



August 25, 2014  
7:00 P.M.

## CITY COUNCIL AGENDA

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

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

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meeting (July 28, 2014)
4. Report of City Officials
  - A. City Manager's Report
5. City Council Comments
6. Presentations
  - A. Presentation of Employee Service Awards
  - B. Employee Appreciation Week Proclamation
  - C. National Library Card Signup Month Proclamation
7. Citizen Communication (5 minutes or less)

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

8. Consent Agenda
  - A. Financial Report for July 2014
  - B. Acting City Attorney Appointment
  - C. Cumulative Purchases Over \$50,000
  - D. Cumulative Purchases Over \$75,000
  - E. Northwest Water Treatment Facility and Raw Water Pump Station Equipment Purchase
  - F. Second Reading of Councillor's Bill No. 21 Authorizing Ball Corporation Economic Development Agreement
9. Appointments and Resignations
10. Public Hearings and Other New Business
  - A. Councillor's Bill No. 23 Authorizing 2014 2<sup>nd</sup> Quarter Budget Supplemental Appropriation
  - B. Councillor's Bill No. 24 Authorizing Supplemental Appropriation of Grant Funds for Fleet GPS System
11. Old Business and Passage of Ordinances on Second Reading
  - A. Second Reading of Councillor's Bill No. 22 Appropriating 2014 CDBG Funds
12. Miscellaneous Business and Executive Session
  - A. City Council
13. Adjournment

**NOTE:** Persons needing an accommodation must notify the City Clerk no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. You can call [303-658-2161](tel:303-658-2161)/TTY 711 or State Relay or write to [lyeager@cityofwestminster.us](mailto:lyeager@cityofwestminster.us) to make a reasonable accommodation request.

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

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



# 2014 CITY OF WESTMINSTER STRATEGIC PLAN



## VISIONARY LEADERSHIP & EFFECTIVE GOVERNANCE

*The City of Westminster has articulated a clear vision for the future of the community. The vision is implemented through collaborative and transparent decision making.*

- Secure a replacement for our retiring City Manager that has the combination of experience, knowledge, style and values that are consistent with City Council vision and organizational values; ensure a smooth transition.



## VIBRANT & INCLUSIVE NEIGHBORHOODS

*Westminster provides housing options for a diverse demographic citizenry, in unique settings with community identity, ownership and sense of place, with easy access to amenities, shopping and employment.*

- Complete St. Anthony North Hospital (84th Avenue) impact analysis
- Create an Arts District



## COMPREHENSIVE COMMUNITY ENGAGEMENT

*Westminster is represented by inclusive cultural, business, nonprofit and geographic participation. Members of the community are involved in activities; they are empowered to address community needs and important community issues.*

- Create an Inclusiveness Commission



## BEAUTIFUL, DESIRABLE, ENVIRONMENTALLY RESPONSIBLE CITY

*Westminster thoughtfully creates special places and settings. The city is an active steward, protecting and enhancing natural resources and environmental assets. The city promotes and fosters healthy communities.*

- Develop and implement Open Space Master Plan
- Identify and implement alternative energy options for city facilities
- Achieve “Solar City” designation to benefit both our environment and economy



## PROACTIVE REGIONAL COLLABORATION

*Westminster is proactively engaged with our partners to advance the common interests of the region.*

- Collaborate with counties, school districts and neighboring cities



## DYNAMIC, DIVERSE ECONOMY

*Westminster is a local government that fosters social, economic, and environmental vitality and cultivates and strengthens a wide array of economic opportunities.*

- Construct Westminster Station and develop TOD area
- Identify and pursue FasTracks next step
- Continue North I-25 development
- Proceed with Phase I of the Westminster Center Reinvestment Project
- Advance business attraction strategy
- Encourage the development of chef-owned and/or operated restaurants
- Grow small businesses through incubation



## EXCELLENCE IN CITY SERVICES

*Westminster leads the region in a culture of innovation that exceeds expectations in all city services – the city is known for “the Westy Way.”*

- Analyze Fire/EMS alternative service delivery
- Provide improved collaboration and communication between City Council and employees at all levels of the organization
- Improve planning and permit process to be business friendly and achieve city goals



## EASE OF MOBILITY

*Westminster pursues multi-modal transportation options to ensure the community is convenient, accessible and connected by local and regional transportation options through planning, collaboration, advocacy and execution. Transportation objectives include walkability, bike friendly, drivability and mass transit options.*

- Enhance trail connectivity

**VISION:** *Westminster is an enduring community – a unique sense of place and identity; we have a choice of desirable neighborhoods that are beautiful and sustainable by design. Westminster residents enjoy convenient choices for an active, healthy lifestyle, are safe and secure, and have ease of mobility within our City and convenient connection to the metro area. Westminster is a respectful, diverse community in which*

*residents are engaged. Westminster City Government provides exceptional city services, and has a strong tax base through a sustainable local economy.*

**MISSION:** *Our job is to deliver exceptional value and quality of life through S-P-I-R-I-T (Service, Pride, Integrity, Responsibility, Innovation, Teamwork)*

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, AUGUST 11, 2014, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

Mayor Atchison called on members of Boy Scout Troop 419 to lead the Council, Staff, and audience in the Pledge of Allegiance.

ROLL CALL

Mayor Herb Atchison, Mayor Pro Tem Faith Winter, and Councillors Bruce Baker, Bob Briggs, Alberto Garcia, Emma Pinter, and Anita Seitz were present at roll call. Also present were City Manager J. Brent McFall, City Attorney Martin McCullough, and City Clerk Linda Yeager.

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Baker, to approve the minutes of the regular meeting of July 28, 2014, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall reported that following adjournment of this meeting, the Council would convene an executive session to discuss a personnel matter (review of applicants for City Attorney) pursuant to Section 1-11-3(C)(1), Westminster Municipal Code, and Section 24-6-402(4)(f), Colorado Revised Statutes.

This was City Attorney Martin "Marty" McCullough's last City Council before retirement and Mr. McFall publicly acknowledged his outstanding efforts during almost 30 years of service to the City. The City had seen tremendous growth during that time, producing unique opportunities and challenges. Mr. McCullough's sound legal advice and strategies had guided the process to successful conclusions. He had astutely and reliably served the City Council, the City staff, and the citizens of Westminster and he would be missed.

Mayor Atchison concurred. It had been a pleasure to work with Mr. McCullough in a variety of capacities over the years. The City Council had a huge task ahead to find a suitable replacement who could continue meeting the legal needs of the City with professionalism and prudent advice.

Mr. McCullough was proud to have contributed to the City and hoped that the public was appreciative of the City organization. It was the finest organization of local government to be found anywhere and it had been his privilege to work for the City since 1985 when it was a sleeping giant. With a lot of thought, some luck, and vision, the City had evolved into the best community in which to live, work, and play. The biggest and brightest individuals had been attracted to the staff and, when coupled with remarkable leadership, innovation flourished to the benefit of the entire community. He thanked City Councils past and current for the privilege of working with such fine people in an organization that made a difference.

COUNCIL REPORTS

Councillor Baker reported having attended an urban renewal seminar sponsored by Downtown Denver, Inc. and the Colorado Municipal League. The program was excellent, providing wonderful information and guidance that was enlightening. Having become accustomed to the City always being on the leading edge of best government practices, always raised up as an example of modern government, and always being a leader in innovation and excellence, a better job of following best practices in the area of urban renewal was needed. He urged his colleagues on Council to step up and do a better job of following best practices.

Councillor Garcia reported that local resident, Jonathan Herrmann, had hosted a group of scouts from China visiting the area last week. Their busy schedule included a tour of the Public Safety Building, Fire Station #2, and the State Capitol. He thanked staff for cordially welcoming the scouts and understood one of the scouts would remain in the area and attend the University of Colorado this upcoming academic year. Secondly, the Holy Cow Stampede, Westy

Fest, and Craft Beer Fest at City Park over the weekend had been an awesome community celebration. Attendance had been huge and the events would not have been possible without the staff and volunteers who were everywhere tending to every need. It was a tremendous success.

Mayor Pro Tem Winter added her admiration of Mr. McCullough, thanking him for his professional expertise. She had learned from him and it had been an honor. Secondly, the weekend at City Park had been a smashing success. The extra duties many employees from throughout the City had volunteered to do had not gone unnoticed and was appreciated.

Councillor Seitz agreed and added her appreciation to staff for making the Westy Fest a memorable event for residents and visitors. As Mr. McCullough remarked earlier, the City organization fostered a bond of dedicated employees who worked in unison to reach common goals.

Councillor Briggs echoed his colleagues' comments on the weekend's events and added his thanks to Mr. McCullough. Not all attorneys could give legal advice that helped make things happen in a City like he had, and he would be missed.

#### PRESENTATIONS

Rebecca Cantwell, executive director of the Colorado Solar Energy Industries Association, presented certification to the City designating it a Platinum Level Solar Friendly Community. Westminster was the first Platinum level community in Colorado. The certification was based on *The 12 Best Practices: A Roadmap to a Solar Friendly Community*, which identified policies and processes that could be instituted to streamline the permitting and inspection process for rooftop solar energy projects. Ms. Cantwell presented to Mayor Pro Tem Winter and Councillor Seitz a plaque and a street sign naming the City a Platinum Level Solar Friendly Community.

Mayor Atchison recognized members of the Lao Buddhist Temple's Dragon Boat Race Team on winning the Silver Medal at recent Dragon Boat Races on Sloan's Lake. Team members were wearing their medals and displayed the plaque they also were presented for taking second place. They assured the Mayor they would win the Gold Medal in next year's competition.

Mayor Atchison recognized members of the Human Resources Division for achieving top honors as one of the Healthiest Employers in the Denver Metro Area. The City placed third in the extra-large employer category competition. Human Resources staff was instrumental in the effort to create and promote a culture of wellness and well-being for all employees. The award represented the hard work and commitment to making the City an "Employer of Choice." Accepting the award were: Debbie Mitchell, General Services Director; Lisa Chrisman, Employee Development and Benefits Manager; Dee Martin, Workforce Planning and Compensation Manager; Nicki Leo, Wellness Coordinator; Jackie June, Employee Development Coordinator; Theresa Booco, Senior Human Resources Analyst; and Jen Prehn, Human Resources Analyst.

#### CITIZEN COMMUNICATION

Eric Brandt, address not provided, read a portion of a prepared statement about the rights of citizens to engage in government and to protest injustice. Describing how he was waging a protest against the Westminster Police Department, Mayor Atchison advised him that the Council could not allow his comments while the City and Mr. Brandt were involved in a lawsuit. Mr. Brandt would not cease reading his statement and continued to speak loudly, talking over the Mayor's repeated requests to stop. The Mayor asked Police Officer Paul Newton to escort Mr. Brandt from the room, which he did.

#### CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: authorize the City Manager to execute the Third Amendment to the Exclusive Listing Agreement with The Laramie Company for the sale of the 14-acre parcel referred to as Promenade North and to execute the Exclusive Listing Contract with The Laramie

Company for the sale of the 6-acre parcel at the northeast corner of Westminster Boulevard and 104<sup>th</sup> Avenue referred to as Promenade East; authorize the City Manager to execute an agreement with Kerr McKee Gathering, LLC in the amount of \$124,551 for the relocation of this company's gas pipeline at the site of the McKay Drainageway Improvements Project, located between I-25 and Huron Street at the approximate 142<sup>nd</sup> Avenue alignment and authorize a contingency of \$15,000 for unanticipated costs relating to this relocation; authorize the City Manager to execute an amended contract with Merrick and Company in the amount of \$32,104 to provide engineering design services for the McKay Drainageway improvements located south of 144<sup>th</sup> Avenue between I-25 and Huron Street; authorize the City Manager to enter into a contract, in substantially the same form as distributed in the agenda packet, with Jefferson County Housing Authority (JCHA) to administer the Emergency and Essential Home Repair Program; authorize the City Manager to execute a one-year contract with the option to renew for two additional one-year terms with Professional and Recreational Officials of Sports, Inc. (P.R.O.S, Inc.) for officiating and related services in an amount not to exceed \$85,000 annually; based on the recommendation of the City Manager, determine that the public interest would best be served by authorizing the City Manager to execute an amendment to the current two-year sole source fee agreement with Carlson, Hammond, and Paddock, LLC for special water counsel services in 2013 and 2014, increasing the 2014 budget for the contract from \$250,000 to \$400,000; and final passage on second reading of Councillor's Bill No. 20 vacating the existing rights-of-way within East Bradburn Filing No. 1.

It was moved by Mayor Pro Tem Winter, seconded by Councillor Pinter, to approve all consent agenda items excluding Agenda Items 8A and 8D. The motion passed with all Councillors voting affirmatively.

EXTENSION OF LISTING AGREEMENTS FOR CITY PROPERTIES NEAR THE PROMENADE (Item 8A)

Councillor Seitz moved, seconded by Councillor Garcia, to authorize the City Manager to execute the Third Amendment to the Exclusive Listing Agreement with The Laramie Company for the sale of the 14-acre parcel referred to as Promenade North and to execute the Exclusive Listing Contract with The Laramie Company for the sale of the 6-acre parcel at the north east corner of Westminster Boulevard and 104<sup>th</sup> Avenue referred to as Promenade East. The motion carried by a 6:1 majority with Councillor Baker voting no.

EMERGENCY AND ESSENTIAL HOME REPAIR PROGRAM CONTRACT (Item 8D)

It was moved by Councillor Pinter and seconded by Councillor Briggs to authorize the City Manager to enter into a contract, in substantially the same form as distributed in the agenda packet, with Jefferson County Housing Authority (JCHA) to administer the Emergency and Essential Home Repair Program. Following comments from Councillor Baker and Mayor Pro Tem Winter about overhead expenses of the City and JCHA, the motion passed by a 6:1 margin with Councillor Baker voting no.

PUBLIC HEARING ON CITY-INITIATED PDP AMENDMENTS

Mac Cummins, Planning Manager, provided background information concerning City-initiated Preliminary Development Plan (PDP) Amendments and the authority to initiate them. The agenda memorandum, its attendant attachments, and the manner in which legal notice had been provided and published were entered in the record. A vicinity map identified the current and proposed boundaries of the Northwest Business Park PDP, the Axis Development PDP, and the Northpoint Center PDP. The proposed amendments had been undertaken by the City to correct boundary discrepancies within the area generally located east of US 36 between 103<sup>rd</sup> and 112<sup>th</sup> Avenues so that planned expansions of businesses and/or sales of property could be achieved in one action rather than individual actions for each PDP. Property owners, which included the City, had no objection to the proposal that would clean-up and simplify these PDPs' boundaries to ensure seamless boundary closure and to eliminate overlapping boundaries. After reviewing how staff had reached out to all property owners involved, there were no other questions or requests from City Council.

Mayor Atchison opened the public hearing at 7:44 p.m. No one wished to speak, and the hearing was closed at 7:44 p.m.

APPROVAL OF CITY-INITIATED PDP AMENDMENTS

It was moved by Councillor Briggs, seconded by Councillor Seitz, to approve the Fifth Amended Northwest Business Park Preliminary Development Plan, the First Amended Axis Development Preliminary Development Plan, and the Twelfth Amended Northpoint Center Preliminary Development Plan based on a finding that the criteria set forth in Section 11-5-14 of the Westminster Municipal Code had been met. The motion passed unanimously.

COUNCILLOR’S BILL NO. 21 AUTHORIZING EDA WITH BALL CORPORATION

Upon a motion by Mayor Pro Tem Winter, seconded by Councillor Garcia, the Council voted unanimously at roll call to pass on first reading Councillor’s Bill No. 21 authorizing the City Manager to execute and implement an Economic Development Agreement with Ball Corporation.

COUNCILLOR’S BILL NO. 22 AUTHORIZING SUPPLEMENTAL APPROPRIATION OF CBDG FUNDS

Councillor Pinter moved to pass on first reading Councillor’s Bill No. 22 appropriating funds received from the United States Department of Housing and Urban Development, Community Development Block Grant program, in the amount of \$614,010. The motion, seconded by Councillor Seitz, passed on roll call vote by a 6:1 margin with Councillor Baker voting no.

RESOLUTION NO. 17 AWARDING RESIDENTIAL COMPETITION SERVICE COMMITMENTS

It was moved by Councillor Seitz and seconded by Mayor Pro Tem Winter, to adopt Resolution No. 17 awarding 1.5 additional Category B-4 (Traditional Mixed Use Neighborhood Development) Service Commitments to AXIS. The motion passed unanimously on roll call vote.

