

November 11, 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**
None
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. Geographic Information System Computer Enhancement
 - B. Bids for 1997 Traffic Signal Maintenance
 - C. Change Order re 1996 Traffic Signal Projects
 - D. Security Services for Municipal Court
 - E. CB No. 68 re 1997 Water & Sewer Rates (Dixion-Merkel)
 - F. CB No. 71 re Smith Property Annexation (Harris-Scott)
 - G. CB No. 73 re Sales/Use Tax Refunding Bonds (Allen-Merkel)
 - H. CB No. 74 re Sheridan Crossing Easement Vacation (Scott-Merkel)
 - I. CB No. 75 re Pension Plan Changes (Smith-Merkel)
9. **Appointments and Resignations**
None
10. **Public Hearings and Other New Business**
 - A. CONTINUED Public Hearing re Smith Property Zoning
 - B. TABLED - CB No. 72 re Smith Property Zoning
 - C. Resolution No. 59 re Acquisition of Smith Property
 - D. Councillor's Bill No. 76 re AMC Assistance Package
 - E. Land Trade with Bruchez Farms
 - F. Resolution No. 60 re Service Commitment Transfer
 - G. North Metro Drug Task Force IGA
 - H. Police Crime and Photo Lab Remodel
 - I. Councillor's Bill No. 77 re VALE Grant Appropriations
 - J. Northglenn IGA re Tank Site
 - K. Countryside Utility Easement
 - L. Councillor's Bill No. 78 re Little Dry Creek Trail
 - M. Little Dry Creek Trail Project
11. **Old Business and Passage of Ordinances on Second Reading**
 - A. CB No. 70 re Council Salary Adjustment (Dixion-Merkel)
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
 - A. Quarterly Activity Report
 - B. City Council
 - C. Request for Executive Session
 1. Westminster Plaza Redevelopment Update

13. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, NOVEMBER 11, 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, Harris, Merkel, Scott and Smith. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent none.

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Merkel to accept the minutes of the meeting of October 28, 1996 with no additions or corrections.

A motion was made by Heil and seconded by Dixon to amend the minutes to reflect the comments made by the Mayor and Councillors concerning Councillor's Bill No. 70, City Council Salary Adjustments, and the minutes be Tabled until the corrections have been made and reviewed by Council. The motion carried unanimously.

CITY COUNCIL COMMENTS:

Councillor Merkel reported on the following: bids for the new joint library have been advertised and that the groundbreaking will take place in January; the Library hosted a classical guitarist Friday evening and would like this program to continue; there will be an Open House on Thursday, November 14 on the Jefferson County Transportation Plan at City Park Recreation Center; and the annual "Scouting for Food Drive" will start November 16.

Mayor Pro Tem Dixon stated she had attended the Community Artist Series concert on November 8 and they are sponsoring a Christmas program on December 7. Adams County Economic Development Authority honored 3 Westminster businesses.

Mayor Heil stated that this is National Education Week and the National Education Foundation for Adams and Jefferson Counties were recognizing this event.

The Mayor recognized students from Standley Lake High School State and Local Government class.

CONSENT AGENDA:

The following items were considered as part of the consent agenda: Geographic Information System Computer Enhancement; Bids for 1997 Traffic Signal Maintenance; Change Order for 1996 Traffic Signal Projects; Contracted Security Services for Municipal Court; Councillor's Bill No. 68 re 1997 Water and Sewer Rates; Councillor's Bill No. 71 re Smith Property Annexation; Councillor's Bill No. 73 re Sales/Use Tax Refunding Bonds; Councillor's Bill No. 74 re Sheridan Crossing Easement and Councillor's Bill No. 75 re Pension Plan Changes. 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 Heil 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.

SMITH PROPERTY ZONING:

A motion was made by Harris and seconded by Dixon to remove the matter of the Smith Property zoning from the Table and continue the public hearing to the January 27, 1997 City Council meeting. The motion carried unanimously.

RESOLUTION NO. 59 - SMITH PROPERTY ACQUISITION:

A motion was made by Allen and seconded by Dixon to adopt Resolution No. 59 authorizing the City Manager to proceed with acquisition of 8.133 acres of land from the Smith Family Trust, through the eminent domain, if necessary, for open space purposes. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 76 - AMC THEATRES ASSISTANCE PACKAGE:

A motion was made by Harris and seconded by Merkel to pass Councillor's Bill No. 76 on first reading which authorizes the execution and implementation of the Business Assistance Agreement with AMC Theatres Company for the construction of a 24 screen movie theatre and associated site improvements. Upon roll call vote, the motion carried unanimously.

LAND TRADE WITH BRUCHEZ FARMS:

A motion was made by Allen and seconded by Dixon to Table action on this matter until the November 25 Council meeting. The motion carried unanimously.

RESOLUTION NO. 60 - SERVICE COMMITMENT TRANSFER:

A motion was made by Dixon and seconded by Merkel to adopt Resolution No. 60 transferring 60 Service Commitments from Category C to Category E for senior housing developments. Upon roll call vote, the motion carried unanimously.

NORTH METRO DRUG TASK FORCE INTERGOVERNMENTAL AGREEMENT:

A motion was made by Merkel and seconded by Dixon to authorize the Mayor to sign the Intergovernmental Agreement between the Cities of Thornton, Northglenn, Federal Heights, Brighton, Adams County Sheriff's Department, and the City of Westminster formalizing the City's participation in the North Metro Drug Enforcement Task Force. The motion carried unanimously.

POLICE CRIME AND PHOTO LAB REMODEL:

A motion was made by Allen and seconded by Dixon to authorize the City Manager to sign a contract with Tamminga Construction, in an amount not to exceed \$34,713, for the remodeling of the Police Department Crime and Photo Lab with the expense to be charged to the appropriate project account in the General Capital Improvement Fund. The motion carried unanimously.

COUNCILLOR'S BILL NO. 77 - VALE GRANT APPROPRIATIONS:

A motion was made by Scott and seconded by Merkel to pass Councillor's Bill No. 77 on first reading providing for a supplemental appropriation of \$640 from the Intergovernmental Revenue Account to the Police Department's Investigation Services Training Account; a supplemental appropriation of \$12,485 from the Intergovernmental Revenue Account to the Police Department's Community Services Division Small Tools and Equipment Account; and a supplemental appropriation of \$200 from the Intergovernmental Revenue Account to the Police Department's Patrol Services Division Small Tools and Equipment Account. Upon roll call vote, the motion carried unanimously.

INTERGOVERNMENTAL AGREEMENT WITH NORTHGLENN RE TANK SITE:

A motion was made by Harris and seconded by Scott to authorize the City Manager to negotiate and sign an Intergovernmental Agreement with the City of Northglenn for the purchase of land and construction of one or two water storage tanks on Northglenn's property located at 112th Avenue and Cherokee Street; and to negotiate a 30-year agreement with the City of Northglenn for an emergency water interconnect. The motion carried unanimously.

COUNTRYSIDE FILING #13 UTILITY EASEMENT:

A motion was made by Scott and seconded by Harris to authorize the Mayor to execute the easement documents to grant a permanent easement to Public Service Company of Colorado along the southern edge of Countryside Filing #13 Open Space. The motion carried unanimously.

COUNCILLOR'S BILL NO. 78 - LITTLE DRY CREEK TRAIL APPROPRIATION:

A motion was made by Harris and seconded by Merkel to pass Councillor's Bill No. 78 on first reading appropriating \$757,330 into the General Capital Improvement Fund and authorize a project budget of \$946,663 for construction of the Little Dry Creek Trail project. Upon roll call vote, the motion carried unanimously.

LITTLE DRY CREEK TRAIL PROJECT:

A motion was made by Harris and seconded by Scott to authorize the City Manager to approve a contract with RBI in the amount of \$1,001,057 for construction of one and three quarter miles of the Little Dry Creek Trail; authorize \$50,525 for Force Accounts to be used as the project contingency; and authorize \$1,051,582 for the total project budget, and charge this expense to the Little Dry Creek Trail CIP account for \$984,582 and to the Trail Development CIP account for \$67,000 in the 1996 General Capital Improvement Project Fund. The motion carried unanimously.

ORDINANCE NO. 2465 - CITY COUNCIL SALARY ADJUSTMENT:

A motion was made by Dixon and seconded by Merkel to adopt Councillor's Bill No. 70 on second reading concerning an adjustment to City Council compensation effective January 1, 1998. Upon roll call vote, the motion carried with dissenting votes from Harris, Scott and Smith.

MISCELLANEOUS BUSINESS:

Council reviewed the Third Quarter Activity Report.

Councillor Smith said there was a fence near hole 3 at Legacy Ridge and was concerned about the distance of the new homes to the golf course.

Mayor Heil stated there would be an Executive Session for an update on the Westminster Plaza Redevelopment.

ADJOURNMENT:

The meeting was adjourned at 7:35 P.M.

ATTEST:

Mayor

City Clerk

Date: November 11, 1996

Subject: Geographic Information System Computer Enhancement

Prepared by: Sheila Beissel, GIS Coordinator

Introduction

City Council action is requested to authorize the purchase of a computer server in the amount of \$44,640 to enhance the computer system currently used for the City's Geographic Information System (GIS). Funds for this expense are available in the Department of Community Development, General Capital Improvement Fund Project account for the GIS Program.

Summary

The computer system currently being used by the GIS was originally purchased in 1993. The computer system currently runs several programs including the GIS, the library system, utility billing system, and court system. With the increase in usage over the years, there is a need to enhance the computer system. The addition of a server would increase the system's response time for GIS users. The server would allow the GIS programs (ARC/INFO and ARCVIEW) to run more efficiently. A server is an additional processing unit for the existing Hewlett Packard computer.

Bids were solicited from several vendors of which Lewan & Associates were the low bidder at \$44,640.

Staff Recommendation

Authorize the purchase of a server for the HP computer system in the amount of \$44,640 and charge the expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

The GIS program is continually being developed and updated for use by the City and its customers. The number of users of the GIS system is continually increasing as are the number of users for the other programs using the same computer system. The existing computer system was purchased in 1993. Since 1993, the GIS databases have increased significantly in size, and the library system, court system, and utility billing system have been added to the computer system.

The additional usage has put a strain on the system overall, and has increased considerably the processing time for each operation. In order to keep up with these demands, additional memory and processing power are necessary for the GIS. A server, which augments the computer's central processing unit, will increase processing speed by four times and double the system's memory. GIS users will experience fewer delays and more efficient processing of requests.

Bids were solicited from service vendors. The following are the bids received by the City:

Lewan & Associates	\$44,640
Business Product Inc	\$46,602.27
Hewlett Packard	\$75,813.90

Since strict specification for the GIS server were required to be followed by the vendors, all of the products that could be supplied would be virtually identical. Therefore, Staff recommends that the contract be awarded to the low bidder, Lewan & Associates.

Respectfully submitted,

William M. Christopher
City Manager

Date: November 11, 1996

Subject: Bids for 1997 Traffic Signal Maintenance

Prepared by: Greg Olson, Transportation Systems Coordinator

Introduction

City Council action is requested to award the bid in the amount of \$49,945 for the 1997 Traffic Signal Maintenance Contract to Rocky Mountain Signal, Inc. Funds are available in the 1997 Department of Community Development Budget for traffic signal maintenance.

Summary

The City utilizes the services of a private contractor to perform maintenance on the City's traffic signals. The current contract expires on December 31, 1996. Formal bids for the 1997 Traffic Signal Maintenance were opened on October 24th. The low bid by Rocky Mountain Signal, Inc. for 1997 is eight percent higher than the 1996 bid for these services.

Staff Recommendation

Award the bid and authorize the City Manager to execute a contract for traffic signal maintenance during 1997 with the low bidder, Rocky Mountain Signal, Inc., in the amount of \$49,945, and charge the expense to the appropriate 1997 Department of Community Development Budget Account.

Background Information

The City utilizes the services of a traffic signal maintenance contractor to perform maintenance on traffic signals at 56 intersections and on eight pedestrian crossing signals (total of 64 installations). The current traffic signal maintenance contract, which was awarded to Rocky Mountain Signal, Inc. in November, 1995, expires on December 31, 1996.

The 1997 bid documents utilize a conservative, estimated annual amount of labor and equipment hours for performance of all traffic signal maintenance items. There are two general categories of work activities that provide the basis for the estimated hours of equipment and labor unit prices in the traffic signal maintenance contract, -- annual preventive (routine) maintenance, and additional traffic signal (occasional) maintenance.

