



WESTMINSTER
COLORADO

July 28, 2003
7:00 P.M.

CITY COUNCIL AGENDA

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

Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

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

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

8. Consent Agenda
 - A. June Financial Report
 - B. 2003 Utilities Operations Division Concrete Replacement
 - C. 2003 Street Operations Division In-House Street Rehabilitation Concrete Replacement
 - D. Metro Wastewater Reclamation District Service Contract Amendments
 - E. Sewer System Root Foaming Program
 - F. Councillor's Bill No. 36 re Brauch Property Tenant Lease (Hicks-McNally)
 - G. Councillor's Bill No. 37 re Supp.Appropriation of BDC Watershed Grant Funds (Dixon-McNally)
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. McKay Drainageway—Intergovernmental Agreement with Thornton
 - B. Resolution No. 28 re Public Service Company Easements on Simms Street and 100th Avenue
 - C. Resolution No. 29 re AdCo Open Space Program Grant Application and GOCO Grant Application
 - D. Resolution No. 30 re Interoperable Communications Equipment Grant
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business
 - A. Citizen Communication
 - B. City Council
 - C. Executive Session
 1. Business Assistance Package
13. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, JULY 28, 2003 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Moss, Mayor Pro-Tem Atchison, Councillors Dittman, Dixon, Hicks, Kauffman and McNally were present at roll call. J. Brent McFall, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk, were also present. Absent none.

CONSIDERATION OF MINUTES

Councillor Dittman moved, seconded by Councillor Dixon to approve the minutes of the meeting of July 14, 2003 with no corrections or additions. The motion carried unanimously.

CITIZEN COMMUNICATION

Diane Wright, 3383 West 114th Cir #A, addressed Council requesting Council place a question on the ballot regarding political signs in the right-of-way and for Council to consider amending the City Charter regarding the number of signatures required for a citizen initiative to be placed on the ballot. The City Charter currently requires 10% of the registered voters of the last regular City election.

CITY MANAGER COMMENTS

Brent McFall, City Manager, commented on water supply and storage, water levels are beginning to drop, and that the City is still seeing water conservation from citizens. Mayor Pro-Tem Atchison stated that if commercial customers do not voluntarily conserve water by not watering during the hottest part of the day, he will proposed at the next City Council meeting mandatory water restrictions from 10am-5pm for commercial users except for reclaimed water use.

CITY COUNCIL COMMENTS

Mayor Moss commented on the Donor Alliance program and encouraged citizens to be organ donors.

Councillor Hicks stated that he played in the Senior Pro Am at the Heritage at Westmoor Golf Course.

CONSENT AGENDA

The following items were considered as part of the consent agenda: June Financial Report; 2003 Utilities Operations Division Concrete Replacement with Concrete Works not to exceed \$90,000; 2003 Street Operations Division In-House Street Rehabilitation Concrete Replacement with Citywide Enterprises for \$84,008; Metro Wastewater Reclamation District Service Contract Amendments; Sewer System Root Foaming Program with Duke's Sales & Service not to exceed \$45,000; CB No. 36 re Brauch Property Tenant Lease; and CB No. 37 re Supplemental Appropriation of Big Dry Creek Watershed Grant Funds.

The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. There was no request.

Councillor Kauffman moved, seconded by Dixon to adopt the consent agenda items as presented. The motion carried unanimously.

MCKAY DRAINAGEWAT IGA WITH THORNTON

Councillor Hicks moved, seconded by Dixon to authorize the City Manager to sign an Intergovernmental Agreement with the City of Thornton for shared participation in a cost apportionment study for improvements to the McKay Drainageway in Westminster and Thornton. The motion carried unanimously.

RESOLUTION NO. 28 RE PUBLIC SERVICE EASEMENTS ON SIMMS STREET AND 100TH AVENUE

Councillor Dittman moved, seconded by Atchison to adopt Resolution No. 28 authorizing the City Manager to execute documents granting non-exclusive easements to Public Service Company of Colorado upon City-owned properties located adjacent to Simms Street between 100th Avenue and 107th Avenue and adjacent to 100th Avenue to the west of Simms Street. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 29 RE ADCO OPEN SPACE AND GOCO GRANTS FOR METZGER FARM

Councillor Hicks moved, seconded by McNally to adopt Resolution No. 29 authorizing the City to apply for an Adams County Open Space Program grant and a Great Outdoors Colorado Trust Fund grant for the acquisition of the 160-acre Metzger Farm located along the Big Dry Creek Open Space and Trail Corridor. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 30 RE INTEROPERABLE COMMUNICATIONS EQUIPMENT GRANT

Councillor Dixon moved, seconded by Dittman to adopt Resolution No. 30 authorizing the Westminster-Arvada Police Department IGA and the Westminster Police Department to pursue the Interoperable Communications Equipment Grant Program. Upon roll call vote, the motion carried unanimously.

CITIZEN COMMUNICATION

Mitchell Tandler, 5719 W 115th Avenue, and Howard Smiley, 11265 Eaton Way, addressed Council requesting no parking signs at the traffic circle at 115th & Eaton.

EXECUTIVE SESSION

Mayor Moss stated there would be an executive session item to discuss a Business Assistance Package.

ADJOURNMENT:

The meeting was adjourned at 7:45 P.M.

ATTEST:

City Clerk

Mayor



WESTMINSTER COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Financial Report for June 2003

Prepared By: Mary Ann Parrot, Finance Director

Recommended City Council Action

Accept the Financial Report for June as presented.

Summary Statement

City Council is requested to review and accept the attached monthly financial statement and monthly revenue report. The Shopping Center Report is also attached to this monthly financial report; this reflects May sales and use tax receipts received in June. A summary of key points of the shopping center report is as follows and shows improved results for the month and year to date: overall returns remain negative, but have improved.

Key features of the monthly financial report for June are as follows:

- At the end of June, six months of 12 months of the year have passed. This is 50% of the year.
- The Sales and Use Tax Fund revenues are currently \$1,406,669 under pro-rated budget for the year. The June figures reflect the sales in May, tax receipts received in June. Sales tax returns are up for June 2003 compared to June 2002 by 2.3% for the month but remain down by 1.9% year-to-date, or \$375,314 below June year-to-date 2002. This is the first month in 2003 whereby monthly returns are positive compared to the prior year. One of the reasons for this is that 2002 was unusually low compared to 2001. Staff does not have enough data to determine yet whether the June numbers indicate an improving economy whereby more consumers are increasing their spending.
- For the entire Sales and Use Tax Fund (Sale and Use Tax Returns and Audits), the fund is 1.5% below last year on a year-to-date basis. If this trend continues, the fund will be under budget by approximately \$2.75 to \$3.0 million. Staff presented and City Council concurred in a series of actions to address this shortfall and Staff will keep City Council apprised.
- The General Fund revenue is currently 102% of pro-rated budget for six months, the same as in last two months' reports assisted by positive variances in property tax collections, licenses and permits, charges for services, lease payments received and miscellaneous payments (including a settlement payment of approximately \$195,000)

Policy Issues

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

Alternatives

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

Background Information

This section is broken down into a discussion of highlights of each fund presented.

For revenues, a positive indicator is a pro-rated budget percentage at or above 100%. For expenditures, a positive indicator is a pro-rated budget percentage that is below 100%.

General Fund

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

At the end of June, the General Fund is in the following position regarding both revenues and expenditures:

- Revenues over pro-rated budget (102% of budget) by \$547,651. This reflects the full budgeted transfer of funds from the Sales and Use Tax fund to the General Fund, which Staff is projecting will come in under budget.
- Expenditures under pro-rated budget (85% of pro-rated budget) by \$5.1 million. This is due to several factors: expenditures do not flow evenly during the year, 38 positions are still frozen and the salary savings are included in these numbers and lastly, the unspent contingency funds are reflected in Central Charges.

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

These funds are the repositories for the 3.25% City Sales & Use Tax for the City. The Sales & Use Tax Fund provides monies for the General Fund, the Capital Projects Fund and the Debt Service Fund. The Open Space Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, buy open space, and make park improvements on a pay-as-you-go basis. At the end of June, the position of these funds is as follows:

- Sales & Use Tax Fund revenues are under pro-rated budget (94.5% of pro-rated budget) by \$1,406,669.
- Sales & Use Tax Fund expenditures are even with pro-rated budget because of the transfers to the General Fund, Debt Service Fund and General Capital Improvement Fund.
- Open Space Sales & Use Tax Fund revenues are slightly under pro-rated budget (99.5% of pro-rated budget) by \$11,830, due primarily to overall returns being below budget.
- Open Space Sales & Use Tax Fund expenditures are over pro-rated budget (101% of pro-rated budget) by \$17,446, due primarily to uneven expenditures for land acquisitions, which do not flow evenly each month (the City purchased open space land at Wadsworth and Independence for approximately \$186,000).

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

This fund reflects the operating results of the City's water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital projects. At the end of June, the Enterprise is in a positive position.

- Combined Water & Wastewater revenues are under pro-rated budget (99% of budget) by \$131,893. Due to a wet spring season and continuing conservation on the part of the citizens:
 - Water revenues under pro-rated budget (97% of pro-rated budget) by \$261,382, due primarily to a negative variance in fees and charges of \$1,457,890 for the six-month period.
 - Wastewater revenues over pro-rated budget (103% of pro-rated budget) by \$129,489.
 - Storm Water Drainage revenues over pro-rated budget (103% of pro-rated budget) by \$13,747.
- Combined Water & Wastewater expenses are under pro-rated budget (79% of budget) by \$3.0 million due primarily to under-spending in capital at this time of year:
 - Water expenses under pro-rated budget (81% of pro-rated budget) by \$2.0 million.
 - Wastewater expenses under pro-rated budget (73% of pro-rated budget) by \$1.0 million.
 - Storm Water Drainage expenses under pro-rated budget (62% of pro-rated budget) by \$45,169.

