



## CITY COUNCIL AGENDA

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

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

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

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

8. Consent Agenda
  - A. Financial Report for April 2012
  - B. Tandem Dump Truck Purchase
  - C. Open Space Purchase re 8.8-acre McKay Overlook Property Located at 144<sup>th</sup> Avenue and Zuni Street
9. Appointments and Resignations
10. Public Hearings and Other New Business
11. Old Business and Passage of Ordinances on Second Reading
12. Miscellaneous Business and Executive Session
  - A. City Council
13. Adjournment

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

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



**WESTMINSTER**  
**Strategic Plan**  
**2011-2016**  
**Goals and Objectives**

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**FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES**

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



**STRONG, BALANCED LOCAL ECONOMY**

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



**SAFE AND SECURE COMMUNITY**

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



**VIBRANT NEIGHBORHOODS IN ONE LIVABLE COMMUNITY**

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



**BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY**

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



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

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, MAY 14, 2012, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Nancy McNally, Mayor Pro Tem Faith Winter, and Councillors Herb Atchison, Bob Briggs, Mark Kaiser, and Mary Lindsey were present at roll call. Councillor Scott Major was absent and excused. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Kaiser moved, seconded by Councillor Lindsey, to approve the minutes of the regular meeting of April 23, 2012, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that because of the Memorial Day holiday, the second regular meeting of May had been rescheduled to Monday, May 21, and the City Council would not meet on the fourth Monday of the month. Additionally, City Hall would be closed in observance of Memorial Day on May 28.

The weather had not cooperated on May 12 for Community Pride Day, and volunteers had committed to complete clean up of their assigned areas within the next couple of weeks. The free barbecue and entertainment scheduled for volunteers at noon on Pride Day was held and proved to be a great success despite the weather.

After adjournment of this meeting, the Westminster Housing Authority Board of Directors would meet in the Council Chambers. Following conclusion of that meeting, City Council would hold a post-meeting in the Council Board Room to review core service levels in preparation of the 2013/2014 Budget.

CITY COUNCIL COMMENTS

Councillor Atchison invited everyone to attend Armed Forces Day on Saturday, May 19, as Westminster honored those who were serving or had served in the military. Ceremonies would begin at 10 a.m. at the Armed Forces Tribute Garden. Before the ceremony everyone was invited to enjoy a free pancake breakfast to benefit the Armed Forces Tribute Garden from 8:00 to 10:30 a.m. at Valley Bank & Trust, 11145 Sheridan Blvd. Donations would be appreciated and would help fund future enhancements at the Garden.

PRESENTATIONS

Mayor McNally proclaimed May 20 to 26, 2012, to be Public Works Week. This year's theme was "Public Works: Creating a Lasting Impression." In presenting the proclamation to Public Works staff members, she recognized the contributions they and their co-workers made every day to citizens' health, safety, comfort and quality of life.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: based on the City Manager's recommendation, Council found that the public interest was best served by authorizing the City Manager to renew a contract with Playthewhistle.com, LLC, for officiating and related services in an amount not to exceed \$85,000 for one year; authorize the City Manager to enter into a Purchase and Sale Agreement, in

substantially the same form as the agreement included in the agenda packet, with Westminster Boulevard, LLC, to sell a parcel of land located on the east section of the Promenade; and authorize the City Manager to enter into a development agreement, in substantially the same form as the agreement included in the agenda packet, with Renaissance I, LLLP, for the Lowell Plaza Project.

There were no requests to remove any items from the Consent Agenda for individual consideration. Councillor Briggs moved to approve the consent agenda, as presented. Councillor Atchison seconded the motion, and it carried unanimously.

#### PUBLIC HEARING ON PDP AND 6<sup>TH</sup> AMENDED ODP FOR MY BUSINESS PARK AT MANDALAY

At 7:09 p.m., Mayor McNally opened a public hearing to consider two proposed changes in use and a reduction in parking for My Business Park at Mandalay located at the northeast corner of Zephyr Court and 108<sup>th</sup> Avenue, just west of Wadsworth Boulevard. The property was within the Rocky Mountain Metropolitan Airport Critical Zone, an area surrounding the airport that included the Runway Approach Zone. Mac Cummins, Planning Manager, entered into the record the agenda memorandum and attachments, noting that legal notice of this public hearing had been fulfilled in accordance with the Westminster Municipal Code. The proposed new uses were for a sports training facility and places of assembly; the requested reduction in parking was for the sports training facility. The sports training facility use was generally acceptable to business park developments; however, Staff believed the place of assembly use should not be supported based on its incompatibility with City Code requirements. Further, Jefferson County staff was not supportive of the requested assembly use in the Airport Critical Zone. A reduction in parking for the sports training facility use should not be approved as training facilities could be large parking generators, depending on the operational characteristics of the business. No professional parking study had been prepared or submitted to indicate that the proposed reductions were adequate to ensure enough parking for the entire development.

Bob Yost, owner of My Business Park at Mandalay, believed that uses within the Shops at Walnut Creek and the Westminster Promenade, which were in the Airport Critical Zone, were assembly uses, as large numbers of people were at businesses within both developments daily. The AMC Theatre, Dave and Busters, and Madcap Theatre where a church rented space and met weekly all satisfied the assembly use category Mr. Yost purported. Staff at the airport had told him the small assembly use proposed probably would not be problematic but could not be supported because it was in conflict with national policy within an Airport Critical Zone. Council had the ability to overrule policy, as evidenced by uses allowed in the Shops at Walnut Creek and the Westminster Promenade. A parking study had not been done because of time and expense. Justification for the reduction in parking was the Blue Dolphin Swim Club where multiple customers came to the facility in one vehicle and parking turned over every 15 to 20 minutes, making 1 parking space per 600 square feet of floor space adequate to accommodate the sports facility use rather than the current 1 space per 250 square-foot requirement for office space. Mr. Yost urged Council to approve the two new requested uses and the reduction in parking spaces.

Mr. Cummins and Mr. Yost responded to questions from Councillors. Concrete structures to accommodate multiple approved uses, including light retail, had been built on the site. The in-ground swimming pool would be built in a portion of the existing building. The building had been designed to be easily modified as space was rented. The Airport Operations Director had implied that assembly uses could not be supported when they lined up directly in the path of the runway and that seemed to be the difference between this property and the Shops at Walnut Creek or the Westminster Promenade. Additionally, by definition of “assembly use,” there were none at the other two locations. If an assembly use were approved to site a small church of perhaps 50 to 75 members, restrictive agreements would have to be executed to limit growth as available building and parking space would not permit a mega church. The building had been designed and constructed to mitigate noise of airplanes taking off and landing above it. Hours and days that the church would operate were expected to be like most churches with Sunday and some evening services weekly. While the property owner had been contacted frequently about leasing space to churches, a specific church had not submitted a request for consideration at the present time and there were no specifics to provide additional information.

In conclusion, Mr. Cummins stated that the Planning Commission had considered this proposal on April 24 and had concurred with Staff's recommendation to approve the sports training facility use and to deny the assembly use and the reduction in parking request.

No others wished to speak and all questions of City Council had been answered. Mayor McNally closed the hearing at 7:36 p.m.

#### PDP AND 6<sup>TH</sup> AMENDED ODP FOR MY BUSINESS PARK AT MANDALAY

Councillor Atchison moved that the sports training facility use be approved as an amendment, as it satisfied all criteria for such approval as set forth in the Municipal Code, Section 11-5-15(A)(1)-(17); that the assembly use be denied as an amendment for its failure to meet the requirements of the Municipal Code, Section 11-5-15(A)(2),(3),(5),(6),(8),(13),(14) and (15); and that the parking reduction be denied as an amendment for its failure to meet the requirements of the Municipal Code, Section 11-5-15(A) (1),(2),(3),(4),(6),(8),(14) and (15).

Mayor Pro Tem Winter moved to divide the motion. Councillor Lindsey seconded the motion, and it carried unanimously.

It was moved by Councillor Atchison, seconded by Mayor Pro Tem Winter, to approve the sports training facility use as an amendment to the My Business Park at Mandalay Preliminary Development Plan and 6<sup>th</sup> Amended Official Development Plan, as it satisfied all criteria for such approval as set forth in the Municipal Code, Section 11-5-15(A)(1)-(17). The motion passed unanimously.

Councillor Atchison moved, seconded by Mayor Pro Tem Winter, to deny the assembly use for the My Business Park at Mandalay Preliminary Development Plan and 6<sup>th</sup> Amended Official Development Plan as an amendment because it failed to meet the requirements of the Municipal Code, Section 11-5-15(A)(2),(3),(5),(6),(8),(13),(14) and (15). The motion passed by a 5:1 margin with Councillor Briggs voting no.

Councillor Atchison moved to deny the parking reduction as an amendment to the My Business Park at Mandalay Preliminary Development Plan and 6<sup>th</sup> Amended Official Development Plan, as it failed to meet the requirements of the Municipal Code, Section 11-5-15(A) (1),(2),(3),(4),(6),(8),(14) and (15). Councillor Lindsey seconded the motion and it carried by a 5:1 margin with Councillor Briggs voting no.

#### RESOLUTION NO. 12 COMPLIANCE HEARING FOR THE LITTLE DRY CREEK PROPERTY ANNEXATION

It was moved by Councillor Briggs and seconded by Councillor Atchison to adopt Resolution No. 12 accepting the annexation petition submitted by the Westminster Housing Authority and Adams County, making the findings required by State Statute on the sufficiency of the petition, and setting the date of June 25, 2012, for the annexation hearing. At roll call, the motion passed unanimously.

#### RESOLUTION NO. 13 ALLOCATING AND ASSIGNING 2012 PAB TO WHA FOR LOWELL PLAZA

Councillor Kaiser moved to adopt Resolution No. 13 authorizing the assignment of the City's 2012 private activity bond allocation of \$5,056,803 to the Westminster Housing Authority to finance the construction of a residential rental multi-family housing project to be located in the City, and authorize the Mayor to execute the necessary documents. Councillor Atchison seconded the motion and it passed unanimously at roll call vote.

#### COUNCILLOR'S BILL NO. 10 APPROPRIATING 2012 CDBG FUNDS

Councillor Atchison moved to pass on first reading Councillor's Bill No. 10 appropriating funds received from the United States Department of Housing and Urban Development, Community Development Block Grant program, in the amount of \$523,309. Councillor Kaiser seconded the motion and it pass unanimously on roll call vote.

COUNCILLOR’S BILL NO. 11 AUTHORIZING 2011 FINAL BUDGET SUPPLEMENTAL APPROPRIATION

Upon a motion by Mayor Pro Tem Winter, seconded by Councillor Lindsey, the Council voted unanimously at roll call to pass Councillor’s Bill No. 11 as an emergency ordinance providing for a supplemental appropriation of funds to the 2011 budget of the General, Fleet, Sales and Use Tax, Parks Open Space and Trails, and General Capital Improvement Funds.

COUNCILLOR’S BILL NO. 12 AUTHORIZING 1<sup>ST</sup> QTR BUDGET SUPPLEMENTAL APPROPRIATION

It was moved by Councillor Briggs and seconded by Councillor Atchison to pass Councillor’s Bill No. 12 on first reading providing for a supplemental appropriation of funds to the 2012 budget of the General, Water, and General Capital Improvement Funds. At roll call, the motion passed with Council members voting affirmatively.

COUNCILLOR’S BILL NO. 13 INCREASING TIME FOR MAKING A JURY DEMAND IN COURT

Councillor Kaiser moved to pass Councillor’s Bill No. 13 on first reading expanding the time for making a jury demand in Municipal Court from 20 days to 21 days, by adopting the recent changes to Rule 223 of the Colorado Municipal Court Rules of Procedure concerning jury demands in municipal courts. The motion was seconded by Mayor Pro Tem Winter and passed unanimously at roll call.

COUNCILLOR’S BILL NO. 14 SUPPLEMENTING SYNCRONESS, INC. BAA

It was moved by Mayor Pro Tem Winter, seconded by Councillor Lindsey, to pass Councillor’s Bill No. 14 on first reading authorizing the City Manager to execute and implement the 2012 Supplemental Business Assistance Agreement for SynchroneSS, Inc. At roll call the motion passed unanimously.

