background Information**

Recently, the Jefferson County Commissioners held a "Summit" to discuss with interested parties the proposed Northwest Parkway Project. At that time, various governmental entities stated their respective positions as it relates to the Parkway Project. Westminster City Officials distributed a position paper which articulated a position of support with certain conditions. Subsequent to the "Summit," additional discussions and contacts have been held by various parties. It is thought that a Resolution further updating Westminster's position would be appropriate at this time.

The attached Resolution has been prepared by Staff in response to City Council's desire to further update Westminster's thinking on the Northwest Parkway Project.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1997

RESOLUTION ADDRESSING THE NORTHWEST PARKWAY OR OUTERBELT FREEWAY PROJECT

WHEREAS, the City of Westminster was a charter member of the W-470 Authority and has been in support of an outerbelt freeway system to facilitate the efficient movement of vehicular surface traffic in the Denver metro region, and

WHEREAS, the outerbelt freeway system is evolving with the exception of the northwest quadrant, and it behooves the leadership in the northwest quadrant to work together to accomplish the remaining segment of the outerbelt freeway system, and

WHEREAS, the City of Westminster is desirous of working with all interested parties to move forward on the desired project, and

WHEREAS, it is imperative that Westminster play a leadership role in providing the best transportation service and system of surface transportation infrastructure to meet the needs of its citizens, and

WHEREAS, it remains important that all conditions previously articulated by Westminster regarding the Northwest Parkway should be further evaluated, and those conditions that achieve maximum efficiency and effectiveness should remain.

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

1. It supports the feasibility study for the Northwest Parkway, and intends to be an active participant in the feasibility study per the Transportation Improvement Plan (TIP) when funding becomes available starting in October, 1998.
2. It believes that commuter rail, using the Burlington-Northern Railroad trackage and the Northwest Parkway are both important transportation components to assist in mitigating congestion on U.S. 36 and key north-south arterial streets in the northwest quadrant of the Denver metropolitan area, especially as the northwest quadrant continues to develop additional employment and residential opportunities.
3. It is desirous of collaborating with Arvada, Boulder, Broomfield, Golden, Lakewood, Wheat Ridge, and Jefferson County Officials on resolving the respective concerns and issues of each entity involved in the Northwest Parkway Project.

Passed and adopted this 19th day of May, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** May 19, 1997  
**Subject:** 1997 First Quarter Activity Report  
**Prepared by:** Ben South, Acting Management Assistant

Attached for City Council's review is the 1997 First Quarter Activity Report which covers Departmental activities for the quarter ending March 31, 1997.

As can be readily noted, the City continues to experience a steady increase in activity when compared to similar data from the previous year. These activities include achieving stated objectives as well as accomplishing unanticipated "opportunities."

Calendar year 1997 is truly an exceptional year for the Westminster community already! The \$60.0 million Capital Improvement Program, Westminster Plaza Redevelopment, the Promenade actions/decisions and the Comprehensive Land Use Plan are just a few of the major efforts underway. Westminster is truly experiencing a "golden years" era.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment



**1ST QUARTER ACTIVITY REPORT  
January 1, 1997 through March 31, 1997**

DEPARTMENT OF COMMUNITY DEVELOPMENT

Building Division

Major projects completed during the 1st quarter:

- \* Tri State Generation Office Building
- \* Protogenic Office Building
- \* Claire of Assisi Senior Housing
- \* East Bay Senior Housing
- \* Walnut Creek Apartment Project
- \* Conoco
- \* Valley Bank
- \* Einstein's Bagel/Hollywood Video

Summary of 1st quarter statistics compared to 1996:

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
Construction valuation	\$35.0M	\$45.0M	-22%
Single family starts	190	220	-14%
Tenant Finishes	36	27	+33%
Commercial Plans	29	16	+81%
Residential Plans	80	87	-8%
Inspections	10,345	11,027	-6%

Open Space Division

- \* A ten acre property east of Sheridan Boulevard at approximately 116th Avenue was acquired for a regional detention/water quality pond and open space. The developer of the Sheridan Crossing shopping center has reimbursed the cost of this acquisition to the Open Space fund.
- \* Negotiations are underway on approximately 35 key properties.
- \* Land acquisition efforts are nearing completion, and construction is proceeding ahead of schedule. A trail along Little Dry Creek, from England Park to Clear Creek will be completed this summer.
- \* Various Community Enhancement projects are out to bid or have recently been awarded by City Council: 1) Sheridan Boulevard Median Landscape between 104th and 112th Avenues; 2) Church Ranch Boulevard Median Landscape between Wadsworth Boulevard and Wadsworth Parkway; 3) a new stone signwall at US36/Church Ranch Boulevard; 4) stone signwalls with landscape at 120th Avenue and Huron Street; 5) 120th Avenue and Sheridan Boulevard; and 6) 104th Avenue and Federal Boulevard. All projects should be completed this summer.
- \* Work is continuing on a redevelopment plan for Little Dry Creek between approximately 72nd Avenue and Lowell Boulevard. Staff continues to work with the Urban Drainage and Flood Control District to design channel improvements to reduce flooding and improve the appearance of this area.

**Engineering Division**

Continuing work on major capital improvement projects yielded the following progress:

- > 128th/Huron Intersection - Construction bids were opened, the contract was awarded and work commenced during the first quarter of this year.
- > Streets Bond Issue Projects:
  - \* 88th Avenue - The widening of the north side of this street between Sheridan Boulevard and Harlan Street has been designed and is ready to be bid. Negotiations with the owners of the Westminster Mall regarding rights-of-way for this and other, future projects are continuing.
  - \* US 36/Sheridan Boulevard/92nd Avenue interchange - A consultant was retained to perform the necessary studies and design modifications to this interchange.
  - \* Harlan Street flyover - A scope of work for the design of this connection between 96th Avenue and 104th Avenue (with a flyover of US 36) was prepared and the consultant selection process commenced.
  - \* Westminster Boulevard - The design of this new street between 104th Avenue and 112th Avenue (that will also provide access to the Westminster Promenade) was completed and is ready for bidding early in the second quarter.
- > 72nd Avenue (Phase 3) - Construction is anticipated to be completed in the summer or fall of 1997.
- > Church Ranch Boulevard (Wadsworth Boulevard to Wadsworth Parkway) - The western extension of Church Ranch Boulevard should be completed in July of this year.

