



**WESTMINSTER
COLORADO**

**September 24, 2001
7:00 P.M.
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. Denver Regional Council of Governments Presentation
- 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 August, 2001
 - B. Purchase of 31.5 Acres of Open Space along Big Dry Creek
 - C. Design Contract for 74th Avenue and Irving Street Park
 - D. Design Contract for Farmers Highline Canal Trail
 - E. Special Legal Counsel for Butterfly Pavilion Relocation Project
- 9. Appointments and Resignations**
- 10. Public Hearings and Other New Business**
 - A. Resolution No. 56 Waiving Development Fees and Use Tax for Habitat for Humanity of Metro Denver
 - B. Councillor's Bill No. 59 re Appropriation re EPA Grant for Big Dry Creek Partnership
 - C. Wright Water Engineers Consulting Services re EPA Grant for Big Dry Creek Partnership
 - D. Councillor's Bill No. 60 Appropriation re 112th Ave Widening Sales & Use Tax Bonds & Refunding 1991 Sales & Use Tax Bond Issue
 - E. Councillor's Bill No. 61 re Title XIII Park Regulation Amendments
 - F. Agreement with Commerce City for 360 acre feet of South Platte River water
 - G. Councillor's Bill No. 62 Appropriating \$3,384,000 For Gravel Lake Storage
 - H. Resolution No. 57 re Support of Extension of Adams County Sales Tax
 - I. Resolution No. 58 re Contingency Transfer for New York City Relief Efforts
- 11. Old Business and Passage of Ordinances on Second Reading**

None
- 12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business**
 - A. City Council
 - B. Request for Executive Session
- 13. Adjournment**

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, SEPTEMBER 24, 2001 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Mayor Heil, Mayor Pro Tem Dixon, Councillors Atchison, Hicks, Kauffman, Moss and Merkel were present at roll call. Steve Smithers, Assistant City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk were also present. Absent none.

CONSIDERATION OF MINUTES:

Councillor Merkel moved, seconded by Councillor Hicks to accept the minutes of the meeting of September 10, 2001 with no corrections or additions. Councillor Atchison moved to have the minutes reflect the change made to the August 27, 2001 minutes. The motion carried unanimously as amended.

PRESENTATIONS:

Councillor Ann Merkel, DRCOG representative and Jack Hoopes, representing DRCOG, presented Dave Downing, City Engineer, Ron Hellbusch, Director of Public Works, and the City with the Public Private Partnership and Metro Vision 2020 Awards.

COUNCIL COMMENTS:

Mayor Pro-Tem Dixon attended a community event recognizing victims of September 11 tragedy. Councillor Kauffman commented on the Holy COW Trails Race. Councillor Moss commented on the Financial Report; that the golf course revenues are higher than last year; and the Westminster Plaza sales tax revenue has increased 13% over last year.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Financial Report for August, 2001; Purchase of 31.5 Acres of Open Space along Big Dry Creek for \$1,368,714; Design Contract for 74th Avenue and Irving Street Park to EDAW for \$61,639; Design Contract for Farmers Highline Canal Trail with Wilson and Company for \$84,294; Special Legal Counsel for Butterfly Pavilion Relocation Project with Ms. Barbara Banks.

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 a request from Councillor Atchison that the Contract for Farmers Highline Canal Trails be removed for discussion.

Mayor Pro-Tem Dixon moved, seconded by Councillor Merkel to adopt the following Consent Agenda items: Financial Report for August, 2001; Purchase of 31.5 Acres of Open Space along Big Dry Creek for \$1,368,714; Design Contract for 74th Avenue and Irving Street Park to EDAW for \$61,639; and Special Legal Counsel for Butterfly Pavilion Relocation Project with Ms. Barbara Banks as presented. The motion carried unanimously.

DESIGN CONTRACT FOR FARMERS HIGHLINE CANAL TRAIL

Councillor Atchison moved, seconded by Councillor Moss to authorize the City Manager to sign a contract with Wilson and Company in the amount of \$84,294 and authorize a 10% contingency of \$8,400, for a total of \$92,694, to design and follow CDOT regulation for the awarded TEA-21 grant for the Farmers Highline Canal Trail project at Maulis Park. Councillor Atchison noted an incorrect figure within the Agenda memo background information of \$92,694 which should be corrected to \$84,294. The motion carried unanimously.

RESOLUTION NO. 56 WAIVING DEVELOPMENT FEES/USE TAX FOR HABITAT FOR HUMANITY

Councillor Moss moved, seconded by Mayor Pro-Tem Dixon to adopt Resolution No. 56 authorizing the waiver of development fees and use tax fees of approximately \$16,000 for Habitat for Humanity of Metro Denver in connection with the proposed construction of three single family houses on 79th Avenue and Appleblossom Way. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 59 RE SUPPLEMENTAL APPROPRIATION FOR EPA GRANT

Councillor Merkel moved, seconded by Councillor Atchison to pass Councillors Bill No. 59 on first reading appropriating \$17,113 into the Special Studies Project account as a result of the United States Environmental Protection Agency Grant. Upon roll call vote, the motion carried unanimously.

EPA GRANT FOR BIG DRY CREEK PARTNERSHIP

Councillor Merkel moved, seconded by Councillor Atchison to authorize the execution of a contract by the City Manager for consulting services with Wright Water Engineers, Inc., for the amount of \$17,113, and charge the expense to the appropriate budget account in the Utility Fund. The motion carried unanimously.

COUNCILLOR'S BILL NO. 60 RE \$13,434,412 SALES/USE TAX REFUNDING/IMPROVEMENT BONDS

Councillor Kauffman moved, seconded by Councillor Merkel to pass Councillors Bill No. 60 on first reading appropriating \$13,434,412 for the construction of improvements on 112th Avenue and the refunding of the 1991 Sales and Use Tax Revenue Bonds. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 61 RE CLARIFYING DEFINITION OF PARKS AND PARK REGULATIONS

Councillor Atchison moved, seconded by Councillor Merkel to pass Councillors Bill No. 61 on first reading amending Title XIII of the Westminster Municipal Code pertaining to defining park areas and clarifying that it is unlawful to violate park regulations. Upon roll call vote, the motion carried unanimously.

COMMERCE CITY WATER AGREEMENT

Councillor Moss moved, seconded by Councillor Hicks to authorize the City Manager to execute an agreement with Commerce City for the sale of 360 acre feet of consumable water delivered into the South Platte River and find that the proposed sale will result in the improvement of the capacity, efficiency, and service of the City's water and wastewater utility system. The motion carried unanimously.

COUNCILLOR'S BILL NO. 62 RE APPROPRIATION COMMERCE CITY WATER AGREEMENT

Councillor Moss moved, seconded by Councillor Hicks to pass Councillor's Bill No. 62 on first reading appropriating \$3,384,000 from the proceeds of the Commerce City Agreement to the appropriate Capital Improvement account in the Utility Fund. Upon roll call vote, the motion carried.

RESOLUTION NO. 57 IN SUPPORT OF THE EXTENSION OF ADAMS COUNTY SALES TAX

Councillor Merkel moved, seconded by Mayor Pro-Tem Dixon to adopt Resolution No. 57 which formally supports the Adams County ballot issue pertaining to an extension of the County's existing 0.5% sales tax for the purpose of funding road and bridge capital projects in Adams County. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 58 RE CONTINGENCY TRANSFER FOR NEW YORK CITY RELIEF EFFORTS

Councillor Atchison moved, seconded by Councillor Hicks to adopt Resolution No. 58 authorizing the transfer of \$10,000 from the General Fund Contingency Account into the Westminster Firefighters' Burn Fund to be donated towards relief efforts in New York City as identified. Upon roll call vote, the motion carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 7:26 P.M.

ATTEST

City Clerk

Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001
Subject: DRCOG Innovation Awards Presentation
Prepared by: Michele Kelley, City Clerk

Introduction

The Denver Regional Council of Governments has requested time on Monday night's agenda for a presentation to City Council for two Local Government Innovations Awards.

Summary

Each year the Denver Regional Council of Governments (DRCOG) recognizes cost-saving and efficient management by local governments. This recognition is intended to encourage creative approaches to providing services to citizens. Awards are presented in four categories: Cooperative Service Delivery, Productivity Improvement, Public-Private Partnership and Metro Vision 2020.

