



CITY COUNCIL AGENDA

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

Members of the audience are invited to speak at the Council meeting. Citizen Communication (Section 7) and Citizen Presentations (Section 12) are reserved for comments on any issues or items pertaining to City business except those for which a formal public hearing is scheduled under Section 10 when the Mayor will call for public testimony. Please limit comments to no more than 5 minutes duration except when addressing the City Council during Section 12 of the agenda.

1. Pledge of Allegiance
2. Roll Call
3. Consideration of Minutes of Preceding Meetings
4. Report of City Officials
 - A. City Manager's Report
5. City Council Comments
6. Presentations
7. Citizen Communication (5 minutes or less)

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 Council member wishes to remove an item for separate discussion. Items removed from the consent agenda will be considered immediately following adoption of the amended Consent Agenda.

8. Consent Agenda
 - A. Financial Report for October 2007
 - B. Purchase of Northwest Water Treatment Facility Compressed Air Equipment
 - C. 2008 Proposed Community Development Block Grant and HOME Projects
9. Appointments and Resignations
10. Public Hearings and Other New Business
 - A. Public Hearing re Application to Designate the Perry House at 4100 W. 76th Ave. as a Local Historic Landmark
 - B. Resolution No. 42 re Designating the Perry House at 4100 West 76th Avenue as a Local Historic Landmark
 - C. Resolution No. 43 re Local Review of State Income Tax Credit for Rehabilitation Costs of Historic Properties
 - D. Resolution No. 44 re Right-of-Way Acquisition for the Big Dry Creek Trail at Wadsworth Boulevard Project
 - E. Resolution No. 45 re 2008 Jefferson County Joint Venture Grant Application re Sports Center Renovation
 - F. Councillor's Bill No. 63 re 2007 3rd Quarter Budget Supplemental Appropriation
11. Old Business and Passage of Ordinances on Second Reading
12. Citizen Presentations (longer than 5 minutes), Miscellaneous Business, and Executive Session
 - A. City Council
 - B. Executive Session
 1. Obtain direction from City Council re proposed Economic Development Incentive Agreement with Dr. A. Berman for the Sheridan Landmark Project pursuant to WMC 1-11-3(C)(4), WMC 1-11-3(C)(7) and CRS 24-6-402(4)(e).
 2. Discuss proposed amendments to the Westin Conference Center lease and related agreements, receive legal advice with respect thereto, and obtain direction thereon pursuant to WMC 1-11-3(C)(7)and(8), and CRS 24-6-402(4)(b)and(e).
13. Adjournment

GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS

- A.** The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.
- B.** Any person wishing to speak other than the applicant will be required to fill out a “Request to Speak or Request to have Name Entered into the Record” form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.
- C.** The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.
- D.** The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.
- E.** When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.
- F.** City Staff enters a copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;
- G.** The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);
- H.** Staff presents any additional clarification necessary and states the Planning Commission recommendation;
- I.** All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.
- J.** Final comments/rebuttal received from property owner;
- K.** Final comments from City Staff and Staff recommendation.
- L.** Public hearing is closed.
- M.** If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, NOVEMBER 26, 2007 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor McNally, Mayor Pro Tem Dittman and Councillors Briggs, Kaiser, Lindsey, Major, and Winter were present at roll call. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Major moved, seconded by Kaiser, to approve the minutes of the 7:00 p.m. and the 8:00 p.m. regular meetings of November 12, 2007, as presented. The motion passed unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that the holiday lighting ceremony for City Hall would be on December 1 at 5:30 p.m. in the courtyard and invited the public to come enjoy the holiday spirit. Santa Claus would be the guest of honor.

Mr. McFall advised that Council would convene in executive session at the conclusion of this meeting. Topics of discussion would include a proposed economic development incentive agreement with Dr. A. Berman for the Sheridan Landmark Project and proposed amendment to the Westin Conference Center lease and related agreements.

CITY COUNCIL COMMENTS

Councillors Major and Lindsey reported on the work sessions they had attended while at the National League of Cities Conference that had been held recently in New Orleans, Louisiana. In addition to remarkable work sessions, several tours of the region had been conducted to show attendees the devastation caused by Hurricane Katrina. Much rebuilding had been completed in the 25 months since the hurricane struck, but the vastness of the devastation would take years to overcome. While at the conference, Mayor McNally had received the Gold Certificate and Councillor Lindsey, the Bronze Certificate for training courses they had completed.

Councillor Lindsey reported that she had joined the Mayor in attending the Hmong Festival held in the community recently.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: approval of the October 2007 Financial Report; based on the City Manager's recommendation, find that the public interest would best be served by accepting the proposal from Blackhawk Equipment Company for the purchase of replacement compressed air equipment for the Northwest Water Treatment Facility, authorize the expenditure in the amount of \$76,233, authorize an additional \$8,500 for installation materials, authorize a funds transfer from the Water Project Contingency in the amount of \$15,000 to fully fund the project, and authorize a transfer of \$69,733 from the 2007 Capital Improvement Project "SWTF HSPS Meter Replacement" to the Capital Improvement Project "NWTF Compressed Air Replacement;" and approval of the allocation of 2008 Community Development Block Grant and HOME funds to the projects described in the agenda memorandum.

Mayor McNally asked if any member of Council wished to remove an item from the consent agenda for discussion purposes or separate vote. There was no request.

It was moved by Mayor Pro Tem Dittman and seconded by Lindsey to approve the consent agenda as presented. The motion passed unanimously.

PUBLIC HEARING TO DESIGNATE THE PERRY HOUSE A LOCAL HISTORIC LANDMARK

At 7:07 p.m., the Mayor opened a public hearing to consider an application from Karen Sanders, the property owner, for historic landmark designation of the Perry House at 4199 West 76th Avenue. Vicky Bunsen provided a PowerPoint presentation to show historic features of the Perry House and to demonstrate how the application satisfied the criteria for landmark designation contained in the Westminster Municipal Code (WMC). The hearing notification requirements of the WMC had been satisfied, and the agenda memorandum and attachments were entered into the record.

Ms. Sanders was present to answer questions, of which there were none. Councillor Briggs recognized the contributions of the Perry Family to the community and supported the nomination. No one wished to testify, and the Mayor closed the hearing at 7:20 p.m.

RESOLUTION NO. 42 DESIGNATING THE PERRY HOUSE A LOCAL HISTORIC LANDMARK

It was moved by Councillor Lindsey, seconded by Councillor Kaiser, to adopt Resolution No. 42 designating the Perry House at 4199 West 76th Avenue as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code. At roll call, the motion passed unanimously.

RESOLUTION NO. 43 RE CLG FOR STATE INCOME TAX CREDIT ON HISTORIC RENOVATIONS

It was moved by Mayor Pro Tem Dittman and seconded by Councillor Lindsey to adopt Resolution No. 43 allowing local review of state income tax credit applications for qualified rehabilitation costs incurred by owners of landmarked historic homes and business properties. The motion passed unanimously on roll call vote.

RESOLUTION NO. 44 RE R-O-W ACQUISITION FOR BIG DRY CREEK TRAIL AT WADSWORTH

It was moved by Councillor Major, seconded by Councillor Lindsey, to adopt Resolution No. 44 authorizing City Staff to proceed with the acquisition of rights-of-way and easements necessary for the Big Dry Creek Trail at Wadsworth Boulevard project, including the use of eminent domain, if necessary. Following comment from Councillors about the City's policy concerning the use of eminent domain and about the importance of acquiring these rights-of-way to complete the Big Dry Creek Trail so that bicyclists and pedestrians could travel from Standley Lake to I-25 without confronting vehicular traffic, the Council voted unanimously to pass the motion at roll call.

RESOLUTION NO. 45 RE 2008 JEFFERSON COUNTY JOINT VENTURE GRANT APPLICATION

Councillor Lindsey moved, seconded by Major, to adopt Resolution No. 45 authorizing the Department of Parks, Recreation, and Libraries to apply for a Jefferson County Joint Venture Grant for the 2008 funding cycle in the amount of \$250,000 for renovation of the Westminster Sports Center. At roll call, the motion passed unanimously.

COUNCILLOR'S BILL NO. 63 RE 2007 3RD QUARTER BUDGET SUPPLEMENTAL APPROPRIATION

Upon a motion by Councillor Major, seconded by Councillor Kaiser, the Council voted unanimously on roll call vote to pass Councillor's Bill No. 63 on first reading providing for supplementary appropriations to the 2007 budget of the General, General Capital Improvement, Storm Drainage, and Golf Course Funds.

ADJOURNMENT

There was no further business to come before the City Council, and the Mayor adjourned the meeting at 7:27 p.m.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Financial Report for October 2007
Prepared By: Tammy Hitchens, Finance Director

Recommended City Council Action

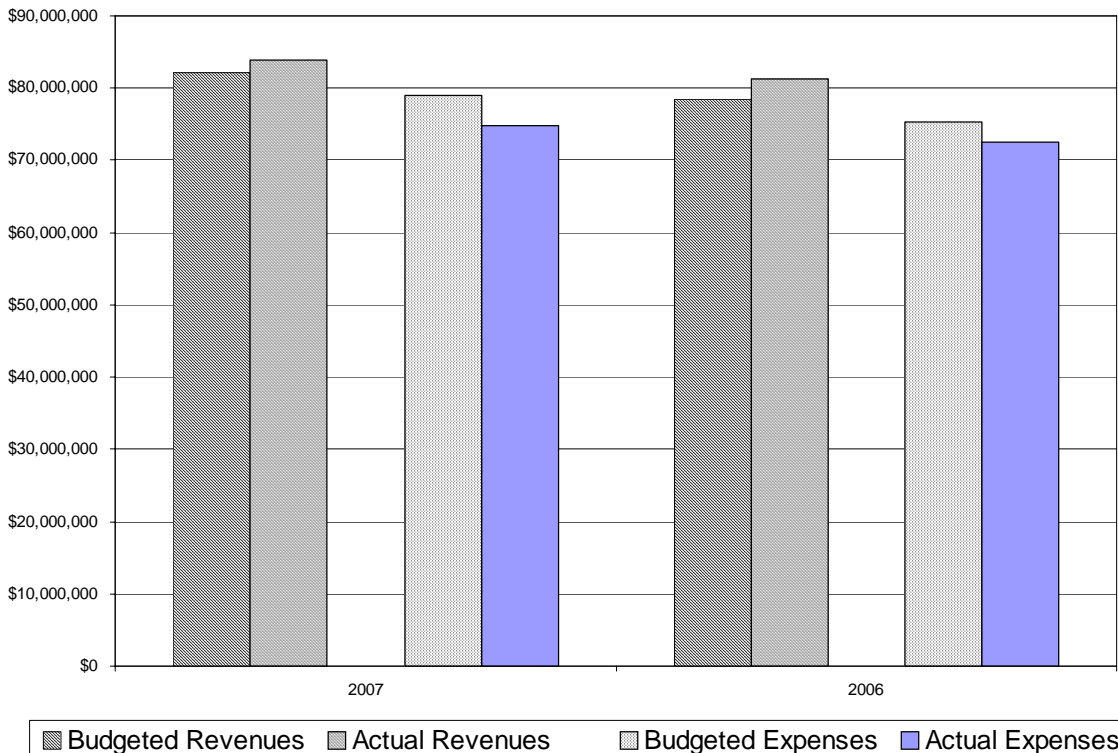
Accept the Financial Report for October as presented.

Summary Statement

City Council is requested to review and accept the attached monthly financial statement. The Shopping Center Report is also attached. Unless otherwise indicated, “budget” refers to the pro-rated budget. Revenues also include carryover where applicable. With the exception of the Sales and Use Tax Fund, the revenues are pro-rated based on 10-year historical averages. The Sales and Use Tax Fund pro-rated revenue has been changed to reflect the pattern of 2006 and expected pattern of 2007. This pattern has changed over time and a 10-year trend is no longer an appropriate comparison. Expenses are also pro-rated based on 5-year historical averages.

The General Fund revenues and carryover exceed expenditures by \$9,054,000. The following graph represents Budget vs. Actual for 2006 – 2007. The \$32,944,900 Refunding Certificates of Participation, Series 2007 has been omitted from the graph in order to more accurately reflect operations and to reflect a more appropriate comparison to 2006.