**Planning Division**

- > Major projects approved through the planning process during the first quarter of 1997:
  - \* Legacy Ridge, Filing 7
  - \* Legacy Ridge Recreation Center
  - \* Legacy Ridge Filing 3
  - \* Silo North PDP Amendment, Megas Property Annexation and 3rd Amended Silo North ODP - Covenant Village
  - \* Villa Maria ODP at Panorama Point
  - \* Green Acres PDP Amendment to add daycare uses
  - \* Semper Elementary School annexation and zoning
  - \* Maulis Property annexation and zoning
  - \* Northpoint Amended PDP and ODP for AMC 24-plex theatres
  - \* Hollywood Videos at Marketplace
  - \* Price Club Amended ODP for expansion
  - \* Sheridan Park North ODP for two hotel sites
  - \* Lucent Technologies - ODP Waiver for storage building addition
  - \* Park Centre ODP for CB Potts Restaurant and Brewery
  - \* Melody Plaza Hotels ODP
  - \* Valley Bank ODP at Sheridan Green Commercial
  - \* Kaiser Expansion ODP Amendment
  - \* Crystal Lakes subdivision - San Marino ODP Amendment
  - \* Westpark Center ODP Amendment for cellular antennas
  - \* Silo Business Park ODP Amendment for cellular antennas
  - \* Discount Tire Renovation at 72nd and Federal Boulevard
  - \* Westcliff subdivision ODP Amendment for models
  - \* Amherst subdivision ODP Amendment for models
  - \* North Apple Valley subdivision ODP Amendment for models

- \* Church Ranch Medical Office Building ODP
- \* Church Ranch Country Inn ODP
- \* Cleasby Manufacturing ODP
- \* Smith Property annexation and zoning
- \* Home Farm Amended ODP for models
- \* Brauch Property Annexation and zoning
- \* Fire Station No. 2 Annexation and zoning
- \* Ryan Property (Westminster Boulevard) annexation
- \* DePalma Annexation and zoning

>Summary of Development Review Activities for the third and fourth quarters:

- \* 12 Planning Commission/City Council Agenda Items
- \* 3 Transportation/Special Use & License Board Hearings
- \* 23 Administrative ODP Approvals/Waivers
- \* 8 Referrals by other agencies
- \* 17 Items reviewed in Concept and Technical Review
- \* 765 Technical Assistance Inquiries from the General Public
- \* 50 Sign permits approved
- \* 49 Building permits approved
- \* 123 Business Licenses approved

#### Major Planning Activities

- \* Park Centre Conceptual Planning
- \* Urban Renewal Plan Amendment for Enterprise Rental
- \* Assistance on Urban Renewal Program - Safeway Redevelopment
- \* Economic Development Support Activities
- \* Update of land use and demographic data base
- \* Growth Management Program Coordination - Category B Competition completed.
- \* 1996 Design Award - Photography underway
- \* Future JeffCo - Policy Group support
- \* Jefferson and Adams County Growth Summit meetings
- \* Comprehensive Plan - Public Hearings before Planning Commission.
- \* Landscaping Regulations (Received Final Draft)
- \* Westminster Mall Enhancement Study - Preliminary design concept
- \* Preliminary Golf Course layouts for proposed Countrydale Golf Course - ODP Submission
- \* Monitoring of the DRCOG Vision 2020 Process
- \* Northpoint/AMC Planning Studies - signage, Promenade East
- \* Community Development Customer Service Survey

#### **Economic Development Division**

- >Continued maintenance of real estate data base through regular contact with property owners and commercial real estate brokers. Also provided property updates to the Jefferson Economic Council and Adams County Economic Development.
- >Began update of all economic development information for the upcoming Showcase Event.
- >Sent the new Business Resource Guide to print. Will begin distributing the new guides in April.
- >Worked with project team on the Northpoint/Westminster Promenade project.
- >Edited the new brochure for the Westminster Face Lift program. Expected distribution in May. The program will assist existing business in south Westminster with facade & landscaping improvements.

- >Business Survey to be sent out to all existing city businesses the end of April. Results expected in June.
- >Held 2 Business Advisory Group meetings
- >Staff attended the Economic Development Council of Colorado meeting in Fort Collins
- >Summary statistics for 1st quarter 1997
- \* New prospect files opened this quarter 17
- \* Current active prospects 10
- \* Number of inquiries (demographics, sites, buildings, business assistance program, etc. 132

**FINANCE DEPARTMENT**

Summary of 1st quarter 1997 statistics compared to 1st quarter 1996:

	<u>1997</u>	<u>1996</u>	<u>%.Change</u>
Audit assessments issued	17	28	-41%
% Sales tax accounts delinquent	7%	9%	-22%
Total checks issued	10,446	9,665	8%
Purchase orders issued	4,032	3,559	13%
Returned checks processed	85	71	20%
Computer support calls made (total)	2,325	3,587	-35%
Number of water accounts processed	83,402	78,137	7%
Total PIE participants	2,074	1,031	101%
Pension activities processed	141	171	-18%

**Administration**

On February 26, the City sold \$54.6 million bonds at an average interest cost of 5.34% (all-in-cost). The City also saved \$614,000 on the refunding issue, or 4.3% the size of the issue.

The long predicted "market correction" may finally be showing its face. The outlook for the first quarter pension returns are mixed at best.

Pension transfers were fairly steady this year, given the market volatility. A good deal of time has been spent with Buck Consultants preparing and finalizing the new statements and the transition to their services.

**Accounting**

Significant increases in volumes of purchase orders and checks processed mirrored the increased capital activity last year. The staff time spent on CAFR reports for fixed assets also doubled. At the same time, workpapers recording the addition, deletion, and transfer of fixed assets were completed and ready for audit review prior to the auditors arrival.

Capital project expenditures exceeded \$41 million.

The new W-9 system is up and running. The first week resulted in 40 invoices pulled from the check run for lack of a completed W-9.

Ambulance billing function moved from Finance to the Fire Department.

The electronic Medicare system is up and running.

The payroll system took the increase of the employee pension contribution to 8% without problem. The amount of contributions to be wired out jumped by more than \$23,000 from the previous payday contribution as a result of the increase.

**Sales Tax**

Sales Tax sent over 400 estimated assessments in February, resulting in numerous calls. Through the Taxpayers Awareness Program, compliance improves as various methods of reminders are used.

Sales Tax staff participated in a presentation to the ratings agencies in New York in February in anticipation of the March bond sale.

**Data Processing**

Activity on the City's WEB page continued to increase. During the months of January and February, over 2,215 new users, as well as many repeat users, visited the City's WEB page.

Several enhancements were made to the City's WEB home page. D.P. incorporated the Economic Development WEB pages into the site and created a feedback/request form database. An employment opportunities area has been added. This area will be used to list position openings for all jobs open to the public.

In January, Data Processing and Library Staff worked with Ameritech to upgrade the Dynix Library software. The software was upgraded in preparation for moving from the older Hewlett Packard system (Neptune) to the new Hewlett Packard Library server (Libris). In February, Data Processing and Library Staff completed the installation and conversion of the Dynix Library software onto the new Hewlett-Packard Unix system.

**Utility Billing**

Projects underway include application for a \$4,000 grant for conservation education, starting the U.B. Newsletter, converting to radio-read meters, moving the meter readers to MSC, enhancements to credit-card payments by telephone, contracting out to a new company for printing and mailing of utility bills.