This year Westminster will be receiving third place in the DRCOG Public-Private Partnership category for its role in a wastewater intergovernmental agreement and stipulation that saves money and will improve water quality in Clear Creek. This project involved Westminster, Thornton, Northglenn, Coors Brewing Company, Farmers Reservoir and Irrigation Company, the Black Hawk/Central City Sanitation District, the City of Black Hawk, the Town of Central City and Gilpin County.

The City also took third place in the Metro Vision 2020 Category for its Joint North I-25 Corridor Study with the City of Thornton to design an interchange at 136th Avenue and Interstate 25, to conduct a land use study, and to agree on revenue sharing in this corridor.

Jack Hoopes, director of membership services and community outreach for the Denver Regional Council of Governments will be present to make these presentations.

Staff Recommendation

Council accept Denver Regional Council of Governments Public Private Partnership and Metro Vision 2020 Awards from Jack Hoopes representing DRCOG.

Policy Issues

There are no policy issues associated with the acceptance of these awards.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Financial Report for August, 2001

Prepared by: Mary Ann Parrot, Finance Director

Introduction

City Council is requested to review the attached financial statements, which reflect 2001 transactions through August, 2001.

Summary

There are three sections to the attached report:

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

At this time, typically 66 2/3% of revenues and expenditures should be realized after the eighth month in the budget year, unless seasonal fluctuations impact revenue and expenditure streams.

General Fund revenues represent 70% of the total budget estimate while General Fund expenditures and encumbrances represent 63% of the 2001 appropriation.

Utility Fund revenues represent 85% of the total budget estimate. Utility fund expenditures and encumbrances represent 53% of the 2001 appropriation. Water sales are at 85% at this time. Wastewater sales are at 84% at this time.

The Sales and Use Tax Fund revenues represent 70% of the total budget estimate, while expenditures and encumbrances in that fund represent 67% of the 2001 appropriation. Total Sales and Use Tax revenues for the 25 shopping centers reported increased 12% from the same period last year and increased 4% year-to-date.

The Open Space Fund revenues represent 91% of the total budget estimate while expenditures and encumbrances in that fund represent 55% of the 2001 appropriation.

The Legacy Ridge Golf Course Fund operating revenues represent 68% of the total budget estimate while operating expenditures and encumbrances represent 56% of the 2001 appropriation. Operating revenues for Heritage represent 61% of the total budget estimate while operating expenditures and encumbrances represent 65% of the 2001 appropriation. Seasonal fluctuations are the reason for revenues falling below budget.

Policy Issues

According to City Charter, Sections 4.8(i) and 9.6, City Manager is required to submit financial statements quarterly, or more often, as the Council directs. The monthly financial report is prepared by the Finance Department and presented by the City Manager to City Council for review and approval.

Staff Recommendation

Accept the report as presented.

Background

Sections 4.8(i) and 9.6 of the City Charter requires that the City Manager provide, at least quarterly, financial data showing the relationship between the estimated and actual revenue expenditures to date.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001
Subject: Open Space Acquisition of Big Dry Creek
Prepared by: Lynn Wodell, Open Space Acquisition Agent

Introduction

City Council action is requested to authorize the City Manager to purchase approximately 31.5 acres of land along Big Dry Creek for open space and trail purposes located north of Federal Boulevard Extension (now under construction) at approximately 124th Avenue and Zuni Street (see attached map). Open Space funds are available to purchase this property.

Summary

The Big Dry Creek Open Space and Trail Corridor has been the highest preservation priority for the City since the Open Space Program began. A publically owned corridor is continuous from City Park to Huron Street except for the area between W. 120th Avenue and W. 126th. The trail crosses this area by virtue of a Temporary Recreational Trail Agreement.

Staff has unsuccessfully attempted to negotiate with the landowners in prior years. The landowner is willing at this time to sell the property to the City for a purchase price of \$1,368,714 with a deed restriction that the property will only be used for open space and trail purposes.

The Open Space Advisory Board strongly supports acquiring this property for open space purposes. Funds are available for the entire purchase in the Open Space Fund. In addition, the City Council previously authorized Staff to apply for grants of \$300,000 from Adams County Open Space Program and \$300,000 from Great Outdoors Colorado Trust Fund for this purchase.

Policy Issue(s)

Should Open Space Funds be used for the purchase of this property?

Staff Recommendation

Authorize the City Manager to sign the necessary documents to purchase for open space purposes approximately 31.5 acres of land along Big Dry Creek at a cost of \$1,368,714 with a deed restriction limiting the use of the property to open space and trail purposes and charge the expense to the Open Space Fund.

Alternative(s)

1. Council can decide not to authorize this acquisition.
2. Council can ask staff to continue to negotiate for the purchase.
3. Council can accept staff's recommendation.
4. Council can accept the purchase price but not accept the deed restriction.

Background Information

The Open Space Advisory Board and City Council have long been interested in preserving the Big Dry Open Space and Trail Corridor from Standley Lake to I-25. This property includes over one-half mile of the Big Dry Creek natural area and trail. It also serves as a buffer between the communities of Westminster and Broomfield, as well as a connection between the communities' open spaces. It will also serve to preserve the scenic views to the mountains to the north, west and south from Big Dry Creek and from new Federal Boulevard.

Acquisition of this property is one of the final steps necessary to complete the Big Dry Creek corridor. The City has already acquired the adjacent 40-acre parcel to the west as open space and Broomfield has preserved the 22 acres to the north. Ultimately, this corridor will allow connections to be made to the South Platte River and Barr Lake.

The City's Comprehensive land use plan includes the goal of preserving the Big Dry Creek Open Space and Trail Corridor as one of its major goals. This corridor is also identified in the State of Colorado Trails Master Plan, Adams County's Open Space and Trails Master Plan and Jefferson County's Open Space Master Plan as a Regional Trail Corridor. The Open Space Advisory Board has identified the preservation of this corridor as its number one priority and has identified this particular property as one of its highest acquisition priorities citywide.

This property was under contract for sale to a development firm for a business park. After the sale fell through, Staff realized that this might be the last chance the City may have to acquire the property. The landowner has changed their previous position and is now willing to sell the property to the City. The City's major concern is that the trail crosses the property by virtue of a Temporary Recreational Trail Agreement. This agreement is subject to termination by the property owner which could result in the closure of the trail.

The proposed acquisition fits the City's Open Space ordinance criteria for the selection of open space sites very well including the criteria for aesthetics, protection and preservation, location, use potential and need for immediate action and acquisition consideration. The negotiated price calculates to approximately \$1.00 per square foot, which is a very good price for land in this location. If the City proceeds with this purchase, the open space acquisition account will have a balance of approximately \$600,000.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001
Subject: Design Contract for 74th Avenue and Irving Street Park
Prepared by: Kathy Piper, Landscape Architect

Introduction

City Council action is requested to authorize the City Manager to sign a contract with EDAW, Inc. in the amount of \$56,639 for design services for a new park at 74th Avenue and Irving Street, \$2,500 for reimbursable, and to approve a 10 percent design contingency of \$5,600. City Council action is also requested to authorize the City Manager to sign a change order to the contract, contingent upon necessary funds being approved in the 2002 budget, in the amount of \$58,220 for construction documents, construction management/observation and as-built drawings for the new park, \$5,800 in contingency and \$2,500 for reimbursables.

City Council has awarded and signed a contract with Bennett, Wagner, & Grody PC., in the amount of \$126,515 to provide the architectural services for the new library facility in the same location. The design development phase of the library and park project is scheduled for completion by December 31, 2001. Construction drawings will be completed by December 31, 2002, and construction will start whenever funding for the library is available. However, the park construction can start as early as 2002 if City Council approves additional funding in the 2003 capital budget as recommended by City Staff. The total cost of the park project is estimated at \$900,000, including:

Park construction contract	\$ 700,000
Construction contingency	\$ 80,141
Landscape Architect	\$ 114,859
Reimbursable expenses	\$ 5,000
TOTAL	\$ 900,000

The total budget for design and construction of the 5.75 acre site, including the park, library site work and plaza area, is estimated at \$900,000. These funds have been budgeted in the five-year Capital Improvement Plan as previously presented to City Council.

