

October 14, 1996

7:00 PM

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

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meetings**
4. **Presentations**
 - A. Proclamation re Red Ribbon Week October 23-31
5. **Citizen Communication (5 minutes or Less in Length)**
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. 72nd Avenue Improvements Project Street Lighting
 - B. Big Dry Creek Channel Design
 - C. Engineering Services for Water Rights Yield Modeling
 - D. Bid re Wastewater Collection System Improvements
 - E. Lowell Boulevard Engineering Design Contract Amendment
 - F. CB No. 61 re Megas Annexation (Harris-Dixon)
 - G. CB No. 62 re Megas Zoning (Harris-Dixon)
 - H. CB No. 63 re Contingency Transfer (Allen-Merkel)
 - I. CB No. 64 re Urban Renewal Plan Amendments (Merkel-Dixon)
 - J. CB No. 65 re Legacy Ridge Sewer Vacation (Dixon-Scott)
 - K. CB No. 66 re Wolff Run Park Renovation (Harris-Dixon)
9. **Appointments and Resignations**
 - A. Transportation Commission Bylaws
 - B. Resolution No. 49 re Planning Commission Appointment
10. **Public Hearings and Other New Business**
 - A. Resolution No. 50 re 1997 Mill Levy and Budget Adoption
 - B. Councillor's Bill No. 68 re 1997 Water & Sewer Rates
 - C. Resolution No. 51 re 1997 Pay Plan
 - D. Contract re Replacement of Natural Gas Pipeline
 - E. Councillor's Bill No. 69 re Natural Gas Contingency Transfer
 - F. IGA re Jefferson County Transportation Plan
 - G. Resolution No. 52 re 128th Ave/Huron Street Project
 - H. Resolution No. 53 re Condemnation at 116th & Sheridan Boulevard
 - I. Promenade Design Contract
 - J. Resolution No. 54 re Ballot Questions Brochure
11. **Old Business and Passage of Ordinances on Second Reading**

None
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
 - A. City Council
 - B. Request for Executive Session
 1. Update on Negotiations re Westminster Plaza
 2. Update on El Fugitivo Lawsuit
13. **Adjournment**

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, OCTOBER 14, 1996 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

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

CONSIDERATION OF MINUTES:

A motion was made by Scott and seconded by Merkel to accept the minutes of the meeting of September 23, 1996 with no additions or corrections. The motion carried unanimously.

A motion was made by Allen and seconded by Merkel to accept the minutes of the meeting of October 7, 1996 with no additions or corrections. Mayor Pro Tem Dixon requested to abstain as she was not present at the meeting. The motion carried with Mayor Pro Tem Dixon abstaining.

The Mayor recognized the Youth in Government representatives from Ranum High School Honor Society.

PRESENTATIONS:

Mayor Heil presented a proclamation to George Hovorka, Chair of School District 50 Westminster Area CAAT, and Nicky Wolman, Student Assistance Program Coordinator for Adams Twelve Five Star Schools, proclaiming the Week of October 23 as Red Ribbon Week in the City of Westminster.

REPORT OF CITY OFFICIALS:

City Manager Bill Christopher reminded Council and Staff that the Business Recognition luncheon is scheduled for October 23.

CITY COUNCIL COMMENTS:

Councillor Scott reported that he attended the Double 10th Day celebration in recognition of China's status as a Republic and presented the proclamation from the City. Councillor Allen reported that over 300 people attended the Holy COW Stampede held October 12th. Mayor Pro Tem Dixon complimented Parks and Recreation and Events Coordinator Kelli Turner on the Holy COW Trail Run.

CONSENT AGENDA:

The following items were considered as part of the consent agenda: 72nd Avenue Improvements Project street lighting; Design Contract for Big Dry Creek Channel; Engineering Services for Water Rights Yield Modeling; Bids for Wastewater Collection System Improvements; Amended Engineering Design Contract for Lowell Blvd Improvements; Councillor's Bill No. 61 re Megas Annexation; Councillor's Bill No. 62 re Megas Zoning; Councillor's Bill No. 63 re Contingency Transfer; Councillor's Bill No. 64 re Urban Renewal Plan Amendments; Councillor's Bill No. 65 re Legacy Ridge Sewer Vacation and Councillor's Bill No. 66 re Wolff Run Park Renovation.

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

A motion was made by Merkel and seconded by Dixon to adopt the Consent Agenda items as presented with the recommendation stated on the Council agenda memorandums. The motion carried unanimously.

TRANSPORTATION COMMISSION BYLAWS AMENDMENTS:

A motion was made by Dixon and seconded by Scott to approve the proposed bylaw changes for the Transportation Commission. The motion carried unanimously.

RESOLUTION NO. 49 - PLANNING COMMISSION RESIGNATION/APPOINTMENT:

A motion was made by Allen and seconded by Dixon to accept the resignation of Grail Kister from the Planning Commission, appoint Clenton Kayl as a regular member with term of office to expire December 31, 1996 and appoint Michael Crocker as an alternate member with term of office to expire December 31, 1997.

A motion was made by Scott and seconded by Smith to divide the issue. The motion to divide the issues carried unanimously.

The motion to accept the resignation of Grail Kister from the Planning Commission carried unanimously.

The motion to move Clenton Kayl as an alternate to a regular member of the Planning Commission with term of office to expire December 31, 1996 carried with dissenting votes by Scott and Smith.

The motion to appoint Michael Crocker as an alternate member to the Planning Commission with term of office to expire December 31, 1997 carried unanimously.

ADOPTION OF 1997 CITY BUDGET AND 1997 PAY PLAN:

A motion was made by Smith and seconded by Merkel to Table Resolution No. 50 which set the mill levy and formally adopts the 1997 City Budget; Table Councillor's Bill No. 68 which set the new water and sewer rates; and Table Resolution No. 51 which establishes the 1997 pay ranges for City employees until the October 28 City Council meeting. The motion carried unanimously.

CONTRACT FOR REPLACEMENT OF NATURAL GAS PIPELINE AS MSC:

A motion was made by Scott and seconded by Dixon to ratify the contract with Drake Contractors in the amount of \$29,000 for replacement of the natural gas pipeline and the installation of gas meters at the Municipal Service Center. The motion carried unanimously.

COUNCILLOR'S BILL NO. 69 - CONTINGENCY TRANSFER RE MSC PIPELINE:

A motion was made by Scott and seconded by Dixon to pass Councillor's Bill No. 69 on first reading authorizing a transfer of \$29,000 from the General Fund contingency account to the appropriate Building Maintenance Capital Project account for replacement of the natural gas pipeline and the installation of gas meters at the Municipal Service Center. Upon roll call vote, the motion carried unanimously.

IGA WITH JEFFERSON COUNTY RE COUNTY-WIDE TRANSPORTATION PLAN:

A motion was made by Allen and seconded by Dixon to authorize the City Manager to sign the IGA with Jefferson County, and charge the \$14,100 expense of the City's share to the Sheridan Boulevard - 105th to 113th Avenue Project account in the General Capital Improvement Fund. The motion carried unanimously.

RESOLUTION NO. 52 - 128TH AVENUE AND HURON STREET PROJECT:

A motion was made by Merkel and seconded by Allen to adopt Resolution No. 52 authorizing the expenditure of up to \$100,000 for the acquisition through condemnation, if necessary, of sufficient right-of-way and easements for the construction of improvements to 128th Avenue and Huron Street and charge this amount to the 128th Avenue and Huron Street Project in the General Capital Improvement Fund. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 53 - SHERIDAN 116 PROPERTY ACQUISITION:

A motion was made by Dixon and seconded by Merkel to adopt Resolution No. 53 authorizing the City Manager to proceed with acquisition of sufficient land for construction of the 3M Drainage and Detention project through eminent domain, if necessary. Upon roll call vote, the motion carried unanimously.

WESTMINSTER PROMENADE PLAZA AND BRIDGE DESIGN:

A motion was made by Smith and seconded by Merkel to authorize the City Manager to sign a contract with Communication Arts, Inc. in the amount of \$131,000 to design the Westminster Promenade plaza and bridge, as well as a logo and associated artwork for the project and charge the expense to the General Fund Central Charges account. The motion carried unanimously.

RESOLUTION NO. 54 - BALLOT QUESTIONS BROCHURE:

A motion was made by Dixon and seconded by Merkel to adopt Resolution No. 54 which authorizes the informational brochure on the four City ballot issues to be mailed to all registered voter households, and transfers \$10,000 from the General Fund Contingency account to the City Council's Budget account. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Councillor Merkel noted the transportation issues on the agenda.

Mayor Pro Tem Dixon stated that DOE was hosting a meeting on the Rocky Flats 10 year plan on October 19, at the Arvada Center.

Mayor Heil reported on the Witt/Lukas COG group request for a sidewalk extension and how the COG group had received assistance from the School of Mines. The Mayor also congratulated Assistant City Manager Alan Miller on his being named the recipient of the 1996 ICMA Assistant Excellence in Leadership Award.

Mayor Pro Dixon noted that the Witt/Lukas COG Group fund raising event at Wit's End Comedy Club is Wednesday, October 16.

Mayor Heil stated there would be an Executive Session regarding updates on negotiations concerning Westminster Plaza and the El Fugitivo lawsuit.

ADJOURNMENT:

The meeting was adjourned at 8:46 P.M.

ATTEST:

Mayor

City Clerk

Date: October 14, 1996
Subject: Proclamation re Red Ribbon Week
Prepared by: Michele Kelley, City Clerk

Introduction

City Council is requested to proclaim the week of October 23 through 31 as Red Ribbon Week in the City of Westminster.

Summary

The City is supporting the Red Ribbon Campaign again this year. Locally, Westminster in conjunction with the Colorado Federation of Parents; the Westminster Area Community Awareness Action Team formerly known as the Westminster District 50 Drug and Alcohol Resource Effort (DARE); local schools, churches and area businesses have joined together to encourage a drug-free lifestyle.

George Hovorka, Chair of the School District 50 Westminster Area Community Awareness Action Team and Nicky Wolman, Student Assistance Program Coordinator for Adams Twelve Five Star Schools will be present to accept this proclamation.

Staff Recommendation

Council proclaim October 23 through 31 as Red Ribbon Week in the City of Westminster.

Background Information

By joining with us as Ribbon by Ribbon...Neighbor by Neighbor...we become united for drug-free youth by participating in this year's Red Ribbon Campaign.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

WHEREAS, Alcohol, tobacco and other drug use by our youth is a threat to the future of our Nation; and

WHEREAS, It is imperative that a unified and visible, commitment of prevention efforts by community members be continued to reduce the demand for illegal drugs; and illegal use of legal drugs; and

WHEREAS, The National Family Partnership, Colorado Federation of Parents for Drug Free Youth and the Westminster Area Community Awareness Action Team (C.A.A.T.) are sponsoring the national, statewide and local Red Ribbon Campaign, offering citizens the opportunity to demonstrate their commitment toward helping children stay drug free as they grow up; and

WHEREAS, The Red Ribbon Campaign will be celebrated in communities across the nation during Red Ribbon Week, October 23 through 31, 1996; and

WHEREAS, Westminster area school students and faculty, businesses, government, law enforcement, religious institutions, service organizations, youth, health providers, senior citizens, sports teams, and individuals will demonstrate their commitment to drug free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

WHEREAS, The City of Westminster is committing its resources to ensure the success of the Red Ribbon Campaign.

NOW, THEREFORE, The Westminster City Council does hereby proclaim October 23 through 31, 1996 as

RED RIBBON WEEK

in the City of Westminster, and encourage our citizens to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug free community.

Signed this 14th day of October, 1996.

Date: October 14, 1996

Subject: Street Lighting for 72nd Avenue Improvements Project

Prepared by: Stephen C. Baumann, Assistant City Engineer

Introduction

City Council action is requested to authorize the expenditure of \$255,284 for street lighting and other electrical work in the third phase of the 72nd Avenue Improvements project. Funds have been allocated in the project budget in the 1996 General Capital Improvement Fund for this expense.