Annual preventive maintenance: The first section of the contract addresses annual preventive maintenance at each of the traffic signal locations. The estimated hours of equipment and labor do not cover material costs associated with any repairs made as the result of the annual preventive maintenance inspection. These material costs are paid from the balance of the City's traffic signal maintenance account. The components of annual preventive maintenance include the following:

1. Clean signal controller cabinets and components.
2. Check all field wiring for inadequacies (i.e., proper grounding etc.).
3. Check critical controller settings (i.e., amber time) with a stop watch to insure adequate operation.
4. Check for adequate power levels in the communications cable which links the signals in the computerized signal system.
5. Check and calibrate vehicle loop detectors to insure proper operation. (Vehicle loop detectors are wires embedded in the roadway which detect the presence of a vehicle which trigger a change in the traffic signal.)
6. Check signal heads, signal poles and associated hardware for damage and make repairs as necessary.
7. Check and record incoming voltage at all intersections to prevent excessive wear on the signal control equipment.
8. Quarterly inspection at each signal location.
9. "Trouble shoot" and maintain the computerized signal system components to insure proper operation.
10. Maintain emergency vehicle preemption equipment to insure proper operation. (Emergency vehicle preemption equipment consists of an electric component which preempts the traffic signal to allow a green signal indicator for fire equipment.)
11. Based on the activities listed above, provide the City with a prioritized list of items in need of repair.

Additional Traffic Signal Maintenance Items: The remaining section of the contract reflects estimated labor and equipment costs for additional traffic signal maintenance items. It should be noted that this section of the contract does not include material costs, with the exception of light bulbs, as it is difficult to estimate the type and amount of materials needed for emergency trouble calls and unscheduled maintenance items. Again, these material costs are paid for from the balance of the City's traffic signal maintenance account. Additional traffic signal maintenance items include emergency trouble calls, unscheduled maintenance items, the annual light bulb replacement program and an estimated cost for loop detector replacements. The contract also assures the City that the contractor will be available to perform emergency or other repairs as required. Therefore, it is necessary that the City have a firm available seven days a week, 24 hours a day to respond to any emergency signal work that may arise.

The bids are based on a conservative, estimated amount of labor and equipment hours so that each bidder would provide unit prices based upon the same assumption. Staff typically estimates on the low side the number of labor and equipment hours that will be necessary so that the contractor will not rely on a higher work load than may not be experienced.

Request for bids for the 1997 program were advertised, and bids were opened on November 8, 1995. Bids were submitted by three contractors in the Denver metro area who currently provide traffic signal maintenance services. The results of the bids are as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Rocky Mountain Signal, Inc.	\$ 49,945
W.L. Contractors, Inc.	\$ 69,705
Sturgeon Electric, Inc.	\$ 76,066

The low bid price is represents an increase of eight percent from the 1996 contract (\$46,305), which was awarded to Rocky Mountain Signal, Inc. Rocky Mountain Signal, Inc. is highly qualified to perform traffic signal maintenance and has adequate Staff and a proven track record to do the work.

Possible alternatives to awarding the contract to the lowest bidder for traffic signal maintenance are very limited. The City does not have the equipment and the labor force required to perform traffic signal maintenance.

Respectfully submitted,

William M. Christopher
City Manager

Date: November 11, 1996

Subject: Change Order re 1996 Traffic Signal Projects

Prepared by: Michael Normandin, Transportation Engineer

Introduction

City Council action is requested to authorize the City Manager to execute Change Order No. 1 to the 1996 Traffic Signal Projects construction contract and authorize the purchase of traffic signal poles and mast arms for the installation of a school crossing signal at 76th Avenue and Harlan Street. Funds are available in the General Capital Improvement Fund for this expense.

Summary

In August of this year, representatives of the Thomson Elementary PTA group contacted City Staff to express their concerns about the school crossing on 76th Avenue in the vicinity of Harlan Street (see attached map). The group's concerns included motorists speeding through the 20 MPH school zone on 76th Avenue and the safety of the crossing guards and school children who utilize the school crossing on 76th Avenue. The PTA group requested that City Staff evaluate the feasibility of installing a multi-way stop at 76th Avenue and Harlan Street or a school crossing signal. Staff conducted warrant studies for the requested multi-way stop and school crossing signal. The results of the studies indicated that the multi-way stop is not warranted, however, the warrant requirements for a school crossing signal were satisfied.

As of October 23rd, City Staff has received input from persons residing at 177 addresses within the Thomson Elementary School area in support of a traffic signal at the intersection of 76th Avenue and Harlan Street. Two letters were received opposing a traffic signal installation and one resident indicated support for a traffic signal if it was located at a "mid-block" location versus the intersection of 76th Avenue and Harlan Street.

City Staff has prepared cost estimates for two types of school crossing signals. The estimated cost of installing a traffic signal at the intersection of 76th Avenue and Harlan Street is \$32,381 which includes \$12,304 for the purchase of signal poles and mast arms. The estimated cost of installing a "mid-block" pedestrian crossing signal is \$13,681 which includes \$6,026 for the purchase of signal poles and mast arms. Both cost estimates take into consideration the utilization of some salvage traffic signal equipment from some of the recent roadway widening projects (i.e., traffic signal heads, signal controller and cabinet).

Staff recommends the installation of the school crossing signal at the intersection of 76th Avenue and Harlan Street since that is where the existing school crosswalk is located.

Alternatives:

- > City Council could choose to have the school crossing signal installed at a "mid-block" location (see attached map) in lieu of at the intersection of 76th Avenue and Harlan Street. Residents have expressed concerns about a "mid-block" location, as they believe that it would make the school route more circuitous and would not provide the same level of safety.
- > City Council could choose to install a multi-way stop at the intersection of 76th Avenue and Harlan Street in lieu of a school crossing signal. City Staff would discourage this alternative as the intersection of 76th Avenue and Harlan Street did not satisfy the warrant criteria for a multi-way stop and Staff believes that a school crossing signal would provide a much safer crossing.

Staff Recommendation

Authorize the City Manager to sign Change Order No. 1 to the 1996 traffic signal construction contract with Rocky Mountain Signal, Inc. in the amount of \$20,077 for the construction of a traffic signal at the intersection of 76th Avenue and Harlan Street; authorize the expenditure of \$12,304 to Valmont Industries for traffic signal poles and mast arms; and charge the expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

In August of this year, representatives of the Thomson Elementary PTA group contacted City Staff to express their concerns about the school crossing on 76th Avenue in the vicinity of Harlan Street (see attached map). The group's concerns included motorists speeding through the 20 MPH school zone on 76th Avenue and the safety of the crossing guards and school children who utilize the school crossing on 76th Avenue. The PTA group requested that City Staff evaluate the feasibility of installing a multi-way stop at 76th Avenue and Harlan Street or a school crossing signal. Staff conducted warrant studies for the requested multi-way stop and school crossing signal. The results of the studies indicated that the multi-way stop was not warranted, however, the warrant requirements for a school crossing signal were satisfied. It should be noted that the subject location was not ranked with the other 1996 traffic signal projects as those projects were prioritized earlier in the year. If it had been, it would have received a high ranking as candidate locations that satisfy the school crossing warrant are awarded a substantial number of points under the City's traffic signal prioritization process.

The proposed change order is within the amount appropriated by City Council in the 1996 Capital Improvement Fund for this purpose.

The anticipated completion of a school crossing signal would take approximately 120 days which is based upon the average fabrication and delivery time for traffic signal poles and mast arms.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: November 11, 1996

Subject: Contracted Security Services for Municipal Court

Prepared by: Gary Casner, Purchasing/Telecommunications Officer and Julia Hume, Court Administrator

Introduction

City Council action is requested to authorize the City Manager to execute a contract for security services for the Municipal Court building. Funds were specifically allocated in the 1997 budget for this expenditure.

Summary

City Council previously allocated funds in the 1997 budget for armed security services at the Municipal Court. The security services will be used to ensure the safety of the public and staff at the Court facilities.

The City has determined that it is more cost effective to contract security services to a private contractor rather than hire employees to perform this activity. Only security firms with armed security guard experience were considered as acceptable during the bid review process.

The low bid from Heather Ridge Security Services, Inc. is being recommended for this award.

Staff Recommendation

Authorize the City Manager to enter into a contract with the lowest bidder, Heather Ridge Security Services, Inc. to provide security services at the Westminster Municipal Court, authorize an expenditure of \$41,852.28 for contracted security services and charge this expense to the General Services, Municipal Court budget.

Background Information

As part of the 1997 Budget, Council authorized funds for Court security services in 1997 utilizing the services of a private security firm. The firm provides 80 security guard hours weekly for screening all visitors to the building and assisting the Court Marshal on an as needed basis to provide prisoner supervision and courtroom security. The City currently uses contract security services at the Court and the system of using a private security firm has filled the needs of the Division. First Watch Security currently provides this service but they decided not to bid the new contract.

Although the Court security guards do not have the same scope of day to day duties as the Court Marshal, the level of responsibility required for these positions is substantially greater than that normally associated with security guards. The selection criteria for the contracted agency was: training in the handling of firearms for the guards to be assigned to the Court, the firm's prior experience working in a Court or similar setting, and the cost of the service.

The contract included in the Request for Proposals is a three year contract which gives the City the option of not renewing the agreement after each year.

City Staff asked the 19 security guard firms which are licensed to operate in Westminster to provide proposals for security service at the Court facility. Each company was asked to provide the following:

1. A description of the company and the types of security services it provides, including a list of major clients in the Denver Metropolitan area.
2. A description of services that the company provides or has provided to any court systems, or services to other than a court that may be similar to those being requested by the City.
3. A description of the process that the firm would use to select individuals who would serve in this capacity. This description should include the minimum education and physical requirements of job candidates.
4. A description of the training that the individual would go through prior to being placed on the job, the total number of hours the person would receive in this training, and a description of the ongoing in-service training which would be given to the individual or individuals assigned to this facility.
5. The total annual cost of providing 80 hours per week security coverage at Westminster Municipal Court.

Of the 19 firms that were asked, five submitted proposals. The results of the bid process are as follows:

Heather Ridge Security Services, Inc.	\$41,852.16
Prime Security \$48,384.00	
Twin City Security, Inc.	\$50,510.40
Wackenhut Corporation	\$55,161.60
Central Investigations & Security, Inc.	\$66,214.00

Staff reviewed all of the other proposals and contacted each firm's references. Based on this review, Staff is recommending that the City contract with Heather Ridge Security Services, Inc. for security services at the Court. Heather Ridge, which submitted the lowest bid, does have Court related experience.

Funds for this contract have been included in the 1997 Municipal Court budget.

Respectfully submitted,

William M. Christopher
City Manager

Date: November 11, 1996
Subject: TABLED - Smith property zoning
Prepared by: David Falconieri, Planner III

Introduction

City Council action is requested to continue the public hearing to January 27 for the purpose of continuing the decision on how the Smith Property will be zoned. This action will allow Staff and the property owners time to negotiate the disposition of the property.

Summary

At the October 28th hearing, the City Council passed on first reading the ordinance on the annexation of the final 8.3 acres of the Smith Property to the City of Westminster. At the request of the owners, and Terry TenEyck who has the property under contract, the matter of the zoning for the property was tabled. Staff had recommended that the property be zoned O-1 until such time that the owners were able to bring a request for PUD zoning to City Council. The owners, however, thought that the O-1 zone would be detrimental to the future development of the property. Under State Statutes, municipalities have 90 days after annexation to zone the property. With the support of the owners and Mr. TenEyck, Staff is requesting that the matter be continued until January 27, 1997 to allow the owners time to develop a PUD for the property.

Staff Recommendation

Remove the matter of the Smith Property zoning from the table and continue the public hearing to the January 27, 1997 City Council meeting.

Background Information

State Statutes allow the City 90 days to establish a zone district for annexed property. Given the owners' objection to the proposed O-1 zone district, Staff is recommending, and Mr. TenEyck is requesting, a continuance under this provision of the Statute. This action would give City Council the option to allow time for negotiations between the City and owners on a suitable zone district. The proposed January date remains within the 90 day window for action while permitting time for any necessary negotiations.

Respectfully submitted,

William M. Christopher
City Manager

Date: November 11, 1996

Subject: Resolution No. re Smith Property Acquisition

Prepared By: John Carpenter, Director of Community Development

Introduction

City Council action is requested to adopt the attached Resolution authorizing the acquisition of the Smith property (through the eminent domain, if necessary) for open space purposes. This 8.133 acre parcel is located east of Federal Boulevard at approximately 109th Avenue (see attached vicinity map).

