



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 (item 7) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meetings**
4. **Report of City Officials**
 - A. City Manager's Report
5. **City Council Comments**
6. **Presentations**
 - A. Mental Health Month Proclamation
 - B. Public Works Week Proclamation
7. **Citizen Communication (5 minutes or less)**
 - A. Kara van Beeks Presentation re January Presidential Inauguration Trip

The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any citizen wishes to have an item discussed. Citizens then may request that the subject item be removed from the Consent Agenda for discussion separately.

8. **Consent Agenda**
 - A. 104th Ave. and Sheridan Blvd. Project Engineering Design Contract Amendment
 - B. Westfield Village Park Contract Award
 - C. Purchase of Plant Material for Westfield Village Park Improvement Project
 - D. First Amendment to Final Development Agreement – "The Orchard at Westminster"
 - E. 144th Ave. and I-25 Interchange Project – Utility Relocation Costs
 - F. Second Reading of Councillor's Bill No. 23 re The Shops at Walnut Creek Supplemental Appropriation
 - G. Second Reading of Councillor's Bill No. 24 re Westminster Armed Forces Tribute Garden
 - H. Second Reading of Councillor's Bill No. 25 re 2005 1st Qtr. Budget Supplemental Appropriation
9. **Appointments and Resignations**
10. **Public Hearings and Other New Business**
 - A. TABLED Councillor's Bill No. 13 re Country Club Village Business Assistance Package
 - B. Public Hearing to Consider the Henry House Local Historic Landmark Designation
 - C. Resolution No. 18 Designating the Henry House a Local Historic Landmark
 - D. Resolution No. 19 re Holly Park Supplemental Appropriation
11. **Old Business and Passage of Ordinances on Second Reading**
12. **Citizen Presentations (longer than 5 minutes) and Miscellaneous Business**
 - A. City Council
 - B. Executive Session
13. **Adjournment**

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY MEETING

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, MAY 9, 2005 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 Kauffman and Councillors Davia, Dittman, Dixon, and Price were present at roll call. Though absent at roll call, Councillor Hicks joined the meeting in progress. J. Brent McFall, City Manager, Martin McCullough, City Attorney, and Linda Yeager, City Clerk, also were present.

CONSIDERATION OF MINUTES

Councillor Davia moved, seconded by Price, to approve the minutes of the meeting of April 25, 2005. The motion passed unanimously.

CITY MANAGER COMMENTS

Brent McFall, City Manager, reminded everyone that Westminster Pride Days would be held May 14 and encouraged participation. Mr. McFall announced that after the meeting Council would meet in executive session to discuss property acquisition and participate in an attorney-client consultation.

CITY COUNCIL COMMENTS

Mayor Pro Tem Kauffman noted the April 10 passing of Virginia Rigg, a local long-time resident whom Council had honored with a proclamation on the occasion of her 100th birthday last July. Additionally, he reported having attended the Metro North Day of Prayer breakfast, the District 12 Five Star Schools fundraiser for the foundation, the Rotary fundraiser to generate scholarships, and the Metro North Chamber of Commerce where Senator Allard had talked about transportation issues.

Councillor Dixon reported that she had attended the Metro North Chamber of Commerce Business After Hours held at the Fox and Hound in Westminster; the last luncheon of the High-risk Student Board, on which she served; and the Open House at Fire Station No. 5.

Councillor Davia reported that the Grand Opening of the City's Skate Park at 104th Avenue and Sheridan Boulevard was scheduled for May 11. Additionally, he commended Jim Arndt and the divisional crews in Public Works and Utilities on having successfully completed the annual large-item pickup. Tons of items had been disposed of properly, furthering cooperative efforts of the City and its residents to beautify neighborhoods.

Councillor Dittman reported having attended the Interfaith Hospitality Network's Cinco de Mayo Festival. Entertainment included the Adams City High School Mariachis—a talented group of young people, and proceeds benefited the Network's programs.

Mayor McNally reported having represented Council at a well-attended gathering in Covenant Village during the evening on the National Day of Prayer.

PROCLAMATIONS

Councillor Dittman proclaimed May to be Mental Health Month and presented proclamations to Millie DeSmet of the Jefferson Center for Mental Health and to Lindy Schultz of the Community Reach Center in Adams County.

Mayor Pro Tem Kauffman proclaimed May 15 through 21 to be Public Works Week. Accepting the proclamation was Kerry Hobday of the City's Street Operations Division.

CITIZEN COMMUNICATION

Kara van Beek relayed to Council the highlights of her January trip to Washington, D.C. to attend the Presidential Inauguration.

Beverly Wheeler, 911 West 139th Court, commended City Council for formally recognizing the tenure of City employees, as had been done at the April 25 Council meeting, and for recognizing the importance of mental health programs and facilities serving the citizens of Westminster.

Karen Hardy, 5133 West 73rd Avenue, inquired about meetings of the Westminster Economic Development Authority and opportunities for public participation.

CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: authority for the City Manager to execute an amendment to the design contract with Burns and McDonnell for the second phase, final design of the 104th Avenue/Sheridan Boulevard intersection project, increasing the contract by \$168,160 for a total contract amount not to exceed \$287,370; authority for the City Manager to execute a \$2,002,677 contract with Arrow J Landscape-Design, Inc. for improvements to Westfield Village Park and authority for staff to purchase plant materials not to exceed a total amount of \$100,000; authority for the City Manager to execute the 1st amendment to the final development agreement with Forest City and Westminster Economic Development Authority; authority to expend up to \$350,000 for utility relocations relative to the 144th Avenue/I-25 Interchange project; passage on second reading of Councillor's Bill No. 23 providing a \$1.6 million supplemental appropriation from 2004 General Fund carryover and unappropriating from the Promenade/Mandalay Gardens project in the General Capital Improvement Fund to be transferred to the Westminster Economic Development Authority Fund for the Shops at Walnut Creek Project; passage on second reading of Councillor's Bill No. 24 providing a supplemental appropriation for the Armed Forces Tribute Garden; and passage on second reading of Councillor's Bill No. 25 providing a supplemental appropriation to the 2005 budget of the General, General Capital Improvement, and Utility Funds.

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

Councillor Davia moved, seconded by Price, to approve the consent agenda items as presented. The motion carried unanimously.

PUBLIC HEARING RE HISTORIC LANDMARK DESIGNATION OF HENRY HOUSE RESIDENCE

At 7:28 P.M., Mayor McNally opened a public hearing to consider designating the Henry House residence at 7319 Orchard Court as a local historic landmark. Vicky Bunsen, Community Development Programs Coordinator, presented research to show that the residence satisfied criteria for designation and entered the agenda memorandum and related documentation into the record. Henry House, who had been Mayor of Westminster from 1915 to 1917, had built and occupied the 85-year old home. No one wished to testify, and the hearing was closed at 7:46 P.M.

RESOLUTION NO. 18 RE HENRY HOUSE RESIDENCE HISTORIC LANDMARK DESIGNATION

Councillor Price moved, seconded by Councillor Dixon, to adopt Resolution No. 18 designating the Henry House Residence a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code. The motion passed unanimously.

RESOLUTION NO. 19 RE HOLLY PARK SUPPLEMENTAL APPROPRIATION

Councillor Davia recused himself during consideration of this item and advised that he would abstain from voting due to his affiliation with Wells Fargo Bank.

It was moved by Councillor Hicks, seconded by Dittman, to pass Resolution No. 19 providing for a supplemental appropriation of \$120,000 from the 2005 General Fund contingency to be transferred to the Westminster Economic Development Authority Fund for the Holly Park redevelopment project. At roll call, the motion passed on a 6:0:1 vote with Councillor Davia abstaining.

