

August 24, 1998

7:00 PM

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

1. **Pledge of Allegiance** - Boy Scout Troop #33
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meetings**
4. **Presentations**
 - A. School District #12 Students re Amazon Rain Forest
5. **Citizen Communication (5 minutes or Less in Length)**
 - A. Gwen Buckley - Animal Neutering
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. Bids for 1998 Traffic Signal Projects
 - B. Bids re Biosolids Hauling Tractor
 - C. Reclaimed Water Supply Project Engineering Services
 - D. Transfer of Capital Improvement Project Funds
 - E. Concrete Replacement Project Contract Amendment
 - F. CB No. 32 re Ryan Annexation (Scott-Dixon)
 - G. CB No. 33 re Ryan Zoning (Scott-Dixon)
 - H. CB No. 34 re City Owned Property Zoning (Scott-Dixon)
 - I. CB No. 35 re Water Reclamation Loan Proceeds (Scott-Dixon)
9. **Appointments and Resignations**
 - A. Resolution No. 45 re Board Appointments
10. **Public Hearings and Other New Business**
 - A. TABLED - Resolution No. 40 re Special Promotions
 - B. TABLED - CB No 27 re Definitions for Hotels/Motels
 - C. TABLED - CB N0. 38 re Westminster Conference Center Lease Agreement
 - D. Consent and Recognition Agreement with Bank One
 - E. City Position re CDOT US36 Pedestrian Bridge
 - F. Public Hearing re 4th Amended PDP re Wandering View
 - G. 4th Amended Preliminary Development Plan for Wandering View
 - H. Public Hearing re Federal Square 2nd Amended PDP
 - I. 2nd Amended Preliminary Development Plan for Federal Square
 - J. Resolution No. 44 re Standley Lake Annexation
 - K. Resolution No. 46 re Consulting Services for Westminster Plaza & CEP
 - L. Ice Centre Intergovernmental Agreement Amendment
 - M. Councillor's Bill No. 36 re Farmers High Line Water Share
 - N. Resolution No. 47 re JeffCo Save Open Space
 - O. Councillor's Bill No. 37 re Ballot Language for November Election
 - P. Change Date for First Council Meeting in September
 - Q. Councillor W & WW Bill No. 6E re Inland Pacific Business Assistance Package
11. **Old Business and Passage of Ordinances on Second Reading**

None
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
 - A. Financial Report for July, 1998

- B. Activity Report for First Half of 1998
 - C. City Council
 - D. Request for Executive Session
 - 1. Westminster Mall Update
 - 2. Butterfly Pavilion Negotiations
13. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, AUGUST 24, 1998 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Members of Boy Scout Troop No. 33 led Council, Staff and the audience in the Pledge of Allegiance.

ROLL CALL:

Present at roll call were Mayor Heil and Councillors Allen, Atchison, Dixon, Scott and Smith. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent was Mayor Pro Tem Merkel.

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Scott to accept the minutes of the meeting of August 10, 1998 with no additions or corrections. The motion carried unanimously.

PRESENTATIONS:

Adams County School District #12 students and Ms. Janette Mikatich, Fund Raising Coordinator, presented Council with a hand vessel of fruit in appreciation of the City's financial contribution which allowed students to travel to the Amazon River Rain Forest.

The Mayor recognized Standley Lake High School students in attendance at the meeting.

CITIZEN COMMUNICATION:

Gwen Buckley, 4044 W. 77th Place, addressed Council requesting mandatory spaying or neutering of dogs and cats, with exceptions for breeding..

CITY COUNCIL COMMENTS:

Councillor Dixon reported on the following: The dedication at Little Dry Creek Trail and Fire Training tower, Rocky Flats meetings she attended, dedication of the Mary Ciancio Building in Thornton, Horizon Pointe Homeowners Association meeting and the new Fannie Mae Affordable Housing program for first time home buyers.

Councillor Scott informed Council and the audience of the Jefferson County School test scores and the Jefferson County Charter School achieving the highest test scores of the 80 + schools.

Councillor Allen asked Staff to look into the situation of calling 911 on a cell phone and receiving the Colorado State Patrol dispatch instead of the local area jurisdiction. The City Manager stated that this situation is being looked at, but the US West equipment will need to be updated first.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: **Bids for 1998 Traffic Signal Projects:** - Authorize the City Manager to execute a contract with the low bidder, Rocky Mountain Signal Inc., in the amount of \$38,987 for the construction of a traffic signal at Church Ranch Boulevard and Westcliff Parkway; authorize the expenditure of \$17,535 to Valmont Industries for traffic signal poles and mast arms; authorize the expenditure of \$32,897 to Econolite Control Products, Inc. for traffic signal controllers and cabinets; authorize the expenditure of \$3,440 to Advanced Traffic Products, Inc. for emergency vehicle pre-emption equipment; authorize a total project budget of \$96,859 which includes \$4,000 for a construction contingency; because these contracts are in the best interests of the City, and charge these expenses to the appropriate project account in the General Capital Improvement Fund; **Bids for Biosolids Hauling Tractor** - Award bid for one biosolids hauling tractor to the second low bidder, Transwest Trucks, Inc. of Oregon, in the

amount of \$88,689 because it is in the best interests of the City and charge expense to the appropriate 1998 Public Works and Utilities budget account;

Reclaimed Water Supply Project Engineering Services - Authorize the City Manager to execute an addendum to the existing design contract with Black and Veatch, LLP, in the amount of \$903,964 for inspection and management services during construction of the Reclaimed Water Supply Project, and charge the expenses to the Reclaimed Water Capital Improvement Project account in the Utility Fund; **Transfer of Capital Improvement Project Funds** - Authorize a transfer of \$500,000 in Utility Capital Improvement funds from the 144th Avenue Water Line Project to the Countryside Pump Station Project in the amount of \$225,543 and to the 80th Avenue Water Line Replacement Project in the amount of \$274,457; **Concrete Replacement Project Contract Amendment** - Authorize the City Manager to execute a contract amendment with Concrete Express, Inc. in the amount of \$87,600, authorize a contingency of \$13,000 and charge the total expense to the appropriate project account in the General Capital Improvement Fund; **Councillor's Bill No. 32** - re Ryan Annexation, **Councillor's Bill No. 33** re Ryan Zoning, **Councillor's Bill No. 34** re City Owned Property Zoning, and **Councillor's Bill No. 35** re Water Reclamation Loan Proceeds.

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

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

APPOINTMENTS AND RESIGNATIONS:

A motion was made by Atchison and seconded by Allen to adopt Resolution No. 45 accepting the resignation of Gregg Greenstein and appointing Kim Wolf as a regular member with term to expire December 31, 1998 and Brian Lunning as an alternate member with term to expire December 31, 1999 to the Board of Adjustment; and accepting the resignation of Steve Wagner and appointing Tom Acre as an alternate member with term to expire December 31, 1999 to the Environmental Advisory Board.

TABLED - RESOLUTION NO. 40 - ORGANIZATION SPECIAL PROMOTIONS:

A motion was made by Scott and seconded by Dixon to remove Resolution No. 40 re Special Promotions from the Table. The motion carried unanimously.

A motion was made by Atchison and seconded by Allen to abandon Resolution No. 40 with review of this policy to be considered as part of the 1999 City Budget. The motion carried unanimously.

TABLED - WESTIN CONFERENCE CENTER LEASE AGREEMENT:

A motion was made by Scott and seconded by Atchison to remove the Westin Conference Center Lease Agreement from the Table and adopt Councillor's Bill No. 38 as an emergency ordinance authorizing the City Manager to sign the Westin Conference Center lease agreement. Upon roll call vote, the motion carried unanimously.

CONSENT AND RECOGNITION AGREEMENT WITH BANK ONE:

A motion was made by Scott and seconded by Dixon to authorize the City Manager to sign the Consent and Recognition Agreement with Bank One in substantially the same form as the agreement attached to the Agenda Memorandum. Timothy O'Byrne, Managing Member of Inland Pacific Colorado, LLC, was present to address Council. The motion carried unanimously.

CITY POSITION ON CDOT U.S. 36 PEDESTRIAN BRIDGE:

A motion was made by Allen and seconded by Smith to submit a letter to the Colorado Department of Transportation which states that the City of Westminster does not have an official position on the U.S. 36/Zuni Street pedestrian overpass. This is based on the belief that residents in the affected area should determine this matter and in this case there is not a consensus.

Vi June, State House of Representatives member representing the area of the pedestrian bridge, Don Schaeffer, Zitella Rydell, 2509 Skyline Drive and Mindy Holt, all spoke in opposition to the pedestrian overpass being replaced.

A motion to amend the main motion was made by Dixon and seconded by Scott to delete "does not have an official position on" and amend the sentence to read "the City of Westminster opposes the U.S. 36/Zuni Street overpass". The amendment carried unanimously. The main motion as amended carried unanimously.

PUBLIC HEARING RE WANDERING VIEW 4TH AMENDED PDP:

At 7:58 P.M. the meeting was opened to a public hearing on the fourth amended Preliminary Development Plan for Wandering View Subdivision, generally located at the northwest corner of 104th Avenue and Federal Boulevard. Dave Shinneman, Planning Manager, entered a copy of the Agenda Memorandum, Planning Commission recommendation, and other related items as Exhibits. Ronald Hoisington, CRH Planning Consultant, and Post Office representative Craig Ballard addressed Council. Vic Garcia, 2597 W. 110th Place and Mrs. Dittmer, 10549 Hobbit Lane addressed Council with questions. At 8:20 P.M. the public hearing was declared closed.

FOURTH AMENDED PRELIMINARY DEVELOPMENT PLAN FOR WANDERING VIEW:

A motion was made by Dixon and seconded by Smith to approve the Fourth Amendment to the Wandering View Preliminary Development Plan based on the finding that the proposed Post Office use is compatible with the overall Preliminary Development Plan for the Wandering View Subdivision and that the proposed Fourth Amendment to the Wandering View Preliminary Development Plan meets the requirements of Sections 11-2-2 and 11-2-3 of the Westminster Municipal Code, and is in conformance with the Westminster Comprehensive Land Use Plan. The motion carried unanimously.

PUBLIC HEARING RE FEDERAL SQUARE 2ND AMENDED PDP:

At 8:22 P.M. the meeting was opened to a public hearing on the second amended Preliminary Development Plan for the Federal Square PUD, generally located at the southeast corner of West 112th Avenue and Federal Boulevard. Dave Shinneman, Planning Manager, entered a copy of the Agenda Memorandum, Planning Commission recommendation, one letter in favor of the proposed development by Mark Eldrenkamp, 11137 Bryant Drive; and other related items as Exhibits. Developer representative Bob Gerlofs of BGD II Company gave a brief presentation to Council. Tim McLeod, 11191 Bryant Court, Cedar Bridge Homeowners Association, addressed Council with questions. Mark Eldrenkamp, 11137 Bryant Drive presented a list of 27 names in favor of the development. At 8:50 P.M. the public hearing was declared closed.

SECOND AMENDED PRELIMINARY DEVELOPMENT PLAN FOR FEDERAL SQUARE:

A motion was made by Atchison and seconded by Allen to approve the Second Amended Federal Square Preliminary Development Plan which changes the allowed land uses for the site from retail/commercial, office, single-family detached and multi-family residential to low density single-family detached residential. The motion carried unanimously.

RESOLUTION NO. 44 - STANDLEY LAKE ANNEXATION PETITIONS:

A motion was made by Scott and seconded by Dixon to adopt Resolution No. 44 accepting the annexation petitions submitted by FRICO and the City of Westminster, making the findings required by State Statute on the sufficiency of the petitions, and sets the date of September 28, 1998 for the annexation hearing. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 46 - CONSULTING SERVICES FOR WESTMINSTER PLAZA/CEP:

A motion was made by Allen and seconded by Dixon to adopt Resolution No. 46 authorizing the transfer of \$29,000 from the General Fund Contingency Account to the Community Development Administration Professional Services Account of the General Fund to be used in association with consulting services for preparing the CEP Plan and assistance in preparing settlement options related to the Westminster Plaza property acquisition. Upon roll call vote, the motion carried unanimously.

ICE CENTRE INTERGOVERNMENTAL AGREEMENT AMENDMENT:

A motion was made by Atchison and seconded by Allen to authorize the City Manager to amend Section 10.3 of the Ice Centre Intergovernmental Agreement to allow the existing Hyland Hills Ice Arena to remain open through March 1999, to serve the demand for programs and ice time beyond that available from the Ice Centre. The motion carried unanimously.

COUNCILLOR'S BILL NO. 36 - FARMERS' HIGH LINE CANAL WATER PURCHASE:

A motion was made by Dixon and seconded by Allen to pass Councillor's Bill No. 36 on first reading authorizing the City Manager to enter into an installment purchase agreement for the purchase of one share of Farmers' High Line Canal and Reservoir Company stock and fund the water purchase from the Utility Capital Improvement Account. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 47 - JEFFERSON COUNTY SAVE OPEN SPACE INITIATIVE:

A motion was made by Smith and seconded by Scott to adopt Resolution No. 47 which supports the Jefferson County "Save Open Space" bond resolution scheduled for the November 1998 ballot. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 37 - BALLOT LANGUAGE FOR NOVEMBER ELECTION:

A motion was made by Allen and seconded by Atchison to pass Councillor's Bill No. 37 on first reading which sets forth certain ballot issues pursuant to Article X, Section 20 of the Colorado Constitution and certain ballot questions regarding proposed City Charter amendments. Upon roll call vote, the motion carried unanimously.

CHANGE DATE FOR FIRST CITY COUNCIL MEETING IN SEPTEMBER:

A motion was made by Allen and seconded by Smith to change the date of the first City Council meeting in September from September 14 to September 8. The motion carried unanimously.

W&WW ENTERPRISE BILL NO. 6E - INLAND PACIFIC ASSISTANCE PACKAGE:

A motion was made by Dixon and seconded by Atchison to adopt Councillor's Water and Wastewater Enterprise Bill No. 6E as an emergency ordinance approving the Water and Wastewater Enterprise Guaranty of the Joint Development Agreement between the City and Inland Pacific Colorado, and authorize the City Manager to sign the Guarantee on behalf of the City in substantially the same form as that attached to the Agenda Memorandum. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Council reviewed the Financial Report for July, 1998 and the Mid-Year Activity Report.

The Mayor stated there would be an Executive Session concerning an update on the Westminster Mall and Butterfly Pavilion Negotiations.

Mayor Heil reported that the City's City Edition newspaper won a Savvy Award from 3CMA for best newsletter.

ADJOURNMENT:

The meeting was adjourned at 9:07 P.M.

ATTEST:

Mayor

City Clerk

Date: August 24, 1998
Subject: Presentation by School District #12 Students
Prepared by: Michele Kelley, City Clerk

Introduction

City Council is requested to hear from several Adams County School District #12 students about their experience involving the Amazon River Rain Forest.

Summary

In appreciation of the City of Westminster's financial contribution, several of the students from Adams County School District #12 wish to address and thank City Council for the opportunity the students had to travel to the Amazon River Rain Forest

Ms. Janette Mikatich, Fund Raising Coordinator will be bringing several of the students who participated in this program. Students from Huron Middle School, Westlake Middle School, Stargate Middle School, Northglenn High School and Horizon High School participated in this program.

Staff Recommendation

Mayor and City Council listen to presentation by students.

Background Information

The program consisted of a rain forest awareness day in April which was held at Huron Middle School along with a fund raising event to allow the students to travel to the Amazon Rain Forest.

The students have now returned from their trip and are anxious to share their experiences with City Council.

Respectfully submitted,

William M. Christopher
City Manager

Date: August 24, 1998
Subject: Citizen Communication - Gwen Buckley
Prepared by: Michele Kelley, City Clerk

Introduction

Gwen Buckley who resides as 4044 West 77th Place has requested time on Monday night's agenda to address City Council.

Summary

Ms. Buckley will be addressing City Council concerning the mandatory spaying or neutering of all dogs and cats except those used for breedings and showing purposes.

She has discussed her concerns with Animal Control officers, Dumb Friends League, Table Mountain Animal Shelter and others, and has also researched this item. She has submitted the attached letter which also has a copy of Aurora's ordinance which requires all dogs or cats to be spayed or neutered (with exceptions).

Staff Recommendation

Mayor and City Council listen to the presentation by Gwen Buckley and then take appropriate action.

Background Information

Ms. Buckley has indicated that her presentation will be less than 5 minutes, and therefore this item has been placed under Council Agenda item 5.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: August 24, 1998

Subject: Bids for 1998 Traffic Signal Projects

Prepared by: Mike Normandin, Transportation Engineer

Introduction

City Council action is requested to award a construction contract for the 1998 Traffic Signal Projects and authorize the purchase of traffic signal poles, mast arms, controllers, cabinets, vehicle detection components and emergency vehicle pre-emption equipment. Funds are available and were specifically allocated in the 1998 General Capital Improvement Fund for this expense.

Summary

As part of the 1998 budget preparation process, priorities were established for traffic signal needs in the City. The contract to be awarded and the equipment being purchased is for the installation of the top ranked project identified in the 1998 priority listing -- of a mast arm type traffic signal at the Church Ranch Boulevard and Westcliff Parkway intersection.

Formal bids for the construction contract were solicited and opened on July 30. Also, price quotes were obtained from suppliers of traffic signal poles, mast arms, controllers, cabinets, vehicle detection components and the emergency vehicle pre-emption equipment. Direct purchase of the signal equipment outlined above allows for a more timely installation of signal projects and produces cost savings by eliminating the traditional markups by traffic signal contractors when they order the equipment.

Staff Recommendation

Authorize the City Manager to execute a contract with the low bidder, Rocky Mountain Signal Inc., in the amount of \$38,987 for the construction of a traffic signal at Church Ranch Boulevard and Westcliff Parkway; authorize the expenditure of \$17,535 to Valmont Industries for traffic signal poles and mast arms; authorize the expenditure of \$32,897 to Econolite Control Products, Inc. for traffic signal controllers and cabinets; authorize the expenditure of \$3,440 to Advanced Traffic Products, Inc. for emergency vehicle pre-emption equipment; authorize a total project budget of \$96,859 which includes \$4,000 for a construction contingency; because these contracts are in the best interests of the City, and charge these expenses to the appropriate project account in the General Capital Improvement Fund.

Background Information

Prior to the 1998 budget preparation process, City Staff evaluated the traffic signal needs within the City and established a prioritization of the potential projects for installation in 1998.

The proposed 1998 traffic signal project is the installation of a mast-arm type traffic signal at the intersection of Church Ranch Boulevard and Westcliff Parkway. Other 1998 traffic signals which have been approved administratively include a temporary span-wire traffic signal on 112th Avenue at the College Hill Library access driveway and a temporary span-wire pedestrian signal on Huron Street south of 124th Avenue.

City Staff solicited bids for the installation of the proposed project outlined above. The scope of work included the labor costs for installing City supplied traffic signal controllers and cabinets, vehicle detection components, emergency vehicle pre-emption equipment, traffic signal mast arms and poles and labor and material costs for traffic signal indications, underground conduits, wiring and vehicle detector loops. Three bidders obtained project plans and submitted bids as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Rocky Mountain Signal, Inc.	\$38,987.00
W.L. Contractors	44,108.75
Sturgeon Electric	45,403.00

Rocky Mountain Signal, Inc., the low bidder, is qualified to do the work. Rocky Mountain Signal, Inc. is currently the City's traffic signal maintenance contractor and has constructed new traffic signals at other locations in the City within the past seven years.

The following represents Staff's anticipated schedule for completing the traffic signal projects, assuming City Council awards the construction contract and authorizes the purchase of the necessary traffic signal equipment.

August 24th	City Council awards the construction contract and authorizes the purchase of the traffic signal equipment
August 25th	Order traffic signal equipment
September 15th	Issue Notice to Proceed to the contractor
December	Completion of the traffic signal project

Respectfully submitted,

William M. Christopher
City Manager

Date: August 24, 1998
Subject: Bids re Biosolids Hauling Tractor
Prepared by: David Cross, Wastewater Operations Coordinator

Introduction

City Council action is requested to award the bid for a biosolids hauling tractor to be used in the transport of biosolids, produced at the Big Dry Creek Water Reclamation Facility, to various application sites around the Metro area, including the City's Strasburg Natural Resource Farm. Funds are available and have been specifically allocated in the 1998 Wastewater Fund Public Works and Utilities Budget for this expense.

