

Staff Report

TO: The Mayor and Members of the City Council

DATE: January 8, 2009

SUBJECT: Briefing and Post-City Council Briefing Agenda for January 12, 2009

PREPARED BY: J. Brent McFall, City Manager

Please Note: Study Sessions and Post City Council briefings are open to the public, and individuals are welcome to attend and observe. However, these briefings are not intended to be interactive with the audience, as this time is set aside for City Council to receive information, make inquiries, and provide Staff with policy direction.

Looking ahead to Monday night's Briefing and Post-City Council meeting briefing, the following schedule has been prepared:

Dinner 6:00 P.M.

Council Briefing (The public is welcome to attend.)

6:30 P.M.

CITY COUNCIL MEETING

7:00 P.M.

POST BRIEFING (The public is welcome to attend.)

PRESENTATIONS

- 1. Selection of 2009 Council Community Outreach Program Events and Dates Attachment
- 2. DEPFA Bank Payment Attachment

CITY COUNCIL REPORTS

- 1. Report from Mayor (5 minutes)
- 2. Reports from City Councillors (10 minutes)

EXECUTIVE SESSION

None at this time

<u>INFORMATION ONLY STAFF REPORTS</u> – do not require City Council action

1. Traffic Signal Installation Criteria - Attachment

Items may come up between now and Monday night. City Council will be apprised of any changes to the post-briefing schedule.

Respectfully submitted,

J. Brent McFall City Manager



Staff Report

City Council Study Session Meeting January 12, 2009



SUBJECT: Selection of 2009 Council Community Outreach Program Events and Dates

PREPARED BY: James Mabry, Neighborhood Outreach Coordinator

Recommended City Council Action:

Staff is requesting Council's direction in selecting event formats and dates for the City Council Community Outreach events for spring 2009.

Summary Statement:

The background section of the report sets forth Staff's ideas on possible formats for community outreach meetings and public interactions for 2009. Staff is seeking direction from City Council at this time in selecting event formats and dates for the spring of 2009. Upon receiving Council direction for events for 2009, Staff will commence planning spring events and will return to Council later this summer for direction on event and date selection for September, October, and November events. Council previously provided input to Staff that two Council Outreach Events should be planned for the spring (in addition to the Forza Coffee event scheduled for January 13th).

In spring 2009, Council has scheduled the following other outreach events:

- Mayor & Council Breakfast February 26 at the MAC
- Mayor & Council Breakfast April 9 at the Reclaimed Water Treatment Facility

Staff asks that City Council bring their personal calendars to this meeting to aid in selecting events and dates for City Council Community Outreach Program events in 2009. Staff is providing City Council with the full 2009 calendar, as it stands as of this date, to provide the opportunity to look at other dates in 2009 if Council chooses to do so.

Expenditure Required: \$0

Source of Funds: N/A

Staff Report – Selection of 2009 Council Community Outreach Program Events and Dates January 12, 2009
Page 2

Policy Issue:

What dates and formats does City Council wish to choose for the City Council Community Outreach Program for the Spring of 2009?

Alternative:

Council could direct Staff to research and present additional concepts for the City Council Community Outreach Program and return with new proposals. Staff recommends selecting the City Council Community Outreach Program event formats and scheduling dates at this time due to demands for meeting space at City facilities and to provide adequate time for promotion of these activities to the public.

Background Information:

Below are the list of Community Outreach Meeting formats that were previously discussed with City Council at the October 20, 2008 Study Session, where Council indicated that two outreach meetings should be held (in addition to the meeting in January at Forza Coffee). This list is provided to provide formats that Staff believes can work, but is not intended to be exhaustive. These meetings will be in addition to City Council's four Mayor & Council breakfasts and four We're All Ears events, which will be scheduled in 2009 once Staff receives the calendared Summer Concert Series from the Parks, Recreation & Libraries Department in spring 2009.

For January 2009, Council City Council selected the community meeting theme of "Westminster City Council at Forza Coffee" utilizing a Westminster retail business for a community conversation meeting. This weeknight evening conversation was chosen to encourage and support casual conversations between City Council and Westminster residents in a relaxed environment.

Below is a list of proposed events, activities, and meetings that Staff recommends be used in tandem with each other, keeping the program dynamic and fresh. Staff does not recommend a strict meeting format but rather keep offering a dynamic variety of opportunities for the public to interact with City Council.

- 1. <u>Community Pancake Breakfast</u> Staff suggests hosting on a Saturday morning. This event would be held at City Park Recreation Center or the MAC utilizing kitchen facilities.
- 2. <u>Identity Theft Prevention Paper Shred</u> Staff suggests hosting this event on a Saturday morning. Staff recommends working with the Police Department and hiring a document shredding company to perform onsite document destruction and handout anti-ID theft pens.
- 3. Westminster Mayor & City Council Community Meeting Staff suggests hosting these on a weeknight evening or on a Saturday morning. Staff proposing that the format of these meetings could follow the successful Mayor and Council Breakfast format including the following possible topics: development projects updates, Westminster capital improvement projects updates, Westminster transit-oriented-developments, and other relevant community topics.
- 4. Westminster Community Homeowner Association Meeting Staff suggests hosting this on a weeknight evening or on a Saturday morning once every two years. This meeting would be for local homeowner association presidents and their membership to an annual round-table style

meeting with Westminster City Council. City Council seemed to have success with their Strategic Plan round table meeting with the Boards and Commissions chairpersons back in April 2008. Staff proposes a similar format for this meeting.