Golf Course Enterprise (Legacy and Heritage Golf Courses)

This enterprise reflects the operations of the City's two municipal golf courses. The report for the Golf Courses shows an adjustment for the impact of the 1997 Sales Tax Bonds. The 1997 Sales Tax Bonds are not a legal obligation of the Legacy Golf Course. The Legacy Ridge statement reflects Operating Income and Net Income. The difference is that Operating Income does not reflect debt service while Net Income does reflect debt service. By showing the debt service separately, this will indicate the operating performance of the golf courses as a whole. This is highlighted in the footnotes:

- Combined Enterprise operating income - actual, year to date, without the impact of debt service for Legacy - is a surplus of \$90,457, an improvement over last month's operating deficit of \$136,548.
- Combined Enterprise net income - actual, year to date, with the impact of debt service for Legacy - is a deficit of \$239,037, an improvement from last month's net deficit of \$273,664.
- Legacy – Revenues are under pro-rated budget (95% of pro-rated budget) by \$40,626.
- Legacy – Expenses are under pro-rated budget (89% of pro-rated expenses) by \$76,250.
- Heritage – Revenues are under pro-rated budget (85% of pro-rated budget) by \$118,475.
- Heritage – Expenses are over pro-rated budget (144% of pro-rated budget) by \$213,426, due mostly to equipment lease payments paid in April and purchase of a large portion of the inventory.

Staff will attend the July 28th City Council Meeting to address any questions.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description General Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-Rated	% Pro-Rated Budget
Revenues						
Taxes	3,663,000	2,685,130	(1)	2,911,087	225,957	108%
Licenses & Permits	1,625,000	890,250	(2)	1,023,156	132,906	115%
Intergovernmental Revenue	4,815,000	1,820,250	(3)	1,836,452	16,202	101%
Charges for Services						
Recreation Services	4,822,000	2,748,540	(4)	2,833,029	84,489	103%
Other Services	5,248,000	2,258,160	(4)	2,297,599	39,439	102%
Fines	1,900,000	931,000	(5)	781,598	(149,402)	84%
Interest Income	450,000	225,000	(6)	44,082	(180,918)	20%
Misc	290,717	131,622	(7)	335,976	204,354	255%
Leases	575,000	143,750	(8)	287,500	143,750	200%
Refunds	(65,000)	(32,500)	(9)	(1,624)	30,876	5%
Interfund Transfers	44,260,000	22,130,000	(10)	22,130,000	(0)	100%
Sub-total Revenues	<u>67,794,717</u>	<u>33,931,202</u>		<u>34,478,853</u>	<u>547,651</u>	<u>102%</u>
Carryover	0	0	(11)	0	0	
Revenues	<u>67,794,717</u>	<u>33,931,202</u>		<u>34,478,853</u>	<u>547,651</u>	<u>102%</u>
Expenditures						
City Council	134,331	67,166		64,830	(2,336)	97%
City Attorney's Office	681,427	340,714		308,500	(32,214)	91%
City Manager's Office	737,372	368,686		306,950	(61,736)	83%
Central Charges	16,392,371	8,196,186		6,576,680	(1,619,505)	80%
General Services	3,868,279	1,934,140		1,752,634	(181,506)	91%
Finance	1,235,966	617,983		582,120	(35,863)	94%
Police	15,064,003	7,532,002		7,035,162	(496,839)	93%
Fire Emergency Services	7,380,603	3,690,302		3,477,645	(212,657)	94%
Community Development	3,398,378	1,699,189		1,646,766	(52,423)	97%
Public Works & Utilities	6,573,577	3,286,789		1,766,671	(1,520,118)	54%
Parks Recreation & Libraries	12,328,410	6,164,205		5,306,364	(857,841)	86%
Total Expenditures	<u>67,794,717</u>	<u>33,897,359</u>	(12)	<u>28,824,321</u>	<u>(5,073,038)</u>	<u>85%</u>
Revenue Over(Under) Expend	<u>0</u>	<u>33,844</u>		<u>5,654,533</u>	<u>5,620,689</u>	

(1) Property Taxes at 53% to 60% in May; Admissions Taxes average 45%, Qwest at 37% by this time of year.

(2) Licenses 42%, Comm'l Permits 43%, Res'l Permits 44%.

(3) Cig Tax 24%, HUTF 32%, AutoOwnr 33%, Veh Regis 30%, Road & Bridge(Adco) 33%, Road & Bridge(Jeffco) 30%.

(4) Recreation 49%, PubSvc 40%, AT&T 25%, CAM & EMS billings 34%, all others 34%.

(5) Fines historically at 40%

(6) Governmental Accounting Standards Board requires that unrealized gains and losses be recorded.

These numbers reflect the reversal of the gain recorded at FYE.

(7) Miscellaneous and Westminster Faire Receipts.

(8) Timing delays of lease payments can occur; billed 1st Qtr, received 2nd Qtr - recorded during 1st Qtr with no delay.

(9) Refund payments generally apply to recreation charges in general.

(10) Transfers from Sales Tax Fund and Sheridan Park GID.

(11) Carryover from Year 2002 is always budgeted for the next year; included here to render correct balanced budget perspective.

Carryover (Actual) represents use of prior year fund balance, as budgeted.

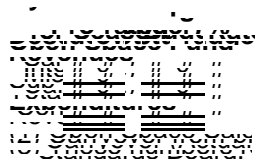
(12) Expenditures are based on even 1/12 per month or 8.33% per month.

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Sales and Use Tax Fund						
Revenues						
Sales & Use Tax						
Sales Tax Returns	41,249,188	21,040,506	(1)	19,365,002	(1,675,504)	92.04%
Sales Tx Audit Revenues	495,000	271,500		345,516	74,016	127.26%
Use Tax Returns	8,900,000	3,861,000		4,002,571	141,571	103.67%
Use Tax Audit Revenues	450,000	186,750		261,822	75,072	140.20%
Interest Income	50,000	25,000		3,175	(21,825)	12.70%
Sub-total Revenues	<u>51,144,188</u>	<u>25,384,756</u>		<u>23,978,086</u>	<u>(1,406,669)</u>	94.46%
Carryover	0	0	(2)	0	0	
Total Revenues	<u>51,144,188</u>	<u>25,384,756</u>		<u>23,978,086</u>	<u>(1,406,669)</u>	94.46%
Expenditures						
Central Charges	<u>51,144,188</u>	<u>25,572,094</u>		<u>25,572,094</u>	<u>(0)</u>	100.00%
Revenues Over(Under) Expenses	<u>0</u>	<u>(187,338)</u>		<u>(1,594,007)</u>	<u>(1,406,669)</u>	

(1) At end of May, historical averages are as follows: Sales Tax Returns 43.1%, Sales Tax Audit 47.7%,
Use Tax Returns 40.9%, Building Use Tax 39.4%, Auto Use Tax 29.9%, Use Tax Audit 35.9%.

(2) Carryover from prior year is always budgeted for the next year; included here to render correct balanced budget perspective.
Carryover (Actual) represents use of prior year fund balance, as budgeted.



**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Water and Wastewater Fund-Combined						
Revenues						
License & Permits	70,000	29,167		56,588	27,421	194%
Intergovernmental Revenue	0	0		1,166	1,166	
Charges for Services						
Rates and Charges	28,884,247	11,871,602	(1)	10,631,554	(1,240,048)	90%
Tap Fees	4,633,500	2,140,205	(1)	3,568,877	1,428,672	167%
Interest Income	1,250,000	599,600	(2)	216,210	(383,390)	36%
Miscellaneous	183,998	77,041	(3)	111,327	34,286	145%
Sub-total Water/Wastewater Revenues	<u>35,021,745</u>	<u>14,717,615</u>		<u>14,585,722</u>	<u>(131,893)</u>	99%
Carryover	1,947,500	0	(4)	0		
Total Revenues	<u>36,969,245</u>	<u>14,717,615</u>		<u>14,585,722</u>	<u>(131,893)</u>	99%
Expenditures						
City Council	49,832	24,916		24,916	0	100%
City Attorney's Office	157,322	78,661		78,661	(0)	100%
City Manager's Office	260,755	130,378		130,378	0	100%
Central Charges	8,368,438	3,562,004	(5)	3,067,513	(494,491)	86%
General Services	574,289	287,145		287,145	0	100%
Finance	786,551	393,276		340,541	(52,735)	87%
Fire Emergency Services	36,777	18,389		18,389	0	100%
Community Development	586,751	293,376		293,376	0	100%
Public Works & Utilities	17,429,684	8,714,842		6,345,336	(2,369,506)	73%
Parks, Recreation & Libraries	121,383	60,692		60,691	(1)	100%
Information Technology	2,016,462	1,008,231		882,020	(126,211)	87%
Total Operating Expenses	<u>30,388,244</u>	<u>14,571,910</u>		<u>11,528,966</u>	<u>(3,042,944)</u>	79%
Revenues Over(Under) Expenses	<u>6,581,001</u>	<u>145,705</u>		<u>3,056,756</u>	<u>2,911,051</u>	

(1) (a) Water: Res Sales 35.7%, Commr Sales 36.5%, Wholesale Sales 40%, Meter Svc Fees 49.4%, Recl. Chgs projected at 6/12 per mo. until more data is available, Res Taps 47.2%, Commr Taps 57.3%.

(b) Wastewater: Res'l Sales 49.4%, Comm'l Sales 49.1%, Res'l Taps 48.5%, Comm'l Taps 50%.

