



WESTMINSTER  
COLORADO

August 26, 2002  
7:00 P.M.

## CITY COUNCIL AGENDA

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

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

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Presentations
  - A. Meritorious Citizen Service Award to Michael Scott
  - B. Recognition of Josilyn Neises
  - C. Proclamation re Front Range Community College's 35<sup>th</sup> Anniversary
  - D. Proclamation - Employee Appreciation Week
5. Citizen Communication (5 minutes or less)
6. Report of City Officials
  - A. City Manager's Report
7. City Council Comments

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

8. Consent Agenda
  - A. Financial Report for July, 2002
  - B. Relocation Of Communications Center To New Public Safety Center
  - C. Right-of-Way Settlement for the 96th Avenue, Pierce Street to Teller Street Project
  - D. CB No. 37 re Boulevard Plaza Planned Unit Development (Kauffman-Atchison)
  - E. CB No. 39 re Supplemental Appropriation for Standley Lake Renovations (Atchison-Dixon)
9. Appointments and Resignations
  - A. Boards and Commissions Pool
  - B. Resolution No. 40 re Resignation & Appointments to Environmental Advisory Board
10. Public Hearings and Other New Business
  - A. Resolution No. 41 re Carry Forward Balance of 2002 Private Activity Bond Allocation
  - B. Councillor's Bill No. 41 re 2002 Budget Supplemental Appropriation
  - C. Resolution No. 42 re Public Use of City Buildings
  - D. Resolution No. 43 re Police Community Service Officers
  - E. Councillor's Bill No. 42 re 2002 City Ballot Language
11. Old Business and Passage of Ordinances on Second Reading
  - A. CB No. 40 re Water and Sewer Rates Adjustment (Dixon-Atchison)
12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business
  - A. City Council
  - B. Executive Session
    1. Attorney/Client Consultation re settlements
13. Adjournment

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, AUGUST 26, 2002 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Moss, Mayor Pro-Tem Atchison, Councillors Dittman, Dixon, Kauffman, and McNally were present at roll call. Brent McFall, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk, were also present. Absent Hicks.

CONSIDERATION OF MINUTES

Councillor Dittman moved, seconded by McNally to accept the minutes of the meeting of August 12, 2002 with no additions of corrections. The motion carried unanimously.

PRESENTATIONS

Mayor Moss presented the Meritorious Citizen Service Award to Michael Scott for his efforts in attempting to save the life of his neighbor.

Mayor Moss presented an appreciation plaque to Josilyn Neises for her efforts at raising \$1,600 to purchase three "Hot Dog" units for the Police Department K-9 unit.

Councillor Dixon read a proclamation for the week of August 26 as "Front Range Community College Week" in recognition of their 35<sup>th</sup> anniversary.

Mayor Moss and City Councillors presented a proclamation to members of the City's Employee Advisory Committee and the Employee Recognition and Action Team for September 2-6 as "Employee Appreciation Week."

CITIZEN COMMUNICATION

Vernon Befort, 8160 Auburn Lane, addressed Council asking for clarification on how many people can live in a single-family dwelling.

Shelly Seymour, 9705 Kipling St, addressed Council in favor of the new middle school to be located at 100<sup>th</sup> Ave. & Countryside Dr. on the south side of the street. Betty Kilsberg, 9961 Kline St, spoke in opposition of the new middle school and submitted a petition with 261 signatures in opposition.

CITY MANAGER COMMENTS

Brent McFall, City Manager, commented on Employee Appreciation Week and the great employees at the City.

COUNCIL COMMENTS

Councillor Dittman reported on the Standley Lake Spillway Renovation meeting he attended last week.

Councillor Kauffman commended Josilyn Neises. He also stated that it is rewarding to hear great things about our employees.

Councillor Dixon commented on Michael Scott's meritorious service award. She also commented on Rocky Flats area having been designated as a National Wildlife Refuge area when cleaned up and the Division of Fish & Wildlife is having meetings September 9-12 asking for citizen input on how to develop the comprehensive conservation plan.

### CONSENT AGENDA

The following items were considered as part of the Consent Agenda: Financial Report for July, 2002; Relocation of Communications Center to New Public Safety Center with Legacy Communications for \$363,161; and Right-of-Way Settlement for 96<sup>th</sup> Avenue, Pierce to Teller Street project for \$129,500; CB No. 37 re Boulevard Plaza Planned Unit Development; CB NO. 39 re Supplemental Appropriation for Standley Lake Renovations.

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

Councillor McNally moved, seconded by Kauffman to adopt the Consent Agenda items as presented. The motion carried unanimously.

### BOARDS AND COMMISSIONS POOL

Mayor Pro-Tem Atchison moved, seconded by McNally to establish a deadline of October 11, 2002 to receive applications from citizens interested in the next cycle of the Boards & Commissions "Pool" and advertise this opportunity to become involved in the Westminster City Government. The motion carried unanimously.

### RESOLUTION NO. 40 RE RESIGNATION/APPOINTMENT ENVIRONMENTAL ADVISORY BOARD

Mayor Pro-Tem Atchison moved, seconded by Dixon to adopt Resolution No. 40 formally accepting the resignation of Wendy Sukeena from the Environmental Advisory Board and moving Steve Marlin from alternate member of the Environmental Advisory Board to regular member and appointing Cheryl Parker as the alternate member to the Environmental Advisory Board. Upon roll call vote, the motion carried unanimously.

### RESOLUTION NO. 41A CARRY FORWARD BALANCE 2002 PRIVATE ACTIVITY BOND ALLOC.

Councillor Dittman moved, seconded by McNally to adopt Resolution No. 41A approving the carry forward of the City of Westminster's 2002 Private Activity Bond (PAB) allocation for the qualified purposes set forth in the resolution, and authorize the Mayor to execute the documents necessary to preserve this allocation. Upon roll call vote, the motion carried unanimously.

### COUNCILLOR'S BILL NO. 41 RE 2002 BUDGET SUPPLEMENTAL APPROPRIATION

Councillor Dixon moved, seconded by McNally to pass Councillor's Bill No. 41 on first reading providing for supplementary appropriations to the 2002 budget of the General, General Capital Improvement and Utility Funds. Upon roll call vote, the motion carried unanimously.

### RESOLUTION NO. 42 RE PUBLIC USE OF CITY BUILDINGS

Councillor McNally moved, seconded by Dittman to adopt Resolution No. 42 updating a previous resolution adopted by City Council in June 1992 related to the public use of City buildings. Upon roll call vote, the motion carried unanimously.

### RESOLUTION NO. 43 RE POLICE COMMUNITY SERVICE OFFICERS

Councillor Dixon moved, seconded by Atchison to adopt Resolution No. 43 authorizing the replacement of 2.0 FTE vacant Promenade Police Officer positions with 1.0 FTE Senior Community Service Officer, and 3.4 FTE Community Service Officers. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 42 RE 2002 CITY BALLOT ISSUES LANGUAGE

Councillor Dittman moved, seconded by McNally to pass Councillor's Bill No. 42 on first reading to approve the ballot language for the two proposed issues to be placed on the November 5<sup>th</sup> election ballot. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 40 RE WATER AND SEWER RATES ADJUSTMENT

Councillor Dixon moved, seconded by Dittman to pass Councillor's Bill No. 40 as amended on second reading implementing the 2002 modifications to the City Code regarding water and sewer rate adjustments. Upon roll call vote, the motion carried unanimously.

CITIZEN COMMUNICATION

Dale Davenport, 9950 W 100<sup>th</sup> Ave, addressed Council on Loon Lake being essential to wildlife and concerns about the middle school being constructed in this area.

Jill Baumgardner, 10540 Ross St, stated she is on the design board for Jefferson County Schools and told about the issues the design board has addressed.

Casey Gomez, 9407 W 99<sup>th</sup> Way, addressed Council on taking Police Officers from the Promenade.

Betty Kilsberg, 9961 Kline St and Dodie Carlson, 10137 Owens Dr, addressed Council regarding the JeffCo proposed middle school.

The Mayor stated there would be an executive session item on Attorney/Client consultation resettlement.

ADJOURNMENT:

The meeting was adjourned at 8:34 P.M.

ATTEST:

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

\_\_\_\_\_  
Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Meritorious Citizen Service Award to Michael Scott

**Prepared By:** Ken Watkins, Battalion Chief

**Recommended City Council Action**

Mayor to present the Meritorious Citizen Service Award to Michael Scott for his act of compassion and heroism in attempting to save the life of his neighbor, Ken Haas, on June 2, 2002.

**Summary Statement**

On June 2, 2002, Mr. Scott was standing in his driveway when he became aware of an unusual sound and saw smoke emitting from the eaves and around the garage door of a nearby neighbor's home. He raised the unlocked garage door and discovered his neighbor on fire. He immediately instructed the victim to "drop and roll" on the ground while he located a blanket to extinguish the flames. He then instructed his wife Tami to contact 911. While waiting for fire rescue personnel to arrive, he continued to extinguish the fire with water.

Despite Mr. Scott's heroic efforts, the victim passed away at the University Hospital Burn Center on June 5.

**Expenditure Required:** \$ 0

**Source of Funds:** n/a

**SUBJECT:** Meritorious Citizen Service Award to Michael Scott

**Policy Issue(s)**

Not applicable.

**Alternative(s)**

Not applicable.

**Background Information**

The Meritorious Citizen service Award recognizes action by a citizen which result in the saving of a life, or the attempted saving of a life, in which extraordinary efforts were used. Michael Scott remained calm, acted heroically in a life threatening situation, as well as risked his own safety to assist his neighbor.

At approximately 5:30 pm, Mr. Scott was at his residence when he heard an unusual noise outside. On investigation, Mr. Scott observed flames rising from a neighbor's garage door. He then opened the garage door, and found the victim engulfed in flames. Mr. Scott acted quickly and tried to smother the flames with a blanket. He then instructed is wife to dial 911 while he continued to extinguish the fire with water. Westminster Fire Department personnel arrived on scene and began treatment, the patient was stabilized and then air lifted to University Hospital Burn Center. The victim, Mr. Ken Haas, passed away three days later as a result of third degree burn to over 90% of his body.

Mr. Scott acted quickly, and compassionately to help his neighbor. He risked his own safety to assist a neighbor in need. Mr. Scott exemplifies a Hero, which by definition is a person admired for his qualities and achievements.

Respectfully submitted,

J. Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Recognition of Josilyn Neises

**Prepared by:** Bob Dowling, Sergeant and Dan Montgomery, Chief of Police

**Recommended City Council Action:**

Present an appreciation plaque to Josilyn Neises for spending her summer vacation raising \$1,600 for the purchase of three “Hot Dog” units for the Westminster Police K-9 Units to help protect the dogs from the summer heat.

**Summary Statement:**

- The City Council is requested to present an Appreciation Plaque in recognition of Josilyn Neises for her determination and efforts raising \$1,600 for the purchase of specialized equipment for the Westminster Police Department K-9 Unit.
- Josilyn was able to raise enough money to purchase three Hot Dog units for the K-9 Team. The Hot Dog Units are a safety feature that alerts the K-9 handlers when the temperature in the patrol vehicle has reached dangerous heat levels so the handler can come to the dog’s aid.
- Josilyn’s presented the equipment to the three K-9 teams at a press conference on July 30, 2002.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Recommended City Council Action:**

Present an appreciation plaque to Josilyn Neises at the City Council Meeting.

**Policy Issues**

N/A

**Alternatives**

N/A

**Background Information**

Thirteen year old, Josilyn Neises, has spent her summer vacation raising \$1,600 for the Westminster K-9 Unit. Josilyn was raising this money to fund three "Hot Dog" units to help protect the Westminster Police K-9 dogs from the summer heat. The hot summer weather is particularly hard on police K-9 dogs, who are frequently left in the patrol vehicle while their K-9 handler attends to other duties during their shift. The dogs are enclosed within the safe confines of the patrol vehicle with the air conditioner left running to keep the dog cool. If the vehicle engine stalls while the handler is away from the vehicle, the dog is instantly faced with life-threatening heat. In 90 degree weather, the temperature inside the vehicle can reach fatal levels in just minutes. The Hot Dog device is a mechanism that will alert the K-9 handler that the temperature in their patrol vehicle has reached dangerous levels and the handler can come to the aid of their dog.

Josilyn is an inspiring and determined individual who has spent much of her summer volunteering her time to protect the Westminster Police K-9's. Josilyn's initial goal was to raise enough money for one Hot Dog unit. She has now successfully raised enough money for all three K-9 teams that need the equipment.

Josilyn presented the equipment to the Westminster Police Department K-9 Unit during a press conference on Tuesday, July 30, 2002, at the Police Department. The three K-9 teams who will benefit from her efforts were also present at the press conference.

Respectfully submitted,

J. Brent McFall  
City Manager





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Proclamation re Front Range Community College's 35<sup>th</sup> Anniversary

**Prepared By:** .J. Brent McFall, City Manager

**Recommended City Council Action**

Present a proclamation to Dr. Bill Richards proclaiming the week of August 26<sup>th</sup>, 2002 Front Range Community College Week in the City of Westminster in recognition of their 35 years of education in Westminster.

**Summary Statement**

- Front Range Community College is celebrating their 35th anniversary.
- Dr. Bill Richards, Vice President of Front Range Community College, Westminster Campus will be present to accept the proclamation from City Council on behalf of Front Range Community College.
- Public education is a community enterprise, and everyone in the community has a stake in the mission of educating all of the community's citizens.
- The Goal of community education is to ensure that everyone in the community has the opportunity for life long learning.
- The citizens of the City of Westminster are committed to assuring equal educational opportunities for all.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

There are no policy issues identified.

**Alternative**

There are not alternatives identified.

**Background Information**

Front Range Community College is celebrating their 35<sup>th</sup> anniversary on August 26, 2002. The City of Westminster and the college have enjoyed a long, successful relationship. The successful College Hill Library was constructed in partnership with the college with a joint use approach; a number of joint training programs; and in 1974 one of the City's first open space purchases was 70-acres of land between the college and Big Dry Creek. These are just a few of the projects that the college and city have worked on over the last 35 years.

