



**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. Many items have been previously discussed at a Council Study Session.

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

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Consideration of Minutes of Preceding Meetings** (November 24, 2014)
- 4. Report of City Officials**
  - A. City Manager's Report
- 5. City Council Comments**
- 6. Presentations**
- 7. Citizen Communication (5 minutes or less)**

**The "Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Council member wishes to remove an item for separate discussion. Items removed from the consent agenda will be considered immediately following adoption of the amended Consent Agenda.**

- 8. Consent Agenda**
  - A. Little Dry Creek Grading Project – Award of Pre-Construction Services Contract
  - B. 2014 Open Space Demolition Project Contract
  - C. Municipal Court Security Services Contract
  - D. Ratify 2015 Gasoline and Diesel Purchase for City Vehicles
  - E. 2014 Ratification of Additional Expenses with Commercial Fitness Solutions, Inc.
  - F. Additional Expenditure Authorization for 2014 Deicing Salt Purchase
  - G. Northridge Tank No. 3 Construction Contract Award
  - H. Northridge Tank No. 3 Design Contract Amendment
  - I. Northridge Tank No. 3 Transfer of Funds
  - J. Westminster/Crestview IGA for Federal View Utility Services
  - K. Amendment of Pacific Companies and Urban Pacific Multi-Housing LLC Contract to Buy and Sell Real Estate
  - L. Second Reading of Councillor's Bill No. 36 re 2014 Third Quarter Budget Supplemental Appropriation
  - M. Second Reading of Councillor's Bill No. 37 – Supplemental Appropriation of HUD Section 108 Loan Fund Balance
  - N. Second Reading of Councillor's Bill No. 38 Appropriating Open Space Grant for McKay Drainageway Project
  - O. Second Reading of Councillor's Bill No. 39 Amending the Police and General Employee Pension Plans
- 9. Appointments and Resignations**
- 10. Public Hearings and Other New Business**
  - A. Public Hearing on McKay Lake Overlook Property Annexation, CLUP Amendment and Rezoning
  - B. Councillor's Bill No. 41 Annexing the McKay Lake Overlook Property
  - C. Councillor's Bill No. 42 Approving a CLUP Amendment for the McKay Lake Overlook Property
  - D. Councillor's Bill No. 43 Rezoning the McKay Lake Overlook Property
  - E. Councillor's Bill No. 44 Making Revisions to the Purchasing Code, Title XV, Chapter 1
  - F. Councillor's Bill No. 45 Vacating 91<sup>st</sup> Avenue R-O-W within WURP Boundary
  - G. Authorize Receipt and Administration of 2015 Rocky Mountain High Intensity Drug Trafficking Area Grant
  - H. Councillor's Bill No. 46 Appropriating Grant Monies from 2015 RMHIDTA Grant
  - I. Authorize 2016 RMHIDTA Grant Application
  - J. Resolution No. 29 Authorizing Capital Commitment for Foothills Animal Shelter per IGA
  - K. Resolution No. 30 Consent to Country Club Village Metro District Proposed 2014 Refunding Bond Issue

L. Resolution No. 31 Adopting the 2014 Open Space Stewardship Plan

**11. Old Business and Passage of Ordinances on Second Reading**

A. Remove Councillor's Bill No. 29 from the Table (Tabled 10-13-14)

B. Councillor's Bill No. 29 Amending Section 10-1-12, W.M.C., Concerning Parking on Public Streets

C. Special Legal Counsel Services for Drafting of Collective Bargaining Ordinance (Tabled 10-27-14)

**12. Miscellaneous Business and Executive Session**

A. City Council

**13. Adjournment**

**NOTE:** Persons needing an accommodation must notify the City Clerk no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. You can call 303-658-2161/TTY 711 or State Relay or write to [lyeager@cityofwestminster.us](mailto:lyeager@cityofwestminster.us) to make a reasonable accommodation request.

\*\*\*\*\*

**GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS**

**A.** The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.

**B.** Any person wishing to speak other than the applicant will be required to fill out a "Request to Speak or Request to have Name Entered into the Record" form indicating whether they wish to comment during the public hearing or would like to have their name recorded as having an opinion on the public hearing issue. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.

**C.** The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.

**D.** The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.

**E.** When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.

**F.** City Staff enters a copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;

**G.** The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);

**H.** Staff presents any additional clarification necessary and states the Planning Commission recommendation;

**I.** All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.

**J.** Final comments/rebuttal received from property owner;

**K.** Final comments from City Staff and Staff recommendation.

**L.** Public hearing is closed.

**M.** If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, NOVEMBER 24, 2014, AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Mayor Herb Atchison, Mayor Pro Tem Faith Winter, and Councillors Bruce Baker, Bob Briggs, Alberto Garcia, Emma Pinter, and Anita Seitz were present at roll call. Also present were City Manager J. Brent McFall, Acting City Attorney Hilary Graham, and City Clerk Linda Yeager.

CONSIDERATION OF MINUTES

Councillor Briggs moved, seconded by Councillor Baker, to approve the minutes of the regular meeting of November 10, 2014, as presented. The motion carried unanimously.

CITY MANAGER'S REPORT

Mr. McFall announced that City offices would be closed on Thursday, November 27, in observation of Thanksgiving. Those wondering about operating hours of City facilities the balance of the weekend should consult the website. Following Council's meeting tonight, the Boards of Directors of the Westminster Economic Development Authority and the Westminster Housing Authority would meet. Upon adjournment of those meetings, Council would hear a presentation on expenditures of Section 108 loan and CBDG funds in a post-meeting briefing in the Board Room. The public was welcome to attend. At the conclusion of the presentation, the Council would be asked to convene in executive session to discuss strategy and progress on the potential sale, acquisition, trade or exchange of certain water rights and to consult with special water counsel on pending or ongoing litigation, as allowed by Westminster Municipal Code and Colorado Revised Statutes.

COUNCIL REPORTS

Mayor Pro Tem Winter invited the public to attend the Hometown Christmas celebration and lighting of the Christmas tree at Fire Station 1 on December 4 at 6:30 p.m. and the Holiday Lighting Ceremony at City Hall on December 5 that would culminate with a visit from Santa Claus.

Councillor Garcia announced that Hyland Hills Recreation District, a partner of the City, was featuring Adventure Golf Holiday Lights at the Adventure Mini Golf Course from November 28 through January 3 and hoped the public would enjoy this new community event. Additionally, Councillor Garcia reported that he, Councillors Seitz and Pinter, and Deputy City Manager Steve Smithers had just returned from a National League of Cities Conference in Austin, Texas. The opportunity to meet and visit with elected municipal officials from throughout the United States and to attend workshops on topics of interest to all were very valuable. He appreciated being able to attend and came away inspired by Westminster's services, programs and innovative solutions to problems facing most municipalities in the nation.

Councillor Seitz wished everyone Happy Thanksgiving. She urged people to support local business on Shop Small Saturday, November 29 and to remember Colorado Gives Day on December 9 by donating to a favorite charity. Colorado Gives Day was the main source of funding for many charities that gave support each year to people of all ages, circumstances and needs. It was important to donate no matter which charity benefitted. Additionally, Councillor Seitz reported on the exciting National League of Cities (NLC) Conference she had attended. Comparing community activities and assets with others had reminded her how proud she was of Westminster and the services the City provided. The plan for the new Downtown Westminster had many similarities to a new development in Austin that Councillors got to tour and it galvanized her belief in the City's plan.

Councillor Briggs reported that the Butterfly Pavilion's annual Living Lights would be every Friday, Saturday and Sunday from 6 to 9 p.m. beginning December 5 and running through January 11. He urged everyone to attend, noting that the Pavilion was a beneficiary of Colorado Gives Day and a worthy cause to support.

Councillor Pinter added comments about the NLC Conference and how valuable it had been to attend. Further, she urged participation in Colorado Gives Day or the giving of one's time to a local charity of choice. There was a plethora of worthy causes and ways to satisfy the need to give to others in need.

Mayor Atchison reported that the Hmong community's New Year celebration would start on Friday, November 28, with activities planned all weekend. Westminster had a large population of Hmong and residents were invited to attend the celebration at the Adams County Fairgrounds to learn more about the culture.

### CITIZEN COMMUNICATION

Michael Brownlee, 4500 19<sup>th</sup> Street in Boulder, and Dale Kamibayashi, 513 Aztec Drive in Boulder, supported a local food business concept at Shoenberg Farms that had been presented at the November 10, 2014, City Council meeting. Both were involved in efforts to keep Colorado grown and manufactured food products within the state for local consumption of fresh products rather than exported. This was a choice Colorado consumers were making and the percentage seeking out locally grown foods was growing substantially each year. Westminster could become a regional market hub if the business concept was embraced.

Marjorie Tretter, 10190 Grove Loop, and Gerry Foppe, 9088 Hoyt Street, commented on the new Downtown Westminster development planned at the former Westminster Mall site and suggested there be consideration given to senior housing and a variety of businesses to support the needs of non-driving residents. They were concerned about the sustainability of the project and limited parking for those traveling to the area to shop and enjoy the amenities that would become part of the downtown atmosphere. Ms. Foppe was concerned about urban life being a fad and questioned the expected profile of people who would want to reside long term in such a dense space. She appreciated the City's dog park off of Sims and what the City was doing with open spaces around Standley Lake.

Ron Taylor, 12828 Newport Way in Thornton and president of the Westminster Professional Firefighters IAFF Local 2889; Don Baldwin, 6243 West 60<sup>th</sup> Avenue in Arvada; Steve Johnston, 11154 Navajo Street; and Dennis Eulberg, 13945 Albion Way in Thornton; spoke in favor of the IAFF Local 2889's July 2014 petition request for collective bargaining as allowed by the Firefighters Safety Act. Local 2889 had been told the process would move quickly and was concerned that staff was going to hire an outside legal firm to prepare an ordinance to allow collective bargaining. All were active or retired professional firefighters and most were represented through collective bargaining by unions. They believed collective bargaining should be embraced rather than feared and urged Council to continue supporting the Westminster Firefighters efforts.

### CONSENT AGENDA

The following items were submitted for Council's consideration on the consent agenda: accept the Financial Report for October as presented; approve the Fire and Police Departments pursuing the 2014 Assistance to Firefighters Grant in the amount of \$219,534 to enhance the Citywide P25 Radio System; authorize the cumulative purchases in 2014 with HD Supply not to exceed \$137,477 through year end for waterworks materials; and authorize the City Manager to execute a contract with Eckstine Electric Company in the amount of \$1,131,734 for construction of electrical improvements at the Big Dry Creek Wastewater Treatment Facility, plus a contingency of \$113,173, for a total authorized expenditure of \$1,244,907; execute an amendment to the design contract with Black & Veatch Corporation to include engineering services during construction in the amount of \$218,058 plus approve a contingency of \$21,806, for a total of \$239,864, increasing the total authorized expenditure with this firm from the previously approved amount of \$501,131 to \$740,995; and reallocate \$300,285 from the Big Dry Creek Wastewater Treatment Facility Ongoing Major Repairs and Replacement account into the Big Dry Creek Wastewater Treatment Facility 2013 Major Repairs and Replacement project account to provide funds necessary to complete the project.

Councillor Garcia moved, seconded by Councillor Baker, to approve the consent agenda as presented. The motion carried by unanimous vote.

COUNCILLOR'S BILL NO. 36 - 2014 3<sup>RD</sup> QUARTER BUDGET SUPPLEMENTAL APPROPRIATION

It was moved by Councillor's Seitz and seconded by Mayor Pro Tem Winter to pass on first reading Councillor's Bill No. 36, providing for a supplemental appropriation of funds to the 2014 budget of the General, Legacy Ridge, Heritage at Westmoor, Parks, Open Space and Trails, and General Capital Improvement Funds. On roll call vote, the motion passed unanimously.

COUNCILLOR'S BILL NO. 37 – SUPPLEMENTAL APPROPRIATION OF HUD SECTION 108 LOAN FUNDS

Mayor Pro Tem Winter moved, seconded by Councillor Briggs, to pass on first reading Councillor's Bill No. 37 appropriating a balance of funds received from the United States Department of Housing and Urban Development, HUD Section 108 Loan Fund Program, in the amount of \$100,000. On roll call vote, the motion passed unanimously.

COUNCILLOR'S BILL NO. 38 – APPROPRIATING GRANT FOR MCKAY LAKE DRAINAGEWAY PROJECT

Upon a motion by Councillor Briggs, seconded by Councillor Pinter, the Council voted unanimously on roll call vote to pass on first reading Councillor's Bill No. 38 appropriating \$428,459 to the McKay Drainageway Project from Adams County Open Space grant for trail improvements.

AWARD OF CONSTRUCTION CONTRACT FOR MCKAY DRAINAGEWAY PROJECT

Councillor Briggs moved, seconded by Councillor Pinter, to authorize the City Manager to award the bid and execute a contract after approval of Councillor's Bill No. 38 on second reading with the lowest and most qualified bidder, Concrete Express, Inc., in the amount of \$4,499,907.20 for the construction of the project and authorize a construction contingency of \$275,000 for a total authorized expenditure of \$4,774,907.20. The motion passed with all Councillors voting affirmatively.

COUNCILLOR'S BILL NO. 39 AMENDING THE POLICE AND GENERAL EMPLOYEE PENSION PLANS

Upon a motion by Councillor Garcia, seconded by Councillor Pinter, the Council voted unanimously on roll call vote to pass on first reading Councillor's Bill No. 39 amending Title XIV of the Westminster Municipal Code concerning the Police and General Employee Pension Plans.