Summary

Construction of the 72nd Avenue Improvements project has progressed to its third phase (at Lowell Boulevard), which should be complete in the summer of 1997. As part of these improvements, Public Service Company (PSCo) is providing and installing electrical power sources and decorative street lighting to complement the streetscape theme of the project.

Street lighting in the first phase has been in service for over a year. Lighting for the second phase, at Irving Street, will be installed this fall. PSCo is now coordinating the installation of power sources and street lighting at 72nd Avenue and Lowell Boulevard. The cost is \$255,284 for the lighting and electrical facilities in the third phase.

Staff Recommendation

Authorize the expenditure of \$255,284 for the installation of street lighting in the third phase of the 72nd Avenue Improvements project and charge the expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

Two phases of the 72nd Avenue Improvements project are now complete. The intersections of 72nd Avenue and Federal Boulevard, Hooker Street and Irving Street are operationally excellent and much improved in visual terms. A unique style of street light, created for the project, contributes to the visual enhancement of this corridor.

Street lighting for the project is being provided by Public Service Company along with the installation of power sources and other supporting electrical facilities for duplex outlets in planters which line most of the streets being improved. Street lighting at Federal Boulevard has been in service for over a year and cost slightly under \$179,000. The lighting in the second phase at Irving Street cost approximately \$62,000 and will be installed this fall. The lights for the project at Lowell Boulevard have been delivered and will be installed to coincide with the completion of this third phase of the project in early Summer 1997.

In terms of street lighting, this is the largest phase and Public Service Company has estimated the cost of street lighting, several extra fixtures and the supporting electrical facilities at \$255,284. Funds for this expenditure have been appropriated over the past several years in the project budget of the General Capital Improvement Fund.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Map

Date: October 14, 1996
Subject: Big Dry Creek Channel Design at BDCWW Reclamation Facility
Prepared by: Sheila Beissel, GIS Coordinator

Introduction

City Council action is requested to authorize the City Manager to execute a design contract with RBD, Inc. in the amount of \$36,950 and a design contingency of \$13,050 for the design of channel improvements to Big Dry Creek abutting the Big Dry Creek Waste Water Reclamation Facility (WWRF). Funds for the expense are available in the 1995 Carryover Revenue.

Summary

The WWRF is located within the 100-year floodplain and floodway as defined by the Federal Emergency Management Agency (FEMA) thus subjecting the buildings and treatment facilities to potential damage from flooding. To continue the City's participation in FEMA's Flood Insurance Program and minimize the potential for flood damage to the WWRF, the Big Dry Creek floodplain and floodway must be modified by some combination of channel improvements and/or improvements to the Interstate 25 crossing and Huron Street crossing. The 100-Year floodplain is the area that is inundated during the 100-year storm event. The floodway is the main flow path needed to convey the 100-year flood flow which is a smaller area within the 100-year floodplain.

This design project would address the flooding issues and evaluate alternatives which would remove the WWRF from the floodplain and floodway. This project would also provide the City with construction drawings for the selected alternative. The construction of the selected alternative would be done at a future date.

Proposals were solicited from several firms of which three firms were short-listed: Muller Engineering Company, HDR Engineering, and RBD. The following is a listing of the submitted proposal cost estimates:

RBD	\$36,950
HDR Engineering	\$44,370
Muller Engineering	\$47,930

RBD's proposal presented a clear understanding of the project and the Scope of Services to be provided.

Staff Recommendation

Authorize the City Manager to execute a design contract with RBD, Inc. for \$36,950; approve a design contingency of \$13,050; and charge the expense to the 1995 Carryover Revenue.

Background Information

As a participant in the National Flood Insurance Program, the City must abide by certain rules and regulations which include a prohibition on construction of new buildings within the floodway and a restriction that all new buildings within the floodplain must be flood-proofed. The City was required to improve the internal operations of the WWRF to meet the regulations of the Environmental Protection Agency. These recent improvements included additions to the WWRF that had to be located within the current floodplain and floodway areas. It is now necessary to address the floodplain encroachment issue with the Federal Emergency Management Agency (FEMA) and maintain the City's participation in the National Flood Insurance Program.

The City requested proposals from several engineering firms to do hydraulic analysis of Big Dry Creek and the affect of the remodeled WWRF on the floodplain and floodway there. This design project would evaluate several alternatives to remove the WWRF from the designated Big Dry Creek 100-year floodplain and floodway. These alternatives include modifying the Interstate 25 crossing, modifying the Big Dry Creek channel, and modifying the Huron Street crossing. The project would include an alternative analysis, preliminary design report for the selected alternative and construction drawings and specifications for the selected alternative.

The consultant would also obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) as part of this project. The CLOMR would provide the City with the assurance from FEMA that if the project was built per the construction drawings that the FEMA designated floodplain and floodway would be modified as intended by the design. If the WWRF is removed from the floodplain and floodway, the future additions and modifications to the WWRF can be constructed outside the floodplain and floodway and, thus, not within the jurisdiction of FEMA.

The preliminary design for this project will be completed by January 1, 1997 so that the design for the proposed re-claimed water system can proceed on schedule. The re-claimed water system is needed to supply water to the Countrydale Golf Course. The preliminary design will show the extent of the modified floodplain and channel improvements and allow the proposed WWRF improvements to be located outside the floodplain and required construction area of the channel project.

Respectfully submitted,

William M. Christopher
City Manager

Date: October 14, 1996
Subject: Engineering Services for Water Rights Yield Modeling
Prepared by: Mike Happe, Water Resources Engineer

Introduction

City Council action is requested to authorize the City Manager to execute an agreement with Helton & Williamson, Inc., for engineering services related to the development of a computer model to simulate the operations of Westminster raw water delivery system.

Summary

Water Resources Staff is in the process of updating the computer model which is used to determine the City's raw water supply system yield. This work is being done in conjunction with the City-wide effort to finalize the Comprehensive Plan and the Water Master Plan. It is important to update the existing computer yield models to determine the impact on the City's raw water yield due to the following issues:

- The City's plan to re-use treated effluent to irrigate parks and golf courses. It is necessary to quantify the amount of effluent that is legally available to reuse in the City's system.
- Analyzing the alternatives for adding additional water treatment capacity in relation to the City's available alternatives to acquire additional water supply.
- Operating the new Jim Baker Reservoir and other newly acquired water rights.
- Operating the exchanges and augmentation plans of other water users to determine impacts to Westminster's raw water yield.
- Update the model to take advantage of new computer technology and to increase the level of sophistication in the modeling of the City's raw water system.

Staff's recommendation is to negotiate a contract with Helton & Williamson, P.C. (H&W), a small engineering firm that specializes in water rights and water resources to perform the work. Staff has been working with H&W on many issues over the past ten years. The most important case H&W was involved with is the very successful change of use of Westminster's Farmer's Reservoir & Irrigation Company water rights in Standley Lake. H&W staff has extensive experience in water resources, water rights and water rights modeling. The following is a summary of the reasons why Staff wishes to proceed with a negotiated contract as opposed to requesting proposals for this work:

1. H&W has the expertise necessary to do the work.
2. H&W is familiar with Westminster's Raw Water System.
3. H&W has good references with other clients who have had similar projects with H&W staff. Specifically, the Denver Water Department give H&W's project manager a very favorable reference in regard to work he had done on the modeling effort to look at the entire Denver Water Department's raw water system.
4. There is no potential for conflict of interest with H&W representing other clients who would take adversarial positions to Westminster in the water court proceedings.
5. H&W billing rates are comparable to other firms with similar qualifications.
6. Other qualified consultants would require more time and money in order to develop a thorough working knowledge of Westminster's raw water supply system.

It is estimated that the contract for H&W's work on the yield model will be approximately \$55,000. This work would be billed on a time and materials basis. The price for this work includes an assumption for significant assistance and cooperation from the Water Resources Staff. It is anticipated that this work will take place over the 1996 and 1997 budget years, thus the money will be available in the Water Resources, Professional Services account. Staff is looking for direction from City Council on whether to proceed in negotiating a contract with H&W, or to prepare requests for proposals.

Staff Recommendation

Authorize the City Manager to execute an agreement with Helton & Williamson, Inc., in an amount not to exceed \$55,000, for engineering services related to the development of a computer model to simulate the operation of Westminster's raw water system.

Background Information

Since 1985, Water Resources Staff has maintained two independent water rights yield models in order to estimate the dependable yield of Westminster's raw water system. Both yield models determine how much water can be delivered from Standley Lake into the Westminster water distribution system during an historical period of record (1950-1980) that includes the 1950's drought. Westminster's firm yield is determined by finding the maximum municipal demand that can be placed on Westminster's raw water system during the historical period without incurring any shortages.

The two different yield models operate on a different principle. One yield model was developed by Westminster Staff using historical diversion records for the Church Ditch, Farmers' High Line Canal (FHL) and the Croke Canal. These diversions are input into Standley Lake and the model distributes the flows and determines what can be delivered to Westminster. The other model has a more complex structure. The Clear Creek Water Rights Model (CCWRM) was developed in order to analyze a number of various water right exchange scenarios for what eventually became the Clear Creek Water Quality Agreement between Westminster, Thornton, Golden and Coors (also known as the "Cosmic" Agreement).

This model simulates the operation all major water rights diversions on Clear Creek on a daily basis, operates the major water systems of various Clear Creek water users and performs a detailed operation of Standley Lake. This model has the ability to analyze the effect of other water rights operations on the yield of Westminster's raw water system. It can also estimate the yield of new water rights and exchanges on Clear Creek. The model has been kept up to date and has been modified by Westminster Staff over the years for use in estimating system firm yield, determining impacts of water rights cases on Westminster's supply and for determining the yield of the Jim Baker Reservoir project.

Both models used by Staff have been useful tools for water supply planning purposes, however, Staff believes that it is now necessary to perform a significant update of the City's model to coincide with the Water Supply Master Plan and City Comprehensive Plan updates currently underway. Modeling is now necessary to consider a number of factors involving the City's raw water supply that the current models cannot accommodate, such as:

- Determining the availability of reusable effluent & impact of the integration of the effluent reuse program on the City's raw water system and water demands.
- Analyzing the implications to the raw water system from the various scenarios for adding additional water treatment to the City's water distribution system.
- Updating the operations of the Cosmic Agreement and the Jim Baker Reservoir to reflect the actual operations of these exchanges and facilities. (Previous models have only looked at alternative operations to determine feasibility).
- Incorporate the actual operation of numerous water rights decrees for changes of use that have been granted in water court over the last several years.
- Update the computer model techniques to take advantage of modern computer technology.

Staff is proposing to utilize Helton & Williamson, P.C., (H&W) to do the work to create a new model based upon the previous models. H&W has been working with the Water Resources Division for a number of years on various water rights projects. H&W did the engineering for the very successful change of use of Westminster's Farmers Reservoir and Irrigation Company water rights for Standley Lake. H&W staff also worked for the Denver Water Department in developing a large scale computer model for the entire Denver Water Department system. Denver Water Staff gave the H&W engineer an excellent recommendation on his water rights and modeling ability.

The computer model to be developed will be used as a planning tool to make important decisions regarding the use of the City's water resources and operating its water rights system. This makes the model a sensitive planning tool which deals with confidential information regarding the use, operation and future acquisition of the City's raw water resources. The selection of a consultant to do the work on this model is similar to choosing legal counsel in that the consultant will become knowledgeable in every aspect of the City's raw water resources.

There is only a handful of consultants capable of doing the work and of them, very few would have no conflict of interest with Westminster from representing other water users who from time to time take adversarial positions to Westminster in the water court forum. Under these circumstances, Staff recommends that we negotiate a contract directly with Helton & Williamson for the modeling of the City's raw water system.