Summary

Staff sent out a request for proposals (RFP) for design services to five landscape architectural firms, with four of those firms responding. The cost estimates received for basic design services including program planning, schematic design, and design development, based on a project budget of \$900,000 are listed below. Staff also asked each of the responding firms to provide cost estimates for Phase II, which includes preparation of construction documents, as-built drawings, and construction management services. The cost estimates submitted were:

Firm	Design Services	Construction Documents	Construction Management	Total (includes above)
Terrasan	\$39,200	\$ 45,700	\$15,500	\$100,400
DHM	\$70,360	\$85,098	\$12,720	\$168,178
Wenk Associates	\$60,793	\$49,198-53,622	\$10,400	\$120,391-124,815
EDAW	\$56,639	\$42,460	\$15,760	\$114,859

A committee of Parks, Recreation and Libraries Staff and the City's Special Projects Director, reviewed the proposals. Staff evaluated each of the firms based on the following factors:

Design Approach	30%
Understanding of scope of work	25%
Previous experience w/similar projects	25%
Professional Fee	20%.

Based on the proposals, Staff is recommending that the contract be awarded to EDAW for the following reasons:

- EDAW is familiar with Westminster and has worked on a variety of projects for the City including City Park soccer fields and master plan, Nottingham Park, Squires Park, and City Center Park Master Plan.
- EDAW demonstrated a comprehensive approach to the project and a thorough scope of work within their proposal. EDAW included fees for a civil engineer and water feature design; where as all the other firms only indicated possible survey work. These additional fees were an additional \$20,000. Some preliminary ideas for site and building design were also shared through out the proposal. This forethought indicates to Staff that EDAW has the necessary project experience and talent to provide the quality and creativity of work desired by the City to make the new park and library an exciting focal point for the community.

The selection committee did not select Terrasan for this project, although their cost estimate was lower than those submitted by other firms. Terrasan did not score as high on their design approach as some of the other firms since they did not include any detail on this subject in their proposal. In addition, they did not demonstrate the level of creativity and enthusiasm about the project that was exhibited by other firms. Although Terrasan has done other quality park projects for the City and is certainly capable designers, Staff feels strongly that the creativity and approach will play an integral part in the success of the park and library within south Westminster.

Policy Issue

- Does City Council wish to have City Staff move forward with the design of a new park to be located at 74th Avenue and Irving Street?
- Does City Council wish to support the Staff recommendation to forego the low bid for professional services on this project?

Staff Recommendation

Authorize the City Manager to sign a contract with EDAW in the amount of \$61,639, which includes \$56,639 for the design of the new south Westminster park at 74th Avenue and Irving Street, and \$5,000 for reimbursable expenses, and add a 10 percent contingency of \$5,600. In addition, authorize the City Manager to sign a change order to the contract, after initial design work is completed and subject to funds being approved in the 2002 budget, for \$58,220 for construction documents, construction management, as-built drawings, and construction observation. Funds are available in the appropriate general capital improvement account for this project.

Alternatives

1. Council could choose to award the contract to one of the other three firms that have submitted proposals.
2. Council could elect not to award a contract at this time and choose another method of selecting a landscape architect for the project.

Background Information

In October 2000, the City was awarded \$120,000 in Community Development Block Grant funds for architectural services to develop designs for an improved 76th Avenue Library. After evaluating several options for improving the library, City Council selected the 74th Avenue and Irving Street site as the best option to improve the library and enhance the south Westminster area. Moving the library to the new site will complement the Westminster Plaza retail center and draw shoppers to the area, while providing more convenient library service. The park and library, along with the Senior Center and shopping center, will serve as a new focal point for the community.

Preliminary plans provide for a park of about 4.5 acres (about 4/5 of the site), and a 15,000-square-foot library, which will occupy about 1 to 1.25 acres. Plans for the new library include an expanded children's area, more computers, more study spaces and a community meeting room. A small retail space, such as a coffee shop or bagel store, may be considered as a complement to the library building.

Staff has recently selected the architectural firm of Bennett, Wagner, & Grody. The landscape architect will work under the direction of the architect to design the park and plaza areas and to integrate these with the library design. Once the landscape architect has been selected, work will begin on site programming and master planning for both the park and library. Meetings will be scheduled this fall to present preliminary design plans to the surrounding neighborhood and to City Council and the Library Board.

Staff is excited about the prospect of working with Bennett, Wagner, & Grody and with EDAW to create a park/library complex, which will be a source of civic pride and community building for the south Westminster area.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Design Contract for Farmers Highline Canal Trail

Prepared by: Julie M. Meenan Eck, Landscape Architect

Introduction

City Council action is requested to authorize the City Manager to sign a contract with Wilson and Company for \$84,294 and include a 10% contingency of \$8,400, for a total of \$92,694, to fund the design and right-of-way transactions for the awarded TEA-21 grant trail project known as the Farmers Highline Canal Trail at Maulis Park, located at 92nd Avenue and the BNSF Railroad. Funds are available in the Parks, Recreation and Libraries 2001 Capital Improvement Project Budget for this account.

Summary

The Farmers Highline Canal Trail is a regional trail corridor as identified in the DRCOG Trails Masterplan. This designation allows it to receive priority funding and support in the DRCOG region. The project is planned to connect the existing trail system along the Farmers Highline Canal Trail by the Westglenn subdivision over the railroad tracks along the 92nd Avenue bridge to Maulis Park as well as under the bridge to cross the trail to the north side of 92nd Avenue. This will provide two functions in that it will connect both trail users and park users at the future Maulis Park, and to the Farmers Highline Canal Trail extending to the east and north.

In August of 2000, City Council approved a contract with the Colorado Department of Transportation (CDOT) to begin design of the Farmers Highline Canal Trail at Maulis Park.

A Request for Proposal (RFP) was advertised in March of 2001. Wilson and Company was one of nine consultants that submitted a proposal for this project. Staff narrowed the interviews to three firms based on the proposals, and Wilson and Company was selected unanimously based on the information in their proposal and through the interview process. The following three firms were interviewed by City Staff:

Wilson and Company
Loris and Associates
Felsburg, Holt & Ullevig

CDOT requires that the fees not be part of the selection process, so Wilson and Company submitted project fees only after they were selected, and all fees are based on Federal Standards. The requested funds of \$84,294 are for the design, right of way transactions, including BNSF Railway, and other requirements by CDOT for the design phase of the contract .

Policy Issue

Does City Council want to continue participation in the CDOT TEA-21 grant program for the Farmers Highline Canal Trail at Maulis Park.

Staff Recommendation

Authorize the City Manager to sign a contract with Wilson and Company in the amount of \$84,294 and authorize a 10% contingency of \$8,400, for a total of \$92,694, to design and follow CDOT regulations for the awarded TEA-21 grant for the Farmers Highline Canal Trail project at Maulis Park.

Alternative

City Council could choose not to proceed with the Farmers Highline Canal Trail at Maulis Park Project. However, this would limit access to the future Maulis Park, and isolate the Westglenn subdivision from the Farmers Highline Canal Trail System.

Background Information

In December 1997, Staff applied for a TEA-21 trails grant administered by Denver Regional Council of Government, sponsored by the Federal Highway Administration and administered by CDOT. The design phase contract with CDOT allows the City to receive the TEA-21 funding for design and guarantees that the City will provide the matching funds. The grant required 20 percent matching funds of \$24,500 and the TEA-21 grant funded 80 percent, or \$98,000, for a total design budget of \$122,500. The matching funds are available in the Department of Parks, Recreation and Libraries trails budget . At this time Staff is requesting that Council only approve the contract with Wilson and Company in the amount of \$84,294.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Special Legal Counsel for Butterfly Pavilion Relocation Project

Prepared by: Alan Miller, Special Projects Director
Martin R. McCullough, City Attorney

Introduction

City Council is requested to approve an amendment to the fee agreement previously approved by City Council with Ms. Barbara Banks of the law firm of Banks and Imatani for assistance in preparing a mortgageable ground lease for the proposed new Butterfly Pavilion Facilities. The proposed amendment would increase the current fee cap from \$5,000 to \$10,000. Funds are available in the City Attorney's Office budget for this expense.

