



**WESTMINSTER  
COLORADO**

**October 8, 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. Proclamation re Business 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. 2001 Wastewater Collection System Trenchless Technology Improvements Project
  - B. Faversham Park Playground Replacement Project
  - C. 2001 Asphalt Rehabilitation Program Change Order
  - D. CB No. 59 re Appropriation re EPA Grant for Big Dry Creek Partnership (Atchison-Merkel)
  - E. CB No. 60 re 112<sup>th</sup> Ave Sales & Use Tax Bonds & Refunding 1991 S&U Tax (Kauffman-Merkel)
  - F. Councillor's Bill No. 61 re Title XIII Park Regulation Amendments (Atchison-Merkel)
  - G. Councillor's Bill No. 62 Appropriating \$3,384,000 For Gravel Lake Storage (Moss-Hicks)
- 9. Appointments and Resignations**
  - A. Legacy Foundation Board of Directors Appointment
- 10. Public Hearings and Other New Business**
  - A. Resolution No. 59 re District 50 Mill Levy Override Ballot Issue
  - B. Public Hearing re Collection Timing Requirements for School Land Dedication
  - C. Councillor's Bill No. 63 Collection Timing Requirements for School Land Dedication
  - D. Resolution No. 60 re Adoption of 2002 Budget and Mill Levy
  - E. Resolution No. 61 re 2002 Pay Plan
  - F. Councillor's Bill No. 64 re 2002 Appropriations
  - G. Stipulation for Exclusion of Properties from North Metro Fire Rescue District
  - H. Resolution No. 62 re Exclusion from North Metro Fire Rescue District
- 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**

## **NON-LAND USE PUBLIC HEARINGS**

### **THE FOLLOWING RULES SHALL APPLY:**

Persons wishing to speak other than the applicant will be required to fill out a “Request to Speak or Request to Have Name Entered Into the Record” form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue, may do so whether in favor or opposed. No specified order of those in favor or in opposition will be used.

The presiding officer shall conduct the hearing in such manner as to provide for freedom of speech and expression of opinion of all persons speaking, subject only to the limits of courtesy and respect to other persons and their opinion as long as the subject is related to the public hearing notwithstanding the presiding officer has the authority to limit debate to a reasonable length of time to be equal for both positions.

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, OCTOBER 8, 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. Brent McFall, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk were also present. Absent none.

CONSIDERATION OF MINUTES:

Councillor Atchison moved, seconded by Councillor Merkel to accept the minutes of the meeting of September 24, 2001 with no corrections or additions. The motion carried unanimously.

PRESENTATIONS:

Mayor Heil and Susan Grafton, Economic Development Manager, presented Steve Wagner of the Business Advisory Group with a certificate proclaiming October 15-19 as "Business Appreciation Week."

CITY MANAGER COMMENTS:

Brent McFall, City Manager, commented on the National Parks and Recreation Association's annual meeting in Denver this past week, with the City of Westminster winning four awards. Bill Walenczak, Director of Parks, Recreation and Libraries, recognized Greg McSwain, Lisa Walls, Mike Heinrichs, Keith Wood, Viola Duran, Kathy Piper, and Melinda Fiscus for these awards.

Brent McFall, City Manager, stated that item 10B should be a public meeting, not public hearing.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: 2001 Wastewater Collection System Trenchless Technology Improvements Project with Western Slopes Utilities in the amount of \$299,323; Faversham Park Playground Replacement Project with Continental Leisure Sales in the amount of \$57,500; 2001 Asphalt Pavement Rehabilitation Project change order with LaFarge Corporation in the amount of \$125,000; CB No. 59 re Appropriation EPA Grant for Big Dry Creek Partnership; CB No. 60 re 112<sup>th</sup> Ave Sales & Use Tax Bonds & Refunding 1991 Sales & Use Tax; CB No. 61 re Title XII Park Regulation Amendments; and CB No. 62 re Appropriating \$4,384,000 for Ravel Lake Storage.

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.

Mayor Pro-Tem Dixon moved, seconded by Councillor Atchison to adopt the Consent Agenda items as presented. The motion carried unanimously.

WESTMINSTER LEGACY FOUNDATION BOARD OF DIRECTORS APPOINTMENT

Councillor Moss moved, seconded by Councillor Atchison to appoint Stephanie Bingham to be a director of the Westminster Legacy Foundation with a term of appointment to expire on 12/31/04. The motion carried unanimously.

RESOLUTION NO. 59 SUPPORT OF ADAMS COUNTY SCHOOL DISTRICT 50 MILL LEVY OVERRIDE

Councillor Merkel moved, seconded by Mayor Pro-Tem Dixon to adopt Resolution No. 59 formally supporting the Adams County School District 50 ballot issue pertaining to a proposed override of the existing mill levy to collect maximum additional revenues of \$3,600,000 in 2001 and, thereafter, \$5,950,000 annually for the purpose of improving student achievement, recruiting, developing and retaining quality, diverse staff, and rebuilding district operating reserves. Dr Straface, Administrator, and Scott Major, President of School District 50 Board of Directors were present. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 63 COLLECTION TIMING REQUIREMENTS SCHOOL LAND DEDICATION

The Mayor asked if anyone wanted to address Council on this issue. No one spoke. Councillor Atchison moved, seconded by Mayor Pro-Tem Dixon to pass Councillors Bill No. 63 on first reading amending Title XI, Chapter 6, Section 8(E) of the Westminster Municipal Code regarding collection timing requirements for fees in lieu of School Land Dedication. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 60 RE ADOPTION OF 2002 CITY BUDGET

Councillor Kauffman moved, seconded by Councillor Merkel to adopt Resolution No. 60 which sets the City mill levy at 3.65 mills and formally adopts the total 2002 City Budget, including the staffing levels and the Five Year Capital Improvement Plan. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 61 RE 2002 PAY PLAN

Councillor Atchison moved, seconded by Councillor Merkel to adopt Resolution No. 61 establishing the 2002 salary ranges for City employees. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 64 RE 2002 APPROPRIATIONS

Councillor Merkel moved, seconded by Councillor Hicks to pass Councillors Bill No. 64 on first reading appropriating funds for the 2002 budget. Upon roll call vote, the motion carried unanimously.

STIPULATION FOR EXCLUSION OF PROPERTIES FROM NORTH METRO FIRE RESCUE DISTRICT

Councillor Atchison moved, seconded by Councillor Merkel to approve the Stipulation and Plan for exclusion of properties from the North Metro Fire Rescue District, and authorize it's execution by the Mayor and City Manager on behalf of the City. The motion carried unanimously.

RESOLUTION NO. 62 RE EXCLUSION FROM NORTH METRO FIRE RESCUE DISTRICT

Mayor Pro-Tem Dixon moved, seconded by Councillor Merkel to adopt Resolution No. 64 approving the exclusion of the following recently annexed properties from the North Metro Fire Rescue District: Asbury Park No. 3, Harlan Street, McKay Lake, Telleren, and Webber. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Mayor Heil stated there would be an Executive Session for discussion on: the Ice Centre Lease contract negotiations.

ADJOURNMENT:

The meeting was adjourned at 7:38 P.M.

ATTEST

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City Clerk

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Mayor



**WESTMINSTER  
COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** Proclamation re Business Appreciation Week  
**Prepared by:** Barbara Gadecki, Assistant to the City Manager

**Introduction**

The Mayor, on behalf of City Council, is requested to proclaim the week of October 15 as “Business Appreciation Week” in the City of Westminster.

**Summary**

The City of Westminster has long recognized the importance of maintaining a healthy and diverse business community. The success of the City is closely linked to the success of our local businesses. Each year Westminster hosts an appreciation event for local businesses to recognize their essential role to the continued strength, well being, and high quality of life of this City. This year the event will be held on Wednesday, October 17 at the Westin Westminster Conference Center. The “Business Appreciation Week” proclamation is an element of the City’s Business Appreciation efforts.

**Policy Issue**

None.

**Recommendation**

Proclaim the week of October 15 as “Business Appreciation Week” in the City of Westminster.

**Alternatives**

None.

**Background Information**

On October 17, 2001, the City of Westminster will host the 11<sup>th</sup> Annual Business Appreciation Event. This event recognizes the vital role that local business plays in the success of the City. Local businesses provide employment, shopping, entertainment and recreational opportunities for all citizens. Businesses contribute to the City’s General Fund, which is sustained with revenue generated from sales and use tax and property tax collections. They enrich the quality of life in Westminster by supporting community organizations with financial and in-kind contributions. The high caliber mix of retail, service, and manufacturing companies found in Westminster is virtually unparalleled in northwest metropolitan Denver.

There are currently 1,606 commercial businesses and 1,214 home occupation businesses located in the City. It is appropriate that they be publicly recognized for their contributions to the community by proclaiming “Business Appreciation Week” and encouraging all citizens to support their local businesses.

A representative of the Business Advisory Group will be present at Monday night’s meeting to accept this proclamation.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

WHEREAS, The City of Westminster benefits greatly from having a healthy and diverse business community; and

WHEREAS, Westminster businesses provide employment, shopping, entertainment and recreational opportunities to citizens; and

WHEREAS, The success of local business in Westminster has also contributed to the City's financial stability, with a large portion of the City's general fund sustained with revenue generated from sales and use tax collections; and

WHEREAS, The City of Westminster will be hosting the 11<sup>th</sup> Annual Business Appreciation Event on Wednesday, October 17, 2001 to honor the 2,820 commercial and home occupation businesses of the City; and

WHEREAS, It is fitting that official recognition be given to the essential role that local businesses play in the continued strength and well being of this City.

NOW THEREFORE, I, Nancy M. Heil, Mayor of the City of Westminster, on behalf of the entire City Council and Staff, do hereby proclaim the week of October 15, 2001 as

**BUSINESS APPRECIATION WEEK**

in the City of Westminster, and encourage all citizens to support local businesses.

Signed this 8<sup>th</sup> day of October, 2001.

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Nancy M. Heil, Mayor



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** 2001 Wastewater Collection System Trenchless Technology Improvements Project  
**Prepared by:** Andy Mead, Utilities Operations Coordinator

**Introduction**

City Council action is requested to award a contract for the 2001 Wastewater Collection System Trenchless Technology Improvements Project (WW-01-2) to Western Slope Utilities, Inc; authorize the City Manager to execute a contract between the City and Western Slope Utilities, Inc; and authorize a budget of \$299,323 for construction of the Wastewater Collection System Improvements as specified in the contract documents and a 10% contingency budget of \$29,900. Funds are available for these expenditures in the 2001 Water/Wastewater Fund, Utilities Division Operating Budget.

**Summary**

The Utilities Division has outsourced its sewer rehabilitation projects for the past five years. The contractors hired for these wastewater system improvement projects have utilized, whenever possible, Trenchless Technology (internal lining of the existing sewer pipe) methods to improve the existing sewer lines. Included with these projects is manhole rehabilitation work, which includes rebuilding of deteriorating manhole benches and inverts, along with seal coating manhole barrel sections where needed.

Also included in this contract are various open cut point repairs that consist of replacing and realigning deteriorated sections of sewer pipe at different locations throughout the City. This is necessary due to the extreme amount of aging found in the sewer pipe. Trenchless technologies require the sewers to be substantially intact.

The 2001 Wastewater Collection System Improvements Project (WW-01-2) was advertised in the *Daily Journal* (contractors' publication) on August 27, 2001, and August 29, 2001. A mandatory pre-bid meeting was conducted on September 15, with three firms being represented. Bids were received and read at the public bid opening on September 19, 2001, in the City Council Chambers.

<u>Bidder</u>	<u>Bid Amount</u>
Western Slope Utilities, Inc	\$299,323
Triad Western	No Bid
Wycon Construction	No Bid
City of Westminster's Estimate	\$289,170

Western Slope Utilities, Inc. has been determined to be the successful contractor on the basis of their bid proposal as the lowest responsible bidder. Western Slope Utilities, Inc. has performed similar projects for the City of Westminster in prior years.

Triad Western and Wycon Construction did not submit a bid on this project. They did attend the pre-bid meeting, however these companies determined they do not have the ability to complete the work (Trenchless) based upon their current work schedule and with their existing equipment and resources.

Two other possible contractors that may have been interested in competing for this contract missed the mandatory pre-bid meeting, thus disqualifying them from the bid process.

### **Policy Issues**

Should the City of Westminster continue to outsource the wastewater collection system improvements as specified in the contract document, as opposed to doing this work in-house.

### **Staff Recommendation**

Award the contract to the low bidder, Western Slope Utilities, Inc; in the amount of \$299,323 for the 2001 Wastewater Collection System Improvements Project; authorize the City Manager to execute a contract between the City and Western Slope Utilities, Inc. to complete the specified work as described in the project documentation; authorize a project budget of \$299,323 with a 10% contingency budget of \$29,900 and charge the appropriate operating budget account in the Utilities Operations Budget, Water/Wastewater Fund.

### **Alternatives**

The alternative to completing the 2001 Wastewater System Improvements Project as recommended would be to replace the sewer lines and complete repairs using in-house crews. However, this alternative would decrease the amount of water lines that are currently being installed because personnel would have to be used that are currently assigned to the water line construction crew. The alternative would also be more expensive to complete in-house as the construction crew is not experienced in using trenchless methods to rehabilitate sewer lines.

Another alternative would be to not replace any of these existing sewer lines and absorb the additional high maintenance costs for these sewer lines along with accepting responsibility for any damages that may occur once a complete failure occurs.

### **Background**

Over the past five years, the Utilities Division has utilized Trenchless Technology methods for sewer line rehabilitation projects instead of the traditional open-trench excavation and pipe replacement method. Trenchless Technology has proven very successful and less disruptive for citizens and traffic flows; therefore, it is recommended that the City continue to use this method for sewer line improvements.

The 2001 Wastewater Collection System Improvements Project consists of rehabilitating approximately 1,100 feet of 8-inch sanitary sewer main; manhole rehabilitation of 30 manholes, which will consist of reforming deteriorated benches and inverts, remove any step deemed a potential hazard; seal coat manhole barrel sections; and perform 16 open-cut point repairs, which consist of replacing and realigning sections of sewer pipe at various locations throughout the City. The contractor, wherever possible, will utilize one of three Trenchless Technology pipe lining methods that have been approved by City Staff and have been successfully used in past projects. This project will take place in various areas of Westminster, but mainly in the southern part of the City, where the bulk of the aged, deteriorated sewer pipe exists.

Respectfully submitted,

J. Brent McFall  
City Manager





**WESTMINSTER  
COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** Faversham Park Playground Replacement Project  
**Prepared by:** Brad Chronowski, Landscape Architect

**Introduction**

City Council action is requested to authorize the City Manager to execute a contract with Continental Leisure Sales in the amount of \$57,500 for the supply and delivery of the selected playground equipment. Funds are available in the Parks, Recreation and Libraries 2001 Capital Improvement Project Budget for this expense.

**Summary**

Faversham Community Park is located at 6109 W. 73<sup>rd</sup> Avenue. In August 2001, City Staff invited four firms to respond to the request for proposals to supply and deliver the playground equipment that meets Department standards. The City’s purchasing ordinances and procedures were utilized to solicit the proposals. All four firms responded to the request for proposal and the bid tabulations are shown below.