ADJOURNMENT:

There was no further business to come before Council, and the meeting adjourned at 7:46 P.M.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005

SUBJECT: Proclamation re Mental Health Month

Prepared by: Linda Yeager, City Clerk

Recommended City Council Action

City Council proclaim the month of May as Mental Health Month. Councillor Chris Dittman will present proclamations to representatives of the mental health agencies serving the citizens of Westminster—Jefferson Center for Mental Health and Community Reach Center in Adams County.

Summary Statement

- Jefferson Center for Mental Health and Community Reach, which serves Adams County residents, have requested that the City proclaim the month of May as Mental Health Month in Westminster.
- The City has been very supportive of these mental health organizations through the City's Human Services funding each year.
- Millie DeSmet, Chief Financial Officer of Jefferson Center for Mental Health, and Lindy Schultz, Public Information Officer for Community Reach, will be in attendance Monday evening to accept the proclamation.

Expenditure Required: \$0

Source of Funds: N/A

SUBJECT: Proclamation re Mental Health Month

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Policy Issue

None identified

Alternative

None identified

Background Information

Community Reach and Jefferson Center for Mental Health have requested that the month of May be recognized as Mental Health month in Westminster in order to increase community awareness that persons with mental illness can be treated and can be productive citizens.

In 2005, the City is providing \$10,000 to Jefferson Center for Mental health and \$24,000 to Community Reach as part of the Human Services Agency Funding. In addition the City supports Community Reach through the provision of facility space in the former 76th Avenue Library Building for a nominal cost.

Representatives of Community Reach and Jefferson Center for Mental Health will be in attendance to accept the proclamations.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, one in five American adults and children are affected by a mental illness; and

WHEREAS, mental health problems do not discriminate. They know no race, creed, age limit or economic status; and

WHEREAS, people with mental illness can recover and lead full, productive lives; and

WHEREAS, an estimated two-thirds of adults and young people with mental health problems are not getting the help they need; and

WHEREAS, untreated or under-treated mental illness costs public and private employers billions of dollars annually through absenteeism, turnover, low productivity and increased medical costs; and

WHEREAS, the City of Westminster has made a commitment to community-based systems of mental health care in which all residents can receive high-quality and consumer-responsive services; and

WHEREAS, the National Mental Health Association, the National Council for Community Behavioral healthcare and their national partners observe Mental Health Month every May to raise awareness and understanding of mental health and illness.

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, do hereby proclaim May 2006 to be

MENTAL HEALTH MONTH

and call upon all Westminster citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illnesses.

Nancy McNally, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: Proclamation of Public Works Week

Prepared By: Sam LaConte, Street Operations Manager

Recommended City Council Action

Proclaim the week of May 15-21, 2005 as Public Works Week in the City of Westminster. Mayor Pro Tem Tim Kauffman will present the proclamation to Kerry Hobday, Street Operations Division Maintenance worker, for the City of Westminster.

Summary Statement

- The National American Public Works Association and State Chapters dedicate one week each year to inform and educate citizens of the importance of public works.
- The theme this year is “Public Works is Everywhere You Look.”
- Efforts are made to educate the citizenry on public improvements such as safe, well-maintained streets, the treatment of drinking water, and the management of wastewater.
- Channel 8 will broadcast a program on how Public Works & Utilities operations affect daily life.
- Poster displays and brochures will be available at City Hall, City Recreation Centers, City Libraries, and the Westminster Mall.
- On Saturday, May 21, a booth and the graffiti removal equipment will be set up in Westminster Mall and manned by Street Operations and Utilities Operations Divisions field personnel.
- Equipment will be displayed at the Municipal Service Center for interested groups or individuals to inspect.
- An e-mail invitation will be extended to all City employees and City Council members to stop by the Municipal Service Center on Thursday, May 19, between 11 a.m. and 1:30 p.m. to view the display and enjoy a free hot dog. Again, this year we’re having a “Car Show” to spotlight City employee’s cars.
- Street Operations Division Kerry Hobday will be in attendance to receive the proclamation on behalf of the Department of Public Works and Utilities.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

None identified

Alternative

None identified

Background Information

Public works professionals throughout the United States and Canada will celebrate National Public Works Week, May 15-21, 2005.

Since 1960, the annual observance has been an opportunity to increase public awareness of the role that Public Works plays in all of our daily lives. The 2005 events are being coordinated in the State by the Colorado Chapter of the American Public Works Association.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

PROCLAMATION

WHEREAS, Public works and utilities services provided in our community are an integral part of our citizens' lives; and

WHEREAS, support of an understanding and informed citizenry is vital to the efficient operation of Public Works and Utilities and programs concerning the maintenance of water, sewers, streets and highways, public buildings, solid waste collection, and snow removal operations; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works and utilities departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I, Nancy McNally, Mayor of the City of Westminster, on behalf of the entire Westminster City Council and Staff, do hereby proclaim the week of May 15 through 21, 2005, as

PUBLIC WORKS WEEK

in the City of Westminster and call upon all citizens and civic organizations to acquaint themselves with the problems involved in providing our public works and utilities and to recognize the contributions that public works and utilities officials make every day to our health, safety, and comfort.

Signed this 9th day of May, 2005.

Nancy McNally, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: 104th Avenue and Sheridan Boulevard Project – Amended Engineering Design Contract

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

City Council action is requested to authorize the City Manager to execute an amendment to the existing design contract with Burns and McDonnell for the second phase, final design of the 104th Avenue and Sheridan Boulevard intersection project, in the amount of \$168,160, bringing the total contract amount to a not to exceed value of \$287,370.

Summary Statement

- The 104th Avenue and Sheridan Boulevard intersection is experiencing significant increases in left-turn movements for northbound and southbound Sheridan Boulevard traffic wanting to turn onto 104th Avenue. Peak left-turn movements of over 300 vehicles per hour, which exist at this intersection, indicate a need to install double left-turn lanes for these movements.
- In 2001, the City hired Burns and McDonnell to perform a preliminary design of this intersection to supply a reasonably accurate construction cost estimate. This estimate was used to prepare an application to the Denver Regional Council of Governments (DRCOG) for the Federal funding participation of this intersection. This funding was approved by the Colorado Department of Transportation (CDOT) and DRCOG for years 2005 through 2007. In addition to this funding, the Urban Drainage and Flood Control District has agreed to participate in the cost of constructing adjacent channel improvements when the roadway project is constructed.
- On October 11, 2004, Council approved an Intergovernmental Agreement with CDOT which gave approval to start the first phase of the final design of the project. Burns and McDonnell proposed a fee for the first phase of the final design for an amount of \$47,240, which was approved by Council on October 11, 2004. It is now necessary to begin the final phase of the final design effort. The fee negotiated with Burns and McDonnell for the final phase of the final design effort is \$168,160. This fee, when added to their fee for the 2001 preliminary design (\$71,970) and the first phase of the final design (\$47,240), brings their total contract amount to \$287,370. This phased approach to the final design effort was done in the interest of saving time and because the 2004 budgeted funds only allowed contracting for the first phase. The 2005/ 2006 budget included additional project funding allowing the contract for the final phase of the final design effort to proceed, pending Council approval.
- Burns and McDonnell's proposed fee for both final design phases is approximately eight percent (8%) of the preliminary estimate of the cost of construction. This percentage compares very favorably with fees paid on other recent capital projects.

Expenditure Required: \$287,370 (Total Design Cost)

Source of Funds: General Capital Improvement Fund - 104th and Sheridan Intersection Project account

Policy Issue

Does the City want to proceed with the final phase of the final design of this project at this time?