RESOLUTION NO. 18 RE FPPA STATEWIDE DEFINED BENEFIT MEMBER CONTRIBUTION

Upon a motion by Councillor Garcia, seconded by Councillor Pinter, the Council voted unanimously at roll call to adopt Resolution No. 18 to vote in favor of increasing the employee contribution rate for the Statewide Defined Benefit Plan, by an additional 4% over the next eight years.

ADJOURNMENT

There was no further business to come before the City Council, and, hearing no objections, Mayor Atchison adjourned the meeting at 7:50 p.m.

ATTEST:

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

\_\_\_\_\_  
Mayor



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Presentation of Employee Service Awards

**Prepared By:** Debbie Mitchell, General Services Director  
Dee Martin, Workforce Planning & Compensation Manager

**Recommended City Council Action**

Present service pins and certificates of appreciation to employees celebrating 20 or more years of service with the City and in five year increments thereafter.

**Summary Statement**

- In keeping with the City's policy of recognition for employees who complete increments of five years of employment with the City, and City Council recognition of employees with 20 years or more of service, the presentation of City service pins and certificates of appreciation has been scheduled for Monday night's Council meeting.
- In the fifth grouping of 2014, employees with 20, 30 and 35 years of service will be celebrated tonight.
  - Presentation of 20-year certificates and pins – Councillor Garcia
  - Presentation of 30-year certificate and pin – Councillor Baker
  - Presentation of 35-year certificates and pins – Councillor Pinter

**Expenditure Required:** \$0

**Source of Funds:** N/A



**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The following 20-year employees will be presented with certificates and service pins:

Edna Hendershot	Sergeant	Police Department
Dean Passarelli	Senior Police Officer	Police Department
Todd Reeves	Police Commander	Police Department

The following 30-year employee will be presented with a certificate and service pin:

Barb Dolan	Sales Tax Manager	Finance Department
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The following 35-year employees will be presented with certificates and service pins:

Rita DeFrancesco	Secretary	Police Department
Harvey Morris	Code Enforcement Officer	Police Department

On August 27, 2014, the City Manager will host an employee awards luncheon. During this time, three (3) employees will receive their 15-year service pins; eighteen (18) employees will receive their 10-year service pins; and one (1) employee will receive their 5-year service pin. Recognition will also be given to those celebrating their 20<sup>th</sup>, 30<sup>th</sup>, and 35<sup>th</sup> anniversaries. This is the fifth luncheon in 2014 to recognize and honor City employees for their service to the public.

The aggregate City service represented among this group of employees for the fifth luncheon is 390 years of City service. The City can certainly be proud of the tenure of each of these individuals and of their continued dedication to City employment in serving Westminster citizens. Background information on each individual being recognized is attached.

The recognition of employee's years of service addresses Council's Strategic Plan goal of "Excellence in City Services." Recognition efforts have long been recognized as an important management practice in organizations striving to develop loyalty, ownership and effectiveness in their most valuable resource – employees.

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Proclamation re Employee Appreciation Week

**Prepared By:** Lisa Chrisman, Employee Development & Benefits Manager

**Recommended City Council Action**

Mayor Atchison to proclaim September 1 through September 4, 2014, as City of Westminster Employee Appreciation Week in recognition of the contributions of City employees to the overall success of the City organization and the quality of life of Westminster citizens.

**Summary Statement**

- The Mayor and City Council are being requested to proclaim September 1 through September 4, 2014, as City Employee Appreciation Week.
- For many years, the City of Westminster and its citizens have benefited from the hard work and commitment of City employees.
- The purpose of the proposed proclamation is to recognize 950 full and part-time benefited employees, and the more than 660 seasonal and non-benefited employees who comprise the City of Westminster's workforce.
- On September 4, the annual employee barbeque will be held at Westfield Village Park. This catered barbeque lunch is a popular event and allows our employees to relax in the sun and enjoy the company of their co-workers.
- Members of the City's Employee Advisory Committee and the Employee Recognition Action Team, who represent employees from all City departments, have been invited to attend Monday evening's meeting to accept the proclamation on behalf of all City employees.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The ability of the City of Westminster organization to provide quality municipal services is in no small part due to the commitment, dedication, talent, expertise and knowledge of the City's employee workforce. Currently there are 950 full-time and part-time regular employees working in Information Technology, Police, Fire, Public Works and Utilities, Finance, General Services, Parks, Recreation and Libraries and Community Development Departments, and the City Attorney's and City Manager's Offices. Overall, there are roughly 1,610 active employees, including seasonal and part-time employees. Due to the efforts of these individuals, Westminster is in the forefront of providing high quality facilities and services to its residents. Very positive citizen feedback in biennial surveys and the many national and regional awards the City has received attest to the caliber of the City's workforce.

The attached Proclamation summarizes the contributions of City employees and recognizes their efforts by proclaiming September 1 through September 4, 2014, as City of Westminster Employee Appreciation Week.

One of the highlights of the week will be the Employee Barbecue lunch at Westfield Village Park. Employees enjoy a catered lunch and are able to relax and enjoy the company of co-workers. Even though the food and friendship is a highlight, an added benefit is the relaxed dress code and option of wearing jeans for all non-uniformed personnel!

The Employee Recognition Action Team has created an electronic thank you note that will be available to send to City employees during the week. This special thank you note helps employees remember to thank their coworkers for their teamwork and inspiration throughout the year. ERAT has planned other activities and events throughout Employee Appreciation Week.

Several of the members of the City's Employee Advisory Committee and the Employee Recognition Action Team will be present Monday evening to accept this proclamation from the City Council on behalf of all City employees.

Employee appreciation efforts are an integral part of the organization's ability to provide a quality work environment with effective employees prepared to deliver quality service to citizens, meeting City Council's Strategic Plan Goal of Excellence in City Services.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Proclamation

**WHEREAS**, Westminster citizens have given the City very high service ratings in each of the past citizen surveys attesting to the high quality of services provided by Westminster employees; and

**WHEREAS**, Westminster employees are in large part responsible for the City's national and regional reputation for quality, progressive municipal government; and

**WHEREAS**, the 950 full-time and part-time benefited employees and over 660 seasonal and non-benefited employees have contributed significantly to the quality of life of Westminster citizens; and

**WHEREAS**, these employees who are employed in the City Attorney's Office, City Manager's Office, Community Development, Finance, Fire, General Services, Information Technology, Parks, Recreation, and Libraries, Police, and Public Works and Utilities Departments, comprise a workforce that is unquestionably one of the City's most valuable resources; and

**WHEREAS**, on September 4, 2014, the Employee barbeque lunch will be held at Westfield Village Park in an effort to recognize all City employees and to enjoy the company and friendship of co-workers; and

**WHEREAS**, the week of September 1, 2014, will include several other activities designed to express appreciation to City Employees.

**NOW, THEREFORE, I, Mayor Herb Atchison of the City of Westminster, Colorado, on behalf of the entire City Council do hereby proclaim September 1 through September 4, 2014, as**

**CITY OF WESTMINSTER  
EMPLOYEE APPRECIATION WEEK**

Signed this 25th of August, 2014.

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Mayor Herb Atchison



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Proclamation for National Library Card Sign-up Month

**Prepared By:** Chuck Huey, Library Services Coordinator  
Kate Skarbek, Library Services Manager

**Recommended City Council Action**

Councillor Baker is requested to proclaim the month of September as “National Library Card Sign-up Month” in Westminster.

**Summary Statement**

The Westminster Public Library (WPL) celebrates National Library Card Sign-up month with programs and information and encourages residents to obtain a free library card to make use of library services.

- The American Library Association (ALA) annually designates the month of September as National Library Card Sign-up month. The WPL provides a valued service to the community and would like to proclaim September National Library Card Sign-up Month.
- In 2013, the WPL checked out 1,044,722 items. With 105,887 registered patrons, the Library serves a diversity of needs.
- The WPL offers a collection of fiction, non-fiction, children’s books, audio books on CD, DVDs, Blu-rays, and over 15,000 ebooks. Electronic resources include databases for news, health, business, and magazine indexes. The libraries have 37 PCs for internet access as well as Microsoft Word, Excel, PowerPoint, and Microsoft Publisher. Six computer workstations offer children’s educational games and research programs. Other library services include interlibrary loan, telephone renewal, tax forms, and use of meeting rooms. The Library presents 14 children’s story times each week and has a book club for adults. It hosts conversation groups to learn to speak English, job search help sessions and classes to learn how to become a U.S. Citizen. The library annual summer reading program offers prizes and programs for children, teens, and adults.
- Patrons may use their home or office computer or a mobile app to connect to the library to search the catalog, check their patron records or place holds on items.
- Library staff will issue library cards at the Legacy Ridge Golf Course 20<sup>th</sup> Anniversary on September 13, 2014.
- Staff will issue library cards, at several Westminster elementary schools including the kickoff event for the “Read-a-thon” at Flynn Elementary School on September 2, 2014.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

None identified

**Alternative**

None identified

**Background Information**

The American Library Association (ALA) annually designates the month of September as National Library Card Sign-up month. This is a focused opportunity throughout the U.S. to promote libraries and their impact on communities during the first full month of the school year. According to ALA data, Americans go to school, public, and academic libraries three times more often than they go to the movies. Also, Americans check out more than eight books a year, on average. Furthermore, nearly 89% of public libraries, including Westminster Public Library since 2008, offer free wireless Internet access. More than 92% of public libraries provide services for job seekers – a very successful job search program was started at Irving Street Library in 2009.

In 2013, the WPL checked out 1,044,722 items for an average of 9.6 items per citizen based on the population of 108,807 people. In the 2013 Parks, Recreation and Libraries Community Needs Assessment, Westminster residents responding identified the top five library functions:

- 88% said it is either essential or very important to support education by providing resources for children, parents, and teachers to support success in reading and education.
- 83% responded that providing opportunities for individuals to grow by offering access to resources and services without regard to education, ethnic background or income level were essential or very important.
- 77% said providing public access to computers and the Internet and training on related technologies were essential or very important.
- 76% said offering assistance with employment searches and applications, job skills training, and research/planning resources for business owners were essential or very important.
- 72% responded that promoting life-long learning by supporting the educational, economic and cultural development of individuals and communities were either essential or very important.

Library Staff have planned a number of outreach activities to issue library cards in the community. In addition, there are 14 Story Times at College Hill and Irving Street Libraries weekly, which are presented by the Library Youth Services Staff.

Westminster's participation in National Library Card Sign-up month supports City Council's Strategic Plan Goal of Vibrant and Inclusive Neighborhoods by engaging citizens in reading, life-long learning and providing Internet access as well as gathering spaces for community events.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment – Proclamation

**WHEREAS**, Our nation's public, school and academic libraries play a vital role in helping people of all ages connect with books, computers, DVDs and other resources needed to learn and grow; and

**WHEREAS**, Libraries offer preschool story hours and programs to help children learn and enjoy reading and provide access to information for all people; and

**WHEREAS**, Children and families view librarians as friends and teachers available to guide and answer questions; and

**WHEREAS**, Libraries are teaching digital literacy – how to conduct job searches online, setting up email accounts and learning how to use digital resources including databases and the internet; and

**WHEREAS**, Library services remain free to every citizen, providing equal opportunity for people of all ages and backgrounds; and

**WHEREAS**, Libraries nationwide are promoting National Library Card Sign-up month.

**NOW, THEREFORE**, I, Herb Atchison, Mayor of the City of Westminster, on behalf of the entire City Council and Staff, to hereby proclaim September 2014 to be

**NATIONAL LIBRARY CARD SIGN-UP MONTH  
IN THE CITY OF WESTMINSTER**

Signed this 25th day of August, 2014.

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Herb Atchison, Mayor



Agenda Memorandum

City Council Meeting  
August 25, 2014



**SUBJECT:** Financial Report for July, 2014

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

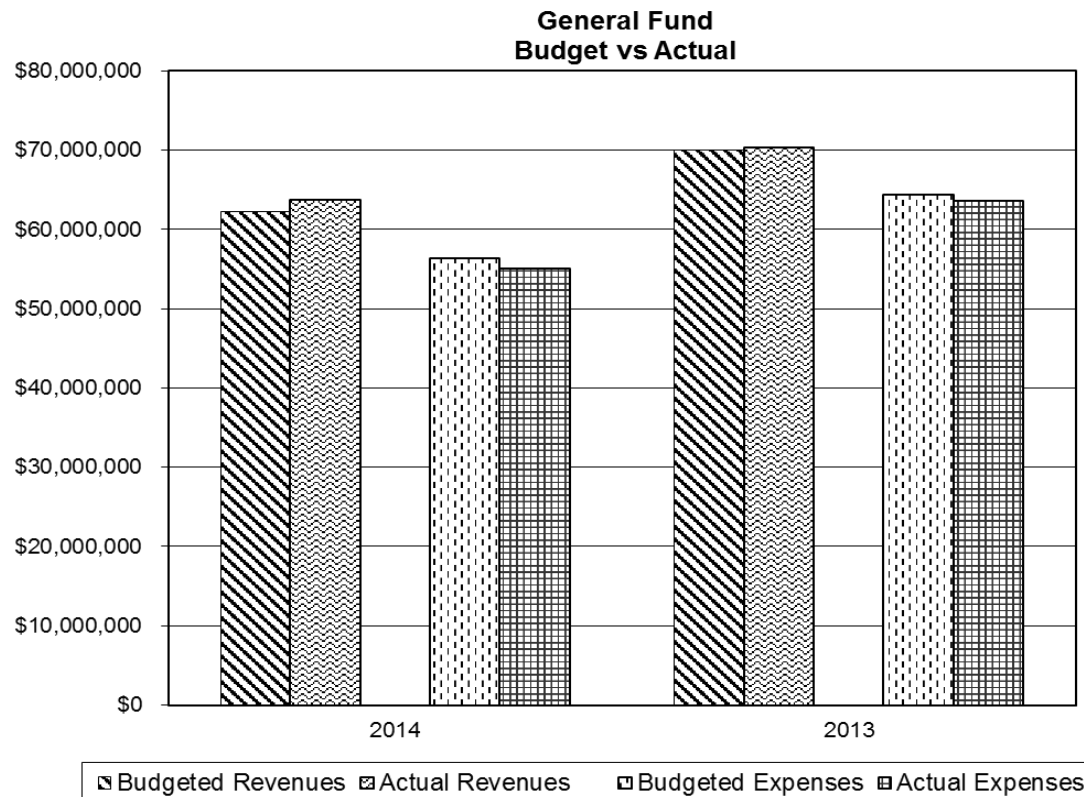
**Recommended City Council Action**

Accept the Financial Report for July as presented.

**Summary Statement**

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

Current projections show General Fund revenues and carryover exceeding expenditures by \$2,752,070. The following graph represents Budget vs. Actual for 2013-2014.

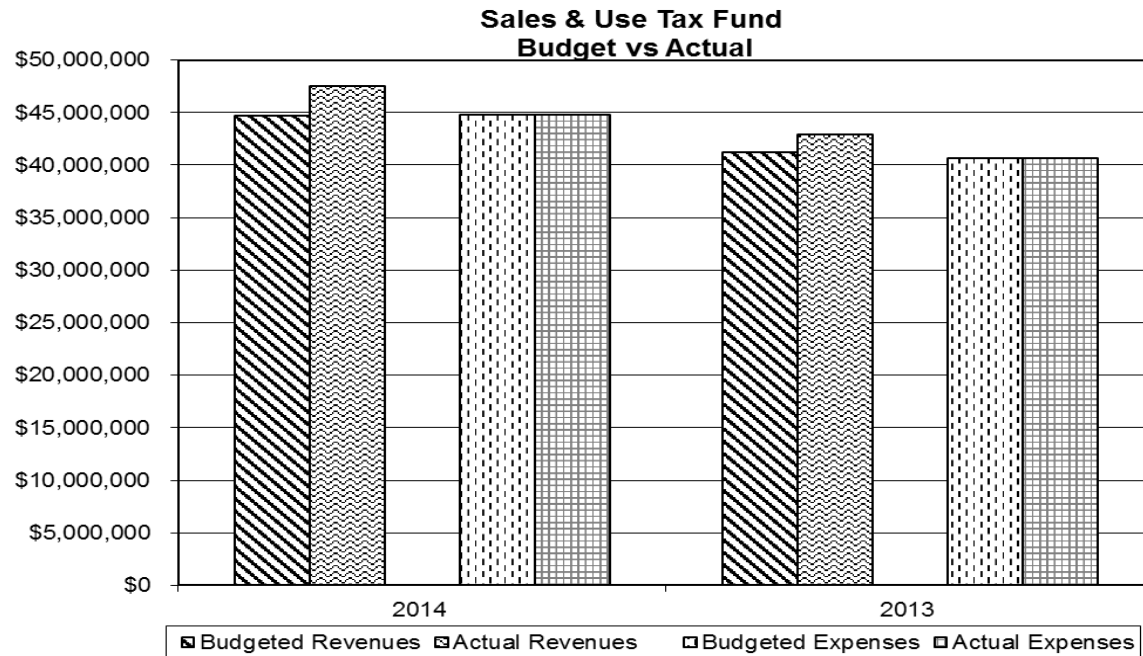


2013 revenue and expense includes \$11.1 million for refinancing of long term debt.

