



CITY COUNCIL AGENDA

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

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 7) and Citizen Presentations (Section 12) are 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 except when addressing the City Council during Section 12 of the agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
 - A. 2005-2006 Youth Advisory Panel Graduating Seniors Proclamation
7. Citizen Communication (5 minutes or less)

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

8. Consent Agenda
 - A. 2006 Water Meter Purchases
 - B. Contract Amendment re Additional Professional Services for the Municipal Service Center Facility Renovation
 - C. Second Reading Councillor's Bill No. 39 re South Westminster URP and Section 11-4-4 of the W.M.C.
 - D. Second Reading Councillor's Bill No. 40 re Rights-of-Way Vacation within the Wilson's Subdivision
 - E. Second Reading Councillor's Bill No. 41 re Appropriation of FY2005 Carryover Funds into FY2006
 - F. Second Reading Councillor's Bill No. 42 re Proposed Water and Wastewater Rate Adjustments
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. Public Meeting re the 2007 and 2008 City Budget
 - B. Resolution No. 35 re Reclassification of 4.0 FTE Senior Police Officer Positions to Police Sergeant
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes), 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.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, JULY 10, 2006 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor McNally, Pro Tem Kauffman and Councillors Dittman, Kaiser, Lindsey, Major, and Price were present at roll call. Stephen P. Smithers, Acting City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Major moved, seconded by Price, to approve the minutes of the regular meeting of June 26, 2006, as written and circulated. The motion passed unanimously.

CITY COUNCIL COMMENTS

Mayor McNally reported that Council had placed third in the Mayor's Race at the Northglenn July 4th Celebration. She also reviewed the schedule of upcoming meetings being held to obtain public comment on the U.S. Highway 36 improvement design alternatives and urged participation. Mayor Pro Tem Kauffman clarified that the Spice of Life facility where one of the meetings would be held was located in the Flatirons Golf Course complex.

Mayor McNally welcomed a Boy Scout in attendance and thanked him for his interest.

Councillor Dittman gave kudos to the Emergency Preparedness Team that quickly guided the crowd attending the July 4th Celebration to the safety of the City Park Recreation Center while a volatile storm system moved over the area. The fireworks display had not been postponed even though the weather had not fully cooperated, and Councillor Dittman explained how costly and difficult it was to postpone fireworks once fuses were set.

Councillor Price invited the public of the City's Summer Concerts that were held on Thursday evenings at City Park.

PRESENTATION

Councillors Price and Dittman recognized graduating seniors from the 2005-2006 Youth Advisory Panel (YAP), acknowledging their contributions and thanking them. Ryan Elsener and Andrew Shaffer, graduates of Pomona High School, were in attendance to recap highlights of their service on the YAP and to accept plaques of appreciation. Cindy McDonald, staff liaison to the group, received Council's proclamation of appreciation.

CITIZEN COMMUNICATION

James Craddock, 3697 West 99th Avenue, requested that Council direct the implementation of a formal program to eliminate Prairie Dogs that were overpopulating the City's open spaces and destroying all vegetation on them.

Jean Congdon, 6755 West 94th Place, appreciated an adjustment she had been granted on a recent \$211 monthly water bill that had been caused by a neighbor's unauthorized use of her outdoor water irrigation faucet. Secondly, Ms. Congdon thanked the City and its residents for being accepting of immigrants. As an immigrant to the community many years before, she had been fluent in French but was now fluent in English, the spoken language of the nation. She was grateful for the acceptance afforded her by the community.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: authority to establish open purchase orders with National Meter & Automation, Inc. for purchase of new water meter systems (meter plus transponder), replacement meter transponders, replacement meter bodies, and miscellaneous water meter purchases in an amount not to exceed \$235,000; authority for the City Manager to execute a contract amendment to the Design Contract for the Municipal Service Center Facility Renovation agreement with Fisher Associates, Architects and Engineers for an amount not to exceed \$62,895; final passage of Councillor's Bill No. 39 approving the South Westminster Urban Renewal Plan amendments and revisions to Section 11-4-4 of the Westminster Municipal Code; final passage of Councillor's Bill No. 40 vacating an alley within Wilson's Subdivision, Book 2, Page 26, Adams County Public Records; final passage of Councillor's Bill No. 41 appropriating FY 2005 carryover funds into the FY 2006 budgets of the General, General Capital Outlay Replacement, General Capital Improvement, Utility, Storm Drainage, and Open Space Funds; and final passage of Councillor's Bill No. 42 implementing water and sewer rate adjustments.

Mayor McNally asked if Councillors wished to remove any items from the consent agenda for discussion purposes or separate vote. There was no request.

It was moved by Councillor Dittman and seconded by Kauffman to approve the consent agenda, as presented. The motion passed unanimously.

PUBLIC MEETING ON THE 2007 AND 2008 CITY BUDGET

Mayor McNally invited public comment regarding the 2007 and 2008 City Budget.

J. T. and Patricia Thomas, 9215 Stuart Street, requested fencing that was aesthetically pleasing and a functional sound barrier to reduce noise from 92nd Street traffic. Petitions advancing this request had been signed by them and their neighbors and submitted to Council in prior budget years, and noise levels now made it impossible to enjoy summer evenings on their decks and patios. Further, Mr. Thomas requested that property designated for park purposes near the Grange have restrooms and water fountains installed to accommodate youth activities. Bernice Aspinwall, 4873 West 93rd Avenue and president of the High Pointe Homeowners Association, asked that development of parkland on 92nd Avenue across from City Hall be accelerated as a capital improvement project, funded and built through the 2007-2008 budget. Betty Kutsuma, 4817 West 93rd Avenue, asked that a traffic signal be installed at the Xavier and 92nd intersection. Landscaping in the median obstructed visibility when attempting to turn onto 92nd Avenue at this location and created an unsafe condition. Larry Dean Valente, 3755 West 81st Avenue, requested additional funding of the Irving Street Library to allow operations seven days a week and urged Council to preserve the annual large-item pickup. Randall Whorton, 3720 West 103rd Drive, concurred with Ms. Aspinwall's request to accelerate development of the parkland across from City Hall. Further, he suggested increased fines for littering, including campaign signs that were not removed according to City Code provisions. He observed that the efforts of volunteers on Community Pride Day to remove trash from public property and rights-of-way had been productive, but more litter now covered those areas again. The money generated from increased fines for littering could be used to clean up litter.

No others wished to comment. The public hearing to consider adoption of the budget would provide the next opportunity for public input.

RESOLUTION NO. 35 RECLASSIFYING POSITIONS FROM SENIOR POLICE OFFICER TO SERGEANT

It was moved by Mayor Pro Tem Kauffman, seconded by Major, to adopt Resolution No. 35 amending the 2006 Staffing and Pay Plans to reflect a reclassification of 4.0 FTE Senior Police Officer positions to Police Sergeant positions. At roll call, the motion passed unanimously.

ADJOURNMENT:

There was no further business to come before City Council, and the meeting adjourned at 7:42 p.m.

ATTEST:

City Clerk

Mayor



Agenda Item 6 A

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006

SUBJECT: Proclamation re Graduating Seniors on the 2005-2006 Youth Advisory Panel

Prepared By: Cindy McDonald, Staff Liaison

Recommended City Council Action

Present a proclamation acknowledging the service of the graduating seniors from the 2005-2006 Youth Advisory Panel (YAP).

Summary Statement:

- City Council action is requested to recognize and acknowledge the service of the four graduating seniors from the 2005-2006 Youth Advisory Panel.
- City Council is requested to honor each outgoing member with a certificate.
- Councillors Price and Dittman will present the proclamation.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

No policy issue identified.

Alternative

No alternatives identified.

Background Information

On September 13, 1999, City Council adopted Resolution No. 68 creating the Westminster Youth Advisory Panel. On October 25, 1999, the City Council appointed the first Youth Advisory Panel. Since 1999, the panel has worked with Staff on a variety of issues. The term of each Panel is one year, with reappointment possible up to four terms.

Since 1999, the Youth Advisory Panel has been very active in the community. In addition to attending scheduled monthly formal meetings, the panel each year takes part in regular community service projects. These diverse events have touched the community in many unique ways. They included helping at the Holy C.O.W. Stampede (a Parks, Recreation and Libraries race to raise proceeds for youth programs), providing volunteer help for the Westminster Christmas Lighting Ceremony, and participating at Westminster Pride Day. As active participants in the community, the YAP has fulfilled a goal of reaching out to the Westminster community in order to make a difference in the places where members attend school and live. They have also worked with Broomfield Lutheran Church to make and serve sandwiches to the homeless on the streets of downtown Denver. The Panel has continued this very diverse and ambitious community services goal for the 2005/2006 school year. Project highlights also include adopting a family for the holidays through ARC, delivering Thanksgiving Food Baskets to needy families and assisting at the annual Father Daughter Ball presented by Westminster Parks, Recreation and Libraries Department.

In the summer of 2006, there are four departing seniors who are graduating from area High Schools. All of these students have represented their schools with pride and have been an integral part of the Westminster Youth Advisory Panel. The attached proclamation recognizes these four individuals.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

WHEREAS, the City Council of the City of Westminster believes that our youth should share with their community leaders the responsibility in addressing their needs, desires, challenges and issues, in molding their own futures; and

WHEREAS, the City values its youth and desires to advance and promote their special needs and interests and therefore created the Westminster Youth Advisory Panel on September 13, 1999; and

WHEREAS, currently the Panel has had eight members appointed for the 2005-2006 school year; and

WHEREAS, four Westminster Youth Advisory Panel members will be graduating from High School and departing from the 2005-2006 Youth Advisory Panel; and

WHEREAS, it is important to acknowledge the contributions made by exiting panel members.

NOW THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, Colorado, on behalf of the entire City Council and Staff, do hereby recognize and show appreciation to the following graduating seniors who have served on the Youth Advisory Panel, representing their schools and Westminster Youth:

Ryan Elsener	Pomona High School	Outgoing Chairperson	3 yrs of Service
Andrew Shaffer	Pomona High School	Outgoing Public Information Officer	3 yrs of Service
Monica Ly	Standley Lake High School	Outgoing Vice-Chair	2 yrs of Service
Rachel Shapiro	Standley Lake High School	Outgoing Board Member	3 yrs of Service

Signed this 10th day of July, 2006

Nancy McNally, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: 2006 Water Meter Purchases

Prepared By: Richard A. Clark, Utilities Operations Manager

Recommended City Council Action

Upon recommendation of the City Manager, City Council finds that the public interest will best be served by a negotiated purchase from National Meter & Automation, Inc. City Council action is requested to authorize the establishment of open purchase orders with National Meter & Automation, Inc., for the purchase of new water meter systems (meter plus transponder); replacement meter transponders, replacement meter bodies, and miscellaneous water meter purchases as necessary throughout 2006, not to exceed the 2006 Utilities Division operating budget of \$235,000.

Summary Statement

- The Utilities Division anticipates purchasing up to 600 new meter systems (meter plus transponder), and up to 500 replacement transponders (250 of these would be the new ORION model transponder and 250 would be the current Trace model transponders), and up to 250 replacement meter bodies.
- Funding for the water meter program is in the 2006 Utilities Division operating account in the amount of \$235,000.
- Purchases for the water meter systems total \$168,750; the remaining \$66,250 will be used for small meter parts and equipment, additional transponders and meter bodies needed throughout the year as necessary.
- Staff is requesting to negotiate the purchase from National Meter & Automation, Inc. due to the Badger TRACE meter system being a proprietary item and only available from Badger Meter Company through the authorized local distributor, National Meter & Automation, Inc.

Expenditure Required: \$235,000

Source of Funds: Utility Fund; Utilities Division Operating Budget

Policy Issue

Should the Utilities Division utilize budgeted 2006 Operating Account funds along with 2005 carryover funding, to purchase new water meter sets, replacement transponders, and replacement meter bodies throughout the year?

Alternatives

One option is to only purchase the meters and transponders for new housing starts and delay the purchase of replacement transponders and replacement meter bodies later in the year. This is not recommended as this could lead to delays in installing new meters and transponders, which could lead to problems with the accuracy of meter reading.

A second option is to acquire a meter system and transponder system compatible with the existing TRACE system that is available from AMCO Meter. However, the equipment does not mechanically interchange with the installed base of Badger meters. Operating a mix of two different manufacturers would require the City to inventory spare parts and material for both systems, which would not be cost effective and is not recommended.

Background Information

In 1996, the City of Westminster undertook a water meter retrofit program for the entire City. All water meters were retrofitted with radio frequency transponders, which enabled the meter to be read remotely. Badger Meter’s TRACE system was selected for transponders and Badger meters have been established as the City’s standard water meter. The meters and transponders furnished by National Meter & Automation, Inc. meet all required specifications set by the City.

During 2005, Staff undertook an evaluation of new technology in transponders and decided to begin installing the new ORION transponder as it is more effective and reliable than the TRACE transponder. (Additionally, Badger Meter recently announced a termination of the TRACE system equipment by June 2007 or whenever current inventories are exhausted).

Throughout 2006, 600 new residential meter systems were projected to be required; additionally 500 transponder replacements will be needed and 250 replacements for stopped meter bodies are expected to be required. This is necessary and is recommended with the intent to replace up to 22,000 (of approximately 29,000 total) residential meter systems in 2007. The unit price per meter and transponder this year will be somewhat reduced from the price paid in 2005, from \$200 to \$150. The replacement transponders’ unit cost is \$165 each for the TRACE unit and \$110 for the new ORION transponder. The unit cost for each meter body will increase from \$35 to \$40. Actual costs are less than 2006 budgeted costs. Cost comparisons are as listed below:

	Type	Quantity	Unit	Unit Price	Total
Complete Meter/Transponder Unit	ORION	600	Each	\$150	\$ 90,000
Transponder Only	ORION	250	Each	\$110	\$ 27,500
Transponder Only	TRACE	250	Each	\$165	\$ 41,250
Meter Body only		250	Each	\$40	\$ 10,000
				Sub-Total	\$ 168,750
Miscellaneous Water Meter Purchases					\$ 66,250
				Total	\$ 235,000

SUBJECT:

2006 Water Meter Purchases

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Staff is requesting authority to purchase the meters and transponders on an as-needed basis. Material will be ordered and used as required throughout the year. Remaining funds in this account will be used for small meter parts and equipment and to purchase additional replacement transponders and meter bodies as needed throughout the year.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Contract Amendment re Additional Professional Services for the Municipal Service Center Facility Renovation

Prepared By: Mike Wong, PE, Senior Engineer, Public Works and Utilities
Abel Moreno, Capital Projects and Budget Manager
Jim Arndt, PE, Director of Public Works and Utilities

Recommended City Council Action

Authorize the City Manager to execute a contract amendment to the existing “Design Contract for the Municipal Service Center (MSC) Facility Renovation” agreement with Fisher Associates, Architects & Engineers for the not to exceed amount of \$62,895.