<b>Vendor</b>	<b>Price</b>	<b>Quantity of Play Events</b>
Rocky Mountain Recreation	\$57,500	29
Recreation Plus	\$58,891	33
Continental Leisure Sales	\$59,000	40
Woods Site & Playscapes	No Bid*	NA

While the proposals varied in content, Staff believes that the bid submitted by Continental Leisure Sales meets all the requirements of the RFP and best serves the City’s needs. Although the price provided by Continental Leisure sales was slightly higher than the low bid, the amount of equipment (play events) provided in their proposal far exceeded that of their competitors’. Therefore, City Staff believes this recommendation is justified.

A public meeting was held on September 17 at which three playground alternatives were presented. The design, volume and variety of play events provided by Continental Leisure Sales were desirable to the neighbors over the other two proposals. The meeting attendees requested that Staff modify the proposal from Continental Leisure Sales and include one piece of equipment provided only by Recreation Plus. This notification is reflected in a deduction (\$1,500) from the Continental Leisure Sales bid and additional expense to Recreation Plus (\$2,503)

**Policy Issue(s)**

Does City Council wish to waive the low bidder requirement and purchase the playground equipment from Continental Leisure Sales?

**Staff Recommendation**

Authorize the City Manager to execute a contract with Continental Leisure Sales in the amount of \$57,500 for the supply and delivery of the selected playground equipment.

**Alternative(s)**

City Council could reject the bid from Continental Leisure Sales, which was selected through citizen input and staff evaluation, and choose another qualified bidder to supply the specified equipment.

**Background Information**

In an effort to promote safety at City facilities, the Parks, Recreation and Libraries Department inspects its playground equipment to identify candidates for replacement. The playground equipment at Faversham Park is dated, worn, unsafe and offers limited barrier-free access to disabled users.

The accessibility issue will be addressed by replacing the pea gravel safety surface with engineered wood chips and an accessible ramp. The addition of wood chips along with the accessible ramp will provide barrier-free access that meets the Americans With Disabilities Act guidelines. In addition to playground equipment and safety surfacing, the playground improvement will replace two benches that are in need of repair.

The Parks Construction crew will make all improvements scheduled for this project including: demolition, removal of existing surface, erection of new play equipment, installation of wood chips and bench replacement.

Staff intends to purchase one piece of equipment from Recreation Plus for the amount of \$2,503. The neighbors expressed interest in this play event. Continental Leisure Sales does not offer this play event.

The Department of Parks, Recreation and Libraries allocated \$75,000 for this improvement. The funds shall be apportioned as follows:

Play Equipment	
Continental Leisure Sales	\$57,500
Recreation Plus	\$2,503
Site Furniture	\$1,997
Safety Surfacing	\$13,000
<b>Total</b>	<b>\$75,000</b>

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment



### WESTMINSTER COLORADO

#### **Agenda Memorandum**

**Date:** October 8, 2001

**Subject:** Change Order for 2001 Asphalt Pavement Rehabilitation Project

**Prepared by:** Ray Porter, Infrastructure Improvements Division Manager

#### **Introduction**

City Council action is requested to authorize the City Manager to sign a change order to the existing construction contract with LaFarge Corporation for the 2001 Asphalt Pavement Rehabilitation Project, in the amount of \$125,000. This change will provide for street reconstruction to ten cul-de-sacs on Pierce Street between 92<sup>nd</sup> Avenue and 96<sup>th</sup> Avenue.

The original contract plus contingency amount, \$1,696,233, combined with the change order amount, \$125,000, will bring the contract amount to \$1,821,233. Funds are available in the 2001 Department of Public Works & Utilities Infrastructure Improvements Division operating budget for this expense.

#### **Summary**

- At the April 23, 2001 City Council meeting, Council authorized the City Manager to sign a contract with LaFarge Corporation for the 2001 Asphalt Pavement Rehabilitation Project in the amount of \$1,551,233 plus a \$145,000 contingency for a combined total of \$1,696,233.
- The \$1,696,233 has been spent with LaFarge Corporation to rehabilitate 28 streets, 5 parking lots at City park sites and seven Adams County School District 50 school parking lots.
- This requested change order, in the amount of \$125,000, will provide for the reconstruction of 10 cul-de-sacs along Pierce Street between 92<sup>nd</sup> Avenue and 96<sup>th</sup> Avenue at 2001 bid prices.
- The new total contract amount with LaFarge Corporation, including the \$125,000 change order, will be \$1,821,233.
- This requested change order is 7.4% of the original contract and approved contingency amount.
- Funds for this \$125,000 change order are available in the Infrastructure Improvements Division 2001 operating budget.
- The majority of this \$125,000, (\$85,000) became available when Infrastructure Improvements Division Staff was informed that the 73<sup>rd</sup> Avenue Improvement Project, managed by the Department of Community Development, would not be going to bid until late this year. The remaining \$40,000 is available from other projects being completed lower than the contract amounts.

#### **Policy Issue**

Should City Council authorize the City Manager to sign a change order in the amount of \$125,000 with LaFarge Corporation for the 2001 Asphalt Pavement Rehabilitation Project?

#### **Staff Recommendation**

Authorize the City Manager to execute a change order with LaFarge Corporation in the amount of \$125,000 for the reconstruction of 10 cul-de-sacs on Pierce Street between 92<sup>nd</sup> Avenue and 96<sup>th</sup> Avenue. Charge the expense to the appropriate Department of Public Works and Utilities Infrastructure Improvements Division

**Alternatives**

1. Carry the \$125,000 over into 2002 and complete the street reconstruction in conjunction with the 2002 projects.
  - a. City Council would be asked to earmark and approve this amount with other 2001-carryover items in mid 2002.
  - b. 2002 bid prices are expected to be higher than 2001.
  - c. The risk of cold weather construction would be eliminated.
2. Utilize the \$125,000 in some other manner and not reconstruct these ten cul-de-sacs with the funds.
  - a. Residential reconstruction is the City's biggest need in terms of pavement management.
  - b. Citizens on these streets will realize improvements at a later date and others will be postponed further.
  - c. A \$125,000 expenditure would be identified and paid for in 2001.

**Background Information**

LaFarge Corporation has successfully completed the original 2001 Asphalt Pavement Rehabilitation Project on time and under budget.

The \$145,000 contingency amount was absorbed throughout the contract alleviating problem areas on nine reconstructed pavements and correcting drainage problems on the nineteen streets resurfaced.

Infrastructure Improvements Division Staff is now requesting City Council to authorize the City Manager to sign a \$125,000 change order with LaFarge Corporation for the reconstruction of ten cul-de-sacs. These ten cul-de-sacs have been identified through the City's Pavement Management Program as the highest priority and are in very poor condition.

Funds became available when Staff was notified by a Department of Community Development Representative that \$85,000 originally earmarked to resurface the pavement and replace deteriorated curbs, gutters and sidewalks on 73<sup>rd</sup> Avenue between Bradburn Boulevard and Lowell Boulevard would not be needed until 2002. The Department of Community Development portion of the 73rd Avenue Improvement Project will not be bid until late 2001 or possibly 2002. The two projects are being combined for better coordination, less impact to the citizens, businesses and motoring public and for increased control.

The ten cul-de-sacs receiving improvements if this change order is approved would be:

1)	9221-9227 Pierce Street	\$9,000
2)	9226-9236 Pierce Street	10,000
3)	9238-9254 Pierce Street	15,000
4)	9251-9265 Pierce Street	14,000
5)	9300-9320 Pierce Street	17,000
6)	9330-9350 Pierce Street	15,000
7)	9400-9412 Pierce Street	12,000
8)	9440-9452 Pierce Street	11,000
9)	9510-9522 Pierce Street	11,000
10)	9524-9536 Pierce Street	<u>11,000</u>
	<b><u>TOTAL</u></b>	<b>\$125,000</b>

Respectfully submitted,

J. Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** Appointment to Westminster Legacy Foundation Board of Directors  
**Prepared by:** Greg McSwain, Recreation Programs Manager

**Introduction**

City Council action is requested to appoint Stephanie Bingham as the representative of the Parks and Recreation Advisory Board (PRAB) to serve on the Westminster Legacy Foundation Board of Directors.

**Summary**

In June of 2001, John Polston resigned his position on the PRAB. Mr. Polston was also the appointed representative from the PRAB to serve as a director for the newly-established Westminster Legacy Foundation. The PRAB has since nominated and recommended that Stephanie Bingham be considered by Council for appointment to the Westminster Legacy Foundation to fill the position vacated by Mr. Polston. Mrs. Bingham was appointed to the PRAB as an alternate in January of 2000 and was appointed as a regular member in June of 2001.

**Policy Issue**

Does City Council want to appoint Stephanie Bingham to serve on the Westminster Legacy Foundation Board of Directors based on the recommendation of the ?

**Staff Recommendation**

Appoint Stephanie Bingham to be a director of the Westminster Legacy Foundation. The term of the appointment to expire on 12/31/04.

**Alternative**

Council could reject the PRAB recommendation and ask that the Board submit another nominee.

**Background Information**

The Board of Directors of the Westminster Legacy Foundation is made up of five (5) positions that represent the City's interest in the activities of the Foundation. These five positions are appointed by City Council and include a City Council representative, the City Manager or his designee, a representative from the Parks and Recreation Advisory Board, a representative from the Library Advisory Board and a representative from the Open Space Advisory Board. To assist in getting the Westminster Legacy Foundation underway, Council also appointed the rest of the initial directors for the Foundation with the understanding that all future appointments, other than the five mentioned above, would be the responsibility of the Westminster Legacy Foundation itself.

Currently there are 18 individuals serving as directors for the Foundation. The City representatives include Mayor Nancy Heil; Parks, Recreation and Libraries Director Bill Walenczak; Ben Beaty from the Open Space Advisory Board and Dr. Marilyn Flachman from the Library Advisory Board. Dr. Flachman has also been elected to serve as the inaugural president of the Westminster Legacy Foundation.

Respectfully submitted,

J. Brent McFall  
City Manager



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001

**Subject:** Resolution No. 59 in Support of Adams County School District 50 Mill Levy Override

**Prepared by:** Emily Moon, Management Assistant

**Introduction**

The November 6th election will include an Adams County School District 50 proposal to override the existing mill levy to collect maximum additional revenues of \$3,600,000 in 2001 and, thereafter, \$5,950,000 annually for the purpose of improving student achievement, recruiting, developing and retaining quality, diverse staff, and rebuilding district operating reserves. Staff is requesting that City Council consider taking a formal position of support on the School District's issue at Monday night's City Council Meeting.

**Summary**

On August 28, 2001, the Adams County School District 50 Board of Education approved a resolution calling for a mill levy override by School District 50 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 School District's ballot issue 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 School District 50's ballot issue through adoption of the attached resolution?

**Staff Recommendation**

Adopt Resolution No. 59 which formally supports the Adams County School District 50 ballot issue pertaining to a proposed override of the existing mill levy to collect maximum additional revenues of \$3,600,000 in 2001 and, thereafter, \$5,950,000 annually for the purpose of improving student achievement, recruiting, developing and retaining quality, diverse staff, and rebuilding district operating reserves.

**Alternative(s)**

An alternative action would be to not take a position formally on the School District ballot issue or to formally oppose the issue. Based on the financial needs of School District, which are generated in part by inflation, a desire to implement improvements under the District's Strategic Plan, and a need to provide school resources for a growing Westminster, Staff believes that a position of support is warranted.

### **Background Information**

As part of the November 6<sup>th</sup> ballot, Adams County School District 50 voters will be asked to approve a financial issue that School District 50 has placed on the ballot. The ballot requests an override of the existing mill levy to collect maximum additional revenues of \$3,600,000 in 2001 and, thereafter \$5,950,000, annually for the purpose of improving student achievement, recruiting, developing and retaining quality, diverse staff, and rebuilding district operating reserves.

In July 2001, School District 50's Board of Education approved its Strategic Plan: 2001-2004 as a guide for future improvements. The Strategic Plan outlines the following objectives:

- Increase student achievement
- Recruit and retain personnel, with a focus on staff development
- Create environments that are conducive to learning
- Build partnerships that enhance learning opportunities and strengthen community
- Enhance accountability through ongoing communications.

Funds generated through the proposed mill levy override will be used to implement and support the School District's Strategic Plan.

The Adams County School District 50 General Fund mill levy rate in 2000 was 32.779 mills, excluding hold harmless provisions, voter approved bond issues and mill levy overrides. The School District is projecting a decrease in the 2001 General Fund mill levy rate to 29.748 mills, excluding overrides.

City Council has previously chosen to adopt a formal position regarding School District ballot issues. Staff is recommending support of this ballot issue. This extension will benefit the residents of Westminster by providing for improvements in student achievement and school resources.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **59**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

**CITY'S FORMAL POSITION ON ADAMS COUNTY  
SCHOOL DISTRICT 50 MILL LEVY OVERRIDE BALLOT PROPOSAL**

WHEREAS, Adams County School District 50 resides in Adams County, Colorado; and

WHEREAS, The City Council of Westminster does hereby recognize Adams County School District 50's commitment to educate the children of Westminster; and

WHEREAS, Adams County School District 50 has put into place a strategic plan requiring additional funds to support increased student achievement and the recruitment and retention of quality staff, as well as, rebuild the district's operating reserves; and

WHEREAS, November 6, 2001 is the election date at which ballot issues proposing increasing taxes for the purposes set forth herein may be submitted to the eligible electors of the District pursuant to TABOR.

NOW, THEREFORE, be it resolved that the City Council of Westminster supports the efforts of Adams County School District 50 and the mill levy override question to be proposed to the electors of Adams County, Colorado:

And, the City Council of Westminster urges all Adams County School District 50 voters to approve this ballot proposal.

Passed and adopted this 8<sup>th</sup> day of October, 2001.

ATTEST:

\_\_\_\_\_  
Mayor

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





**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

**Date:** October 8, 2001

**Subject:** Public Hearing and CB No. 63 re Collection Timing Requirements for school land dedication

**Prepared by:** Terri Hamilton, Planner III

### Introduction

City Council is requested to hold a public hearing and take action on the attached ordinance on first reading, implementing a revision to the Westminster Municipal Code regarding collection timing requirements for fees in lieu of School Land Dedication.

### Summary

On June 11, 2001, City Council adopted an ordinance implementing School Land Dedication requirements for new residential development in Westminster. New residential development is required to either dedicate land for public school sites or pay a cash-in-lieu of land dedication.

City Staff has been contacted by several residential developers who are encountering difficulty in re-financing their projects to incorporate the one time collection of cash-in-lieu at the final platting stage of their development. The projects affected are limited to those residential Official Development Plans that were in the development review process at the time the ordinance was adopted and are required by the existing ordinance to pay cash-in-lieu as a lump sum at time of final plat. The existing ordinance allows projects already platted to pay cash-in-lieu at time of certificate of occupancy for each lot or building.

City Staff is requesting that City Council revise the existing ordinance to allow those residential Official Development Plans that were in the development review process at the time of adoption of the initial ordinance, the option to pay required cash-in-lieu at time of final plat or on a lot-by-lot or building-by-building basis. Residential projects that have entered the development review process since adoption of the ordinance will not be affected by this change and will still be required to pay cash-in-lieu at the time of final plat.

