



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council

DATE: November 28, 2007

SUBJECT: Study Session Agenda for December 3, 2007

PREPARED BY: J. Brent McFall, City Manager

Please Note: Study Sessions and Post City Council meetings are open to the public, and individuals are welcome to attend and observe. However, these meetings 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 next Monday night's Study Session, the following schedule has been prepared:

A light dinner will be served in the Council Family Room 6:00 P.M.

CITY COUNCIL REPORTS

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

PRESENTATIONS

1. Findings of Bornengineering, Inc. regarding Property Conditions and Physical Needs Assessments for City Facilities - Attachment
2. State Legislative Protocol Changes - Attachment

6:30 P.M.

EXECUTIVE SESSION

None at this time.

INFORMATION ONLY ITEMS – Does not require action by City Council

1. DRCOG Metro Vision 2035 Plan

Additional items may come up between now and Monday night. City Council will be apprised of any changes to the Study Session meeting schedule.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER

Staff Report

City Council Study Session Meeting
December 3, 2007



SUBJECT: Findings of Bornengineering, Inc. regarding Property Conditions and Physical Needs Assessments for City Facilities

PREPARED BY: Jerry Cinkosky, Facilities Manager

Recommended City Council Action:

This item is for information only; no City Council action is requested at this time. Bornengineering Staff will be present to give an overview of the report and findings of the physical needs assessments completed for City facilities.

Summary Statement:

In early 2007, Staff contracted with the firm of Bornengineering to conduct property condition and physical needs assessments of 24 major City facilities (report attached). Bornengineering Inc. was commissioned to prepare a property condition evaluation with physical needs analysis for site and building components for 24 major City facilities. The facilities addressed in this report are those that fall within the General Capital Improvement Fund. Utility Fund facilities fall within the Utilities Capital Program and were addressed in the Utility Infrastructure study conducted in 2006. The purpose of the evaluation was to inspect the architectural, structural and mechanical systems of each site to determine existing conditions and to identify and provide cost estimates to address these physical needs over the next twenty years. The physical needs consist of repairs, replacements, and significant maintenance items only. The identified replacement needs represent “like-for-like” items and do not include any enhancements or additions.

With the site evaluations and physical assessments complete, Staff is prepared to review this information with City Council. A summary of the consultant’s report is attached.

Expenditure Required: Addressed in City’s Capital Improvement Program

Source of Funds: General Capital Improvement Funds

Policy Issue:

Does City Council support and concur with the direction of the overall findings of the Bornengineering study?

Alternative:

City Council is encouraged to provide general feedback to staff on the property conditions and physical needs study.

Background Information

In early 2007 City Staff was directed to assess the present conditions of major City facilities and to create a long term maintenance plan and replacement schedule for the critical systems and components at these facilities. Through this assessment effort, Staff was also asked to derive cost estimates for these identified maintenance and replacement needs to assist with long-term financial planning.

Following a competitive bid process, Bornengineering, Inc. was selected to complete the property condition evaluations and physical needs analysis for major City facilities. Over the past year, Bornengineering's evaluation team of structural, electrical, and mechanical engineers worked with Building Operations & Maintenance Staff to inspect and assess 24 City owned facilities.

Components inspected included:

- Mechanical and boiler systems and associated components
- Roofing and associated flashing systems
- Foundations and structural components
- Exterior building envelopes and facades
- Interior amenities
- Security and fire protection systems and electrical components
- Flatwork
- Grading and drainage
- Landscaping, fences, retaining walls
- Pool filtration systems

These inspections were performed consistent with the Fannie Mae DUST™ physical assessment guidelines. In addition, the inspections utilized the American Society for Testing and Materials Annual Book of Standards along with applicable building codes, manufacturer's installation requirements and American Society of Heating Refrigeration and Air Conditioning Engineers (ASHRAE) Standards.

Upon completion of inspections, Bornengineering, Inc. provided the City a condition assessment report for each of the 24 City facilities that were inspected. All reports identify maintenance and replacement needs, recommended actions and cost estimates for each facility over the next 20 years. Each report details the following:

- Age of each component evaluated
- Recommendations to address immediate component issues in order to assure health and safety
- The expected useful and effective life of each component inspected (per industry standards)

- Recommended actions for the repair or replacement of each component
- Interior finish recommendations
- Cost estimates for recommended repair or replacement actions for each component. These estimates are broken down on an annual basis by facility and a cumulative estimate is provided for a 20-year projection. Cost estimates assume an inflation factor.

It is important to note that the recommended actions and cost estimates in each facility's report are based on numerous assumptions. The cost estimates provided assume that all work will be completed by general contractors. In actuality, the City's Building Operations and Maintenance Staff will be able to perform many recommended maintenance and replacement actions, most likely at a lower cost than what is identified. In addition, City Staff will be able to extend the effective useful life of numerous components through proper preventative maintenance and repair, thereby extending the recommended replacement date for certain components listed in the report.