Summary

The Smith property is proposed for acquisition as a park and open space parcel. The 8.133 acre parcel is surrounded on the south and west by the Legacy Ridge Golf Course and on the east by the City-owned Mushroom Pond storm water detention pond, as well as a City open space parcel. The property to the north is undeveloped non-City owned land zoned for residential development

Acquisition of the Smith property is important for the following reasons:

1. The parcel is surrounded on three sides by City property. Acquisition of this property would allow the creation of a nearly 30 acre park/open space complex when the site is combined with approximately seven acres of existing City owned land north of the golf course.
2. There is not a parking area for Farmers' High Line Trail users. As a result, cars are parked along Federal Boulevard creating a hazardous condition. A trail head parking lot could be built on the site.
3. Purchase of the land would preserve the nice views from Federal Boulevard to the east. The views from the Farmers' High Line Trail to the north and west would also be preserved.
4. The parcel is an important wildlife corridor connecting Legacy Ridge Golf Course on both sides of Federal Boulevard and the other City owned property.
5. If developed, the parcel would "wall off" any access to the Mushroom Pond lake, except via a trail.

Staff Recommendation

Adopt Resolution No. authorizing the City Manager to proceed with acquisition of 8.133 acres of land from the Smith Family Trust for open space purposes.

Background Information

The City has explored the possible acquisition of the 8.133 acre Smith Family Trust parcel in recent years.

The City has previously purchased nearby property from the Smith family for open space, the Legacy Ridge Golf Course, and the Mushroom Pond storm water retention pond.

The remaining parcel has frontage along Federal Boulevard which makes it well suited to "round out" the City-owned property in the area. Once acquired, the non-golf course, City-owned property would total approximately 30 acres, which would allow the creation of a high-quality park/open space facility with the existing lake as its focal point. The City's Open Space Advisory Board has previously identified this parcel as a future open space acquisition.

Currently, there is no convenient public access to the Mushroom Pond property. Acquisition of the Smith property will allow for convenient access and the construction of a parking lot to serve the park/open space complex.

An appraisal is now being updated and will determine the fair market value of the property. Once the appraisal is completed, Staff will negotiate to acquire the property. The property is owned by the Smith Family Trust and is under contract by Terry TenEyck who was proposing to construct a mini-storage project on the site in unincorporated Adams County. On October 28, City Council passed on first reading the ordinance to annex the property to the City. At that Council meeting, Mr. TenEyck expressed interest in pursuing senior housing.

On November 1, John Carpenter met with Mr. TenEyck and informed him of the Council's interest in acquiring the property and of the authorization of the acquisition at the November 11 City Council meeting. If an impasse on the price is reached, Staff requests that Council authorize acquisition by eminent domain.

Open Space funds are proposed to be used for the acquisition. In the event all or a portion of the site is converted to park use in the future, the open space fund would be reimbursed in accordance with the procedures contained in the open space ordinance.

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 for open space purposes as shown on Attached "Exhibit A."; and

WHEREAS, a property appraisal is being 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 will make an earnest good faith offer to purchase the subject parcel; 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 of the City of Westminster,

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 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.
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 11th day of November, 1996.

ATTEST:

Mayor

City Clerk

Date: November 11, 1996

Subject: Councillor's Bill No. re AMC Theatres Assistance Package

Prepared by: Susan Grafton, Economic Development Manager

Introduction

City Council is requested to pass the attached Councillor's Bill on first reading approving a business assistance package for AMC Theatres Company at the Promenade location.

Summary

The AMC Theatres Company plans to construct a state of the art attractively designed 24 screen theatre complex as part of the unique Westminster Promenade project at the northeast corner of 104th Avenue and U.S. 36. The Westminster Promenade project is being planned as a uniquely designed pedestrian oriented entertainment/restaurant and business complex meant to serve as a family oriented leisure attraction for the community. This project as designed is on the cutting edge of what make communities more liveable, interesting and exciting. It reintroduces a pedestrian orientation and design character that is lacking in most projects of this type and scale. Because of special site planning, design and architectural upgrades being requested of them by the City, AMC is asking for assistance because the projected cost of the project is much more than the amount AMC originally budgeted for site preparation and building construction. While AMC is absorbing a significant portion of the site preparation, design and architectural upgrade costs, there is a portion of the cost they are asking the City to assist in addressing.

AMC has requested that the City consider a package of building permit fee waivers as well as Sales and Use Tax and Admission Tax rebates to "fill the gap" between their originally budgeted costs and current estimated costs. The attached assistance package is designed to help defray some of the initial costs of this project. The assistance package constitutes a \$2.85 million agreement.

Staff Recommendation

Pass Councillor's Bill No. on first reading which authorizes the execution and implementation of the Business Assistance Agreement with AMC Theatres Company for the construction of a 24 screen movie theatre and associated site improvements.

Background Information

The AMC project is a part of a 32 acre development parcel located north of 104th Avenue, west of Pierce Street, and east of U.S. 36 within the Northpoint Preliminary Development Plan area (to be renamed Westminster Promenade). AMC is under contract to purchase 23 acres of land from, the property owner, the 104th Avenue and Pierce Street L.L.C.

Under the terms of their purchase agreement, AMC will pay a proportionate share of the cost to grade the site, install utilities, construct the sidewalks, plaza areas, parking lots, and landscaping for the entire 32 acre site as well as be responsible for constructing the 24 screen theatre.

AMC's original budget for their share of site preparation and their building was \$16 million; then it grew to \$24 million and now it is \$28.5 million. AMC is asking the City for an assistance package of \$2.85 million to help reduce their gap in budget from \$24 million to \$28.5 million.

Given the revenues projected from the AMC project and the importance of the AMC Theatre to the overall viability and economic success of the Promenade project, Staff believes that the proposed assistance amount is justifiable and represents a good business decision.

The 5-year City tax revenue projection from just the AMC Theatre operation alone totals approximately \$3,795,000. This number does NOT include other revenues that will be generated from the non-AMC buildings and businesses along the Promenade located west of Pierce Street (Westminster Boulevard). Based upon City experience with similar retail operations, it is expected that an additional \$800,000 to \$1,200,000 in annual sales tax revenue would be generated from the additional 150,000 square feet of specialty retail and restaurant space along the Promenade. The total 5-year tax revenue projection for AMC and the remainder of the Promenade project is estimated to be over \$7.8 million.

Project Assistance

The business assistance package is proposed to include a 100% waiver on the AMC Theater Building Permit Fees and Building Use Tax, and 100% rebate on Admissions Tax, as well as Sales and Use Tax from the retail uses along the Promenade for the first year. This is expected to produce about \$1.4 million in rebate or cost avoidance in year one. For year two, it is proposed that there would be a 75% rebate on admissions, sales and use tax, which is expected to produce about \$1.1 million in rebate for AMC. Then, in the third year, it is proposed that the rebate drop to 50%. There would be \$350,000 to make up in year three to reach the total of \$2.85 million given current estimates. It is expected the total proposed rebate would occur in less than 30 months. After the third year, the City is expected to receive revenue over \$1.5 million annually that should increase with inflation.

Conclusion

It is Staff's opinion that the AMC 24-screen theatre will help solidify the development of the Westminster Promenade project and provide a popular entertainment experience for area residents. The assistance being provided will help the project meet the upscale image and unique development envisioned for the Westminster Promenade.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

ASSISTANCE AGREEMENT
FOR THE CONSTRUCTION OF AMC THEATRE COMPANY'S
24-SCREEN MOVIE THEATRE IN THE CITY OF WESTMINSTER

THIS AGREEMENT is made and entered into this _____ day of _____, 1996, between the CITY OF WESTMINSTER (the "City"), and AMC THEATRES COMPANY (AMC).

WHEREAS, the City wishes to provide certain assistance to AMC to aid in the construction of their new theatre within the City in the Westminster Promenade project; and

WHEREAS, the proposed facility will generate over \$500,000 annually in sales and use tax; and

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

In consideration of the mutual promises set forth below, the City and AMC agree as follows:

1. The City shall waive the payment of 100% of the building and related permit fees, not including tap fees, required under W.M.C. Section 11-10-3(E), which will result from the construction of the 89,600 square foot AMC building to be completed no later than January 30, 1998. The value of the permit fee waiver is estimated to be \$65,076.

2. The City shall waive the payment of 100% of the Building Use Taxes on the construction materials, which are to be used in the construction of the 89,600 square foot AMC building, required under W.M.C. sections 4-2-9 and 4-2-3. The value of the waiver is estimated to be \$203,840.

3. Tax Rebate.

- a. The City shall rebate to AMC an amount not to exceed \$2,850,000 less all fee waivers and building use tax waivers. Such rebate shall be payable exclusively from tax revenues collected by the City from AMC and the retail uses within the Westminster Promenade and attributable to the imposition of the City's 3.0% general sales and use tax (excludes the City's .25% Open Space Tax) and 3% Admissions Tax.
- b. During the first 12 months of operation, the rebate shall be paid by the City in quarterly installments equal to 100% of Sales, Use, and Admissions Tax collected and received by the City from AMC and the retailers within the project.
- c. During the next 12 month period of operation (year two), the rebate shall be paid by the City in quarterly installments equal to 75% of the Sales, Use, and Admissions Tax collected and received by the City from AMC and the retailers within the project.
- d. During the subsequent years, the rebate shall be paid by the City in quarterly installments equal to 50% of the Sales, Use, and Admissions Tax collected and received by the City from AMC and the retailers within the project.

e. Such quarterly installments shall be paid until such time as the maximum \$2,850,000 (less all fee waivers and building use tax waivers) has been paid. The final installment will be adjusted as may be necessary to limit the total rebate to \$2,850,000 including all fee waiver value and building use tax waiver value.

f. The payment of each quarterly installment shall be made within 20 days following the close of each quarter.

4. This Assistance Agreement shall terminate and become void and of no force or effect upon the City if AMC has not completed construction or moved into its new building by January 30, 1998.

5. In the event AMC ceases business operations within the City within three (3) years after the new operations commence, then in such event AMC shall pay to the City the total amount of fees and taxes which were due and payable by AMC to the City but were waived by the City, as well as reimburse the City for all funds provided to AMC pursuant to this Agreement.

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

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

8. This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. This Agreement shall be subject to, and construed in strict accordance with, the Westminster City Charter and the Westminster Municipal Code.

AMC THEATRES COMPANY

CITY OF WESTMINSTER

By _____

William Christopher
City Manager

4800 West 92nd Avenue
Westminster, CO 80030

ATTEST:

ATTEST:

Title

Michele Kelley
City Clerk

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO.

SERIES OF 1996

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AUTHORIZING AN ASSISTANCE AGREEMENT WITH AMC THEATRES COMPANY

WHEREAS, the successful attraction of high quality development to the City of Westminster provides employment opportunities and increased revenue for citizen services and is therefore an important public purpose; and

WHEREAS, it is important for the City of Westminster to remain competitive with other local governments in creating incentives for high quality development to locate in the City; and

WHEREAS, AMC Theatres Company has indicated an interest in building a new 24-screen theatre complex in the City of Westminster as part of the Westminster Promenade project; and

WHEREAS, AMC will build an 89,600 square foot theatre with an estimated project cost of \$28.5 million; and

WHEREAS, a proposed Assistance Agreement between the City and AMC is attached hereto as Exhibit "A" and incorporated herein by this reference.

NOW, THEREFORE, pursuant to the terms of the Constitution of the State of Colorado, the Charter and ordinances of the City of Westminster, and Resolution No. 53, Series of 1988, the members of the City Council of the City of Westminster direct and authorize the following actions by the City Staff:

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11th day of November, 1996.

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

ATTEST:

Mayor

City Clerk

Date: November 11, 1996
Subject: Land Trade with Bruchez Farms
Prepared by: Richard Dahl, Park Services Manager

Introduction

City Council is requested to authorize the City Manager to execute the necessary documents for a land exchange between the City of Westminster and Bruchez Farms Development Limited Liability Company (see attached exhibits).

Summary

As new Filings are platted around the Legacy Ridge Golf Course, there are opportunities to adjust land boundaries to accommodate additional needs for both the City and the Bruchez Farms Development Company. To date all land exchanges agreed to by Bruchez Farms and the City have resulted in increased public access along trails and related scenic corridors.

One piece of this exchange (Exhibit A) involves a parcel of land that the City owns along the east side of fairway #1. The City will add approximately 10-15' depth to the housing lots that have been already platted. The second piece (Exhibit B) is along fairway #3 and is land the City also owns that will add depth to the housing lots along 111th Drive. The third piece (Exhibit C) is parallel to the tee areas on hole #2. The City needed this land to adequately construct a trail connection from Cotton Creek to Bruchez Parkway.