The City of Westminster is pleased to proclaim August 26-30, 2002 as Front Range Community College week in Westminster. City Council looks forward at another 35 years of successful partnering with the college.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

WHEREAS, Public education is a community enterprise, and everyone in the community has a stake in the mission of educating all of the community citizens; and

WHEREAS, The goal of community education is to ensure that everyone in the community has an opportunity for a better life through education; and

WHEREAS, Front Range Community College is celebrating their 35th anniversary; and

WHEREAS, Community Education promotes community involvement and interagency cooperation to address complex community problems and needs; and

WHEREAS, The citizens of the City of Westminster are committed to assuring equal educational opportunities for all; and

NOW, THEREFORE, I, Ed Moss, Mayor of the City of Westminster, on behalf of the entire City Council and Staff, do hereby commend Front Range Community College for their 35th anniversary and proclaim the week of August 26<sup>th</sup>, 2002 as

Front Range Community College Week

in the City of Westminster, and urge all Westminster residents to recognize and support Front Range Community College for its efforts to create new school/community partnerships and coalitions in support of our common goal of equal educational opportunity for all.

Signed this 26th day of August, 2002.

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Ed Moss, Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Proclamation - Employee Appreciation Week

**Prepared By:** Mike Simmons, Senior Management Analyst

**Recommended City Council Action**

Proclaim September 2-6, 2002 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 City Council is being requested to proclaim September 2-6, 2002 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 approximately 868 full and part-time benefited individuals who comprise the City of Westminster's workforce.
- The proclamation will designate September 2-6, 2002, as City of Westminster Employee Appreciation Week.
- On September 4, the thirteenth annual employee appreciation breakfast will be prepared by the City Manager, Assistant City Manager, City Attorney and City Department Heads.
- Members of the City's Employee Advisory Committee, and members of the Employee Recognition and Action Team, which represents 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(s)**

There are no policy issues identified.

**Alternative(s)**

There are no alternatives 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 approximately 868 full-time and part-time benefited 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 1,600 employees, including seasonal and non-benefited employees, on the City's payroll. In no small part 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 annual surveys and the many national and regional awards that 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 2-6, 2002 as City of Westminster Employee Appreciation Week.

One of the highlights of the week will be the Employee Appreciation Breakfast at City Park Recreation Center. It will mark the thirteenth year in a row that the City Manager, Assistant City Manager, City Attorney, and Department Heads have gotten up at 5 A.M. to prepare a full breakfast with pancakes, hash browns, eggs, fruit, ham and orange juice for employees at the start of their workday.

Employees will stop by anytime between 6:00 a.m. and 9:00 a.m. to partake in the breakfast and comradery prior to the start of their normal workday.

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

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

WHEREAS, the very high City service ratings from Westminster citizens in each of the past citizen surveys attest 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 868 full-time and part-time benefited employees and over 1,600 total employees have contributed significantly to the quality of life of Westminster citizens; and

WHEREAS, these employees that are employed in Information Technology, Police, Fire, Public Works and Utilities, Parks, Recreation, and Libraries, Finance, General Services, and Community Development Departments, and the City Manager's and City Attorney's Offices are unquestionably the City's most valuable resource; and

WHEREAS, on September 4, 2002 the City Manager, Assistant City Manager, City Attorney, and all City Department Heads will be preparing an Employee Appreciation Breakfast in recognition of all City employees at City Park Recreation Center,

WHEREAS, the week of September 2, 2002, will include several activities designed to express appreciation to City Employees.

NOW THEREFORE, I, Ed Moss, Mayor of the City of Westminster, on behalf of the entire City Council and Staff, do hereby proclaim September 2-6, 2002 as

City of Westminster Employee Appreciation Week.

Signed this 26<sup>th</sup> day of August, 2002.

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Ed Moss, Mayor



**WESTMINSTER**  
**COLORADO**  
**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Financial Report for July 2002

**Prepared By:** Mary Ann Parrot, 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 to this monthly financial report; this reflects June sales tax receipts received in July.

- Across all shopping centers, total receipts are down 7% over the seven-month period from last year (Sales and Use Taxes). Sales Tax receipts (only) are down 4% year to date from the same period last year.
- The Westminster Mall is down 7% for July and down 13% year to date, compared to last year.
- These figures compare to last month's figures as follows:
  - Shopping center receipts were down 7% year to date and Sales Tax receipts (only) were down 4%; July is unchanged.
  - The mall was down 10% for the month of June and 13.6% year to date; July is slightly improved.

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

- At the end of July, seven of 12 months, or 58.3%, of the year has passed. In many cases, actual revenues do not flow evenly at 8.3% per month. Pro-rated revenues will reflect expected revenue flows based on history. Expenditures are pro-rated at 8.3%, reflecting even flows. The Sales and Use Tax Fund is currently \$2,748,076 under the pro-rated budget for the year. The July figures reflect the sales in June, tax receipts received in July. Returns are down for July 2002 compared to July 2001 by 8.2%, and by 9.2% year to date (for seven months January-July) due to the pressures of the recession in the metropolitan area and unusually large sales tax collections in April of 2001. This is approximately the same level as June.
- If the current trend continues for the year, the Sales and Use Tax Fund will be under budget by \$5.0 to \$6.0 million.
- The General Fund currently is at 101% of revenues pro-rated for seven months. This is not expected to continue because starting with the month of July; the General Fund reflects the reduction in the transfer of sales taxes to the General Fund by \$833,333 per month. However, Property Tax collections, Intergovernmental Revenues, Charges for Other Services and Miscellaneous are all over pro-rated budget and will help to offset the shortfall in sales tax collections to some extent. Staff has deployed a plan to maintain the integrity of the General Fund through a variety of measures: carrying forward funds from last year, delaying selected capital projects, reducing General Fund expenditures across all departments and, lastly, implementing a hiring freeze for the remainder of this year.
- The Water/Wastewater Enterprise revenues are currently over pro-rated budget by \$6.808 million due to water sales during this dry year, tap fees exceeding budget, reimbursements from FRICO and sale of Wattenberg excess effluent.
- With regard to the Golf Course Enterprise, revenues for Legacy are 84% of pro-rated budget; revenues for Heritage are 73% of pro-rated budget.
- All funds except Heritage Golf Course currently stand at less than 100% of their respective expenditures when using pro-rated expenditures for this time of year.

**Policy Issue(s)**

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

For revenues, a positive indicator is a pro-rated budget percentage at or above 100%. For expenditures, a positive indicator is a pro-rated budget percentage that is below 100%. The term "pro-rated," when used with revenues and expenditures, in this report, refers to the expected revenues collected or expenditures incurred by a certain date in time based on historical trends.

General Fund

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

At the end of July, the General Fund is in the following position regarding both revenues and expenditures, although it is still somewhat early to predict end-of-the-year results:

- Over pro-rated budget in revenues by \$365,303 (101% of pro-rated budget). This reflects the reduced sales tax collections of \$833,333. By year-end the sales tax transfers to the General Fund will be reduced by \$5 million, unless there is a turn about in the economy, which Staff does not expect.
- Under pro-rated budget in expenditures by \$6.4 million (85% of pro-rated budget).

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

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

- Over pro-rated budgeted revenues by a combined \$6.808 million:
  - Water revenues over pro-rated budget by \$6.353 million (148% of pro-rated budget), due primarily to positive variances in rates and charges and interest earnings, a developer paying \$2.3 million for residential tap fees in February, and a reimbursement for Standley Lake spillway construction expenditures in April. The build up of reserves in this fund will finance capital replacement and necessary expansion over the long term, as planned.
  - Wastewater revenues over pro-rated budget by \$454,619 (108% of pro-rated budget), mostly due to collections for the month from monthly customers and tap fees from builders. Again, these reserves will finance capital replacement and expansion over the long term.
- Under pro-rated budget in expenditures by a combined \$3.131 million. The major reasons for this is that debt service payments due in December have not yet been made or accrued, and utility construction and repairs are seasonal expenditures:
  - Water under pro-rated expenditures budget by \$1.348 million (88% of pro-rated budget).
  - Wastewater under pro-rated expenditures budget by \$1,783,099 (62% of pro-rated budget).



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

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

- Sales Tax Fund - Under pro-rated budget in revenues by \$2,748,076 million (91.2% of pro-rated budget). If this continues, the Sales Tax Fund will be under budget for the year by approximately \$5.0 to \$6.0 million.
- Sales Tax Fund – Under budgeted expenditures by \$833,333 because of the reduced transfers from the Sales Tax Funds. This transfer will continue to reflect an additional reduction of \$833,333 per month, totaling \$5 million in December for the year - the City’s projected shortfall.
- Open Space Tax Fund - Over pro-rated budget in revenues by \$438,288 (116% of pro-rated budget), for the following reason: interfund transfers from the General Capital Improvement Fund were made as scheduled, according to the December 2001 appropriation of Year 2000 funds from excess Jeffco and Adco Attributable Shares for Open Space and also to recognize interest earnings on bond proceeds.
- Open Space Tax Fund - Under pro-rated budget in expenditures by \$1,287,605 (71% of pro-rated budget). The earlier “over budget” situation caused by a land purchase early in the year has been pro-rated over six months and has now disappeared. These “lumpy” purchases will skew the appearance of the flow of expenditures in this fund, as expenditures often do not flow at 8.3% per month.

Golf Course Funds (Legacy and Heritage- the Golf Course Enterprise)

These funds reflect the operations of the City’s two municipal golf courses.

- Legacy - Under pro-rated budget in revenues by \$187,120 (84% of pro-rated budget).
- Legacy - Under pro-rated budget in expenses by \$77,492 (93% of pro-rated budget). This variance is operations only and excludes the impact of the debt service payments that will be due in December.
- Heritage - Under pro-rated budget in revenues by \$333,667 (73% of pro-rated budget).
- Heritage - Over pro-rated budget in expenditures by \$110,867 (112% of pro-rated budget). Again, this excludes the impact of the debt service payments due in December.

Staff will attend the August 26th City Council Meeting to address any questions.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments



**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

City Council Agenda  
August 26, 2002

**Subject:** Relocation Of Communications Center To New Public Safety Center

**Prepared by:** Gary Muck, Communications Supervisor  
Dan Montgomery, Chief of Police

### Recommended City Council Action

Authorize the City Manager to execute a contract with Legacy Communications, Inc. for the purchase of new equipment and services required to relocate and install equipment for the 800 MHz radio system move to the new Public Safety Facility in an amount not to exceed \$363,161.

### Summary Statement

- City Council action is requested to execute a contract for the purchase of new equipment and services required to move and install new and existing 800 MHz radio equipment at the new Public Safety Facility.
- A \$200,000 budget was established within the Public Safety Center total project budget for this expense. The total system cost of \$363,161 will be shared with the City of Arvada, with Westminster's share not to exceed \$193,808.
- The radio console switch equipment is a proprietary piece of equipment and as such it can be purchased only from the manufacturer. Legacy Communications, Inc. will purchase the equipment from the manufacturer at a discounted price.
- Legacy Communications, Inc. is currently under contract with the Cities of Arvada and Westminster as the service provider for the 800 MHz radio system maintenance.
- Some of the new equipment being purchased consists of components of the radio system backbone that would need to be upgraded and replaced in the future if not replaced now. Replacing this equipment now allows for upgrading of the system technology and will also have a significant impact on reducing the system downtime during the move. Since this is a shared system with the City of Arvada, the downtime created by Westminster's move to the new building will have Arvada's radio system down as well.
- This project approach was recommended by Macro Corporation, the radio system engineering firm under contract with the City of Arvada and the City of Westminster to develop a transition plan for moving Westminster's Emergency Communications Center to the new building.

**Expenditure Required:** \$193,808

**Source of funds:** Public Safety Center Capital Improvement Project Account (\$125,808)  
Police Department General Fund Operating Account (\$68,000)

**Policy Issue**

Should the City purchase new equipment for the radio system used in the Emergency Communications Center to facilitate the move of the 800 MHz radio system to the new building or attempt to dismantle and reinstall existing equipment?

**Alternative**

Instead of purchasing new equipment the old equipment can be shut off, dismantled and moved to the new center. This alternative is not recommended. The equipment is now ten years old, has operated 24 hours a day for ten years, and there is the possibility that when the equipment is allowed to cool, moved, and reinstalled that it may not power up again or may get damaged during the relocation. This equipment has a long lead time for delivery, approximately ten weeks, and if this situation occurred both Arvada and Westminster would be required to operate with a very limited radio system while attempting to deliver emergency services to the public. Moving existing equipment would cause a radio system down time of a week to two weeks.

**Background Information**

In 1992, Westminster's Emergency Communications Center was moved to its current location. The Ericsson 800 MHz radio system was selected through a competitive bidding process, purchased and installed jointly with the City of Arvada via an intergovernmental agreement. The system consists of backbone equipment, transmitters, receivers, microwave radio hops, microwave dishes and antennas, dispatch console equipment, and user equipment such as portable radios and mobile radios. Public safety 800 MHz trunked radio systems are proprietary systems, which necessitates that equipment purchased for the system be purchased solely from the manufacturer. There are no other vendors or companies that can provide equipment for this system.

The main transmitter site is located on Eldorado Mountain and radio transmissions travel back and forth from Eldorado Mountain to the Westminster Police Department. Radio traffic destined for the City of Arvada must pass through equipment at Westminster Police Department; there is no direct path between Arvada and Eldorado Mountain. The radio traffic for Arvada travels via a microwave radio hop between the Westminster Police Department and Arvada's radio site at 68<sup>th</sup> Avenue and Estes Street.

Due to Westminster's relocation of our Emergency Communications Center we are required to re-license our radio and microwave frequencies with the Federal Communications Commission (FCC). The FCC has indicated that we cannot reuse the existing microwave frequency for this path between the new Public Safety Center and Arvada's site at 68<sup>th</sup> Avenue and Estes Street. An attempt could be made to re-tune the equipment to a new frequency, but this would increase the system downtime for Arvada. One of the backbone system components that will be purchased with this contract is a replacement for the existing microwave hop between the new Public Safety Center and Arvada's site. The current approach of replacing this microwave hop would allow the installation, testing and tuning of the new equipment while Arvada continues to operate on the old equipment.