Summary

- > The previous agreement provides that fees for this work will not exceed \$5,000. Staff is requesting an additional \$5,000 to complete this work.
- > The City has been negotiating with representatives of the Butterfly Pavilion regarding the proposed relocation of the present operations to a new site, with expanded facilities and amenities, within the Promenade Entertainment Center.
- > City Council previously approved a joint development agreement with the Butterfly Consortium on September 14, 2000. This Agreement contemplates the negotiation and execution of a long-term ground lease for the Project.
- > The property on which the new facilities would be constructed is owned by the City of Westminster. The property is located across the street from the present Butterfly Pavilion within the Promenade Center. In order to permit the Project to be constructed and financed, a "mortgageable ground lease" is necessary.
- > Ms. Barbara Banks has previously assisted the City in connection with the development of the Westin Hotel and Conference Center. One of the possibilities City Staff has been exploring is the future addition of a cultural facility to the new Butterfly Pavilion complex. The new Butterfly Pavilion is being designed to allow such an expansion. The necessary legal documentation would be somewhat similar to the Westin Hotel and Conference Center Project.
- > City Council previously approved the retention of Ms. Banks for this work for a cost not to exceed \$5,000. Since that time, it has become apparent that the preparation of this lease will be more involved than previously anticipated.
- > The initial draft of this lease is 34 pages in length and new issues have been subsequently identified which need to be addressed, particularly with respect to grounds for its termination. Moreover, Staff is still awaiting comments from the Butterfly Consortium regarding the initial draft of this lease which will likely require significant time to address.

Policy Issues

Whether \$5,000 in additional funds should be authorized for special legal counsel services to assist in drafting the necessary documents for a mortgageable ground lease for the new Butterfly Pavilion Project.

Staff Recommendation

Authorize the City Manager to execute an amendment to the fee agreement with Ms. Barbara Banks of the law firm of Banks & Imatani for special legal counsel services, related to the drafting of a mortgageable ground lease for the construction of the proposed new Butterfly Pavilion Project, to increase the fee cap from \$5,000 to \$10,000.

Alternatives

1. Do not authorize the requested fees. This is not recommended because Ms. Banks' work has been very cost effective and it is very important to expedite getting the financing for this project finalized.
2. Use other legal counsel for the work. This is not recommended because of the expertise of Ms. Banks and because her hourly rate is comparable to that charged by other firms for similar work.

Background Information

Ms. Banks is an experienced attorney specializing in real estate law. Ms. Banks is a current member and past chairperson of the Real Estate Section of the Colorado Bar Association. She has written and presented papers specifically in the area of "mortgageable ground leases." Mortgageable ground leases are leases of land which can, in turn, be used as collateral for the financing of proposed improvements on the land being leased. There are special requirements and conditions that must be met in order for such a ground lease to be "mortgageable." Ms. Banks' expertise in this area will allow the ground lease to be developed in the most timely fashion possible and will minimize time that might otherwise be required in the future to negotiate its content with the providers of the construction financing for the Butterfly Pavilion Project.

The Butterfly Pavilion currently owns the ground upon which the existing Butterfly Pavilion facility sits. Under the terms of the relocation agreement, this property is intended to be sold and the proceeds divided between the City and the Butterfly Pavilion. However, there is a deed of trust on the property that secures the current financing for the existing Butterfly Pavilion. The financing plan for the new Butterfly Pavilion Project presumes the substitution of the mortgageable ground lease for the deed of trust in order to provide security for the financing for the new facility.

Ms. Banks has previously agreed to provide her services at a discounted rate of \$200 per hour, which is well within the rates charged by similar specialists in the Denver metropolitan area. At this time, Staff believes this additional authorization will be sufficient to complete this work, depending, however, on the time that may be required to reach a final form of agreement acceptable to both parties.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001
Subject: Resolution No 56 Waiving Development Fees and Use Tax for Habitat for Humanity of Metro Denver
Prepared by: Robin Byrnes, Community Development Programs Coordinator

Introduction

City Council action is requested to adopt the attached Resolution waiving development related fees and use tax fees for Habitat for Humanity of Metro Denver in connection with the proposed construction of three single family homes on 79th and Appleblossom Way.

Summary

Habitat for Humanity of Metro Denver has requested that the City of Westminster waive development related fees and use taxes on the new construction of three single-family homes to be sold to low-income families. Habitat for Humanity of Metro Denver is a nonprofit affordable housing developer, makes no profit or interest income on the homes they build and sell, and utilizes volunteers, donations of supplies and materials, reduction or waiver of development fees, and homeowner sweat equity to subsidize the construction of a single family home in order to reduce the purchase price. The newly constructed houses range in size between 1100 and 1250 square feet. One of the homes proposed to be built will be handicapped accessible. Following are waiver estimates based on the final square footage of the houses:

Fee	1,100 Square Foot House includes garage	1,200 Square Foot House includes garage	1,250 Square Foot House includes garage
Building Permit	\$511.85	\$532.45	\$547.90
Electric Permit	\$123.95	\$123.95	\$134.30
Plumbing Permit	\$123.95	\$123.95	\$134.30
Mechanical Permit	\$123.95	\$123.95	\$134.30
Plan check Fee	\$574.41	\$587.79	\$618.02
Use Tax	\$1,304.16	\$1,409.85	\$1,462.70
Sub Total	\$2,762.27	\$2,901.94	\$3,031.52

In addition to the above noted fees and taxes, Habitat for Humanity requests a waiver of the Park Development and Land Dedication/School fees, given the sites proximity to three parks (Bishop Square, Westminster Hills, and Oakwood Parks), the Swim and Fitness Center and three public schools. Waiver of the fees for Parks and Schools would have no impact to this area.

Park Development Fee	\$1,462.00
Public Land Dedication/School Fee	\$876.00.
Sub Total	\$2,338.00 x 3 sites = \$7,014.00

Habitat for Humanity intends to purchase water and sewer tap fees. The waivers as requested will total approximately \$16,000 or an average subsidy of \$5,333.33 per house.

Policy Issue(s)

Should the City waive development fees and use tax fees to support the development of affordable housing?

Staff Recommendation

Adopt Resolution No. 56 authorizing the waiver of development fees and use tax fees of approximately \$16,000.

Alternative(s)

- Do not approve the Resolution authorizing the requested waivers.
- Amend the attached Resolution and reduce the amount of the waivers. This option is not recommended as it could affect the cost of building the homes.

Background Information

Habitat for Humanity of Metro Denver is a nonprofit affordable housing developer. Habitat for Humanity of Metro Denver works in the Denver Metropolitan Area and has plans to build projects in unincorporated Adams County and the City of Westminster. Habitat for Humanity utilizes volunteers, donations of supplies and materials, reduction or waiver of development fees, and homeowner sweat equity to subsidize the construction of a single family home in order to reduce the purchase price. The families Habitat for Humanity picks to become homeowners are all low income and pay no more than 25% of their income towards the mortgage payment, an average of \$325 month. Habitat holds the mortgage on the homes they build providing retention of the low income housing stock, and provides homeownership counseling to all prospective homebuyers. All mortgage loans are interest free. Habitat makes no profit or interest income on the homes they build and sell.

Habitat uses a first (secured) and second mortgage mechanism to finance the low-income homebuyer. Habitat sells the homes at below market value, between \$65,000 and \$85,000. The second note is for a 20-year period, forgivable at 5% per year. The second note is the difference between the first note and the appraised value of the home. The appraised value of a Habitat home is between \$130,000 - \$190,000. This mechanism is used to prevent the owner from selling the home in order realize an equity profit on the sale of the home. Habitat also uses a "first right of offer" clause, which allows them to purchase back the home within the first 10 years of homeownership if the family decides to sell.

Habitat for Humanity of Metro Denver has been operating for 21 years. A total of 170 homes have been built and sold to low-income families. Habitat gets funding from the HOME Investment Partnership Act Program, Federal Home Loan Bank, Federal Self Sufficiency Homeownership Opportunity Program (SHOP). Its operation further relies on local government reducing or waiving development fees, donated labor, supplies and materials, and homeowner sweat equity.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment(s)

RESOLUTION

RESOLUTION NO. 56

INTRODUCED BY COUNCILLORS

SERIES OF 2001

A RESOLUTION WAIVING CERTAIN DEVELOPMENT RELATED FEES AND USE TAXES, EXCEPT WATER AND SEWER TAP FEES, IN CONNECTION WITH THE NEW CONSTRUCTION OF THREE SINGLE FAMILY HOMES LOCATED AT 79TH AVENUE AND APPLEBLOSSOM WAY BY HABITAT FOR HUMANITY OF METRO DENVER.