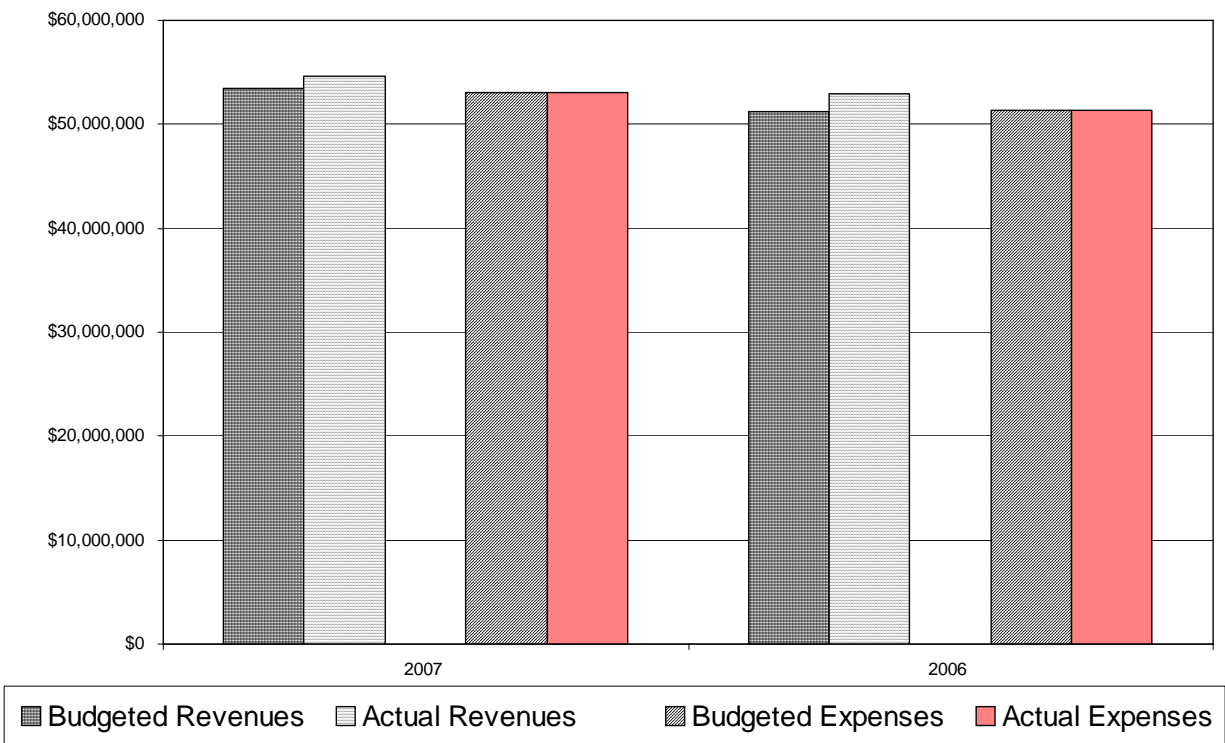
**General Fund
Budget vs Actual**



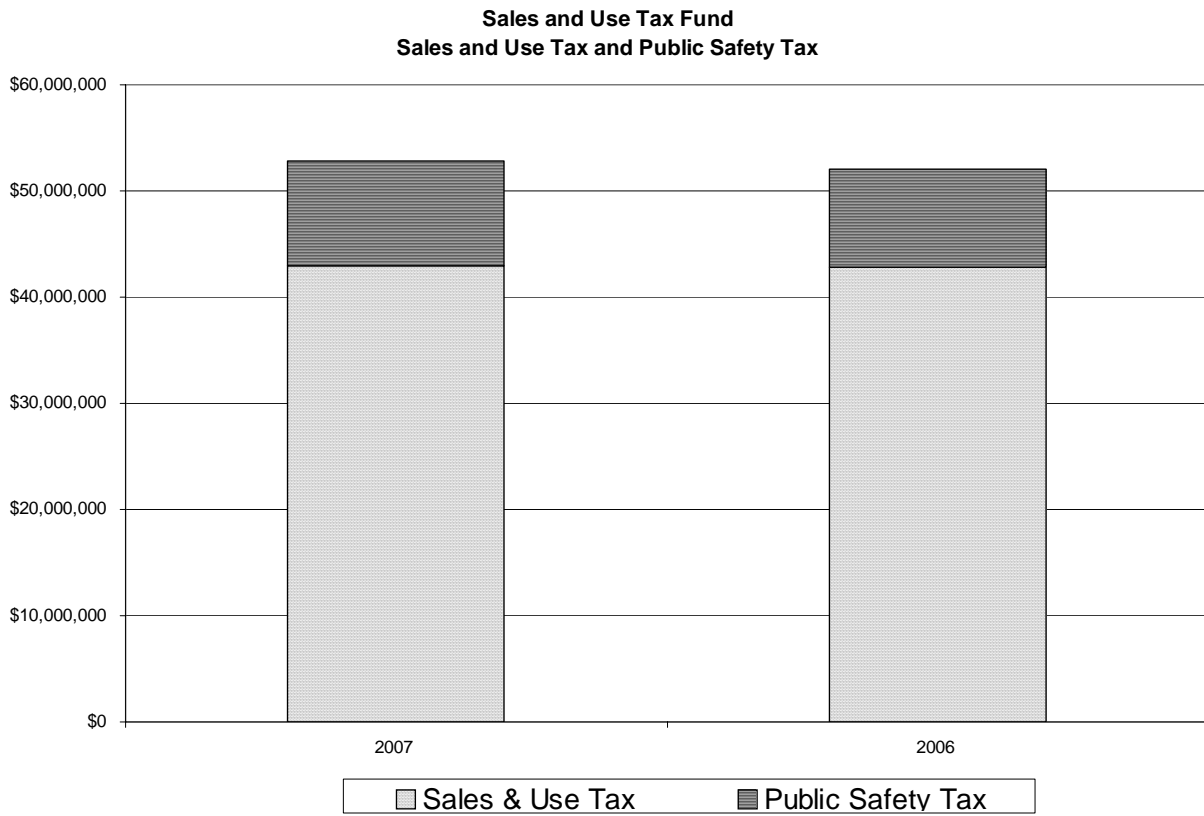
The Sales and Use Tax Fund's revenues and carryover exceed expenditures by \$1,548,000.

- On a year-to-date cash basis, sales & use tax returns are down 1.1%.
- On a year-to-date basis, across the top 25 shopping centers, total sales & use tax receipts are up 9.8% from the prior year. Included in the Shopping Center report is \$455,000 of audit revenue from 2 different audits. It also includes Urban Renewal Area (URA) money that is not available for General Fund use. Without Urban Renewal money, total sales and use tax receipts are down 3.7%. This reflects the significant contribution to Sales Tax the URA's are making.
- The top 50 Sales Taxpayers, who represent about 58% of all collections, were down 2.4% after adjusting for one time audit revenue and Urban Renewal Area money.
- The Westminster Mall is down 11% on a year-to-date basis. This includes an audit payment of \$138,000.
- Building Use Tax is down 10.0% year-to-date over 2006.

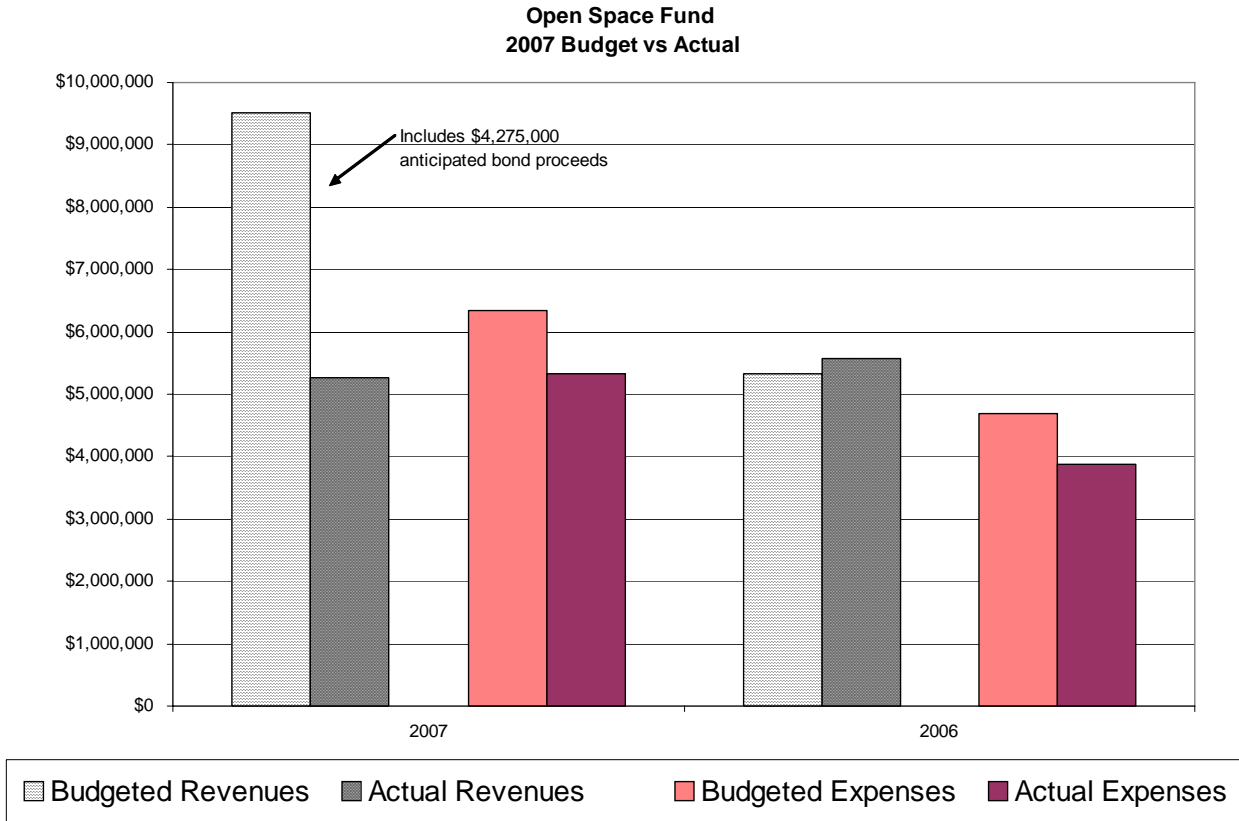
**Sales & Use Tax Fund
Budget vs Actual**



The graph below reflects the contribution of the Public Safety Tax to the overall Sales and Use Tax revenue.

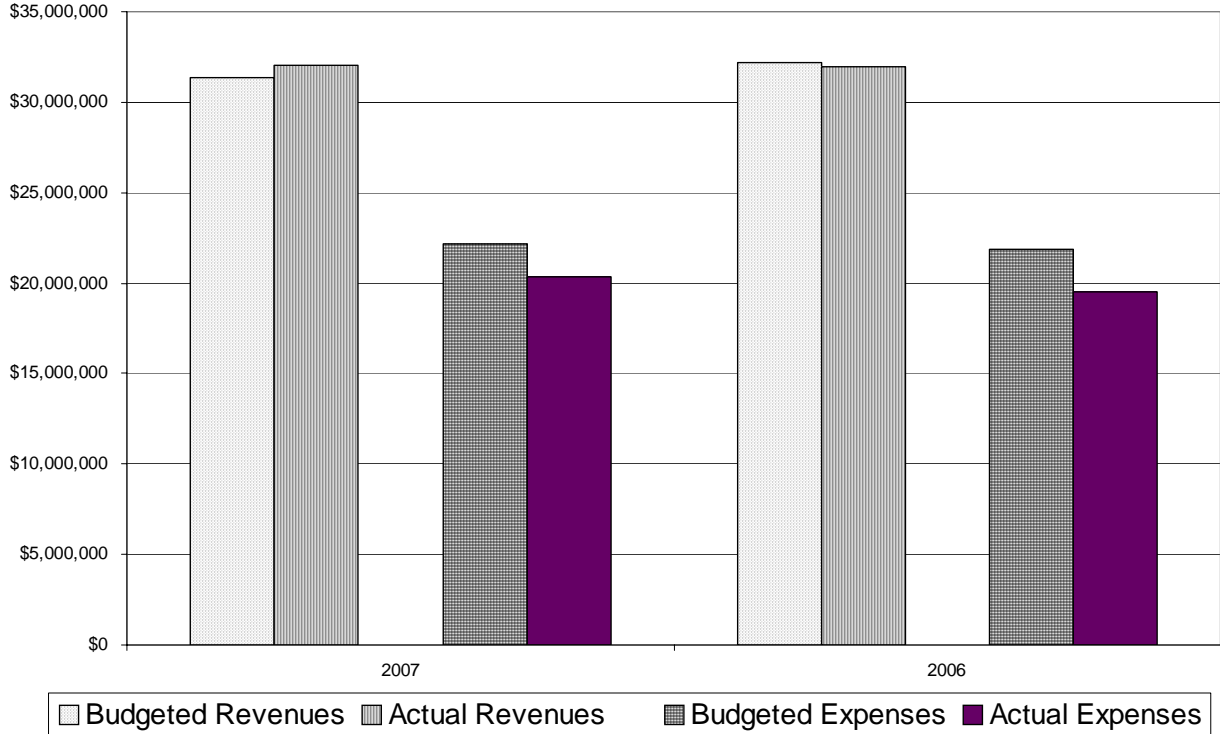


The Open Space Fund expenditures exceed revenues by \$67,000. This reflects the utilization of the expected bond proceeds through the reimbursement resolution. It is anticipated that the bonds will be issued in December.



The combined Water & Wastewater Funds' operating revenues and carryover exceed operating expenses by \$20,952,000. \$18,898,000 is budgeted for capital projects and reserves. Year-to-date, the City has collected \$4,265,000 less in tap fees than in 2006.

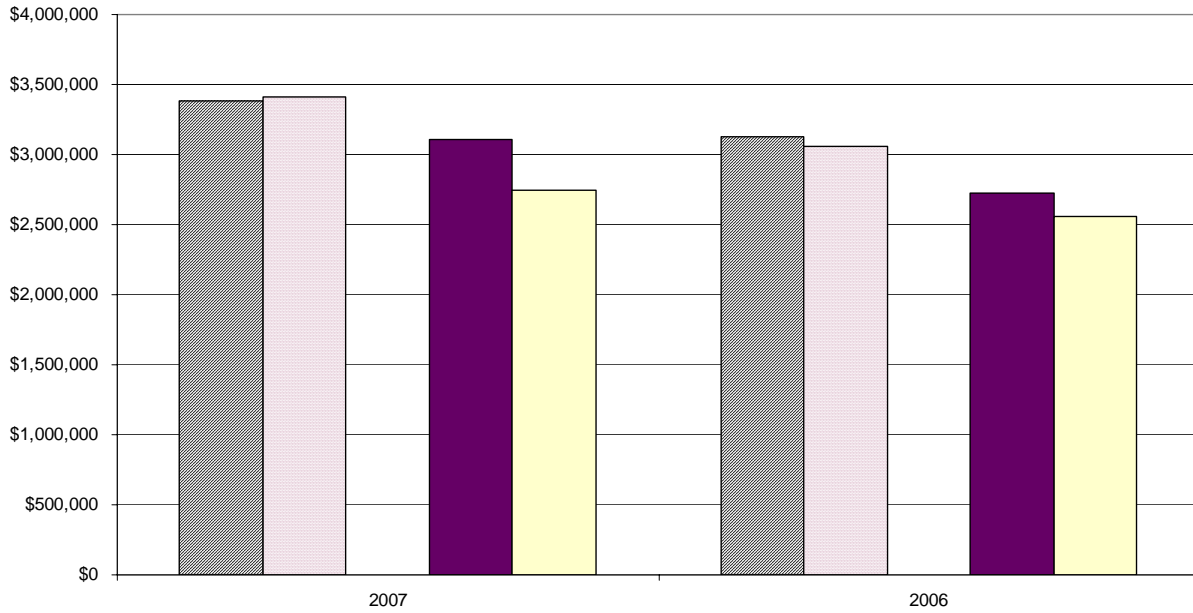
**Combined Water and Wastewater Funds
2007 Operating Budget vs Actual**



The combined Golf Course Funds' revenues exceed expenditures by \$669,000. Year to date revenues for Charges for Services are \$215,000 higher than 2006. The following transactions have been omitted in order to reflect a more appropriate comparison between years and results of operations.

Account	Purpose	2007	2006
Other Financing Source & Use	Legacy Maintenance Equip	547,000	
Other Financing Source & Use	Heritage Golf Carts		582,144
Transfers In	Reduce Negative Cash	700,000	750,000

**Golf Course Enterprise
Budget vs Actual**



Policy Issue

A monthly review of the City’s financial position is the standard City Council practice; the City Charter requires the City Manager to report to City Council on a quarterly basis.

Alternative

Conduct a quarterly review. This is not recommended, as the City’s budget and financial position are large and complex, warranting a monthly review by the City Council.

Background Information

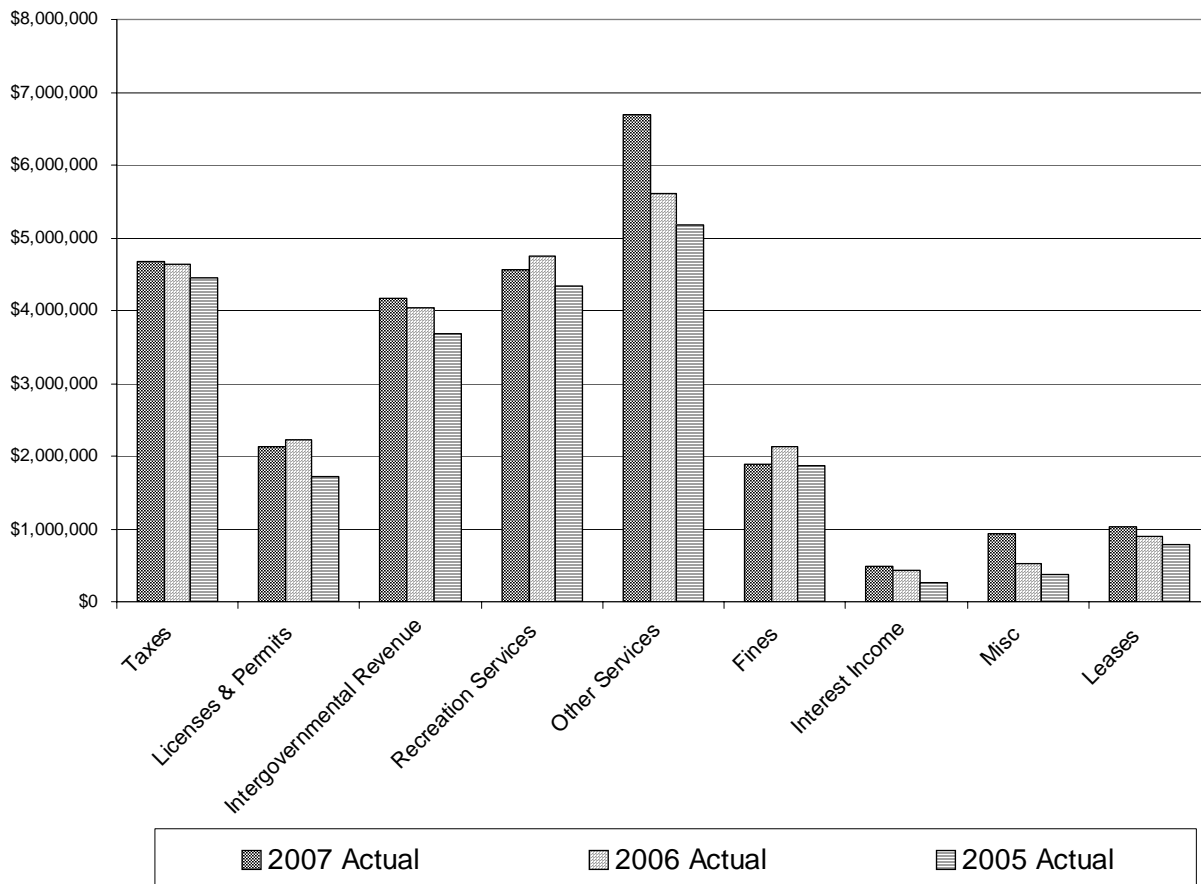
This section includes a discussion of highlights of each fund presented.