(2) Interest Income historically is at 47% for water and 49.2% for wastewater at this time of year, current variance is due to reversal of FYE unrealized gain from 2002, required by the Governmental Accounting Standards Board.

(3) Includes Misc Income only.

(4) Carryover from prior year is budgeted for the next year; included here to render correct balanced budget perspective.

Carryover (Actual) represents use of prior year retained earnings, as budgeted.

(5) Debt Service is due June 1 (Interest only) and Dec 1 (Prin + Int) and has been pro-rated in the Budget-Pro-rated column.

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-Rated	% Pro-Rated Budget
Water Fund						
Revenues						
License & Permits	70,000	29,167		56,588	27,421	194%
Intergovernmental Revenue	-	-		1,166	1,166	
Charges for Services						
Rates and Charges	20,198,436	7,592,261	(1)	6,134,371	(1,457,890)	81%
Tap Fees	3,433,500	1,553,705	(1)	2,883,529	1,329,824	186%
Interest Income	700,000	329,000	(2)	131,861	(197,139)	40%
Miscellaneous	179,500	74,792	(3)	110,028	35,236	147%
Sub-total Water Revenues	<u>24,581,436</u>	<u>9,578,925</u>		<u>9,317,543</u>	<u>(261,382)</u>	97%
Carryover	0	-		-	-	
Total Revenues	<u>24,581,436</u>	<u>9,578,925</u>		<u>9,317,543</u>	<u>(261,382)</u>	97%
Expenses						
City Council	33,815	16,908		16,907	(1)	100%
City Attorney's Office	104,926	52,463		52,463	0	100%
City Manager's Office	176,941	88,471		88,471	0	100%
Central Charges	7,080,743	3,109,928	(4)	2,765,632	(344,296)	89%
General Services	350,449	175,225		176,435	1,210	101%
Finance	703,237	351,619		298,884	(52,735)	85%
Fire Emergency Services	22,066	11,033		11,033	0	100%
Community Development	399,023	199,512		199,512	0	100%
Public Works & Utilities	11,255,502	5,627,751		4,152,876	(1,474,875)	74%
Parks, Recreation & Libraries	53,457	26,729		26,729	0	100%
Information Technology	2,016,462	1,008,231		882,020	(126,211)	87%
Total Operating Expenses	<u>22,196,621</u>	<u>10,667,870</u>		<u>8,670,962</u>	<u>(1,996,908)</u>	81%
Revenues Over(Under) Expenses	<u>2,384,815</u>	<u>(1,088,945)</u>	(5)	<u>646,581</u>	<u>1,735,526</u>	

(1) Res Sales 35.7%, Commr Sales 36.5%, Wholesale Sales 40%, Meter Svc Fees 49.4%, Recl. Chgs projected at 6/12 per mo. until more data is available, Res Taps 47.2%, Commr Taps 57.3%.

(2) Interest Income historically at 47% at this time of year; current variance is due to reversal of FYE unrealized gain from 2002, required per the Governmental Accounting Standards Board.

(3) Includes Misc Income only.

(4) Debt Service is due June 1 (Interest only) and Dec 1 (Prin + Int) and has been pro-rated in the Budget-Pro-rated column.

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Wastewater Fund						
Revenues						
Charges for Services						
Rates and Charges	8,685,811	4,279,341	(1)	4,497,183	217,842	105%
Tap Fees	1,200,000	586,500	(1)	685,348	98,848	117%
Interest Income	550,000	270,600	(2)	84,349	(186,251)	31%
Miscellaneous	4,498	2,249		1,299	(950)	58%
Sub-total Water Revenues	<u>10,440,309</u>	<u>5,138,690</u>		<u>5,268,179</u>	<u>129,489</u>	<u>103%</u>
Carryover	<u>1,947,500</u>	-	(3)	-	-	
Total Revenues	<u>12,387,809</u>	<u>5,138,690</u>		<u>5,268,179</u>	<u>129,489</u>	<u>103%</u>
Expenditures						
City Council	16,017	8,009		8,009	0	100%
City Attorney's Office	52,396	26,198		26,198	(0)	100%
City Manager's Office	83,814	41,907		41,907	0	100%
Central Charges	1,287,695	452,077	(4)	301,881	(150,196)	67%
General Services	223,840	111,920		110,710	(1,210)	99%
Finance	83,314	41,657		41,657	0	100%
Fire Emergency Services	14,711	7,356		7,355	(1)	100%
Community Development	187,728	93,864		93,864	0	100%
Public Works & Utilities	6,174,182	3,087,091		2,192,459	(894,632)	71%
Parks, Recreation & Libraries	<u>67,926</u>	<u>33,963</u>		<u>33,963</u>	<u>(0)</u>	<u>100%</u>
Total Operating Expenses	<u>8,191,623</u>	<u>3,904,042</u>		<u>2,858,003</u>	<u>(1,046,039)</u>	<u>73%</u>
Revenues Over(Under) Expenses	<u>4,196,186</u>	<u>1,234,648</u>		<u>2,410,176</u>	<u>1,175,528</u>	

(1) Res'l Sales 49.4%, Comm'l Sales 49.1%, Res'l Taps 48.5%, Comm'l Taps 50%.

(2) Interest Income historically at 49.2% at this time of year; current variance is due to reversal of FYE unrealized gain from 2002, required per the Governmental Accounting Standards Board.

(3) Carryover from prior year is budgeted for the next year; included here to render correct balanced budget perspective.
Carryover (Actual) represents use of prior year retained earnings, as budgeted.

(4) Debt Service is due June 1 (Interest only) and Dec 1 (Prin + Int) and has been pro-rated in the Budget-Pro-rated column.

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Storm Drainage Fund						
Revenues						
Business Fees						
Charges for Services	850,000	425,000		434,420	9,420	102%
Interest Income	0	0	(1)	4,327	4,327	
Miscellaneous	0	0		0	0	
Total Revenues	<u>850,000</u>	<u>425,000</u>		<u>438,747</u>	<u>13,747</u>	103%
Expenses						
Central Charges	0	0		2,217	2,217	
Organization Support Services	100,000	50,000		15,299	(34,701)	31%
Engineering	38,000	19,000		16,552	(2,448)	87%
PW&U Admin	0	0		0	0	
Infrastructure Improvements	0	0		0	0	
Street Maintenance	100,000	50,000		39,763	(10,237)	80%
Total Expenses	<u>238,000</u>	<u>119,000</u>		<u>73,831</u>	<u>(45,169)</u>	62%
Revenues Over(Under) Expenses	<u>612,000</u>	<u>306,000</u>		<u>364,916</u>	<u>58,916</u>	

(1) These numbers reflect the reversal of the unrealized gain recorded for FYE 2002, as required by the Governmental Accounting Standards Board.

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Golf Courses Combined						
Revenues						
Charges for Services	3,720,676	1,582,494	(1)	1,424,622	(157,872)	90%
Interest Income	0	0		(1,229)	(1,229)	
Miscellaneous	0	0		0	0	
Refunds	0	0		0	0	
Total Revenues	3,720,676	1,582,494		1,423,393	(159,101)	90%
Expenses						
Central Charges	158,150	79,075		73,807	(5,269)	93%
Recreation Facilities	2,733,408	1,116,685	(2)	1,259,129	142,444	113%
Total Expenses	2,891,558	1,195,760		1,332,936	137,175	111%
Operating Income (Loss)	829,118	386,734		90,457	(296,276)	
Debt Service Expense	829,117	329,494	(3),(4)	329,494	0	100%
Revenues Over(Under) Expenditure	1	57,240		(239,037)	(296,276)	

(1) Revenues pro-rated based on a 6 yr history of revenues per month. Based on this history, Charges for Services are projected at 45.3% for Legacy and 40.1% for Heritage for June.

(2) Expenses projected at 6/12 per month or 50%.

(3) Debt service payments due in Year 2003 are \$429,079. Net of a \$100,000 subsidy, for Legacy, debt service will be \$339,079. Debt service for Heritage is \$500,038 for the year.

For Legacy, 1/12 of the debt services is transferred to the Debt Service Fund each month. This transfer is reflected in both Budget figures above. For Heritage, the debt service is payable in June and December and will be reflected in the pro-rated budget at that time. This presentation should give the reader a clearer picture of the results of operations.

(4) Because the 1997A Sales and Use Tax Revenue Bonds are not a legal liability of the Golf Course Fund, the principal and interest that was recorded in Legacy Ridge was removed and recorded in the General Long Term Debt Account Group. However, Legacy is making monthly transfers to the Debt Service fund as noted above to assist in the payment of principal and interest. In order for the reader to get a clear picture of golf course operation without the Debt Service Fund transfers, the report will show Operating Income (without the budgeted debt service) and Revenues Over (Under) Expenditures (with debt service as budgeted).

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Legacy Ridge Fund						
Revenues						
Business Fees						
Charges for Services	1,740,453	788,425	(1)	750,223	(38,202)	95%
Interest Income	0	0		(2,424)	(2,424)	0%
Miscellaneous	0	0		0	0	
Refunds	0	0		0	0	
Total Revenues	<u>1,740,453</u>	<u>788,425</u>		<u>747,799</u>	<u>(40,626)</u>	95%
Expenses						
Central Charges	77,350	38,675		36,548	(2,127)	95%
Recreation Facilities	1,334,024	667,012	(2)	592,889	(74,123)	89%
Sub-Total Expenses	<u>1,411,374</u>	<u>705,687</u>		<u>629,437</u>	<u>(76,250)</u>	89%
Operating Income(Loss)	329,079	82,738		118,362	35,624	
Debt Svc STX Bonds Expense	<u>329,079</u>	<u>164,540</u>	(3),(4)	<u>164,540</u>	<u>0</u>	100%
Revenues Over(Under) Expenditures	<u>0</u>	<u>(81,802)</u>		<u>(46,178)</u>	<u>35,624</u>	

(1) Revenues pro-rated based on a 6 yr history of revenues per month. Based on this history, "Charges for Services" is projected at 45.3% for June.