RESOLUTION NO. 26 - IGA WITH CDOT FOR 120<sup>TH</sup>/FEDERAL INTERSECTION IMPROVEMENTS

It was moved by Councillor Seitz, seconded by Mayor Pro Tem Winter, to adopt Resolution No. 26 authorizing the City Manager to execute an Intergovernmental Agreement between the City of Westminster and the Colorado Department of Transportation pertaining to a federal grant for improvements to the intersection of 120<sup>th</sup> Avenue and Federal Boulevard. At roll call, the motion passed unanimously.

COUNCILLOR'S BILL NO. 40 – APPROPRIATION OF GRANT FOR 120<sup>TH</sup>/FEDERAL IMPROVEMENTS

Councillor Seitz moved, seconded by Mayor Pro Tem Winter, to pass on first reading Councillor's Bill No. 40 appropriating grant monies to be received from the Colorado Department of Transportation for the improvements to the intersection of 120<sup>th</sup> Avenue and Federal Boulevard.

RESOLUTION NO. 27 AMENDING IGA WITH CDOT – I-25 NORTH MANAGED LANES PROJECT

It was moved by Councillor Pinter, seconded by Mayor Pro Tem Winter, to adopt Resolution No. 27 authorizing the City Manager to execute a Contract Amendment regarding the Intergovernmental Agreement with the Colorado Department of Transportation (CDOT), Adams County, Broomfield, Federal Heights, Northglenn, Thornton and Weld County pertaining to the I-25 North Managed Lanes Project. The motion carried unanimously on roll call vote.

RESOLUTION NO. 28 ADOPTING CITY’S 2015 LEGISLATIVE POLICH STATEMENT

Councillor Garcia moved to adopted Resolution No. 28 establishing the City of Westminster 2015 Legislative Policy Statement. Councillor Seitz seconded the motion, which passed by a 6:1 margin on roll call vote with Councillor Baker voting no.

APPOINTMENT OF DAVID R. FRANKEL AS CITY ATTORNEY

Councillor Briggs moved to authorize the Mayor to execute an employment agreement with David R. Frankel for his services as City Attorney for 2015 with an effective date of January 12, 2015, and an automatic renewal for 2016 unless terminated pursuant to the terms of the agreement. Councillor Seitz seconded the motion, which passed unanimously.

COUNCILLOR’S BILL NO. 35 REZONING WURP SITE TO SPECIFIC PLAN DISTRICT

Councillor Seitz moved, seconded by Mayor Pro Tem Winter, to pass on second reading Councillor’s Bill No. 35 rezoning of the site of the former Westminster Mall from Planned Unit Development to Specific Plan District, based on a finding that the criteria set forth in Sections 11-5-3 and 11-4-7.5 of the Westminster Municipal Code have been considered and satisfied. At roll call, the motion passed by a 6:1 margin with Councillor Baker casting the dissenting vote.

ADJOURNMENT

There was no further business to come before the City Council, and, hearing no objections, Mayor Atchison adjourned the meeting at 8:09 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



Agenda Item 8 A

Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Little Dry Creek Grading Project - Award of Pre-Construction Services Contract

**Prepared By:** Andrew Hawthorn - Senior Engineer

**Recommended City Council Action**

Authorize the City Manager to execute a contract with Concrete Express, Inc., in the amount of \$81,550 for the Pre-Construction services for the Little Dry Creek Grading Project; and authorize a contingency of \$12,232.

**Summary Statement**

- Since 2009, City staff has been working with the Urban Drainage and Flood Control District (UDFCD) and Adams County on the planning and design of the Little Dry Creek Regional Detention and Open Space Project, located between Lowell Boulevard and Federal Boulevard at the approximate 69<sup>th</sup> Avenue alignment. To date, the project team has purchased and demolished the Barnum Publishing building, which also required the implementation of certain environmental remediation activities at this site; relocated over five thousand feet of sanitary sewer; lowered two waterlines; bored three separate tunnels through the Federal Boulevard embankment; and is currently extending the headwalls of two culverts under Federal Boulevard. The next and largest phase of this project is the massive earthmoving activities involving the removal of approximately 250,000 cubic yards of material that will ultimately lower the floodplain elevation by four feet and, most importantly, remove the floodplain from the Regional Transportation District (RTD) commuter rail tracks. Per the Intergovernmental Agreement (IGA) between the City and RTD, the City will receive up to \$2 million in credit toward the City’s required Local Agency Contribution of \$3,422,500 for the FasTracks project.
- In order to engage the expertise of a contractor to perform value engineering on the preliminary design plans, a Construction Manager/General Contractor (CM/GC) style of contracting was utilized to separate the Pre-Construction services from the Construction phase of work. In the Pre-Construction phase, a collaborative approach to value engineering will occur between the City’s project team and the Concrete Express team. An amendment to this contract will be presented to City council at a future date for consideration of the Construction phase of work.
- A Request for Qualifications (RFQ) was advertised in the Daily Journal for thirty days. Five Statements of Qualifications (SOQ) were received and reviewed by the selection team. Per the evaluation criteria matrix provided in the SOQ, three of the five contractors were invited to a formal interview on November 13<sup>th</sup>. The most responsive and well qualified contractor was determined to be Concrete Express, Inc. A Pre-Construction services fee proposal of \$81,550 was negotiated with Concrete Express Inc.
- The recommended \$12,232 contingency is reasonable for the Pre-Construction phase of a project of this magnitude and complexity.

**Expenditure Required:** \$93,782

**Source of Funds:** Little Dry Creek Regional Detention Project

**Policy Issue**

Should the City proceed with the overall earthwork activities for the Little Dry Creek site through the use of a Construction Manager/General Contractor type of relationship?

**Alternative**

City Council could chose to not move forward with this project. City staff recommends awarding this contract for earthwork activities since this action will lower the floodplain by approximately four feet below the level of the commuter rail tracks and prepare the site for construction of future phases of work which include the station transit area, Creekside Drive and Little Dry Creek Park. Any substantial delay in the overall grading of the site will prevent the commuter rail tracks from being removed from the floodplain and impact the revenue date for train service on the Northwest Rail Line per the Intergovernmental Agreement with the Regional Transportation District.

Furthermore, Council could elect to proceed with the project through the more conventional method of bidding the grading design without the involvement of a Construction Manager/General Contractor. Staff elected to consider the CM/GC style of contracting after researching the various methods utilized on similar projects in the region. For example, the City of Loveland (Mahaffey Park), the City and County of Denver (South Platte River Habitat Parks) and the City of Thornton (Margaret Carpenter Park) constructed major parks projects through the use of the CM/GC type of contract within the past several years. The Colorado Department of Transportation (CDOT) engages in this style of contracting for very large projects such as the Twin Tunnels expansion on I-70 near Idaho Springs.

The intent of a CM/GC contract is to bring the contractor's representatives into the project team during the design phase so that they can provide knowledge gained through their experience on the means and methods of building these types of complex projects. This process generally achieves a "buy-in" from the contractor that translates into cost savings for the City by taking advantage of the contractor's ability to minimize "surprises" and risks before the project even begins. Furthermore, the contractor, who is the real expert in such matters, will play a large role in setting the scheduling and phasing of the grading project. The CM/GC will bring expertise to the design process on items as specialized as the least expensive supplier of landscaping boulders or the best nearby locations to export excess dirt. Most importantly, the CM/GC will work with City staff and the remainder of the design team to develop construction costs before any actual grading commences. At that time, the City and the CM/GC will agree upon a Guaranteed Maximum Price (GMP) for the actual grading work, and, by definition, that cost will not be exceeded. The GMP will be brought back to City Council for consideration at a future date.

Staff recognizes that the CM/GC method of contracting is not nearly as common as the design/bid/build method that is generally used for the majority of the City's Capital Improvement Projects. But, for a multi-million dollar grading project located within an older portion of the City that could contain numerous buried obstacles, staff is convinced that an early partnership with a contractor is the most beneficial and economical method of handling the project.

**Background Information**

City staff has been working with the Regional Transportation District (RTD), the Urban Drainage and Flood Control District (UDFCD) and Adams County on the Westminster Commuter Rail Station and TOD area redevelopment. Currently, the 100-year floodplain inundates the railroad tracks by approximately four feet. In addition to lowering the floodplain water surface elevation by four feet to below the elevation of the commuter rail tracks, a critical piece of this site redevelopment is transforming the area south of the tracks to remove fourteen of the homes located within unincorporated Adams County from the floodplain. To achieve this, over 250,000 cubic yards of material must be removed from this site, a new 2.3-acre lake must be constructed and the realignment of Little Dry Creek must occur.

Over the past two years, the City has realigned over five thousand feet of sanitary sewer mains, relocated two water lines and bored three new tunnels under Federal Boulevard to prepare for this overall grading project. Per the Intergovernmental Agreement (IGA) between the City and RTD, the City is obligated to lower the floodplain off of the commuter rail tracks before the revenue service date which is scheduled for mid-2016. Given the scale of this project, the City must begin work within the next couple of months in order to achieve this deadline. This grading project is one phase of a multiple phase, multiple year project that will transform this area into a landmark transportation hub.

In order to engage the expertise of a contractor to perform value engineering on the preliminary design plans, a Construction Manager/General Contractor (CM/GC) style of contracting was selected to complete the design. This teamwork approach to project involvement will focus on value engineering by involving the CM/GC in the actual design process and incorporating cost savings that this firm's expertise brings to the project. As an example, the current engineers cost estimate for dirt work is \$13 per cubic yard, and in a typical design/bid/build contract it would be reasonable to expect bids on that item to be near that amount. However, in the CM/GC method, the City selects the most qualified contractor and then begins to identify specific means, methods and delivery locations for said material. As a result, the City can expect to realize a much lower cost, say \$7 per cubic yard, to move this material. With 250,000 cubic yards of material, this can equate to a \$1,500,000 savings to the project.

The CM/GC contract is structured to allow the City flexibility in engaging Concrete Express in the Pre-Construction phase for a fixed lump sum fee that staff negotiated. This contract can then be amended, with Council approval at a future City Council meeting, to include the future negotiated Guaranteed Maximum Price (GMP) for the construction phase of work.

The Request For Qualifications (RFQ) for the overall grading package for this project was advertised in the Daily Journal and on the City's website for thirty days, and five Statement Of Qualifications (SOQ) were reviewed by the project team during the first week of November. Per the evaluation criteria matrix provided in the SOQ, three of the five contractors - Concrete Express, Inc., ECI and Haselden - were invited to a formal interview on November 13<sup>th</sup>. During the interviews it was identified that both ECI and Haselden would have to subcontract more than 50% of the work, thus compromising control of the project cadence and timing. Conversely, Concrete Express has an extensive fleet of in-house equipment and personnel that can be used to perform 90% of the work without reliance upon sub-contractors that will equate to a cost savings on actual construction without incurring markups from a typical General Contractor - Subcontractor relationship. Additionally, in order to verify CEI's costs are in alignment with industry standard, staff intends to procure the services of a professional cost estimator during the development of the Guaranteed Maximum Price (GMP).

For the reasons stated above and the recently competitively bid projects awarded to Concrete Express, Inc. as the low bidder, CEI was unanimously selected by the selection committee, and a fee was negotiated for Pre-Construction services. Concrete Express, Inc. proposes a lump sum fee of \$81,550 for the Pre-Construction services. Staff is familiar with Concrete Express, Inc. and is confident that the company will complete this project in a timely, cost effective and professional manner.

It is recommended that Council award the contract to Concrete Express, Inc. The requested contingency of \$12,232 is approximately 15% of the overall Pre-Construction budget. This is a reasonable contingency for the Pre-Construction work on a project of this size and complexity. The cost for this project will be paid from Little Dry Creek Drainage Project Funds.

**SUBJECT:** Little Dry Creek Grading – Award of Construction Contract

Page 4

Council action on this item meets elements of three goals in the City's Strategic Plan: *Beautiful, Desirable, Environmentally Responsible City, Dynamic, Diverse Economy* and *Proactive Regional Collaboration*.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments: Site Map



# VICINITY MAP





## Agenda Item 8 B - REVISED

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** 2014 Open Space Demolition Project Contract - REVISED

**Prepared By:** Jacob P. Kasza, Open Space Technician  
Heather Cronenberg, Open Space Coordinator

### Recommended City Council Action

Contingent upon approval of Councillor's Bill No. 36 on second reading appropriating 2013 Parks, Open Space & Trails Fund carryover, authorize the City Manager to execute a contract with the lowest bidder, Property Assurance, in the amount of \$209,477 for the 2014 Open Space Demolition Project, Bid Schedules A, C, and Revised D, with Schedule B as an add alternate at \$9,363, and authorize a construction contingency in the amount of \$21,884 for a total authorized expenditure of \$240,724.

### Summary Statement

- Staff has revised this agenda memo due to a decision by the Historic Landmark Board on December 2, 2014, to hold a public hearing on the demolition of the garage on the Allison-Semper Property (see below Bid Schedule B). This property is a designated historic landmark within the City. The Board will hold the public hearing at their January 6, 2015, scheduled meeting. Due to the limited time available between meetings and the requirement to give notice for public meetings, Staff recommends awarding Schedule B as an add alternate. Pending the decision of the Board, Staff will give notice to proceed with the add alternate, Schedule B, or remove this from the demolition contract.
- Over the years, the City has acquired four open space properties with various types of structures located on them. It is in the City's best interest to remove these structures and return the properties to a more native condition since many of the structures are subject to vandalism and are a source of blight. The four properties included in this project are as follows:
  1. The Bonnie Stewart Property, two homes, at 8370 and 8390 W 108th Avenue; Bid Schedule A
  2. The Allison-Semper Property, a garage, at 9215 Pierce Street; Bid Schedule B
  3. The Bushnell Property at 12620 Zuni Street; Bid Schedule C
  4. The McKay Lake Overlook Property at 14330 Zuni Street;
    - South House: Bid Schedule Revised D
    - North House: Bid Schedule E
- The Request for Bids for the demolition of these was sent to a select list of 10 demolition and asbestos abatement contractors, and bids were opened on November 20. Three bids were received, and the lowest responsible bidder is Property Assurance with a bid of \$259,190. Due to limited funding available, Staff recommends only awarding Bid Schedules A, C, and Revised D, with Schedule B as an add alternate. Staff has reviewed the bids and recommends awarding this reduced construction contract to Property Assurance. A \$21,884 contingency is also recommended.