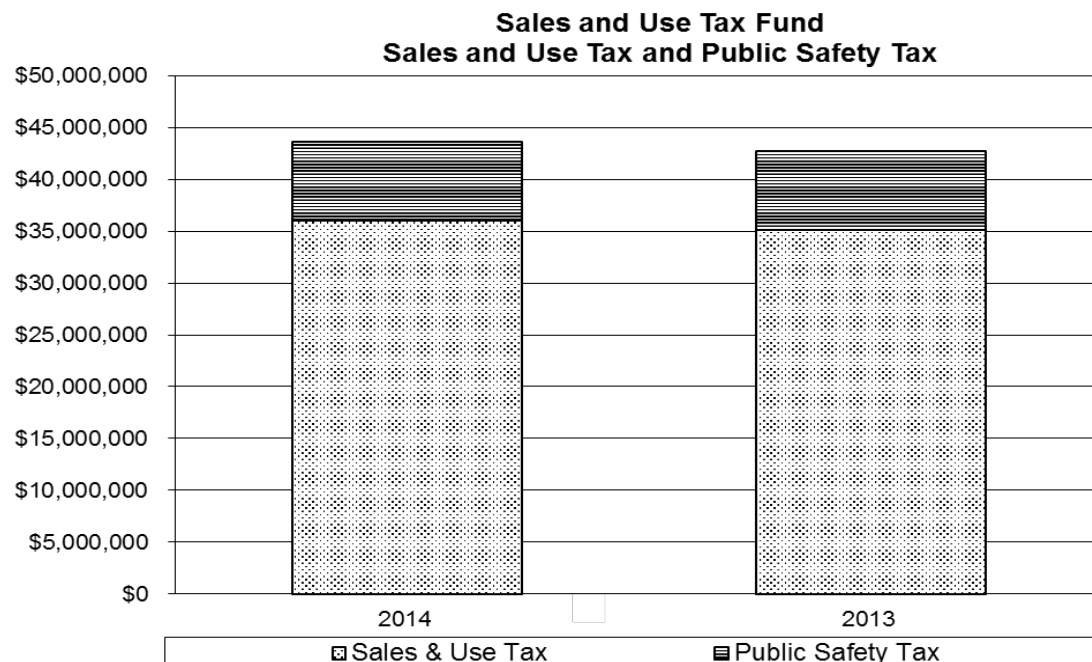


Current projections show the Sales and Use Tax Fund revenues and carryover exceeding expenditures by \$2,811,945. On a year-to-date cash basis, total sales and use tax is up 2.4% from 2013. Key components are listed below:

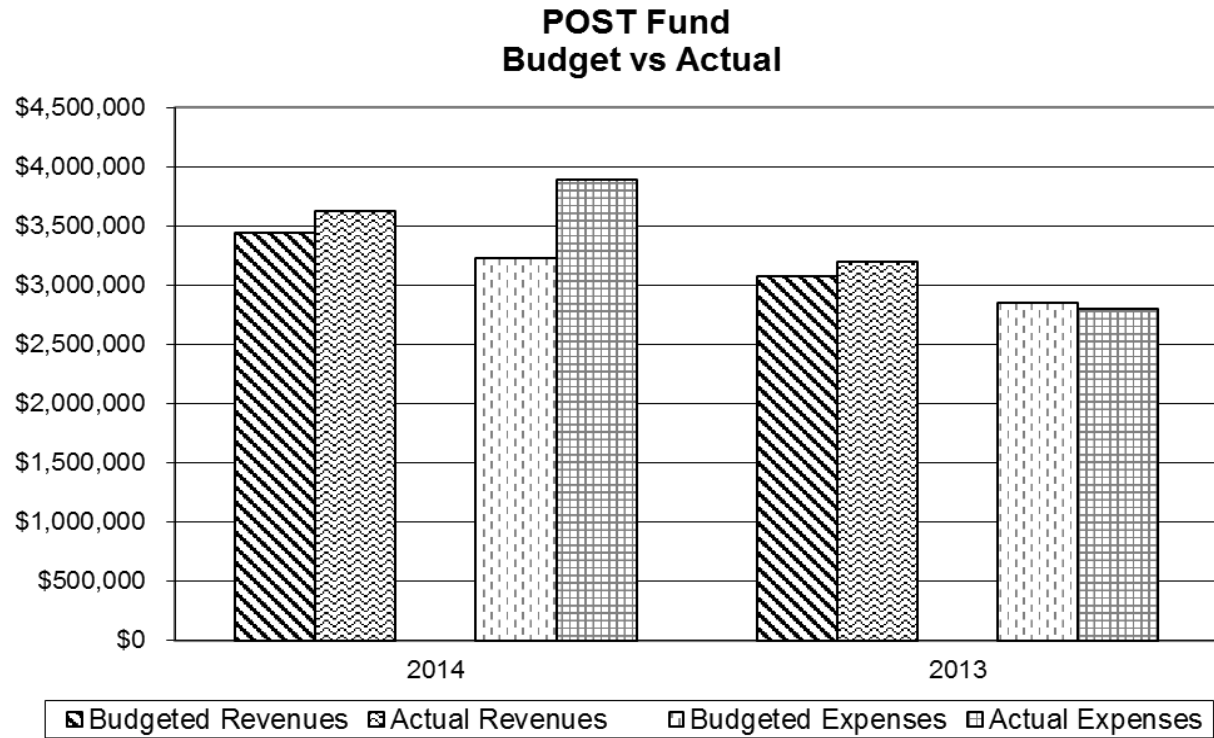
- On a year-to-date basis, across the top 25 shopping centers, total sales and use tax receipts are up 4.0% from the prior year.
- Sales tax receipts from the top 50 Sales Taxpayers, representing about 54.0% of all collections, are up 2.4% for the month when compared to 2013.
- Urban renewal areas make up 38.1% of gross sales tax collections. After urban renewal area and economic development assistance adjustments, 86.0% of this money is being retained for General Fund use.



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

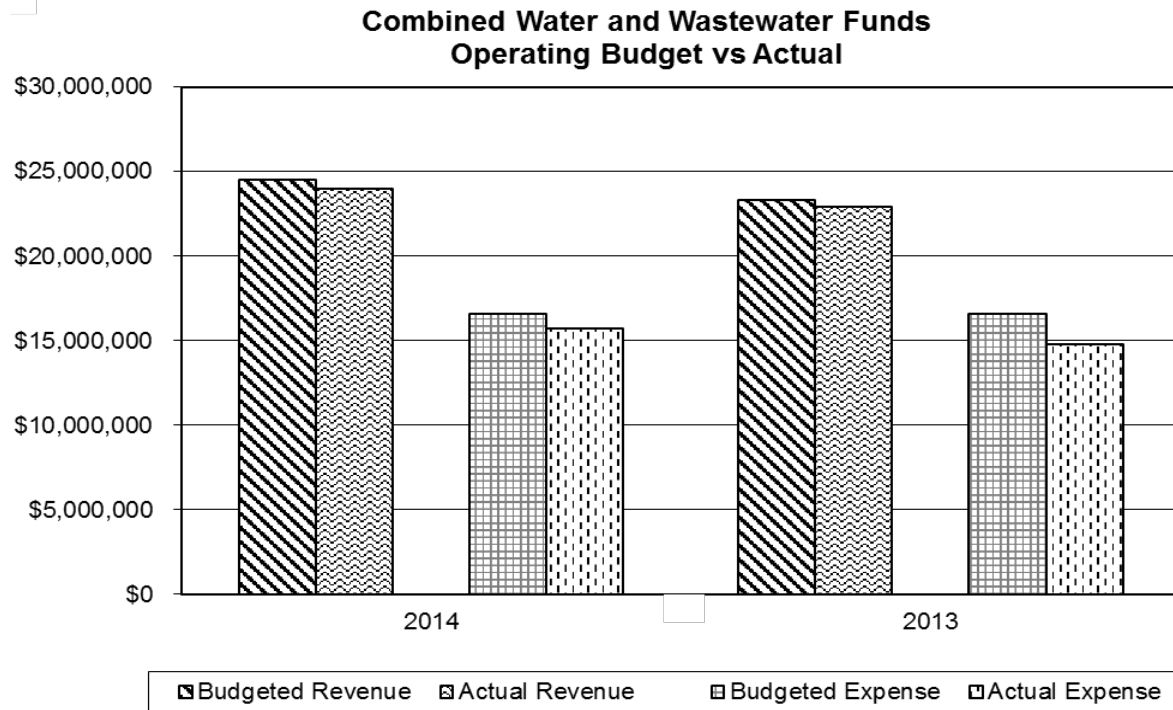


Current projections show Parks Open Space and Trails Fund expenditures exceeding revenues and carryover by \$497,091.

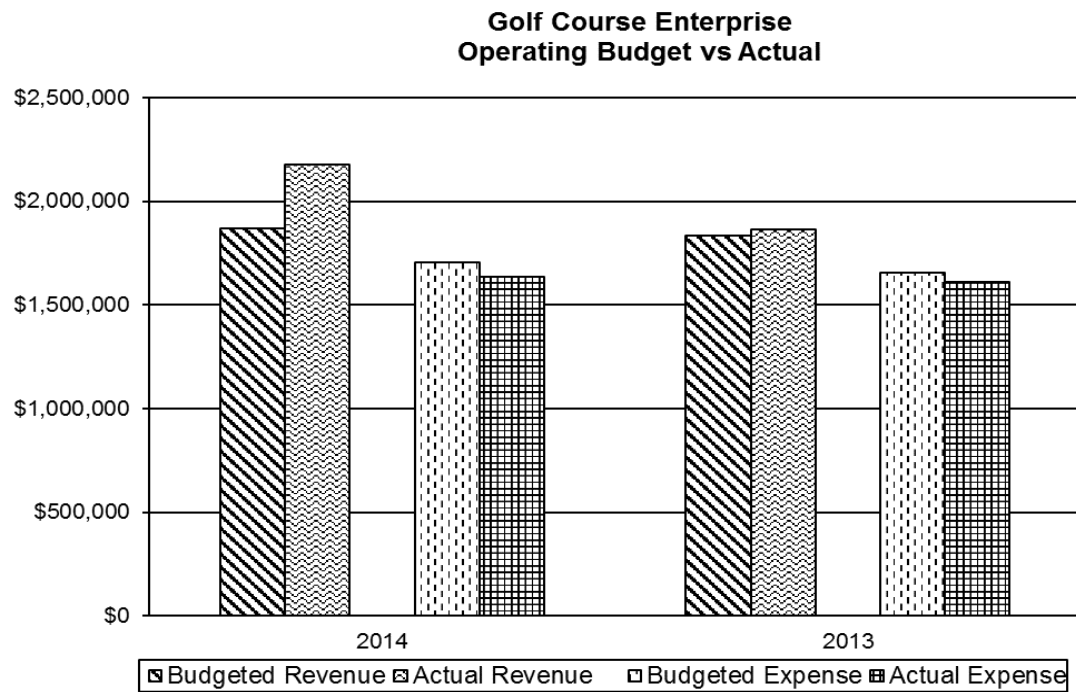


The 2014 expenditure variance reflects purchases of land for which funding has not yet been appropriated. A pending appropriation of an Adams County grant award will alleviate the difference.

Overall, current projections show combined Water & Wastewater Fund expenditures exceeding revenues and carryover by \$3,414,396. This is mostly due to tap fees. Current projections show combined Water & Wastewater Fund operating revenues exceeding expenditures by \$320,588.



Current projections show combined Golf Course Fund revenues and carryover exceeding expenditures by \$381,613. Current projections show combined Golf Course Fund operating revenues exceeding expenditures by \$377,839.



2014 Golf Course revenue exceeds budget in part because of various promotions and proceeds from the Golf Expo as well as a reimbursement from Trimble Navigation for modifications made to the Heritage. The Trimble Navigation payment will be appropriated at a later date.

**Policy Issue**

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

**Alternative**

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

**Background Information**

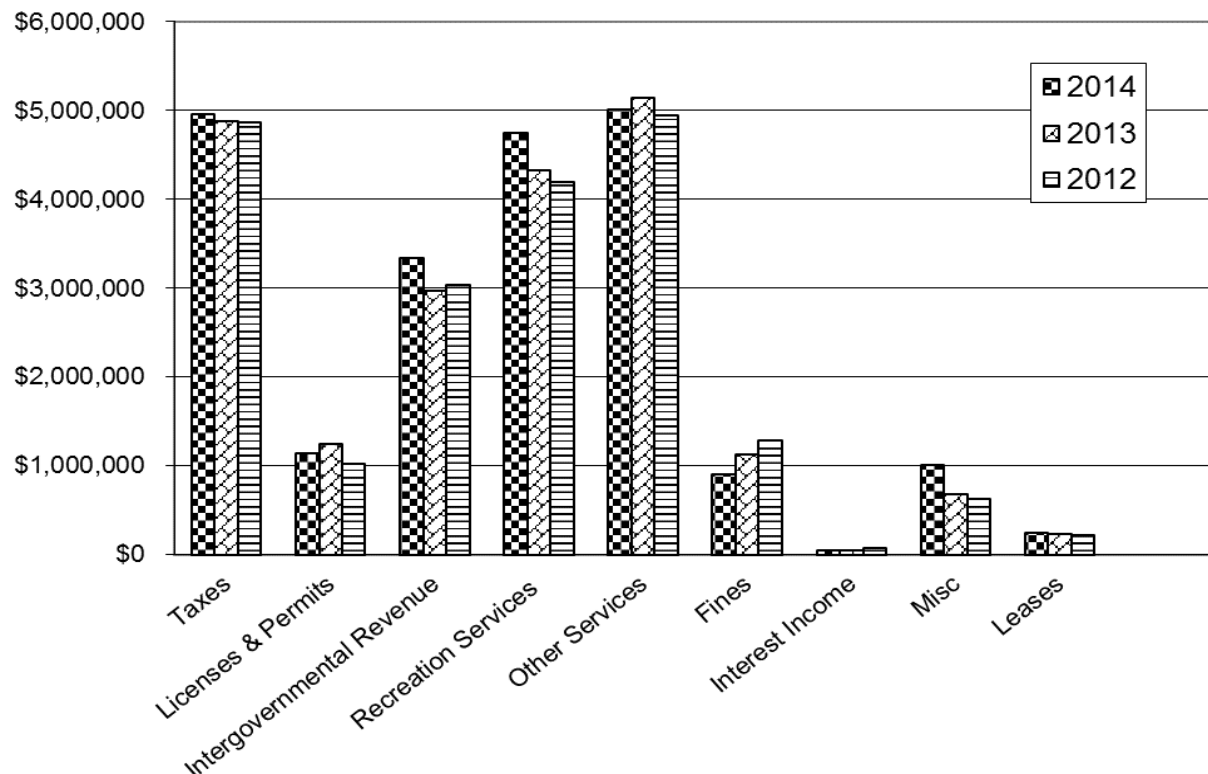
This section includes a discussion of highlights of each fund presented.