Alternatives

- City Council could decide not to execute this amended engineering design contract at this time. This is not recommended because it may jeopardize the Federal funding participation in this much needed project.
- City Council could choose to select another consultant through a Request for Proposal. This alternative is not recommended since Burns and McDonald has already prepared the preliminary design and the first phase of the final design. A new consultant would need to do considerably more work and incur additional expense to proceed with this design.

Background Information

The proposed design of the widening of Sheridan Boulevard approximately 600 feet north and south of 104th Avenue is an effort to improve left turn movements from Sheridan Boulevard onto 104th Avenue. Recent development along 104th Avenue including the Shops at Walnut Creek, the Westminster Promenade, City Park Recreation Center additions and filings of the Legacy Ridge Development all increase the number of vehicles turning from Sheridan Boulevard onto 104th Avenue. Current peak left turn movements, which are over 300 vehicles per hour, indicate the need for double left turn lanes at this location. As a rule of thumb, when turning movements exceed 300 vehicles per hour, double left turn lanes should be considered. Installing these double left turn lanes will not only improve the ability to turn onto 104th Avenue, but will also improve the through movements on Sheridan Boulevard. The queuing of turning vehicles would no longer “back-up” into the through lanes, which is a significant safety issue.

On 104th Avenue, three through lanes and a continuous right turn lane will begin approximately 600 feet west of the intersection. This will allow three full lanes to proceed east-bound through the intersection and provide east-bound to south-bound right turning vehicles their own lane to remove conflicts with the east-bound through traffic. The final element of this project is the improvement of the severely eroded Middle Branch of Hylands Creek that runs parallel to 104th Avenue. The channel flowline has dropped up to ten feet in sections due to erosion and has become a safety concern. The Urban Drainage and Flood Control District has committed to participating in the cost to repair this channel. These funds would be in addition to the Federal funds that have already been secured for this project.

Burns and McDonnell were hired in 2001 for the preliminary design of this intersection. Staff is now recommending amending their contract to perform the final design of this project. Their familiarity with this project and their past excellent performance on the preliminary design are two reasons staff is recommending the approval of this amendment to their current contract. The final design fee proposed by Burns and McDonnell is approximately eight percent (8%) of the anticipated cost of construction and compares very favorably when compared to other similar projects. Burns and McDonnell is a 100-year old firm having done numerous projects along the Front Range as well as across the country. Their references are good, their past experience with the City is excellent and Staff believes that they are capable of designing a high quality project for the City.

Construction on the project is anticipated to begin in 2007.

Respectfully submitted,

J. Brent McFall, City Manager



WESTMINSTER

Agenda Item 8 B & C

C O L O R A D O

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: Westfield Village Park Contract Award

Prepared By: Julie M. Meenan Eck, Landscape Architect

Recommended City Council Action

1. Authorize the City Manager to execute a contract with Arrow J Landscape-Design, Inc (AJI, Inc.) in the amount of \$2,002,677 for construction work at Westfield Village Park, and authorize a 10 percent contingency amount of \$200,000.
2. Authorize Staff to proceed with the purchase of plant material for the park from various nurseries, not to exceed the total dollar amount of \$100,000.

Summary Statement

- Hyland Hills Park and Recreation District will be contributing \$900,000 towards this project as part of its Bond issue. Adams County has approved a \$600,000 grant toward this project that is to be awarded on May 16, 2005.
- Staff has applied for a \$200,000 Great Outdoors Colorado Grant and should be notified sometime in June as to whether the City was successful in obtaining the grant. This contract is not dependent on the GOCO grant, but could allow for some additional features, i.e., improved playground, benches, or interpretive signage.
- Bids were solicited from five reputable construction companies and three bids were received for the project, with Arrow J Landscape-Design, Inc. (AJI Inc.) submitting the lowest bid.
- AJI Inc. has successfully completed construction projects for Cotton Creek Park, Amherst Park I and II in the past. Most recently, AJI Inc. was awarded the City's Gateway Project.
- Construction will be completed during the summer/fall of 2005 and the park will be available for recreational play in the fall of 2006, providing a one-year turf grow in period.
- To save expense and obtain a quality product, Staff will purchase all plant materials and the contractor will install them. Anticipating the total cost of the plant materials to be no greater than \$100,000, Staff is requesting authorization to proceed. It is possible that costs could exceed \$50,000 from one nursery.

Expenditure Required: \$2,302,677

Source of Funds: General Capital Improvement Westfield Village Park

Policy Issues

1. Should the City proceed with construction of Westfield Village Park?
2. Should Staff purchase the plant material on behalf of the City or require the contractor to purchase the plant material?

Alternatives

1. City Council could choose to not authorize the construction of Westfield Village Park and decide to invest that money on another project. However, City Council has already approved the Master Plan and several neighborhood meetings were held to promote the new project.
2. City Council could direct Staff to include the purchase of the plant material under the contractor’s contact. Staff does not recommend this as the anticipated contractor’s mark up could be significant and the City Forester would only be allowed to approve plants brought to the site by the Contractor as opposed to allowing the City Forester to select quality plants directly from the nurseries.

Background Information

Westfield Village Park is a joint project with Hyland Hills Park and Recreation District. Funding for this project includes \$900,000 from the Hyland Hill’s bond and \$1.4 million from the City, which has been committed as part of an intergovernmental agreement (IGA) with Hyland Hills to develop this park. The City of Westminster owns the 25-acre park site east of Life Fellowship Church, and the IGA states that the City would jointly schedule recreation programs with Hyland Hills Park and Recreation District. The location is surrounded by an established Westfield Village neighborhood to the south, a newer neighborhood, West 117th, to the north, and College Hill Open Space to the east.

Professional landscape architectural services were obtained to design the park, which will feature a shelter, play area, tennis court, three soccer fields, three little league fields, rest room enclosure, trails, a parking lot and trails. The sports park was designed to serve as a community park with athletic fields, as well as, serving the surrounding neighborhoods and will be warm and inviting, while accommodating a diverse array of users and uses (see attached plan). Hyland Hills Park and Recreation District and the City will schedule the use of the little league fields and the City will run its Soccer program, consisting of 330 soccer teams, out of City Park and the Westfield Village Park.

Hyland Hills, in partnership with the City, requested a \$600,000 grant from Adams County Open Space, and the full amount is due to be awarded on May 16th. Staff has also applied for a Great Outdoors Colorado Grant in the amount of \$200,000 and should be notified in mid June as to whether the City was successful or not. Available funding sources are broken down as follows:

Currently available from Westfield Village Project	\$1,200,000
Hyland Hills	\$ 900,000
Adams County Open Space Grant	\$ 600,000
TOTAL	\$2,700,000

Bids were solicited from five reputable companies and three of those companies chose to bid on the project in April. The engineer’s estimate was \$2,255,356. The bids are broken down as follows:

Construction:

Arrow J Landscape-Design, Inc.	\$2,002,677
Environmental Concerns, Inc.	\$2,228,198
American Civil Constructors	\$2,831,896

Respectfully submitted,

J. Brent McFall, City Manager
Attachments (2)



PROGRAM ELEMENTS

- 3 CHAMPION SOCCER FIELDS
- 3 LITTLE LEAGUE FIELDS
- PICNIC SHELTER
- AGE SEPERATED PLAYGROUNDS (TODDLER & SCHOOL AGE)
- TRAILS
- TRAIL CONNECTION TO BIG DRY CREEK
- IN-LINE HOCKEY

CHARACTER ELEMENTS

- PARKING LOT LOCATED ALONG WESTERN EDGE WITH TWO VEHICULAR ACCESS POINTS
- 288 SPACES
- CORE AREA IS CENTRALLY LOCATED
- DETENTION POND LOCATED NORTH WEST CORNER
- ALTERED EX. FENCE LINE
- VEGETATIVE BERMING ALONG EASTERN EDGE

Westfield Village Park
DESIGN 3

DMW DESIGN



Westfield Village Park

Master Plan
 City of Westminster Parks, Recreation & Libraries
 NOVEMBER 2006





WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: 1st Amendment of the “The Orchard at Westminster”
Final Development Agreement

Prepared By: Susan Grafton, Economic Development Manager

Recommended City Council Action

- Authorize the City Manager to execute the 1st Amendment to the Final Development Agreement (FDA) with Forest City and Westminster Economic Development Authority (WEDA).