The other critical backbone system component being purchased and installed in this contract is the radio system console switch. In simple terms, this component is what allows the dispatch centers of Arvada and Westminster to communicate with Eldorado Mountain and then out to the field units. Moving the existing switch would be very labor and time intensive assuming the switch would operate again after re-installation. The current switch is outdated technology and cannot be expanded to add additional dispatch positions for Arvada or Westminster. The new switch has more capacity and functionality and can be installed and tested while both Cities function on the existing switch equipment.

**Subject:** Relocation Of Communications Center To New Public Safety Center Page 3

A summary of the cost proposals is as follows:

The total contract price is \$363,161.

The total cost for the equipment is \$287,811. Equipment to be purchased consists of the radio system console switch and all related hardware, software and cabling and the microwave radio components and channel banks for the microwave hop between Westminster and Arvada.

The total cost of services for the move and installation is \$75,350.

The total will be shared by the City of Westminster and the City of Arvada. Westminster's cost is slightly higher than one-half of the total cost due to Westminster being a larger user of the system.

Sale of the existing equipment will be attempted, but due to its age and the fact it is outdated technology, the sale price may be diminished. In addition, money realized on the sale would need to be divided evenly with the City of Arvada as they had an equal responsibility for its original purchase price. Final disposition of the property will be handled in accordance with established City policy.

Respectfully submitted,

J. Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Right-of-Way Settlement for the 96th Avenue, Pierce Street to Teller Street Project

**Prepared By:** Michael Normandin, Transportation Engineer

**Recommended City Council Action**

Authorize the transfer of funds in the amount of \$129,500 from the Capital Reserve Fund to the Greenlawn Traffic Mitigation Account for the acquisition of the final parcel of right-of-way needed to complete the 96<sup>th</sup> Avenue, Pierce Street to Teller Street Roadway Connection project.

**Summary Statement**

- The General Capital Improvement Account for the 96<sup>th</sup> Avenue Roadway Connection Project was inadvertently closed late last year prior to the completion of the project. The remaining balance of \$58,300 was transferred into the Capital Projects Reserve Account at that time.
- Recently, the City Attorney's Office has reached an agreement with the owner of the last remaining parcel of right-of-way that was needed to construct this project. As previously discussed with Council, the settlement amount exceeds the project budget by \$71,200.
- The requested transfer will provide the necessary funds needed to finalize the project.
- The funds will be transferred from the Capital Project Reserve Account into the Greenlawn Traffic Mitigation Account in the General Capital Improvement Program.

**Expenditure Required:** \$129,500

**Source of Funds:** Capital Projects Reserve Account

**SUBJECT:** Approval of Right-of-Way Settlement for the 96th Avenue, Pierce Street to Teller Street Project

Page 2

### **Policy Issues**

Should additional funds be appropriated to finalize the 96<sup>th</sup> Avenue, Pierce Street to Teller Street Roadway Connection project?

### **Alternatives**

Do not appropriate additional funds to finalize the project and proceed with the condemnation process for the remaining right-of-way parcel. Staff does not recommend this alternative. Moving forward with a final right-of-way settlement versus condemnation is in the best interest of the City.

### **Background Information**

In February 2000, City Council adopted a resolution which authorized the acquisition of property interests necessary to construct 96<sup>th</sup> Avenue between Pierce and Teller Streets; using eminent domain proceedings, if necessary. In May 2000, a construction contract was awarded for the roadway connection, which was completed in September 2000. Since that time, right-of-way negotiations have been on-going for the acquisition of the final right-of-way parcel. City Staff consulted with Council on two occasions and gained direction on the parameters of a possible settlement agreement.

Recently, a final settlement within Council's parameters was reached for the last right-of-way parcel. Staff believes that it is prudent to finalize the right-of-way acquisition for this project.

Respectfully submitted,

J. Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Second Reading of Councillor's Bill No. 37 re Boulevard Plaza Comprehensive Land Use Plan (CLUP) Amendment

**Prepared By:** Daniel E. Osborn, Planner I

**Recommended City Council Action:**

- Pass Councillor's Bill No.37 on second reading amending the Comprehensive Land Use Plan on Parcel A, 1.415 acres, from "Business Park" to "Retail Commercial" and on Parcel B, 2.833 acres, from "Business Park" to "Industrial".

**Summary Statement**

- The site is accessed from Wadsworth Boulevard with the alignment located inline with the Meadow Point Subdivision. The property is 4.247 acres is split into two parcels; Parcel A (1.415 acres) and Parcel B (2.8330 acres).
- The property is currently vacant and zoned Planned Unit Development in Jefferson County. The applicant is requesting a Comprehensive Land Use Plan Amendment to reclassify the property on Parcel A from "Business Park" to "Retail Commercial" and on Parcel B from "Business Park" to "Industrial".
- The City Council held a public hearing regarding this case on August 12, 2002, and passed the Comprehensive Land Use Plan amendment on first reading.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **37**

SERIES 2002

INTRODUCED BY COUNCILLORS

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A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN

WHEREAS, the City maintains a Comprehensive Land Use Plan which regulates land uses within the City; and

WHEREAS, the City has received an application requesting a land use change for the Boulevard Plaza Parcels A and B as described below; and

WHEREAS, the Planning Commission has reviewed the proposed amendment and has recommended approval to the City Council.

NOW THEREFORE, the City Council hereby finds that the required procedures for amending the Comprehensive land Use Plan as delineated in the Westminster Municipal Code have been satisfied.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council authorizes City Staff to make the necessary changes to the maps and text of the Westminster Comprehensive Land Use Plan, which are necessary to alter the designation of the parcels legally described as follows:

Parcel A: That part of the northwest  $\frac{1}{4}$  of Section 23, Township 2 South, Range 69 west of the 6<sup>th</sup> Principal Meridian, City of Westminster, County of Jefferson, State of Colorado, described as follows:

Beginning at the southeast corner of the northwest  $\frac{1}{4}$  of said Section 23; thence N00°22'52"E on an assumed bearing, along the east line of the said northwest  $\frac{1}{4}$  a distance of 330.00 feet; thence S89°13'17"W. Along the north line of that parcel described in Book 720 at Page 362 of the Jefferson County Records, a distance of 579.69 to the true point of beginning; thence continuing S89°13'17"W along said north line a distance of 210.39 feet to a point on the northeasterly right-of-way of Colorado State Highway No. 121; thence N32°58'12"W along said northeasterly right-of-way line, a distance of 195.26 feet; thence N56°32'38"E a distance of 129.73 feet to a point on the westerly extension of the south line of a parcel described in Book 2170 at Page 429 of the Jefferson County Records; thence S89°30'42"E a distance of 209.94 feet; thence S00°22'52"W a distance of 230.69 feet to the true point of beginning; containing an area of 61,632 square feet or 1.415 acres more or less.

Parcel B: That part of the northwest  $\frac{1}{4}$  of Section 23, Township 2 South, Range 69 West of the 6<sup>th</sup> Principal Meridian, City of Westminster, County of Jefferson, State of Colorado, described as follows:

Beginning at the southeast corner of the northwest  $\frac{1}{4}$  of said Section 23; thence N00°22'52"E on an assumed bearing along the east line of the said northwest  $\frac{1}{4}$  a distance of 330.00 feet; thence S89°13'17"W a distance of 30.00 feet to the true point of beginning; thence continuing S89°13'17"W along the north line of a parcel described in Book 720 at Page 362, Jefferson County Records, a distance of 549.69 feet; thence N00°22'52"E and parallel to said east line of the northwest  $\frac{1}{4}$ , a distance of 230.62 feet to a point on the southerly line of that parcel described in Book 2170 a Page 429, Jefferson County Records; thence S89°30'42"E along said south line a distance of 549.58 feet to a point on the west right-of-way line of Wadsworth Boulevard; thence S00°22'52"W along said west right-of-way line a distance of 218.54 feet to the true point of beginning; containing 123,406 square feet or 2.8330 acres more or less.



Parcel A shall be changed from “Business Park” to “Retail/Commercial” and parcel B shall be changed from “Business Park” to “ Industrial” as described on “Exhibit A” attached hereto.

Section 2. Severability: If any section, paragraph, clause, word or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12<sup>th</sup> day of August, 2002.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of August, 2002.

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Mayor

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City Clerk

Boulevard Plaza



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 22, 2002

**SUBJECT:** Second Reading of Councillor's Bill No. 39 re Supplemental Appropriation for Standley Lake Renovations

**Prepared By:** Mary Ann Parrot, Finance Director

**Recommended City Council Action:**

Pass Councillor's Bill No. 39 on second reading authorizing the supplemental appropriation of \$12,500,000 for the construction of the renovations at Standley Lake and reversing an earlier appropriation of \$3.0 million for partial bonding of this project.

**Summary Statement**

- City Council action is requested to pass the attached Councillor's Bill on second reading, appropriating \$12.5 million for construction of renovations at the Standley Lake Dam and surrounding area.
- This Councillor's Bill was passed on first reading on August 12, 2002.

**Expenditure Required:** \$12,500,000

**Source of Funds:** Appropriation of carryover funds from 2001 and 2002 to fund Standley Lake Improvements, earlier intended for cash funding Big Dry Creek Improvements. The bonding which was to be issued for Standley Lake will, instead, be delayed and used to fund Big Dry Creek.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **39**

SERIES OF 2002

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2002 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2002 appropriation for the Utility Fund initially appropriated by Ordinance No. 2913 in the amount of \$37,255,609 is hereby increased by \$2,000,000 which, when added to the fund balance as of the City Council action on August 12, 2002 will equal \$58,654,384. The actual amount in the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This net increase is due to the appropriation of 2001 carryover and the reversal of an earlier appropriation of anticipated bond proceeds as a result of the decision to cash fund the Standley Lake Dam Renovations.

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

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
<b>REVENUES</b>			
Carryover – Water 2000.40020.0000	4,598,304	\$10,000,000	\$14,598,304
Carryover – Wastewater 2100.40020.0000	4,414,473	(5,000,000)	(585,527)
Bond Proceeds 2000.46020.0216	10,000,000	<u>(3,000,000)</u>	7,000,000
Total Change to Revenues		<u>\$2,000,000</u>	
<b>EXPENSES</b>			
Big Dry Creek 80121035044.80400.8888	\$6,471,179	\$(5,000,000)	\$1,471,179
Gravel Lakes Storage 80120035078.80400.8888	7,958,922	(2,500,000)	5,458,922
Standley Lake Renovation 80220035525.80400.8888	\$2,650,000	<u>9,500,000</u>	12,150,000
Total Change to Expenditures		<u>\$2,000,000</u>	

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

Section 4. This ordinance shall take effect upon its passage after the second reading. 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 12th day of August, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of August, 2002.

ATTEST:

\_\_\_\_\_  
Mayor

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





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
September 22, 2003

**SUBJECT:** Boards and Commissions Pool

**Prepared By:** Michele Kelley, City Clerk

**Recommended City Council Action**

Establish a deadline of November 14, 2003 to receive applications from citizens interested in the next cycle of the Boards and Commissions "Pool" and advertise this opportunity to become involved in the Westminster City government.

**Summary Statement**

- This year Staff will be recruiting citizens that may be interested in serving on the City's new Historic Landmark Board in addition to the other Boards and Commissions.
- City Council annually solicits Westminster citizens who are interested in serving on the various City Boards and Commissions when vacancies would occur during the year.
- After the deadline to receive applications has passed, City Council would then interview each individual who has submitted an application.
- Staff is recommending a deadline for applications this year of November 14<sup>th</sup>, in order to provide lead time for citizens.

**Expenditure Required:** \$0

**Source of Funds:** n/a

**Policy Issues**

Should Council recruit for new members of the Board and Commission pool at this time?

**Alternatives**

Council could decide to set a different date for the deadline

Council could decide not to recruit for the members of the Board and Commission pool at this time.

**Background Information**

Once a deadline has been established, a press release for the various newspapers will be prepared with a brief description of each of the Board's responsibilities. A copy of the press release will be sent to all the homeowner associations within the City and to Neighborly News, which distributes information within many subdivisions within the City. This information is also broadcast on Channel 8 and the application form is available on the Internet and will be published in an upcoming issue of "City Edition."

A copy of the Boards and Commission brochure is attached for Council to review the publication that will be distributed to interested citizens.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Resolution No. 40 re Resignation & Appointment to Environmental Advisory Board

**Prepared by:** Michele Kelley, City Clerk

**Recommended City Council Action**

Adopt Resolution No. 40 formally accepting the resignation of Wendy Sukeena from the Environmental Advisory Board and moving Steve Marlin from alternate member of the Environmental Advisory Board to regular member and appointing a new member as alternate member to the Environmental Advisory Board.

**Summary Statement**

- City Council recently received the resignation of Wendy Sukeena from the Environmental Advisory Board. (See attached letter.)
- Currently, City Council has a list of persons within the “pool” to be considered when vacancies occur on the various boards during the year.
- Steve Marlin is the current alternate member of the Environmental Advisory Board.
- Council action is now requested to adopt the attached resolution formally accepting the resignation of Wendy Sukeena from the Environmental Advisory Board, moving the alternate member to regular member status and appointing a new member to the Environmental Advisory Board.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**SUBJECT:** Resolution re Resignation and Appointment to Environmental Advisory Board - Page 2

**Policy Issue**

Should City Council appoint a new member to the Environmental Advisory Board since the City has received a resignation?

**Alternative(s)**

Council could decide not to appoint a member to the Environmental Advisory Board at this time.

**Background Information**

Wendy Sukeena was appointed to the Environmental Advisory Board in January, 2000, and has served continually until her recent resignation.

Currently there are 14 citizens within the pool of applicants interested in vacancies on the Boards and Commissions.