Respectfully submitted,

William M. Christopher
City Manager

Date: October 14, 1996

Subject: Bids for Wastewater Collection System Improvements

Prepared by: Jack Rudey, Utilities Field Operations Supervisor
Abel Moreno, Utilities Management Intern

Introduction

City Council action is requested to award the bid for the 1996 Wastewater Collection System Improvements to Western Slope Utilities, Inc.; authorize the City Manager to execute a contract between the City and Western Slope Utilities; and authorize a budget of \$314,349 for sanitary sewer rehabilitation and \$31,435 for a contingency budget. Funds are available for these expenditures in the 1996 Water and Wastewater Fund Capital Improvements Project Budget.

Summary

In order for the City to maintain the sanitary sewer main lines, it was determined that the Utilities Division should utilize "trenchless technology" in rehabilitating the City's most deteriorated sanitary sewer main lines. The Wastewater Collection System Improvements project was advertised two times during consecutive weeks in the Daily Journal, the premier construction newspaper in the Rocky Mountain Region. Five addenda were issued to the bidding documents and a pre-bid meeting was held on August 29. Two bids were read publicly on September 12, in the City Council Chambers.

<u>BIDDER</u>	<u>LUMP SUM BID</u>	<u>ALT. 1</u>	<u>ALT. 2</u>	<u>ADD'L PROJECT</u>
Western Slope Utilities	\$157,509	\$13,000	\$40,670	\$103,170
Insituform Plains	\$184,675	\$12,610	\$50,280	\$122,303
City Estimate	\$290,000	\$41,600	\$75,000	\$190,000
<u>BIDDER</u>		<u>TOTALS</u>		
Western Slope Utilities		\$314,349		
Insituform Plains		\$369,868		
City Estimate		\$596,600		

Western Slope Utilities has been determined to be the successful contractor on the basis of their bid as the lowest responsible responsive lump sum bid within the established funds available for the contract. The City's available budget for the wastewater collection system improvement contract is \$500,000.

Staff Recommendation

Award a contract to the low bidder Western Slope Utilities in the amount of \$314,349 for the 1996 Wastewater Collection System Improvements; authorize the City Manager to execute a contract between the City and Western Slope Utilities; authorize a budget of \$314,349 with a contingency budget of \$31,435; and charge the appropriate project accounts in the Water and Wastewater Capital Improvement Projects budget.

Background Information

Manhole rehabilitation was listed as an option to the City in the bid documents, which is indicated as Alternative 1 on the Bid Schedule. Twenty-six manholes have been listed for manhole rehabilitation, an important component for increased flow.

An additional 1,900 linear feet of sanitary sewer main of rehabilitation has been added to the project due to the additional funds being available from the lower than expected bids. Prior to formulating the bid documents City Staff estimated a cost of \$100 per linear feet from an unofficial bid of \$94 per linear foot received from one of the two current bidders. However, after reviewing the bid documents it was determined the bids came back at \$54.30 and \$64.37 per linear foot, respectively; therefore, this allowed for an additional deteriorated sanitary sewer main be added to the project. This project was not bid as an alternate, due to the higher expected cost than was received.

Western Slope Utilities has guaranteed the same per linear foot cost as was bid. It is more cost effective and time efficient to add on the project now than to re-bid in the future, since it will be a continuation of the project bid on Lowell Boulevard. This project will be from 88th Avenue to Shaw Boulevard on Lowell Boulevard.

Trenchless technology will allow the City's Construction Crew to put its emphasis on water line replacement, the Utilities Division's highest priority. Rehabilitation of the sanitary sewer mains deteriorated pipes can now be performed without having to excavate a trench. Installing a Cured-In-Place-Pipe (CIPP) within a sanitary sewer main decreases the diameter, yet increases the flow capacity due to the smooth coefficient force.

The CIPP is a resin impregnated felt lining that is either pulled or inverted into the sanitary sewer main, which then cures by the use of hot water. This relatively new method of sanitary sewer rehabilitation is comparative in price to an actual sanitary sewer main replacement, without the excavation. Enhanced customer service will also take place since many residents will not be inconvenienced or disturbed with closed or excavated roadways.

A total of approximately 3,650 linear feet of sanitary sewer main was submitted in the bid documents for rehabilitation. The main lines selected for this project are a 15-inch concrete line running underneath U.S. 36 between the Shaw Heights Water District and the City of Westminster; a 15-inch concrete line on Lowell Boulevard from 91st Avenue to 88th Avenue; and a 15-inch clay line on Shaw Boulevard between Circle Drive and Oakwood Street, indicated as Alternative 2 on the Bid Schedule. These lines have been selected due to health and safety reasons of both City employees and residents.

An alternative to this project would be to replace the sanitary sewer mains rather than rehabilitate them. Replacement would be as effective as rehabilitation, but it would decrease customer relations due to many overlaid streets in the project areas.

Construction of this project is expected to begin at the end of October and the work completed by January 31, 1997. This time period was selected due to decreased water usage and flows.

Respectfully submitted,

William M. Christopher
City Manager

Date: October 14, 1996

Subject: Amended Engineering Design Contract re Lowell Boulevard

Prepared by: Kevin Berryhill, Senior Civil Engineer

Introduction

City Council action is requested to authorize the City Manager to execute an Amended Engineering Design Contract with Drexel Barrell Engineers/Surveyors (DB) in the amount of \$23,193 bringing the total current contract amount to \$60,510 for the Lowell Boulevard Roadway and Water Line Improvement Project. Funds for this expense are available in the Lowell Boulevard Roadway and Water Line Improvement Project of the General Capital Improvement Fund.

Summary

In 1994, Adams County initiated the Lowell Boulevard Improvement Project which extended from 68th Avenue to the Burlington Northern railroad (BNRR). Since then, City Staff re-evaluated the project and determined that it was advisable to extend the project north across the BNRR to 71st Place to provide a smoother transition into the 72nd Avenue project currently under construction. It was also decided to incorporate decorative street lighting and planter boxes on the west of Lowell Boulevard into the design consistent with the streetscape improvements being installed along 72nd Avenue.

The cost of this additional design contract is \$23,193, which when added to the original contract amount of \$27,865 and the Addendum No. 1 amount of \$9,452, brings the total contract amount to \$60,510.

Staff Recommendation

Authorize the City Manager to execute an Amended Engineering Design Contract with Drexel Barrell Engineers/Surveyors, Inc. in the amount of \$23,193 for the additional design services for the Lowell Boulevard Roadway and Water Line Improvement Project, thus establishing a total amount not to exceed \$60,510; and charge the expenses to the appropriate project account in the General Capital Improvement Fund.

Background Information

In 1994, Adams County initiated the Lowell Boulevard Roadway and Water Line Improvement Project. Adams County allocated funds for this project in the amount of \$100,000 for 1996 and \$360,000 in 1997, totaling \$460,000. The original project consisted of roadway and water line improvements for Lowell Boulevard from 68th Avenue extending north to the Burlington Northern Railroad (BNRR). Addendum No. 1 accounted for necessary additional services that were not anticipated with the original contract (i.e., additional Geotech testing and analysis, revisions for Phase I plans and contract documents and supplemental field survey and mapping) and to break the project into two phases:

Phase I was the water line construction and Phase II will be the roadway construction. Phase I construction was completed in August of 1996.

With the construction of the 72nd Avenue Improvements Project, City Staff has re-evaluated the Lowell Boulevard Phase II project and decided that it would be beneficial to extend the roadway widening north across the BNRR to 71st Place (the southern limit of the full width improvements of the 72nd Avenue project) and to incorporate the landscaping and street lighting features being constructed in the 72nd Avenue Project (see attached map). The modifications to the Lowell Boulevard Roadway and Water Line Improvements Project are as follows:

Transition from BNRR to 71st Place

- Widen Lowell Boulevard through the BNRR crossing and extend to 71st Place. This will eliminate a bottleneck at the railroad crossing.

Decorative Street Lighting

- Include decorative street lighting along Lowell Boulevard to match those used on the 72nd Avenue Project.

Landscape Planter Boxes

- Incorporate five-foot wide, pre-cast planter modules behind the proposed curb and gutter along the west side of Lowell Boulevard to match those used on the 72nd Avenue Project.

The estimated construction cost of these additional improvements is \$335,000. The current project budget is not sufficient to fund the proposed extension of the project limits north to 71st Place (as well as the street lighting and planter box enhancements), but it is Staff's belief that the benefits that would be gained by providing a continuous (to 72nd Avenue), aesthetically pleasing entrance to the southern portion of the City warrant Council's consideration of a supplemental appropriation of funds in the 1998 Capital Improvement Project Fund. With right-of-way acquisitions scheduled for 1997, the construction of Lowell Boulevard improvements is not anticipated to begin until 1998. The proposed, additional improvements could be bid as alternatives in the event that Council would elect to not appropriate additional funds to the project in 1998.

Staff recommends that Drexel Barrell Engineers/Surveyors, Inc. is the most logical choice of consultants to perform these revisions since the additional services are an extension of the on-going project. Staff believes that the requested additional fee is reasonable considering the amount of modifications that will be necessary to the drawings to incorporate the planter boxes, decorative street lighting and northern roadway extension into the project design. It should also be noted that the original contract amount of \$27,865 was an extremely competitive cost proposal from this consultant.

If City Council does not believe all or any portion of the "improvements" covered by the additional design fees, it would be appropriate to reject the additional \$23,193 or a portion of the fees being presented to Council at this time.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: October 14, 1996
Subject: Transportation Commission Bylaw Amendments
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to accept the modifications to the Transportation Commission bylaws.

Summary

At the last meeting of the Transportation Commission, held on Wednesday, September 11th, several minor changes to the Transportation Commission bylaws were adopted. Bob June, Chairperson of the Transportation Commission will be present at Monday night's meeting to answer any questions.

These changes include the following:

- Changing the number of members to be consistent with the current City Code and current appointments
- Changing a quorum to be 4 members and
- Eliminating a specific day of the week for meetings.
- Other minor changes to be consistent with the City Charter and City Code.

Staff Recommendation

Approve the proposed bylaw changes for the Transportation Commission.

Background Information

Per City Code requirements, the Transportation Commission bylaws are required to be approved by City Council. City Council originally adopted the bylaws of the Transportation Commission on April 12, 1982, and the proposed changes are the first change to be made to these bylaws.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

TRANSPORTATION COMMISSION

CITY OF WESTMINSTER, COLORADO

The Official Code of the City of Westminster has established a Transportation Commission, hereinafter referred to as the Commission, which is given the responsibilities of obtaining input from citizens on mass transportation issues; reviewing proposals from the Regional Transportation District; providing advice to the City Council on mass transportation; and performing other duties related to the Regional Transportation District that may be assigned from time to time by the Council.

WHEREAS, Title II of the Official Code of the City of Westminster requires the Commission make and adopt by resolution its own bylaws, subject to approval of the City Council, and in conformity with the applicable statutes and ordinances.

NOW, THEREFORE be it resolved by the Commission that the following shall constitute the bylaws of the Commission.

I. MEMBERSHIP

A. Regular Members: Said Commission shall consist of SEVEN (7) REGULAR MEMBERS AND ONE (1) ALTERNATE ~~five (5)~~ member who shall be residents of the City of Westminster ~~area~~ during their term of office. These members shall be appointed by the City Council and shall serve for a term of two (2) years. The terms shall be staggered so that on even numbered years, FOUR (4) ~~three (3)~~ members shall be appointed with each term commencing January 1 and terminating on December 31 of the second year thereafter ~~except that the members of the first Commission shall serve for terms~~ as follows:

1. Three (3) REGULAR members AND THE ALTERNATE MEMBER ~~shall serve until December 31, 1993~~ TERMS TO EXPIRE ON DECEMBER 31 OF ODD NUMBERED CALENDAR YEARS.