General Fund

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

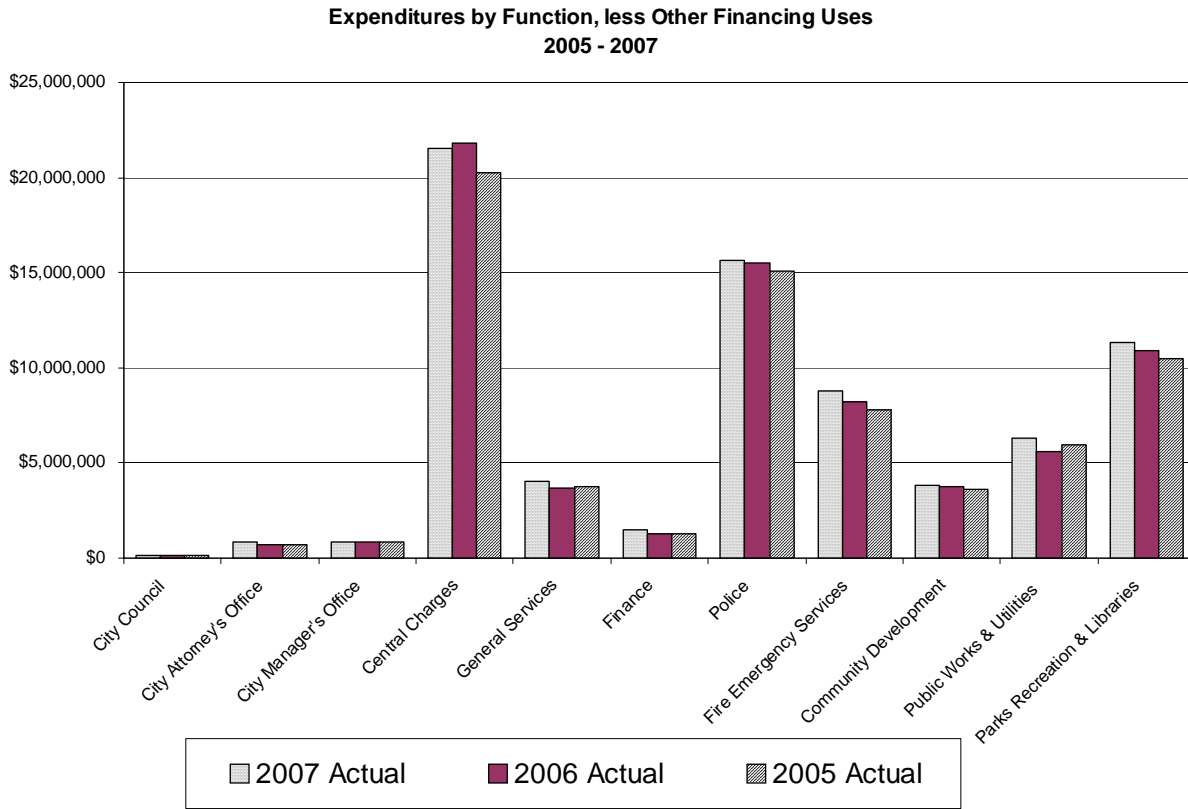
The following chart represents the trend in actual revenues from 2005 – 2007 year-to-date.

**General Fund Revenues without Transfers, Carryover, and Other Financing Sources
2005 - 2007**



The increase in Other Services reflects the Infrastructure fee. As reflected in the Licenses & Permits in the attached spreadsheet, commercial building permits are up significantly, causing a positive variance. Intergovernmental revenues are also up compared to the budget amount. This is primarily due to the Federal Emergency Management Agency (FEMA) reimbursement and an increase in road & bridge taxes from both counties and grant revenue. Leases are lower than anticipated due to the delay in getting the former police building leased.

The following chart identifies where the City is focusing its resources. The chart shows year-to-date spending for 2005 –2007.

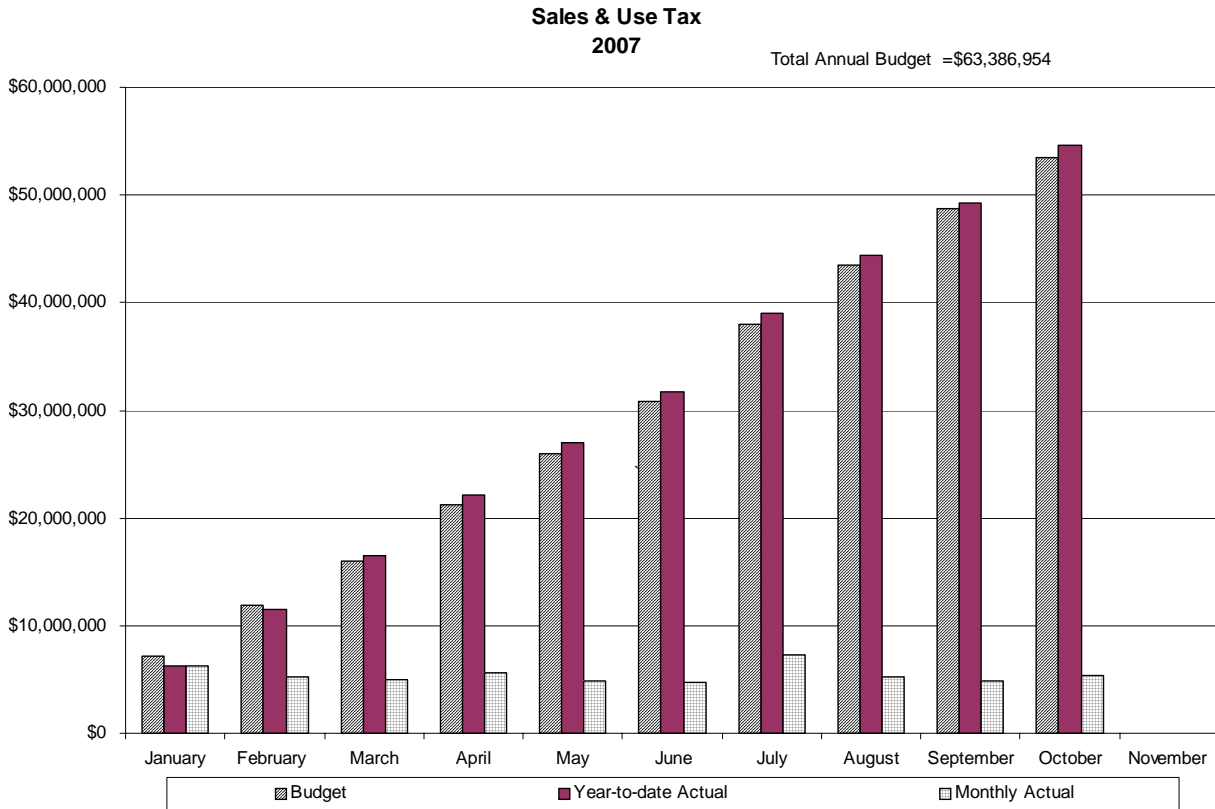


The positive variance seen on the attached spreadsheets (page 1) in CMO is mostly related to salary savings. Although one particular area does not stand out, City Council's budget reflects a positive variance due to overall less spending.

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

These funds are the repositories for the 3.85% City Sales & Use Tax for the City. The Sales & Use Tax Fund provides monies for the General Fund, the Capital Project Fund and the Debt Service Fund. The Open Space Sales & Use Tax Fund revenues are pledged to meet debt service on the POST bonds, buy open space, and make park improvements on a pay-as-you-go basis. The Public Safety Tax (PST) is a 0.6% sales and use tax to be used to fund public safety-related expenses.

This chart indicates how the City’s Sales and Use Tax revenues are being collected on a monthly basis. This chart does not include Open Space Sales & Use Tax.

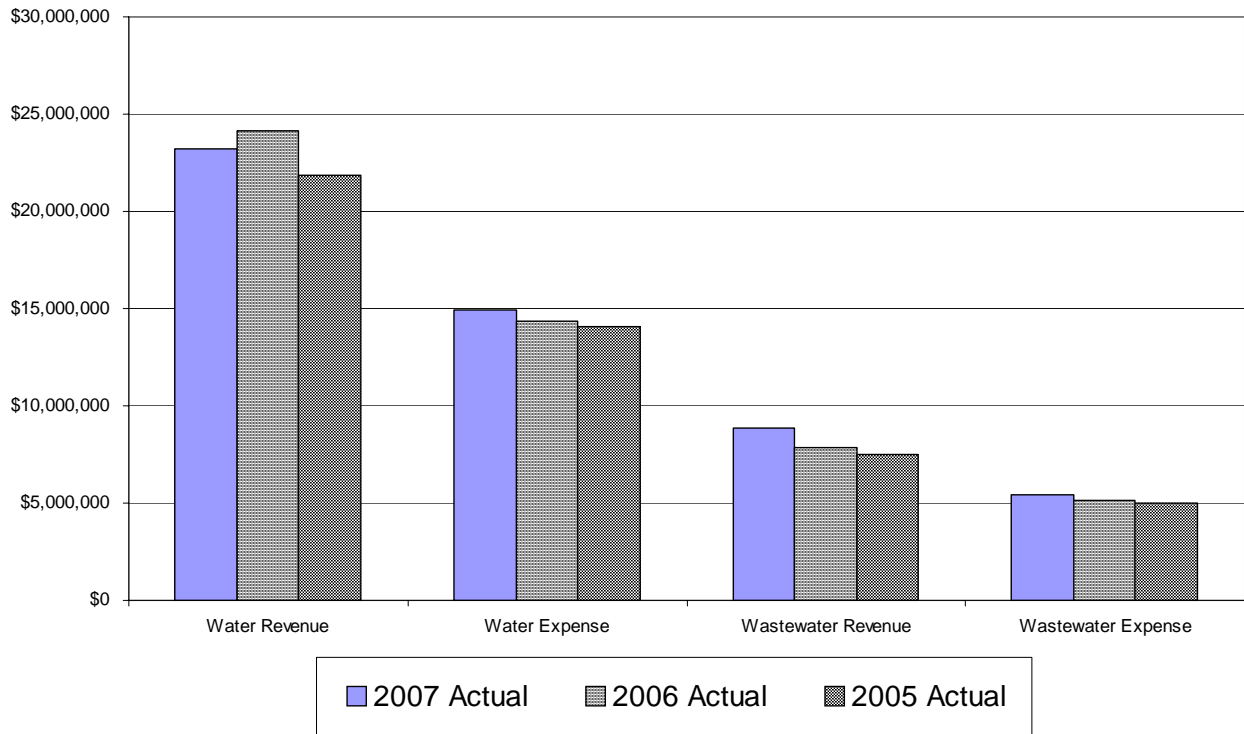


Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)

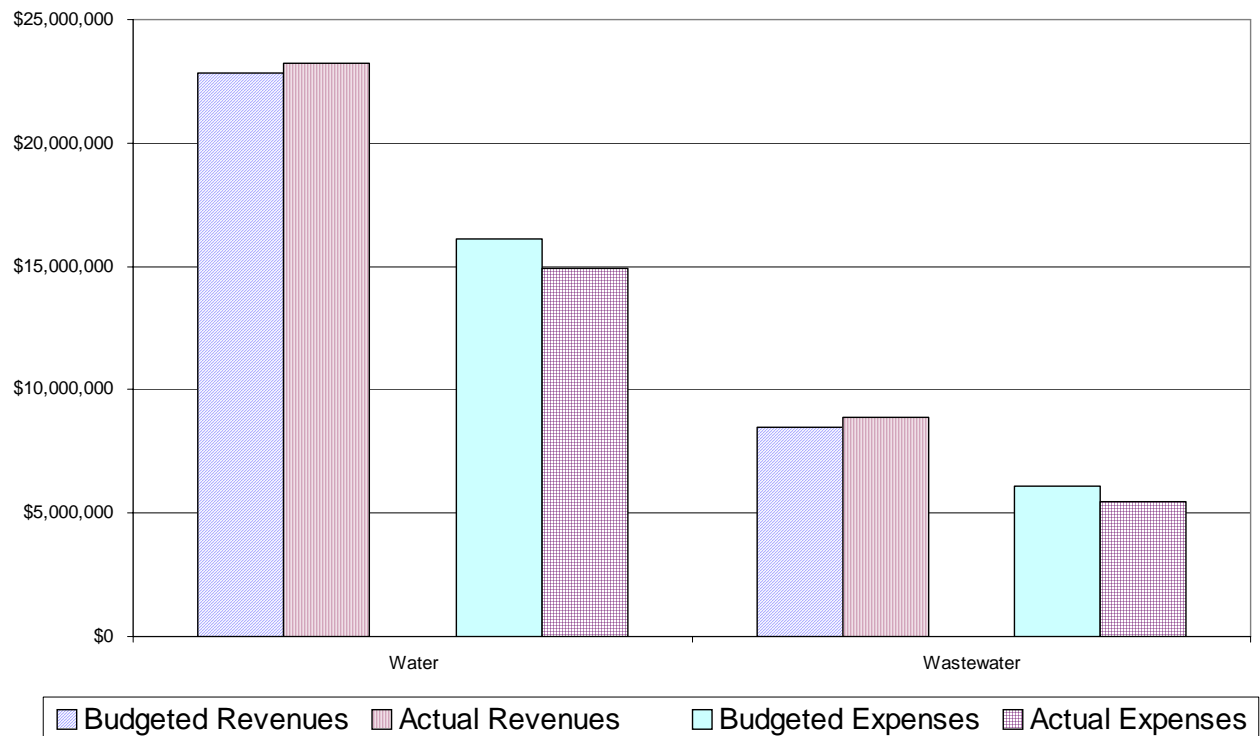
This fund reflects the operating results of the City’s water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital projects. The variance between 2006 and 2007 can be attributed to an unusually high 2006 and a slightly low 2007.

These graphs represent the segment information for the Water and Wastewater funds.