Council has reviewed the chart of citizens within the 2002 “pool” and directed Staff to prepare the attached Resolution with the appointment of Cheryl Parker.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments



RESOLUTION

RESOLUTION NO. **40**

INTRODUCED BY COUNCILLORS

SERIES OF 2002

CITY OF WESTMINSTER ENVIRONMENTAL ADVISORY BOARD

WHEREAS, A resignation has been received from Wendy Sukeena of the Environmental Advisory Board; and

WHEREAS; Council will be moving the alternate member to regular member status of the Environmental Advisory Board at this time; and

WHEREAS; A new appointment to the Environmental Advisory Board is being made at this time; and

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

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby accept the resignation of Kim Wolf from the Environmental Advisory Board and appoint the following individuals to the City of Westminster Environmental Advisory Board as indicated below with the term of office to expire as stated.

<u>NAME</u>	<u>BOARD/COMMISSION</u>	<u>TERM EXPIRE</u>
Steve Marlin (Moved from Alternate to Regular Member)	Environmental Advisory Board	December 31, 2003
Cheryl Parker (Alternate member)	Environmental Advisory Board	December 31, 2003

Passed and adopted this 26<sup>th</sup> day of August, 2002.

ATTEST:

\_\_\_\_\_  
Mayor

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

## 2002 BOARD AND COMMISSION POOL

Name	County	Bldg Codes	BOA	Election	Environ	Human Svcs	Library	Open Space	P&R	Personnel	Planning	SP&LB	Trans
Candis Chain	Adams										1		
Gail Forker	Adams				2			1					
Clifford Gemmell	JeffCo									1			
Robert Hartley	Adams	Y	Y	Y	Y	Y	3	Y	2	1	Y	Y	Y
Deborah Ann Jones	Adams							1					
George Kiefer	Adams	Y	Y	Y	Y	Y	Y	1	3	Y	2	Y	Y
Mary Lindsey	JeffCo		3	4	1		5	6	2			Y	7
Jill Manaly	Adams			3					2		1	Y	
Jan Mead	Adams					2				1		Y	
Paul Nilles	Adams							1				Y	
Cheryl Parker	Adams	Y	3	Y	1	Y	Y	Y	Y	Y	2	Y	Y
Gary Simpson	Adams							1-3					
Edwin Ulmer	Adams				X		X	X					
Brian Whitford	JeffCo	Y	Y	Y	Y	Y	Y	3	2	Y	1	Y	Y

X - indicates an interest in a Board with no priority ranking

8/02

Y - Indicates person was contacted on 4-4-02 and interested in Boards other than their priority



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Resolution No. 41 re Carry Forward Balance of 2002 Private Activity Bond Allocation

**Prepared By:** Robin Byrnes, Community Development Programs Coordinator

**Recommended City Council Action:**

Adopt Resolution No. 41 approving the carry forward of the City of Westminster's 2002 Private Activity Bond (PAB) allocation for the qualified purposes set forth in the resolution, and authorize the Mayor to execute the documents necessary to preserve this allocation.

**Summary Statement**

- The City's 2002 PAB allocation is \$3,785,250. The allocation is issued by the State of Colorado pursuant to federal legislation, and is required for municipalities wanting to issue bonds for certain "private activities" such as residential mortgage programs, construction of affordable rental housing, and certain redevelopment projects within the urban renewal area.
- The City's 2002 PAB allocation has not been assigned to any project, nor has the City received any proposals to utilize the funds to date. However, Staff anticipates that these bonds may be needed for south Westminster redevelopment projects in the near future. If the City's PAB allocation is not carried forward by September 15, 2002, it will revert to the State pool. To maintain flexibility and not lose the allocation, the City may keep the allocation by passing a resolution stating that the allocation will be used for a qualified carry forward purpose.
- Qualified carry forward purposes include:
  - Qualified single-family mortgage revenue bonds, and mortgage credit certificates;
  - Qualified redevelopment bonds;
  - Qualified residential rental multifamily housing bonds.
- The attached Resolution has been reviewed and approved by the City Attorney's Office and is ready for City Council's formal action. This Resolution will formally carry forward the entire amount of the City's 2002 PAB allocation. Staff will then proceed to identify for Council the specific project(s) for private activity bond financing prior to February 15, 2003, as required by state law. If a specific designation of the use of the City's PAB allocation is not made by February 15<sup>th</sup>, the City and the State will lose this allocation.

**Expenditure Required:** \$0

**Source of Funds:** Not applicable at this time

**SUBJECT:** Resolution No. 41 re Carry Forward Balance of 2002 Private Activity Bond Allocation –  
Page 2

**Policy Issue(s)**

Whether to carry forward the City’s 2002 Private Activity Bond allocation or allow the \$3,785,250 allocation to revert to the State pool.

**Alternative(s)**

Take no action, and allow the City’s allocation to revert to the State pool. This option is not recommended it would limit the options that Council would have for use of the PAB allocation relative to redevelopment in Westminster. The action to carry forward the allocation is routinely used by other cities and is acceptable to the State of Colorado, acting as the administrative agent for the Federal government.

**Background Information**

When cities intend to issue tax-exempt bonds to finance certain eligible “private activities” as allowed by the Internal Revenue Code, they can do so only to the extent they have received a PAB allocation from the Federal government. Each year, the City of Westminster receives an allocation of approximately \$3.5 million to use towards bond financing of certain eligible “private activities” as defined by federal law. The issuance of tax-exempt bonds can save developers and the City higher costs of market rate financing that can provide a significant savings to the project. Such bonds can also be used to provide subsidies for certain qualified homebuyers. The PAB financing further allows cities to sponsor community development and redevelopment activities that they deem important.

If the PAB allocation is not specifically designated to a specific project by September 15, federal law allows the allocation to be carried forward and preserved through February 15 of the following year. By February 15, 2003 a specific assignment of the allocation must be made or the City and the State will lose the PAB allocation. To maintain flexibility and to consider competitive projects, it is proposed that the City act on the carry forward provision.

City Council action is requested to adopt the attached Resolution approving the continuation (or “carry forward”) of the City’s 2002 Private Activity Bond Allocation (PAB) in the amount of \$3,785,250. If the State is not notified of this carry forward by September 15, 2002, the unused balance will revert to the State pool and will not be under the control of the City. To preserve this allocation, it is proposed that it be carried forward as allowed by law. This action allows the City to delay a decision on the specific designation of the City’s 2002 PAB allocation until February 15, 2003. This action is consistent with City Council actions in past years and is considered routine by the State of Colorado, the administrative agent for the PAB program.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

## RESOLUTION

RESOLUTION NO. 41

INTRODUCED BY COUNCILORS

SERIES OF 2002

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A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF WESTMINSTER TO ISSUE OR CAUSE BONDS TO BE ISSUED IN AN APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$3,785,250 FOR QUALIFIED MORTGAGE BONDS, ONE OR MORE QUALIFIED RESIDENTIAL RENTAL PROJECTS, OR ONE OR MORE QUALIFIED REDEVELOPMENT PROJECTS; AND AUTHORIZING THE OFFICERS, EMPLOYEES AND AGENTS OF THE CITY TO PROCEED AND CONTINUE WITH STEPS PRELIMINARY TO THE ISSUANCE OF SUCH BONDS.

WHEREAS, the City of Westminster (the "City"), is a municipal corporation duly organized and existing as a home-rule municipality under Article XX of the State Constitution (the "Constitution") and laws of the State of Colorado; and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, pursuant to the Private Activity Bond Ceiling Allocation Act, Title 24, Article 32, Part 17, of Colorado Revised Statutes (the "Allocation Act"), the City has been allocated private activity bond "volume cap" for 2002, the amount of which is \$3,785,250; and

WHEREAS, the City intends and proposes to authorize, issue, sell and deliver, bonds in an approximate aggregate principal amount of \$3,785,250, in one or more series, for (1) qualified redevelopment purposes as described in Section 144(c) of the Internal Revenue Code of 1986, as amended (the "Code") OR (2) qualified mortgage bonds as described in section 143 of the code, or (3) qualified residential rental projects as described in Section 142(d) of the Code, together with the costs of funding any reserve funds for the bonds (the "Bonds"), the costs of securing the Bonds and costs incidental to the authorization, issuance and sale of the Bonds (collectively, the "Project").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER, IN THE COUNTIES OF ADAMS AND JEFFERSON, STATE OF COLORADO:

Section 1. All action not inconsistent with the provisions of this resolution heretofore taken by the City Council, and the officers, employees and agents of the City, directed toward the Project, and the issuance and sale of the Bonds therefor, is hereby ratified, approved and confirmed.

Section 2. The City intends to issue, or cause to be issued by another qualified issuer, the Bonds in the approximate aggregate principal amount of \$3,785,250 to pay the cost of the Project, upon terms acceptable to the City as set forth in a bond ordinance or resolution to be hereafter adopted and to take all further action which is necessary or desirable in connection therewith.

Section 3. The officers, employees and agents of the City shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby and shall take all action necessary or desirable to finance the Project and to otherwise carry out the transactions contemplated by this resolution, including without limiting the generality of the foregoing, the following:

- (i) Carrying forward the City's unused private activity bond volume cap allocation for 2002 pursuant to Section 146(f) of the Code;
- (ii) Notifying the Colorado Department of Local Affairs prior to September 15, 2002 of the City's desire to treat its initial 2002 allocation of private activity bond volume cap as an allocation to the Project;
- (iii) Obtaining, if necessary, an additional share of the allocation for 2002 allotted to the State of Colorado pursuant to Section 146 of the Internal Revenue Code of 1986, as amended (the "Code");
- (iv) Assigning, if necessary, the City's 2002 allocation of private activity bond volume cap to another qualified issuer.

Section 4. The cost of financing the Project will be paid out of the proceeds of the Bonds or other available moneys of the City.

Section 5. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 6. If any section, paragraph, clause or provision of this resolution or the question shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution or the question.

Section 7. All acts, orders and resolutions, and parts thereof, inconsistent with this resolution be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 8. This resolution shall be in full force and effect upon its passage and approval.

PASSED AND ADOPTED this August 26, 2002

\_\_\_\_\_  
Mayor

(SEAL)  
Attest:

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

STATE OF COLORADO )  
 )  
COUNTIES OF ADAMS ) SS.  
AND JEFFERSON )  
 )  
CITY OF WESTMINSTER )

I, Michele Kelley, the City Clerk of the City of Westminster, Colorado do hereby certify:

1. The foregoing pages are a true and correct copy of a resolution (the "Resolution") passed and adopted by the City Council (the "Council") of the City at a meeting of the Council held on September 9, 2002.

2. The Resolution was duly moved and seconded and the Resolution was adopted at the meeting of August 26, 2002, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye:

Those Voting Nay:  
Those Absent:

Those Abstaining:

3. The members of the Council were present at such meetings and voted on the passage of such Resolution as set forth above.

4. The Resolution was approved and authenticated by the signature of the Mayor, sealed with the City seal, attested by the Clerk and recorded in the minutes of the Council.

5. There are no bylaws, rules or regulations of the Council, which might prohibit the adoption of said Resolution.

6. Notice of the meeting of August 26, 2002 in the form attached hereto as Exhibit A was posted at the City Hall, Westminster, Colorado, not less than 24 hours prior to the meeting in accordance with law.

WITNESS my hand and the seal of said City affixed this of August 27, 2002.

---

City Clerk

(SEAL)

ATTACH NOTICE OF MEETING





**WESTMINSTER**  
**COLORADO**

Agenda Memorandum

City Council Meeting  
August 26, 2002

**SUBJECT:** Councillor's Bill No. 41 re 2002 Budget Supplemental Appropriation

**Prepared By:** Karen Creager, Internal Auditor

**Recommended City Council Action:**

Pass Councillor's Bill No. 41 on first reading providing for supplementary appropriations to the 2002 budget of the General, General Capital Improvement and Utility Funds.

**Summary Statement**

City Council action is requested to pass the attached Councillor's Bill on first reading amending the 2002 budget appropriations in the General, General Capital Improvement and Utility Funds.

- 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.
- This is the 2002 2nd quarter supplemental appropriation.
- General Fund amendments:
  - \$1,250 Police Department victim advocate conference grant from Adams County and Jefferson County
  - \$7,828 Police Department overtime reimbursements
  - \$12,855 Police Department training class fees
- General Capital Improvement Fund amendments:
  - \$35,147 Interest earnings on the 2001 Public Safety Center Certificates of Participation.
- Utility Fund amendments:
  - \$5,000 Department of Energy (DOE) grant
  - \$6,000 Environmental Protection Agency (EPA) grant
- Appropriation of these unbudgeted funds allows the funds to be spent in 2002.

**Expenditure Required:** **\$68,080**

**Source of Funds:** The funding sources for these expenditures include various grants, fees, reimbursements and interest earnings.

**Policy Issue**

Does City Council support amending the appropriations for the 2002 budget of the General, General Capital Improvement and Utility Funds?

**Alternative**

The alternative would be not to amend the 2002 budget appropriations for the General, General Capital Improvement and Utility Funds and utilize these funds to increase reserves. Staff does not recommend this alternative as the various departments have already incurred these expenses and covered them in their current budget in anticipation of receipt of the funds.

**Background Information**

This agenda memo and attached Councillor's Bill is a routine action addressing the need to appropriate additional revenues and offsetting expenditures that resulted from increased activity or events that were not anticipated during the normal budget process.

The Police Department received two small grants totaling \$1,250 from Jefferson County and Adams County for the City's victim advocates to attend the Colorado Organization of Victim Advocates (COVA) conference. (General Fund)

The Police Department received checks totaling \$7,828 for overtime reimbursements from the High Intensity Drug Traffic Area (HIDTA). These reimbursements were for overtime incurred by members of the Police Department while working on Federal HIDTA cases. (General Fund)

The Police Department received \$12,855 in fees for training classes that the PD sponsors and offers to outside agencies and organizations. This additional money will cover the cost of additional trainings offered in 2002. (General Fund)

Interest earnings of \$35,147 from the 2001 Certificates of Participation are being appropriated to the Public Safety Building project. (General Capital Improvement Fund)

Public Works received additional grant funding of \$5,000 and \$6,000 from DOE and the EPA, respectively. These funds will be used for the watershed monitoring and management program, as well as, an educational video on watershed protection.

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

Respectfully submitted,

J. Brent McFall  
City Manager

BY AUTHORITY

ORDINANCE NO.