Council will notice that each report's recommended actions and cost estimates begin in 2007. City Council's Adopted 2007 - 2008 Budget provided funding that has already addressed some of the identified items in these reports through the City's Capital Improvement Program (CIP). Council's Amended 2008 Budget also provides significant funds to address some of these identified needs. Specific budgeted CIP projects include Building Operations Major Maintenance, Fire Station Major Maintenance/Remodel and Recreation Facilities Major Maintenance.

Information from the facility needs assessment reports will also assist Staff as they work on completing a long-range General Fund Fiscal Model. The goal of the Fiscal Model will be to assist City Council and Staff in developing and establishing policies for long-term financial sustainability. The facility needs assessment reports will allow Staff to factor in long-term capital replacement needs and cost estimates into the General Fund Fiscal Model.

In addition to the 24 City facilities that have received Property Condition and Physical needs analysis, there are three major facilities that remain to be completed and placed in the Physical Needs Summary at a later date. During the time of the original needs assessments staff excluded both the former Westminster Police Department and Municipal Service Center facilities which were soon to be remodeled or construction was underway. In addition, with the possibility of Fleet Maintenance receiving facility upgrades during the Municipal Service Center construction project, staff requested Bornengineering to only assess concerns with immediate needs for the health and safety of the Fleet facility occupants. During Bornengineering's original assessment of the Fleet Maintenance facility three immediate needs were identified. Replacement of HVAC rooftop equipment, replacement of the facility roof that had been damaged during the snow storms in 2006 and replacement of the vehicle exhaust system. To date all three deficiencies have been corrected. A complete Needs Assessment of all Municipal Service Center facilities including Fleet Maintenance is expected to be performed upon the completion of the construction and remodel project. In addition to the Former Westminster Police facility and Municipal Service Center buildings, the Municipal Court facility received a Physical Needs assessment in early 2006 which is a separate document soon to be incorporated in the total Physical Needs Summary provided by Bornengineering.

Council should also note, Intergovernmental agreements with Hyland Hills and Lease agreements with other private entities do not require City funding for major capital expenditures so these facilities were not included in the facility Needs assessments. Those facilities include College Hill Library, Ice Center at the Promenade, former Carol Butts Ice arena, Community Reach Mental Health, (formerly the 76th Ave. Library) and Jeffco Head Start (formerly Kingsmill Library).

The Facility Needs Assessment provided by Bornengineering is a working document and will need to be continually updated to reflect changing conditions and to allow for adjustments to maximize investments of funds in City facilities. As part of Bornengineering's original proposal it included the use of Bornengineering's servers and software for the ability to add, remove and track expenditures, repairs and replacements for the next three years.

Staff believes Bornengineering has provided the City with very thorough facility reports that will assist the City in achieving City Council's Strategic Plan Goal of "Financially Sustainable City Government," specifically the Strategic Plan Objective of "Well Maintained City Infrastructure and Facilities."

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

November 5, 2007

City of Westminster – Department of General Services
c/o Mr. Jerry Cinkosky – Facilities Manager
4800 West 92nd Avenue
Westminster, Colorado 80031

Re: Property Condition Evaluation with Physical Needs Assessment
City of Westminster, Westminster, Colorado

Dear City of Westminster Representatives:

Thank you for the opportunity to provide professional evaluation services to the City of Westminster. It has been nothing short of pleasure working with facility management and city management personnel over the past year. We commend you for making the effort to evaluate and plan for the city's future expenditures.

Bornengineering is a multi-disciplined engineering firm specializing in evaluating the built environment. For more than 20 years, Bornengineering has performed more than 250 property condition evaluations for municipal, commercial and common interest realty associations. We are committed to providing owners and managers with the tools and the vital information necessary to effectively manage and plan for their properties continued operation.

We preformed a property condition evaluation with physical needs analysis for the following facilities:

- Animal Shelter
- Brauch Property
- City Hall
- City Park Recreation Center
- City Park Fitness Center
- Community Senior Center (MAC)
- Countryside Recreation Center
- Fire Department Storage Facility
- Fire Station 1
- Fire Station 2
- Fire Station 3
- Fire Station 4
- Fire Station 5
- Fire Station 6
- Fleet Maintenance (Exhaust System)
- Heritage Golf Course Clubhouse
- Heritage Golf Course Maintenance Facility

- Irving Street Library
- Kings Mill Pool Facility
- Legacy Ridge Golf Course Clubhouse
- Legacy Ridge Golf Course Maintenance Facility
- Public Safety Facility
- Sports Center
- Swim Fitness Center
- Westview Recreation Center
- Westminster Municipal Court Building

Project Approach

We were commissioned to prepare a property condition evaluation with physical needs analysis for the site and building components for the above mentioned facilities. The purpose of the evaluation was to inspect the site, architectural, structural and mechanical systems to determine existing conditions and to identify and provide cost estimates for physical needs over the term. These physical needs are repairs, replacements and significant maintenance items which will most likely be needed over the next 20 years (term).