ADJOURNMENT

There being no further business to come before the City Council, it was moved by Councillor Kaiser and seconded by Councillor Atchison to adjourn. The vote was unanimous and the meeting adjourned at 7:54 p.m.

ATTEST:

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Mayor

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City Clerk



## Agenda Item 6 A

### Agenda Memorandum

City Council Meeting  
May 21, 2012



**SUBJECT:** Certificate of Achievement for Excellence in Financial Reporting

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

### Recommended City Council Action

The Mayor, on behalf of the City Council, will present the Government Finance Officer's Certificate of Achievement for Excellence in Financial Reporting to the Comprehensive Annual Financial Report project team, led by Accounting Manager, Cherie Sanchez.

### Summary Statement

- The Government Finance Officer's Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Westminster for its comprehensive annual financial report for the fiscal year ended December 31, 2010.
- The Comprehensive Annual Financial Report (CAFR) is judged by an impartial review panel to meet the high standards of the program, including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.
- The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.
- This is the twenty-eighth consecutive year the City has received this prestigious award from GFOA. As one of Council's primary goals is a Financially Sustainable City Government Providing Exceptional Services, Staff is honored to receive this award.

**Expenditure Required:** \$0

**Source of Funds:** N/A



**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The Certificate of Achievement is conferred by the GFOA of the United States and Canada, and is the highest form of recognition in the area of governmental accounting and financial reporting. Its attainment represents a significant accomplishment by a government and its management.

To satisfy the requirements of the Certificate program, a CAFR must be easily readable and understandable based on a defined reporting framework that incorporates relevant Generally Accepted Accounting Principles and applicable GFOA program policies. Additionally, the information must be reliable as indicated by an unqualified opinion of the City's independent auditor.

Audit reports qualifying for the Certificate of Achievement provide a clear and complete financial story to be utilized by citizens, City Council, and various oversight groups as an accountability mechanism, by investors and creditors as a credit analysis tool, and by others as a reference to the financial operation and position of the City.

Westminster's report was evaluated by GFOA's special review committee comprised of government finance officers, independent CPAs, educators and others with particular expertise in governmental accounting and financial reporting from across the nation. The award acknowledges that Westminster fulfills the spirit of full disclosure in communicating its financial story.

Special thanks go to accounting manager Cherie Sanchez; accountants Vicki Adams, Karen Creager, Gary Newcomb, and Sherri Rickard; financial analyst Rachel Price; retirement administrator Kim McDaniel; and accounting specialist Leslie Krough, who were primarily instrumental in achieving the certificate. Other Finance Staff who provided vital assistance include senior financial analyst Bob Byerhof; treasury manager Bob Smith; sales tax manager Barb Dolan; accounting technician Karen Elrod; and administrative secretary Maggie Hunter. The Certificate of Achievement Award reflects the hard work and commitment to excellence of the CAFR project team, and the overall commitment of the City to being financially accountable.

This recognition confirms Staff's commitment to achieving the City's strategic goal of Financially Sustainable City Government Providing Exceptional Services.

Respectfully submitted,

J. Brent McFall  
City Manager



Agenda Memorandum

City Council Meeting  
May 21, 2012



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

**Recommended City Council Action**

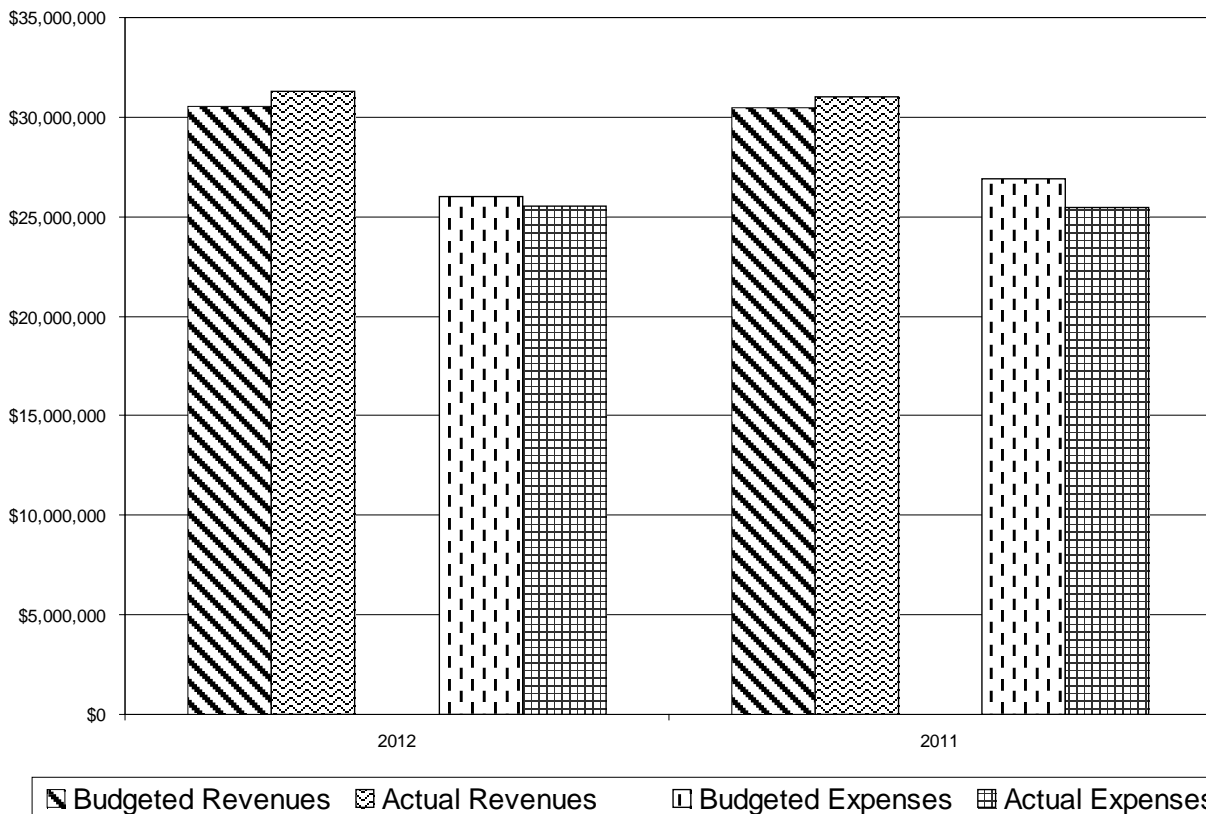
Accept the Financial Report for April as presented.

**Summary Statement**

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

The General Fund revenues exceed expenditures by \$5,739,308. The following graph represents Budget vs. Actual for 2011-2012.

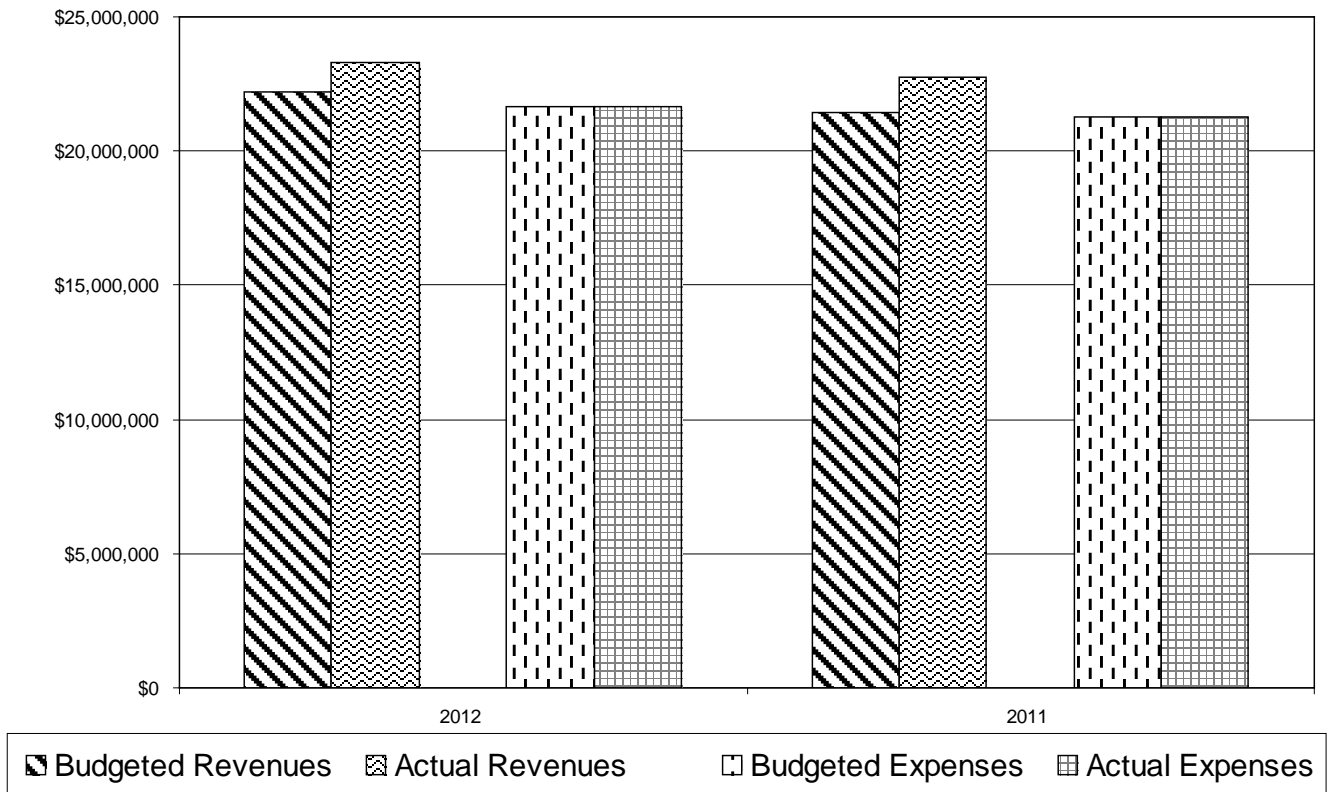
**General Fund  
Budget vs Actual**



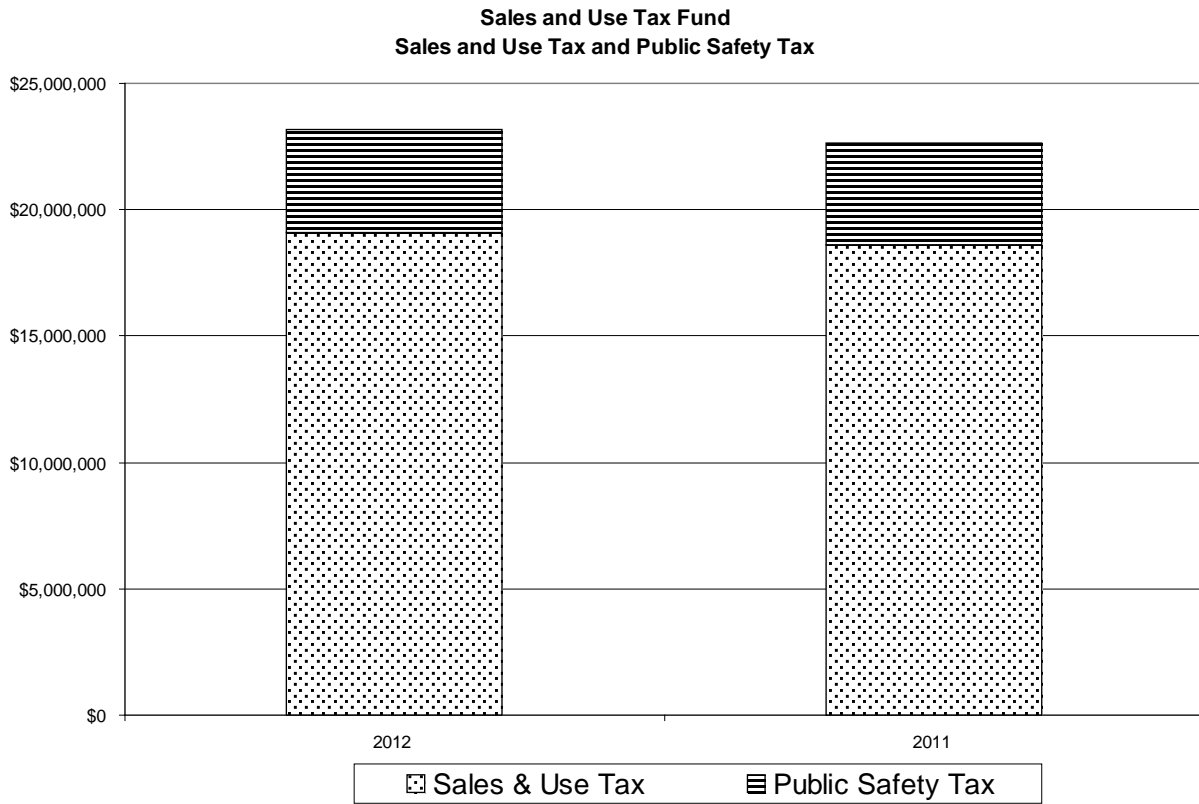
The Sales and Use Tax Fund revenues exceed expenditures by \$1,602,961. On a year-to-date cash basis, total sales and use tax is up 2.4% from 2011. Key components are listed below:

- On a year-to-date basis, across the top 25 shopping centers, total sales and use tax receipts are up 1.0% from the prior year.
- Sales tax receipts from the top 50 Sales Taxpayers, representing about 58.4% of all collections, are up 3.4% for the month.
- Urban renewal areas make up 41.2% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 83.0% of this money is being retained for General Fund use.
- Auto Use tax is up 14.5% on a year-to-date basis.