COUNCILOR'S BILL NO. 41

SERIES OF 2002

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2002 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THESE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2002 appropriation for the General Fund initially appropriated by Ordinance No. 2913 in the amount of \$69,324,181 is hereby increased by \$21,933 which, when added to the fund balance as of the City Council action on August 26, 2002 will equal \$75,055,964. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of various grants and reimbursements received by the City.

Section 2. The \$21,933 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
<b>REVENUES</b>			
Jeffco Grants 1000.40640.0020	\$0	\$1,000	\$1,000
Adco Grants 1000.40640.010	0	250	250
General – Miscellaneous 1000.43060.0000	161,875	7,828	169,703
PD Training 1000.41360.0000	10,000	<u>12,855</u>	22,855
Total Change to Revenues		<u>\$21,933</u>	
<b>EXPENSES</b>			
Investigations - Career Development 10020300.61800.0000	\$8,500	\$1,250	\$9,750
Investigations – Overtime 10020300.60400.0000	156,000	7,828	163,828
PD Training – Career Development 10020050.61800.0612	9,500	<u>12,855</u>	22,355
Total Change to Expenditures		<u>\$21,933</u>	

Section 3. The 2002 appropriation for the General Capital Improvement Fund, initially appropriated by Ordinance No. 2913 in the amount of \$10,305,000 is hereby increased by \$35,147 which, when added to the fund balance as of the City Council action on August 26, 2002 will equal \$16,311,607. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of interest earnings on the 2001 Certificates of Participation.

Section 4. The \$35,147 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
<b>REVENUES</b>			
Interest Income - 2001 COP's 7500.42520.0215	\$44,847	<u>\$35,147</u>	\$79,994
Total Change to Revenues		<u>\$35,147</u>	
<b>EXPENSES</b>			
Public Safety Building 80175020086.80400.8888	\$3,352,259	<u>\$35,147</u>	\$3,387,406
Total Change to Expenditures		<u>\$35,147</u>	

Section 5. The 2002 appropriation for the Water Portion of the Utility Fund, initially appropriated by Ordinance No. 2913 in the amount of \$25,286,775 is hereby increased by \$11,000 which, when added to the fund balance as of the City Council action on August 26, 2002 will equal \$42,025,557. The actual amount in the Water Portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation additional grants from DOE and EPA.

Section 6. The \$11,000 increase in the Water Portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
<b>REVENUES</b>			
Federal Grants 2000.40610.0000	\$50,000	<u>\$11,000</u>	\$61,000
Total Change to Revenues		<u>\$11,000</u>	
<b>EXPENSES</b>			
Environmental Grants 80120035189.80400.8888	\$166,350	<u>\$11,000</u>	\$177,350
Total Change to Expenditures		<u>\$11,000</u>	

Section 7. – 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 8. This ordinance shall take effect upon its passage after the second reading.

Section 9. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 26<sup>th</sup> day of August, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of September, 2002.

ATTEST:

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Resolution No. 42 re Public Use of City Buildings

**Prepared By:** Matt Lutkus, Deputy City Manager for Administration

**Recommended City Council Action**

Adopt Resolution No. 42 updating a previous resolution adopted by City Council in June 1992 related to the public use of City buildings.

**Summary Statement**

- City Council is being requested to approve a resolution that updates a resolution that City Council adopted in June 1992 related to the public use of City buildings.
- The major changes being recommended in the resolution relate to the authority to exclude a number of facilities such as the water and wastewater plants, the Municipal Service Center, and the soon to be opened Public Safety Building from use by the public. The addition of this section results from the increased need for maintaining limited access to certain buildings for security reasons.
- City Council has previously established a policy of limiting the public use of City Hall facilities primarily to public officials on official non-partisan business. This resolution does not change these restrictions nor does it change existing policies with regard to the use of other City buildings except as noted above.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Policy Issues**

1. Should the City continue to restrict public use of City buildings to ensure optimum use for government related activities?
2. Should the Council adopt additional restrictions on certain City buildings to help ensure security of these facilities?

**Alternative**

City Council can direct Staff to make any number of changes to the proposed amended resolution that would make the use of City buildings by the public more or less restrictive than proposed. Staff believes that the resolution as recommended strikes a balance between ensuring that the City buildings are available for their main governmental purpose as well as for limited public use as purpose and availability allow.

**Background Information**

Council passed a resolution related to the public use of City buildings in June 1992 in response to the growing number of requests the City received from various groups and individuals to use City Council Chambers, the City Hall Multipurpose room and other City facilities. That Council resolution limited public use of City Hall facilities to public officials on non-partisan business.

While political caucuses had occasionally been held in City buildings in the past, these were eliminated in the 1992 resolution. It was believed at the time that the use of City facilities for partisan political meetings could interfere with City operations, contribute to the unintentional establishment of a public forum, and perhaps create an impression of partiality by the City to one cause or another.

The resolution established a number of regulations to govern the limited use that would be permitted and delegated to the Deputy City Manager for Administration the authority to establish deposits, fees, and other requirements to recover expenses to the City. The use of City recreation centers and park facilities including golf courses would continue to be covered by separate regulations established by the Director of Parks, Recreation, and Libraries.

The proposed amended Council resolution adds a provision that states that certain City buildings may not be available for use by the public due to the need to maintain a high level security in these facilities. As noted in the resolution examples where public use may not be allowed are the Municipal Court, Public Safety Building, Municipal Service Center, and the water and wastewater treatment and reclaimed water plants.

Other changes to the resolution are being recommended for clarification purposes only with no change in the substance of the policy.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

## RESOLUTION

RESOLUTION NO. **42**

INTRODUCED BY COUNCILLORS

SERIES OF 2002

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WHEREAS, City officials frequently receive requests from members of the public to use City facilities for a variety of functions; and

WHEREAS, City buildings have been built and maintained at public expense and for the purpose of carrying out City business; and

WHEREAS, it is essential to avoid ANY public use of City buildings that interferes with normal City operations and functions or might compromise building security; and

WHEREAS, it is the intent of the City Council to avoid creating public forums that may interfere with City operations and functions.

NOW, THEREFORE, the City Council of the City of Westminster resolves that the use of City buildings shall be governed by the following criteria:

1. City-sponsored events and meetings conducted by City officials or departments shall receive first priority in scheduling the use of any room or building. Any other use of City buildings shall be subject to charges for supervision, utilities, set-up, clean-up, damage, maintenance, and other additional expenses incurred by the City as established by the Deputy City Manager for Administration. The Deputy City Manager for Administration may impose reasonable insurance or contract requirements or require advance payment of fees and deposits if there is reason to believe that this is necessary to ensure the reimbursement of City expenses.
2. The City Council Chambers shall be used only for the conduct of official City business and by governmental officials engaged in the gathering or exchange of information with citizens or otherwise conducting public business, subject to any charges or deposits required by the Deputy City Manager for Administration. Use of the Chambers for partisan or political advocacy purposes shall not be permitted.
3. The City Hall Multi-purpose room shall be used only for official City business, employee training, meetings of professional organizations related to municipal employees and government, and by governmental officials engaged in the gathering or exchange of information with citizens or otherwise conducting public business subject to any charges or deposits required by the Deputy City Manager for Administration. Use of the Multi-purpose room for partisan or political advocacy purposes shall not be permitted.
4. The City Hall Lobby may be used only for City-sponsored events such as receptions and art shows.
5. During City Council meetings, the City Council Chambers and City Hall Lobby may be used for constitutionally protected expressive activity, subject to reasonable time, place, and manner limitations imposed by the City Manager or the City Council, including, but not limited to:
  - a) Leafletters shall be responsible for picking up all of their materials that may be left on the floor or furniture.
  - b) No verbal or musical expression or noise shall be permitted to interfere with any other activity scheduled for the premises or normal use of the building.
  - c) No signs or placards shall be permitted in the City Council Chambers
  - d) No signs or placards shall be permitted in the City Hall Lobby, which restrict the view of other meeting attendees.

6. This Resolution shall not apply to City recreation centers and parks facilities including golf course clubhouse facilities, which may be used by the public pursuant to the CITY CODE AND ~~room rental policy~~ POLICIES adopted by the Director of Parks, Recreation, and Libraries and, in the case of the golf course restaurants, pursuant to concessionaire agreements.
7. Certain city buildings may not be available for use by the public due to the need to maintain a high level of security in these facilities. Buildings where public use may not be allowed include the municipal court, the municipal service center, the public safety building and the water, wastewater and reclaimed water treatment plants.
8. Other City facilities such as the library meeting rooms, fire stations, and buildings not specifically addressed in this Resolution may be used for meetings of homeowners' associations, neighborhood watch groups, and school or community groups such as Scouts and 4-H when the facility is not scheduled for City use. Use for partisan or political advocacy purposes shall not be permitted.
9. General rules.
  - a) Reservations to use City buildings may only be made by City residents, representatives of City businesses, or employees of the City of Westminster. The reservation holder must be present during the event or meeting.
  - b) Reservations during times that are difficult for the City to accommodate due to other staff commitments or late night, early morning, weekend or holiday hours may be denied.
  - c) No decorations, pictures, signs or similar items may be attached to any wall, door, or window. Easels, tripods or freestanding displays are permitted.
  - d) Use of the City Council Chambers shall be scheduled by the City Clerk, with prior approval of the Deputy City Manager for Administration. Use of the City Hall Multi-purpose room or Lobby shall be scheduled by the Department of General Services. Use of other City facilities shall be approved by the department head or division manager in charge of scheduling the use of a particular room or facility.
  - e) No alcohol may be served except in compliance with state and local laws. No food or beverages may be served except with the permission of the City officials referred to in "D" who shall charge fees appropriate to the clean-up or damage that may be related to food service in the facility.
  - f) No music and/or other loud sounds shall be permitted during normal business hours of the facility or which interfere with other uses of the facility.
  - g) No City facility may be scheduled on a regular recurring basis for a use not related to City business.
  - h) No facility may be scheduled for non-City use more than thirty days prior to the event or meeting.
  - i) If the City incurs expenses in preparation for a non-City use of a facility and the person or group that reserved the facility cancels with less than forty-eight (48) hours notice or fails to appear at the reserved time, the reserving person or group shall be responsible for the City's actual expenses.
10. Permission may be denied for facility use on the following grounds:
  - a) The use would unreasonably interfere with normal activities and general use and enjoyment of the City facility, or
  - b) Another event has previously been scheduled for the same date and time, or
  - c) The person or group that desires the use of the facility has violated City policies or ordinances or failed to pay the requires expenses in relation to prior use of City facilities, or
  - d) The desired use is otherwise inconsistent with this policy.

PASSED AND ADOPTED THIS 26<sup>th</sup> day of August, 2002

ATTEST:

\_\_\_\_\_  
Mayor

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





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Resolution No. 43 re Police Community Service Officers

**Prepared By:** Dan Montgomery Chief of Police

**Recommended City Council Action**

Adopt Resolution No. 43 authorizing the replacement of 2.0 FTE vacant Promenade Police Officer positions with 1.0 FTE Senior Community Service Officer, and 3.4 FTE Community Service Officers.

**Summary Statement**

The City of Westminster Strategic Plan, developed in early 2002, identified as a goal the need to provide for a “safe and secure community.” Incorporated into this goal was objective #3, where ideally people would feel “free of intimidation,” and objective #4, the need to provide a “safe public gathering place.” It is staff’s perspective that the objectives specific to this goal, especially considering the maintenance order problems experienced at the Promenade, can be largely achieved by deploying a cadre of Community Service Officers at the Promenade.

The purpose of this City Council Agenda Memo is to seek Council’s approval and adoption of the Resolution authorizing the Police Department to change their staffing levels. In particular, staff is recommending the reclassification of 2.0 FTE Police Officers to 2.0 FTE Community Service Officers and increasing the full time equivalent by adding 1.4 additional FTE Community Services Officers and 1 additional FTE Senior Community Service Officer. By replacing the 2.0 FTE Police Officers (both positions are currently vacant), with 4.4 FTE Community Service Officers, staff would be able to provide twice the police visibility and coverage at the Promenade at roughly the same annual cost.

**Expenditure Required:** The annual savings involved by deploying 4.4 FTE uniformed Community Service Officers in lieu of 2.0 FTE Police Officers would be approximately \$1,600 per year (\$139,000 annually to field 4.4 FTE Community Service Officers vs. \$140,600 annually to field 2.0 FTE Police Officers).

**Source of Funds:** Police Department General Fund

### **Policy Issues**

The primary policy issue involved with this staff recommendation is whether or not it would be beneficial and practical to reclassify 2.0 FTE Police Officers to 2.0 FTE Community Service Officers, and add 1.4 additional FTE Community Service Officers and 1.0 FTE Senior Community Service Officer for deployment at the Westminster Promenade. The net effect of this proposed action would be to reduce authorized police officer staffing by 2.0 FTE and increase authorized CSO staffing by 4.4 FTE.

### **Alternatives**

1. Modify the plan to the extent that 3.0 FTE Community Service Officers would be used in lieu of 2.0 FTE Police Officers. This would actually save \$45,827 per year (\$140,600 for the 2.0 FTE Police Officers vs. \$94,773 for 3.0 FTE Community Service Officers).
2. Modify the plan to the extent that a total of 5.0 FTE Community Service Officers would be used to replace 2.0 FTE Police Officers. This would require an additional expenditure of \$17,400 (\$140,600 for 2.0 FTE Police Officers vs. \$158,000 for 5.0 FTE Community Service Officers).
3. Do not approve the recommended course of action, and preserve the status quo.

### **Background Information**

In 1967, the President's Commission on Law Enforcement and the Administration of Justice, Chaired by Nicholas deB. Katzenbach, strongly recommended, among other things, the "civilianization" of law enforcement agencies throughout the United States. The Commission's research revealed that American Law Enforcement needed to evaluate their police deployment strategies, and where possible use non-sworn, civilian personnel to perform some of the law enforcement functions traditionally reserved for sworn police officers. In fact, in the Commission's publication, "The Challenge of Crime In a Free Society" (67) "adding Community Service Officers" in order to "increase the effectiveness of the police and to free up police time being wasted on 'trivial duties' became the recommended course of action for the police." (p. 107) Change throughout the country came slow, but gradually many police departments began to seriously consider the "civilianization imperative" of the Commission, and Westminster was no exception.