Summary Statement

- City Council approved the Fisher Associates, Architects & Engineers “Design of MSC Facility Renovation” contract on December 19, 2005 in the amount of \$103,757. The original contract included a space study and renovation design and construction phase services of the MSC Administration, Operations, and two heated vehicle storage buildings. The proposed renovation project will provide space to house 80 current staff, to store plats, project record drawings, office equipment and general building maintenance supplies, and to provide indoor parking for tandem trucks. The timing of this work is based on the age of the facility, as well as the opportunities available with Parks moving to their new maintenance facility.
- During the preliminary design of the Administration and Operations Building renovation, it is apparent to staff that increasing the scope of the work to include a master plan study for the entire MSC site will address issues that were not in the original scope of work, such as maintenance material storage, drainage control, traffic circulation, as well as provide for moving the Building, Operations, and Maintenance Division to the site.
- Authorization of the additional work is necessary to finalize the design and prepare the bidding documents for the City to retain a construction contractor for the facility renovation project.
- City Council authorized \$114,257 (which includes a \$10,500 contingency) at the December 19, 2005 City Council meeting for the renovation project. The amendment requested is for architectural fees of \$62,895 for conducting the master plan study.
- Based on final recommendations of the architect and staff concurrence, staff will be submitting a revised project budget as part of the 2007-2008 capital improvement project budget process.

Expenditure Required: \$62,895 (in addition to the already approved \$114,257)

Source of Funds: Utility Fund Capital Improvements – Municipal Service Center Project

Policy Issue

Should City Council authorize the contract amendment with Fisher Associates Architects and Engineers for the not to exceed amount of \$62,895 to complete the MSC facility renovation design, contract documents, and construction phase services?

Alternative

The City could choose not to approve the contract amendment, and either place the project on hold, or solicit other proposals to complete the work. This is not recommended since it would delay the design and construction of the MSC Facility Renovation, resulting in ineffective space use, and could result in higher project design costs for another architect to become familiar with the project.

Background Information

The Municipal Service Center has been in operation since 1983 and maintenance service has been on the rise to keep up with the demand. While the City has performed regular building maintenance, there was no master planning ever conducted for the MSC site.

This renovation project had been anticipated for a number of years. With the staff from Parks, Recreation and Library Department recently moved out of the existing MSC Operations Building to their new facility on Sheridan Boulevard, it is the appropriate time to go forward with the building renovation to provide adequate office and storage spaces for staff and vehicle/equipment to meet the City's present and future needs. Through the City's formal consultant selection process, Fisher Associates was selected for the design of the renovation project.

City Council approved the Fisher Associates' contract on December 19, 2005 in the amount of \$103,757. The existing contract agreement included the study, design and construction-phase services for the MSC Administration, Operations and two heated vehicle buildings. The work performed by Fisher Associates on this project has met expectations.

The Municipal Service Center is currently being used by Utilities Operations, Street Operations, Fleet Maintenance, and also serves as a fueling station for all City owned vehicles. During the preliminary renovation design, it became evident that the current MSC site is not effectively laid out for storm drainage detention, personnel, maintenance material storage, equipment, and staff personal vehicles. Traffic circulation and safety of employees is also a concern. The proposed master plan study will address these issues to improve the overall MSC site usage and public safety.

Preliminary plans for the MSC Renovation project include removing all pieces of equipment and vehicles from inside the Operations Building and better utilizing the heated storage vehicle buildings. Also, since City Council authorized Fisher Associates original contract on December 19, 2005, staff has included an evaluation to include moving the Building Operations and Maintenance Division from the City's Hydropillar Water Storage Tank located on 97th Avenue. With the inclusion of BO&M into the MSC Operations Building, it is critical to relieve overcrowding by eliminating equipment and vehicle storage inside the building. Fisher Associates will be providing to the City several conceptual layouts achieving these objectives before finalizing the design documents.

With the potential of a commuter rail line using the Burlington Northern Santa Fe railroad track near the north property line, staff has requested that the master plan effort include a facility layout that would be aesthetically pleasing for commuter rail travelers, thus promoting a positive image of Westminster.

Upon approval of the requested master plan study, Fisher Associates will proceed with the renovation design concurrently with the master planning efforts. The final design including contract documents is anticipated to be completed in October-November and a contractor retained for the construction by December 2006. The construction is scheduled to take place during 2007.

Respectfully submitted,

J. Brent McFall, City Manager



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Second Reading of Councillor's Bill No. 39 re amending the South Westminster Urban Renewal Plan and a corresponding Westminster Municipal Code Section 11-4-4 Revision

Prepared By: Joseph Hennerfeind, Planning Technician

Recommended City Council Action

Pass Councillor's Bill No. 39 on second reading approving the South Westminster Urban Renewal Plan amendments and revisions to Section 11-4-4 of the Westminster Municipal Code.

Summary Statement

- This request was approved on first reading by City Council on June 26, 2006.
- Four types of general changes are proposed:
 - 1) The South Westminster Urban Renewal Plan (URP) outlines permitted and prohibited uses in both Phase I and Phase II of the URP. These uses are restricted to Office and Retail/Commercial uses, and this restriction has created a conflict in the Phase II Sub-Areas zoned for Residential or Industrial uses. Staff is proposing changes to delete the inconsistent URP land use regulations on Phase II, allowing the current Zoning and Comprehensive Land Use Plan (CLUP) designations to govern the permitted uses.
 - 2) The original Exhibit 3 map of the URP, describes areas for both Redevelopment Projects and Sub-Areas, a few of the Sub-Areas in Phase II were mislabeled and require correction. This amendment would make those corrections.
 - 3) Staff is proposing deleting a restriction on Check Cashing facilities as an accessory use from the URP. Difficulties in enforcement and legal ambiguity in defining check cashing require the amendment.
 - 4) As a result of these URP changes, text in Section 11-4-4 of the Westminster Municipal Code (WMC) (PERMITTED USES) must be amended to limit the use restrictions contained in the South Westminster URP to Phase I Sub-Areas A-I only.

Expenditure Required: \$0

Source of Funds: N/A

Respectfully submitted,

J. Brent McFall
City Manager

BY AUTHORITY

ORDINANCE NO. **3295**

COUNCILLOR'S BILL NO. **39**

SERIES OF 2006

INTRODUCED BY COUNCILLORS
Price - Dittman

A BILL

**FOR AN ORDINANCE AMENDING THE SOUTH WESTMINSTER URBAN RENEWAL PLAN,
AND AMENDING TITLE XI, CHAPTER 4, SECTION 4, PERMITTED USES**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The South Westminster Urban Renewal Plan is hereby amended as described in Exhibit A, attached hereto and incorporated herein by reference and adopted and enforced as if fully set forth in the Westminster Municipal Code.

Section 2. Title XI, Chapter 4, Section 4, W.M.C. is hereby AMENDED to read as follows:

11-4-4: PERMITTED USES: (2534 2896 2975) This section lists the permitted uses in specific zoning districts. The table of permitted uses ~~which~~ THAT follows lists the permitted uses within each corresponding district, excluding the Planned Unit Development District, PUD. Uses permitted pursuant to this section do not extend to that area included in the "SOUTH Westminster Urban Renewal Plan, PHASE I (SUB-AREAS A-I)." Uses permitted in that area shall be governed by the Plan. The listing of a use as being permitted in any particular district shall be deemed to be an exclusion of such use from any other district unless the use is specifically permitted in such other district. Uses are permitted only insofar as they are not prohibited or in conflict with other provisions of this Chapter or the City's Comprehensive Plan. In the event of any conflict or inconsistency between this section and the City's Comprehensive Plan, the Comprehensive Plan shall control. [Use charts remain unamended.]

Section 3. The City Council approves the requested amendments and authorizes City Staff to make the necessary changes to the map and text of the South Westminster Urban Renewal Plan as described in Exhibit A.

Section 4. Severability: 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 deemed unenforceable shall not affect any of the remaining provisions.

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

Section 6. 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 26th day of June, 2006.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

City Attorney's Office

EXHIBIT A

Staff is recommending the South Westminster Urban Renewal Plan (URP) be amended as follows:

1. In order to address inconsistent Land Use Regulations between URP Phase II (Sub-Areas J-Y) and current Zoning and Comprehensive Land Use Plan (CLUP) designations, the permitted land uses for Phase II in the URP are proposed to be deleted.
2. Remove the Check Cashing land use restriction in Phase I.
3. Map revisions are necessary to re-label Sub-Areas J-Z to J-Y, which were incorrectly labeled in previous amendments.

Specifically, the language to be amended/deleted is as follows:

Part III B. 2. (Pages 14-15)

Private Improvements

This Plan is intended to accomplish the redevelopment of private properties within the Urban Renewal Area to eliminate blight within the area, increase property values and maximize the municipal sales tax generated within the Urban Renewal Area.

The projects identified below for sub-areas A through I are all proposed plans for private development, redevelopment, rehabilitation, renovation or change of use within the Westminster Plaza Shopping Center and the immediate neighborhood J through Y AREA. Such projects shall be subject to the review procedures set forth herein unless otherwise modified by agreement. Part V, Land Use Regulations and Building Requirements of this plan, contains a description of permitted land uses which THAT include retail, office, financial, services, restaurants and entertainment. Final use proposals in conformance with this paragraph, Part V, this Plan and all other applicable municipal codes may receive building permits and business licenses without further review. Final use proposals, site plans and architectural plans not in conformance with Part V shall be reviewed and approved or denied by the Planning Commission and the Authority REQUIRE AN AMENDMENT TO THIS PLAN, WESTMINSTER MUNICIPAL CODE OR THE COMPREHENSIVE LAND USE PLAN AS NEEDED. If such plan(s) is/are denied, the applicant may request reconsideration of such denial by the City Council. In determining whether to approve final use proposals, the degree to which the final use accomplishes the following shall be considered:

Elimination of Blight
Generation of Sales Tax
Elimination of Vacant Space
Promotion of Redevelopment
Generation of Employment
Provision of Service to the Urban Renewal Area

- a) ~~Redevelopment should be distinct from, but compatible with, surrounding areas. This may be accomplished by a "themed" character throughout the project area including streetscape elements, lighting, area signage and designated entrances to the redeveloped area.~~
- b) ~~Uses shall be compatible with existing and future anticipated uses within the redevelopment area to maximize the sales tax generated within the area in the near and long term future. Therefore, sales tax generating retail uses, which encourage other such uses in the vicinity, should be the principal uses of this area in order to provide needed consumer facilities and realize an increase in tax revenues from the Urban Renewal Area. Uses should be consistent with the community center shopping character of this redevelopment area.~~
- e) ~~Landscaping and consideration for pedestrian needs should occur throughout the area.~~

- d) ~~Coordination of traffic improvements to reduce hazards and congestion on 72nd Avenue and Federal Boulevard and to facilitate movement of traffic to and through the area should occur.~~

Nine project sub-areas have been identified within the Phase 1 Area as needing to be redeveloped, rehabilitated, revitalized or upgraded. These sub-areas have been identified by ownership, type of use, nature or required improvements and priority for improvements.

Part IV B. 2. (Pages 19-20) Private Improvements

This plan is intended to accomplish the redevelopment of private properties within the Urban Renewal Area, eliminate blight within the area, increase property values and maximize the municipal sales tax generated within the urban renewal area.

The projects identified below for sub-areas ~~A J through I Y~~ are all proposed plans for private development, redevelopment, rehabilitation, renovation or change of use ~~within the Westminster Plaza Shopping Center and the immediate neighborhood J through Z~~ instead. Such projects shall be subject to the review procedures set forth herein unless otherwise modified by agreement. PERMITTED LAND USES IN SUB-AREAS J THROUGH Y SHALL BE IN COMPLIANCE WITH THE WESTMINSTER MUNICIPAL CODE AND THE COMPREHENSIVE LAND USE PLAN. ~~Part V, land use regulations and building requirements of this plan, contains a description of permitted land uses which include retail, office, financial, services, restaurants and entertainment. Final use proposals in conformance with this paragraph, Part V, this plan and all other applicable municipal codes may receive building permits and business licenses without further review. Final use proposals, site plans and architectural plans not in conformance with Part V shall be reviewed and approved or denied by the Planning Commission and the Authority. If such plan(s) is/are denied, the applicant may request reconsideration of such denial by the City Council. In determining whether to approve final use proposals, the degree to which the final use accomplished the following shall be considered:~~

- Elimination of Blight
- Generation of Sales Tax
- Elimination of Vacant Space
- Provision of Service to the Urban Renewal Area
- Promotion of Redevelopment
- Generation of Employment

Uses should reflect the community activity center character of this redevelopment area.

- e) ~~Non conforming uses which create incompatible situations should be phased out over time and replaced with conforming uses. Treatment at the edges of development should include appropriate buffers and screening to be compatible with adjacent neighborhoods.~~
- d) ~~Landscaping and consideration for pedestrian needs should occur throughout the area, especially safety considerations with access from residential neighborhoods and a trail system along Little Dry Creek through the area.~~
- e) ~~Coordination of traffic improvements on arterial streets should reduce hazards and congestion, and facilitate movement of traffic to and through the area. Local access to parcels within the area should be improved through coordinated efforts.~~
- f) ~~All public improvements shall be on public property or in publicly accessible areas. Although no public land acquisition, demolition or relocation by the Authority is anticipated as part of these improvements, the Authority does have~~

~~the power of eminent domain regarding properties within the Urban Renewal Area.~~

~~Seventeen~~ SIXTEEN project sub-areas have been identified within the Phase 2 Area as needing to be upgraded (minor improvements), revitalized or rehabilitated (extensive improvements to site and buildings), redeveloped (major improvements which could include upgrading, revitalization, additions, demolition and reconstruction), or available for new development, increased utilization, future intensification or requiring the phasing out of non-conforming uses. (See Exhibit 3).