**Expenditure Required:** \$240,724

**Source of Funds:** General Capital Improvement Fund – Open Space Demolition Project

**Policy Issue**

Should the City proceed with the demolition of all structures on Bid Schedules A, C, and Revised D, with Schedule B as an add alternate pending a public hearing of the Westminster Historic Landmark Board, on these open space parcels?

**Alternative**

Council could chose to forego the demolition of any of the structures on the different open space parcels or not pursue this project at all. Staff recommends proceeding with schedules A, C, and Revised D, with Schedule B as an add alternate pending a public hearing of the Westminster Historic Landmark Board, for the project as bid since very favorable bids were received. Postponing these demolitions may result in higher costs in the future.

**Background Information**

Over the years, the City has purchased many properties to add to the open space inventory. All of these open space properties include structures, outbuildings and various amounts of trash and debris. The demolition of all structures within these four separate open space parcels has been considered by staff since the purchase of these properties. The removal of all structures and debris on these properties will return the land to a more native open space condition, will remove a source of blight in their respective neighborhoods and will reduce the City's potential liability from the unsafe conditions of the structures. The demolition of structures and debris removal will occur on the following four properties:

1. The Bonnie Stewart Property, two houses, at 8370 and 8390 W 108th Avenue; Bid Schedule A
2. The Allison-Semper Property, a garage, at 9215 Pierce Street; Bid Schedule B, as add alternate pending a public hearing of the Westminster Historic Landmark Board and issuance of a Certificate of Historic Appropriateness
3. The Bushnell Property at 12620 Zuni Street; Bid Schedule C
4. The McKay Overlook Property at 14330 Zuni Street;
  - a. South House; Bid Schedule Revised D

The Bonnie Stewart Property was purchased with assistance from a Jefferson County Open Space grant. Per that 2012 grant agreement, the City was to terminate the residential leases within two years. The County has agreed that the City has fulfilled the requirements in the grant agreement by terminating the leases and planning the demolition.

The cement block garage on the Allison Semper Property was built in the 1960's and has been deemed a non-contributing factor to the historic significance of the site. Staff has received approval from the State Historical Fund to proceed with the demolition of the garage.

On January 24th 2005, the entire Allison-Semper property was designated as a historic landmark by City Council. The garage was not listed as one of the historic features but it is located within the legal description of the property. Pursuant to Westminster Municipal Code 11-13-10, a Certificate of Historic Appropriateness shall be required for any work other than maintenance and repair on a property subject to a historic designation. At the December 2, 2014, Westminster Historic Landmark Board meeting, the Board decided to hold a public hearing on the demolition of the garage. The Board will hold the public hearing at their January 6, 2015, scheduled meeting. Due to the limited time available between meetings and the requirement to give notice for public meetings, Staff recommends including Schedule B as an add alternate to this demolition contract. Pending the decision of the Historic Landmark Board to issue a Certificate of Historic Appropriateness, Staff will give notice to proceed with the add alternate Schedule B or not amend the demolition contract. If the Board votes against removal of the structure, Staff will come back to Council to evaluate alternatives concerning the future of the garage structure.

The Request for Bids for this demolition project was sent to a select list of 10 demolition and asbestos abatement contractors, and bids were opened on November 20. Three bids were received, and the lowest responsible bidder is Property Assurance with a bid of \$259,190.

Due to limited funding available, Staff recommends only awarding Bid Schedules A, C, and Revised D with Schedule B as an add alternate. Bid Schedule E is staff's lowest priority for demolition. If the contingency is not fully spent or Staff identifies other funding sources then Staff may come back to Council for approval to initiate a change order to include the Bid Schedule E. Staff has reviewed the bids and recommends awarding this construction contract to Property Assurance.

The bid results are as follows:

<b>BID SUMMARIES</b>			
<b>Schedule</b>	<b>Property Assurance</b>	<b>Mendoza Demolition</b>	<b>Smith Environmental and Engineering</b>
	<b>Unit \$</b>	<b>Unit \$</b>	<b>Unit \$</b>
A	\$113,921.00	\$117,400.00	\$125,936.25
B	\$9,363.00	\$6,700.00	\$14,172.56
C	\$56,714.00	\$65,900.00	\$90,520.24
Revised D	\$38,842.00	\$37,150.00	\$52,926.49
E	\$40,350.00	\$38,450.00	\$45,354.76
<b>TOTAL BID</b>	<b>\$259,190.00</b>	<b>\$265,600.00</b>	<b>\$328,910.30</b>

Staff has reviewed the results of the bidding procedure and recommends that the low bidder, Property Assurance be awarded the contract in the amount of \$209,477 for Bid Schedules A, C, and Revised D, with Schedule B as an add alternate at \$9,363. Staff has also reviewed the references for Property Assurance and believes that the company is very capable of performing this type of demolition project. The contingency amount of \$21,884 is approximately 10% of the cost of project. Staff believes that this is an adequate contingency for this type of work

This demolition project meets the goals of Beautiful, Desirable, and Environmentally Responsible City by responsibly removing the asbestos inside the buildings, removing rundown and empty structures and re-vegetating the properties with native grasses.

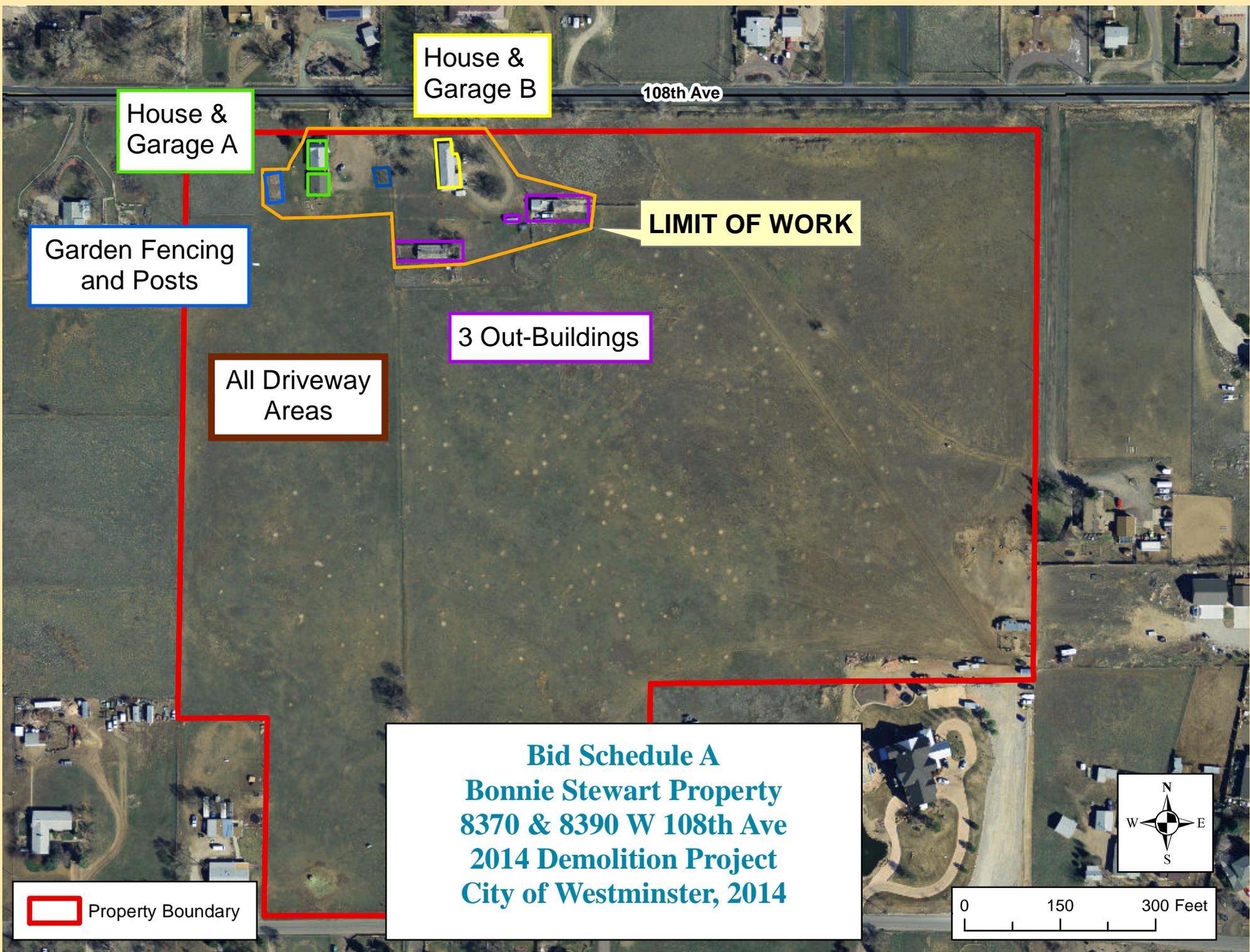
Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

Site Maps

- Schedule A
- Schedule B
- Schedule C
- Revised Schedule D
- Schedule E



House & Garage B

House & Garage A

108th Ave

Garden Fencing and Posts

LIMIT OF WORK

All Driveway Areas

3 Out-Buildings

**Bid Schedule A**  
**Bonnie Stewart Property**  
**8370 & 8390 W 108th Ave**  
**2014 Demolition Project**  
**City of Westminster, 2014**

Property Boundary

0 150 300 Feet



**Bid Schedule B**  
**Allison-Semper Property**  
**9215 Pierce Street**  
**2014 Demolition Project**  
**City of Westminster, 2014**

**Garage**

**Concrete Pad**

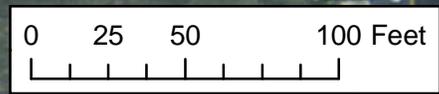
**LIMIT OF WORK**

Pierce St

92nd Ave



 Property Boundary



**Bid Schedule C  
Bushnell Property  
12620 Zuni Street  
2014 Demolition Project**

Barb Wire Fence

**LIMIT OF WORK**

Wood Out-Building

House

Retaining Wall

Gravel Driveway

Chain Link Fence

Asphalt Driveway



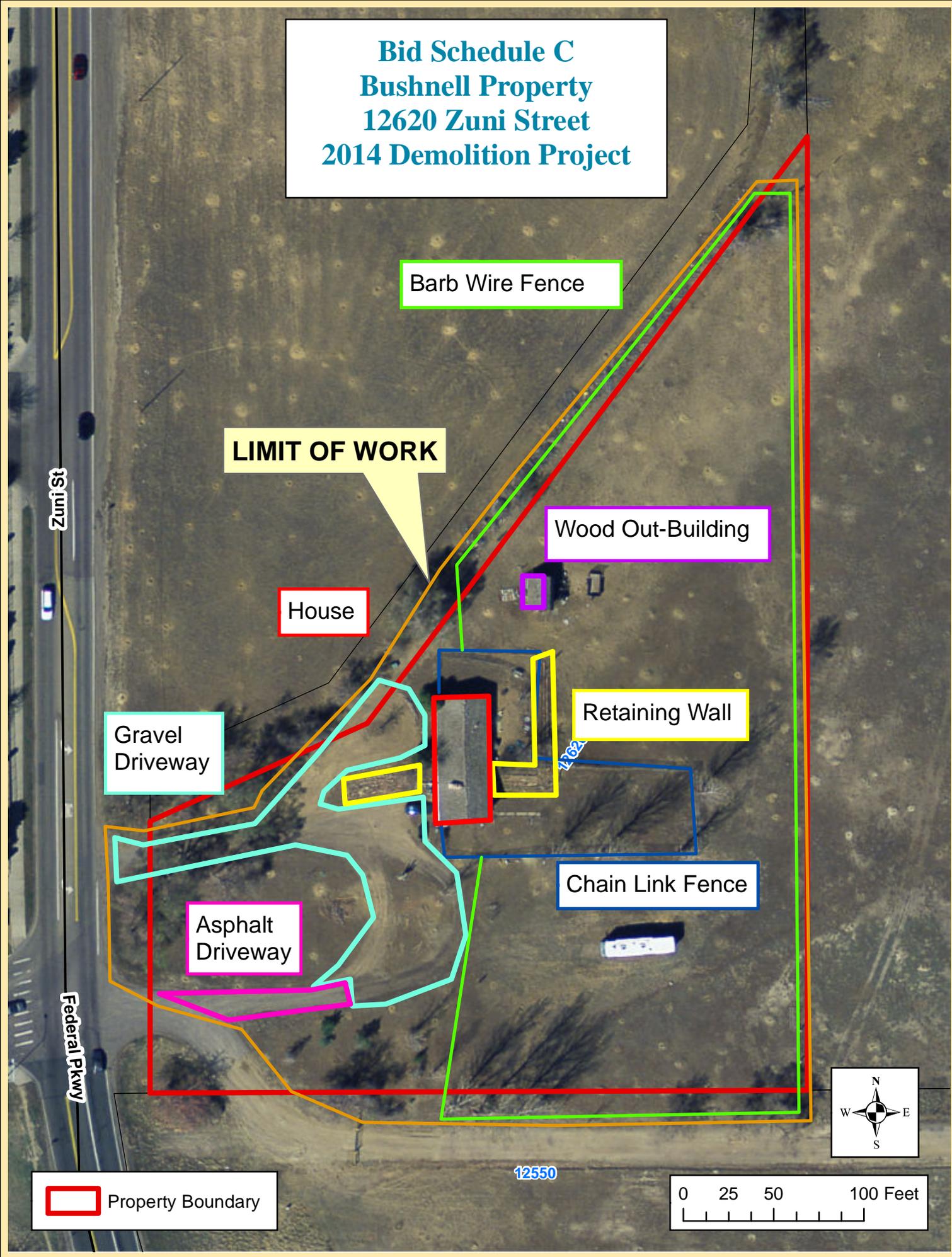
Zuni St

Federal Pkwy

12550

Property Boundary

0 25 50 100 Feet



**REVISED Bid Schedule D  
McKay Lake Overlook Property  
14330 Zuni Street, SOUTH HOUSE  
2014 Demolition Project  
City of Westminster, 2014**