OBSERVATIONS

Bornengineering's team specialists, accompanied by facility management staff, visited the subject property to visually observe the site and building components. We inspected a sample of the components which typically included the following:

- Grading and Drainage
- Flatwork
- Landscaping and Appurtenances
- Facade
- Roofing
- Interior
- Mechanical

The sampling of these components was adequate to determine, with confidence, the condition and cost estimates with acceptable accuracy. The current facilities management team provided some maintenance, repair and replacement information.

ASSESSMENT

The following Property Condition Report was assembled and describes the components observed and comments on our opinion of the components condition. The assessment included inspection and analysis of the major maintenance, repair or replacement tasks associated with the above mentioned components which normally involve significant expense or outside contracting.

The assessment was performed in alignment with The Fannie Mae DUS™ Physical Needs Assessment Guidelines as well as the ASTM E 2018-01 Standard Guide for Property Condition

Assessments and incorporated applicable building codes, manufacturer's installation requirements, and ASHRAE standards.

EXPECTED USEFUL LIFE

The Expected Useful Life was taken from the table provided in the Fannie Mae DUS™ Physical Needs Assessment Guidelines. We included an Expected Useful Life number for the various components. If we concluded that an estimate is inappropriate, we made necessary adjustments.

AGE

We included the actual Age of the component whenever possible. If the actual age was unknown, an estimate is provided.

EFFECTIVE USEFUL LIFE

We included an Effective Useful Life of the components in their "as is" condition. For standard components with standard maintenance, the Expected Useful Life could be used to determine Effective Useful Life by deducting the Age from the Expected Useful Life. A component with unusually high original quality or maintenance could have a longer life, or vice versa. Bornengineering applied our professional judgment in making a determination of Effective Remaining Life.

ACTION

If any action to the component is required – whether it is immediate or over the term of the assessment – the Action is noted with a general recommended work description, cost estimate and the associated timing.

QUANTITY

For items requiring action, the evaluator will note a quantity estimate, with the applicable unit of measure entered.

COSTS

Costs estimates will be determined first from actual bids received, then from historical costs provided, from unit costs obtained from projects of similar size and scope or from cost estimating guides (RS Means, Walkers Builders Estimators Reference Book, Dodge Unit Cost Guide).

PHYSICAL NEEDS OVER TERM

The actions for the various facility components were to be entered into a capital expenditure financial software program. The program produced a set of 20 year projections which includes the following information:

1. A summary page with general information about the facility.
2. Inflation factor applied to all future expenditures.
3. The annual contribution to the fund.
4. A 20-year projection graph that displays the capital contributions, balance and future estimated expenditures with inflation.
5. A summary report detailing the estimated expenditures assigned to the individual facility components.
6. An annual break down of the projections over the 20-year period in a calendar format.
7. A monthly break down of the capital expenditure analysis over the 20 year term.

The projections assume an inflation factor; typically, the value is around five percent, which reflects the average annual construction cost increase over the past 20 years. We recommend an annual update if there are any significant changes in the condition of the facility. Every three to five years, a thorough review of all these items should be conducted.

Assumptions

The costing for the major maintenance, repair or replacement tasks associated with the above mentioned components was assembled with the assumption that the work would be completed by a general contractor from the public labor pool. The actions assigned to the components reflect work that would repair, maintain or replace with like components.

Exclusions

Items not included in this evaluation are:

- Other facilities not specifically mentioned in this report.
- All site and building systems not specifically mentioned in the "approach" section of this report.
- Invasive or destructive testing of the site and building components.
- Environmental related items.
- Interior elements (interior remodels, flooring, wall coverings, restrooms, etc.) are included in the property condition report but not included in the physical needs analysis.

The assessment was based on Bornengineering's opinion of physical condition of the improvements and the effective remaining life of those improvements as of the date of the observation. The actual performance of the individual components may vary from a reasonably expected standard and will be affected by circumstances which occur after the date of this evaluation. The report is not intended to identify minor, inexpensive repairs.

Physical Needs Analysis

The attached matrix shows a summation of the estimated annual monetary need per facility by year to meet the estimated expenditures.