(2) Expenses projected at 6/12 per month or 50%

(3) The budget for expenses reflects the City Council decision to subsidize the debt service for the Golf Course by \$100,000 for the FY 2003. Legacy's scheduled debt service is \$429,079 for the year; this will be reduced by \$100,000 to \$329,079 for the year. 1/12 of the total debt service of \$329,079 is transferred to the Debt Service Fund each month.

(4) As the 1997A Sales and Use Tax Revenue Bonds are not a legal liability of the Golf Course Fund, the principal and interest that was recorded in Legacy Ridge was removed and recorded in the General Long Term Debt Account Group. However, Legacy is making monthly transfers to the Debt Service fund as noted above to assist in the payment of principal and interest. In order for the reader to get a clear picture of golf course operation without the Debt Service Fund transfers, the report will show Operating Income (without the budgeted debt service) and Revenues Over (Under) Expenditures (with debt service as budgeted).

**City of Westminster
Financial Report
For the Six Months Ending June 30, 2003**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget Pro-rated	% Pro-Rated Budget
Heritage at Westmoor Fund						
Revenues						
Business Fees						
Charges for Services	1,980,223	794,069	(1)	674,399	(119,670)	85%
Interest Income	0	0		1,195	1,195	
Miscellaneous	0	0		0	0	
Refunds	0	0		0	0	
Total Revenues	<u>1,980,223</u>	<u>794,069</u>		<u>675,594</u>	<u>(118,475)</u>	85%
Expenses						
Central Charges	80,800	40,400		37,259	(3,141)	92%
Recreation Facilities	1,399,384	449,673	(2)	666,240	216,567	148%
Sub-Total Expenses	<u>1,480,184</u>	<u>490,073</u>		<u>703,499</u>	<u>213,426</u>	144%
Operating Income	500,039	303,996		(27,905)	(331,901)	
Debt Service Expense	500,038	164,954	(3)	164,954	0	100%
Revenues Over(Under) Expenses	<u>1</u>	<u>139,042</u>		<u>(192,859)</u>	<u>(331,901)</u>	

(1) Revenues pro-rated based on a 6 yr history of revenues per month. Based on this history, Charges for services is projected at 40.1% for June.

(2) Expenses projected at 6/12 per month or 50%.

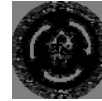
(3) Debt service payments due in Year 2003 \$500,038. The pro-rated budget above includes only the debt service payment that was due in June 2003. The next debt service payment is due in December 2003.



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: 2003 Utilities Operations Division Concrete Replacement

Prepared By: Rick Clark, Utilities Operations Manager

Recommended City Council Action

Based on the report and recommendation of the City Manager, determine that the public interest will be best served by awarding this contract to Concrete Works of Colorado by waiving the City's bidding requirements. Authorize the City Manager to execute a contract with Concrete Works of Colorado for concrete work associated with the 2003 Utilities Operations Division concrete replacement program in an amount not to exceed \$ 90,000 and charge the appropriate Utilities Operations Division accounts.

Summary Statement

- Infrastructure Improvements Division received competitive bids for the 2003 Concrete Replacement Program on December 17, 2002.
- The low bidder, Concrete Works of Colorado, could not complete the additional concrete work at the same unit rate as they originally proposed due to an estimation error they made on their original proposal. Concrete Works of Colorado failed to insert the cost to replace the concrete into their estimate, therefore, causing their total unit cost to be lower than the other bidders. Concrete Works of Colorado agreed to honor their bid proposal for the City's 2003 concrete replacement program for the Infrastructure Improvements Division (IID), but indicated they could not complete additional work for the same unit cost. IID Staff agreed with this approach by Concrete Works of Colorado to re-insert the cost to replace concrete in their pricing for other City projects. This increase by Concrete Works of Colorado was deemed by the City's purchasing agent to be competitive and responsible.
- Public Works Staff inadvertently authorized Concrete Works of Colorado to commence and complete concrete replacement work that was done on water line breaks and water line installations in 2003.

Expenditure Required: Not to exceed \$ 90,000

Source of Funds: Public Works and Utilities – Utilities Operations Division Budget

Policy Issue

Should the City award a contract to Concrete Works of Colorado not to exceed \$90,000?

Alternative

The alternative is to not pay Concrete Works of Colorado for services rendered. This is not recommended as some of the work has already been performed and is, therefore, an obligation of the City.

Background Information

At the time the original bidding process was conducted by the Infrastructure Improvements Division in December 2002 for the 2003 concrete replacement program, the Utilities Division's concrete replacement quantities were unknown so Staff did not include a not to exceed amount for the concrete contractor to complete.

The low qualified bidder, Concrete Works of Colorado with a \$26.00 per linear foot bid, was awarded the contract by City Council at its February 24, 2004 City Council meeting. Due to an estimation error that did not include the cost to replace the concrete, Concrete Works of Colorado was not able to accept any additional work at the same bid rate they proposed on for the 2003 concrete replacement program developed by the Infrastructure Improvements Division. Concrete Works of Colorado proposed a revised \$31.00 per linear foot for the additional work in the Utilities Division resulting from water line breaks and installations.

To date, the work on concrete replacement as a result of water line breaks and installations by Concrete Works of Colorado is complete and they are awaiting payment for services rendered in the amount of \$28,566.

Staff is reviewing internal protocols to ensure this oversight on the City's purchasing requirements does not occur in the future.

Staff will be present at Monday night's City Council meeting to address any questions.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: 2003 Street Operations Division In-House Street Rehabilitation Concrete Replacement

Prepared By: Sam LaConte, Street Operations Manager

Recommended City Council Action

Based on the report and recommendation of the City Manager, City Council determines that the public interest will be best served by awarding this contract to Citywide Enterprises, Inc. by waiving the City's bidding requirements. Authorize the City Manager to execute a contract with Citywide Enterprises, Inc. for concrete work associated with the 2003 Street Operations Division in-house street rehabilitation program in the amount of \$84,008 and charge the appropriate Street Operations Division account.

Summary Statement

- Infrastructure Improvements Division received competitive bids for the 2003 Concrete Replacement Program on December 17, 2002.
- The low bidder, Concrete Works of Colorado, could not complete the additional concrete work at the same unit rate as they originally proposed due to an estimation error they made on their original proposal. Concrete Works of Colorado failed to insert the cost to replace the concrete into their estimate, therefore, causing their total unit cost to be lower than the other bidders. Concrete Works of Colorado agreed to honor their bid proposal for the City's 2003 concrete replacement program for the Infrastructure Improvement Division, but indicated they could not complete additional work for the same unit cost. Concrete Works of Colorado indicated to Staff they could not take on any additional work.
- Staff requested Citywide Enterprises, Inc. honor its unit cost bid for completing concrete work outside the original scope of work that they bid on.
- Public Works Staff inadvertently authorized Citywide Enterprises, Inc. to commence and complete concrete replacement work that was done on approximately 2,710 linear feet for streets earmarked for reconstruction or resurfacing under the City's in-house street rehabilitation program. Therefore, Public Works Staff is requesting Council approve and authorize this contract with the work having already been completed.
- City Staff did not receive additional bids for this work since Citywide Enterprises, Inc. would honor their original bid price from the City's 2003 concrete replacement program of \$31.00 per linear foot, which was deemed by the City's purchasing agent to be competitive and responsible.

Expenditure Required: \$84,008

Source of Funds: Public Works and Utilities Street Operations Division Budget

Policy Issue

Should the City award a contract to Citywide Enterprises, Inc. and pay them \$84,008 owed for services rendered?

Alternative

The alternative is to not pay Citywide Enterprises, Inc. for services already rendered. This is not recommended as the work has already been performed and is, therefore, an obligation of the City.

Background Information

City streets that are scheduled for rehabilitation by the Street Operations Division also include replacing deteriorated curb, gutter and sidewalk to assure the life of the pavement replaced meets its anticipated life expectancy. At the time of the original bidding process conducted by the Infrastructure Improvements Division in December 2002 for the 2003 concrete replacement program, the Street Division's in-house street rehabilitation program's status was uncertain due to the budget constraints related to the economic downturn and therefore the additional concrete work was not added in the original bid quantities. After the one half percent budget reduction was made in April 2003, the Street Operations Division was able to evaluate and begin implementing its 2003 in-house street rehabilitation program, which included \$84,008 worth of concrete replacement.

The low qualified bidder Concrete Works of Colorado with a \$26.00 per linear foot bid, was awarded the contract by City Council at its February 24, 2004 City Council meeting. However, after taking on additional work for the Utilities Operations Division at a revised \$31.00 per linear foot, Concrete Works of Colorado was not able to accept any additional work outside of the original contract with the Infrastructure Improvements Division, so the Street Operations Division entered negotiations with the second low bidder. The second low bidder, Citywide Enterprises, Inc., agreed to perform the work at \$31.00 per linear foot, which is the same price per foot as the 2002 concrete replacement program low bid that was completed by Citywide Enterprises, Inc.

Based on these discussions with Citywide Enterprises, Inc., Public Works Staff mistakenly asked Citywide Enterprises, Inc. to commence and complete the concrete work without receiving prior City Council approval. The work by Citywide Enterprises, Inc. is complete and they are awaiting payment for services rendered.

Citywide Enterprises, Inc. has a long-standing history with the City having completed the City's concrete replacement program for the last 10 years prior to 2003. Citywide Enterprises, Inc. acted in good faith by honoring their price of \$31.00 per linear foot, which has been determined by the City's purchasing agent to be a competitive and responsible bid for this additional work.