144th Ave

Zuni St

14390

Remove  
Landscaping  
and Russian  
Olive Trees

LIMIT OF WORK

Camper Shell-Trailer

14330

14320

South House

3 Wood Out-Buildings



Property Boundary

0 75 150 Feet

**Bid Schedule E**  
**McKay Lake Overlook Property**  
**14330 Zuni Street, North House**  
**2014 Demolition Project**  
**City of Westminster, 2014**

144th Ave

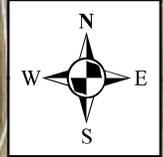
Zuni St

Remove  
Landscaping  
and Russian  
Olive Trees

**LIMIT OF WORK**

Parking Area

North House



 Property Boundary

0 75 150 Feet





## Agenda Item 8 C

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Municipal Court Security Services Contract

**Prepared By** Carol J. Barnhardt, Municipal Court Administrator  
Brian Poggenklass, Probation Supervisor

### Recommended City Council Action

Find that the public interest will best be served by authorizing the City Manager to execute an agreement with G4S Secure Solutions (USA), Inc. for Municipal Court security services for the 12-month period beginning January 1, 2015, and authorize up to four 1-year renewals of the agreement.

### Summary Statement

- Since 1998, the Municipal Court has utilized the services of G4S Secure Solutions (USA) Inc. (formerly known as The Wackenhut Corporation) to screen the public entering the Court building for weapons and to provide a variety of other security-related services at the Municipal Court building.
- A Request for Proposals (RFP) was developed and sent to four companies and posted to the City's on-line bid platform known as Demandstar. Three companies submitted bids. These were: Arrow Security, G4S Secure Solutions (USA) Inc., and Twin City Security.
- The proposed costs submitted by the three firms for security services ranged from \$70,137.60 to \$109,116.80.
- Based on the Staff's research, G4S Secure Solutions (USA) Inc. has the best qualifications to perform the security services at the Municipal Court.
- The contract price for renewal periods shall be negotiated and agreed to by both parties, and any adjustment shall not exceed the annual percent change of more than 1% per year.
- Per City Council direction, Staff examined the alternative of having uniformed police officers take over providing security services at the Municipal Court. After thorough review, Staff is not recommending this alternative for the reasons discussed in the background section of the Agenda Memorandum
- Adequate funds for this action are available within the 2015 Municipal Court budget. This is a 1-year contract that is renewable for up to four additional years.

**Expenditure Required:** \$87,936

**Source of Funds:** General Fund – 2015 Municipal Court Budget

## **Policy Issue**

Should the City continue to contract with a private firm for Court security services?

## **Alternative**

Council could elect to not continue to contract for Court security services and direct Staff to consider in-house security services to be provided by the Westminster Police Department. Staff does not recommend this option for the reasons detailed in the background information.

## **Background Information**

Safety and security are of the utmost importance for the Municipal Court Staff and its customers. Judges and Staff, jurors, witnesses, citizens, and vendors entering the Court facility should feel safe and secure. The Court's first line of defense is security screening. The Municipal Court has over 48,000 customers per year entering the facility. With so many people walking through the doors, providing a secure environment means using adequate technology along with well-trained security personnel. A high level of quality security service should be a primary factor of consideration.

G4S Secure Solutions (USA) Inc. (formerly known as The Wackenhut Corporation) has provided security services for the Municipal Court since 1998. G4S Secure Solutions (USA) Inc. is currently providing security services under an agreement that was originally approved by City Council on January 11, 2010. The final year of this agreement ends December 31, 2014.

Because the current agreement ends this year, City Staff prepared an RFP to obtain competitive bids. Based on survey information obtained in July 2014 and compiled by the Court Administrator, on September 11, 2014, four vendors were solicited to submit an RFP for security services. They were: G4S Secure Solutions (USA) Inc., Twin City Security, Securitas USA, and Union Colony Protective Services, Inc. The RFP information was also available to vendors through the City's on-line bid platform known as Demandstar.

The RFP proposals required:

1. A description of the company and the types of security services it provides, including a list of major clients in the Denver Metropolitan area;
2. A description of services that the company provides or has provided to any court, or services to other entities that may be similar to those being requested by the City;
3. A description of the process that the company would use to select individuals who would serve in this capacity. Include in this description the minimum education and physical requirements of job candidates;
4. A description of the training that the individual would go through prior to being placed on the job and the total number of hours the person would receive in this training. Describe the ongoing in-service training that would be given to the individual or individuals assigned to the facility;
5. The total annual cost of providing 80 hours per week security coverage at Westminster Municipal Court. The cost should include all salary and benefits, 30 hours on site training, uniform, and firearm for individuals assigned to the facility to accommodate the 80 hours per week coverage;
6. As an incentive to continuity of service to the City, but subject to the provisions of Section V of the Agreement, a higher hourly rate for security guards with more than one (1) year of continual service to the City shall be determined by mutual agreement of the City and Company prior to each anniversary date of this Agreement; and
7. Provide a detailed pricing for each guard including the following:

Position	Wage Rate for guards	Standard Billing Rate	Overtime Billing Rate
Entry level guard			
Step 1 (after completion of 1 year of continual service)			
Step 2 (after 2+ years of continual service)			

On October 13, 2014, three sealed bids were opened by the City Purchasing Agent and Municipal Court Administrator. The following table reflects the total bids, entry level wage rates, standard billing rates, and overtime billing rates submitted by the three bidders.

<b>Company Name</b>	<b>Total Bid for Security for 2015</b>	<b>Entry Level Wage Rate for Guards</b>	<b>Standard Company Billing Hourly Rate</b>	<b>Overtime Billing Rate</b>
Arrow Security	\$109,116.80	\$14.00	\$26.23	\$38.03
G4S Secure Solutions (USA) Inc.	\$86,736.00	\$14.25	\$20.85	\$29.19
Twin City Security	\$70,137.60	\$12.00 p/hour and up (not definitive in bid by company)	\$16.86	\$24.48 (listed on bid as Holiday rate)

On October 23, 2014, a selection panel comprised of the Municipal Court Administrator Carol Barnhardt, Probation Supervisor Brian Poggenklass, Court Marshal Jim Wollack, Business Operations Coordinator Matthew Booco, and Purchasing Agent Joe Lachermeier interviewed the three bidders. The bidders were asked 16 questions regarding their company’s operations.

In determining which of the firms submitted the best proposal overall, the following factors were considered:

1. Prior Experience in Municipal Courts
2. Company Operations and Procedures
3. Training and Recruitment of Employees
4. Customer Service / Public Relation Skills of Company
5. History of Claims and/or Litigations.

An alphabetical summary of the selection panel’s ratings are as follows:

<b><u>Vendor Name and Representative(s)</u></b>	<b>Ratings</b>	
	<b>Averages out of a total score of 50</b>	<b>Would you be comfortable recommending this company to City Council to provide services to the Municipal Court?</b>
Arrow Security Leo Runnels	<b>29 / 50</b>	<b>0 - Yes</b> 5 - No 0 - With Reservation
G4S Secure Solutions (USA) Inc. Dorothy Roth Robert Pierson	<b>44.60 / 50</b>	<b>5 - Yes</b> 0 - No 0 - With Reservation
Twin City Security Michael O’Neill	<b>37.80 / 50</b>	<b>2 - Yes</b> 1 - No 2 - With Reservation

The selection panel determined that G4S Secure Solutions (USA) Inc. has the requisite qualifications to perform the high level of security services provided at the Municipal Court. The selection panel further determined that:

1. G4S Secure Solutions (USA) Inc. is the company whose business philosophy is most in line with the City's philosophy of offering competitive wages in order to draw the most qualified applicants. This philosophy translates into higher operating costs which translates into a higher bid, which in theory, would allow G4S Secure Solutions (USA) Inc. the opportunity to hire and retain the most suitable and qualified security guards;
2. The standard hourly billing rate bid by G4S Secure Solutions (USA) Inc. is \$20.85 per guard per hour for an annual cost of \$86,736.00. This indicated G4S Secure Solution's recognizes the value of the City of Westminster Municipal Court as a customer, and it indicated to Staff the philosophy of offering competitive wages in order to retain the most suitable and qualified security guards;
3. G4S's recruiting provides access to a large pool of qualified candidates that meet the customer's needs. They recruit from a different labor pool than typical commercial security officers. Only one out of ten CPO (Custom Protection Officer) candidates successfully pass their screening and are hired. To become part of this corps of security professionals, candidates must meet at least one of the following qualifications, in addition to basic qualification required by G4S: law enforcement experience; service in the elite military forces, military police or combat arms; graduate of Police/Corrections Academy; Criminal Justice Degree (Associates or higher); or career military. They also recruit using a Military Transition Program. They have an agreement with the U.S. Army to recruit pre-qualified returning veterans. They also participate in "Joining Forces" that is a White House campaign to promote the hiring of returning veterans and their family members;
4. G4S Secure Solutions (USA) Inc. provides training and learning resources by G4S' North American Training Institute (NATI). NATI has been recognized by the American Society for Training and Development (ASTD). CPOs receive comprehensive training at the beginning of employment and throughout their career from G4S. Their training curriculum consists of Pre-Assignment (classroom instruction) – 40 hours in 33 learning programs; 16 hours On-The-Job Training; 16 hours Annual In-Service training; 8 hours First Aid/CPR/AED certification, and 16 hours of weapons training;
5. The G4S Secure Solutions (USA) Inc. demonstrated flexibility with regard to the duties of the security guards. They were open to having their officers complete any reasonable additional duties to assist the Municipal Court without restrictions and without Court Staff having to contact the site supervisor or company directly;
6. The Municipal Court normally operates under the standard business hours of 7:00 a.m. to 6 p.m. Monday through Thursday. However, trials and other Court hearings may continue later than the normal business hours that require Court Staff and the security guards to stay beyond their scheduled shifts. As part of this agreement, overtime will be paid to the individual(s) when necessitated. Estimated costs have been calculated by Staff and are listed further below in this memo;
7. G4S Secure Solutions (USA) Inc. has provided the Municipal Court with quality customer service for many years and has been sensitive to procedural or personnel issues that have arisen during that time, handling them professionally, promptly, and efficiently. This has included changing guards as needed as well as allowing their guards to attend City SPIRIT and customer service trainings. Awarding G4S Secure Solutions (USA) Inc. this bid would facilitate a seamless continuation of operations by allowing the company to retain their current guards at this post, and would ensure that a high level of customer service is provided to the Municipal Court Staff and the citizens who appear at the Court; and

8. G4S Secure Solutions (USA) Inc. has the most experience in providing security services to Municipal Courts in Colorado. They currently maintain contracts with 11 municipal courts, including Westminster.

Because of the nature of security services work, there is a wide range of qualifications and capabilities of the firms currently in the market. Although the Court security guards do not have the same scope of day-to-day duties as Westminster police officers assigned as Court Marshalls, the level of responsibility required for these individuals is substantially greater than that normally associated with security personnel. The selection panel is concerned that if the low bid is accepted by City Council, there could be a decrease in the level of security service that has been provided to the Municipal Court by G4S Secure Solutions (USA) Inc. for the past several years. The other two companies have less experience in Municipal Court security. Both would have to increase their employee level potentially with unknown amounts of experience working in a court setting. Their selection of candidates and required training for officers is not at the same standard as G4S Secure Solutions (USA) Inc.

As a result of the processes listed above, and after in-depth discussions, the selection panel is recommending that Council approve a contract with G4S Secure Solutions (USA), Inc. based on their experience and interest in continuing to provide security services. This is a 1-year contract that is renewable for up to four additional years.

In-house staffing of security services provided by Westminster police officers was explored by Staff at City Council's request from December 2013. Estimated costs for police officers providing in-house security services were built around the need for two (2) FTE entry level police officers, plus the training of one (1) existing FTE officer to provide backup coverage, plus utilization of one (1) existing FTE sergeant for supervision. After investigation of this option, Staff is recommending continuance of the private contract services because of the costs and challenges in-house security staffing presents as outlined below.

Cost Prohibitive: It was determined by Staff that two (2) FTE entry level police officers are necessary to provide coverage. Funding for two (2) FTE entry level police officers wages and benefits would be approximately \$129,062, (entry level officer salary = \$64,531 including benefits), plus associated and ancillary costs (uniforms, boots, vests, etc.) are estimated to be approximately \$5,600 (\$2,800 per officer) for a total of \$134,662. The Police Department would be required to provide an existing officer trained as the backup officer for vacations, illnesses, etc.