The proposed revision to the existing ordinance also includes a minor housekeeping measure, regarding collection of cash-in-lieu fees for properties already platted, revising the time of collection from certificate of occupancy to that of utility permit.

### Policy Issues

The policy issue before Council is whether to amend the existing Municipal Code regarding the required payment process for cash-in-lieu of public land dedication for school sites.

### Recommendation

Hold a Public Hearing.

Pass Councillor's Bill No. 63 on first reading amending Title XI, Chapter 6, Section 8(E) of the Westminster Municipal Code

### **Alternatives**

1. Direct Staff not to alter the existing Code addressing cash-in-lieu payments for public school sites. This maintains the status quo, and provides needed finances to the School Districts in as early a manner as possible, thus allowing the School Districts the best opportunity to plan and finance new school land acquisition. However, this alternative is less sensitive to developers who were pursuing development in Westminster and were either unaware or had little time to react to this new development cost.

### **Background Information**

In June of 2001, City Council adopted an ordinance to require a separate land dedication requirement for new school sites. Under the new ordinance, if a school site location is not determined to be desirable, a cash-in-lieu of land dedication is then required, based upon established land values and student generation rates.

For un-platted properties, the City collects cash-in-lieu of school land dedication at time of final plat, which is also when the City collects cash-in-lieu of public land dedication, recovery fees and other development related monies. For properties already platted, the collection of this new cash-in-lieu fee was set to occur at time of certificate of occupancy for each lot, or building if there are multiple units. As a housekeeping measure, the revised ordinance is changing the time of collection from certificate of occupancy (C.O.) to that of utility permit, when water and sewer tap fees are collected, which occurs just prior to C.O. No other fees are collected at time of C.O. This housekeeping measure will reduce the number of times a developer or builder is required to pay various fees.

Since adoption of the School Land Dedication Ordinance, several developers who were in the development review process at the time the ordinance was adopted have approached City Staff. These developers expressed concern about re-financing their project, and noted that if they were able to have the option of paying this fee on an incremental basis, like those projects already platted, they would be able to incorporate this new cost with less impact. Although this would prolong the administration of collection of this fee by City Staff, as well as prolong the timeframe in which the School Districts also obtain these monies to purchase new school sites; City Staff supports the option of delayed collection, because this will apply only to those affected developments that were processing Official Development Plans in the Development Review Process at the time of adoption of the original School Land Dedication Ordinance.

A copy of the Official Development Plans that were in the Development Review Process at the time the School Land Dedication Ordinance was adopted is attached to this memorandum as an informational item.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **63**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

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A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER MUNICIPAL CODE PERTAINING TO DEDICATION OF LAND FOR PUBLIC SCHOOL SITES

WHEREAS, the City provides for the dedication of school land or fees in lieu thereof to help meet the infrastructure demands placed upon the City of Westminster and the Jefferson County School District R-1, Adams County School District 50, and Adams County School District 12 to adequately serve new residential development;

WHEREAS, the City oversees the dedication of school land or fees in lieu thereof;

WHEREAS, the City Council has determined that the timing of the collection of fees in lieu of land dedication should be revised for residential development that was in the City's Development Review Process at the time of the initial adoption of the ordinance pertaining to dedication of land for public schools;

WHEREAS, the City Council has determined that the timing of collection of cash-in-lieu fees not paid at time of final plat, is more appropriate to occur at the time of utility permit than that of certificate of occupancy;

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

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 11-6-8(E) of the Westminster Municipal Code is hereby amended as follows:

11-6-8(E): Land Dedication for Public School Sites (2876):

1. Scope and Application. In order to meet the infrastructure demands placed upon the City and the school districts to adequately serve new residential development, the owner of unplatted residential lots; the owner of existing platted but undeveloped residential lots; and the owner of undeveloped attached or multi-family dwelling units for which building permits are issued after the enactment of this ordinance, shall provide public school sites or fees in lieu thereof to reasonably serve the proposed subdivision or residential development.

a. The City Manager, in consultation with the specific school district, shall decide if the owner of unplatted residential property shall dedicate land or provide cash-in-lieu thereof. The City Manager, in consultation with the school district, shall determine the location of the land to be dedicated. On any Preliminary Development Plan and any Official Development Plan, land to be dedicated or cash-in-lieu of land dedication, shall be identified. For any residential properties with approved Official Development Plans or final plats on the effective date of this ordinance, a cash-in-lieu of land dedication will be required, based upon the methodology herein. For any building permit for a new residential unit issued after June 30, 2001 the fee will be collected by the City at time of issuance of ~~Certificate of Occupancy~~ THE UTILITY PERMIT for each unit or building consisting of multiple units.

b. Exemptions from requirement of and dedication for public school sites:

The following uses within the City shall be exempted from the requirement of dedication for public school sites:

1. Construction of any nonresidential building or structure;
  2. Alteration, replacement, or expansion of any legally existing building or structure with a comparable new building or structure which does not increase the number of residential dwelling units;
  3. Construction of any building or structure for limited term stay or for long-term assisted living, including, but not limited to, bed and breakfast establishments, boarding or rooming houses, family-care or group-care homes without students in public schools, halfway houses, hotels, motels, nursing homes, or hospices; and
  4. Construction of any residential building or structure classified as housing for older persons, pursuant to the federal fair housing act then in effect.
2. Methodology for determining dedication.
- a. The methodology for determining dedication of land or cash-in-lieu thereof and its supplementary background materials shall be as follows:

	Student Generation Rate Per Dwelling Unit			Total
	(Elementary K-5)	(Middle 6-8)	(Senior High 9-12)	
Single-Family Detached:	0.29	0.14	0.19	.62
Single-Family Attached:	0.15	0.08	0.1	.33
Multi-family:	0.04	0.02	0.02	.08
Group or family care with students:	to be determined on an individual basis			

School facilities requirements (site size in acres and facility capacity)

	<u>Acres</u>	<u>Capacity</u>
Elementary school:	10	480
Middle school:	25	950
Senior high school:	49	1,912

Land costs per acre (final platted but undeveloped)

Single-Family Detached	\$60,000
Single-Family Attached	\$60,000
Multi-Family	\$60,000

# Of Units X Student Generation Rate = Number of Students  
 # of Students ÷ Current Facility Capacity = Proportion of Facility Capacity  
 Proportion of Facility Capacity X Site Size in Acres = Acreage  
 Acreage X Land Cost Per Acre = Project Cash-in-Lieu Amount  
 Project Cash-in-Lieu Amount ÷ Number of Units = Cash-in-Lieu Per Unit

- B. The cash-in-lieu per unit is a fixed amount based on the type of unit:

Single-Family Detached	\$876
Single-Family Attached	\$468
Multi-Family	\$112

- C. The above fees and land values will be subject to annual adjustments to keep pace with the real estate market and land values.

3: Conveyance of dedicated land/cash-in-lieu.

- A. Any person or entity proposing residential zoning or development shall dedicate or convey land for a public school site. In the event that land is not deemed feasible or in the best interests of the City or school district, as determined by the City or school district, the City may require a payment in lieu of land dedication or a combination of both dedication and payment. The manner of dedication or payment (land dedication or payment in lieu) shall be as stated in this Ordinance and the incorporated methodology. This shall not preclude the City and school district, and any person or entity, from mutually agreeing to resolve the issue of dedication for public school sites in a manner other than as stated above. A credit or reduction of fee adjustment can be agreed upon for a developer or builder that is already involved in dedication and improving a school site at the time of subdivision.
- B. The City shall refer to the school districts all residential land development applications for review and comment concerning the number of students generated and the adequacy of public school sites and facilities. Land dedications for school sites shall be conveyed to the City of Westminster any time after preliminary development plan approval, by general or special warranty deed, or by dedication on the final plat, as determined by the City. Fees paid as cash-in-lieu of land dedication for unplatted residential properties shall be paid to the City of Westminster at time of final plat, WITH THE EXCEPTION OF THOSE RESIDENTIAL DEVELOPMENTS THAT WERE PROCESSING OFFICIAL DEVELOPMENT PLANS IN THE CITY'S DEVELOPMENT REVIEW PROCESS DURING THE MONTHS JANUARY THROUGH MAY 2001, AS DETERMINED BY THE CITY MANAGER OR HIS DESIGNEE. THESE SAME RESIDENTIAL PROJECTS, THAT ARE ALSO NOT REQUIRED TO DEDICATE A SCHOOL LAND PARCEL OR MEET EXEMPTION REQUIREMENTS SHALL HAVE THE OPTION OF PAYING THE REQUIRED CASH-IN-LIEU OF LAND DEDICATION AT TIME OF FINAL PLAT OR AT TIME OF ISSUANCE OF THE UTILITY PERMIT FOR EACH UNIT OR BUILDING CONSISTING OF MULTIPLE UNITS AS DESCRIBED IN 11-6-8(E) 3 C.
- C. The City will begin collection of cash-in-lieu for existing platted but undeveloped single-family lots, and single-family attached or multi-family buildings at the time of ~~Certificate of Occupancy (C.O.)~~ ISSUANCE OF THE UTILITY PERMIT for each lot or building. Collection will begin for these lots or buildings that obtain a building permit after June 30, 2001. The City will identify the collection of the cash-in-lieu, by school district and lot address.
- D. An Intergovernmental Agreement with each school district will be required, addressing details of school site coordination and development referrals, the methodology of collecting and dispersing the funds, conveyance of land, accounting and reports, and other matters, prior to release of land dedications or cash-in-lieu to the appropriate school district.

4: Criteria for Eligible and Ineligible Land: Prior to dedication conveyance of land, the City shall determine if any geological, environmental, or other studies are to be conducted by the owner. Such required studies must be reviewed and accepted by the City. Land dedicated for school sites shall meet the standards of both the school district and the City, but in no event shall the following land areas be considered to fulfill the requirements of the provision for public school sites:

Streams, gulches and lands within the 100-year floodplain (City Council may make exceptions to this requirement on a case by case basis);

Rights-of-way and/or easements of irrigation ditches or aqueducts;

Greenbelts, walkways, bikepaths, or equestrian trails;

Lakes, detention ponds, boggy lands or other bodies of water;

Steep or rugged land areas and those areas which exceed a five percent (5%) slope (City Council may make exceptions to this requirement on a case by case basis); and

Land areas that are hazardous for geological or environmental reasons, or sensitive wildlife areas (City Council may make exceptions to this requirement on a case by case basis).

5: Appeals: Appeals pertaining to the calculation of land dedication for school sites or cash-in-lieu thereof shall be made to the Planning Commission of the City of Westminster.

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 \_\_\_\_day of \_\_\_\_\_, 2001.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_day of \_\_\_\_\_, 2001.

ATTEST:

\_\_\_\_\_  
Mayor

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

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RESIDENTIAL PROJECTS IN THE DEVELOPMENT REVIEW PROCESS  
January-June 2001

Official Development Plans

Bradburn Mixed Use  
Bradburn Row Houses  
Bradburn Village  
Center of Hope  
Estates at Wexford  
Harmony Park  
Huntington Trails  
Maple Place  
Tuscany Villas at Ranch Reserve  
Summit Pointe



**WESTMINSTER**  
**COLORADO**

### Agenda Memorandum

**Date:** October 8, 2001

**Subject:** Resolution No. 60 re Adoption of 2002 City Budget

**Prepared by:** Barbara Gadecki, Assistant to the City Manager

### Introduction

City Council action is requested to consider adopting the 2002 City Budget in accordance with City Charter requirements. The attached Resolution to adopt the budget is based on Staff's understanding of the City Council discussions at the Budget Retreat and the various public hearings and public meetings on the Budget.

### Summary

Under City Charter provisions, City Council is to hold a public hearing on the proposed City Budget for the ensuing year and adopt it no later than the fourth Monday in October. A public meeting was held on June 11 and two public hearings were held on the proposed 2002 Budget on July 9 and August 27. A copy of the proposed 2002 Budget has been on file in the City Clerk's Office for citizen review since August 28 and the appropriate legal notices have been published in the official City newspaper.

The 2002 Budget reflects all City operations and services to be provided to Westminster citizens and businesses in 2002. This budget is balanced based on no tax increases or new taxes. This is the tenth year maintaining the City's mill levy at 3.65 mills.

The total 2002 Proposed Budget is \$129,710,610, excluding \$12,683,086 in reserves and \$2,300,000 in contingency accounts. This budget is based upon an estimated 800 single-family housing starts, which is a decrease from the estimated 2001 housing starts of 1,200.

A brief summary of the proposed 2002 City Budget follows:

- General Fund operating expenditures are budgeted at \$68,024,181 (excluding contingencies) which is an increase of 2.3% over the 2001 adjusted budget for operating expenditures (\$66,466,222).
- The General Fund is predicated on receiving a transfer payment from the Sales and Use Tax Fund totaling \$46,517,000, an increase of 3.3% over the 2001 transfer payment of \$45,022,000.
- The Contingency account is recommended at \$1,300,000 in the General Fund and \$1,000,000 in the Utility Fund. The General Reserve Fund is recommended at \$7,534,430 and the Utility Reserve Fund at \$4,697,184.
- The total number of full-time equivalent (FTE) staffing in 2002 is 875.724 FTE, a net increase of 12.5 FTE. Included in these figures is the recommended elimination of two indexed positions in the Open Space and General Capital Improvement Funds.



- In order to ensure reliable infrastructure throughout the City that accommodates continued growth, a proactive Capital Improvement Program (CIP) is recommended as a key component of the 2002 Budget. The total capital improvements proposed for 2002 is \$17,616,000. 100% of the recommended 2002 CIP will be funded on a “pay-as-you-go” basis. City streets and traffic improvements are recommended for 2002 at \$2,347,000; facilities and infrastructure improvements at \$2,860,000; park improvements at \$5,098,000; wastewater, water and stormwater improvements at \$7,311,000. This CIP reflects the City’s effort to focus on key capital priorities during the current economic slowdown. These expenditures compare to the 2001 Adopted CIP of \$52,677,000 (excluding the street widening/interchange improvements approved via the November 7, 2000, City ballot).
- City Council’s request for increased emphasis on traffic mitigation in neighborhoods will be addressed through the allocation of \$200,000 in additional funds from 2000 carryover funding and the carry forward of \$100,000 from current funding to 2002. Total funds available in 2002 for neighborhood traffic mitigation projects will be \$500,000, which is an increase of \$300,000 from the original amount budgeted.

### **Policy Issue**

Does City Council support the Proposed 2002 Budget with the City Council revisions as noted?

### **Recommendation**

Adopt Resolution No. 60 which sets the City mill levy at 3.65 mills and formally adopts the total 2002 City budget, including the staffing levels and the Five Year Capital Improvement Plan.

### **Alternatives**

City Council could direct Staff to reconstruct the Proposed 2002 Budget; however, the City Council is required to adopt a Budget for the following fiscal year no later than the fourth Monday in October. Therefore, Staff does not recommend reconstructing the 2002 Budget in light of the quickly approaching Charter deadline.