**FIRE DEPARTMENT**

Summary of 1st quarter statistics compared to 1996:

<b><u>CATEGORY</u></b>	1st Qtr <b><u>1997</u></b>	1st Qtr <b><u>1996</u></b>	& <b><u>Change</u></b>	Total <b><u>1996</u></b>
Total Alarms:	1,301	1,360	-4%	5,707
Struc./Veh. Fires:	24	31	-23%	72
Emergency Medical:	834	879	-5%	3,798
Amb. Transports:	571	574	0%	2,478
Amb. Revenue:	\$194,519	\$146,673	+33%	\$650,780
Westy-MED Enrollees:	84	82	+2%	177
Pub. Ed. Classes:	104	121	-16%	521
Inspections:	551	527	+5%	5,625
Training Hours:	7,274	7,343	-1%	28,126

**1st Quarter Highlights:**

- \* Westminster's ambulance service had another successful year in 1996 with a record amount of revenue, collecting \$650,779, which is a 22% increase over 1995. To aid in bill collecting, the Fire Department took over the responsibilities of overseeing the Ambulance Billing Clerk's duties from the Finance Department. The billing clerk also began sending and receiving payments for Medicare through an electronic modem, ensuring fast deposits.
- \* The Fire Prevention Bureau reviewed a record amount of sprinkler systems and fire alarm systems for Westminster businesses in 1996, issuing 136 permits -- a 40% increase over the previous year. These permits generated \$42,649 for City coffers.
- \* The Fire Department began random drug testing of firefighters for drugs and alcohol in January. The program was initiated to ensure the safety of the crews, to maintain the confidence of the community, and to assure the capability of providing the best in customer service.
- \* Westminster firefighters and the Metro Dive Team trained metro news helicopter pilots in how to spot drowning victims or overturned boats on area lakes and reservoirs.
- \* The City of Westminster and the Fire Department are offering recycling bin services everyday. Due to the high demand and a switch in recycling companies, the City now offers recycling bins at Fire Station #1 and City Hall - 24 hours a day, 365 days per year!

**GENERAL SERVICES DEPARTMENT**

**Administration**

Volunteer Program Activities:

- \* Formed partnerships with four more agencies: Executive High School Internship Program/Jefferson County Schools, North Metro Community Services, Rocky Mountain Elementary School, and St. Anthony Hospital North.
- \* Provided technical assistance to six municipal governments and one agency: Brighton, Denver, Jefferson County, Northglenn, Thornton, Broomfield, and the Butterfly Pavilion and Insect Center.
- \* Sixty-three people inquired about volunteering and thirty-five people inquired about un-paid internships.
- \* Over 9000 hours were donated by 650 some volunteers.

Major training activities for the first quarter include:

- \* Supervisory Academy-46 employees at 4 hours each
- \* Team Leadership Skills-10 employees at 36 hours each
- \* Getting A Grip On Grammar-20 employees at 10.5 hours each
- \* Working In Teams-24 employees at 16 hours each
- \* Respectful Workplace-44 employees at 9 hours each
- \* Conflict Resolution-55 employees at 7 hours each
- \* Volunteer Management-4 employees at 1.5 hours each
- \* Westminster 101-24 employees at 8 hours each
- \* Seven Habits of Highly Effective People-18 employees at 24 hours each
- \* Flexibility Factor(How to deal with change)-144 employees at 8 hours each
- \* Effective Presentations-14 employees at 16 hours each
- \* Creative People Management-12 employees at 24 hours each
- \* Computer Brown Bag Lunch training-22 employees at 12 hour each

Other Major Activities:

- \* Presented an overview of the City's training curriculum to new employees at Orientation

- \* Coordinated first quarter Citywide Management Team Luncheon
- \* The ERAT committee coordinated Customer Service Champions surprise parties, and Teams In Action luncheon
- \* The City's Facilitator Team worked with the Performance Appraisal Task Force, and BO&M division.
- \* Customized training was designed and delivered for a committee of dispatchers and patrol officers working on improving communications between the two groups; the Children's Library staff, and the Adult Services staff on work style differences.
- \* The Performance Appraisal Task Force conducted informational sessions with employee work groups to obtain feedback on the new form. After all the employee groups had given feedback and the information analyzed, the Task Force conducted a focus group to obtain feedback regarding the final form. The focus group consisted of 8 front line employees and 4 supervisors.

**Building Operations & Maintenance**

Major activities for the first quarter included:

- \* Completed a total of 631 work requests: 410 corrective and 221 preventative.
- \* Custodial staff provided service for 39 functions at City Park involving 7,367 guests. Custodial staff also cleaned a total of 13,073 square feet of carpet at an in-house cost of \$598.58 (including wages & benefits). This compares to an estimated cost of \$2,052.26 to have the carpet cleaned by an outside contractor.
- \* Effective January 18, a maintenance staff person has been on call every weekend from midnight on Friday until Sunday evening.  
The new procedure is expected to result in a cost savings for overtime salary. The employee on call is responsible for handling the emergency or contacting the proper person to handle the situation.
- \* The last portion of the old roofing at the Swim and Fitness Center has been replaced with new shingles.
- \* The remodeling project for Fire Station #1 has been completed.
- \* Staff have been meeting with Police Department personnel to determine space needs for either remodeling or design of a new building.
- \* Staff has redesigned the domestic hot water system for the Swim and Fitness Center. A new high efficiency heat exchanger has been installed. This new exchanger should be able to supply continuous hot water under any condition.
- \* Maintenance staff completed the annual maintenance at Countryside Recreation Center. Painting was done in the restrooms, lobby area, and racquetball courts. Lights were replaced, all of the ladies showers were rebuilt, the court floors were resurfaced, and the main sewer line was cleaned.

**City Clerk's Office**

Summary of first quarter statistics compared to 1996:

	<u>1997</u>	<u>1996</u>	<u>%Change</u>
Councillor Bills	28	16	+ 43%
Ordinances	26	15	+ 42%
Resolutions	22	11	+ 50%
New business licenses	60	41	+ 32%
Active business licenses	1,474	1,439	+ 2%
Home occupation licenses	1,075	1,010	+ 6%
Sales tax licenses	1,392	1,327	+ 5%
Licensed refuse haulers	6	7	- 14%
Solid Waste vehicles	83	85	- 2%
Recycling vehicles	23	22	+ 4%
New liquor licenses	3	2	+ 33%
Liquor Admin Approvals	44	19	+ 56%

- \* The Special Permit and License Board held a work session to review the Board Rules and Procedures. They received training from the City Attorney's office pertaining to public hearings. In addition, they agreed to a tavern liquor license stipulation for 3 day and 7 day closures held in abeyance for a 1 year period.
- \* The Election Commission met in February to draft a Voluntary Code of Ethics for Council Candidates.
- \* Meetings were held with Adams and Jefferson County regarding the November 1997 election which will be a mailed ballot election in both Counties.

### Employee Services

#### Major Recruitment Activity in the 1st Quarter of 1997:

- \* Hiring and Orientation: 27 benefitted and 47 unbenefitted, seasonal or temporary employees. An increase of 47% from 4th quarter 1996.  
541 Personnel Actions, approximately the same as 1st quarter 1996, (547).  
950 applications received for 41 positions  
Recruitments included: Assistant Golf Professional, Lake Operations Coordinator, Building Inspector, Paramedic promotions, Police Officer (5), Sales Tax Specialist, Landscape Architect, Librarian I and Librarian Supervisor, Communications and Records Specialist, Public Information Specialist, Micro Computer Analyst, Programmer Analyst, Secretary, Maintenance worker and Research and Analysis Coordinator

#### Other Major Activities included:

- \* Participation in the Urban League Job Fair and Colorado Division of Labor Job Fair for People with Disabilities
- \* Analyzed and revised City positions internal alignments
- \* Design and development of special salary surveys and biennial benefits survey
- \* Analysis and completion of various organizations salary surveys including CML and Mountain States Employers Council
- \* Completion of the revised City Performance Appraisal
- \* Design of innovation recruitment strategies for seasonal labor
- \* Implementation of more extensive background check and testing
- \* Ongoing counsel regarding disciplinary issues and grievances
- \* Employee relations counsel for employees, supervisors and work groups

### Fleet Maintenance

#### Summary of 1st quarter statistics:

	<u>1997</u>	<u>1996</u>	<u>%Change</u>
# repair orders	1,351	1,977	-32%
Gallons of diesel fuel	17,715	21,940	-19%
Gallons of unleaded fuel	42,510	48,487	-12%
Used motor oil collected	5,117	5,439	- 6%

#### Other major activities:

- \* Requests for proposals were mailed for the removal of underground fuel storage tanks at Big Dry Creek.