Police Department Staff believe that this is the minimum staffing requirement required to provide these services. Additional impacts could include but not be limited to adding one (1) FTE sergeant and one (1) FTE backup officer, depending on how this new service impacts current Police Department operations. Estimated potential costs of one (1) FTE sergeant would be approximately \$103,742 for wages and benefits plus ancillary costs of \$2,800, and one (1) FTE entry level police officer at \$ 64,531 for wages and benefits plus ancillary costs of \$ 2,800 for an estimated total additional cost of \$173,873.

To whom would the in-house security police officers report? Supervision of additional police officers stationed at the Court could become an increasing burden on the Police Department. Currently, a sergeant assigned in the Investigations Section supervises the three (3) Court Marshalls as well as eight (8) other detectives whose duties and assignments are quite different. Placing additional police personnel under the supervision of this sergeant, who works at a different job location, could be problematic.

Departmental Discussions: Court Staff consulted with the Police Department Command Staff in regards to the feasibility of the in-house police officers providing front entry screening and thoroughly discussed and reviewed the pros and cons of deploying commissioned police officers in lieu of private contract security officers. While utilization of commissioned police officers could arguably result in

better trained and highly qualified individuals to address building security, the cost is substantially greater than the contract security option \$134,662 police officer security services (plus impacts of supervision and need for backup officer) versus \$87,936 G4S contracted services. The Police Department's current staffing levels would not allow absorption of these additional duties without taking important resources from other tasks and responsibilities.

Manning a security entrance at the Court with commissioned police officers is underutilization of all the training that a police officer is required to undergo and become State POST (Police Officer Standards and Training) certified. Basic academy training and field training of a police officer requires approximately nine (9) months or more of training, such as DUI and traffic related enforcement, would be of little value to an officer stationed at a non-mobile security point. Police Department Command Staff does not recommend utilizing commissioned police officers in this security screening role.

As part of the 2015/2016 budget process, Council authorized funding for security services utilizing the services of a private security firm. The funding request for this action is \$86,736 plus an additional allowable expense of up to \$1,200 for potential overtime when Court operations continue past normal business hours, for a total expenditure of \$87,936.00. Compensation for any renewal period shall be determined by mutual agreement and memorialized by amendment to this Agreement; provided, however, that the annual increase, if any, may not exceed 1% per year. The contract price for each renewal year shall be agreed upon in writing by both parties by November 1 before each renewal year. Renewals, if any, are subject to the City's annual appropriation of funds.

This Staff recommendation supports Council's Strategic Plan Goal of "Excellence in City Services" by utilizing the services of G4S Secure Solutions (USA) Inc. to ensure that Staff and citizens are safe while at the Court facility.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Agreement

**AGREEMENT TO FURNISH SECURITY SERVICES  
TO THE CITY OF WESTMINSTER FOR  
THE MUNICIPAL COURT BUILDING**

THIS AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, between the **CITY OF WESTMINSTER**, hereinafter called the "City," and G4S Secure Solutions (USA) Inc., a corporation organized pursuant to the laws of the State of Colorado, hereinafter called the "Company," is as follows:

WHEREAS, the City wishes to obtain security services for its Municipal Court building; and

WHEREAS, the City desires to engage the Company to render the professional security services described in this Agreement and the Company is qualified and willing to perform such services; and

WHEREAS, sufficient authority exists in City Charter and state statute, sufficient funds have been budgeted for these purposes and are available, and other necessary approvals have been obtained.

NOW, THEREFORE, in consideration of the mutual understandings and agreements set forth, the City and the Company agree as follows:

**I. THE PROJECT**

The Project consists of providing security services at the City's Municipal Court building as follows:

A. Company shall provide two (2) qualified security guards, and an equally qualified replacement guard. The same two (2) qualified guards will be assigned on a regular daily basis subject to performance and City service expectations.

B. Company shall provide approximately eighty (80) hours of security service per week. Overtime may be required on an as needed basis and with approval of the Municipal Court Administrator. No services are required on the City's nine (9) holidays.

The Municipal Court is open to the public Monday through Thursday from 7 a.m. to 6 p.m. Security services are required in two shifts, from 6:30 a.m. to 5:30 p.m. for one guard and from 7:30 a.m. to 6:30 p.m. for the second guard. The number of hours each day and other scheduling matters shall be determined by the Municipal Court Administrator.

C. Company shall electronically screen all persons entering the Municipal Court building, monitor security cameras, provide assistance to the Court Marshalls, as needed, such as escorting defendants, detaining individuals until the Police Department arrives, and provide administrative duties, such as report writing, limited citizen information, or other tasks as requested by the Municipal Court Administrator. Other duties include, but are not limited to: detection and control of weapons; prevention and detection of intrusion; prevention of unauthorized or prohibited items and/or activity; direction and flow of movement of the public and employees; assistance with prisoners when necessary, and detection of contraband and prevention of entry of contraband into the Court building.

D. During the term of this Agreement, Company shall at all times be licensed to conduct a security guard business as required by W.M.C., Section 5-13-2.

E. Company shall provide all necessary training, including training appropriate to the performance of security guard services, including public relations skills, handling and use of firearms, and use of force.

F. Company shall provide an equally trained and qualified substitute guard when any security guard regularly assigned to the Municipal Court building is on vacation, sick leave, is otherwise unavailable.

G. The City will provide a walk-through metal detector, hand-held metal detectors, and two-way radios.

## II. COMPANY'S SERVICES AND RESPONSIBILITIES

Except as noted in Section I, above, the Company agrees that it will furnish all technical, administrative, professional, and other labor, all supplies and materials, equipment, uniforms, printing, vehicles, local travel, office space and any other facilities or resources necessary to provide the Services as described herein.

## III. ADDITIONAL SERVICES

When authorized by the City, the Company agrees to furnish or obtain from others, additional professional services in connection with the Project due to changes in the scope of the Project, subject to mutual agreement as to additional compensation for additional services.

## IV. COMPANY'S FEE

The City shall pay the Company on an hourly basis for its services pursuant to this Agreement. For security guards with one (1) year or less of service to the City, Company shall be paid \$20.85 per hour.

As an incentive for continuity of service to the City, but subject to the provisions of Section V., below, a higher hourly rate for security guards with more than one (1) year of service to the City shall be determined by mutual agreement of the City and Company prior to each anniversary date of this Agreement.

The maximum amount billable under this Agreement shall not exceed Eighty Seven Thousand, Nine Hundred Thirty Six dollars (\$87,936.00). The Company shall submit invoices to the City for services rendered during the preceding month, such invoices to be in such form and detail as shall reasonably be required by the City. Reimbursable expenses shall be itemized. The City agrees to pay the Company within thirty (30) days of receipt of properly documented invoices.

## V. COMMENCEMENT AND RENEWALS

The Company understands and agrees that time is an essential requirement of this Agreement. The Services shall be completed as soon as good practice and due diligence will permit. The term of this Agreement shall be one (1) year beginning January 1, 2015, and continuing through December 31, 2015, unless terminated sooner pursuant to Section VI, below.

Subject to annual appropriation, this Agreement may be renewed by the City on a yearly basis not to exceed a total of four (4) additional renewals. On each subsequent anniversary date, this Agreement shall automatically renew for an additional one (1) year term, unless the City or the Company has previously elected to terminate the Agreement by provision of the written notice required by Section VI below.

Compensation for any renewal period shall be determined by mutual agreement and memorialized by amendment to this Agreement; provided, however, that the annual increase, if any, may not exceed 1% per year. The contract price for each renewal year shall be agreed upon in writing by both parties by November 1 before each renewal year. The adjustment of the contract price for each renewal year, if any, shall not be retroactive, and shall apply only to services provided in the new calendar year.

Renewals, if any, are subject to the City's annual appropriation of funds and nothing in this Agreement shall be deemed or construed as a multiple year fiscal obligation under the meaning of Colorado Constitution Article X, Section 20, also known as the TABOR Amendment.

## VI. TERMINATION

The Company shall provide the Services required by this Agreement for one year from the date first written above, or until the City's provides the Company with thirty (30) days advance written notice of termination, whichever occurs first. In the event the Agreement is terminated by the City's issuance of said written notice of intent to terminate, the City shall pay Company for all work previously authorized and completed prior to the date of termination plus any Services the City deems necessary during the notice period. Said compensation shall be paid upon the Company's delivering or otherwise making available to the City all data, drawings, specifications, reports, estimates, summaries and such other information and materials as may have been accumulated by the Company in performing the Services included in this Agreement, whether completed or in progress.

## VII. INSURANCE

During the course of the Services, the Company shall maintain Workers' Compensation Insurance in accordance with the Workers' Compensation laws of the State of Colorado, , Automobile Liability of \$500,000 per person/\$1,000,000 per occurrence, and Commercial General Liability of \$500,000 per person/\$1,000,000 per occurrence. The City shall be named as an additional insured under the Company's Automobile and Commercial General Liability coverages by endorsement to the policies, and these coverages shall be occurrence-based policies, and shall specifically provide that all coverage limits are exclusive of costs of defense, including attorney fees. The Company shall provide certificates of insurance to the City indicating compliance with this paragraph.

## VIII. EQUAL EMPLOYMENT OPPORTUNITY

In connection with the execution of this Agreement, the Company shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, or disability. Such actions shall include, but not be limited to the following: employment; upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

## IX. PROHIBITED INTEREST

A. The Company agrees that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Company further agrees that in the performance of the Agreement, no person having any such interests shall be employed.

B. No official or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

## X. GENERAL PROVISIONS

A. Independent Contractor. In the performance of the Services, the Company shall act as an independent contractor and not as agent of the City except to the extent the Company is specifically authorized to act as agent of the City.

B. Books and Records. The Company's books and records with respect to the Services and reimbursable costs shall be kept in accordance with recognized accounting principles and practices,

consistently applied, and will be made available for the City's inspection at all reasonable times at the places where the same may be kept. The Company shall not be required to retain such books and records for more than three (3) years after completion of the Services.

C. Ownership of Drawings. All plans, drawings, specifications and the like relating to the Services shall be the joint property of the City and Company. Upon completion of the Services, or at such other time as the City may require, the Company shall deliver to the City a complete corrected set of drawings and such additional copies thereof as the City may request, corrected as of the date of completion of the Project.

D. Responsibility; Liability.

1. Professional Liability. The Company shall exercise in its performance of the Services the standard of care normally exercised by nationally recognized organizations engaged in performing comparable services. The Company shall be liable to the City for any loss, damages or costs incurred by the City for the repair, replacement or correction of any part of the Project which is deficient or defective as a result of any failure of the Company to comply with this standard.

2. Indemnification. To the fullest extent permitted by law, the Company shall indemnify, defend, and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from the performance of the Services, provided that any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Project itself) including the loss of use resulting therefrom, but only to the extent caused by the negligent act or omission of, or breach of contract by, the Company, any subcontractor of the Company, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

Such obligations shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph D.2. The City may, if it so desires, withhold the payments due the Company so long as shall be reasonably necessary to indemnify the City on account of such injuries.

In any and all claims against the City or any of its agents or employees by any employee of the Company, any subcontractor of the Company, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligations under this paragraph D.2 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Company or any subcontractor under the workers' compensation acts, disability benefit acts or other employee benefit acts.

E. Communications. All communications relating to the day-to-day activities for the Project shall be exchanged between the following Project representatives of the City and the Consultant.

<b><u>Project Representative for City:</u></b>	<b><u>Project Representative for Consultant:</u></b>
Name: Carol Barnhardt, Court Administrator Address: 3030 Turnpike Drive, Westminster, CO 80030 Phone: 303.658.2241 email: cbarnhar@cityofwestminster.us	Name: Dorothy Roth Address: 14111 East Alameda Ave, Suite 300, Aurora, CO 80012 Phone: 303.341.4433 email: dorothy.roth@usa.g4s.com

All notices and communications required or permitted hereunder shall be in writing and delivered personally (which may include email to the address designated above) to the respective Project representatives of the City and the Consultant or shall be sent via registered mail, postage prepaid, return receipt requested to the parties at their addresses shown herein. When sent via registered mail, notices shall be effective three (3) days after mailing.

F. Assignment. The Company shall not assign this Agreement in whole or in part, including the Company's right to receive compensation hereunder, without the prior written consent of the City; provided,

however, that such consent shall not be unreasonably withheld with respect to assignments to the Company's affiliated or subsidiary companies, and provided, further, that any such assignment shall not relieve the Company of any of its obligations under this Agreement. This restriction on assignment includes, without limitation, assignment of the Company's right to payment to its surety or lender.

G. Applicable Laws and Venue. This Agreement shall be governed by the laws of the State of Colorado and the Charter of the City of Westminster. This Agreement shall be deemed entered into in both Adams County and Jefferson County, State of Colorado, as the City is located in both counties. At the City's option, the location for settlement of any and all claims, controversies and disputes arising out of or related to this Agreement or any breach thereof, whether by alternative dispute resolution or litigation, shall be proper only in either county.

H. Remedies. Company agrees that the economic loss rule as set forth in *Town of Alma v. Azco Construction, Inc.*, 10 P.3d 1256 (Colo. 2000) shall not serve as a limitation on the City's right to pursue tort remedies in addition to other remedies it may have against Company. Such rights and remedies shall survive the Project or any termination of this Agreement.

I. Entire Agreement. This Agreement shall constitute the entire agreement between the parties hereto and shall supersede all prior contracts, proposals, representations, negotiations and letters of intent, whether written or oral, pertaining to the Services for the Project.

J. Subcontracting. Except subcontractors clearly identified and accepted in the Company's Proposal, Company may employ subcontractors to perform the Services only with City's express prior written approval. Company is solely responsible for any compensation, insurance, and all clerical detail involved in employment of subcontractors.