### **Background Information**

City Council Focus Areas: In March, City Council developed their focus areas for 2002. The focus areas are as follows:

- Continue to pursue fiscal integrity
- Focus on improving transportation
- Continue to attend to water supply and storage issues
- Enhance community public safety
- Emphasize growth management
- Focus on housing issues
- Preserve and enhance the City’s open space
- Strengthen efforts to revitalize south Westminster

The 2002 Budget includes funding for each of these key areas identified by City Council. The City will continue to pursue *fiscal integrity* by being more creative in finding ways to streamline service delivery and by changing how services/infrastructure may be provided and/or paid for as well as by identifying alternative methods/revenue sources to pay for such services, programs, facilities and infrastructure. Other items Staff is working on include a long-range financial plan and strategy for the General Fund; continued updates and modifications to the Utility Fund's long-range financial plan; and implementation of various productivity enhancements including technologies to make processing payments easier for customers and ensure prompt deposit of revenues.

The City will focus on *transportation* by working to reduce the congestion on U.S. 36 and streets within Westminster. This will be accomplished in part by pursuing partnerships with neighboring jurisdictions to improve transportation systems. The City will also begin construction of the 136<sup>th</sup>/I-25 Interchange, construct the 92<sup>nd</sup> Avenue/U.S. 36/Sheridan Boulevard Interchange, complete Sheridan Boulevard widening between 113<sup>th</sup> and 119<sup>th</sup> Avenues, complete the 112<sup>th</sup> Avenue widening (Sheridan Boulevard to Stuart Street), and undertake the intersection improvements at 104<sup>th</sup> Avenue and Sheridan Boulevard to improve traffic flow.

Westminster will continue to focus on *water issues* ensuring adequate water supply and storage. The City will protect its water quality, provide for necessary infrastructure in preparation for build-out, and meet water demands anticipated under the Comprehensive Land Use Plan in the most efficient and effective manner possible. Several items proposed in the 2002 budget further this goal, including the new Tap Fee/Water Conservation Incentive Program (approved mid-year 2001), an update to the Watershed Management Model, SCADA maintenance and consultation on optimization at the Big Dry Creek Wastewater Treatment Facility, Water Treatment Optimization Consulting Services and proposed funding for the New Water Treatment Plant operations that will come on-line during 2002. Several capital projects will also further this goal, such as construction of the Standley Lake Storm Water Interceptor, improvement to Little Dry Creek's Inflow and Infiltration, optimization and renovation of the Semper Water Treatment Plant, continued water purchases, Standley Lake dam improvements and installation/renovation of several of the City's waterlines at various locations. The City will also continue the operation, maintenance and improvement of the stormwater drainage system utilizing funds from new stormwater drainage fee created in June of 2001.

Westminster will also continue to focus on *public safety*. The City will improve community public safety with the commitment of sufficient resources to maintain adequate response times; the fair enforcement of ordinances, codes and laws; and the quality of service to the customer. The City will aim to provide positive activities for youth, focus on juvenile issues, and improve community emergency management. The City will be completing the new Public Safety Center in November of 2002 and initiate the relocation of Fire Station #2 as part of its effort to improve the Public Safety infrastructure in the community. The City is also proposing funds for the purchase of an additional Life Pak 12 Heart Monitor that is used on all EMS calls where a suspected cardio problem is encountered. The City is also proposing funds for a replacement ambulance and the lease/purchase of a seventh fire apparatus, which will coincide with the completion of the construction and relocation of Fire Station #2. The addition of 5.0 FTE Fire and Police personnel will assist in maintaining public safety service to residents and businesses.

The 2002 budget places a significant emphasis on *growth management*. The City will continue to assure that growth occurs in a manner that balances the pace of development with the City's ability to provide quality services and capital improvements. The City has several strategies for achieving this goal. As one of the strategies to meet this goal, the City is proposing funding for an update of Westminster's Comprehensive Land Use Plan (CLUP). Best practices call for updating the CLUP every five years; Westminster's current plan was prepared in 1996-97. Another strategy includes continuing to manage the rate, amount and timing of growth for residential projects through the City's Growth Management system. The City will cooperate with other public and quasi-public agencies for sound regional planning and development (such as the Denver Regional Council of Government's Metro Vision 2020 Plan). The City will retain and improve commercial and business development areas that provide significant

revenues or are employment generators. Lastly, the City will continue to promote programs to recruit new and retain existing businesses and provide sufficient strategically located land for new employment centers.

*Housing* has been established as a priority by City Council. The City will use the housing survey now underway to identify potential sites for income based housing and identify potential financing sources for possible public/private ventures (e.g., certificates of participation and Community Development Block Grant (CDBG) funds). The City will also identify funding possibilities for residents to utilize in acquiring homes (e.g. Colorado Housing and Finance Authority (CHFA), Housing and Urban Development (HUD), Habitat for Humanity, Community Reinvestment Act, banks, etc.) and utilize Requests For Proposals (RFPs) to identify and select partners to move the income-based housing program forward. Additionally, the City will implement new outside training for rental property owners as part of Rental Property Licensing Program. This program will help educate rental property owners on the best methods to manage and maintain their properties so as to preserve their value, safety, affordability and appeal to potential residents.

Preserving and enhancing the City's *open space* is another focus area. The City will continue to emphasize open space by progressing toward the City's overall goal of 15% open space through encouraging philanthropic land donations from private landowners, by converting publicly-owned land to open space when appropriate, and through strategic acquisitions. When the open space program inventory is combined with public parks and golf courses, 31% of the city's area amounts to preserved green space. Westminster's commitment to public green space and the open space program will serve to preserve the rich sense of spaciousness and lack of congestion which characterizes the City.

The City also wants to continue to focus on *revitalizing south Westminster*. The City will pursue several strategies to achieve this goal. The City will continue to focus on south Westminster redevelopment and continue to implement the south Westminster revitalization strategy, including the Career Enrichment Park (CEP) improvements, housing projects and pursuit of 2-4 redevelopment projects. The City will seek to improve the visual image of and accessibility to public facilities and property. The City will try to enhance the economic base of the neighborhood and provide appropriate funding and staff support to facilitate redevelopment activity. The design of the new library at 74<sup>th</sup> Avenue and Irving Street (replacing the current library on 76<sup>th</sup> Avenue) will be completed and park improvements at this site will be undertaken. Lastly, the City will work with Westminster Historic Society and identify a list of targets for historic preservation within south Westminster.

**Proposed Modifications in Service:** As discussed with City Council at a Study Session in June and again at the Budget Retreat in September, the revenue forecast for 2002 anticipates a lean year with limited revenue growth. As such, to meet service levels and address City Council and community goals for 2002, some modifications to current services are proposed with the 2002 Budget. The most significant modifications in the General Fund are outlined below:

#### Community Development Department

- Staff is proposing that the dues paid to the Adams County Economic Development Corporation (ACEDC) be reduced from their annual request of \$19,100 to \$9,100 in the Economic Development Division budget. The City of Westminster is currently an active member of both the ACEDC and the Jefferson Economic Council (JEC) since the City is located in both counties. The funding formula utilized by ACEDC traditionally has the City paying a higher portion of annual dues. The City's dues to the JEC are currently \$8,550. With a tighter revenue picture for the City, Staff believes the additional \$10,000 is better utilized on other services, such as focusing on business retention internally and redevelopment in south Westminster and citywide, while maintaining a more equitable financial participation in both groups. Staff believes that this reallocation is in the best interest of the City.

Public Works & Utilities Department

- In the Infrastructure Improvement Division, the total funding for street maintenance is primarily staying at the current funding level but based on the increased costs of materials, the level of service is being impacted. (The 2001 budget is \$2,820,000 and the proposed 2002 budget is \$2,803,851.) The anticipated 5% increase in inflationary costs for street maintenance materials (resurfacing, sealcoating, and crackfiller) will affect the number of lane miles of streets maintained.
- Also proposed is a reduction in the number of times the City holds the Clean-Up Program in which large household items (such as furniture, drywall, tires, etc.) are collected at curbsides throughout the City (more commonly known as the Spring and Fall Clean-Ups). This program has continued to increase in landfill costs for the past four years, increasing 88% from 1997 (from \$35,255 in 1997 to an estimated \$77,000 in 2001, exclusive of Staff costs). Staff is proposing that this program be offered only once per year in the spring, as the Spring Clean-Up continues to be the more popular clean-up. Staff has inquired with eight cities in the Denver metro area. Six offer a free roll-off (i.e., a *centrally located* trash container) or one curbside pickup; two do not have any trash collection program; and none offer two curbside pick-up programs per year as Westminster does.
- In the Street Division, Staff is proposing that the contractual street sweeping program be reduced by one month. As inflation continues to increase and the curb miles within the City grow (e.g., extension of Federal and Westminster Boulevards), the curb mileage costs to sweep have increased while the funds available to sweep are limited. Staff is proposing that one month of summer sweeping be eliminated to meet other needs within the City. Staff believes that eliminating one summer month will have a minimal impact on the overall quality of the street sweeping program.
- The Street Division is proposing to maintain approximately the same funding level for street failure repair and the In-house Rehabilitation Program as 2001 for 2002 in order to address other City needs. However, because of increasing asphalt costs from Denver area suppliers, the amount of lane miles to be maintained will be reduced. The 2001 low bid for asphalt increased from \$19.75/ton to \$25.05/ton. The suppliers have attributed the price increase to increases in their operating expenses. This price increase will result in a decrease from ten lane miles to seven lane miles being repaired in 2002.

**Staffing:** The 2002 City Budget includes a net increase of 12.5 full-time equivalent (FTE) positions to support the services currently provided to the citizens of Westminster. The largest increases in staff are for the Fire Department (2.0 FTE Firefighters and 1.0 FTE Plans Examiner/Inspector); the Police Department (2.0 FTE Police Officers); Parks, Recreation & Libraries (0.6 FTE Library Associate, 0.4 FTE Library Page, 1.0 FTE Crewleader and 1.0 FTE Parkworker (both funded in the General Capital Improvement Fund from Jefferson County Open Space Attributable Shares); Community Development (0.5 FTE GIS Specialist, 1.0 FTE Planner II (funded through the Westminster Housing Authority), and 0.5 FTE Secretary (funded by Community Development Block Grant moneys); and Public Works & Utilities (1.0 FTE Senior Engineer and 1.0 FTE Utility Technician). Other new staff is recommended in General Services (0.5 FTE Clerk Typist II); Finance (1.0 FTE Accounting Technician); and Information Technology (1.0 FTE Systems Analyst). Two indexed positions associated with bond issues are being eliminated in the Open Space (1.0 FTE Open Space Acquisition Agent) and General Capital Improvement Funds (1.0 FTE Senior Civil Engineer), thus netting out to an increase of 12.5 FTEs.

**Special Features of the Proposed Budget:** Overall, the economic outlook for Westminster in 2002 and 2003 is a healthy but slowing one, with a strong retail base and prudent fiscal planning. However, to ensure that Westminster's healthy economic outlook and current level of quality municipal services are not taken for granted, City Staff is proposing specific measures and monitoring to protect the City's level of prosperity and expected high quality services. One key measure being proposed is the Phased Spending Plan.

*Phased Spending Plan* - City Council and Staff are continually working to be fiscally prudent. This prudence is especially important in 2002 in recognition of the growing economic competition in the northwest Denver metro area. The Phased Spending Plan is proposed as an additional safeguard in being fiscally responsible in this dynamic, evolving economy. The phased spending plan will be based on reaching established revenue levels prior to hiring designated new staff, awarding certain contracts, and purchasing identified replacement capital outlay items in 2002.

It is important to point out that the Phased Spending Plan is in addition to other measures included in the 2002 Proposed Budget to protect the City's financial integrity. These include budgeting \$1.3 million in contingency funds and increasing the General Fund Reserve Fund by 16.8%.

A total of \$1,011,390 in enhancements and capital outlay replacements in the 2002 Proposed Budget are included in this Phased Spending Plan. The proposal includes setting periodic revenue benchmarks. The Phased Spending Plan is based on meeting year-to-date General Fund revenue benchmarks based on more than ten years of monthly revenue collection history. The concept is based upon basic benchmarking – if the revenue collected by the established periodic dates (February 5, April 20, July 20 and October 20) meets or exceeds anticipated revenue, then those items identified on the list that follows will be “released” or available for Staff to implement (i.e., hire staff, award contracts, etc.). Items are listed in the approximate order to be released (i.e., an item at the top of the list within a specific period would be the first to be implemented). The revenue benchmarks are tied to the total revenues collected in the General Fund. Details of the Phased Spending Plan, including the itemized list of enhancements and capital outlay replacements, may be found in the Proposed Budget Document on file with the City Clerk.

**Citizen Requests:** At the various hearings on the 2002 proposed budget, several residents either requested information about City projects or asked that City Council consider providing funds for specific City program and projects.

City Council had the opportunity to review these requests in more detail at the Budget Retreat and, where appropriate, funds have been included in the 2002 Budget to address these projects. A summary of the requests addressed follows:

*1. 106<sup>th</sup> Avenue (Kipling Street to Oak Street) Improvements (Requested at June 11 Public Meeting):* Mrs. Pat Crossen and several of her neighbors requested roadway, sidewalk and traffic mitigation improvements on the portion of 106<sup>th</sup> Avenue located between Kipling Street and Oak Street. Because of the lack of sidewalks, children walking to Witt Elementary School via 106<sup>th</sup> Avenue walk on the unpaved, south shoulder. During wet weather when the shoulder is muddy, the children migrate to the edge of the asphalt, creating a potentially dangerous situation.

A developer installed this collector-sized street within Countryside Subdivision over twenty years ago. The developer provided a curb and gutter (but not a sidewalk) along the north side of 106<sup>th</sup> Avenue as it abuts residential lots. He was not required to install a curb, gutter or sidewalk along the south side of the street because all of the adjacent property is City-owned open space and/or parks. Despite the absence of a curb and gutter along the south side of the roadway, this portion of 106<sup>th</sup> Avenue is sufficiently wide to serve as a collector street. Drivers tend to exceed the speed limit on this stretch of road. Earlier this year, the City installed a “soft” trail well off of the south edge of 106<sup>th</sup> Avenue within the adjacent open space land in order to accommodate pedestrian traffic that might travel toward Witt Elementary School from the east. This trail will remain useful even after the south edge of 106<sup>th</sup> Avenue is eventually “finished” with a curb, gutter and a sidewalk. However, the presence of a drainage ditch and a ball field near Oak Street did not allow for the installation of this “soft” trail to the west. Therefore, enhanced pedestrian facilities are still needed.

The request from the neighborhood to include traffic mitigation measures with the design of the completion of the south side of 106<sup>th</sup> Avenue has delayed Staff's ability to provide City Council with construction cost estimates at this time. City Staff agrees that traffic mitigation devices would assist in slowing down traffic in this vicinity. The adopted policy regarding the implementation of traffic calming devices defines a structured process where an advisory committee comprised of affected residents offers suggestions to City Staff on the types and locations of mitigation tools to be used. This process is necessary due to the great differences in opinions that citizens have concerning the need and effectiveness of the various traffic calming devices. For the 106<sup>th</sup> Avenue corridor, this public input process has not yet been completed.

Staff recommends that \$50,000 be appropriated in the 2002 General Capital Improvement Fund for the preparation of construction drawings that would address the completion of the south edge of 106<sup>th</sup> Avenue (i.e., curb, gutter and sidewalks) between Kipling Street and Oak Street as well as the installation any traffic mitigation measures that may be appropriate for this stretch of roadway. In conjunction with this design work, Staff would complete the public input process to determine what, if any, traffic calming devices should be included within the design of the street improvements. It is anticipated that this work, including the preparation of construction cost estimates, would be completed in time for City Council's consideration of funding for the installation of the improvements during the 2003 budget process. Funds have been included in the proposed 2002 Capital Improvement Program (CIP) for the design and construction drawing phase.