**Water and Wastewater Funds
Operating Revenue and Expenses 2005-2007**



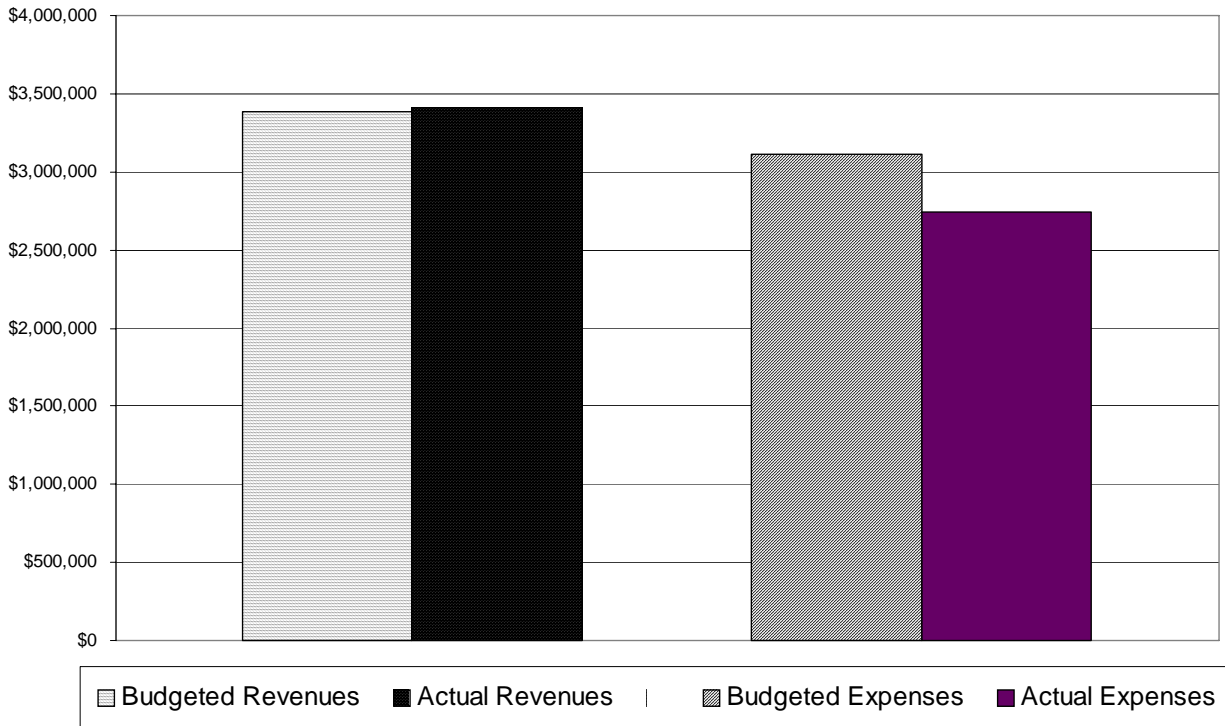
**Water and Wastewater Funds
2007 Operating Budget vs Actual**



Golf Course Enterprise (Legacy and Heritage Golf Courses)

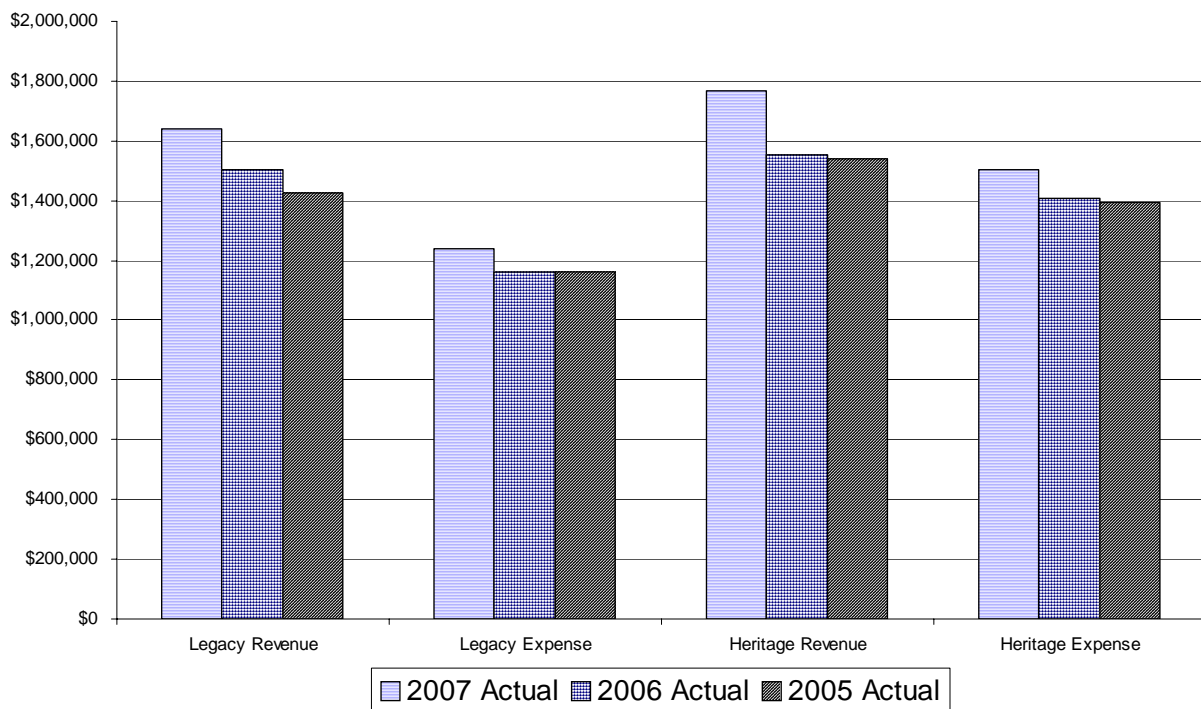
This enterprise reflects the operations of the City's two municipal golf courses.

**Combined Golf Courses
2007 Budget vs Actual**



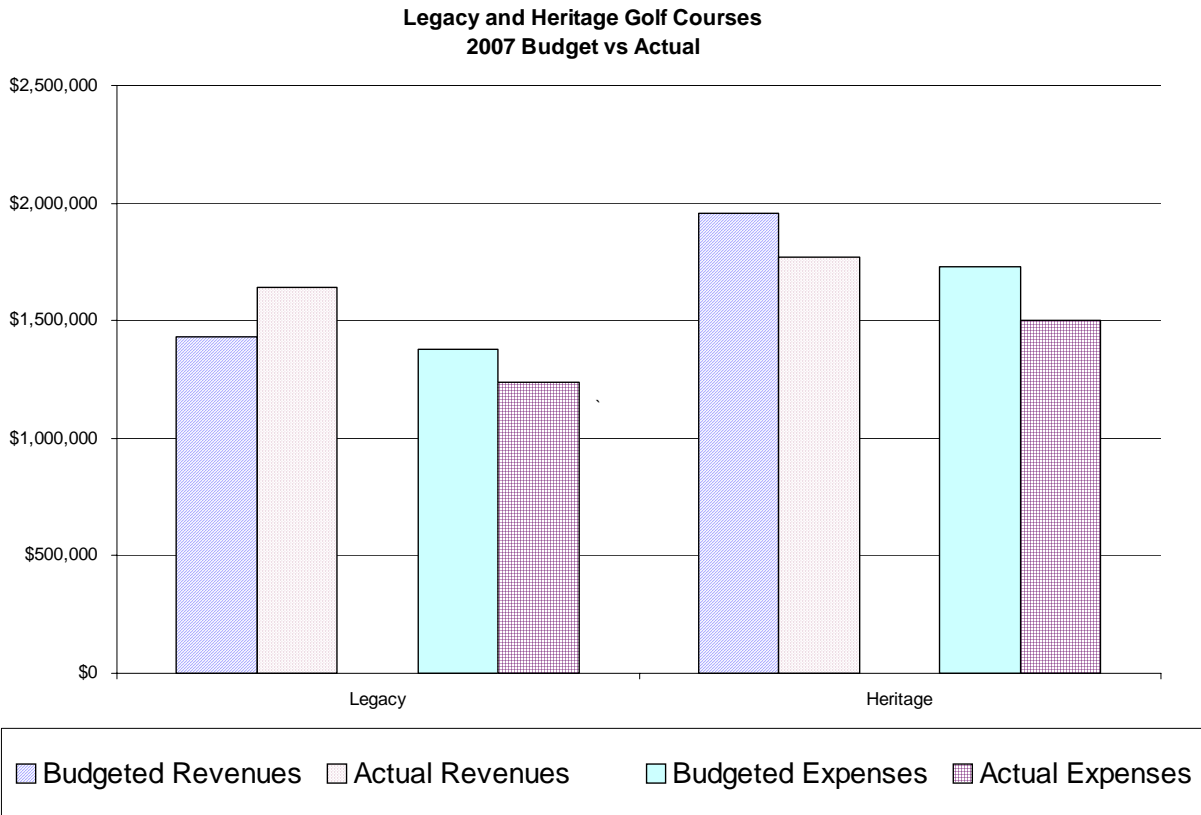
The following graphs represent the information for each of the golf courses.

**Legacy and Heritage Golf Courses
Revenue and Expenses 2005-2007**



Heritage's expenses reflect the lease payments that were started in July of 2006. A one time Other Financing Source and Use of \$547,000, which was a lease purchase of maintenance equipment, is omitted from 2007. A one time Other Financing Source and Use of \$582,144, which was a lease purchase of golf carts, is omitted from 2006 Heritage Revenue and Expense for comparison purposes. The increase in revenue can be attributed to the sale of corporate passes and an increase in transfers in.

The financial statements reflect a positive variance in Recreation Facilities versus the budget. This is primarily due to salary and utility savings.



Respectfully submitted,

J. Brent McFall
City Manager

Attachments -
Statements
Receipts

**City of Westminster
Financial Report
For Ten Months Ending October 31, 2007**

Description General Fund	Budget	Pro-rated for Seasonal Flows	Notes	Actual	(Under) Over Budget	% Budget
Revenues and Carryover						
Taxes	4,870,787	4,767,287		4,664,886	(102,401)	97.9%
Licenses & Permits	1,675,000	1,450,310		2,137,929	687,619	147.4%
Intergovernmental Revenue	4,827,322	3,897,014		4,165,304	268,290	106.9%
Recreation Services	5,666,336	4,389,539		4,562,384	172,845	103.9%
Other Services	8,420,624	6,585,163		6,686,807	101,644	101.5%
Fines	2,311,250	1,934,516		1,893,238	(41,278)	97.9%
Interest Income	374,875	312,396		486,929	174,533	155.9%
Misc	727,652	382,484		941,320	558,836	246.1%
Leases	1,564,170	1,193,058		1,023,951	(169,107)	85.8%
Interfund Transfers	58,637,996	48,896,418		48,929,751	33,333	100.1%
Other Financing Sources	46,634	46,634	(1)	40,626	(6,008)	87.1%
Sub-total Revenues	<u>89,122,646</u>	<u>73,854,819</u>		<u>75,533,125</u>	<u>1,678,306</u>	<u>102.3%</u>
Carryover	8,278,290	8,278,290		8,278,290	0	100.0%
Revenues and Carryover	<u>97,400,936</u>	<u>82,133,109</u>		<u>83,811,415</u>	<u>1,678,306</u>	<u>102.0%</u>
Expenditures						
City Council	205,023	171,688		136,778	(34,910)	79.7%
City Attorney's Office	1,064,790	896,948		852,720	(44,228)	95.1%
City Manager's Office	1,171,996	981,341		836,867	(144,474)	85.3%
Central Charges	31,007,926	23,239,876	(1)	21,549,601	(1,690,275)	92.7%
General Services	5,084,431	4,224,321		4,017,443	(206,878)	95.1%
Finance	1,814,924	1,527,268		1,471,873	(55,395)	96.4%
Police	19,936,602	16,755,884		15,679,572	(1,076,312)	93.6%
Fire Emergency Services	10,675,644	8,963,327		8,751,373	(211,954)	97.6%
Community Development	4,672,743	3,912,278		3,834,894	(77,384)	98.0%
Public Works & Utilities	7,795,132	6,689,249		6,288,596	(400,653)	94.0%
Parks, Recreation & Libraries	13,971,725	11,676,288		11,337,557	(338,731)	97.1%
Total Expenditures	<u>97,400,936</u>	<u>79,038,468</u>		<u>74,757,274</u>	<u>(4,281,194)</u>	<u>94.6%</u>
Revenues and Carryover Over(Under) Expenditures	<u>0</u>	<u>3,094,641</u>		<u>9,054,141</u>	<u>5,959,500</u>	

(1) Other financing sources and & uses of \$32,944,900 relate to refunding of the 1998 & 1999 COPs. They have been omitted from this statement in order to better reflect results of operations.

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)
MONTH OF OCTOBER 2007

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART	408,719	1,515	410,233	404,289	4,876	409,165	1	-69	0
WESTMINSTER MALL 88TH & SHERIDAN 4 DEPARTMENT STORES	402,212	3,217	405,430	362,638	11,216	373,853	11	-71	8
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	260,309	3,430	263,739	60,524	1,523	62,046	330	125	325
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN COMP USA/CIRCUIT CITY	220,263	3,809	224,072	244,549	936	245,485	-10	307	-9
SHOPS AT WALNUT CREEK 104TH & REED TARGET	185,295	2,042	187,337	175,368	1,136	176,503	6	80	6
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	186,083	1,153	187,235	186,254	753	187,007	0	53	0
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	177,354	249	177,602	197,704	429	198,133	-10	-42	-10
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	124,455	48,852	173,306	119,759	9,647	129,406	4	406	34
THE ORCHARD 144TH & I-25 JC PENNEY	162,882	594	163,477	0	11,381	11,381	*****	-95	1336
SHERIDAN CROSSING SE CORNER 120TH & SHER	115,199	2,296	117,494	144,370	4,604	148,974	-20	-50	-21
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	104,130	527	104,657	92,657	1,099	93,756	12	-52	12
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	93,741	1,019	94,759	88,341	240	88,581	6	324	7
WILLOW RUN 128TH & ZUNI SAFEWAY	83,275	291	83,566	96,352	209	96,561	-14	39	-13
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH SAFEWAY	82,814	577	83,392	76,997	724	77,721	8	-20	7
STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH	75,409	506	75,915	74,522	382	74,904	1	33	1

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY (CC)
MONTH OF OCTOBER 2007

Center Location Major Tenant	Current Month			Last Year			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
SAFEWAY STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	64,598	200	64,798	62,984	673	63,656	3	-70	2
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	58,050	383	58,433	58,288	759	59,047	0	-50	-1
LUCENT/KAISER CORRIDOR 112-120 HURON - FEDERAL LUCENT TECHNOLOGY	7,835	41,328	49,164	9,831	34,226	44,057	-20	21	12
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	39,965	567	40,532	41,547	411	41,958	-4	38	-3
SUMMIT SQUARE NE CORNER 84TH & FED SAFEWAY	36,945	288	37,233	34,280	292	34,572	8	-1	8
MISSION COMMONS W SIDE WADSWORTH 88-90TH BIG 5 SPORTS	36,376	389	36,765	35,986	81	36,067	1	378	2
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	33,017	878	33,896	32,892	907	33,798	0	-3	0
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	25,187	1,884	27,072	23,935	1,596	25,530	5	18	6
COUNTRY CLUB VILLAGE 120TH & FEDERAL VILLAGE BISTRO	12,765	12,415	25,180	2,731	43	2,774	367	28779	808
NORTHVIEW S SIDE 92ND YATES-SHER	23,132	366	23,498	42,557	645	43,202	-46	-43	-46
	3,020,009	128,775	3,148,785	2,669,354	88,786	2,758,139	13	45	14