**Municipal Court**

Summary of 1st quarter statistics:

<u>Filings</u>	<u>1997</u>	<u>1996</u>	<u>%Change</u>
Parking Tickets*	241	361	-33%
Traffic Tickets*	1,445	2,389	-40%
General Ordinance	978	1,096	-9
Domestic Violence	116	91	27%
Presentence Investi.	103	91	13%
Sentenced to Probation	149	162	-8%

\* The Police Department Traffic Unit has been understaffed. Three new officers are to be trained in May, traffic tickets should then return to the expected number of tickets filed.

**Risk Management**

\* During the first quarter of 1997, the City experienced 25 work related injuries compared to 36 during the same period last year.

\* During the first quarter of 1997, the City reported 9 property or liability claims to CIRSA compared to 16 filed during the same period last year.

\* Risk Management held monthly City Safety Committee meetings during the first quarter of 1997.

\* Risk Management certified 13 employees, including the Risk Management Specialist, in instruction for Defensive Driving Training.

\* Nancy Winter completed over 60 hours in Worker's Compensation and Safety training.

**Wellness Program Activities:**

\* Organized its annual health fair for employees, volunteers, retirees, and dependents over 18 years of age. 336 individuals participated compared to 235 in 1996.

\* Organized a Beginner Rock Climbing clinic at City Park, in which 14 employees and family members participated.

\* Approximately 493 employees participating.

\* Organized a snowshoeing trip to Eldora in which 15 employees and family members participated in. A cross country skiing trip was organized at the Nordic Center at Frisco. Approximately 15 employees and family members participated as well.

\* Screened approximately 200 blood pressures.

\* Taught CPR to 8 employees.

\* Implemented a new exercise challenge called SWEATBUCKS. This eight week program rewards employees for exercising. Approximately 250 employees are participating.

\* Organized a Slim For Life weight management program. The 10 week program teaches employees proper nutrition. Approximately 20 employees are participating.

\* Scott Murdie is in the process of meeting with each Wellness Member in order to evaluate each member's current lifestyle, making changes if necessary and set goals.

**PARKS, RECREATION & LIBRARIES****Library Services**

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
76th Avenue Library	70,411	68,175	-3.1%
Kings Mill Library	20,372	28,171	-4.0%
Bookmobile	5,066	4,354	-14.0%
Total All Facilities	104,849	100,700	-3.9%
Patrons	58,417	61,123	+4.6%
Reference Questions	9,693	11,226	+16.0%
Program Attendance	1,450	1,324	-8.6%

Although circulation figures are down from first quarter 1996, the number of people visiting the library is up. Staff is investigating possible reasons for the decrease in circulation, including 1) fewer newer non-fiction books on the shelves due to the increased work associated with the new library and illness of a key staff member, 2) increased use of the library's electronic information resources may be replacing some book checkouts, 3) large increase in tax help requests has impacted Staff's ability to handle regular patron requests. Last year's circulation figures were at record levels; activity levels for the first quarter of 1997 are still much higher than 1995.

**Highlights:**

- \* The City and College broke ground on the new College Hill Library on January 31. Construction is underway and on schedule at this time.
- \* The City signed a contract with Baker and Taylor Books to provide an Open Day Collection of approximately 67,000 print materials for the College Hill Library. Staff has begun receiving lists from which to select the 67,000 items.
- \* The Library added 2.6 additional FTE to maintain service levels during the Opening Day Selection process.
- \* The College Hill Fundraising Committee was formed and had its first meeting. The committee is currently pursuing a grant for \$10,000 to fund a mural for the entrance to the Children's Library.
- \* Staff has continued planning and negotiations with the College and Dynix, Inc., to provide an automated library catalog at College Hill Library.
- \* Staff has continued work on specifications for furniture and equipment for College Hill, and expects to go out to bid in the second or third quarter of 1997.
- \* City and College library staff have continued to meet to plan for services, policies, and operations at the College Hill Library.

**Recreation Facilities**

Summary of 1997 first quarter statistics compared to the first quarter of 1996:

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
<b><u>Drop-in Participation:</u></b>			
<u>January</u>			
City Park	28,506	31,760	-10%
Swim & Fitness	9,657	10,431	-8%
Countryside	897	1,129	-21%
Senior Center	5,676	5,552	+2%
<u>February</u>			
City Park	41,333	32,494	+27%
Swim & Fitness	8,543	10,314	-17%
Countryside	1,667	1,203	+39%
Senior Center	5,663	6,034	-6%
<u>March</u>			
City Park	34,750	38,708	-11%
Swim & Fitness	10,395	11,780	-12%
Countryside	993	856	+16%
Senior Center	4,492	5,823	-23%

**YTD Participation**

City Park		102,486		102,962	N/A
Swim and Fitness	28,595	32,525	-12%		
Countryside		3,557		3,188	-11%
Senior Center		15,831		17,409	-10%

**Aquatics Program Participation**

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
January	613	1,119	-45%
February	634	525	+21%
March	465	542	-15%
Year to Date	1,712	2,186	-22%

**YTD Facilities Revenue 1997**

	<u>1996</u>	<u>% Change</u>
City Park	\$238,565	\$222,119 +7%
Countryside	\$ 7,288	\$ 6,473 +13%
Swim & Fitness	\$ 73,016	\$ 67,871 +8%
Senior Center	\$ 40,013	\$ 32,266 +24%

**Recreation Programs**

Summary of 1997 first quarter statistics compared to 1996:

\*RecTrac registration (mail-in lottery) has created a change in registration dates, resulting in non-comparable monthly statistics.

<u>Program Participation</u>	<u>1997</u>	<u>1996</u>	<u>% Change</u>
January		2,885	6,098 -53%
February		3,277	2,784 +18%
March		8,702	2,142 +306%

Year-to-Date	14,854	11,024	+35%
<u>Program Revenue</u>	<u>1997</u>	<u>1996</u>	<u>% Change</u>
Year-to-Date		\$112,896	\$130,488 -14%

**POLICE DEPARTMENT**

1. During the first quarter of 1997, there was a 9.8 percent increase in the number of police service events handled by Police Department employees.

First Quarter 1996 .....35,637  
 First Quarter 1997 .....39,144

A police service event is defined as any activity that requires the involvement of one or more police officers. During the first quarter of 1996, there was one police service event on the average, every 3.6 minutes. The first quarter of 1997 experienced one police service event every 3.3 minutes.