WHEREAS, Habitat for Humanity of Metro Denver is a nonprofit affordable housing develop;

WHEREAS, Habitat for Humanity of Metro Denver utilizes volunteers, donations of supplies and materials, reduction or waiver of development fees and homeowner sweat equity to subsidize the construction of single family homes in order to reduce the selling price to low income families; and

WHEREAS, Habitat for Humanity of Metro Denver owns three lots located on 79th and Appleblossom Way, on which they intend to build three single-family homes; and

WHEREAS, Habitat for Humanity of Metro Denver has requested that the City of Westminster waive it's development fees and use taxes associated with the new construction of three single family homes with the exception of water and sewer tap fees; specifically all building, electrical, plumbing, and mechanical permit fees, plan check fee, use tax, and park development, public land dedication, and school site fees.

NOW, THEREFORE, be it resolved that the Westminster City Council resolves to waive all related development fees (building, electrical, plumbing and mechanical permit fees, plan check fees, use tax, park development and land dedication and school fees) associated with the new construction of three single family homes located on 79th Avenue and Appleblossom Way undertaken by Habitat for Humanity of Metro Denver.

Passed and adopted this 24th day of September 2001.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001
Subject: EPA Grant for Big Dry Creek Partnership
Prepared by: Kipp Scott, Water Quality Administrator

Introduction

City Council action is requested to pass the attached Councilor's Bill, on first reading, to authorize accepting the U.S. Environmental Protection Agency (EPA) grant in the amount of \$17,113 for the Big Dry Creek Partnership. City Council action is requested to authorize the execution of a contract with Wright Water Engineers, Inc. to provide consulting services, in the amount of \$17,113, to be received from the EPA grant, for the Big Dry Creek Partnership.

Summary

The Big Dry Creek Partnership consists of the cities of Westminster, Northglenn, and Broomfield, and the Rocky Flats Environmental Technology Site. This Partnership has been coordinating monitoring efforts on the Big Dry Creek system from Rocky Flats to the South Platte River for the past nine years. This cooperative effort has resulted in increased efficiency and greater coverage when compared to the individual sampling programs previously done by each entity. This cooperative effort has also provided more knowledge about the Big Dry Creek Watershed and allowed for an expansion of activities and projects over and above the basic water quality monitoring programs. Five grants have been awarded that have provided a broader understanding of the health of the watershed, including stormwater impacts, and agricultural impacts.

This grant is specifically designated to develop a Watershed Management Plan and complete an educational video on the Big Dry Creek Watershed for distribution to local governments and school districts. Wright Water Engineers will be contracted to develop the Watershed Management Plan and to complete the educational video. Wright Water Engineers had begun filming on the video in 2000 under a separate Department of Energy project. A portion of this grant will allow for the video to be completed.

The EPA grant for \$17,113 will be used for these purposes and will be administered by the City of Westminster under the Big Dry Creek Basin Water Quality Agreement.

Policy Issue

Should the City of Westminster authorize the acceptance of this grant from the U.S. Environmental Protection Agency in the amount of \$17,113 and should a contract be executed with Wright Water Engineers to develop a Watershed Management Plan and educational video for the Big Dry Creek Watershed?

Staff Recommendation

1. Pass Councilor's Bill No. 59 on first reading appropriating \$17,113 into the Special Studies Project account as a result of the United States Environmental Protection Agency Grant.
2. Authorize the execution of a contract by the City Manager for consulting services with Wright Water Engineers, Inc. for the amount of \$17,113, and charge the expense to the appropriate budget account in the Utility Fund.

Alternatives

Should the City of Westminster choose not to accept the grant and execute the contract of these projects, the Watershed Management Plan and the educational video will not be completed due to insufficient resources within the Partnership.

An additional alternative is to accept the grant and utilize another consultant, other than Wright Water Engineers, Inc. The negative impacts of this alternative are that a different consultant would not have the background on the watershed nor on the video that was begun last year. Because of the small size of the project, Staff believes that competitive bidding of the project will not be cost effective for the consultants or the project.

Background Information

Coordinated Big Dry Creek water quality sampling has been done by the cities of Westminster, Broomfield, and Northglenn for the past nine years and has resulted in increased efficiency and broader coverage when compared to the individual sampling programs previously conducted by each city. In 1997, the United States Department of Energy/Rocky Flats joined the group. An Intergovernmental Agreement (IGA) was executed, and a U.S. Environmental Protection Agency (EPA) Regional Geographic Initiative (RGI) grant was received and the Big Dry Creek Watershed Association was formed. The group has attempted to cooperatively assess the water quality in Big Dry Creek.

A biological monitoring program was initiated in 1997 by the cities of Westminster, Broomfield, Northglenn, and the United States Department of Energy (DOE)/Rocky Flats to enhance the water quality monitoring program begun by the three cities. The goal was to document the abundance and distribution of fish and benthic macro invertebrate populations and characterize the physical habitat at selected locations along Big Dry Creek. The water quality and biological monitoring programs are all covered under the Big Dry Creek Basin Water Quality Agreement between the various entities. This enhanced aquatic monitoring has been funded by a long-term grant from DOE. The benefit of this monitoring is an increased understanding of the creek's properties and the impacts of wastewater discharge from the participating cities and other sources throughout the watershed. An increased understanding of the creek has, and will continue to, benefit the parties during State reviews of existing and proposed stream standards.

The cooperative efforts and efficiencies in resources have allowed the standard monitoring program to expand to other areas that influence and affect water quality in and along Big Dry Creek. This project's focus is to encourage the protection of the Big Dry Creek watershed and to continue to educate stakeholders in the management of the watershed.

Wright Water Engineers, Inc. was chosen for this project because of the experience they have working as the watershed coordinator for the Big Dry Creek Watershed Association for the past five years. The Watershed Association was in unanimous favor of retaining Wright Water Engineers, Inc. for this project because of their past history of excellent work for the association and because they had already completed preliminary work on the educational video in 2000.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **59**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2001 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2001 appropriation for the Water Portion of the Utility Fund, initially appropriated by Ordinance No. 2839 in the amount of \$27,101,751 is hereby increased by \$17,133 which, when added to the fund balance as of the City Council action on September 24, will equal \$30,149,279. 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 increase is due to a United States Department of Energy grant extension award.

Section 2. The \$17,133 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>
<u>REVENUES</u>			
Intergovernmental – Federal 2000.40310.000	\$50,000	\$ <u>17,133</u>	\$67,133
Total change to revenues		\$ <u>17,133</u>	
<u>EXPENSES</u>			
Appropriation Holding – Environmental Grant 80120035189.80400.888	\$0	\$ <u>17,133</u>	\$17,133
Total change to expenses		\$ <u>17,133</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of September 2001. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of October 2001.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Councillor's Bill No. 60 Supplemental Appropriation for Series 2001 re 112TH Avenue Widening Sales and Use Tax Revenue Bonds and Refunding of 1991 Sales and Use Tax Bond Issue

Prepared by: Bob Eichen, Treasury Manager
Karen Creager, Internal Auditor

Introduction

City Council is requested to adopt the attached Councillor's Bill appropriating \$13,434,412 Sales and Use Tax Revenue Refunding and Improvement Bond proceeds. The proceeds will be used for the improvements to be made to 112th Avenue and for refunding of the 1991 Sales and Use Tax Revenue bonds.

Summary

City Council is being requested to appropriate the bond proceeds received September 19, 2001. City Council approved the sale of the bonds at their August 27, 2001, meeting. The proceeds are for the improvements to be made to 112th Avenue that were approved by the voters in the November 2000 election and the refunding of the 1991 Sales and Use Tax Revenue bonds.

The funds for widening 112th Avenue will be appropriated and invested during the construction period. Interest earnings will be appropriated and used per the bond covenants. The refunding proceeds will be used to defease the outstanding debt.