Summary

The biosolids hauling tractor will be utilized on a daily basis to transport biosolids to farm fields. This vehicle is a standard tractor unit that will haul 6,600 gallon biosolids tanker trailers. With the purchase of 2600 acres of farmland near Strasburg in April 1997, an additional hauling tractor will be necessary to maintain the flexibility to utilize disposal sites both close-in and near Strasburg. This disposal method is regulated and approved by the Colorado Department of Public Health and Environment, and allows a beneficial use for the biosolids as a fertilizer and soil conditioner.

Formal bids in accordance with City Charter bidding requirements were obtained for the purchase. Utilities and Fleet Divisions Staff and the City Purchasing Agent have each reviewed the bids and agree that this is a necessary purchase. The second low bid meets specifications and is being recommended. The low bidder did not meet specifications for the engine, a Detroit Series 60 diesel engine. The second low bid from Transwest Trucks, Inc., meets all specifications and is thus being recommended.

The cost of this piece of equipment is within the amount previously approved by City Council for this expense.

Staff Recommendation

Award the bid for one biosolids hauling tractor to the second low bidder, Transwest Trucks, Inc., of Oregon, in the amount of \$88,689 because it is in the best interests of the City and charge the expense to the appropriate 1998 Public Works and Utilities budget account.

Background Information

City Council previously allocated funds in the 1998 Budget for the purchase of a biosolids hauling tractor for use in hauling of biosolids to farm fields. This application will be done in accordance with federal, state, and local regulations.

Formal bids in accordance with City Charter bidding requirements were solicited from distributors of this type of equipment with the following results:

Navistar Inc.	\$84,975
Transwest Trucks, Inc.	\$88,689
Volvo Trucks of Colorado, Inc.	\$96,148
Rush Truck Centers, Inc.	\$96,286
Colorado Kenworth, Inc.	\$97,372

The bid from Transwest Trucks, Inc., includes a Detroit Diesel engine and Allison transmission. These components are currently being used in a variety of other City heavy vehicles. This engine-transmission combination has proven to be reliable and the Fleet Division has experience in maintaining this equipment.

As an alternative, if this unit were not purchased, the existing hauling equipment would be insufficient to transport the daily production of biosolids to the Strasburg Natural Resource Farm due to the travel distance, thus forcing the City to rely on its limited supply of close-in application fields. This would not be a cost effective use of the City's farm property. Another alternative of contracting out a portion of the hauling duties was examined in 1997, and would result in greater costs and decreased flexibility to the City.

Respectfully submitted,

William M. Christopher
City Manager

Date: August 24, 1998

Subject: Engineering Services for Reclaimed Water Supply Project

Prepared by: Diane M. Phillips, Capital Improvement Projects Coordinator

Introduction

City Council action is requested to authorize the City Manager to sign an addendum to the current engineering services and design contract with Black and Veatch, LLP, for construction inspection phase services on the Reclaimed Water Supply Project in the amount of \$903,964. These additional services include those necessary to provide inspection and construction management phase services from the project design engineer, Black and Veatch, LLP, as the treatment plant and distribution system piping moves into construction. Funds for this expense are available in the Reclaimed Water Supply Project account in the Utility Fund.

Summary

The current engineering services and design contract with Black and Veatch, LLP, dated May 20, 1997, provides for all engineering services related to the design of the Reclaimed Water Supply Project. The project consists of two key elements; a six million gallon per day (MGD) treatment plant and approximately 65,000 feet of distribution piping. City Council action on July 13, approved the two contracts for construction of the Reclaimed Project with CDM Engineers & Constructors, Inc., who will construct the plant portion, and with Tierdael Construction Company, who will construct the pipeline portion of the project. City Council action is now requested to approve an addendum to the design contract with Black and Veatch, LLP, to provide inspection and management services during construction of the project.

Staff Recommendation

Authorize the City Manager to execute an addendum to the existing design contract with Black and Veatch, LLP, in the amount of \$903,964 for inspection and management services during construction of the Reclaimed Water Supply Project. The expense associated for the services will be charged to the Reclaimed Water Capital Improvement Project Account in the Utility Fund.

Background Information

The contract for design of the Reclaimed Water Supply Project, dated May 20, 1997, provides that Black and Veatch, LLP, will provide all design related services for the project. This contract also states that construction inspection related services will be negotiated at the time that the project goes to bid for construction. The intent of delaying negotiation for the construction related services was to allow for final definition of the project's scope and assure final construction plans are well defined.

The bid documents for construction were structured in such a manner as to allow bidders to submit a combined bid for both elements of the project, plant and pipeline, or to separate bids for these two key elements. This approach was used to allow the most flexibility and potential for reducing the overall cost of the project. The separation of bid elements did result in total project savings. Due to concern for potentially exceeding the project budget, certain supplements were bid as alternates which could be phased in at a later date. Bids, that included all alternates, for the plant and the pipeline where, \$9,977,592 and \$7,333,333 respectively for a total of \$17,300,000, which is within the project budget. Because the final bids for the project, including all alternates, are within the project budget, the final scope of the project is known and the final construction related services for the project can be defined.

A Staff Team negotiated the contract amendment cost for services with Black and Veatch, LLP, to achieve the best balance between hours devoted to the project and budgeting constraints. The cost to provide the construction related services, \$903,964, will assure that adequate services are provided and funds are available for contingency as we move into construction on the project.

The cost for inspection and management services is 5% of the total project construction cost of \$17.3 million. Recently, the Public Works and Utilities Department completed the construction of the Northridge Pump station at a construction cost of \$2 million and the construction phase engineering services provided by the design engineer, Burns and McDonnell, were \$107,054, which is 5% of the project construction cost. Similarly, on the recent expansion at the Big Dry Creek Water Reclamation Facility the construction costs for the project were \$5.5 million and the cost for construction phase engineering services provided by HDR was \$408,667, which was 7% of the construction cost.

As an alternative to using the project design firm, Black and Veatch, LLP, to carry out the construction phase engineering services, these services could be provided by others. The project staff worked with the City's legal staff to investigate other options to manage the construction of the project by using an engineering firm that specializes in construction management services and supplement these services with City staff. This option could potentially realize a savings, but could open up the possibility of unclear lines of accountability and responsibility during inspection on the project resulting in project conflicts, construction slowdown, unclear point of contractor responsibility, and legal entanglements.

The City typically utilizes the same firm for project design and inspection and management services. Maintaining consistency in consultant accountability in both design and construction inspection and management, the City will minimize exposure to multi-party conflicts and delayed construction schedule.

Respectfully submitted,

William M. Christopher
City Manager

Date: August 24, 1998

Subject: Transfer of Capital Improvement Project Funds

Prepared by: Diane M. Phillips, Capital Improvement Projects Coordinator

Introduction

City Council action is requested to authorize a budget transfer of previously authorized Capital Improvement Project (CIP) account funds from the 144th Avenue Water Line Project to the Countryside Pump Station Project in the amount of \$225,543 and to the 80th Avenue Water Line Replacement Account in the amount of \$274,457. The 144th Avenue Water Line Project was canceled, making the funds in the amount of \$500,000 that had been budgeted for the Project available for other needed capital projects.

Summary

On May 18, City Council approved a change order to the design/build contract with Western Summit Contractors, Inc., for the construction of the Countryside Pump Station Project. That change order of \$225,543 provides for the construction of 1,600 feet of 12-inch water line, valves, and pipe connections along 108th Avenue, west of Wadsworth Parkway to provide additional system looping to more adequately serve the northwest area of the City. The remainder of the funds from the 144th Avenue Water Line Project Account, \$274,457, are proposed to be used to replace a water line in 80th Avenue from Lowell Boulevard to U.S. 36.

The construction of the 144th Avenue Water Line installation that was planned in the 1998 Capital Improvements Budget has been indefinitely delayed, due to the area developer recently completing a looped water system in 144th Avenue and North Huron Street area. The \$500,000 that was earmarked for this project is now available. Approval of a budget revision transfer of funds from the 144th Avenue Water Line Project to the Countryside Pump Station Project to pay for the change order and to the 80th Avenue Water Line Replacement Project is a concluding action necessary to have funds available and appropriated for these needed projects.

Staff Recommendation

Authorize a transfer of \$500,000 in Utility Capital Improvement funds from the 144th Avenue Water Line Project to the Countryside Pump Station Project in the amount of \$225,543 and to the 80th Avenue Water Line Replacement Project in the amount of \$274,457.

Background Information

The design and construction of the 144th Avenue water line looped installation that was planned in the 1998 Capital Improvements Budget is not necessary at this point. Recent installation of additional piping has looped the water line in the area, which adequately addresses required water delivery service in the northwest area.

The change order of \$225,543 for the Countryside Pump Station account provides for the installation of 1,600 feet of water line that is needed in conjunction with the construction of the Pump Station.

The remainder of the funds from the 144th Avenue Water Line Project, \$274,457, is recommended to be used to replace a 8 inch failing water line in 80th Avenue from Lowell Boulevard to U.S. 36.

The existing water line has experienced a significant increase in breaks and would be replaced along with other water lines that have been identified in the replacement program. The subject line is 40 years old.

Typically, Staff would seek City Council authorization to transfer funds prior to approval of expenditure. In this situation, Staff knew that the 144th Avenue Water Line funds were no longer needed, but was not certain of the most prudent disbursement of funds until the full scope of the 80th Avenue Water Line Replacement Project was recently known. An alternative to proceeding with the above recommendation would be to find alternative funds to pay for the change order, either from other Capital Improvement Project accounts or possibly debt financing. This approach to funding the Countryside Pump Station Project and the 80th Avenue Water Line Replacement Project is the most prudent, cost effective, and does not impact other important capital improvement projects.

Respectfully submitted,

William M. Christopher
City Manager

Date: August 24, 1998
Subject: Concrete Replacement Project Contract Amendment
Prepared by: Stephen C. Baumann, Assistant City Engineer

Introduction

City Council action is requested to authorize the City Manager to execute an amendment to the contract with Concrete Express, Inc. in the amount of \$87,600 to reconstruct curb and sidewalk on Tennyson Street south of 92nd Avenue in conjunction with drainage improvements being done there.

Summary

In February of 1998, City Council awarded a contract worth \$401,521 to Concrete Express, Inc. for the replacement of damaged and deteriorated concrete throughout the City. This annual program, coordinated by the Streets Division, is progressing on schedule, and provides an opportunity to incorporate additional concrete work elsewhere in the City at very reasonable cost.

The 1998 Capital Project budget included funding for the reconstruction of Tennyson Street to resolve drainage problems there. A contract for the extension of the storm sewer system to Tennyson Street was recently approved by Council and Staff is recommending that the concrete portion of the Tennyson Street reconstruction be incorporated into the existing contract with Concrete Express. Staff is recommending authorization of a total of \$100,600 for the contract amendment and a contingency.

Staff Recommendation

Authorize the City Manager to execute a contract amendment with Concrete Express, Inc. in the amount of \$87,600; authorize a contingency of \$13,000 and charge the total expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

The Northridge Manor neighborhood has experienced drainage problems for some years, and the cost of on-going maintenance and complaints from residents prompted the development of a plan for the reconstruction of Tennyson Street, Utica Street and Utica Court between 90th Avenue and 92nd Avenue. Storm sewer will be extended to each of these streets to more efficiently collect storm water run-off. A first phase of the storm sewer work, covering the Tennyson Street and 92nd Avenue area recently got underway. Contracts for similar sewer work and reconstruction in the other two streets will be arranged in 1999 and the year 2000 subject to the approval of funding which will be requested for those years in the Capital Projects Program.

The improvement plan for each of the streets is similar. Once the sewer is installed, portions of the curb and sidewalk between 92nd Avenue and 90th Avenue will be replaced on an improved alignment. This work and the asphalt reconstruction that follows will be incorporated into existing contracts for such work by contract amendment. The contractor for the 1998 Customer Service Concrete Replacement Program is Concrete Express, Inc. who was awarded a contract worth \$401,521 in February of this year.

Concrete Replacement Project Contract Amendment

Page 2

The estimated cost of the concrete work in Tennyson Street is \$87,600 which necessitates City Council approval to add it to Concrete Express' contract. The asphalt replacement, estimated to cost \$40,000, has already been included in the budget for City-wide street reconstruction and re-surfacing and will be done by Asphalt Specialties, Inc. immediately following the concrete work.

An alternative to amending the contract with Concrete Express would be to offer the concrete work as a separate package for bid. This would allow some price competition, assuming that a number of qualified bidders responded. Unfortunately, the level of construction activity would likely reduce the number of bidders and the unit prices are unlikely to be competitive with those received for the Concrete Replacement Program, which is a large contract. Offering the bid at this time of year would also delay the street reconstruction until the spring of 1999. The low unit costs of the Program represent a significant value to the Tennyson Street project and Staff recommends amending the contract with Concrete Express.

The Capital Project Budget for 1998 included \$250,000 in a Storm Drainage Improvements account, a large portion of which was designated for the work in 92nd Avenue and Tennyson Street. Authorization is sought for an estimated \$87,600 for the contract amendment along with \$13,000 as a contingency for any unforeseen expenses, including miscellaneous repair of landscaping adjacent to the concrete replacement work.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: August 24, 1998
Subject: Resolution No. re Board Appointments
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to accept the resignation of Gregg Greenstein from the Board of Adjustment and Steve Wagner from the Environmental Advisory Board and make appointments of new members.

Summary

Gregg Greenstein has recently resigned from the Board of Adjustment due to work commitments (see attached letter).

Steve Wagner has recently resigned from the Environmental Advisory Board due to work conflicts that have required him to miss all meetings during 1998.

Gregg was appointed to the Board of Adjustment on March 6, 1995, and has served continually since that time.

Steve was appointed to the Environmental Advisory Board on March 5, 1995 when the Board was initially created.

Currently there are 19 individuals within the "pool". A copy of the matrix indicating each individuals preference for Boards and Commissions is attached.

Staff Recommendation

Adopt Resolution No. accepting the resignation of Gregg Greenstein from the Board of Adjustment and Steve Wagner from the Environmental Advisory Board and appointing a new member to each Board.

Background Information

A Resolution has been prepared for Council to formally accept the resignation of Gregg Greenstein from the Board of Adjustment and Steve Wagner from the Environmental Advisory Board and appoint a new members from the current "pool" of 19 applicants.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.
SERIES OF 1998

INTRODUCED BY COUNCILLORS

CITY OF WESTMINSTER BOARD AND COMMISSION APPOINTMENTS

WHEREAS, A resignation has been received from Gregg Greenstein from the Board of Adjustment; and

WHEREAS, A resignation has been received from Steve Wagner from the Environmental Advisory Board; and

WHEREAS, Currently there is a vacancy on the Board of Adjustment and Environmental Advisory Board; and

WHEREAS, It is important to have each City Board or Commission working with its full complement of authorized appointees to carry out the business of the City of Westminster.

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby hereby accept the resignation of Gregg Greenstein from the Board of Adjustment and Steve Wagner from the Environmental Advisory Board and appoint the following individuals to the City of Westminster Board of Adjustment and Environmental Advisory Board as listed below with the term of office to expire as stated.

<u>NAME</u>	<u>BOARD/COMMISSION</u>	<u>TERM EXPIRE</u>
Brian Lunning Alternate Member	Board of Adjustment	12-31-99
Kim Wolf Moved from Alternate Member to Regular Member	Board of Adjustment	12-31-98
Tom Acre Alternate Member	Environmental Advisory Board	12-31-99

Passed and adopted this 24th day of August, 1998.

ATTEST:

Mayor

City Clerk

Date: August 24, 1998

Subject: TABLED Westminster Conference Center Lease Agreement

Prepared by: Alan Miller, Assistant City Manager

Introduction

City Council action is requested to remove from the table and adopt as an emergency ordinance the attached Councillor's Bill that authorizes the City Manager to sign the Westminster Conference Center Lease Agreement. City Council action is then requested to authorize the City Manager to sign a Consent and Recognition Agreement with Bank One substantially in the same form as the attached agreement. These actions are necessary in preparation for the closing on the financing arrangements for the construction of the Westin Hotel and Westminster Conference Center.

Summary

City Staff has been negotiating with Bank One, Inland Pacific Colorado and the Deutsche Bank to conclude the financing arrangements to allow for the construction of the Westminster Conference Center and Westin Hotel. In order to achieve all the legal steps needed to be absolutely correct in approach, Staff is requesting that City Council authorize the City to enter into the conference center lease agreement by ordinance. Since closing is planned for later in the week and time is of the essence, City Council is requested to adopt the attached Councillor's Bill as an emergency ordinance. This means all Councillors need to vote in favor of this ordinance in order for it to pass as an emergency ordinance.

As City Council will recall, Bank One is the construction financing bank and Deutsche Bank is the long-term or "take-out" lending bank.

One aspect of the financing that was important to Bank One was a subordination of the City's lease payments from Inland Pacific Colorado for the Conference Center. These lease payments would be subordinate to the repayment of the construction loan to Bank One and a previously discussed with Bank One, this issue would be contained in a separate consent and recognition agreement between the City and Bank One.

Staff believes that this provision is an "over kill" request by Bank One given the fact that the long term lender, Deutsche Bank, will be taking over the loan once the hotel and conference center are constructed and open for operation. The lease payments do not start until after the conference center begins operation. Staff believes that the Consent and Recognition Agreement is low-risk for the City and recommends that the agreement should be signed by the City. Approving the two agreements will allow this important project to proceed to construction. It is expected that closing will occur later in the week.

Staff Recommendation

1. Remove this item from the Table and adopt Councillor's Bill No. _____ as an emergency ordinance authorizing the City Manager to sign the Westminster Conference Center lease agreement.
2. Authorize the City Manager to sign the Consent and Recognition Agreement in substantially the same form as the agreement attached to the Agenda Memorandum.

Background Information

The conference center lease agreement and associated documents and agreements is the culmination of the steps necessary to complete and allow the Westin Hotel and Conference Center project to proceed as contemplated in the original Business Assistance Agreement signed in April of 1997. City Staff has been working diligently in cooperation with Inland Pacific Colorado and Westin Hotels to plan and design the Promenade East project whose major anchor will be the 360-room Westin Hotel and 50,000 square foot Westminster conference center. Market studies have shown that the conference center will bring an estimated \$42 million of extra spending into the area economy annually.

In addition, the lease payments and supplemental payments to the City by Inland Pacific Colorado related to hotel and conference center revenues will also benefit the City financially and help to diversify the City's tax base. The lease payments for instance start at \$200,000 in 2000 when the conference center is expected to open and increase to \$2.1m by the year 2010 and total \$39.6m during the first 25 years of the lease.

City Staff has a very cordial and professional business relationship with Inland Pacific Colorado and the Westin Hotels that has enabled this project to proceed and overcome a variety of difficulties that have arisen since the business agreement was signed. This Westin Hotel marks the first time that they have entered a suburban business market and it is viewed by many as a prototype for future expansions into the suburban business market. The City's emphasis on quality City projects, as well as quality services is being given a substantial amount of credit in attracting the Westin Hotel to the City of Westminster. It was the Legacy Ridge Golf Course and residential project, the Westminster City Hall and Westminster City Park Recreation Center that all played a part in demonstrating to Inland Pacific and the Westin Hotels that they had a quality partner to work with that upholds the Westin Hotel standards of high quality and service recognized throughout the hotel industry.

The fact that a Westin Hotel is locating within the City of Westminster is having additional ripple effects in attracting other quality businesses to look at the City of Westminster as a place to do business. Certainly the Promenade project's concept of high quality design and amenities was also a major factor in attracting the Westin Hotel to the City of Westminster. The high quality design with the associated amenities at the Promenade is very important to Westin Hotels in attracting both the business and vacation traveler. Market studies show that this hotel and conference center should be a great success and provide a vibrant, attractive community focal point at the Promenade, as well as enhancing the City's fiscal viability.

The City received a substantial amount of assistance from Barbara Banks from Banks & Imatani P.C. law firm in the negotiation of the lease agreement. Staff believes her assistance was invaluable in assuring that important points expected in a document of this type are covered. Marty McCullough, City Attorney, was also instrumental in coordinating the lease agreement efforts, spending considerable hours in reviewing various provisions and crafting appropriate language in the various legal documents and agreements.