2. In January, Police Chief Dan Montgomery and Police Captain Lee Birk met with the Hmong American Society of Colorado Board of Directors, and established some excellent community contacts. In early February, Chief Montgomery and Captain Birk, at the invitation of Diana B. Nga-Miller, attended the Vietnamese Tet Festival in Denver. Both meetings went a long way in helping to establish relations with our southeast Asian neighbors.
3. Several Police Department tasks forces have been hard at work on a variety of programs. The Mission & Values Task Force recently finalized the Police Department Mission & Values Statements, and that document has been promulgated within the P.D. The Facilities Task Force worked hard, and just recently selected an architect to structure several alternative "decision-packages" concerning the Police Department expansion project. The Random Drug Screen Task Force is close to finalizing the Police Department's policy on random drug-testing for public safety-sensitive positions. And lastly, the Police Department Cultural Focus Group has been meeting and discussing ways of maintaining a strong environment where cultural differences are understood and supported.

**PUBLIC WORKS AND UTILITIES**

**Administration**

In the first quarter, Rocky Flats Coordinator Mary Harlow provided reports and updates on the budget, Ten Year Plan, Plutonium storage, privatization of cleanup, Waste Isolation Pilot Project (WIPP), and Rocky Flats Environmental Technology Site (RFETS) safety issues. These key issues represent identifiable concerns not only of Staff, but also area cities and the Citizens Advisory Board (CAB). These issues were identified as important to the Colorado Congressional Delegation and United States Department of Energy (DOE) at the National League of Cities Congressional Conference and the Energy Communities Alliance (ECA) semiannual meeting in Washington, D.C.

Staff has endeavored to accept the challenge of the ECA for cities to become more "active, involved, and speak with one voice" in their local cleanup issues. Meetings with both City of Westminster Staff and Broomfield Staff, as well as the Colorado Department of Health and Environment have been held bimonthly to share information and concerns on water quality and RFETS cleanup issues.

Additionally, several meetings were scheduled and coordinated between the Cities and DOE/Kaiser-Hill Staff to provide a forum for an exchange of information and concerns as part of a process to develop a working relationship during cleanup. Biannual reports to City Council by Doe and Kaiser-Hill managers are being planned.

The Coordinator serves as a City representative (Vice-Chair) of the CAB, Alternate to Mayor Pro Tem Sam Dixon for the Rocky Flats Local Impacts Initiative (RFLII), Management Representative on the ECA National Board of Directors, Chair of the Plutonium and Special Nuclear Materials Committee (a subcommittee of the CAB), Department of Energy Budget Review Committee and the Site TEchnology Coordination Group as a consensus member. Membership on these committees provides Mayor Pro Tem Dixon with current information, document reviews and recommendations on all aspects of cleanup and funding issues at the RFETS. Staff also is kept current on cleanup issues that could impact the health and safety of the citizens, as well as the City water supply.

## **Environmental Compliance**

- \* Work continues on the Citywide site facility audit. A draft report is expected in April for review and comment by individual departments.
- \* Worked with the Utilities Division to review GAC as a treatment method for removing benzene from ground water and met with the Colorado Department of Public Health and Environment to review the Gasoline Recovery System Notice Of Violations.
- \* Reviewed the Phase I Environmental Site Assessment on the Habel Farm property.
- \* Reviewed and provided recommendations on the Phase II data from the old Mushroom Farm at 108th and Federal.
- \* Met with the Fire Department, Risk Management, and Utilities Division to discuss upcoming EPA requirements under the Clean Air Act.
- \* Developed a Fuel and Chemical Spill emergency notification procedure which was distributed initially to Fleet, Utilities, Streets, Fire and Risk Management.
- \* Developed a procedure with Fire Department and Fleet Division for the disposal of abandoned waste drums.
- \* Met with the Parks Division to review chemical compatibility and storage issues at the Municipal Service Center.
- \* Attended Parks Division staff meeting to explain the Fuel and Chemical Spill emergency notification procedure. Also aired a training video on how to interpret a Material Safety Data Sheet.
- \* Met with the Emergency Preparedness Team to develop an Emergency Operations Center tabletop training scenario for Department Heads in September.
- \* Conducted 11 Phase I Environmental Site Assessments on the following locations:
  - 4850 80th Avenue
  - U.S. Highway 36 and Sheridan Boulevard
  - 5130 West 92nd Avenue
  - 7490 Lowell Blvd.
  - 7481 Knox Place
  - 90th and Yates
  - Northeast Corner of Mariposa and 120th Avenue
  - Open field on corner of Eliot Street and Mariposa (near 104th Avenue)
  - 144th Avenue and Huron Street
  - 7160 Irving Street
  - Southwest corner of Huron Street and 128th Avenue

- \* Continued work with Ball Aerospace Corp., Mobile Tool International, and the Fire Department on the SARA Title III chemical reporting program using CAMEO software.
- \* Began planning the 3rd Annual Spring Household Chemical Roundup.

**Utilities Division**

- \* During the first quarter, the Utilities Division experienced one sewer backup.
- \* Water breaks are down for the year approximately 47 percent. Year-to-date, water breaks are 23 compared to 49 during the same time 1996.
- \* The Construction Crew focused on replacing 3,105 feet of water lines during the quarter.

Summary of first quarter Utilities Operations statistics compared to 1996:

	<u>1997</u>	<u>1996</u>	<u>Percent Change</u>
BDC treated gallons/day	5.47M	5.15M	+6%
Metro treated gallons/day	3.49M	3.66M	-5%
Water consumption/day	10.0M	9.8M	+2%
Water taps installed	139.0	135.0	+3%
Water line installed/feet	3,105.0	2,280.0	+36%
Water main breaks repaired	23.0	49.0	-53%
Sewer line installed/feet	0.0	0.0	0%

**Street Division**

- \* A part-time Community Service Specialist continues to work with individuals who have community service obligations to fulfill. A total of 677 hours were worked by community service recipients this quarter, compared to 56 hours in the first quarter of 1996.
- \* The Sign Shop crew re-painted pavement markings, including crosswalks, arrows, and legends; upgraded traffic signs in Area I; and produced signs for the Adopt-a-Street Program.
- \* Annual inspections were performed of street excavations for which permits were obtained by contractors from Community Development in 1996.
- \* The 1997 Customer Service Concrete Replacement Program was awarded to Fasick Concrete. Work has begun to replace curbs, gutters, and sidewalks and is 40% complete.
- \* The 1997 Street Improvement Concrete Replacement Program was awarded to S&D Construction and is 35% complete.
- \* Crack seal work, pothole and asphalt patching, and patch-back work associated with the Concrete Replacement Program was performed on an as-needed basis.

- \* The 1997 Street Sweeping Program was awarded to Main-Tech Commercial Property Maintenance Company which bought out the B.F.I. Sweeping Division.
- \* The Street Division Staff attended a "Respectful Work Place" seminar in March.
- \* Street and Utilities crews responded to 14 deployments this first quarter of which most were nuisance storms, but still needing the application of sand/salt. A total cost for labor and materials for these 14 deployments was \$92,202.
- \* The bid packages for the 1997 Asphalt Pavement Rehabilitation Project have been distributed and a recommendation will be made to City Council in April 1997.
- \* The 1997 Asphalt Materials Purchase Bid was awarded to Hot Mix, Inc., in January, and the City will be purchasing asphalt on an as-needed basis.