Part V F. (Page 26)

Permitted Land Uses (APPLICABLE TO SUB-AREAS A THROUGH I ONLY)

Part V F. 2. (Page 28)

Check Cashing ~~(as an accessory use only)~~

Part V F. 4. (Page 30)

The following commercial uses are specifically prohibitED.

Any use requiring permanent, outdoor display or storage of goods or materials, or any use requiring a significant amount of warehousing or storage in conjunction with sales.

Ambulance Service

Heavy Equipment Rental

Bulk Fuel Sales

Bingo Establishments, Social Gaming Outlets

~~Check Cashing Services (as the primary use)~~

Employment Agencies

Funeral Homes/Mortuaries

General Repair Shop ~~(prohibited in Sub Areas A through I only)~~

Greenhouses (as the primary use)

Indoor entertainment establishments ~~which~~ THAT use billiard tables, video games, other machines of amusement as the primary business use, or any establishment having over 12 machines on the premise.

Industrial and Agricultural Uses ~~(Prohibited in Sub Areas A through I only)~~

Massage Parlors

Motor Vehicle, Recreational Vehicle, and Commercial Equipment Dealers including Automobiles, Aircraft, Boats, Campers, Mobile Homes, Trucks, Trailers, Heavy Equipment, Construction Equipment, and Farm

Implements ~~(prohibited in Sub Areas A through I only)~~

Outdoor Entertainment Establishments

Pawn Shops

Used Merchandise – All Types

Wholesale and Commercial Heating, Plumbing, Electrical, Lumber and Building Equipment and materials Dealers

Exhibit 3, Redevelopment Project Recommendations

See Attached Map



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Second Reading of Councillor’s Bill No. 40 re Rights-of-Way Vacation within Wilson’s Subdivision

Prepared By: Tiffany Ewing, Civil Engineer

Recommended City Council Action

Pass Councillor’s Bill No. 40 on second reading vacating an alley within Wilson’s Subdivision, Book 2, Page 26, Adams County Public Records.

Summary Statement

- City Council action is requested to pass on second reading the attached Councillor’s Bill to vacate the alley located within Wilson’s Subdivision. State law requires that the vacation of all rights-of-way and easements be approved by an ordinance of City Council.
- City Staff is requesting the right-of-way vacation since the alley no longer connects to City streets and does not serve as public access for any property owners.
- A utility easement will be reserved for existing utilities within the right-of-way pursuant to Section 43-2-303 (3), CRS.
- The legal description of the right-of-way is included as Exhibit A to the attached ordinance.
- This vacation is associated with the Preliminary Development Plan (PDP) and the Official Development Plan (ODP) for the Harris Park, Site IV. The 1.5 acre Harris Park Site IV will be developed to accommodate privately owned row style town homes. The alley is located along the west property line of Harris Park and does not connect to the City’s street system due to past right-of-way vacations.
- City Staff has determined that the subject right-of-way is no longer needed by the City.
- This Councillor’s Bill was passed by City Council on first reading on June 26, 2006.

Expenditure Required: \$0

Source of Funds: N/A

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Councillor’s Bill (vacation ordinance)
- Exhibit A - Legal Description and Map

BY AUTHORITY

ORDINANCE NO. **3296**

COUNCILLOR'S BILL NO. **40**

SERIES OF 2006

INTRODUCED BY COUNCILLORS
Kauffman - Lindsey

**A BILL
FOR AN ORDINANCE VACATING PORTIONS OF AN ALLEY RIGHTS-OF-WAY
GENERALLY LOCATED ON 73RD AVENUE AND LOWELL BOULEVARD**

WHEREAS, certain right-of-way was dedicated on the final plat for Wilson's Subdivision (Book 2, Page 16), from Adams County Public Records; and

WHEREAS, the right-of-way is no longer needed for transportation purposes since the alley does not connect to City streets and does not provide access to the general public; and

WHEREAS, the City needs to preserve utility easements for existing utilities within the proposed right-of-way vacation area; and

THE CITY OF WESTMINSTER ORDAINS:

Section 1. City Council finds and determines that the public convenience and welfare require the vacation of the right-of-way described in Section 3 hereof.

Section 2. City Council further finds and determines that it is necessary to reserve an easement for the continued use of existing storm drainage lines and appurtenances, and for water, sanitary or electrical utilities.

Section 3. The following described right-of-way is vacated but reserving the entirety thereof as an easement for municipal utility purposes including but not limited to storm drainage, water, sanitary or electrical is hereby reserved.

All of that fifteen foot (15') wide alley lying east of and adjacent to Lots 28 through 49, inclusive, Block 1, Wilson's Subdivision as recorded in Book 2 at Page 16 of the Adams County Records, located in the Southeast Quarter of Section 31, Township 2 South, Range 68 West of the 6th Principal Meridian, City of Westminster, County of Adams, State of Colorado, being subordinately described as follows:

Basis of Bearings: The east line of the Southeast Quarter of said Section 31, monumented at the southeast corner of said Section 31 by a 2-1/2" brass cap in range box "PLS 16412", is assumed to bear N00°08'09"W, a distance of 2,648.59 feet;

Beginning at the southeast corner of said Lot 49, whence the southeast corner of said Section 31 bears S11°55'25"E, a distance of 832.16 feet;

Thence along the easterly line of said Lots 28 through 49 inclusive, N00°08'09"W, a distance of 535.00 feet to the northeast corner of said Lot 28;

Thence N89°44'01"E, a distance of 15.00 feet;

Thence S00°08'09"E, a distance of 535.00 feet to the northwest corner of Lot 5, Block 1, said Wilson's Subdivision;

Thence S89°44'01"W, a distance of 15.00 feet to the Point of Beginning;

Containing a calculated area of 8,025 square feet or 0.18 acres, more or less.

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

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

INTRODUCED, PASSED ON FIRST READING AND TITLE AND PURPOSE ORDERED PUBLISHED this 26th day of June, 2006.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

Mayor

ATTEST:

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney's Office



EXHIBIT A

SHEET 1 OF 2

ALLEY VACATION DESCRIPTION

ALL OF THAT FIFTEEN FOOT (15') WIDE ALLEY LYING EAST OF AND ADJACENT TO LOTS 28 THROUGH 49, INCLUSIVE, BLOCK 1, WILSON'S SUBDIVISION AS RECORDED IN BOOK 2 AT PAGE 16 OF THE ADAMS COUNTY RECORDS, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO, BEING SUBORDINATELY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 31, MONUMENTED AT THE SOUTHEAST CORNER OF SAID SECTION 31 BY A 2-1/2" BRASS CAP IN RANGE BOX AND AT THE EAST QUARTER CORNER OF SAID SECTION 31 BY 3-1/2" ALUMINUM CAP IN RANGE BOX STAMPED "PLS 16412", IS ASSUMED TO BEAR N 00°08'09" W, A DISTANCE OF 2,648.59 FEET;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 49, WHENCE THE SOUTHEAST CORNER OF SAID SECTION 31 BEARS S 11°55'25" E, A DISTANCE OF 832.16 FEET;
THENCE ALONG THE EASTERLY LINE OF SAID LOTS 28 THROUGH 49 INCLUSIVE, N 00°08'09" W, A DISTANCE OF 535.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 28;
THENCE N 89°44'01" E, A DISTANCE OF 15.00 FEET;
THENCE S 00°08'09" E, A DISTANCE OF 535.00 FEET TO THE NORTHWEST CORNER OF LOT 5, BLOCK 1, SAID WILSON'S SUBDIVISION;
THENCE S 89°44'01" W, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 8,025 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

ILLUSTRATION ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

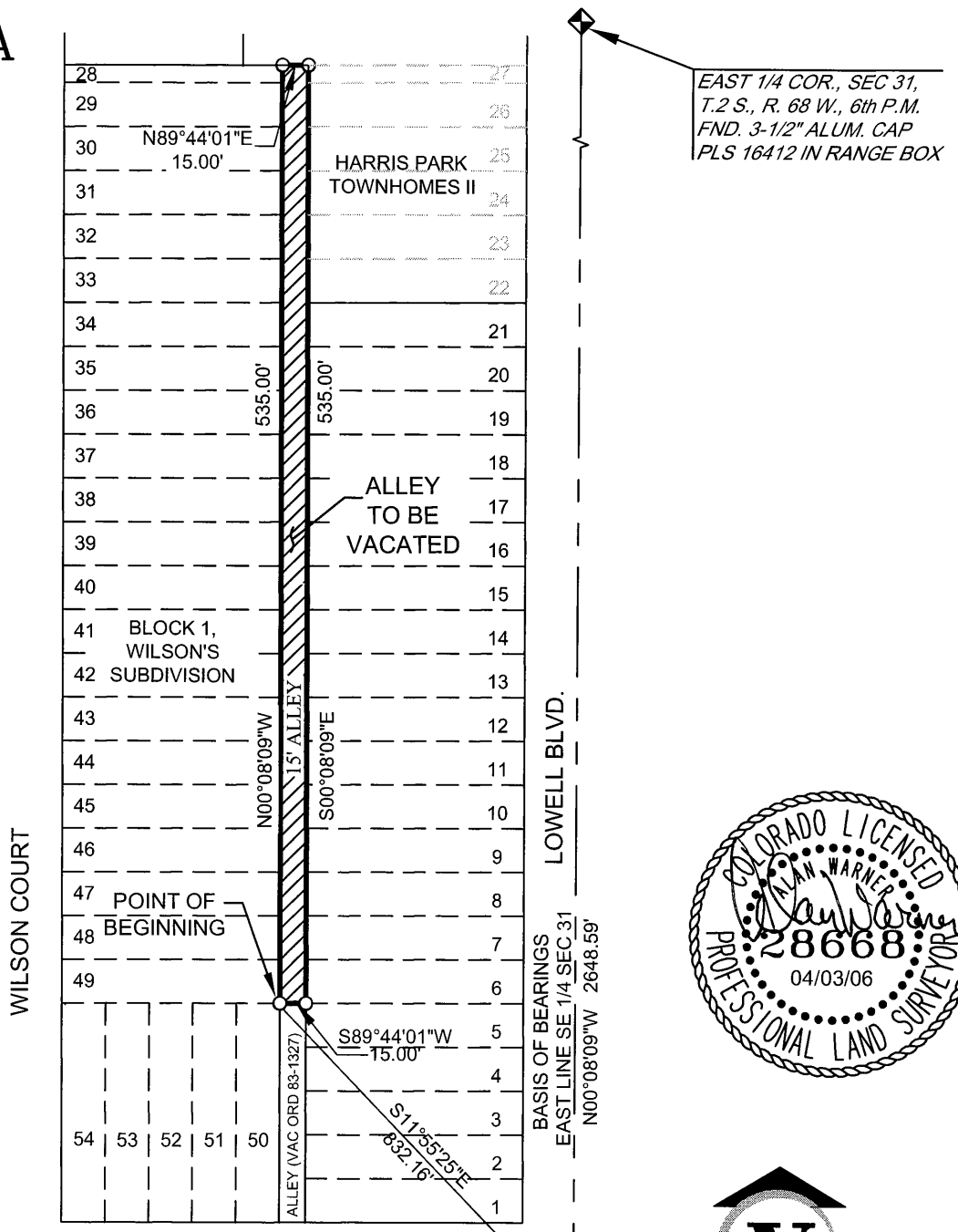
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PROPERTY DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ALAN WARNER
COLORADO PLS 28668
FOR AND ON BEHALF OF
V3 COMPANIES OF COLORADO, LTD.
2399 BLAKE ST., SUITE 130
DENVER, CO. 80205
303-989-8588



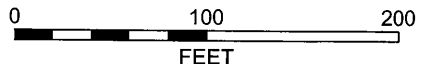
ILLUSTRATION FOR
EXHIBIT A
 SHEET 2 OF 2



EAST 1/4 COR., SEC 31,
 T.2 S., R. 68 W., 6th P.M.
 FND. 3-1/2" ALUM. CAP
 PLS 16412 IN RANGE BOX



Scale : 1"=100'



ALLEY CONTAINS APPROX.
 8,025 SQ FT (0.18 ACRES).

THIS EXHIBIT DOES NOT REPRESENT
 A MONUMENTED LAND SURVEY.
 IT IS INTENDED ONLY TO DEPICT
 THE ATTACHED DESCRIPTION.

POINT OF COMMENCEMENT
 SE COR., SEC. 31
 T.2 S., R. 68 W., 6th P.M.
 FND. 2-1/2" BRASS CAP
 IN RANGE BOX



**Engineers
 Scientists
 Surveyors**

2399 Blake Street, Suite 130
 Denver, CO 80205
 303.989.8588 voice
 303.989.9932 fax
 V3co.com

COMPANIES OF COLORADO, LTD.

ALLEY VACATION

HARRIS PARK
 SE 1/4, SEC. 31, T. 2 S., R. 68 W., 6TH PM
 CITY OF WESTMINSTER, ADAMS COUNTY, COLORADO

DRN: PM	DATE: 12/16/05	JOB: D04009
CKD:	SCALE: 1"=100'	FBK: N/A



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Second Reading of Councillor's Bill No. 41 re Appropriation of FY2005 Carryover Funds into FY2006

Prepared By: Steve Smithers, Assistant City Manager
Barbara Opie, Assistant to the City Manager

Recommended City Council Action

Pass Councillor's Bill No. 41 on second reading, appropriating FY2005 carryover funds into the FY2006 budgets of the General, General Capital Outlay Replacement, General Capital Improvement, Utility, Storm Drainage, and Open Space Funds.

Summary Statement

- The City Council annually reviews and appropriates carryover funds from the previous year's budget into the current year budget for the following:
 - those items and services included in the previous year's budget but not received or provided until the current year's budget;
 - new items and services not included in the previous year's budget and funds were identified as available for these new priorities in late 2005, but the items or services were not received or provided until the current year's budget;
 - existing or new capital projects and key operating priorities for which funds are needed and carryover funds are available.
- The total funding of \$26,054,592 for the items recommended in this memo comes from unrestricted revenues and unexpended 2005 funds in the various dollars identified. Further detail on these items is provided in the background section of this memo.
- This Councillor's Bill was passed on first reading on June 26, 2006.