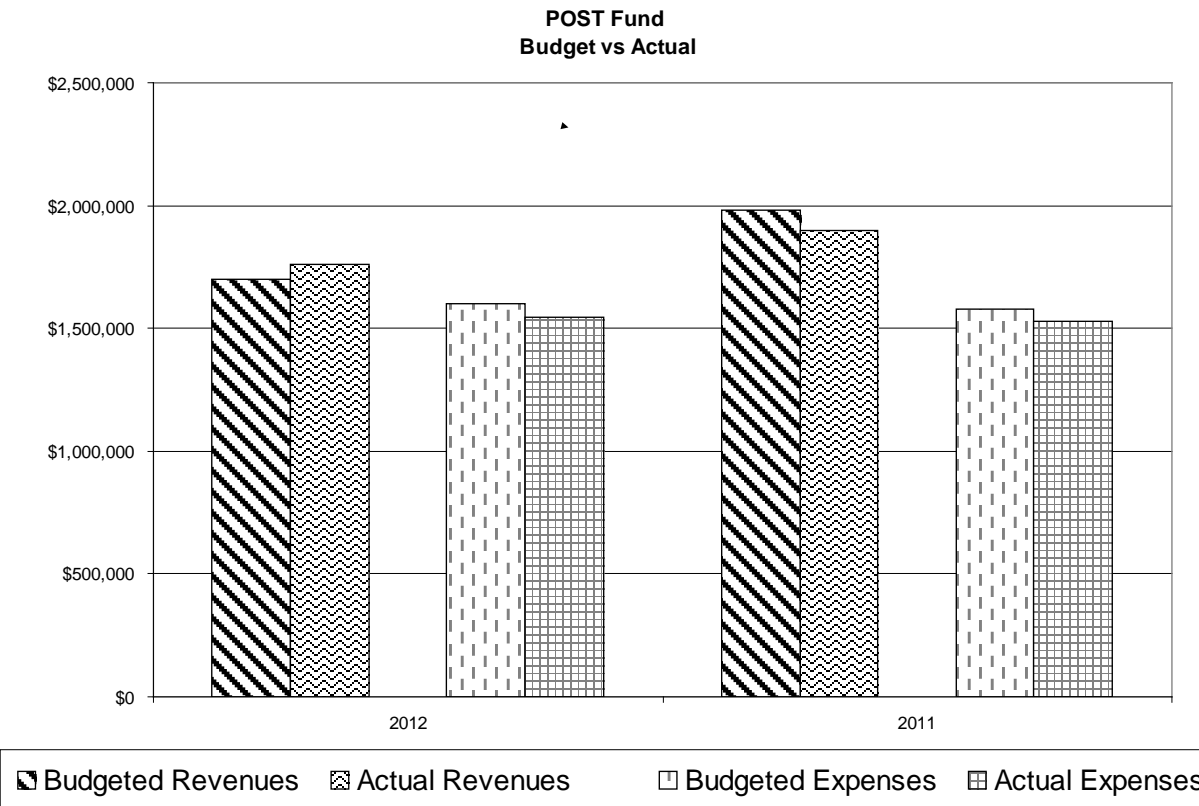
**Sales & Use Tax Fund  
Budget vs Actual**



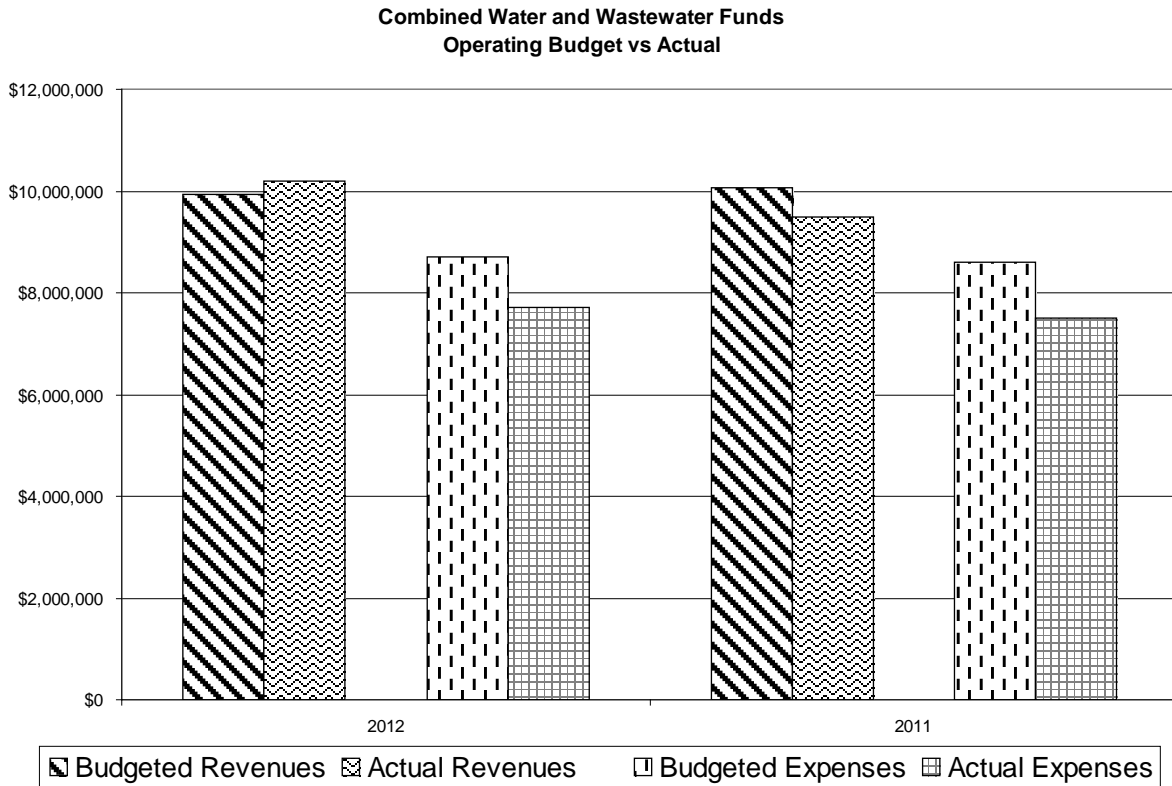
The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.



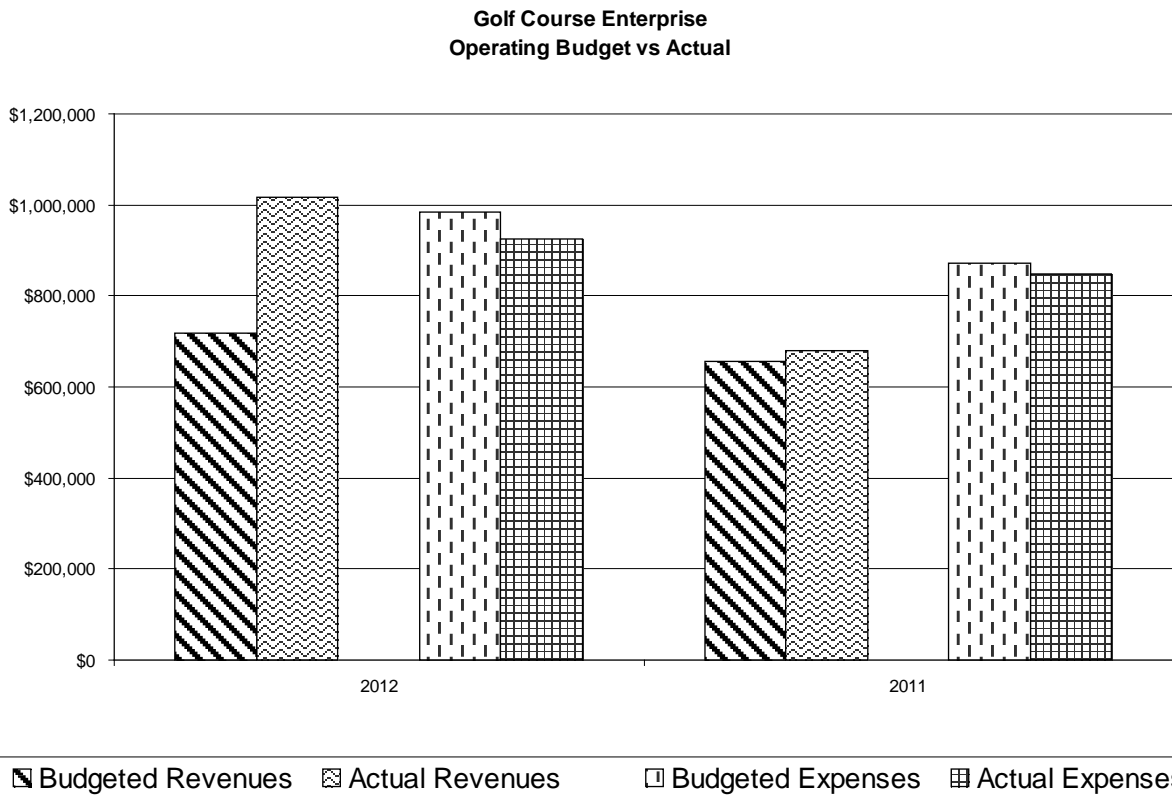
The Parks Open Space and Trails Fund revenues exceed expenditures by \$219,947.



The combined Water & Wastewater Fund revenues exceed expenses by \$5,309,244 Operating revenues exceed operating expenses by \$2,490,426. \$14,860,000 is budgeted for capital projects and reserves.



The combined Golf Course Fund revenues exceed expenditures by \$91,770.



On a combined basis, the golf courses are up by nearly \$300,000 over prorated budget. This is attributable to increased play and primarily corporate memberships.