Once the hotel and conference center financing closes, it will mark a substantial mile-stone and achievement toward completion of the Promenade East project.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1998

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE APPROVING A LEASE WITH INLAND PACIFIC FOR THE LEASE OF THE WESTIN CONFERENCE CENTER

WHEREAS, City Council previously authorized a Joint Development Agreement between the City and Inland Pacific for the construction and financing of the new Westin Hotel and Conference Center; and

WHEREAS, pursuant to said Joint Development Agreement, Inland Pacific will lease the Conference Center from the City; and

WHEREAS, the final form of the lease has been agreed to by the parties; and

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 Inland Pacific for the lease of the Westin Conference Center is approved in substantially the same form as attached as Exhibit "A."

Section 2. Because the final form of the lease needs to be approved prior to the closing of the construction loan for the Hotel and Conference Center, which is currently scheduled for August 28, 1998, an emergency is declared to exist, and this ordinance is declared to be necessary for the immediate preservation of the public peace, health and safety. Wherefore, this ordinance shall be in full force and effect upon adoption of this ordinance on August 24, 1998, by an affirmative vote of six of the members of the Council if six or seven members of the Council are present at the meeting at which this ordinance is presented, or by an affirmative vote of four of the members of the Council if four or five members of the Council are present at the meeting at which this ordinance is presented and the signature on this ordinance by the Mayor or the Mayor Pro Tem.

Section 3. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, READ IN FULL AND PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE this 24th day of August, 1998.

ATTEST:

Mayor

City Clerk

Date: August 24, 1998

Subject: City Position on CDOT US 36 Pedestrian Bridge

Prepared by: Dave Downing, City Engineer
Bill Christopher, City Manager

Introduction

City Council is requested to formulate a position on the pending Colorado Department of Transportation (CDOT) project involving the existing pedestrian overpass/bridge at US 36 at the Zuni Street alignment.

Summary

In conjunction with the Federal Boulevard/US 36 bridge project scheduled for 1999, CDOT is pursuing related improvements to US 36 from the approximate Zuni Street alignment to Federal Boulevard. The existing pedestrian overpass at the Zuni Street alignment is to be removed and the question is rather or not the structure should be replaced.

If the structure is to be replaced, which would be at an estimated cost of \$600,000, the overpass would have more of a visual and physical impact on the neighborhood due to Americans with Disabilities Act (ADA) requirements.

CDOT is awaiting the City of Westminster's position on replacing the pedestrian overpass.

Citizens from the affected area will be in attendance at Monday night's meeting to present their thoughts on this project.

Recommendation

Submit the attached suggested letter to the Colorado Department of Transportation which states that the City of Westminster does not have an official position on the US 36/Zuni Street pedestrian overpass. This is based on the belief that the residents in the affected area should determine this matter and in this case there is not a consensus.

Background

On Wednesday, August 5, a public meeting was conducted in conjunction with the Skyline Vista Community Oriented Governance (COG) team to receive input from area residents regarding the Colorado Department of Transportation's proposal to replace the Zuni Street pedestrian bridge as part of an upcoming project to widen US 36 and extend the high-occupancy vehicle (HOV) lanes from I-25 to the west. CDOT had originally planned to replace the existing structure with an overpass that would provide ramps conforming with the Americans with Disabilities Act, but some local residents had voiced objections to the replacement of the bridge. After learning of these objections, Department officials indicated that they would bow to the desires of the three affected jurisdictions - the City, Adams County and Adams County School District 50.

Dr. Massarotti, the Superintendent of the District, issued a letter on June 17 (copy attached) in which he confirmed that Ranum High School students residing on the southwest side of US 36 (i.e., the only students who might use the overpass to walk to school) could be transported by bus. Dr. Massarotti also stated an opinion that the elimination of the overpass might resolve certain concerns over the safety of Skyline Vista Elementary School children, the overall tone of his letter was one of neutrality on this issue.

Sensing that the neighborhood might be divided on the replacement of the overpass, Staff scheduled and advertised the August 5 COG meeting to receive feedback from residents. Approximately 25 citizens of the City of Westminster and 13 citizens of unincorporated Adams County attended. In addition to City Staff, CDOT was well represented and Adams County sent two Staff members.

The public comments and a show of hands at the conclusion of the meeting revealed a nearly dead-even split between supporters of the elimination of the pedestrian bridge and those who wished that it would be replaced. Generally, residents of lots adjacent to the bridge ramps did not want the overpass to be replaced, while residents who lived in lots somewhat distant from the structure favored its replacement. While a few of the comments from owners of adjacent properties focused upon the loss of privacy (because the bridge ramps will allow pedestrians to peer into their backyards) and property devaluation, the majority of the concerns from these residents related to crime in the vicinity of the overpass.

Staff recommends that the City should advise CDOT that there is no clear-cut consensus among our residents with respect to the replacement of the structure. As a result, it would be inappropriate for the City Council to dictate a "City position" on this issue.

Residents who spoke at the August 5 COG meeting raised several valid arguments for both sides of this issue. Those who opposed the replacement of the Zuni Street pedestrian overpass focused upon the following points:

- > There is a history of criminal activity in the immediate vicinity of the bridge. Most notable among the recent criminal acts was an attempted rape. Many citizens believe that it is the overpass itself that attracts such illegal activity. Potential victims are likely to be youngsters who are walking to school or parks via the bridge, and criminals are aware that they can easily escape from responding police vehicles by simply running across the pedestrian overpass.
- > The long ramps that would need to be installed to provide access to the new structure will allow pedestrians to view the backyards of a few lots that back onto the Zuni Street right-of-way at the southwest quadrant of the intersection. Residents feel that this is an invasion of their privacy.
- > The above-mentioned loss of privacy and the intrusion of an abnormal level of foot traffic in this area equate to a devaluation of property values in the immediate vicinity of the bridge.

Those residents who favored the replacement of the overpass in conjunction with CDOT's proposed project to improve US 36 raised the following arguments:

- > Despite the school district's recent promise to provide bus service for Ranum High School students who reside south of US 36 (if the overpass is eliminated), future budget cuts may preclude the continuation of this service. In that event, the students would have no convenient route to walk to school.

- > Some of the Ranum students may opt to walk to school regardless of the provision of bus service, and other children may wish to journey from one side of the highway to the other on occasion to visit parks (e.g., the new Skyline Vista park that is under construction at the northwest corner of the intersection of 72nd Avenue and Zuni Street), visit friends or the like. If no pedestrian overpass is available on the Zuni Street alignment, they will be forced to walk across the less pedestrian-friendly bridges of Federal Boulevard or Pecos Street.
- > The elimination of pedestrian facilities has the adverse effect of encouraging increased vehicular travel.
- > The existing overpass helps to knit neighborhoods together and encourages residents to share parks and other such amenities.

In light of the logical arguments that were offered on both sides of this issue and the even split of "votes" cast by those in attendance at the COG meeting, Staff recommends that the City Council take a neutral position on this matter. If there is a desire by Council to state a recommendation to CDOT, the following factors may assist in such a decision-making process:

- > CDOT's consultant performed a detailed investigation into bridge design options in order to identify a safe, "open" design that minimizes dark, secluded spots on and around the proposed structure. Included in the design proposal are lighting standards that will greatly enhance the visibility across the bridge deck and within the Zuni Street rights-of-way at the ramp termini.
- > Appropriate barricades can be installed to restrict unwanted vehicles from parking within the dead-end portion of the Zuni Street right-of-way.
- > The approximate cost of the replacement of the bridge structure is \$600,000.

The attached letter has been prepared to CDOT that would articulate a "No Position" by the City of Westminster.

Also, residents from the effected area are anticipated to be in attendance at Monday night's Council Meeting to present their thoughts to City Council on this matter.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: August 24, 1998
Subject: Wandering View Fourth Amendment to the Preliminary Development Plan
Prepared by: Max Ruppeck, Planner III

Introduction

City Council is requested to hold a public hearing and take action regarding the Fourth Amendment to the Wandering View Preliminary Development Plan.

Summary

Applicant/Property Owner

Thomas H. Thompson Jr. represented by Mr. Ronald Hoisington, planning consultant.

Location

Northwest corner of West 104th Avenue and Federal Boulevard. (See attached vicinity map).

Size of site

13.2 Acres

Description of Proposed Use

The proposed amendment would allow the development of a United States Post Office on the northern 4.3 acres (approximate) of the 13.2 acre commercial site.

Major Issues

1. Land Use: A U.S. Post Office will be added to the normal complement of retail commercial uses.
2. Neighborhood Concerns: The Post Office notified owners/residents in the neighborhood and held a meeting on January 21, 1998. There were various opinions on the Post Office as a land use and some suggestions for building orientation (see detailed notes below).
3. Traffic Impacts: The Fourth Amendment to the Preliminary Development Plan (PDP) also provides for the construction of 105th Avenue which will border the Post Office site to the south.

Planning Commission Recommendation

The Planning Commission held a public hearing on this application on August 11, 1998. By a unanimous vote (6-0) the Planning Commission recommended approval of the Fourth Amended Preliminary Development Plan for Wandering View.

Staff Recommendation

1. Hold a Public Hearing.
2. Approve the Fourth Amendment to the Wandering View Preliminary Development Plan based on the finding that the proposed Post Office use is compatible with the overall Preliminary Development Plan for the Wandering View Subdivision and that the proposed Fourth Amendment to the Wandering View Preliminary Development Plan meets the requirements of Sections 11-2-2 and 11-2-3 of the Westminster Municipal Code, and is in conformance with the Westminster Comprehensive Land Use Plan.

Background Information

Discussion of Major Issues

1. Land Use: The existing Preliminary Development Plan for Wandering View includes "Offices" as an allowed use. However, a U.S. Post Office is somewhat different from normal commercial or professional offices and a Fourth Amendment to the Preliminary Development Plan was determined to be desirable. The City has been attempting to find an appropriate site for a U.S. Post Office for a number of years and has evaluated several other sites. The proposed site meets the locational, access and size criteria of the U.S. Postal Service and will be a convenient location for both Westminster residents and residents in the surrounding area.
2. Neighborhood Concerns: On January 21, 1998 a neighborhood meeting was held at the City Park Recreation Center. Several hundred invitations to the meeting were sent out. Eight residents representing seven different households were in attendance. Opinions ranged from total support to steadfast opposition. There were several residents who expressed concerns, but did not necessary oppose the Post Office as a land use. Concerns included additional traffic generation in the neighborhood and noise during evening hours. One resident suggested that the truck loading area be oriented to the south, away from the residential neighborhood. While the specific design of the site is not a subject for review at this time, these are concerns which may be raised when the Official Development Plan is submitted for approval.
3. Traffic Impacts: A traffic impact analysis was prepared for the Post Office site combined with the remainder of the commercial site to the south. At full development, the commercial site and Post Office would generate about 7,770 vehicle trips per day. About one third of this traffic is due to the Post Office (however, if the Post Office site were to develop as commercial, as allowed by the Preliminary Development Plan, approximately the same traffic generation would result). Most of this traffic will be directed to Federal Boulevard via 105th Place or to 104th Avenue via Grove Street. Very little traffic will impact the residential area to the north and west, and none of the bulk mail trucks will use the residential streets to the north and west except for access off Grove Street directly into the site.
4. Architectural/Building Materials: The specific design of the facilities will be discussed at the Official Development Plan phase of development.
5. Access and Circulation: Primary access to the Post Office will be off 105th Avenue, a new street which will intersect Federal Boulevard, approximately 800 feet north of 104th Avenue. The location of the 105th Avenue/Federal Boulevard will allow for a signalized intersection in the future, as warrants allow. The access to the John Elway Automobile dealership across Federal Boulevard to the east will have to be relocated north to allow for signalization. A secondary access route for the Post Office site will be Grove Street to the west which intersects with 104th Avenue approximately 900 feet west of Federal Boulevard.

6. Public Land Dedication: No public land dedication or park/trail construction is required for this development.
7. Site Design: A specific site plan is not required for the Preliminary Development Plan (PDP). However, an Official Development Plan will follow the approval of the PDP.
8. Signage: Signage will be determined by the Official Development Plan, and will conform to the City's Sign Ordinance.
9. Service Commitment Category: This development is within Category C.
10. Public Comments: See "Neighborhood Concerns" described above.
11. Surrounding Zoning: The site is part of the Wandering View Preliminary Unit Development which allows multiple family residential to the north and single family, office and church uses to the west. Commercial development exists to the east, across Federal Boulevard (Elway Motors); and to the south Northpark Center (including King Soopers). The City of Federal Heights is to the southeast, diagonally across the 104th/Federal intersection.

Comprehensive Land Use Plan Conformance: The Comprehensive Land Use Plan designates the subject property "Retail Commercial". This designation includes "business and professional offices" as an allowed use. While a Federal Post Office can be interpreted as a type of "business office", it was determined that for the sake of clarity that the Preliminary Development Plan would be amended to specifically allow a Federal Post Office.

Historical Information: Wandering View Preliminary Development Plan (PDP) was adopted in 1972. The single family and multiple family portions of the PDP have been developing over the period 1972 to 1998. No commercial development has occurred thus far within the PDP. Stormwater detention for this site and other portions of the Wandering View development, will occur at the southeast corner of 108th Avenue and Federal Boulevard.

The addition of this proposed Post Office would carve out a portion of the existing 80030 zip code district. It would provide a convenient, centrally located facility to serve a portion of Westminster/Federal Heights residents.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: August 24, 1998

Subject: Second Amended Federal Square Preliminary Development Plan

Prepared by: Shannon Sweeney, Planner II

Introduction

City Council is requested to hold a public hearing and, later on the agenda, take action on the requested approval of the Second Amended Preliminary Development Plan (PDP) of the Federal Square Planned Unit Development.

Summary

Applicant/Property Owner - The developer for this project is BGD II, Co., and the current owner of the property is ENZ Corp.

Location - Southeast corner of W. 112th Avenue and Federal Boulevard in the Federal Square Planned Unit Development. (Please see attached vicinity map).

Size of Site - 37.185 acres

Description of Proposed Use - The proposed use for the entire 37.185-acre site is low-density single-family detached residential with a maximum total of 93 units.

Comprehensive Land Use Plan Designation and Existing Zoning - The City's Comprehensive Land Use Plan designates this entire site for low-density single-family detached residential with a maximum density of 2.5 dwelling units per acre. The existing PDP, approved on 10/20/93, showed 12.8 acres of retail/commercial, 6.7 acres of office, 4.7 acres of multi-family, 10.8 acres of single-family detached residential with 2.2 acres of right-of-way area. This PDP amendment brings this project into compliance with the Comprehensive Land Use Plan.

Issues - Both a PDP amendment and an Official Development Plan (ODP) are required for this project. The developer has chosen to process, and seek approval of, the PDP amendment prior to the ODP document. The ODP document has completed one technical review in the City's development review process, and once the document has completed the review process, Staff will schedule the ODP for Planning Commission and City Council consideration.

City Council awarded 93 Category B-1 Service Commitments to this project as part of the 1997 new single-family detached residential competition. All of the design criteria the developer committed to as part of the competition will be reflected in the site design on the ODP. Each of these items is also listed in the text portion of the PDP.

Planning Commission Recommendation

At their regular meeting on August 11, 1998, Planning Commission voted unanimously to make a recommendation to City Council to approve the Second Amended Federal Square Preliminary Development Plan which changes the allowed land uses for the site from retail/commercial, office, single-family detached and multi-family residential to low density single-family detached residential. In addition, the Planning Commission recommended City Engineering Staff review the community concerns regarding the closure of the Clay Street access to 112th Avenue.

The recommendation to approve the Preliminary Development Plan is based on a finding that the proposed Second Amended Federal Square Preliminary Development Plan meets the requirements of Sections 11-2-2 and 11-2-3 of the Westminster Municipal Code, and is in conformance with the Westminster Comprehensive Land Use Plan.

Following the developer presentation at the Planning Commission public hearing, four CedarBridge residents spoke in favor of the project, and one CedarBridge resident spoke in opposition to the proposed development. Many of the residents who spoke are opposed to the Clay Street closure proposed with this project. One of the residents who spoke supports this closure. On August 17, City Staff received a letter (attached) from a CedarBridge resident to the project developer supporting the closure of the Clay Street access to 112th Avenue. City Engineering Staff will discuss this issue with the City's traffic consultant and the developer and will send a representative to the City Council hearing to field residents' questions regarding Clay Street and other traffic concerns.

Staff Recommendation

1. Hold a public hearing.
2. Approve the Second Amended Federal Square Preliminary Development Plan which changes the allowed land uses for the site from retail/commercial, office, single-family detached and multi-family residential to low density single-family detached residential.

Background Information

Architectural/Building Materials - Architectural elevations and building materials of proposed residential models will be reviewed during the ODP review process. Architectural elevations are not required on a PDP document.

Public Land Dedication, Parks/Trails - The public land dedication specified on this Preliminary Development Plan totals 3.9 acres. This land dedication is divided into two separate tracts. Tract "D" in the southeast corner of the site totals .775 acres and preserves the existing trees north of the Mushroom Pond. Tract "F" includes 3.125 acres in the southwest corner of the site. This area includes the Mushroom Farm tower which the developer is dedicating to the City.

The City's Parks Division is currently evaluating Tract "F" for a potential park site. Because the Parks Division has not yet determined whether this site is desirable, language has been included in the PDP stating, "If the City chooses not to accept Tract F for public land dedication, Tract F shall be designated for private open space and shall be designed as indicated in the Official Development Plan."

An eight-foot wide bicycle path on this site is proposed adjacent to the east property line. This bike path will connect to the City's Mushroom Pond property just south of this project.

Access and Circulation - Access to this parcel is proposed from W. 112th Avenue on the north side of this site at Decatur Drive. This new access point will align with the proposed access point for the vacant site on the north side of W. 112th Avenue. The existing Clay Street access just east of this new access point will be closed, and the street will be designated as a local street serving the Federal Square project. This design was recommended by the consultant hired by the City to conduct traffic analysis for the area. No vehicle access to this project is provided along Federal Boulevard.

Site Design - Because the developer for this project has not completed an ODP for this project, many site design details such as architectural elevations and landscaping details are not yet available. The developer has completed one technical review of the ODP and plans to proceed with the ODP review process if the PDP is approved.

Because the developer has completed a lot layout for the project which City Staff has reviewed, this information has been included in the PDP. A note has been included in the PDP stating that the lotting plan shown may change with the ODP.

Signage - Signage for this project will be detailed on the ODP for this project.

Service Commitment Category - This project received 93 Category B-1 Service Commitments through the 1997 new residential competition. Although City Council has awarded Service Commitments to this specific project, these Service Commitments would not be issued to the project until the ODP is approved and a building permit is issued.

Referral Agency Responses - Referrals are not required for the PDP review process. Agency referrals are mailed during the ODP review.

Public Comments - If the PDP amendment receives City approval and the developer proceeds with the ODP review, a neighborhood meeting will be required. For the neighborhood meeting, the developer will be required to contact surrounding property owners within 300 feet of the site boundaries, the local home owners association (HOA) for the existing residential CedarBridge Subdivision adjacent to this project, and the Legacy Ridge Subdivision HOA.

Surrounding Zoning - North of this site and 112th Avenue is vacant land zoned Planned Unit Development (PUD), and directly east is the existing CedarBridge residential subdivision. South of the site is the Mushroom Pond property owned by the City of Westminster and a privately-owned parcel designated single-family detached residential in the Comprehensive Land Use Plan. Federal Boulevard borders the west property line of the site, and just west of Federal Boulevard is Filing 6 of the Legacy Ridge Subdivision currently under construction.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: August 24, 1998
Subject: Resolution No. Re Standley Lake Annexation
Prepared by: David Falconieri, Planner III

Introduction

City Council action is requested on the attached resolution concerning finding compliance of the proposed petitions requesting annexation of Standley Lake and the adjoining properties, consisting of approximately 2,127 acres located generally between Alkire and Kipling Streets, and between 100th and 88th Avenues, with statutory requirements and establishing a hearing date.

Summary

In May of this year, the City of Westminster acquired in fee simple, all of the open space land around Standley Lake from Jefferson County. Additionally, a petition has been received from FRICO for annexation of the lake surface itself and for the dam.

In order to form a more unified City boundary, Staff is also recommending the inclusion of two privately owned properties. The first is the Borrow Pit Reservoir owned by the Mandalay Ditch Company. The Ditch Company is controlled mostly by the City of Thornton. The second private parcel is owned by Jonathan & Doreen Smith and is 5.8 acres in size. Staff is also recommending that the right-of-way for 96th Avenue (between Alkire and Indiana Streets) and portions of Alkire Street adjacent to the annexation be added as well.