- 5. Westminster City Council at The Orchard Staff suggests tapping the special events being hosted at The Orchard on weeknight evenings or Saturdays. While The Orchard does conduct a concert series on Friday evenings during the summer, The Orchard staff suggested that these events may be too loud to have conversations with people attending. Instead, if City Council is interested in hosting an information booth at The Orchard again next spring, City Staff will work with The Orchard Staff to identify potential ways City Council can participate and engage the community in various events they may schedule.
- 6. Westminster City Council at Staff suggests hosting these events on a weeknight evening or Saturday at various locations around the City. This format is intended to be flexible and encourage more casual interactions with City Council at a local business or park for coffee, lunch or dinner for a resident-centered conversation on local concerns. Possibilities for locations include small businesses throughout the City, possibly tapping businesses like Rancho Liborio (when it opens), the Butterfly Pavilion, Promenade, etc.
- 7. Westminster City Council and Westminster Residents Paint Out Graffiti Staff suggests hosting this on a Saturday afternoon at a location to be determined. The Police Department could provide a very brief education on graffiti, why we are working to eradicate it, etc. and then tap resident volunteers working along side the City Council to paint out graffiti at affected community sites. The graffiti paint out along Little Dry Creek in October 2008 was premised on this format. If City Council is interested in pursuing this format again next spring, Staff will work with the Police Department to coordinate this event.
- 8. Westminster City Council hosts Roving Barbeques Staff recommends hosting these events on a Saturday afternoon or evening. The format would be a community gathering for a barbeque with City Council at various park locations, including Standley Lake, Ketner Lake, and/or McKay Lake. There may be opportunities to incorporate these roving barbeques into other events the Parks, Recreation & Libraries Department is already planning for these locations to maximize advertising, participation, and opportunities for community interaction.
- 9. Westminster City Council Helping Hands Staff suggests hosting these types of events on a Saturday. Staff proposes having the Westminster City Council assist a local non profit in collecting food and/or coats for local need. Several community agencies/charities regularly need and collect donations for food banks, winter clothing needs, etc. This would be an opportunity for City Council to help a local agency and interact with the volunteers/contributors supporting the agency.
- 10. <u>Community Issue Meetings</u> Staff suggests hosting these on an as-need basis. These meetings are intended to be scheduled impromptu when an issue or concern develops in the community where additional information is needed either to be gathered by City Council and Staff or to share with the community. Staff would pull together meetings in appropriate areas of the City as the need develops to help address any concerns.

Any of the items above can be combined, modified and adapted as City Council desires or community participation dictates. The logistics of advertising and promoting these community meetings will

Staff Report – Selection of 2009 Council Community Outreach Program Events and Dates January 12, 2009
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require contracted assistance for day care, food, advertising, design, marketing, promotion, and mass mailing event notices to Westminster residents.

If you have questions, please contact James Mabry at 303-658-2011 or at jmabry@cityofwestminster.us.

Respectfully submitted,

J. Brent McFall City Manager

Attachment

January	2009

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(6:30pm - 9:00pm)		Vision Committee)	Intervention Program	Mayors (The Egg and	8:30am Metro Mayors Cau
(Council Boardroom)		(4-6pm) (1290 Broa	(YAP) (Jeffco Admin	T 130th 9 Uses	Retreat (4400 E K
i i		5:00pm Metro North Chamber		I, 120th & Huron)	10:00am Community Reach
1		Business After Hours	4:30pm Ribbon Cutting -	9:30am Mtg with RTD	
	!		Discover Chiropractic	Representative's @	6:00pm Benjamin Joseph
	To an an an an an an an an an an an an an	7:00pm CANCELED: Special	6:00pm PR&L Advisory Board	9:30am (Broomfield,	Harris Eagle Scout
		Use & License Board	Mtg & Open Space A	City Council Room, O	Court of Honor (19
12	13				
:30pm RESCHEDULED:	7:00am Westminster Optimist	7:00am JeffTAAG (7:00am -	15	7:30am ADCOG Executive	
Youth Advisory Panel	Club @ 7am (Hyland	8:30am) (100 Jeffco			Faith Out-Of-Town (DC for Va
(5:30pm - 6:30pm)	7:30am 36 Commuting	Pkwy, Jeffco Admin	1	Committee Breakfast	10:00am Westminster
(UPDATED: PR&L Me	8:00am DRCOG Regional	Courts Bldg, Lookout		(7:30-9am) - Hosted	Historical Society
7:00pm City Council Meeting	2:00pm US 36 PAC Working	- :		by Bennett (Varies by	
(7-9pm) (Council	6:30pm Coffee with Council	7:00pm Historic Landmark		muncipality)	Faith Out-Of-Town (DC for Va
Chambers)		Board (Council Board			Talar out of Town (DC for Va
Chambers	7:00pm Planning Commission	Room)			!
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6:00pm CANCELLED: Study	8:30am DRCOG Regional	11:30am Jeffco Economic	Directors Meeting		raidi Ode Ol-Town (vvyoniine
Session Meeting	Transportation	Council Board M	(12050 Pecos St.,		
(6:00-9pm) (Council	Committee Meeting	5:30pm DRCOG Admin	Suite 200 - ACED		
Boardroom)	7:00pm Board of Adjustment	Committee & Board	Board Room)		
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	Chambers)	License Board Mta			
		License Board Pitg		,	
26	27	28	29	30	
7:00pm City Council Meeting	7:30am US 36 PAC Meeting	6:00pm ADCOG Dinner -	6:30pm Environmental	5:30pm Metro North Chamber	
(7-9pm) (Council	(Westminster's City	Hosted by Broomfield	Advisory Board	Annual Gala (The	
Chambers)	Park Recreation	(TBD)	Meeting 6:30p	Westin Westminster)	
	Center: Community		(College Hill Library	Westin Westimister)	
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February 2009