2. ~~Two (2) members shall serve until December 31, 1992.~~ FOUR (4) REGULAR MEMBERS TERMS TO EXPIRE ON DECEMBER 31 OF EVEN NUMBERED CALENDAR YEARS.

B. City Council Representative: City Council shall designate a member of Council to attend Commission meetings. The appointed Council member shall be an ex-officio, non-voting member of the Commission, ~~appointed for a one (1) year term,~~ with the same rights and privileges as regular members.

C. Secretary: Council shall, at its discretion, provide the Commission with a secretary to accurately record the minutes of each regular and special meeting of the Commission.

II. OFFICERS - APPOINTMENTS - DUTIES:

The officers shall be a Chair~~man~~PERSON and Vice Chair~~man~~PERSON, both of whom shall be regular members of the Commission.

A. Chair: ~~The City Council shall annually, at its last Council meeting in January, appoint one member of the Commission to be its Chairman for a term of one calendar year or until a successor has been appointed. THE Chair~~man~~PERSON AND VICE CHAIR OF THE BOARD SHALL BE SELECTED PURSUANT TO WESTMINSTER MUNICIPAL CODE. No member shall be eligible for appointment as Chairman unless he has served at least one (1) year as a member of the Commission provided however, that if no member is so eligible, the Council shall appoint the member it determines best qualified.~~

The ChairmanPERSON shall preside at all meetings of the Commission and shall communicate with the City Council on a regular basis regarding business transacted by the Commission, at the discretion of the ChairmanPERSON. The ChairmanPERSON shall communicate with the Regional Transportation District on a regular basis regarding business transacted by the Commission, at the discretion of the ChairmanPERSON. The ChairmanPERSON shall also be responsible for all records and property of the Commission.

~~B. Vice Chairman: The Chairman shall appoint a Vice chairman from its membership, on the Commission's first regular meeting following appointment by the City Council of the Chairman of the Commission. This Vice Chairman shall assume the duties of the Chairman in his absence and any other duties as assigned by the Chairman.~~

III. MEETINGS - QUORUM - PARLIMENTARY AUTHORITY

A. Regular Meetings: Regular meetings shall be held on ~~the third Thursday~~ A DESIGNATED DAY of each month as needed beginning at ~~7:30~~ 7:00 P.M. at a location designated by the ChairmanPERSON AND AGREED TO BY A MAJORITY OF COMMISSION MEMBERS.

B. Special Meetings: Special meetings shall be called by and at the discretion of the ChairmanPERSON OR at the request of at least two (2) regular members, at a location designated by the Chairmanperson.

C. Quorum: A quorum shall consist of ~~three (3)~~ FOUR (4) members, and a ~~decision~~ VOTE of a majority of the ATTENDING members ~~of the entire Commission shall control~~ PREVAIL.

D. Parlimentary Authority: The rules contained in Roberts Rules of Order Revised shall govern in all cases to which they are applicable and in which they are ~~not~~ inconsistent with these bylaws.

IV. ATTENDANCE - VACANCY:

A. Attendance: Any member of the Commission may be removed for non-attendance of ~~three (3)~~ FOUR (4) consecutive meetings or other cause by majority vote of the City Council.

B. Vacancy: If a vacancy occurs on the Commission, the Council shall make an appointment within a reasonable length of time thereafter to fill the unexpired term.

V. **AMENDMENTS TO BYLAWS**: These bylaws may be amended by a majority vote of the Commission members at a regular meeting provided that the change has been proposed at the previous regular meeting. All such amendments shall be approved by the City Council.

Original bylaws adopted by Westminster City Council on April 12, 1982; and amendments to the bylaws approved by Council on

Approved by Westminster City Council on this 14th day of October, 1996.

TRANSPORTATION COMMISSION

CITY OF WESTMINSTER, COLORADO

The Official Code of the City of Westminster has established a Transportation Commission, hereinafter referred to as the Commission, which is given the responsibilities of obtaining input from citizens on mass transportation issues; reviewing proposals from the Regional Transportation District; providing advice to the City Council on mass transportation; and performing other duties related to the Regional Transportation District that may be assigned from time to time by the Council.

WHEREAS, Title II of the Official Code of the City of Westminster requires the Commission make and adopt by resolution its own bylaws, subject to approval of the City Council, and in conformity with the applicable statutes and ordinances.

NOW, THEREFORE be it resolved by the Commission that the following shall constitute the bylaws of the Commission.

I. MEMBERSHIP

A. Regular Members: Said Commission shall consist of seven (7) regular members and one (1) alternate member who shall be residents of the City of Westminster during their term of office. These members shall be appointed by the City Council and shall serve for a term of two (2) years. The terms shall be staggered so that on even numbered years, four (4) members shall be appointed with each term commencing January 1 and terminating on December 31 of the second year thereafter as follows:

1. Three (3) regular members and the alternate member terms to expire on December 31 of odd numbered calendar years.
2. Four (4) regular members terms to expire on December 31 of even numbered calendar years.

B. City Council Representative: City Council shall designate a member of Council to attend Commission meetings. The appointed Council member shall be an ex-officio, non-voting member of the Commission, with the same rights and privileges as regular members.

C. Secretary: Council shall, at its discretion, provide the Commission with a secretary to accurately record the minutes of each regular and special meeting of the Commission.

II. OFFICERS - APPOINTMENTS - DUTIES:

The officers shall be a Chairperson and Vice Chairperson, both of whom shall be regular members of the Commission.

A. Chair: The Chairperson and Vice Chair of the Board shall be selected pursuant to Westminster Municipal Code. The Chairperson shall preside at all meetings of the Commission and shall communicate with the City Council on a regular basis regarding business transacted by the Commission, at the discretion of the Chairperson. The Chairperson shall communicate with the Regional Transportation District on a regular basis regarding business transacted by the Commission, at the discretion of the Chairperson. The Chairperson shall also be responsible for all records and property of the Commission.

III. MEETINGS - QUORUM - PARLIMENTARY AUTHORITY

A. Regular Meetings: Regular meetings shall be held on a designated day of each month as needed beginning at 7:00 P.M. at a location designated by the Chairperson and agreed to by a majority of Commission members.

B. Special Meetings: Special meetings shall be called by and at the discretion of the Chairperson or at the request of at least two (2) regular members, at a location designated by the Chairperson.

C. Quorum: A quorum shall consist of four (4) members, and a vote of a majority of the attending members shall prevail.

D. Parlimentary Authority: The rules contained in Roberts Rules of Order Revised shall govern in all cases to which they are applicable and in which they are consistent with these bylaws.

IV. ATTENDANCE - VACANCY

A. Attendance: Any member of the Commission may be removed for non-attendance of four (4) consecutive meetings or other cause by majority vote of the City Council.

B. Vacancy: If a vacancy occurs on the Commission, the Council shall make an appointment within a reasonable length of time thereafter to fill the unexpired term.

V. **AMENDMENTS TO BYLAWS**: These bylaws may be amended by a majority vote of the Commission members at a regular meeting provided that the change has been proposed at the previous regular meeting. All such amendments shall be approved by the City Council.

Original bylaws adopted by Westminster City Council on April 12, 1982; and amendments to the bylaws approved by the Transportation Commission on September 11, 1996 and Approved by Westminster City Council on this 14th day of October, 1996.

Date: October 14, 1996
Subject: Resolution No. re Planning Commission Appointment
Prepared by: Michele Gallegos, City Clerk

Introduction

City Council action is requested to adopt the attached Resolution which accepts the resignation of Grail Kister from the Planning Commission and to fill this vacancy from the current "pool" of applicants.

Summary

Grail Kister has submitted a letter of resignation from the Planning Commission since he has recently moved out of the City. A copy of his letter of resignation is attached.

The City Council interview teams earlier in 1996 completed interviews with the Board and Commission "pool" applicants that expressed interest in serving on the Planning Commission. A copy of the matrix is also attached.

Staff Recommendation:

Adopt Resolution No. which accepts the resignation of Grail Kister from the Planning Commission, and filling this vacancy on the Board.

Background Information:

Grail Kister was originally appointed to the Planning Commission on January 23, 1984 and has served continually since that time. His current term of office would expire on December 31, 1996.

Currently, the Planning Commission alternates are Gregg Mann who was appointed on March 6, 1995 and Clenton Kayl who was appointed on February 14, 1994. Per City Code requirements, all alternate terms expire on December 31, 1997.

A resolution has been prepared to formally accept the resignation of Grail Kister and to make the appointment to the Planning Commission at this time.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

CITY OF WESTMINSTER PLANNING COMMISSION APPOINTMENT

WHEREAS, City Council has been notified of the resignation of Grail Kister from the Planning Commission;
and

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

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

1. City Council does hereby accept the resignation of Grail Kister from the Planning Commission; and
2. City Council does hereby appoint the following individuals to the City of Westminster Planning Commission with the term of office to expire as stated.

<u>NAME</u>	<u>BOARD/COMMISSION</u>	<u>TERM EXPIRE</u>
	Planning Commission as Alternate member	12-31-97
	Planning Commission moved from Alternate member to Regular member	12-31-96

Passed and adopted this 14th day of October, 1996.

ATTEST

Mayor

City Clerk

Date: October 28, 1996

Subject: Adoption of 1997 City Budget

Prepared by: Mike Simmons, Management Assistant

Introduction

City Council is scheduled to adopt the 1997 City Budget at Monday night's meeting 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 meeting on the Budget. In addition, City Council action is requested to approve the attached Councillor's Bill that would implement water and sewer rate increases totalling approximately 5.0% for the customer that has average water consumption and sewer use.

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 10 and two public hearings were held on the proposed 1997 Budget on July 22 and September 9. A copy of the proposed 1997 Budget has been on file in the City Clerk's Office for citizen review since September 3 and the appropriate legal notices have been published in the official City newspaper.

The 1997 Budget reflects all City operations and services to be provided to Westminster citizens in 1997. It also provides for several priority enhancements to City services and productivity improvements. The budget includes a net total of 29.55 new full-time equivalent (FTE) positions, including 13.5 FTE's for the new College Hill Library, to carry out City Council focus area programs and to maintain adequate service levels in various departments. The total 1997 Proposed Budget is \$100,956,495 which includes \$2,700,000 in the Reserve Fund and \$2,553,517 in Contingency accounts. This budget is predicated on a conservative projection of 800 single family detached housing starts, a modest increase in residential and commercial construction activity and no increase in property tax. In addition, the combined water and sewer rates will be slightly increased by 5.0% based on data gathered through the utility rate model, and an ordinance is attached to implement this action. Even with this conservative fiscal approach, the City will be able to provide a full range of excellent services and provide for an aggressive Capital Improvement Program in 1997.

The following provides a brief executive summary of the proposed 1997 City Budget:

- > General Fund expenditures are budgeted at \$45,234,000 (incl. Contingency) which is an increase of 3.0% over the 1996 estimated expenditure level of \$43,892,421.
- > The General Fund will receive a transfer payment from the Sales and Use Tax Fund totalling \$31,658,000 which is an increase of 6.9% over the 1996 transfer payment of \$29,616,000.
- > The total number of full-time equivalent (FTE) staffing in 1996 is 720.274 - an increase of 29.55 FTE's over the 1996 authorized level. New FTE's in 1996 include 13.5 FTE's for the new College Hill Library, 6.5 FTE's in the Police and Fire Departments, 5.0 FTE's in Parks and Recreation, 3.6 FTE's to address data processing and environmental compliance needs, 2.45 FTE's to address internal service delivery needs, and a 0.5 FTE at Legacy Ridge Golf Course. In addition, two positions in the Animal Control division are proposed to be eliminated due to the recommended outsourcing of the animal storage function.