Staff Recommendation

Adopt Resolution No. accepting the annexation petitions submitted by FRICO and the City of Westminster, making the findings required by State Statute on the sufficiency of the petitions. This resolution also sets the date of September 28, 1998, for the annexation hearing.

Background Information

Upon receiving a petition for annexation, the City Council is required by State Statute to make a finding of whether or not said petition is in compliance with Section 31-12-107 (1) of the C.R.S. In order for the petition to be found in compliance, Council must find that the petition contains the following information:

1. An allegation that the annexation is desirable and necessary.
2. An allegation that the requirements of Section 31-12-104 and 31-12-105 of the C.R.S. have been met. (These Sections are to be reviewed by the Council at a formal public hearing).
3. Signatures and mailing addresses of at least 50% of the landowners of the land to be annexed. (In this case, The City of Westminster and the Farmers' Reservoir and Irrigation Co. (FRICO), signers of the petitions, own more than 50% of the property).

4. The legal description of the land to be annexed.
5. The date of each signature.
6. An attached map showing the boundaries of the area.

Planning Staff has reviewed the petition and have found to Staff's satisfaction that the petition complies to the above requirements.

If the City Council finds that the petition is in substantial compliance with these requirements, a resolution must be approved that establishes a hearing date at which time Council will review the merits of the proposed annexation.

Respectfully Submitted,

William M Christopher
City Manager

Attachments

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1998

WHEREAS, there has been filed with the City Clerk of the City of Westminster, a petition, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, for the annexation of certain territory therein described to the City; and

WHEREAS, City Council has been advised by the City Attorney and the City Manager that the petition and accompanying map are in substantial compliance with Sections 31-12-101, et.seq., Colorado Revised Statutes, as amended.

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

1. City Council finds the said petition and annexation map to be in substantial compliance with all state statutory requirements, including C.R.S. Section 31-12-107(1).

2. City Council hereby establishes September 28, 1998, 7:00 p.m., at the Westminster City Council Chambers, 4800 West 92nd Avenue, for the annexation required by C.R.S. Section 31-12-108(1).

3. This resolution shall be in full force and effect upon its passage and approval.

4. City Council hereby orders the City Clerk to give notice of the annexation hearing in accordance with C.R.S. Section 31-12-108(2).

PASSED AND ADOPTED this 24th Day of August, 1998.

ATTEST:

Mayor

City Clerk

Date: August 24, 1998

Subject: Resolution No. re Contingency Funding for Consulting Services for Westminster Plaza and CEP

Prepared by: Tony Chacon, South Westminster Revitalization Projects Coordinator

Introduction

City Council action is requested to adopt the attached resolution to transfer funds from the General Fund Contingency to the Community Development Professional Services account of the General Fund. The funds are to be used to provide consulting services related to the Westminster Plaza condemnation settlement and the Career Enrichment Park (CEP) Master Plan.

Summary

Staff is currently working with consultants relative to two projects in South Westminster. The first project is development of a site and utilization plan for the school district property known as the Career Enrichment Park (CEP), per an approved IGA dated March 23, 1998. The second project relates to preparation of a settlement package related to the acquisition of land for the Westminster Plaza project. These projects were not anticipated at the time the 1998 budget was developed and approved. The combined cost of the projects to the City is \$29,000.

Career Enrichment Park Plan

Adams County School District 50 and the City are jointly preparing a plan for the CEP. Per the approved IGA, the City and District agreed to fund \$24,000 for consulting services, of which the City agreed to contribute \$14,000. The District will deposit the remaining \$10,000 with the City to meet their obligation. The District's \$10,000 will be included in an upcoming supplemental appropriation request for 1998.

Funds are required to fulfill the City's obligation under the IGA. Staff requests that Council authorize the transfer of contingency funds, in the amount of \$14,000 to cover its share of consulting services. An alternative to this request could be to not transfer funds, and instruct Staff to use existing sources of funding out of existing Professional Services accounts. Such an alternative could have the effect of delaying other projects funded under the 1998 appropriation.

Westminster Plaza Land Acquisition Settlement

The Westminster Plaza settlement work is a result of ongoing negotiations with the Colorado and Santa Fe Land Company. During recent negotiations, the Colorado and Santa Fe Land Company offered to work with the City in developing alternative strategies to resolve the issue out of court. In response, Staff enlisted the services of Szymanski/Ray to further analyze settlement options. It is anticipated that costs will not exceed \$15,000 for the conceptual development phase of the project.

While the Westminster Plaza settlement work is eligible for WEDA funding, all remaining WEDA funds are needed to pay for the land acquisition and cover bond debt obligations. Therefore, Staff requests that City Council authorize a contingency transfer in the amount of \$15,000 to cover the cost of work related to the Westminster Plaza settlement.

Council may choose not to approve the requested transfer in lieu of other options. The first option would be to continue to fund consultation services from existing WEDA resources which could impact WEDA's ability to pay for final settlement and required debt service. Another option would be to absorb the cost of the services within existing General Fund accounts, which could effect the ability to pursue other projects funded in 1998. Or Council could chose not to pursue the project further and seek funds within existing budget authorization to pay for costs to date. If City Council approves this transfer, there will be a remaining balance of \$1,113,675 in the General Fund Contingency account.

Staff Recommendation

Adopt Resolution No. _____ authorizing the transfer of \$29,000 from the General Fund Contingency Account to the Community Development Administration Professional Services Account of the General Fund to be used in association with consulting services for preparing the CEP Plan and assistance in preparing settlement options related to the Westminster Plaza property acquisition.

Background Information

Westminster Plaza Land Acquisition Settlement -- In 1997, the City took possession of the Westminster Plaza property from the Colorado and Santa Fe Land Company through condemnation proceedings. In conjunction with the condemnation, the City paid Colorado and Santa Fe an initial deposit, with the balance due to be determined by the courts. In order to avoid litigation, the City has continued to negotiate a settlement with Colorado and Santa Fe. As part of these discussions, the parties have agreed to look into alternative options for resolving the remaining issues.

Accordingly, Staff enlisted the services of Szymanski/Ray Development Consultants and Dauer Haswell Architects to develop a series of options for resolving the issues standing in the way of an out-of-court settlement. Szymanski/Ray served as redevelopment consultant to the City for the Westminster Plaza project. Staff has estimated the costs for these services will not exceed 15,000.00

The original intent was to pay for such services using WEDA funds. However, recent analysis of the WEDA account indicates that all remaining funds need to be preserved to fulfill the final land settlement and pay debt service related to the Westminster Plaza project. Consequently, the consultation services for the potential Westminster Square redevelopment require supplemental funding to complete the analysis and facilitate an out-of-court settlement to the Westminster Plaza project.

Career Enrichment Park Plan -- City Council approved an IGA with Adams County School District No.50 Board on March 23, 1998, to pursue a joint planning effort to improve the physical conditions and utilization of buildings and property at the Career Enrichment Park (CEP). The total cost for the project is \$24,000, of which the City agreed to fund \$14,000. The District agreed to provide \$10,000 towards the project.

This idea for jointly preparing a plan for the CEP was conceived during informal discussions between the parties in early 1998. Thus, funds for the project were not anticipated in 1997, and appropriated in the 1998 budget. Upon approval of the IGA, the City entered into a contractual agreement with Wenk Associates, Inc. to provide the consulting services.

Terms and conditions of the IGA are generally as follows:

- 1) The District is to contribute \$10,000 towards the project to cover its share of the plan relative to District owned property. The City's contribution is \$14,000, of which \$10,000 matches the District contribution, with the other \$4,000 for planning activities related to other adjoining non-District property.

- 2) The District will deposit the \$10,000 with the City. These will be used to pay the consultant.
- 3) City will serve as the contracting agency with Wenk Associates, Inc. and as general project manager. The District will be directly involved in all aspects of the planning and decision-making process.
- 4) The City and District will come to agreement on a final plan for adoption. Each entity will be responsible for independently approving the final plan.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

RESOLUTION

RESOLUTION NO. _____

INTRODUCED BY COUNCILLORS

SERIES OF 1998

FOR A GENERAL FUND CONTINGENCY TRANSFER TO FUND CONSULTING SERVICES RELATED TO THE PREPARATION OF A PLAN FOR THE CAREER ENRICHMENT PARK AND ASSISTANCE IN PREPARING A WESTMINSTER PLAZA SETTLEMENT

WHEREAS, the City approved an IGA with Adams County School District No.50 to jointly develop a plan for improving the District property known as the Career Enrichment Park (CEP), and thereby has agreed to contribute \$14,000 towards consulting services; and,

WHEREAS, the Council deems it in the City's interest to assist the Westminster Economic Development Authority (WEDA) in facilitating a settlement relative to the Westminster Plaza land acquisition and condemnation action; and,

WHEREAS, City Staff estimates the cost to provide consulting services relative to the Westminster Plaza Settlement will not exceed \$15,000.00; and,

WHEREAS, the total expenditure required for these projects is \$29,000.00, for which no budget was provided for in 1998; and,

WHEREAS, the General Fund Contingency account for the 1998 budget year currently stands at \$1,142,675.00.

NOW THEREFORE, BE IT RESOLVED that the Westminster City Council hereby authorizes a General Fund Contingency Account transfer of \$29,000 to the Community Development-Administration Professional Services account budget to provide for the additional expense required for the consulting services.

Passed and adopted this 24th day of August, 1998

ATTEST:

Mayor

City Clerk

Date: August 24, 1998
Subject: Ice Centre Intergovernmental Agreement
Prepared by: Bill Walenczak, Director of Parks, Recreation and Libraries

Introduction

City Council action is requested to amend the Ice Centre Intergovernmental Agreement (IGA) with Hyland Hills Park and Recreation District to keep the existing Hyland Hills Ice Arena open through March 1999. (Please note: In this text, "Ice Arena" refers to the existing ice arena at 4201 West 94th Avenue, and "Ice Centre" refers to the new ice rink under construction at the Promenade.)

Summary

City Staff has reviewed the attached letter from Greg Mastriona, Executive Director of Hyland Hills Park and Recreation District, and recommends amending the IGA to accommodate the District's request. Staff has sought legal opinions from both Dee Wisor and Tom Peltz, the City's bond attorneys, and were told that this action would not violate any of the conditions of the Ice Centre certificates of participation (COPs).

City Council reviewed this request in a Staff Report dated August 12, and consented to have the item placed on a regular City Council agenda.

Staff Recommendation

Authorize the City Manager to amend Section 10.3 of the Ice Centre Intergovernmental Agreement to allow the existing Hyland Hills Ice Arena to remain open through March 1999, to serve demand for programs and ice time beyond that available from the Ice Centre.

Background Information

The Ice Centre at the Promenade is currently under construction and is due to open in phases beginning in mid-September. Bob Bebbler, Ice Arena Manager for Hyland Hills Park and Recreation District, has commitments for ice rentals for the new three-sheet Ice Centre.

However, due to an extreme shortage of prime-time ice hours (weekday evenings 5:00-11:00 P.M. and weekends) in the Denver metro area, prime ice time at the new Ice Centre has been completely booked for all three rinks. Hyland Hills staff has identified an opportunity to bring in additional ice skating revenues by keeping the existing Ice Arena open through the 98-99 skating season. They estimate that a net profit of approximately \$90,000 can be realized simply by keeping the existing Ice Arena open. All revenues would be deposited into the Ice Centre enterprise fund and net revenues would be evenly split between the District and the City.

Section 10.3 of the existing Ice Centre IGA reads, "Upon occupancy of the (new) ice arena, the Hyland Hills enterprise shall cause to be transferred to the (new) ice arena all existing Hyland Hills ice arena programs and contracts and the existing arena shall not provide any further ice related activities."

Respectfully submitted,

William M. Christopher, City Manager

Attachment

Date: August 24, 1998
Subject: Councillor's Bill No. re Farmers' High Line Canal Water Purchase
Prepared By: Dan Strietelmeier, Senior Water Resources Engineer

Introduction

City Council action is requested to adopt the attached Councillor's Bill which authorizes the City Manager to enter into an installment purchase agreement for the purchase of certain Farmers' High Line Canal and Reservoir Company (FHL) water stock.

Summary

City Staff has been in negotiation on an installment purchase agreement for the purchase of 1.0 share of FHL water stock from Abner Guthrie.

The terms of the negotiated agreement are as follows:

Westminster shall pay to the seller One Hundred and Thirty Thousand Dollars (\$130,000.00) for the 1.0 share of FHL stock. Westminster shall pay Thirty Thousand Dollars (\$30,000) at the closing. The remainder of the purchase price shall be paid in annual principal plus 5.0% tax free interest payments over a period of three years beginning December 1, 1999.

By making payments over time, the City is able to acquire the 1.0 FHL share at the closing while limiting the initial capital expenditure.

The 1.0 FHL share represents approximately 16 acre feet of firm yield water supply, which equates to 30 service commitments.

Staff Recommendation

Pass Councillor's Bill No. on first reading authorizing the City Manager to enter into an installment purchase agreement for the purchase of one share of Farmers' High Line Canal and Reservoir Company stock and fund the water purchase from the Utility Fund Capital Improvement account.

Background

The City is actively pursuing the purchase of shares in Clear Creek ditch companies. FHL shares represent the highest firm yield per share of the ditch companies in which the City owns shares. The price per share is representative of the present market based on previous transactions. The City normally acquires shares through a cash deal, however this particular seller was only interested in an installment purchase with tax free interest.

This purchase will expand the City's raw water resources as additional water is needed to meet the City's build-out demand under the Growth Management Plan.

The attached ordinance provides the following: (1) authorizes and directs the City Manager to enter into and execute installment contracts, liens and security agreements, promissory notes, and other documents relating to water purchases

and (2) authorizes these contracts, agreements, and notes on behalf of the City of Westminster.

Alternatives

The alternatives include continuing negotiations by offering a lower price or a one-time cash deal. These alternatives would likely result in the City losing the share to another buyer.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. ____

SERIES OF 1998

INTRODUCED BY COUNCILLOR

A BILL

FOR AN ORDINANCE AUTHORIZING THE AGREEMENT AND RELATED DOCUMENTS FOR THE INSTALLMENT PURCHASE OF WATER RIGHTS REPRESENTED BY SHARES OF STOCK IN THE FARMERS' HIGH LINE CANAL AND RESERVOIR COMPANY

WHEREAS, the City of Westminster passed and adopted Resolution No. 19, Series of 1977, whereby the City Manager of Westminster was authorized to consummate water purchases or leases without specific Council authorization prior to such purchases, and

WHEREAS, the City Manager has tentatively negotiated a purchase of water rights diverted from Clear Creek under the decree of the Farmers' High Line Canal and Reservoir Company, and

WHEREAS, such negotiations provide for payment pursuant to an installment purchase agreement with a promissory note, and

WHEREAS, such an installment purchase agreement is authorized by Chapter XI of the Charter of the City of Westminster, and

WHEREAS, the City Manager has reported on the details of this agreement to the City Council and the City Council acknowledges the importance of this agreement to the Westminster water utility system, and

WHEREAS, the City Council finds that the public interest will be best served by this agreement, and

WHEREAS, the City Council finds that this agreement is for the acquisition of water to benefit the water supply of the City of Westminster.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council hereby authorizes the City to purchase 1.0 shares of stock in the Farmers' High Line Canal and Reservoir Company from Abner Guthrie. The City Council authorizes and directs the City Manager to enter into an installment contract for the purchase by Westminster from Abner Guthrie of water rights represented by 1.0 share of stock in the Farmers' High Line Canal and Reservoir Company and to execute the necessary contracts, promissory notes, and other documents related to said purchase on the terms and interest rate as designated in said agreements and documents, not to exceed, however, a price of \$130,000 per share and five percent interest.

Section 2. If any part or parts of this ordinance are for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of constitutionality of the remaining portions of this ordinance. This ordinance shall be effective in ten (10) days following its enactment.

Section 3. This ordinance shall take affect upon its passage after second reading.

Section 4. 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 24th day of August, 1998.

PASSED AND ADOPTED ON SECOND READING this 31st day of August, 1998.

ATTEST:

Mayor

City Clerk

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. ____

SERIES OF 1998

INTRODUCED BY COUNCILLOR

A BILL

FOR AN ORDINANCE AUTHORIZING THE AGREEMENT AND RELATED DOCUMENTS FOR THE INSTALLMENT PURCHASE OF WATER RIGHTS REPRESENTED BY SHARES OF STOCK IN THE FARMERS' HIGH LINE CANAL AND RESERVOIR COMPANY

WHEREAS, the City of Westminster passed and adopted Resolution No. 19, Series of 1977, whereby the City Manager of Westminster was authorized to consummate water purchases or leases without specific Council authorization prior to such purchases, and

WHEREAS, the City Manager has tentatively negotiated a purchase of water rights diverted from Clear Creek under the decree of the Farmers' High Line Canal and Reservoir Company, and

WHEREAS, such negotiations provide for payment pursuant to an installment purchase agreement with a promissory note, and

WHEREAS, such an installment purchase agreement is authorized by Chapter XI of the Charter of the City of Westminster, and

WHEREAS, the City Manager has reported on the details of this agreement to the City Council and the City Council acknowledges the importance of this agreement to the Westminster water utility system, and

WHEREAS, the City Council finds that the public interest will be best served by this agreement, and

WHEREAS, the City Council finds that this agreement is for the acquisition of water to benefit the water supply of the City of Westminster.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council hereby authorizes the City to purchase 1.0 shares of stock in the Farmers' High Line Canal and Reservoir Company from Abner Guthrie. The City Council authorizes and directs the City Manager to enter into an installment contract for the purchase by Westminster from Abner Guthrie of water rights represented by 1.0 share of stock in the Farmers' High Line Canal and Reservoir Company and to execute the necessary contracts, promissory notes, and other documents related to said purchase on the terms and interest rate as designated in said agreements and documents, not to exceed, however, a price of \$130,000 per share and five percent interest.

Section 2. If any part or parts of this ordinance are for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of constitutionality of the remaining portions of this ordinance. This ordinance shall be effective in ten (10) days following its enactment.

Section 3. This ordinance shall take affect upon its passage after first reading.

Section 4. The title and purpose of this ordinance shall be published prior to its consideration on first reading. The full text of this ordinance shall be published within ten (10) days after its enactment after first reading.

INTRODUCED, PASSED, ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this _____ day of _____, 1998.

PASSED, ENACTED ON SECOND READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this _____ day of _____, 1998.

Mayor

ATTEST:

City Clerk

Date: August 24, 1998
Subject: Resolution No. re Jefferson County "Save Open Space"
Prepared by: Bill Walenczak, Director of Parks, Recreation and Libraries

Introduction

City Council action is requested to adopt the attached resolution to show the City of Westminster's support for the "Save Open Space" (SOS) initiative that will be presented to Jefferson County voters in the November election.

Summary

On July 6, representatives from the Jefferson County SOS group presented this very important open space bond proposal to the Westminster City Council. The resolution to be voted on in November will allow Jefferson County the authority to issue revenue bonds to purchase key open space and park sites throughout the County so that preservation of these lands can be secured for present and future generations.

The County's share of the existing open space sales tax will be used to finance the bonds. The City's attributable share will not be reduced as a result of this action. It is estimated that the bonds (approximately \$160 million) will save County taxpayers \$51 million over 25 years by allowing the Jefferson County Open Space Department to buy land at today's prices and to take advantage of low interest rates.

The City of Westminster has submitted a list of recommended acquisitions to the SOS Committee that would benefit the City. The list totals approximately \$15 million and includes some major park and open space acquisitions. City Council has reviewed this list and concurs with Staff's recommendation to submit it to the SOS group. For purposes of confidentiality, the individual properties will not be listed in this report.

The attached resolution will show the City of Westminster's support for the SOS initiative.

Alternatives

- > City Council could elect not to approve the attached resolution.
- > City Council could elect to modify the attached resolution.

Staff Recommendation

Adopt Resolution No. which supports the Jefferson County "Save Open Space" bond resolution scheduled for the November 1998 ballot.

Background Information

In 1972, the voters of Jefferson County approved a 1/2 cent sales tax dedicated to preserving parks and open space. Since then, the program has participated in acquiring over 33,000 acres of open space and parkland throughout the County.