Staff also believes this land exchange is a win-win transaction for the two parties, with City residents and trail users accessing the Cotton Creek Subdivision, Cotton Creek Elementary school, and the proposed Cotton Creek Park expansion being the beneficiaries.

Staff Recommendation

Authorize the City Manager to execute the necessary documents for a land exchange between the City and Bruchez Farms Development Limited Liability Company, per the attached property descriptions and exhibits.

Background Information

Currently, the City owns property as part of the Legacy Ridge Golf Course adjacent to the east side of hole number one and along the northern boundary of hole number three (attachments). Staff is recommending that a total of 20,129 square feet of these two areas (see Exhibits A & B) be conveyed to Bruchez Farms Development Limited Liability Company in exchange for 23,467 square feet of land (see Exhibit C) to be conveyed to the City by Bruchez Farms Development Limited Liability Company adjacent to Open Space property north of hole number two. This additional land is needed in the Open Space area for trail use and as a way to limit construction in existing wetlands.

City Staff and Art Bruchez have agreed that adding 23,467 square feet of land to the Open Space would enhance the desirability of the trail for the users while preserving natural wetlands and wildlife.

The land to be conveyed to Bruchez Farms Development Limited Liability Company would have minimal impact on the playability of the golf course and is well outside of the out-of-bound markers on hole number one and hole number three. The added square footage will make the building lots of Bruchez Farms more marketable, with little impact on the golf operations.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

Date: November 11, 1996
Subject: Resolution No. re Service Commitment Transfer
Prepared by: Larry Hulse, Planning Director

Introduction

City Council action is requested to adopt the attached Resolution transferring service commitments from Category C to Category E for senior housing developments.

Summary

Due to the upswing in senior housing building activity this year, the City has exceeded the service commitment allocation that was set aside at the beginning of this year for Category E (Senior Housing) development. The following situations have created a need to transfer service commitments into this Category:

- < The Crystal Lakes (San Marino) senior housing project exceeded service commitment demand anticipated for their project in 1996; and
- < City Council recently approved an Official Development Plan Amendment authorizing an additional 112 units for the Covenant Retirement Village project.

Westminster Municipal Code Section 11-5-6, allows for the transfer of remaining service commitments to other categories where they may be needed. In order to accomplish this transfer, a resolution will need to be adopted by City Council.

Currently, there are 368.1 service commitments in Category C, the category set aside for non residential developments such as shopping centers, office, and industrial projects. Since each senior housing unit is calculated at .35 service commitment, Staff recommends the transfer of 60 service commitments from Category C to Category E be authorized by resolution of the City Council to accommodate senior housing development.

Staff Recommendation

Adopt Resolution No. transferring 60 Service Commitments from Category C to Category E.

Background Information

Annually, as part of the City's Growth Management Program, City Council allocates service commitments to accommodate new development in the following year. Staff estimates service commitment demand for the upcoming year in all of the various award categories based on discussions with developers, plans for Capital Improvement Projects, as well as City Staff projections, and then provides City Council with an allocation recommendation for the next year.

On February 12, 1996, City Council adopted a resolution allocating service commitments for new development in 1996. The Category E (Senior Housing) allocation totaled 75 service commitments to accommodate anticipated demand of the Crystal Lakes, Hidden Creek Park (Life Care Center), and Panorama Pointe projects.

Both the Hidden Creek Park and Panorama Pointe projects proceeded as planned and have received service commitments for development this year. The Crystal Lakes (San Marino) senior housing project also received commitments, however, the developer began construction on 91 approved senior housing units rather than the 32 units originally projected for 1996. Also, developers of one additional, unanticipated project wish to begin construction yet this year. Covenant Retirement Village recently received City Council approval for an additional phase of 112 units.

Because of these additional units, the Category E allocation is insufficient to meet the needs of the 1996 demand for these service commitments; however, the Westminster Municipal Code Section 11-5-6 allows City Council to transfer remaining service commitments to other categories where they may be needed. Since many projects accounted for in the 1996 Category C (Non Residential) allocation have been delayed and now plan to begin construction in 1997, Staff recommends Council authorize a resolution transferring 60 service commitments from Category C into Category E.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

SERVICE COMMITMENT TRANSFER TO CATEGORY E

WHEREAS, by Ordinance No. 2396, Series of 1996, the City of Westminster adopted a Growth Management Program for the period of 1990-2000 which contains provisions for the allocation of service commitments for new developments within the City; and

WHEREAS, building activity in Category E for 1996 has exceeded the original projections; and

WHEREAS, additional service commitments are necessary to be transferred into Category E to meet the current demand for senior housing development; and

WHEREAS, Category C for non-residential developments currently contains a surplus of service commitments; and

WHEREAS, Section 11-5-6 of the Westminster Municipal Code allows City Council by resolution to transfer service commitments to any other category, at any time.

NOW, THEREFORE, be it resolved that the Westminster City Council resolves that based on the above information, a transfer is authorized of 60 service commitments from Category C into Category E.

Passed and adopted this 11th day of November, 1996.

ATTEST:

Mayor

City Clerk

Date: November 11, 1996

Subject: North Metro Drug Task Force Intergovernmental Agreement

Prepared By: Matt Raia, Police Captain; and Dan Montgomery, Chief of Police

Introduction

City Council action is requested to approve the attached Intergovernmental Agreement between the Cities of Thornton, Northglenn, Federal Heights, Brighton, Adams County Sheriff's Department, and the City of Westminster for participation by the City of Westminster in the North Metro Drug Task Force. This IGA has been reviewed by Assistant City Attorney, Vicky Bunsen, and approved as to legal form.

Summary

Since 1992, the police agencies in Adams County, have been participating in a joint drug enforcement task force. At the time this task force was initiated, Staff of the Westminster Police Department chose not to participate for a variety of reasons. Several months ago, after meeting with members of the North Metro Drug Task Force, Staff determined that participating with this task force would be a positive endeavor. Three detectives working in the Police Department's Vice/Narcotics Section were subsequently assigned to the North Metro Task Force and have become an integral part of this unified, area-wide effort to stop the flow of drugs into the north area.

Staff Recommendation

Authorize the Mayor to sign the attached Intergovernmental Agreement between the Cities of Thornton, Northglenn, Federal Heights, Brighton, Adams County Sheriff's Department, and the City of Westminster formalizing the City's participation in the North Metro Drug Enforcement Task Force.

Background Information

In 1992, several of the police agencies in Adams County decided to form a multi-agency task force for the purpose of drug enforcement. Through intergovernmental agreements and special deputization by the Adams County Sheriff, the task force was developed.

Staff of the Westminster Police Department chose not to participate in the North Metro Task Force. Staff felt it would be better to wait until such time it was certain the task force was productive and effective.

Several months ago, Staff reviewed the feasibility of the Westminster Police Department joining the North Metro and the West Metro Drug Enforcement Task Forces. The task forces have proven to be very effective and it was determined that Westminster's Vice/Narcotics Section would be better utilized by these two task forces. The department's Vice/Narcotics Section was disbanded and the detectives were split and assigned to the two County task forces.

Three detectives were assigned to the North Metro Task Force in Adams County and are working out of their off-site office. The other three detectives were assigned to the West Metro Task Force and are working out of the off-site office in Jefferson County.

The North Metro Task Force is under the control of a Board of Directors, of which Chief Montgomery is now a member. The Board meets periodically to evaluate the task force's progress, set policy, identify and solve problems, and plan for future trends and needs of the task force.

Because drug trafficking recognizes no city boundaries, enforcement efforts are much more effective with a combined agency task force approach than by each agency maintaining their own separate enforcement sections. By not participating with the task force, Westminster's drug enforcement efforts would not be as effective, nor have as great an impact on drug trafficking.

To illustrate the successes of the North Metro Drug Task Force, the following data are noteworthy:

1. North Metro consists of one lieutenant, two sergeants, and 11 officers.
2. 1994/1995 YTD saw 264 drug cases initiated; and 1995/1996 YTD resulted in 429 drug cases being initiated, which represents a 63 percent increase.
3. With regard to arrests, North Metro made 268 arrests during 1994/1995 YTD, and for 1995/1996 YTD, the total stands at 497, an increase of 85 percent.
4. In September 1996 alone, the North Metro Drug Task Force seized \$9,161 in cash from drug dealers, and received \$2,414 in forfeitures.
5. Since 1992, the Task Force has seized \$544,348 from drug dealers, and has received \$290,765 in forfeitures.

Staff is convinced that this task force approach is extremely effective, and very much supports this effort. Lieutenant Jim Roche of the Adams County Sheriff's Department, who currently heads up the North Metro Drug Task Force, will be at the November 11 City Council meeting in the event Council has any questions of him.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Intergovernmental Agreement

Date: November 11, 1996

Subject: Police Crime And Photo Lab Remodel

Prepared by: Dan Montgomery, Chief Of Police; Janice Kraft, Communications Administrator

Introduction

City Council action is requested to authorize the City Manager to execute a negotiated contract with Tamminga Construction Company for remodeling the Police Department Crime and Photo Lab. Funds to cover the cost of this project were previously budgeted and approved by City Council, and are available in the General Capital Improvement Fund.

Summary

The \$34,713 requested is budgeted in the 1996 General Capital Improvement Fund and will be used for remodeling the existing Police Department Crime and Photo Lab. The existing lab has serious space constraints and potential health and safety concerns. It is not properly designed for efficiency or to accept upgraded technology available for crime scene evidence processing and the digitized mug photo system scheduled to be installed later this month.

In lieu of releasing a request for proposal for a project contractor, Staff found it prudent to solicit estimates from four contractors and negotiate a not-to-exceed bid for the construction work.

Architectural drawings for the project were provided to Hightower Construction Company, Saunders Construction Company, Stanisz Design and Construction, and Tamminga Construction Company. Hightower Construction Company did not respond and the negotiated, not-to-exceed bids for the other three contractors are as follows:

Tamminga Construction Company	\$34,713
Stanisz Design and Construction	\$36,720
Saunders Construction Company	\$39,995

Project components include demolition, drywall, carpentry, millwork, doors and hardware, acoustical ceiling, floor coverings, and mechanical and electrical. Staff plans to utilize City personnel from Building Operations and Maintenance Division to assist in the remodeling with such components as painting, HVAC balancing, and miscellaneous work.

Staff Recommendation

Authorize the City Manager to sign a contract with Tamminga Construction, in an amount not to exceed \$34,713, for the remodeling of the Police Department Crime and Photo Lab with the expense to be charged to the appropriate project account in the General Capital Improvement Fund.

Background Information

As part of the 1996 budget, City Council approved funds in the General Capital Improvement Fund for remodeling the Police Department Crime and Photo Lab. Earlier this year, architectural drawings were completed by Wong Strauch Architects for this project.

Police Department Staff contacted representatives from Parks, Recreation and Libraries, General Services, and the Building Operations and Maintenance Division who have had experience with contractors on a wide variety of remodeling projects. These City Staff members made recommendations of potential contractors for the Police Department project based on their experience with these contractors and the company's performance on other completed City remodeling projects.

Four contractors were provided with architectural drawings and requested to submit estimates for the project; Hightower Construction Company, Saunders Construction Company, Stanisz Design and Construction and Tamminga Construction Company.

Original estimates received were as follows:

Stanisz Design and Construction	\$34,045
Tamminga Construction	\$35,113
Saunders Construction Company	\$42,882
Hightower Construction Company	No Response

The estimate from Stanisz Design and Construction was originally the low estimate, but required adding in an additional \$2,675 to cover the cost of plastic laminate and new fluorescent light fixtures that were included in the bid from Saunders and Tamminga. This resulted in a bid of \$36,720 from Stanisz Design and Construction. The Saunders Construction estimate was negotiated down to a final amount of \$39,995. The Tamminga Construction estimate was reduced to \$34,713.

Final not-to-exceed estimates:

Tamminga Construction Company	\$34,713
Stanisz Design and Construction	\$36,720
Saunders Construction Company	\$39,995

All three companies indicated that they would be able to proceed immediately with the work upon contract execution and estimate the project would be completed in six weeks. This is an important note as the Police Department Crime and Photo Lab will temporarily have to relocate and will be operating from the Thornton Police Department during the interim. Additionally, a newly purchased digitized mug photo system is scheduled to be installed in mid-November and will be operating in temporary quarters until the remodel is complete.

Saunders, Stanisz and Tamminga are highly recommended construction companies and Staff has had experience with the three on remodeling projects they have completed for the City. Staff has thoroughly reviewed each companies estimates and it is their belief that any of the three could successfully and efficiently complete this remodel project of the Police Crime and Photo Lab. Tamminga Construction, the low bidder, is Staff's recommendation for the contractor.