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8:30am Rocky Flats Stewardship Council 2:30pm UDFCD Annual Mtg @ 12:30pm (2480 W 5:30pm Youth Advisory Panel (5:30pm - 6:30pm) (6:30pm Study Session	3	7:15am Jefferson County Commissioners/Mayor 9:30am Metro Mayors Caucus Mtg @ 8:30am (Den 4:00pm DRCOG MVC (Metro Vision Committee) (7:00pm Special Use & License	7:30am US 36 MCC (7:30am - 9:00am) (odd num 12:00pm DRCOG - Officers Luncheon (DRCOG 4:00pm North Metro Arts Alliance (District 50, 5:00pm Metro North Chamber		
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7:00pm City Council Meeting (7-9pm) (Council Chambers)		MCC Legislative Visit (Washington 7:00am JeffTAAG (7:00am - 8:30am) (100 Jeffco 8:00am Colorado Division of Wildlife Coyote Sym 7:00pm Historic Landmark Board Mtg. 7:00p		7:30am Breakfast with Area Mayors (The Egg and I, 120th & Huron)	10:00am DAR Presentation o Award (TBD)
16	17	18	19	20	
6:00pm CANCELLED: Study Session Meeting (6:00-9pm) (Council Boardroom)	8:30am DRCOG Regional Transportation Committee Meeting (1290 Broadway, Independence Pass Conf. Room)	11:30am Jeffco Economic Council Board Meeting (Jeffco 5:30pm DRCOG Admin Committee & Board 7:00pm Special Use and License Board Mtg		7:30am ADCOG Executive Committee Breakfast (7:30-9am) - Hosted by Bennett (Varies by muncipality)	10:00am Westminster Historical Society (10:00 - 11:30 am)
23 7:00pm City Council Meeting (7-9pm) (Council Chambers)	24 7:00pm Planning Commission Meeting (7-8pm) (Council Board Room)	25 5:00pm Open Space Advisory Board Mtg. 5:00p (City Hall Main Level Conference Room)	7:00am 1st Qtr. Mayor & Council Breakfast 9:00am CML Policy Committee Meeting 11:30am ACED Board of Directors Meeting 6:30pm Environmental		

March 2009

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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
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5:30pm Youth Advisory Panel (5:30pm - 6:30pm) (Main Lvl Conf Rm)	2:00pm US 36 PAC Working Group (Broomfield city & County	9:30am Metro Mayors Caucus Mtg @ 8:30am (Den 4:00pm DRCOG MVC (Metro	7:30am US 36 MCC (7:30am - 9:00am) (odd num		
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(Council boardroom)		7:00pm Special Use & License	Alliance (District 50,		
7:00pm City Council Meeting	7:30am 36 Commuting	11	12		
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7:00pm City Council Meeting (7-9pm) (Council Chambers)	7:00pm Planning Commission Meeting (7-8pm) (Council Board Room)		11:30am ACED Board of Directors Meeting (12050 Pecos St., 6:30pm Environmental Advisory Board Meeting 6:30p		
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April	2009
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Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	April 1	7	3	
	9:30am Metro Mayors Caucus Mtg @ 8:30am (Den 4:00pm DRCOG MVC (Metro Vision Committee) (5:00pm Metro North Chamber	7:30am US 36 MCC (7:30am - 9:00am) (odd num 8:00am Tentative - Individual Councillor Interviews 12:00pm DRCOG - Officers	5:00pm Strategic Planning Retreat (TBD)	8:00am Strategic Planning Retreat (TBD)
	Business After Hours 7:00pm Special Use & License	Luncheon (DRCOG 4:00pm North Metro Arts		
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	7:00am JeffTAAG (7:00am - 8:30am) (100 Jeffco Pkwy, Jeffco Admin Courts Bldg, Lookout Mtn Rm)	7:00am 2nd Qtr. Mayor & Council Breakfast (Reclaimed Water Treatment Facility, 11:30am The Youth Alcohol Intervention Program (YAP) (Jeffco Admin	7:30am Breakfast with Area Mayors (The Egg and I, 120th & Huron)	9:00am Mayor's Easter Eggstravaganza (C Park Rec Ctr)
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7:30am 36 Commuting Solutions Steering Committee Mtg (363 8:00am DRCOG Regional Transportation C 7:00pm Planning Commission Meeting (7-8pm) (Co	11:30am Jeffco Economic Council Board Meeting (Jeffco 5:30pm DRCOG Admin Committee & Board 7:00pm Special Use and License Board Mtg	12:30pm UDFCD Mtg. 12:30 (2480 W. 26th Ave., #156-B)	7:30am ADCOG Executive Committee Breakfast (7:30-9am) - Hosted by Bennett (Varies by muncipality)	9:00am Arbor Day 10:00am Westminster 12:00pm Irving Street Librar
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8:30am DRCOG Regional Transportation Committee Meeting (1290 Broadway, Independence Pass Conf. Room)	6:00pm ADCOG Dinner - Hosted by (Varies)	8:00am Tentative - Individual Councillor Interviews with Lyle Sumek 11:30am ACED Board of Directors Meeting (12050 Pecos St., Suite 200 - ACED		
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7:00pm Planning Commission Meeting (7-8pm) (Council Board Room)		6:30pm Environmental Advisory Board Meeting 6:30p (College Hill Library		
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May 2009