In the early 70's, Westminster received a grant to implement a program wherein a cadre of well-trained civilian traffic accident investigators would perform traffic accident investigation functions. The program was successfully implemented, and today there are 3.0 FTE traffic accident investigators still functioning. They save very valuable police officer time by handling these traffic accidents, and they do it at a lower cost. Westminster is one of the few agencies in the State of Colorado to have this type of program in effect.

In the late 70's, Westminster pioneered the use of civilian "Police Report Specialists" to take police reports in person and by telephone. Today, there are 3.0 FTE civilian Police Report Specialists. Two full-time Report Specialists work at the Police Department on the day shift and swing shift, and two .5 FTE Report Specialists split duty at the Westminster Mall Police Storefront office. These employees save police officers hundreds of report-writing hours annually, and, as is the case with the civilian Traffic Accident Investigators, Westminster remains one of several agencies in Colorado employing this program.

Today, the strategy to utilize Community Service Officers at the Promenade, and potentially elsewhere at some point in the future seems to make good sense. The primary police problems at the Promenade involve youth, and are generally considered “order maintenance” in nature, i.e.: disturbances, skateboarding, fights, parks violations, drinking, etc. These types of “order maintenance” problems can be handled very effectively by a trained cadre of civilian Community Service Officers, who will be uniformed, have municipal code enforcement authority, and who will be equipped with a police radio.

At the present time, there are 2.0 FTE Police Officers in the Promenade budget, but with a staffing level of only 2.0, staff is only able to deploy a maximum of 80 hours at the Promenade each week. With 4.4 FTE Community Service Officers, 176 staffing hours could be poured into the Promenade each week instead of 80, with triple and quadruple coverages on weekends, using primarily part-time personnel. The use of part-time personnel provides for greater flexibility in coverages and in general deployment. Furthermore, this “high-visibility strategy is in sync with the City’s strategic plan.

If Council concurs, it would be Staff’s intent to hire a 1.0 FTE “Senior Community Service Officer” to be a working supervisor and supervise this new program reporting directly to Lieutenant Tim Tripp in the Special Operations Section of the Police Department. Once hired, this individual would assist in the recruiting, training, and scheduling of approximately 6-8 part-time Community Service Officers, each working less than 20 hours per week, but collectively, not more than 136 hours each week. The salary classification for the Senior Community Service Officer is an N-12, with a salary range of \$36,000 to \$46,000 per year, and the hourly rate of pay for the part-time Community Service Officers (N-9) starts at \$13.92 per hour.

Staff is of the opinion that all of these positions could be filled and that the interest level for working these assignments would be very high.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **43**

INTRODUCED BY COUNCILLORS

SERIES OF 2002

AUTHORIZING THE REPLACEMENT OF 2.0 FTE PROMENADE OFFICER POSITIONS WITH 1.0 FTE SENIOR COMMUNITY SERVICE OFFICER AND 3.4 FTE COMMUNITY SERVICE OFFICERS.

Whereas, the City of Westminster Strategic Plan identifies the need to provide a safe and secure community where people would feel free of intimidation.

Whereas, the City of Westminster Strategic Plan also identifies the need to provide a safe public gathering place.

Whereas, the proposed change to the Police Department's staffing levels by reclassifying 2.0 FTE Police Officers to 2.0 FTE Community Services Officers and increasing the full time equivalent by adding 1.4 additional FTE Community Services Officers and 1 additional FTE Senior Community Service Officer.

Whereas, the proposed action will increase the effectiveness of the police and free police time that is being wasted on less demanding law enforcement duties is the recommended course of action for the police across the nation.

Whereas, the strategy to utilize Community Service Officers at the Promenade, and potentially elsewhere in the community at some point in the future, will increase the effectiveness of the police and free police time that is being utilized for law enforcement duties that are generally considered order maintenance in nature. The proposed action will provide twice the visibility and coverage at the Promenade for approximately the same cost.

NOW, THEREFORE, be it resolved that the Westminster City Council authorizes the replacement of 2.0 FTE vacant Promenade Police Officer positions with 1.0 FTE Senior Community Service Officer, and 3.4 FTE Community Service Officers. By replacing the 2.0 FTE Police Officers with 4.4 FTE Community Services Officers, the annual savings would be approximately \$1,600 per year and will provide twice the visibility and coverage at the Promenade.

Adopted this 26<sup>th</sup> day of August, 2002

ATTEST

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**City Council Meeting**  
**August 26, 2002**

**SUBJECT:** Councillor's Bill No. 42 re 2002 City Ballot Issues Language

**PREPARED BY:** Steve Smithers, Assistant City Manager

**Recommended City Council Action:**

Pass Councillor's Bill No. 42 on first reading to approve the ballot language for the two proposed issues to be placed on the November 5<sup>th</sup> election ballot.

**Summary Statement**

- > City Council directed staff to pursue two City election ballot issues for the November, 2002 ballot.
- > Staff has drafted the language for a de-Brucing amendment and a change to the City's Charter making all City Council terms of office 4 years.
- > At the August 19<sup>th</sup> Study Session, City Council directed Staff to bring back the ballot language for both questions for official action.
- > Staff is seeking City Council action to finalize the language for these ballot questions.

**Expenditure Required:** \$0

**Source of Funds:** n/a

**Policy Issues**

Should the City proceed with the two proposed ballot issues for the 2002 City of Westminster election in November?

**Alternatives**

City Council could decide to not proceed with one or both of these ballot issues in 2002. Staff believes that both of these changes are warranted and would place the City in a more advantageous position to continue to provide high quality City services and the continuity of leadership necessary to assure that Westminster continues to be a community where citizens are proud to live.

**Background Information**

Staff approached City Council earlier this year with several alternatives to consider for the City's 2002 election ballot. Among these were several charter amendment changes, a de-Brucing measure, and several potential tax increase questions. Council directed Staff to conduct polling of residents on the tax and de-Brucing questions. The results of this polling pointed out that Westminster citizens have a very positive opinion on the services provided by the City. The results also pointed out that citizens don't see a clear need at this time for higher taxes to maintain or improve City services. Based on these results the decision was made to not pursue any tax increases in 2002. The results did show support for de-Brucing City revenues, and City Council directed Staff to pursue this issue for the November ballot along with a charter amendment making all Council terms of office four years.

The De-Brucing ballot question is directed at allowing the City to retain all of the revenues it currently collects from existing taxes, fees, charges, grants and other sources in order to provide City services to Westminster citizens. This measure would not change the constitutional requirement for the City to seek voter approval for any tax increases or increases in the City's debt. This change is being sought at this time in order to allow the City to maintain public safety, street maintenance, parks and recreation and other core services that play a key role in providing the quality of life that Westminster Citizens have come to expect. 375 De-Brucing ballot questions have passed in Colorado (90% approval rate) since passage of the TABOR amendment in 1992 according to the Colorado Municipal League.

The Four Year Terms of Office ballot question would allow the City to be consistent with the provisions of the State Constitution concerning term limitations. This measure will establish four-year terms of office for all councilors elected to office. Councilors will be term limited after two terms in office, or eight years. In addition, any appointments made by Council to fill a Council vacancy would be for the remaining term of office. These changes would provide for better continuity on the Council by avoiding the situation where a Council member who wishes to continue serving their community in elected office is term limited after only serving six years.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2002

COUNCILLOR'S BILL NO. **42**  
INTRODUCED BY COUNCILLORS

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A BILL FOR AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF WESTMINSTER AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2002, CERTAIN ISSUES PURSUANT TO ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION AND A BALLOT QUESTION REGARDING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF WESTMINSTER.

THE CITY OF WESTMINSTER ORDAINS:

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

WHEREAS, pursuant to the terms of the Constitution of the State of Colorado, the Charter and ordinances of the City, and Part 2 of Article 2 of Title 31 of the Colorado Revised Statutes, the City Council has identified and determined that the proposed amendment to the home-rule Charter of the City of Westminster as set forth herein below shall be submitted to a vote of the City's registered electors at the general election to be held on November 5, 2002; and

WHEREAS, Article X, Section 20, of the Colorado Constitution requires voter approval prior to spending revenues in excess of certain limited calculated amounts unless voters approval is obtained to retain and spend these funds; and

WHEREAS, a general election will be held on November 5, 2002.

Section 1. At the general election to be held on November 5, 2002, there shall be submitted to the registered electors of the City the following issues pursuant to Article X, Section 20 of the Colorado Constitution:

**ISSUE A**

Without any new taxes or tax rate increases, for the purpose of maintaining the quality of the City's police, fire and other essential municipal services, shall the City be authorized to collect, retain and spend all revenues received in the year two thousand and thereafter as a voter approved revenue change pursuant to Colorado Constitution Art X, section 20?

Section 2. At the general election to be held on November 5, 2002, there shall be submitted to the registered electors of the City the following question:

**QUESTION 1**

**In order to achieve consistency with the provisions of the State Constitution concerning term limitations, shall the Westminster City Charter be amended so that all Councillors shall be elected to terms of four years and any time a vacancy in a Councillor position occurs, it shall be filled for the remainder of such term?**

\_\_\_\_\_ FOR \_\_\_\_\_ AGAINST

**ACTUAL WORDING FOR PROPOSED AMENDMENT:**

**Section 3.2. Elective Officers and Terms of Office.**

(c) At each regular City election, BEGINNING IN 2003, there shall be elected THREE (3) ~~four (4)~~ Councillors. ~~(three (3) at the election in which the Mayor is elected), and such additional number as may be required to fill vacancies pursuant to the provision of section 5.7.~~ The three (3) CANDIDATES ~~(two (2) at the election in which the Mayor is elected)~~ receiving the highest number of votes shall each be elected for a term of office of four (4) years. ~~the one (1) receiving the fourth highest number of votes (third highest number at the election in which the Mayor is elected) shall be elected for a term of office of two (2) years two (2) years., and a number equal to the number of vacancies being filled (if any) who shall receive the next highest numbers of votes in order. shall each be elected for a term of office of two years.~~

**Section 5.7. Filling vacancies in Elective Office.**

(a) Any vacancy which occurs in the Council ~~more than ninety (90) days before the next regular City election~~ shall be filled within thirty (30) days by a majority vote of the remaining members of the Council, said appointee to hold office ~~until the Monday following such election, at which election such vacancy shall be filled as provided in Section 3.2 for any balance of the unexpired term.~~ Any vacancy which occurs in the Council ninety (90) days or less before the next regular City election may not be filled.

Section 3. The City Clerk is hereby directed to take such actions as may be required or permitted by law in connection with the election.

Section 4. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 5. If any section, paragraph, clause or provision of this ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 6. All acts, orders and resolutions, and parts thereof, inconsistent with this ordinance be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 7. This ordinance shall take effect upon its passage after second reading.

Section 8. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Mayor

ATTEST:

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





**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

City Council Meeting  
August 26, 2002

**SUBJECT:** Second Reading of Councillor's Bill No. 40 re Water and Sewer Rates Adjustment

**Prepared By:** Bob Krugmire, Water Resources Engineer  
Byron Jefferson, Treasury Manager  
Kelly DiNatale, Water Resources and Treatment Manager

**Recommended City Council Action**

Pass Councillor's Bill No. 40 as amended on second reading implementing the 2002 modifications to the City Code regarding water and sewer rate adjustments.

**Summary Statement**

- The proposed 2003 and 2004 Utility Fund budgets are predicated on a 7% overall increase in operating revenues in 2003. The recommended revenue increase is required to meet cash flow requirements for operating costs, capital improvement projects and the debt service for the Reclaimed Water System, Standley Renovation and the Northwest Water Treatment Facility.
- This proposal is in keeping with City Council's bi-annual water and sewer rates adjustments. Staff, utilizing water billing records and the long-range financial planning model, has analyzed water rates and usage patterns and is recommending changes to water rates in order to meet these revenue requirements. The current drought and lack of success with voluntary water conservation measures suggest that existing water rates are too low to encourage meaningful conservation.
- Staff has analyzed the water use patterns for various customer classes and are recommending modification of specific upper tier rates for both residential and commercial customers to serve as additional, permanent conservation incentives.
- These rates would be effective October 1, 2002 through 2004, and barring unexpected costs or significant revenue reductions due to a continued drought, no increase would be recommended for calendar year 2004. In response to Council's concerns regarding customer notification, staff will be mailing out information regarding the approved rates to all water customers.
- There are also housekeeping measures covering an increase to the City's meter testing fees, meter re-read fees, modifications to the fines associated with meter turn-ons and turn-offs, a modification and amendment after first reading to the meter deposit fee, and modifications to the meter set fee schedule.

**Expenditure Required:** None  
**Source of Funds:** N/A

Respectfully submitted,

J. Brent McFall  
City Manager  
Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **40**

SERIES OF 2002

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE INCREASING THE RATES FOR WATER SALES AND SEWER USER CHARGES

THE CITY OF WESTMINSTER ORDAINS:

WHEREAS, the City of Westminster operates a water and wastewater enterprise utility; and

WHEREAS, the City Charter requires that the utility be self-supporting; and

WHEREAS, the last water rate increase and the last rate increase for sewer user charges took effect January, 2001; and

WHEREAS, costs to operate the Water and Wastewater Utility have increased; and

WHEREAS, since the Utility is operated as an enterprise exempt from the TABOR amendment, the City Council may set rates to adequately fund the operation of the enterprise; and

WHERE, the City wishes to minimize the need for large increases in the future; and

WHEREAS, water rates have been designed so as to encourage conservation.