Alternatives

An alternative to Staff's recommendation would be to use the architectural drawings completed by Wong Strauch and request that other contractors submit proposals on this project. However, it is Staff's view that the project cost would change insignificantly, no more qualified and experienced contractors for a project of this size would be located, and this would considerably delay the start of the remodel project.

Respectfully submitted,

William M. Christopher
City Manager

Date: November 11, 1996

Subject: Councillor's Bill No. re VALE Grant Appropriations

Prepared By: Jacqueline June, Victim Services Coordinator and Kerry Sanchez, Investigator

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading appropriating \$640 from Intergovernmental Revenue to the Police Department's Investigation Services Division budget; \$12,485 to the Community Services Division budget; and \$200 to the Patrol Services Division Budget.

Summary

The Westminster Police Department has been awarded \$240 from the Seventeenth Judicial District VALE Board and \$400 from the First Judicial District VALE Board. These grants provide for paid and volunteer staff scholarships to attend the annual Colorado Organization for Victim Assistance (COVA) Annual Conference. This supplemental appropriation will allow the transfer of these grant funds into the Police Department's Investigation Services Budget.

The Police Department has also been awarded \$12,685 from the Colorado Consortium for Community Policing Line Officer Grant Fund. These grants provide line officers with funds to complete community projects that target problem crime areas. This supplemental appropriation will allow the transfer of these grant funds into the Police Department's Community Services Division and Patrol Services Division budgets.

Staff Recommendation

Pass Councillor's Bill No. on first reading providing for a supplemental appropriation of \$640 from the Intergovernmental Revenue Account to the Police Department's Investigation Services Training Account; a supplemental appropriation of \$12,485 from the Intergovernmental Revenue Account to the Police Department's Community Services Division Small Tools and Equipment Account; and a supplemental appropriation of \$200 from the Intergovernmental Revenue Account to the Police Department's Patrol Services Division Small Tools and Equipment Account.

Background Information

With regard to the Vale Grant appropriations, the Westminster Police Department Victim Services Unit currently has 28 volunteers. Ongoing training is imperative for volunteer retention as well as for staff development. The VALE Boards offered these COVA Conference scholarships to the unit and in so doing, have expressed their ongoing support for the Victim Services Unit's continued delivery of quality services to victims of crime in the City.

Concerning the Colorado Consortium for Community Policing Grants, Officers of the police department recognized specific crime problems in the areas of the City in which they were working. As part of the Community Oriented Governance philosophy, they contacted community groups and, in partnership with the citizens, applied for grant funds from the Colorado Consortium for Community Policing to address these problems.

Examples of grants these police officers applied for and received to help make their assigned neighborhoods safer and to enhance the quality of life include:

1. Holy COW Trail Stampede: The Grant purchased T-Shirts.
2. Hooked On Fishing: The Grant purchased supplies for the program to teach kids how to fish.
3. Citizen Academy: The Grant purchased materials to teach citizens the basics of police work.
4. Project Kid Care: The Grant purchased materials to provide current photos of children and a booklet containing personal information on the children.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Councillor's Bill

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 FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1996 ESTIMATED REVENUES IN THE VARIOUS FUNDS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1996 appropriation for the General Fund, initially appropriated by Ordinance No. 2385 in the amount of \$42,556,480 is hereby increased by \$13,325 which, when added to the fund balance as of the City Council action on October 28, 1996, will equal \$46,061,251. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to VALE grants from both Adams and Jefferson County, and for Community Policing Line Officer Grants from the Colorado Consortium..

Section 2. The \$13,325 increase in the General 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>			
Intergovernmental Victim Assistance 10-0450-000	\$6,000	\$640	\$6,640
Intergovernmental-State of Colorado 10-0478-000	\$0	<u>\$12,685</u>	\$12,685
Total change to Revenue		<u>\$13,325</u>	
<u>EXPENSES</u>			
Investigation Services Career Development 10-20-30-144-000	\$10,000	\$640	\$10,640
Patrol Services Supplies 10-20-50-321-000	\$86,060	\$200	\$86,260
Community Services Supplies 10-20-27-321-000	\$33,653	<u>\$12,485</u>	\$46,138
Total change to Expenses		<u>\$13,325</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11th day of November, 1996.

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

ATTEST:

Mayor

City Clerk

Date: November 11, 1996

Subject: Intergovernmental Agreement with Northglenn re Tank Site

Prepared by: Ron Hellbusch, Director of Public Works and Utilities and Alex Iacovetta, Utilities Operations Manager

Introduction

City Council action is requested to authorize the City Manager to negotiate and sign an Intergovernmental Agreement (IGA) with the City of Northglenn for the purchase of land and construction of one or two elevated water storage tanks on Northglenn's property located at 112th Avenue and Cherokee Street (I-25) (see attached map); and to negotiate a 30-year agreement with the City of Northglenn for an emergency water system interconnect.

Summary

In a letter dated October 28, the City of Northglenn's City Manager proposed that the City of Westminster utilize Northglenn's property located at 112th Avenue and Cherokee Street for the installation of one or more water storage tanks. This proposal outlines several items the two Cities have reviewed and are willing to negotiate in order to enter into an IGA. City Staff have drafted an IGA based on Northglenn's proposed provisions, which is attached for City Council review. This agreement has been submitted to the City Attorney's Office for their review and their changes have been incorporated.

The proposed location at 112th Avenue and Cherokee Street is the site of both Northglenn and Thornton's elevated water tanks, which will provide a central location for water storage facilities that meets all technical site requirements such as elevation and also is more compatible with residential areas in Northglenn. The joint site will accommodate interconnections between the three cities for backup emergency use.

Staff Recommendation

Authorize the City Manager to negotiate and sign an Intergovernmental Agreement with the City of Northglenn for the purchase of land and construction of one or two water storage tanks on Northglenn's property located at 112th Avenue and Cherokee Street; and to negotiate a 30-year agreement with the City of Northglenn for an emergency water interconnect.

Background Information

The City has spent the past two years in negotiations with Lucent Technologies (previously doing business as American Telephone and Telegraph) for a 4 acre site located at the northwest corner of 116th Avenue and Huron Street for the installation of one or two water storage tanks. Earlier this year, the City of Northglenn proposed utilizing its property at 112th Avenue and Cherokee Street due to the higher site elevation and to minimize potential neighborhood concerns relative to obstruction of their western view.

However, this spring the Northglenn City Council and staff decided against making their tank site available to Westminster. In late October, Northglenn officials reconsidered the matter and decided to proceed with negotiations to achieve an IGA with Westminster to use their tank site.

Upon receiving City Council authorization to negotiate a contract with the City of Northglenn, City Staff will notify Lucent Technologies of the City's decision to withdraw from negotiations to purchase 4 acres of land located at 116th Avenue and Huron Street.

The City's proposed two million gallon per day storage tank will provide pressure and fire flow to the northern portion of Westminster. Staff will complete an appraisal of the property to determine purchase price and conclude cost estimates for piping connections and tank siting, as part of the IGA negotiations.

A second storage tank will be constructed in the future only in the event the City's water demand and growth trends dictate it. Construction of the first tank is not anticipated to commence until after the year 2000.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT entered into this ____ day of _____, 19___, by and between THE CITY OF WESTMINSTER, COLORADO, a municipal corporation, hereafter referred to as "Westminster" and THE CITY OF NORTHGLENN, COLORADO, a municipal corporation, hereafter referred to as "Northglenn" and hereafter referred to collectively as "Parties", witnesseth:

WHEREAS ARTICLE XIV, SECTION 18 of the Colorado Constitution and SECTION 29-1-203, C.R.S. authorize these Cities to exercise the powers and to cooperate and contract in regard to the matters set forth in this Agreement; and

WHEREAS, Westminster will install one or more two million per day water tanks on Northglenn's property at 112th Avenue and Cherokee Street, where Northglenn and City of Thornton have their respective water tanks located; and

WHEREAS, both Parties will have access to the other's potable water system, in the event of an emergency, as hereafter defined; and

Whereas, in order to facilitate deliveries of potable water between the respective water systems, it is the desire of the Parties to construct a major interconnect between their systems upon the terms and conditions hereafter appearing; and

Whereas, this Agreement supersedes the Interconnect Agreement between the Parties dated December 11, 1980.

NOW, THEREFORE, the parties hereto agree as follows:

1. One or more Westminster tanks will be located to the northwest of the existing tanks in approximately the location shown on attachment "A".
2. Westminster will have the option of purchasing or leasing up to two acres from Northglenn for the Westminster tank site. The value attached to the purchase will be that which was determined by a mutually selected appraiser.
3. Pipelines will be placed within easements granted along an approved alignment to Huron Street. Any utility conflicts or relocations resulting from the construction of the tanks or connecting pipelines will be the responsibility of Westminster.
4. Westminster will grant access and utility easements across any purchased or leased property for the use of either Northglenn or Thornton related to their respective tank facilities.
5. The cost of any interconnect between the systems or storage tanks would be borne by both parties, in equal portions.
6. The zoning, site plan, construction plans, building permits and related approvals will be subject to Northglenn Ordinances. Approvals of plans will not be unreasonably withheld.
7. Westminster will agree to landscape the tank site to the minimum standard of either Westminster or Northglenn, whichever is greater.
8. Westminster agrees not to attach to or paint the tank with its logo or name. A separate small ground level identification will be allowed.

9. Westminster will have, in addition to securing the tank site, the right to negotiate the acquisition of 2 acres of additional land for second tank site.

10. The interconnect may be used by either Party subject to approval of the Party providing the water in the event of an emergency, which shall include extraordinary maintenance operations or any occurrence within either Party's water system, which would result in curtailing or interruption of water services to customers of respective Party. Also, for purposes of this Agreement, the term "emergency" is defined as a major fire, a main break, a pump failure, any unforeseen system or mechanical failure of the treated water system; provided, however, that "emergency" shall not include a shortage of non-treated water in either system. In the event of any such emergency, the Party requesting delivery of potable water shall notify the other Party by telephone concerning the estimated amount of water needed and the time period of said need, with confirmation in writing within 5 working days. The interconnect shall be operated only with representatives of both municipalities present. Delivery of water through the interconnect shall be subject to the availability of surplus supply and capacity in the system from which water is being requested, with that determination resting solely in the reasonable discretion of the supplying Party.

The interconnect will be built to the Parties specifications for below ground dual system interconnect. The isolation valves on either side of the meter will be chained and locked in the closed position by the respective Party to prevent the interconnect from being used without a representative from both Parties being present.

A 2-inch blow off shall be installed on the respective water line which connects the Northglenn and Westminster distribution systems. The blow off shall be furnished and installed during construction and shall be used to flush any stagnant water in the line prior to activation of the interconnect.

The location of the 2-inch blow off shall be previously approved by each Party.

11. The term of the Interconnect Agreement shall be for thirty (30) years from the date hereof but shall be deemed to be automatically extended thereafter from year to year in the absence of written notification. This agreement, for interconnection only, may be terminated at will by either Party upon thirty (30) days written notice to the non-terminating Party. In the event either Party fails to appropriate funds for the purposes of this Agreement, this Agreement shall automatically terminate at the end of the fiscal year of the Party which has failed to appropriate funds, and that Party shall notify the other Party.

In the event of termination of this Agreement by either Party, the meter, valves and other items of equipment that constitute a physical interconnect shall be removed and salvaged. Costs for such removal shall be borne equally by both Parties. At such time, each party shall receive one-half the salvage value of all valves, meters, and other equipment in the vault.

Provisions for termination at will listed herein do not include the tank site. A separate agreement for the purchase/lease of the tank site will be formulated upon completion of negotiations between Northglenn and Westminster.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

ATTEST:

THE CITY OF WESTMINSTER

City Clerk William Christopher

City Manager

APPROVED AS TO LEGAL FORM:

City Attorney, Westminster

ATTEST:

THE CITY OF NORTHGLENN

City Clerk James Landeck

City Manager

APPROVED AS TO LEGAL FORM:

City Attorney, Northglenn

Date: November 11, 1996

Subject: Countryside Filing #13 Utility Easement

Prepared By: Richard Dahl, Park Services Manager and Rod Larsen, Foreman

Introduction

City Council action is requested to authorize the Mayor to execute a utility easement document granting a permanent utility easement on city-owned Open Space property located at Countryside Filing #13 to Public Service Company of Colorado.

Summary

The proposed 10' x 904.88' easement would be located along the southern edge of Countryside Filing #13 Open Space, starting directly northwest of Witt Elementary and proceeding an additional 70' northwest to an existing terminal box (see attachment).