**General Fund**

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

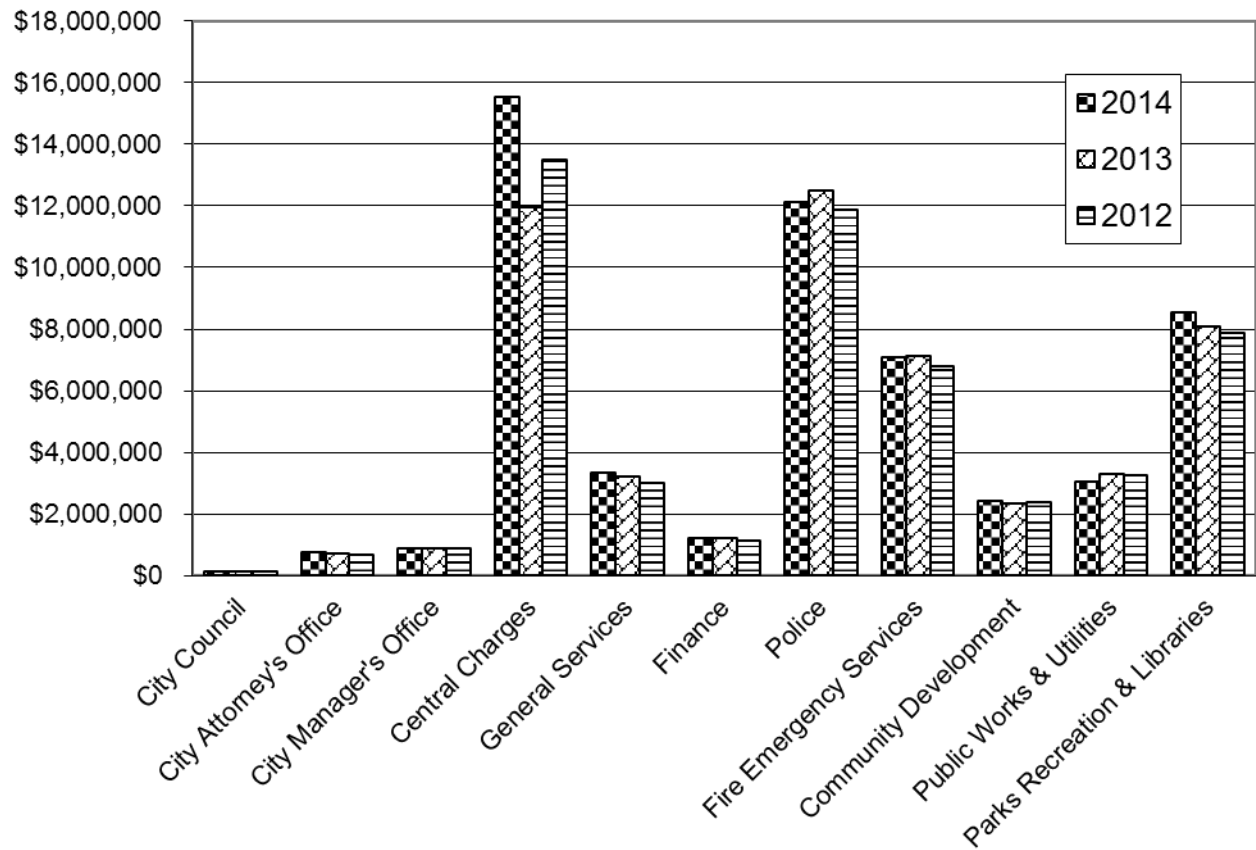
The following chart represents the trend in actual revenues from 2012-2014 year-to-date.

**General Fund Revenues, less Transfers and Carryover  
2012-2014**



Intergovernmental revenue reflects urban renewal income generated by a revenue sharing agreement between Westminster and Thornton in the North Huron URA. Recreation Services reflects an increase in pass revenue and youth activity fees as an outcome of the various Parks, Recreation and Libraries promotions. The decrease in Other Services revenue is caused mostly by a significant write down of EMS ambulance billings. Fines are lower in 2014 mostly because of a decrease in traffic fines. Miscellaneous revenue is higher due mostly to various reimbursements including that from WEDA for costs previously incurred by the City for the South Sheridan URA and certain building permit fee rebates.

### General Fund Expenditures by Function 2012-2014

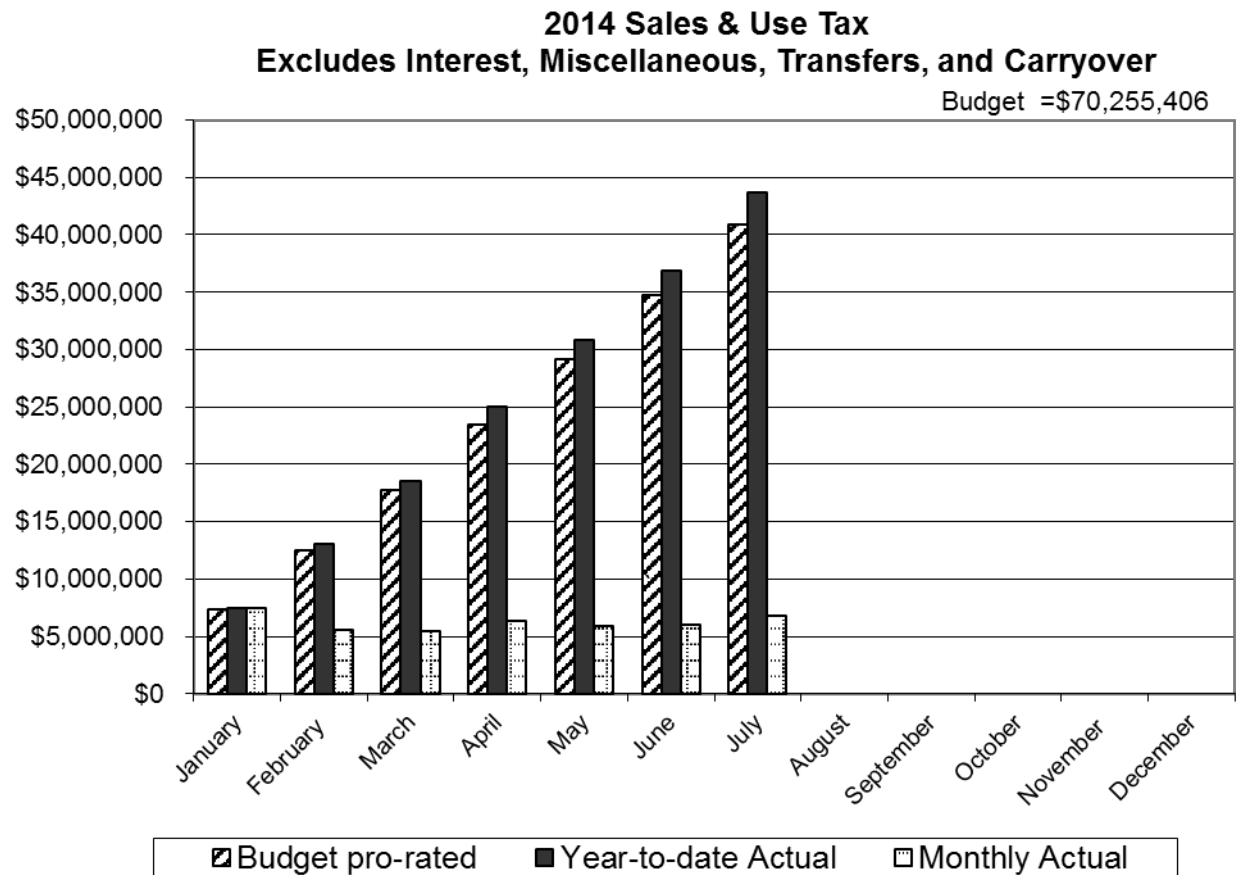


2014 Central Charges expenditures are higher when compared to prior years mostly because of an increase in budgeted transfers. Police expenditures are slightly less than in 2013 primarily because of decreased costs for maintenance and repair of equipment, ammunitions, and salaries. Parks, Recreation and Libraries expenditures are slightly higher when compared to prior years primarily due to salaries, program expenditures, contract services and supplies.

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

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

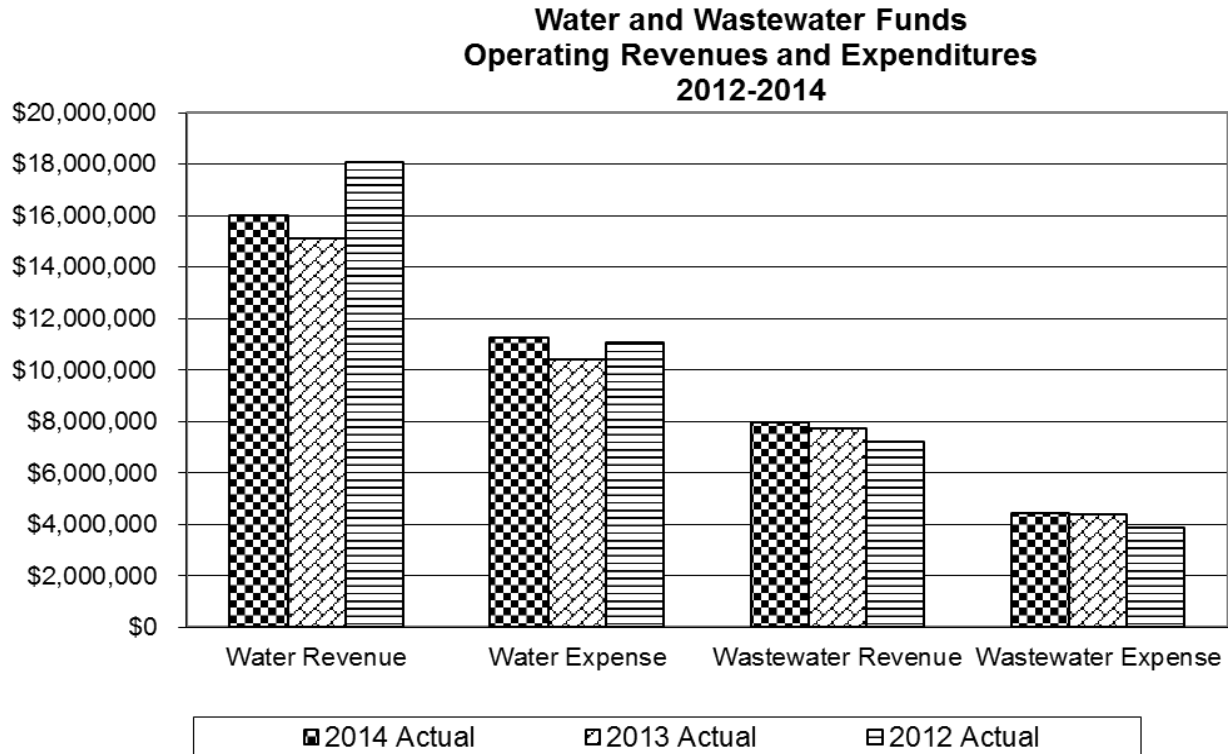
This chart indicates how the City’s Sales and Use Tax revenues are being collected on a monthly basis. This chart does not include Parks, Open Space, and Trails Sales & Use Tax.



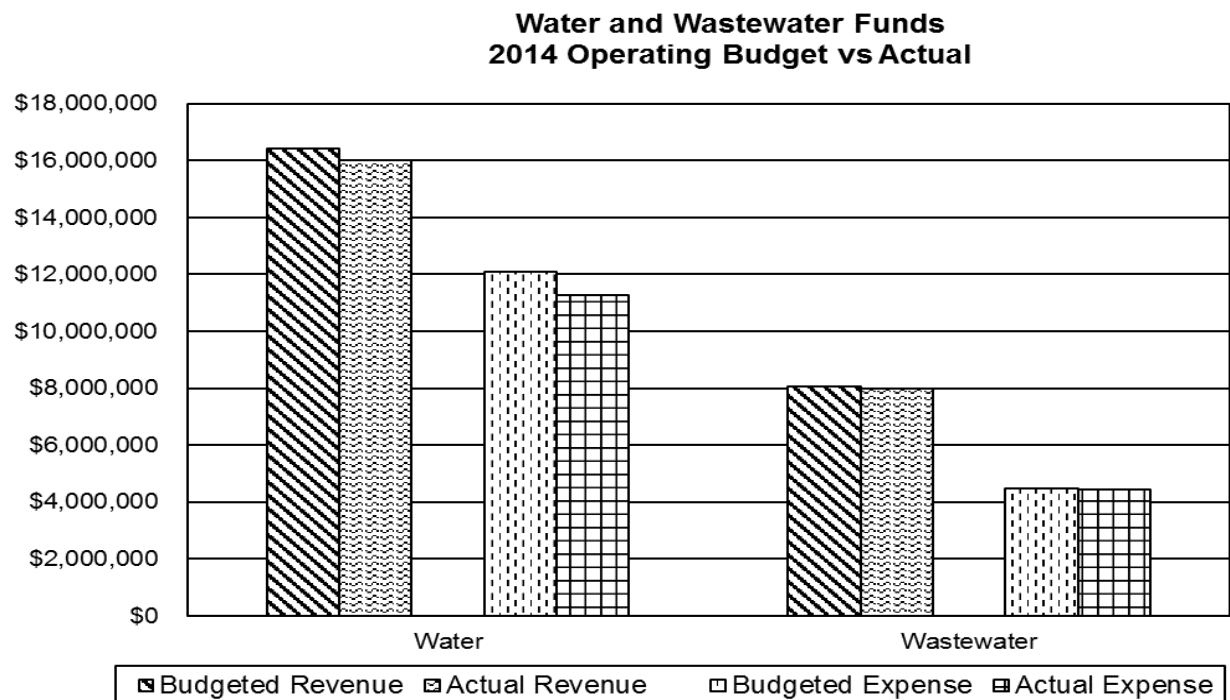
**Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)**

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

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

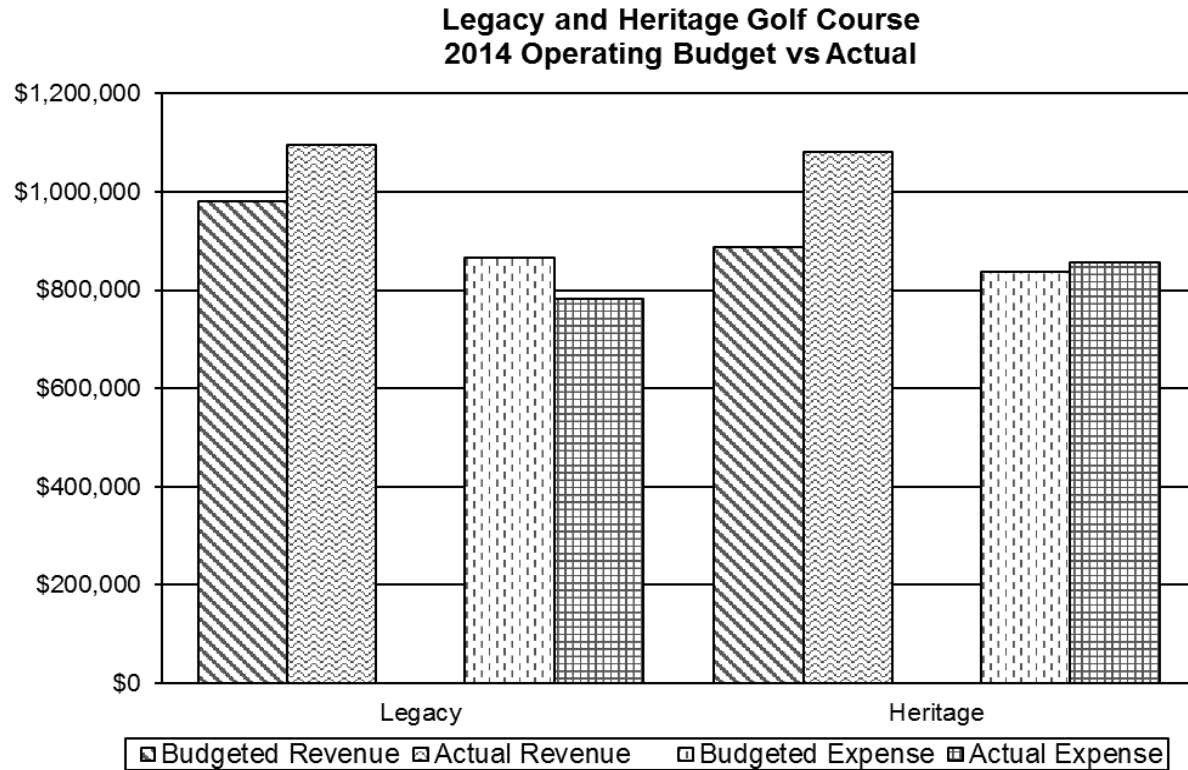


Water and Wastewater revenue variances are due to changes in billing rates; in the Water Fund, the variance is also due to the effect of climatic variations on water consumption. While 2014 Water expense exceeds prior years, overall it is under prorated budget.



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

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



Golf Course revenues exceed budget in part because of various special promotions that ran in January and February as well as proceeds from the Golf Expo, and for Heritage, a reimbursement from Trimble Navigation for modifications to the Heritage.

The following graph represents the information for each of the golf courses.





Revenue variances are due primarily to climatic effects on charges for services including driving range and greens fees. In February, several special promotions and the Golf Expo generated additional revenue for the courses. Heritage revenue also reflects a reimbursement from Trimble Navigation for modifications to the Heritage.