Summary of first quarter street operation statistics compared to 1996:

	<u>1997</u>	<u>1996</u>	<u>Percent Change</u>
Striping (feet)	35,000	4,250	724%
Signs Installed	102	51	100%
Signs Repaired	247	250	-1%
Miles Street Swept	1,058	2,273	-53%
Pothole Hotline Calls	24	18	33%
Customer Service Requests	27	48	-44%
Concrete Replacement Requests	36	57	-37%
Graffiti Removal Hours	308	486	-37%

**Water Resources Division**

The following is a summary of the first quarter year-to-date raw water statistics:

	<u>1997</u>	<u>1996</u>
<b>Raw Water Statistics (in acre feet)</b>		
Croke Canal Inflows to Standley Lake	7,771	7,162
Kinnear Ditch Pipe Line Inflows	193	234
Total Standley Lake Inflows	7,964	7,396
Westminster Releases from Standley Lake	1,878	2,174

- \* The City of Westminster purchased 4.0 shares of Farmers Reservoir and Irrigation Company stock.
- \* Depositions and discovery was carried out in the water rights trial with the City of Golden regarding its use of the Lee, Stewart & Eskins water rights. Other trial preparations were made in anticipation of a May 12, trial in this matter.
- \* Jim Baker Reservoir was stocked for fishing by the Division of Wildlife. Many fisherman converged on the site in late March and early April.
- \* Water released from Pond C2 on the Rocky Flats Environmental Technology Site was captured in Woman Creek Reservoir. Testing of the water as it flowed past Indiana Street indicates no standards violations; therefore, the water will be released to Walnut Creek in the second quarter.
- \* A tap fee structure workshop was held as part of the tap fee study. Other data has been collected and provided to the consultant for the study.



- \* Staff prepared the initial edition of the "CLRMA Clarion," the newsletter for the Colorado Lake and Reservoir Management Association. The Association was formed last fall.
- \* Preparation of the Clear Creek Watershed Agreement 1996 Annual Report was coordinated by Staff and the City of Arvada for the 25 signing parties of the agreement.
- \* An Eutrophication Analysis and Model was prepared for Standley Lake by Steven C. Yhapra at the University of Boulder. Additional water quality data will be collected this spring to refine and verify the initial model results.
- \* Alternative methods of providing the final increments of treated water supply for the City were presented to various internal groups for feedback. A final set of recommendations will be made to the Utilities Task Force in May.

**Date:** May 19, 1997  
**Subject:** Financial Report for April 1997  
**Prepared by:** Mary Ann Parrot, Finance Director

## **Introduction**

City Council is requested to review the attached financial statements which reflect 1997 transactions through April, 1997.

## **Summary**

There are three sections to the attached report:

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

General Fund revenues represent 34% of the total budget estimate while General Fund expenditures and encumbrances represent 33% of the 1997 appropriation.

Utility Fund revenues represent 35% of the total budget estimate.

Utility Fund expenditures and encumbrances represent 38% of the 1997 appropriation. The large amount encumbered is for payments to Thornton for treated water and to the Metro Wastewater Reclamation District for sewage treatment.

The Sales and Use Tax Fund revenues represent 35% of the total budget estimate, while expenditures and encumbrances in that fund represent 33% of the 1997 appropriation. Total Sales and Use Tax revenues for the 25 shopping centers reported increased 1% from the same period last year and increased 6% year-to-date.

The Open Space Fund revenues represent 89% of the total budget estimate while expenditures and encumbrances in that fund represent 12% of the 1997 appropriation. In March, the City issued \$23,350,000 in bonds; \$12,000,000 was allocated for open space land purchases which will be spent later in 1997.

The Golf Course Fund operating revenues represent 17% of the total budget estimate while operating expenditures and encumbrances in that fund represent 37% of the 1997 appropriation. The encumbrances are for the golf cart lease and other foreseeable expenditures. In March, a portion of the 1992 Sales & Use Tax Revenue bonds were refunded. A portion of those bonds were used to finance construction of Legacy Ridge. The large revenue and expense is the golf course's portion of bond proceeds which were, in turn, expensed to the escrow agent for refunding.

Theoretically, 33% of revenues and expenditures should be realized after four months in the budget year. However, it is recognized that both revenues and expenditures do not occur on an even 1/12 flow each month of the year.

**Staff Recommendation**

Accept the report as presented.

**Background Information**

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

Respectfully submitted,

William M. Christopher  
City Manager

Attachments

**Date:** May 19, 1997

**Subject:** Loan Agreement Between W&WW Utility Enterprise and WEDA re Westminster Plaza Redevelopment Project

**Prepared by:** Mary Ann Parrot, Finance Director

### **Introduction**

The City Council, acting as Board of Directors of the City's Water and Wastewater Utility Enterprise (the "Enterprise"), is requested to pass the attached Councillor's Enterprise Bill on first reading, approving a loan agreement between the Enterprise and the Westminster Economic Development Authority (the "Authority").

If approved, the loan will be \$3.6 million. The proceeds of the loan will be used by the Authority for the redevelopment and revitalization of the Westminster Plaza Shopping Center, located generally at the northwest corner of 72nd Avenue and Federal Boulevard in the southwest part of the City.

### **Summary**

The Authority has previously approved plans to redevelop and revitalize the area located generally on the northwest corner of Federal Boulevard and 72nd Avenue. The financing will be provided as follows (all amounts in \$millions):

\$2.5 qualified tax increment redevelopment bonds  
\$3.6 loan from City of Westminster Water and Wastewater Utility Enterprise  
\$.303 cash available from 1996 tax increment revenues  
\$1.0 from sale of Rights of Way along Federal Boulevard north of 72nd Street

\$7.403m Total

The Authority will issue qualified tax increment redevelopment bonds in the amount of \$2.5 million.

The Authority will borrow \$3.6 million from the Enterprise. Repayment terms are as follows:

Terms:	20 years
Rate:	6% per annum
Payments:	Semi-annually, commencing December 1, 1997. December 1; June 1 thereafter. \$155,744.56 Principal and Interest
Amortization:	Level; effective interest method

The Authority will be paid \$1,000,000 from the City of Westminster for right-of-way property acquired by the Authority as part of the Authority's acquisition of the Plaza site.

The Authority will appropriate all these funds to set up a project construction account for the redevelopment.

Redevelopment activities include the purchase of the land, business relocation, clearing of property, and installation of necessary infrastructure (sewer, water, sidewalks, and paving). The developer, Hunt Properties, will finance and build a Safeway anchor store and build and lease other storefronts in the redevelopment project.

State law expressly authorizes cities to assist their urban renewal authorities in implementing urban renewal projects for the benefit of their common constituents. The City's Water and Wastewater Utility Fund maintains a fund balance which, until needed for plant replacement or expansion, is available for other public purposes.

### **Staff Recommendation**

Pass Councillor's Water and Wastewater Utility Enterprise Bill No. 3 on first reading, approving a \$3.6 million loan agreement between the Enterprise and the Westminster Economic Development Authority and authorizing the President of the Water and Wastewater Enterprise to sign the loan agreement.