2. *Oakhurst Park Concrete Path (Requested at June 11 Public Meeting):* Mr. Dar Vriesman approached City Council with a request for an additional concrete path to be located within Oakhurst Park. Trail systems currently exist within much of this park, which is located to the northwest of the Covenant Village Retirement complex a few blocks west of the intersection of Wadsworth Parkway and 92<sup>nd</sup> Avenue. However, no paved path is available along the particular route that was identified by Mr. Vriesman.

City Staff observed evidence (i.e., worn grass) that residents of Covenant Village and other nearby neighborhoods frequently use the subject route. Staff agrees that a paved surface would be desirable. The estimated cost is \$26,000 to install an eight-foot wide concrete trail along the approximately 750-foot long route that was requested by Mr. Vriesman.

It is Staff's recommendation that the project be included in the CIP under the Park Improvement Program and initiated in 2002. Funds are included in the Park Improvement Program to address this request.

3. *Bike Lanes (Requested at June 11 Public Meeting):* Mr. Cliff Shoemaker addressed City Council regarding his desire for bicycle lanes along major streets throughout the City. To date, the City has not included such lanes in the construction of arterial streets due primarily to cost considerations and the lack public outcry for these facilities.

The most recent information from the Denver Regional Council of Governments (DRCOG) shows that only two to three percent of the region's workforce travels to work via bicycles. The approximate cost to widen an arterial roadway by the additional eight feet (four feet on each side of the street as recommended within the American Association of State Highway Transportation Officials) to accommodate bicycle traffic would be \$65 per lineal foot. This cost estimate is based on the following assumptions:

- a. Average right-of-way costs (which can vary greatly) are \$5.00 per square foot.
- b. The additional rights-of-way would be realistically available (e.g., no structures would have to be condemned).
- c. These lanes would be provided in conjunction with budgeted arterial street widening projects and not as "stand-alone" projects.

The costs to retrofit existing arterial streets to provide bike lanes would be astronomical. Retrofit projects would also be undesirable because of the likely need to destroy landscaping within the amenity zone (i.e., the area between the curb and the right-of-way boundary). They would also reduce the width of existing sidewalks and/or reduce building setbacks in order to squeeze the additional asphalt width into the roadway cross-section.

Using the unit cost defined above, the additional cost to provide bike lanes on the upcoming Sheridan Boulevard widening project between 113<sup>th</sup> Avenue and 118<sup>th</sup> Avenue, for example, would be approximately \$243,000. Again, in this particular case, an extremely expensive retrofit to extend the bike lanes to logical termini at 112<sup>th</sup> Avenue and 120<sup>th</sup> Avenue would also be necessary.

Because of these large estimated expenses, Staff does not recommend that the City embark upon such a program. Instead, the City should continue to provide eight to ten foot wide sidewalks along our arterial streets and strive to complete the City's expansive trail system while acknowledging that these types of paths are more conducive to recreational bicycling than commuting. In addition, the City will continue to play a significant role in the current intergovernmental effort to coordinate bike trail planning along US 36.

4. *74<sup>th</sup> Avenue Improvements (Requested at June 11 Public Hearing):* Mr. Carl Walzak asked for intersection enhancements at 74<sup>th</sup> Avenue/Federal Boulevard and, specifically, for improvements to a cross-pan at the west leg of this intersection.

Since the date of the first public meeting on the 2002 budget when this request was presented, a Department of Public Works and Utilities crew patched some potholes that had developed in the asphalt immediately adjacent to this cross pan which, undoubtedly, improved the rough ride that had been experienced by Mr. Walzak and other motorists.

One option to incrementally improve the ride across this cross-pan would be to widen the pan from its current, narrow width to eight or ten feet. Due in large part to traffic control expenses that would be incurred at this busy intersection, the approximate cost to install a wider pan would be \$20,000. This option is not recommended because a "dip" of some degree would still remain at this location, so a significant investment of City funds might be viewed as gaining only a relatively small benefit. Unfortunately, further efforts to completely remove the "dip" at this pan would require the installation of an underground storm sewer system (i.e., curb inlets and an outfall pipe) that would preclude the need for the cross pan. Such a storm sewer system would logically be included in the design for the larger project mentioned above – intersection improvements at 74<sup>th</sup> Avenue/Federal Boulevard.

In previous years, City Staff has seriously considered the presentation of a budget request of several hundreds of thousands of dollars to City Council for the funding of an intersection project at this location, but other transportation infrastructure needs throughout the City have been viewed as higher priorities. Again, this year, Staff believes that there are other, more pressing needs in the City to attend to at this time, and therefore does not recommend either of the mentioned modifications to this intersection. Staff will continue to monitor this cross-pan to minimize asphalt deterioration.

5. *Westminster Spotlight Theater Request (Requested at August 27 Public Hearing):* Mr. Patrick Payne of the Westminster Spotlight Theater attended the August 27 City Council meeting to request \$6,000 in funding for 2002. Mr. Payne made a brief presentation to City Council, describing the Westminster Spotlight Theater's (WST) needs for the upcoming year. The Spotlight Theater is planning to expand to three theater productions in 2002 from two offered during 2001.

City Council typically receives requests of this nature throughout the year. These requests are presented to City Council for approval as they are received. Upon approval, such requests are funded through City Council's Special Promotions account, of which Council receives updates on what organizations have been funded and at what level. In 2002, \$17,700 is proposed in the City Council Budget for funding

Special Promotions. In 2001, City Council contributed \$4,650 from their Special Promotions account to the Westminster Spotlight Theatre.

Staff recommends utilizing City Council's Special Promotions account again in 2002, should Council decide to fund WST. Council should recognize that funding WST at the full amount requested would utilize approximately one-third of their total special promotions account for 2002. As noted by Councillor Moss at the public hearing, the organization has a carryover of approximately \$4,000 in funds. Per City Council's direction, Staff will notify Mr. Payne that he should submit an application with City Council in January for funding from their Special Promotions account.

6. *Small Business Sales Tax Rebate Program (Requested at August 27 Public Hearing):* Ms. Flora Cardenas attended the August 27 City Council meeting to request the creation of a Small Business Sales Tax Rebate program for 2002. Mrs. Cardenas made a series of brief remarks to City Council, describing the hardships her florist business had faced, which she felt were due to a combination of the state's economic slowdown and negative impacts from the City refurbishment of stormwater drainage systems along 80<sup>th</sup> Avenue. Ms. Cardenas believes that a Small Business Sales Tax Rebate program would help local small businesses that are impacted by City construction projects and other factors.

Staff has conducted preliminary research into this issue. It appears that, while the construction of storm drainage improvements may have had a slight impact on Ms. Cardenas' business, the recent opening of a direct competitor in close proximity to her store on September 1, 2000, in combination with the local economy's slowdown, is the likely cause of Ms. Cardenas' difficulties. Staff would also note that the improvements made along 80<sup>th</sup> Avenue directly benefit businesses such as Mrs. Cardenas'. A Small Business Sales Tax Rebate program would set a significant precedent that many local businesses would expect an equal opportunity to take advantage of. The establishment of such a rebate policy could have significant impacts on the City's ability to continue to provide the services that these businesses have come to expect from the City.

Staff does not recommend implementing a Small Business Sales Tax Rebate program.

**Individual City Council Inquiries/Requests Regarding the Proposed 2002 Budget:** During the last few months, Staff has reviewed the highlights of the proposed 2002 Budget with City Council. During these reviews, and some separately from these reviews, individual City Council members have expressed interest in various items for Staff to conduct additional research for City Council. This Staff Report includes those items brought to Staff's attention to date by City Council and the research conducted.

1. *Cost of Utilizing a Roll-Off Program Rather Than Eliminating the Fall Clean-Up* – Councillor Tim Kaufman requested that Staff provide City Council analysis of replacing the Fall Clean-Up with a Roll-Off trash collection site versus eliminating the Fall Clean-Up.

Since 1977, the City of Westminster has offered its residents a biannual cleanup program wherein residents can dispose of items not normally picked up by their local disposal trash companies. This program has always been performed during the last two full weeks of April and October. The program is organized by the Street Division and assisted by the Utilities Division. This popular program currently requires 28 employees, 4 front-end loaders and 18 dump trucks. The budgeted funds in the Street Division budget only includes the landfill and some equipment rental charges, with the Staff and other equipment charges being "soft" dollars and therefore not factored into the total cost of the biannual trash cleanup program.

The Department of Public Works and Utilities is recommending the biannual cleanup program be decreased to one time per year since the four weeks per year has an impact on the Street and Utilities Divisions workload. For example, asphalt repairs and water line replacement projects are put on hold until the cleanup program is completed. These projects are further delayed when unexpected storms hamper the cleanup process and extra days are spent trying to catch up.



If City Council directed Staff to proceed with the fall trash container roll-off, Staff would implement the program by administering it on a weekend with 16-30 yard containers at eight locations throughout the City on City-owned properties. Two Department of Public Works and Utilities employees would staff each location to verify City residency, assure that no hazardous materials are dropped off, and manage the dumping and site housecleaning of the program.

The drop off would be available to residents from 8:00 a.m. to 4:00 p.m. and the container would be placed early Saturday morning and picked up Saturday night and replaced on Sunday morning and picked up Sunday night. The containers would not be left overnight to avoid any midnight dumping of hazardous materials.

The estimated costs to implement this new approach to the cleanup program is as follows:

16 containers for two days (32 x \$310)	=	\$ 9,920
16 employees for two days (32 x 10 hours @ \$25/hour)	=	<u>\$ 8,000</u>
TOTAL		\$17,920

The program would be scheduled to last for 8 hours, but the employees would have to work 10 hours to allow for the containers to be dropped off and picked up. Overtime pay would be required for this program since it would be delivered on the weekend and outside normal business hours, in compliance with the Fair Labor Standards Act.

In comparison to the traditional fall cleanup program, which is estimated to average \$20,000 for landfill charges, the overall net savings by using trash container roll-offs is approximately \$2,100. Payroll and other equipment charges are not included in the traditional fall cleanup program since they are soft dollars and would be paid regardless of the traditional fall cleanup program, whereas the same costs associated with the roll-off program are noted since they would be in addition to the traditional work week.

Based on this analysis, Staff did not recommend implementing a roll-off program in place of a second trash cleanup during the year. Staff recommended eliminating the Fall Cleanup. City Council concurred with this recommendation for 2002 but requested that this item be revisited when reviewing the 2003 Proposed Budget.

2. *Refurbish the Volunteer Fire Truck* – Councillor Butch Hicks requested that \$5,000 be allocated to refurbish the Fire Department’s Volunteer Fire Truck that is used at public events as a parade unit such as the Pride Day picnic and Santa Claus visits during the holidays.

Staff had Fleet Maintenance evaluate the truck to identify what would need to be done if City Council decided to refurbish this equipment and provide an estimate of costs.

Staff’s evaluation identified that if the vehicle were refurbished, the cost to do so (i.e., replace the tires and wheels, increase the seating capacity, and paint and repair the body) is approximately \$6,450.

While Staff appreciates the possibility of refurbishing this parade unit, Staff believes that funding such a request at this time may not be appropriate given other more pressing priorities within the Fire Department and therefore did not recommend funding this item. City Council concurred with this recommendation, suggesting that maybe other volunteer or fundraising opportunities may be more appropriate to refurbish this piece of equipment.

3. *Additional Historical Markers in 2002* – Councillor Ed Moss requested that funds be allocated in the budget for an additional six historical markers to be developed and installed in 2002.

The City is currently developing a historical marker program and identified ten items (i.e., community leaders, historic places, and noteworthy events) for a first phase. The 10 plaques for the first phase program would be placed in original Westminster in the area bounded by 68<sup>th</sup> and 84<sup>th</sup> Avenues and Zuni

Street and Sheridan Boulevard. The objective behind historic plaques is to increase public awareness of historical information about the Westminster community and also to celebrate those pertinent historical events, individuals and accomplishments.

Due to transition of staff, this project was temporarily put on hold until Emily Moon, the new Management Assistant, was hired in the City Manager's Office. Ms. Moon will take on the project and proceed with working with a graphic artist on the design of the markers. Per previous discussions with City Council, this item will be brought back to City Council later this year for contingency funding (currently projected to be in a range of \$15,000 - 25,000 for design, construction and installation) and authorization to proceed.

Staff recommended utilizing \$10,000 to \$15,000 of contingency funds in 2002 for an additional six historical markers to the original ten identified.

City Council directed Staff to bring back a contingency fund transfer in 2001 for \$30,000 to allow for this project to move forward and not adjust the 2002 contingency funds; City Council agreed that the \$30,000 is sufficient to fund historical markers in 2001 and 2002. Staff will bring the contingency fund transfer request back to City Council in a separate agenda memorandum for Council action.

4. *Adams County District 50's Level of Funding for the Career Enrichment Park (CEP)* – Councillor Herb Atchison inquired about what commitment the City had received from Adams County District 50 to appropriate funds for improvements at the CEP.

The City and District 50 entered into an agreement to work together to improve the facilities and grounds of the Career Enrichment Park (CEP), located at Lowell Boulevard and 72<sup>nd</sup> Avenue. Following adoption of the agreement in 1999, the District expended about \$1.8 million to improve the interiors of the "North Mall" and "ACE" buildings, and another \$200,000 to replace the building's exterior windows. Following completion of these improvements, the District is now working with the City to initiate improvements to the grounds. An improvement plan was prepared and approved by both the City and District in 2000.

The grounds of the CEP are to be improved in five or more phases, depending on availability of funds. Phase One improvements are scheduled to begin in early 2002 and be completed by the end of the summer 2002. Phase One improvements include the removal of an existing tennis court, creation of an entry-drive off of 72<sup>nd</sup> Avenue, and parking and landscaping improvements between the DeSpain and ACE school buildings. It is anticipated that these improvements will be completed by the end of the summer 2002, at which time improvements would begin to Phase Two of the project creating a passive-use park along Lowell Boulevard. The total cost of completing Phase One and Phase Two is about \$500,000, of which about \$300,000 applies to development of a community park.

Following approval of the plan, City Council and the District Board discussed implementation of the plan, particularly as it pertained to funding the improvements. General agreement was reached that both the City and District would share in the costs of the improvements to the CEP on a gradual basis as funds were available. Due to its limited capital finances, the District indicated that most of its support would come in the form of in-kind services, whereby their personnel would perform work as applicable.

Financial support for these initial phases is proposed to come from the District, the City, and other grant sources. The District intends to provide the following level of support to these initial phases.

Cash	\$ 30,000
In-Kind	\$150,000 (based on consultant itemized cost estimates)
<u>Grants</u>	<u>\$100,000</u> (application has been submitted to Adams County Open Space)
Total	\$280,000

In-kind services would include demolition and removal of concrete, sod and structures and installation of sod and landscaping material; Adams School District 50 would provide the labor to conduct the work noted. These services will reduce the amount of work that would need to be bid out. This comparable level of funding (i.e., \$150,000 in-kind services, \$30,000 cash and \$100,000 grant) is proposed to be based on the informal agreement reached between the District Board and City Council at a dinner meeting held in 2000 with cash contributions to be made by the City of Westminster and obtained through other grant sources. The City currently has \$100,000 set aside in a CIP account to be used in conjunction with the project (funded in 2000 and 2001).