City of Westminster Physical Needs Analysis

Facility	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Animal Shelter	\$96,512.00	\$12,810.00	\$3,528.00	\$0.00	\$1,823.26	\$5,105.13	\$1,340.10	\$2,110.65	\$0.00	\$0.00
Brauch Property	\$0.00	\$8,925.00	\$551.25	\$0.00	\$0.00	\$0.00	\$9,380.67	\$9,146.15	\$0.00	\$0.00
City Hall	\$436,500.00	\$1,030,365.00	\$18,963.00	\$786,837.60	\$30,752.30	\$71,535.56	\$114,310.10	\$33,488.98	\$30,583.31	\$259,382.00
City Park Fitness Center	\$105,255.00	\$24,899.70	\$21,195.56	\$18,753.52	\$86,209.76	\$21,952.04	\$27,940.99	\$378,587.30	\$59,570.98	\$32,616.66
City Park Recreation Center	\$476,114.50	\$902,286.00	\$27,342.00	\$55,218.71	\$67,460.59	\$177,280.60	\$117,961.90	\$182,672.50	\$138,179.00	\$81,723.95
Countryside Recreation Center	\$222,396.00	\$54,075.00	\$38,697.75	\$1,736.44	\$13,735.22	\$5,105.13	\$8,710.62	\$10,975.38	\$24,673.50	\$54,451.60
Fire Department Storage Facility	\$5,500.00	\$84,735.00	\$2,205.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,142.00	\$0.00	\$0.00
Fire Station #1	\$5,500.00	\$375,900.00	\$551.25	\$4,051.69	\$2,431.01	\$24,887.48	\$2,680.19	\$4,924.85	\$10,342.18	\$1,551.33
Fire Station #2	\$8,000.00	\$4,200.00	\$1,102.50	\$3,704.40	\$1,215.51	\$1,276.28	\$19,967.42	\$212,472.10	\$1,477.46	\$4,964.25
Fire Station #3	\$2,500.00	\$64,995.00	\$61,740.00	\$4,630.50	\$3,281.87	\$1,276.28	\$2,010.14	\$3,799.17	\$16,252.00	\$6,205.31
Fire Station #4	\$4,000.00	\$56,122.50	\$61,188.75	\$578.81	\$1,215.51	\$10,593.13	\$2,345.17	\$1,407.10	\$2,954.91	\$775.66
Fire Station #5	\$30,000.00	\$175,869.50	\$65,047.50	\$4,630.50	\$53,725.37	\$16,591.66	\$6,700.48	\$10,131.12	\$10,342.18	\$6,205.31
Fire Station #6	\$3,500.00	\$185,532.90	\$65,598.74	\$1,736.44	\$9,965.93	\$17,867.94	\$9,779.75	\$4,502.72	\$4,432.37	\$2,326.99
Heritage Golf Course Maintenance Facility	\$2,000.00	\$10,657.50	\$5,236.88	\$2,315.25	\$2,431.01	\$14,039.09	\$8,710.62	\$9,990.41	\$32,740.40	\$11,014.43
Kings Mill Pool	\$3,700.00	\$117,442.50	\$0.00	\$53,250.74	\$1,215.51	\$0.00	\$107,475.60	\$15,478.10	\$88,868.91	\$0.00
Irving Street Library	\$3,000.00	\$28,560.00	\$62,070.74	\$1,736.44	\$3,646.52	\$8,295.83	\$2,010.14	\$113,975.10	\$2,216.18	\$2,326.99
Public Safety Center	\$6,500.00	\$11,550.00	\$170,887.50	\$20,837.25	\$9,116.30	\$76,576.88	\$6,700.48	\$27,579.16	\$6,648.55	\$11,634.96
Sports Center	\$1,000.00	\$671,475.00	\$3,307.50	\$0.00	\$607.75	\$0.00	\$1,340.10	\$703.55	\$52,449.65	\$0.00
Swim Fitness Center	\$228,850.00	\$302,925.00	\$76,182.74	\$906,420.30	\$74,510.52	\$84,872.70	\$343,332.40	\$106,798.90	\$50,676.70	\$24,045.58
Westview Recreation Center	\$14,400.00	\$60,795.00	\$15,876.00	\$16,669.80	\$48,377.14	\$54,752.46	\$46,099.28	\$24,905.67	\$21,275.35	\$44,988.50
Heritage Clubhouse and Restaurant	\$11,900.00	\$10,710.00	\$18,742.50	\$4,051.69	\$7,536.14	\$102,485.40	\$21,441.52	\$6,613.37	\$5,171.09	\$5,429.65
Legacy Golf Course Clubhouse	\$3,000.00	\$32,550.00	\$4,961.25	\$5,209.31	\$5,469.78	\$7,259.49	\$20,101.43	\$15,487.10	\$6,648.55	\$13,961.95
Legacy Golf Course Maintenance Facility	\$0.00	\$9,450.00	\$28,334.25	\$13,312.69	\$607.75	\$14,039.09	\$9,380.67	\$703.55	\$3,989.13	\$775.66
MAC	\$1,000.00	\$511,350.00	\$7,166.25	\$1,157.63	\$3,038.77	\$1,276.28	\$1,340.10	\$13,367.45	\$1,477.46	\$1,551.33
Yearly Total	\$1,671,127.50	\$4,748,180.60	\$760,476.91	\$1,906,839.71	\$428,373.52	\$717,068.45	\$891,059.87	\$1,217,962.38	\$570,969.86	\$565,932.11