K. Enforcement of Agreement. In the event it becomes necessary for either party to bring an action against the other to enforce any provision of this Agreement, the prevailing party in such action shall pay the other its reasonable attorney fees as determined by the Court.

L. Authorization. The person or persons signing and executing this Agreement on behalf of each Party, do hereby warrant and guarantee that he/she or they have been fully authorized to execute this Agreement and to validly and legally bind such Party to all the terms, performances and provisions herein set forth.

M. Immigration Compliance. To the extent this Agreement constitutes a public contract for services pursuant to C.R.S. § 8-17.5-101 et seq., the following provisions shall apply: Company shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. In addition, Company shall not enter into a contract with a subcontractor that fails to certify to the Company that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. If Company obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, Company shall notify the subcontractor and the City within three (3) days that Company has actual knowledge that the subcontractor is employing or contracting with an illegal alien. Furthermore, Company shall terminate such subcontract with the subcontractor if, within three (3) days of receiving the notice required pursuant to this paragraph, the subcontractor does not stop employing or contracting with the illegal alien. Except that Company shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Company certifies that, prior to executing this Agreement, it has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in either the E-verify program administered by the United States Department of Homeland Security and the Social Security Administration (the "E-verify Program"), or the employment verification program administered by the Colorado Department of Labor and Employment (the "Colorado Verification Program"). Company shall not use either the E-verify Program or the Colorado Verification Program procedures to undertake pre-employment screening of job applicants while performing this Agreement.

Company shall comply with all reasonable requests by the Colorado Department of Labor and Employment made in the course of an investigation undertaken pursuant to the authority established in C.R.S. § 8-17.5-102(5).

To the extent required by C.R.S. § 8-17.5-102(1), by submitting a bid, the Company certifies that at the time of bid submission it did not knowingly employ or contract with an illegal alien who will perform work under this Agreement, and that the Company will participate in the E-verify Program or the Colorado Verification Program in order to verify the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement.

N. Both parties acknowledge that this Agreement is expressly contingent upon the approval of the City of Westminster's City Council of all the terms set forth herein. In the event this Agreement is not approved in its entirety by City Council, neither Party shall be bound to the terms of this Agreement.

INSURANCE CERTIFICATES REQUIRED BY THIS AGREEMENT SHALL BE SENT TO MUNICIPAL COURT, ATTENTION: COURT ADMINISTRATOR.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on the date first appearing above.

G4S Secure Solutions (USA) Inc.

CITY OF WESTMINSTER

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Address:

Address:

14111 East Alameda Ave, Suite 300  
Aurora, CO 80012

4800 West 92nd Avenue  
Westminster, Colorado 80031

ATTEST:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

Title: \_\_\_\_\_

City Clerk

APPROVED AS TO LEGAL FORM

By: \_\_\_\_\_



## Agenda Item 8 D

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Ratify 2015 Gasoline and Diesel Purchase for City Vehicles

**Prepared By:** Jeffery Bowman, Fleet Manager

### Recommended City Council Action

Ratify the 2015 contracted purchase of 180,000 gallons of unleaded, E-10 gasoline and 90,000 gallons of diesel from Hill Petroleum to be delivered to City sites for a cost not to exceed \$650,000.

### Summary Statement

- The City of Westminster has used approximately 220,000 gallons of gasoline and 120,000 gallons of diesel fuel annually. The City often purchases fuel under a commodities contract where prices are locked in for a certain amount of fuel for a specified period of time.
- Fuel contract lock timelines have changed in the past few years; most notably in the amount of time the purchaser has to make a decision. While previously a fuel vendor could wait days for a purchaser to decide whether or not to lock in a price, in today's fast-paced futures market, the purchaser needs to respond immediately.
- As described in the October 13, 2014 Staff Report, City Staff decided to use a "strike price" approach where the Fleet Manager is pre-authorized to lock in futures fuel prices when the price per gallon decreases to a specific per gallon cost. Once the purchase was made, City Council would be asked to ratify the purchase contract at a subsequent City Council meeting.
- The 2015 prices for gasoline and diesel were locked on November 18, 2014, as futures gasoline and diesel prices declined.
- The \$650,000 represents the costs for approximately 85% of Westminster's 2015 gasoline consumption and 75% of Westminster's diesel consumption based on historical 2014 use.
- The projected gasoline costs are based on the lowest bid price of \$2.2865 per gallon combined transport and tank wagon loads. The projected diesel costs are based on the lowest bid price of \$2.6037 per gallon combined transport and tank wagon loads.
- City Council approved \$1,082,036 in the 2015 Fleet Maintenance Fund budget to purchase both gasoline and diesel fuel.
- The purchase prices authorized here are substantially under \$2.85 per gallon price for gasoline and the \$3.25 per gallon price for diesel that were shared with City Council in the October Staff Report.

**Expenditure Required:** Not to exceed \$650,000

**Source of Funds:** 2015 Fleet Maintenance Fund

**Policy Issue**

Should City Council ratify a fixed price agreement for gasoline and diesel purchases for 2015?

**Alternative**

No alternatives are identified based on prior authorization given to Staff from Council on October 13<sup>th</sup>, 2014.

**Background Information**

The last time the City of Westminster entered a fuel contract lock price was 2013 for the 2014 budget year. In the last three years, the speed with which fuel contract transactions happen has increased, leaving decision time to lock a contract often to mere minutes. In comparison to the days, or even weeks of decision time to lock a contract in years past, municipal fleets need to be able to react to short term dips in fuel pricing. Municipal fleets are a primary user of fuel contracts because fuel contracts not only secure a price within the fleet's budget, it also creates a "first at the pipe" priority assuring fuel supply over fleets that purchase on spot pricing. For example, as refineries decrease fuel production for maintenance, customers holding contracts are first to receive their allotted fuel delivery. While spot purchasing allows the City to take advantage of price decreases, the City also pays market price when prices soar.

Historically, the City's vehicle fleet uses approximately 340,000 gallons of motor fuel annually. Gasoline use is highest at 220,000 gallons, while diesel fuel use averages 120,000 gallons. Approximately 15% of 2015 gasoline and 25% diesel fuel purchases are expected to be purchased on spot market. Fuel is dispensed at three City locations: the Municipal Service Center (MSC), Big Dry Creek Facility (BDC) and City Park. Only the MSC has large enough storage capacity to receive full transport deliveries. A full transport load of gasoline is 8,500 gallons. The fuel quantity and ability to accept it is important, as fuel contract prices are based on full transport loads and monthly consumption. The fuel tanks at BDC and City Park are smaller, so deliveries are not shipped in transport load sized trailers, but are shipped via "tank wagons." A tank wagon is a straight truck with an attached tank whose volume is less than transport loads. A tank wagon delivery can cost as much as 20 cents per gallon more than a transport load on contracted price.

Determining the amount and type of fuel issued at each City fuel location and the method used to deliver that fuel, along with the fuel budget number, enabled Staff to develop the strike price for 2015 fuel contracts. This 180,000 gallon purchase of gasoline and 90,000 gallon purchase of diesel fuel will be acquired for substantially less than the City of Westminster's \$2.85 for gasoline and \$3.25 diesel per gallon "strike price" that was shared with City Council in a Staff Report on October 13, 2014.

The City of Westminster uses an E-10 blend of gasoline: 10% ethanol and 90% gasoline. This blend is the standard fuel blend along the Front Range. As costs started trending downward, Fleet Maintenance began soliciting futures prices for an estimated 150,000 gallons, via transport trailer and an estimated 30,000 gallons, via tank wagon of E10 gasoline in November 2014. At the same time, Fleet Maintenance began soliciting diesel futures prices for an estimated 60,000 gallons, via transport trailer and an estimated 30,000 gallons, via tank wagon. Three vendors were solicited: Chief Petroleum, Gray Oil Company and Hill Petroleum. Each vendor has government contracts that outline all criteria for fuel quality and delivery. Hill Petroleum's pricing represents the low bid for the 180,000 gallons of gasoline and 90,000 gallons of diesel, at the anticipated transport trailer and tank wagon delivery quantities.

Quoted fuel pricing from each vendor is as follows:

Vendor	Unleaded						Unleaded Average Cost per gallon
	Unleaded \$ per gallon Transport	Total Cost Unleaded Transport (150,000 gal.)	Unleaded \$ per gallon Tank Wagon	Total Cost Unleaded Tank Wagon (30,000 gal)	Total \$ Unleaded Bid		
Hill Gray Oil Chief	\$2.2815	\$342,225	\$2.3115	\$69,345	\$ 411,570	\$ 2.2865	
	No Bid		No Bid		\$ -	\$ -	
	\$2.3660	\$354,900	\$2.466	\$73,980	\$ 428,880	\$ 2.3827	
Vendor	Diesel						Vendor Total Bid \$
	Diesel \$ per gallon Transport	Total \$ Diesel Transport (60,000 gal.)	Diesel \$ per gallon Tank Wagon	Total \$ Diesel Tank Wagon (30,000 gal)	Total \$ Diesel Bid	Diesel Average Cost per gallon	
Hill Gray Oil Chief	\$ 2.5854	\$ 155,124	\$ 2.6404	\$ 79,212	\$ 234,336	\$ 2.6037	\$645,906
	\$ 2.6700	\$ 160,200	\$ 2.7950	\$ 83,850	\$ 244,050	\$ 2.7117	\$244,050
	\$ 2.7260	\$ 163,560	\$ 2.8260	\$ 84,780	\$ 248,340	\$ 2.7593	\$677,220

This contract for fuel purchases meets Council’s Strategic Plan goal of “Excellence in City Services” by keeping the City’s fleet on the street and maintaining service levels at a reasonable cost.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 8 E

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** 2014 Ratification of Additional Expenses with Commercial Fitness Solutions, Inc.

**Prepared By:** Lance Johnson, Acting PRL Operations Manager  
Deb Larsen, Recreation Supervisor  
J.R. Clanton, Senior Management Analyst

### Recommended City Council Action

Ratify the expenditure of \$2,000 to the previously Council-approved contract with Commercial Fitness Solutions, Inc. for the replacement of exercise strength equipment, increasing the contract approval amount to \$87,759.

### Summary Statement

- On February 24, 2014, City Council authorized the West View Recreation Center to spend up to \$85,715 for the purchase and installation of replacement exercise strength equipment.
- The total cost of the purchase and installation of replacement exercise strength equipment was \$87,759.
- The additional \$2,044 in expense was incurred because of the need to install an electrical conduit enclosure to safely provide power to some of the purchased exercise equipment.

**Expenditure Required:** \$2,044

**Source of Funds:** General Capital Improvement Fund

**Policy Issue**

Should City Council ratify the additional expenditures related to the 2014 contract with Commercial Fitness Solutions, Inc.?

**Alternative**

Council could decide not to ratify this expense. Staff does not recommend this alternative as Commercial Fitness Solutions, Inc. has already incurred the expense and installed the conduit cover.

**Background Information**

In 2014, the West View Recreation Center replaced strength equipment that had been in use since the facility opened in July of 2000. The replaced equipment was no longer manufactured or sold, and replacement parts were becoming difficult to find. The equipment was also outdated, lacking in technological advancements for ease-of-use, effectiveness, and safety.

In addition to the age of the equipment, the layout of West View's 2,500 sq. ft. weight room no longer met standards set by the Americans with Disabilities Act (ADA). To address this issue, as part of the bid requirements, Staff sought the expertise, innovation, and creativity in weight room layout and design from prospective bidding companies. With special attention to safety and ADA compliance, participating vendors were required to submit a floor plan using their brand of equipment.

The initial contract estimate for Commercial Fitness Solutions, Inc. did not include additional costs for installing a conduit cover between rows of powered equipment. Nor did the authorization provided by Council for the contract with Commercial Fitness Solutions, Inc. include an amount for contingency that could be used to cover unforeseen additional expenses. The additional expense incurred by the City for the installation of the conduit cover was \$2,044, or a 2.4% increase over the authorized amount of \$85,715. The amount authorized by Council did not include any dollars for contingency. To avoid similar situations in the future, spending authorization estimates will incorporate a small percentage for contingency.

This contract amendment supports the following City's 2014 Strategic Planning Goal: Excellence in City Services.

Respectfully submitted,

J. Brent McFall  
City Manager



## Agenda Item 8 F

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Additional Expenditure Authorization for 2014 Deicing Salt Purchase

**Prepared By:** Dave Cantu, Street Operations Manager

### Recommended City Council Action

Authorize the additional expenditure of \$60,000 for deicing salt to the previous not to exceed amount of \$323,000, increasing the total authorized expenditure to \$383,000.

### Summary Statement

- Deicing salt is applied to City streets to ensure safer winter storm travel for residents and visitors.
- The City's stock pile of deicing materials is currently at 78% of capacity. Considering the usage in November, delivery concerns, and the possibility of more storms before the end of 2014, Staff is requesting a higher spending level approval to purchase more deicing material.
- On January 27, 2014, City Council authorized the purchase of deicing salt up to \$323,000 for deicing materials from two low bid vendors. Purchase of 2014 deicing salt is approaching this expenditure level.
- Staff is requesting the authorization to purchase an additional \$60,000 of deicing materials, increasing the total authorized expenditure to \$383,000. This additional amount will be roughly divided between the two vendors.
- Funds are available from cost savings on other 2014 materials and projects.

**Expenditure Required:** \$ 60,000

**Source of Funds:** General Fund – Public Works & Utilities, Street Division Operating Budget

**Policy Issue**

Should City Council authorize an additional expenditure of \$60,000 for 2014 deicing salt?

**Alternative**

City Council could decide not to approve the additional expenditure authorization for 2014 deicing materials. Staff does not recommend this alternative as there may not be sufficient supplies in stock to apply to the City's streets to address any snow storms that occur before the end of the year.