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY YTD (CC)
MONTH OF OCTOBER 2007

Center Location Major Tenant	YTD 2007			YTD 2006			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total Sales	Use	Total	
WESTFIELD SHOPPING CENTER NW CORNER 92ND & SHER WALMART	4,179,717	20,521	4,200,238	4,028,525	56,418	4,084,942	4	-64	3
WESTMINSTER MALL 88TH & SHERIDAN 4 DEPARTMENT STORES	3,567,507	35,391	3,602,899	3,981,378	62,597	4,043,974	-10	-43	-11
CITY CENTER MARKETPLACE NE CORNER 92ND & SHERIDAN COMP USA/CIRCUIT CITY	2,432,941	17,988	2,450,929	2,294,411	18,336	2,312,747	6	-2	6
WESTMINSTER CROSSING 136TH & I-25 LOWE'S	2,141,370	60,478	2,201,848	484,542	42,699	527,241	342	42	318
NORTHWEST PLAZA SW CORNER 92 & HARLAN COSTCO	2,078,149	10,225	2,088,374	2,308,181	6,104	2,314,286	-10	68	-10
BROOKHILL I & II N SIDE 88TH OTIS TO WADS HOME DEPOT	1,880,997	16,192	1,897,189	1,928,004	17,829	1,945,833	-2	-9	-3
SHOPS AT WALNUT CREEK 104TH & REED TARGET	1,831,897	23,184	1,855,081	1,419,049	37,261	1,456,310	29	-38	27
PROMENADE SOUTH/NORTH S/N SIDES OF CHURCH RANCH BLVD SHANE/AMC	1,716,860	194,543	1,911,403	1,354,529	193,102	1,547,631	27	1	24
SHERIDAN CROSSING SE CORNER 120TH & SHER	1,288,346	14,011	1,302,358	1,690,894	17,074	1,707,968	-24	-18	-24
THE ORCHARD 144TH & I-25 JC PENNEY	1,196,384	12,175	1,208,559	0	56,603	56,603	*****	-78	2035
NORTH PARK PLAZA SW CORNER 104TH & FEDERAL KING SOOPERS	992,067	13,935	1,006,002	935,245	3,071	938,316	6	354	7
VILLAGE AT THE MALL S SIDE 88TH DEPEW-HARLAN TOYS 'R US	976,097	3,209	979,306	998,754	11,611	1,010,365	-2	-72	-3
STANDLEY SHORES CENTER SW CORNER 100TH & WADS KING SOOPERS	677,526	2,615	680,142	687,578	3,799	691,377	-1	-31	-2
ROCKY MOUNTAIN PLAZA SW CORNER 88TH & SHER GUITAR STORE	600,417	5,706	606,123	605,314	3,780	609,094	-1	51	0
WESTMINSTER PLAZA FEDERAL-IRVING 72ND-74TH	563,978	2,756	566,733	527,441	6,433	533,873	7	-57	6

CITY OF WESTMINSTER

GENERAL RECEIPTS BY CENTER - SUMMARY YTD (CC)
MONTH OF OCTOBER 2007

Center Location Major Tenant	YTD 2007			YTD 2006			%Change		
	General Sales	General Use	Total	General Sales	General Use	Total	Sales	Use	Total
SAFEWAY STANDLEY LAKE MARKETPLACE NE CORNER 99TH & WADSWORTH SAFEWAY	561,825	2,732	564,557	558,351	1,763	560,114	1	55	1
WILLOW RUN 128TH & ZUNI SAFEWAY	550,218	2,067	552,285	593,544	2,169	595,714	-7	-5	-7
VILLAGE AT PARK CENTRE NW CORNER 120TH & HURON CB & POTTS	403,210	14,841	418,050	427,496	9,645	437,141	-6	54	-4
MISSION COMMONS W SIDE WADSWORTH 88-90TH BIG 5 SPORTS	331,183	2,206	333,389	344,276	2,732	347,008	-4	-19	-4
NORTHVIEW S SIDE 92ND YATES-SHER	315,409	6,451	321,860	423,346	5,425	428,771	-26	19	-25
ELWAY/DOUGLAS CORRIDOR NE CORNER 104TH & FED ELWAY MOTORS	303,035	16,856	319,892	296,636	7,402	304,038	2	128	5
BOULEVARD SHOPS 94TH & WADSWORTH CORRIDOR AMERICAN FURNITURE WAREHOUSE	259,590	4,080	263,670	188,831	6,138	194,969	37	-34	35
STANDLEY PLAZA SW CORNER 88TH & WADS WALGREENS	251,907	9,722	261,629	247,624	7,417	255,041	2	31	3
SUMMIT SQUARE NE CORNER 84TH & FED SAFEWAY	229,487	1,150	230,638	218,741	1,498	220,239	5	-23	5
FEDERAL STRIP W SIDE FEDERAL 68TH-72ND BOVAS	216,776	837	217,613	240,964	6,789	247,753	-10	-88	-12
	29,546,895	493,871	30,040,766	26,783,653	587,694	27,371,347	10	-16	10



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Purchase of Northwest Water Treatment Facility Compressed Air Equipment

Prepared By: Mike Happe, Water Resources & Treatment Manager
Tom Settle, Water Treatment Superintendent

Recommended City Council Action

Based on the recommendation of the City Manager, find that the public interest would best be served by accepting the proposal from Blackhawk Equipment Company for the purchase of replacement compressed air equipment for the Northwest Water Treatment Facility; authorize the expenditure in the amount of \$76,233; authorize an additional \$8,500 for installation materials; authorize a funds transfer from the Water Project Contingency in the amount of \$15,000 to fully fund the project; and authorize a transfer of \$69,733 from the 2007 Capital Improvement Project "SWTF HSPS Meter Replacement" to the Capital Improvement Project "NWTF Compressed Air Replacement."

Summary Statement

- Increasing failure rates of the compressed air equipment at the Northwest Water Treatment Facility (NWTF) and non-availability of repair parts necessitates the immediate replacement of the compressors to ensure plant operation. The compressed air system at the NWTF is integral to the overall control of the facility as well as a key component of the backwashing process for the membrane filters.
- Formal bids were solicited from four vendors for this equipment with three responding. The middle bid is recommended by staff. The lowest bid is not being recommended for purchase due to Staff concerns with equipment quality and the warranty offered.
- Water Treatment maintenance staff will provide labor necessary for electrical system modifications and equipment installation. Material costs for installation will not exceed \$8,500.
- The NWTF Compressed Air Replacement project had been previously proposed and is listed in the 5-year Capital Improvement Program for 2009.
- The High Service Pump Station (HSPS) Meter Replacement Project was approved in the 2007 CIP budget for \$70,000. This project can be delayed as a result of successful meter repairs this year. It will be brought back, for City Council consideration in the 2009-2010 budget process if necessary. Funds are available in the Water Projects Contingency Fund to supplement and fully fund the proposed project.

Expenditure Required: \$84,733

Source of Funds: Utility Fund - NWTF Compressed Air Replacement CIP;
Water Project Contingency

Policy Issue

Should the City proceed with the replacement of the compressed air system at the NWTF?

Alternatives

- 1) Reject the staff recommendation and award the equipment bid to the low bidder. Staff does not recommend this due to concerns with a weak 2-year warranty period that may be indicative of the quality or expected life of the equipment.
- 2) Decline the project requests and continue to operate the NWTF on the existing equipment. Staff does not recommend this alternative because it leaves the NWTF very vulnerable to equipment failure and an inability to produce drinking water.

Background Information

The compressed air system at the Northwest Water Treatment Facility (NWTF) runs continuously supplying the control systems and filter backwash process with air. In late 2005, there was an increase in minor mechanical breakdowns in the compressors. As maintenance staff completed repairs, they learned that the system was no longer being manufactured and that plans should be made for replacement by 2009.

Despite routine preventive maintenance measures, major breakdowns of the compressor cooling systems began to occur in early 2007 and eventually struck all three units. Staff found that the manufacturer of the radiator-style cooling components was no longer in business and there was no substitute component manufacturer. A nationwide search found what appeared to be the last two new cooling systems and these were acquired to keep the plant operational. One of the three compressors remains unusable.

Staff pursued a detailed engineering evaluation of the air system this summer, utilizing an energy rebate program offered by the Xcel Energy Company to develop a more-current equipment specification for replacement equipment. These specifications were then used for the equipment bidding process.

Bids were solicited from four vendors for the compressed air equipment. The bids are summarized in the table below. Blackhawk Equipment was the only firm that met all the specifications of the City. The \$71,433 is within the amount proposed in the 2009 CIP for this item.

<u>Vendor</u>	<u>Manufacturer</u>	<u>Cost</u>	<u>Warranty</u>
Power Service of Colorado	Atlas Copco	\$60,495	2 yr Parts and Labor, Year 2-5 Parts only
Blackhawk Equipment	Sullair	\$71,433	5 yr Parts and Labor, 10 yr optional
Colorado Compressor	Gardner-Denver	\$73,221	2 yr Parts and Labor 3 yr Oil Cooler
Stewart Stevinson		No Bid	

The recommended equipment manufacturer, Sullair, offers an extended warranty of 10 years on the major compressor components at a cost of \$4,800 for the bid equipment. This effectively doubles the warranty period for a cost of less than 7% of the equipment. Staff feels this is a strong statement as to the

anticipated reliability of the equipment and represents a small up-front cost to ensure a 10 year life span for the equipment and recommends this extended warranty be executed.

The method of installation of the equipment was evaluated to determine if it should be handled through contractors or facility maintenance staff. The equipment will be installed by staff. New wiring, electric distribution and piping equipment will be purchased at a cost of \$8,500. The equipment supplier will supervise the equipment start-up to confirm proper installation and initiate the warranty period.

The NWTF Air Compressor project was originally scheduled for 2009 in the 5 year CIP plan for \$75,000 and the High Service Pump Station (HSPS) Meter Replacement Project was approved in the 2007 CIP budget for \$70,000. Staff is proposing to swap timing on these projects due to the accelerated need to upgrade the NWTF Air Compressor project. The HSPS Meter Replacement Project can be delayed as a result of successful repairs completed this year. The HSPS Meter Replacement project will be proposed for City Council consideration in the future, if deemed necessary. Funds are available in the Water Projects Contingency Fund to supplement the existing project and fully fund the total of \$84,733 necessary for the total Compressed Air Equipment project.

The NWTF was completed and put on-line in 2002, supplying approximately 25% of the City's drinking water supply on a daily basis. It is a key component of the system as it has been designed to handle the city's entire indoor water demand in the event the Semper Water Treatment Facility is unable to produce drinking water.

The majority of flow control through the NWTF is accomplished with pneumatic (air) driven valves. The membrane filtration system uses large volumes of compressed air for the backwashing process that must occur every 30 minutes to maintain the filtration capacity of the system.

This project helps achieve the City Council's Strategic Plan Goal of "Financially Sustainable City Government" by contributing to the objective of "Well-maintained City Infrastructure and Facilities." It also contributes to the City achieving "Safe and Secure Community" by ensuring the reliable operation of the Northwest Water Treatment Facility.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: 2008 Proposed Community Development Block Grant and HOME Projects

Prepared By: Vicky Bunsen, Community Development Programs Coordinator

Recommended City Council Action

Approve the allocation of 2008 Community Development Block Grant and HOME funds to the projects set forth in this agenda memorandum.

Summary Statement

- The City of Westminster receives an annual allocation of Community Development Block Grant funds (CDBG) from the United States Department of Housing and Urban Development (HUD);
- The 2008 CDBG allocation is anticipated to be approximately \$546,538 (5% projected decrease from 2007 funding).
- The funds must be used towards programs and projects meeting eligibility requirements established by HUD that primarily benefit low to moderate income populations and areas. The City may use up to 20% of the allocation towards CDBG-related administration. For 2008, this is estimated to equal \$109,308.
- The balance of 2008 CDBG funds in the amount of an estimated \$437,230 is proposed to be used for to complete Lowell Boulevard reconstruction and improvements between 75th and 78th Avenues.
- As a member of the Adams County HOME consortium, a HUD-approved funding entity, the City receives an annual allocation of about \$220,000 through the County to be used on affordable housing projects and programs. These proceeds have previously been used to provide down payment assistance to low- and moderate-income households looking to purchase a home and the county housing rehabilitation program providing low interest loans to income eligible households.
- Staff is recommending that the HOME funds be allocated as follows:

County Administration	\$ 20,000
Down Payment Assistance	\$130,000
Housing Rehabilitation	\$ 70,000

Expenditure Required: \$546,538
\$220,000

Source of Funds: HUD CDBG Program
HUD HOME Program

Policy Issue

Should the City accept the CDBG and HOME funds knowing that expenditure of funds must adhere to federal requirements and conditions?

Alternatives

The Council may choose to not accept the funds. Staff recommends that such an alternative not be considered as the CDBG and HOME funds have provided benefits to Westminster residents and have provided needed funds for capital projects.

Council may choose to allocate the funds in a different manner. Staff believes the allocations identified in this agenda memorandum will serve Westminster residents very well, meeting a number of critical needs in the community.

Background Information

The City of Westminster receives an annual allocation of Community Development Block Grant funds (CDBG) from the United States Department of Housing and Urban Development (HUD). The 2008 CDBG allocation is anticipated to be about \$546,538, which is 5% less than the 2007 allocation of \$575,303. This estimate is based on the reductions that have occurred for the past several years and verbal notice from HUD staff that reductions may be in the range of 5%. These annual allocations have been decreasing annually since 2003, when the largest grant to date of \$696,000 was allocated to the City.

The CDBG funds are to be used for projects and programs that primarily benefit the City's low to moderate-income populations and address blight conditions. Eligible project activities may include economic development/redevelopment, public facility and infrastructure improvements, and affordable housing activities. Based upon eligibility criteria and the limited level of funding, Staff recommends that the following projects be funded in 2008:

2008 CDBG Program Administration (20% of total grant)	\$109,308
Lowell Boulevard Enhancements	\$437,230
TOTAL:	\$546,538

The proposed 2008 CDBG budget and projects are based largely on the need to complete Phase II of the Lowell Boulevard project in the face of continually increasing costs. It has been necessary to delay this project due to lack of funding and Staff believes that and it is important to complete it. Two administrative public hearings at COG meetings were used to solicit community input on the development of the 2008 CDBG Action Plan. No requests for funding were received from citizens this year. Therefore, it is recommended that the Lowell Boulevard project, which was recommended for funding last year, be the sole project for 2008 in order to complete it. .

Program Administration

HUD allows grantees to utilize up to 20% of the CDBG funding for administration and planning expenses. In the past, this portion has been sufficient to pay for the salaries of two full-time employees who administer the CDBG program and devote the remainder of their time entirely to revitalization activities, as well as other costs of administration and planning. However, the CDBG funding has fallen below the amount sufficient to cover the two salaries and no funding is available for planning and other expenses. This financial gap is being paid out of City General Fund revenues.

Lowell Boulevard Enhancements

Lowell Boulevard is a collector street through the heart of south Westminster, a low-income area. Due to lack of sufficient funding to complete the entire 73rd to 78th stretch in one project, rebuilding Lowell has been done in phases. This project can be completed in 2008 up to just south of 78th Avenue, using CDBG funding along with City General Fund money earmarked for Lowell Boulevard improvements. Future

phases are planned to improve Lowell Boulevard north to 84th Avenue. It is recommended that CDBG funding be used to finish this Phase II of the Lowell Boulevard project, including street-lawn area improvements, landscaping, undergrounding of overhead utilities, decorative lighting, new sidewalk/bicycle trail construction, and repaving the street.