Expenditure Required: \$26,054,592

Source of Funds: General, General Capital Improvement, Utility, Storm Drainage, Open Space and Debt Service Funds

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO. **3297**

COUNCILLOR'S BILL NO. **41**

SERIES OF 2006

INTRODUCED BY COUNCILLORS
Dittman – Price

A BILL

FOR AN ORDINANCE AMENDING THE 2006 BUDGETS OF THE GENERAL, UTILITY, STORM DRAINAGE, GENERAL CAPITAL OUTLAY REPLACEMENT, OPEN SPACE, GENERAL CAPITAL IMPROVEMENT AND DEBT SERVICE FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2006 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2006 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$85,396,327 is hereby increased by \$7,439,910 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$92,836,237. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the appropriation of 2005 carryover.

Section 2. The \$7,439,910 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	1000.40020.0000	\$0	<u>\$7,439,910</u>	\$7,439,910

Total Change to Revenues

\$7,439,910

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Prof Svcs – Legal Council	10010900.65100.0258	\$30,000	\$13,920	\$43,920
Prof Svcs	10010900.65100.0000	80,000	7,300	87,300
Transfers GCORF	10010900.79800.0450	0	197,411	197,411
Prof Svcs – Training	10012110.65100.0612	9,000	7,100	16,100
Maint/Repair Infrastructure	10012390.66200.0000	120,000	17,000	137,000
Office Equipment	10015050.75200.0000	0	635	635
Cont Svcs – Neigh Svcs	10020300.67800.0342	88,580	4,863	93,443
Other Equip – Tech Svcs	10020300.76000.0343	142,400	26,150	168,500
Prof Svcs – Patrol Svcs	10020500.65100.0713	31,000	9,000	40,000
Cont Svcs	10025260.67800.0000	7,775	16,310	24,085
Train & Ref Mtrls	10025260.71400.0000	11,623	1,727	13,350
Comp Soft/Hard	10025260.75400.0000	340	685	1025
Supplies Fire Prev	10025260.70200.0547	5,000	750	5,750
Prof Svcs	10030050.65100.0000	19,620	25,000	44,620

Printing	10030340.66600.0000	11,500	11,500	23,000
Bus Assist	10030340.68000.0000	10,000	15,000	25,000
Spec Promo – Yth Scholarship	10050760.67600.0528	0	7,014	7,014
Maint/Repair Street Rehab	10035450.66200.0232	2,382,331	34,669	2,417,000
Prof Svcs	10010900.65100.0000	80,000	150,000	230,000
Gen Leave Buy Back	10010900.62400.0000	0	100,000	100,000
Lease Pay – Cap Facility	10010900.67700.0209	1,600,888	2,838	1,603,726
Lease Pay – Westy Blvd	10010900.67700.0276	1,710,284	2,508	1,712,792
Lease pay – Public Safety	10010900.67700.0155	1,484,614	2,814	1,487,428
Lease Pay – Energy	10010900.67700.0925	0	300,000	300,000
Office Equip	10012050.75200.0000	36,801	2,400	39,201
Office Equip	10012060.75200.0000	6,280	2,400	8,680
Reg Salaries	10012130.60200.0000	4,443,867	19,600	4,463,467
Supplies	10015050.70200.0000	47,811	1,200	49,011
Regular Salaries	10030380.60200.0000	5,365,821	11,290	5,377,111
Regular Salaries	10030360.60200.0000	4,419,517	9,327	4,428,844
Regular Salaries	10030050.60200.0000	1,836,513	5,045	1,841,558
Contract Svcs	10050620.67800.0000	866,031	20,057	886,088
Cont Svcs – City Park	10050720.67800.0860	6,500	53,420	59,920
Transfers Legacy	10010900.79800.0220	0	228,322	228,322
Transfers Heritage	10010900.79800.0230	0	521,678	521,678
Transfers GCIF	10010900.79800.0750	0	5,610,977	5,610,977

Total Change to Expenses

\$7,439,910

Section 3. The 2006 appropriation for the Utility Fund initially appropriated by Ordinance No. 3162 in the amount of \$42,185,223 is hereby increased by \$12,408,738 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$54,593,961. 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 appropriation is due to appropriation of 2005 carryover.

Section 4. The \$12,408,738 increase in the Utility Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	2000.40020.0000	\$0	\$12,329,538	\$12,329,538
Carryover	2100.40200.0000	0	<u>79,200</u>	79,200

Total Change to Revenues

\$12,408,738

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Vehicles Biosolids	21035490.75600.0401	\$178,900	\$77,000	\$255,900
Other Equip	20035490.76000.0000	45,000	8,501	53,501
Utility Sys Mtrls – Water line	20035470.72800.0497	285,175	135,000	420,175
Water Meters	20035470.76200.0000	320,000	41,250	361,250
Prof Services	20035480.65100.0000	253,553	10,000	263,553
Prof Svcs – Water Quality	20035480.65100.0943	83,000	5,595	88,595
General Leave Buy Back	20010900.62400.0000	0	7,800	7,800
General Leave Buy Back	21010900.62400.0000	0	2,200	2,200
Maint/Repair Infrastructure	20035480.66200.0000	950,633	10,000	960,633
Regular Salaries	20060230.60200.0000	9,206,182	24,514	9,230,696
Water Proj Reserv	80120035181.80400.8888	11,514,456	<u>12,086,878</u>	23,601,334

Total Change to Expenses

\$12,408,738

Section 5. The 2006 appropriation for the Storm Drainage Fund initially appropriated by Ordinance No. 3162 in the amount of \$900,000 is hereby increased by \$174,377 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$1,074,377. The actual amount in the Storm Drainage Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the appropriation of 2005 carryover.

Section 6. The \$174,377 increase in the Storm Drainage Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	2500.40020.0000	\$0	<u>\$174,377</u>	\$174,377

Total Change to Revenues

\$174,377**EXPENSES**

Description	Account Number	Current Budget	Amendment	Revised Budget
Stormwater CIP Reserve	80525030424.80400.8888	\$300,000	<u>\$174,377</u>	\$474,377

Total Change to Expenses

\$174,377

Section 7. The 2006 appropriation for the General Capital Outlay Replacement Fund initially appropriated by Ordinance No. 3162 in the amount of \$2,925,609 is hereby increased by \$75,600 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$3,001,209. The actual amount in the General Capital Outlay Replacement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the appropriation of 2005 carryover.

Section 8. The \$75,600 increase in the General Capital Outlay Replacement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	4500.40020.0000	\$2,237,769	<u>\$75,600</u>	\$2,313,369

Total Change to Revenues \$75,600

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Vehicles PST	45010900.75600.0911	\$501,740	<u>\$75,600</u>	\$577,340

Total Change to Expenses \$75,600

Section 9. The 2006 appropriation for the Open Space Fund initially appropriated by Ordinance No. 3162 in the amount of \$4,563,535 is hereby increased by \$1,557,194 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$6,120,729. The actual amount in the Open Space Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to appropriation of 2005 carryover.

Section 10. The \$1,557,194 increase in the Open Space Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	5400.40020.0000	\$0	\$1,132,695	\$1,132,695
Transfer from GCIF	5400.45000.0750	0	<u>424,499</u>	424,499

Total Change to Revenues \$1,557,194

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Eng Design	54010900.65600.0000	\$0	\$12,500	\$12,500
Land Purchases	54010900.76600.0000	749,739	<u>1,544,694</u>	2,294,433

Total Change to Expenses \$1,557,194

Section 11. The 2006 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,608,000 is hereby increased by \$10,434,249 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$18,042,249. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to appropriation of 2005 carryover.

Section 12. The \$10,434,249 increase in the General Capital Improvement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	7500.40020.0000	\$1,030,000	\$3,090,496	\$3,720,496
Carryover	7501.40020.0000	0	1,220,474	1,220,474
Transfer from GF	7500.45000.0100	0	5,610,977	5,610,977
Transfer from Debt Service	7500.45000.0800	0	<u>512,302</u>	512,302

Total Change to Revenues

\$10,434,249

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
BO&M Major Maintenance	80375012312.80400.8888	\$239,639	\$690,000	\$929,639
Court Complex Imp	80175012114.80400.8888	41,000	175,000	216,000
88 th /Sheridan PD Bldg Renovate	80675012033.80400.8888	0	680,000	680,000
128 th Ave Bridge Widening	80675030036.80400.8888	0	75,000	75,000
New Development Participation	80175030011.80400.8888	14,593	363,000	377,593
Elimination of 88 th Ave bottleneck	80675030038.80400.8888	0	350,000	350,000
144 th Ave Zuni to Huron	80675030039.80400.8888	0	150,000	150,000
BDC Trail Old Wadsworth	80575030421.80400.8888	728	1,045,000	1,045,728
New Art Particip	80575030426.80400.8888	0	37,080	37,080
South Westy Revitalization	80175030024.80400.8888	256,900	501,000	757,900
800 mhz Radio System Upgrade	80475020604.80400.8888	295,000	50,000	345,000
City Center Redevelopment	80675005040.80400.8888	0	3,000,000	3,000,000
Holly Park LIC	80475030619.80400.8888	0	47,780	47,780
Regional Park/ Golf	80675050045.80400.8888	0	175,000	175,000
Recreation Center Improvement	80175050027.80400.8888	348,919	100,000	448,919
Park Renovation Prog	80375050305.80400.8888	858,421	100,000	958,421
Community Enhancement	80175050132.80400.8888	0	78,023	78,023
COP 144 Interchange CAP	80575030733.80400.8888	0	1,892,867	1,892,867
Arterial Roadway Improv	80475035602.80400.8888	500,000	500,000	1,000,000
Transfers Open Space	75010900.79800.0540	0	<u>424,499</u>	424,499

Total Change to Expenses

\$10,434,249

Section 13. The 2006 appropriation for the Debt Service Fund initially appropriated by Ordinance No. 3162 in the amount of \$8,228,907 is hereby increased by \$512,302 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$8,741,209. The actual amount in the Debt Service Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to appropriation of 2005 carryover.

Section 14. The \$512,302 increase in the Debt Service Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	8000.40020.0000	\$8,069	<u>\$512,302</u>	\$520,371

Total Change to Revenues \$512,302

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Transfer to GCIF	80010900.79800.0750	\$0	<u>\$512,302</u>	\$512,302

Total Change to Expenses \$512,302

Section 15. – 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 16. This ordinance shall take effect upon its passage after second reading. 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 26th day of June, 2006.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

ATTEST:

Mayor

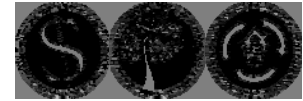
City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Second Reading of Councillor's Bill No. 42 re Proposed Water and Wastewater Rate Adjustments

Prepared By: Jim Arndt, P.E., Director Public Works and Utilities
Mike Happe, P.E., Water Resources and Treatment Manager

Recommended City Council Action

Pass Councillor's Bill No. 42 on second reading implementing water and sewer rate adjustments.

Summary Statement

- Based upon the need to address long-term costs with rates, a long-term rate strategy was presented to City Council during a Study Session earlier this year.
- The long-term rate strategy, along with tap fees and existing capital reserves, will help buffer new rate increases until 2015, at which time rates will cover all operational and capital costs of the system.
- The combined 2007 monthly average increase, from 2006, to a single family home is \$3.48. The combined 2008 monthly average increase, from 2007, to a single family home is \$2.29.
- This Councillor's Bill was passed on first reading on June 26, 2006.

Expenditure Required: \$0

Source of Funds: N/A

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO. **3298**

COUNCILLOR'S BILL NO. **42**

SERIES OF 2006

INTRODUCED BY COUNCILLORS
Major - Dittman

**A BILL
FOR AN ORDINANCE AMENDING SECTIONS 8-7-7 AND 8-8-5, WESTMINSTER
MUNICIPAL CODE, CONCERNING THE CITY'S WATER RATE SCHEDULE AND
SANITARY SEWERAGE SERVICE AND INCREASING USER CHARGES**

WHEREAS, the City of Westminster operates a water and wastewater enterprise utility; and
WHEREAS, the City Charter requires that the utility be self-supporting; and
WHEREAS, the last water rate increase and the last rate increase for sewer user charges took effect January, 2005; and
WHEREAS, costs to operate the Water and Wastewater Utility have increased; and
WHEREAS, since the Utility is operated as an enterprise exempt from the TABOR amendment, the City Council may set rates to adequately fund the operation of the enterprise; and
WHEREAS, the City wishes to minimize the need for large increases in the future; and
WHEREAS, water rates have been designed so as to encourage water conservation.

NOW, THEREFORE, THE CITY OF WESTMINSTER ORDAINS:

Section 1: Section 8-7-7, W.M.C., is hereby AMENDED to read as follows:

8-7-7: WATER RATE SCHEDULE:

(A) Except for fire hydrant use for municipal purposes and water used by the Water Department, all water delivered from the City water system shall be metered, including water used by the City or departments thereof, and the charge therefor shall be as hereinafter set forth.

(B) RESIDENTIAL: Three (3) dwelling units or less served by one meter primarily used for residential occupancy shall, IN 2007, be charged a five dollar and ~~forty-five~~ SIXTY-SEVEN (~~\$5.45~~ \$5.67) cent per month meter service charge, AND SHALL, IN 2008, BE CHARGED A FIVE DOLLAR AND EIGHTY-THREE CENT (\$5.83) PER MONTH METER SERVICE CHARGE PLUS:

2007 Block Rate	2008 BLOCK RATE	MONTHLY Consumption Range
(\$1.95) \$2.03 per 1,000 gallons	\$2.09 PER 1,000 GALLONS	First 4,000 gallons
(\$3.22) \$3.35 per 1,000 gallons	\$3.44 PER 1,000 GALLONS	5,000 to 20,000 gallons
(\$4.75) \$4.95 per 1,000 gallons	\$5.09 PER 1,000 GALLONS	21,000 gallons and over

per unit. Unit consumption shall be determined by dividing the number of units using one meter.