**Background Information**

Public Works and Utilities snow crews apply deicing materials to the City's streets to ensure safer winter storm travel for residents and visitors. In January, City Council authorized the purchase of deicing materials up to \$323,000 from the low bid CDOT and Multiple Assembly of Procurement Officials (MAPO) bidders, Independent Salt and Envirotech Services.

Due to the storms and unusual cold temperatures experienced in mid-November, 650 tons of material has already been used this snow season, leaving the City's stock pile at 78% of capacity. Generally, stock piles carried over from the previous winter and funds from operational savings are sufficient to replenish stock at the end of the year. Due to the number of storms and lingering cold temperatures experienced over the 2013/2014 snow season and major delivery delays, City salt supplies have been severely depleted.

Currently, expenditures for deicing salt are approaching the 2014 City Council approved expenditure level. Staff has spent \$179,395 on materials with Envirotech Services and \$140,815 with Independent Salt, for a total expenditure year-to-date of \$320,210. Considering the November usage, delivery concerns, and the possibility of storms for the remainder of the year, Staff is requesting the authorization to purchase an additional \$60,000 of deicing materials.

Funds are available in the Street Division Operating Budget to cover the increased expenditure from savings in other materials and projects. Staff will come before Council for authorization to purchase 2015 deicing salt at a later date.

Deicing salt is applied to roadways throughout the City of Westminster in an effort to achieve safe travels by both residents and visitors. This policy helps achieve City Council's Strategic Plan goal of "Ease of Mobility".

Respectfully submitted,

J. Brent McFall  
City Manager



Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Northridge Tank No. 3 Construction and Engineering Contracts

**Prepared By:** Dan Strietelmeier, Senior Engineer  
Stephen Grooters, Senior Projects Engineer

**Recommended City Council Action**

1. Authorize the City Manager to execute a contract with the low bidder, Aslan Construction, Inc., in the amount of \$4,744,785 for construction of the Northridge Tank No. 3 project, plus a contingency of \$474,479 for a total authorized expenditure of \$5,219,264.
2. Authorize an amendment to the design contract with Burns & McDonnell Engineering Company, Inc. to include engineering services during construction in the amount of \$478,508 plus a contingency of \$47,851 for an expenditure of \$526,359, increasing the total authorized expenditure with Burns & McDonnell Engineering Company, Inc. from the previously approved amount of \$539,302 to \$1,065,661.
3. Authorize the transfer of \$488,425 from the Northwest Water Treatment Facility Tank Repair project account into the Northridge Tank No. 3 project account.

**Summary Statement**

- The implementation plan for the Water Tanks Major Repair and Replacement Program was presented to City Council in January showing plans to repair all City tanks and add storage over the next eight years. Council recently authorized the Hydropillar Tank Repair Project, and the key next step in the program is the addition of a third tank at the Northridge Tank site.
- The design phase of the project has been successfully completed and bids were solicited from qualified contractors. Of the three competitive bids received, Aslan Construction, Inc. presented the lowest responsible bid. Staff is seeking City Council approval for award of the contract.
- Burns and McDonnell Engineering Company, Inc. was selected through a competitive process for engineering services, which anticipated negotiating contracts for services during construction. It is Staff's assessment the firm's team provides the best value for services during project construction given their successful performance and ability to streamline project tasks. Staff negotiated a competitive scope of work and fee with Burns and McDonnell Engineering Company, Inc. for services during construction and is requesting Council approval for the contract amendment.
- Due to the changing bid climate and higher initial costs to build a more durable concrete tank as an alternative to steel, project costs are higher than the funds originally appropriated for this project. To accommodate the recommended scope of work, an additional \$488,425 is requested. Additional funds are available through savings from the recently completed Northwest Water Treatment Facility Tank Repair project and this is the highest priority use of the funds.
- Construction is scheduled to begin early 2015 and be completed early 2016.

**Expenditure Required:** \$5,745,623

**Source of Funds:** Utility Capital Improvement Fund – Northridge Tank No. 3 Project  
Utility Capital Improvement Fund – NWTF Tank R&R

**Policy Issues**

- Should City Council authorize a contract with the low bidder Aslan Construction, Inc. (Aslan) for construction of the Northridge Tank No. 3 project?
- Should the City authorize a contract amendment with Burns & McDonnell Engineering Company, Inc. (Burn & McDonnell) for engineering services during construction?
- Should the City authorize the reallocation of \$488,425 from the Northwest Water Treatment Facility (NWTF) Tank Repair project?

**Alternatives**

1. City Council could choose to reject all of the construction bids and rebid the project. This is not recommended because the City received three bids from pre-qualified construction companies. The lowest bid and the engineer's opinion of cost are less than 4% apart indicating it is unlikely that new bids would be lower. Staff recommends awarding the contract to the low bidder, Aslan.
2. City Council could choose to not proceed with construction of the new Northridge Tank No. 3. This is not recommended as proceeding with the Northridge Tank No. 3 project addresses the current need for more storage and also provides the desired flexibility related to repairs on the two existing Northridge tanks.
3. City Council could choose not to authorize an amendment with Burns & McDonnell and request engineering proposals for engineering services during construction. Burns & McDonnell was originally selected through a competitive process that anticipated subsequent engineering services during construction. In addition, it is Staff's assessment that Burns & McDonnell provides the best value for this project based on its familiarity with the project requirements and the City infrastructure involved. Staff believes that the negotiated scope is competitive for the work and recommends that Burns & McDonnell be retained for engineering services during construction.
4. City Council could choose to not authorize the transfer of savings from the NWTF Tank Repair project to finance construction of this project. However, without moving capital budget into this project account, there are insufficient funds in the project account to complete the full scope of this project. The project scope could be reduced but this is not recommended because the full project scope is necessary to meet the project goals and only the essential elements were included in the project. Project savings are available in the Northwest Water Treatment capital improvement account and this project is the highest priority use of these funds.

**Background Information**

The City currently owns and operates 12 water storage tanks with a total replacement value of approximately \$54 million dollars. These tanks are a necessary part of the water distribution system to meet fire flow needs, short-term periods of high consumer demand, and emergency storage for potential times of interrupted water supply. Previous planning efforts have shown that the City needs additional potable water storage to meet current and build out water demands. For this reason, additional storage is part of the overall Water Tanks Repair and Replacement Program.

In January of this year City Council authorized a contract for engineering design of the new Northridge Tank No. 3, located behind the Public Safety Center, and design was completed in October. The design phase included a life-cycle analysis of alternative tank roof designs, tank materials, and aesthetic features. Results of the analysis indicated that a concrete tank will be more cost-effective over the life of the tank compared to a steel tank, based on current material and commodity costs and concrete's superior resistance to corrosion.

During the pre-qualification process it became apparent that only one pre-cast concrete, pre-stressed tank contractor working in Colorado was qualified to bid on the project. Staff was able to pre-negotiate a competitive price with this subcontractor for the tank portion of the project, which is approximately 50% of the bid. The remaining portion of the bid includes yard piping, grading, foundation piers, new pump and landscaping. It is Staff’s assessment that the approach to sole-source the sub-contracted concrete tank portion of the project is in the best interest of the City because of the high quality and lower cost of this type of tank. To ensure competitive pricing, Staff required the tank manufacturer to: 1) provide a cost history of recent bids for tanks similar in size, and 2) provide the same tank cost to all general contractors submitting bids to the City. In addition, Staff solicited a third-party contractor cost estimate for the cast-in-place concrete tank option to confirm the costs.

In anticipation of a tightening bid climate for utility construction, Staff and the Burns & McDonnell team made early contact with contractors and developed a pre-qualification process, sending requests for qualifications to 17 contractors. Eleven contractors declined to participate due to high existing workloads and the unavailability of work crews during the planned construction schedule. Of the remaining contractors prequalified by the City, three submitted bids as summarized in the following table.

<b>Contractors</b>	<b>Bid Price</b>
Aslan Construction, Inc.	\$4,744,785
Glacier Construction, Inc.	\$5,062,142
Fischer Construction, Inc.	\$5,194,711
Engineer’s Opinion of Probable Construction Cost	\$4,935,200

A review of the bids received indicated that Aslan’s bid was valid and the dollar amount reasonable for the scope of the work. Aslan’s bid is within 4% of the Engineer’s Opinion of Probable Construction Cost, indicating that the bids received are competitive for the project scope of work. Staff recommends executing a contract with Aslan for construction of this project. Construction is anticipated to commence following award of the contract and substantial completion is anticipated in early 2016.

Burns & McDonnell was selected for the preliminary design phase of the project through a competitive process that anticipated subsequent engineering services during final design and construction. Final design tasks included attending a project information open house to assist Staff with addressing City customer concerns, reviewing architectural renderings for proposed tank construction, and amending the existing Official Development Plan for the site. Following successful completion of the project design in October, Staff negotiated a contract amendment with Burns & McDonnell for engineering services during construction in the amount of \$478,508. Staff is requesting a contingency of \$47,851 for this amendment for a total expenditure increase of \$526,359. This will increase the previously approved amount of \$539,302 to \$1,065,661. Staff recommends executing a contract amendment with Burns & McDonnell based on the quality of its project work to date, familiarity with existing conditions and the design of the repairs required, and its ability to streamline project tasks.

Funding requested for the project includes savings from the recently completed N WTF Tank Repair project. Staff is requesting that City Council approve the reallocation of these funds to provide the necessary funding to complete this critical project.

<b>Project Expenses</b>	<b>Amount</b>
Burns & McDonnell engineering contract and amendments with contingency	\$539,302
Burns & McDonnell construction services with contingency	\$526,359
Aslan Construction with contingency	\$5,219,264
Other project costs (permits, etc.)	\$3,500
<b>Total Project Expenses</b>	<b>\$6,288,425</b>

<b>Funding</b>	<b>Amount</b>
Utility Capital Improvement Fund - Northridge Tank No. 3 Project	\$5,800,000
Utility Capital Improvement Fund - NWTf Tank R&R Project	\$488,425
<b>Total Project Funding</b>	<b>\$6,288,425</b>

The Northridge Tank No. 3 project meets City Council’s Strategic Plan goal of providing “Excellence in City Services” by providing additional water storage in advance of rehabilitating aging infrastructure to provide improved and effective service to customers, while reducing maintenance costs at this critical facility.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments: Renderings of the Proposed Tank and Landscaped Site

**Northridge Tank No. 3 Rendering**



# Northridge Tank No. 3 Rendering



# Northridge Tank No. 3 Rendering



# Northridge Tank No. 3 Rendering



# Northridge Tank No. 3 Rendering





**Agenda Memorandum**

City Council Meeting  
December 8, 2014



**SUBJECT:** Westminster/Crestview Intergovernmental Agreement for Federal View Utility Services

**Prepared By:** Christine Gray, Senior Management Analyst  
Stephen Grooters, Senior Project Engineer

**Recommended City Council Action**

Authorize the Mayor to execute the Westminster/Crestview Intergovernmental Agreement for Federal View Utility Services in substantially the same form as the attached agreement and as a term of the agreement convert water and wastewater customers in the Federal View neighborhood and adjoining properties to Westminster utility customers.

**Summary Statement**

- The Crestview Water and Sanitation District provides water and wastewater services in an area encompassing parts of the cities of Denver, Arvada and Westminster and parts of unincorporated Adams County.
- The Federal View neighborhood is located in the general vicinity of the planned Westminster Rail Station and is unique in that it is served jointly by the City and the Crestview Water and Sanitation District for water and wastewater services. There are approximately 40 water customers in the area.
- Staff has been preparing for the development around the Westminster Rail Station by planning projects to relocate the necessary utilities in the area. These include water pipeline capital improvement projects that are anticipated to cost approximately three million dollars and are included in the recently adopted 2015-2019 Capital Improvement Plan.
- As a part of these overall efforts, Staff approached the Crestview Water and Sanitation District to permanently transfer the 40 Federal View customers to the City. Crestview is agreeable to this transition as it will allow them to abandon infrastructure that is aging and prone to water breaks.
- Under the terms of the agreement, these Crestview water customers will become permanent Westminster water customers in January 2017. During the interim, City Staff will complete the above mentioned water pipeline capital improvement projects that will allow for the customer transitions to be completed.
- Prior to the transition Staff will implement an informational campaign to educate the affected customers about becoming Westminster water customers.
- Staff recommends authorizing the agreement, which will enhance utility service to Westminster residents in the Federal View neighborhood and the identified adjoining properties by consolidating their monthly utility bills and improving water pressure in the area. This agreement will also set the stage for revitalization efforts in south Westminster by lifting current restrictions on development in the Federal View neighborhood, and helping the City better accommodate any future development east of Federal Boulevard.

**Expenditure Required:** \$0

**Source of Funds:** N/A

## **Policy Issue**

Should City Council authorize the Mayor and the City Manager to sign an intergovernmental agreement (IGA) with Crestview Water and Sanitation District (Crestview) for the transfer of utility services in the Federal View neighborhood and the adjoining properties to the City of Westminster?

## **Alternative**

City Council could choose to decline entering into an IGA with Crestview. Staff does not recommend this alternative. The transition of these customers to Westminster's utility service will provide benefits to Westminster residents by simplifying their monthly utility bills and improving water pressure in the area. The transition will also lift development restrictions in the area near the Westminster Rail Station and will allow the City to better accommodate any future development east of Federal Boulevard.