This financial report supports City Council's Strategic Plan Goal of Excellence in City Services by communicating timely information on the results of City operations to assist with critical decision making.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Financial Statements
- Shopping Center Report

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description General Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Revenues</b>						
Taxes	5,617,500	5,017,637		4,964,452	(53,185)	98.9%
Licenses & Permits	1,622,000	877,329		1,137,421	260,092	129.6%
Intergovernmental Revenue	5,110,368	2,777,468	(1)	3,337,144	559,676	120.2%
Charges for Services						
Recreation Services	6,775,338	4,200,414	(2)	4,746,111	545,697	113.0%
Other Services	9,412,865	4,883,287		5,014,638	131,351	102.7%
Fines	2,150,000	1,285,098	(3)	909,394	(375,704)	70.8%
Interest Income	55,000	30,328		44,712	14,384	147.4%
Miscellaneous	1,903,054	724,809	(4)	1,013,752	288,943	139.9%
Leases	401,779	206,767		242,489	35,722	117.3%
Interfund Transfers	66,881,386	39,014,142		39,014,142	0	100.0%
Sub-total Revenues	<u>99,929,290</u>	<u>59,017,279</u>		<u>60,424,255</u>	<u>1,406,976</u>	<u>102.4%</u>
Carryover	3,235,585	3,235,585		3,235,585	0	100.0%
Total Revenues	<u>103,164,875</u>	<u>62,252,864</u>		<u>63,659,840</u>	<u>1,406,976</u>	<u>102.3%</u>
<b>Expenditures</b>						
City Council	254,094	149,735		123,622	(26,113)	82.6%
City Attorney's Office	1,316,507	745,859	(5)	767,917	22,058	103.0%
City Manager's Office	1,602,272	904,309		895,531	(8,778)	99.0%
Central Charges	29,855,735	15,792,725		15,535,137	(257,588)	98.4%
General Services	6,126,997	3,405,981		3,325,513	(80,468)	97.6%
Finance	2,133,622	1,218,520		1,206,358	(12,162)	99.0%
Police	21,589,590	12,376,839		12,121,466	(255,373)	97.9%
Fire Emergency Services	12,663,848	7,228,226		7,080,171	(148,055)	98.0%
Community Development	4,382,669	2,494,133		2,411,787	(82,346)	96.7%
Public Works & Utilities	8,181,812	3,860,392		3,063,175	(797,217)	79.3%
Parks, Recreation & Libraries	15,057,729	8,227,626	(6)	8,528,574	300,948	103.7%
Total Expenditures	<u>103,164,875</u>	<u>56,404,345</u>		<u>55,059,251</u>	<u>(1,345,094)</u>	<u>97.6%</u>
<b>Revenues Over(Under)</b>						
<b>Expenditures</b>	<u>0</u>	<u>5,848,519</u>		<u>8,600,589</u>	<u>2,752,070</u>	

- (1) Budget to actual variance includes new revenue from the North Huron URA as a result of the revenue sharing agreement between Westminster and Thornton.
- (2) Budget to actual variance reflects PR&L promotions for passes and youth camp registration, as well as rental income.
- (3) Budget to actual variance is due mostly to traffic fines.
- (4) Budget to actual variance includes various reimbursements and rebates.
- (5) Budget to actual variance is due mostly to one-time personnel service charges.
- (6) Budget to actual variance is due mostly to recreation program and facility personnel services.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Sales and Use Tax Fund</b>						
<b>Revenues</b>						
Sales Tax						
Sales Tax Returns	48,071,133	28,218,055		29,922,346	1,704,291	106.0%
Sales Tx Audit Revenues	729,000	425,007		574,890	149,883	135.3%
S-T Rev. STX	<u>48,800,133</u>	<u>28,643,062</u>		<u>30,497,236</u>	<u>1,854,174</u>	106.5%
Use Tax						
Use Tax Returns	8,390,000	4,572,470		5,199,367	626,897	113.7%
Use Tax Audit Revenues	785,000	457,655		306,507	(151,148)	67.0%
S-T Rev. UTX	<u>9,175,000</u>	<u>5,030,125</u>		<u>5,505,874</u>	<u>475,749</u>	109.5%
Total STX and UTX	<u>57,975,133</u>	<u>33,673,187</u>		<u>36,003,110</u>	<u>2,329,923</u>	106.9%
Public Safety Tax						
PST Tax Returns	11,971,773	7,069,934		7,487,310	417,376	105.9%
PST Audit Revenues	308,500	179,856		176,212	(3,644)	98.0%
Total Rev. PST	<u>12,280,273</u>	<u>7,249,790</u>		<u>7,663,522</u>	<u>413,732</u>	105.7%
Interest Income	61,000	35,583		34,911	(672)	98.1%
Miscellaneous	287,291	287,291	(1)	356,253	68,962	124.0%
Interfund Transfers	329,463	192,187		192,187	0	100.0%
Carryover	3,272,649	3,272,649		3,272,649	0	100.0%
<b>Total Revenues</b>	<u>74,205,809</u>	<u>44,710,687</u>		<u>47,522,632</u>	<u>2,811,945</u>	106.3%
<b>Expenditures</b>						
Central Charges	<u>74,205,809</u>	<u>44,770,030</u>		<u>44,770,030</u>	<u>0</u>	100.0%
<b>Revenues Over(Under) Expenditures</b>	<u>0</u>	<u>(59,343)</u>		<u>2,752,602</u>	<u>2,811,945</u>	

(1) Budget to actual variance primarily reflects reimbursement from WEDA for City funded improvements in the South Sheridan URA.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description POST Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Revenues</b>						
Sales & Use Tax	5,152,477	3,048,354		3,192,314	143,960	104.7%
Intergovernmental Revenue	0	0		6,472	6,472	
Interest Income	10,000	5,833		3,822	(2,011)	65.5%
Miscellaneous	85,030	49,601	(1)	75,738	26,137	152.7%
Interfund Transfers	24,537	14,313		14,313	0	100.0%
Sub-total Revenues	<u>5,272,044</u>	<u>3,118,101</u>		<u>3,292,659</u>	<u>174,558</u>	<u>105.6%</u>
Carryover	328,400	328,400		328,400	0	100.0%
Total Revenues	<u>5,600,444</u>	<u>3,446,501</u>		<u>3,621,059</u>	<u>174,558</u>	<u>105.1%</u>
<b>Expenditures</b>						
Central Charges	5,260,728	3,065,937	(2)	3,736,712	670,775	121.9%
Park Services	339,716	157,058		157,932	874	100.6%
Total Expenditures	<u>5,600,444</u>	<u>3,222,995</u>		<u>3,894,644</u>	<u>671,649</u>	<u>120.8%</u>
<b>Revenues Over(Under)</b>						
<b>Expenditures</b>	<u>0</u>	<u>223,506</u>		<u>(273,585)</u>	<u>(497,091)</u>	

(1) Budget to actual variance includes reimbursements from WEDA for costs previously incurred by the City for the South Sheridan URA as well as certain building permit fee rebates.

(2) Budget to actual variance is mainly due to land acquisitions for which grant funding has not yet been appropriated.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Water and Wastewater Funds - Combined</b>						
<b>Operating Revenues</b>						
License & Permits	75,000	43,750		61,320	17,570	140.2%
Intergovernmental Revenue	0	0	(1)	240,008	240,008	
Rates and Charges	47,265,414	24,217,873		23,488,667	(729,206)	97.0%
Miscellaneous	410,000	239,166		178,237	(60,929)	74.5%
Total Operating Revenues	<u>47,750,414</u>	<u>24,500,789</u>		<u>23,968,232</u>	<u>(532,557)</u>	97.8%
<b>Operating Expenditures</b>						
Central Charges	6,170,349	3,599,370		3,659,867	60,497	101.7%
Finance	646,754	371,237		345,840	(25,397)	93.2%
Public Works & Utilities	20,892,643	10,821,234		10,010,377	(810,857)	92.5%
Parks, Recreation & Libraries	152,417	85,049		79,396	(5,653)	93.4%
Information Technology	3,038,821	1,695,662		1,623,927	(71,735)	95.8%
Total Operating Expenditures	<u>30,900,984</u>	<u>16,572,552</u>		<u>15,719,407</u>	<u>(853,145)</u>	94.9%
<b>Operating Income (Loss)</b>	<u>16,849,430</u>	<u>7,928,237</u>		<u>8,248,825</u>	<u>320,588</u>	
<b>Other Revenue and Expenditures</b>						
Tap Fees	8,662,000	5,052,833		1,281,496	(3,771,337)	25.4%
Interest Income	323,847	188,911		218,134	29,223	115.5%
Sale of Assets	0	0		7,130	7,130	
Carryover	6,118,308	6,118,308		6,118,308	0	100.0%
Debt Service	(7,204,825)	(3,009,319)		(3,009,319)	0	100.0%
Reserve Transfer In	8,906,830	8,906,830		8,906,830	0	100.0%
Reserve Transfer Out	(5,566,192)	(5,566,192)		(5,566,192)	0	100.0%
Total Other Revenue (Expenditures)	<u>11,239,968</u>	<u>11,691,371</u>		<u>7,956,387</u>	<u>(3,734,984)</u>	
<b>Revenues Over(Under) Expenditures</b>	<u>28,089,398</u>	<u>19,619,608</u>	(2)	<u>16,205,212</u>	<u>(3,414,396)</u>	

(1) Intergovernmental revenue reflects the Build America Bond rate subsidy.

(2) Net revenues are used to fund capital projects and reserves.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Water Fund</b>						
<b>Operating Revenues</b>						
License & Permits	75,000	43,750		61,320	17,570	140.2%
Intergovernmental Revenue	0	0	(1)	240,008	240,008	
Rates and Charges	33,445,414	16,156,206		15,523,747	(632,459)	96.1%
Miscellaneous	400,000	233,333		171,687	(61,646)	73.6%
<b>Total Operating Revenues</b>	<b>33,920,414</b>	<b>16,433,289</b>		<b>15,996,762</b>	<b>(436,527)</b>	
<b>Operating Expenditures</b>						
Central Charges	4,316,054	2,517,698		2,548,546	30,848	101.2%
Finance	646,754	371,237		345,840	(25,397)	93.2%
Public Works & Utilities	14,405,355	7,413,876		6,667,115	(746,761)	89.9%
PR&L Standley Lake	152,417	85,049		79,396	(5,653)	93.4%
Information Technology	3,038,821	1,695,662		1,623,927	(71,735)	95.8%
<b>Total Operating Expenditures</b>	<b>22,559,401</b>	<b>12,083,522</b>		<b>11,264,824</b>	<b>(818,698)</b>	<b>93.2%</b>
<b>Operating Income (Loss)</b>	<b>11,361,013</b>	<b>4,349,767</b>		<b>4,731,938</b>	<b>382,171</b>	
<b>Other Revenue and (Expenditures)</b>						
Tap Fees	7,567,000	4,414,083		989,893	(3,424,190)	22.4%
Interest Income	233,665	136,305		169,685	33,380	124.5%
Carryover	4,446,506	4,446,506		4,446,506	0	100.0%
Debt Service	(5,697,476)	(2,437,471)		(2,437,471)	0	100.0%
Reserve Transfer In	8,619,230	8,619,230		8,619,230	0	100.0%
Reserve Transfer Out	(4,375,938)	(4,375,938)		(4,375,938)	0	100.0%
<b>Total Other Revenues (Expenditures)</b>	<b>10,792,987</b>	<b>10,802,715</b>		<b>7,411,905</b>	<b>(3,390,810)</b>	
<b>Revenues Over(Under) Expenditures</b>	<b>22,154,000</b>	<b>15,152,482</b>	(2)	<b>12,143,843</b>	<b>(3,008,639)</b>	

(1) Intergovernmental revenue reflects the Build America Bond rate subsidy.

(2) Net revenues are used to fund capital projects and reserves.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Wastewater Fund</b>						
<b>Operating Revenues</b>						
Rates and Charges	13,820,000	8,061,667		7,964,920	(96,747)	98.8%
Miscellaneous	10,000	5,833		6,550	717	112.3%
Total Operating Revenues	<u>13,830,000</u>	<u>8,067,500</u>		<u>7,971,470</u>	<u>(96,030)</u>	98.8%
<b>Operating Expenditures</b>						
Central Charges	1,854,295	1,081,672		1,111,321	29,649	102.7%
Public Works & Utilities	6,487,288	3,407,358		3,343,262	(64,096)	98.1%
Total Operating Expenditures	<u>8,341,583</u>	<u>4,489,030</u>		<u>4,454,583</u>	<u>(34,447)</u>	99.2%
<b>Operating Income (Loss)</b>	<u>5,488,417</u>	<u>3,578,470</u>		<u>3,516,887</u>	<u>(61,583)</u>	
<b>Other Revenue and Expenditures</b>						
Tap Fees	1,095,000	638,750		291,603	(347,147)	45.7%
Interest Income	90,182	52,606		48,449	(4,157)	92.1%
Sale of Assets	0	0		7,130	7,130	
Carryover	1,671,802	1,671,802		1,671,802	0	100.0%
Debt Service	(1,507,349)	(571,848)		(571,848)	0	100.0%
Reserve Transfer In	287,600	287,600		287,600	0	100.0%
Reserve Transfer Out	(1,190,254)	(1,190,254)		(1,190,254)	0	100.0%
Total Other Revenues (Expenditures)	<u>446,981</u>	<u>888,656</u>		<u>544,482</u>	<u>(344,174)</u>	
<b>Revenues Over(Under) Expenditures</b>	<u>5,935,398</u>	<u>4,467,126</u>	(1)	<u>4,061,369</u>	<u>(405,757)</u>	

(1) Net revenues are used to fund capital projects and reserves.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Storm Drainage Fund</b>						
<b>Revenues</b>						
Charges for Services	2,698,000	1,573,833		1,537,620	(36,213)	97.7%
Interest Income	38,000	22,167		12,978	(9,189)	58.5%
Miscellaneous	88,262	51,486	(1)	88,379	36,893	171.7%
Sub-total Storm Drainage Revenues	<u>2,824,262</u>	<u>1,647,486</u>		<u>1,638,977</u>	<u>(8,509)</u>	99.5%
Carryover	130,728	130,728		130,728	0	100.0%
Total Revenues	<u>2,954,990</u>	<u>1,778,214</u>		<u>1,769,705</u>	<u>(8,509)</u>	99.5%
<b>Expenditures</b>						
General Services	86,200	35,428		18,424	(17,004)	52.0%
Community Development	178,990	103,635		102,878	(757)	99.3%
PR&L Park Services	200,000	58,400		31,838	(26,562)	54.5%
Public Works & Utilities	329,810	111,476		57,391	(54,085)	51.5%
Total Expenditures	<u>795,000</u>	<u>308,939</u>		<u>210,531</u>	<u>(98,408)</u>	68.1%
<b>Revenues Over(Under) Expenditures</b>	<u>2,159,990</u>	<u>1,469,275</u>	(2)	<u>1,559,174</u>	<u>89,899</u>	

(1) Revenue variance is due to a reimbursement for the LDC/Crestview Water District interceptor relocate project.

(2) Net revenues are used to fund capital projects and reserves.



**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Golf Courses Combined</b>						
<b>Operating Revenues</b>						
Charges for Services	3,019,336	1,866,963		2,069,859	202,896	110.9%
Miscellaneous	0	0	(1)	107,886	107,886	
Total Revenues	<u>3,019,336</u>	<u>1,866,963</u>		<u>2,177,745</u>	<u>310,782</u>	116.6%
<b>Operating Expenditures</b>						
Central Charges	211,700	124,155		107,375	(16,780)	86.5%
Recreation Facilities	2,644,991	1,580,576		1,530,299	(50,277)	96.8%
Total Expenditures	<u>2,856,691</u>	<u>1,704,731</u>		<u>1,637,674</u>	<u>(67,057)</u>	96.1%
<b>Operating Income (Loss)</b>	<u>162,645</u>	<u>162,232</u>		<u>540,071</u>	<u>377,839</u>	
<b>Other Revenues and Expenditures</b>						
Interest Income	0	0		3,774	3,774	
Other Financing Sources	1,101,069	1,101,069		1,101,069	0	100.0%
Other Financing Use	(1,107,149)	(1,107,149)		(1,107,149)	0	100.0%
Debt Service	(735,708)	(395,884)		(395,884)	0	100.0%
Interfund Transfers	579,143	337,833		337,833	0	100.0%
Carryover	375,000	375,000		375,000	0	100.0%
Total Other Revenue (Expenditures)	<u>212,355</u>	<u>310,869</u>		<u>314,643</u>	<u>3,774</u>	
<b>Revenues Over(Under) Expenditures</b>	<u>375,000</u>	<u>473,101</u>	(2)	<u>854,714</u>	<u>381,613</u>	

(1) Reflects one-time payment from Trimble for golf course alterations at Heritage to be appropriated.