- > Utility Fund revenue is projected at \$33,534,034 - an increase of 2.4% compared to the 1996 estimated revenue of \$32,740,776.
 - > Sales and Use Tax revenue for 1997 is projected at \$38,325,000 - a 4.2% increase compared to the 1996 estimated revenue of \$36,782,000. Sales Tax returns are projected to increase by 6.4% over 1996.
 - > In 1997, Contingency is recommended at \$1,122,856 in the General Fund, \$1,348,743 in the Utility Fund and \$81,918 in the Golf Course Fund. The Reserve account for 1996 is \$2,700,000.
 - > An aggressive General Capital Improvement Program is recommended in 1997 due to the continued strength of one-time revenues such as Building and Use Taxes, Park Development Fees, and Carryover Funds from the General Fund.
- "Pay-as-you-go" revenues are proposed at \$11,285,000 which includes \$4,923,000 for street and traffic improvements, \$1,750,000 for city facilities and infrastructure, and \$4,612,000 for park development projects. In addition, the 1997 CIP package is contingent upon voter approval of a \$15 million Sales and Use Tax Revenue bond to fund a variety of transportation improvements in the Westminster City Center area, including the Westminster Mall. Approval of the bond issue will not result in any tax increase for Westminster residents.
- > A comprehensive Utility Fund Capital Improvement Program is funded at \$11,336,000 all of which is based on "pay as you go" funding. Another \$3,590,000 is recommended through debt financing for the 1997 portion of the Water Reclamation Project.

Staff Recommendation

1. Adopt Resolution No. which sets the mill levy at 3.65 mills and formally adopts the total 1997 City Budget including staffing and the Five Year Capital Improvement Plan.
2. Pass Councillor's Bill No. on first reading which sets the new water and sewer rate effective January 1, 1997 with no adjustments for a period of two years.

Background Information

CITY COUNCIL FOCUS AREAS: Earlier this year, City Council identified five focus areas to be pursued in 1997. They consist of the following focus areas:

- > Economic Development
- > South Westminster Enhancements
- > Citizen Involvement
- > Parks and Recreation
- > Public Safety

The 1997 City Budget has been built upon these key areas, and includes programs to address each focus area identified by City Council. Economic Development will continue to be a high priority as the City plans to pursue new high tech businesses, hotels, grocery stores and entertainment and sports complexes along major business corridors throughout the City. Development of the Countrydale Business Park and golf course, and the continuing efforts at the exciting pedestrian activity center known as the Westminster Promenade will be major priorities for the City in 1997. In addition, a consultant will be hired to assist with the implementation of the City's Comprehensive Plan that will be completed later this year.

South Westminster Enhancements are another area that will be a priority in 1997. Redevelopment of the Westminster Plaza and along the 72nd Avenue business corridor will be a key focus in 1997. A South Westminster Coordinator will be hired using Westminster Economic Development Authority (WEDA) funds to oversee this major redevelopment effort. Further enhancement efforts include a more proactive code enforcement program and major improvements to several South Westminster neighborhood parks.

In order to maintain effective citizen involvement and communication throughout the City, funds are available for several key enhancements. An additional 0.20 FTE Volunteer Coordinator will be hired to better respond to escalating customer needs as the City increases volunteer opportunities. The City will also pursue several public information enhancements that will focus on youth civics education, an upgraded new resident package, and participation in the Public Television Democracy Project. Additional funding will also allow the City to put more resources into the production and programming of its government access channel on cable television.

Another City Council priority that is addressed in the 1997 Budget is Parks and Recreation. Several new positions will be hired in 1997 to ensure that the City's park and open space system maintains a high standard of appearance and aesthetics. A 1.0 FTE Park Ranger will also be hired at Standley Lake to assist with maintenance and law enforcement as the facility transitions to a regional park operating on a year-round basis. Furthermore, funds are budgeted in the capital improvement program to develop parks and trails, and improve existing park and open space sites.

The final critical focus area that will be emphasized in 1997 is Public Safety. To handle the substantial increase in the volume of police calls, 2.5 FTE Communications Specialists and 2.0 FTE Police Officers will be hired in 1997. In addition, a 0.5 FTE Code Enforcement Officer, and a 0.5 FTE Probation Officer are budgeted to address increased activity in these areas.

In the Fire Department, a 1.0 FTE Firefighter will complete the separation of staffing for Engine 4 and Ambulance 4 in order to improve response in the Station 4 area. Funding is also provided for the upgrade of six current Firefighters to Paramedics to advance the level of patient care from Basic Life Support to Advanced Life Support on each emergency apparatus. Mobile data terminals will also be installed in Fire emergency vehicles, providing staff with immediate access to critical information and allowing for more convenient and efficient report processing.

STAFFING: The 1997 City Budget calls for a net increase of 29.55 FTE positions to carry out City Council focus area programs and to maintain effective service levels within various City departments. Almost half of these new employees will be hired in late 1997 to begin preparations for the opening of the new College Hill Library, a joint facility that will be operated by both the City and Front Range Community College. Even with the addition of this new facility, this increase in total FTE's is consistent with previous benchmark employee/population ratios. Based on a year-end 1996 population of 90,000 and a 1997 workforce of 720.274 FTE's, the ratio equals 8.0 FTE's per 1,000 population. This number falls in the middle of the range for this statistic which has been as high as 8.39 FTE's in 1987 and as low as 7.75 FTE's in 1990.

CITIZEN REQUESTS: At the various public hearings on the 1997 proposed budget, several residents either requested information about City projects or asked that City Council consider providing funds for specific City programs 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 1997 Budget to address these projects.

ATTACHMENTS: The attached Resolution maintains the City's property tax mill levy at 3.65 mills. The City has not raised the property tax mill levy in five years, and it continues to be one of the lowest in the Denver metropolitan area. Any future increase in the mill levy will require voter approval under the provisions set forth in Amendment One.

An ordinance is also attached which establishes a new water and sewer rate. The new rate is based on the results of the City's comprehensive utility rate model. On average, the 5.0% combined increase in water and sewer rates will result in an additional \$30 per year for each household. This rate adjustment will produce sufficient revenues for a two year period meaning that no increase in rates would be required in 1998.

This budget also contains a new water rate for owner occupied townhomes. Previously, townhomes were charged at the City's commercial rate, however, it was brought to City Council and Staff's attention that this rate places an unfair burden on townhome owners. After further research, Staff has agreed to impose an interim water rate of 80% of the commercial rate for townhome complexes on master meters which can demonstrate they are 80% owner occupied. Staff will study townhome water use patterns over the next two years and plan to have a recommended permanent rate to implement for 1999.

It should also be noted that this budget does not include any changes to the meter service charge, nor does it include any increase to utility tap fees.

There are also several Exhibits attached which are ready for final action as deemed appropriate by City Council.

City Staff appreciates the leadership and direction provided by the Mayor and City Council in developing the 1997 Budget. Special recognition is also due for the Budget Review Team, the City Manager's Office, General Services Department and Finance Department for their hard work and commitment in preparing a well thought out budget.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. INTRODUCED BY COUNCILLORS

SERIES OF 1996 _____

A RESOLUTION OF THE CITY OF WESTMINSTER, COLORADO SETTING THE 1996 MILL LEVY COLLECTIBLE IN 1997, ADOPTING THE BUDGET AND FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE FISCAL YEAR 1997.

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 1997; and

WHEREAS, On July 22 and September 9, 1996, public hearings on the proposed 1997 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 1996 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, 1997 which has been submitted by the City Manager is hereby adopted according to the attached exhibits:

FUND	EXHIBITS
General	A
Utility	B
General Capital Improvement	C
Sales & Use Tax	D
Open Space	E
Fleet Maintenance	F
Golf Course Fund	G
Human Service Agency Funding	H
Five Year Capital Improvement Program	I
Staffing Summary	J

Be it further resolved, that the annual budget of the City of Westminster for fiscal year 1997 beginning January 1, 1997 be established with the following totals:

Balance of Funds on 1-1-96	<u>1997 PROPOSED</u>
General Fund	\$770,000
Utility Fund	4,809,034
Fleet Maintenance Fund	0
Sales & Use Tax Fund	2,410,000
General Capital Improvement Fund	524,000
Reserve Fund	2,550,000
Conservation Trust Fund	182,000
Open Space Fund	171,000
General Debt Service Fund	52,336
Golf Course Fund	0
TOTAL	\$11,468,370

REVENUES:

1997 PROPOSED

General Fund	\$44,464,000
Utility Fund	28,725,000
Fleet Maintenance Fund	998,235
Sales & Use Tax Fund	38,325,000
General Capital Improvement Fund	10,761,000
Reserve Fund	150,000
Conservation Trust Fund	578,000
Open Space Fund	3,105,000
General Debt Service Fund	5,783,125
Golf Course Fund	<u>1,670,000</u>
TOTAL	\$134,559,360
Total Funds Available	\$146,027,730
Less Transfers	
<u>-45,071,235</u>	
GRAND TOTAL	\$100,956,495

EXPENDITURES:

1997 PROPOSED

General Fund	\$44,111,144
Utility Fund	32,185,291
Fleet Maintenance Fund	998,235
Sales & Use Tax Fund	40,735,000
General Capital Improvement Fund	11,285,000
Reserve Fund	0
Conservation Trust Fund	760,000
Open Space Fund	3,276,000
General Debt Service Fund	5,835,461
Golf Course Fund	<u>1,588,082</u>
TOTAL	\$140,774,213
Less Transfers	<u>-45,071,235</u>
	\$95,702,978
Plus Contingencies	5,253,517
GRAND TOTAL	\$100,956,495

Passed and adopted this 28th day of October, 1996.

ATTEST:

Mayor

City Clerk

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO.

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

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

THE CITY OF WESTMINSTER ORDAINS:

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

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

WHEREAS, the last water rate increase and the last rate increase for sewer user charges took effect January, 1996; and

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

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

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

Section 1. Title VIII, Chapter 7, Section 7, Subsection (B), Westminster Municipal Code, is hereby amended as follows:

(B) RESIDENTIAL: Three (3) dwelling units or less served by one meter primarily used for residential occupancy shall be charged a \$2.10 per month meter service charge plus:

1.65 PER 1,000 gallons	First 4,000 gallons
2.50 PER 1,000 gallons	5,000 TO 25,000 gallons
3.99 PER 1,000 gallons	26,000 gallons and over
\$1.80 PER 1,000 GALLONS	FIRST 4,000 GALLONS
\$2.60 PER 1,000 GALLONS	5,000 TO 25,000 GALLONS
\$3.99 PER 1,000 GALLONS	26,000 GALLONS AND OVER

per unit. Unit consumption shall be determined by dividing the number of gallons consumed by the number of units using one meter. Notwithstanding the above, residential customers who use more than fifty thousand (50,000) gallons for two (2) billing cycles in a twelve (12) month period will be billed at the rate of three dollars and thirty cents (\$3.30) per one thousand (1,000) gallons for any usage exceeding 50,000 gallons. If usage exceeds 50,000 gallons for more than two billing cycles in a twelve month period, the first two (2) qualifying cycles will be billed at the \$3.30 rate.

Section 2. Title VIII, Chapter 7, Section 7, Subsection (C), Westminster Municipal Code, is hereby amended as follows:

(C) MULTIPLE UNITS, COMMERCIAL AND PUBLIC: Multiple residential units consisting of four (4) units or more, commercial units and public users consisting of municipal, county and state facilities, church facilities, school district facilities and recreation district facilities shall be charged ten dollar and fifty cents (\$10.50) monthly meter service charge plus ~~three dollars and two cents (\$3.02)~~ THREE DOLLARS AND SEVENTEEN CENTS (\$3.17) per thousand (1,000) gallons for all water delivered through the meter.