**Policy Issue**

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

**Alternative**

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

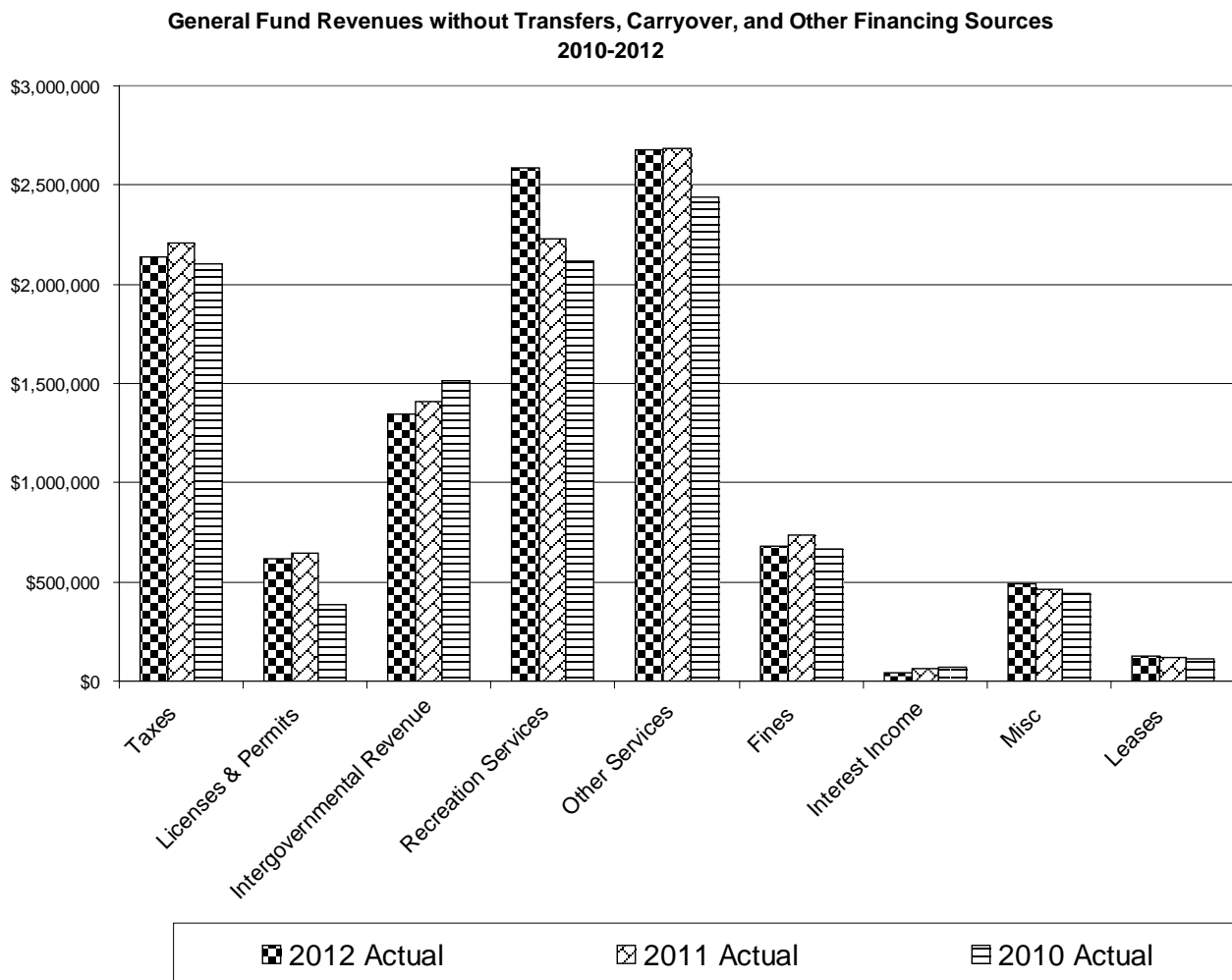
**Background Information**

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

**General Fund**

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

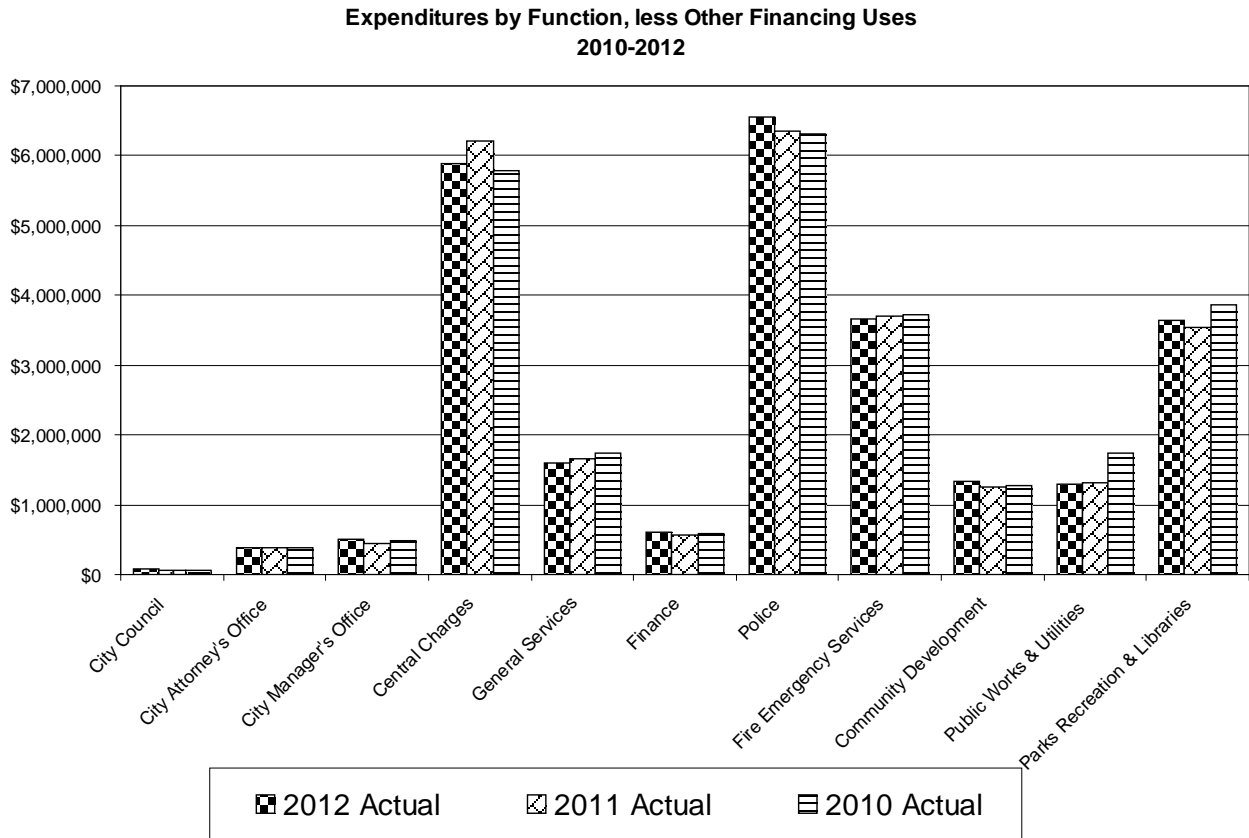
The following chart represents the trend in actual revenues from 2010-2012 year-to-date.



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

- Recreation Services revenue increased from fees for passes, admissions, fitness and recreation programs.

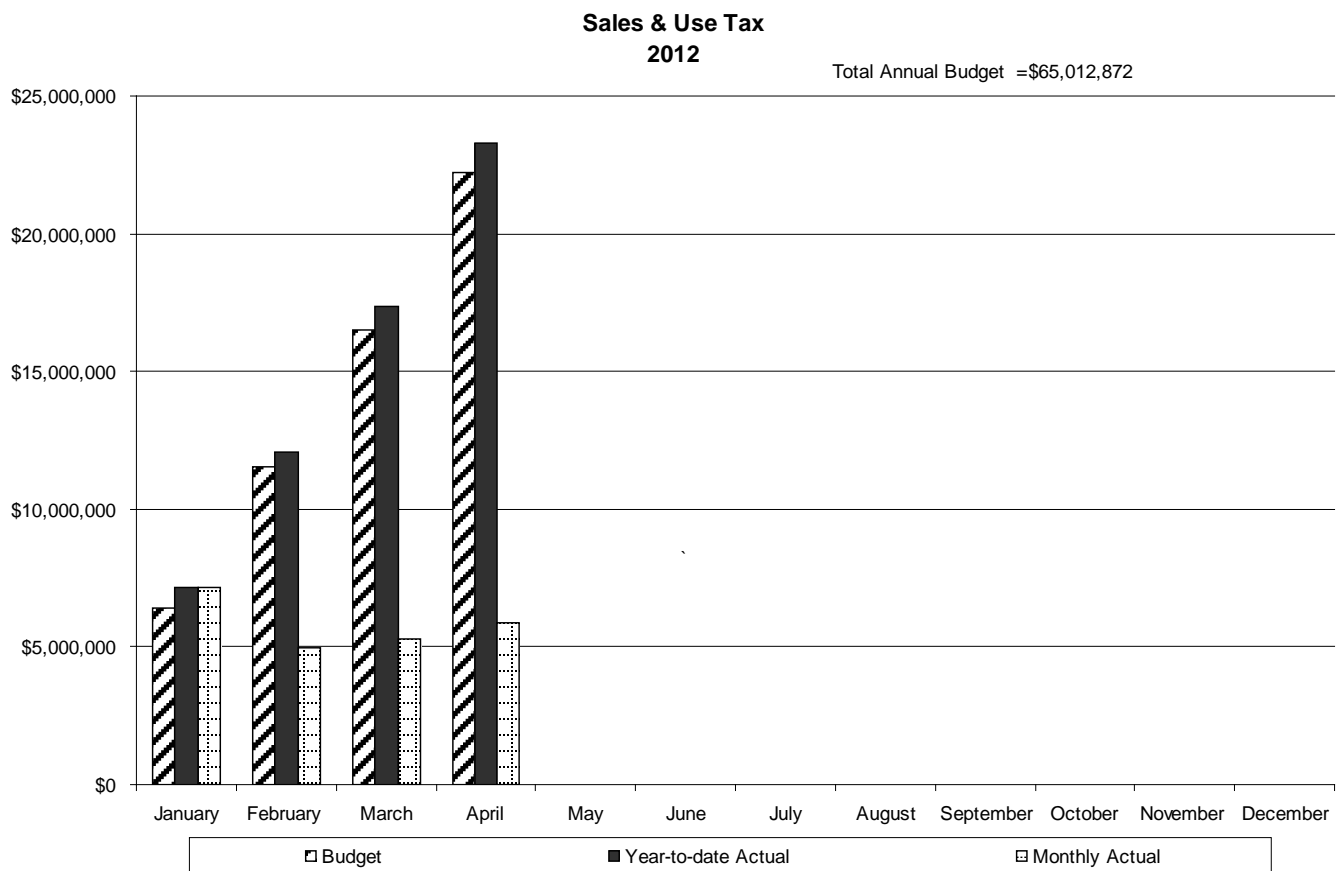
The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2010-2012.