Staff Recommendation

Pass Councillor's Bill No. 60 on first reading appropriating \$13,434,412 for the construction of improvements on 112th Avenue and the refunding of the 1991 Sales and Use Tax Revenue Bonds and authorize the Mayor and City Clerk to sign the ordinance on behalf of the City.

Background Information

City Council directed Staff on August 27, 2001, to proceed with the financing for the voter approved improvements on 112th Avenue between Stuart Street and Sheridan Avenue. The \$4.15 million bonds for construction were sold on August 28, 2001, at a net interest cost of 4.148%.

Within the same debt issue Council approved the refunding of the 1991 Sales and Use Tax Revenue bonds. This refunding was undertaken to take reduce interest rates on the bonds due to a favorable interest rate market. The refunding resulted in an actual dollar savings (cash that will not be used to pay interest expense) of \$2,185,095 over the life of the bonds. The present value of this amount is \$1,030,139 (the amount that would have to be invested today at the bond's interest rate to equal the actual dollar savings).

The proceeds of the sales were received on September 19 and must be appropriated. Passage of the attached Councillor's Bill will record the financing source and proposed expenditures on the City's books.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILOR'S BILL NO. **60**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2001 BUDGETS OF THE DEBT SERVICE AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THESE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2001 appropriation for the Debt Service Fund initially appropriated by Ordinance No. 2839 in the amount of \$8,292,401 is hereby increased by \$9,256,986 which, when added to the fund balance as of the City Council action on September 24, 2001 will equal \$17,549,387. The actual amount in the Debt Service Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of bond proceeds for the refunding of the 1991 Sales and Use Tax Revenue Bonds.

Section 2. The \$9,256,986 increase in the Debt Service Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
REVENUES			
Bond Proceeds 8000.46020.0250	\$0	<u>\$9,256,986</u>	\$9,256,986
Total Change to Revenues		<u>\$9,256,986</u>	
EXPENSES			
Payment to Escrow Agent 80010900.78800.0000	\$0	<u>\$9,256,986</u>	\$9,256,986
Total Change to Expenditures		<u>\$9,256,986</u>	

Section 3. The 2001 appropriation for the General Capital Improvement Fund, initially appropriated by Ordinance No. 2839 in the amount of \$35,139,707 is hereby increased by \$4,177,426 which, when added to the fund balance as of the City Council action on September 24, 2001 will equal \$39,317,133. 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 bond proceeds for 112th Ave. Widening.

Section 4. The \$4,177,426 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
REVENUES			
Bond Proceeds 7500.46020.0250	\$0	<u>\$4,177,426</u>	\$4,177,426

Total Change to Revenues		<u>\$4,177,426</u>	
EXPENSES			
112 th Ave. Widening			
80175030045.80400.8888	\$0	<u>\$4,177,426</u>	\$4,177,426
Total Change to Expenditures		<u>\$4,177,426</u>	

Section 5. – 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 6. This ordinance shall take effect upon its passage after the second reading.

Section 7. 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 24th day of September 2001.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of October, 2001.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001
Subject: Councillor's Bill No. 61 re Parks Regulation Amendments
Prepared by: Alan Miller, Special Projects Director

Introduction

City Council is requested to consider adopting Councillor's Bill No. on first reading amending Title XIII of the Westminster Municipal Code pertaining to defining certain City property as park land and clarifying that it is unlawful to violate Park Regulations.

Summary

An ad hoc Task Force with representatives from the Prosecutor's Office, Police, Parks Recreation and Libraries Departments and City Manager's Office have met to discuss ways to enhance and improve security at the Westminster Promenade. The Westminster Promenade has a number of regulations designed to protect the public and public property such as no skating boarding, no riding bicycles, or no swimming in the lake. After these discussions by the Task Force, it was evident that it was not as clear as it could be that the Westminster Promenade was City park property, subject to regulations promulgated by the Director of Parks, Recreation and Libraries. The same was discovered to be true about the City Hall grounds and the new Public Safety Center grounds. The proposed ordinance amendments make it clear that the City owned areas of the Westminster Promenade, City Hall and Public Safety Center grounds are all to be considered park areas. In addition, the ordinance amendments clarify that it is unlawful to violate any park regulations.

Policy Issue(s)

Whether the Promenade, City Hall grounds, and Public Safety Center grounds should be clearly designated as park areas for the purpose of being able to be regulated by Park rules and regulations promulgated by the Division of Parks, Recreation, and Libraries.

Staff Recommendation

Pass Councillor's Bill No. 61 on first reading amending Title XIII of the Westminster Municipal Code pertaining to defining park areas and clarifying that it is unlawful to violate park regulations.

Alternative(s)

Do not adopt this ordinance amendment and leave the ordinance unchanged.

Have Staff look at other alternatives to regulating these public areas other than as park areas.

Background Information

The popularity of the Westminster Promenade among youth as a gathering place creates more demands on the Police Department to enforce rules and regulations regarding appropriate actions. In looking at the situation when Police Officers needed to write a summons it became evident that it was not clear in any ordinance that the City-owned areas of the Promenade were considered park areas for the purpose of issuing and promulgating regulations such as no swimming, no bike riding, no skate boarding etc. In looking at the situation, the same was true for the City Hall and Public Safety Center grounds. It has not been much of an issue at City Hall because of minimal pedestrian use and few violations. The Parks Division does maintain the City-owned areas of the Promenade as well as City Hall and the Public Safety Center grounds. These areas are intended to be used by the public as they would any other park and in turn, they need to be regulated like any park property. Firm enforcement now by the Police Department should help ensure that appropriate behavior is the expected standard at the Promenade. Additional signs are currently in production to address the need for more signage regarding park regulations. The Parks Division is working with the Police Department on establishing appropriate regulations.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **61**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING THE DEFINITION OF PARKS AND VIOLATING PARK REGULATIONS

THE CITY OF WESTMINSTER ORDAINS:

Section 1: Title 13, Chapter 1, Section 2 of the Westminster Municipal Code is hereby amended as follows:

13-1-2: DEFINITIONS: The following words and phrases, whenever used in this Section:

(A) City. The term "City" refers to the City of Westminster, Colorado.

(B) Amplified Sound. The term "Amplified Sound" means speech or music projected or transmitted by electronic equipment including amplifiers, loudspeakers, microphones, bull horns or similar devices or combinations of devices which are intended to increase the volume, range, distance or intensity of speech or music and are powered by electricity, battery or combustible fuel.

(C) Buildings. The term "Buildings" includes those buildings, or any portion thereof, under the supervision of the Westminster Department of Parks, Recreation and Libraries; and all other publicly owned buildings used for recreational purposes within the City.

(D) Director. The term "Director" refers to the Director of the Department of Parks, Recreation and Libraries or his designated agent or employee. The Director shall make and publish such regulations, not inconsistent with the terms of this Chapter, as he deems necessary for the orderly use and management of the City's park and recreation facilities and programs.

(E) Parks. The term "Parks" includes all grounds, roadways, avenues, parks, parking lots and areas and recreation facilities therein under the supervision of the Westminster Department of Parks, Recreation and Libraries; and all other publicly owned or operated park and recreation facilities within the City, including Standley Lake and the land around it (Standley Lake Recreation Area), THE PUBLICLY OWNED AREAS OF THE WESTMINSTER PROMENADE, THE PROPERTY ON WHICH CITY HALL IS LOCATED, AND THE PROPERTY ON WHICH THE PUBLIC SAFETY CENTER IS LOCATED.

(F) Persons. The term "Persons" shall include persons, associations, partnerships, firms or corporations.

(G) Recreation Facilities. The term "Recreation Facilities" refers to specialized recreation facilities such as swim pools, tennis courts, ball fields, and similar facilities under the supervision of the Westminster Department of Parks, Recreation and Libraries.

(H) Permit. The term "Permit" means a permit for exclusive use of parks, buildings and recreation facilities as provided for and defined in this Chapter.

(I) Written Consent of Director. The term "Written Consent of Director" refers to the power of the director to consent to certain otherwise prohibited uses by organized groups of people. Such consent may not be granted to individuals.

Section 2: Title 13, Chapter 1, Section 5 of the Westminster Municipal Code is hereby amended as follows:

13-1-5: ENFORCEMENT OF APPLICABLE LAWS AND ORDINANCES:

(A) All persons entering parks or community buildings shall abide by the 0404s and regulations of the City of Westminster, as provided herein, and the instructions and directions of duly authorized agents, employees or law enforcement officers of the City of Westminster in their line of duty.