By granting the easement, the City agrees to give Public Service Company of Colorado access to the area described by survey. The purpose of the easement is to grant the right to construct, operate, and maintain underground utilities to Public Service Company of Colorado and its successors, assigns, lessees, licensees, and agents.

In exchange for granting said easement, Public Service Company of Colorado will widen the existing "bench" to 12' at the east end of the proposed easement area and seed the embankment for stabilization. This "bench" is similar to a plateau and is described as a flat area extending from the residential lots out approximately 5' from the fence lines. This "bench" area is used as a trail by neighborhood school children to access Witt Elementary School (see map). The existing width of the bench is much too narrow (5-6') to be used as a trail, and presents inherent dangers to trail users because of the steep slope at the trail's edge. The widening of the "bench" will make the trail safer and more useable.

Staff Recommendation

Authorize the Mayor to execute the easement documents to grant a permanent easement to Public Service Company of Colorado along the southern edge of Countryside #13 Open Space.

Background Information

The proposed easement is located on a high "bench" area that runs parallel to the residents' privacy fences. This area has been used by neighborhood children as a footpath to Witt Elementary since the school was built in 1980. The eastern end of this "bench" is currently very narrow and steep and is hazardous to students especially during inclement weather.

By requiring Public Service Company of Colorado to make the necessary improvements to this area, the City is solving a long standing safety problem at no expense to the City.

Respectfully Submitted,

William M. Christopher
City Manager

Attachments

Date: November 11, 1996
Subject: Little Dry Creek Trail Construction Contract
Prepared By: Philo Shelton, Park Project Engineer

Introduction

City Council action is requested to pass on first reading the attached Councillor's Bill re a supplemental appropriation of \$757,330, the amount of the 1996 ISTEA award, into the General Capital Improvement Project Fund and then authorize an expenditure of \$946,663 for construction of the Little Dry Creek Trail project. City Council action is also requested to authorize the City Manager to approve a contract with Randal and Blake, Incorporated (RBI) in the amount of \$1,001,057, a Force Account (contingency) of \$50,525, and authorize funds of \$1,051,582 for the proposed project budget. The City's portion of matching funds of \$189,333 have been appropriated and are available in the General Capital Improvement Fund for this project. Funds for this expense are available in both the Little Dry Creek Trail account for \$984,582 and Trail Development account for \$67,000 in the General Capital Improvement Fund.

Summary

Little Dry Creek Trail is one of the projects that was awarded federal funding under the Intermodal Surface Transportation and Efficiency Act (ISTEA) program. The City of Westminster was awarded this ISTEA grant in 1992 in the amount of \$957,330 from the Denver Regional Council of Governments (DRCOG) for fiscal years 1994 and 1996. ISTEA funding, administered by the Colorado Department of Transportation (CDOT), for fiscal years 1994 and 1996 are \$200,000 and \$757,330 respectively.

City Council action is requested to pass the attached Councillor's Bill for a supplemental appropriation of \$757,330 from this ISTEA grant into the General Capital Improvement Project Fund and authorize a project budget of \$946,663 for construction of the Little Dry Creek Trail project. The funding sources of the project budget are \$757,330 in federal participation funds under the ISTEA program and \$189,333 in the City's Capital Improvement Project Fund Little Dry Creek Trail account.

The project was advertised and bid according to the City's purchasing ordinances and CDOT procedures. Fifteen contractors attended the mandatory pre-bid meeting and 30 copies of construction documents were sold to various contractors and suppliers. The following is a tabulation from the October 25th bid opening:

RBI	\$1,001,057.00
AS Horner	1,164,389.10
Rock and Company	1,190,584.10
Concrete Express Inc.	1,258,528.50
Genco Construction	1,267,320.45
Tarco	1,278,043.10

The apparent low bid of \$1,001,057 by RBI is considered a good bid as compared to the engineer's cost estimate of \$964,000 for the project. RBI has worked for Westminster in the past on Westminster Gateways project that included the intersections of US 36 and Sheridan, US 36 and Church Ranch, and 104th and Federal. CDOT has RBI listed as a prequalified contractor to perform CDOT work. Current references for similar projects have also verified RBI as a qualified contractor. In addition to the construction contract of \$1,001,057, an additional \$50,525 of construction Force Account costs are requested to be used as project contingencies. The following is a proposed budget to for the project:

Construction (low bid)	\$1,001,057
Force Accounts:	
Minor Contract Revisions	\$ 20,000
OJT Pilot	\$ 525
Railroad Flagging	\$ 20,000
Environmental	\$ <u>10,000</u>
TOTAL	\$1,051,582

Staff will request a reimbursement of only the actual expenses for construction of the Little Dry Creek Trail project once construction has been completed. Since there is a \$67,000 project short fall in the Little Dry Creek CIP account, Staff recommends the Trail Development CIP account be used to fund the Force Accounts in the amount of \$50,525 for project contingencies and fund the construction budget short fall of \$16,475. Staff is also preparing a GOCO grant to make up this shortfall as well.

Staff Recommendation

1. Pass Councillor's Bill No. on first reading appropriating \$757,330 into the General Capital Improvement Fund and authorize a project budget of \$946,663 for construction of the Little Dry Creek Trail project.
2. Authorize the City Manager to approve a contract with RBI in the amount of \$1,001,057 for construction of one and three quarter miles of the Little Dry Creek Trail; authorize \$50,525 for Force Accounts to be used as the project contingency; and authorize \$1,051,582 for the total project budget, and charge this expense to the Little Dry Creek Trail CIP account for \$984,582 and to the Trail Development CIP account for \$67,000 in the 1996 General Capital Improvement Project Fund.

Alternative

1. Delete a portion of the Little Dry Creek Trail construction project that amounts to \$67,000 to stay within the project budget and look to future funding source such as a GOCO grant to fund the completion of the project. This alternative would amount to the deletion of approximately 2,200 linear feet of trail east of Federal Blvd. to Zuni Street.

Background Information

Staff submitted an ISTE A grant application to DRCOG in 1991 to design and construct the Little Dry Creek Trail system from England Park at 72nd Avenue and Raleigh to the Clear Creek confluence. DRCOG approved the \$1.2 million Little Dry Creek Trail project and awarded an 80% matching grant in the amount of \$960,000 and Westminster is required to match 20% in the amount of \$240,000.

A majority of the proposed Little Dry Creek Trail project is outside of the City of Westminster boundary, which ends at Lowell Boulevard. An Intergovernmental Agreement (IGA) between City of Westminster and Adams County was approved and completed on October 24, 1994. In summary, the IGA states that each governmental entity (the City of Westminster and Adams County) will be responsible for maintenance, law enforcement, and public liability for the portions of trail located in their jurisdiction. Staff has also been coordinating with Adams County and the Urban Drainage and Flood Control District for future drainage and flood control issues, and Burlington Northern for two railroad bridge underpasses on Little Dry Creek, which will also be used as an underpass for the Little Dry Creek Trail.

As a budget overview, the Little Dry Creek Trail project original budget developed in 1991, to secure the ISTEA grant, was estimated at \$1.2 million for design, right of way (ROW) acquisitions and construction (\$99,000 for design, \$151,000 for ROW acquisitions, and \$950,000 for construction). However, over a period of five years, costs have increased due to regulatory guidelines established by the federal government and implemented by CDOT within the ISTEA grant. Current design and construction costs, and ROW acquisitions/easements expenses have also increased. The new cost estimate for design, ROW acquisitions and construction is \$1.5 million, which is \$300,000 higher than the 1991 projection.

Cost to design the Little Dry Creek Trail is \$165,000 because of CDOT's extensive requirements for trail design, permits to acquire, and five years of inflation. The extra funding of \$66,000 beyond the 1991 estimate of \$99,000 for designs costs is being borrowed from the ROW budget leaving a balance of \$85,000.

This balance of \$85,000 is necessary to assist with construction engineering of \$83,451 and construction costs, of \$1,051,582, which have also increased over the last five years. In April 1996, City Council adopted a resolution to authorize the City Manager to sign a contract with CDOT for \$946,663 (the ISTEA grant portion is \$757,333 and the City's portion is \$189,333). In May 1996, City Council approved the use of Open Space funds of approximately \$300,000 for acquiring the right of way for the trail.

In September 1996, all the necessary permits, utility clearances, and right of way were secured and CDOT cleared the project to be advertised for construction. Construction is anticipated to begin the last week of November with completion of the project in June 1997.

Respectfully submitted,

William M. Christopher
City Manager

Attachments - Councillor's Bill and Project area maps

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1994

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 1996 BUDGET OF THE GENERAL CAPITAL IMPROVEMENTS 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 Improvements Fund, initially appropriated by Ordinance No. 2385 in the amount of \$14,590,129 is hereby increased by \$757,330 which, when added to the fund balance as of the City Council action on November 11, 1996, will equal \$20,102,330. The actual amount in the General Capital Improvements Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of a Intermodal Surface Transportation and Efficiency Act grant for the construction of the Little Dry Creek Trail Project.

Section 2. The \$757,330 increase in the General Capital Improvements Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>\$ Increase</u>
<u>Final Budget</u>		
<u>REVENUES</u>		
Intergovernmental 75-0426-019\$440,000	<u>\$757,330</u>	
\$1,197,330		
<u>EXPENSES</u>		
Project #367 75-50-88-555-367\$475,000	<u>\$757,330</u>	
\$1,232,330		

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 11th day of November, 1996

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

ATTEST:

Mayor

City Clerk

Date: November 11, 1996
Subject: 1996 Third Quarter Activity Report
Prepared by: Mike Simmons, Management Assistant

Attached for City Council's review is the 1996 Third Quarter Activity Report which covers Departmental activities for the quarter ending September 30.

As can be readily noted, the City continues to experience a steady increase in activity when compared to similar data from the previous year. These activities include achieving stated objectives as well as accomplishing unanticipated "opportunities."

Respectfully submitted,

William M. Christopher
City Manager

Attachment

**3rd QUARTER ACTIVITY REPORT
July 1, 1996 through September 30, 1996**

COMMUNITY DEVELOPMENT

Open Space Division

Total Open Space now stands at 1,234 acres - or approximately 7% of the City's land area. Negotiations continue on many key properties - several of these proposed acquisitions were reviewed with City Council at a September Study Session. Closings are anticipated in the fourth quarter of 1996.

The Open Space Advisory Board and Staff completed their review of potential Open Space acquisitions in early 1996, and presented their priority recommendations for the next five years to City Council on April 15th. With Council input, these recommendations are to serve as a guide for acquiring Open Space through the Year 2000.

Staff has met with various COG and other groups around the City, and attended all the community input meetings relating to the Comprehensive Land Use Plan, to hear input regarding Open Space priorities.

The Open Space Advisory Board, with City Council concurrence, awarded eight Neighborhood Enhancement grants for 1996. These projects are complete or nearing completion.

Land acquisition efforts are nearing completion, and construction drawings are presently out for bid, to construct a trail along Little Dry Creek, from England Park to Clear Creek. Open Space funds will be used to acquire the land for the trail. An ISTEA grant, along with City funding, will be used to construct the trail in late 1996 through 1997.

Work is continuing on a redevelopment plan for Little Dry Creek between approximately 72nd Avenue and Lowell Boulevard. In addition to the trail, Staff is working with the Urban Drainage and Flood Control District to design channel improvements to reduce flooding and improve the appearance of this area.

Building Division

Major projects completed during the 3rd quarter:

- *Krauses Sofa Factory
- *Ruby Tuesday Restaurant
- *Sears remodel at Westminster Mall
- *Tenant finishes at City Center Marketplace:
 - Golfsmith
 - DSW Shoe Store
 - Circuit City

Summary of 3rd quarter statistics compared to 1995:

<u>1996</u>	<u>1995</u>	<u>% Change</u>	
Construction valuation	\$36.9M	\$45.6M	-19%
Single family starts	177	262	-32%
Tenant finishes	21	14	+50%
Commercial plans	14	11	+27%
Residential plans	111	128	-13%
Inspections	12,172	10,221	+19%

Engineering Division

Continuing work on major capital improvement projects yielded the following progress:

- >72nd Avenue (Phase 2) - Street construction was completed during the third quarter. Street lighting will be installed before the end of 1996.
- >72nd Avenue (Phase 3) - Construction continued throughout the third quarter and will be completed next summer.
- > 101st/100th Avenues - Structures will be completed in the fourth quarter of the year. The entire project is anticipated to be completed in the summer of 1997.
- >120th/Huron Intersection - Construction continued throughout the third quarter and will be completed in November.
- >128th/Huron Intersection - Design work continued in preparation for bidding in the first quarter of 1997.
- >US 36/Sheridan/92nd Avenue - Design work on 88th Avenue and 92nd Avenue projects continued. If the proposed bond issue passes in November, the 88th Avenue project will be the first construction phase of this multi-phase program and will be built in 1997.
- >Pierce Street (Northpoint) - Design work continued during the third quarter in anticipation of a March, 1997 construction bid.
- >Airport Creek (UDFCD) - The construction of channel improvements through the greenbelt of Sheridan Green Subdivision was completed in the third quarter.
- >Meadowlark Fence - The construction of this fence was completed in the third quarter.