The City of Westminster has benefitted from this program by acquiring several parcels throughout the Jefferson County portion of the City. Some of these key acquisitions include land at Standley Lake, City Park, Big Dry Creek Open Space, Walnut Creek Open Space, and numerous parks and open space sites.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Resolution

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1998

JEFFERSON COUNTY "SAVE OPEN SPACE" RESOLUTION

WHEREAS, a group of residents of Jefferson County has formed a group called "Save Open Space" (SOS), and;

WHEREAS, the SOS group has petitioned the Jefferson County Commissioners to place a ballot issue before the citizens of Jefferson County, and;

WHEREAS, the SOS ballot proposal, if passed, would allow Jefferson County Open Space to issue bonds for the acquisition of key open space and park sites throughout Jefferson County, and;

WHEREAS, the SOS proposal would not affect the City of Westminster's attributable share of Jefferson County open space funds, and;

WHEREAS, the City of Westminster has submitted a list of recommended acquisitions to add land to its park and open space system, and;

WHEREAS, the City does not have the funds to make these acquisitions in the immediate future, and;

WHEREAS, the County would fund the entire cost of these acquisitions with no matching funds required by the City;

WHEREAS, the City requests that the County fund the entire cost of these acquisitions with no matching funds required by the City or reserve approximately \$16 million in bond funds for these acquisitions;

NOW, THEREFORE, be it resolved by the City Council of the City of Westminster, Colorado, that the City Council supports the SOS proposal being proposed by the voters of Jefferson County for the November 1998 ballot, providing there would not be a required match of City funds for any of the acquisitions made for the City of Westminster.

Passed and adopted this 24th day of August, 1998

ATTEST:

Mayor

City Clerk

Date: August 24, 1998
Subject: Councillor's Bill No. re City Election Ballot Issues
Prepared by: Bill Christopher, City Manager

Introduction

City Council is requested to pass on first reading the attached ordinance to establish ballot language for the City's November, 1998 ballot propositions. These include three Charter amendments and the Admissions Tax modifications along with the potential "deBrucing" of public-private agreements that produce payments to the City.

Summary

City Council has reviewed and discussed potential items that could be placed on the November 3 general election ballot. After completing these discussions, Council directed Staff to prepare ballot language for formal action pertaining to the following propositions:

1. City Charter amendment to modify provisions pertaining to posting of emergency ordinances.
2. City Charter amendment which would provide part-time employees appeal rights to the Personnel Board.
3. City Charter amendment clarifying the City Manager's authority on administrative policies and certain personnel rules.
4. Modifications to the City's Admissions Tax which would increase the existing tax from 3% to 5%, expand the base on which the tax is imposed, and "deBruce" the subject revenue.

Also, City Council discussed the possibility of adding a Charter Amendment pertaining to term limitations as well as the possibility of "deBrucing" payments received by the City from public-private joint ventures. The latter two items are currently being surveyed by National Research Center with the results to be provided this Friday. Preliminary results indicate that the term limitation Charter Amendment warrants a thorough educational program before it would be appropriate to place this proposition before the electorate.

Staff Recommendation

Pass Councillor's Bill No. on first reading which sets forth certain ballot issues pursuant to Article X, Section 20 of the Colorado Constitution and certain ballot questions regarding proposed City Charter Amendments.

Background Information

City Council has utilized the practice of reviewing the City Charter for potential amendments annually in conjunction with either the City Election in the odd years, or the General Election in the even years. This practice has been in place for approximately 25 years and has served the City well in keeping the citizen approved 1958 City Charter current with changing State and Federal mandates, relevant court decisions, reflecting changing practices in the Westminster City Government, and for clarification purposes.

This year the City Manager solicited suggestions in March from Nate Eckloff with Hanifen, Imhoff, Inc., the City's financial advisor, Mooey Hammond, outside water counsel, Dee Wisor, outside bond counsel, John Stipech, Presiding Municipal Judge, the Westminster Election Commission, the Department Head Group, including the City Attorney's Office, and Michele Kelley, City Clerk.

Upon reviewing the submittals, the City Administration developed a recommended package of City Charter amendments which were presented to City Council at the June 10 Study Session. From these recommendations, City Council selected the following propositions to be placed on the ballot.

1. Section 8.3 Enactment, Amendment, Repeal and Effective Date of Ordinances - This section currently requires the City Clerk to post all Emergency Ordinances in three conspicuous places in addition to publication of the Ordinance in full. Staff believes this is an outdated provision, is unnecessary and does not serve a justified purpose. All City Council agenda items are now being converted to the City's World Wide Web site and can be called up via the Internet. This information is disseminated to many more people than by posting a copy of the Ordinance in three public places.

Under the current City Charter provisions, Emergency Ordinances are required to be published in full which is the same for all Ordinances that have two readings. The publication of all Ordinances is required within ten days of enactment. Currently, the City Clerk is posting any Emergency Ordinances at three public locations. In past years, Swim & Fitness Center and City Park Recreation Center had been used for said postings along with the Community Bulletin Board in the lobby of City Hall.

The suggested change to this section would require a single posting place of the emergency Ordinance. The recommended location would be the Community Bulletin Board in the lobby of City Hall.

2. Section 6.1 - Personnel Board - Under Subsection (j), part-time employees are precluded from filing an appeal to the Personnel Board as it relates to a suspension, demotion or termination. Given the increased reliance on part-time permanent employees, it is recommended that consideration be given to allowing classified, benefited, part-time employees to appeal disciplinary actions to the Personnel Board.

As Council heard at the Goal Setting Retreat earlier this year, work force and work environment trends point to the increased emphasis that organizations are needing to place on part-time employees. Given the tight labor market in the Denver Metropolitan area, it is important for the City of Westminster as an employer to be mindful of the benefits and status which part-time employees enjoy. By granting the right to appeal to the Personnel Board where disciplinary actions have taken place that come under the review of the Board, this would further strengthen the status and comfort of classified, benefited, part-time employees.

3. Section 4.8 City Manager: Functions and Duties - Subsection (k) currently states that the City Manager shall establish "subject to approval by the Council, appropriate personnel rules and regulations governing officers and employees of the City." It is recommended that this subsection be reworded to allow the City Manager to establish the appropriate personnel rules and regulations governing officers and employees of the City within the parameters set by the City Charter and appropriate City Ordinances adopted by City Council. Otherwise, the current language would suggest that all personnel rules and administrative policies are subject to approval by the City Council. Currently there is a whole set of administrative policies that have been established over the past 25 years by the seated City Manager which technically would require City Council approval according to the existing language in subsection (k).

4. Modify the City's Admissions Tax from 3% to 5%, expand the base on which the tax is imposed and "deBruce" this revenue source - Currently, the Admissions Tax generates approximately \$403,000 on an annual basis. With the possibility of an indoor entertainment center, the annual 3% Admissions Tax revenue is projected to total \$1,090,000 if the proposed entertainment center use is included. This would be an increase of approximately \$687,000 on an annual basis. If the tax rate is increased to 5%, the total tax revenue is estimated to be \$1,815,000 or \$725,000 above the total revenue generated from the 3% rate. This would be additional revenue that the City would have available for General Fund related expenditures such as additional police personnel, park maintenance, fire department personnel, street maintenance and the like. Also, this would be a step toward revenue diversification which places emphasis on taxing entertainment related activities which continues to grow at a significant rate in the Denver Metropolitan area.

It is important to note that a portion of this tax revenue would be generated by non-Westminster residents who would be visiting the Promenade as well as the indoor entertainment center.

In addition to the above listed ballot items, City Council had expressed interest in considering an additional Charter Amendment and an additional TABOR related "deBrucing" proposition. Both the term limitation Charter Amendment and the "deBrucing" item were given to the National Research Center to conduct a limited survey in order to obtain a "pulse" from potential Westminster voters. The final results of the survey work will be received on Friday of this week at which time Staff will fax the results to City Council. On a preliminary basis, Tom Miller has apprised City Staff on the term limitation proposition and indicates that the responses clearly warrant a full fledged informational/educational endeavor before placing this item on the ballot. Staff does not have preliminary results on the "deBrucing" item at this time. Staff has gone ahead and prepared suggested language on the "deBrucing" proposition should City Council decide to move forward with this particular item. If City Council wishes to move forward with the term limitation Charter Amendment after you have the benefit of the survey results, the City Attorney and City Staff can quickly develop suggested ballot language.

The "deBrucing" proposition would address payments received by the City from public-private agreements. In particular, this category of revenue would include such revenue sources as lease payments and payments for land sold by the City to private development. Currently, the City is finalizing the agreements with Inland Pacific of Colorado and Westin Hotel regarding the hotel and conference center. Under these agreements, the City will receive annual lease payments which in turn will be used for City debt service payments on the conference center. A second example is the potential land sale involving the City owned Northwest Business Park whereby the City would derive either a lump sum payment of a multi-million dollar amount or receive periodic payments which would include profit sharing with the development company. In both cases, these revenues would fall under the TABOR formula and could possibly result in triggering the annual requirement to go to the voters regarding any excess revenue over the TABOR formula unless the subject revenues are "deBruced".

Intergovernmental agreements are being finalized with the two respective County Clerks to administer the ballot propositions for the City of Westminster in conjunction with the November 3 general election. Also, a TABOR notice will be required on the Admissions Tax ballot item along with the "deBrucing" proposition (if Council decides to include it on the ballot).

Staff recommends placing the three City Charter Amendments and the Admissions Tax item on this year's ballot. Staff supports the "deBrucing" of the public-private agreement payments if the survey indicates support for it.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1998

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF WESTMINSTER AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 1998, CERTAIN ISSUES PURSUANT TO ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION AND CERTAIN BALLOT QUESTIONS REGARDING PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF WESTMINSTER.

THE CITY OF WESTMINSTER ORDAINS:

WHEREAS, it is necessary and appropriate that the City Council review the City's Home Rule Charter from time to time to assure that its provisions are consistent with the contemporary needs of the City and current legal requirements;

WHEREAS, pursuant to the terms of the Constitution of the State of Colorado, the Charter and ordinances of the City, and Part 2 of Article 2 of Title 31 of the Colorado Revised Statutes, the City Council has identified and determined that the proposed amendments to the home-rule Charter of the City of Westminster as set forth hereinbelow shall be submitted to a vote of the City's registered electors at the general election to be held on November 3, 1998; and

WHEREAS, Article X, Section 20, of the Colorado Constitution requires voter approval prior to any new tax or tax policy change; and

WHEREAS, City Council has determined that an increase in and an expansion of the City's admissions tax is warranted and justified and in the best interest of the citizens of Westminster; and

WHEREAS, a general City election will be held on November 3, 1998.

Section 1. At the general election to be held on November 3, 1998, there shall be submitted to the registered electors of the City the following questions pursuant to Article X, Section 20 of the Colorado Constitution:

QUESTION A:

SHALL CITY OF WESTMINSTER TAXES BE INCREASED \$1,600,000 (ONE MILLION SIX HUNDRED THOUSAND DOLLARS) ANNUALLY by increasing the City's 3.0 percent admissions tax to 5.0 percent and extending the tax to charges made for admission to entertainment, sports, music, theatre, trade shows and other events produced for commercial exhibition, but excluding events sponsored and organized by not-for-profit schools, charitable organizations, government entities, and other exempt organizations, and shall a revenue change be approved to allow the City to collect, retain, and expend the full amount of current and future revenues derived from the City's admissions tax, notwithstanding any state revenue or expenditure limitation?

_____ FOR

_____ AGAINST

QUESTION B:

Shall the City of Westminster be authorized to collect, retain, and expend the full amount of revenues received by the City in the form of rent, profit-sharing, and other forms of payment received by the City as part of the City's participation in a joint or cooperative development project, notwithstanding any state spending or revenue limitation, and to use such revenues to fund the cost of providing municipal services such as police protection, fire and emergency medical services, street construction and maintenance, parks and recreation, capital improvements, and debt service payments?

_____ FOR

_____ AGAINST

Section 2. At the general election to be held on November 3, 1998, there shall be submitted to the registered electors of the City the following question:

QUESTION 1 -

Shall Section 8.3 of the Westminster City Charter be amended to authorize emergency ordinances to be posted at a single location, in addition to publication of the ordinance in full in the official City newspaper?

_____ FOR

_____ AGAINST

ACTUAL LANGUAGE FOR PROPOSED AMENDMENT:

Section 8.3. Enactment, Amendment, Repeal and Effective Date of Ordinances.

Subject to the statutes and to the exceptions which follow hereafter:

- (a) Ordinances may be enacted by the affirmative vote of not less than a majority of the members elect of the Council;
- (b) No ordinance shall be amended or repealed except by an ordinance adopted as aforesaid;
- (c) No ordinance shall be enacted at the meeting at which it is introduced nor until after publication of the proceedings or summary thereof of such meeting (which proceedings or summary shall include a statement of its title and purpose;) and
- (d) The effective date of all ordinances shall be the date of enactment after passage on second reading or as prescribed therein.

It is provided, however, that an ordinance which is declared therein to be an emergency ordinance which is immediately necessary for the preservation of the public peace, health or safety may be enacted at the meeting at which it is introduced or before publication of the proceedings of the meeting at which it is introduced, by six (6) affirmative votes if six (6) or seven (7) members of the Council are present at the meeting at which it is enacted or by four (4) affirmative votes if four (4) or five (5) members of the Council are present at the meeting at which it is enacted.

In case an ordinance is given effect earlier than its enactment after passage on second reading, the requirements for publication may be met by posting copies thereof in A conspicuous locations ~~in three (3) public places~~ IN A PUBLIC PLACE in the City, other provisions of this Charter notwithstanding; and the Clerk shall, within three (3) days after such posting, enter in the Ordinance Book under the record of the ordinance a certificate under his OR HER hand stating the time and place of such publication by posting of the ordinance; but the failure to so record and authenticate such ordinance shall not invalidate it or suspend its operation. Such ordinance shall also be published in accordance with section 8.4 but not as a requirement for the effectiveness thereof.

No ordinance granting any public utility franchise shall be enacted except in accordance with the provisions of Section 15.2.

No ordinance shall be amended ~~be~~ BY reference to its title only, but the revised sections of the ordinance, as amended, shall be reenacted and published in full. However, an ordinance or section thereof may be repealed by reference to its title and ordinance or code number only.

Section 3. At the general election to be held on November 3, 1998, there shall be submitted to the registered electors of the City the following question:

QUESTION 2 -

Shall Section 6.1(j) of the Westminster City Charter be amended to extend to classified, benefited, part-time employees the privilege of filing a grievance to the Personnel Board as it relates to a suspension, demotion or termination?

_____ FOR _____ AGAINST

ACTUAL LANGUAGE FOR PROPOSED AMENDMENT:

Section 6.1. Personnel Board.

- (j) The right to appeal to the personnel board as set forth in the provisions of this Charter, the civil service system ordinance and the personnel rules and regulations shall apply to all general, full-time employees AND ALL CLASSIFIED, BENEFITED PART-TIME EMPLOYEES of the City and not to officials holding elective offices, the administrative officers, technical consultants employed under contract by the City, AND members of boards and commissions of the City, ~~and part-time officers and employees.~~

Section 4. At the general election to be held on November 3, 1998, there shall be submitted to the registered electors of the City the following question:

QUESTION 3 -

Shall Section 4.8(k) of the Westminster City Charter be amended to allow the City Manager to establish administrative policies and appropriate personnel rules and regulations governing officers and employees of the City within the parameters set by the City Charter and appropriate City ordinances adopted by City Council?

_____ FOR _____ AGAINST

ACTUAL LANGUAGE FOR PROPOSED AMENDMENT:

Section 4.8. City Manager: Functions and Duties.

The City Manager shall be the chief administrative officer of the city government. His functions and duties shall be:

- (k) To establish, ~~subject to approval by the Council,~~ ADMINISTRATIVE POLICIES AND appropriate personnel rules and regulations governing officers and employees of the City WITHIN THE PARAMETERS SET BY THE CITY CHARTER AND APPROPRIATE CITY ORDINANCES ADOPTED BY CITY COUNCIL;

Section 5. The City Clerk is hereby directed to take such actions as may be required or permitted by law in connection with the election.

Section 6. Pursuant to City Charter section 3.16 and section 31-10-501, C.R.S., not less than ten (10) days prior to the election, the City Clerk is hereby instructed to give notice of the election, by causing a printed notice of the election to be published at least one time in the Westminster Window, a legal newspaper of general circulation in the City. Such notice shall also be posted at least ten (10) days prior to the election in a conspicuous place in the office of the City Clerk.

Section 7. The City Clerk is further directed to make such further modifications to the above notice as may be necessary to comply with federal law requirements concerning the availability of TDD machines, accessibility of polling places for handicapped and similar federal requirements.

Section 8. The City Clerk is further directed to cause the notice required by Section 20(3)(b) of Article X of the Colorado Constitution to be prepared and transmitted to the County Clerk of each of Adams County and Jefferson County, respectively. Such notice shall be in substantially the following form:

(Form of Election Notice)

TO: ALL REGISTERED VOTERS

NOTICE OF ELECTION ON REFERRED MEASURES

Election Date: Tuesday, November 3, 1998

Election Hours: 7:00 a.m. to 7:00 p.m.

Ballot Title and Text:

QUESTION A:

SHALL CITY OF WESTMINSTER TAXES BE INCREASED \$1,600,000 (ONE MILLION SIX HUNDRED THOUSAND DOLLARS) ANNUALLY by increasing the City's 3.0 percent admissions tax to 5.0 percent and extending the tax to charges made for admission to entertainment, sports, music, theatre, trade shows and other events produced for commercial exhibition, but excluding events sponsored and organized by not-for-profit schools, charitable organizations, government entities, and other exempt organizations, and shall a revenue change be approved to allow the City to collect, retain, and expend the full amount of current and future revenues derived from the City's admissions tax, notwithstanding any state revenue or expenditure limitation?

___ **FOR** ___ **AGAINST**

QUESTION B:

Shall the City of Westminster be authorized to collect, retain, and expend the full amount of revenues received by the City in the form of rent, profit-sharing, and other forms of payment received by the City as part of the City's participation in a joint or cooperative development project, notwithstanding any state spending or revenue limitation, and to use such revenues to fund the cost of providing municipal services such as police protection, fire and emergency medical services, street construction and maintenance, parks and recreation, capital improvements, and debt service payments?

___ **FOR** ___ **AGAINST**

Local Election Office Address and Telephone Number:

Office of the City Clerk
4800 West 92nd Avenue
Westminster, Colorado 80030
(303) 430-2400

City's Fiscal Year Spending:

1998 (estimated)	\$76,256,821	
1997 (actual)		\$68,086,447
1996 (actual)		\$63,307,341
1995 (actual)		\$56,255,450
1994 (actual)		\$55,486,605

Overall percentage change 37%
Overall dollar change \$20,770,216

Estimate of Maximum Dollar Amount of Admissions Tax Increase:

\$1,600,000

Estimate of City Spending without the Increase:

\$85,407,639

Summary of written comments for Issue A:

[insert summary, up to 500 words, of written comments, if any, filed with the designated election official by 42 days before election]

Summary of written comments against Issue A:

[insert summary, up to 500 words, of written comments, if any, filed with the designated election official by 42 days before election]

Summary of written comments for Issue B:

[insert summary, up to 500 words, of written comments, if any, filed with the designated election official by 42 days before election]

Summary of written comments against Issue B:

[insert summary, up to 500 words, of written comments, if any, filed with the designated election official by 42 days before election]

(End of Form of Notice of Election)

Section 9. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 10. If any section, paragraph, clause or provision of this ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 11. All acts, orders and resolutions, and parts thereof, inconsistent with this ordinance be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 12. This ordinance shall take effect upon its passage after second reading.

Section 13. 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 24th day of August, 1998.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 31st day of August, 1998.

ATTEST:

Mayor

City Clerk

Date: August 24, 1998
Subject: Change Date for First Council Meeting in September
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to change the date of the first City Council meeting in September at this time.

Summary

The first City Council meeting for the month of September would normally be held on Monday, September 14th. However, several of the City Council members will be out of town at that time.

Council is requested to formally change the date of the first Council meeting in September to Tuesday, September 8th which is the day after Labor Day.

Staff Recommendation

Change the date of the first City Council meeting in September from September 14th to September 8th.