### **Background Information**

The Authority was created by an act of City Council on September 14, 1987. Revitalization of this area has been a priority for at least ten years; several attempts have been made to secure an anchor store to secure the potential for success. With the advent of Safeway's commitment, it is vital that the funding for this project be implemented at this time. Staff believes the 6% interest rate to be earned by the Enterprise is a reasonable rate of return. The 6% interest rate is also very close to the current rate of return the Enterprise realizes on these funds.

Respectfully submitted,

William M. Christopher  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO. \_\_\_\_

COUNCILLOR'S ENTERPRISE BILL NO. \_\_\_\_

SERIES OF 1997

INTRODUCED BY COUNCILLORS

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A BILL

FOR AN ORDINANCE APPROVING A LOAN AGREEMENT BETWEEN THE  
CITY OF WESTMINSTER WATER AND WASTEWATER UTILITY ENTERPRISE  
AND THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY  
FOR THE WESTMINSTER PLAZA REDEVELOPMENT PROJECT

WHEREAS, the City of Westminster, Colorado (the "City") has heretofore established the City of Westminster Water and Wastewater Utility Enterprise (the "Enterprise") as an enterprise of the City within the meaning of Article X, Section 20 of the Colorado Constitution; and

WHEREAS, the Enterprise is authorized to have and exercise certain powers in furtherance of its purpose; and

WHEREAS, the City of Westminster (the "City") has heretofore adopted the Westminster Urban Renewal Plan ("the Plan") which includes as one of its primary goals the redevelopment and revitalization of the Westminster Plaza Shopping Center (the "Project"), a blighted commercial area generally located at the northwest corner of 72nd Avenue and Federal Boulevard in the southeast part of the City; and

WHEREAS, the Project is being undertaken for the public purpose of enhancing employment opportunities, eliminating existing conditions of blight, and improving the tax base of the City; and

WHEREAS, the Project will result in the enhancement and expansion of the current level of water and wastewater service and revenues for this location; and

WHEREAS, the Authority intends to develop the area using financing which includes qualified tax increment redevelopment bonds, a loan from the City of Westminster Water and Wastewater Utility Enterprise, proceeds from the sale of rights-of-way to the City and available cash; and

WHEREAS, pursuant to section 31-25-112 of the Colorado Urban Renewal Law, the City is specifically authorized to do all things necessary to aid and cooperate with the Authority in connection with the planning or undertaking of any urban renewal plans, projects, programs, works, operations, or activities of the Authority, to enter into agreements with the Authority respecting such actions to be taken by the City, and appropriating funds and making such expenditures of its funds to aid and cooperate with the Authority in undertaking this Project and carrying out the Plan; and

WHEREAS, the City's Water and Wastewater Utility Fund maintains a fund balance which, until needed for plant replacement or expansion, is available for other public purposes; and

WHEREAS, the City Council, as ex officio Board of Directors of the Enterprise and the Authority, finds that the execution of this Agreement will serve the public purposes outlined above and is in the best interest of both the Enterprise and the Authority.

THE CITY OF WESTMINSTER, COLORADO, WATER AND WASTEWATER UTILITY ENTERPRISE ORDAINS:

Section 1. The President of the Enterprise is hereby authorized to enter into a \$3.6 million Loan Agreement with the Westminster Economic Development Authority in substantially the same form as the one attached as Exhibit "A" and, upon execution of the Agreement, to fund and implement said Agreement.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 19th day of May, 1997.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1997, between the CITY OF WESTMINSTER, COLORADO, WATER AND WASTEWATER ENTERPRISE (the "Enterprise"), and the WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY (the "Authority").

WHEREAS, the City of Westminster (the "City") has heretofore adopted the Westminster Urban Renewal Plan ("the Plan") which includes as one of its primary goals the redevelopment and revitalization of the Westminster Plaza Shopping Center (the "Project"), a blighted commercial area generally located at the northwest corner of 72nd Avenue and Federal Boulevard in the southeast part of the City; and

WHEREAS, the Project is being undertaken for the public purpose of enhancing employment opportunities, eliminating existing conditions of blight, and improving the tax base of the City; and

WHEREAS, the Project will result in the enhancement and expansion of the current level of water and wastewater service and revenues for this location; and

WHEREAS, pursuant to section 31-25-112 of the Colorado Urban Renewal Law, the City is specifically authorized to do all things necessary to aid and cooperate with the Authority in connection with the planning or undertaking of any urban renewal plans, projects, programs, works, operations, or activities of the Authority, to enter into agreements with the Authority respecting such actions to be taken by the City, and appropriating funds and making such expenditures of its funds to aid and cooperate with the Authority in undertaking this Project and carrying out the Plan; and

WHEREAS, the Authority intends to develop the area using financing which includes qualified tax increment redevelopment bonds, a loan from the Enterprise, proceeds from the sale of rights-of-way to the City and available cash; and

WHEREAS, the City's Water and Wastewater Utility Fund maintains a fund balance which, until needed for plant replacement or expansion, is available for other public purposes; and

WHEREAS, the City Council, as ex officio Board of Directors of the Enterprise and the Authority, finds that the execution of this Agreement will serve the public purposes outlined above and is in the best interest of both the Enterprise and the Authority.

NOW, THEREFORE, in consideration of the mutual promises set forth below, the Enterprise and the Authority agree as follows:

I. LOAN.

a. The Enterprise agrees to loan to the Authority three million six hundred thousand dollars (\$3,600,000.00) (the "Loan" amount) subject to the repayment provisions set forth below.

b. The Authority agrees to repay to the Enterprise the Loan amount over a period of 20 years at 6% interest per annum in equal semi-annual payments of \$155,744.56 due June 1 and December 1, commencing December 1, 1997, in accordance with the amortization schedule attached hereto and incorporated herein by this reference.



II. BUDGETING. Nothing in this Agreement shall be deemed or construed as creating a multiple fiscal year obligation on the part of the Authority within the meaning of the Colorado Constitution, Article X, Section 20, and the Authority's obligations hereunder are expressly conditioned upon annual appropriation by the Board of Directors of the Authority. The City Manager shall include \$155,744.56 in the annual budget for submittal to the Board of Directors of the Authority for purposes of having funds available to pay debt service that may come due pursuant to this Agreement.

III. SUBORDINATION. The Authority's obligations pursuant to this Agreement are subordinate to the Authority's obligations for the repayment of any current or future bonded indebtedness. The Authority shall meet its obligations under this Agreement by using its annual tax increment revenues to make payments. For the purposes of this Agreement, the term "bonded indebtedness," "bonds," and similar terms describing the possible forms of indebtedness include all forms of indebtedness that may be incurred by the Authority, including, but not limited to, general obligation bonds, revenue bonds, revenue anticipation notes, tax increment notes, tax increment bonds, revenue bonds, revenue anticipation notes, tax increment notes, tax increment bonds, and all other forms of contractual indebtedness of whatsoever nature that is in any way secured or collateralized by revenues of the Authority.

IV. GENERAL PROVISIONS

A. Dispute Resolution. If a dispute arises between the parties relating to this contract, the parties agree to submit the dispute to mediation before filing litigation.