NOW, THEREFORE, be it ordained by the City Council of the City of Westminster as follows:

Section 1. Title VIII, Chapter 7, Section 7, Subsection B, is hereby amended as follows:

(B) RESIDENTIAL: Three (3) dwelling units or less served by one meter primarily used for residential occupancy shall be charged a ~~\$3.75~~ FOUR DOLLAR AND SEVENTY CENT (\$4.70) per month meter service charge plus:

Block Rate	Consumption Range
\$1.95 per 1,000 gallons	First 4,000 gallons
<del>\$2.85</del> \$2.95 per 1,000 gallons	5,000 to <del>25,000</del> 20,000 gallons
<del>\$3.99</del> \$4.25 per 1,000 gallons	<del>26,000</del> 21,000 gallons and over

per unit. Unit consumption shall be determined by dividing the number of units using one meter. ~~Notwithstanding the above, residential customers who use more than 50,000 gallons for two billing cycles in a twelve month period will be billed at the rate of \$3.45 per 1,000 gallons for any usage exceeding 50,000 gallons. If usage exceeds 50,000 gallons for more than two billing cycles in a twelve month period, the first two qualifying cycles will be billed at the \$3.45 rate.~~

Section 2: Title VIII, Chapter 7, Section 7, Subsection C, is hereby amended as follows:

(C) RESIDENTIAL IRRIGATION, TOWNHOME/CONDOMINIUM (CONSISTING OF FOUR UNITS OR MORE), PUBLIC/QUASI-PUBLIC USERS: Shall be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: ~~\$3.45~~ \$3.65 per 1,000 gallons.

Non-irrigation accounts for multiple residential units consisting of four (4) units or more that are not individually metered and that are classified as town homes or condominiums and can demonstrate that they are eighty percent (80%) owner occupied on a complex wide basis shall be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: ~~two dollars and eighty five cents (\$2.85)~~ THREE DOLLARS (\$3.00) per thousand (1,000) gallons for all water delivered through the meter. The Director of Finance is authorized to prescribe and accept such forms of documentation as the Director may deem sufficient to demonstrate an applicant's eligibility for the rate described in this paragraph. For purposes of this section, a town home or condominium is a residential unit physically attached to another residential unit and separately owned.

Section 3: Title VIII, Chapter 7, Section 7, Subsection D, is hereby amended as follows:

(D) COMMERCIAL: Commercial users shall be charged a monthly meter service charge based on meter size as listed in Schedule A plus: ~~\$3.45~~ THREE DOLLARS AND SIXTY-FIVE CENTS (\$3.65) per 1,000 gallons for the number of gallons used per monthly billing up to the breakpoint for the meter size listed in Schedule A. ~~\$3.85~~ FOUR DOLLARS AND FIFTY CENTS (\$4.50) per 1,000 gallons for all consumption exceeding the breakpoint on a monthly basis for the applicable meter size as listed in Schedule A.

<b>SCHEDULE A</b>				
<b>Meter Size Code</b>	<b>Meter Size</b>	<b>Number of Service Commitments</b>	<b>Monthly Meter Service Charge</b>	<b>Breakpoint For Second Tier Based On Meter Size (Gallons)</b>
1	5/8" X 3/4"	1	<del>\$4.45</del> \$4.70	<del>25,000</del> 20,000
2	3/4" x 3/4"	1.5	\$7.50	<del>38,000</del> 30,000
3	1"	2.5	\$10.00	<del>63,000</del> 50,000
5	1-1/2"	5	\$15.00	<del>125,000</del> 100,000
6	2"	8	\$20.00	<del>200,000</del> 160,000
7	2" x 5/8"	8	\$20.00	<del>200,000</del> 160,000
8	3"	17.5	\$40.00	<del>438,000</del> 350,000
9	3" x 3/4"	17.5	\$40.00	<del>438,000</del> 350,000
10	4"	30	\$40.00	<del>750,000</del> 600,000
11	4" x 1"	30	\$40.00	<del>750,000</del> 600,000
12	6"	62.5	\$50.00	<del>1,563,000</del> 1,250,000
13	6" x 1-1/2"	62.5	\$50.00	<del>1,563,000</del> 1,250,000
14	6" x 3"	62.5	\$50.00	<del>1,563,000</del> 1,250,000
15	8"	90	\$90.00	<del>2,250,000</del> 1,800,000
18	10"	145	\$110.00	<del>3,625,000</del> 2,900,000
20	10" x 12" x 6"	215	\$110.00	<del>5,375,000</del> 4,300,000

Section 4: Title VIII, Chapter 7, Section 8, Subsection B, is hereby amended as follows:

(B) Water meters are to be read to the nearest one thousand (1,000) gallons. Any meter reading containing a portion of one thousand (1,000) gallons shall be rounded down to the nearest one thousand (1,000) gallons. The City will charge ~~ten dollars (\$10)~~ TWENTY-FIVE DOLLARS (\$25.00) to test a residential water meter upon customers request. Test of commercial and industrial meters, by customer request, will be ~~actual cost~~ AS LISTED IN SCHEDULE B. This fee will be waived if the meter is over-registering. If the meter is over-registering, the customer will receive a credit for excess charges on the prior twelve (12) months consumption. If City records indicate a meter change or accuracy test during the twelve (12) months, the credit will apply from the date of the meter change or test.

<b>SCHEDULE B</b>		
<b>Meter Model</b>	<b>Meter Size</b>	<b>Test Charge</b>
25	5/8"	\$25.00
35	3/4"	\$35.00
70	1"	\$70.00
120	1-1/2"	\$120.00
160 Turbo	1-1/2"	\$160.00
170	2"	\$170.00
200 Turbo	2"	\$200.00
450 Turbo	3"	\$450.00
Meters Over 3"	>3"	\$450.00

Section 5: Title VIII, Chapter 7, Section 8, Subsection C, is hereby amended as follows:

(C) The City will charge ~~five dollars (\$5)~~ **FIFTEEN DOLLARS (\$15.00)** to reread a water meter at the customer's request. This fee will be waived if the first reading was incorrect. The City will charge ~~five dollars (\$5)~~ **FIFTEEN DOLLARS (\$15.00)** to check the water meter for evidence of a leak. This fee will be waived if a leak is found.

Section 6: Title VIII, Chapter 7, Section 9, Subsection A, is hereby amended as follows:

<b>Action</b>	<b>Residential</b>	<b>All Other Classifications</b>
First turn off/on	\$30.00	\$30.00
Second turn off/on	\$60.00	\$60.00
All additional	<del>\$60.00</del> \$90.00	\$100.00
UNAUTHORIZED TURN-ON	\$30.00	\$30.00
DAMAGED LOCK	\$15.00	\$15.00
DAMAGED CAN	\$30.00	\$30.00
DAMAGED PIN	\$30.00	\$30.00

Section 6: Title VIII, Chapter 7, Section 10, Subsection A, is hereby amended as follows:

(A) The Department of Public Works and Utilities shall collect a deposit fee of ~~sixty dollars (\$60)~~ **AN AMOUNT EQUIVALENT TO THE VALUE OF THE METERING DEVICE** for the use of metering devices in connection with temporary water service used in construction and similar activities. **WATER USE THROUGH THESE METERS MAY BE BILLED AS NEEDED BASED ON CONSUMPTION PATTERNS. ANY OUTSTANDING** The charge for the temporary water service shall be deducted from the deposit fee when the meter is returned **LESS A TWENTY FIVE DOLLAR (\$25) ADMINISTRATIVE FEE**, ~~if~~ **IF** the meter is not returned by the deadline specified by the City, **OR IS REPORTED AS LOST**, the ENTIRE deposit fee shall be forfeited in order to compensate the City for loss of the equipment and for administering this service. **ACCOUNTS OF NON-RETURNED OR LOST METERS SHALL HAVE AN ADDITIONAL AMOUNT EQUAL TO THE VALUE OF THE METER BILLED TO THE CUSTOMER ACCOUNT FOR AN ASSUMED LEVEL OF UN-BILLED WATER REGISTERED ON THE MISSING METER.**

Section 7: Title VIII, Chapter 7, Section 26, is hereby amended as follows:

**8-7-26: METER SET INSTALLATION REINSPECTION FEE:** Water tap fees provide for customary inspection of the meter set only. Where additional inspections are made necessary by incomplete or faulty work or incorrect posting by the contractor, no fee shall be charged for the first two (2) inspections, however a fee of ~~forty five dollars (\$45)~~ **NINETY DOLLARS (\$90.00)** will be charged for the third inspection and a fee of ~~fifteen dollars (\$15)~~ **THIRTY DOLLARS (\$30.00)** for each inspection thereafter. This fee shall be charged to the holder of the permit and paid to the City before any additional inspections will be made.

(D) The rates for user charges hereinafter set forth are based generally upon the quantity and quality of sewage collected and they are subject to change periodically as circumstances require. The minimum monthly rate for use of the City of Westminster sanitary sewerage system by residential, including multiple unit residential, and public users shall be a sum equal to ~~two dollars and sixty eight cents (\$2.68)~~ TWO DOLLARS AND EIGHTY-FOUR CENTS (\$2.84) per thousand (1,000) gallons multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly rate for use of the City of Westminster's Sanitary Sewage System by multiple units and commercial users shall be a sum equal to ~~two dollars and ninety nine cents (\$2.99)~~ THREE DOLLARS AND SEVENTEEN CENTS (\$3.17) per thousand (1,000) gallons multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly sewer charge for commercial users may be appealed to the Utility Billing Division for user charges resulting from the average monthly water billed during the period of January through March and may be adjusted if the water billed during the months of July through September is less. Commercial users shall be allowed to install a separate meter to record out of house use which consumption will not be assessed a sewer use charge. The meter readings actually taken prior to and closest to the specified time frame shall be used for purposes of accomplishing the required calculation. However, City Council may by Resolution adjust the period of time to be used to calculate said user charges when, in the opinion of the Council, climate conditions and water consumption patterns warrant such an adjustment. The monthly charge shall apply to an account that is billed for more than fifteen (15) days service. Any new occupant of a residential unit shall be charged fifteen dollars and fifty cents (\$15.50) sewer charge until an experience rate has been established.

Section 9: This ordinance shall be effective for any water charges billed after October 1, 2002.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12<sup>th</sup> day of August, 2002.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of August, 2002.

\_\_\_\_\_  
Mayor

ATTEST:

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

## Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, August 26, 2002. Present at roll call were Mayor Moss, Mayor Pro-Tem Atchison, Councillors Dittman, Dixon, Kauffman, and McNally. Absent Hicks.

The minutes of the August 12, 2002 meeting were approved.

Mayor Moss presented the Meritorious Citizen Service Award to Michael Scott; presented an appreciation plaque to Josilyn Neises; proclamation for Front Range Community College for their 35<sup>th</sup> anniversary; and presented a proclamation for "Employee Appreciation Week" as September 2-6.

Council set October 11, 2002 as the deadline for applications for the Boards & Commissions Pool.

Council accepted the resignation of Wendy Sukeena and moved Steve Marlin to regular member, and appointed Cheryl Parker as an alternate member to the Environmental Advisory Board.

Council approved the following: Financial Report for July, 2002; Relocation of Communications Center to New Public Safety Center with Legacy Communications for \$363,161; and Right-of-Way Settlement for 96<sup>th</sup> Avenue, Pierce to Teller Street project for \$129,500.

The following Councillor's Bills were passed on first reading:

A BILL FOR AN ORDINANCE INCREASING THE 2002 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THESE FUNDS purpose: 2002 supplemental appropriations

A BILL FOR AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF WESTMINSTER AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2002, CERTAIN ISSUES PURSUANT TO ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION AND A BALLOT QUESTION REGARDING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF WESTMINSTER purpose: setting the ballot language for the November 5, 2002 election

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

A BILL FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN

A BILL FOR AN ORDINANCE INCREASING THE 2002 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THE FUND

A BILL FOR AN ORDINANCE INCREASING THE RATES FOR WATER SALES AND SEWER USER CHARGES as amended

The following Resolutions were adopted:

Resolution No. 40 re Resignation & Appointments to Environmental Advisory Board  
Resolution No. 41 re Carry Forward Balance of 2002 Private Activity Bond Allocation  
Resolution No. 42 re Public Use of City Buildings

At 8:34 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window on September 5, 2002.

BY AUTHORITY

ORDINANCE NO. **2966**

COUNCILLOR'S BILL NO. **37**

SERIES 2002

INTRODUCED BY COUNCILLORS

**Kauffman-Atchison**

A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN

WHEREAS, the City maintains a Comprehensive Land Use Plan which regulates land uses within the City; and

WHEREAS, the City has received an application requesting a land use change for the Boulevard Plaza Parcels A and B as described below; and

WHEREAS, the Planning Commission has reviewed the proposed amendment and has recommended approval to the City Council.

NOW THEREFORE, the City Council hereby finds that the required procedures for amending the Comprehensive land Use Plan as delineated in the Westminster Municipal Code have been satisfied.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council authorizes City Staff to make the necessary changes to the maps and text of the Westminster Comprehensive Land Use Plan, which are necessary to alter the designation of the parcels legally described as follows:

Parcel A: That part of the northwest ¼ of Section 23, Township 2 South, Range 69 west of the 6<sup>th</sup> Principal Meridian, City of Westminster, County of Jefferson, State of Colorado, described as follows:

Beginning at the southeast corner of the northwest ¼ of said Section 23; thence N00°22'52"E on an assumed bearing, along the east line of the said northwest ¼ a distance of 330.00 feet; thence S89°13'17"W. Along the north line of that parcel described in Book 720 at Page 362 of the Jefferson County Records, a distance of 579.69 to the true point of beginning; thence continuing S89°13'17"W along said north line a distance of 210.39 feet to a point on the northeasterly right-of-way of Colorado State Highway No. 121; thence N32°58'12"W along said northeasterly right-of-way line, a distance of 195.26 feet; thence N56°32'38"E a distance of 129.73 feet to a point on the westerly extension of the south line of a parcel described in Book 2170 at Page 429 of the Jefferson County Records; thence S89°30'42"E a distance of 209.94 feet; thence S00°22'52"W a distance of 230.69 feet to the true point of beginning; containing an area of 61,632 square feet or 1.415 acres more or less.