Summary Statement

- On December 13, 2004, Council and WEDA approved the Final Development Agreement with Forest City, which provides for the development of “The Orchard at Westminster” regional retail center.
- Amendments are needed to the original FDA to address modifications needed prior to closing on the land acquisition by Forest City.
- The City, WEDA and Forest City are set to close on the land on Thursday, May 12, 2005.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City enter into an amendment of the Final Development Agreement with WEDA and Forest City Commercial Group, which provides for the development of approximately 215 acres?

Alternative

Do not enter into the 1st Amendment to the Final Development Agreement with Forest City Commercial Group. However, failure to execute the amendment will result in the project not moving forward and preventing closing from occurring on May 12, 2005.

Background Information

Since the signing of the Final Development Agreement in December, better understanding has been reached concerning layout, project timing, and the residential portion of the project. As a result of clearer project expectations, and because of extensions granted and issues raised in the Letter Agreement, dated March 31, 2005 and the Second Letter Agreement, dated April 29, 2005, modifications are needed to the FDA prior to closing on Thursday, May 12, 2005. The majority of the changes are housekeeping type changes, such as noting the new closing date, or changing completion dates. The substantive changes include:

- Clarification that approximately 26 acres of land will not be conveyed to Forest City but instead be retained for right-of-way for Huron Street, 144th Avenue and the I-25 Interchange.
- Provision for an easement for Qwest to accommodate an existing switch box.
- Clarification of Forest City's obligations on the residential portion of the project for Public Land Dedication and Park Development Fees. (This is the only completely new provision added to the FDA. At the time the FDA was prepared, there had been only limited understanding of the residential portion of The Orchard project. The amendment articulates a maximum for the Public Land Dedication and a funding cap for the Park Development Fee.)

Forest City continues to prove itself to be an excellent partner for the development of the 1.2 million s.f. regional retail center and new urbanist development. Four anchor tenants are now signed onto the project. Financial commitments are in place for construction of Phase I of The Orchard. All is now ready for Forest City to acquire the city's property on May 12, 2005. Authorizing the City Manager to execute the amendment to the FDA sets the stage for the project to move forward.

Respectfully submitted,

J. Brent McFall
City Manager

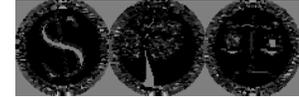


Agenda Item 8 E

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: 144th Avenue and I-25 Interchange Project - Utility Relocation Costs

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action

Authorize the expenditure of up to \$350,000 for utility relocations attendant to the improvement of the 144th Avenue and I-25 Interchange project.

Summary Statement:

- The 144th Avenue and I-25 Interchange project will necessitate the relocation of existing utility lines that are in conflict with the proposed improvements. These include facilities operated by Qwest, Comcast, Xcel Energy, United Power, Encana Gas, North Washington Users Group, Patina Oil and Gas and the City itself. Taking into account applicable credit under the franchise agreement with Xcel, the cost to underground overhead electric lines is \$199,738. United Power's cost to remove their facilities within the project limits is a maximum of \$49,531 and staff is discussing whether some or all of these costs should be covered under our franchise agreement with them. An additional \$100,731 is estimated to be necessary for various relocations of all other non-City utility facilities not covered by franchise agreements.
- The short window of time available to construct this project makes it necessary to authorize the relocation of these utilities before construction bids are requested later this year. This will allow for the relocation of the majority of these utilities prior to roadway construction, which will help accelerate the completion of this project.

Expenditure Required: \$ 350,000

Source of Funds: Certificate of Participation funds and WEDA bond funds

Policy Issue

Should the City proceed with utility relocations that are necessary in advance of the 144th Avenue and I-25 Interchange project to maintain the project schedule?

Alternative

Council could choose to have utilities relocated during the roadway construction instead of prior to roadway construction. This alternative is not recommended since the project schedule for opening the interchange in October 2006 is very aggressive and removing or relocating the utilities in advance of this work removes delays in the construction of the roadway.

A second alternative relating to payment is to charge XCEL's portion of these costs to the franchise agreement "1% funds." This is also not recommended since the project budget anticipated these utility relocation costs. By not using the 1% funds for this project the funds would then still be available for other undergrounding projects that are not associated with a major capital improvement project. In addition, this interchange project is not included in the 1% project priority list.

Background Information

The first phase of the 144th Avenue and I-25 interchange project includes the widening of the north one third of the 144th Avenue bridge over I-25, the interchange ramps connecting to I-25 and approximately the north half of 144th Avenue between Huron Street and Washington Street. The construction of this phase is expected to begin in the fourth quarter of 2005 so completion of this phase can be realized by October 2006. The second phase will be the completion of the remainder of the project that will occur in the second quarter of 2007. Certain utility relocations must be done in advance of the street improvements to meet the first phase schedule.

Under the City's franchise agreement with Xcel Energy, overhead utilities must be moved by Xcel to a new overhead location at Xcel's cost if the City's project necessitates it. When the City desires that the overhead facilities be placed underground, the cost of doing so is absorbed by the project. In this case, Xcel has priced relocating the overhead facilities along 144th Avenue to an underground location at \$351,387. Credit of \$151,649 for an overhead relocation yields a net cost to the City of \$199,738. United Power has existing overhead lines along I-25 that conflict with the proposed interchange. The cost to remove these facilities is \$49,531. The fact that United Power's lines are within CDOT right-of-way and not City right-of-way makes it unclear whether these costs are covered under the franchise agreement. Staff is negotiating this particular issue with United Power but the maximum cost will not exceed \$49,531 and will probably be about half this amount once negotiations are concluded. In addition to Xcel's and United Power's facilities, there are other facilities whose providers have no franchise agreement with the City. While they have agreed that they will relocate their lines along with Xcel and United Power, those providers have not yet developed assured costs for the City's share of the relocation costs. In addition to what will be owed to Xcel and United Power, authorization of \$100,731 is being requested to cover the expected billing that can be expected from Qwest Communication, AT&T, ComCast, Washington Users Group, Encana Gas and Patina Oil and Gas who also have facilities in the corridor. It is important that these funds (a total of \$350,000) be approved in advance so delays in the 144th Avenue and I-25 Interchange Project are not incurred due to utility relocations.

Dependent on the location of the work, funding for the utility relocations described above will be paid for from the Certificates of Participation and WEDA bond funds.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: Second Reading of Councillor’s Bill No. 23 re The Shops at Walnut Creek Supplemental Appropriation

Prepared By: David W. Loseman, Senior Projects Engineer

Recommended City Council Action:

Pass Councillor’s Bill No. 23 on second reading providing for a supplemental appropriation of \$1,600,000 from the 2004 General Fund carryover and unappropriating from the Promenade/Mandalay Gardens project in the General Capital Improvement Fund to be transferred to the Westminster Economic Development Authority (WEDA) Fund for the Shops at Walnut Creek Project.