Upon completion of these initial phases, the City will benefit from the creation of a community/city park, although located on District property. In addition, the District will assume responsibility for maintaining the park for use by City residents.

Given Council and Board authorization, City and District staff began working with a consultant to prepare construction drawings for Phase One improvements. Staff expects plans to be completed by the end of the year, with improvements anticipated to commence early next year. Plans for Phase Two are scheduled to begin in March, with improvements possibly beginning in the fall 2002. The combined cost of Phase One and Two improvements is estimated at about \$500,000. The District's contribution to these Phases is estimated at about \$280,000 at this time, primarily supported by in-kind work and a grant.

Staff recommended funding \$50,000 for the CEP Master Plan Implementation as proposed in the 2002 Capital Improvement Program; City Council concurred.

5. *Funding Levels for the Neighborhood Traffic Mitigation Program* – Several Councillors inquired about the level of funding for this Capital Improvement Program (CIP) and requested that Staff evaluate funding this project at a higher level than the \$200,000 included in the Proposed 2002 Budget.

The Neighborhood Traffic Mitigation program was initiated in the fall of 1997. The Northpark subdivision, completed in the fall of 2000, was the pilot project for neighborhood traffic calming and used as the City's test case in handling these requests. During the development process utilized whereby residents affected by the potential traffic mitigation are involved in the identification and selection of mitigation devices, it became evident to Staff that the cost of each device would make it cost prohibitive to implement complete traffic mitigation programs in more than one or two neighborhoods per year. As such, City Council concurred with Staff's recommendation to focus on providing traffic mitigation efforts throughout the City in step increments, allowing more neighborhoods to have some relief from what they have identified as areas needing the most mitigation.

The adopted policy regarding the implementation of traffic calming devices defines a structured process where an advisory committee comprised of affected residents offers suggestions to City Staff on the types and locations of mitigation tools to be used. This process is necessary due to the great differences in opinions that citizens have concerning the need and effectiveness of the various traffic calming devices.

In addition to the fact that citizens may not always agree on traffic mitigation needs, another issue that must be kept in mind is the impact such devices may have on public safety response times and the wear-and-tear such devices have on fire apparatus and patrol vehicles. Concern has been expressed regarding the Neighborhood Traffic Mitigation program's impact on public safety, specifically response time in an emergency situation. The impact on public safety must also be taken into consideration when considering possible traffic mitigation solutions.

The current traffic mitigation account has a balance of approximately \$400,000. This balance has accrued during the last few years as a result of the amount of time needed to have the resident involvement in identifying traffic mitigation needs and resolutions. Staff is currently working with 30 neighborhoods in identifying traffic mitigation needs and resolutions. Staff anticipates that it will utilize the majority of these funds with the installation of 14 traffic mitigation devices in 8 neighborhoods by year-end. Staff

anticipates that an additional 5 neighborhoods will receive 5 traffic mitigation devices in 2002 with the \$200,000 proposed in next year's Capital Improvement Program (CIP).

Staff recommended appropriating additional funds for this program in 2001, rather than reducing or eliminating another proposed project in 2002, by utilizing un-appropriated carryover funds from 2000. Staff plans to bring forward the balance of 2000 carryover funds to City Council for appropriation in 2001 for Capital Improvement Projects within the next month. City Council concurred with Staff's recommendation to bring back the 2000 carryover appropriation including an additional \$200,000 for the Traffic Mitigation program in 2001. The additional \$200,000 in carryover to be appropriated this year, plus the \$100,000 currently unassigned within the Traffic Mitigation program, plus the \$200,000 recommended in the 2002 CIP will bring the total available in 2002 for the Traffic Mitigation program to \$500,000.

6. *Adopt-A-Street/Trail Sign Replacement Program* – Councillor Ed Moss inquired about the City's protocol on Adopt-A-Street and Adopt-a-Trail sign replacement and inquired if additional funds were needed for these sign programs.

The Adopt-A-Street sign program is managed by the Street Division of the Public Works & Utilities Department. The sign shop has a replacement program for street signs, including the Adopt-A-Street signs, that replaces the signs every six years. The City is divided up into twelve areas and two areas' signs are replaced each year. Additionally, if they are informed of or see a sign that has been vandalized or is badly deteriorated, they will replace the sign.

The Adopt-A-Trail sign program is managed by the Park Services Division of Parks, Recreation & Library Department. The signs located by City parks and trails are currently rehabilitated or replaced on an as needed basis. If a Staff member or resident notifies the City that a sign has been vandalized or is badly deteriorated, then Parks Division Staff works to clean, rehabilitate or replace the sign.

At this time, Staff believes that the funds proposed within the 2002 budget are sufficient to meet both the needs of the Adopt-A-Street and Adopt-a-Trail programs and did not recommend changing the current funding level of either. City Council concurred with Staff's recommendation.

**Miscellaneous Council Topics:** At the September 15<sup>th</sup> Budget Retreat, the City Council discussed a few capital projects and miscellaneous budget issues. A summary of the items addressed follow:

1. *Employee Education Tuition Reimbursement Program* – Councillor Atchison inquired about the City's current education reimbursement program and how it compared against similar private sector programs. He recommended that Staff revisit this program and evaluate increasing the reimbursement to be more competitive with the private sector and take into account the rising costs of higher education.

The City has available to full-time and part-time benefited employees a Tuition Reimbursement Program that they can use for supplemental educational funding that is part of the City's fringe benefit package. This funding, which the Deputy City Manager for Administration allocates, is intended for use by employees in their personal career development. Acceptable education programs include: accredited college courses; high school degree and GED courses; vocational, technical and trade school courses; and college certificate programs. Job specific skills training, informational seminars and conferences remain the responsibility of each department. Recreational and leisure courses are excluded from this reimbursement program. The Deputy City Manager for Administration or his designee monitor both the funding and the requests submitted by employees to ensure that they meet the requirements stated in the Administrative Memorandum.

A second opportunity for employees for tuition reimbursement is to obtain funds for training is through their departments. Monies allocated for upgrading employee skills, which are directly related to employees carrying out their specific job tasks, must be approved by the department head and funded

from department activity accounts. Each City department/division annually budgets a predetermined amount of funds in their Career Development account to enable certain employees to attend out of state conferences. Any unclassified employee who would normally utilize these funds to attend an out of state conference may, in lieu of attending the conference, request to receive all or a portion of these funds as tuition reimbursement for accredited college degree or certificate program classes that are pertinent to the employee's current position or future career development.

Per City Council's request, Staff researched Mountain States Employer's Council (MSEC) for survey information on private industry. MSEC only does a survey on the Tuition Reimbursement once every other year. They did so in 1999 and will be doing another one in a couple of months. Current data shows:

- 69% of the 320 Denver/Boulder companies surveyed provide some type of education reimbursement for courses.
- The figures below relate to the 69% of the companies that provide a tuition reimbursement benefit:
  - 85% of that group require the education is job related; 59% career or business related; and 50% degree requirement
  - 66% require you are employed at least 1 year
  - 24% have no limit on the reimbursement
  - 14% pay less than \$1,000
  - 10% pay up to the \$5,250 tax-free limit
  - 46% pay \$1,000 or more (the average in this group \$2,474)

Based on this information and the direction from City Council, Staff is proposing a phased increase in the City's education reimbursement program. Staff proposes that the reimbursement increase from the \$1,000 per full time employee per year to \$1,250 in 2002 and to \$1,500 in 2003 (the benefit is pro-rated for part time employees). Staff has adjusted the Department of General Services' Organizational Support Services Division budget to reflect this change. In 2002, the education reimbursement program was increased by \$7,500 and in 2003, an additional \$7,500 (a total increase in 2003 of \$15,000) to accommodate the change in the reimbursement levels. Funds were reallocated from the Central Charges budget for other contractual services in both years.

2. *Human Services Board Recommendation Modifications* – City Council reviewed the Human Services Board (HSB) recommendation for funding of outside agencies requesting support for their services to Westminster residents. City Council concurred with the HSB's recommendations except for one group, and therefore modified the HSB's recommendations as follows (these changes have been incorporated into the final budget):

<b>Agency</b>	<b>HSB Recommendation</b>	<b>City Council Revised</b>
CAAT	\$1,000	\$5,000
Alternatives to Family Violence	\$23,000	\$21,000
Exempla Healthcare (Lutheran Hospice)	\$8,000	\$7,000
Hospice of Metro Denver	\$10,000	\$9,000

3. *Public Works & Utilities Department Proposed New Staff in 2003* – Councillors Hicks and Atchison expressed concern about adding 0.5 FTE Special Projects Coordinator in 2003 in the Public Works & Utilities (PW&U) Department, Administration Division, in light of the retirement announcement of the current Rocky Flats Coordinator, Mary Harlow.

Staff discussed with City Council that in light of Ms. Harlow's pending retirement, that opportunities to reallocate staff exist and agreed that including the 0.5 FTE Special Projects Coordinator in the Preliminarily Proposed 2003 Budget may not be appropriate. As such, this position has been removed

from the Proposed 2003 Budget and the funds (\$42,471) moved from the Utility Fund's PW&U (salary) and Central Charges (benefits) budgets to the Utility Fund contingency account. The staffing change is reflected in the attached 2002/2003 Proposed Full-Time Equivalent Employee Staffing chart (Exhibit J) and the Five Year Staffing Plan (Exhibit M). Obviously, City Council and Staff may revisit this staffing allocation again in 2002 prior to the development/review of the 2003 budget.

4. *Electrical Utility Study Status* – Councillor Atchison inquired as to the status of the electrical utility study being conducted in 2001 and if additional funds were necessary for a second phase, where were the funds budgeted and when would the study be conducted.

In 2000, the Department of Public Works and Utilities contracted with R.W. Beck, Inc. to complete a preliminary feasibility study on the City acquiring the street light system from the Public Service Company of Colorado (now Xcel Energy) due to increasing energy costs and significant repair and maintenance charges to the City. This preliminary study was based on invoices the City receives monthly to determine the total number of lights in the City and an estimated value of those lights that is derived from R.W. Beck's experience in street light studies previously performed. R.W. Beck concluded in the preliminary study that the City would save approximately \$157,000 annually if it pursued ownership of the street light system.

Based on the information from the first phase, Department Staff rehired R.W. Beck to perform a "Limited Appraisal Study" (phase two) to determine the actual value of the street light system. The field review determined that the street light system was valued significantly higher than was previously estimated due to the relatively new system of light pole standards and underground electrical system in the City. If the street light system were to be purchased given this new information, the annual street light charges would increase by approximately \$262,000, which makes acquisition of the system cost prohibitive.

Department Staff are evaluating several different options to pursue additional cost savings from Xcel Energy with the findings from the R.W. Beck study. Options being evaluated include a discrepancy in total street lights from previous invoices and records and R.W. Beck's field evaluation, meeting with surrounding municipalities to discuss a unified discussion with Xcel Energy, and determining strategies for renegotiating the street light portion of the franchise agreement that is scheduled to expire in 2009.

5. *Sewer Repairs Performance Measures* – Councillor Atchison inquired about the performance measures in the Public Works & Utilities Department concerning sewer repairs. Specifically, he inquired as to why the sewer repairs were decreasing.

As noted in the performance measure on page 145 of the Proposed Budget document, the "feet of sanitary sewer repaired annually using trenchless technology" is projected to decrease in 2002. This decrease is due to the reallocation of City resources to perform more open trench repairs. Staff cannot utilize trenchless technology when the structural integrity of the pipeline is diminished and when the pipeline "sags" or is "flat." Staff will continue to use trenchless technology on sanitary sewer lines that need to be rehabilitated, but unfortunately more lines exist that need to have sections of pipe totally replaced due to some of the previously mentioned problems, thus less trenchless sewer repair will be possible.

6. *Westminster Conference Center and Lakeview Pavilion Facilities Long Term Maintenance* – Councillor Moss inquired about whether the Westminster Conference Center and Lakeview Pavilion facilities had a set-aside for long term repairs and capital improvements.

The obligation for ongoing maintenance, repair and minor equipment and facility replacements at the Conference Center and the Pavilion falls on Inland Pacific. The City is responsible for major capital replacements and will budget for these as necessary as part of the City's normal capital improvement budgeting process. Currently, there are no replacements shown in the City's five year Capital Improvement Plan because both facilities are new.

7. *Semper Clearwell Status Update* – Councillor Atchison inquired as to the status of the Semper Clearwell litigation, the potential judgment costs to the City, and where those would be paid from.

According to the City Attorney's Office, the status is unchanged since the previous update provided to City Council. The trial court will take three to four months to prepare the record, with an anticipated filing in November. At that time, the City's Special Appeals Council will review the record, update City Council, and ask for the Council's direction at that time.

The amount awarded by the court was \$966,178, which includes amounts for retainage and change orders, which were withheld by the City at the time of the termination. Centric Jones has also asked the court to award interest on the judgment in the amount of \$273,069 from the date of termination. They have also asked the court to award costs in the amount \$312,473 as a result of the court's dismissal of the City's claims. The court has not ruled on these motions but they are scheduled for hearing on November 6, 2001. Centric Jones has not asked nor would they be entitled to a recovery of attorney fees.

Discussions took place earlier this year with the City's auditors on the question of the City's obligation to set funds aside for this judgment and the response from Staff was that adequate reserves exist in the Utility Fund to cover this. Utility Reserve Fund are projected to be in excess of \$4.6 million in 2002. Staff was hesitant to set funds aside from capital or operating budget to cover the final future judgment (if we lose the case) because of the impact this would have on needed projects or current service levels. Staff could develop alternatives to set aside funds until a final judgment is rendered if Council believes this is necessary.

8. *Minor Updates/Revisions to the Budget Document* – Minor updates to the budget document were requested; these changes have been made and the revisions distributed to City Council. They will be incorporated into the final budget document once the budget is adopted by City Council (modifications were made to the Budget Message; performance measure pages for the Police, Fire, and Public Works & Utilities Departments; and modifying the Community Development Department pages to better reflect their on-going redevelopment efforts citywide).

9. *Other Miscellaneous Inquiries* – Other informational items were requested at the Budget Retreat that do not directly pertain to the adoption of the final budget. Those items will be consolidated into a summary Staff Report that will be distributed to City Council in late October. Additionally, several presentations will also be made to City Council as a result of inquiries at the Budget Retreat by the end of this year.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **60**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

A RESOLUTION OF THE CITY OF WESTMINSTER, COLORADO, SETTING THE 2001 MILL LEVY COLLECTIBLE IN 2002, ADOPTING THE BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE FISCAL YEAR 2002.

WHEREAS, In accordance with Section 9.2 of the City Charter, the City Manager has prepared and submitted to the City Council a proposed budget for the fiscal year 2002; and

WHEREAS, On July 9 and August 27, 2001, public hearings on the proposed 2002 budget were held by the City Council pursuant to Section 9.4 of the City Charter.