Parcel B: That part of the northwest ¼ of Section 23, Township 2 South, Range 69 West of the 6<sup>th</sup> Principal Meridian, City of Westminster, County of Jefferson, State of Colorado, described as follows:

Beginning at the southeast corner of the northwest ¼ of said Section 23; thence N00°22'52"E on an assumed bearing along the east line of the said northwest ¼ a distance of 330.00 feet; thence S89°13'17"W a distance of 30.00 feet to the true point of beginning; thence continuing S89°13'17"W along the north line of a parcel described in Book 720 at Page 362, Jefferson County Records, a distance of 549.69 feet; thence N00°22'52"E and parallel to said east line of the northwest ¼, a distance of 230.62 feet to a point on the southerly line of that parcel described in Book 2170 a Page 429, Jefferson County Records; thence S89°30'42"E along said south line a distance of 549.58 feet to a point on the west right-of-way line of Wadsworth Boulevard; thence S00°22'52"W along said west right-of-way line a distance of 218.54 feet to the true point of beginning; containing 123,406 square feet or 2.8330 acres more or less.

Parcel A shall be changed from “Business Park” to “Retail/Commercial” and parcel B shall be changed from “Business Park” to “ Industrial” as described on “Exhibit A” attached hereto.

Section 2. Severability: If any section, paragraph, clause, word or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12<sup>th</sup> day of August, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of August, 2002.



BY AUTHORITY

ORDINANCE NO. **2967**

COUNCILLOR'S BILL NO. **39**

SERIES OF 2002

INTRODUCED BY COUNCILLORS

**Atchison-Dixion**

A BILL

FOR AN ORDINANCE INCREASING THE 2002 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2002 appropriation for the Utility Fund initially appropriated by Ordinance No. 2913 in the amount of \$37,255,609 is hereby increased by \$2,000,000 which, when added to the fund balance as of the City Council action on August 12, 2002 will equal \$58,654,384. The actual amount in the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This net increase is due to the appropriation of 2001 carryover and the reversal of an earlier appropriation of anticipated bond proceeds as a result of the decision to cash fund the Standley Lake Dam Renovations.

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

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
<b>REVENUES</b>			
Carryover – Water 2000.40020.0000	4,598,304	\$10,000,000	\$14,598,304
Carryover – Wastewater 2100.40020.0000	4,414,473	(5,000,000)	(585,527)
Bond Proceeds 2000.46020.0216	10,000,000	<u>(3,000,000)</u>	7,000,000
Total Change to Revenues		<u>\$2,000,000</u>	
<b>EXPENSES</b>			
Big Dry Creek 80121035044.80400.8888	\$6,471,179	\$(5,000,000)	\$1,471,179
Gravel Lakes Storage 80120035078.80400.8888	7,958,922	(2,500,000)	5,458,922
Standley Lake Renovation 80220035525.80400.8888	\$2,650,000	<u>9,500,000</u>	12,150,000
Total Change to Expenditures		<u>\$2,000,000</u>	

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

Section 4. This ordinance shall take effect upon its passage after the second reading. 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 12th day of August, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of August, 2002.

BY AUTHORITY

ORDINANCE NO. **2968**

COUNCILLOR'S BILL NO. **40**

SERIES OF 2002

INTRODUCED BY COUNCILLORS

**Dixon-Atchson**

A BILL

FOR AN ORDINANCE INCREASING THE RATES FOR WATER SALES AND SEWER USER CHARGES

THE CITY OF WESTMINSTER ORDAINS:

WHEREAS, the City of Westminster operates a water and wastewater enterprise utility; and

WHEREAS, the City Charter requires that the utility be self-supporting; and

WHEREAS, the last water rate increase and the last rate increase for sewer user charges took effect January, 2001; and

WHEREAS, costs to operate the Water and Wastewater Utility have increased; and

WHEREAS, since the Utility is operated as an enterprise exempt from the TABOR amendment, the City Council may set rates to adequately fund the operation of the enterprise; and

WHERE, the City wishes to minimize the need for large increases in the future; and

WHEREAS, water rates have been designed so as to encourage conservation.

NOW, THEREFORE, be it ordained by the City Council of the City of Westminster as follows:

Section 1. Title VIII, Chapter 7, Section 7, Subsection B, is hereby amended as follows:

(B) RESIDENTIAL: Three (3) dwelling units or less served by one meter primarily used for residential occupancy shall be charged a ~~\$3.75~~ FOUR DOLLAR AND SEVENTY CENT (\$4.70) per month meter service charge plus:

<b>Block Rate</b>	<b>Consumption Range</b>
\$1.95 per 1,000 gallons	First 4,000 gallons
<del>\$2.85</del> \$2.95 per 1,000 gallons	5,000 to <del>25,000</del> 20,000 gallons
<del>\$3.99</del> \$4.25 per 1,000 gallons	<del>26,000</del> 21,000 gallons and over

per unit. Unit consumption shall be determined by dividing the number of units using one meter. ~~Notwithstanding the above, residential customers who use more than 50,000 gallons for two billing cycles in a twelve month period will be billed at the rate of \$3.45 per 1,000 gallons for any usage exceeding 50,000 gallons. If usage exceeds 50,000 gallons for more than two billing cycles in a twelve month period, the first two qualifying cycles will be billed at the \$3.45 rate.~~

Section 2: Title VIII, Chapter 7, Section 7, Subsection C, is hereby amended as follows:

(C) RESIDENTIAL IRRIGATION, TOWNHOME/CONDOMINIUM (CONSISTING OF FOUR UNITS OR MORE), PUBLIC/QUASI-PUBLIC USERS: Shall be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: ~~\$3.45~~ \$3.65 per 1,000 gallons.

Non-irrigation accounts for multiple residential units consisting of four (4) units or more that are not individually metered and that are classified as town homes or condominiums and can demonstrate that they are eighty percent (80%) owner occupied on a complex wide basis shall be charged a monthly meter service charge based on the meter size as listed in Schedule A plus: ~~two dollars and eighty five cents (\$2.85)~~ THREE DOLLARS (\$3.00) per thousand (1,000) gallons for all water delivered through the meter. The Director of Finance is authorized to prescribe and accept such forms of documentation as the Director may deem sufficient to demonstrate an applicant's eligibility for the rate described in this paragraph. For purposes of this section, a town home or condominium is a residential unit physically attached to another residential unit and separately owned.

Section 3: Title VIII, Chapter 7, Section 7, Subsection D, is hereby amended as follows:

(D) COMMERCIAL: Commercial users shall be charged a monthly meter service charge based on meter size as listed in Schedule A plus: ~~\$3.45~~ THREE DOLLARS AND SIXTY-FIVE CENTS (\$3.65) per 1,000 gallons for the number of gallons used per monthly billing up to the breakpoint for the meter size listed in Schedule A. ~~\$3.85~~ FOUR DOLLARS AND FIFTY CENTS (\$4.50) per 1,000 gallons for all consumption exceeding the breakpoint on a monthly basis for the applicable meter size as listed in Schedule A.

<b>SCHEDULE A</b>				
<b>Meter Size Code</b>	<b>Meter Size</b>	<b>Number of Service Commitments</b>	<b>Monthly Meter Service Charge</b>	<b>Breakpoint For Second Tier Based On Meter Size (Gallons)</b>
1	5/8" X 3/4"	1	<del>\$4.45</del> \$4.70	<del>25,000</del> 20,000
2	3/4" x 3/4"	1.5	\$7.50	<del>38,000</del> 30,000
3	1"	2.5	\$10.00	<del>63,000</del> 50,000
5	1-1/2"	5	\$15.00	<del>125,000</del> 100,000
6	2"	8	\$20.00	<del>200,000</del> 160,000
7	2" x 5/8"	8	\$20.00	<del>200,000</del> 160,000
8	3"	17.5	\$40.00	<del>438,000</del> 350,000
9	3" x 3/4"	17.5	\$40.00	<del>438,000</del> 350,000
10	4"	30	\$40.00	<del>750,000</del> 600,000
11	4" x 1"	30	\$40.00	<del>750,000</del> 600,000
12	6"	62.5	\$50.00	<del>1,563,000</del> 1,250,000
13	6" x 1-1/2"	62.5	\$50.00	<del>1,563,000</del> 1,250,000
14	6" x 3"	62.5	\$50.00	<del>1,563,000</del> 1,250,000
15	8"	90	\$90.00	<del>2,250,000</del> 1,800,000
18	10"	145	\$110.00	<del>3,625,000</del> 2,900,000
20	10" x 12" x 6"	215	\$110.00	<del>5,375,000</del> 4,300,000

Section 4: Title VIII, Chapter 7, Section 8, Subsection B, is hereby amended as follows:

(B) Water meters are to be read to the nearest one thousand (1,000) gallons. Any meter reading containing a portion of one thousand (1,000) gallons shall be rounded down to the nearest one thousand (1,000) gallons. The City will charge ~~ten dollars (\$10)~~ TWENTY-FIVE DOLLARS (\$25.00) to test a residential water meter upon customers request. Test of commercial and industrial meters, by customer request, will be ~~actual cost~~ AS LISTED IN SCHEDULE B. This fee will be waived if the meter is over-registering. If the meter is over-registering, the customer will receive a credit for excess charges on the prior twelve (12) months consumption. If City records indicate a meter change or accuracy test during the twelve (12) months, the credit will apply from the date of the meter change or test.

<b>SCHEDULE B</b>		
<b>Meter Model</b>	<b>Meter Size</b>	<b>Test Charge</b>
25	5/8"	\$25.00
35	3/4"	\$35.00
70	1"	\$70.00
120	1-1/2"	\$120.00
160 Turbo	1-1/2"	\$160.00
170	2"	\$170.00
200 Turbo	2"	\$200.00
450 Turbo	3"	\$450.00
Meters Over 3"	>3"	\$450.00

Section 5: Title VIII, Chapter 7, Section 8, Subsection C, is hereby amended as follows:

(C) The City will charge ~~five dollars (\$5)~~ **FIFTEEN DOLLARS (\$15.00)** to reread a water meter at the customer's request. This fee will be waived if the first reading was incorrect. The City will charge ~~five dollars (\$5)~~ **FIFTEEN DOLLARS (\$15.00)** to check the water meter for evidence of a leak. This fee will be waived if a leak is found.

Section 6: Title VIII, Chapter 7, Section 9, Subsection A, is hereby amended as follows:

<b>Action</b>	<b>Residential</b>	<b>All Other Classifications</b>
First turn off/on	\$30.00	\$30.00
Second turn off/on	\$60.00	\$60.00
All additional	<del>\$60.00</del> \$90.00	\$100.00
UNAUTHORIZED TURN-ON	\$30.00	\$30.00
DAMAGED LOCK	\$15.00	\$15.00
DAMAGED CAN	\$30.00	\$30.00
DAMAGED PIN	\$30.00	\$30.00

Section 6: Title VIII, Chapter 7, Section 10, Subsection A, is hereby amended as follows:

(A) The Department of Public Works and Utilities shall collect a deposit fee of ~~sixty dollars (\$60)~~ **AN AMOUNT EQUIVALENT TO THE VALUE OF THE METERING DEVICE** for the use of metering devices in connection with temporary water service used in construction and similar activities. **WATER USE THROUGH THESE METERS MAY BE BILLED AS NEEDED BASED ON CONSUMPTION PATTERNS. ANY OUTSTANDING** The charge for the temporary water service shall be deducted from the deposit fee when the meter is returned **LESS A TWENTY FIVE DOLLAR (\$25) ADMINISTRATIVE FEE**, ~~if~~ **IF** the meter is not returned by the deadline specified by the City, **OR IS REPORTED AS LOST**, the ENTIRE deposit fee shall be forfeited in order to compensate the City for loss of the equipment and for administering this service. **ACCOUNTS OF NON-RETURNED OR LOST METERS SHALL HAVE AN ADDITIONAL AMOUNT EQUAL TO THE VALUE OF THE METER BILLED TO THE CUSTOMER ACCOUNT FOR AN ASSUMED LEVEL OF UN-BILLED WATER REGISTERED ON THE MISSING METER.**

Section 7: Title VIII, Chapter 7, Section 26, is hereby amended as follows:

**8-7-26: METER SET INSTALLATION REINSPECTION FEE:** Water tap fees provide for customary inspection of the meter set only. Where additional inspections are made necessary by incomplete or faulty work or incorrect posting by the contractor, no fee shall be charged for the first two (2) inspections, however a fee of ~~forty five dollars (\$45)~~ **NINETY DOLLARS (\$90.00)** will be charged for the third inspection and a fee of ~~fifteen dollars (\$15)~~ **THIRTY DOLLARS (\$30.00)** for each inspection thereafter. This fee shall be charged to the holder of the permit and paid to the City before any additional inspections will be made.

Section 8: Title VIII, Chapter 8, Section 5, Subsection D, is hereby amended as follows:

(D) The rates for user charges hereinafter set forth are based generally upon the quantity and quality of sewage collected and they are subject to change periodically as circumstances require. The minimum monthly rate for use of the City of Westminster sanitary sewerage system by residential, including multiple unit residential, and public users shall be a sum equal to ~~two dollars and sixty eight cents (\$2.68)~~ TWO DOLLARS AND EIGHTY-FOUR CENTS (\$2.84) per thousand (1,000) gallons multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly rate for use of the City of Westminster's Sanitary Sewage System by multiple units and commercial users shall be a sum equal to ~~two dollars and ninety nine cents (\$2.99)~~ THREE DOLLARS AND SEVENTEEN CENTS (\$3.17) per thousand (1,000) gallons multiplied by the average monthly water consumption per user billed during the months of January through March. The minimum monthly sewer charge for commercial users may be appealed to the Utility Billing Division for user charges resulting from the average monthly water billed during the period of January through March and may be adjusted if the water billed during the months of July through September is less. Commercial users shall be allowed to install a separate meter to record out of house use which consumption will not be assessed a sewer use charge. The meter readings actually taken prior to and closest to the specified time frame shall be used for purposes of accomplishing the required calculation. However, City Council may by Resolution adjust the period of time to be used to calculate said user charges when, in the opinion of the Council, climate conditions and water consumption patterns warrant such an adjustment. The monthly charge shall apply to an account that is billed for more than fifteen (15) days service. Any new occupant of a residential unit shall be charged fifteen dollars and fifty cents (\$15.50) sewer charge until an experience rate has been established.

Section 9: This ordinance shall be effective for any water charges billed after October 1, 2002.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 12<sup>th</sup> day of August, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 26th day of August, 2002.