(C) RESIDENTIAL IRRIGATION, TOWNHOME/CONDOMINIUM (CONSISTING OF FOUR UNITS OR MORE), PUBLIC/QUASI-PUBLIC USERS: Shall, IN 2007, be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: (~~\$4.00~~) FOUR DOLLARS AND SIXTEEN CENTS (\$4.16) per 1,000 gallons, AND SHALL, IN 2008, BE CHARGED A MONTHLY METER SERVICE CHARGE BASED ON THE METER SIZE AS LISTED IN SCHEDULE A PLUS: FOUR DOLLARS AND TWENTY-SEVEN CENTS (\$4.27) PER 1,000 GALLONS.

Non-irrigation accounts for multiple residential units consisting of four (4) units or more that are not individually metered and that are classified as town homes or condominiums and can demonstrate that they are eighty percent (80%) owner occupied on a complex wide basis shall, IN 2007, be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: three dollars and ~~thirty~~ FORTY-FOUR (~~\$3.30~~ \$3.44) cents per thousand (1,000) gallons, AND SHALL, IN 2008, BE CHARGED A MONTHLY METER SERVICE CHARGE BASED ON THE METER SIZE AS LISTED

IN SCHEDULE A PLUS THREE DOLLARS AND FIFTY-THREE CENTS (\$3.53) PER THOUSAND GALLONS, for all water delivered through the meter. The Director of Finance is authorized to prescribe and accept such forms of documentation as the Director may deem sufficient to demonstrate an applicant's eligibility for the rate described in this paragraph. For purposes of this section, a town home or condominium is a residential unit physically attached to another residential unit and separately owned.

(D) COMMERCIAL: Commercial users shall, IN 2007, be charged a monthly meter service charge based on meter size as listed in Schedule A plus: four dollars AND SIXTEEN CENTS (~~\$4.00~~ \$4.16) per 1,000 gallons for the number of gallons used per monthly billing up to the breakpoint for the meter size listed in Schedule A, AND SHALL, IN 2008, BE CHARGED A MONTHLY METER SERVICE CHARGE BASED ON METER SIZE AS LISTED IN SCHEDULE A PLUS: FOUR DOLLARS AND TWENTY-SEVEN CENTS (\$4.27) PER 1,000 GALLONS FOR THE NUMBER OF GALLONS USED PER MONTHLY BILLING UP TO THE BREAKPOINT FOR THE METER SIZE LISTED IN SCHEDULE A. IN 2007, COMMERCIAL USERS SHALL BE CHARGED ~~Four dollars and eighty five cents (\$4.85)~~ FIVE DOLLARS AND FIVE CENTS (\$5.05) per 1,000 gallons for all consumption exceeding the breakpoint on a monthly basis for the applicable meter size as listed in Schedule A, AND IN 2008, FIVE DOLLARS AND NINETEEN CENTS (\$5.19) PER 1,000 GALLONS FOR ALL CONSUMPTION EXCEEDING THE BREAKPOINT ON A MONTHLY BASIS FOR THE APPLICABLE METER SIZE AS LISTED IN SCHEDULE A.

Schedule A					
Meter Size Code	Meter Size	Number of Service Commitments	2007 Monthly Meter Service Charge	2008 MONTHLY METER SERVICE CHARGE	Breakpoint For Second Tier Based On Meter Size (Gallons)
1	5/8" X 3/4"	1	(\$5.45) \$5.67	\$5.83	20,000
2	3/4" x 3/4"	1.5	(\$8.63) \$8.99	\$9.24	30,000
3	1"	2.5	(\$11.88) \$12.37	\$12.71	50,000
5	1-1/2"	5	(\$18.75) \$19.52	\$20.05	100,000
6	2"	8	(\$26.00) \$27.07	\$27.81	160,000
7	2" x 5/8"	8	(\$26.00) \$27.07	\$27.81	160,000
8	3"	17.5	(\$53.13) \$55.32	\$56.84	350,000
9	3" x 3/4"	17.5	(\$53.13) \$55.32	\$56.84	350,000
10	4"	30	(\$62.50) \$65.08	\$66.86	600,000
11	4" x 1"	30	(\$62.50) \$65.08	\$66.86	600,000
12	6"	62.5	(\$96.88) \$100.87	\$103.63	1,250,000
13	6" x 1-1/2"	62.5	(\$96.88) \$100.87	\$103.63	1,250,000
14	6" x 3"	62.5	(\$96.88) \$100.87	\$103.63	1,250,000
15	8"	90	(\$157.50) \$163.99	\$168.48	1,800,000
18	10"	145	(\$218.75) \$227.76	\$234.00	2,900,000
20	10" x 12" x 6"	215	(\$271.25) \$282.43	\$290.17	4,300,000

(E) CONTINUANCE OF CUSTOMER CHARGES: Monthly customer charges shall be assessed in all cases including where no water is consumed until such time as City personnel are specifically requested to discontinue water service at the meter.

(F) REBATE: Effective January 1, 2001, a seventy-five dollar (\$75) rebate shall be given once annually to low-income residential users who submit an application on a form prescribed by the Finance Director.

1. For purposes of this paragraph, "low income" shall be the current Federal poverty level, plus ten percent (10%).

2. The Director of Finance is authorized to prescribe and accept such forms of eligibility as the Director may deem sufficient to demonstrate an applicant's eligibility for the rebate provided for in this section.

3. Such rebate will be paid in the form of a credit applied to the water account of the eligible residential user.

Section 2: Section 8-8-5, subsection (D), is hereby AMENDED to read as follows:

8-8-5: SERVICE AND USER CHARGES:

(D) The rates for user charges hereinafter set forth are based generally upon the quantity and quality of sewage collected and they are subject to change periodically as circumstances require. The minimum monthly rate for use of the City of Westminster sanitary sewerage system by residential, including multiple unit residential, and public users shall, IN 2007, be a sum equal to ~~three dollars and ten cents (\$3.10)~~ THREE DOLLARS AND FORTY-SEVEN CENTS (\$3.47) per thousand (1,000) gallons, AND SHALL, IN 2008, BE A SUM EQUAL TO THREE DOLLARS AND SEVENTY CENTS (\$3.70) PER THOUSAND GALLONS, multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly rate for use of the City of Westminster's Sanitary Sewage System by multiple units and commercial users shall, IN 2007, be a sum equal to ~~three dollars and forty six cents (\$3.46)~~ THREE DOLLARS AND EIGHTY-EIGHT CENTS (\$3.88) per thousand (1,000) gallons, AND SHALL, IN 2008, BE A SUM EQUAL TO FOUR DOLLARS AND THIRTEEN CENTS (\$4.13), multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly sewer charge for commercial users may be appealed to the Utility Billing Division for user charges resulting from the average monthly water billed during the period of January through March and may be adjusted if the water billed during the months of July through September is less. Commercial users shall be allowed to install a separate meter to record out of house use which consumption will not be assessed a sewer use charge. The meter readings actually taken prior to and closest to the specified time frame shall be used for purposes of accomplishing the required calculation. However, City Council may by Resolution adjust the period of time to be used to calculate said user charges when, in the opinion of the Council, climate conditions and water consumption patterns warrant such an adjustment. The monthly charge shall apply to an account that is billed for more than fifteen (15) days service. Any new occupant of a residential unit shall, IN 2007, be charged ~~fifteen dollars and fifty cents (\$15.50)~~ SEVENTEEN DOLLARS AND THIRTY-SIX CENTS (\$17.36), AND SHALL, IN 2008, BE CHARGED EIGHTEEN DOLLARS AND FORTY-NINE CENTS (\$18.49) sewer charge until an experience rate has been established.

Residential users who appeal the initial sewer charge rate can have the rate adjusted to actual usage of the first four (4) months of occupancy. Any new multi-unit or commercial account shall be charged a rate based on water consumption of similar accounts in the Westminster or the Denver Metro area. Any account not receiving Westminster water will be based on actual consumption, if available or consumption of similar accounts.

Section 3. This ordinance shall be effective for any water charges billed after January 1, 2007.

Section 4. This ordinance shall take effect upon its passage after second reading. 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 26th day of June, 2006.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

ATTEST:

City Clerk

Mayor

APPROVED AS TO LEGAL FORM:

City Attorney's Office



Agenda Item 10 A

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Public Meeting on 2007 and 2008 City Budget

Prepared By: Barbara Opie, Assistant to the City Manager

Recommended City Council Action

Hold a public meeting on the 2007 and 2008 City Budget and receive citizen comments.

Summary Statement

- City Staff is currently preparing budget information for both 2007 and 2008, and this meeting is intended to focus on both 2007 and 2008 citizen requests, comments and suggestions. The public meeting is an informal opportunity for the public to provide input to the City Council on the City Budget.
- City Council officially adopted the City's second two-year budget with the 2005/2006 Budget in October 2004; a mid-year review and amendment process occurred in October 2005. Departments prepare their proposed 2007 and 2008 Budgets through the summer, working to reflect the current economic conditions and community needs. The Departments' efforts culminate in the distribution of the Proposed Budget to City Council at the beginning of September. The first public meeting was held on June 12 and a public hearing is scheduled for September 18 so that citizens will have one more opportunity to comment and provide feedback on the 2007 and 2008 City Budget. City Council must adopt the budget by the October 23 City Council meeting, in accordance with the City Charter.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Listen to citizen requests, comments and suggestions as they pertain to the 2007 and 2008 budget.

Alternative

Council could choose to not conduct a public meeting at this time. This is not recommended as providing citizens an opportunity for input early on in the budget process plays an important role in assuring that the budget reflects community needs.

Background Information

In April, City Council reviewed the goals for 2007 and 2008. The City Council Goals are listed below:

- Financially Sound City Government
- Safe and Secure Community
- Vibrant Neighborhoods and Commercial Areas
- Balanced, Sustainable Local Economy
- Beautiful City

The direction provided by City Council assists City Staff as they develop the 2007 and 2008 City Budget. Other considerations that go into developing a comprehensive budget are department priorities that strive to achieve Council goals identified in the Strategic Plan, maintain existing service levels and citizen or neighborhood input.

In November of 2000, Westminster voters approved a City Charter amendment that allows the City Council to adopt a formal two-year budget. City Council officially adopted the City's first two-year budget with the 2003/2004 Budget and second two-year budget with the 2005/2006 Budget. Staff is again preparing a two-year budget for City Council's consideration for 2007/2008.

A Proposed Budget will be submitted to City Council at the beginning of September for review. After reviewing the Proposed Budget for several weeks, City Council is scheduled to conduct a full-day Budget Retreat on Saturday, September 23. City Council will deliberate on final funding decisions on staffing levels, programs, services, and capital projects at this Budget Retreat.

Two public meetings and one formal public hearing will be held on the 2007 and 2008 Proposed City Budget to solicit citizen input. One public meeting was held on June 12 and a public hearing is scheduled for September 18.

Monday's public meeting was advertised in the *Westminster Window* and *Westsider*; on cable Channel 8 and the City's website; and at various public meetings.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 10, 2006



SUBJECT: Resolution No. 35 re Reclassification of 4.0 FTE Senior Police Officer Positions to Police Sergeant

Prepared By: Dan Montgomery, Chief of Police

Recommended City Council Action

Adopt Resolution No. 35 amending the 2006 Staffing and Pay Plans to reflect a reclassification of 4.0 FTE Senior Police Officer positions to the positions of Police Sergeant in the Police Department.

Summary Statement

- Staff proposes a resolution to adopt an amendment of the 2006 Staffing and Pay Plans to reflect a reclassification of 4.0 FTE Senior Police Officers positions to the position of Police Sergeant in the Police Department.
- Since the passage of the public safety sales tax in 2003, there have been 28 additional Police Officers hired by the Police Department, but no additional Police Sergeants. The number of sergeants working each shift in comparison to officers on duty has dropped significantly in the past 2.5 years. If Council concurs with Staff's recommendation, it means that on the average, a Police Sergeant in Westminster would be responsible for 7.9 Police Officers per shift instead of 10.3. This compares to the average of 6.7 officers per sergeant among the eight law enforcement agencies Westminster is compared to for salary and fringe benefit purposes.
- In staff's opinion, it is critical to have high quality and adequate shift supervision of personnel. This is especially true in the police arena where police actions are under the public magnifying glass at all times and often police decisions, whether good or bad, result in time-consuming and sometimes expensive litigation.

Expenditure Required: \$20,000

Source of Funds: General Fund - Police Department Operating Budget

Policy Issue

Should an additional \$20,000 be spent to achieve an increase in front line supervision in the Police Department?

Alternatives

Do not approve the increase in police supervision and save the additional \$20,000 expense. It is staff's opinion that the additional \$20,000 that it would take to increase the volume of police supervision in our uniformed division is well worth the expense. The nine Patrol Sergeants now assigned to patrol work a total of approximately 18,720 hours each year. With three additional Police Sergeants in Patrol, the total number of hours worked each year would jump to 24,960 - a 33.3 percent increase.

A secondary alternative would be to fund 4.0 FTE additional Sergeants without going through the reclassification process. While such an approach would be beneficial, the cost of \$425,000 is prohibitive at this point in time and staff would not recommend such a strategy.

Background Information

In November of 2003, the citizens of Westminster approved the Public Safety Sales Tax (PST) increase providing for 26 additional Police Officers and 14 civilian personnel. Commencing in early 2004, and ending in early 2005, all 40 additional positions were hired. In addition, 2.0 FTE additional officers were authorized in the 2006 budget and have been hired in 2006, bringing the total number of additional Police Officers hired since the adoption of the PST to 28 and the total number of new employees to 42.

The current level of police supervision in the Patrol Division is three Police Sergeants and one Commander assigned to each Patrol Watch. Most often, because of deployment schedules, days off, court, vacation days, compensatory days, training days, etc., there are only one or two Police Sergeants on duty at any particular time. Consequently, situations arise where there are one or two sergeants responsible for supervising 15 to 18 regularly-scheduled Police Officers, as well as another five to ten Police Officers assigned to extra-duty jobs throughout the City. Asking one Sergeant to supervise from 20-28 officers on a given shift is simply asking too much. Even having two Sergeants supervising from 20-28 officers is problematic. For example, it is extremely difficult to provide the appropriate level of supervision with too large of a span of control, and if one or two major incidents erupt, one Sergeant can be tied up for several hours, leaving only one to generally supervise. In addition, if one Sergeant is on duty and gets tied up on a major incident, one or two officers often are called upon to be "acting supervisors."