Variations in Ultimate CDBG Allocation in 2008

The actual amount allocated to the City is never known until about half-way into a calendar year. If the actual 2008 CDBG allocation varies from the amounts stated herein, adjustments to the projects will need to be made.

In addition to the CDBG allocation, the City is scheduled to receive \$220,000 in HOME program dollars from HUD. HOME funds are distributed to eligible communities to assist in the development and provision of housing to low-income households and targeted populations (e.g. seniors, persons having disabilities, homeless, etc.) The City of Westminster alone does not meet the minimum population requirements to receive the funds as an entitlement. However, by having joined the HUD-authorized Adams County HOME Program Consortium, the City receives an allocation of about \$220,000 annually providing funding for such eligible affordable housing endeavors.

Pursuant to an existing agreement with Adams County, the proceeds have been appropriated to program administration, housing rehabilitation and homeowner down-payment assistance. While funds have been allocated to support these endeavors, the agreement permits the City to redirect funds as necessary to support other HOME eligible programs and projects, such as affordable housing projects and programs. Given past assignments and having the flexibility to redirect funds as necessary, Staff is recommending the 2008 HOME funds be used as follows:

Housing Rehabilitation Program \$70,000

The program provides low-interest loans to income-qualified Westminster homeowners to address infrastructure improvements and mitigate health, safety and sanitary issues. The program is set up to provide funds to fix or improve a home so as to protect the health and safety of the household. The loans are typically for furnaces, water heaters, roofs, and foundation stabilization. Typical maintenance items such as paint or siding are not eligible for funding. Applicants must meet low-income thresholds established by HUD, and repayment terms are based upon income. Some loans may be completely forgiven in the event of extremely low-incomes and the household's length of residence in the home following the rehabilitation work.

Homebuyer Down-Payment Assistance Programs \$130,000

The program provides down payment assistance grants and loans to income qualified prospective homebuyers purchasing a home in Westminster. Income eligible homebuyers and first-time buyers are eligible to receive up to \$15,000 in down-payment assistance.

HOME Program Administration \$20,000

This allocation is used to pay Adams County employees for administrative costs incurred by the Adams County Office of Community Development relative to implementation of the HOME programs.

This program assists the City in meeting two strategic plan goals: Vibrant Neighborhoods and Commercial Areas, and Beautiful City – Attractive Developments, Green Spaces and Vistas.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 10 A&B

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Resolution No. 42 re Application to Designate the Perry House
(4199 West 76th Avenue) as a Local Historic Landmark

Prepared By: Vicky Bunsen, Community Development Programs Coordinator

Recommended Board Action

1. Hold a public hearing on the application to designate the Perry House as a local historic landmark.
2. Adopt Resolution No. 42 designating the Perry House at 4199 West 76th Avenue as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code.

Summary

- An application has been prepared to designate the Perry House as a local historic landmark.
- The Perry House is located at 4199 West 76th Avenue. It was built in 1928, is 79 years old, and is an example of a housing style associated with early 20th Century Westminster.
- The Historic Landmark Board recommends that the Perry House be designated as a local historic landmark.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the Perry House, located at 4199 West 76th Avenue and owned by Karen Sanders, be designated a local historic landmark?

Alternatives

1. Do not designate the site as a local historic landmark.
2. Modify the list of features that should be designated as contributing to the historic significance of the house.

Staff does not recommend holding off on the designation of the Perry House as a local historic landmark. The home contributes to the historic context of the neighborhood. Protection of the structure and its architecture will be beneficial to the beauty and value of adjacent public and private properties.

Background Information

The Perry House was built in 1928. It is nominated for designation as a Westminster historic landmark based on the following criteria in W.M.C. section 11-13-5:

1. The Perry House represents a style particularly associated with the Westminster area and is at least 50 years old, and
2. The Perry House exemplifies the economic heritage of the community, specifically small-scale farming and also development patterns established by 19th Century real estate developer C.J. Harris.

Architectural Description:

The Perry House is an example of a simple bungalow form as evidenced by the clipped side gable roof and brackets. The 48' x 28' single-family residence is built in the Craftsman architectural style with a clipped (small hip) side gable roof with wide, overhanging eaves. There are triangular knee brackets beneath the eaves at the gable ends, and support the front entry portico. The centered entry is set in a clipped gable front bay, which is an enclosed front porch. There are two non-historic paneled wood doors with semi-circular lights in the upper portion; these doors are flanked by sidelights. The windows are typical Craftsman-inspired, with 4 vertical panes in the top sash and 1 pane in the bottom sash set singly, in pairs or in groups of three. The upper sashes have vertical wood strips (muntins) to separate the four panes. There is a rear clipped gable roof dormer. The original siding was narrow lapped wood, which still exists under a matching synthetic siding.

A 15x20' garage has a gable roof, exposed rafters, side-hinged beaded-wood garage doors, a five-paneled wood entry door, and a four-sash window. It is clad in painted narrow wood lap siding. This garage does not appear in the 1927-28 photos, but appears to have been built prior to World War II and contributes to the historical feel of the site. A gazebo structure is modern and does not contribute to the historical site.

Several alterations are not original to the house, including the front porch enclosure, the double front entry doors and synthetic siding. The enclosed front porch and double front doors impact the integrity of the original design, although this alteration is 40 years old and is compatible with the design of the house. Also, the house has non-original siding, which siding was selected to match the width and texture of the underlying wood siding. The house is still able to convey its historic form.

Historical Significance

This property was part of the land that was purchased by real estate developer C. J. Harris and his wife, Florence Harris. The town was called Harris from about 1890 to 1911 because of his involvement in the settlement of the area. The 1890 town plat was titled, "Harris Park." (The town's name was later changed in 1911 to Westminster after the university to the north.) The Harris Park plat extended from Wyoming Street on the south (today West 72nd Avenue) to Cornell (West 80th Avenue) on the north, and from College Avenue (Lowell Boulevard) on the east to Chestnut (Raleigh Street) on the west.

The original plat of Harris Park shows the intent of C. J. Harris to sell lots as small farms. Instead of typical 25-foot, 50-foot, or 60-foot-wide lots, most blocks were divided into four large lots suitable for small farms. The large lots in Harris Park allowed their owners to plant a garden, have a milk cow, and raise chickens.

His plat for Harris Park, however, helped shape the type of growth in Westminster for several decades. The platting of the town, featuring large lots geared towards small farming operations, encouraged development to spread across the city between the village "downtown" and Westminster University to the northeast. Thus, there are a relatively small number of pre-World War II homes in Westminster. The majority are simple residential buildings, which were perfectly suited for small farming operations. These residences are scattered across a several block area between 72nd Avenue and the former Westminster University campus at 84th Avenue, instead of being centrally located around a town center, as one might typically expect in a small rural community.

New residential subdivisions were added at a rapid rate during the 1950s and 1960s, and the existing neighborhoods of Harris Park and around the former university were filled in with new construction in the postwar period. Former lots of five acres were subdivided with the lots sold off for new construction. Thus these neighborhoods, unlike most of the remainder of Westminster, exhibit a variety of housing styles and construction dates that reflect slow growth and infill over nearly a century of development.

Willard and Atta Perry built the Perry House in 1927-28. They and their son George and his wife Alice occupied it until 1959. Clyde and Barbara Wiggins then lived in the house until 1967, when it was sold to the current owner, Karen E. Sanders. Ms. Sanders has nominated her house and provided a history of the house and facts concerning the front porch enclosure. This nomination is the first to be brought to City Council by a private homeowner in Westminster.

Compliance with Westminster Municipal Code

The Westminster Municipal Code requires an application to include the following content:

1. Description of the characteristics of the proposed historic landmark that justify its designation pursuant to this chapter,
2. A description of the particular features that should be preserved, and
3. A legal description of the location and boundaries of the historic property.

In compliance with Westminster Municipal Code, the application provides the name, location, legal description, and owner of the proposed landmark. It further provides a statement of significance with information to support the following criteria for designation:

1. Represents a style particularly associated with the Westminster area and is at least 50 years old.
2. The Perry House exemplifies the economic heritage of the community, specifically small-scale farming and also development patterns established by 19th Century real estate developer C.J. Harris

Notice of the November 26, 2007, public hearing was published in the Westminster Window on November 22, 2007, which is at least four days prior to the public hearing. The property was posted by City Staff before November 22, 2007. The application was referred to the Westminster Historical Society on November 8, 2007, as required by the Westminster Municipal Code.

Section 11-13-7(A)(3) requires the Director of Community Development to review an application in the following respects: (a) its relationship to the comprehensive plan; (b) the effect of the designation on the surrounding neighborhood; (c) the criteria set forth in this chapter; and (d) such other planning considerations as may be relevant to the proposed designation.

The landmark designation should be beneficial to the neighborhood because designation will help the neighborhood understand the history of the area and will protect the defining architectural characteristics of the house, thereby supporting the historic and residential character of the neighborhood. Staff believes this application meets the criteria set forth in the ordinance.

City Council Findings

The City Council needs to consider the following issues:

1. Does this house meet the ordinance requirements for historical significance justifying its designation as a local historic landmark?
2. What features of the house should be preserved in order to maintain the historical integrity of the house?
3. The Council's decision must also include the name, location and legal description of the designated landmark.

Recommendations by the Historic Landmark Board

The Historic Landmark Board recommends to the Westminster City Council that the Perry House be designated as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code. The architectural features that they recommend be preserved are described in their attached resolution. These features have been included in the proposed City Council resolution, also attached.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments:
Historic Landmark Board Resolution
Proposed Resolution

RESOLUTION

RESOLUTION NO. 42

INTRODUCED BY COUNCILORS

SERIES OF 2007

**A RESOLUTION
TO DESIGNATE THE PERRY HOUSE
AS A LOCAL HISTORIC LANDMARK**

WHEREAS, the Perry House is historically significant because:

1. The building represents a style particularly associated with the Westminster area and is at least 50 years old,
2. The Perry House exemplifies the economic heritage of the community, specifically small-scale farming and also development patterns established by 19th Century real estate developer C.J. Harris; and

WHEREAS, the City Staff has caused the historical significance of the property to be documented and applied to the Historic Landmark Board for a recommendation as to whether the property should be designated as a local historic landmark; and

WHEREAS, the Historic Landmark Board adopted its Resolution 2007-001 in which the Board finds that the Perry House is historically significant and designates the features that the Board recommends should be preserved,

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

1. The Board recommends to the Westminster City Council that the Perry House be designated as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code.
2. Description of features that should be preserved:

Craftsman style with a clipped (small hip) side gable roof with wide, overhanging eaves. Triangular knee brackets beneath the eaves at the gable ends, supporting the front portico. The centered entry is set in a clipped gable front bay, which is an enclosed front porch. There are two non-historic paneled wood doors with semi-circular lights in the upper portion; these doors are flanked by sidelights. The windows are typical Craftsman-inspired, with double-hung sashes, four light vertical muntins in the top sash, set singly, in pairs on the front elevation, or in groups of three. There are flat pointed arches over all windows and window groupings. There is a rear clipped gable roof dormer. The current siding is synthetic and mimics the original lapped wood siding, which remains in existence under the current vinyl siding. The distinctive window configuration on all elevations should be preserved.

The 15x20' garage has a gable roof, exposed rafters, side hinged, beaded wood garage doors, a paneled wood entry door, and a four-sash window. It is clad in narrow, lap wood siding.

3. The legal description and location of the property are:

Address or location:

4199 West 76th Avenue
Westminster, Colorado 80030

Legal description: Part of Block 18, Harris Park, described as follows: Beginning at the Southwest corner of said Block 18; thence North along the West line of said Block 18, 135 feet; thence East and parallel to the North line of said Block 18, 79 feet; thence South and parallel to the said West line 135 feet to the South line of said Block 18; thence West along said south line 79 feet to the point of beginning (approx. ¼ acre), City of Westminster, Adams County, Colorado

State of Colorado Resource No.: 5AM 1981

UTM coordinates:

UTM 83:
X 496281.786253 m
Y 4409421.50069 m

UTM 27:
X 496327.739117 m
Y 4409213.310367 m

PASSED AND ADOPTED this 26th day of November, 2007.

ATTEST:

Nancy McNally, Mayor

City Clerk

RESOLUTION

RESOLUTION NO. 2007-001

INTRODUCED BY BOARD MEMBER

SERIES OF 2007

Steve Graziano

WHEREAS, the Perry House is historically significant because:

1. The building represents a style particularly associated with the Westminster area and is at least 50 years old,
2. The Perry House exemplifies the economic heritage of the community, specifically small-scale farming and also development patterns established by 19th Century real estate developer C.J. Harris; and

WHEREAS, the City Staff has caused the historical significance of the property to be documented and has applied to this Board for a recommendation as to whether the property should be designated as a historic landmark,

NOW, THEREFORE, the Historic Landmark Board of the City of Westminster resolves that:

1. The Board recommends to the Westminster City Council that the Perry House be designated as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code.
2. Description of features that should be preserved:

Craftsman style with a clipped (small hip) side gable roof with wide, overhanging eaves. Triangular knee brackets beneath the eaves at the gable ends, supporting the front portico. The centered entry is set in a clipped gable front bay, which is an enclosed front porch. There are two non-historic paneled wood doors with semi-circular lights in the upper portion; these doors are flanked by sidelights. The windows are typical Craftsman-inspired, with double-hung sashes, four light vertical muntins in the top sash, set singly, in pairs on the front elevation, or in groups of three. There are flat pointed arches over all windows and window groupings. There is a rear clipped gable roof dormer. The current siding is synthetic and mimics the original lapped wood siding, which remains in existence under the current vinyl siding. The distinctive window configuration on all elevations should be preserved.

The 15x20' garage has a gable roof, exposed rafters, side hinged, beaded wood garage doors, a paneled wood entry door, and a four-sash window. It is clad in narrow, lap wood siding.

3. The legal description and location of the property are:

Address or location: 4199 West 76th Avenue
Westminster, Colorado 80030

Legal description: Part of Block 18, Harris Park, described as follows: Beginning at the Southwest corner of said Block 18; thence North along the West line of said Block 18, 135 feet; thence East and parallel to the North line of said Block 18, 79 feet; thence South and parallel to the said West line 135 feet to the South line of said Block 18; thence West along said south line 79 feet to the point of beginning (approx. ¼ acre), City of Westminster, Adams County, Colorado

State of Colorado Resource No.: 5AM 1981

UTM coordinates:

UTM 83:
X 496281.786253 m
Y 4409421.50069 m

UTM 27:
X 496327.739117 m
Y 4409213.310367 m

PASSED AND ADOPTED this 14th day of November, 2007.


Chair

ATTEST:





Agenda Item 10 C

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Resolution No. 43 re Allowing Local Review of State Income Tax Credit Applications for Qualified Rehabilitation Costs Incurred By Owners of Landmarked Historic Properties

Prepared By: Vicky Bunsen, Community Development Programs Coordinator

Recommended City Council Action

Adopt Resolution No. 43 allowing local review of state income tax credit applications for qualified rehabilitation costs incurred by owners of landmarked historic homes and business properties.

Summary Statement

- State law permits a certified local government (CLG) to review applications for state tax credits related to rehabilitation costs incurred with respect to locally landmarked historic homes and business properties.
- State law requires the CLG governing body to pass a resolution annually allowing the Historic Landmark Board to review these applications.