Staff is reviewing internal protocols to ensure this oversight on the City's purchasing requirements does not occur in the future.

Staff will be present at Monday night's City Council meeting to field and address any questions.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



Subject: Metro Wastewater Reclamation District Service Contract Amendments

Prepared by: Tim Woodard, Big Dry Creek Wastewater Treatment Facility Superintendent

Recommended City Council Action

Authorize the Mayor to execute an Addendum to the Sewage Treatment and Disposal Agreement with the Metro Wastewater Reclamation District.

Summary Statement

- Approximately 40% of Westminster's wastewater flow is treated by the Metro Wastewater Reclamation District (Metro District) at the Metro facility located at 6450 York Street in Denver.
- Westminster is a member of the Metro Wastewater Reclamation District and has two members on the board that represent the City of Westminster.
- Treatment of wastewater at the Metro District is governed by a sewage treatment and disposal agreement (service contract) between the Metro District and its member municipalities.
- The Metro District has requested four changes to this service contract (originally signed January 1, 1964) that are housekeeping changes that in Staff's opinion, do not negatively effect the service contract or costs for the City of Westminster.
- These changes need to be approved by at least thirteen of the fifty two member municipalities to the Metro District, to be placed into effect.
- Upon approval of the service contract changes, the City will have to enter into a new service contract with the Metro District that includes these changes.
- Attached documents include the Metro District Board Resolution (Exhibit A) adopting the changes, along with an Addendum to the service contract to be signed by the Mayor.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should Westminster approve these contract changes with the Metro District?

Alternative

The City of Westminster could choose not to approve these changes, however, the changes only need thirteen member municipalities to become effective, therefore they will likely become effective without Westminster's action.

Background Information

Westminster has been a member of the Metro District since the 1960's. The Metro District serves the southern areas of the City of Westminster basically south of 92nd Avenue. The Metro District treats approximately 40% of the total sewage flow generated within the Westminster city boundaries. The remaining 60% of sewage is treated at the Big Dry Creek Wastewater Treatment Facility located on North Huron Street. In 2003, the City completed a wastewater master plan that concluded that the provision of service through the Metro District is still the best option for this portion of the City.

The proposed revisions are housekeeping changes that do not reflect treatment or financial changes in the contract. Specifically, the proposed changes include deleting an obsolete provision for a temporary connection, making the dates consistent for hearings on final adjustment of annual charges and, deletion of a special allocation procedure for a particular connector that has been rendered obsolete.

Respectfully submitted,

J. Brent McFall
City Manager
Attachments

ADDENDUM TO SEWAGE TREATMENT AND DISPOSAL AGREEMENT

(Herein sometimes referred to as the "Service Contract"

or merely as the "Agreement")

MADE AND DATED THIS _____ day of _____, 2003, by and between the METRO WASTEWATER RECLAMATION DISTRICT, hereinafter referred to as the "Metro District," a public body politic and corporate, a quasi municipal district, and a governmental and political subdivision of the State of Colorado; and the component member municipalities of the Metro District, hereinafter referred to as the "Municipalities";

WHEREAS, it is necessary and desirable that the Service Contract be amended in certain particulars,

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

In consideration of the premises and of the mutual covenants and agreements herein set forth and as set forth in the Sewage Treatment and Disposal Agreement dated the 1st day of January 1964, but actually executed on the 30th day of March 1964, the Metro District and its component Municipalities bind themselves, their respective representatives, successors and assigns to mutually COVENANT, UNDERTAKE, PROMISE AND AGREE AS FOLLOWS:

The Service Contract is hereby amended by:

I. Deleting Section 301a., deleting paragraph 6 of Schedule B, and modifying Section 606, all as set forth in the form attached hereto as Exhibit A.

By: _____
Ed Moss, Mayor

CITY OF WESTMINSTER

ATTEST:

City Clerk

APPROVED: _____
City Attorney

METRO WASTEWATER RECLAMATION DISTRICT

By: _____
Chairman
6450 York Street
Denver, Colorado 80229

ATTEST:

Secretary

Exhibit A

Section 301 of the Service Contract is amended by Metro District Board of Directors Resolution No. 0403-8.g to delete Section 301a (additions shown in caps and boldfaced; deletions shown stuck-through):

~~Section 301a. Temporary Connection.~~

~~The Fruitdale Sanitation District shall be allowed a temporary connection to the District's System for treatment of sewage as if it were a Connecting Municipality, during the period pending the final determination of Civil Action No. 25527, Fruitdale Sanitation District vs. Wadsworth Ditch Association, et al., to and including the final decision of the final appellate court considering the matter or the dismissal, notwithstanding any provision to the contrary in this Service Contract, including without limitation Section 301 hereof.~~

Schedule B to the Service Contract is amended by Resolution No. 0403-8.g to delete paragraph 6 as follows (additions shown in caps and boldfaced; deletions shown stuck-through):

Schedule B

~~6. The charges for the Republic Paperboard Company shall be determined on the basis of the original formula and the formula as described herein. Any differences between the charges which are calculated to be levied under the original contract and the charges determined herein shall be prorated to the other connecting municipalities and special connectors on the basis of their total charges which are calculated on the basis of the rates and charges developed on the formula basis indicated herein.~~

Section 606 of the Service Contract is amended by Metro District Board of Directors Resolution No. 0403-8.g to read as follows (additions shown in caps and boldfaced; deletions shown stuck-through):

Section 606. Hearing on and Notice of Final Adjustment.

(1st sentence)

Prior to making any final adjustment of any Charge for any Fiscal Year, as provided in Section 605 hereof, the District **BOARD** shall hold at **A** regular meeting ~~in March~~ **NO LATER THAN JUNE** next following the last day of that Fiscal Year a hearing on the proposed final adjustment.



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Sewer System Root Foaming Program

Prepared By: Richard A. Clark, Utilities Operations Manager

Recommended City Council Action

Based on the report and recommendation of the City Manager, City Council determines that the public interest will be best served by awarding this contract to Duke's Sales & Service.

Authorize the City Manager to execute a negotiated sole source contract with Duke's Sales & Service to provide for a sewer system root foaming program. The contract would be for an amount not to exceed \$45,000.

Summary Statement

- Funds have been approved and allocated in the 2003 Utilities Division Operating budget for wastewater collection system improvements during the year.
- The negotiated, sole source contract, will provide for the application of a chemical foaming product to approximately 30,000 feet of sanitary sewer lines in order to control roots from the sewer system. Tree roots are increasingly a source of problems in the sewer system, especially in areas south of 92nd Avenue.
- There are no other comparable root foaming services in this region.
- Based on staff information and recommendations to the City Manager's Office, it has been determinee that the public interest will be best served by awarding this contract to Duke's Sales & Service for chemical root control treatment.
- Award the bid to Duke's Sales & Service and charge the expense to the 2003 Utilities Division Operating budget account.

Expenditure Required: not to exceed \$ 45,000

Source of Funds: Utility Fund 2003 Utilities Division Operating budget

Policy Issue

Should the Public Works and Utilities Department Utilities Division utilize budgeted funds to enter into a negotiated contract for approximately 30,000 feet of sewer system root foaming?

Alternative

Publish request for proposals and accept bids from companies that provide chemical root foaming services.

Background Information

The impact of tree roots on the sanitary sewer system lines are an operational concern faced by the Utilities Division each year. These roots penetrate the sewer lines and can damage the integrity of the pipe and cause subsequent blockage of wastewater flows. Due to the recent drought conditions, tree roots are increasingly a source of problems in the sewer system throughout the City, and especially in the older neighborhoods south of 92nd Avenue. Tree roots naturally seek a source of water and older sewers with leaky joints provide an attractive source. As part of the annual wastewater system maintenance program, video inspections are completed, which identify areas within the sanitary sewer system where roots are a serious problem.

The Utilities Division has addressed the root problem in the past by using one of two accepted methods: root cutting and chemical treatment. Root cutting has shown to be only a short-term solution, with smaller “hair” roots quickly forming after the large root is mechanically cut. These smaller roots develop quickly and the sewer line can be blocked again in a relatively short period of time. Chemical treatment of sewer line roots has shown various degrees of effectiveness, but none that have been used by the City have been completely successful in the long term. The goal of chemical root treatments/foaming is to control new root growth for a longer period of time than cutting.

Utilities Division Staff have recently completed an investigation into the processes used by other cities to determine a recommended option for an effective root treatment process. Contacts were made with Lakewood, Longmont, Boulder, and Colorado Springs. These cities had similar experiences to Westminster in using other less effective root control systems in the past years.

The result of this investigation was that these agencies have been successful using “root foaming” as a means to control their ongoing root problems. After using several different products and procedures, these utilities saw limited effectiveness in controlling roots. They now use Duke’s Sales & Service (Syracuse, New York), a company that provides an exclusive, proprietary root foaming treatment.

As an example, the City of Colorado Springs has been so successful with the root control program that they were able to eliminate all root related sanitary sewer overflows in one of their 24 wastewater basins. Before implementing this program with Duke’s they were experiencing three to four sanitary sewer overflows each year and multiple root related calls in this one particular basin. Duke’s came in, foamed the mains in need, came in two years later, foamed them again, and those mains are now on a three-year cycle. Since the initial application they have not had any root-related problems. They are so pleased with the program that Duke’s has actually taken over the foaming program at the City of Colorado Springs. Duke’s keeps track of which lines are done and lets the city know when they will be coming in to do work.