City of Westminster Physical Needs Analysis

Facility	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Animal Shelter	\$19,566.27	\$6,841.35	\$41,304.67	\$2,828.47	\$0.00	\$0.00	\$5,457.18	\$0.00	\$0.00	\$3,790.42	\$27,891.44
Breach Property	\$0.00	\$4,275.85	\$0.00	\$0.00	\$0.00	\$0.00	\$12,442.38	\$0.00	\$10,829.78	\$0.00	\$0.00
City Hall	\$505,364.40	\$524,902.90	\$30,888.71	\$40,164.30	\$34,054.80	\$421,086.60	\$87,314.92	\$39,422.68	\$41,393.82	\$71,512.63	\$816,551.70
City Park Fitness Center	\$77,372.46	\$30,119.06	\$254,338.00	\$34,884.49	\$196,122.00	\$83,822.34	\$109,656.60	\$122,622.90	\$38,987.20	\$57,109.02	\$49,616.62
City Park Recreation Center	\$351,525.90	\$548,069.40	\$506,970.00	\$71,654.63	\$594,616.60	\$266,682.70	\$280,160.80	\$61,426.04	\$1,061,318.00	\$364,158.50	\$551,520.60
Countryside Recreation Center	\$42,351.24	\$11,117.20	\$25,141.97	\$10,936.76	\$13,859.51	\$3,118.39	\$96,919.56	\$3,438.03	\$3,609.93	\$14,656.30	\$81,456.13
Fire Department Storage Facility	\$2,443.34	\$0.00	\$25,141.97	\$0.00	\$0.00	\$9,355.17	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fire Station #1	\$59,454.63	\$23,944.74	\$64,650.79	\$3,771.30	\$80,187.18	\$3,118.39	\$10,914.37	\$1,146.01	\$2,406.62	\$5,053.90	\$21,226.36
Fire Station #2	\$1,628.89	\$3,762.75	\$42,561.77	\$21,684.95	\$1,979.93	\$17,047.20	\$4,802.32	\$12,606.09	\$200,230.50	\$2,526.95	\$30,512.90
Fire Station #3	\$14,985.82	\$2,566.51	\$37,712.96	\$5,091.25	\$41,578.54	\$22,868.20	\$6,985.19	\$2,292.02	\$2,406.62	\$6,822.76	\$2,653.30
Fire Station #4	\$12,216.70	\$2,993.09	\$8,979.28	\$1,885.65	\$989.97	\$7,276.24	\$223,198.80	\$1,146.01	\$1,203.31	\$2,526.95	\$1,326.65
Fire Station #5	\$40,233.68	\$27,356.87	\$7,183.42	\$12,633.84	\$8,909.69	\$12,473.56	\$23,356.74	\$9,168.07	\$9,626.47	\$16,930.55	\$49,085.97
Fire Station #6	\$10,099.14	\$96,116.06	\$75,425.92	\$5,091.25	\$3,959.86	\$5,197.32	\$11,346.57	\$5,730.04	\$3,609.93	\$6,822.76	\$5,306.59
Heritage Golf Course Maintenance Facility	\$135,198.20	\$6,071.70	\$5,836.53	\$6,599.77	\$3,959.86	\$4,157.85	\$4,365.75	\$42,631.51	\$6,016.54	\$8,844.32	\$5,306.59
Kings Mill Pool	\$32,903.66	\$3,762.75	\$0.00	\$70,523.23	\$19,799.30	\$138,768.40	\$4,365.75	\$0.00	\$0.00	\$2,526.95	\$0.00
Irving Street Library	\$4,886.68	\$43,100.53	\$559,049.80	\$15,085.18	\$2,969.90	\$3,118.39	\$6,548.62	\$182,215.30	\$3,609.93	\$159,197.70	\$3,979.94
Public Safety Center	\$830,247.20	\$31,641.26	\$19,036.07	\$19,799.30	\$8,909.69	\$1,655,865.00	\$17,462.98	\$374,973.90	\$10,829.78	\$53,065.91	\$25,206.31
Sports Center	\$44,468.80	\$5,986.19	\$25,141.97	\$942.82	\$0.00	\$73,801.91	\$3,274.31	\$25,670.59	\$0.00	\$1,263.47	\$2,653.30
Swim Fitness Center	\$156,210.90	\$70,465.95	\$117,448.90	\$45,821.25	\$83,157.07	\$66,109.87	\$535,212.10	\$35,526.26	\$247,881.60	\$447,522.50	\$279,922.70
Westview Recreation Center	\$28,831.42	\$113,908.50	\$25,860.32	\$167,257.00	\$336,588.20	\$29,936.54	\$82,294.32	\$53,633.19	\$992,488.90	\$58,877.89	\$38,207.45
Heritage Clubhouse and Restaurant	\$196,281.70	\$15,393.05	\$30,394.85	\$8,862.55	\$165,324.20	\$11,018.31	\$11,350.94	\$69,906.51	\$8,423.16	\$11,876.66	\$15,389.11
Legacy Golf Course Clubhouse	\$480,015.50	\$53,020.49	\$10,236.38	\$8,485.42	\$8,909.69	\$11,824.93	\$32,743.10	\$67,614.48	\$10,829.78	\$11,371.27	\$15,091.94
Legacy Golf Course Maintenance Facility	\$814.45	\$11,972.37	\$3,591.71	\$5,091.25	\$989.97	\$1,039.46	\$15,280.11	\$33,160.89	\$6,497.87	\$1,263.47	\$1,326.65
MAC	\$94,703.89	\$9,406.86	\$1,795.86	\$4,714.12	\$279,170.20	\$2,078.93	\$5,457.18	\$24,066.18	\$2,406.62	\$6,317.37	\$140,996.10
Yearly Total	\$3,141,804.87	\$1,646,795.43	\$1,918,691.85	\$563,808.78	\$1,886,036.16	\$2,849,765.70	\$1,590,910.59	\$1,168,396.70	\$2,664,606.36	\$1,314,038.25	\$2,165,228.35
										20 year total	\$34,388,073.95