Respectfully submitted,

William M. Christopher
City Manager

Date: August 24, 1998

Subject: Councillor's Water and Wastewater Enterprise Fund Bill No. 6E re Enterprise Guaranty of Business Assistance Package with Inland Pacific Colorado, LLC

Prepared by: Mary Ann Parrot, Finance Director

Introduction

City Council, acting as the Board of Directors of the Water and Wastewater Enterprise is requested to adopt the Councillor's Water and Wastewater Enterprise Bill No. 6E as an emergency ordinance approving the Water and Wastewater Enterprise Guaranty of the Business Assistance Package with Inland Pacific Colorado, LLC. The approval is required by Banc One, as a pre-requisite to their closing on the construction financing with Inland Pacific for the Westin Hotel, scheduled for Thursday, August 27 and was contemplated as part of the financing arrangements for this project.

Summary

The Agreement between the City of Westminster and Inland Pacific Colorado, LLC, approved by City Council on April 28, 1997, included a provision for the City to obtain a "...guarantee acceptable to Inland Pacific..." for the Business Assistance Package. It is IPC's intent to use the guaranty to collateralize, or secure, their construction financing.

Because the Business Assistance Package is subject to annual appropriation, it is necessary and legal to have the Utility Fund guarantee the City's payment of the sales tax rebate described in the Business Assistance Package.

This approval requirement was previously anticipated to be approved at a later date, but it was concluded that it was necessary for closing, therefore Staff is requesting that City Council act on this on Monday night as an emergency ordinance. The Guaranty is attached, for Council's review; it is in substantially the same form as the final version.

Staff Recommendation

Adopt Councillor's Water and Wastewater Enterprise Bill No. 6E as an emergency ordinance approving the Water and Wastewater Enterprise Guaranty of the Joint Development Agreement between the City and Inland Pacific Colorado, and authorize the City Manager to sign the Guarantee on behalf of the City in substantially the same form as attached.

Background Information

The construction financing for the Westin Hotel is currently scheduled for closing between Banc One (Denver) and Inland Pacific Colorado on Thursday, August 27, 1998. As part of the financing, the bank requires the closing documents to include the Guaranty, as approved by City Council. Although the Guaranty has been drafted for over a year, it was not determined until Thursday, August 20, that the executed Guaranty was a pre-requisite for the closing of the construction financing. This is the reason Staff was unable to have the exact ordinance wording prepared by Dee Wisor, the City's legal advisor on this matter. The ordinance will be prepared by Monday evening.

Nevertheless, Staff had reviewed the document with Sherman and Howard, Bond Counsel, and with the bank's attorneys several weeks ago, and is comfortable the document represents the City's best interests.

The Business Assistance Package calls for a dollar-for-dollar rebate of sales taxes derived from the Hotel and Conference Center, according to certain formula. In no case does the rebate exceed the taxes actually collected.

The guaranty states that, in the event the City fails to pay the sales tax rebate described in the Business Assistance Package (Agreement) with Inland Pacific, the Utility Fund would make the rebate payment. Sherman and Howard, the City's Bond Counsel, drafted the agreement, and has opined that the Water and Wastewater Enterprise has the legal ability to provide the Guaranty. The opinions of Counsel will be delivered at the time of closing, and will be retained on file by Staff.

Staff will provide Council with the requisite ordinance on Monday, August 24, for Council's consideration.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: August 24, 1998
Subject: Financial Report for July 1998
Prepared by: Mary Ann Parrot, Finance Director

Introduction

City Council is requested to review the attached financial statements which reflect 1998 transactions through July, 1998.

Summary

There are three sections to the attached report:

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

General Fund revenues represent 62% of the total budget estimate while General Fund expenditures and encumbrances represent 58% of the 1998 appropriation. The total budget decreased \$85,391 due to the unappropriation of Companion Facility revenues and expenses. There is a corresponding increase in the sales tax fund.

Utility Fund revenues represent 68% of the total budget estimate. Utility Fund expenditures and encumbrances represent 58% of the 1998 appropriation.

The Sales and Use Tax Fund revenues represent 63% of the total budget estimate, while expenditures and encumbrances in that fund represent 60% of the 1998 appropriation. Total Sales and Use Tax revenues for the 25 shopping centers reported an increase of 16% from the same period last year and increased 15% year-to-date.

The Open Space Fund revenues represent 72% of the total budget estimate while expenditures and encumbrances in that fund represent 56% of the 1998 appropriation.

The Golf Course Fund operating revenues represent 19% of the total budget estimate while operating expenditures represent 42% and encumbrances represent 7% of the 1998 appropriation. This year's budget increased \$3.7 million due to borrowing POST bond proceeds while financing is being arranged. Last year's figures reflect the issuance of the \$4.8M refunding bonds.

Theoretically, 58% of revenues and expenditures should be realized after seven months in the budget year. However, it is recognized that both revenues and expenditures do not occur on an even 1/12 flow each month of the year.

Staff Recommendation

Accept the report as presented.

Background Information

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

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: August 24, 1998

Subject: Mid-Year Activity Report

Prepared by: Each Department and Barbara Gadecki, Assistant to the City Manager

Introduction

Attached for City Council's review is the 1998 Mid-Year Activity Report which covers Departmental activities ending June 30, 1998.

Summary

As apparent with the information which follows, the City continues to experience a heavy level of activity. The activities include achieving stated objectives as well as acting upon un-anticipated "opportunities."

Respectfully submitted,

William M. Christopher
City Manager

MID-YEAR ACTIVITY REPORT
January 1, 1998 through June 30, 1998

COMMUNITY DEVELOPMENT DEPARTMENT

Building Division

Projects completed during the first half of 1998:

- AMC Promenade Theatres
- Hampton Inn Hotel
- Alfalfa's Market
- Security Storage
- Villa Maria
- Covenant Village skilled nursing/assisted living
- Omni Electric office building
- W.M. Brown office building
- Northpark Plaza Tenant Finishes:
 - Northpark Plaza Liquor Store
 - Eclipse Hair Salon
- Westminster Mall Tenant Finishes:
 - Vitamin Logic
 - Northern Reflections
- Office Max Center:
 - Casual Male Big and Tall
 - Wells Music Store
- Sheridan Green Commercial Tenant Finishes:
 - Happy Dragon Restaurant
 - Comfort Dental
- Rainbow Shoppes Tenant Finishes:
 - World Ports Travel
 - Commercial Credit Corporation

Summary of 1st Half statistics:

	<u>1997</u>	<u>1998</u>	<u>% Change</u>
Construction valuation	\$86.6M	\$98.3M	+14%
Single family starts	435	346	-20%
Tenant finishes	55	57	+4%
Commercial plans	67	40	-40%
Residential plans	216	272	+26%
Inspections	18,978	17,598	-7%

Engineering Division

Ongoing functions of the Engineering Division include:

1. the design, right-of-way acquisition and construction of major roadway, bridge and drainage Capital Improvement Projects;
2. the review of engineering plans and reports and the inspection of public improvements associated with private development;
3. the management of the City's traffic network including traffic signals, signs and neighborhood traffic mitigation devices;
4. the development of a Geographic Information System (GIS); and
5. the management of floodplains within the City.

Significant activity occurred during the past reporting period in the following areas:

- Regional Transportation Studies - Division Staff continued to represent the City on task forces involved in the preparation of the US 36 Major Investment Study (MIS), the North Metro MIS, the I-25 Interchange Study, the

Northwest Parkway Feasibility Study, DRCOG's Transportation Improvement Plan and the Jefferson County Transportation Plan.

- 92nd Avenue (Marshall-Yates) - Plans have been forwarded to CDOT for approval in anticipation of a November 1998 start of construction date for the widening of the 92nd Avenue bridge over US 36. The roadway widening will not commence until January 1999 in order to avoid holiday traffic.
- Westminster Promenade - The construction of the Plaza and Westminster Boulevard were completed during the first half of 1998. Site work in the vicinity of the ice arena commenced and should be finished by September.
- Westmoor Business Park - Improvements to 108th Avenue and the construction of Westmoor Drive continued through the first half of the year and are anticipated to be completed by the end of the summer. The golf course construction is well underway.
- Traffic Signals/Neighborhood Traffic Mitigation - The traffic signal at the 112th Avenue entrance to the College Hill Library was installed during the first half of 1998. Data collection was completed at approximately 150 locations throughout the City where traffic mitigation has been requested by residents. The prioritization of mitigation projects will be accomplished during the second half of the year.

Planning Division

Twenty-four major projects were approved through the planning process during the first half of 1998:

- Bull Canal Annexation, Preliminary and Official Development Plans
- 2nd Amended Westbrook Preliminary Development Plan
- 2nd Amended Greenlawn Preliminary Development Plan
- Comprehensive Land Use Plan Amendment to clarify allowable residential densities
- Legacy Ridge filings 9 & 10 Official Development Plans
- College Hills filing Amended Preliminary and Official Development Plan
- The Ranch Office Project Official Development Plan
- Hyland Greens 6th Amended Preliminary and Official Development Plans (Vista Ridge)
- Egging property annexation and Preliminary and Official Development Plans
- Church Ranch Infill annexation, zoning and Preliminary Development Plan
- Park Centre - Kinkos/Starbucks Official Development Plan
- Mega Bank Official Development Plan
- Rite Aid Official Development Plan
- Westmoor buildings 1 & 2 Official Development Plan
- Westmoor buildings 3 & 4 Official Development Plan
- Westminster Plaza Official Development Amendment
- Omni Electric - Administrative Amendment
- Torrey Peaks Official Development Plan
- Ice Arena Design
- Apple Valley North Official Development Plan Amendment
- City Pump Station
- City Reclaimed Water Facility
- Confertech Parking Lot Official Development Plan Amendment
- Genesee/Wester Key Products Official Development Plan Amendment

Forty-Eight (48) projects are currently in the Development Review Process:

- Costco Official Development Plan Amendment (Lake Arbor)
- New Westminster Post Office Official Development Plan
- Restaurant Park Official Development Plan
- Melody Homes Office Official Development Plan Amendment
- Promenade East (Westin) Official Development Amendment
- Legacy Ridge Filing 11
- Heritage Golf Course Clubhouse
- Westmoor filings 2 and 3 Official Development Plan

- Amoco (92nd & Lowell) Preliminary Development Plan and Comprehensive Land Use Plan Amendment
- Fire Station 92nd & Lowell Official Development Plan
- Promenade East Office Official Development Plan
- Heritage Golf Course
- Ryan Property annexation and zoning
- Stewart annexation and zoning
- DePalma annexation and zoning
- Standley Lake annexation
- Olsen Tech Park Official Development Plan
- Meadow Pointe (2nd Amended) Official Development Plan
- Maple Place Official Development Plan
- Turnpike 112 Preliminary Development Plan Amendment
- Federal Square Preliminary Development Plan Amendment
- Savory Farm Official Development Plan
- Seventy-Second Associates Official Development Plan Amendment
- Cleo Wallace Official Development Plan Amendment
- Park Centre Preliminary Plan Development Amendment and Official Development Plan
- North Metro Community Center
- Paragon Official Development Plan
- Church Ranch Business Park Official Development Plan
- Church Ranch Office Park Official Development Plan
- Match Logic Official Development Plan Amendment
- Colonnade at Standley Lake Official Development Plan
- Sheridan Crossing Filing 2 Official Development Plan
- Wood Creek Official Development Plan
- Wallace Village Official Development Plan
- Nextstage Official Development Plan
- Frontier Development Townhomes combined Preliminary Development Plan and Official Development Plan
- Presbyterian Church Official Development Plan
- Panorama Point (Cottages) amended Preliminary Development Plan and Official Development Plan
- Panorama Point Senior Center Official Development Plan
- Sheridan Office Park Official Development Plan
- 81st & Sheridan (Mini-Storage, Sonic, and Video Store) Official Development Plan
- Home Depot (Westlands Site) Official Development Plan, Preliminary Development Plan
- Tepper Property Official Development Plan
- Kohl's Department Store Official Development Plan
- Quail Crossing Official Development Plan
- Weatherstone (3M) Preliminary Development Plan
- Labells Official Development Plan Amendment
- San Marino Preliminary Development Plan/Official Development Plan Amendment

Summary of Other Review Activities for the first half of 1998:

- 25 Planning Commission/City Council Agenda Items
- 6 Transportation/Special Use & License Board Hearings
- 25 Administrative ODP Approvals/Waivers
- 15 Referrals by other agencies
- 1,500 Technical assistance inquiries from the general public
- 93 Sign permits approved
- 40 Building permits reviewed
- 131 Business Licenses reviewed
- 6 Board of Adjustment meetings
- 12 Private Improvement Agreements (negotiated \$3,480,000 in Surety)
- 180 ODP inspections

- 90 Zoning infraction inspections
-1999/2000 Budget Preparation

Major Planning Activities:

- Weekly Development Review Task Force Meetings
- Development Review Process revisions and guidebook
- Park Centre - Trail Planning Project
- Economic Development support activities
- Update of land use and demographic data base
- Growth Management Program Coordination - Category B Competition for 1998 reviewed
- 1997 Design Awards
- Comprehensive Plan - Implementation and Amendments
- Westminster Mall Enhancement Study - preliminary design concept
- Monitoring of the DRCOG Vision 2020 process
- Promenade West/AMC Construction monitoring - Promenade East/Master Planning/Design Studies
- Adams County IGA Regarding the Coordination of Adams County's Comprehensive Land Use Plan with the City of Westminster's
- Planner II Recruitment and Hiring
- Monthly Residential Development Staff Reports
- Senior Housing Design Guidelines
- Comprehensive Plan Lawsuits
- New Residential Competitions
- Growth Management Program Amendment
- Secretary Recruitment
- Environmental Effects Study
- Northwest Business Park Interviews

Open Space Division

- The Open Space Advisory Board (OSAB) and Staff met regularly to track progress toward priority Open Space acquisitions and to consider new citizen requests. Every request is given careful consideration by the Board and Staff.
- 40 acres of open space just southwest of 120th Avenue and Federal Boulevard were acquired early this year. This purchase preserves the panoramic view of the mountains from Federal Boulevard between 116th and 120th Avenues.
- 80 acres of open space just northwest of 100th Avenue and Alkire Street were purchased, in concert with the Conservation Fund. This adds a buffer to Standley Lake. Great Outdoors Colorado announced a \$375,000 matching grant toward this purchase - the largest grant in the metro area.
- Open space acres acquired to date total 1,528, or approximately 8.5% of the City's area (excluding Standley Lake).
- A 7 acre park expansion site was acquired from Adams County School District No. 12, adjacent to Windsor Park, just south of the Legacy Ridge Clubhouse.
- Negotiations are underway on many key properties identified by OSAB and City Council. Numerous additional closings will take place in 1998.
- Open Space fencing and new signs have been installed at key locations to identify new open space acquisitions.
- Design is complete for improvements to Little Dry Creek between approximately England Park and Lowell Boulevard. Bidding will take place this summer, with construction in the Fall. The City acquired the Fireplace Equipment Company property and buildings.

The buildings will be removed from the floodplain later this year.

Economic Development Division

- The Real Estate Data Base continues to be updated through regular contact with property owners and commercial real estate brokers. Staff also provides property updates to the Jefferson Economic Council and Adams County Economic Development on an on-going basis.
- Current data base listings include a total of 260 non-residential real estate listings which break down as follows:

- 93 office buildings
- 20 industrial buildings
- 47 retail spaces
- 87 land parcels
- 13 build-to-suit projects
- Vacancy rates for existing space as of June:
 - Office - 10.63%
 - Industrial/R&D - 2.34%
 - Retail - 7.19%
- An additional 300,000 s.f. of office space is under construction at Westmoor Technology Park, of which 100,000 s.f. has been leased.
- Coordinated the preparations and hosting of the annual Showcase Event which had 300 people attend. Westmoor Technology Park was showcased.
- Responded to 225 inquiries for information concerning property, buildings, demographics, and other data.
- Held the Business Advisory Group meetings in January, March, and May. Primary topic of discussion was the Westminster Chamber concerns.
- Processed and awarded 8 Small Business Scholarships.
- Staff arranged and co-hosted a bus tour for 25 retail/commercial brokers featuring retail opportunities in the north portion of the metro area, including Westminster, Broomfield, Federal Heights, and Northglenn.
- A request for proposal (RFP) was issued for the Northwest Business Park, located on the southeast corner of US 36 and 112th Avenue, north of the Promenade. Developers were requested to submit a planned corporate business park, focusing on Class A office space for the City's 80-acre parcel. City Staff has narrowed down the selection to two potential developers.

Business Announcements:

- Amrion, a nutraceutical and nutritional supplements company announced plans to construct 250,000 s.f. of corporate office and manufacturing space at 108th Avenue and US 36. Amrion plans to employ 500 people with an investment of \$10 million into the new facility.
- Match Logic, a provider of marketing and computer services to internet advertisers, announced the purchase of the Nakamura Tome building in Church Ranch Corporate Center. Match Logic will be remodeling the existing manufacturing space into high tech office space, providing over 200 primary jobs, with an investment of \$4.6 million into the new facility.
- Genesee Wester/Key Products, a manufacturer of metal forming products and designer and manufacturer of custom binders opened their new 60,000 s.f. facility in Park Centre in May. Genesee Wester/Key Products employs 65 people and has invested \$2.25 million into their new facility.
- Paragon Systems Group, a printing company specializing in election ballots and forms and numeric racing bibs, announced construction plans for a 28,000 s.f. office/showroom facility in Park Centre. Paragon will occupy 8,000 to 10,000 s.f., plans to lease the remaining 20,000 s.f., and will invest \$2 million into their new facility.
- Level 3 Communications, a telecommunications and service company, has leased over 125,000 s.f. of office/flex space in Church Ranch Business Center and Park Centre and is providing 350 primary jobs in Westminster.
- The Westin Hotel and Conference Center broke ground in May on the new 360 room, 50,000 s.f. conference center.

Summary statistics for Mid-Year 1998:

- Current active prospects	21
- Number of inquiries (demographics, sites, buildings, business assistance program, etc.)	225
- Small Business Scholarship Program:	
Approved applications	15
Funds provided	\$2,964

South Westminster Revitalization

- Westminster Plaza Development - Construction underway; scheduled for opening November 1998.
- Urban Renewal Plan Amendments - Staff continues to work on revisions to Urban Renewal Plan. Draft tentatively scheduled for fourth quarter 1998.
- 73rd/Lowell Redevelopment - Private developer is in the process of preparing feasibility study and securing financing. Concept plan has been prepared.
- Fireman's Park Office Development - Conceptual development plan prepared and submitted to Development Review Committee for consideration. Proposal being developed by staff for City Council consideration.

FINANCE DEPARTMENT

Summary of 1st and 2nd quarters, 1998 statistics compared to 1st and 2nd quarters, 1997:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Audit assessments issued	46	51	+11%
Audit & enforcement dollars collected YTD	\$358,055	\$541,139	+51%
% Sales tax accounts delinquent	7%	7%	0%
Total Accounts Payable checks issued	8,260	8,621	+4%
Purchase orders issued	7,862	8,447	+7%
Returned checks processed	154	144	-6%
Computer support calls made	2,275	1,571	-30%
Number of water accounts processed	168,125	170,060	+1%
Total PIE participants	2,056	2,258	+10%
Pension activities processed	285	427	+50%

Administration

- The Pension Administration staff conducted two Basic Pension and Financial Planning training sessions and a full-day Pre-Retirement Planning session during the first half of 1998. Approximately 85 employees were able to take advantage of this training. However, with twice that number on the waiting list, pension staff has added two additional retirement planning classes in the Fall.
- An RFP was sent to approximately 12 vendors as part of a search being conducted by the pension boards to find custodial services for the pension plan.
- Treasury staff prepared the Bond Disclosure Section of the 1997 CAFR (as required by Rule 15c2-12(b)(5) of the Securities Exchange Act). A Lease/Purchase financing was negotiated and carried out to fund the acquisition of a new piece of firefighting apparatus. Significant work was completed on a RFP for the City's general banking services contract. (The RFP will go out in July).
- The Letter of Credit at Union Bank of California for the WEDA Bonds was replaced with one from Allied Irish Bank, thus saving the City about \$20,000 per year.
- The Golf Course Bond Issue was completed and the sale date was set for July 16.

Accounting

- The Accounting Division was busy during the 1st half of 1998 preparing the Comprehensive Annual Financial Report (CAFR). The CAFR was audited by the City's independent auditors and received an unqualified opinion. This means that in the auditors' opinion the City's financial statements and records of activity are reported fairly. The CAFR was presented to Council on June 8, 1998.
- We are also happy to report that the Division is fully staffed. The Division was understaffed for about 13 months.