The Utilities Division would like to establish a root control program similar to the one described above as an investment in the sewer system infrastructure. By utilizing a consistent and timely program of root control treatment, sanitary sewer overflows and root related calls could be minimized. Also, sewer pipe line rehabilitation would be reduced since damage from tree roots would not be as severe. Initially, the area to be focused on for 2003 root control would be from 92nd Avenue south to 72nd Avenue, Federal Boulevard west to Sheridan Boulevard. These areas have been identified as requiring the most root control treatment due to roots infiltrating sewer lines in the area.

SUBJECT:

Sewer System Root Foaming Program

Page 3

Since this area is served by Metro Wastewater Reclamation District, staff contacted them about using the Duke's root treatment product in the sewer lines that discharge to the Metro District treatment facility. Metro has approved the use of this product and has no concerns about treating the wastewater flows containing the root treatment product. The product has also been reviewed and approved in-house by Environmental Services and the Big Dry Creek Wastewater Treatment Facility staff.

Given the success of other Utilities using Duke's services for root control, staff is recommending taking advantage of the fact that Duke's currently has a crew in Colorado Springs that would be available August 1, 2003, to work in Westminster, and allow the City Manager to sign a sole source, negotiated contract with Duke's Sales and Service. Duke's rate is \$1.49 per linear foot, which is their standard rate for this process. Staff has confirmed that this rate is in force elsewhere.

Staff believes this would be an appropriate use of funds, based on the recent history of root related sewer backups. Staff would also complete a comprehensive evaluation of this root removal process to determine its effectiveness and future usage.

Respectfully submitted,

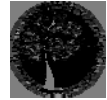
J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Second Reading of Councillor's Bill No. 36 re Brauch Property Tenant Lease

Prepared By: Becky Eades, Landscape Architect II

Recommended City Council Action:

Pass Councillor's Bill No. 36 on second reading approving a lease with Joseph Collins for tenancy on the Brauch Property.

Summary Statement

- City Council action is requested to pass the attached Councillors Bill on second reading which authorizes a bill for an ordinance approving a lease with Joe Collins for tenancy on the Brauch Property.
- This Councillor's Bill was passed on first reading on July 14, 2003 .

Expenditure Required: \$ 0

Source of Funds: n/a

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **36**

SERIES OF 2003

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE APPROVING A LEASE WITH JOE COLLINS FOR TENANCY ON THE
BRAUCH PROPERTY

WHEREAS, City Council previously authorized the purchase of the Brauch property; and

WHEREAS, the City wishes to lease a portion of this property to Joe Collins for parking his RV
and use of one garage building.

WHEREAS, the City Charter requires such leases to be approved by ordinance.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The Lease between the City and Joe Collins for the lease parking for his RV and use
of one garage building is hereby approved in substantially the form attached as Exhibit A.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 14th day of July, 2003.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED
this 28th day of July, 2003.

Mayor

ATTEST:

City Clerk



Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Second Reading of Councillor’s Bill No. 37 re Supplemental Appropriation of Big Dry Creek Watershed Grant Funds

Prepared By: David Carter, Laboratory Services Coordinator, Big Dry Creek Wastewater Treatment Facility

Recommended City Council Action:

- Pass Councillor’s Bill No. 37 on second reading appropriating \$40,000 into the Special Studies Project account as a result of a United States Department of Energy (DOE) Grant extension.

Summary Statement

- City Council action is requested to pass the attached Councillor’s Bill on second reading which appropriates \$40,000 into the Special Studies Project account as a result of a United States Department of Energy (DOE) Grant extension.
- The DOE grant’s focus is to aid in the continuing biological monitoring program on Big Dry Creek and to encourage the continued formation of a watershed group comprised of the cities of Westminster, Broomfield, Northglenn, Thornton and Department of Energy/Rocky Flats to study the Big Dry Creek watershed, and to identify and involve additional stakeholders in the further study and management of the watershed basin.
- This Councillor’s Bill was passed on first reading on July 14, 2003.

Formatted: Bullets and Numbering

Expenditure Required: \$40,000

Source of Funds: The DOE will provide grant funds to the City of Westminster as grant administrator for the Big Dry Creek Watershed Association.

Respectfully submitted,

J. Brent McFall
City Manager

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **37**

SERIES OF 2003

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2003 BUDGETS OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2003 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2003 appropriation for the Water Portion of the Utility Fund initially appropriated by Ordinance No. 2977 in the amount of \$24,576,936 is hereby increased by \$40,000 which, when added to the fund balance as of the City Council action on July 14, 2003 will equal \$24,728,436. The actual amount in the Water Portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of a grant from the United States Department of Energy.

Section 2. The \$40,000 increase in the Water Portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
REVENUES			
Federal Grants			
2000.40610.0000	\$0	<u>\$40,000</u>	\$40,000
Total Change to Revenues		<u>\$40,000</u>	
EXPENSES			
Environmental Grant			
80120035189.80400.8888	\$128,133	<u>\$40,000</u>	\$168,133
Total Change to Expenditures		<u>\$40,000</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 14th day of July, 2003.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of July, 2003.

ATTEST:

Mayor

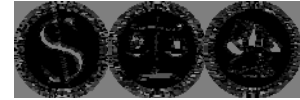
City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: McKay Drainageway IGA with Thornton

Prepared By: Stephen Baumann, Assistant City Engineer

Recommended City Council Action

Authorize the City Manager to sign an Intergovernmental Agreement (IGA) with the City of Thornton for shared participation in a cost apportionment study for improvements to the McKay Drainageway in Westminster and Thornton.

Summary Statement

- McKay Drainageway will extend from McKay Lake east across Huron Street and Interstate 25 through properties in Thornton to Big Dry Creek. Although now poorly defined, the drainageway will take shape as development occurs downstream of McKay Lake, and the improved drainageway will reduce substantially an extensive floodplain now associated with the basin. The approximate path of the improvements between Huron Street and Big Dry Creek has been determined and has an estimated construction cost over \$6 million.
- Since the downstream end of the drainageway is in Thornton, the two cities have been in discussions regarding the timing and responsibility for improvements. The proposed intergovernmental agreement is the first step in what needs to be a cooperative effort to jointly plan and pursue any necessary projects. The IGA will allow the cities to contract with a consultant to evaluate costs and cost apportionment options before proceeding with design and construction of improvements.
- The cost apportionment study can be accomplished for between \$25,000 and \$30,000 and will be paid for using funds appropriated in January of 2003 to the McKay Lake Outfall Drainage Project. The IGA proposes that Westminster contract for the study, with Thornton reimbursing half the cost.

Expenditure Required: \$30,000.00 (half of which will be reimbursed by the City of Thornton)

Source of Funds: General Capital Improvement Fund

Policy Issue

Should the City participate with Thornton in the cost apportionment study and future efforts to jointly plan, improve, and fund improvements to the McKay Drainageway?

Alternative

The alternative is to decline participation in the study covered by the intergovernmental agreement. This alternative is not recommended since improvements to the downstream end of the basin (in City of Thornton) are needed to reduce the floodplain in Westminster. The ability to develop the Huron Street to I-25 corridor between 136th Avenue and 144th Avenue hinges on making these drainage improvements.

Background Information

The McKay Lake Drainageway is a poorly defined outfall running east from McKay Lake and crossing Huron Street and Interstate 25 to drain through the City of Thornton under Washington Street to Big Dry Creek north of 136th Avenue (see attached vicinity map). The floodplain associated with the McKay Lake basin is widespread and covers approximately 150 acres between Huron Street and Washington Street. The crossings at the various streets and I-25 are severely undersized for the planned flows, and a Master Plan has been developed to identify necessary improvements, which will reduce the floodplain to approximately 15 acres in an improved channel, allowing the affected properties to reclaim floodplain areas for development.

Westminster and Thornton staff members have discussed their respective interests in improving the drainageway for a number of years and most recently have concurred in having a cost apportionment study done. The estimated cost of the improvements between Huron Street and Washington Street is over \$6 million and determining the appropriate share of these costs in the two jurisdictions is an important step in moving ahead with needed improvements. Thornton is on the downstream end of the basin and thus has to deal with the larger flows and the associated higher costs of the facilities necessary to handle those flows. Thornton feels that several methods of cost sharing must be explored so the two cities can agree on cost sharing before proceeding with final design.

An intergovernmental agreement was developed to allow the cities to pursue the joint study, with Westminster taking the lead by contracting and managing the consultant project. Both cities will participate in a public information program with the affected property owners once a draft approach to cost apportionment is developed. The cost of the study is estimated to be between \$25,000 and \$30,000 and will be shared equally. The contract can be approved administratively and will be paid for using funds appropriated for this purpose by City Council in January of 2003.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Resolution No. 28 re Public Service Company of Colorado Easements on City Properties Located Adjacent to Simms Street and 100th Avenue

Prepared By: Dave Downing, City Engineer

Recommended City Council Action

Adopt Resolution No. 28 authorizing the City Manager to execute documents granting non-exclusive easements to Public Service Company of Colorado (PSCo) upon City-owned properties located adjacent to Simms Street between 100th Avenue and 107th Avenue and adjacent to 100th Avenue to the west of Simms Street.

Summary Statement

As part of a proposed system upgrade within the northwest portion of the City, PSCo has requested that the City provide a temporary utility easement located upon Open Space land. City Staff has negotiated a proposal with PSCo in which the Company would receive the requested easement in exchange for the underground relocation of an existing overhead electric line that is located along the north side of 100th Avenue between Simms Street and Alkire Street.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issues

Shall the City dedicate a temporary utility easement upon Open Space land to Public Service Company of Colorado in exchange for the underground relocation of an existing overhead electric line, the vacation of an existing easement that encumbers Open Space property and the assurance that all of these new power lines will be relocated by the Company at its expense in the event of future street widening projects?