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

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

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



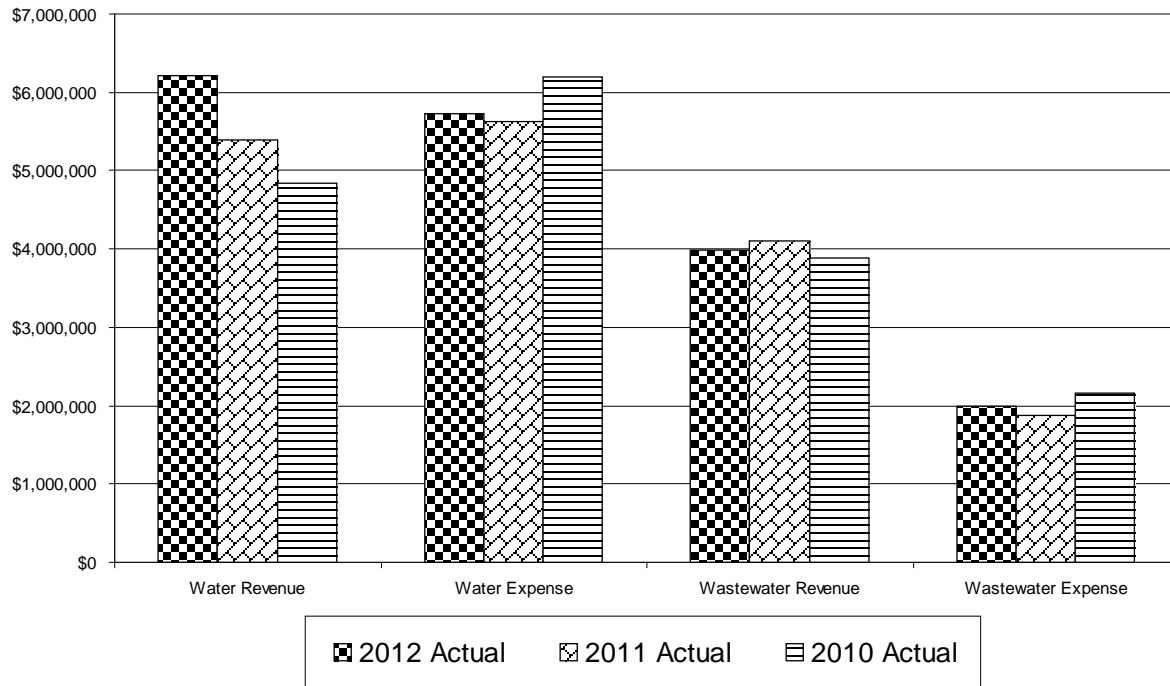


**Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)**

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

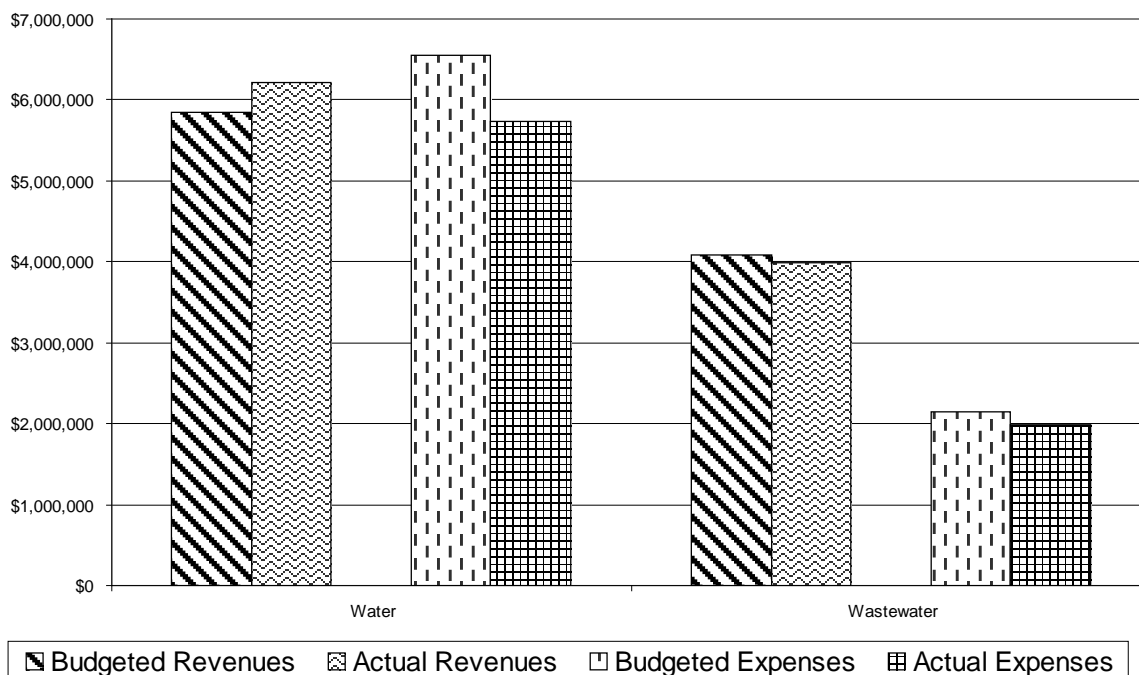
These graphs represent segment information for the Water and Wastewater funds.

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



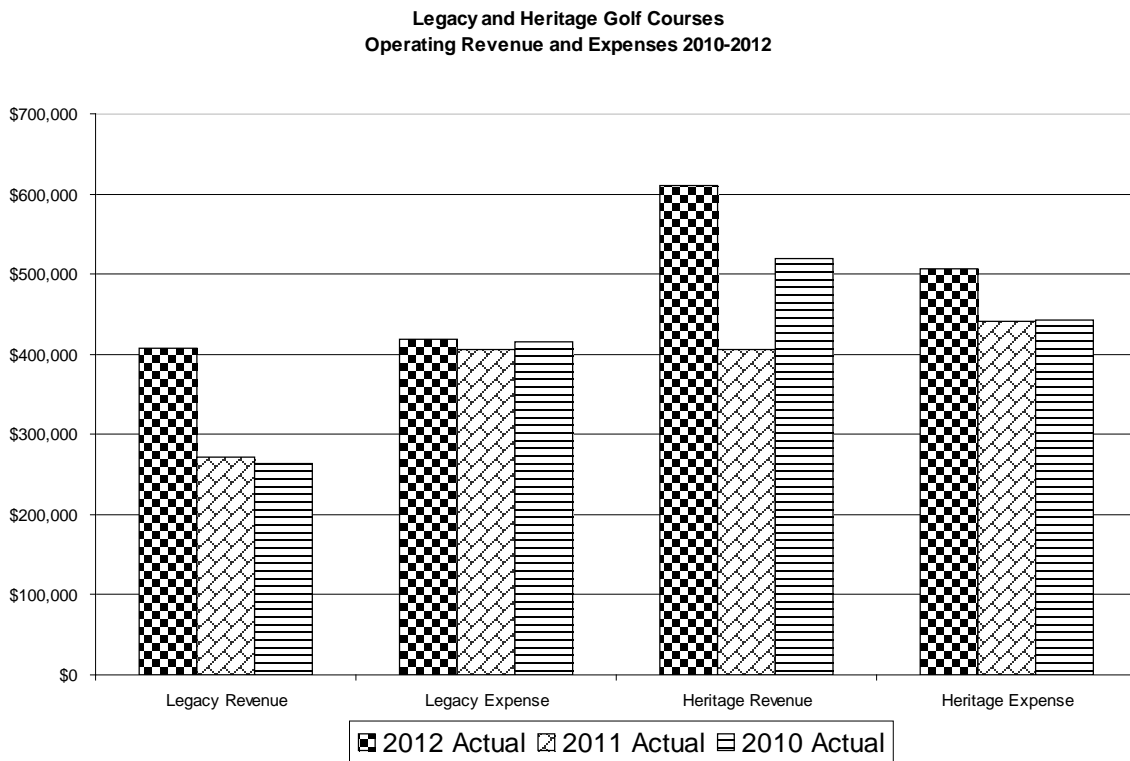
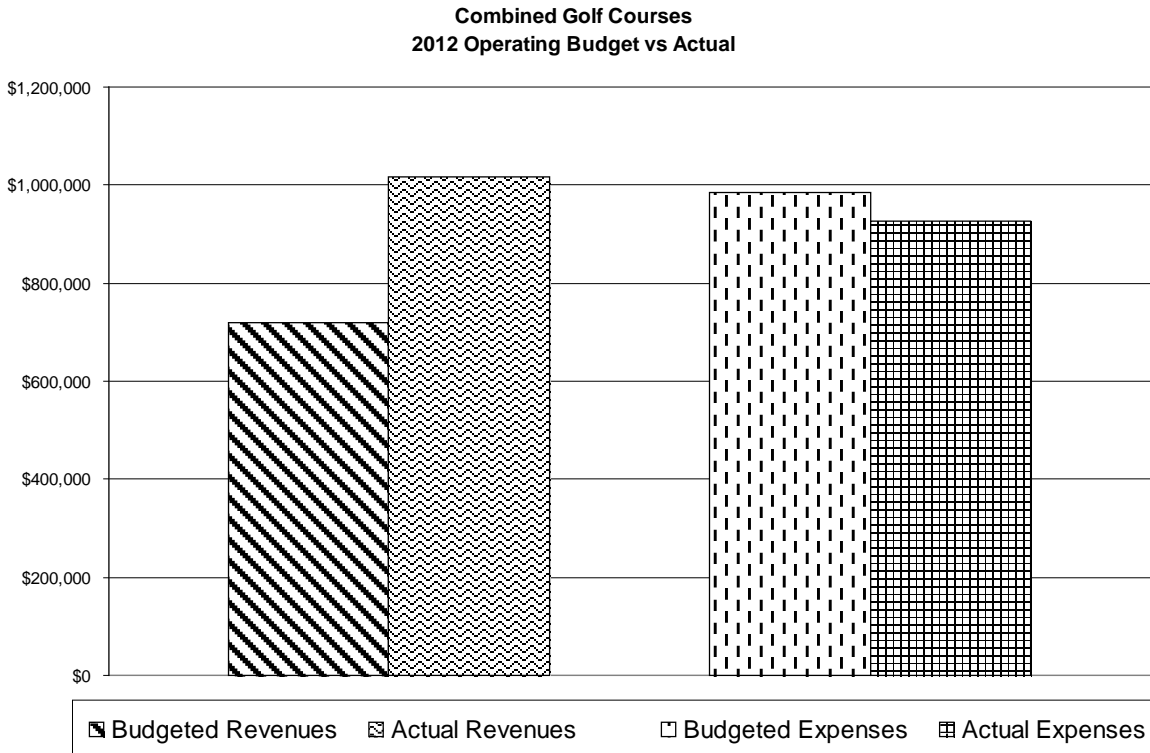
The water revenue variance is due to the effect of climatic variations on water consumption and 2012 changes to billing rates. Water expense in 2010 was elevated due to the timing of a payment for annual ditch assessments.

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



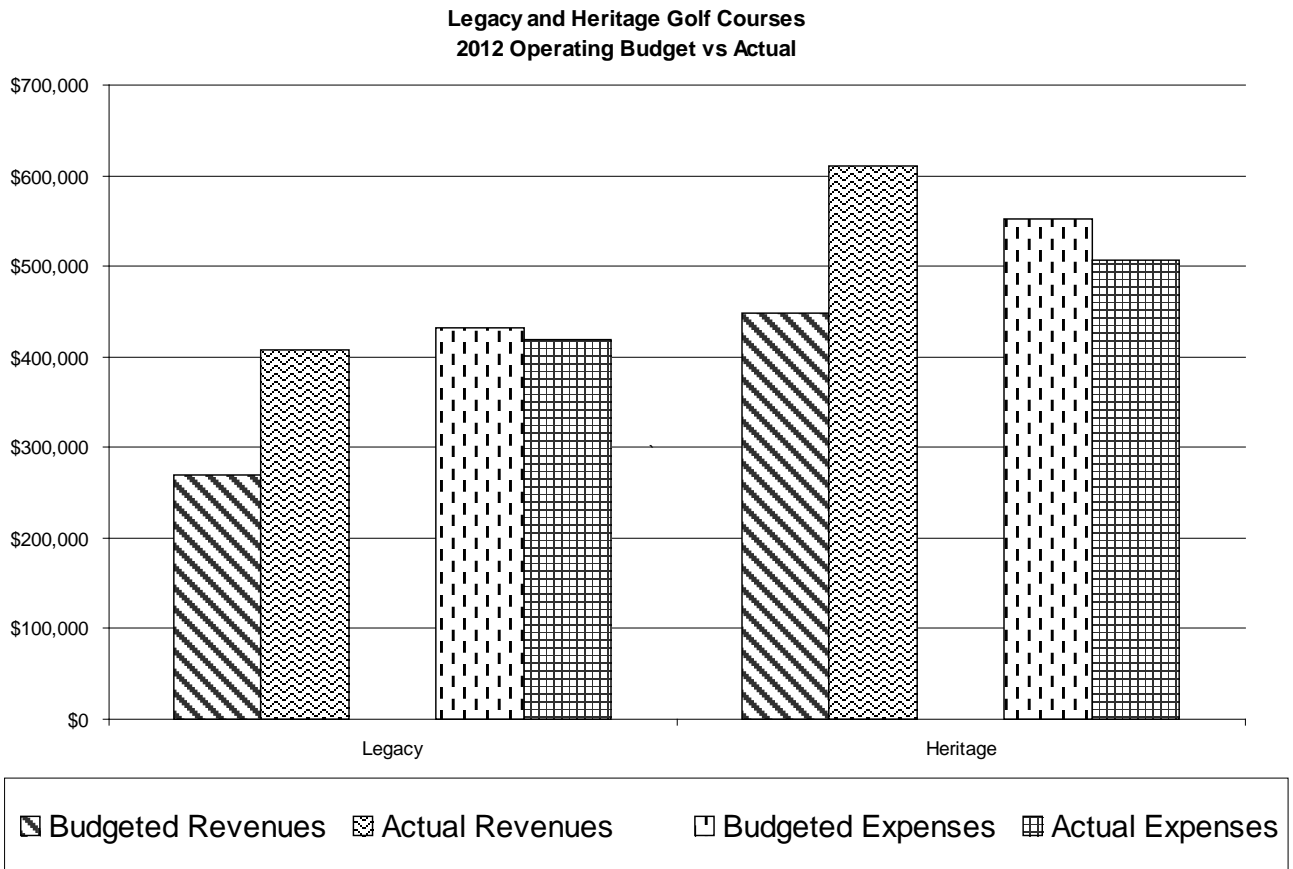
**Golf Course Enterprise (Legacy and Heritage Golf Courses)**