NON-IRRIGATION ACCOUNTS FOR MULTIPLE RESIDENTIAL UNITS CONSISTING OF FOUR (4) UNITS OR MORE WHICH ARE NOT INDIVIDUALLY METERED AND WHICH ARE CLASSIFIED AS TOWNHOMES OR CONDOMINIUMS AND CAN DEMONSTRATE THAT THEY ARE EIGHTY PERCENT (80%) OWNER OCCUPIED ON A COMPLEX WIDE BASIS SHALL BE CHARGED A TEN DOLLAR AND FIFTY CENTS (\$10.50) MONTHLY METER SERVICE CHARGE PLUS TWO DOLLARS AND FIFTY FOUR CENTS (\$2.54) PER THOUSAND (1,000) GALLONS FOR ALL WATER DELIVERED THROUGH THE METER. THE DIRECTOR OF FINANCE IS AUTHORIZED TO PRESCRIBE AND ACCEPT SUCH FORMS OF DOCUMENTATION AS THE DIRECTOR MAY DEEM SUFFICIENT TO DEMONSTRATE AN APPLICANT'S ELIGIBILITY FOR THE RATE DESCRIBED IN THIS PARAGRAPH. FOR PURPOSES OF THIS SECTION, A TOWNHOME OR CONDOMINIUM IS A RESIDENTIAL UNIT PHYSICALLY ATTACHED TO ANOTHER RESIDENTIAL UNIT AND SEPARATELY OWNED.

Section 3. Title VIII, Chapter 8, Section 5, Subsection (D), Westminster Municipal Code, is hereby amended as follows:

(D) The rates for user charges hereinafter set forth are based generally upon the quantity and quality of sewage collected and they are subject to change periodically as circumstances require. The minimum monthly rate for use of the City of Westminster sanitary sewerage system by residential, including multiple unit residential, and public users shall be a sum equal to ~~two dollars and twenty-four cents (\$2.24)~~ TWO DOLLARS AND THIRTY-FIVE (2.35) per thousand (1,000) gallons multiplied by the average monthly water consumption per user during the period December 1 through March 31. The minimum monthly rate for use of the City of Westminster sanitary sewerage system by multiple units and commercial users shall be a sum equal to ~~two dollars and fifty-seven cents (\$2.57)~~ TWO DOLLARS AND SEVENTY CENTS (\$2.70) per thousand (1,000) gallons multiplied by the average monthly water consumption per user during the period December 1 through March 31. The minimum monthly sewer charge for commercial users may be appealed to the Utility Billing division for user charges resulting from the average monthly water consumption during the period of December 1 through March 31 and may be adjusted if the water consumed during the months of June 1 through September 30 is less. Commercial users shall be allowed to install a separate meter to record out of house use which consumption will not be assessed a sewer use charge. The meter readings actually taken prior to and closest to the specified time frame shall be used for purposes of accomplishing the required calculation. However, City Council may by Resolution adjust the period of time to be used to calculate said user charges when, in the opinion of the Council, climate conditions and water consumption patterns warrant such an adjustment. The monthly charge shall apply to an account that is billed for more than fifteen (15) days service. Any new occupant of a residential unit shall be charged

fifteen dollars and fifty cents (\$15.50) sewer charge until an experience rate has been established. Residential users who appeal the initial sewer charge rate can have the rate adjusted to actual usage of the first four (4) months of occupancy. Any new multi-unit or commercial account shall be charged a rate based on water consumption of similar accounts in the Westminster or the Denver Metro area. Any account not receiving Westminster water will be based on actual consumption, if available or consumption of similar accounts.

Section 4. This ordinance shall be effective for any water charges billed after December 31, 1996.

Section 5. 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 14th day of October, 1996.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 28th day of October, 1996.

ATTEST:

Mayor

City Clerk

Date: October 14, 1996

Subject: Resolution No. re Adoption of 1997 Pay Plan

Prepared By: Matt Lutkus, Deputy City Manager for Administration

Introduction

As part of the 1997 Budget adoption process, Staff requests that City Council consider the attached resolution which establishes the 1997 salary ranges, but not take formal action until the October 28 City Council meeting. The funds needed to implement the recommended adjustments have been included in the proposed 1997 City Budget.

Summary

The City Administration is recommending a 3.5% across-the-board increase for all full-time and part-time Classified and temporary positions, adjustments of approximately 3.5% at the top of the ranges for most Unclassified positions and a series of other pay range adjustments based on the annual pay plan review and salary survey conducted by the Employee Services Division.

Staff Recommendation

Defer final action on the 1997 Pay Plan and employee benefits to the October 28 City Council meeting. In the alternative, if City Council wishes to take final action, the following action is recommended:

Adopt Resolution No. which establishes the 1997 pay ranges for City employees and authorizes certain adjustments in City employee benefits.

Background Information

City Staff continues to use a benchmark system whereby City positions which are relatively similar among Front Range cities are surveyed. The salaries for non-benchmark positions are linked to the salaries of benchmark positions based on their relationships in a job group and relative value to the organization. In addressing market based changes in employee salaries, half of the major job category benchmarks are surveyed each year. This year, benchmark salary surveys were conducted for police, fire, management, and business and professional occupations.

The recommended pay and classification adjustments were based on an extensive salary survey process which included eight 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 positions are Arvada, Aurora, Boulder, Englewood, Fort Collins, Lakewood, Littleton, and Thornton. In addition, a number of special districts are surveyed for Fire and Parks and Recreation position comparisons.

The main information resources used during this process are from the Colorado Municipal League surveys, private sector data from Mountain States Employers Council as well as direct contacts with other municipalities.

Staff is recommending an across the board adjustment of 3.5% to keep pace with overall salary increases in the public and private sectors. Across-the-board increases being projected in other area cities range from 2.8% to 5% not including longevity or step increases. Data from Mountain States Employers Council indicates private sector companies are projecting pay increases for 1997 to be an average of 4.1% and 4% for government.

In addition to the across the board increase, the proposed 1997 Pay Plan includes forty-three recommended grade/classification changes. Proposed salary changes are based on the Employee Services Division's analysis of prevailing salaries for various classifications, as well as adjustments for internal relationships. A summary of all of the recommended pay plan changes and the pay plan itself are attached for Council's review.

Funding for all of the recommended pay and benefit changes has been included in the proposed 1997 City Budget.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

WHEREAS, Section 1-24-3 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 3.5% across the board salary increase for regular classified employees and adjustments of approximately 3.5% to the top of the ranges for most unclassified positions, and

WHEREAS, several reclassifications, new classifications and title adjustments are recommended as a result of organizational changes and a review of the results of the annual compensation survey,

NOW, THEREFORE, BE IT RESOLVED THAT THE WESTMINSTER CITY COUNCIL RESOLVES that the attached new salary schedule and the authorized personnel schedule are hereby adopted and approved and shall be put into effect on January 1, 1996.

Passed and adopted this 14th day of October, 1996.

ATTEST:

Mayor

City Clerk

Date: October 14, 1996
Subject: Councillor's Bill No. re Natural Gas Pipeline Replacement
Prepared by: Frank J. Grasmugg, Fleet Manager

Introduction

City Council action is requested to ratify payment for expenses associated with the replacement of the natural gas pipeline and installation of gas meters at the Municipal Service Center and to pass the attached Councillor's Bill on first reading which approves a transfer from the General Fund contingency account.

The cost for replacement of the natural gas pipeline and installation of gas meters is \$29,000.

Summary

It was discovered in late August, 1996, that the natural gas pipeline, which transports natural gas to the buildings in the City's Municipal Service Center (MSC), was leaking badly and needed to be replaced. Firms from around the area were contacted to offer proposals for the replacement of this pipeline. A summary of the costs of these proposals is as follows:

	<u>Pipeline</u>	<u>Meters</u>	<u>Total</u>
Tony Capra	21,960	no bid	21,960 *
Drake Contractors	23,500	5,500	29,000
Total Plumbing	29,812	6,252	36,064
K. R. Swerdfeger	34,800	23,320	58,120

*Does not include meters

The primary point of the request for proposal was the replacement of the natural gas pipeline with a secondary request for proposal for the installation of meters at each of the five buildings on the MSC property and an additional meter at the City's natural gas compression station. The meters will allow for the allocation of natural gas costs into the appropriate budgets.

Natural gas to the MSC was shut off completely because of the severity of the leaks, which left the complex without space heat, hot water and natural gas for the CNG refueling station.

With the approach of cool fall weather it was imperative to select a firm to complete the project as soon as possible. The firm selected was Drake Contractors Inc. While Drake Contractors, Inc. was not the lowest bid, it was the most economical bid in that City Staff thought the firm could most expeditiously start and complete the project.

Staff Recommendation

1. Ratify the contract with Drake Contractors in the amount of \$29,000 for replacement of the natural gas pipeline and the installation of gas meters at the Municipal Service Center.
2. Pass Councillor's Bill No. on first reading authorizing a transfer of \$29,000 from the General Fund contingency account to the appropriate Building Maintenance Capital Project account.

Background Information

On August 27, 1996, in response to a complaint about the odor of natural gas, Building Maintenance Staff, with the help of Public Service Company (PSCo), discovered numerous leaks in the natural gas pipeline branching to the buildings on the MSC property. The number and severity of the leaks of the pipeline made repair of the line impractical and replacement of the pipeline was deemed necessary. The pipeline was severely corroded from being in contact with the soil without cathodic protection that would have slowed the corrosion process. Because of the severity of the leaks the flow of natural gas to the property for space heating, water heating and the compressed natural gas refueling station was stopped completely.

PSCo provided a verbal proposal for the replacement of the natural gas pipeline on City property. However, if PSCo were to replace the pipeline they would require that the ownership of the line be transferred to them. Additionally, PSCo would install separate meters at each building. The monthly charges associated with the PSCo owned pipeline and meters would mean that the City would forego any potential future benefits of purchasing natural gas on the spot market. It is very cost effective to purchase natural gas on the spot market at a discount and then pay PSCo a transportation fee. Given this benefit of having the City continue to maintain ownership of the pipeline, it was decided that a private contractor should be hired to do the line replacement work.

Building Maintenance Staff then began to solicit proposals from firms who they felt were capable of completing the work on the natural gas pipeline. On September 17, 1996, after numerous companies had been given the opportunity to offer proposals, the decision was made to award the work to Drake Contractors, Inc.

Drake Contractors, Inc., a company very familiar with the installation of natural gas pipelines, was selected because they submitted a cost effective proposal and were able to start the work in an expeditious fashion. Replacement of the natural gas pipeline began Monday, September 23 and was completed the following Thursday. The meters were installed to allow for the future decentralization of charges for the various buildings on the MSC property.

Since the replacement of the MSC natural gas line was not anticipated in the 1996 Capital Improvement Budget, funds are needed from the contingency account to cover this expenditure. The General Fund Contingency account balance is presently at \$456,104.

Respectfully submitted,

William M. Christopher
City Manager
Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 1996 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1996 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1996 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 2385 in the amount of \$14,590,129 is hereby increased by \$29,000 which, when added to the fund balance as of the City Council action on October 14, 1996, will equal \$19,774,000. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to a transfer from the General Fund for replacement of the natural gas pipeline at the Municipal Service Center.

Section 2. The \$29,000 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Transfer from General Fund			
75-9999-360	\$4,111,373	<u>\$29,000</u>	
\$4,140,373			
<u>EXPENSES</u>			
Building Major Maintenance			
75-12-88-555-222	\$175,976	<u>\$29,000</u>	\$204,976

Section 3. The General Fund budget will not change as a result of this ordinance but is included here for clarification purposes only.

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>EXPENSES</u>			
Contingency			
10-10-99-999-000	\$456,104	\$(29,000)	\$427,104
Transfer to GCIF			
10-10-95-990-975	\$4,111,373	<u>\$29,000</u>	\$4,140,373
Total Expenses		<u>\$0</u>	

Section 4 - Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this Ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

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

Section 6. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 14th day of October, 1996.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of _____, 1996.

ATTEST:

Mayor

City Clerk

Date: October 14, 1996

Subject: IGA re Jefferson County Transportation Plan

Prepared by: Michael Normandin, Transportation Engineer

Introduction

City Council action is requested to authorize the City Manager to execute an Intergovernmental Agreement (IGA) with Jefferson County regarding funding for the preparation of the County-Wide Transportation Plan for unincorporated and incorporated portions of the County. Funds for the \$14,100 share of the cost of this planning effort are available in the Sheridan Boulevard project account of the General Capital Improvement Fund.