Summary Statement

- The remaining WEDA trust balance is insufficient to pay for all of the obligations relating to the construction of the Shops at Walnut Creek project.
- City Council is being requested to advance WEDA \$1,600,000 from the 2004 General Fund carryover and the remaining budgeted amount of \$1,513,951 from the Promenade/Mandalay Gardens Project account in the General Capital Improvement Fund for WEDA to use to satisfy its obligations with Westminster Development Company, Lawrence Construction Company, TranSystems Corporation and any attorney fees related to the Weigel condemnation appeal. The City understands that the Authority agrees to repay the City for the \$1,600,000 of funds advanced using proceeds from the sale of WEDA owned land within the project area, any possible funds obtained from the appeal relating to the Weigel condemnation case or project revenues from tax increment.
- The \$1,600,000 budget shortage is due to land acquisition costs being higher than anticipated, and the delay in the transfer (and sale) of the RTD Park-N-Ride parcel to the City. Once the RTD parcel is sold these funds will be used to reimburse the City.
- The \$1,513,951 remaining in the existing City project account is already budgeted for this project and the requested action to move these funds to a WEDA account is only necessary for WEDA to spend these funds since all of the contracts for this project are with WEDA and not the City.
- Adequate funds are available from 2004 General Fund operating carryover revenues to fund this request.
- This Councillor’s Bill was passed on first reading on April 25, 2005.

Expenditure Required: \$ 0

Source of Funds: N/A

Respectfully submitted,

J. Brent McFall, City Manager
Attachment

BY AUTHORITY

ORDINANCE NO. **3207**

COUNCILLOR'S BILL NO. **23**

SERIES OF 2005

INTRODUCED BY COUNCILLORS
DAVIA – DIXION

A BILL

FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$82,941,554 is hereby increased by \$1,600,000 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$85,291,685. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the appropriation of 2004 carryover to be loaned to WEDA for the Shops at Walnut Creek project.

Section 2. The \$1,600,000 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES		Current		Revised
Description	Account Number	Budget	Amendment	Budget
Carryover	1000.40200.0000	\$0	<u>\$1,600,000</u>	\$1,600,000
Total Change to Revenues			<u>\$1,600,000</u>	
EXPENSES		Current		Revised
Description	Account Number	Budget	Amendment	Budget
Other Financing Use	10010900.78800.0000	\$0	<u>\$1,600,000</u>	\$1,600,000
Total Change to Expenses			<u>\$1,600,000</u>	

Section 3. The 2005 appropriations for the General Capital Improvement Fund do not change. The general ledger accounts changed are shown below for informational purposes.

EXPENSES		Current		Revised
Description	Account Number	Budget	Amendment	Budget
Prom/Mandalay	80175030201.80400.8888	\$1,518,784	\$(1,513,951)	\$4,833
Transfer to WEDA	75010900.79800.0680	0	<u>1,513,951</u>	1,513,951
Total Change to Expenses			<u>\$0</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25th day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of May, 2005.

ATTEST:

Mayor

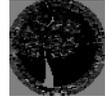
City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
June 13, 2005



SUBJECT: Second Reading of Councillor's Bill No. 27 re the Farmers' High Line Canal Trail Construction Supplemental Appropriation

Prepared By: Brad Chronowski, Landscape Architect II

Recommended City Council Action:

Pass Councillor's Bill No. 27 on second reading providing for a supplemental appropriation to the General Capital Improvement Fund.

Summary Statement:

- This Councillor's Bill will appropriate \$230,400 in grant money for the Farmers' High Line Canal Trail Construction project. The grantor is Transportation Equity Act of the 21st Century. The project is administered by the Colorado Department of Transportation.
- This grant money will be used to construct the Farmers' High Line Canal Trail between 91st Avenue and Wadsworth Parkway and 92nd Avenue and Pierce Street.
- This Councillor's Bill was passed on first reading on May 23, 2005.

Expenditure Required: \$230,400

Source of Funds: General Capital Improvement Funds

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Item 8 H

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: Second Reading of Councillor's Bill No. 25 re 2005 1st Quarter Budget Supplemental Appropriation

Prepared By: Karen Creager, Internal Auditor

Recommended City Council Action:

Pass Councillor's Bill No. 25 on second reading providing for a supplemental appropriation to the 2005 budget of the General, General Capital Improvement, and Utility Funds.

Summary Statement

- City Council action is requested to pass the attached Councillor's Bill on second reading, which authorizes a supplemental appropriation to the 2005 budget of the General, General Capital Improvement, and Utility Funds.
- General Fund amendments total \$845.
- General Capital Improvement Fund amendments total \$107,250
- Utility Fund amendments total \$3,446
- This Councillor's Bill was passed on first reading April 25, 2005.

Expenditure Required: \$ 111,541

Source of Funds: The funding sources for these expenditures include a rebate, donation, reimbursement and a refund.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO. **3209**
 SERIES OF 2005

COUNCILLOR'S BILL NO. **25**
 INTRODUCED BY COUNCILLORS
KAUFFMAN - DITTMAN

A BILL

FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$82,941,554 is hereby increased by \$845 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$83,691,685. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the receipt of the City's p-card rebate and a donation from Wal-Mart.

Section 2. The \$845 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
General Misc	1000.43060.0000	\$200,392	\$345	\$200,737
Contributions	1000.43100.0000	5,000	500	5,500
Total Change to Revenues			<u>\$845</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Supplies	10015050.70200.0000	\$7,470	\$345	\$7,815
Landscape Supplies	10050550.71000.0969	27,000	500	27,500
Total Change to Expenses			<u>\$845</u>	

Section 3. The 2005 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,587,000 is hereby increased by \$107,250 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$7,838,250. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to receipt of a reimbursement from Adams County for their share of the 80th & Federal improvements.

Section 4. The \$107,250 increase in the General Capital Improvement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Adams County	7500.40450.0010	\$0	<u>\$107,250</u>	\$107,250
Total Change to Revenue			<u>\$107,250</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
80 th & Fed Intersection	80475030603.80400.8888	\$215,000	\$ <u>107,250</u>	\$322,250
Total Change to Expenses			\$ <u>107,250</u>	

Section 5. The 2005 appropriation for the Water Portion of the Utility Fund initially appropriated by Ordinance No. 3162 in the amount of \$28,394,843 is hereby increased by \$3,446 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$28,398,289. The actual amount in the Water Portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the receipt of a refund from Hewlett Packard.

Section 6. The \$3,446 increase in the Water Portion of the Utility Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
General Misc	2000.43060.0000	\$300,000	\$ <u>3,446</u>	\$303,446
Total Changes to Revenue			\$ <u>3,446</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Comp Hard/Soft	20060230.75400.0000	\$172,250	\$ <u>3,446</u>	\$175,696
Total Change to Expenses			\$ <u>3,446</u>	

Section 7. – 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 8. This ordinance shall take effect upon its passage after the second reading.

Section 9. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25th day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of May, 2005.

ATTEST:

City Clerk

Mayor



Agenda Item 10 B & C

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
May 9, 2005



SUBJECT: Resolution No. 18 re Designation of the Henry House Residence
as a Local Historic Landmark

Prepared By: Vicky Bunsen, Community Development Programs Coordinator

Recommended City Council Action

- (1) Hold a public hearing on the application to designate the Henry House Residence as a local landmark.
- (2) Adopt Resolution No. 18, designating the Henry House Residence as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code.

Summary Statement

An application (attached) has been prepared that documents the history and significance of the Henry House Residence. This home is currently owned by the Westminster Housing Authority and is located at 7319 Orchard Court. It was built and occupied by Henry House, Mayor of Westminster from 1915 to 1917, is 85 years old, and is an example of a housing style associated with early 20th century Westminster. The Historic Landmark Board recommends that the house be designated a local historic landmark.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the home at 7319 Orchard Court, owned by the Westminster Housing Authority, be designated as a local historic landmark?