Economic Development Division

- >Continued maintenance of real estate database through regular contact with property owners and commercial real estate brokers.
Also provided property updates to the Jefferson Economic Council and Adams County Economic Development.
- >Sponsored the 5th Annual Westminster Showcase Event with over 100 guests in attendance .
- >Produced "Westminster Business " special section in the Boulder County Business Report.
- >Sponsored booth in the Business To Business Trade Fair.
- >Continued work with Pacifica and ConferTech to facilitate ConferTech's expansion plans.
- >Continued assistance on two grocery store projects.
- >Processed 13 Small Business Assistance Scholarships for a total value of \$2,453.

Summary statistics for 3rd quarter 1996:

* New prospect files opened this quarter	17	
* Current active prospects	15	
* Number of inquiries (demographics, sites buildings, business assistance program, etc.		387

FINANCE DEPARTMENT

Summary of 3rd quarter 1996 statistics compared to 3rd quarter 1995:

<u>% Change</u>	<u>1996</u>	<u>1995</u>	
% Sales tax accounts delinquent	3%	4%	-25%
A/P checks issued	4,034	4,210	-4%
Purchase orders issued	3,379	2,258	50%
Returned checks processed	105	85	24%
Computer support calls made	2,275	1,748	30%
Number of meters reread	87	57	53%
Number of water accounts processed	79,257	74,717	6%
Total PIE applications YTD	1,906	950	101%
Total budget billing participants YTD	1,219	352	246%

Administration

- * Arranged bridge financing for \$8.14M disbursement to Woman Creek Reservoir Authority.
- * Researched pension ordinance changes, held educational meetings, and polled participants prior to recommending changes to City Council.

Accounting

- * Completed Federal Heights water rate calculation.
- * Completed Sheridan Park and Amherst General Improvement District budgets.

Sales Tax

- * Met 1996 Audit and Enforcement revenue budget by mid-July.
- * Issued updated Westminster street location guide.
- * Implemented drive-through refund program to expedite processing of sales and use tax refunds.
- * Issued first sales tax rebate check to MarketPlace at City Center pursuant to incentive agreement.

Data Processing

- * Programmed changes to reduce payroll processing time by 26 hours per payroll period.
- * Installed new search function on Westminster Home Page to allow users quicker access to pertinent information.

Utility Billing

- * Marketed PIE program to all utility billing customers by means of a flyer included in the August utility bills.
- * Continued testing and de-bugging of Interactive Voice Response system.

FIRE DEPARTMENT ACTIVITY INFORMATION

Following is year-to-date statistical data with previous year comparison. Also provided is the percent of increase or decrease in activity where appropriate.

<u>CATEGORY</u>	<u>Y-T-D</u>	<u>PREV. YEAR</u>	<u>% CHANGE</u>
Alarms Total:	4,281	3,913	+ 9%
Struct/Veh.Fires:	111	127	-12%
Emerg. Medical:	2,810	2,590	+ 8%
Amb. Transport:	1,829	1,718	+ 6%
Amb. Revenue:	\$467,892	\$400,188	+16%
Westy-MED Enroll.	169	191	-11%
Pub. Ed. Classes:	372	882	-57%
All Inspections:	2,177	3,523	-38%
Training Hours:	21,288	24,255	-12%

This summer the Fire Department began rewarding Westminster kids that are "Caught Being Safe!" with a coupon for a free McDonald's ice cream cone. Firefighters who spot children wearing bike helmets, roller blade pads, or other safety gear may stop and reward that child with a coupon.

Families learned water safety techniques at a Witt/Lukas COG group meeting from members of the Metro Dive Team. The class turned out to be a lifesaver as a citizen on vacation in Florida was able to save her daughter from a potential drowning.

The Fire Prevention Bureau implemented a self-inspection program this summer by which businesses that pose a low fire-risk can check for violations and unsafe practices. Retired Firefighter Bruce Vine is volunteering his time to introduce the program to as many as 70 Westminster businesses. This program will save the Fire Department from performing these inspections and allow them to spend more time on detailed inspections.

On Sunday afternoon, August 11, the Westminster Fire Department responded to a fully-involved house fire at 8985 West 96th Dr. The house and the car that was parked in the garage were both destroyed, but no one was hurt, thanks to the neighbors of the occupant. The two men who rescued the occupant were honored at the Council meeting on Monday, August 26, for their bravery.

On August 3rd the Fire Department took part in Mervyn's "Child Spree", an event for under-privileged and abused children. The Fire Department was on hand to talk with the children about fire safety and fire prevention.

Over the last year the fire department has been phasing in lighter, safer firefighter protective clothing for department members. This created a large stock of unneeded, outdated protective clothing that normally would have gone to auction or been donated to a small fire department. South Metro Fire Academy in Littleton was in need of protective clothing and seeking donations, so instead of donating the gear, an agreement was made for Westminster and South Metro to trade the gear for training opportunities. The Fire Department will be able to use the agreement for either future recruit academy training or live burn training for existing firefighters.

Thirty-one Firefighters from the Westminster Fire Department completed cardiovascular/health fitness evaluations at the University of Colorado. Aerobic capacities for these Firefighters tested well above the averages expected for men and women of similar age. 12 Firefighters rated "High", 12 rated "Above Average", and 7 rated "Average". No Firefighter rated "Fair" or "Poor".

In August, the City's Haz Mat Team responded to two separate hazardous materials spills in Adams County. The first incident occurred in Southwest Adams County at the Diamond Shamrock, 3540 W. 92nd Ave. Several employees and two volunteer firefighters were overcome by fumes from a container left near a trash dumpster. The second incident occurred in Thornton at the Western Dairymen Cooperative, Inc. An over-the-road semi truck making a delivery ruptured several containers of hazardous materials. There were no further injuries to civilians or emergency responders.

GENERAL SERVICES DEPARTMENT

Administration

Major training activities for the second quarter included:

- * Supervisor Academy-67 employees at 4 hours each
- * Team Leadership Skills Training-17 employees at 36 hours each
- * Getting A Grip On Grammar-25 employees at 10.5 hours each
- * Working In Teams workshop-34 employees at 16 hours each
- * Computer classes-employees attended various computer classes at 6.5 hours each
- * Citizen Relations Training-27 employees at 8 hours each
- * Respectful Workplace-25 employees at 9 hours each
- * Westminster 101-21 employees at 8 hours each
- * Seven Habits of Highly Effective People-21 employees at 36 hours each

Other Major Activities:

- * Presented an overview of the City's training curriculum to new employees at Orientation.
- * Coordinated third quarter Management Team Luncheon
- * The ERAT committee coordinated: Customer Service Champions surprise parties, and Teams In Action Luncheon.
- * The City's Facilitator Team worked with City Manager's Office to develop customer service standards and the Performance Appraisal Task Force.

Volunteer Program Activities:

- * Number of Inquiries

<u>Category</u>	<u>3rd Qtr 1996</u>	<u>3rd Qtr 1995</u>	<u>% Change</u>
Volunteers	58	54	+ 7%
Interns	18	5	+260%
Community Svc.	14	16	-12.5%

- * Four hundred sixty-six volunteers donated 12,186 hours in the third quarter.
- * New partnerships: Recruiting volunteers for Butterfly Pavilion and Insect Center and providing sociology students at Front Range Community College with the opportunity to become volunteer Victim Advocates or Volunteers in Probation.

Purchasing/Telecommunications Activities:

- * Eighty-seven telephone service requests were completed.
- * Ninety-three purchasing service requests were completed.
- * Twenty-three cable items were worked on.
- * The project with TCI to add Westminster Channel 8 for residents west of U.S. 36 was completed, on time and at no cost to the City.
- * The City received \$17,000 from TCI for franchise renewal expenses. This was a result of the negotiations for the renewal.
- * The City received \$8,500 in late fees from TCI for late payment of franchise fee for the second quarter.

Building Operations & Maintenance

Major activities for the third quarter included:

- * Completed a total of 883 work requests during the quarter of which 585 were corrective and 298 were preventative.
- * Installed a new swamp cooler at the Animal Shelter.
- * Painted the ballroom at the Senior Center, the exterior trim at Swim and Fitness center, and the Fleet break room

- * At City Park, rebuilt sauna benches, installed new sauna heater, regouted shower rooms, repainted locker rooms, pool hallway and lower lobby, installed pottery room shelves and cleaned drains. In addition pest control services were performed.
- * Replaced entire natural gas line system that supplies the Municipal Services Center and installed 900 feet of conduit for cable.

City Clerk's Office

Summary of year-to-date statistics compared to 1995:

	<u>1996</u>	<u>1995</u>	<u>%Change</u>
Councillor Bills	66	67	- 2%
Ordinances	62	65	- 5%
Resolutions	48	47	- 2%
New business licenses	164	216	-25%
Active business licenses	1,467	1,451	+ 2%
Home occupation licenses	1,149	1,061	+ 8%
Sales tax licenses	1,399	1,312	+ 7%
Licensed refuse haulers	7	8	-13%
Solid Waste vehicles	85	67	+12%
Recycling vehicles	22	20	+10%
New liquor licenses	6	13	-54%
Liquor Admin Approvals	80	75	+ 7%

Employee Services

Major activities in the 3rd Quarter of 1996:

- * Orientations: 15 Benefitted, 46 Non-Benefitted and Seasonal
382 Personnel Action forms were processed. 404 City applications were received for 21 different position openings. 178 applicants were interviewed or tested.
- * Key recruitments included: Finance Director, Planning Manager, Police Officer, Librarian, Planner, Golf Course Superintendent, Accounting Technician, Parksworker, Equipment Operator, Maintenanceworker, Recreation Clerk and Cashier and Communications Specialist.

Other Major Activities included:

- Finalization of the Proposed City Pay Plan
- Continued development of new Performance Appraisal System
- Bi-annual training and meeting with Personnel Board
- Coordination of (4) successful internships
- Consultation and counseling of managers and employees
- Involvement in developing random drug testing policy for Fire and Police
- Enhancements to background checks, application and interviewing

Fleet Maintenance

Summary of 3rd quarter statistics:

	<u>1996</u>	<u>1995</u>	<u>%Change</u>
# Repair Orders	1,449	1,441	+ 1%
Gallons of diesel fuel	23,007	30,500	-25%
Gallons of unleaded fuel	49,497	71,057	-30%
Used motor oil collected	7,757	8,524	- 9%

Municipal Court

Activity statistics for the 3rd quarter of 1996 are not available due to problems with the statistics module on the new records management system.

Risk Management

Major activities in the 3rd quarter 1996 included:

- * Processed paperwork for 13 medical/dental enrollments, 13 insurance changes, 8 address changes, 6 opt outs, 2 opt ins, and 17 COBRA letters/election notices.
- * Processed 27 workers' compensation claims compared to 39 during the third quarter of 1996.
- * Processed 23 property & liability claims compared to 14 during the third quarter of 1996.
- * 15 new benefitted employees were added to the program and oriented to the City by benefits staff.
- * As of September 30, 1996 there are 452 members in the Wellness Program.
- * The Wellness Program assisted 4 employees in strength training programs.
- * Wellness staff:
 - screened approximately 300 employee blood pressures
 - assisted 16 employees with Community CPR
 - implemented an exercise challenge called "Westy Hikes." 18 employees participated in a group hike.
 - taught a stress management class to 6 Police Records employees
 - organized a blood drive with 25 employees participating
 - organized the "Commit to be Fit" exercise challenge with over 180 employees participating

PARKS, RECREATION & LIBRARIES**Library Services**

	<u>1996</u>	<u>1995</u>	<u>% Change</u>
76th Avenue Library	63,042	65,521	-3.7%
Kings Mill Library	31,307	31,309	nc
Bookmobile	6,012	6,086	-1.0%
Total All Facilities	100,361	102,916	-2.5%
Patrons	52,813	52,165	+1.2%
Reference Questions	6,518	7,531	-13.5%
Program Attendance	1,648	2,583	-36.0%

Major activities during the quarter included:

- * Worked with Front Range Community College staff to plan for technology, collections, and services at the College Hill Library. Staff reviewed and approved final construction documents for the College Hill Library building. Construction documents were sent to bid on October 29, and the bid opening has been scheduled for November 26.
- * A record number of children, teens, and adults participated in the 1996 Summer Reading Program - over 1,600 total.
- * Received the prestigious John Cotton Dana Public Relations Award at the A.L.A. annual conference in New York City, for the "Library Shelf" campaign conducted in 1995-96.
- * Exhibited plans for the new College Hill Library at the Westminster Faire, several COG groups, and at the Colorado State Library annual conference in downtown Denver.
- * Netted over \$4,000 at The Friends Book Sale which will be used to help purchase items for the College Hill Library.