Research recently conducted by Staff show several noteworthy trends:

- Since 1997, the number of Police Officers has increased by 74 percent, while the number of sergeants has increased by only seven percent.
- Today, due to attrition and PST hiring, 48 percent of the officers in the uniformed Patrol and Traffic Division were hired since January 1, 2003, and of the total, approximately 33 percent had no prior police experience.
- National research indicates that based on a random analysis of police departments throughout the United States, the average span of control for Police Sergeants is seven.
- The Toronto Police Department recently completed an analysis concerning, "effective police supervision," and determined that to be truly effective, a police sergeant assigned to the patrol function should be on the road during their tour of duty, at least 65 percent of the time.

- In Westminster, Patrol Sergeants spend an average of 40 percent of their time on the road. This is due to the fact that they deal with administrative duties, roll calls, employee meetings and performance evaluations, report review, and dealing with citizens.

By having 4.0 FTE additional Police Sergeants through a reclassification of 4.0 Senior Police Officers, the on duty span of control will drop to 7.9 vs. 10.3, essentially resulting in a 33 percent increase in the quantity of first line police supervision in the Patrol and Traffic Division. This 33 percent increase will be realized with 3.0 additional FTE Police Sergeants being added to the 9.0 FTE Police Sergeants and 4.0 Commanders already assigned to the three patrol watches. The fourth Police Sergeant will be assigned to the North Metro Drug Task Force where the City has three detectives assigned to work with other detectives from the Adams County law enforcement agencies. While the Police Department has only three detectives assigned to the drug task force, this sergeant would also supervise detectives from other agencies assigned to the task force. Specialty units such as vice/narcotics task forces universally require even smaller spans of control due to the unique and high risk nature of these operations.

The total cost involved to hire 4.0 FTE additional Police Sergeants would be approximately \$425,000 per year. At the present time, such an expense is just not practical. A better alternative is to simply reclassify 4.0 FTE Police Officers to the position of Police Sergeant, allowing the accomplishment of this objective, for an additional cost of only \$18,000 to \$20,000, which can be absorbed in the Police Department budget.

At the present time, there are three individuals on the Police Sergeant eligibility list. It is staff's intent, contingent on Council's approval of this resolution, to immediately promote all three of these outstanding individuals and assign them to the three patrol watches. Staff will then conduct another Police Sergeant promotional process and promote the fourth new sergeant off the new list, and assign a Sergeant to the North Metro Drug Task Force.

In summary, there is a significant opportunity with this proposed resolution to:

- Promote four outstanding individuals to the position of Police Sergeant by reclassifying their positions.
- Improve the quality and quantity of street supervision.
- Reduce the span of control for the Police Sergeants, from an average of 10.3 to 7.9.
- Accomplish staff's objectives for an increased cost of only \$20,000.

Respectfully submitted,

J. Brent McFall
City Manager
Attachments

RESOLUTION

RESOLUTION NO. **35**

INTRODUCED BY COUNCILLORS

SERIES OF 2006

WHEREAS, Section 1-24-1 and 1-24-4 of the Westminster Municipal Code provides that the City Council, upon recommendation of the City Manager, shall by resolution establish the personnel schedule for all position classifications in the municipal service, and

WHEREAS, the Police Department is placing a strong emphasis on the quality and quantity of police supervision for police patrol personnel and personnel assigned to the North Metro Drug Task Force, and

WHEREAS, the intent of the Police Department is to increase the level of supervision on shifts by police sergeants, and

WHEREAS, 48 percent of the current officers assigned to the uniformed patrol and traffic division were hired since January 1, 2003, and

WHEREAS, 33 percent of the officers hired since January 1, 2003 had no prior police experience, and

WHEREAS, the North Metro Drug Task Force, an organization consisting of police personnel from different Adams County law enforcement agencies, is in need of additional police supervision, to supervise the Westminster officers assigned to the task force, and other officers as well, and

WHEREAS, sufficient funds are available in the police department's 2006 budget to accommodate these four reclassifications.

NOW, THEREFORE, the Westminster City Council resolves that the attached 2006 personnel schedule be amended to reflect the reclassifications of 4.0 senior police officers to the position of police sergeant in the non-exempt pay plan, at a pay grade of N19, in the police department's 2006 adopted budget, effective July 10, 2006.

PASSED AND ADOPTED this 10th day of July 2006.

ATTEST:

Mayor

City Clerk

2006 PROPOSED FULL-TIME EQUIVALENT EMPLOYEES

<u>Position Title</u>	<u>2006</u>	<u>2006</u>
<u>General Fund</u>	<u>Authorized</u>	<u>Amended</u>
<u>Police Department</u>		
<u>Administration Division</u>		
<u>Business Unit: 10020050</u>		
Police Chief	1.000	1.000
Administrative Coordinator	1.000	1.000
Senior Management Analyst	<u>1.000</u>	<u>1.000</u>
Administration Subtotal	3.000	3.000
<u>Investigations and Technical Services Division</u>		
<u>Administration Section</u>		
<u>Business Unit: 10020300</u>		
Deputy Police Chief/Investigations and Technical Services	1.000	1.000
Sergeant	1.000	1.000
Secretary	<u>1.000</u>	<u>1.000</u>
I.T.S. - Administration	3.000	3.000
<u>Community Services Section</u>		
<u>Business Unit: 100203000341</u>		
Police Commander	1.000	1.000
Senior Police Officer	7.000	7.000
Secretary	<u>1.000</u>	<u>1.000</u>
I.T.S. - Community Services	9.000	9.000
<u>Neighborhood Services Section</u>		
<u>Business Unit: 100203000342</u>		
Neighborhood Services Administrator	1.000	1.000
Code Enforcement Officer	5.000	5.000
Lead Code Enforcement Officer	1.000	1.000
Code Enforcement Supervisor	0.000	0.000
Code Enforcement Technician	1.000	1.000
Animal Management Supervisor	1.000	1.000
Animal Management Officer	<u>4.500</u>	<u>4.500</u>
I.T.S. - Neighborhood Services	13.500	13.500
<u>Technical Services Section</u>		
<u>Business Unit: 100203000343</u>		
Police Commander	1.000	1.000
Communications Supervisor	3.000	3.000
Communications Specialist I/II	24.500	24.500
Technical Services Coordinator	1.000	1.000
Secretary	0.800	0.800
Records Supervisor	1.000	1.000
Police Records Supervisor	0.000	0.000
Lead Records Specialist	1.000	1.000
Lead Police Records Technician	0.000	0.000
Records Specialist	12.000	12.000
Police Records Technician	<u>0.000</u>	<u>0.000</u>
I.T.S. - Technical Services	44.300	44.300
<u>Investigation Services Section</u>		
<u>Business Unit: 100203000344</u>		

2006 PROPOSED FULL-TIME EQUIVALENT EMPLOYEES

<u>Position Title</u>	<u>2006</u> <u>Authorized</u>	<u>2006</u> <u>Amended</u> <u>(Midyear)</u>
Police Commander	1.000	1.000
Sergeant	3.000	4.000
Criminalist/Senior Criminalist	4.000	4.000
Police Officer/Senior Police Officer	33.000	32.000
Victim Services Coordinator	1.000	1.000
Victim Advocate	3.000	3.000
Secretary	1.500	1.500
Property Evidence Technician	2.000	2.000
Liquor Investigations Officer	<u>1.000</u>	<u>1.000</u>
I.T.S. - Investigation Services	49.500	49.500
Investigations and Technical Services Subtotal	119.300	119.300
 Patrol and Special Operations Division		
Administration Section		
Business Unit: 10020500		
Deputy Police Chief/Patrol Services	1.000	1.000
Secretary	<u>1.000</u>	<u>1.000</u>
Administration	2.000	2.000
 Special Operations Section		
Business Unit: 100205000347		
Police Commander	1.000	1.000
Equipment Services Assistant	1.000	1.000
Sergeant	1.000	1.000
Police Officer / Senior Police Officer	<u>5.000</u>	<u>5.000</u>
Special Operations	8.000	8.000
 Traffic Section		
Business Unit: 100205000348		
Police Commander	1.000	1.000
Sergeant	2.000	2.000
Police Officer/Senior Police Officer	17.000	17.000
Traffic Enforcement Technician	1.000	1.000
Traffic Accident Investigator	<u>6.000</u>	<u>6.000</u>
Traffic	27.000	27.000
 Patrol Operations Section		
Business Unit: 100205000349		
Police Commander	3.000	3.000
Sergeant	9.000	12.000
Police Officer/Senior Police Officer	92.000	89.000
Report Specialist	<u>3.000</u>	<u>3.000</u>
Patrol Operations	107.000	107.000
Patrol and Special Operations Subtotal	144.000	144.000
Police Department Total	266.300	266.300

Summary of Proceedings

Summary of proceedings of the regular meeting of the Westminster City Council held Monday, July 10, 2006. Mayor McNally, Mayor Pro Tem Kauffman, and Councillors Dittman, Kaiser, Lindsey, Major, and Price were present at roll call.

The minutes of the June 26, 2006 regular meeting were approved.

Council recognized members of the Youth Advisory Panel who graduated from high school this year.

Council approved the following: 2006 water meter purchases; contract amendment for additional professional services on the Municipal Service Center facility renovation; final passage of Councillor's Bill No. 39 re south Westminster URP and Section 11-4-4 of the W.M.C.; final passage of Councillor's Bill No. 40 re vacation of rights-of-way within the Wilson Subdivision; final passage of Councillor's Bill No. 41 re appropriation of FY 2005 carryover funds into FY 2006; and final passage of Councillor's Bill No. 42 re proposed water and wastewater rate adjustments.

Council conducted a public meeting to receive citizen comment on the 2007 and 2008 City Budget.

Council adopted Resolution No. 35 to reclassify 4.0 FTE Senior Police Officer positions to Police Sergeant.

The meeting adjourned at 7:42 p.m.

By Order of the Westminster City Council
Linda Yeager, City Clerk
Published in the Westminster Window on July 20, 2006

ORDINANCE NO. **3295**
SERIES OF 2006

COUNCILLOR'S BILL NO. **39**
INTRODUCED BY COUNCILLORS
Price - Dittman

A BILL FOR AN ORDINANCE AMENDING THE SOUTH WESTMINSTER URBAN RENEWAL PLAN, AND AMENDING TITLE XI, CHAPTER 4, SECTION 4, PERMITTED USES

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The South Westminster Urban Renewal Plan is hereby amended as described in Exhibit A, attached hereto and incorporated herein by reference and adopted and enforced as if fully set forth in the Westminster Municipal Code.

Section 2. Title XI, Chapter 4, Section 4, W.M.C. is hereby AMENDED to read as follows:

11-4-4: PERMITTED USES: (2534 2896 2975) This section lists the permitted uses in specific zoning districts. The table of permitted uses ~~which~~ THAT follows lists the permitted uses within each corresponding district, excluding the Planned Unit Development District, PUD. Uses permitted pursuant to this section do not extend to that area included in the "SOUTH Westminster Urban Renewal Plan, PHASE I (SUB-AREAS A-I)." Uses permitted in that area shall be governed by the Plan. The listing of a use as being permitted in any particular district shall be deemed to be an exclusion of such use from any other district unless the use is specifically permitted in such other district. Uses are permitted only insofar as they are not prohibited or in conflict with other provisions of this Chapter or the City's Comprehensive Plan. In the event of any conflict or inconsistency between this section and the City's Comprehensive Plan, the Comprehensive Plan shall control. [Use charts remain unamended.]

Section 3. The City Council approves the requested amendments and authorizes City Staff to make the necessary changes to the map and text of the South Westminster Urban Renewal Plan as described in Exhibit A.

Section 4. Severability: 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 deemed unenforceable shall not affect any of the remaining provisions.

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

Section 6. 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 26th day of June, 2006. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

EXHIBIT A

Staff is recommending the South Westminster Urban Renewal Plan (URP) be amended as follows:

In order to address inconsistent Land Use Regulations between URP Phase II (Sub-Areas J-Y) and current Zoning and Comprehensive Land Use Plan (CLUP) designations, the permitted land uses for Phase II in the URP are proposed to be deleted.

Remove the Check Cashing land use restriction in Phase I.

Map revisions are necessary to re-label Sub-Areas J-Z to J-Y, which were incorrectly labeled in previous amendments.

Specifically, the language to be amended/deleted is as follows:

Part III B. 2. (Pages 14-15)
Private Improvements

This Plan is intended to accomplish the redevelopment of private properties within the Urban Renewal Area to eliminate blight within the area, increase property values and maximize the municipal sales tax generated within the Urban Renewal Area.

The projects identified below for sub-areas A through I are all proposed plans for private development, redevelopment, rehabilitation, renovation or change of use within the Westminster Plaza Shopping Center and the immediate neighborhood J through Y AREA. Such projects shall be subject to the review procedures set forth herein unless otherwise modified by agreement. Part V, Land Use Regulations and Building Requirements of this plan, contains a description of permitted land uses which THAT include retail, office, financial, services, restaurants and entertainment. Final use proposals in conformance with this paragraph, Part V, this Plan and all other applicable municipal codes may receive building permits and business licenses without further review. Final use proposals, site plans and architectural plans not in conformance with Part V shall be reviewed and approved or denied by the Planning Commission and the Authority REQUIRE AN AMENDMENT TO THIS PLAN, WESTMINSTER MUNICIPAL CODE OR THE COMPREHENSIVE LAND USE PLAN AS NEEDED. If such plan(s) is/are denied, the applicant may request reconsideration of such denial by the City Council. In determining whether to approve final use proposals, the degree to which the final use accomplishes the following shall be considered:

- Elimination of Blight
- Generation of Sales Tax
- Elimination of Vacant Space
- Promotion of Redevelopment
- Generation of Employment
- Provision of Service to the Urban Renewal Area

~~Redevelopment should be distinct from, but compatible with, surrounding areas. This may be accomplished by a "themed" character throughout the project area including streetscape elements, lighting, area signage and designated entrances to the redeveloped area.~~

~~Uses shall be compatible with existing and future anticipated uses within the redevelopment area to maximize the sales tax generated within the area in the near and long term future. Therefore, sales tax generating retail uses, which encourage other such uses in the vicinity, should be the principal uses of this area in order to provide needed consumer facilities and realize an increase in tax revenues from the Urban Renewal Area. Uses should be consistent with the community center shopping character of this redevelopment area.~~

~~Landscaping and consideration for pedestrian needs should occur throughout the area.~~

~~Coordination of traffic improvements to reduce hazards and congestion on 72nd Avenue and Federal Boulevard and to facilitate movement of traffic to and through the area should occur.~~

Nine project sub-areas have been identified within the Phase 1 Area as needing to be redeveloped, rehabilitated, revitalized or upgraded. These sub-areas have been identified by ownership, type of use, nature or required improvements and priority for improvements.