Alternatives

1. Do not designate the site as a local historic landmark.
2. Modify the list of buildings and site features that should be designated as structures that contribute to the historic significance of the site.

Staff recommends that the site be designated 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 Henry House Residence was purchased by the Westminster Housing Authority as part of a larger lot at the northwest corner of West 73rd Avenue and Orchard Court in 2003. The purpose of the acquisition was to preserve the frontage along West 73rd Avenue from a potentially undesirable use and to preserve the house, which was zoned C-1, from demolition or acquisition by a commercial use that might be incompatible with the neighboring homes.

Since this parcel was acquired, the Westminster Housing Authority also acquired the former Rodeo Market building located at 3915 West 73rd Avenue, as well as the vacant property north of the Rodeo building and west of the Henry House Residence, thus assembling the two buildings and associated vacant land in a large parcel that is currently being studied for potential park and arts uses. It was the intent to subdivide the Henry House Residence from the vacant parcels, apply for a landmark application on the home to protect it from undesirable alterations, and sell it into private ownership.

The home is on a 7,000 square foot lot. As a landmarked structure, future owners are required by ordinance to seek review and approval of substantial modifications by the Historic Landmark Board. Additions to the home that are sensitive to its historic architecture and other land use regulations will be permitted. It is currently zoned C-1, but the zoning will be reviewed and modified appropriately before sale to a private owner.

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 three criteria for designation:

1. Represents a style particularly associated with the Westminster area and is at least 50 years old.
2. Represents an association with Henry House, one of the incorporators of Westminster, a former Mayor, a housing developer, and one of the team that created Westminster's first water system.

Notice of this May 9, 2005, public hearing was published in the Westminster Window on May 5, 2005, which is at least four days prior to the public hearing. The property was posted by City Staff on May 5, 2005. The application was referred to the Westminster Historical Society on April 4, 2005, 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 site is currently designated as a commercial zone. This zoning designation is being studied, since the lot is adjacent to a residential neighborhood and it is possible that the uses should be limited somewhat. 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. The application appears to meet the criteria set forth in the ordinance.

City Council Findings

The City Council needs to consider the following issues:

1. Does this site meet the ordinance requirements for historical significance justifying its designation as a local landmark?
2. What features at the site should be preserved in order to maintain and/or restore the historical integrity of the site?
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 Henry House Residence be designated as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code. They recommend that the particular features that should be preserved include:

- a. The house and garage in their original condition,
- b. Wood shingle siding,
- c. Window, roof and dormer configurations,
- d. Double front door configuration,
- e. All other exterior original features when it was built in 1920.

SUBJECT: Resolution re the Henry House Residence as a Historic Landmark

Page 4

The resolution of the Historic Landmark Board and the landmark application are attached.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments:
Landmark Application
Historic Landmark Board Resolution
Proposed City Council Resolution

**City of Westminster
Historic Landmark Application**

Name of proposed landmark: Henry House Residence

Address or location: 7319 Orchard Court

Legal description:

A parcel of ground situated in Lots 17, 18, 19, 20 and 21, Block 34, House's Resubdivision of Blocks 31 and 34, Harris Park, as recorded in Book 1, Page 25, in the records of Adams County, State of Colorado, said parcel being more particularly described as follows:

The northerly 70 feet of the easterly 100 feet on the afore described Lots 17, 18, 19, 20 and 21, Block 34, Houses' Resubdivision of Blocks 31 and 34, Harris Park, as recorded in Book 1, Page 25, of the Adams County records, State of Colorado.

UTM coordinates:

UTM Zone13
Datum NAD 27
Linear Unit: Meter
496749.9596; 4408622.6218

Nominated by: City of Westminster

Property owner: Westminster Housing Authority

Reasons for designation pursuant to W.M.C. section 11-13-5:

The Henry House Residence was built in 1920 and is currently 85 years old. It qualifies for designation as a Westminster historic landmark based on the following criteria in W.M.C. section 11-13-5:

1. The buildings represent a style particularly associated with the Westminster area and are at least 50 years old,
2. Represents an association with a notable person or the work of a notable person;
and

Description of features that should be preserved:

The residence is a one and one-half story wood frame structure laid out in a rectangular floor plan elevated approximately one foot above the existing grade. The principal roof is a steep side gable (ridge running north-south), shallowly clipped on both ends. Dormers on the front (east) and rear (west) elevations have simple shed roofs which are flatter than the main roof. These dormers are flush with the wall below.

A step lower than the main level, a small one story addition projects from the north one-third of the rear elevation extending four feet past the northwest corner of the structure. The addition includes a simple shed roof and a wood paneled door that provides a rear entrance. A cellar door located to the south of the rear addition provided access to the partial basement prior to the renovation of the house and the addition of interior stairs to the basement.

The front elevation includes a partially enclosed porch that is carved out of the southeast corner of the floor plan and is covered entirely by the main roof. The porch ceiling is beadboard. Twin nine-light doors (three 7x7" square lights top and bottom with three longer lights (7x49") in between) face the street directly, offset slightly from the center of the house to the south. This twin door design reputedly was due to the builder's original intent that the house be used to board overnight railroad workers. Originally, the southern door was the entrance to the resident quarters on the main level and the second (to the north) provided direct access to the stairs and the bedrooms on the second level.

On the south elevation, a small bay with a shed roof projects two feet from the main level with two ganged windows.

All windows are wood with the main windows (28"x60") double hung. A matching headpiece with coping is above all windows. Both the north and south elevations include two small wood casements on the upper level and the rear addition includes small multi-paned windows (34" w x 30" h). The rear addition has two six-light (3 over 3) windows on the west side, and two six-light (3 over 3) windows on the north side.

The entire exterior of the structure is clad in painted square-cut wood shingles. There is a belt wood trim cornice around the house and brackets under the front and rear roof extensions, with exposed rafter end. The roof is asphalt tabs, with older wood roof shingles visible under the layers of asphalt. The roof deck is exposed with no soffit.

A small one-story garage is located slightly behind the southwest corner of the residence. The garage has a lower pitched front end clipped gable roof. A pair of side-hinged full dimensioned wood paneled doors with diagonal strapping face the street (framing is 2" x 6"). The lower panel of the doors is diagonal beadboard and the upper panels are solid wood. The structure is clad in the same wood shingles as the residence.

The backyard also includes a wooden shed, unfinished, that a prior owner said has been used to cover a well, to store coal for heating, and for storage.

History

Henry House was a pioneer resident of Westminster. He moved to Harris in 1892 and made it his home until 1939.

House was born in Haddan Neck, Connecticut, in 1861 and died October 9, 1948, in Los Angeles. During his 47 years in Westminster, he served as mayor from 1915 to 1917, was instrumental in having the first water system installed and worked as a caretaker at Westminster University and as a carpenter and building contractor. He opened and dedicated Orchard Court to the Town of Westminster and built many houses on Orchard Court and elsewhere throughout the town. The houses in the Orchard Court area were part of a replat called House's Resubdivision of the earlier Harris Park plat.

On February 24, 1911, forty Harris residents, including Henry House, petitioned the County Court to set an election date on the issue of whether the village should be incorporated under the name of Westminster. The court appointed five commissioners to conduct the election, including Henry House, Walter S. Rudolph, Fred Strawson, L. D. Mulford and Dr. Richard Russell. The town was incorporated on a vote of 29 in favor, 6 opposed.