Expenditure Required: Amount will vary based on number of applications received

Source of Funds: Application fees will be charged to help defray any extra expenses

Policy Issue

Should the City Council allow the Historic Landmark Board to review applications from owners of locally landmarked historic homes and business properties for state income tax credits for qualified expenditures incurred to rehabilitate their properties?

Alternative

Do not allow the Historic Landmark Board to perform this function. This alternative is not recommended because it would remove the possibility of a convenient local forum for a landowner to seek approval of state income tax credits.

Background Information

The City Council passed the historic preservation ordinance in 2003, which authorized appointment of the Historic Landmark Board. The Board was created and has received training to support its various duties, including the review of state income tax credit applications.

The City achieved certified local government (CLG) status under state historic preservation law in 2004. The CLG status allows the Board to review state tax credit applications submitted by owners who are working on approved rehabilitation projects on locally landmarked historic homes and business properties. Landowners are not able to apply for this tax credit for locally landmarked historic properties unless the property is located in a CLG jurisdiction, so this is a special financial benefit that the City can provide to its citizens that would not otherwise be available without the CLG program.

In order to allow Board review of these applications, the City Council is required by state law to pass a resolution each year stating whether review of state tax credit applications is authorized for the upcoming year. Approval of this resolution would allow the Board to accept and review these applications in 2008.

The tax credit program may be implemented by a landowner by applying to landmark his/her home or business property pursuant to the landmarking criteria set out in W.M.C. § 11-13-5. The landmark designation application is reviewed and a decision made by the Historic Landmark Board. After landmarking, the owner must apply for a Certificate of Historic Appropriateness before making changes to the exterior of the building other than normal maintenance and repair. The proposed changes are reviewed by the Board in order to determine that the work would not detrimentally alter, destroy, or adversely affect any feature that was found by the board in the original designation to contribute to the designation of the property as a landmark. Similar criteria are applied to the review of a state tax credit application, so the certificate of appropriateness and the tax credit application can be processed and reviewed together by the Board.

If approved, the state income tax credit is equal to 20 percent of the qualified expenditures to rehabilitate the home. The rehabilitation expenses may include interior as well as exterior work and are not limited only to restoration expenses. This is true for tax credit applications even though the Board does not review interior work for historic appropriateness. For example, replacement of an antiquated heating system with a modern HVAC system may be a qualified expense for purposes of the tax credit. The tax credit may not exceed \$50,000 on one property (a total of \$250,000 in qualified rehabilitation expenses), and an application may not be filed for projects costing less than \$5,000 in qualified expenses. Each tax credit application may cover work to be done within a two-year period, so multiple applications may be filed over time until the maximum tax credit has been used by the owner. State law mandates a \$250 application fee, which is required to be put into a "preservation fund" to be used for the Board's expenses in reviewing the applications.

The state income tax credit may be carried forward for ten years. For example, if the total amount of qualified rehabilitation costs is \$45,000:

- Available credit = 20% of \$45,000 = \$9,000
- Taxpayer owes \$1,700 in state income taxes each year
- Therefore, taxpayer pays no state income taxes for five years, and takes a \$500 tax credit in the sixth year.

Landmarking a historic building adds some complexity to the review of construction projects. Not only are appropriate building permits required, but Board review of the historic appropriateness of the work is also mandated. The rewards of the program, however, are the tangible and intangible benefits to land value and neighborhood architectural integrity as well as the significant tax benefits available to the owner if he or she chooses to participate in the City's historic preservation program.

This program assists the City in meeting two Strategic Plan goals: Vibrant Neighborhoods and Commercial Areas and Beautiful City - Attractive Developments, Green Spaces and Vistas.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **43**

INTRODUCED BY COUNCILLORS

SERIES OF 2007

**A RESOLUTION OF THE WESTMINSTER CITY COUNCIL AGREEING TO ACT AS A
REVIEWING ENTITY FOR THE STATE INCOME TAX CREDIT PROGRAM FOR
QUALIFYING REHABILITATION PROJECTS UNDER COLORADO HOUSE BILL 90-1033
(C.R.S. § 39-22-514, AS AMENDED)**

WHEREAS, the Westminster Historic Landmark Board and the City Council support the creation of incentives to assist in the preservation and protection of historically significant resources; and

WHEREAS, Colorado House Bill 90-1033 (C.R.S. § 39-22-514, as amended) was signed into law April 20, 1990, establishing tax credits for historic structures throughout the state; and

WHEREAS, the City of Westminster, as a Certified Local Government, pursuant to the provisions of 16 U.S.C. § 470 (a) (C) (1), as amended, is eligible to review such rehabilitation tax credit projects as a reviewing entity as defined by C.R.S. § 39-22-514 (12) (1); and

WHEREAS, the provisions of C.R.S. § 39-22-514 (10) (a) require that each Certified Local Government adopt annually a resolution stating whether such Certified Local Government will act as a reviewing entity during the following twelve (12) months; and

WHEREAS, the Historic Landmark Board, as the City of Westminster's official review board for historic resources, endorses rehabilitation project reviews at the local level, which provide an increased level of preservation service to our community.

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

The City of Westminster, through its Historic Landmark Board, hereby agrees to act as a reviewing entity for the purposes of subsections (3) and (6) of C.R.S. § 39-22-514 for calendar year 2008. The City will maintain the "preservation fund" as required by C.R.S. § 39-22-514 (11) (a), for use in administering the program and to provide information and education to the community within the context of historic preservation.

PASSED AND ADOPTED this 26th day of November, 2007.

Mayor

ATTEST:

City Clerk



Agenda Item 10 D

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Resolution No. 44 re Right-of-Way Acquisition for the Big Dry Creek Trail at Wadsworth Boulevard Project

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

Adopt Resolution No. 44 authorizing City Staff to proceed with the acquisition of rights-of-way and easements necessary for the Big Dry Creek Trail at Wadsworth Boulevard project, including the use of eminent domain, if necessary.

Summary Statement:

- This trail project includes the construction of approximately 1100 feet of new trail on the Big Dry Creek trail system, the reconstruction of 1600 feet of Wadsworth Boulevard between 98th Avenue and 99th Place and the installation of a new bridge over Big Dry Creek to accommodate the grade-separated trail under Wadsworth Boulevard.
- One-half of the project costs are funded by the “ready-set-go” enhancement pool program administered by the Colorado Department of Transportation (CDOT) on behalf of the Denver Regional Council of Governments (DRCOG) and the federal government. The City’s and federal government’s contributions towards this project will each be \$2,145,000 for a total project cost of \$4,290,000.
- The final design of this project is nearly complete. All environmental reports and permits have been completed and the Colorado Department of Transportation has “cleared” the project, which allows right-of-way acquisitions to begin.
- There are five privately owned parcels affected by the improvements. The acquisition of the fee parcels and easement parcels necessary to construct the project will be negotiated by Universal Field Services, an independent acquisition firm hired by the City.

Expenditure Required: \$4,290,000 (total project cost)

Source of Funds: General Capital Improvement Fund

Policy Issue

Should the City proceed with the right-of-way acquisitions for the Big Dry Creek Trail at Wadsworth Boulevard Project?

Alternative

Alternatives include postponing or abandoning this project. Given the amount of federal participation in this project (\$2,145,000) that would be lost if the City does not proceed with the right-of-way acquisitions and construction, these alternatives are not recommended.

Background Information

The Big Dry Creek Trail at Wadsworth Boulevard Project is an important link in the Big Dry Creek trail system. The current trail crossing of Wadsworth Boulevard is the only location where the Big Dry Creek Trail crosses a major street at-grade rather than through an underpass. The major element of this project will be the construction of a new bridge on Wadsworth Boulevard to provide the necessary vertical clearance for the trail to pass under the street and to also accommodate the flow of 100-year storm waters under the bridge structure to prevent the flooding of any structures in the area. To meet these requirements, the roadway will need to be raised approximately nine feet above its current elevation at Big Dry Creek. Wadsworth Boulevard will be reconstructed from approximately 99th Place to a point south of 98th Avenue. The new section of trail installed as part of this project will tie into the existing trail on the east side of Wadsworth Boulevard at the 99th Avenue alignment and on the west side of Wadsworth Boulevard at the intersection of Yarrow Street and 99th Avenue (near the Jefferson Academy). The 99th Avenue roadway is currently used as the Big Dry Creek Trail in this vicinity. A separate project may later provide a detached trail along 99th Avenue between the limits of this project and the railroad underpass to the west.

The design of this project is nearing completion and it is now necessary to begin right-of-way acquisition so that construction can begin in early 2008. Universal Field Services has been hired by the City to accomplish the acquisitions. This firm is highly qualified, is pre-qualified by CDOT and recently performed acquisitions for the City of the 104th Avenue and Sheridan Boulevard intersection improvement project.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment - Resolution

RESOLUTION

RESOLUTION NO. **44**

INTRODUCED BY COUNCILLORS

SERIES OF 2007

**A RESOLUTION
FOR RIGHT-OF-WAY ACQUISITION FOR THE BIG DRY CREEK TRAIL
AT WADSWORTH BOULEVARD PROJECT**

WHEREAS, the Westminster City Council has determined that it is necessary to the public health, safety and welfare to acquire certain parcels of land to accommodate the construction of the Big Dry Creek Trail at Wadsworth Boulevard Project; and

WHEREAS, property appraisals prepared by a professional appraisal company experienced in performing appraisals, were submitted to the Colorado Department of Transportation who determined the fair market value of the property rights being acquired in each of the parcels; and

WHEREAS, the City will make an earnest good faith offer to purchase each of the subject parcels; and

WHEREAS, a delay in the acquisition of any of the parcels could result in a delay of the Big Dry Creek Trail at Wadsworth Boulevard Project, thus creating a hardship on the general population of the City of Westminster wishing to utilize the proposed improvements; and

WHEREAS, the City Attorney has advised that the City may exercise its right of eminent domain should normal negotiations fail; and

WHEREAS, City Council finds that if acquisition by condemnation of any parcel described in this resolution is commenced, immediate possession by the City may be necessary for the public health, safety and welfare in order to keep the Big Dry Creek Trail at Wadsworth Boulevard Project on the desired schedule.

NOW, THEREFORE, the Westminster City Council resolves that:

1. The City Manager is hereby authorized to establish minimum just compensation for acquisition of the property interests necessary to build the Big Dry Creek Trail at Wadsworth Boulevard Project.

2. City Staff is authorized to proceed with negotiations to acquire the necessary property interests in the area shown on Exhibit A, including remainders pursuant to W.M.C section 15-1-11, 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 these purchases.

4. The City Attorney is authorized to take all necessary legal measures to acquire the property interests in question, including proceeding with condemnation of the properties 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 properties in question, including, without limitations, contractual services, the cost of title examination, title insurance, appraisal fee payments mandated by statute, normal closing costs, filings fees and charges and all other related or incidental costs or expenses customarily associated with the acquisition or condemnation of property. The cost shall be charged to the General Capital Improvement Fund.

6. The Senior Projects Engineer managing the project 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 26th day of November, 2007.

ATTEST:

Mayor

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney's Office



Agenda Item 10 E

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Resolution No. 45 re 2008 Jefferson County Joint Venture Grant Application

Prepared By: Peggy Boccard, Recreation Services Manager

Recommended City Council Action

Adopt Resolution No. 45 authorizing the Department of Parks, Recreation, and Libraries to apply for a Jefferson County Joint Venture Grant for the 2008 funding cycle in the amount of \$250,000 for renovation of the Westminster Sports Center.

Summary Statement

- The Department of Parks, Recreation and Libraries wishes to pursue a grant from the Jefferson County Joint Venture Grant Program for reimbursement of costs associated with the renovation of the Westminster Sports Center, a City-owned indoor soccer facility.
- Staff recommends requesting a \$250,000 grant, which would be 50% of the total project budget of \$500,000.
- The Department of Parks, Recreation and Libraries has spent approximately \$263,463 to date of the Parks, Open Space and Trails bond allocation of \$500,000 on the dasher boards, synthetic turf and the multi-purpose court surfacing for the Westminster Sports Center. These are the items that Staff is requesting the grant to be used towards.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City pursue grant monies from the Jefferson County Joint Venture Grant Program for the reimbursement of expenditures for the Westminster Sports Center?

Alternative

Council could choose not to pursue reimbursement for the Westminster Sports Center; however, Staff believes this project is an excellent candidate for funding and this is an opportunity to re-coop some unexpected expenditures.

Background Information

The Westminster Sports Center, located at 6051 W. 95th Avenue, is a City-owned indoor soccer facility that was formerly leased and operated by a private entity, Colorado Soccer LLC. The City of Westminster acquired this 33,000-square-foot metal building from The Trend Company, a residential developer, in the late 1970s.

In November of 1994, Staff recommended City Council sign a seven-year lease agreement with AMAYA Soccer and Sports Inc. d.b.a. Colorado Soccer requiring them to pay \$4,000 per month to the City for the purpose of operating an indoor soccer arena. The lease was renewed in 2001 with AMAYA Soccer and Sports Inc. d.b.a. Colorado Soccer at \$5,000 per month for an additional seven years, expiring in November 2008.

In February, 2007, City Council gave City Staff the approval to take over the operations of the Westminster Sports Center due to unsatisfactory customer feedback and lack of focus given to Westminster teams. The City exercised its option to terminate the lease early in March of 2007.

In April of 2007, City Council reviewed a list of projects submitted by City Staff for possible use of Bond funds from the 2006 voter approved open space/parks sales tax extension. After its review, Council approved Staff's recommendation to allocate \$500,000 towards the complete renovation of the Westminster Sports Center. As the dasher boards, field turf, lights, etc., were all owned by the lessee, these items, along with the other infrastructure improvements were included in the renovation. On May 21, 2007, Colorado Soccer vacated the premises and the facility was turned over to the City of Westminster. Councillor's Bill No. 34 in June of 2007 approved use of supplemental funds to operate the facility and existing staff, with minor staffing additions, will be used to oversee the center.

On July 6, 2007, Council awarded contracts to Athletica and Rhino Sports for the dasher board system and synthetic turf and multi-purpose flooring and to \$263,463 has been spent on these items. The Westminster Sports Center renovation is scheduled to be completed and leagues to start in early December, 2007. Advanced registration is underway and all leagues are 95% full. Staff anticipates a successful re-opening and a formal ribbon cutting ceremony will take place in early 2008.