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



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

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



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

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Statements
- Shopping Center Report

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	%
General Fund						Budget
<b>Revenues</b>						
Taxes	5,575,590	2,182,791		2,137,876	(44,915)	97.9%
Licenses & Permits	1,415,000	439,417		618,445	179,028	140.7%
Intergovernmental Revenue	5,041,200	1,298,541		1,344,356	45,815	103.5%
Charges for Services						
Recreation Services	6,418,338	2,117,352		2,588,716	471,364	122.3%
Other Services	9,530,020	2,742,719		2,675,442	(67,277)	97.5%
Fines	2,110,000	689,584		676,508	(13,076)	98.1%
Interest Income	180,000	32,756		43,415	10,659	132.5%
Miscellaneous	1,733,562	373,712		491,636	117,924	131.6%
Leases	386,208	122,770		122,770	0	100.0%
Interfund Transfers	61,684,647	20,561,549		20,561,549	0	100.0%
<b>Total Revenues</b>	<b>94,074,565</b>	<b>30,561,191</b>		<b>31,260,713</b>	<b>699,522</b>	<b>102.3%</b>
<b>Expenditures</b>						
City Council	240,119	79,913		72,157	(7,756)	90.3%
City Attorney's Office	1,197,089	368,160		376,957	8,797	102.4%
City Manager's Office	1,492,443	467,355		499,015	31,660	106.8%
Central Charges	25,031,200	5,896,360		5,881,109	(15,251)	99.7%
General Services	5,825,352	1,830,923		1,606,626	(224,297)	87.7%
Finance	1,994,706	615,348		608,978	(6,370)	99.0%
Police	20,379,206	6,486,202		6,556,410	70,208	101.1%
Fire Emergency Services	11,777,934	3,712,743		3,661,082	(51,661)	98.6%
Community Development	4,125,271	1,282,515		1,339,893	57,378	104.5%
Public Works & Utilities	7,767,031	1,288,134		1,284,836	(3,298)	99.7%
Parks, Recreation & Libraries	14,244,214	3,999,185		3,634,342	(364,843)	90.9%
<b>Total Expenditures</b>	<b>94,074,565</b>	<b>26,026,838</b>		<b>25,521,405</b>	<b>(505,433)</b>	<b>98.1%</b>
Revenues Over(Under)						
Expenditures	0	4,534,353		5,739,308	1,204,955	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Sales and Use Tax Fund</b>						
<b>Revenues</b>						
Sales Tax						
Sales Tax Returns	44,669,579	15,546,138		16,243,151	697,013	104.5%
Sales Tx Audit Revenues	719,000	239,427		201,956	(37,471)	84.3%
S-T Rev. STX	<u>45,388,579</u>	<u>15,785,565</u>		<u>16,445,107</u>	<u>659,542</u>	104.2%
Use Tax						
Use Tax Returns	7,193,750	2,091,586		2,430,295	338,709	116.2%
Use Tax Audit Revenues	785,000	261,405		206,684	(54,721)	79.1%
S-T Rev. UTX	<u>7,978,750</u>	<u>2,352,991</u>		<u>2,636,979</u>	<u>283,988</u>	112.1%
Total STX and UTX	<u><u>53,367,329</u></u>	<u><u>18,138,556</u></u>		<u><u>19,082,086</u></u>	<u><u>943,530</u></u>	105.2%
Public Safety Tax						
PST Tax Returns	10,985,043	3,843,769		3,997,408	153,639	104.0%
PST Audit Revenues	308,500	102,731		81,696	(21,035)	79.5%
Total Rev. PST	<u>11,293,543</u>	<u>3,946,500</u>		<u>4,079,104</u>	<u>132,604</u>	103.4%
Interest Income	95,000	31,667		27,061	(4,606)	85.5%
Interfund Transfers	257,000	85,667		85,667	0	100.0%
Total Revenues and Carryover	<u><u>65,012,872</u></u>	<u><u>22,202,390</u></u>		<u><u>23,273,918</u></u>	<u><u>1,071,528</u></u>	104.8%
<b>Expenditures</b>						
Central Charges	<u>65,012,872</u>	<u>21,670,957</u>		<u>21,670,957</u>	<u>0</u>	100.0%
Revenues Over(Under) Expenditures	<u><u>0</u></u>	<u><u>531,433</u></u>		<u><u>1,602,961</u></u>	<u><u>1,071,528</u></u>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description POST Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Revenues</b>						
Sales & Use Tax	4,814,510	1,665,239		1,699,190	33,951	102.0%
Intergovernmental Revenue	81,229	0		0	0	
Interest Income	3,400	1,133		7,774	6,641	686.1%
Miscellaneous	85,030	28,343		49,480	21,137	174.6%
Interfund Transfers	19,000	6,333		6,333	0	100.0%
<b>Total Revenues</b>	<u>5,003,169</u>	<u>1,701,048</u>		<u>1,762,777</u>	<u>61,729</u>	<u>103.6%</u>
<b>Expenditures</b>						
Central Charges	4,725,329	1,534,900		1,490,471	(44,429)	97.1%
Park Services	277,840	64,989		52,359	(12,630)	80.6%
	<u>5,003,169</u>	<u>1,599,889</u>		<u>1,542,830</u>	<u>(57,059)</u>	<u>96.4%</u>
Revenues Over(Under)						
Expenditures	<u>0</u>	<u>101,159</u>		<u>219,947</u>	<u>118,788</u>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Water and Wastewater Funds - Combined</b>						
<b>Operating Revenues</b>						
License & Permits	75,000	25,000		31,740	6,740	127.0%
Rates and Charges	43,153,638	9,769,947		9,979,574	209,627	102.1%
Miscellaneous	435,000	145,000		194,601	49,601	134.2%
Total Operating Revenues	<u>43,663,638</u>	<u>9,939,947</u>		<u>10,205,915</u>	<u>265,968</u>	102.7%
<b>Operating Expenses</b>						
Central Charges	5,875,355	1,958,451		1,950,902	(7,549)	99.6%
Finance	669,344	215,529		188,603	(26,926)	87.5%
Public Works & Utilities	20,349,992	5,622,755		4,743,768	(878,987)	84.4%
Parks, Recreation & Libraries	132,272	23,412		15,138	(8,274)	64.7%
Information Technology	2,778,352	880,738		817,078	(63,660)	92.8%
Total Operating Expenses	<u>29,805,315</u>	<u>8,700,885</u>		<u>7,715,489</u>	<u>(985,396)</u>	88.7%
Operating Income (Loss)	<u>13,858,323</u>			<u>2,490,426</u>	<u>1,251,364</u>	
<b>Other Revenue and Expenses</b>						
Tap Fees	3,700,000	1,416,600		1,361,962	(54,638)	96.1%
Interest Income	553,600	184,534		103,678	(80,856)	56.2%
Interfund Transfers	3,967,501	1,322,500		1,322,500	0	100.0%
Sale of Assets	0	0		30,678	30,678	
Debt Service	(7,219,424)	0		0	0	
Total Other Revenue (Expenses)	<u>1,001,677</u>	<u>2,923,634</u>		<u>2,818,818</u>	<u>(104,816)</u>	
Increase (Decrease) in Net Assets	<u>14,860,000</u>	<u>4,162,696</u>		<u>5,309,244</u>	<u>1,146,548</u>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Water Fund</b>						
<b>Operating Revenues</b>						
License & Permits	75,000	25,000		31,740	6,740	127.0%
Rates and Charges	30,892,138	5,682,780		5,990,770	307,990	105.4%
Miscellaneous	425,000	141,667		192,471	50,804	135.9%
Total Operating Revenues	<u>31,392,138</u>	<u>5,849,447</u>		<u>6,214,981</u>	<u>365,534</u>	106.2%
<b>Operating Expenses</b>						
Central Charges	4,152,445	1,384,148		1,377,680	(6,468)	99.5%
Finance	669,344	215,529		188,603	(26,926)	87.5%
Public Works & Utilities	14,246,761	4,046,084		3,328,910	(717,174)	82.3%
PR&L Standley Lake	132,272	23,412		15,138	(8,274)	64.7%
Information Technology	2,778,352	880,738		817,078	(63,660)	92.8%
Total Operating Expenses	<u>21,979,174</u>	<u>6,549,911</u>		<u>5,727,409</u>	<u>(822,502)</u>	87.4%
Operating Income (Loss)	<u>9,412,964</u>	<u>(700,464)</u>		<u>487,572</u>	<u>1,188,036</u>	
<b>Other Revenue and Expenses</b>						
Tap Fees	3,000,000	1,129,200		1,078,480	(50,720)	95.5%
Interest Income	365,600	121,867		72,774	(49,093)	59.7%
Interfund Transfers	2,984,511	994,837		994,837	0	100.0%
Sale of Assets	0	0		30,678	30,678	
Debt Service	(5,715,075)	0		0	0	
Total Other Revenues (Expenses)	<u>635,036</u>	<u>2,245,904</u>		<u>2,176,769</u>	<u>(69,135)</u>	
Increase (Decrease) in Net Assets	<u>10,048,000</u>	<u>1,545,440</u>		<u>2,664,341</u>	<u>1,118,901</u>	



**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Wastewater Fund</b>						
<b>Operating Revenues</b>						
Rates and Charges	12,261,500	4,087,167		3,988,804	(98,363)	97.6%
Miscellaneous	10,000	3,333		2,130	(1,203)	63.9%
Total Operating Revenues	<u>12,271,500</u>	<u>4,090,500</u>		<u>3,990,934</u>	<u>(99,566)</u>	97.6%
<b>Operating Expenses</b>						
Central Charges	1,722,910	574,303		573,222	(1,081)	99.8%
Public Works & Utilities	6,103,231	1,576,671		1,414,858	(161,813)	89.7%
Total Operating Expenses	<u>7,826,141</u>	<u>2,150,974</u>		<u>1,988,080</u>	<u>(162,894)</u>	92.4%
Operating Income (Loss)	<u>4,445,359</u>	<u>1,939,526</u>		<u>2,002,854</u>	<u>63,328</u>	
<b>Other Revenue and Expenses</b>						
Tap Fees	700,000	287,400		283,482	(3,918)	98.6%
Interest Income	188,000	62,667		30,904	(31,763)	49.3%
Interfund Transfers	982,990	327,663		327,663	0	100.0%
Debt Service	(1,504,349)	0		0	0	
Total Other Revenues (Expenses)	<u>366,641</u>	<u>677,730</u>		<u>642,049</u>	<u>(35,681)</u>	
Increase (Decrease) in Net Assets	<u>4,812,000</u>	<u>2,617,256</u>		<u>2,644,903</u>	<u>27,647</u>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