WESTMINSTER

Staff Report

City Council Study Session Meeting
December 3, 2007



SUBJECT: Proposed State Legislative Protocol

PREPARED BY: Aric Otzelberger, Management Analyst
Matt Lutkus, Deputy City Manager

Recommended City Council Action:

Provide Staff with feedback and direction regarding proposed State legislative protocol changes, including the development of a 2008 City of Westminster Legislative Policy Statement.

Summary Statement:

- Recently, Staff from the City Manager's Office, City Attorney's Office, and General Services reviewed the City's existing protocol for taking official City positions on legislation and reviewed different approaches for improving this protocol.
- The major component of these proposed improvements is the creation and adoption of a 2008 City of Westminster Legislative Policy Statement. The goal of the proposed City of Westminster Legislative Policy Statement is to identify general legislative issues of interest to the City of Westminster along with the City's policy principles on these issues.
- Staff will utilize the proposed Legislative Policy Statement as a guiding policy when reviewing and analyzing bills introduced in the General Assembly that have an impact on the City's interests. When significant legislation is identified, Staff will provide City Council with a brief summary of legislation of substance and Official City Positions that are consistent with the principles of the Adopted Legislative Policy Statement. If Council does not express any concerns with the positions that Staff has taken on specific bills, Staff will communicate this position to the City's lobbyist and update the City's legislative scorecard to communicate with the public.
- If City Council supports the proposed protocol changes, Staff will develop a proposed Legislative Policy Statement and will bring this document to City Council for review and official action.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Does City Council concur with Staff's proposed State legislative protocol changes, including the development of a 2008 City of Westminster Legislative Policy Statement?

Alternatives

- 1) City Council could direct Staff to maintain the existing State legislative protocol. While this protocol has served the City well over the last several years, the proposed protocol changes would represent an improvement to the existing system. In addition, maintaining the existing protocol could raise concerns regarding Colorado's Open Meetings Law. While this is a legal "gray area" and no specific complaints have been received, Staff recommends proactive actions to improve the protocol to address these potential concerns.
- 2) City Council could direct Staff to bring each individual bill being considered for an Official City Position to City Council for action at either a regular City Council Meeting and/or at a Special Meeting. This alternative is not recommended due to the fast-paced nature of the State legislative process, along with the ever-changing nature of specific pieces of legislation. The proposed Legislative Policy Statement would give City Council the ability to provide policy direction to Staff, who could then effectively communicate positions on specific pieces of legislation based on the Legislative Policy Statement.

Background Information

As the 2008 State Legislative Session approaches, Staff is proposing several improvements to the City's protocol for taking official City positions on bills that are introduced in the State Legislature. Each year, over 600 bills are typically introduced that affect the City's interests, either in a positive or negative manner. Due to the fast-paced nature of the State Legislative process and the ever-changing language of numerous bills of substance, it is critical that the City of Westminster maintains an effective and responsive system for taking and communicating Official City Positions on relevant legislation.

Earlier this month, Staff from the City Manager's Office, City Attorney's Office, and General Services reviewed the City's existing protocol for taking official City positions on legislation and reviewed different approaches for improving this protocol. Staff conducted research and discussed different options with the Colorado Municipal League, along with the cities of Colorado Springs, Fort Collins, Lakewood, and others. Following this research and discussion, Staff developed the following proposed protocol improvements.