This project meets City Council's Strategic Plan Goal of "Financially Sustainable City Government" by providing alternative funding sources for capital improvement projects.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **45**

INTRODUCED BY COUNCILLORS

SERIES OF 2007

**GRANT REQUESTS FOR THE 2008 JEFFERSON COUNTY
JOINT VENTURE GRANT PROGRAM**

WHEREAS, Jefferson County has established a local government grant application process to assist municipalities and special districts within the County with the development of recreation capital improvements; and

WHEREAS, The City of Westminster has funded the renovation of the Westminster Sports Center, and;

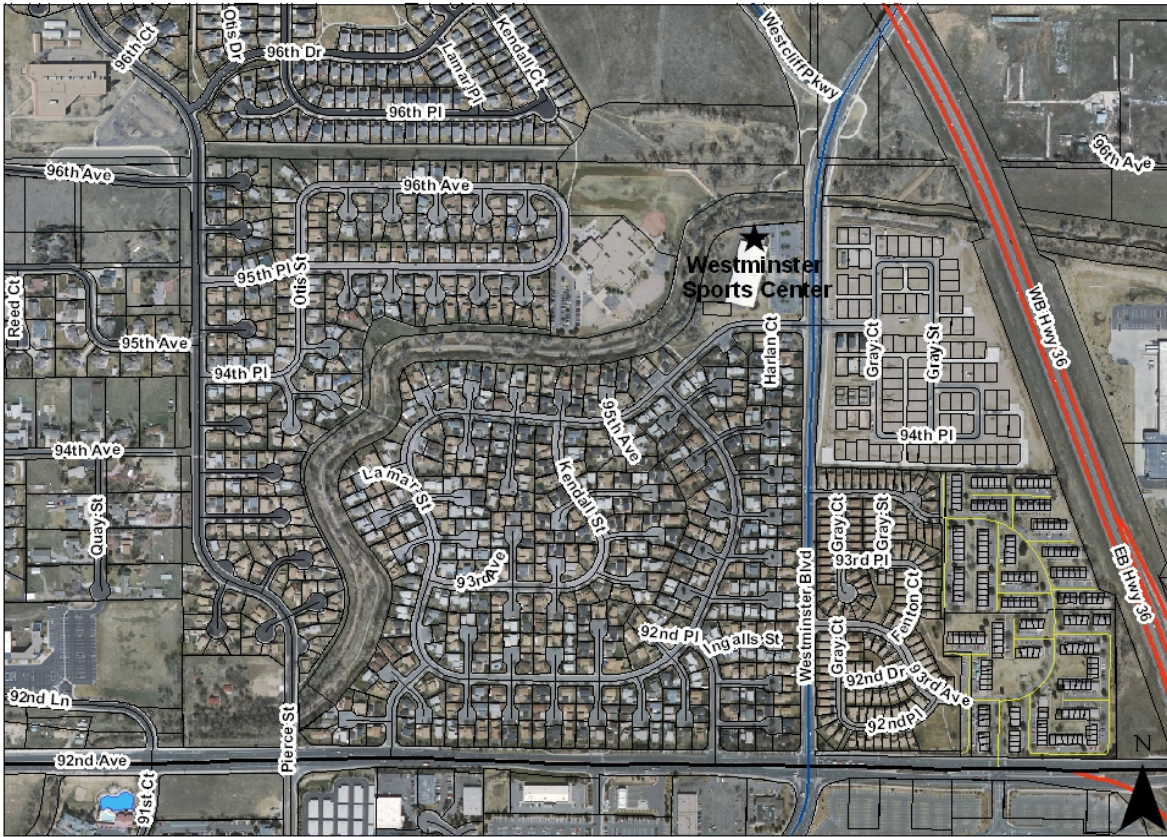
NOW, THEREFORE, the Westminster City Council hereby resolves that City of Westminster Staff submit a grant application to the Jefferson County Joint Venture Grant program for 2008, requesting funding in the amount of \$250,000 for reimbursement of monies spent to renovate the Westminster Sports Center.

PASSED AND ADOPTED this 26th day of November 2007.

ATTEST

Mayor

City Clerk



Location Map: Westminster Sports Center

NTS



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
November 26, 2007



SUBJECT: Councillor's Bill No. 63 re 2007 3rd Quarter Budget Supplemental Appropriation

Prepared By: Gary Newcomb, Accountant

Recommended City Council Action

Pass Councillor's Bill No. 63 on first reading providing for supplementary appropriations to the 2007 budget of the General, General Capital Improvement, Storm Drainage, and Golf Course Funds.

Summary Statement

- At the end of each quarter Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- This is the 2007 3rd quarter supplemental appropriation.
- General Fund amendments:
 - \$8,193 interest earnings
 - \$19,000 sponsorship fees
 - \$18,309 Police Department grants
 - \$130,269 Fire Department reimbursements
 - \$3,415 Fire Department program revenues
- General Capital Improvement Fund amendments:
 - \$22,055 interest earnings
 - \$132,349 Community Development grants
 - (\$299,467) IGA participation funds
 - \$2,156 recycling proceeds
 - \$30,000 funds transfer
- Storm Drainage Fund amendments:
 - \$200,000 developer participation funds
- Golf Course Fund amendments:
 - \$3,450 interest earnings

Expenditure Required: \$269,729

Source of Funds: The funding sources for these expenditures include interest earnings, sponsorship fees, grants, reimbursements, program revenues, participation funds, recycling proceeds and funds transfer.

Policy Issue

Does City Council support amending the appropriations for the 2007 budget of the General, General Capital Improvement, Storm Drainage, and Golf Course Funds?

Alternative

The alternative would be not to amend the 2007 budget appropriations for the General, General Capital Improvement, Storm Drainage, and Golf Course Funds and utilize these funds for other purposes. Staff does not recommend this alternative as the various departments have already incurred expenses and covered them in their current budget in anticipation of appropriation of the funds.

Background Information

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

GENERAL FUND BUDGET AMENDMENTS

Interest was received in the third quarter of 2007 on Certificate of Participation (COPS) funds from the Ice Centre COPS, Westminster Blvd COPS, Public Safety Building COPS, Capital Facilities COPS, and 07 Refunding COPS in the amounts of \$7,186, \$853, \$39, \$1 and \$114 respectively. Issuance restrictions require the interest earnings be appropriated for use on the respective projects or debt service.

Economic Development received \$19,000 from Westminster merchants as sponsorship fees for the 2007 Westminster Business Appreciation Event. The funds are requested to be used for expenses that were incurred in putting on the event.

The Police Department received \$1,017 from the State of Colorado, Department of Public Safety on behalf of the Denver Metro Auto Theft Team (DMATT). The reimbursement award was used for detective overtime incurred for auto theft investigations by the Westminster Police detective working on DMATT.

The Police Department received \$14,986 from the City and County of Broomfield on behalf of the North Metro Drug Task Force for High Intensity Drug Trafficking Area (HIDTA) Investigations. This reimbursement award was for overtime incurred by members of the Police Department while working on Federal HIDTA cases.

The Police Department received \$2,306 from the City of Colorado Springs on behalf of the Internet Crimes against Children Task Force (ICAC). The ICAC task force is intended to target sexual predators of children who operate via the Internet. The reimbursement award was for detective overtime, training, and internet expenses while working on the ICAC task force.

The Fire Department received \$5,342 and \$1,694 from the City and County of Denver on behalf of the Urban Area Security Initiative (UASI). The reimbursement awards were for fire personnel overtime incurred while chosen fire personnel attended UASI training.

The Fire Department received a \$5,964 FEMA grant through the Colorado Urban Search and Rescue Task Force, West Metro Fire Protection District. The reimbursement grant award was for overtime salaries incurred by fire personnel while working on the task force.

The Fire Department received four reimbursements in the amounts of \$13,904, \$38,115, \$34,546 and \$30,704 from the State of Colorado Forrest Service on behalf of the Wildland Team. The reimbursement awards were used for fire personnel overtime salaries incurred during Wildland Team deployments to the "Sweet Farm Fire," "Blackrock Gulch Fire," "Blackrock Gulch Fire 2nd Deployment," and "Wicked Hicks Fire" respectively.

Finally, the Fire Department received \$3,415 in class registration fees for conducting CPR training classes. Funds from the registration fees were used to purchase EMS supplies used during the class.

At the November 12, 2007 Council meeting, Council approved a contract agreement with Graham Information Management Associates for professional document management consulting services. \$30,000 of the required expenditure was to be transferred from the General Fund Central Charges Budget. Staff is requesting to appropriate the transfer to the General Capital Improvement Fund.

GENERAL CAPITAL IMPROVEMENT FUND BUDGET AMENDMENTS

Interest was received in the third quarter of 2007 on Certificate of Participation (COPS) funds from the 144th Interchange COPS in the amount of \$22,055. Issuance restrictions require the interest earnings be appropriated for use on the project or debt service.

Community Development received a \$132,349 State Historical Society Grant from the State of Colorado. The grant award is to be used for the exterior restoration and rehabilitation of the Charles and Julie Semper Farm House.

At the August 13, 2007 Council meeting, Council approved an Intergovernmental Agreement (IGA) with the Urban Drainage and Flood Control District (UDFCD). Under the IGA, UDFCD has made a secondary contribution of \$533 in participation fund interest earnings that are to be used for the 104th and Sheridan Boulevard Intersection improvement project.

At the May 14, 2007 and again at the August 13, 2007 Council meetings, Staff mistakenly recommended and Council approved the appropriation of \$300,000 for the UDFCD IGA referenced in the previous paragraph. This resulted in the amount being appropriated twice and Staff is requesting to un-appropriate these funds at this time.

The City received \$2,156 in recycling proceeds from the recycling of scrap metal removed by Building Operations and Maintenance staff from the former Police Department Building on 88th Avenue and Sheridan Blvd. The funds are requested to be appropriated to the BO&M Major Maintenance Capital Project.

STORM DRAINAGE FUND BUDGET AMENDMENTS

The City received \$200,000 from the developer of the Quail Crossing Commercial project at the southwest corner of 136th Avenue and Huron Street. The funds are the developer's share of improvements to Quail Creek channel being done by the City and are being requested to be appropriated to the Quail Creek Capital Improvements project.

GOLF COURSE FUND BUDGET AMENDMENTS

At the April 23, 2007 Council Meeting, Council approved an addition to the master lease for golf course maintenance equipment at Legacy Ridge Golf Course. Interest was received throughout 2007 on lease funds in the amount of \$3,450. The interest earnings are being requested to be appropriated for the purchase of additional golf course maintenance equipment.

These appropriations will amend General Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Interest Ice Center	1000.42530.0077	\$10,801	\$7,186	\$17,987
Interest 99 COPS	1000.42530.0276	811	853	1,664
Interest 01 COPS	1000.42530.0215	2,315	39	2,354
Interest Cap Facility	1000.42530.0209	131	1	132
Interest 07 COPS	1000.42530.0277	817	114	931
Contributions	1000.43100.0000	5,000	19,000	24,000
State Grants	1000.40620.0000	105,006	1,017	106,023
Federal Grants	1000.40610.0000	34,316	17,292	51,608
Reimbursements	1000.43080.0000	59,969	13,000	72,969
General	1000.43060.0000	342,012	117,269	459,281
Off Duty Fire Svcs	1000.41340.0013	150,000	<u>3,415</u>	153,415
Total Change to Revenues			<u>\$179,186</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Lease Payment Ice Center	10010900.67700.0077	\$1,047,224	\$7,186	\$1,054,410
Lease Payment 99 COPS	10010900.67700.0276	1,260,888	853	1,261,741
Lease Payment 01 COPS	10010900.67700.0215	2,315	39	2,354
Lease Payment Capital Facilities	10010900.67700.0209	1,122,414	1	1,122,415
Lease Payment 07 COPS	10010900.67700.0277	928,924	114	929,038
Special Promotions	10030340.67600.0000	21,900	19,000	40,900
Salaries OT – Investigative Svcs	10020300.60400.0344	242,112	17,025	259,137
Career Development Investigative Svcs	10020300.61800.0344	22,953	1,284	24,237
Salaries Overtime	10025260.60400.0000	187,615	94,140	281,755
Salaries OT – EMS	10025260.60400.0546	70,000	34,337	104,337
Career Development	10025260.61800.0000	50,081	1,792	51,873
Supplies – EMS	10025260.70200.0546	5,280	3,415	8,695
Professional Svcs	10010900.65100.0000	217,500	(30,000)	187,500
Transfers GCIF	10010900.79800.0750	5,574,463	<u>30,000</u>	5,604,463
Total Change to Expenses			<u>\$179,186</u>	

These appropriations will amend General Capital Improvement Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Interest 05 COPS	7500.42530.0274	\$85,994	\$22,055	\$108,049
State Grant	7500.40620.0000	30,000	132,349	162,349
General	7500.43060.0000	760,000	(297,311)	462,689
TRF General Fund	7500.45000.0100	5,665,463	<u>30,000</u>	5,695,463
Total Change to Revenues			<u>(\$112,907)</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
COP 144 th Interchg Capital Improve	80575030733.80400.8888	\$1,955,944	\$61	\$1,956,005
COP 144 th Interchg	80575030713.80400.8888	16,504,212	21,994	16,526,206
CD Historical Grant	80675030428.80400.8888	32,647	132,349	164,996
104 th /Sheridan Intersection Improv	80175030198.80400.8888	695,926	(299,467)	396,459
BO&M Major Maint	80375012312.80400.8888	575,659	2,156	577,815
Records Mgmt	80775012815.80400.8888	35,000	<u>30,000</u>	65,000
Total Change to Expenses			<u>(\$112,907)</u>	

These appropriations will amend Storm Drainage Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contributions	2500.43100.0000	\$0	<u>\$200,000</u>	\$200,000
Total Change to Revenues			<u>\$200,000</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Quail Creek Channel Improvements	80425030613.80400.8888	\$300,000	<u>\$200,000</u>	\$500,000
Total Change to Expenses			<u>\$200,000</u>	

These appropriations will amend Golf Course Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Interest Earnings	2200.42510.0000	\$0	<u>\$3,450</u>	\$3,450
Total Change to Revenues			<u>\$3,450</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Other Equipment	22050720.76000.0000	\$595,380	<u>\$3,450</u>	\$598,830
Total Change to Expenses			<u>\$3,450</u>	

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

Respectfully submitted,

J. Brent McFall
City Manager
Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **63**

SERIES OF 2007

INTRODUCED BY COUNCILLORS

**A BILL
FOR AN ORDINANCE AMENDING THE 2007 BUDGETS OF THE GENERAL, GENERAL
CAPITAL IMPROVEMENT, STORM DRAINAGE AND GOLF COURSE FUNDS AND
AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2007 ESTIMATED
REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2007 appropriation for the General, General Capital Improvement, Storm Drainage, and Golf Course Funds, initially appropriated by Ordinance No. 3316 are hereby increased in aggregate by \$239,729. This appropriation is due to the receipt of interest earnings, sponsorship fees, grants, reimbursements, program revenues, participation funds, and recycling proceeds.

Section 2. The \$239,729 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item #10F dated November 26, 2007 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Fund	\$179,186
General Capital Improvement Fund	(112,907)
Strom Drainage Fund	200,000
Golf Course Fund	<u>3,450</u>
Total	<u>\$269,729</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 26TH day of November, 2007.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 10TH day of December, 2007.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the City of Westminster City Council meeting of Monday, November 26, 2007. Mayor McNally, Mayor Pro Tem Dittman, and Councillors Briggs, Kaiser, Lindsey, Major, and Winter were present at roll call.

The minutes of the November 12, 2007 regular meetings of 7 p.m. and 8 p.m. were approved.

Council approved the following: October 2007 Financial Report; purchase of Northwest Water Treatment Facility compressed air equipment; and 2008 proposed CDBG and HOME Projects.

Council conducted a public hearing to consider an application to designate the Perry House at 4100 W. 76th Ave. as a Local Historic Landmark.

Council adopted the following Resolutions: Resolution No. 42 designating the Perry House a Local Historic Landmark; Resolution No. 43 concerning local review of State Income Tax Credit for rehabilitation costs of historic properties; Resolution No. 44 concerning right-of-way acquisition for the Big Dry Creek Trail at Wadsworth Blvd. Project; and Resolution No. 45 concerning a 2008 Jefferson County joint venture grant application for Sport Center renovation.

The following Councillor's Bill was passed on first reading:

A BILL FOR AN ORDINANCE AMENDING THE 2007 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT, STORM DRAINAGE AND GOLF COURSE FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2007 ESTIMATED REVENUES IN THE FUNDS. Purpose: appropriation of 3rd quarter 2007 Budget supplemental funds.

The meeting adjourned at 7:27 p.m.

By order of the Westminster City Council
Linda Yeager, MMC, City Clerk

Published in the Westminster Window on December 6, 2007