<b>Description</b>	<b>Budget</b>	<b>Pro-rated for Seasonal Flows</b>	<b>Notes</b>	<b>Actual</b>	<b>(Under) Over Budget</b>	<b>% Budget</b>
<b>Storm Drainage Fund</b>						
<b>Revenues</b>						
Charges for Services	2,050,000	683,333		663,170	(20,163)	97.0%
Interest Income	82,000	27,333		15,451	(11,882)	56.5%
Miscellaneous	0	0		23	23	
Total Revenues	<u>2,132,000</u>	<u>710,666</u>		<u>678,644</u>	<u>(32,022)</u>	95.5%
<b>Expenses</b>						
General Services	86,200	14,051		11,601	(2,450)	82.6%
Community Development	169,090	54,616		51,089	(3,527)	93.5%
PR&L Park Services	200,000	22,400		24,112	1,712	107.6%
Public Works & Utilities	322,710	36,144		36,748	604	101.7%
Total Expenses	<u>778,000</u>	<u>127,211</u>		<u>123,550</u>	<u>(3,661)</u>	97.1%
Increase (Decrease) in Net Assets	<u>1,354,000</u>	<u>583,455</u>		<u>555,094</u>	<u>(28,361)</u>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Golf Course Funds - Combined</b>						
<b>Revenues</b>						
Charges for Services	2,745,022	468,562		765,565	297,003	163.4%
Interest Income	0	0		1,090	1,090	
Interfund Transfers	751,143	250,381		250,381	0	100.0%
<b>Total Revenues</b>	<b>3,496,165</b>	<b>718,943</b>		<b>1,017,036</b>	<b>298,093</b>	<b>141.5%</b>
<b>Expenses</b>						
Central Charges	208,427	69,625		62,135	(7,490)	89.2%
Recreation Facilities	3,287,738	914,839		863,131	(51,708)	94.3%
<b>Total Expenses</b>	<b>3,496,165</b>	<b>984,464</b>		<b>925,266</b>	<b>(59,198)</b>	<b>94.0%</b>
<b>Increase (Decrease) in Net Assets</b>	<b>0</b>	<b>(265,521)</b>		<b>91,770</b>	<b>357,291</b>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Legacy Ridge Fund</b>						
<b>Revenues</b>						
Charges for Services	1,456,167	241,724		377,746	136,022	156.3%
Interest Income	0	0		1,090	1,090	
Interfund Transfers	85,000	28,333		28,333	0	100.0%
Total Revenues	<u>1,541,167</u>	<u>270,057</u>		<u>407,169</u>	<u>137,112</u>	150.8%
<b>Expenses</b>						
Central Charges	109,383	36,643		33,275	(3,368)	90.8%
Recreation Facilities	1,431,784	395,172		386,066	(9,106)	97.7%
Total Expenses	<u>1,541,167</u>	<u>431,815</u>		<u>419,341</u>	<u>(12,474)</u>	97.1%
Increase (Decrease) in Net Assets	<u>0</u>	<u>(161,758)</u>		<u>(12,172)</u>	<u>149,586</u>	

**City of Westminster  
Financial Report  
For Four Months Ending April 30, 2012**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Heritage at Westmoor Fund</b>						
<b>Revenues</b>						
Charges for Services	1,288,855	226,838		387,819	160,981	171.0%
Interfund Transfers	666,143	222,048		222,048	0	100.0%
Total Revenues	<u>1,954,998</u>	<u>448,886</u>		<u>609,867</u>	<u>160,981</u>	135.9%
<b>Expenses</b>						
Central Charges	99,044	32,982		28,860	(4,122)	87.5%
Recreation Facilities	1,855,954	519,667		477,065	(42,602)	91.8%
Total Expenses	<u>1,954,998</u>	<u>552,649</u>		<u>505,925</u>	<u>(46,724)</u>	91.5%
Increase (Decrease) in Net Assets	<u>0</u>	<u>(103,763)</u>		<u>103,942</u>	<u>207,705</u>	

CITY OF WESTMINSTER  
 GENERAL RECEIPTS BY CENTER  
 MONTH OF APRIL 2012

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	435,335	13,041	448,377	367,965	17,838	385,803	18	-27	16
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	344,112	1,346	345,458	332,196	1,439	333,635	4	-6	4
SHOPS AT WALNUT CREEK 104TH & REED TARGET	264,566	2,699	267,266	246,436	1,822	248,259	7	48	8
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	201,940	718	202,658	188,684	1,163	189,848	7	-38	7
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	193,305	418	193,723	182,087	736	182,823	6	-43	6
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	181,063	837	181,900	182,076	600	182,677	-1	39	0
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	163,346	1,227	164,572	168,924	1,269	170,194	-3	-3	-3
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	157,876	635	158,511	148,319	528	148,847	6	20	6
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	131,751	19,960	151,711	121,350	27,647	148,997	9	-28	2
WESTMINSTER MALL 88TH & SHERIDAN 2 DEPARTMENT STORES	135,567	3,352	138,919	118,556	1,296	119,851	14	159	16
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	127,185	840	128,024	122,858	713	123,571	4	18	4
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	106,747	797	107,544	97,094	6,141	103,234	10	-87	4
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	79,399	1,124	80,524	77,815	157	77,972	2	618	3
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	76,598	909	77,507	65,738	123	65,862	17	637	18
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	72,692	130	72,822	75,012	660	75,672	-3	-80	-4

CITY OF WESTMINSTER  
 GENERAL RECEIPTS BY CENTER  
 MONTH OF APRIL 2012

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	67,433	145	67,577	70,305	198	70,503	-4	-27	-4
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	21,750	39,113	60,863	9,519	64,181	73,700	128	-39	-17
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	46,855	286	47,141	51,467	199	51,666	-9	43	-9
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	45,360	992	46,352	41,797	831	42,628	9	19	9
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	43,143	123	43,266	47,041	178	47,219	-8	-31	-8
87TH & TURNPIKE DR 87TH & TURNPIKE DR LA QUINTA	41,618	19	41,637	1,156	71	1,227	3501	-74	3294
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	37,448	663	38,111	26,569	1,135	27,704	41	-42	38
WILLOW RUN 128TH & ZUNI SAFEWAY	32,347	295	32,643	32,142	194	32,336	1	52	1
WESTMOOR NW OF 108TH AND WADSWORTH GE ACCESS	4,984	24,749	29,733	3,110	43,096	46,206	60	-43	-36
NORTHVIEW 92ND AVE YATES TO SHERIDAN SALTGRASS	27,422	492	27,913	28,267	29	28,296	-3	1577	-1
	3,039,844	114,910	3,154,754	2,806,484	172,245	2,978,729	8	-33	6

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

Center Location Major Tenant	YTD 2012			YTD 2011			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	1,676,064	65,400	1,741,463	1,541,655	76,309	1,617,964	9	-14	8
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	1,472,535	10,998	1,483,533	1,428,899	6,395	1,435,295	3	72	3
SHOPS AT WALNUT CREEK 104TH & REED TARGET	983,315	8,375	991,690	950,402	18,178	968,580	3	-54	2
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	849,060	2,172	851,232	807,901	3,398	811,298	5	-36	5
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	795,368	2,064	797,432	772,201	2,267	774,469	3	-9	3
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	701,448	8,600	710,048	668,971	4,890	673,861	5	76	5
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	683,980	9,604	693,584	656,195	3,233	659,428	4	197	5
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	657,864	2,342	660,205	657,862	2,192	660,054	0	7	0
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	531,054	66,682	597,736	495,482	117,872	613,354	7	-43	-3
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	522,665	3,799	526,463	468,037	28,138	496,175	12	-87	6
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	512,056	3,891	515,948	525,872	4,631	530,503	-3	-16	-3
WESTMINSTER MALL 88TH & SHERIDAN 2 DEPARTMENT STORES	390,913	11,396	402,309	572,159	17,018	589,178	-32	-33	-32
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	351,868	1,227	353,094	367,081	4,944	372,026	-4	-75	-5
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	310,488	4,929	315,417	330,502	1,581	332,083	-6	212	-5
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	251,505	645	252,151	261,961	714	262,674	-4	-10	-4



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

Center Location Major Tenant	YTD 2012			YTD 2011			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	219,633	4,018	223,651	214,179	1,291	215,470	3	211	4
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	208,962	5,342	214,304	208,867	1,007	209,875	0	430	2
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	176,990	568	177,558	184,619	829	185,448	-4	-32	-4
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	169,379	2,469	171,848	157,158	3,088	160,246	8	-20	7
WILLOW RUN 128TH & ZUNI SAFEWAY	131,286	1,796	133,082	127,514	1,492	129,006	3	20	3
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	111,143	2,751	113,893	104,410	2,243	106,653	6	23	7
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	104,953	611	105,564	97,125	11,841	108,966	8	-95	-3
MEADOW POINTE NE CRN 92ND & OLD WADS CARRABAS	95,327	188	95,515	86,764	337	87,101	10	-44	10
NORTHVIEW 92ND AVE YATES TO SHERIDAN SALTGRASS	95,275	2,610	97,885	98,543	613	99,156	-3	326	-1
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	94,663	6,736	101,400	95,767	2,724	98,491	-1	147	3
	12,097,792	229,214	12,327,006	11,880,127	317,225	12,197,352	2	-28	1



# Agenda Item 8 B

## Agenda Memorandum

City Council Meeting  
May 21, 2012



**SUBJECT:** Tandem Dump Truck Purchase

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

### Recommended City Council Action

Award the bid to replace one tandem axle cab and chassis truck in the Utilities Division, based on the 2012 City and County of Denver bid award number 6874, to Transwest Trucks in the amount of \$92,250. In addition, based on the recommendation of the City Manager, find that the public interest would best be served by accepting the sole source proposal in the amount of \$100,606 from O.J. Watson Co., Inc., for the purchase and installation of the City’s specifications for outfitting of the truck with a dump body and snow removal equipment.

### Summary Statement

- Staff recommends awarding the bid for a Freightliner 114-SD plow truck to Transwest Trucks based on the City and County of Denver’s bid award number 6874 in the amount of \$92,250.
- Five vendors submitted eight truck models under the City and County of Denver solicitation and Transwest Trucks offers the tandem that best fits the City’s needs at the lowest bid.
- City Council is requested to find that the public interest would be best served by approving the sole source standardized outfitting of the tandem truck through O.J. Watson Co., Inc., at \$100,606.
- City Council previously approved adequate funds for this vehicle purchase and outfitting in the 2012 Utilities Division operating budget.
- The City saves considerable dollars by purchasing vehicles through bids completed by other municipalities when possible.

**Expenditure Required** \$192,856

**Source of Funds** Utilities Division Operating Budget

**Policy Issue**

Should the City proceed with the 2012 purchase of one tandem axle truck based on the City and County of Denver’s awarded bid and accept the sole source bid for installation of the standardized snow removal equipment for the Utilities Division?

**Alternatives**

1. Do not replace the current tandem truck in the Utilities Division. This is not recommended because the vehicle being replaced has a maintenance history that makes it impractical to keep it in regular service.
2. Reject the City and County of Denver’s awarded bid to replace the Utilities Division tandem truck. This alternative is not recommended because among five vendors, the cost proposed by Transwest Trucks was the lowest submitted. Additionally, the City would have to solicit bids, possibly delaying delivery beyond the year-end snow removal season.
3. City Council could determine that the public’s best interest is not best served by sole sourcing the standardized outfitting of the purchased tandem truck through O.J. Watson Co., Inc. This alternative is not recommended. The City has made a considerable investment in standardizing the outfitting of tandem trucks through O.J. Watson Co., Inc., due to the myriad of safety and use requirements for these vehicles. Another company would not have this expertise and no other company in Colorado can offer the parts necessary to meet the City’s standardized outfitting. Therefore, the City would have to negotiate a new standard with another company requiring solicitation for bids, ultimately delaying the vehicle delivery beyond the year-end snow removal season.