Henry House served on the board of trustees and was assigned to oversee the town's water supply, which was the main reason the town was organized. One of the first actions of the board of trustees was to authorize a \$28,000 bond issue to finance the town's first water system. The ordinance was referred to the people and was approved in an election, 43-3. The first well was drilled in 1912 "on the hill overlooking the town," and a second well was drilled in 1915 on Wyoming Avenue (now 72nd Avenue), a large tank was constructed and water mains were installed. Water rates were set at \$1.00 per month for domestic use.

Henry House lived at 7319 Orchard Court from the time that he built the residence in 1920, until he sold it in 1939 to Elmer K. Hoover and Vada Frances Hoover. The Hoovers and their descendents lived in the house until 2003, when Mrs. Joan Parriott, daughter of the Hoovers, sold the residence to the Westminster Housing Authority. The acquisition included the residence and vacant land south of the home to West 73rd Avenue. According to Mrs. Parriott, the vacant land had been used as a fruit tree orchard, but only one apple tree remained on the property when it was purchased by the WHA. The City has subdivided a 7,000 square foot lot to be associated with the Henry House Residence. The vacant land is expected to be preserved as a portion of a neighborhood park.

Sources

Obituary, Westminster Journal (Oct. 15, 1948)

History of Westminster, Colorado, 1911 -1961

Interview, Joan Parriott

Appendix

Obituary, Westminster Journal (Oct. 15, 1948)

Interview, Joan Parriott

Photos

HISTORIC LANDMARK BOARD

RESOLUTION NO. 2005-002

WHEREAS, the Henry House Residence is historically significant because:

1. The buildings represent a style particularly associated with the Westminster area and are at least 50 years old,
2. Represents an association with a notable person or the work of a notable person; 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 Henry House Residence be designated as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code.
2. The particular features that should be preserved include:
 - a. The house and garage in their original condition,
 - b. Wood shingle siding,
 - c. Window, roof and dormer configurations,
 - d. Double front door configuration,
 - e. All other exterior original features when it was built in 1920.
3. The legal description and location of the property are:

Address and general location:

7319 Orchard Court, west side of Orchard Court, north of West 73rd Avenue, generally between Lowell and Bradburn Boulevards.

Legal description:

A parcel of ground situated in Lots 17, 18, 19, 20 and 21, Block 34, House's Resubdivision of Blocks 31 and 34, Harris Park, as recorded in Book 1, Page 25, in the records of Adams County, State of Colorado, said parcel being more particularly described as follows:

The northerly 70 feet of the easterly 100 feet on the afore described Lots 17, 18, 19, 20 and 21, Block 34, Houses' Resubdivision of Blocks 31 and 34, Harris Park, as recorded in Book 1, Page 25, of the Adams County records, State of Colorado.

UTM coordinates:

UTM Zone13

Datum NAD 27

Linear Unit: Meter

496749.9596; 4408622.6218

PASSED AND ADOPTED this 13th of April, 2005.

/s/ April Luber, Chair

ATTEST:

Secretary

RESOLUTION

RESOLUTION NO. 18
SERIES OF 2005

INTRODUCED BY COUNCILMEMBERS

WHEREAS, the Henry House Residence is historically significant because:

1. The buildings represent a style particularly associated with the Westminster area and are at least 50 years old,
2. Represents an association with Henry House, one of the incorporators of Westminster, a former mayor, a housing developer, and one of the team that created Westminster's first water system; 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,

WHEREAS, the Historic Landmark Board adopted its Resolution 2005-002 in which the Board finds that the Henry House Residence is historically significant and designates the buildings and site 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 Henry House Residence be designated as a local historic landmark pursuant to Section 11-13-5 of the Westminster Municipal Code.
2. The particular features that should be preserved include:
 - a. The house and garage in their original condition,
 - b. Wood shingle siding,
 - c. Window, roof and dormer configurations,
 - d. Double front door configuration,
 - e. All other exterior original features when it was built in 1920.
3. The legal description and location of the property are:

Address and general location:

7319 Orchard Court, west side of Orchard Court, north of West 73rd Avenue, generally between Lowell and Bradburn Boulevards.

Legal description:

A parcel of ground situated in Lots 17, 18, 19, 20 and 21, Block 34, House's Resubdivision of Blocks 31 and 34, Harris Park, as recorded in Book 1, Page 25, in the records of Adams County, State of Colorado, said parcel being more particularly described as follows:

The northerly 70 feet of the easterly 100 feet on the afore described Lots 17, 18, 19, 20 and 21, Block 34, Houses' Resubdivision of Blocks 31 and 34, Harris Park, as recorded in Book 1, Page 25, of the Adams County records, State of Colorado.

UTM coordinates:

UTM Zone13

Datum NAD 27

Linear Unit: Meter

496749.9596; 4408622.6218

PASSED AND ADOPTED this 9th day of May, 2005.

ATTEST

City Clerk

Mayor



WESTMINSTER
C O L O R A D O

Agenda Item 10 D

Agenda Memorandum

City Council Meeting
May 09, 2005



SUBJECT: Resolution No. 19 re Holly Park Supplemental Appropriation

Prepared By: Aaron B. Gagné, Senior Projects Coordinator

Recommended City Council Action

Pass Resolution No. 19 providing for a supplemental appropriation of \$120,000 from the 2005 General Fund contingency to be transferred to the Westminister Economic Development Authority (WEDA) Fund for the Holly Park redevelopment project.

Summary Statement

- Remaining WEDA budgeted funds are insufficient to pay for all of the obligations relating to the previously authorized acquisition of the Holly Park project.
- City Council is being requested to advance WEDA \$120,000 from the 2005 General Fund contingency to use to satisfy its obligations relating to the acquisition of the uncompleted portions of the Holly Park project. The City understands that the Authority agrees to repay the City for the \$120,000 of funds advanced using proceeds from the sale of WEDA owned land within the project area or project revenues from tax increment.
- Adequate funds are available from 2005 General Fund contingency fund revenues to fund this request.

Expenditure Required: \$ 120,000

Source of Funds: 2005 General Fund contingency

Policy Issue

Should Council authorize the supplemental appropriation of \$120,000 of General Fund contingency so WEDA can meet its current financial obligations relating to the Holly Park project, with WEDA agreeing to repay the City \$120,000?

Alternatives

Council could decide to not appropriate the advance to WEDA. This action is not recommended as the Authority must meet its current financial obligations and the City will be repaid the \$120,000.

Council could also decide not to have WEDA repay the City for the appropriated \$120,000. Staff believes that these funds should be repaid to the General Fund as they are more appropriately an obligation of WEDA.

Background Information

Since the abandonment of construction activities at the Holly Park townhome project in 2001, this property has been a significant blight on the surrounding neighborhood. More importantly, there are twelve existing townhome owners who bought their property prior to the completion of the project and have lived in a very difficult environment for almost four years.

There has been a very protracted effort on the part of City Staff to understand the problems with the project and to come up with possible solutions to address them. The property is currently encumbered by a \$5 million Deed of Trust held by Wells Fargo, approximately \$1.2 million in mechanic's liens, and over \$125,000 in unpaid property taxes. In addition, tax certificates for the unpaid property taxes were sold at tax sale by the Adams County Treasurer's Office, and it is anticipated that a Treasurer's Deed to at least a portion of the property will be issued in May of this year. Apparently, the tax certificates for the "footprints" of the townhome buildings were sold to one purchaser, and the tax certificates to the "common area" were purchased by yet another. The former has proceeded to apply for a Treasurer's Deed, while the latter has not.

In February of 2004, City Council designated the Holly Park Townhome site and certain surrounding properties as an Urban Renewal Area. Both before and after this designation, Staff spent a significant amount of time, effort, and resources in an attempt to reach a redevelopment agreement with the original project developer and land owner, Westminster Park Corporation ("WPC") to complete the project without success. As a result, the Authority adopted Resolution 51A on April 5, 2004 and Resolution 72 on March 14, 2005 authorizing the acquisition, through condemnation if necessary, of the unfinished portions of Holly Park.