(2) Net revenues are used to fund capital projects and reserves.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Legacy Ridge Fund</b>						
<b>Operating Revenues</b>						
Charges for Services	1,609,968	980,471		1,096,433	115,962	111.8%
Total Revenues	<u>1,609,968</u>	<u>980,471</u>		<u>1,096,433</u>	<u>115,962</u>	111.8%
<b>Operating Expenditures</b>						
Central Charges	98,900	58,054		44,993	(13,061)	77.5%
Recreation Facilities	1,332,698	808,948		736,777	(72,171)	91.1%
Total Expenditures	<u>1,431,598</u>	<u>867,002</u>		<u>781,770</u>	<u>(85,232)</u>	90.2%
<b>Operating Income (Loss)</b>	<u>178,370</u>	<u>113,469</u>		<u>314,663</u>	<u>201,194</u>	
<b>Other Revenues and Expenditures</b>						
Interest Income	0	0		2,194	2,194	
Other Financing Sources	540,431	540,431		540,431	0	100.0%
Other Financing Use	(543,431)	(543,431)		(543,431)	0	100.0%
Debt Service	(207,100)	(172,276)		(172,276)	0	100.0%
Interfund Transfers	31,730	18,509		18,509	0	100.0%
Carryover	100,000	100,000		100,000	0	100.0%
Total Other Revenue (Expenditures)	<u>(78,370)</u>	<u>(56,767)</u>		<u>(54,573)</u>	<u>2,194</u>	
<b>Revenues Over(Under) Expenditures</b>	<u>100,000</u>	<u>56,702</u>	(1)	<u>260,090</u>	<u>203,388</u>	

(1) Net revenues are used to fund capital projects and reserves.

**City of Westminster  
Financial Report  
For Seven Months Ending July 31, 2014**

Description	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
<b>Heritage at Westmoor Fund</b>						
<b>Operating Revenues</b>						
Charges for Services	1,409,368	886,492		973,426	86,934	109.8%
Miscellaneous	0	0	(1)	107,886	107,886	
<b>Total Revenues</b>	<u>1,409,368</u>	<u>886,492</u>		<u>1,081,312</u>	<u>194,820</u>	122.0%
<b>Operating Expenditures</b>						
Central Charges	112,800	66,101		62,382	(3,719)	94.4%
Recreation Facilities	1,312,293	771,628		793,522	21,894	102.8%
<b>Total Expenditures</b>	<u>1,425,093</u>	<u>837,729</u>		<u>855,904</u>	<u>18,175</u>	102.2%
<b>Operating Income (Loss)</b>	<u>(15,725)</u>	<u>48,763</u>		<u>225,408</u>	<u>176,645</u>	
<b>Other Revenues and Expenditures</b>						
Interest Income	0	0		1,580	1,580	
Other Financing Sources	560,638	560,638		560,638	0	100.0%
Other Financing Use	(563,718)	(563,718)		(563,718)	0	100.0%
Debt Service	(528,608)	(223,608)		(223,608)	0	100.0%
Interfund Transfers	547,413	319,324		319,324	0	100.0%
Carryover	275,000	275,000		275,000	0	100.0%
<b>Total Other Revenue (Expenditures)</b>	<u>290,725</u>	<u>367,636</u>		<u>369,216</u>	<u>1,580</u>	
<b>Revenues Over(Under) Expenditures</b>	<u>275,000</u>	<u>416,399</u>	(2)	<u>594,624</u>	<u>178,225</u>	

(1) Reflects one-time payment from Trimble for golf course alterations at Heritage to be appropriated.

(2) Net revenues are used to fund capital projects and reserves.

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
MONTH OF JULY 2014

Center Location Major Tenant	/----- Current Month -----/			/----- Last Year -----/			/--- %Change ---/		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	528,895	21,002	549,897	500,005	18,801	518,806	6	12	6
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	464,018	1,348	465,365	217,633	629	218,262	113	114	113
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	334,988	769	335,757	334,198	15,938	350,136	0	-95	-4
SHOPS AT WALNUT CREEK 104TH & REED TARGET	284,505	1,801	286,305	271,733	2,309	274,041	5	-22	4
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	244,029	5,259	249,287	184,211	1,007	185,217	32	422	35
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	210,784	653	211,437	216,011	2,158	218,168	-2	-70	-3
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	170,963	20,159	191,122	129,552	25,580	155,132	32	-21	23
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	181,186	585	181,771	174,615	249	174,864	4	135	4
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	175,407	638	176,046	170,799	566	171,365	3	13	3
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	146,234	2,078	148,312	91,842	187	92,029	59	1011	61
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	129,707	310	130,018	119,380	993	120,373	9	-69	8
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	118,979	6,894	125,873	98,608	1,461	100,069	21	372	26
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	115,301	267	115,567	92,717	198	92,915	24	34	24
WESTMINSTER MALL 88TH & SHERIDAN JC PENNEY	85,613	604	86,217	80,737	640	81,377	6	-6	6
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	85,878	217	86,096	81,361	198	81,558	6	10	6

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
MONTH OF JULY 2014

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	69,597	747	70,344	67,088	381	67,469	4	96	4
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	55,790	379	56,169	54,383	770	55,152	3	-51	2
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	12,569	41,837	54,406	12,066	32,975	45,040	4	27	21
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	48,888	1,389	50,277	44,420	1,420	45,840	10	-2	10
BOULEVARD SHOPS 94TH & WADSWORTH CORRIDOR AMERICAN FURNITURE WAREHOUSE	45,770	91	45,861	40,804	437	41,241	12	-79	11
NORTHVIEW 92ND AVE YATES TO SHERIDAN H MART	41,630	162	41,792	28,645	209	28,855	45	-23	45
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	39,595	1,793	41,388	40,883	287	41,170	-3	525	1
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	37,410	877	38,287	37,722	995	38,717	-1	-12	-1
WILLOW RUN 128TH & ZUNI SAFEWAY	31,797	122	31,919	40,993	174	41,167	-22	-30	-22
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	28,527	729	29,256	26,726	717	27,443	7	2	7
	<u>3,688,060</u>	<u>110,709</u>	<u>3,798,769</u>	<u>3,157,131</u>	<u>109,276</u>	<u>3,266,407</u>	<u>17</u>	<u>1</u>	<u>16</u>

CITY OF WESTMINSTER  
GENERAL RECEIPTS BY CENTER  
JULY 2014 YEAR-TO-DATE

Center Location Major Tenant	YTD 2014			YTD 2013			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
THE ORCHARD 144TH & I-25 JC PENNEY/MACY'S	3,185,653	108,412	3,294,066	3,115,192	108,618	3,223,810	2	0	2
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART 92ND	2,344,402	11,848	2,356,250	2,374,598	21,967	2,396,565	-1	-46	-2
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	1,920,242	40,866	1,961,108	1,550,901	4,090	1,554,991	24	899	26
SHOPS AT WALNUT CREEK 104TH & REED TARGET	1,800,358	12,942	1,813,300	1,806,615	25,126	1,831,741	0	-48	-1
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	1,435,106	7,924	1,443,029	1,484,279	11,471	1,495,750	-3	-31	-4
SHERIDAN CROSSING SE CORNER 120TH & SHER KOHL'S	1,249,585	18,114	1,267,699	1,232,255	5,717	1,237,971	1	217	2
SHOENBERG CENTER SW CORNER 72ND & SHERIDAN WALMART 72ND	1,225,640	12,271	1,237,911	1,232,423	5,296	1,237,719	-1	132	0
INTERCHANGE BUSINESS CENTER SW CORNER 136TH & I-25 WALMART 136TH	1,223,422	3,711	1,227,133	1,169,265	12,991	1,182,255	5	-71	4
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	1,049,328	166,391	1,215,719	972,335	132,164	1,104,499	8	26	10
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	977,907	5,865	983,773	931,626	10,022	941,648	5	-41	4
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN BARNES & NOBLE	824,311	11,869	836,180	774,451	12,158	786,608	6	-2	6
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	657,712	4,710	662,422	623,816	3,298	627,114	5	43	6
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	553,156	3,189	556,346	550,577	2,655	553,232	0	20	1
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	496,216	7,693	503,909	477,390	26,039	503,429	4	-70	0
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	462,434	3,344	465,778	443,687	3,713	447,400	4	-10	4

CITY OF WESTMINSTER  
 GENERAL RECEIPTS BY CENTER  
 JULY 2014 YEAR-TO-DATE

Center Location Major Tenant	YTD 2014 General Sales	YTD 2014 General Use	Total	YTD 2013 General Sales	YTD 2013 General Use	Total	Sales	%Change	Use	Total
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	391,021	2,629	393,649	380,642	4,865	385,507	3	-46		2
WESTMINSTER MALL 88TH & SHERIDAN JC PENNEY	343,795	7,367	351,161	343,896	5,205	349,102	0	42		1
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	341,014	5,248	346,262	313,936	16,421	330,356	9	-68		5
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	338,775	30,761	369,536	307,051	1,315	308,366	10	2240		20
NORTHVIEW 92ND AVE YATES TO SHERIDAN H MART	290,945	4,163	295,107	186,399	20,417	206,816	56	-80		43
BOULEVARD SHOPS 94TH & WADSWORTH CORRIDOR AMERICAN FURNITURE WAREHOUSE	242,829	1,840	244,669	217,344	3,751	221,095	12	-51		11
BROOKHILL IV E SIDE WADS 90TH-92ND MURDOCH'S	233,427	2,996	236,423	210,927	5,484	216,411	11	-45		9
WILLOW RUN 128TH & ZUNI SAFEWAY	222,082	1,504	223,586	224,867	1,854	226,721	-1	-19		-1
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	184,474	3,050	187,525	178,843	3,832	182,675	3	-20		3
MEADOW POINTE NE CRN 92ND & OLD WADS CARRABAS	164,996	807	165,804	169,427	507	169,934	-3	59		-2
	22,158,832	479,512	22,638,345	21,272,742	448,975	21,721,717	4	7		4



## Agenda Item 8 B

### Agenda Memorandum

City Council Meeting  
August 25, 2014



**SUBJECT:** Acting City Attorney Appointment

**Prepared By:** Debbie Mitchell, General Services Director

### Recommended City Council Action

Appoint Deputy City Attorney Hilary Graham to serve as Acting City Attorney to have and exercise the duties and responsibilities of City Attorney under the City Charter until such time as a new City Attorney is appointed by Council.

### Summary Statement

- Marty McCullough has been the City Attorney for the City of Westminster for the past 28 years.
- Mr. McCullough will be retiring on September 7, 2014 and the position will then become vacant.
- Ms. Graham has agreed to serve as Acting City Attorney at an interim annual salary of \$165,000 until such time as a new City Attorney is appointed by Council.
- City Council is currently in the process of recruiting a new City Attorney. This process will not be completed by the aforementioned retirement date.

**Expenditure Required:** \$0

**Source of Funds:** N/A



**Policy Issue**

Should Deputy City Attorney Hilary Graham be appointed to serve as acting City Attorney until such time as a new City Attorney is appointed by Council?

**Alternative**

Council could elect not to appoint the Deputy City Attorney as acting City Attorney. Staff does not recommend this alternative. This position plays a critical role in the daily operations of the City. Also, this appointment will provide continuity in representation of current issues residing in the City Attorney's Office.

**Background Information**

The City Attorney's Office is responsible for the general legal affairs of the City. They provide legal representation and advice to the City Council, the City Manager, the City's Boards and Commissions, the City's department heads, and other key City staff regarding the legal implications of contemplated policy and administrative decisions. They also prepare and review various ordinances, contracts, and other legal documents, and conduct a variety of legal trainings and other educational programs designed to avoid lawsuits.

Mr. McCullough joined the City in 1985 as an assistant city attorney and was appointed City Attorney in 1986. He received his law degree with honors from the University of Houston in 1982. Marty also holds a master's degree in analytical chemistry from Florida State University. Mr. McCullough is retiring from his position effective September 7, 2014.

Ms. Graham joined the City in 2010 after working at the Denver municipal law firm of Hayes, Phillips, Hoffman and Carberry, P.C., for more than seven years representing municipalities, special districts and other government entities. Before that, Hilary served as a law clerk for the Honorable Raymond D. Jones with the Colorado Court of Appeals, and for U.S. District Court Judge John Kane. She received her law degree from the University of Colorado in 2002, and her undergraduate degrees from the University of Kansas. Ms. Graham currently serves as Deputy City Attorney and has agreed to take on the City Attorney responsibilities in the interim vacancy period. A wage of \$165,000 is recommended as the acting wage with a September 7, 2014 start date. No additional funding is required as the position of City Attorney is already funded.

The City is currently screening applications for the position of City Attorney. Final interviews and selection of the new City Attorney is expected to take place in September 2014, with the vacancy being filled in October or November. The Acting City Attorney appointment would extend until the start date of the new City Attorney. City Council's action on this item addresses all eight Strategic Planning Goals.

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Cumulative Purchases Over \$50,000

**Prepared By:** Lee Birk, Chief of Police  
Russ Bowers, Public Safety Communications Administrator

**Recommended City Council Action**

Based upon the recommendation of the City Manager, determine that the public interest will be best served by approving the Police Department's cumulative expenditures in 2014 with Frontier Radio Communications in an amount not to exceed \$75,000.

**Summary Statement**

- The Westminster Municipal Code requires that all purchases to a sole source vendor over \$50,000 be approved by City Council. Staff has taken a conservative approach in interpreting this requirement to include transactions where the cumulative total purchases of similar commodities or services from one vendor in a calendar year exceeds \$50,000.
- Staff has identified Frontier Radio Communications (Frontier) as a vendor that will have total cumulative expenditures exceeding \$50,000 for the year 2014.
- The Frontier expenditures are related to the annual service and maintenance to the City's existing radio system and the audio visual system repairs and installs throughout the City buildings. The expenditure includes the quarterly contract payments and equipment and supplies for service and maintenance.
- Funds were previously appropriated in the 2014 General Fund Budget and are adequate for the purchases and contractual obligations.

**Expenditure Required:** Not to exceed \$75,000

**Source of Funds:** General Fund – Police Department Operating Budget

**Policy Issue**

Should Council approve the remaining Frontier service/maintenance contractual payment, and any remaining radio or audio visual system repairs, installs, and supplies exceeding \$50,000 in 2014?

**Alternative**

Do not approve the expenditures as recommended. While it could be argued that each transaction represents a separate purchase, City Staff believes that a more conservative and prudent approach is to treat the smaller transactions as cumulative larger purchases that are subject to Council approval.

**Background Information**

In March 2009, City Council approved the sole source vendor contract with Frontier Radio Communications for services pertaining to the Citywide radio system. In addition, Frontier also provides installation, maintenance and repair services for many of the audio visual systems throughout the City. The radio system is administered and managed by the Police Department. However, the funding for the Frontier contract, radio service and maintenance are funded through several department budgets (Police, Fire, Public Works and Utilities, Parks, Recreation and Libraries, and Community Development).

Frontier is under contract with Cassidian Communications as the maintenance provider for the “backbone” portion of the new Citywide Radio System. Under a separate contract, Frontier provides the installation and maintenance for the portable and mobile radios. Frontier is the only company in the State of Colorado that is factory certified and can handle the maintenance and repair of the City’s radio system because of the system size and complexity. The radio service contract with Frontier provides for a substantial discount on other technical installations and services that Frontier provides to the City, such as the miscellaneous technical audio visual projects that have been completed for multiple facilities in the City.

The Police Department has spent a total of \$48,026 and will not exceed a total of \$75,000 for calendar year 2014. This total includes one-time costs for the de-implementation of the old EDACS radio system at Eldorado Mountain, Public Safety Center, the Orchard substation, and the Gregory Hills Tower location.

The City’s approach to these types of collective purchases from a single vendor is to assure that purchases in excess of \$50,000 are identified in advance and brought to City council for approval. The 2014 expenditures with Frontier Communications helps achieve City Council’s Strategic Plan goals of “Excellence in City Services.”

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Cumulative Purchases Over \$75,000

**Prepared By:** Lee Birk, Chief of Police

**Recommended City Council Action**

Based upon the recommendation of the City Manager, determine that the public interest will be best served by approving the Police Department's cumulative purchases in 2014 with Precinct Police Products not to exceed \$100,000 through end of year 2014.

**Summary Statement**

- The Westminster Municipal Code requires that all purchases over \$75,000 be approved by City Council. Staff has taken a conservative approach in interpreting this requirement to include transactions where the cumulative total purchases of similar commodities or services from one vendor in a calendar year exceeds \$75,000.
- Staff has identified Precinct Police Products (Precinct) as a vendor that will have total cumulative expenditures exceeding \$75,000 for the year 2014.
- Precinct is one of two suppliers in the area that the Police Department utilizes for the purchase of uniforms and equipment in the department. The Police Department also utilizes Neves Uniforms and Equipment (Neves). However, Precinct is utilized as the primary vendor by the department because they have the ability to supply the majority of the City's uniform and equipment needs at a competitive cost and within a reasonable amount of time.
- Funds are budgeted in the Police Department General Fund Budget and are adequate for the purchases in 2014.