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5:30pm Youth Advisory Panel		7:15am Jefferson County	7:30am US 36 MCC (7:30am	7:30am Breakfast with Area	8:00am Community Pride [
(5:30pm - 6:30pm)		Commissioners/Mayor	- 9:00am) (odd	Mayors (The Egg and	(City Hall Plaza)
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(Council Boardroom)		5:00pm Metro North Chamber	4:00pm North Metro Arts		
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		7.00pm Special Ose & License	Alliance (District 50,		
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:00pm City Council Meeting	7:30am 36 Commuting	7:00am JeffTAAG (7:00am -	***************************************	7:30am ADCOG Executive	.
(7-9pm) (Council	Solutions Steering	8:30am) (100 Jeffco		Committee Breakfast	10:00am Armed Forces Trib
Chambers)	Committee Mtg (363	Pkwy, Jeffco Admin		(7:30-9am) - Hosted	Day (Armed Force
	8:00am DRCOG Regional	Courts Bldg, Lookout		by Bennett (Varies by	10:00am Westminster
!	Transportation C	Mtn Rm)		muncipality)	
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	Meeting (7-8pm) (Co				
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:00pm Study Session	8:30am DRCOG Regional	11:30am Jeffco Economic	12:30pm UDFCD Mtg. 12:30		radation Hantacke
Meeting (6:00-9pm)	Transportation	Council Board M	(2480 W. 26th Ave.,		1
(Council Boardroom)	Committee Meeting	5:30pm DRCOG Admin	#156-B)		
	(1290 Broadway,	Committee & Board	•		
	Independence Pass	7:00pm Special Use and			Nancy - vacation Nantucke
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:00pm CANCELLED: City	7:00pm Planning Commission	Table 1	11:30am ACED Board of	Nancy - vacation Nantucket	Nancy - vacation Nantucke
Council Meeting	Meeting (7-8pm)		Directors Meeting		
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Chambers)	Room)	į	(12050 Pecos St.,		j
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			Advisory Board Meeting 6:30p		Taricy vacation Mantucke