The acquisition of the abandoned project was unbudgeted by WEDA or by the City for 2005, and an advance of funding is necessary to carry out the previous direction of the Board. It is anticipated that WEDA will be able to repay all associated loans from the City through a combination of sales proceeds of the site and new incremental property taxes generated once the project is completed.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **19**

INTRODUCED BY COUNCILLORS

SERIES OF 2005

WHEREAS, City Council supports transfers from the General Fund's contingency account to balance various expenditure accounts due to unanticipated or additional costs, and

WHEREAS, WEDA has entered into contracts for legal and other professional services pertaining to the previously authorized acquisition of Holly Park, and

WHEREAS, sufficient WEDA funds are unavailable to affect the authorized acquisition, and

WHEREAS, WEDA desires to bring about the completion of Holly Park, and

WHEREAS, the 2005 General Fund contingency balance is \$1,000,000,

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

\$120,000 be transferred from the 2005 General Fund Contingency to the appropriate 2005 Operating Budget accounts as follows:

2005 General Fund Contingency Account (10010900.79900.0000)	(\$120,000)
2005 "Other Financing Use" Account (10010900.78800.0000)	+\$120,000

Passed and adopted this 9th day of May, 2005.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, May 9, 2005. Mayor McNally, Councillors Davia, Dittman, Dixon, Kauffman, and Price were present at roll call. Councillor Hicks joined the meeting in progress.

The minutes of the April 25, 2005 meeting were approved.

Council proclaimed May to be Mental Health Month and the week of May 15-21 to be Public Works Week.

Council listened to a report from Kara van Beek concerning her experiences in Washington, D.C. while attending the Presidential Inauguration in January.

Council approved the following: engineering design contract amendment re 104th Ave/Sheridan Blvd. Project; Westfield Village Park Project contract award; purchase of plant material for Westfield Village Park Improvement Project; First Amendment to Final Development Agreement re The Orchard at Westminster; and utility relocation costs re 144th Ave/I-25 Interchange Project.

The following Councillors' Bills were adopted on second reading:

A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUND.

A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

A public hearing was held re the Henry House residence local historic landmark designation.

Council adopted Resolution No.18 designating the Henry House residence a local historic landmark and Resolution No. 19 re Holly Park supplemental appropriation

At 7:46 p.m. the meeting was adjourned.

By order of the Westminster City Council
Linda Yeager, MMC, City Clerk
Published in the Westminster Window on May 19, 2005

BY AUTHORITY

ORDINANCE NO. **3207**
SERIES OF 2005

COUNCILLOR'S BILL NO. **23**
INTRODUCED BY COUNCILLORS
DAVIA – DIXION

A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$82,941,554 is hereby increased by \$1,600,000 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$85,291,685. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the appropriation of 2004 carryover to be loaned to WEDA for the Shops at Walnut Creek project.

Section 2. The \$1,600,000 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES Description	Account Number	Current Budget	Amendment	Revised Budget
Carryover	1000.40200.0000	\$0	<u>\$1,600,000</u>	\$1,600,000
Total Change to Revenues			<u>\$1,600,000</u>	
EXPENSES Description	Account Number	Current Budget	Amendment	Revised Budget
Other Financing Use	10010900.78800.0000	\$0	<u>\$1,600,000</u>	\$1,600,000
Total Change to Expenses			<u>\$1,600,000</u>	

Section 3. The 2005 appropriations for the General Capital Improvement Fund do not change. The general ledger accounts changed are shown below for informational purposes.

EXPENSES Description	Account Number	Current Budget	Amendment	Revised Budget
Prom/Mandalay	80175030201.80400.8888	\$1,518,784	\$(1,513,951)	\$4,833
Transfer to WEDA	75010900.79800.0680	0	<u>1,513,951</u>	1,513,951
Total Change to Expenses			<u>\$0</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25th day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of May, 2005.

BY AUTHORITY

ORDINANCE NO. **3208**
SERIES OF 2005

COUNCILOR'S BILL NO. **24**
INTRODUCED BY COUNCILLORS
PRICE – DAVIA

A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,587,000 is hereby increased by \$144,000 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$7,731,000. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the receipt of a grant from Jefferson County Open Space for the Armed Forces Tribute Garden.

Section 2. The \$144,000 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUE		Current		Revised
Description	Account Number	Budget	Amendment	Budget
Jeffco Open Space Grants	7501.40630.0020	\$0	\$144,000	\$144,000
Total Change to Revenues			\$144,000	
EXPENSES		Current		Revised
Description	Account Number	Budget	Amendment	Budget
Armed Svc Memorial Garden	80575050406.80400.8888	\$75,000	\$144,000	\$219,000
Total Change to Expenses			\$144,000	

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 AND PUBLISHED this 25th day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of May, 2005.

BY AUTHORITY

ORDINANCE NO. **3209**
 SERIES OF 2005

COUNCILLOR'S BILL NO. **25**
 INTRODUCED BY COUNCILLORS
KAUFFMAN - DITTMAN

A BILL FOR AN ORDINANCE AMENDING THE 2005 BUDGETS OF THE GENERAL, GENERAL CAPITAL IMPROVEMENT AND UTILITY FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2005 ESTIMATED REVENUES IN THE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2005 appropriation for the General Fund initially appropriated by Ordinance No. 3162 in the amount of \$82,941,554 is hereby increased by \$845 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$83,691,685. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. The appropriation is due to the receipt of the City's p-card rebate and a donation from Wal-Mart.

Section 2. The \$845 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
General Misc	1000.43060.0000	\$200,392	\$345	\$200,737
Contributions	1000.43100.0000	5,000	<u>500</u>	5,500
Total Change to Revenues			<u>\$845</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Supplies	10015050.70200.0000	\$7,470	\$345	\$7,815
Landscape Supplies	10050550.71000.0969	27,000	<u>500</u>	27,500
Total Change to Expenses			<u>\$845</u>	

Section 3. The 2005 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3162 in the amount of \$7,587,000 is hereby increased by \$107,250 which, when added to the fund balance as of the City Council action on April 25, 2005 will equal \$7,838,250. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to receipt of a reimbursement from Adams County for their share of the 80th & Federal improvements.

Section 4. The \$107,250 increase in the General Capital Improvement Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Adams County	7500.40450.0010	\$0	<u>\$107,250</u>	\$107,250
Total Change to Revenue			<u>\$107,250</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
80 th & Fed Intersection	80475030603.80400.8888	\$215,000	<u>\$107,250</u>	\$322,250
Total Change to Expenses			<u>\$107,250</u>	

Section 5. The 2005 appropriation for the Water Portion of the Utility Fund initially appropriated by Ordinance No. 3162 in the amount of \$28,394,843 is hereby increased by \$3,446 which, when added

to the fund balance as of the City Council action on April 25, 2005 will equal \$28,398,289. The actual amount in the Water Portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This appropriation is due to the receipt of a refund from Hewlett Packard.

Section 6. The \$3,446 increase in the Water Portion of the Utility Fund shall be allocated to City revenue and expense accounts, which shall be amended as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
General Misc	2000.43060.0000	\$300,000	\$3,446	\$303,446
Total Changes to Revenue			\$3,446	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Comp Hard/Soft	20060230.75400.0000	\$172,250	\$3,446	\$175,696
Total Change to Expenses			\$3,446	

Section 7. – 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 8. This ordinance shall take effect upon its passage after the second reading.

Section 9. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED AND PUBLISHED this 25th day of April, 2005. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 9th day of May, 2005.