**Expenditure Required:** Not to Exceed \$100,000

**Source of Funds:** General Fund – Police Department Operating Budget

**Policy Issue**

Should Council approve the purchase of uniforms and equipment from Precinct that exceed \$75,000 in 2014?

**Alternative**

City Council could decide not to approve the requested cumulative purchases. While it could be argued that each transaction represents a separate purchase, City Staff believes that a more conservative and prudent approach is to treat the smaller transactions as a cumulative larger purchases that are subject to Council approval.

**Background Information**

The Westminster Municipal Code requires that all purchases over \$75,000 be brought to City Council for approval. The Police Department has identified Precinct Police Products as a vendor where the total cumulative purchases or expenses will exceed \$75,000 for the year 2014 and Staff is seeking approval for the expenditures. Adequate funds are available in the Police Department's 2014 General Fund budget to cover the expenditures.

Precinct and Neves are two of the suppliers in the area that the department has utilized since Public Safety Warehouse went out of business in 2010. In early 2012 and again in early 2014, the Police Department solicited quotes from Precinct and Neves. After a thorough review of each vendor's pricing, product availability, and ability to deliver supplies in a timely fashion, it has been determined that Precinct, because of their ability to supply the majority of the City's uniform and equipment needs and their ability to act as a "one stop shop," would be the vendor the City would be purchasing the majority of uniforms and equipment from. While Precinct is the primary source of uniforms and equipment, it is with the understanding that Neves would be utilized if Precinct could not supply the Police Department with specific uniform or equipment item at a competitive cost, or within a reasonable amount of time, or the uniform or equipment item was unavailable.

Precinct provides the Department's uniforms, ballistic vests, jackets, insulated coveralls, equipment bags, handcuffs, batons, clipboards, flashlights, and various other uniform supplies and equipment for all Police Department sworn personnel (183 FTE). The purchases also include specialized uniforms and supplies for the SWAT Team, Bike Unit, K9 Unit, Motorcycle Unit, SET, Criminalists, Honor Guard, as well as uniforms for the Accident Investigators and Animal Management Officers.

The Police Department has spent a total of \$66,197 to date with Precinct and estimates that the department will not exceed a total of \$100,000 for the calendar year 2014. Total expenditures for uniforms and equipment have increased in 2014 over the past few years due to the fact that the department has had a higher attrition rate over the last year. The department has hired 9 sworn replacement officers to date, and expect to be hiring an additional 5 replacement officers by the end of the year. Every new officer must be equipped with uniforms and equipment and the cost per officer is \$3,000.

The City's approach to these types of collective purchases from any single vendor is to assure that purchases in excess of \$75,000 are identified in advance and brought to City Council for approval and helps to achieve City Council's Strategic Plan Goal of "Excellence in City Services" by spending tax dollars in a responsible manner.

Respectfully submitted,

J. Brent McFall  
City Manager



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Northwest Water Treatment Facility and Raw Water Pump Station Equipment Purchase

**Prepared By:** Tom Scribner, Water Treatment Superintendent  
Stephen Gay, Utilities Operations Manager

**Recommended City Council Action**

Authorize the City Manager to award the purchase of one 24-inch and two 14-inch Bailey sleeve valves to the low bidder, Bailey Valve, Inc. in the amount of \$256,020, plus an allowance of up to \$25,602 for related appurtenances, freight, and shop materials, for a total not to exceed \$281,622.

**Summary Statement**

- The City needs to purchase one 24-inch sleeve valve for the Northwest Water Treatment Facility and two 14-inch sleeve valves for the Raw Water Interconnect Pump Station.
- Staff solicited bids from Bailey Valve, Inc. and The Henry Pratt Company, the only manufacturers of large sleeve valves in the United States.
- The Bailey Valve, Inc. bid was significantly lower than the Henry Pratt Company bid, and Staff recommends the bid be awarded to Bailey Valve, Inc. on the basis of low bid and the proven performance and reliability of the Bailey valves.
- Adequate funds were budgeted and are available for this purchase.

**Expenditure Required:** \$281,622

**Source of Funds:** Utility Capital Improvement Fund - NWTF Major R&R (\$157,278)  
Utility Capital Improvement Fund - Reclaimed System Improvements (\$124,344)

**Policy Issue**

Should the City proceed with the purchase of three sleeve valves from Bailey Valve, Inc. in the amount of \$256,020, plus an allowance of up to \$25,602 for related appurtenances, freight, and shop materials, for a total not to exceed \$281,622?

**Alternatives**

The City could choose not to purchase or to delay the purchase of the recommended valves. This course of action is not recommended as the 24-inch sleeve valve currently in service at the Northwest Water Treatment Facility has exceeded its expected useful life and could fail at any time. A failure of this valve would likely force a shutdown of the facility impacting service delivery for weeks or months due to procurement process and manufacturing lead times. The 14-inch valve in service at the Raw Water Interconnect Pump Station is a pressure regulating valve, but current operating needs require this to be replaced with a flow regulating valve. Staff recommends that when this valve is replaced, a second valve be purchased for redundancy.

Not purchasing or delaying the purchase of the three recommended valves is not recommended due to the need for the Northwest Water Treatment Facility to be operable and reliable during the Semper Water Treatment Facility scheduled maintenance shut-downs, and for the Raw Water Interconnect Pump Station to operate when needed with minimal down time.

The City could choose to explore other alternatives to the recommended Bailey sleeve valves. This is not recommended as the recommended valves have been used successfully by the City for many years, are reliable, and Staff is familiar with their use.

**Background Information**

**Northwest Water Treatment Facility – 24-inch valve**

The Northwest Water Treatment Facility was constructed in 2002. It was expanded in 2011 to its current configuration of 11 micro-membrane racks which provide between 11 and 15 million gallons per day of potable water. This facility is capable of supporting the City’s winter potable water demands while the Semper Water Treatment Facility is down for scheduled maintenance. The existing Bailey 24-inch sleeve valve has successfully controlled raw water flows into the facility for 12 years and has aging parts that may fail at any time.

**Raw Water Interconnect Pump Station – two 14-inch valves**

The Raw Water Interconnect Pump Station was constructed in 2010 and has a pumping capacity of six million gallons per day. This pump station was designed to help the Reclaimed Water Treatment Facility meet peak demands and serve customers during the irrigation season. The addition of the pump station has allowed the reclaimed water system to serve new customers each year and reduce the stress on the potable water system. The current 14-inch valve is a pressure regulating valve, but current operating needs require a flow regulating valve. Additionally, the original pump station design did not include valve redundancy. If the sleeve valve fails, the pump station will be out of service for several weeks or months due to procurement and manufacturing lead times. In addition to the replacement valve, purchasing a spare valve is also recommended to provide the necessary redundancy.

<b>Facility</b>	<b>Size &amp; Number</b>	<b>Pratt</b>	<b>Bailey</b>
Northwest Water Treatment Facility	24 inch (1)	\$180,000	\$142,980
Raw Water Interconnect Pump Station	14 inch (2)	\$182,000	\$113,040
Allowance for related appurtenances, freight, and shop materials.			\$25,602
Total recommended			\$281,622

Replacing the sleeve valve at the Northwest Water Treatment Facility and the pressure regulating valve at the Raw Water Interconnect Pump Station and adding a spare sleeve valve for the Raw Water Interconnect Pump Station helps achieve City Council's Strategic Plan goals of "Excellence in City Services" by contributing to well-maintained City infrastructure and facilities.

Respectfully submitted,

J. Brent McFall  
City Manager





## Agenda Item 8 F

### Agenda Memorandum

City Council Meeting  
August 25, 2014



**SUBJECT:** Second Reading for Councillor's Bill No. 21 re Proposed Economic Development Agreement with Ball Corporation

**Prepared By:** Chris Gray, Economic Development Officer

### Recommended City Council Action

Pass Councillor's Bill No. 21 on second reading authorizing the City Manager to execute and implement an Economic Development Agreement (EDA) with Ball Corporation.

### Summary Statement

- This Councillor's Bill was passed on first reading on August 11, 2014.
- Ball Corporation owns and operates packaging and aerospace businesses that operate throughout the world.
- Ball is the city's largest private primary employer with 934 employees that work in the company's packaging, aerospace and corporate organizations.
- Ball is currently developing a business services entity that will provide finance, human resources and information technology services internally to Ball's business operations worldwide. Ball intends to locate the new business services office at Circle Point in Westminster.
- The function will employ 80 individuals drawn from throughout Ball's system at average wages of \$90,625 annually.
- Assistance is based on the City's desire to attract and retain high paying primary jobs and to fill existing vacant office space.
- Should Ball decide to move this new service center out of Westminster within five years of the approval of this EDA, the assistance would have to be reimbursed to the City by the company.

**Expenditure Required:** Approximately \$35,000 (Rebates and up to \$4,000 in expenses)

**Source of Funds:** The EDA with Ball Corporation will be funded through revenue received from permit fees, construction use tax, and use tax on equipment, furniture and fixture purchases for the Ball Corporation project, as well as from funds allocated in the Economic Development General Fund account for business support.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Ordinance

BY AUTHORITY

ORDINANCE NO. **3732**

COUNCILLOR'S BILL NO. **21**

SERIES OF 2014

INTRODUCED BY COUNCILLORS  
**Winter - Garcia**

**A BILL**

**FOR AN ORDINANCE AUTHORIZING THE ECONOMIC DEVELOPMENT AGREEMENT  
WITH BALL CORPORATION**

WHEREAS, the successful attraction and retention of expanding primary businesses in the City of Westminster provides employment opportunities and increased revenue for citizen services and is therefore an important public purpose; and

WHEREAS, it is important for the City of Westminster to remain competitive with other local governments in creating assistance for businesses to expand or relocate in the City; and

WHEREAS, Ball Corporation plans to open a new 31,000 square-foot global services office at 11080 Circle Point Road in Westminster; and

WHEREAS, a proposed Economic Development Agreement between the City and Ball Corporation is attached hereto as Exhibit "A" and incorporated herein by this reference.

NOW, THEREFORE, pursuant to the terms of the Constitution of the State of Colorado, the Charter and ordinances of the City of Westminster, and Resolution No. 53, Series of 1988:

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Manager of the City of Westminster is hereby authorized to enter into an Economic Development Agreement with Ball Corporation in substantially the same form as the one attached as Exhibit "A" and, upon execution of the Agreement, to fund and implement said Agreement.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11<sup>th</sup> day of August, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 25<sup>th</sup> day of August, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

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

\_\_\_\_\_  
City Attorney's Office

**Exhibit "A"**  
**ECONOMIC DEVELOPMENT AGREEMENT**  
**FOR**  
**BALL CORPORATION**

THIS ECONOMIC DEVELOPMENT AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 2014, between the CITY OF WESTMINSTER (the "City") and BALL CORPORATION, an Indiana Corporation (the "Company").

WHEREAS, the City wishes to provide assistance to aid in the expansion of the Company to the City; and

WHEREAS, the Company plans to lease and occupy 31,000 square feet of office space located in the building at 11080 Circle Point Road (the "new facility") for the purpose of setting up a new global services office, thus providing primary job growth within the City; and

WHEREAS, City Council finds the execution of this Economic Development Agreement will provide benefit and advance the public interest and welfare of the City and its citizens by securing the location of this economic development project within the City.

In consideration of the mutual promises set forth below, the City and the Company agree to the following:

1. Building Permit Fee Rebates. The City shall rebate to the Company 60% of the building permit fees that are otherwise required under W.M.C. Section 11-10-3 (E) for the remodeling and improvements in the new facility. This rebate excludes water and sewer tap fees. The permit fee rebate will be approximately \$7,449.

2. Use Tax Rebate-Construction. The City shall rebate to the Company 60% of the Building Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) on construction materials collected from the remodeling and improvements in the new facility that are otherwise required under W.M.C. Sections 4-2-9 and 4-2-3. The use tax rebate will be approximately \$10,800.

3. Sales and Use Tax Rebate – Furniture and Fixtures. For the period of 3 months prior and 60 months after the Company obtains a Certificate of Occupancy or passes a final inspection for the new facility, the City will rebate 60% of the Westminster General Sales and Use Tax (excludes the City's .25% Open Space Tax and .6% Public Safety Tax) on equipment and furnishings purchased by the Company for the new facility. The rebate will be approximately \$12,600.

- a. The rebate shall include use tax payments paid directly to the City by the Company, and/or sales tax collected from the Company and remitted to the City by City licensed businesses.
- b. Rebates will be based on the documentation prescribed by the City and provided by the Company which illustrates purchases or delivery of any such furnishings, fixtures, or equipment that occurred within the City of Westminster for the 11080 Circle Point facility and that taxes were paid to and collected by the City.

4. Expedited Plan Review Fee. Should an outside agency be retained for expedited plan review service related to the Company's building permit application, the extra cost will be paid by the City Economic Development Office up to a maximum of \$4,000.

5. Payment of Rebates – The Company will file returns and pay City sales and use taxes due no less frequently than on a calendar quarter. Rebates shall be calculated for each calendar quarter based upon revenue actually collected and received by the City in connection with the opening and operation of the new facility.

- a. If the total amount of a quarterly rebate due to the Company is at least \$100, the rebate will be paid within thirty (30) days following the end of the calendar quarter.
- b. If the total amount of a quarterly rebate due to the Company is less than \$100, such rebate will be added to the next quarterly rebate due until the total amount to be rebated is at

least \$100. The accumulated amount of such rebates will then be paid within thirty (30) days following the end of the most recent calendar quarter reported.

- c. Payments shall commence for the calendar quarter during which final occupancy approval is granted.
- d. No payment shall be made until the Company has obtained a City of Westminster business license for the new facility.
- e. All payments by the City shall be made electronically to the Company's designated financial institution or other account.

6. Entire Agreement. This Agreement shall constitute the entire agreement between the City and the Company and supersedes any prior agreements between the parties and their agents or representatives, all of which are merged into and revoked by this Agreement with respect to its subject matter.

7. Termination. This Agreement shall terminate and become void and of no force or effect upon the City if the Company has not secured additional space and moved into the new facility by March 1, 2015 or should the Company not comply with the City regulations or code.

8. Business Termination. In the event the new facility ceases to conduct business operations within the City at any time prior to October 31, 2019, then the Company shall pay to the City the total amount of fees and taxes that were paid by or for the Company for the new facility to the City and were subsequently rebated by the City to the Company pursuant to this Agreement within sixty (60) days of business termination.

9. Subordination. The City's obligations pursuant to this agreement are subordinate to the City's obligations for the repayment of any current or future bonded indebtedness and are contingent upon the existence of a surplus in sales and use tax revenues in excess of the sales and use tax revenues necessary to meet such existing or future bond indebtedness. The City shall meet its obligations under this agreement only after the City has satisfied all other obligations with respect to the use of sales tax revenues for bond repayment purposes. For the purposes of this Agreement, the terms "bonded indebtedness," "bonds," and similar terms describing the possible forms of indebtedness include all forms of indebtedness that may be incurred by the City, including, but not limited to, general obligation bonds, revenue bonds, revenue anticipation notes, tax increment notes, tax increment bonds, and all other forms of contractual indebtedness of whatsoever nature that is in any way secured or collateralized by sales and use tax revenues of the City.

10. Annual Appropriation. Nothing in this agreement shall be deemed or construed as creating a multiple fiscal year obligation on the part of the City within the meaning of Colorado Constitution Article X, Section 20, and the City's obligations hereunder are expressly conditional upon annual appropriation by the City Council.

11. Governing Law: Venue. This agreement shall be governed and construed in accordance with the laws of the State of Colorado. This agreement shall be subject to, and construed in strict accordance with, the Westminster City Charter and the Westminster Municipal Code. In the event of a dispute concerning any provision of this agreement, the parties agree that prior to commencing any litigation, they shall first engage in good faith the services of a mutually acceptable, qualified, and experienced mediator, or panel of mediators for the purpose of resolving such dispute. The venue for any lawsuit concerning this agreement shall be in the District Court for Jefferson County, Colorado.