Data Processing

- Data Processing has had several primary areas of focus during the first six months of 1998. Significant progress was made on the office automation project - including PC hardware upgrades, upgrades to Windows 95 and Office 97. Staff completed the evaluation of several mail and calendar software packages to replace the current Data General system. Microsoft Outlook was selected as the best product for Westminster.
- Expansion of the City's Internet and Intranet continued during this period and generated a great deal of interest from other agencies looking to develop or expand their Internet or Intranet sites. Since January, five groups have visited to learn more about how Westminster is using Internet and Intranet technology to serve its employees and citizens.

Sales Tax

- The Sales Tax and Data Processing Divisions began work on the internet-based electronic tax filing project. The project will allow businesses to input their sales information on a tax return located on the City's web page. All calculations will be performed automatically for the taxpayer. The form can then be printed off and mailed with a check. The next phase of the project, to be undertaken next year, will allow taxpayers to authorize electronic payment of the tax as well.
- The final payment for the Marketplace Business Assistance Package was made. The center opened in May of 1996, and the total sales tax rebate of \$1,242,245 was paid in just short of two years of operation.
- A number of large audit collections during the first half of 1998 has resulted in a 52% increase in audit and enforcement revenue over the first half of 1997.

Utility Billing

- The Utility Billing Division, under the guidance of the Public Information Office, developed, produced, and published the first edition of "Water Matters." The new utility newsletter is a quarterly publication and is intended to provide educational information and conservation tips for Westminster utility customers. "Water Matters" is the result of a two year effort by the Utility Billing Division.
- Much of the first half of 1998 was spent planning and preparing for the Shaw Heights water district acquisition. An informational packet was compiled and mailed to Shaw Heights utility customers early in May. Coordination efforts with the Shaw Heights District and the City's Utilities Division as well as the Data Processing Division all made for a smooth transition.
- Preparation for the elimination of Wednesday night After-hours Water Restoral Service program has also been a major focus. The goal of Utility Billing Division Staff was to inform all delinquent customers that this service would no longer be available well in advance of the August 1, 1998 target date. Flyers were printed to hand out with payments on delinquent utility accounts, a notice was printed on delinquent utility bills.

Articles were printed in the Westminster Window, City Edition and Water Matters publications. Signs were posted at the Police Department Records collection window and City Hall cashier area. A plan is in place for Records personnel to contact a utilities supervisory person if one should be needed. Arrangements have been made for added security at City Hall on Wednesday evenings and Thursday mornings.

FIRE DEPARTMENT

Following is year-to-date statistical data for the first half of the year with previous year comparison. Also provided is the percent of increase or decrease in activity where appropriate.

<u>Category</u>	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Total Alarms	2,664	2,884	+8.3%
Structure/Vehicle Fires		111	+117
Emergency Medical		1,787	+2,028
Ambulance Transports		1,166	+1,202
Ambulance Revenue		\$287,438	\$283,897
Westy-MED Enrolees		171	+177
Pub Ed Classes		203	-192
Inspections	1,574	1,208	-23.3%
Training Hours		14,271	10,147

- Four new firefighters, Scott Murdie, Dan Ponce, Tina Porter and Gabe Garcia completed 11 weeks of training and received their firefighter certification at the graduation ceremony at the South Metro Fire Training Academy on May 22.
- Career and Volunteer Firefighters held the annual Davey Crockett and Annie Oakley Fishing Derby and Costume Contest on July 4 at City Park Recreation Center.
- On Saturday, May 9, Standley Lake Community COG and the Fire Department hosted the 4th Annual Community Open House at Fire Station 5.
- A four day training session with patrol officers and firefighters was held in April outlining safety techniques to reduce injury for on scene officers and what assistance can be provided by officers prior to fire rescue equipment arriving on scene.
- The new 1997 Quantum pumper truck was delivered in June. The new fire truck features a larger cab for better visibility and a compressed air foam system, which is a superior fire extinguishing agent.
- The new Training Tower was utilized several times the first half of 1998. Hands-on training included hose evolutions and repelling off the 5 story, 56 foot tower.
- City Council awarded the architectural design contract for the Fire Station 2 relocation.
- Magnatrack exhaust system was installed at Fire Station 2 to reduce harmful exhaust fumes in the bay area and adjacent living quarters.
- A temporary Fire Prevention Specialist position was created and filled in February utilizing existing staff to assist in Fire Prevention Bureau operations such as plan review and inspections.
- Staff developed and submitted the requested 1999-2000 budget.
- Three firefighters, Duane Linkus, Danny Fitch, and Eric Burns completed the nine month paramedic certification process. These certifications will allow the department to improve emergency needed service to the community by expanding the Advanced Life Support engine program.
- Firefighters responded to a third floor apartment fire at Cascade Village Apartments on January 29. Two children, a three year old boy and an eighteen month old girl, died as a result of smoke inhalation.

GENERAL SERVICES DEPARTMENT

Administration

Volunteer Program Activities:

- Volunteer Management Trainings for staff:
 1997: Held 1 training "How to Effectively Use Volunteers"- 4 staff at 2 hours
 1998: Held 2 trainings: "Volunteer Mgt. 101-The Basics" - 9 employees at 3 hours and "Designing & Writing Training Materials" - 7 employees at 5 hours

- Training for Library Volunteers ("Customer Service"):
 - 1997: None
 - 1998: Three trainings - 54 prospective volunteers at 2 hours each
- Clearinghouse of volunteer opportunities:
 - 1997: added 6 agencies
 - 1998: added 4 agencies
- Technical Service: Provided technical service to 6 agencies/programs
- Recognition:
 - 1997: Breakfast - 69 volunteers attended
 - 1998: Breakfast - 95 volunteers attended (+38% change)
- Recruitment: Created a packet of volunteer opportunities for youth under age 18 years
- Volunteer Hours:
 - 1997: 24,110
 - 1998: 21,200 (estimate)

Status of Volunteers & Volunteer Programs

<u>Category</u>	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Volunteers:			
Inquired	135	248	+84%
Placed	38	78	+105%
Snowbusters:			
# of Vols.	21	34	+62%
# of Recipients	30	37	+23%
Interns:			
Inquired	55	25	-55%
Placed	6	5	-17%
Court Ordered Vols:			
Inquired	46	63	+37%

Major Citywide training activities for the first six months of 1998 include the following for a total of 6,279 hours of training:

- Supervisory Academy - 86 employees at 4 hours each
- Westminster 101 - 38 employees at 8 hours each
- Defensive Driving class - 30 employees at 4 hours each
- Interaction Management - 6 employees at 24.5 hours each
- Dealing With Change - 78 employees at 4 hours each
- Respectful Workplace - 29 employees at 10.5 hours each
- Westminster 202 - 45 employees at 8 hours each
- How to Work Effectively With Your Boss - 84 employees at 3 hours each
- Creative People Management - 12 employees at 24 hours each
- Basic Pension - 50 employees at 3 hours each
- Pre-Retirement - 34 employees at 8 hours each
- Project Management - 52 employees at 6 hours each
- Citizen Relations - 98 employees at 8 hours each
- Hiring & Supervising Seasonal - 9 employees at 3 hours each
- Dealing With Difficult People - 87 employees at 4 hours each
- Coaching Employees - 51 employees at 4 hours each
- Substance Abuse training for supervisors - 77 employees at 3 hours each
- Drugs & Alcohol Awareness - 64 employees at 2.5 hours each
- Time Management - 133 employees at 8 hours each
- Presentation Skills - 15 employees at 16 hours each
- Volunteer Management 101 - 9 employees at 3 hours each
- Designing Training Material for volunteers - 7 employees at 5 hours each

- How to use the OA - 29 employees at 3 hours each

Major Activities:

- Presented an overview of the City's training curriculum to the 65 newly benefited employees at Orientation.
- Coordinated first and second quarter Citywide Management Team meeting. Tom Miller, from National Research Center, and Dr. Irene Blair, from the University of Colorado, spoke to the team regarding the results of the December Organizational Climate Survey. The meeting for the second quarter was actually held in July to accommodate the first-ever Adventure Golf Citywide Management Team Tournament. The Police Department took home the first place trophy and City Manager's Office reluctantly accepted the last place trophy.
- The ERAT committee coordinated the first and second quarter "Teams In Action" Luncheon at City Park Recreation Center. Four Customer Service Champions surprise parties were also coordinated by ERAT-two for internal customer service champions and two for external customer service champions.
- Customized training was provided to the Parks Division on Preventing Sexual Harassment. Customized teambuilding and mission statement development was provided to the Economic Development Division.
- Several staff members from Front Range Community College, Colorado Municipal League, and the Employee Development Staff are working together to develop a Public Administration Associates Degree. An articulation agreement between Front Range Community College and the City are also under negotiation. Employees may receive credit from Front Range Community College for attending some of the Citywide sponsored training classes.
- Several members of the General Services staff attended the Innovations Group conference in Colorado Springs: Matt Lutkus, Debbie Mitchell, Michele Kelley, Kathleen Hix, Gary Casner, and Dee Martin.
- The ICMA In-Service Training Award in memory of Clarence E. Ridley was awarded to City Manager, Bill Christopher, and the City of Westminster.
- Employee Development staff implemented the Lottery System for Citywide Training. During the first and second quarter of 1998, 98 percent of the employees requesting training received at least one training class.

Purchasing/Telecommunications

- Privatized the custodial services at City Park Recreation Center.
- Obtained additional parking at the Westminster Commons through a land purchase with the Catholic Church.
- Hired a consultant to assist with the preparation of the bid for the fiber optics line to be installed with the reclaimed water system.
- Met with the Denver Metro Hispanic Chamber and gave them information on how to do business with the City.

Building Operations & Maintenance

Summary of the first six months of 1998 compared to the first six months of 1997:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Total Work Orders	1,412	1,438	+2.0%
Corrective	920	928	+0.9%
Preventative	492	510	+4.0%

Major activities for the first six months of 1998 include:

- Library air conditioning project has been completed.
- New carpet has been laid in Community Development, General Services, Multi-Purpose Room, Lounge and the lower level lobby of City Hall.

- Emergency generator for the Municipal Court has been installed.
- Other City Hall projects include scheduling frame work; bell installation at the tower; and painting, repairing, replacing and aligning lighting.
- Countryside Recreation Center was closed down for a week for maintenance. The racquetball court walls were painted and the floors were sanded and re-sealed. The lobby area was painted. A new door was installed between the lobby and community room. New glass was installed in both entry doors. The extension sump pump and pit were cleaned and re-furnished along with other miscellaneous items.
- The first phase of the remodel project for the Municipal Court Attorney's area has been completed. Included in this remodel was the installation of a new air conditioning unit in the east wing.
- The new ice machine for the lower level lounge area at City Hall has been installed.
- A new set of three parking lot light poles has been installed at Fire Station #1. These poles were installed to replace damaged ones and to give a much better light output in the employee parking area.
- The soffit overhang above the lower level lobby at City Hall has been repaired. The damage was caused by high winds several years ago.

City Clerk's Office

Summary of the first six months of 1998 compared to first six months of 1997:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Councillor Bills	45	26	-42%
Ordinances	43	25	-42%
Resolutions	36	38	+6%
New business licenses	119	112	-6%
Active business licenses	1,475	1,461	-1%
New home occupation lic	188	240	+22%
Home occupation licenses	1,140	1,290	+22%
Sales tax licenses	1,425	1,456	+3%
Licensed refuse haulers	7	9	+22%
Solid Waste vehicles	84	98	+14%
Recycling vehicles	23	29	+21%
New liquor licenses	6	2	-66%
Liquor Admin Approvals	76	56	-26%

- The City Clerk's office is participating with Adams County School District #50 on the Kids Vote project, which will allow school age children to go to the polls with their parents on November 3rd and the children will vote their own ballot.
- During 1997 all Business Licenses were added to the City's Web Page and currently 266 Home Occupation Licenses also are listed as requested by the licensee.

Human Resources

Major Recruitment Activity for the first six months of 1998 compared to the first six months of 1997:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Benefitted employees hired	54	65	+20%
Unbenefitted employees hired	261	381	+45%
Personnel Action forms processed	996	661	-34%
Applications submitted	2,015	1,884	-7%
Applicants tested or interviewed	566	699	+23%
Position openings	85	85	0%

- Recruitments included one division manager position: Treasury Manager. Additionally, recruitments took place for several Library positions, Human Resources Analyst, Assistant Golf Pro, Public Information Assistant, Clerk Receptionist, Police Officer, Administrative Secretary, Secretary, Deputy Court Clerk, Pool Manager, Press Operator Assistant, Human Resources Technician, Animal Control Officer, Equipment Operator II, Foreman Mechanic, Assistant City Prosecutor, Sales Tax Specialist, Meter Reader, Parksworker I, Records Supervisor, Utilities Foreman, Employee Wellness Coordinator, Accountant, Facility Assistant, Computer Information Specialist, Recreation Aide II, Victim Advocate, Communication Specialist I/II, Clerk Typist, and Maintenanceworker.

Other Major Activities included:

- Bi-monthly meetings were held with the Employee Advisory Committee to discuss the results of the Salary Survey and proposed changes to the Personnel Policies and Rules.
- Collected and analyzed data from survey cities for 1999 Salary Survey process. Recommendations made to City Manager's Office.

Fleet Maintenance

Summary of the first six months of 1998 compared to first six months of 1997:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
# repair orders*	3,025	2,912	-4%
Gallons of diesel fuel	43,529	44,707	+3%
Gallons of unleaded fuel	95,975	78,376	-18%
Used motor oil collected	11,458	10,659	-7%

*These figures now include scheduled services, vehicle repairs, service calls and vehicle sublet repairs.

Other major activities for the first six months of 1998:

- Steve Grabarek fabricated and installed two bed vibrators on two new trucks.
- Roy Romero assisted the Denver Water Board in hiring a Mechanic.
- Steve Grabarek and Gary Kammerzell attended the Teams in Action Luncheon held on February 11. They were recognized for their efforts in revamping PW&U paint machines which saved the City \$21,000.
- Fleet staff met with Matt Lutkus and Frank Grasmugg on the Organizational Climate Survey results on March 19. Fleet Staff then met together on March 24 to pinpoint issues that need to be addressed further.
- Starting April 14, Joyce Garcia began assisting Building Operations and Maintenance with their invoices eight hours per week.
- Steve Grabarek went to Glendorf, Ohio, to inspect the new Sludge Injector Vehicle with two Big Dry Creek employees. In June, the Fleet and Wastewater Plant Divisions accepted delivery of the Field Jimmy, a specially constructed sludge injector for Big Dry Creek, and re-programmed the unit for the Colorado altitude and put this unit into service.
- Joyce Garcia and Frank Grasmugg served on the 1998 Pride Day Committee. Registration for the 1,400 people participating in the May 2 Pride Day event was taken in Fleet Maintenance and also in Open Space. Joyce took care of registration, assignment of routes, assembling volunteer packets and budget for the committee.
- Joyce Garcia, Frank Grasmugg and Alan Stocker met with Jakki Erosky from Data Processing to discuss equipment needs and conversion of Fleet's computers to the Windows 95 environment and included a discussion on expanding users/equipment for the Faster System.
- Frank Grasmugg participated on the Household Chemical Roundup Committee and the actual event which was held on May 30.

- Frank Grasmugg conducted a Pollution Prevention tour for Department of Energy Fleet Managers.
- Steve Grabarek accompanied the Fire Department to Appleton, WI, to inspect and accept delivery of the new Quantum Fire Engine.
- Joyce Garcia continued her participation as an Assistant Team Leader for the Sheridan Green/Ryan COG Team by attending monthly internal team meetings, monthly community meetings and Team Leader meetings twice a month. She also contacted all of the businesses in the 112th and Sheridan retail plaza, participated in the monthly Adopt-a-Street clean-up, and attended several meetings at the Neighborhood Resource Center with COG Coordinator John Marx and several other COG team leaders. She is also serving on two COG subcommittees (Information Guide revision and formation of COG Notebooks) in addition to assisting Eagle Scout Ian Williamson with coordinating the Storm Drain Stencil Project for the Sheridan Green/Ryan COG area on August 1 and August 2.
- Underground fuel tanks were removed at Big Dry Creek Wastewater Plant.
- The recruitment process was begun for the Mechanic Foreman culminating in interviews which were held on June 17.
- Fleet Maintenance staff assisted with specifications and purchasing of 16 new vehicles.
- Fleet Maintenance staff logged approximately 340 training hours during the first six months of 1998. Some examples of classes include: OA training, Electronic Controls, Fuel Controls, Air Conditioning, computer classes at CompUSA, Citizen Relations, Westminster 101 and Pension/Pre-retirement. Staff also attended two Rocky Mountain Fleet Manager Association meetings, CCG Faster System Regional Conference and Colorado Fire Mechanics Association meetings.

Municipal Court

Summary of January - June 1998 Statistics:

<u>Filings</u>	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Parking Tickets	464	688	+48%
Traffic Tickets	2,575	5,431	+111%
General Ordinance	2,099	1,773	-16%
Domestic Violence	205	181	-12%
Pre-Sentence Investigations	209	115	-45%
Sentenced to Probation	277	230	-17%
Probation Assign. Volunteer	n/a	31	n/a

- Took over the entering of Municipal Court warrants in the Colorado Bureau of Investigation computer (CCIC) from the Police Records Division.
- Finalized contract with Progressive Solutions, Inc., to provide an upgrade for the records management system to present City Council.
- Volunteers in Probation program featured in the Rocky Mountain News.
- Video Arraignment equipment ordered and delivered.
- Remodel begun, Prosecutors have moved into new space.
- Interviewed applicants for four Deputy Court Clerk positions.

Risk Management

- During the months of January through June, 1998 the City experienced 66 injuries compared to 46 during the same period last year.
- Risk Management held 5 monthly City Safety Committee meetings during the first six months of 1998 to work on editing the City's Safety Manual.
- Risk Management conducted ergonomic assessments and trainings for the Fire Department Administration Office, the Recreation Programs Division, the Senior Center, and Fleet Maintenance Division staff.

- Risk Management completed the 1999 Insurance Renewal Application for property and liability coverage.
- Risk Management conducted worker's compensation training for all Fire Department supervisors.
- Risk Management worked with the Environmental Compliance and Parks Divisions to clean up a chemical spill and vandalism episode at one of the Parks facilities.
- Risk Management Specialist Nancy Winter completed 16 hours of training on Hazardous Communications Programs and eight hours of training on recognizing and preventing cumulative trauma disorders, including back injuries. Nancy will use these trainings to conduct and coordinate safety trainings for other divisions to work on lessening the number of work-related injuries.

Wellness Program Activities

- Scott Murdie conducted annual fitness tests for all employees in the Wellness Program. Each employee is required to complete a fitness test, fill out a lifestyles questionnaire, and have a blood draw at the health fair in January 1998.
- Nicki Cameron-Dickey began position as the new Wellness Coordinator on June 22, 1998.
- All health and fitness evaluations conducted from late 1997 were analyzed and distributed to employees; 476 employees completed evaluations.
- Follow-up on health assessments led to consultations with 6 employees, each over one hour in length.
- Nicki is personally training 3 individuals, three times per week.
- Bulletin boards have been updated and weekly OA messages have kept employees updated on wellness activities.
- Nicki conducted 3 body fat analyses in July.
- A meeting with the Wellness Committee has been scheduled for the last week of July. This meeting will introduce the members to the new Wellness Coordinator, as well as open the table for re-structuring the wellness program.
- A Wellness Library is being implemented for future use by the employees.
- The Annual Blood Drive was scheduled to be conducted on August 4th, 1998, from 7:30-10:30 am at MSC.
- Future plans addressed this quarter include incorporating a yoga class, golfing and tennis lessons, strength training instruction, nutrition and weight management classes, and sport conditioning classes.
- Employees who have not been assessed since starting employment have been scheduled. Individuals who have been participating in the Wellness Program and have not received health insurance benefits will be reimbursed for their participation.

Benefits

-Insurance open enrollment was held October 27 through December 8, 1997. The following is a summary of the changes made during January 1998 to reflect current statistics.