Part IV B. 2. (Pages 19-20)

Private Improvements

This plan is intended to accomplish the redevelopment of private properties within the Urban Renewal Area, eliminate blight within the area, increase property values and maximize the municipal sales tax generated within the urban renewal area.

The projects identified below for sub-areas A J through I Y are all proposed plans for private development, redevelopment, rehabilitation, renovation or change of use within the Westminster Plaza Shopping Center and the immediate neighborhood J through Z instead. Such projects shall be subject to the review procedures set forth herein unless otherwise modified by agreement. PERMITTED LAND USES IN SUB-AREAS J THROUGH Y SHALL BE IN COMPLIANCE WITH THE WESTMINSTER MUNICIPAL CODE AND THE COMPREHENSIVE LAND USE PLAN. Part V, land use regulations and building requirements of this plan, contains a description of permitted land uses which include retail, office, financial, services, restaurants and entertainment. Final use proposals in conformance with this paragraph, Part V, this plan and all other applicable municipal codes may receive building permits and business licenses without further review. Final use proposals, site plans and architectural plans not in

conformance with Part V shall be reviewed and approved or denied by the Planning Commission and the Authority. If such plan(s) is/are denied, the applicant may request reconsideration of such denial by the City Council. In determining whether to approve final use proposals, the degree to which the final use accomplished the following shall be considered:

- Elimination of Blight
- Generation of Sales Tax
- Elimination of Vacant Space
- Provision of Service to the Urban Renewal Area
- Promotion of Redevelopment
- Generation of Employment

Uses should reflect the community activity center character of this redevelopment area.

~~Non-conforming uses which create incompatible situations should be phased out over time and replaced with conforming uses. Treatment at the edges of development should include appropriate buffers and screening to be compatible with adjacent neighborhoods.~~

~~Landscaping and consideration for pedestrian needs should occur throughout the area, especially safety considerations with access from residential neighborhoods and a trail system along Little Dry Creek through the area.~~

~~Coordination of traffic improvements on arterial streets should reduce hazards and congestion, and facilitate movement of traffic to and through the area. Local access to parcels within the area should be improved through coordinated efforts.~~

~~All public improvements shall be on public property or in publicly accessible areas. Although no public land acquisition, demolition or relocation by the Authority is anticipated as part of these improvements, the Authority does have the power of eminent domain regarding properties within the Urban Renewal Area.~~

Seventeen SIXTEEN project sub-areas have been identified within the Phase 2 Area as needing to be upgraded (minor improvements), revitalized or rehabilitated (extensive improvements to site and buildings), redeveloped (major improvements which could include upgrading, revitalization, additions, demolition and reconstruction), or available for new development, increased utilization, future intensification or requiring the phasing out of non-conforming uses. (See Exhibit 3).

Part V F. (Page 26)

Permitted Land Uses (APPLICABLE TO SUB-AREAS A THROUGH I ONLY)

Part V F. 2. (Page 28)

Check Cashing (as an accessory use only)

Part V F. 4. (Page 30)

The following commercial uses are specifically prohibitED.

Any use requiring permanent, outdoor display or storage of goods or materials, or any use requiring a significant amount of warehousing or storage in conjunction with sales.

Ambulance Service

Heavy Equipment Rental

Bulk Fuel Sales

Bingo Establishments, Social Gaming Outlets

~~Check Cashing Services (as the primary use)~~

Employment Agencies

Funeral Homes/Mortuaries

General Repair Shop (prohibited in Sub-Areas A through I only)

Greenhouses (as the primary use)

Indoor entertainment establishments ~~which~~ THAT use billiard tables, video games, other machines of amusement as the primary business use, or any establishment having over 12 machines on the premise.

Industrial and Agricultural Uses (~~Prohibited in Sub Areas A through I only~~)

Massage Parlors

Motor Vehicle, Recreational Vehicle, and Commercial Equipment Dealers including Automobiles, Aircraft, Boats, Campers, Mobile Homes, Trucks, Trailers, Heavy Equipment, Construction Equipment, and Farm

Implements (~~prohibited in Sub Areas A through I only~~)

Outdoor Entertainment Establishments

Pawn Shops

Used Merchandise – All Types

Wholesale and Commercial Heating, Plumbing, Electrical, Lumber and Building Equipment and materials Dealers

Exhibit 3, Redevelopment Project Recommendations

See Attached Map (*Map not published but is available to review in the City Clerk's Office.*)

ORDINANCE NO. **3296**
SERIES OF 2006

COUNCILLOR'S BILL NO. **40**
INTRODUCED BY COUNCILLORS
Kauffman - Lindsey

**A BILL FOR AN ORDINANCE VACATING PORTIONS OF AN ALLEY RIGHTS-OF-WAY
GENERALLY LOCATED ON 73RD AVENUE AND LOWELL BOULEVARD**

WHEREAS, certain right-of-way was dedicated on the final plat for Wilson's Subdivision (Book 2, Page 16), from Adams County Public Records; and

WHEREAS, the right-of-way is no longer needed for transportation purposes since the alley does not connect to City streets and does not provide access to the general public; and

WHEREAS, the City needs to preserve utility easements for existing utilities within the proposed right-of-way vacation area; and

THE CITY OF WESTMINSTER ORDAINS:

Section 1. City Council finds and determines that the public convenience and welfare require the vacation of the right-of-way described in Section 3 hereof.

Section 2. City Council further finds and determines that it is necessary to reserve an easement for the continued use of existing storm drainage lines and appurtenances, and for water, sanitary or electrical utilities.

Section 3. The following described right-of-way is vacated but reserving the entirety thereof as an easement for municipal utility purposes including but not limited to storm drainage, water, sanitary or electrical is hereby reserved.

All of that fifteen foot (15') wide alley lying east of and adjacent to Lots 28 through 49, inclusive, Block 1, Wilson's Subdivision as recorded in Book 2 at Page 16 of the Adams County Records, located in the Southeast Quarter of Section 31, Township 2 South, Range 68 West of the 6th Principal Meridian, City of Westminster, County of Adams, State of Colorado, being subordinately described as follows:

Basis of Bearings: The east line of the Southeast Quarter of said Section 31, monumented at the southeast corner of said Section 31 by a 2-1/2" brass cap in range box "PLS 16412", is assumed to bear N00°08'09"W, a distance of 2,648.59 feet;

Beginning at the southeast corner of said Lot 49, whence the southeast corner of said Section 31 bears S11°55'25"E, a distance of 832.16 feet;

Thence along the easterly line of said Lots 28 through 49 inclusive, N00°08'09"W, a distance of 535.00 feet to the northeast corner of said Lot 28;

Thence N89°44'01"E, a distance of 15.00 feet;

Thence S00°08'09"E, a distance of 535.00 feet to the northwest corner of Lot 5, Block 1, said Wilson's Subdivision;

Thence S89°44'01"W, a distance of 15.00 feet to the Point of Beginning;

Containing a calculated area of 8,025 square feet or 0.18 acres, more or less.

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

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

INTRODUCED, PASSED ON FIRST READING AND TITLE AND PURPOSE ORDERED PUBLISHED this 26th day of June, 2006. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

A BILL FOR AN ORDINANCE AMENDING THE 2006 BUDGETS OF THE GENERAL, UTILITY, STORM DRAINAGE, GENERAL CAPITAL OUTLAY REPLACEMENT, OPEN SPACE, GENERAL CAPITAL IMPROVEMENT AND DEBT SERVICE FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2006 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2006 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$85,396,327 is hereby increased by \$7,439,910 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$92,836,237. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the appropriation of 2005 carryover.

Section 2. The \$7,439,910 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	1000.40020.0000	\$0	<u>\$7,439,910</u>	\$7,439,910

Total Change to Revenues

\$7,439,910

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Prof Svcs – Legal Council	10010900.65100.0258	\$30,000	\$13,920	\$43,920
Prof Svcs	10010900.65100.0000	80,000	7,300	87,300
Transfers GCORF	10010900.79800.0450	0	197,411	197,411
Prof Svcs – Training	10012110.65100.0612	9,000	7,100	16,100
Maint/Repair Infrastructure	10012390.66200.0000	120,000	17,000	137,000
Office Equipment	10015050.75200.0000	0	635	635
Cont Svcs – Neigh Svcs	10020300.67800.0342	88,580	4,863	93,443
Other Equip – Tech Svcs	10020300.76000.0343	142,400	26,150	168,500
Prof Svcs – Patrol Svcs	10020500.65100.0713	31,000	9,000	40,000
Cont Svcs	10025260.67800.0000	7,775	16,310	24,085
Train & Ref Mtrls	10025260.71400.0000	11,623	1,727	13,350
Comp Soft/Hard	10025260.75400.0000	340	685	1025
Supplies Fire Prev	10025260.70200.0547	5,000	750	5,750
Prof Svcs	10030050.65100.0000	19,620	25,000	44,620
Printing	10030340.66600.0000	11,500	11,500	23,000
Bus Assist	10030340.68000.0000	10,000	15,000	25,000
Spec Promo – Yth Scholarship	10050760.67600.0528	0	7,014	7,014
Maint/Repair Street Rehab	10035450.66200.0232	2,382,331	34,669	2,417,000
Prof Svcs	10010900.65100.0000	80,000	150,000	230,000
Gen Leave Buy Back	10010900.62400.0000	0	100,000	100,000
Lease Pay – Cap	10010900.67700.0209	1,600,888	2,838	1,603,726

Facility				
Lease Pay – Westy Blvd	10010900.67700.0276	1,710,284	2,508	1,712,792
Lease pay – Public Safety	10010900.67700.0155	1,484,614	2,814	1,487,428
Lease Pay – Energy	10010900.67700.0925	0	300,000	300,000
Office Equip	10012050.75200.0000	36,801	2,400	39,201
Office Equip	10012060.75200.0000	6,280	2,400	8,680
Reg Salaries	10012130.60200.0000	4,443,867	19,600	4,463,467
Supplies	10015050.70200.0000	47,811	1,200	49,011
Regular Salaries	10030380.60200.0000	5,365,821	11,290	5,377,111
Regular Salaries	10030360.60200.0000	4,419,517	9,327	4,428,844
Regular Salaries	10030050.60200.0000	1,836,513	5,045	1,841,558
Contract Svcs	10050620.67800.0000	866,031	20,057	886,088
Cont Svcs – City Park	10050720.67800.0860	6,500	53,420	59,920
Transfers Legacy	10010900.79800.0220	0	228,322	228,322
Transfers Heritage	10010900.79800.0230	0	521,678	521,678
Transfers GCIF	10010900.79800.0750	0	5,610,977	5,610,977

Total Change to Expenses

\$7,439,910

Section 3. The 2006 appropriation for the Utility Fund initially appropriated by Ordinance No. 3162 in the amount of \$42,185,223 is hereby increased by \$12,408,738 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$54,593,961. 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 appropriation is due to appropriation of 2005 carryover.

Section 4. The \$12,408,738 increase in the Utility Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	2000.40020.0000	\$0	\$12,329,538	\$12,329,538
Carryover	2100.40200.0000	0	<u>79,200</u>	79,200

Total Change to Revenues

\$12,408,738

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Vehicles Biosolids	21035490.75600.0401	\$178,900	\$77,000	\$255,900
Other Equip	20035490.76000.0000	45,000	8,501	53,501
Utility Sys Mtrls – Water line	20035470.72800.0497	285,175	135,000	420,175
Water Meters	20035470.76200.0000	320,000	41,250	361,250
Prof Services	20035480.65100.0000	253,553	10,000	263,553
Prof Svcs – Water Quality	20035480.65100.0943	83,000	5,595	88,595
General Leave Buy Back	20010900.62400.0000	0	7,800	7,800
General Leave Buy Back	21010900.62400.0000	0	2,200	2,200
Maint/Repair Infrastructure	20035480.66200.0000	950,633	10,000	960,633
Regular Salaries	20060230.60200.0000	9,206,182	24,514	9,230,696
Water Proj Reserv	80120035181.80400.8888	11,514,456	<u>12,086,878</u>	23,601,334

Total Change to Expenses

\$12,408,738

Section 5. The 2006 appropriation for the Storm Drainage Fund initially appropriated by Ordinance No. 3162 in the amount of \$900,000 is hereby increased by \$174,377 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$1,074,377. The actual amount in the Storm

Drainage Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the appropriation of 2005 carryover.

Section 6. The \$174,377 increase in the Storm Drainage Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	2500.40020.0000	\$0	<u>\$174,377</u>	\$174,377

Total Change to Revenues \$174,377

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Stormwater CIP Reserve	80525030424.80400.8888	\$300,000	<u>\$174,377</u>	\$474,377

Total Change to Expenses \$174,377

Section 7. The 2006 appropriation for the General Capital Outlay Replacement Fund initially appropriated by Ordinance No. 3162 in the amount of \$2,925,609 is hereby increased by \$75,600 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$3,001,209. The actual amount in the General Capital Outlay Replacement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the appropriation of 2005 carryover.

Section 8. The \$75,600 increase in the General Capital Outlay Replacement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	4500.40020.0000	\$2,237,769	<u>\$75,600</u>	\$2,313,369

Total Change to Revenues \$75,600

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Vehicles PST	45010900.75600.0911	\$501,740	<u>\$75,600</u>	\$577,340

Total Change to Expenses \$75,600

Section 9. The 2006 appropriation for the Open Space Fund initially appropriated by Ordinance No. 3162 in the amount of \$4,563,535 is hereby increased by \$1,557,194 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$6,120,729. The actual amount in the Open Space Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to appropriation of 2005 carryover.