Summary

Jefferson County recently hired a consultant team to begin the process of preparing a County-Wide Transportation Plan. The preparation of such a plan is a requirement of all counties in the metro area as specified within the provisions of the 1992 Intermodal Surface Transportation Efficiency Act (ISTEA). Adams County completed a county-wide transportation plan earlier this year which was a joint effort between the cities and the county. The City of Westminster provided a \$4,750 financial contribution for the Adams County Transportation Plan.

The Jefferson County Transportation Plan will plan for different types of travel, such as car, trucks, bicycles, mass-transit and pedestrian travel. The Plan will incorporate the goals, objectives and policies of existing city and county plans, and will take into consideration environmental impacts, land use and development trends.

City Staff has reviewed the scope of services for this planning study and agrees that much of the information to be provided will be of future benefit to the City.

Jefferson County representatives have requested that the member cities of the county provide funding for approximately one-half of the \$226,550 project cost. Discussions were held between the City Managers from each city and the County Manager to determine a cost-sharing program that would be acceptable to each city. As a result of this process, Westminster's share was earmarked at \$14,100.

It is recommended that the City participate in the preparation of this plan and that the \$14,100 share be provided from the Sheridan Boulevard, 105th Avenue to 113th Avenue project account in the General Capital Improvement Fund. Jefferson County Staff has indicated that the other cities in the County will be participating in the cost of the County-Wide Transportation Plan.

The attached IGA, which has been reviewed and approved by the City Attorney's Office, documents the parties' responsibilities and the City's financial participation. The City's authorized representative, as provided for in Page 3 of the attached IGA, is City Transportation Engineer Mike Normandin.

Staff Recommendation

Authorize the City Manager to sign the Intergovernmental Agreement with Jefferson County, and charge the \$14,100 expense of the City's share to the Sheridan Boulevard - 105th Avenue to 113th Avenue project account in the General Capital Improvement Fund.

Background Information

According to the provisions of the 1992 Intermodal Surface Transportation Efficiency Act (ISTEA), all Metro counties are required to prepare future year transportation plans. Recently, Jefferson County has taken steps to fulfill this requirement with the preparation of a County-Wide Transportation Plan. Jefferson County Staff and representatives from each city within the County assembled a scope of services for prospective consultants that would identify the condition of the existing transportation facilities and system capacities, and identify "deficiencies" that exist now and that are anticipated in the future. The Plan will then develop alternative solutions to address the existing and future problems, and estimate costs for reducing or solving these problems. Identifying revenue sources and creating a funding plan are important pieces of this planning process.

A list of projects that the County and cities can implement will be created. At this stage, citizen and business input will be sought to help prioritize the projects. Once the priorities are established, the recommended County-Wide Transportation Plan will be forward for adoption by the County and cities next Spring.

County officials have offered to fund \$112,500 of the estimated \$226,550 cost of the study, and they have requested that the remaining \$114,050 be divided among the member cities of the County. Discussions were held between the City Managers from each city and the County Manager to determine a cost-sharing program that would be acceptable to each city. The outcome of this process earmarked Westminster's share at \$14,100. As of this date, the County has received commitments for participation in the study from all member cities except Westminster. The financial commitments for each city are as follows: Arvada (\$14,100), Broomfield (\$1,400), Golden (\$14,100), Lakewood (\$56,250) and Wheat Ridge (\$14,100).

City Staff has carefully reviewed the proposed scope of services and it is believed that much of the work to be performed by the consultant will be of benefit to the City in the future. Furthermore, Staff would like to assure that certain aspects of the City's Comprehensive Roadway Plan are reflected in the County's Transportation Plan. The best way to assure that this will happen is to be an active participant.

Jefferson County Staff has indicated that the plan will be completed early next year. City Staff will advise City Council of future developments on the Jefferson County-Wide Transportation Plan as they occur.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: October 14, 1996
Subject: Resolution No. re 128th Avenue/Huron Street Project
Prepared by: David W. Loseman, Senior Projects Engineer

Introduction

City Council action is requested to authorize the acquisition of right-of-way and easements needed for the construction of the 128th Avenue and Huron Street project through condemnation proceedings, if necessary. Further Council action is requested to authorize the expenditure of an amount not to exceed \$100,000 for the purchase of right-of-way, easements, legal fees and closing costs associated with the land purchase needed for the improvements at 128th Avenue and Huron Street. Funds for this expense are available in the 1996 General Capital Improvement Fund.

Summary

The intersection of 128th Avenue and Huron Street is scheduled to be improved to arterial street standards with raised medians and double left-turn lanes on all approaches to the intersection. Construction of this project is anticipated to begin in early 1997 and be complete by November, 1997. Funds needed for this project are contained in the 1996 and the 1997 proposed budget.

The numerous benefits to improving this intersection are:

- > Huron Street would be fully improved to four lanes from 120th Avenue to 129th Avenue.
- > An eight-foot sidewalk on the west side of Huron Street will be constructed to 128th Avenue.
- > A reduction in traffic backups and severe congestion at this intersection.
- > Traffic relief at the I-25 and 120th Avenue intersection as more traffic may use 128th Avenue, thus distributing traffic better.
- > Enhanced appearance of the area since the existing span-wire signal will be replaced with a mast-arm type signal.
- > A finished landscape treatment along the Home Farm Subdivision at the southwest corner of the intersection.
- > A reduction in the number of "roller coaster" dips on 128th Avenue west of Huron Street.

Staff was able to convince the property owners to dedicate the necessary right-of-way on three of four corners of this intersection. The remaining "fee simple" parcel and construction easement at the northwest corner of the intersection will need to be purchased from **Huron 128th Partnership** to allow for the construction of this project.

City Code allows for the collection of recovery fees plus interest for the purchase of right-of-way. Since three owners dedicated the right-of-way, they will not be required to pay these recovery fees in the future and therefore are not being penalized for cooperating with the City.

An appraisal for this parcel is being prepared by Justin H. Haynes and Company, an independent appraisal firm recently hired by the City.

Negotiations for the purchase of this parcel need to begin immediately to keep this project on schedule. Every effort will be made to acquire this parcel through negotiations. However, authorization for condemnation is requested to assure the start of the project by early 1997.

Staff Recommendation

Adopt Resolution No. _____ authorizing the expenditure of up to \$100,000 for the acquisition through condemnation, if necessary, of sufficient right-of-way and easements for the construction of improvements to 128th Avenue and Huron Street and charge this amount to the 128th Avenue and Huron Street project in the General Capital Improvement Fund.

Background Information

In the past few years, the northern portions of the City have been developing at a rapid pace. In addition, nearby areas of Thornton and Broomfield are also developing rapidly and contributing traffic to this intersection. This growth, and the fact that the 128th Avenue and Huron Street Intersection currently provides only one lane in each direction with no left turn lanes, has caused this intersection to function poorly during rush hour.

The 128th Avenue and Huron Street project includes the widening of Huron Street from 123rd Avenue to a point approximately 500 feet north of 128th Avenue as well as the complete reconstruction of the intersection. 128th Avenue will be reconstructed approximately 500 feet in each direction from its intersection with Huron Street. The main objective of this project is to provide for double left-turn lanes, two through lanes and "free flow" right turn lanes in all directions. A new mast-arm traffic signal and raised median adjacent to the turn lanes are also included as part of this project.

A title commitment has been prepared and an appraisal is underway for the property that must be acquired in order to construct this project. Negotiations for the fee simple and easement rights need to be started immediately. The negotiator will attempt to reach agreement with the property owner based on the results of the appraisal. If the negotiations cannot be successfully concluded, or if they threaten the project schedule, it is recommended that the City invoke its Right of Eminent Domain to secure the property rights needed. The attached Resolution authorizes the City Attorney to proceed with condemnation of the parcel should negotiations fail.

Respectfully submitted,

William M. Christopher
City Manager
Attachments: Map, Resolution

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

WHEREAS, the City of Westminster has determined that it is necessary to the public, health, safety and welfare to obtain land to accommodate the construction of 128th Avenue and Huron Street; and

WHEREAS, an appraisal has been prepared by a professional company experienced in performing appraisals to determine the fair market value for the parcel; and

WHEREAS, the City will make an earnest good faith offer of purchase for the subject parcel; and

WHEREAS, a municipal public purpose exists to acquire the property. A delay in the acquisition of the right-of-way and easement could result in a delay in the construction of 128th Avenue and Huron Street thus creating a hardship on the general population of the City of Westminster wishing to access and use the proposed road; and

WHEREAS, legal counsel for the City of Westminster deems it to be in the best interest of the City to acquire the property by the City's right of eminent domain should normal negotiations fail; and

WHEREAS, the City finds that if acquisition by condemnation of any parcel described in this resolution is commenced, immediate possession by the City will be necessary for the public health, safety and welfare due to bidding and construction deadlines.

NOW, THEREFORE, the City Council of the City of Westminster resolves that:

1. The City Manager is hereby authorized to establish the minimum just compensation to be offered to acquire the property; and
2. City Staff is authorized to cause and shall cause negotiations to be initiated to acquire the parcel and interest identified in Exhibit A on the basis of the appraised value, or such higher amount as may seem just and reasonable to facilitate such acquisition without the necessity of condemnation, and the City Manager is hereby authorized to acquire such parcel consistent with applicable law, including the execution of all documents necessary to complete this purchase; and
3. The City Attorney of the City of Westminster is authorized to take all necessary legal measures to acquire the property in question, including proceeding with condemnation of the property in question against the owner or owners and any other persons or entities claiming an interest therein or thereto, and to take such other or further action as may be reasonably necessary for or incidental to the filing and diligent prosecution of any litigation or proceeding required to obtain the property should normal negotiations fail or exceed the time constraints of the overall project. In the event that acquisition by condemnation is commenced, the City Attorney is further authorized to request immediate possession of the property; and

4. The City Manager shall be further authorized to incur reasonable costs associated with acquiring the property in questions, including, without limitation, the cost of title examination, title insurance, appraisal fee payments mandated by statute, normal closing costs, filing fees and charges, and all other related or incidental costs or expenses customarily associated with the acquisition or condemnation of property. The expenditure amount not to exceed \$100,000 and the costs shall be charged to the 128th Avenue and Huron Street Project Account of the General Capital Improvement Project Fund; and

5. The City Engineer is hereby authorized to amend the legal description of the parcel to be acquired, and the nature of the interests to be acquired, including the commencement date and duration of any temporary easement, if necessary in the course of construction.

PASSED AND ADOPTED this 14th day of October, 1996.

Mayor

ATTEST:

City Clerk

Date: October 14, 1996
Subject: Resolution No. re Sheridan 116 Acquisition
Prepared By: John Carpenter, Director of Community Development

Introduction

City Council action is requested to adopt the attached Resolution authorizing the acquisition of property (through the eminent domain, if necessary) to construct the 3M Drainage and Detention Project, in part on the Sheridan 116 property (see attached map). Funds for this acquisition are to be repaid by the developer and were previously authorized as part of the shopping center business assistance package and are available in the Open Space Fund. The property needed for the project is 10 acres in size and is owned by Sheridan 116, a general partnership.

Summary

The 3M property is located at the southeast corner of 120th Avenue and Sheridan Boulevard. There is currently a flood plain across a significant part of the property as a result of flooding along the drainageway along the south side of 120th Avenue. The presence of this flood plain is a severe limitation on the development of this parcel.

Ross Investments is proposing to build a shopping center at the intersection of 120th Avenue and Sheridan Boulevard as a part of the 3M development. To allow construction of the center, the flood plain is being rerouted within the property and a regional storm water detention pond for the entire 3M property has been planned for a location just south of the 3M property on land separately owned by Adams County (4.89 acres) and Sheridan 116 (10 acres).