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June	Z	U	U	9

	June 2009							July 2009					
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
June 1	2	3	4	5	
5:30pm Youth Advisory Panel		Metro North Chamber: 41st Annua	7:30am US 36 MCC (7:30am		
(5:30pm - 6:30pm)	or anabasa	9:30am Metro Mayors Caucus	- 9:00am) (odd		
(Main Lvl Conf Rm)		Mtg @ 8:30am (Den	numbered month -	1	
5:30pm Study Session	i e	4:00pm DRCOG MVC (Metro	12:00pm DRCOG - Officers		
(6:30pm - 9:00pm)	:	Vision Committee) (Luncheon (DRCOG		
(Council Boardroom)		7:00pm Special Use & License	4:00pm North Metro Arts		
		Board Mtg (7:00pm -	Alliance (District 50,		
8	9	10	11	12	
7:00pm City Council Meeting	7:30am 36 Commuting	7:00am JeffTAAG (7:00am -	5:00pm Metro North Chamber	7:30am Breakfast with Area	
(7-9pm) (Council	Solutions Steering	8:30am) (100 Jeffco	Business After Hours	Mayors (The Egg and	
Chambers)	8:00am DRCOG Regional	Pkwy, Jeffco Admin	(10701 Melody Drive,	I, 120th & Huron)	
!	Transportation C	Courts Bldg, Lookout	Ste. 414, Northglenn:	9:00am SAVE THE DATE:	.,
	2:00pm US 36 PAC Working	Mtn Rm)	Essential Therapy,	FRCC Foundation	
ļ	Group (Broomfield		Inc)	Create-A-Future Golf	
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	7:00pm Planning Commission			Invitational (Heritage	
:00pm Study Session	16	17	18	19	
		CML Conferen	ce (Vail, CO)		10:00am Westminster
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	Committee Meeting	5:30pm DRCOG Admin	#156-B)	Committee Breakfast	
	(1290 Broadway,	Committee & Board	5:00pm Summer Celebration	(7:30-9am) - Hosted	
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	7:00pm Planning Commission		6:30pm Environmental		
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(6:30pm - 9:00pm) (Council Boardroom)		5:00pm Metro North Chamber Business After Hours (550 W. 104th Ave,	Room)		
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6:00pm Study Session Meeting (6:00-9pm) (Council Boardroom)	8:30am DRCOG Regional Transportation Committee Meeting (1290 Broadway, Independence Pass Conf. Room)	5:30pm DRCOG Admin Committee & Board Mtg (DRCOG, 1290 7:00pm Special Use and License Board Mtg (7:00 -8:30pm) (C	7:00am 3rd Qtr. Mayor & Council Breakfast (City Park Recreation 12:30pm UDFCD Mtg. 12:30p (2480 W. 26th Ave., #156-B)	7:30am ADCOG Executive Committee Breakfast (7:30-9am) - Hosted 8:00am Jeffco Economic Council Board Meeting (Jeffco		
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7:00pm City Council Meeting (7-9pm) (Council Chambers)	8:30am DRCOG Regional Transportation Committee Meeting (1290 Broadway, Independence Pass Conf. Room)	11:30am CANCELLED: Jeffco Economic Council Board Meeting (Jeff 5:30pm DRCOG Admin Committee & Board 7:00pm Special Use and License Board Mtg	12:30pm UDFCD Mtg. 12:30p (2480 W. 26th Ave., #156-B)	7:30am ADCOG Executive Committee Breakfast (7:30-9am) - Hosted by Bennett (Varies by muncipality)	10:00am Westminster Historical Society (10:00 - 11:30 am)
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(6:30pm - 9:00pm)		4:00pm DRCOG MVC (Metro	4:00pm North Metro Arts		
(Council Boardroom)		7:00pm Special Use & License	5:00pm Metro North Chamber		
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(7-9pm) (Council Chambers)	7:30am 36 Commuting Solutions Steering	7:00am JeffTAAG (7:00am - 8:30am) (100 Jeffco		7:30am Breakfast with Area	
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7:00pm City Council Meeting (7-9pm) (Council Chambers)	8:30am DRCOG Regional Transportation Committee Meeting (1290 Broadway, Independence Pass Conf. Room)	5:30pm DRCOG Admin Committee & Board Mtg (DRCOG, 1290 S. Broadway, Ste 17 7:00pm Special Use and License Board Mtg (7:00 -8:30pm) (C	12:30pm UDFCD Mtg. 12:30p (2480 W. 26th Ave., #156-B)	7:30am ADCOG Executive Committee Breakfast (7:30-9am) - Hosted by Bennett (Varies by 4:00pm Jeffco Economic Council Board Meeting (Jeffco	10:00am Westminster Historical Society (10:00 - 11:30 am)
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6:00pm Study Session Meeting (6:00-9pm) (Council Boardroom)	7:00pm Planning Commission Meeting (7-8pm) (Council Board Room)		11:30am ACED Board of Directors Meeting (12050 Pecos St., Suite 200 - ACED Board Room)		
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7:00pm City Council Meeting (7-9pm) (Council Chambers)			6:30pm Environmental Advisory Board Meeting 6:30p (College Hill Library Rm #L167)		
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Staff Report

City Council/WEDA Board Post Meeting January 12, 2009



SUBJECT: Reimbursement Agreement Amendment with DEPFA Bank RE:

Westminster Economic Development Authority Bank Bonds

PREPARED BY: Robert Smith, Treasury Manager

Recommended City/WEDA Board Action:

Direct Staff to continue working with DEPFA Bank to delay the first principal payments due under the term bonds to a later date.

Summary Statement:

The report presents potential action by Council and the Board to sign an amendment to the existing reimbursement agreements for the Westminster Economic Development Authority's (WEDA) 2005, 2006, and 2007 debt issues.

Background Information:

WEDA issued three tax exempt variable rate debt issues that are backed by a Letter of Credit (LOC) agreement with DEPFA bank. These debt issues financed the following Urban Renewal Area (URA) projects:

- North Huron URA I-25 Interchange, widening of North Huron Street, and public improvements related to The Orchard development (WEDA Series 2005)
- Mandalay Gardens URA Land purchases and public improvements related to the Shops at Walnut Creek development (Originally issued in 2003 as taxable bonds and refunded in 2006 to tax exempt bonds)
- South Sheridan URA Architectural wall, street enhancements, and public improvements related to the redevelopment projects at 72nd Avenue and Sheridan Boulevard (WEDA Series 2007)

The current global crisis in the financial markets has resulted in significant uncertainty, particularly concerning bank credit worthiness if a bank owns significant amounts of collateralized mortgage obligations. Banks owning these assets have been downgraded by the rating agencies and DEPFA Bank, which issued the LOC for the above referenced WEDA Bonds, has been downgraded since the issuance of the WEDA bonds by the following rating agencies:

- Standard & Poor's: From AA-/A1+ to BBB/A-2; Outlook: Developing
- Moody's: From Aa3/VMIG1 to A2/P-1; Outlook: On review for downgrade

Investors look to the credit worthiness of the <u>letter of credit bank</u> to evaluate the risk of the bonds rather than the credit worthiness of the underlying revenues to pay debt service. When the credit

Staff Report – Reimbursement Agreement Amendment with DEPFA Bank RE: Westminster Economic Development Authority Bank Bonds
January 12, 2009
Page 2

worthiness comes into question, investors get nervous about owning the bonds supported by the LOC provider.