(B) It shall be unlawful to violate any provision of this Chapter OR ANY REGULATION PROMULGATED BY THE DIRECTOR. A person convicted of a violation of a provision of this Chapter OR OF A REGULATION PROMULGATED BY THE DIRECTOR shall be fined as provided in Section 1-8-1 of this Code.

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of September, 2001.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of October, 2001.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Commerce City Water Agreement

Prepared by: Michael Happe, Senior Water Resources Engineer

Introduction

City Council is requested to authorize the City Manager to sign an agreement with Commerce City for the sale of consumable water in the South Platte River. In addition, City Council is requested to pass the attached Councillor's Bill, on first reading, appropriating payments due under the Commerce City Agreement totaling \$3,384,000 into the Water Capital Improvement Fund for construction of gravel lake storage.

Summary

Westminster has surplus consumptive water credits that are available from Westminster's wastewater discharges at the Metropolitan Wastewater Reclamation Facility ("Metro") and the Big Dry Creek Wastewater Reclamation Facility ("Big Dry") and from other portions of Westminster's raw water supply system. This water is fully consumable pursuant to the terms of Westminster's water rights decrees and is not required, for any foreseeable needs of the City of Westminster, for its planned water reclamation project or any other uses.

City Staff has been negotiating a contract for the sale of 360 acre feet per year of this water to Commerce City. This agreement would obligate Westminster to deliver water from Metro and Big Dry Creek water reclamation facilities, or from Westminster's gravel lake storage facilities into the South Platte River for Commerce City's use. Commerce City would use this water to augment well depletions to the South Platte River pursuant to their water right decrees. The agreement obligates Commerce City to purchase 360 acre feet of fully consumable water for a total payment of \$3,384,000. They will make an initial payment of half this amount upon execution of the agreement, and the other half on January 10, 2002. This amounts to a price of \$9,400 per acre foot in 2001 dollars for this water.

Staff is requesting Council to make a supplemental appropriation of the proceeds from the Commerce City Agreement in the amount of \$3,384,000 into the capital improvement account for the construction of gravel lake storage. The purpose of this fund is the development of gravel lake storage on the South Platte River near Wattenberg, pursuant to the City's Agreement with Aggregate Industries that was previously approved by Council. Funds are needed over the next several years for costs associated with the development of that project. The gravel lake storage on the South Platte will improve the efficiency of Westminster's overall water supply system.

Policy Issue(s)

Should the City sell its consumable water for which it has no current use and use the funds to improve the raw water system, or should it hold on to this asset for future sale or other use?

Staff Recommendation

1. Authorize the City Manager to execute an agreement with Commerce City for the sale of 360 acre feet of consumable water delivered into the South Platte River and find that the proposed sale will result in the improvement of the capacity, efficiency, and service of the City's water and wastewater utility system; and
2. Pass Councillor's Bill No. 62 on first reading appropriating \$3,384,000 from the proceeds of the Commerce City Agreement to the appropriate Capital Improvement account in the Utility Fund.

Alternative(s)

Do not sell any of the City's excess consumable water to Commerce City and determine if the market for this water will improve in the future.

Background Information

As was previously presented to City Council in Study Session, Westminster has excess consumable water available from its wastewater discharges from the Metro and Big Dry Creek water reclamation facilities. Westminster has accumulated agricultural water rights for its raw water supply over the last 40 years and has obtained several water rights decrees from the State Water Court allowing the City to use and reuse these water rights for municipal and other purposes. Westminster plans to reuse much of this consumable water to irrigate parks and golf courses during the summer, but it is not needed in the winter and is excess to the City's needs.

Commerce City has a need for consumable water on the South Platte River during the winter months. Staff and Commerce City have negotiated an agreement for Commerce City to buy up to 360 acre feet of water delivered at a constant rate throughout the year. Commerce City will make a one time payment to Westminster in the amount of \$3,384,000 and also pay an annual fee of \$40 per acre foot for delivery of this water. The annual fee will be adjusted based on the Boulder/Denver Consumer Price Index in future years. The one time payment averages \$9,400 per acre foot for this water.

City Council is being asked to appropriate the payments from Commerce City totaling \$3,384,000 into the capital improvement account for the Wattenberg Storage project. Westminster entered into an agreement for the purchase of this storage in October 2000. These funds will be used to develop inlet and outlet capacity for the Wattenberg storage site, therefore, the funds generated from the sale of water to Commerce City will be used to help develop additional water supplies that are useful for the City's water needs.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **62**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2001 BUDGET OF THE WATER PORTION OF THE UTILITIES FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2001 appropriation for the Water Portion of the Utility Fund, initially appropriated by Ordinance No. 2839 in the amount of \$27,101,751 is hereby increased by \$3,384,000 which, when added to the fund balance as of the City Council action on September 24, 2001 will equal \$33,533,280. 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 action. This increase is due to an agreement with Commerce City for the sale of consumable water in the South Platte River.

Section 2. The \$3,384,000 increase in the Water portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	Increase	Final Budget
REVENUES			
Sale of Assets 2000.43040.000	\$ 2,673,500	<u>\$3,384,000</u>	\$6,057,500
Total Change to Revenues		<u>\$3,384,000</u>	
EXPENSES			
Gravel Lakes Storage – Appropriations Holding			
80120035078.80400.8888	\$2,973,500	<u>\$3,384,000</u>	\$6,357,500
Total Change to Expenditures		<u>\$3,384,000</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 and shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of September 2001. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of October 2001.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Resolution No. 57 in Support of the Extension of Adams County Sales Tax

Prepared by: Emily Moon, Management Assistant

Introduction

The November 6th election will include an Adams County proposal to extend the existing 0.5% sales tax for the purpose of funding road and bridge capital improvements. Staff is requesting that City Council consider taking a formal position of support on the County's issue at Monday night's City Council Meeting.

Summary

County Administrator Terry Funderburk projects a \$150,000,000 deficit in 2001 for projects identified in the 1996 Adams County Transportation Plan, including those in Westminster. On September 10, 2001, the Adams County Board of County Commissioners approved a resolution calling for an extension of the existing countywide sales tax by County voters. Westminster Staff has prepared a resolution in support of this ballot issue and is seeking City Council's review and approval. Given the time-sensitiveness of formal action on the County's ballot issues and in light of the mail ballot being utilized in this year's election, this resolution has been prepared for Monday night's City Council Meeting.

Policy Issue(s)

Does the City Council wish to formally support Adams County's ballot issue through adoption of Resolution No. 57?

Staff Recommendation

Adopt Resolution No. 57 which formally supports the Adams County ballot issue pertaining to an extension of the County's existing 0.5% sales tax for the purpose of funding road and bridge capital projects in Adams County.

Alternative(s)

An alternative action would be to not take a position formally on the County ballot issue or to formally oppose the issue. Based on the financial needs of Adams County and the City, which are generated in part by inflation and a need to provide infrastructure for a growing Westminster, Staff believes that a position of support is warranted.

Background Information

As part of the November 6th ballot, Adams County voters will be asked to approve a financial issue that the County has placed on the ballot. The ballot requests extension of the existing 0.5% sales tax to fund road and bridge capital projects that were identified in the 1996 Adams County Transportation Plan. Cost estimates for these projects have been adjusted to 2001 dollars, resulting in an estimated \$150,000,000 shortfall.

Adams County voters approved the current sales tax in elections in 1993 and 1997.

The tax will be distributed to cities and the County based on point of collection. Using current year collections, the County projects \$1,956,435 will be collected in Westminster for road and bridge capital improvements. These funds would provide significant assistance to the City in implementing needed road and bridge capital improvements in the City.