Construction of regional detention facilities, where feasible, is preferred by City Staff over building a larger number of small facilities. The land acquired from both Adams County and Sheridan 116 will abut Big Dry Creek Open Space and a future City park which will be able to be incorporated into these facilities once construction of the drainage and detention facilities are completed.

The acquisition of the Sheridan 116 property is on a critical path for the timely completion of the 3M drainage and detention project.

The attached Resolution allows the City Manager to pursue all appropriate activities necessary to pursue acquisition in the most timely fashion. This includes filing lawsuits under the City's right to eminent domain, if negotiations with property owners are not productive.

Staff Recommendation

Adopt Resolution No. authorizing the City Manager to proceed with acquisition of sufficient land for construction of the 3M Drainage and Detention project through eminent domain, if necessary.

Background Information

Recently, City Council authorized a business assistance agreement with Ross Investments relating to the construction of the Sheridan Crossing shopping center within the 3M development at the southeast corner of 120th Avenue and Sheridan Boulevard. That agreement contemplated the construction of a drainage channel to redirect storm drainage along the north and easterly side of the development. It also envisioned construction of a regional storm water detention facility located south of the 3M property on land owned by Adams County and Sheridan 116.

Council previously authorized acquisition of the Adams County property. That acquisition offer by the City was recently approved by the Adams County Commissioners.

The 10 acre Sheridan 116 parcel is also needed for construction of the detention facility. This parcel is ideally situated for a regional detention pond which can be constructed so storm water discharges directly into an existing tributary to Big Dry Creek.

The Sheridan 116 property is bordered on two sides by City-owned land. On the south is land proposed for a future City park. To the east is the Big Dry Creek Open Space. Once the construction of the detention pond is completed, both the Adams County and Sheridan 116 parcel can be incorporated as a part of the adjoining park and open space.

The area proposed for the detention pond has several deep ponds that are very hazardous to anyone who might fall into them. The detention pond construction will eliminate this dangerous condition. East of the detention pond the Sheridan 116 parcel has a sloping valley with much native vegetation and wildlife habitat. That area will be a valuable complement to the abutting Big Dry Creek Open Space.

The Sheridan 116 partnership property will also be useful for the construction of a trail to connect Sheridan Boulevard and the Torrey Peaks Subdivision to the Big Dry Creek trail system.

Also, Ross Investments is building a trail from 120th Avenue to the proposed detention pond on the Sheridan 116 property.

Staff has been in contact with the property owners who wish to sell the entire property. An agreement has not yet been made on the price. If an impasse on the price is reached, Staff requests that Council authorize acquisition by eminent domain.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

WHEREAS, the City of Westminster has determined that it is necessary to the public health, safety and welfare to acquire certain property to accommodate the construction of the 3M Drainage and Detention Project shown on the attached "Exhibit A"; and

WHEREAS, a property appraisal has been prepared by a professional appraisal company experienced in performing appraisals to determine the Fair Market Value of the property rights being acquired in this parcel; and

WHEREAS, the City has made an earnest good faith offer to purchase the subject parcel; and

WHEREAS, a delay in the acquisition of this parcel could result in a delay of the 3M Drainage and Detention Project, thus creating a hardship on the general population of the City of Westminster wishing to utilize the proposed project; and

WHEREAS, Legal Counsel for the City of Westminster deems it to be in the best interest of the City to acquire the property by the City's right of eminent domain should normal negotiations fail; and

WHEREAS, the City Council finds that if acquisition by condemnation of the property described in this Resolution is commenced, immediate possession by the City may be necessary for the public health, safety and welfare in order to keep the 3M Drainage and Detention Project on the desired schedule.

NOW, THEREFORE, the City Council of the City of Westminster resolves that:

1. The City Manager is hereby authorized to establish minimum just compensation for acquisition of the property interests necessary to build the 3M Drainage and Detention Project in the area shown in Exhibit A.
2. City Staff is authorized to proceed with negotiations to acquire the necessary property interests in the area shown on Exhibit A on the basis of the appraised value, or such higher value as is considered just and necessary to facilitate the acquisition and avoid the necessity of condemnation. Negotiations prior to the date of this resolution are hereby ratified.
3. The City Manager is hereby authorized to acquire such property interests consistent with applicable law, including the execution of all documents necessary to complete this acquisition.
4. The City Attorney of the City of Westminster is authorized to take all necessary legal measures to acquire the property interests in question, including proceeding with condemnation of the property in question against the owner or owners and any other persons or entities claiming an interest therein or thereto, and to take such further action as may be reasonably necessary for or incidental to the filing and diligent prosecution of any litigation or proceedings required to obtain property interests should normal negotiations fail or exceed the time constraints of the overall project.

In the event that acquisition by condemnation is commenced, the City Attorney is further authorized to request a grant of immediate possession of the necessary property interests.

5. The City Manager shall be further authorized to incur reasonable costs associated with acquiring the property in question, including, without limitations, the cost of title examination, title insurance, appraisal fee payments mandated by statute, normal closing costs, filing fees and charges and all other related or incidental costs or expenses customarily associated with the acquisition of condemnation of property. The cost shall be charged to the Open Space Fund.
6. The City Engineer is hereby authorized to call for amendment of the legal descriptions of the parcel interests to be acquired, and the nature of the interests to be acquired, including the commencement date and duration of any temporary easement, if necessary in the course of the project.

Passed and adopted this 14th day of October, 1996.

ATTEST:

Mayor

City Clerk

Date: October 14, 1996

Subject: Westminster Promenade Plaza and Bridge Design

Prepared by: Max Ruppeck, Planner III

Introduction

City Council action is requested to authorize the City Manager to sign a contract with Communication Arts in the amount of \$131,000 to complete Phase Two of the design of the Westminster Promenade plaza and bridge. Funds for this phase of design consulting will be charged to the General Fund Central Charges.

Summary

For the past nine months, Communication Arts, Inc. has been working with the City to develop schematic designs for the Westminster Promenade plaza and bridge. Communication Arts has also prepared architectural design guidelines which were used to guide and evaluate the design of the AMC Theatre and associated buildings in the Promenade development.

Communication Arts is a multi-disciplinary design firm with expertise in architectural, interior, industrial, and graphic design. Founded in 1973 in Boulder, Communication Arts specializes in developing all aspects of design focusing on identity, marketing, and environmental design for the retail, entertainment, and hospitality industries. Their international list of clients and projects include Disney Studios, US West, Madison Square Gardens, the Boulder Mall, Prudential Center (Boston), Rivercenter in San Antonio, Martin Marietta, Balley's Las Vegas Casino, Sam Goody's Music Stores, and Samsung Corporation (Seoul, Korea).

Phase Two of the Westminster Promenade plaza and bridge design will include the design and selection of all the features and furnishings of the Promenade, including paving, lighting standards, seating areas, public signage, and all finishes and fixtures relating to the pedestrian plaza and bridge. Communication Arts will also design a logo and associated artwork for the project's marketing identity. The scope of work will include detailed cost estimates for the construction of this project.

Staff Recommendation

Authorize the City Manager to sign a contract with Communication Arts, Inc. in the amount of \$131,000 to design the Westminster promenade plaza and bridge, as well as a logo and associated artwork for the project and charge the expense to the General Fund Central Charges account.

Background Information

In 1995, the City began negotiations with Steve Gittleman and Skip Nostrand for the development of the Northpoint Center at the 104th Avenue/U.S. 36 interchange.

In February 1996, AMC Theatres committed to the development of a 24 screen multiplex theatre on the site. The City, however, was interested in more than just a theatre building, and in April, City officials and landowners arranged a trip to the Irvine Spectrum complex near Los Angeles. The Spectrum is a highly successful, mixed use development consisting of a multiplex theatre, restaurants, retail and other entertainment and cultural-oriented uses. The Spectrum became a "model" for the planning of the Westminster Promenade.

In January, the City retained the services of Communication Arts to assist the City in the review of site planning, programming, and architectural design of the AMC Complex and associates uses. Communication Arts also provided a conceptual (schematic) plan for the pedestrian plaza adjacent to the theater development and pedestrian bridge linking the AMC Complex to future development east of Pierce Street (now referred to as Westminster Boulevard). In June, AMC Theatres announced their proposed development to the public. On October 8, AMC Theaters, the landowners, and the City made a presentation of the project to nearby residential neighborhoods, explaining the design and site plan of the AMC Complex and the anticipated road layout and traffic volumes which will be generated by the project.

The Westminster Promenade project is moving forward rapidly and Staff believes the City is fortunate to have some of the nation's most talented design consultants working on this project. Attached to this memo is a packet of the schematic designs prepared to date by Communication Arts of some of the various design elements of the Promenade, including the pedestrian bridge, entry features, signage, light fixtures, play structure, and planters.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: October 14, 1996
Subject: Resolution No. re Ballot Questions Brochure
Prepared by: Katie Harberg, Public Information Officer
Bill Christopher, City Manager

Introduction

City Council authorization is requested to fund the cost of an informational brochure on the four City ballot propositions to be mailed to all registered voter households.

Summary

While two of the City ballot questions--the two sales tax revenue questions, issues B and C, were reported in the September issue of City Edition, it has been suggested that a factual brochure outlining all of the Westminster municipal ballot questions be direct-mailed to all registered voter households prior to the election. Such an informational piece would provide Westminster voters with details about each of the four ballot issues.

Recommendation

Adopt Resolution No. which authorizes the informational brochure on the four City ballot issues to be mailed to all registered voter households, and transfers \$10,000 from the General Fund Contingency account to the City Council's Budget account.

Background Information

Staff anticipates the preparation of a brochure that would include replicas of the ballot questions, along with a layman's explanation of the questions. The text for the brochure would be prepared in a neutral fashion, in accordance with campaign election reform, indicating neither positions for or against these measures.

The choice of mailing to registered voters, as opposed to all households, is driven by the cost-efficiency of focusing on this very targeted audience. The turn-key cost, including printing, design, mail preparation and postage, would not exceed \$10,000. The target date for delivery of this publication would be the week of October 28 in order to maximize voter awareness as close to the election date as possible.

The expense to produce the factual informational brochure and mail it was not anticipated in the 1996 City Budget. Accordingly, a transfer of \$10,000 from the General Fund Contingency account is needed to fund this effort. Currently, the Contingency account contains \$427,104.

Respectfully submitted,

William M. Christopher
City Manager Attachment

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

AUTHORIZATION OF INFORMATIONAL BROCHURE
ON CITY BALLOT PROPOSITIONS FOR NOVEMBER 5 ELECTION

WHEREAS, City Council previously authorized four ballot issues to be placed on the November 5 General Election ballot with two of the ballot items being fiscally related and the other two being City Charter Amendments; and

WHEREAS, the fiscal propositions pertain to a \$15.0 million Sales and Use Tax Revenue Bond issue to fund strategic street improvements to assist in mitigating traffic congestion along with the ballot issue to extend the 1/4 of 1% City Sales and Use Tax earmarked for Open Space acquisition, trail development, and park enhancements for a total of 20 years along with authorization to create debt to finance these desired improvements, and

WHEREAS, it is important to have an informed electorate when deciding such ballot propositions, and

WHEREAS, City Staff has identified the cost of printing and distributing a factual, but neutral, informational piece to be distributed to all registered voter households, and

WHEREAS, the estimated cost of \$10,000 was not previously budgeted in the Adopted 1996 Budget, and

WHEREAS, the balance of the 1996 General Fund Contingency Account is \$427,104, and

NOW, THEREFORE, be it resolved that the Westminster City Council authorize the publication and distribution of a factual, neutral informational brochure on the City's four ballot propositions at a cost not to exceed \$10,000 and authorize a transfer of \$10,000 from the General Fund Contingency Account to the appropriate City Council budget account to provide for expenses related to this informational effort.

Passed and adopted this 14th day of October, 1996.

ATTEST:

Mayor

City Clerk