- 700 Employee Verification Forms were returned to Employee Services
- 7 employees switched from Kaiser to Blue Cross/Blue Shield
- 27 employees added or deleted dependents
- 4 employees opted out the City's medical/dental plans
- 14 employees switched Blue Cross/Blue Shield plans
- 11 employees switched from Blue Cross/Blue Shield plans to Kaiser
- 81 address/name changes were processed
- 87 employees opted out for 1998
- 10 employees purchased vision coverage, including 2 retirees
- 3 employees cancelled their vision coverage
- 26 employees decided not to join or dropped vision after the rates increased

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- 4 employees added or deleted dependents on their vision coverage
- 17 employees joined or rejoined the dependent care program
- 26 employees requested medical, dental or dependent care changes and did not return the forms

In the first six months 1998, insurance paperwork was processed for 70 medical/dental enrollments. There are 13 COBRA participants and 7 Retiree's continuing coverage with the City.

	<u>New Hire Enrollments</u>	<u>COBRA Enrollees</u>	<u>Retiree Program</u>
1/97-6/97	43	15	9
1/98-6/98	70	13	7

PARKS, RECREATION & LIBRARIES

Recreation Facilities

Summary of 1998 mid-year statistics compared to the first half of 1997:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
<u>Drop-in Participation:</u>			
City Park	196,036	172,225	-12%
Swim & Fitness	60,426	57,480	-5%
Countryside	11,836	10,618	-10%
Kings Mill	2,244	1,165	-48%
Senior Center	29,941	44,389	+48%
Standley Lake	15,203	19,517	+28%
Aquatics Participation:	5,237	5,784	+10%
<u>YTD Facilities Revenue:</u>			
City Park	\$481,559	\$518,814	+8%
Swim & Fitness	\$164,617	\$166,986	n/a
Countryside	\$42,146	\$45,599	+8%
Senior Center	\$81,685	\$88,494	+8%
Kings Mill Pool	\$2,835	\$3,454	+22%

Recreation Programs

Program Participation	22,334	24,209	+8%
Program Revenue	\$277,212	\$303,799	+9%

Legacy Ridge Golf Course

Revenue \$782,952	\$812,742	+4%
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Standley Lake

Revenue \$295,288	\$295,534	n/a
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Library Services

Activity Indicators (some figures not available for College Hill Library. Please note that April opening of College Hill attracted patrons from other City libraries)

Patrons:

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
76th Avenue Library	85,861	78,879	-8%
Kings Mill Library	32,123	24,647	-23%
<u>Transactions:</u>			
76th Avenue	56,299	44,572	-21%
Kings Mill	131,270	117,035	-11%
College Hill	n/a	92,068	n/a
Reference Questions	19,552	24,520	+25%
Program Attendance	7,296	8,848	+21%

The number of patrons and books checked out at the new College Hill Library continues to be impressive. Over 90,000 books and other materials have been checked out in just the first three months of operation. Nearly 21,000 patrons visited the library in June. On July 1, over 1,200 patrons visited.

POLICE DEPARTMENT

- For the first six months of 1998, police service events totalled 51,633 compared to 50,225 events during the same period last year, an increase of 2.8%. Roughly 60% of police service events are citizen-initiated while 40% is officer-initiated activity.
- On the average, 12.0 police service events occurred every hour during the first six months of 1998, while 11.6 events occurred on an hourly basis last year. A "police service event" is an activity requiring the action(s) of one or more police officers.

Number of Major Police Service Events from January - June 1998 (compared to 1997):

<u>Type of Event</u>	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Assault	288	251	-12.8%
Burglary	414	441	+6.5%
Drug Activity	198	203	+2.5%
DUI	503	547	+8.7%
Homicide	1	0	-100.0%
Robbery	22	39	+77.3%
Shoplifting/Theft	2002	1526	-23.8%
Stolen Vehicle	301	334	+11.0%
Traffic Stops	6618	8814	+33.2%
Warrant Arrests	763	645	-15.5%

PUBLIC WORKS & UTILITIES

Administration

- Public Works and Utilities Staff continued its efforts to bring the Gasoline Recovery System into compliance with federal, state, and local regulations and codes and to address the need for system modifications.
- Public Works and Utilities Staff reviewed and provided edits and information to the Clean Water Plan document being put together at the Denver Regional Council of Governments (DRCOG). This is an annual process to update the Clean Water Plan with local agencies and the State.
- Public Works and Utilities completed its re-assignment of Key Staff during the 2nd quarter. The re-assignment included re-allocation of Andy Mead, formerly the Assistant to the Director, to the Utilities Division as the Utilities Operations Coordinator; Diane Phillips, formerly the Utilities Operations Engineer, was re-assigned to the Administration Division as the CIP Coordinator; and Abel Moreno, formerly Management Intern, remains in the Administration Division as a Management Assistant to the Director of Public Works and Utilities. The re-assignments are expected to centralize and maximize efficiency of the Capital Improvement Projects, Utilities Division operations, and the Administration Division operations.

Environmental Compliance

- Environmental Compliance Staff is assisting Public Works and Utilities, Parks, and General Services with the disposal of several hazardous wastes that have accumulated at City facilities over the years.
- Delta Environmental Consultants completed a Feasibility Study on the Gasoline Recovery System. The study identified four options for cleanup of the contaminated soil and groundwater at the Municipal Service Center. The most aggressive option is the least expensive and is expected to complete the cleanup within six years at a cost of approximately \$951,000. The No Action option is the most expensive with a cost of approximately \$1,475,000 over the next 30+ years and would not clean the site.

The request for cleanup within the six year timeframe has been submitted in the 1999 CIP budget.

- The consulting firm Camp, Dresser, and McKee recently completed a drain trace study at the Municipal Service Center (MSC) to review stormwater and vehicle wash-down drainage patterns at the MSC. The firm has recommended the addition of a new vehicle wash-down bay and other physical and operational changes to bring operations at the MSC into compliance with the federal Clean Water Act.
- Work is underway to assist the Semper Water Treatment Facility with the development and submittal of a Risk Management Plan for the storage of chlorine gas at the facility as required by Section 112(r) of the Clean Air Act. This comprehensive plan is due to EPA by June 21, 1999.
- Staff met with Jefferson County Administrator Ron Holliday and City Managers from other Jefferson County municipalities to discuss the operation and management of the Jefferson County Household Chemical Collection Center. A contractor, Curbside, Inc., has been hired to run the Center. Environmental Compliance Staff is reviewing costs and other options to continue to provide an annual household chemical roundup.
- An asbestos awareness training program is being developed for Public Works and Utilities, Community Development, Building Operations and Maintenance, and Parks employees.
- Staff worked with the Environmental Advisory Board to plan for the Board's participation in several community events including the Household Chemical Roundup, Earth Day, Rocky Mountain COG Stormdrain Stenciling project, and the Westminster Faire.
- Environmental Compliance Staff is working with the City's Training Coordinator to create the City's various awards certificates in an electronic format. Once a new design is developed, an Environmental Excellence Award will be created to recognize employees who are dedicated to pollution prevention and environmental excellence.

Rocky Flats Environmental Technology Site

- Obtained 9 sponsors for the Energy Communities Alliance Conference with a commitment of \$20,500 in sponsorship fees to date. Of that amount, \$9,500 has been collected. It is expected that all fees will be collected by the end of July. The Conference is scheduled for September 30 (board meeting) through October 2.
- As City of Westminster representative and co-chair of the soil Action Levels Review Oversight Panel, participated in preparation of the Request For Proposals for Administrative support for the Oversight Panel. Scored proposals and participated in the interview and selection of contractor to perform these services. Additionally, participated in development of the request for proposals for the Soil Action Level Review. Eleven proposals have been received and are currently undergoing review. The DOE is providing funding for the review, which is expected to cost \$500,000.
- Presented movie on the Waste Isolation Pilot Program Transportation Program at Standley Lake Community COG meeting. Answered questions from the public.
- Attended a Community Development Open Space Board meeting and presented information on Board concerns that the Rocky Flats Site may become a Regional Park and impact Westminster Open Space money.
- Worked with Community Development to prepare a presentation for City Council on the zoning and future use options for the Rocky Flats site.
- Prepared comments from the City for the United States Department of Energy (DOE), Washington, D.C., on the Accelerated Cleanup plan for the Rocky Flats Environmental Technology Site (RFETS).

- Prepared comments on the cleanup plan for Building 123 at RFETS.
- Participate as City representative on the Decommissioning and Decontamination working group.
- Set agendas, obtained speakers for the local governments meetings that Westminster has been instrumental in initiating.
- Served as a City representative on the Natural Resource Management Plan Working Group and prepared comments on the document in coordination with Water Resources Staff.
- Participated in the preparation of the final recommendation of the Rocky Flats Local Impacts Initiative (RFLII) Industrial Area Transition Task Force for future use of the RFETS.
- Worked with DOE and Kaiser-Hill staff to set up an oversight and public input working group to assess the Actinide Migration Study now in progress at the RFETS. The work of the Actinide Study ties into the Soil Action Level Review, which is important to determine the amount of plutonium that will be left at RFETS.
- Researched and wrote a white paper on RFETS documents that will need to be preserved and available for stewardship after RFETS is cleaned up and closed. The Stewardship Committee is a RFLII working committee.
- Prepared City comments on Rocky Flats Cleanup Agreement and its effectiveness to date.
- Worked with the Rocky Flats Citizens Advisory Board to prepare a public education forum in November on the re-use issues for RFETS.
- Attended the national waste disposal workshop in San Diego in June representing the City. The League of Woman Voters received funding for this workshop through a DOE grant.
- Prepared a Workshop presentation for Councillor Dixon on the topic of current activities at the RFETS from a local government perspective.
- Attended a two-day workshop held in Denver on Stewardship and Institutional Controls. The conference was sponsored by the mining industry and provided lessons in both categories. Since mine cleanups deal with remediation, institutional controls, and stewardship material provided at the workshop can be used for RFETS.

Utilities Division

- During the first two quarters of 1998, the Utilities Division experienced 1 sewer backup and 22 water main breaks.
- The Construction Crew focused on replacing 4,950 feet of water lines during this quarter.
- Semper Water Treatment Facility's peak consumption day was on June 28, as 41.2 million gallons flowed through the distribution system. The year-to-date consumption is 2,724,240,000 gallons. The deviation from the previous year is +8 percent. Water treatment cost per 1,000 gallons, based on expenditures is \$0.73/1,000 gallons. The costs associated with the operation of the Semper Water Treatment Facility are as follows: \$94,256 - electrical; \$120,726-chemical; \$333,274 - labor; \$29,023 - maintenance cost (contract); \$21,377 - overtime (FLSA/Operators/on-call). Semper has expended 44 percent of its budget encumbrance. Finally, 512 confined space permits have been issued as of June 30, 1998.

Summary of Utilities Operations statistics for January - June 1998 (compared to 1997):

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
BDC Wastewater treated gallons/day	5.77M	6.16M	+6.76%
Metro Wastewater treated gallons/day	3.875	4.28	+14.1%
Water consumption/day	13.9M	15.0M	+8.0%
Water taps installed	107	86	-20.0%
Water line installed/feet	2,880	4,950	+72.0%
Water main breaks repaired	30	22	-27.0%

Street Division

- A request for bids for the 1998 Customer Service Concrete Replacement Program was sent out to 12 concrete contractors and the bid opening was held January 13. Eight contractors purchased bid documents and five submitted bids. Staff's recommendation for awarding the bid was presented to City Council on February 9, and Concrete Express, Inc. was awarded the bid. The pre-construction conference was held March 5, and the project was 78% complete by the end of the second quarter of 1998.
- A request for bids for the 1998 Asphalt Pavement Rehabilitation Project was sent out on January 19. Adams County School District 14 and 50 are participating in this program. Nine contractors picked up bid packages and six contractors attended the pre-bid conference which was held on January 28. The bid opening was held on February 17, and the project was awarded to Asphalt Specialties Co. on March 23. The program began on May 12 and was 28% complete by the end of the second quarter of 1998.
- The five-year master plan for pavement re-surfacing, sealcoating and reconstruction along with parking lot maintenance and improvements is complete.
- Crackseal work began in January and was also performed in preparation for the 1998 Chipseal Program. A crackfill machine was purchased by the Street Division which doubled the amount of cracksealing the Street Division is capable to perform. Purchase of this piece of equipment will have a positive effect with regard to asphalt "preventable maintenance."
- Bids were solicited from three contractors for the 1998 Chipseal Program. The bid opening was held on April 7, and the contract was awarded to A-1 Chipseal. Work is scheduled to begin the first week in July.
- Bids for the 1998 Asphalt Materials contract were received from six vendors, and the contract was awarded to CAMAS Colorado Inc.
- Repair of asphalt failures, potholes and street patching as a result of water main excavations was performed as needed. A Street Division crew patched the parking lot at City Hall, and various roads throughout the city were patched in preparation for the Rideability Program.
- Patchback work associated with the 1998 Customer Service Concrete Replacement Program was performed.
- Sign maintenance was performed at various locations throughout the City. "Buckle Up" signs were installed in the exit areas of several City facilities per a Suggestion Management request to the Safety Committee.
- Signs were fabricated and installed for new Adopt-a-Street Groups; for construction signs for various summer projects; and in accordance with work orders received from Community Development. A larger, used sign application machine was purchased from the City of Boulder.
- Striping and pavement markings were installed at various locations throughout the City. A Street Division Crew painted pavement markings in the City of Sheridan as part of a work exchange program.
- Inspection and cleaning of storm sewers and drainageways was performed throughout the City.
- A ditch was cut and shoulder work performed on the east side of Harlan Street, from 93rd Avenue to 95th Avenue, which was performed to mitigate flooding of the property located north of the Farmers High Line Canal.
- Shoulder and ditch work was performed along the south side of 144th Avenue, from Pecos Street to Huron Street. Work consisted of hauling in fill, compaction and shaping of the ditch and shoulder to contain runoff.

- Open drainage work was completed on the ditch located at 104th Avenue and Sheridan Boulevard to re-align the ditch to divert the water flow away from the homes in the Highland Greens Subdivision. A new storm sewer pipe was installed on West 94th Avenue, between Teller Street and Quay Street, and a new drainage culvert was installed on 128th Avenue, east of Huron Street.
- Streets were measured and drawings prepared in preparation for the 1998 In-House Pavement Rehabilitation Project.
- Snow removal activities were performed as needed. Customer Service Requests for ice buildup problems were received in January and material applied and/or ice was removed, depending on the severity. Snow removal materials were hauled to replenish our stockpiles as needed.
- Re-gravel and blade work was completed on all the alleys in the southern portion of the City.
- The City of Westminster's Spring Cleanup Program was held from April 20 to May 1. Totals for the 1998 Spring Cleanup Program compared to those in 1997 are as follows: in 1998, there was a total of 4,206 participating households compared with 3,499 in 1997, which represents a 21% increase. The City hauled 6,414 cubic yards to the landfill in 1998 compared to 4,867 cubic yards in 1997, which represents a 32% increase. The total landfill charges for 1998 were \$32,070 compared to \$19,655 in 1997. The increase in total cubic yards collected, combined with the unexpected increase in landfill charges (cost per cubic yard increased from \$4 to \$5), resulted in a 63% increase from last year's landfill costs. A total of 1,445 phone calls regarding the Cleanup Program were received during a 10-day period in 1998 compared to 1,388 calls during a 12-day period in 1997. Iliff's Appliance Removal Service reports that they also picked up approximately 30 tons of recyclable material.
- Motorgraders and backhoes were transported to Buckley Air Field in Aurora, which were used for the Equipment Operator Training program which is sanctioned by APWA and the Colorado Contractors Association.
- On March 12, all 101 Public Works and Utilities employees received 3.5 hours training on Emergency Management. The intent of the program was to alert all Public Works and Utilities employees to conditions dealing with multiple emergencies happening at the same time causing depletion of in-house resources, where to look for help from other entities, contractors, suppliers and to prioritizing the events.
- National Public Works Week was held May 17 to 23. Throughout the week, Public Works and Utilities Staff made presentations to local organizations and Home Owners' Associations to inform the public about the services provided by the City's Public Works and Utilities Team. In addition, Facility tours of the Municipal Service Center, Semper Water Treatment Facility, and the Big Dry Creek Water Reclamation Facility were available upon request. A display booth was set up by Public Works and Utilities Staff at the Westminster Mall on May 18 and 19. Two Public Works and Utilities representatives managed the booth and offered information regarding municipal services provided by Westminster's Public Works and Utilities Department.
- As part of a joint venture with the Burlington Northern Railroad, whereby the City purchased the materials and the railroad performed the installation, the railroad crossing on 88th Avenue at Harlan Street, and the railroad crossing on Old Wadsworth Boulevard, at approximately 92nd Avenue, were replaced. Street Division crews performed the required asphalt patching at both locations.
- Measurements were taken and logged of streets that were added to the City network within the past five years.

- A temporary part-time Community Service Coordinator continues to work with individuals who have community service obligations. Due to the increase in community service recipients and the associated number of hours, it was necessary to increase the total number of hours worked by the Coordinator to full time. A total of 1,690 hours were worked by community service recipients the first six months of 1998 compared to 938.5 hours for the same six months in 1997, resulting in an 80% increase. Community service people perform work such as graffiti removal and greenbelt, street, and sidewalk cleanup.

Summary of Street Operations statistics for January - June 1998 (compared to 1997):

	<u>1997</u>	<u>1998</u>	<u>%Change</u>
Striping (feet)	810,300	937,600	+15%
Signs Installed	180	155	-13%
Signs Repaired	401	471	+17%
Miles Street Swept	2,636	4,012	+52%
Pothole Hotline Calls	60	41	-31%
Customer Service Requests	82	53	-35%
Concrete Replacement Requests	144	129	-10%
Potholes Patched	2,385	5,659	+137%

Water Resources Division

- One proposal was received in response to the Request for Proposals related to the design of the Standley Lake Dam Facilities Renovation and possible enlargement.
- Standley Lake filled to capacity on April 13, 1998. Westminster and the other Plaintiffs in the City of Golden Lee, Stewart, and Eskins Case prepared briefs for an appeal of the decision to the Colorado Supreme Court.
- The Farmers' High Line Canal and Reservoir Company initiated the design of a temporary breach of Leyden Reservoir, as directed by the Colorado State Engineer's Office.
- Approximately 600 acre-feet of water was captured by Woman Creek Reservoir and held for testing results prior to release down Walnut Creek in the first part of 1998. No exceedances were reported that violated the 30-day moving average of 0.15 pCI/l.
- The Jim Baker Reservoir wetlands are again the subject of a field inspection to determine the status of the continuing establishment of the wetlands. Results of this study will be received and reviewed later in 1998.
- The Capital Improvement Program recommended by the Treated Water Master Plan is being incorporated into the Tap Fee Study.
- Black & Veatch completed the design of the Reclaimed Water Project. Fourteen pre-qualified contractors were invited to submit construction bids.
- HDR Engineering delivered the final draft of the Treated Water Master Plan. Staff reviewed the document and met with HDR Engineering staff to review the revised CIP list and coordinate budget preparation.
- Staff, in cooperation with the Upper Clear Creek Watershed Association, participated in discussions regarding a new watershed agreement to continue water quality protection efforts in the Clear Creek Basin. The Standley Lake Cities have chosen to suspend discussions until two water court augmentation cases are settled early next year.
- Staff began working with the Clear Creek Basin Counties (Clear Creek, Gilpin, and Jefferson) in collecting information on septic systems located within the basin. The data will be used as an input to the watershed model of nutrient sources within the Clear Creek drainage basin.
- Evaluation of water demand data was accomplished using the GIS Water Tracking System developed as part of the Joint Water Management System Study (HBA Study).
- Negotiations concluded on the Jefferson County acquisition of Standley Lake as a regional park and a closing was held in May. Jefferson County transferred its ownership of the Standley Lake Park lands to the City of Westminster.

- The Tap Fee Task Force convened and evaluated potential changes to the Tap Fee Ordinance.
- Work continued on modifications and updates to the Water and Wastewater Rate models.
- The Semper Lab Task Force completed its data collection and analysis efforts. The Task Force is currently collecting Statement of Qualification (SOQ's) and resumes from consultants to assist with the final analysis and recommendations for Semper Water Quality Laboratory.
- Work progressed on the 1996-97 update of the Standley Lake & Standley Lake Tributaries Water Quality Analyses and Trends Report. In years past, this report was generated by RBD, Inc. Consultants; this year, the work is being performed by in-house staff in order to cut costs.
- Educational brochures on outdoor water conservation, developed in consultation with the Boulder Energy Conservation Center (BECC), were mailed to 50 test homes within the City's boundaries. The BECC will do a follow-up survey with these customers to see what they thought of the brochure, whether they implemented any of the water-conserving measures, and how well they are working.