NOW THEREFORE, be it resolved, by the City Council of the City of Westminster, Colorado that there is hereby levied for the 2001 year upon all taxable property within the City of Westminster, taxes in the amount of three and sixty-five hundredths (3.65) mills per dollar of assessed valuation in Adams and Jefferson Counties, which shall be paid into the General Fund of the City; and

NOW, THEREFORE, be it resolved by the City Council of the City of Westminster, Colorado that the annual budget of the City of Westminster for the fiscal year beginning January 1, 2002, which has been submitted by the City Manager is hereby adopted according to the attached exhibits:

FUND	EXHIBITS
General	A
Utility Enterprise	B
General Capital Improvement	C
Sales & Use Tax	D
Open Space Sales and Use Tax	E
Fleet Maintenance	F
Golf Course Enterprise	G
Human Service Agency Funding	H
Five-Year Capital Improvement Program	I
Staffing Summary	J
General Reserves	K
Utility Reserves	K
Debt Service	L
Five Year Staffing Projection	M

Be it further resolved, that the annual budget of the City of Westminster for fiscal year 2002 beginning January 1, 2002, be established with the following totals:

BALANCE OF FUNDS (1-1-02):	2002 PROPOSED
General Fund	\$837,008
Utility Enterprise Fund	1,816,000
Fleet Maintenance Fund	0
Sales & Use Tax Fund	900,000
General Capital Improvement Fund	600,000
General Reserve Fund	7,246,930
Utility Reserve Fund	4,467,184
Conservation Trust Fund	0
Open Space Fund	92,000
General Debt Service Fund	638,615



Golf Course Fund	<u>0</u>
TOTAL Fund Balance	\$16,597,737
REVENUES:	2002 PROJECTED
General Fund	\$68,487,173
Utility Enterprise Fund	36,269,609
Fleet Maintenance Fund	1,159,550
Sales & Use Tax Fund	53,867,000
General Capital Improvement Fund	9,705,000
General Reserve Fund	287,500
Utility Reserve Fund	230,000
Conservation Trust Fund	586,099
Open Space Fund	4,669,666
General Debt Service Fund	8,879,957
Golf Course Fund	<u>3,648,697</u>
TOTAL Revenues	\$187,790,251
Total Fund Balance	<u>16,597,737</u>
Total Funds Available	\$204,387,988
Less Transfers	<u>(59,703,292)</u>
Grand Total 2002 Revenues	\$144,684,696
EXPENDITURES	2002 PROPOSED
General Fund	\$68,024,181
Utility Fund	37,085,609
Fleet Maintenance Fund	1,159,550
Sales & Use Tax Fund	54,767,000
General Capital Improvement Fund	10,305,000
General Reserve Fund	0
Utility Reserve Fund	0
Conservation Trust Fund	586,099
Open Space Fund	4,761,666
General Debt Service Fund	9,067,100
Golf Course Fund	<u>3,648,697</u>
TOTAL	\$189,404,902
Less Transfers	<u>(59,703,292)</u>
TOTAL Expenditures	\$129,701,610
Total Contingencies & Reserves	<u>14,983,086</u>
GRAND TOTAL 2002	\$144,684,696

Passed and adopted this 8<sup>th</sup> day of October, 2001.

ATTEST:

\_\_\_\_\_  
Mayor

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



### WESTMINSTER COLORADO

#### Agenda Memorandum

**Date:** October 8, 2001

**Subject:** Resolution No. 61 re 2002 Pay Plan

**Prepared by:** Debbie Mitchell, Human Resources Manager  
Matt Lutkus, Deputy City Manager for Administration

#### Introduction

City Council action is requested on the attached Resolution, which establishes the 2002 salary ranges for City employees. The funds needed to implement the recommended adjustments have been included in the proposed 2002 City Budget.

#### Summary

The development of a revised pay plan was completed earlier this year with the intent of implementing the recommended changes as part of the 2002 pay plan. The proposed pay plan changes are designed to simplify and update the structure of the plans to better reflect current compensation practices in municipal government. City Council previously reviewed the proposed changes at a study session in April and at the recent Council Budget Retreat. Changes to the pay plan include:

- Moving to three pay systems, a Non-Exempt group (previously Classified non-exempt employees), Exempt (previously Classified employees and overtime-exempt and Unclassified employees other than Department Head or Division Manager level) and Administrative Officers (Division Managers and Department Heads).
- Non-Exempt and Exempt pay plans have a 7.5% difference between grades versus a 2.5% difference in the current plan (thus reducing the number of grades by two thirds).
- Compensation for all employees in the Exempt and Administrative Officer Pay Plans will be determined using a formula that takes into account their performance ratings on their annual employee appraisal forms.
- Administrative Officer pay plan pay ranges are 15% in width compared to \$7,000 and \$10,000 ranges previously.
- The Non-Exempt system has 11 steps and the proposed step progression would have employees moving to the maximum in 7 years in most circumstances (versus the current time to maximum of 15 years).
- Police and Fire have slightly different progressions based on their two-classification progression.
- The Exempt employee group will be given the same benefit package that Unclassified employees have currently, including reduced medical/dental premiums, participation in the Medical and Wellness Reimbursement Programs, increased life insurance at 1 ½ times their annual salary, and 3-4 Administrative days per year.
- Longevity has been folded into the ranges, thus eliminating the City's longevity policy.

The recommended revisions to the City's pay plan structure during 2002 will result in a payroll increase of approximately 2.5%. However, since the increases are phased in throughout the year, the impact on the budget for 2002 will be an increase of approximately 1.5% in payroll costs.

In addition, Staff is proposing to increase salary ranges by 2.5% across-the-board for all full and part-time classifications in all three pay plans in order to ensure that the City's compensation package is competitive with the more progressive cities along Colorado's northern Front Range. Some reclassifications are recommended in all Departments: City Attorney's Office, City Manager's Office, Community Development, Finance, Fire, General Services, Information Technology, Parks, Recreation, and Libraries, Police, and Public Works and Utilities.

City Staff is recommending two changes in the City's benefit package for 2002. These are:

1. An increase in the Field Training Officer pay for Police Officers conducting the training from \$6.25 to \$25 per day.
2. A change in the employee education reimbursement budget from the present \$1,000 per year to \$1,250 per year in 2002 and \$1,500 per year in 2003.

### **Policy Issue**

Should City Council approve a revised pay plan that incorporates a number of changes to the present pay system?

### **Staff Recommendation**

Adopt Resolution No. 61 establishing the 2002 salary ranges for City employees.

### **Background**

City Staff continues to use a benchmark system whereby those City positions that are relatively similar among other Denver Metro area cities are surveyed. Examples of these positions include: Clerk Typist II, Parkworker, Planner III, and Accounting Manager. The salaries for non-benchmark positions are linked to the salaries of specific benchmark positions based on their relationship to a job group and relative value to the organization. An in-depth survey was conducted of all 107 benchmarks last year for 2001 in order to make sure all classifications were being paid competitively in the market before the recommended pay plan redesign was completed. This year, 85 benchmark classifications available through the Colorado Municipal League were reviewed and found to be within the market. In addition, a significant number of audits and special surveys were conducted this year to assure appropriate placement in the new pay system.

The pay and classification adjustment recommendations are based on this extensive salary survey process, which included eight metro area cities for most positions as well as special districts and private sector data where appropriate. The cities used for comparison purposes for the majority of surveyed positions are Arvada, Aurora, Boulder, Englewood, Fort Collins, Lakewood, Littleton, and Thornton. In addition, a number of special districts are surveyed for Parks, Recreation, and libraries and Fire Department comparisons.

Information from the Colorado Municipal League surveys, private sector data from Mountain States Employers Council, as well as direct contacts with other municipalities were used to develop the salary recommendations. Salary recommendations are determined by looking at the average pay of a position from the survey organizations, at both the minimum and maximum levels, and comparing the average to the current City pay. In the past, a general guideline Staff used in analyzing survey data was to consider an adjustment when a position was 2.5% higher or lower than the prevailing rate of pay in the market. This year, due to the 7.5% difference between grades, adjustments are considered when a position is 3.5% higher or lower than the prevailing rate of pay in the market. Recommended range adjustments and across-the-board increases are anticipated to keep Westminster's salaries competitive with those being paid by the private and public sector in the Denver Metropolitan area.

Mountain States Employers Council initial projections for 2002 in all industries suggest an average Metro Denver increase of 3.2% to pay structures only and a 4.6% increase when merit, longevity and across-the-board increases are combined. Government agency projections are slightly higher with a 3.5% increase to pay structures only and a 4.8% increase when merit, longevity and across-the-board increases are combined. Mountain States data includes 312 Denver/Boulder organizations from both the private and public sector. Mountain States Employers Council indicates that the average public and private sector increase from those responding to their survey was 4.7% in 2001. City Council authorized a 3.5% across-the-board increase for City employees in 2001. When the costs of implementing the proposed pay plan are considered, the average percentage increase in salaries is roughly comparable to the other cities.

The 2002 Pay Plan includes 74 classification changes. A total of 166.4 full-time equivalents (FTEs) will be affected by these proposed changes. Currently, the City has an authorized FTE staffing level of 863.224. The new pay plan reflects a net increase of 12.5 FTE's for 2002, bringing the total FTEs to 875.724.

With regard to City employee benefits, General Services Department Staff conduct a survey of the benefits provided in selected cities and special districts on an every other year basis. Such a survey was conducted this year on the following benefits: pension contributions, medical and dental benefits, life insurance coverage, retiree medical benefits, prescription benefits, dental and orthodontic maximum benefits, leave benefits, special pay, and education reimbursement programs.

Based on this comprehensive survey, one benefit change, an increase in the Field Training Officer pay in the Police Department is recommended at this time. Staff is recommending that the pay for officers assigned as Field Training Officers be increased from \$6.25 to \$25.00 per day. Both the survey data and the level of responsibility and additional work associated with these assignments justify this additional compensation. The cost for this upgrade is estimated at \$15,000 to \$16,000 per year.

As a result of discussion at Council's Budget Retreat, an additional benefit change that Council is being asked to consider at this time is an increase the City's Education Reimbursement Program. The current benefit provides employees with reimbursement of 50% of tuition and fees, up to \$1,000 per year for career development. Staff is proposing that the benefit be increased to \$1,250 in 2002 and \$1,500 in 2003. The cost for these changes will be an additional \$7,500 per year.

Funding for all of the proposed pay plan and benefit changes has been included in the recommended 2002 Budget.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **61**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

WHEREAS, Section 1-24-1 and 1-24-4 of the Official Code of the City of Westminster provides that the City Council, upon recommendation of the City Manager, shall by resolution establish the salary schedule for all position classifications in the municipal service; and

WHEREAS, the City Manager is recommending a series of revisions to the City's Pay Plan that are designed to simplify and update the pay system to reflect current public sector compensation practices; and

WHEREAS, the City Manager is recommending a 2.5% across-the-board salary increase for regular, Non-exempt employees and adjustments of approximately 2.5% to the top of the ranges for Exempt and Administrative Officer positions; and

WHEREAS, the City Manager is also recommending a number of pay grade adjustments based on a series of special surveys and audits conducted by the Human Resources Division; and

WHEREAS, several reclassifications, new classifications, and title adjustments are recommended as a result of organizational changes; and

WHEREAS, the City Manager is recommending an increase in Field Training Officer pay to \$25.00 per day and an increase to the educational reimbursement benefit to \$1,250 in 2002 and \$1,500 in 2003;

NOW, THEREFORE, BE IT RESOLVED THAT THE WESTMINSTER CITY COUNCIL RESOLVES that the attached new salary schedule, the authorized personnel schedule, and the benefit changes described above are hereby adopted and approved and shall be put into effect on January 1, 2002

Passed and adopted this 8<sup>th</sup> day of October, 2001.

ATTEST:

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** Councillor's Bill No. 64 re 2002 Appropriations  
**Prepared by:** Barbara Gadecki, Assistant to the City Manager

**Introduction**

City Council action is requested to pass on first reading the Appropriations Ordinance for 2002, which sets forth the amounts of estimated revenue and expenditures by each separate fund of the City for calendar year/fiscal year 2002. This action is in compliance with City Charter Budget Provisions.

**Summary**

City Council has reviewed the Proposed 2002 Budget, taking into consideration citizen requests and Staff recommendations and made modifications accordingly, which are reflected in the budget resolution. City Council is requested to pass on first reading the Appropriations Ordinance for 2002, which sets forth the amounts of estimated revenue and expenditures by each separate fund of the City for calendar year/fiscal year 2002. This action is in compliance with City Charter Budget Provisions.

**Policy Issue**

Does City Council support the Proposed 2002 Budget as presented, incorporating City Council revisions per the Budget Resolution?

**Recommendation**

Pass Councillor's Bill No. 64 on first reading appropriating funds for the 2002 budget.

**Alternatives**

Not pass the attached Councillor's Bill appropriating funds for the 2002 budget. This is not recommended as the appropriation of funds is necessary in order for the City to continue operations in 2002.

**Background Information**

The 2002 Appropriations Ordinance reflects the budget resolution presented to City Council at tonight's City Council meeting. The 2002 appropriated City Budget totals \$144,684,696, comprised of \$129,701,610 budget, \$2,300,000 contingencies, and \$12,683,086 reserves. All capital improvements, services and programs previously discussed with City Council are reflected in the budget including any adjustments made by City Council at the Budget Retreat and input received at various budget public hearings and meetings.

Copies of the final printed budget will be distributed to City Council and available to others on or before December 31, 2001.

The ordinance will become effective January 1, 2002.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2001

COUNCILLOR'S BILL NO. **64**  
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE MAKING APPROPRIATIONS TO PAY THE EXPENSE OF CONTINUING THE PUBLIC BUSINESS FOR THE YEAR 2002 AND OTHER PURPOSES REQUIRED BY THE CHARTER AND BY ANY OTHER LAW.

THE CITY OF WESTMINSTER ORDAINS:

Section 1: Non-emergency reserve as of December 31, 2001, along with revenue for the calendar and fiscal year 2002 are combined and reflected as the total in each of the following funds:

NON-EMERGENCY RESERVE AND NEW REVENUE

a.	General Fund	\$69,324,181
b.	Utility Fund	38,085,609
c.	General Capital Improvement Fund	10,305,000
d.	Fleet Maintenance Fund	1,159,550
e.	General Debt Service Fund	9,518,572
f.	Conservation Trust Fund	586,099
g.	Sales and Use Tax Fund	54,767,000
h.	Open Space Fund	4,761,666
i.	General Reserve Fund	7,534,430
j.	Utility Reserve Fund	4,697,184
k.	Golf Course Fund	<u>3,648,697</u>
	Total Funds Available	\$204,387,988
	Less Transfers	<u>-59,703,292</u>
	GRAND TOTAL	\$144,684,696

Section 2: The following amounts are hereby appropriated for expenditure by fund to be expended by the City Manager in accordance with the City Charter.

a.	General Fund	\$69,324,181
b.	Utility Fund	38,085,609
c.	General Capital Improvement Fund	10,305,000
d.	Fleet Maintenance Fund	1,159,550
e.	General Debt Service Fund	9,518,572
f.	Conservation Trust Fund	586,099
g.	Sales and Use Tax Fund	54,767,000
h.	Open Space Fund	4,761,666
i.	General Reserve Fund	7,534,430
j.	Utility Reserve Fund	4,697,184
k.	Golf Course Fund	<u>3,648,697</u>
	Total Funds Available	\$204,387,988
	Less Transfers	<u>-59,703,292</u>
	GRAND TOTAL	\$144,684,696

This ordinance shall become effective January 1, 2002.