Alternatives

City Council could elect to not dedicate the subject temporary utility easement to PSCo. In that case, the Company would likely place the new feeder reinforcement line within the existing Simms Street right-of-way (as permitted under the Franchise Agreement between the two parties). Such a project would inconvenience motorists for a two to four month period. Furthermore, PSCo would be under no obligation to remove the existing overhead electric line that is located along the north side of 100th Avenue between Simms Street and Alkire Street.

Background Information

In order to enhance electric power service to customers in the northwest portion of the City of Westminster and neighboring jurisdictions, Public Service Company of Colorado (PSCo) wishes to install a feeder reinforcement line along the west side of Simms Street between 100th Avenue and 107th Avenue. In order to avoid the high cost of cutting and replacing the existing asphalt of Simms Street and the great inconvenience that such an activity would present to motorists, PSCo has requested permission to place this new line immediately west of the paved surface. However, since the west right-of-way line of Simms Street virtually coincides with the western edge of the pavement, the new electric facility would have to be located within City of Westminster Open Space.

For the past several months, City Staff and representatives of PSCo have negotiated the terms of a potential sale of an easement on City Open Space for this purpose. The City is mandated to collect fair market value or the original purchase price (whichever is greater) for the conveyance of any rights associated with Open Space land. Furthermore, City Staff demanded that the new electric line be placed underground and desired that PSCo would remain responsible for the relocation of this facility at such time that Simms Street is widened. PSCo could not justify the expense of the easement coupled with the obligation to pay for the future relocation of the line.

After numerous offers and counter-offers, staffs of both parties have reached a settlement that appears to be advantageous to all. Recognizing that the future widening of Simms Street will necessitate the acquisition of additional roadway right-of-way from the Open Space Program, it is proposed that PSCo be offered the purchase of a temporary easement for its proposed feeder reinforcement line. This temporary utility easement, which, technically, should have less value than a permanent utility easement, would cease to exist upon the dedication of the land under the easement as public right-of-way. At that point in time, the subject electric line would be located within public right-of-way (instead of within an easement) and would be subject to the terms of the Franchise Agreement between the City and PSCo. The Franchise Agreement dictates that the Company is responsible for the relocation of its facilities as necessitated by a proposed street widening project. In exchange for the City's dedication of this temporary easement, PSCo has agreed to remove the existing overhead electric line that is located along the north side of 100th Avenue between Simms Street and Alkire Street at no cost to the City. The Company would perform the removal of this existing line at the same time that they install a new feeder reinforcement line within the southern portion of the 100th Avenue right-of-way. This work along with the installation of the new line adjacent to Simms Street is scheduled to occur during August and September of this year.

SUBJECT: Resolution re Public Service Company of Colorado Easements on City Properties
Located Adjacent to Simms Street and 100th Avenue Page 3

City Staff believes that this proposal will leave the Open Space Program whole. The approximate value of the temporary utility easement along Simms Street, which totals 2.594 acres in size, is \$113,000. The approximate cost differential for the underground relocation of the existing line along the north side of 100th Avenue versus an overhead relocation of the same line is \$270,000. In other words, it would have cost the City's Open Space Program approximately \$270,000 to have the Company remove the overhead line that abuts the 100th Avenue frontage of the Colorado Hills Open Space. Furthermore, once this transaction is finalized, the Colorado Hills Open Space will no longer be encumbered by the easement that is in place for the existing overhead facility along the north side of 100th Avenue. Special language within that easement document dictates that the easement will cease to exist once the electric line located within the easement is removed from service.

In addition to the 2.594 acre temporary easement dedication along the west side of Simms Street, Council action is requested to dedicate three relatively small utility easements (0.020 acres, 0.147 acres and 0.017 acres in size) to PSCo in order to accommodate the aforementioned underground relocation of the 100th Avenue line. The dedication of these three easements by the City allows PSCo to fulfill its part of the negotiated agreement.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **28**

INTRODUCED BY COUNCILLORS

SERIES OF 2003

A RESOLUTION TO CONVEY UTILITY EASEMENTS TO PUBLIC SERVICE COMPANY OF COLORADO IN OPEN SPACE PROPERTIES LOCATED ALONG SIMMS STREET AND 100TH AVENUE

WHEREAS, the City of Westminster owns properties dedicated as Open Space located to the west of Simms Street and to the north of 100th Avenue; and

WHEREAS, Public Service Company of Colorado wishes to obtain certain easements upon portions of the City's Open Space properties for the purposes of constructing and maintaining electric power facilities that will enhance the system serving the northwest portion of the City; and

WHEREAS, it is in the public interest for these easements to be dedicated to Public Service of Colorado.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Westminster that the City Manager is authorized to execute documents conveying non-exclusive easements upon the following described parcels to Public Service Company of Colorado:

Parcel C: (See Exhibit A for legal description for parcel C)

Parcel E: (See Exhibit B for legal description for parcel E)

Parcel F: (See Exhibit C for legal description for parcel F)

Parcel G: (See Exhibit D for legal description for parcel G)

Passed and adopted this 28th day of July, 2003.

Mayor

ATTEST:

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Resolution No. 29 re Adams County Open Space Program Grant Application and Great Outdoors Colorado Trust Fund Grant Application for the Metzger Farm Acquisition at West 120th Avenue and Lowell Boulevard

Prepared By: Lynn Wodell, Open Space Coordinator

Recommended City Council Action:

Adopt Resolution No. 29 authorizing the City to apply for an Adams County Open Space Program grant and to apply for a Great Outdoors Colorado Trust Fund grant for the acquisition of the 160-acre Metzger farm located along the Big Dry Creek Open Space and Trail Corridor.

Summary Statement

- City Council is requested to authorize Staff to submit a grant application to the Adams County Open Space Program for the acquisition of approximately 160 acres located at the northeast corner of W. 120th Avenue and Lowell Boulevard in a partnership that is being pursued with the City and County of Broomfield.
- City Council is requested to authorize Staff to submit applications to Adams County in multiple phases beginning in August 2003 and continuing in 2004 and 2005.
- City Council is also requested to authorize Staff to submit grant applications for this project to Great Outdoors Colorado for either the Open Space cycle or the Local Government cycle when it is deemed appropriate or to support an application by the City and County of Broomfield.

Expenditure Required: \$0

Source of Funds: Open Space Land Purchases Account

Policy Issues

Should the City apply for grants from Adams County Open Space Program and Great Outdoors Colorado for the acquisition of the Metzger Farm at W 120th Avenue and Lowell Boulevard along Big Dry Creek?

Alternatives

1. Council could choose not to pursue the additional funding for this open space acquisition.
2. Council could choose to pursue funding for other open space acquisitions or park projects in Adams County.
3. Council could choose to pursue funding from Adams County but not from Great Outdoors Colorado at this time.

Background Information

Approximately one year ago, the City's Open Space Advisory Board met with the City and County of Broomfield's Open Space and Trails Committee to discuss open space preservation objectives and areas of interest. One of the areas that was discussed was the preservation of the Metzger Farm located between W. 120th Avenue and w. 124th Avenue between Lowell Boulevard and Federal Boulevard in the City of Westminster and Adams County.

Since then, City staff, in cooperation with the City and County of Broomfield staff, has pursued negotiations with the Metzger family, and their representatives, for the preservation of the 160-acre farm. Discussions between City staff and the Metzger family have been going on for at least twelve years in an effort to acquire a portion of the southern half of the property that included the Big Dry Creek corridor and the pond and wetlands area south of the farmstead. By potentially pooling the resources of both Westminster and Broomfield, the ability to preserve the entire property became more feasible.

In addition to the Big Dry Creek Open Space and Trail Corridor that crosses the property in the southeast corner by virtue of a trail easement only, the property contains an historic, yet active, farm and cattle ranch. It is the home of many waterfowl, other birds and wildlife. It includes one-half mile of frontage on W. 120th Avenue that as open space would preserve the view corridor from Federal Boulevard and W. 120th Avenue. It continues the preservation of the Big Dry Creek corridor for both people and wildlife.

Although the terms of the acquisition, contracts and timing have not been finalized, staff would like to apply for these grants in order to take advantage of this opportunity to present the project to Adams County Open Space Program, to add them as a partner on the project, and to gain their financial support for this important preservation effort. In addition to Adams County, the City and County of Broomfield, and Great Outdoors Colorado Trust Fund; the staff will also pursue other partnerships for both the acquisition and on-going operations.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **29**

INTRODUCED BY COUNCILLORS

SERIES OF 2003

GRANT REQUEST TO ADAMS COUNTY OPEN SPACE PROGRAM – MULTI- CYCLES

WHEREAS, Adams County has established an Open Space Program to assist entities within the County with the acquisition of open space and parkland; and

WHEREAS, The City of Westminster has entered into negotiations for the preservation of the 160-acre Metzger Farm located between W. 120th Avenue and W. 124th Avenue between Lowell Boulevard and Federal Boulevard; and

WHEREAS, The City of Westminster desires to be partners with the City and County of Broomfield for the acquisition of the property; and

WHEREAS, the City of Westminster also desires to be partners with Adams County for the acquisition of this property; and

WHEREAS, the City of Westminster also desires to be partners with Great Outdoors Colorado Trust Fund for the acquisition of this property; and

WHEREAS, the City of Westminster recognizes and appreciates Adams County as a preservation partner and acknowledges that funds received from the County significantly enhance the City's ability to preserve open space and parkland in the City.

NOW, THEREFORE, the Westminster City Council hereby resolves that City staff submit grant applications to the Adams County Open Space Program for the project described above and also submit grant applications to the Great Outdoors Colorado Trust Fund for the project described above.

Passed and adopted this 28th day of July, 2003.