**Background Information**

As part of the Utilities Division’s 2012 operating budget, City Council approved the replacement of unit #9386, a tandem truck used for snow removal and hauling materials for water construction projects. The City and County of Denver recently found that, after receipt of five bids, Transwest Trucks offers the lowest price for the tandem truck the Division needs to replace. Specific information on the tandem being replaced and purchasing information can be found in the following chart:

Unit Number	Purchase Year	Replacement Make/Model	Miles/Hours	Life-to-Date Vehicle Maintenance Cost	New Vehicle Make/Model	Price	Company
9386	2002	Freightliner FLD w/ Dump, Plow, Salter	247,680 7740 (Hrs)	\$122,958	Freightliner 114-SD w/ Outfitting (Dump, Plow, Salter, Mag)	\$192,856	Transwest Trucks for the tandem and outfitting through O.J. Watson, Co., Inc.

Formal bids were not conducted for the purchase and installation of the dump bodies and snow removal equipment to outfit the tandem due to an established standardized install in place with O.J. Watson Co., Inc. It is critical that tandem outfitting be standardized not only to handle the day-to-day construction needs of the Division, but also because these trucks are essential emergency equipment for snow and ice control operations. Standardization decreases the probability of operator error and accidents, facilitates

**SUBJECT:** Tandem Dump Truck Purchase

Page 3

replacements and repairs, and provides overall flexibility for assigning and training operators resulting in decreased downtime and a higher level of service on the road. O.J. Watson Co., Inc., is the only franchised dealer in Colorado that makes available truck products and dump bodies that meet the City's standardized tandem outfitting specifications.

The purchase of the tandem dump truck and appropriate outfitting of the vehicle support City Council's Strategic Plan goals of a Financially Sustainable City Government Providing Exceptional Services and a Safe and Secure Community by ensuring emergency and non-emergency fleet vehicles are dependable, maintained cost effectively, and purchased at the lowest price available.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 8 C

### Agenda Memorandum

City Council Meeting  
May 21, 2012



**SUBJECT:** Open Space Purchase re 8.8-acre McKay Overlook Property located at 144<sup>th</sup> Avenue and Zuni Street

**Prepared By:** Heather Cronenberg, Open Space Coordinator

### Recommended City Council Action

Authorize the purchase of the 8.8-acre McKay Overlook property located at the southeast corner 144<sup>th</sup> Avenue and Zuni Street for open space for \$630,000, plus closing costs not to exceed \$5,000 and authorize the City Manager to execute all documents required to close on the purchase of the property.

### Summary Statement

- The McKay Overlook property has been recommended by the City's Open Space Advisory Board as a top priority acquisition.
- The property is located north of McKay Lake, south and east of the 3-acre Barnett open space parcel, which was acquired by the City in 2008. Preserving the McKay Overlook property will expand the 126-acre McKay Lake Open Space area and provide a buffer that will help to protect the lake, wetlands, and the many large cottonwood trees that support a variety of native plants and wildlife species.
- Staff has negotiated the purchase of approximately 8.8 acres for \$630,000 or \$1.64 per square foot based on an appraisal commissioned by the City. The City has been awarded a grant in the amount of \$441,000 from Adams County to help fund the acquisition. Staff is currently finalizing the timeframe of the purchase but expects the acquisition to occur in late summer, 2012.

**Expenditure Required:** \$189,000 plus closing costs not to exceed \$5,000  
\$441,000 Adams County grant to be reimbursed after closing

**Source of Funds:** Open Space Bond Funds and Adams County Open Space Grant

**Policy Issue**

Does City Council approve the use of open space bond funds for the purchase of the 8.8-acre parcel located at 144<sup>th</sup> Avenue and Zuni Street?

**Alternative**

City Council could choose not to authorize the acquisition or expenditure at this time. Staff does not recommend this option because the seller is motivated to sell, the City has received a grant award from Adams County, and Staff has negotiated a fair purchase price contingent upon Council authorization. Plus, this parcel is a top priority open space acquisition for the City's Open Space Advisory Board.

**Background Information**

The City's Open Space Advisory Board has identified the McKay Overlook property as a top priority acquisition to add to the McKay Lake Open Space area. The McKay Overlook property is located northwest of McKay Lake, south and east of the 3-acre Barnett open space parcel, which was acquired by the City in 2008. Preserving the McKay Overlook property will expand the 126-acre McKay Lake Open Space area and provide a buffer that will help protect the lake, wetlands, and the many large cottonwood trees that support a variety of native plants and wildlife species. The McKay Overlook property has approximately 530 linear feet of frontage along 144<sup>th</sup> Avenue. If acquired, the City would have a continuous open space on the south side of 144<sup>th</sup> Avenue between Zuni Street and Pecos Street, a distance of 2500 linear feet or one half mile. The acquisition would also preserve views from 144<sup>th</sup> Avenue to McKay Lake and provide wildlife habitat. If this property is acquired, City Staff plans to construct trails on the property that will connect to the current trail system in the McKay Lake Open Space area.

McKay Lake Open Space serves as a regional destination for fishing and wildlife viewing. McKay Lake was acquired in 2000 to preserve wildlife habitat along with a historic irrigation lake. The lake was built in 1905 and is now over 100 years old. McKay Lake supports a variety of fish that have been stocked by the Division of Wildlife since the City and Adams County purchased the property. Preserving the lake and surrounding area preserves land and water that is dedicated to the conservation of wildlife habitat and natural resources for the community. This large open space area at the edge of the City also acts as a community separator with adjoining Broomfield and buffer against development. If the property were developed into a residential neighborhood, which has been proposed, the development could damage the lake and surrounding open space.

The City was recently contacted by a new owner who purchased the outstanding loan on the property in 2011 as an investment. The new ownership group initiated the foreclosure process on the previous owner and has been investigating opportunities to create a return on its investment by selling or developing this parcel. The City initiated an appraisal of the property and made an offer that was accepted by the Seller based on the appraised value of \$630,000 or \$1.64 per square foot. The City has been awarded a grant of \$441,000 from Adams County for the acquisition, which represents 70% of the acquisition price. Staff is currently negotiating the timeframe of the purchase but expects the acquisition to occur in late summer, 2012. This is an excellent opportunity to purchase this property before the new owner moves forward with a development proposal on the property.

The property is located in unincorporated Adams County. There are currently two residential structures on the property along with a natural gas well. The mineral rights for these parcels were severed several years ago so the City will not be purchasing the mineral rights at this time. There is an inactive natural gas well located on the east parcel within this proposed acquisition. The well was active until 2010 when the company leasing the rights to the well notified the City and the State Oil and Gas Conservation Commission that a leak was found under the well. Contamination of the ground water and the soils were

found on this property along with the City's current McKay Lake Open Space property to the east. The extent of the contamination has been identified and the company, Petroleum Development Corporation, has been working with the State, the City, and an environmental company to clean up the contamination. The cost of the cleanup is being covered by Petroleum Development Corporation.

At the City's request, passive means to clean up the contamination were used on the City's current property to minimize the impacts to the large cottonwood forest. This includes installing monitoring wells and injecting Cool-Ox treatment to remove the contamination. Top soils were also removed from the property where the well is located. The contamination will continue to be monitored by Petroleum Development Corporation along with the State and the environmental company performing the work. The City also hired an environmental company, A.G. Wassenaar, to review the contamination and cleanup results and to provide guidance to the City on the cleanup effort being undertaken by Petroleum Development Corporation.

If the City purchases the McKay Overlook parcels that include the parcel where the well is located, Staff will be in an even better position to monitor the cleanup effort and make sure that both properties are cleaned up to state standards. The company that owns the mineral rights and runs the well has the right to restart the natural gas well. At a future date after the environmental cleanup is taken care of the City will explore acquiring the mineral rights to this property and move towards the eventual closure of the natural gas well. No value was attributed to the parcel where the gas well is located due to the inability to develop the parcel given its current contamination.

Staff is also discussing the possibility of leasing back use of one of the structures to the previous owner, who has lived on site for many years, for a period of time up to one year. The City will have the flexibility to terminate the lease within a reasonable period of time if necessary. Rent will be charged at a rate to be determined based upon rental comparisons in the surrounding neighborhoods. Staff will submit the terms of the lease for approval to City Council in a separate memo prior to purchasing this property.

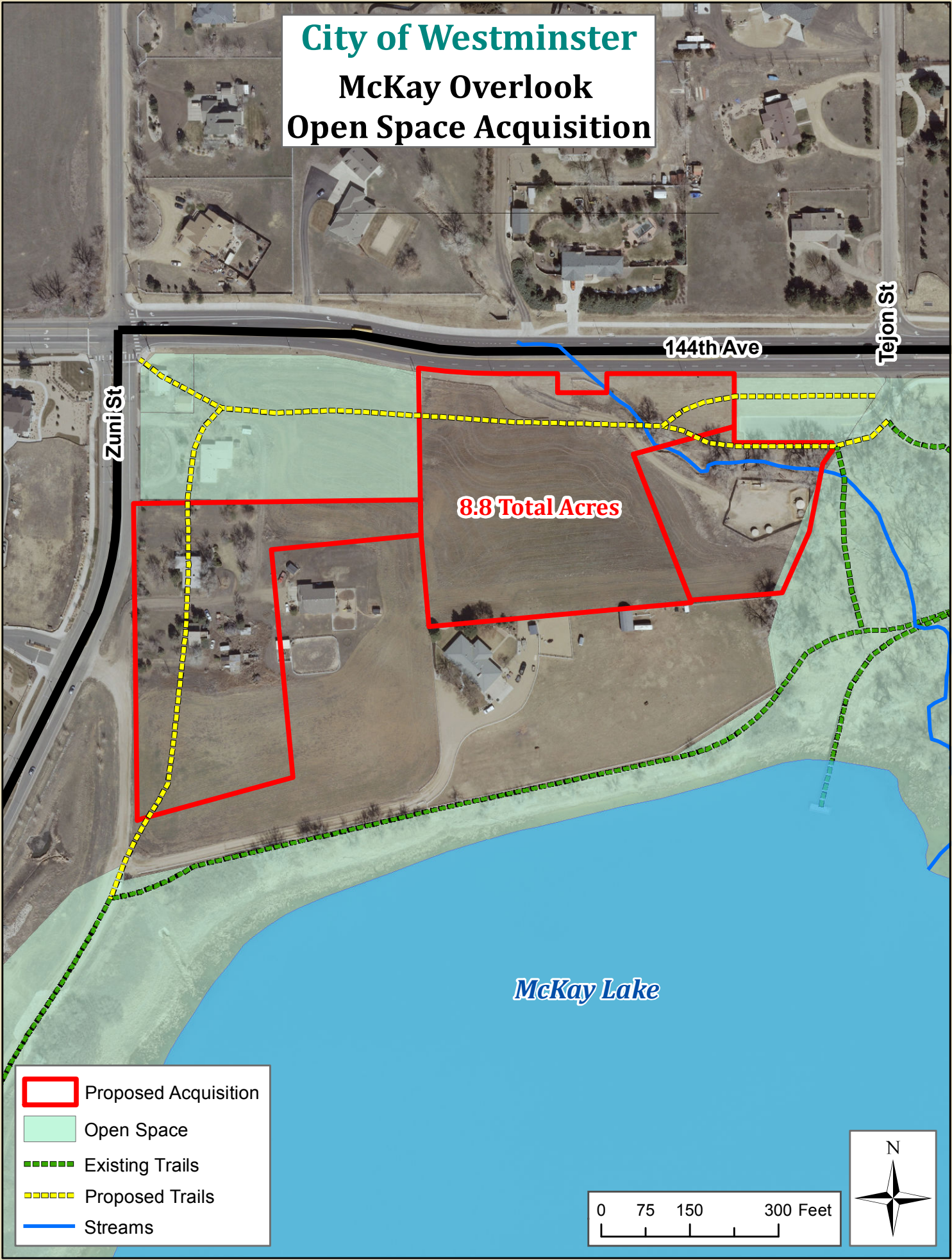
This acquisition fits with Council's goal of Beautiful and Environmentally Sensitive City by protecting the McKay Lake area and for providing wildlife habitat.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Site Map

# City of Westminster McKay Overlook Open Space Acquisition








**8.8 Total Acres**

144th Ave

Tejon St

Zuni St

*McKay Lake*

-  Proposed Acquisition
-  Open Space
-  Existing Trails
-  Proposed Trails
-  Streams