INTRODUCED AND PASSED on first reading this 8<sup>th</sup> day of October, 2001.

PASSED AND ADOPTED on second reading this 22<sup>nd</sup> day of October, 2001.

ATTEST:

\_\_\_\_\_  
Mayor

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



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** Exclusion of Properties From North Metro Fire Rescue District  
**Prepared by:** Tami Cannon, Paralegal

**Introduction**

City Council action is requested to approve the Stipulation and Plan for exclusion of recently annexed territory from the North Metro Fire Rescue District (hereinafter "District").

**Summary**

The City has been negotiating with the District regarding the exclusion of recently annexed properties from the District.

This Stipulation (copy attached) will allow the City to proceed in an uncontested manner in Adams County District Court for the purpose of obtaining an Order excluding the five (5) recently annexed parcels of property covered under the Stipulation. Three of the parcels are within Jefferson County and two are within Adams County.

**Policy Issue**

Whether to approve the Stipulation agreeing to provide fire protection services to properties recently annexed to the City and proposed to be excluded from the District.

**Staff Recommendation**

Approve the Stipulation and Plan for exclusion of properties from the North Metro Fire Rescue District, and authorize its execution by the Mayor and City Manager on behalf of the City.

**Background Information**

The important components of the Stipulation are as follows: (1) An agreement that the quality of fire protection service to be provided by the City will be comparable and not inferior to the fire protection service now provided by the District; (2) Existing indebtedness of the District for which the excluded properties would remain liable; (3) An agreement that the District shall have the right to levy a mill levy not to exceed 0.5 mill against the excluded properties for five consecutive years for the District's Volunteer Firemen's Pension Fund; and (4) Transfer of fire protection service responsibilities to be effective January 1, 2002. Vicinity maps showing the areas to be excluded are also attached.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment



DISTRICT COURT, COUNTY OF ADAMS, STATE OF COLORADO

Civil Action No. 4825

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**STIPULATION AND PLAN FOR EXCLUSION OF CERTAIN TERRITORY  
FROM THE NORTH METRO FIRE RESCUE DISTRICT**

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THE CITY OF WESTMINSTER, COLORADO, a home-rule City, and THE MAYOR AND CITY COUNCIL OF THE CITY OF WESTMINSTER,

Petitioners,

vs.

THE BOARD OF DIRECTORS OF THE NORTH METRO FIRE RESCUE DISTRICT, and All Taxpaying Electors of the NORTH METRO FIRE RESCUE DISTRICT, as a class,

Respondents.

---

COME NOW the parties hereto, by their respective counsel, and stipulate as follows:

**PREAMBLE**

1. This action is based upon the Petition of the City of Westminster pursuant to section 32-1-502, et seq., C.R.S., as amended, to exclude certain territory from the North Metro Fire Rescue District (hereinafter "District") because that territory is located within the City of Westminster which also provides fire protection service. The territory sought to be excluded is described in Exhibit "A" attached hereto and incorporated herein by reference.

2. This Stipulation and Plan is submitted pursuant to and in satisfaction of the requirements of section 32-1-502(2)(c) which provides that as a condition to the exclusion of the property which is the subject of this petition, the governing body of the City and the board of directors of the District shall each submit a plan for the disposition of assets and continuation of services to all areas of the District, and that said plans shall include, if applicable, provisions for the maintenance and continuity of facilities to be utilized by the territories both within and without the municipal boundaries and of services to all territories served or previously served by the special district, and further, that if the City and the District agree upon a single plan and enter into a contract incorporating its provisions, the court shall review such contract, and if it finds the contract to be fair and equitable, the court shall approve the contract and incorporate its provisions into its exclusion order.

3. The City Council of the City of Westminster, as its governing body, has met, considered and approved all of the terms of this Stipulation and Plan.

4. The Board of Directors of the District, as its governing body, has met, considered and approved all of the terms of this Stipulation and Plan.

## STIPULATION AND PLAN

5. All notice requirements of the statute and of the Colorado Rules of Civil Procedure have been fully, completely and properly complied with. No objection to the exclusion has been made by any taxpaying elector, individually or on behalf of the class designated Taxpaying Electors. The District and the City consent to the exclusion of the property described in Exhibit "A", subject to the provisions of this Stipulation and Plan.

6. The parties further stipulate that:

A. The City of Westminster has provided and is now providing the same fire protection services which the District provided in or to the territory proposed for exclusion.

B. The governing body of the City of Westminster agrees, and has agreed, by resolution, to provide the service provided by the District to the area described in the exclusion petition effective immediately upon entry of the exclusion order regardless of its later effective date.

C. The quality of fire protection service to be provided by the City of Westminster will not be inferior to the fire protection service now provided by the District in the territory proposed for exclusion and described in the Petition for Exclusion.

D. No election has been held or is required to be held pursuant to subsection (5) of section 32-1-502, C.R.S., as amended, and it is stipulated that the quality of service including, but not limited to, the fire insurance costs for the improvements within the excluded area will not be adversely affected by this exclusion.

E. The District owns no facilities or assets located within the territory which is proposed for exclusion.

F. The District has an outstanding bonded indebtedness of \$655,000.00.

7. Commencing the taxable year 2002, the District, for a period of five (5) years, shall have the right to assess and collect the proceeds of a mill levy of one-half (1/2) mill against the assessed value of the applicable excluded property, which proceeds shall be paid to and for the exclusive benefit of the District's Firemen's Pension Fund.

8. Pursuant to section 32-1-502, C.R.S., as amended, District and City agree to the following plan for disposition of assets and contribution of services to all areas of the District:

A. The District owns no real property or improvements within the territory described in the Petition for Exclusion and the City does not seek ownership of any such assets located in any other part of the District.

B. The City does not seek ownership of any firefighting equipment or other personal property now owned by the District and the Order of Exclusion may so state.

C. The City shall provide fire protection to the territory described in the Petition and shall continue to honor any mutual aid agreement with the District applicable to any District territory not excluded.

D. All other resources of the City Fire Department will be available to respond as the circumstances of any emergency or other situation may require. This includes a total of ten (10) major pieces of firefighting equipment based at six (6) fire stations throughout the City.

E. City officers will also be responsible for safety inspections and other fire code enforcement within the territory described in the Petition.

F. Primary responsibility for fire protection in all territory of the District not proposed for exclusion shall remain with the District.

9. The City of Westminster shall assume fire protection service responsibility to the excluded area from the District effective January 1, 2002. Nothing in this Stipulation and Plan shall impair or negate the validity or effectiveness of any existing mutual aid agreement between the parties.

10. The District and its firefighters, including those residing in the excluded area, shall continue to have the right to operate District and personal vehicles and equipment as authorized emergency vehicles within said excluded area and the City of Westminster, for bona fide emergency purposes, as the District may deem necessary in fulfilling District obligations. Authorized emergency vehicles shall be those as defined by section 42-1-102, C.R.S., as amended, and shall include the right of District firefighters who reside in the excluded area to respond to emergency calls in personal vehicles and District vehicles which are operated as emergency vehicles.

11. Pursuant to section 32-1-503, C.R.S., as amended:

A. The change of boundaries of the District which is accomplished by the Court Order, shall not impair nor affect its organizations, nor shall it affect, impair or discharge any contract, obligation, lien, or charge on which it might be liable or chargeable had such change of boundaries not been made.

B. For the taxable year 2002 and thereafter, the excluded property shall not be subject to any property tax levied by the District for operating costs.

C. For the purpose of retiring the District's outstanding indebtedness and the interest thereon existing at the effective date of the exclusion order, the applicable excluded territory shall be obligated only for that proportion of the District's outstanding indebtedness and the interest thereon existing immediately prior to January 1, 2002.

D. The excluded territory shall in no event become obligated for the payment of any bonded indebtedness created after the date of the Court's exclusion order.

12. This Court may, immediately upon presentation of this Stipulation and Plan, enter an Order consistent herewith excluding the territory described in Exhibit "A" from the District. The Order shall become effective, as provided by statute, on January 1, 2002. The form of the Order is attached hereto as Exhibit "B" and all of the terms of said Order are hereby incorporated by reference in this Stipulation and Plan.

13. The Court's Exclusion Order shall become effective January 1, 2002.

Respectfully submitted,

CITY OF WESTMINSTER

By: \_\_\_\_\_  
Richard Shearer #8792  
Attorney for Respondent  
730 17<sup>th</sup> Street, Suite 500  
Denver, CO 80202  
720-359-9500

By: \_\_\_\_\_  
Sharon Widener #12571  
Attorney for Petitioners  
4800 W. 92nd Avenue  
Westminster, CO 80031  
303-430-2400

APPROVED:

WEST ADAMS COUNTY FIRE  
PROTECTION DISTRICT, n/k/a  
NORTH METRO FIRE  
RESCUE DISTRICT

CITY OF WESTMINSTER, a  
home-rule City

By \_\_\_\_\_  
President

By \_\_\_\_\_  
Nancy Heil, Mayor

By \_\_\_\_\_  
Fire District Manager

By \_\_\_\_\_  
J. Brent McFall  
City Manager

ATTEST:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_



**WESTMINSTER**  
**COLORADO**

**Agenda Memorandum**

**Date:** October 8, 2001  
**Subject:** Resolution No. 62 re Exclusion From North Metro Fire Rescue District  
**Prepared by:** Tami Cannon, Paralegal

**Introduction**

City Council action is requested to adopt the attached Resolution approving the exclusion of recently annexed properties from the North Metro Fire Rescue District (hereinafter "District").

**Summary**

This item is related to the approval of the Stipulation and Plan for exclusion appearing previously on Council's agenda. Three of the parcels to be excluded are within Jefferson County and two parcels are within Adams County.

**Policy Issue**

Whether to approve the exclusion of recently annexed properties from the District in order to avoid double taxation and duplicative fire protection services.

**Staff Recommendation**

Adopt Resolution No. 62 approving the exclusion of recently annexed properties from the North Metro Fire Rescue District.

**Background Information**

In order for the City Attorney's Office to proceed with the filing of the exclusion documents, the exclusion statutes require that City Council adopt the attached Resolution indicating the City's agreement to provide the fire protection services provided by the District to the area described in the Stipulation and Plan within one year from the effective date of the exclusion Order as required by statute.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Resolution

SERIES OF 2001

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EXCLUSION OF TERRITORY FROM THE NORTH METRO FIRE RESCUE DISTRICT

WHEREAS, it is in the public interest and a policy of the City of Westminster to eliminate the overlapping of services provided by local governments and the double taxation which may occur because of annexation when all or part of the territory lies within the boundaries of both the City of Westminster and a special district; and

WHEREAS, Colorado statutes provide an orderly procedure to eliminate such overlapping of services and double taxation, which procedure is found in section 32-1-502, et seq., C.R.S., as amended; and

WHEREAS, the City Council of the City of Westminster has been informed by City Staff and now finds that such a situation exists in the area described on Exhibit "A" attached hereto and incorporated herein by reference and that there is an overlapping of fire protection services by the City of Westminster and the North Metro Fire Rescue District (hereinafter "District") and double taxation resulting from the territory described in Exhibit "A" being within the boundaries of both the City and the District; and

WHEREAS, the City Council, based upon information provided by its Staff, has found that the quality of service to be provided by the City of Westminster will not be inferior to the service provided by the District in the territory described in Exhibit "A" attached hereto, based upon the Westminster Fire Department's service capability, which includes operations out of six (6) existing fire stations which are strategically located throughout the City; an extensive fleet of sophisticated firefighting and emergency medical vehicles including two attack units, four fire engines, two reserve fire engines, one Tele-Squrt, one ladder truck, three ambulances and two reserve ambulances operated by a staff of ninety (89) highly skilled and trained full-time firefighters including paramedics and emergency medical technicians; and

WHEREAS, evidence gathered in previous proceedings for exclusion from other Districts, and applicable to this proceeding also, establishes that fire insurance costs for the improvements within the excluded area will not be adversely affected by such exclusion.

WHEREAS, City officials and representatives of the District are negotiating the City's proposal to exclude from the Fire District, and are working towards a mutually acceptable exclusion agreement; and

WHEREAS, the City Council of the City of Westminster is willing to agree by this Resolution to provide the service provided by the District to the area described in Exhibit "A" within one year from the effective date of the exclusion order as required by statute, and more specifically, immediately upon the effective date of the exclusion order;

NOW, THEREFORE, BY IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER:

1. That the City proceed at once to exclude the territory described in Exhibit "A" from the District by filing its Petition in the District Court of Adams County, pursuant to the provisions of section 32-1-502, et seq., C.R.S., as amended.

2. That the City Council of the City of Westminster agrees, by this Resolution, to provide the service provided by the District to the area described in Exhibit "A" within one year from the effective date of the exclusion order as required by statute, and specifically, immediately upon the effective date of the exclusion order.

3. That the quality of service to be provided by the City of Westminster will not be inferior to the service provided by the District in the territory described in Exhibit "A" and the fire insurance costs for the improvements within the excluded area will not be adversely affected by such exclusion.

4. That the City Attorney is instructed to petition the Court and carry out all notification requirements as contained in applicable state statutes.

PASSED AND ADOPTED this 8th day of October, 2001.

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Mayor

ATTEST:

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City Clerk

## Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, October 8, 2001.

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

The minutes of the September 24, 2001 meeting were approved.

Mayor Heil presented Steve Wagner of the Business Advisory group with a certificate proclaiming October 15-19 as "Business Appreciation Week."

Council appointed Stephanie Bingham to the Westminster Legacy Foundation.

Council approved the following: 2001 Wastewater Collection System Trenchless Technology Improvements Project with Western Slopes Utilities in the amount of \$299,323; Faversham Park Playground Replacement Project with Continental Leisure Sales in the amount of \$57,500; 2001 Asphalt Pavement Rehabilitation Project change order with LaFarge Corporation in the amount of \$125,000; Stipulation and Plan for exclusion of properties from the North Metro Fire Rescue District.

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

A BILL FOR AN ORDINANCE AMENDING THE WESTMINSTER MUNICIPAL CODE PERTAINING TO DEDICATION OF LAND FOR PUBLIC SCHOOL SITES purpose: amending the Code for fees in lieu of School Land Dedication

A BILL FOR AN ORDINANCE MAKING APPROPRIATIONS TO PAY THE EXPENSE OF CONTINUING THE PUBLIC BUSINESS FOR THE YEAR 2002 AND OTHER PURPOSES REQUIRED BY THE CHARTER AND BY ANY OTHER LAW purpose: appropriating funds for the 2002 budget

The following Councillor's Bills were adopted on second 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

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

A BILL FOR AN ORDINANCE AMENDING THE DEFINITION OF PARKS AND VIOLATING 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

The following Resolutions were adopted:

Resolution No. 59 District 50 Mill Levy Override Ballot Issue

Resolution No. 60 Adoption of 2002 Budget and Mill Levy

Resolution No. 61 2002 Pay Plan

Resolution No. 62 Exclusion from North Metro Fire Rescue District

At 7:38 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

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