Section 10. The \$1,557,194 increase in the Open Space Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	5400.40020.0000	\$0	\$1,132,695	\$1,132,695
Transfer from GCIF	5400.45000.0750	0	<u>424,499</u>	424,499

Total Change to Revenues \$1,557,194

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Eng Design	54010900.65600.0000	\$0	\$12,500	\$12,500
Land Purchases	54010900.76600.0000	749,739	<u>1,544,694</u>	2,294,433

Total Change to Expenses \$1,557,194

Section 11. The 2006 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,608,000 is hereby increased by \$10,434,249 which, when added to the fund balance as of the City Council action on June 26, 2006 will equal \$18,042,249. The actual

amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to appropriation of 2005 carryover.

Section 12. The \$10,434,249 increase in the General Capital Improvement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	7500.40020.0000	\$1,030,000	\$3,090,496	\$3,720,496
Carryover	7501.40020.0000	0	1,220,474	1,220,474
Transfer from GF	7500.45000.0100	0	5,610,977	5,610,977
Transfer from Debt Service	7500.45000.0800	0	<u>512,302</u>	512,302

Total Change to Revenues

\$10,434,249

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
BO&M Major Maintenance	80375012312.80400.8888	\$239,639	\$690,000	\$929,639
Court Complex Imp	80175012114.80400.8888	41,000	175,000	216,000
88 th /Sheridan PD Bldg Renovate	80675012033.80400.8888	0	680,000	680,000
128 th Ave Bridge Widening	80675030036.80400.8888	0	75,000	75,000
New Development Participation	80175030011.80400.8888	14,593	363,000	377,593
Elimination of 88 th Ave bottleneck	80675030038.80400.8888	0	350,000	350,000
144 th Ave Zuni to Huron	80675030039.80400.8888	0	150,000	150,000
BDC Trail Old Wadsworth	80575030421.80400.8888	728	1,045,000	1,045,728
New Art Particip	80575030426.80400.8888	0	37,080	37,080
South Westy Revitalization	80175030024.80400.8888	256,900	501,000	757,900
800 mhz Radio System Upgrade	80475020604.80400.8888	295,000	50,000	345,000
City Center Redevelopment	80675005040.80400.8888	0	3,000,000	3,000,000
Holly Park LIC	80475030619.80400.8888	0	47,780	47,780
Regional Park/ Golf	80675050045.80400.8888	0	175,000	175,000
Recreation Center Improvement	80175050027.80400.8888	348,919	100,000	448,919
Park Renovation Prog	80375050305.80400.8888	858,421	100,000	958,421
Community Enhancement	80175050132.80400.8888	0	78,023	78,023
COP 144 Interchange CAP	80575030733.80400.8888	0	1,892,867	1,892,867
Arterial Roadway Improv	80475035602.80400.8888	500,000	500,000	1,000,000
Transfers Open Space	75010900.79800.0540	0	<u>424,499</u>	424,499

Total Change to Expenses

\$10,434,249

Section 13. The 2006 appropriation for the Debt Service Fund initially appropriated by Ordinance No. 3162 in the amount of \$8,228,907 is hereby increased by \$512,302 which, when added to the fund

balance as of the City Council action on June 26, 2006 will equal \$8,741,209. The actual amount in the Debt Service Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to appropriation of 2005 carryover.

Section 14. The \$512,302 increase in the Debt Service Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	8000.40020.0000	\$8,069	<u>\$512,302</u>	\$520,371

Total Change to Revenues \$512,302

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Transfer to GCIF	80010900.79800.0750	\$0	<u>\$512,302</u>	\$512,302

Total Change to Expenses \$512,302

Section 15. – 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 16. This ordinance shall take effect upon its passage after second reading. 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 26th day of June, 2006. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.

A BILL FOR AN ORDINANCE AMENDING SECTIONS 8-7-7 AND 8-8-5, WESTMINSTER MUNICIPAL CODE, CONCERNING THE CITY'S WATER RATE SCHEDULE AND SANITARY SEWERAGE SERVICE AND INCREASING USER CHARGES

WHEREAS, the City of Westminster operates a water and wastewater enterprise utility; and
WHEREAS, the City Charter requires that the utility be self-supporting; and
WHEREAS, the last water rate increase and the last rate increase for sewer user charges took effect January, 2005; and
WHEREAS, costs to operate the Water and Wastewater Utility have increased; and
WHEREAS, since the Utility is operated as an enterprise exempt from the TABOR amendment, the City Council may set rates to adequately fund the operation of the enterprise; and
WHEREAS, the City wishes to minimize the need for large increases in the future; and
WHEREAS, water rates have been designed so as to encourage water conservation.

NOW, THEREFORE, THE CITY OF WESTMINSTER ORDAINS: Section 1: Section 8-7-7, W.M.C., is hereby AMENDED to read as follows:

8-7-7: WATER RATE SCHEDULE:

(A) Except for fire hydrant use for municipal purposes and water used by the Water Department, all water delivered from the City water system shall be metered, including water used by the City or departments thereof, and the charge therefor shall be as hereinafter set forth.

(B) RESIDENTIAL: Three (3) dwelling units or less served by one meter primarily used for residential occupancy shall, IN 2007, be charged a five dollar and ~~forty-five~~ SIXTY-SEVEN (~~\$5.45~~ \$5.67) cent per month meter service charge, AND SHALL, IN 2008, BE CHARGED A FIVE DOLLAR AND EIGHTY-THREE CENT (\$5.83) PER MONTH METER SERVICE CHARGE PLUS:

2007 Block Rate	2008 BLOCK RATE	MONTHLY Consumption Range
(\$1.95) \$2.03 per 1,000 gallons	\$2.09 PER 1,000 GALLONS	First 4,000 gallons
(\$3.22) \$3.35 per 1,000 gallons	\$3.44 PER 1,000 GALLONS	5,000 to 20,000 gallons
(\$4.75) \$4.95 per 1,000 gallons	\$5.09 PER 1,000 GALLONS	21,000 gallons and over

per unit. Unit consumption shall be determined by dividing the number of units using one meter.

(C) RESIDENTIAL IRRIGATION, TOWNHOME/CONDOMINIUM (CONSISTING OF FOUR UNITS OR MORE), PUBLIC/QUASI-PUBLIC USERS: Shall, IN 2007, be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: ~~(\$4.00)~~ FOUR DOLLARS AND SIXTEEN CENTS (\$4.16) per 1,000 gallons, AND SHALL, IN 2008, BE CHARGED A MONTHLY METER SERVICE CHARGE BASED ON THE METER SIZE AS LISTED IN SCHEDULE A PLUS: FOUR DOLLARS AND TWENTY-SEVEN CENTS (\$4.27) PER 1,000 GALLONS.

Non-irrigation accounts for multiple residential units consisting of four (4) units or more that are not individually metered and that are classified as town homes or condominiums and can demonstrate that they are eighty percent (80%) owner occupied on a complex wide basis shall, IN 2007, be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: three dollars and ~~thirty~~ FORTY-FOUR (~~\$3.30~~ \$3.44) cents per thousand (1,000) gallons, AND SHALL, IN 2008, BE CHARGED A MONTHLY METER SERVICE CHARGE BASED ON THE METER SIZE AS LISTED IN SCHEDULE A PLUS THREE DOLLARS AND FIFTY-THREE CENTS (\$3.53) PER THOUSAND GALLONS, for all water delivered through the meter. The Director of Finance is authorized to prescribe and accept such forms of documentation as the Director may deem sufficient to demonstrate an applicant's eligibility for the rate described in this paragraph. For purposes of this section, a town home or condominium is a residential unit physically attached to another residential unit and separately owned.

(D) COMMERCIAL: Commercial users shall, IN 2007, be charged a monthly meter service charge based on meter size as listed in Schedule A plus: four dollars AND SIXTEEN CENTS (~~\$4.00~~ \$4.16) per 1,000 gallons for the number of gallons used per monthly billing up to the breakpoint for the meter size listed in Schedule A, AND SHALL, IN 2008, BE CHARGED A MONTHLY METER SERVICE CHARGE BASED ON METER SIZE AS LISTED IN

SCHEDULE A PLUS: FOUR DOLLARS AND TWENTY-SEVEN CENTS (\$4.27) PER 1,000 GALLONS FOR THE NUMBER OF GALLONS USED PER MONTHLY BILLING UP TO THE BREAKPOINT FOR THE METER SIZE LISTED IN SCHEDULE A. IN 2007, COMMERCIAL USERS SHALL BE CHARGED ~~Four dollars and eighty five cents (\$4.85)~~ FIVE DOLLARS AND FIVE CENTS (\$5.05) per 1,000 gallons for all consumption exceeding the breakpoint on a monthly basis for the applicable meter size as listed in Schedule A, AND IN 2008, FIVE DOLLARS AND NINETEEN CENTS (\$5.19) PER 1,000 GALLONS FOR ALL CONSUMPTION EXCEEDING THE BREAKPOINT ON A MONTHLY BASIS FOR THE APPLICABLE METER SIZE AS LISTED IN SCHEDULE A.

Schedule A					
Meter Size Code	Meter Size	Number of Service Commitments	2007 Monthly Meter Service Charge	2008 MONTHLY METER SERVICE CHARGE	Breakpoint For Second Tier Based On Meter Size (Gallons)
1	5/8" X 3/4"	1	(\$5.45) \$5.67	\$5.83	20,000
2	3/4" x 3/4"	1.5	(\$8.63) \$8.99	\$9.24	30,000
3	1"	2.5	(\$11.88) \$12.37	\$12.71	50,000
5	1-1/2"	5	(\$18.75) \$19.52	\$20.05	100,000
6	2"	8	(\$26.00) \$27.07	\$27.81	160,000
7	2" x 5/8"	8	(\$26.00) \$27.07	\$27.81	160,000
8	3"	17.5	(\$53.13) \$55.32	\$56.84	350,000
9	3" x 3/4"	17.5	(\$53.13) \$55.32	\$56.84	350,000
10	4"	30	(\$62.50) \$65.08	\$66.86	600,000
11	4" x 1"	30	(\$62.50) \$65.08	\$66.86	600,000
12	6"	62.5	(\$96.88) \$100.87	\$103.63	1,250,000
13	6" x 1-1/2"	62.5	(\$96.88) \$100.87	\$103.63	1,250,000
14	6" x 3"	62.5	(\$96.88) \$100.87	\$103.63	1,250,000
15	8"	90	(\$157.50) \$163.99	\$168.48	1,800,000
18	10"	145	(\$218.75) \$227.76	\$234.00	2,900,000
20	10" x 12" x 6"	215	(\$271.25) \$282.43	\$290.17	4,300,000

(E) CONTINUANCE OF CUSTOMER CHARGES: Monthly customer charges shall be assessed in all cases including where no water is consumed until such time as City personnel are specifically requested to discontinue water service at the meter.

(F) REBATE: Effective January 1, 2001, a seventy-five dollar (\$75) rebate shall be given once annually to low-income residential users who submit an application on a form prescribed by the Finance Director.

1. For purposes of this paragraph, "low income" shall be the current Federal poverty level, plus ten percent (10%).

2. The Director of Finance is authorized to prescribe and accept such forms of eligibility as the Director may deem sufficient to demonstrate an applicant's eligibility for the rebate provided for in this section.

3. Such rebate will be paid in the form of a credit applied to the water account of the eligible residential user.

Section 2: Section 8-8-5, subsection (D), is hereby AMENDED to read as follows:

8-8-5: SERVICE AND USER CHARGES:

(D) The rates for user charges hereinafter set forth are based generally upon the quantity and quality of sewage collected and they are subject to change periodically as circumstances require. The minimum monthly rate for use of the City of Westminster sanitary sewerage system by residential, including multiple unit residential, and public users shall, IN 2007, be a sum equal to ~~three dollars and ten cents (\$3.40)~~ THREE DOLLARS AND FORTY-SEVEN CENTS (\$3.47) per thousand (1,000) gallons, AND SHALL, IN 2008, BE A SUM EQUAL TO THREE DOLLARS AND SEVENTY CENTS (\$3.70) PER THOUSAND GALLONS, multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly rate for use of the City of Westminster's Sanitary Sewage System by multiple units and commercial users shall, IN 2007, be a sum equal to ~~three dollars and forty six cents (\$3.46)~~ THREE DOLLARS AND EIGHTY-EIGHT CENTS (\$3.88) per

thousand (1,000) gallons, AND SHALL, IN 2008, BE A SUM EQUAL TO FOUR DOLLARS AND THIRTEEN CENTS (\$4.13), multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly sewer charge for commercial users may be appealed to the Utility Billing Division for user charges resulting from the average monthly water billed during the period of January through March and may be adjusted if the water billed during the months of July through September is less. Commercial users shall be allowed to install a separate meter to record out of house use which consumption will not be assessed a sewer use charge. The meter readings actually taken prior to and closest to the specified time frame shall be used for purposes of accomplishing the required calculation. However, City Council may by Resolution adjust the period of time to be used to calculate said user charges when, in the opinion of the Council, climate conditions and water consumption patterns warrant such an adjustment. The monthly charge shall apply to an account that is billed for more than fifteen (15) days service. Any new occupant of a residential unit shall, IN 2007, be charged ~~fifteen dollars and fifty cents (\$15.50)~~ SEVENTEEN DOLLARS AND THIRTY-SIX CENTS (\$17.36), AND SHALL, IN 2008, BE CHARGED EIGHTEEN DOLLARS AND FORTY-NINE CENTS (\$18.49) sewer charge until an experience rate has been established.

Residential users who appeal the initial sewer charge rate can have the rate adjusted to actual usage of the first four (4) months of occupancy. Any new multi-unit or commercial account shall be charged a rate based on water consumption of similar accounts in the Westminster or the Denver Metro area. Any account not receiving Westminster water will be based on actual consumption, if available or consumption of similar accounts.

Section 3. This ordinance shall be effective for any water charges billed after January 1, 2007.

Section 4. This ordinance shall take effect upon its passage after second reading. 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 26th day of June, 2006. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10th day of July, 2006.