The uncertainty in the short-term credit market and credit risk of DEPFA bank initially resulted in short-term interest rates on the WEDA Bonds increasing to 9.0% in October 2008, up from the 1.70% they had traded at in September 2008. Ultimately however, buyers of these short-term WEDA Bonds tendered back the bonds to the bank. In each of WEDA's variable rate issues, the LOC provider will purchase any bonds that can not be remarketed to another investor. As of December 31, 2008, \$114,725,000 of the total \$114,825,000 outstanding had been tendered back to DEPFA, thus leaving only \$100,000 held by an investor.

All bonds tendered back to the Bank are deemed "Bank Bonds." Under the Reimbursement Agreement, for the first 90 days that the bonds become Bank Bonds bear an interest rate that fluctuates at the higher of (a) DEPFA Prime or (b) DEPFA Fed Funds plus 0.50%. For the month of December this rate was 3.73%. After the 90 day period the Bank Bonds convert to 10-year term bonds, which will mean that principal payments will be due quarterly and the interest rate will be calculated the same as noted above but at plus 1.25% versus 0.50%.

Since October 2008, Staff and the City's underwriter have been aggressively pursuing various options to replace DEPFA Bank as the LOC provider. To allow more time to find an alternative, Staff and the underwriter have also been negotiating with DEPFA bank to request an extension of the first principal payments due on February 1, 2009. The attachment is a draft of an Amendment to the Reimbursement Agreement drafted by WEDA's bond attorney. The amendment is subject to change but is attached for Council/Board review. It is possible that Staff may request Council and Board action at the January 26th meetings to approve the amendment.

While it is preferable to avoid making accelerated principal repayments, Staff estimates that current fund balances in addition to projected revenue collections in 2009 will be sufficient to pay interest and principal on each issue under the current Reimbursement Agreement provisions. Staff has conducted net revenue scenario analyses for each URA with debt obligations and has concluded that even with downward adjustments to sales tax revenue collections in 2009, WEDA could absorb the Bank Bond conditions. However, financial prudence warrants that an alternative solution be pursued that results in greater flexibility for the use of ongoing revenues within each of the URA's as well as more favorable financing terms. DEPFA Bank has been requested to delay the first principal repayment to allow WEDA additional time to find an alternative to the Bank Bond repayment conditions.

Staff and the City's bond underwriter will be on hand at the Post Meeting to address any questions Council/WEDA Board may have regarding the recommended action.

Respectfully submitted,

J. Brent McFall
City Manager/Executive Director of Authority

Attachment

AGREEMENT TO AMEND REIMBURSEMENT AGREEMENTS

This Agreement dated January ___, 2009, is among Westminster Economic Development Authority (the "Issuer"), the City of Westminster (the "City") and DEPFA Bank plc, acting through its New York Branch (the "Bank"). All terms used herein but not otherwise defined herein shall have the respective meanings given to such terms in the following agreements among the Issuer, the City and the Bank: Reimbursement Agreement dated as of May 1, 2005, Reimbursement Agreement dated as of March 1, 2006, and Reimbursement Agreement dated as of June 15, 2007 (collectively, the "Reimbursement Agreements").

WHEREAS, the Issuer, the City and the Bank have previously entered into each of the Reimbursement Agreements to provide for the issuance of a Letter of Credit to secure the payment of the Bonds and to provide a liquidity facility to pay the purchase price of the Bonds under certain circumstances; and

WHEREAS, a Liquidity Drawing has occurred under each Reimbursement Agreement and the Liquidity Advance has converted to a Term Loan; and

WHEREAS, the Issuer, the City and the Bank wish to amend the Reimbursement Agreements to provide that the first principal payment of each Term Loan shall be May 1, 2009; and

NOW, THEREFORE, the Issuer, the City and the Bank hereby agree as follows:

Section 1. Notwithstanding anything in the Reimbursement Agreements to the contrary, the first principal payment on each Term Loan currently outstanding shall be made on May 1, 2009.

Section 2. Except as expressly amended hereby, each Reimbursement Agreement remains in full force and affect.

DEPFA BANK plc, acting through its New York
Branch

By:_______Its: Managing Director

By:_______Its: Associate

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY

Bv:		
Dy.		

Its: Vice Chairperson	
Approved as to Legal Form:	
Attorney for the Issuer	<u></u>
CITY OF WESTMINSTER, COLORADO	
By: Its: City Manager	
Attest:	Approved as to Legal Form:
By: Its: City Clerk	City Attorney
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Staff Report

Information Only Staff Report January 12, 2009



SUBJECT: Traffic Signal Installation Criteria

PREPARED BY: Mike Normandin, Transportation Engineer

Summary Statement:

This report is for information only and requires no action by City Council. A request was made by Councillor Winter during the 2008 budget retreat to obtain information on traffic signal warrant and installation criteria. This information will assist Council when responding to public inquiries pertaining to traffic signal requests.