The major component of these proposed improvements is the creation and adoption of a 2008 City of Westminster Legislative Policy Statement. The goal of the proposed City of Westminster Legislative Policy Statement is to identify general legislative issues that significantly impact the City of Westminster along with the City's policy principles on these issues. These issues could have been addressed in the past at the legislature, or they could be issues that are anticipated in the future. This proposed Legislative Policy Statement will be consistent with City Council's Strategic Plan Goals and Objectives. The proposed Legislative Policy Statement is not meant to indicate positions on specific pieces of legislation. Staff's goal for this proposed document is to be broad but yet as inclusive as possible to capture important issues to the City. For instance, under the issue of "Local Control," the proposed Legislative Policy Statement might state: "The City urges State Legislators to respect Colorado's tradition of local control and to allow municipal officials to address local problems without interference from State government."

If City Council is supportive of this direction, Staff will develop a draft Legislative Policy Statement for City Council's review to be distributed with the agenda packet for the December 10 City Council Meeting. During the Post-Council meeting that evening, Staff will be available to address City Council's questions and gather any feedback on the draft Legislative Policy Statement. Staff would then proceed to make any appropriate changes and bring back the proposed Legislative Policy Statement to City Council for adoption by resolution at the December 17 City Council meeting.

If the Legislative Policy Statement is adopted, Staff will utilize this document as a guiding policy when reviewing and analyzing bills introduced in the General Assembly that have a potential impact on the City's interests. When significant legislation is identified, Staff will provide City Council with a brief summary of legislation of substance and Official City Positions that are consistent with the principles of the Adopted Legislative Policy Statement. This information will be communicated with City Council via email messages. If Council does not express any concerns with the positions that Staff has taken on specific bills, Staff will communicate these positions to the City's lobbyist and update the City's legislative scorecard to communicate with the public. Please see the "Proposed State Legislative Protocol" attachment for the full proposed legislative protocol, including information on giving testimony at the Capitol and interacting with the City's lobbyist.

It is important to note that if City Council has concerns over a specific piece of legislation and/or an Official City Position, City Council will have the ability to communicate this concern with Staff and the position can be altered. Staff's intention is to utilize significant discretion and judgment when analyzing introduced legislation, and to communicate Official City Positions based on the policy direction provided by the adopted Legislative Policy Statement and the City's Strategic Plan.

If Council is supportive of the direction to pursue a 2008 Legislative Policy Statement and adopts it by resolution, there will be several benefits. This Policy Statement will provide clearer policy direction on the front end of the State Legislative Session, thereby giving the City the ability to take more responsive action to specific pieces of legislation. In addition, the Legislative Policy Statement will allow both City Council and Staff to communicate with State Legislators and the public in a more effective and clearer manner regarding the City's positions on important policy issues.

As State legislation can have a significant impact on the City of Westminster and its citizens, this proposed change to the City's State Legislative Protocol would support all five of City Council's Strategic Plan Goals. Staff will be present Monday evening to provide additional information on the proposed State legislative protocol changes and to answer questions.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

PROPOSED STATE LEGISLATIVE PROTOCOL

Official City Position

The City of Westminster follows legislative activity in the Colorado General Assembly very closely. The City will take and communicate Official City Positions on bills that impact the City and its residents. Due to the fast-paced nature of the State Legislative process and the ever-changing language of numerous bills of substance, it is critical that the City of Westminster maintains an effective and responsive system for taking and communicating Official City Positions on relevant legislation.

Prior to each State Legislative Session, City Council will adopt a Legislative Policy Statement to identify general issues that significantly impact the City of Westminster, along with the City's policy principles on these issues. This Legislative Policy Statement is intended to be consistent with City Council's Strategic Plan Goals and Objectives. The Legislative Policy Statement does not indicate positions on specific pieces of legislation and it is not meant to be all-inclusive.

Using City Council's Adopted Legislative Policy Statement as a guide, City Staff will review and analyze bills introduced in the General Assembly that have a potential impact on the City's interests. After thorough review and analysis, Staff will provide City Council with a brief summary of legislation of substance and Official City Positions that are consistent with the principles of the Adopted Legislative Policy Statement. This information will be communicated with City Council via email messages. Staff will then communicate Official City Positions with the City's lobbyist. Once an Official City Position has been taken on a piece of legislation, the City's legislative scorecard will be updated and made available to the public.

If City Council has concern over a specific piece of legislation and/or an Official City Position, Council will communicate with Staff. City Council has the authority to call a special meeting to discuss the legislation. In addition, bills are amended often, and the character of a bill may dramatically change throughout the legislative session. Bills may be amended after the City has taken a position and, as a result, the City may alter its position on a bill. When this occurs, Staff will communicate any changes with City Council.