BALL CORPORATION

CITY OF WESTMINSTER

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J. Brent McFall  
City Manager

ATTEST:

ATTEST:

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Linda Yeager  
City Clerk

APPROVED AS TO LEGAL FORM:

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City Attorney's Office

*Adopted by Ordinance No.*



Agenda Memorandum

City Council Meeting  
August 25, 2014



**SUBJECT:** Councillor's Bill No. 23 re 2014 2<sup>nd</sup> Quarter Budget Supplemental Appropriation

**Prepared By:** Karen Barlow, Accountant

**Recommended City Council Action**

Pass Councillor's Bill No. 23 on first reading, providing for a supplemental appropriation of funds to the 2014 budget of the General and General Capital Improvement (GCIF) Funds.

**Summary Statement**

- At the end of each quarter, Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- General Fund amendments:
  - \$246,926 Intergovernmental Revenue
  - \$132,000 Program Revenue
  - \$39,145 Grant Proceeds
  - \$30,000 Contributions
  - \$5,923 Reimbursements
- General Capital Improvement Fund amendments:
  - \$32,871 Grant Proceeds
  - \$6,236 Cash-in-Lieu

**Expenditure Required:** \$493,101

**Source of Funds:** The funding sources for these budgetary adjustments include intergovernmental revenue, program revenue, grant proceeds, contributions, reimbursements, and cash-in-lieu.

## **Policy Issue**

Does City Council support amending the appropriations for the 2014 budget of the General and General Capital Improvement Funds as outlined?

## **Alternative**

The alternative would be not to amend the 2014 budget appropriations for the General and General Capital Improvement Funds and to utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred expenses and covered them with their current budget or planned projects in anticipation of appropriation of these additional funds.

## **Background Information**

The attached Councillor's Bill is a routine action addressing the need to adjust revenue and expenditure appropriations as a result of activities or events that were not anticipated during the normal budget process.

The Parks, Recreation, and Libraries (PRL) Department has increased revenue in 2014 due to increased participation in Youth Activities. The increase in participation has also resulted in increased expenses for staffing, supplies, and contracted services. The PRL Department is recommending that \$120,000, which is a portion of these additional revenues, be appropriated to the following accounts: Temporary Salaries Youth Activities for \$89,000, Recreation Supplies Youth Activities for \$20,000, and Contract Services Youth Activities for \$11,000.

The PRL Department has also increased revenue in 2014 due to increased usage of City Park Fitness Center. The PRL Department is recommending that \$12,000, which is a portion of these additional revenues, be appropriated to the Temporary Salaries account to be used for interns that provide support for marketing and outreach.

The Community Development Department has received a grant award of \$32,871 from the State Historical Fund. Staff is requesting that this grant be appropriated to the Bowles House Soffit/Gutter Repairs capital project account. The funds will be spent on repairs to the soffit and the addition of gutters and downspouts to the building.

The Community Development Department has received a contribution of \$30,000 from the Westin Westminster Hotel. This is for a new monument sign on the corner of Westminster Boulevard and Promenade Drive South. The total cost of the sign was \$42,964, and the \$30,000 was received due to an agreement with Amstar, an authorized representative of the Westin Hotel, Westminster Boulevard Finance, LLC. The funds are being appropriated to the Central Charges Contract Services account for the construction of the sign.

The Community Development Department has received \$6,236 cash-in-lieu of public art from Emerus Hospital. The funds will be used for future outdoor public art within the City of Westminster, and staff is requesting that the funds be appropriated to the capital project account New Art Participation.

The City of Westminster has received \$246,926 from the City of Thornton. On January 8, 2007, the City entered into an agreement with the City of Thornton and the Colorado Department of Transportation (CDOT) for the bridge replacement on West 128<sup>th</sup> Avenue over I-25. The agreement provided for CDOT to replace the old bridge with a new two-lane wide structure. The Cities agreed that a four-lane facility was needed and that the Cities would share equally the incremental difference for the additional two lanes. Thornton agreed to "front" the additional costs, with Westminster reimbursing Thornton in accordance with the Interstate 25 Corridor Growth Area Intergovernmental Agreement (revenue sharing agreement) dated November 10, 2004. This revenue sharing agreement provides for each City to share with the other 1% of the general sales tax collected within the revenue sharing boundaries generally along I-25 between 150<sup>th</sup> Avenue on the north, Washington Street on the east, 132<sup>nd</sup> Avenue on the south, and Huron Street on the west. Annually each City pays to the other City their respective 1% share. Additionally, the receiving City

is to use the revenue sharing funds to repay any outstanding obligation to the other. Thornton repays costs, "fronted" by Westminster, related to Thornton's side of the interchange at 144<sup>th</sup> and I-25. Westminster repays costs, "fronted" by Thornton for the improvements at 128<sup>th</sup> Avenue and I-25. At the time the 2014 budget was prepared, there was no existing commercial activity on Thornton's side of I-25. Therefore, no information was available as to when revenue from Thornton would be received or how much would be due to Westminster. Now that the City of Westminster has received our first payment, Staff will estimate an amount to be included as revenue beginning with the 2015/2016 budget. Additionally, a corresponding expense will be budgeted for the repayment to Thornton. Based on preliminary revenue estimates, Staff anticipates that the full obligation to Thornton for the 128<sup>th</sup> Avenue bridge improvements will be repaid within two years. Staff is requesting that the current amount received of \$246,926 be appropriated to the Contract Services-Thornton account to be used for a payment to the City of Thornton.

The Police Department received \$11,113 from the State of Colorado Department of Transportation for their participation in the High Visibility Impaired Driving Enforcement (HVIDE) campaign. The grant reimburses overtime incurred by enforcement officers while working the St. Patrick's Day, Spring Events, and Memorial Day enforcement campaigns. The funds are being appropriated to the department's Overtime account.

The Police Department received \$22,347 from the State of Colorado Department of Transportation, Law Enforcement Assistance Funding (LEAF) Grant, for overtime incurred while officers worked DUI enforcement campaigns. The funds are being appropriated to the department's Overtime account.

The Police Department received \$5,392 from the State of Colorado Department of Transportation for overtime incurred while officers worked the 2014 Click It or Ticket Enforcement (CIOT). The funds are being appropriated to the department's Overtime account.

The Police Department received \$2,219 from the North Metro Task Force as reimbursement for overtime incurred by the department's Task Force members working on Federal High Intensity Drug Tracking Area (HIDTA) cases during the first quarter of 2014. The reimbursement is being appropriated to the department's Overtime account.

The Police Department received \$293 from the State of Colorado Department of Public Safety as reimbursement for expenditures claimed through the Edward Byrne Memorial Justice Assistance Graffiti Program Grant (JAG). The reimbursement is for the air card wireless charges for the pole cameras, and is being appropriated to the department's Telephone account.

The Police Department received \$1,099 from the Jefferson County Emergency Communications Authority Board (E911). This was reimbursement for training expenses for a team building class attended by the Dispatch Supervisor. The reimbursement is being appropriated to the department's Career Development account.

The Police Department received \$685 from the City of Lakewood as reimbursement for overtime incurred by two Westminster Police Department Detectives who provided security assistance at the Colfax Marathon on May 18, 2014. The reimbursement is being appropriated to the department's Overtime account.

The Police Department received \$1,920 from the Concerns of Police Survivors organization as reimbursement for expenses incurred by eight members of the Peer Support Team when they attended the Peer Support Training in Salt Lake City, Utah. The reimbursement is being appropriated to the department's Career Development account.

These appropriations will amend General Fund revenue and expense accounts as follows:



REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Other Governmental-Thornton	1000.40345.0850	\$0	\$246,926	\$246,926
Federal Grants	1000.40610.0000	75,333	293	75,626
State Grants	1000.40620.0000	97,055	38,852	135,907
Fitness City Park Fit	1000.40930.0861	0	12,000	12,000
Youth Activities	1000.41030.0529	0	120,000	120,000
General	1000.43060.0000	287,608	685	288,293
Reimbursements	1000.43080.0000	295,196	5,238	300,434
Contributions	1000.43100.0000	5,000	<u>30,000</u>	35,000
Total Change to Revenues			<u>\$453,994</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contract Services	10010900.67800.0000	\$41,845	\$30,000	\$71,845
Contract Services Thornton	10010900.67800.0850	0	246,926	246,926
Telephone	10020050.66900.0000	141,448	293	141,741
Salaries OT-Investigation Section	10020300.60400.0344	197,500	2,904	200,404
Career Dev-Comm Sect	10020300.61800.0345	6,130	1,099	7,229
Career Dev-Training	10020300.61800.0612	12,000	1,920	13,920
Salaries OT-Traffic	10020500.60400.0348	64,632	38,852	103,484
Salaries Temp	10050050.60600.0000	0	12,000	12,000
Salaries Temp Youth Activities	10050760.60600.0529	250,818	89,000	339,818
Contract Services Youth Activities	10050760.67800.0529	45,370	11,000	56,370
Rec Supplies Youth Activities	10050760.71200.0529	87,900	<u>20,000</u>	107,900
Total Change to Expenses			<u>\$453,994</u>	

These appropriations will amend General Capital Improvement Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Cash in lieu-Fut Cap Proj	7500.40210.0751	\$40,000	\$6,236	\$46,236
State Grants	7500.40620.0000	0	<u>32,871</u>	32,871
Total Change to Revenues			<u>\$39,107</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
New Art Participation	80575030426.80400.8888	\$32,331	\$6,236	\$38,567
Bowles House Soffit/Gutter Repairs	81475012057.80400.8888	46,000	<u>32,871</u>	78,871
Total Change to Expenses			<u>\$39,107</u>	

These adjustments will bring the City's accounting records up-to-date to reflect the various detailed transactions.

The proposed action supports all of City Council's strategic goals, including: Visionary Leadership and Effective Governance; Vibrant and Inclusive Neighborhoods; Comprehensive Community Engagement; Beautiful, Desirable, Environmentally Responsible City; Proactive Regional Collaboration, Dynamic, Diverse Economy; Excellence in City Services; and East of Mobility.

Respectfully submitted,

J. Brent McFall  
City Manager  
Attachment – Ordinance

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **23**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

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**A BILL**

**FOR AN ORDINANCE AMENDING THE 2014 BUDGETS OF THE GENERAL AND GENERAL CAPITAL IMPROVEMENT FUNDS, AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the General and General Capital Improvement Funds initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$493,101. This appropriation is due to the receipt of funds from intergovernmental revenue, program revenue, grant proceeds, contributions, reimbursements, and cash-in-lieu.

Section 2. The \$493,101 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10A dated August 25, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

General Fund	\$453,994
General Capital Improvement Fund	<u>39,107</u>
Total	<u>\$493,101</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 25<sup>th</sup> day of August, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8<sup>th</sup> day of September, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

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



## Agenda Item 10 B

### Agenda Memorandum

City Council Meeting  
August 25, 2014



**SUBJECT:** Councillor's Bill No. 24 re Regional Air Quality Council Grant for Fleet Global Positioning Systems Supplemental Appropriation

**Prepared By:** Thomas Ochtera, Energy and Facilities CIP Coordinator  
Jeff Bowman, Fleet Division Manager

### Recommended City Council Action

Pass Councillor's Bill No. 24 on first reading, authorizing the supplemental appropriation of federal grant funding from the Regional Air Quality Council in the amount of \$55,260 for the purchase and installation of Global Positioning Systems on vehicles in the City's fleet.

### Summary Statement

- The City has purchased Zonar Global Positioning Systems (GPS) on 180 fleet vehicles for the management and reduction of idling in city vehicles for a total cost of \$48,304.60. The pricing for this purchase was established as a part of the Denver Public Schools bid contract which contained price sharing language. The installation of these GPS devices was completed by the Zonar approved installation company Velociti at a cost of \$29,042.
- Staff applied for the Regional Air Quality Council grant rebate the cost of these devices through the federal Congestion Mitigation Air Quality program and was awarded \$55,260.
- The funding for the GPS devices was provided through the City's Facility and Infrastructure Stewardship Fund.
- City Council action is needed to appropriate these grant funds back to the Stewardship Fund.

**Expenditure Required:** \$55,260

**Source of Funds:** Regional Air Quality Council Congestion Mitigation Air Quality Grant

**Policy Issue**

Should the Regional Air Quality grant be accepted and appropriated back to the Stewardship Fund?

**Alternative**

The alternative would be to decline the grant money. Staff does not recommend this alternative as the grant was awarded to the City to assist with the acquisition GPS hardware and installation. These grant funds are a reimbursement for costs already paid by the Stewardship Fund. By reimbursing the Stewardship Fund, staff is able to fund other energy efficiency projects.

**Background Information**

The City has had an idling policy in place since 2008. This policy applies to all appropriate vehicles (emergency vehicles are exempt during an emergency incident) to reduce unnecessary idle time not related to effective work. Given the recommendations from the Antares Group 2013 study of City of Westminster vehicles included with the March 17, 2014 Staff report, Staff investigated the existing technologies related to Fleet GPS systems. This collaborative process involved members from every department that operates fleet vehicles. As a result of this investigation, Zonar Systems was selected as the best overall vendor between three companies; GPS Insight, Network Fleet and Zonar Systems.

Staff has worked closely with the Regional Air Quality Council (RAQC) toward this grant that offsets approximately 70% percent of the GPS kits and installation costs. The grants fall under the federal Congestion Mitigation Air Quality program, which is administered by the RAQC. RACQ recognizes the Front Range air quality benefits that can be realized through GPS idle monitoring efforts.

These appropriations will amend the General Capital Improvement Fund revenue and expense accounts as follows:

REVENUE

Description	Account Number	Current Budget	Amendment	Revised Budget
Federal Grants	7500.40610.0000	\$1,843,400	\$55,260	\$1,898,660
Total Change to Revenue			<u>\$55,260</u>	

EXPENSE

Description	Account Number	Current Budget	Amendment	Revised Budget
Facility & Infr. Stewardship	81175012300.80400.8888	\$145,231	\$55,260	\$200,491
Total Change to Expense			<u>\$55,260</u>	

Accepting this grant fits with City Council’s strategic goals of Beautiful, Desirable, Environmentally Responsible City and Excellence in City Services by providing cost effective tools to better manage our fuel use, reduce idling in fleet vehicles, and reduce pollutants entering the air.

Respectfully submitted,

J. Brent McFall  
City Manager

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **24**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

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**A BILL**

**FOR AN ORDINANCE AMENDING THE 2014 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUND.**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$55,260. This appropriation is due to the receipt of federal grant funds.

Section 2. The \$55,260 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10B dated August 25, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

General Capital Improvement Fund	<u>\$55,260</u>
Total	<u>\$55,260</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 25<sup>th</sup> day of August, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8<sup>th</sup> day of September, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

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



**Agenda Memorandum**

City Council Meeting  
August 25, 2014



**SUBJECT:** Second Reading of Councillor's Bill No. 22 re 2014 Community Development Block Grant (CDBG) Fund Appropriation

**Prepared By:** Heather K. Ruddy, Community Development Program Planner

**Recommended City Council Action**

Pass Councillor's Bill No. 22 on second reading appropriating funds received from the United States Department of Housing and Urban Development, Community Development Block Grant program, in the amount of \$614,010.

**Summary Statement**

- City Council action is requested to pass the attached Councillor's Bill on second reading.
- This Councillor's Bill was passed on first reading on August 11, 2014, to appropriate the City's 2014 Community Development Block Grant (CDBG) funds in the amount of \$614,010, awarded by the U.S. Department of Housing and Urban Development (HUD).
- The 2014 CDBG allocation was designated to fund the 2014 CDBG projects, pursuant to City Council approval on December 09, 2013.
- The amount awarded to the City represents a three percent increase over the City's 2013 award of \$591,925.

**Expenditure Required:** \$614,010

**Source of Funds:** 2014 Community Development Block Grant Funds

The appropriation of the 2014 Community Development Block Grant funds meets the City Strategic Plan goal of Vibrant and Inclusive Neighborhoods.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment – Ordinance

BY AUTHORITY

ORDINANCE NO. **3733**

COUNCILLOR'S BILL NO. **22**

SERIES OF 2014

INTRODUCED BY COUNCILLORS  
**Pinter - Seitz**

**A BILL  
FOR AN ORDINANCE INCREASING THE 2014 BUDGET OF THE COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) FUND AND AUTHORIZING A SUPPLEMENTAL  
APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THIS FUND**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the CDBG Fund, initially appropriated by Ordinance No. 3655 is hereby increased by \$614,010. This appropriation is the amount approved by the U.S. Department of Housing and Urban Development (HUD) for the City for 2014.

Section 2. The \$614,010 increase in the CDBG Fund shall be allocated to City revenue and expense accounts as described in the City Council Agenda Item 10 D, dated August 11, 2014 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

CDBG Fund	<u>\$614,010</u>
Total	<u>\$614,010</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11<sup>th</sup> day of August, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 25<sup>th</sup> day of August, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

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