Background Information:

Several years ago, the attached document was developed to articulate the City of Westminster's standard procedures for specifying priority locations for the installation of traffic signals. City Staff compiles and continually updates a running list of intersections that citizens request to be signalized. All of the locations on the list are evaluated in the spring of each year using the attached criteria. The results of this investigation are then taken into consideration as part of the budget preparation processes for subsequent years.

The current range of costs for the installation of a traffic signal is between \$150,000 and \$250,000 depending upon the configuration (i.e. three-legged versus four-legged intersections) and the necessary span length of mast arms. Therefore, due to budgetary constraints, it is entirely possible that intersections that qualify for signalization under the City's criteria must wait in a prioritized "queue" until funding can be identified. This has not been the case in very recent years; no intersections within the City currently qualify for signalization. Among the locations that appear capable of meeting warrants in the near future are the intersections of 72nd Avenue/Depew Street and 120th Avenue/Zuni Street.

An important factor to remember is that portions or the entirety of Federal Boulevard, Sheridan Boulevard, Wadsworth Parkway and 120th Avenue are included in the state highway system. Requested signals on those roads must meet the criteria established by the Colorado Department of Transportation (CDOT) as well as the criteria observed by the City in order to be approved for construction for City funding of traffic signals. However, CDOT does not perform annual evaluations of potential intersections for signalization, so the Department cannot respond quickly to new requests. Furthermore, CDOT typically does not participate in the cost of new signals on the State Highway system unless those signals are associated with a State sponsored improvements project.

It should also be noted that the City attempts to place a pro rata share of the financial burden of new traffic signals on the developers of projects that may cause the need for these signals. For example, a

traffic study prepared during the planning of the Hyland Village development indicated the immediate need for a new signal at the intersection of Sheridan Boulevard/96th Avenue. McStain Homes, the developer of Hyland Village, paid for 50% (i.e. the northwest and southwest quadrants of the intersection) of the cost of this signal while the City paid for the remaining 50% of the total cost. Furthermore, the Official Development Plan for City Center Marketplace, located at the southeast corner of this intersection, calls for the future developer of the currently vacant parcel that is adjacent to the new signal to pay 25% of the signal cost to the City at the time that this parcel is platted. The Hyland Village traffic study also indicated the <u>future</u> need for a signal at the intersection of Sheridan Boulevard/98th Avenue. In this instance, the City collected 25% (i.e. the southwest quadrant of that intersection) of the estimated cost from McStain Homes for the City's use to supplement the budget to install a signal at this location once warrants are met.

Respectfully submitted,

J. Brent McFall City Manager

Attachment – Standard Procedure For Specifying Priorities for Installation Of Traffic Signals



DEPARTMENT OF COMMUNITY DEVELOPMENT ENGINEERING DIVISION

STANDARD PROCEDURE FOR SPECIFYING PRIORITIES FOR INSTALLATION OF TRAFFIC SIGNALS

I. INTRODUCTION

A traffic signal is used to control the assignment of right-of-way at a location where passive devices, such as signs and markings, do not provide the necessary control to properly move traffic in a safe and efficient manner. Traffic signals are most effective when they are provided in moderation, and a proliferation of signals should not be encouraged because:

- o While a traffic signal typically reduces the severity of accidents at an intersection, it generally does <u>not</u> reduce the <u>number</u> of accidents.
- o A traffic signal often increases total intersection delay. Increased delay translates directly to increased air pollution and fuel consumption.
- o A traffic signal installed at an improper location may seriously reduce or eliminate the ability to provide for signal progression along busy streets (a signal system is considered to provide progression when a main street through vehicle is able to traverse subsequent signals without stopping for a red signal indication).
- o A traffic signal is a sizable capital expenditure (\$150,000 to \$250,000) and a continuing operations and maintenance burden. The City's budget is not capable of supporting indiscriminate construction/maintenance of signals.

There are locations where providing a traffic signal is desirable and prudent. The purpose of this document is to articulate the City of Westminster's standard procedure for specifying priorities for installation of traffic signals.

II. OVERVIEW OF SIGNALIZATION PROCESS

There are five principal steps in the City's traffic signal implementation process:

- o Step 1 Warrant Examination. The determination of whether or not a location meets specific criteria that could justify installation of a signal.
- o Step 2 Implementation Criteria Examination. An investigation of locations meeting step 1 criteria that determines whether a signal is the best solution to the problems observed.
- o Step 3 Prioritization. Staff identification of the relative need for implementation of locations meeting step 2 criteria.
- o Step 4 City Council Authorization for Implementation. City Council consideration of the results of steps 1, 2 and 3, potentially leading to the appropriation of funds and authorization for staff to install signals at the locations specified by Council.
- o Step 5 Design and Construction. The preparation of design plans and bid documents, and the physical construction of the signal.

The first three steps are initiated on an annual basis. The warrant, implementation criteria examination, and prioritization process are typically conducted in the first half of the calendar year. The results of this process are then taken into consideration as part of the budget process for the subsequent two-year period. City Council authorization for implementation, design, and construction are initiated in the first quarter of the year for which the funding has been allocated and generally takes six to nine months to complete.

The standard procedure for specifying priorities for installation of traffic signals articulated herein covers steps 1 through 3 of the signalization process.