B. Modifications. No modification or change of any provision in this Agreement shall be made, or construed to have been made, unless such modification is mutually agreed to in writing by both parties and incorporated as a written amendment to the Agreement. Memoranda of understanding and correspondence shall not be construed as amendments to the Agreement.

C. Entire Agreement. This Agreement shall represent the entire agreement between the parties with respect to the subject matter hereof and shall supersede all prior negotiations, representations, or agreements, either written or oral, between the parties relating to the subject matter of this Agreement and shall be independent of and have no effect upon any other contracts.

D. Severability. If any provision of this Agreement is held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

E. Assignment. This Agreement shall not be assigned, in whole or in part, by either party without the written consent of the other.

F. Waiver. No waiver of a breach of any provision of this Agreement by either party shall constitute a waiver of any other breach or of such provision. Failure of either party to enforce at any time, or from time to time, any provision of the Agreement shall not be construed as a waiver thereof. The remedies reserved in this Agreement shall be cumulative and additional to any other remedies in law or equity.

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

WESTMINSTER ECONOMIC  
DEVELOPMENT AUTHORITY

CITY OF WESTMINSTER, COLORADO,  
WATER AND WASTEWATER UTILITY  
ENTERPRISE

By  
Nancy Heil  
Chairperson, Westminster  
Economic Development Authority

By \_\_\_\_\_  
Nancy Heil  
President, City of Westminster,  
Colorado, Water and Wastewater  
Utility Enterprise

ATTEST:

ATTEST:

Michele Kelley, Secretary,  
Westminster Economic Development  
Authority

Michele Kelley, Secretary,  
City of Westminster, Colorado,  
Water and Wastewater Utility  
Enterprise

APPROVED AS TO LEGAL FORM

By  
Martin R. McCullough  
City Attorney

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. \_\_\_\_\_

SERIES OF 1997

INTRODUCED BY COUNCILLORS  
\_\_\_\_\_

A BILL

FOR AN ORDINANCE INCREASING THE 1997 BUDGET OF THE UTILITY FUND, SALES & USE TAX FUND, AND GENERAL CAPITAL IMPROVEMENT PROJECTS FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1997 ESTIMATED REVENUES IN THE VARIOUS FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1997 appropriation for the Utility Fund, initially appropriated by Ordinance No. 2473 in the amount of \$33,534,034 is hereby increased by \$3,600,000 which, when added to the fund balance as of the City Council action on May 19, 1997, will equal \$37,934,034. The actual amount in the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to an appropriation of carryover to fund a loan to the Westminster Economic Development Authority.

Section 2. The \$3,600,000 increase in the Utility Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Carryover			
20-0090-000	\$1,611,644	<u>\$3,600,000</u>	\$5,211,644
<u>EXPENSES</u>			
WEDA Loan			
20-35-90-603-000	-0-	<u>3,600,000</u>	3,600,000

Section 3. The 1997 appropriation for the Sales & Use Tax Fund, initially appropriated by Ordinance No. 2473 in the amount of \$40,735,000 is hereby increased by \$1,000,000 which, when added to the fund balance as of the City Council action on May 19, 1997, will equal \$41,735,000. The actual amount in the Sales & Use Tax Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to an appropriation of carryover and transfer to the General Capital Improvement Projects Fund for acquisition of Right of Way owned by the Westminster Economic Development Authority.

Section 4. The \$1,000,000 increase in the Sales & Use Tax Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Carryover			
53-0090-000	\$2,410,000	<u>1,000,000</u>	3,410,000
<u>EXPENSES</u>			
Transfer to Capital Projects Fund			
53-10-95-990-975	3,910,000	<u>1,000,000</u>	4,910,000

Section 5. The 1997 appropriation for the General Capital Improvement Project Fund, initially appropriated by Ordinance No. 2473 in the amount of 11,285,000 is hereby increased by \$1,000,000 which, when added to the fund balance as of the City Council action on May 19, 1997, will equal \$12,285,000. The actual amount in the General Capital Improvement Projects Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to a transfer from the Sales & Use Tax Fund for acquisition of Right of Way owned by the Westminster Economic Development Authority.

Section 6. The \$1,000,000 increase in the General Capital Improvement Project Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Transfer from Sales & Use Tax 75-999-5300	\$3,910,000	<u>1,000,000</u>	4,910,000
<u>EXPENSES</u>			
WEDA Right Of Way 75-30-88-555-068	-0-	<u>1,000,000</u>	1,000,000

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 19th day of May, 1997.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** May 15, 1997

**Subject:** Proclamation re: National Trails Day and Colorado Lottery Trails Awareness Month

**Prepared by:** Diane Dynis, Open Space Volunteer Coordinator

### **Introduction**

City Council is requested to adopt the attached resolution declaring June 7, National Trails Day as part of Colorado Lottery Trails Awareness Month.

### **Summary**

Nationally, June 7, is declared by many governmental organizations as "National Trails Day." The City of Westminster is acknowledging Colorado Lottery Trails Awareness Month by celebrating the new trail extension on Big Dry Creek from 120th Avenue to 128th Avenue. The theme for this year's event is "A Red, White and Bluegrass Celebration."

Diane Dynis, Open Space Volunteer Coordinator, will be in attendance to receive the Proclamation on behalf of the Department of Parks, Recreation and Libraries.

### **Staff Recommendation**

City Council proclaim June 7, as National Trails Day in the City of Westminster.

### **Background Information**

In June, Colorado will celebrate National Trails Day in a new way. The Colorado Lottery has joined Colorado State Parks and the American Hiking Society in sponsoring Colorado Lottery Trails Awareness Month.

As stipulated in the 1995 Great Outdoors Colorado Grant Agreement, a celebration of the trail extension on Big Dry Creek Trail from 120th to 128th Avenue is to be scheduled in conjunction with National Trails Day, June 7.

A total of \$108,750 from the Colorado Lottery has gone into the development of Big Dry Creek Trail and a variety of activities have been planned to encourage the public to utilize this trail.

Open Space Supervisor, Rod Larsen, Open Space Volunteer Coordinator, Diane Dynis, Parks Foreman, Jerry Magnetti, Wellness Coordinator, Scott Murdie, Eastern Mountain Sports Store Manager, Kathy Fahey and Front Range Community College Biology Professor, Dr. Gerald Dotson have been planning the trails day celebration.

Big Dry Creek Trail from City Park to 128th Avenue will be the site for a birding hike beginning at 7:00 A.M., a family nature hike beginning at 9:00 A.M., and a 3 mile jog/walk beginning at 10:00 A.M. All activities conclude by 11:00 A.M. for a ribbon cutting ceremony led by Mayor Nancy Heil and other local dignitaries at the McStain interpretive signs north of Front Range College.

The morning's celebration ends with bluegrass music performed by "Southern Exposure." Lemonade and cookies will be served, but everyone is invited to bring a blanket and picnic lunch while enjoying the various activities which are free to the public.

In addition to the hikes and festivities other trail enhancements include hand carved mile markers created by Eagle Scout Ben Ruby which begin at City Park and end at mile 4 (approximately 125th Avenue). An Open Space Rules and Regulations sign will also be posted at the trailhead on Big Dry Creek Trail.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment: Proclamation