Recreation Facilities

Summary of 1996 third quarter statistics compared to the third quarter of 1995:

<u>1996</u>	<u>1995</u>	<u>% Change</u>
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Drop-in Participation:July

City Park	33,972	32,778	4%
Swim & Fitness	13,383	12,374	8%
Countryside	7,568	7,471	1%
Senior Center	4,328	2,524	71%

August

City Park	24,490	24,687	-1%
Swim & Fitness	12,077	11,058	9%
Countryside	5,468	4,881	12%
Senior Center	5,012	3,860	30%

September

City Park	21,978	20,077	10%
Swim & Fitness	7,521	7,456	1%
Countryside	1,050	1,371	-23%
Senior Center	4,934	3,833	29%

YTD Participation

City Park		276,966		261,238	6%
Swim and Fitness	97,281	90,569	7%		
Countryside		27,593		25,333	9%
Kings Mill Pool	4,315	3,936	10%		
Senior Center		47,985		37,464	28%

Aquatics Program Participation

	<u>1996</u>	<u>1995</u>	<u>% Change</u>
July	2,016	1,609	25%
August	1,112	1,203	-8%
September	444	477	-7%
Year to Date	8,804	8,601	2%

Aquatics Program Revenue

Year to Date	\$134,782	\$127,495	6%
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YTD Facilities Revenue

	<u>1996</u>	<u>1995</u>	<u>% Change</u>
City Park	\$598,685	\$540,611	11%
Countryside	\$ 41,713	\$ 39,074	7%
Swim & Fitness	\$163,852	\$141,161	16%
Kings Mill Pool	\$ 3,467	\$ 3,336	4%
Senior Center	\$110,421	\$116,132	-5%

Recreation Programs

Summary of 1996 third quarter statistics compared to 1995:

Program Participation

	<u>1996</u>	<u>1995</u>	<u>% Change</u>
July	42,179	40,933	3%

August	20,136	21,260	-5%
September	2,519	2,661	-5%
Year-to-Date	86,088	81,785	5%

Program Revenue

	<u>1996</u>	<u>1995</u>	<u>% Change</u>
Year-to-Date	\$386,478	\$380,821	1%

Standley Lake Revenue

Year-to-Date	\$320,030	\$305,462	5%
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POLICE DEPARTMENT

Converting Statistical Records to the New NIBRS National Incident Based Reporting System):

This effort is still continuing and not all of the data YTD is available at this time. Noteworthy, however, is the fact that, through the first three quarters of 1996, 113,627 police service events were handled. A "police service event" is defined as a police activity that requires the attention of one or more patrol officers. YTD, 396 service events occurred each day, which translates to 17 per hour. Of those events, 30 percent required the presence of more than one officer.

Cultural Diversity Training for Police Personnel: As an extension of the Police Department's program to bring cultural diversity training to all personnel, eight police officers attended a ten day intensive Spanish language training class in Pueblo. These training efforts in cultural diversity and the Spanish language are helping personnel to work more effectively with an increasingly diverse community.

National Night Out: On August 6, 1996, numerous neighborhoods held a "National Night Out" celebration, all of which were attended by uniformed police personnel. This annual celebration is a national event designed to promote community awareness of crime, and promote neighborhood problem-solving and communication.

"Hooked On Fishing--Not On Drugs" Program: The Police Department obtained a grant to implement a "Hooked On Fishing--Not On Drugs" program for community youth. The program was taught by several police officers and each child received a free rod and reel, as well as a tackle box, and several hours of instruction and fishing.

Photo Radar Program: City Council gave Staff the approval to pursue and formally present for approval a photo radar program in the City of Westminster. This program met with a great deal of support from the community and Staff briefed Council as to the pros and cons of the program. Staff is now preparing a formal package to present to Council later this year.

Drug Task Forces: The Police Department's six member Vice/Narcotics Section was disbanded and split between two Drug Task Forces. Three detectives joined forces with the North Metro Drug Task Force and three detectives joined the West Metro Drug Task Force. Both of these task forces have been highly effective and successful in combatting drug sales and distribution, and it is Staff's perspective that this move makes good sense.

PUBLIC WORKS AND UTILITIES

Administration Division

Major activities during the third quarter included:

- *The Director and Staff continue to provide substantial guidance and leadership with the Woman Creek Reservoir Authority in developing the 1997 budget; financial policies; investment policies; bylaws; and operations policies for maintenance of the reservoir, pump station, pipe line, and wetlands site.
- *The Director is working in cooperation with Broomfield on developing a Colorado and regional coalition among local governments and the State to generate funds and a lobbying program at the Congressional level for Rocky Flats Environmental Technology Site cleanup and reuse funding.

- * The Director and Assistant are working in cooperation with Division Staff and Division Heads on a variety of projects including the biosolids land acquisition, northeast water tank site purchase, reclaimed water project, and planning schedule for the large number of capital improvement projects in 1997.
- * Staff is working with the City Manager's Office on temporary staffing for the Rocky Flats programs currently being managed by City Council Members and Water Resources Staff.
- * Administration Staff continue their participation and active roles in the Community Oriented Governance (COG) Program and assistance in the overall coordination of the Program. Two Staff members will be replaced as COG Team leaders and will work as program advisors effective October 1.

Environmental Compliance

- * Environmental Compliance Staff has received a letter from the Colorado Department of Public Health and Environment which removes the Gasoline Recovery System from the Resource Conservation and Recovery Act (RCRA) Large Quantity Generator list.
- * Staff is reviewing the emergency notification and disposal practices that took place during a fuel spill at the Municipal Service Center. Several revisions to the notification and communication procedures are being recommended. An emergency notification flow chart is being routed to various Departments and Divisions to help clarify expectations and responsibilities during a chemical spill event.
- * Ground water contamination remediation plans were reviewed regarding the Diamond Shamrock station at 112th Avenue and Sheridan Boulevard.
- * Staff responded to 22 SARA Title III public information requests.

Street Division

- * A total of 15 streets were reconstructed in-house by Street Division crews. The new "Rideability Program" was implemented on a trial basis this quarter. Four streets which were not slated for improvements received asphalt repairs to improve the riding surface.
- * The Sign Shop crew repainted parking lot stalls and pavement markings at all City facilities this quarter. The second rotation of painting crosswalk and legend pavement markings was completed in July, and the fall rotation of pavement striping in September.
- * The in-house "Snow Plow Roadeo" was held September 18 and 19. All Public Works and Utilities snow removal staff enhanced their driving skills by driving through a competitive obstacle course.
- * A part-time Community Service Specialist was hired this quarter to work with individuals who have community service obligations.
A total of 96 hours were worked by community service recipients compared to 64 hours in 1995.
- * In a work-share program, the City of Englewood used their milling equipment to smooth the pavement surface at 3 locations in the City to improve rideability.
- * Rives Enterprises is 95% complete with the 1996 Street Improvement Concrete Replacement Project.
- * Citywide Enterprises, Inc., completed the 1996 Customer Service Concrete Replacement Program the week of September 5.
- * Brannan Sand and Gravel Company is 90% complete with the 1996 Asphalt Pavement Rehabilitation Project.

Summary of third quarter street operation statistics compared to 1996:

	<u>1996</u>	<u>1995</u>	<u>Percent Change</u>
Striping miles	210,250	224,000	-6%
Signs installed	165	191	-14%
Signs repaired	129	116	11%
Miles street swept	1,713	1,656	3%
Pothole hotline calls	53	34	56%
Customer Service Requests	79	66	20%
Concrete Replacement Requests	115	107	7%
Graffiti removal hours	314	416	-25%

Utilities Division

* During the third quarter, the Utilities Division experienced two sewer backups. During the same time in 1995, the Utilities Division experienced three sewer backups.

* Water breaks are up for the year approximately 37 percent. Year-to-date, 125 water breaks have occurred compared to 91 during the same time in 1995.

* The Construction Crew focused on replacing 2,500 feet of water lines during the quarter.

Summary of third quarter Utilities Operations statistics compared to 1995:

	<u>1996</u>	<u>1995</u>	<u>Percent Change</u>
BDC treated gallons/day	5.66M	5.57M	+2%
Metro treated gallons/day	4.05M	4.31M	-6%
Water consumption/day	25.5M	25.7M	-1%
Water taps installed	125.0	242.0	-48%
Water line installed/feet	2,500.0	1,195.0	+52%
Water main breaks repaired	67.0	60.0	-10%
Sewer line installed/feet	0.0	0.0	

Water Resources Division

* The Home Builders' Association (HBA) Joint Water Management System Study continues to progress. The Geographical Information System (GIS) portion is operational, enhancements are being made and additional water use information is being collected and analyzed. The HBA has been unable to find builders to construct up to 20 water-conserving homes called for in the Study, thus delaying completion of the study.

* The City now has representation on the Church Ditch Board. The 1997 budget is being prepared under the assumption that the Jefferson County Commissioners will approve an increase in assessments from the current charge of \$20 per inch to \$40 per inch. The formal request to the Commissioners will be made in December.

* CH2M Hill continued the evaluation of potential aeration systems for Standley Lake. Work will proceed through the pre-design phase and then await outcomes of the completion of the three-year Clear Creek Watershed Management Agreement in the spring of 1997.

* HDR Engineering has designed a method for incorporating the land use designations used for the Comprehensive Master Plan with the designations developed for the Treated Water Master Plan. Model runs and required Capital Improvement recommendations will be completed during the fourth quarter if the Comprehensive Plan is adopted by early November.

- * Comments were submitted regarding the BFI Industries proposal to expand the types of wastes handled at the Foothills Landfill. There is potential for contamination from the landfill reaching Leyden Creek, which is a portion of Standley Lake water supply. Public Hearings will be held in January.
- * Comments on the Rocky Flats cleanup of Operable Unit 3 were submitted. Operable Unit 3 encompasses all of the areas outside of the normal Rocky Flats Environmental Technology Site (RFETS) boundaries.
- * The Woman Creek Reservoir Authority was formed by Thornton, Northglenn, and Westminster to own and operate the Standley Lake Protection Project. The Authority signed an operations agreement with the United States Department of Energy (DOE) to define each party's role in future operations of the project. The City of Westminster paid \$8.147 million to the Authority to own and operate the facilities, which was reimbursed to the City from the DOE Grant.
- * Staff has continued to pursue negotiations with the Cyprus/Amax Minerals Company regarding the development of a water supply project utilizing the Henderson Tunnel to bring water from the Williams Fork River into Clear Creek for Westminster's use. City Councillors toured the Henderson Mill and other Western Slope components of the project.
- * Staff continued to make modifications to the Clear Creek Watershed Management Model to link the input and output to the City's Geographical Information System system.
- * The Colorado State Engineer performed the first annual inspection of the Jim Baker Reservoir and found the structure to be well maintained.
- * Approximately 500 acre feet of water was released from the Jim Baker Reservoir and exchanged up to Standley Lake for use by Westminster.
- * The group of Clear Creek water users including Westminster won a significant motion in Water Court in the suit brought against the City of Golden for expansion of use of its Lee, Stewart & Eskins water rights. A trial will be held in May of 1997, to allow the Water Judge to interpret the intent of Golden's 1960's change decrees.
- * Five shares of Farmers Reservoir and Irrigation Company Stock were purchased during the third quarter.
- * The preliminary design of Westminster's reclaimed water system was completed and the public information program is now in full swing.

The following is a summary of third quarter year-to-date raw water statistics:

<u>Raw Water Statistics</u> (Acre Feet)	<u>1996</u>	<u>1995</u>
Croke Canal Inflows	16,077	26,327
Kinnear Ditch Pipe Line Inflows	362	3,296
Church Ditch Inflows	3,715	2,926
Farmers' High Line Inflows	14,743	11,976
Total Standley Inflows	34,897	44,525
Westminster Releases From Standley	13,452	11,473