III. WARRANT EXAMINATION (STEP 1)

A warrant is a specific set of conditions that might justify installation of a traffic signal. The Federal Highway Administration of the U.S. Department of Transportation has issued warrants for traffic signals which are published in the document, <u>Manual on Uniform Traffic Control Devices</u> (MUTCD). Colorado state statutes require the State Department of Transportation to adopt "a manual and specifications for a uniform system of traffic control devices" based on the federal MUTCD, and require local governments that install traffic control devices to do so in conformance to the statewide uniform standards. The Colorado DOT has adopted the traffic signal warrants identified in the MUTCD, and the City of Westminster correspondingly recognizes these warrants as well.

The MUTCD lists eight different signal warrants. Three are related to traffic volume conditions on the main street and on the side street. One warrant considers the amount of pedestrian activity, and another is directed towards school crossings. One warrant considers crash experience, while another deals with roadway network (or "systems") needs. A final warrant considers installation of a signal to enhance the ability to provide for progressive movement. A copy of the MUTCD is available for review at the Engineering Division office and at the office of the City Clerk.

Engineering staff will coordinate the compilation of the requisite studies to determine if signal warrants are met for any location so requested or identified by City Council, City police, neighborhood associations, residents, engineering staff or any member of the public. A list of all locations examined will be prepared on an annual basis, indicating which warrants, if any, were met at each location. This list will be available at the Engineering Division office.

It is the City's practice that a location will <u>not</u> be signalized unless two or more of the signal warrants specified in the MUTCD are met, with two exceptions. The exceptions involve the warrants dealing with school crossings (Warrant 5) and accident experience (Warrant 7); if either of these warrants is met, the location will be considered for signalization on that basis alone.

IV. IMPLEMENTATION CRITERIA EXAMINATION (STEP 2)

The MUTCD (Chapter 4C.01) states that "satisfaction of a traffic signal warrant or warrants shall not in itself require installation of a traffic control signal". An engineering study should be conducted to determine whether or not "installation of a traffic signal will improve the overall safety and/or operation of the intersection". If such is not the case, a traffic signal should not be installed. City engineering staff will coordinate the compilation of the requisite engineering study for each location identified in step 1.

If, as a result of the engineering study, any of the following conditions applies, the location will not be considered to have met signal implementation criteria:

- 1. The engineering study concludes that some other action in lieu of signalization should be pursued to address the problems observed at the intersection. The engineering study must consider what other means are available to enhance safety and improve intersection operations (e.g., signing and striping, obstruction removal, installation of turn lanes) instead of signalization, and consider the cost-effectiveness of alternative approaches. At locations where an action other than signalization is recommended, this recommendation shall be conveyed to the City Engineer for consideration in the preparation of capital budget requests. "Recommended actions" other than signalization will be afforded equal consideration for implementation.
- 2. The engineering study concludes that providing a signal would impede the City's ability to provide progression. Progression is defined as the ability to provide a window of green time at each traffic signal along a corridor as vehicles transverse the roadway. The most desirable level of progression provides for an uninterrupted green window for traffic traveling in both directions on the corridor. The main factor usually affecting the ability to provide progression is the spacing between the traffic signals. Traffic signals with inappropriate spacing unusually cannot provide two-way progression. The progression investigation will be conducted for any location identified on a principal arterial (as specified in the City's Comprehensive Roadway Plan) or any street located in or adjacent to a major retail/office area, whether or not progressive movement is currently provided along that roadway.
- 3. The location is inconsistent with the access management plan for the roadway, if such a plan has been prepared by the City.

V. PRIORITIZATION (STEP 3)

It may not be possible for the City to install signals at all locations meeting the implementation criteria in any specific budget year. Staff will recommend priorities to Council based on the following criteria. The product of step 3 is a list of all locations recommended for signalization by City staff arranged in priority order.

The first step in the prioritization process is to separate the list of locations meeting the implementation criteria into those that meet the crash experience warrant and those that do not. Although signals do not necessarily reduce accidents, the crash experience warrant threshold (five correctable accidents in a one-year period) represents a level wherein signalization is expected to yield overall safety benefits. All locations that meet the crash experience warrant will be assigned a higher priority than those that do not.

Among locations that meet the crash experience warrant, priorities will be assigned based on the number of correctable accidents that have occurred during the past <u>two</u> calendar years. Further ties will be prioritized at the discretion of the City Engineer based on professional judgment considering other relevant factors as discussed below.

Among locations meeting the implementation criteria and that meet warrants <u>other</u> than the crash experience warrant, points will be assigned as follows on the basis of warrants met:

- o School Crossing (Warrant 5) 12 Points
- o Minimum Vehicular Volume (Warrant 1) 4 Points
- o Four Hour Volume (Warrant 2) 3 Points Each
- o Peak Hour Volume (Warrant 3) 2 points Each
- o Other Warrants 1 Point Each

Ties in the number of points awarded to the locations will be prioritized on the basis of the City Engineer's professional opinion regarding a number of factors, including but not limited to the following items which are listed in order of general importance:

- o Number of accidents in past two years.
- o Ratio of cross street volume to main street volume.
- o Hazard potential (regardless of actual accident history).
- o Speed limit.
- o Roadway horizontal/vertical alignment.
- o Sight distance available.
- o Compatibility with City trail system.
- o Other unique conditions.