City Council has previously chosen to adopt a formal position regarding County ballot issues. Staff is recommending support of this ballot issue, which does not call for a tax increase but simply an extension of an existing tax. This extension will benefit the residents of Westminster by providing an opportunity for needed infrastructure improvements through a new funding source.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **57**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

**CITY'S FORMAL POSITION ON ADAMS COUNTY
SALES TAX EXTENSION BALLOT PROPOSAL**

WHEREAS, a portion of the City of Westminster lies within Adams County and Westminster residents receive Adams County services; and

WHEREAS, Adams County projects a \$150,000,000 deficit in 2001 for projects identified in the 1996 Adams County Transportation Plan, including those in Westminster; and

WHEREAS, the Adams County Board of County Commissioners has placed on the November 6th election ballot a fiscal proposal for district taxpayers to decide; and

WHEREAS, this proposal includes an extension of Adams County's existing 0.5% sales tax for the purpose of funding road and bridge capital improvements; and

WHEREAS, a projected \$1,956,435 would be collected and shared back with Westminster for road and bridge capital improvements through the Adams County sales tax.

NOW, THEREFORE, the City Council of the City of Westminster, Colorado, does hereby resolve the following:

1. Formally supports Adams County's transportation funding ballot proposition.
2. Finds the fiscal ballot proposition to be warranted and justified given the significant transportation improvements that could be accomplished in Westminster if this proposition is approved.
3. Urges all Adams County voters to approve this ballot proposal.

Passed and adopted this 24th day of September, 2001.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: September 24, 2001

Subject: Resolution No. 58 re Contingency Transfer for New York City Relief Efforts

Prepared by: Emily Moon, Management Assistant

Introduction

City Council action is requested to adopt a resolution authorizing a General Fund contingency transfer of funds in the amount of \$10,000 to the Westminster Firefighters' Burn Fund. These funds will be distributed to The New York Firefighters' 9-11 Disaster Relief Fund (\$7,500) and the New York Police Benevolent Association Widows' and Children's Fund (\$2,500) to assist in their relief efforts in New York City following the September 11, 2001, terrorist attacks on the World Trade Center Towers.

Summary

At the September 15th City Council Budget Retreat, City Councillors voiced their desire to contribute to the relief efforts in New York City and directed staff to bring back a contingency fund transfer for a contribution to the Westminster Firefighters' Burn Fund, to be specifically earmarked for those public safety responders who perished in this tragedy. The Westminster Fire Department is currently collecting donations to be forwarded to organizations involved in the relief efforts in New York. Contributions will be collected through the Westminster Firefighters' Burn Fund and distributed to charities designated by the donors.

Policy Issue

Does the City Council wish to donate City of Westminster funds towards the Westminster Firefighters' Burn Fund in the manner suggested by Staff?

Recommendation

Adopt Resolution No. 58 authorizing the transfer of \$10,000 from the General Fund Contingency Account into the Westminster Firefighters' Burn Fund to be donated towards relief efforts in New York City as identified.

Alternatives

1. Allocate the funds in a fifty/fifty split versus the manner in which it is currently proposed (i.e., \$7,500 for Fire and \$2,500 for Police).
2. Allocate an amount greater or lesser than \$10,000 for the Westminster Firefighters' Burn Fund.
3. Do not allocate funds from the General Fund Contingency. Funding is not available within the current City budget for this expense. Without additional funds, Staff does not recommend proceeding with this allocation.

Background Information

The City's Fire Department established the Westminster Firefighters' Burn Fund in 1983 to provide immediate financial relief to Westminster residents that are displaced from their homes, to support the families of Colorado firefighters killed or seriously injured in the line of duty, and for other charitable purposes authorized by the fund's governing board. The fund meets Internal Revenue Service (IRS) requirements as a charitable organization and is, therefore, prepared to receive and distribute donations.

The Westminster Fire Department and Westminster Firefighters' Burn Fund put together a program to facilitate the handling of community contributions to the relief efforts. Contributions can be forwarded to the Fire Department's Administration, who will in turn place them in the Credit Union Burn Fund account. Receipts can be provided to anyone wishing to donate. Individuals donating may also specify where they would like their contribution to go and the Burn Fund will write checks to these specific charities. The Firefighters' Burn Fund is being utilized because it already is established as a charitable organization per the IRS and minimizes administration to set up a separate fund for these efforts.

At the September 15th Budget Retreat, City Councillors voiced their desire to contribute to the relief efforts in New York City and directed staff to bring back a contingency fund transfer for a contribution to the Westminster Firefighters' Burn Fund. The Westminster City Council hopes that its donation will reflect the City's tremendous sadness and sense of unfathomable loss resulting from the terrorist attacks of September 11, 2001. The City Council hopes to provide some solace and comfort to the families of emergency personnel who bravely answered the call of duty and who tragically gave their lives while saving others.

Staff has suggested that the funds be distributed to both the New York City Fire and Police relief funds to coincide with the proportionate losses both Departments felt and thus have suggested that \$7,500 be donated to the New York Firefighters' 9-11 Disaster Relief Fund and \$2,500 to the New York Police Benevolent Association Widows' and Children's Fund.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **58**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM
THE GENERAL CONTINGENCY FUND FOR A CONTRIBUTION TO THE
NEW YORK CITY RELIEF EFFORTS**

WHEREAS, the City of Westminster has a charitable fund, the Westminster Firefighters' Burn Fund, established to assist local families in need; and

WHEREAS, the City of Westminster desires to provide comfort and financial assistance to the families of New York City Police and Fire personnel who were killed in the line of duty while responding to the September 11, 2001 terrorist attacks on the World Trade Center Towers; and

WHEREAS, the City of Westminster desires to show its appreciation for those emergency responders and its sense of loss and steadfast support for their families; and

WHEREAS, the City of Westminster has authorized the collection of community donations for relief efforts in New York City through the Westminster Firefighters' Burn Fund ; and

WHEREAS, the City of Westminster desires to donate \$7,500 to the New York Firefighters' 9-11 Disaster Relief Fund and \$2,500 to the New York Police Benevolent Association Widows' and Children's Fund for a total allocation of \$10,000; and

WHEREAS, a General Fund contingency transfer of \$10,000 is needed to pay for the proposed donation; and

WHEREAS the 2001 General Fund Contingency balance is \$1,353,738.

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

Section 1. The City Manager is hereby authorized to transfer \$10,000 from the General Fund Contingency account into the Westminster Firefighters' Burn Fund for distribution to the New York Firefighters' 9-11 Disaster Relief Fund (\$7,500) and to the New York Police Benevolent Association Widows' and Children's Fund (\$2,500).

Passed and adopted this 24th day of September, 2001.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, September 24, 2001.

Present at roll call were Mayor Heil, Mayor Pro-Tem Dixon, Councillors Atchison, Hicks, Kauffman, Merkel, and Moss.

The minutes of the September 10, 2001 meeting were approved as amended.

Jack Hoopes, representing DRCOG, presented the City with 3rd Place Public Private Partnership and Metro Vision 2020 Awards.

Council approved the following: Financial Report for August, 2001; Purchase of 31.5 Acres of Open Space along Big Dry Creek for \$1,368,714; Design Contract for 74th Avenue and Irving Street Park to EDAW for \$61,639; Design Contract for Farmers Highline Canal Trail with Wilson and Company for \$84,294; Special Legal Counsel for Butterfly Pavilion Relocation Project with Ms. Barbara Banks; authorized a contract for consulting services with Wright Water Engineers, Inc., in the amount of \$17,113; authorized an agreement with Commerce City for the sale of 360 acre feet of consumable water.

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

A BILL FOR AN ORDINANCE INCREASING THE 2001 BUDGET OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THE FUND purpose: appropriating funds from US EPA grant

A BILL FOR AN ORDINANCE INCREASING THE 2001 BUDGETS OF THE DEBT SERVICE AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THESE FUNDS purpose: appropriating funds for improvements to 112th Avenue

A BILL FOR AN ORDINANCE AMENDING THE DEFINITION OF PARKS AND VIOLATING PARK REGULATIONS purpose: defining certain City property as park land and clarifying park regulations

A BILL FOR AN ORDINANCE INCREASING THE 2001 BUDGET OF THE WATER PORTION OF THE UTILITIES FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THE FUND purpose: appropriating funds from Commerce City Water Agreement

The following Resolutions were adopted:

Resolution No. 56 Waiving Development Fees and Use Tax for Habitat for Humanity of Metro Denver

Resolution No. 57 Supporting the Extension of Adams County Sales Tax

Resolution No. 58 Contingency Transfer for New York City Relief Efforts.

At 7:26 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window on October 4, 2001