Testimony at the Capitol

Often City Council, Board and Commission members, or Staff are requested to testify or lobby in support or opposition of various pieces of proposed legislation at the State Capitol. When requested to testify or lobby, City Council, Board and Commission members, and Staff should notify the City Manager's Office to ensure that the City Council has taken an official position on the legislation or issue. Additionally, by notifying the City Manager's Office, Staff can ensure that both City Council and the City's lobbyists are advised that a City representative will testify or lobby on a particular piece of legislation. It is important that lines of communication between Staff and the lobbyists remain open at all times to ensure that the City's lobbying efforts are as effective as possible, and that we coordinate our efforts with other groups including the Colorado Municipal League.

Lobbyist Interaction

In order to streamline interaction and avoid confusion between City Council, lobbyists and Staff, City Council and Staff will coordinate all correspondence with the lobbyists through one person designated by the City Manager. This individual will coordinate the development of the City's Legislative Policy Statement, the review and analysis of legislation, the communication of Official City Positions, and the tracking of legislation. The lobbyists, in turn, will coordinate all of their correspondence with City Council and Staff through the same City Manager designee. Any substantive interaction (either City Council, Board and Commission members, or Staff) with State Senators or Representatives on behalf of the City must have City Council's approval/concurrence that the issue is a priority. Staff needs to be kept apprised of any contacts made on specific legislation in order to ensure that the lobbyists are well informed to maximize their effectiveness.



W E S T M I N S T E R

Staff Report

Information Only Staff Report
December 3, 2007



SUBJECT: DRCOG Metro Vision 2035 Plan

PREPARED BY: Terri Hamilton, Planner III

Summary Statement

This report is for City Council information only and requires no action by City Council.

Background Information

The Denver Regional Council of Governments (DRCOG) is a non-profit association comprised of 52 local governments, working to promote a regional perspective toward issues facing the metropolitan area, and to address those issues through cooperative local government action. DRCOG has been working on updates to the Metro Vision 2030 Plan. The Metro Vision 2030 Plan is a long range plan to manage growth within the Denver area, addressing development patterns, transportation needs and ways to preserve environmental quality. The Metro Vision Plan growth and development policies and transportation policies are also intended for use when evaluating the allocation of federal funding for regional transportation improvements. The Metro Vision Plan addresses numerous quality of life issues affected by population growth.

The proposed changes to the Metro Vision Plan build on currently adopted policies and extend the planning horizon from 2030 to 2035. City Staff is in general support of the updated plan. The Metro Vision 2035 Plan will be acted upon by the DRCOG Board at a December 19, 2007 meeting. A brochure summarizing key elements of the current Metro Vision Plan and proposed updates to the plan is attached to this Staff Report for additional information.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

- Metro Vision 2035 Plan Brochure

Scribe Notes
December 3, 2007

Mayor McNally called the meeting to order at 6:35 PM. All council was in attendance.

Staff in attendance included City Manager Brent McFall; Assistant City Manager Steve Smithers; Deputy City Manager Matt Lutkus; Budget and Special Projects Manager Barbara Opie; Facilities Manager Jerry Cinkosky; Building Maintenance Foreman Brian Grucelski; Senior Public Information Specialist Joe Reid; Management Analyst Aric Otzelberger; Management Intern II Phil Jones

The guests in attendance were Rachel Ceccarelli with the Westminster Window, Terry Foulke, Exterior Building Project Manager with Bornengineering; Justin Foy, Director of Site & Building Evaluation with Bornengineering; Trent Watson, Boy Scout from Troop 87 and his mother.

Bornengineering Facilities' Needs Study:

Over the past year, Bornengineering has studied the city's facilities and developed a physical needs assessment to assist in sustainability planning for our aging infrastructure. Council made a significant improvement in the area of facility maintenance when authorizing the Siemens' study in 2005, by encouraging a future of proactive, preventative maintenance.

The City has 24 major facilities, and Bornengineering has studied each one, determining its respective needs for the future. Items studied included the site, architecture, facilities, and mechanical equipment. Terry Foulke discussed the City Park Recreation Center needs assessment as an overview of how the inspections and analysis were conducted and summarized how each facility's information was put into individual reports.

Council asked questions about the information in report and was very appreciative of the creation of a working document that outlines facility upkeep and major maintenance.

State Legislative Protocol Changes:

Staff is proposing a change in the process for determining the City's position on proposed legislation as bills work through the legislature. Staff gave a recap of the old system and outlined how the new process will work with the adopted policy statement. Under the new program, 8 to 10 policy statements are written based on the City's Strategic Plan. The City's position on a particular bill will be based upon the policy statement. If, after reading the policy position on proposed legislation, the council does not agree to a certain position they would let staff know, and with enough opposition, Staff would schedule discussion on the proposed legislation to take place at a council meeting or study session. If Council agrees with the approach Staff is recommending on a particular bill, then no action is needed by council.

Council was supportive of the general policy statement and Council's ability to review the position before Staff takes any formal action on legislation.

Mayor McNally adjourned the study session at 7:45 PM