ATTEST:

City Clerk

Mayor



WESTMINSTER
COLORADO
Agenda Memorandum

City Council Meeting
July 28, 2003



SUBJECT: Resolution No. 30 re Interoperable Communications Equipment Grant

Prepared By: R. Tim Tripp, Lieutenant, Police Technical Services

Recommended City Council Action

Adopt Resolution No. 30 authorizing the Westminster-Arvada Police Department IGA and the Westminster Police Department to pursue the Interoperable Communications Equipment (FY 2003) Grant Program.

Summary Statement

- The Police Department is recommending that the City, along with the City of Arvada, pursue a grant from the Interoperable Communications Equipment Grant Program for the purchase of communications equipment to enhance and bring the City’s system closer to interoperability standards.
- The Interoperable Communications Equipment Grant program has presented the City and County of Denver and its surrounding four counties the opportunity to apply for funding to purchase radio communications equipment in order to enhance their ability to have communications interoperability. This metropolitan area was one of 74 areas designated to receive funding. The goal of this grant is to enhance the ability of first responders to communicate across jurisdictional boundaries.
- Staff recommends requesting a joint Westminster-Arvada IGA \$780,000 grant from Interoperable Communications Equipment Grant Program in the amount of \$780,000 to be used to enhance our current shared radio system. In addition, staff recommends a request of a \$140,000 grant from the Interoperable Communications Equipment Grant program that would enable the Westminster Police Department to purchase radio communications equipment to enhance radio coverage in the north quadrant of the city.
- The City of Arvada Police Department has agreed to a split 25% cash match on the joint equipment purchase and the City of Westminster Police Department is requesting their portion of the 25% cash match be allocated out of the 2003 Capital Improvement Project that was budgeted for Radio Back-up site assessment. The 25% cash match portion of the secondary Westminster only grant will also be covered out of the same 2003 Capital Improvement Project.
- Currently, the core components of our shared radio system are over 11 years old and are outdated. They are nearing the end of their dependable life and need to be updated. Advances in technology will enhance our ability to offer dependable interoperability to our surrounding jurisdictions. In addition, this will enable us to use each others radio systems for back-up. On April 10, 2003 a Memorandum of Understanding (MOU) was signed by the Westminster, Arvada, and Denver Police Departments. This MOU enabled our respective radio systems to provide a back-up system to each other in the event of a catastrophic failure. This cooperative effort saved considerable monies to each jurisdiction.

Expenditure Equired: \$132,500 – Grant matching funds

Source of Funds: General Capital Improvement Funds and Police Department Operating Funds

Policy Issue

Should the City of Westminster, in partnership with the City of Arvada, attempt to enhance the shared radio system components by pursuing grant monies from The Interoperable Communications Equipment Grant Program? And, should the City of Westminster Police attempt to enhance it's radio reception in the northern quadrant of the city and near the Public Safety Center by pursuing additional grant monies from The Interoperable Communications Equipment Grant Program?

Alternatives

1. Council could choose not to pursue joint grant funding for this project and delay the enhancement of the shared radio system until a later date. In addition, Council could choose not to re-allocate the 2003/2004 Capital Improvement Project that would enable those monies to be used for the 25% cash match portion of this grant. The combined cities could not accomplish this enhancement at the current budget level. Staff recommends, however, that the effort be made to increase the scope of this project by reallocating the Capital Improvement Project funds. Application of a 25% cash match and receipt of grant money for this project would significantly enhance the scope and save significant money for both communities.
2. Council could choose not to pursue grant funding for the Westminster only portion of the project and delay the enhancement of the radio reception in the northern quadrant of the city and around the Public Safety Center. In addition, Council could choose not to use Capital Improvement Project monies to provide the 25% cash match portion of the grant. The City of Westminster could not accomplish this enhancement at the current budget level. Staff recommends that the effort be made to increase the scope of this project by reallocation the Capital Improvement Project funds. This grant program will save significant money for the community and enhance radio reception to our public safety first responders.

Background Information

The Westminster Police Department has been successful in obtaining grant funding for communication enhancements. In the past two weeks, the Police Department Communication Center was awarded a \$385,000 grant from the Homeland Security Grant to complete a multi-jurisdictional effort to bring metro wide interoperability to public safety agencies. This project will create a "Star Gate" network that will allow metro agencies to communicate during mutual aid scenarios.

The shared communication system enhancement and the enhancement to our own system coverage would not be possible for years to come without these grant funds. This grant opportunity would enable us to secure this needed communication equipment with significantly less City funds. The focus of the project for this grant would be shared system upgrades and radio reception enhancement.

Receipt of a shared \$780,000 Interoperable Communication Equipment Grant , with a 25% cash city match of \$97,500 would satisfy our ½ portion of the total cash match. Arvada will provide \$97,500 in a 25% cash match also to complete the total of \$195,000. Receipt of a Westminster only \$140,000 Interoperable Communication Equipment Grant, with a 25% cash match of \$35,000 would enable the City of Westminster to purchase radio enhancement equipment to provide better radio reception in the northern quadrant of the city.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **30**

INTRODUCED BY COUNCILLORS

SERIES OF 2003

GRANT REQUEST TO THE INTEROPERABLE COMMUNICATIONS EQUIPMENT
GRANT PROGRAM

WHEREAS, The Interoperable Communications Equipment Grant Program has established a multi-jurisdictional grant application process to assist public safety agencies in enhancing their radio system interoperability during critical incidents and disasters and;

WHEREAS, The City of Westminster has budgeted for enhancements to the shared Westminster-Arvada radio system and;

WHEREAS, grant money received from The Interoperable Communications Equipment Grant Program would significantly enhance the improvements for the above-mentioned project.

NOW, THEREFORE, the Westminster City Council hereby resolves that City of Westminster Staff are authorized to submit a grant application as part of a multi-jurisdictional package to The Interoperable Communications Equipment Grant program for 2003, requesting shared funding in the Total amount of \$780,000 with a 25% cash match of \$97,500 from the City of Westminster and \$97,500 from the City of Arvada, to enhance the shared communication system. In addition, an additional request of funding from The Interoperable Communication Equipment Grant program in the Total amount of \$140,000 with a 25% cash match of \$35,000 from the City of Westminster, to enhance the City's own portion of the system.

Passed and adopted this 28th day of July, 2003.

Attest:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, July 28, 2003. Present at roll call were Mayor Moss, Mayor Pro-Tem Atchison, Councillors Dittman, Dixon, Hicks, Kauffman and McNally. Absent none.

The minutes of the July 14, 2003 meetings were approved.

Council approved the following: June Financial Report; 2003 Utilities Operations Division Concrete Replacement with Concrete Works not to exceed \$90,000; 2003 Street Operations Division In-House Street Rehabilitation Concrete Replacement with Citywide Enterprises for \$84,008; Metro Wastewater Reclamation District Service Contract Amendments; Sewer System Root Foaming Program with Duke's Sales & Service not to exceed \$45,000; and McKay Drainageway IGA with the City of Thornton for \$30,000.

Diane Wright, 3383 West 114th Circle #A addressed Council regarding political signs in rights-of-way

Mitchell Tendler, 5719 West 115th Avenue and Howard Smiley, 11265 Eaton Way addressed Council regarding the traffic circle at 115th and Eaton Street and requested no parking signs be installed.

The following Councillor's Bills were adopted on second reading:

A BILL FOR AN ORDINANCE APPROVING A LEASE WITH JOE COLLINS FOR TENANCY ON THE BRAUCH PROPERTY

A BILL FOR AN ORDINANCE INCREASING THE 2003 BUDGETS OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2003 ESTIMATED REVENUES IN THE FUND

The following Resolutions were adopted:

Resolution No. 28 re Public Service Company Easements on Simms Street and 100th Avenue

Resolution No. 29 re AdCo Open Space and GOCO Grant Applications for Metzger Farm Acquisition

Resolution No. 30 re Interoperable Communications Equipment Grant

At 7:45 P.M. the meeting was adjourned

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window on August 7, 2003

ORDINANCE NO. **3039**

COUNCILLOR'S BILL NO. **36**

SERIES OF 2003

INTRODUCED BY COUNCILLORS
Hicks-McNally

A BILL

FOR AN ORDINANCE APPROVING A LEASE WITH JOE COLLINS FOR TENANCY ON THE
BRAUCH PROPERTY

WHEREAS, City Council previously authorized the purchase of the Brauch property; and

WHEREAS, the City wishes to lease a portion of this property to Joe Collins for parking his RV
and use of one garage building.

WHEREAS, the City Charter requires such leases to be approved by ordinance.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The Lease between the City and Joe Collins for the lease parking for his RV and use
of one garage building is hereby approved in substantially the form attached as Exhibit A.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 14th day of July, 2003. PASSED, ENACTED ON SECOND READING, AND FULL
TEXT ORDERED PUBLISHED this 28th day of July, 2003.

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **37**

SERIES OF 2003

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2003 BUDGETS OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2003 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2003 appropriation for the Water Portion of the Utility Fund initially appropriated by Ordinance No. 2977 in the amount of \$24,576,936 is hereby increased by \$40,000 which, when added to the fund balance as of the City Council action on July 14, 2003 will equal \$24,728,436. The actual amount in the Water Portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of a grant from the United States Department of Energy.

Section 2. The \$40,000 increase in the Water Portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
REVENUES			
Federal Grants 2000.40610.0000	\$0	<u>\$40,000</u>	\$40,000
Total Change to Revenues		<u>\$40,000</u>	
EXPENSES			
Environmental Grant 80120035189.80400.8888	\$128,133	<u>\$40,000</u>	\$168,133
Total Change to Expenditures		<u>\$40,000</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 14th day of July, 2003. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of July, 2003.