## **Background Information**

The Crestview Water and Sanitation District provides water and wastewater services in an area encompassing parts of the cities of Denver, Arvada and Westminster and parts of unincorporated Adams County. Crestview currently provides water service to approximately 40 residents in the Federal View neighborhood of south Westminster, as well as a number of adjoining properties. This area is generally bounded by West 72<sup>nd</sup> Avenue to the north, Federal Boulevard to the east, West 71<sup>st</sup> Avenue to the south, and Hooker Street to the west (see attached Exhibit A). All of this area is in the general vicinity of the planned Westminster Rail Station, is within Westminster city limits, and is unique in that both the City and Crestview provide water and wastewater services to customers in this area, with some customers being served by both entities.

Staff is moving forward with planned and budgeted projects to relocate and improve utilities around the Westminster Rail Station in advance of development. The adopted 2015-2016 Capital Improvement Plan includes water pipeline projects for the Federal View area at a cost of approximately three million dollars. These capital projects will improve water pressures in the area, enhance connectivity and development in the TOD area of the City, and will also position the City to better accommodate any future development east of Federal Boulevard.

As a part of these efforts, Staff approached Crestview about transitioning the Federal View water customers to Westminster water service. Crestview has been agreeable to this transition as it allows them to abandon infrastructure that is aging, prone to water breaks and costly to repair. The transition of these water customers to Westminster will allow for development restrictions in the area to be lifted, better positioning the City for future revitalization in the TOD area.

Beginning in January 2017, these customers will become permanent City of Westminster water customers, and Crestview will formally remove them from its District. In the interim, the City and Crestview Staff have agreed that the City will provide Crestview with water in this neighborhood through the end of 2016, and the water customers in this neighborhood will remain Crestview customers. This will allow the City to complete the water line projects in the area and to make the connections necessary to transfer these water customers to Westminster's water service. During this interim period, Crestview will continue to operate and maintain the water distribution system in Federal View, and will reimburse the City for water used by these customers at the current Westminster water rates.

The City currently provides wastewater service to 24 of these Federal View customers as the result of a 2007 agreement between the two entities. Crestview then collects revenues from the customers and reimburses the City for this service. This new agreement will void the 2007 agreement, and these customers will become Westminster wastewater customers at the same time that the water customers are transitioned to the City. Beginning in 2017, the City will provide all water and wastewater services to the residents of the Federal View neighborhood and the identified adjoining properties.

Prior to the transition of permanent utility service in January 2017, City Staff will take the lead implementing a public outreach campaign to ensure that customers are aware of the City's policies and billing procedures. Staff will prepare for the transitioning of these customers and will be able to answer questions regarding the transfer of service.

This IGA between the City and Crestview helps to achieve City Council's Strategic Plan Goals of "Proactive Regional Collaboration," "Excellence in City Services," "Dynamic, Diverse Economy" and "Visionary Leadership and Effective Government" by working in collaboration with a neighboring entity to improve aging infrastructure and provide high quality water to Westminster residents while also setting the stage for the revitalization of south Westminster.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Intergovernmental Agreement  
Exhibits A, B and C of the agreement

## INTERGOVERNMENTAL AGREEMENT

This AGREEMENT is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_ 2014 (the "Effective Date"), by and between the **CITY OF WESTMINSTER, COLORADO**, hereinafter referred to as "Westminster or "City"" and **CRESTVIEW WATER AND SANITATION DISTRICT**, hereinafter referred to as "Crestview" and hereinafter referred to collectively as "Parties."

**WHEREAS**, the Parties are authorized by Colorado Constitution Article XIV, Section 18 and C.R.S. Section 29-1-201 et seq., to enter into cooperative agreements to provide to each other any function, service, or facility lawfully authorized to each of them; and

**WHEREAS**, both Westminster and Crestview operate water supply and sanitary sewer systems for the benefit of their respective citizens and customers; and

**WHEREAS**, Crestview currently provides water supply to customers living in the Federal View Water Supply area ("FVWS Area"), which is the area generally bounded by Federal Boulevard, Craft Way, Grove Street, Hooker Street, 71st Avenue, and 71st Way. All of this area is currently within Westminster city limits, and the City currently provides wastewater service to these residents; and

**WHEREAS**, Crestview would like Westminster to take over the responsibility for providing water service to these customers. Westminster is willing to commit to taking over this service no earlier than January 1, 2017, which will allow the City sufficient time to budget for the water line capital improvements necessary to add these customers to Westminster's water distribution system; and

**WHEREAS**, between the Effective Date of this intergovernmental agreement ("Agreement") and October 1, 2016, Westminster is willing to assist Crestview in providing City water to the FVWS Area through Crestview's water distribution system at Crestview's request; and

**WHEREAS,** Westminster currently provides sanitary sewer service to wastewater customers in the FVWS Area and performs the day-to-day operations and maintenance of the portion of Crestview's sanitary sewer system within the FVWS Area pursuant to a 2007 agreement between the City and Crestview, which the Parties intend to supersede by this Agreement; and

**WHEREAS,** the Parties have determined that it is in the best interests of their respective constituents to enter into this Agreement for the consolidation and cooperative delivery of certain water and sanitary sewer services within the FVWS Area.

**NOW, THEREFORE,** in consideration of the covenants and agreements below, the Parties agree as follows:

1. Westminster Water Supply Services – Short Term

- a. Crestview currently provides water to customers living in the FVWS Area, as more specifically defined and shown on Exhibit A, attached hereto and incorporated herein by reference, and has the option to request that Westminster supply water to those customers, using Crestview's existing water distribution system, with sufficient potable water to meet present and future demands for potable water service within the FVWS Area. For a period of time beginning on the Effective Date of this Intergovernmental Agreement and ending on October 1, 2016, Crestview shall have ability to exercise this option as described below in subsections 1.b. through k.
- b. Crestview may exercise this option by providing Westminster at least three (3) months advance written notice of the date Westminster is to commence such supply.
- c. No water delivered under this Section 1 shall be used outside the FVWS Area. If Crestview chooses to implement this short term water supply service, Crestview agrees to disconnect immediately any tap to Crestview's system through which water is furnished for use outside

said area. For so long as Westminster continues to supply Crestview water pursuant to this Section 1 (the "Contract Term"), Crestview shall take all necessary steps at its sole expense to assure that no water provided by Westminster will be used anywhere outside of the FVWS Area.

- d. Crestview shall, in consultation with Westminster, design and construct the connection between Westminster's water supply system and Crestview's water supply system at such time, at such location, and in such configuration as both Parties shall mutually agree is necessary to timely commence the supply of water to the FVWS Area pursuant to this Section 1.
- e. Crestview shall finance the design and construction of this short-term, temporary connection.
- f. Crestview shall continue to bill its customers in the FVWS Area. Crestview shall pay Westminster within 30 days following the end of each quarter of each calendar year in which Westminster has supplied water to Crestview. Crestview shall calculate its payments to Westminster based on the volume of water billed by Crestview to each of its customers for water service within the FVWS Area pursuant to Westminster's water rate schedule, as specified in §8-7-7, Westminster Municipal Code, as it may be from time to time amended for all City customers. The City's current rates are attached hereto as Exhibit B, attached hereto and incorporated herein by this reference. Crestview shall provide Westminster such billing information, including but not limited to meter readings, in such form and at such frequency as Westminster may reasonably request, in order to verify and reconcile the amounts payable to Westminster pursuant to this subsection.
- g. Should Crestview choose to exercise its option, pursuant to this Section 1, it agrees to the following additional terms:

- i. During the Contract Term, Crestview shall maintain at its sole expense all lines, valves and other appurtenances related to the lines used by Westminster to serve Crestview's customers starting at the point of connection to the Crestview system, including said connection, and extending to the end of all such lines, but excluding any private service lines or other appurtenances that are normally the maintenance responsibility of Crestview's customers.
  - ii. Crestview shall perform maintenance in the FVWS Area consistent with recognized industry standards.
  - iii. Crestview shall provide Westminster with data regarding the age and maintenance history of the water meters in the FVWS Area so that the City may be assured that the appropriate amount of water is billed by Crestview, and therefore, paid to the City.
  - iv. Should a water meter be determined to be inaccurate, Crestview shall repair/replace the meter within 1 month after receiving notice by the City to provide accurate billing information to Westminster.
  - v. In the event of a water main break, Crestview shall follow Westminster's Standard Operating Procedures for spill best management practices, and shall notify Westminster staff of the break within 24 hours to allow Westminster sufficient time to notify the Colorado Department of Health and Environment of the event.
- h. Crestview shall be responsible for securing any street cut permits that may be required pursuant to Westminster's Code, provided, however, that Westminster shall provide such permits in this FVWS Area at no cost to Crestview. Westminster shall also pay for the street cut impact fees associated with such permits.

- i. During the Contract Term, Crestview shall not sell or provide any new water taps in the FVWS Area without the express written consent of Westminster, which consent shall be in Westminster's sole and absolute discretion.
- j. Neither Crestview nor its customers shall be responsible for any system development or water supply costs that may be incurred by Westminster in fulfilling its water supply obligations during the Contract Term. Should Crestview choose to connect to Westminster's system and then discontinue this short term water supply option before December 26, 2016, it must provide Westminster with 5 business days' notice and must disconnect from Westminster's system at its sole expense.
- k. Crestview has the responsibility to notify any of its current water providers of this short-term water supply option with Westminster. Crestview also has the responsibility to pay for and construct any infrastructure to prevent any commingling of waters per contracts with other water providers.

2. Westminster Water Supply Services – Permanent.

- a. Commencing January 1, 2017 Westminster shall have the exclusive right and responsibility for supplying water service to the FVWS Area through Westminster's water supply and delivery system ("Continuation of Service").
- b. Westminster may fulfill its obligation to provide the Continuation of Service to the FVWS Area in one of two ways:
  - i. Westminster shall take ownership and control, at no cost to the City, of that part of Crestview's water supply system required for providing water service to the FVWS Area. If Westminster chooses to use Crestview's water system to provide water service it shall provide written notice to Crestview by July 1, 2016, and Crestview shall then provide Westminster with maintenance records for the water distribution system in the FVWS Area; or

- ii. Westminster may choose to delivery water to the FVWS Area by providing its own water distribution system.
- c. Regardless of the system used to deliver water from the City to the FVWS Area, the following conditions shall apply
  - i. Westminster shall not be responsible for any private service lines or other private appurtenances that are normally the maintenance responsibility of Crestview's Federal View Subdivision customers.
  - ii. Upon commencing Continuation of Services, all FVWS Area customers shall become City of Westminster water customers, shall receive City utility bills for water service beginning January 1, 2017 and shall thereafter be served by Westminster under the same terms and conditions and at the same rates as Westminster in-City customers. Westminster shall be responsible for the cost of abandonment and decommissioning of Crestview's system, if the City so desires to abandon said connection.
  - iii. Neither Crestview nor its remaining customers shall be responsible for any system development or water supply costs that may be incurred by Westminster in fulfilling its obligations for transfer of service to Westminster.
  - iv. The FVWS Area customers shall be supplied with water service by Westminster in a smooth and orderly fashion with no interruption of service.
  - v. Crestview shall formally modify its district boundaries and legally abandon the FVWS Area from its service area within 6 months of the effective date of Westminster's permanent water supply service. A legal description of this area is included as Exhibit A.
  - vi. Westminster will notify and educate Crestview customers within the FVWS Area of the essential provisions of this section of the Agreement and provide reasonable notice of their implementation. Crestview agrees to provide responses and input to Westminster within two (2) weeks of Westminster's request for comment regarding the creation of these

materials. Crestview agrees to provide information to these customers regarding the transfer of service and to distribute informational materials to its customers at the time of service transition to ensure a smooth transition of water service from Crestview to Westminster.

- vii. Westminster shall formally incorporate the FVWS Area into the City utility service boundaries effective as of Westminster's commencement of Continuation of Service, under the authority of any applicable federal, state or local regulatory agency. Westminster shall manage and pay for the application to the Colorado Department of Public Health and Environment for the assumption of water service in the FVWS Area and any associated water service boundary revisions. Crestview shall sign the same application acknowledging transfer of service. Crestview agrees to provide responses and input to Westminster within two (2) weeks of Westminster's request in order to allow Westminster to diligently pursue these revisions with the Colorado Department of Public Health and Environment.
  - viii. Crestview has the responsibility to notify any of its current water providers of this permanent water service from Westminster.
3. Westminster Sanitary Sewer Services - Permanent.
- a. The City currently provides sanitary sewer service to wastewater customers in the FVWS Area per an agreement between the City and Crestview dated June 26, 2007. Commencing January 1, 2017, the City shall take over ownership and control of this portion of the Crestview system, at no cost to City, and shall become responsible for any capital replacements, repairs and improvements to the sanitary sewer system in the FVWS Area.
  - b. Commencing January 1, 2017, that certain intergovernmental agreement between the Parties, dated June 26, 2007, and attached hereto as Exhibit C, shall be null and void and of no further force or effect.
  - c. Commencing January 1, 2017, these wastewater customers in the FVWS Area shall become Westminster wastewater customers, shall receive City utility

bills for wastewater service beginning January 1, 2017 and shall thereafter be served by Westminster under the same terms and conditions and at the same rates as Westminster in-City customers.

4. Other Provisions:

- a. Force majeure. Neither party to this Agreement shall be liable to the other by reason of its delay in the performance of or failure to perform, in whole or in part, any of its obligations hereunder (except payment obligations) if such delay or failure is due to an act of God or natural disaster or other occurrences beyond its reasonable control (“Force Majeure”) and without its fault or negligence. Such acts or occurrences of Force Majeure shall include, but not be limited to, earthquakes, floods, severe and prolonged drought, fire, power or communications or transportation failures, epidemics, strikes, lockouts, war, terrorist activity or government regulations which go into effect after the effective date of this Agreement. In the event of an act or occurrence of Force Majeure, the affected Party shall diligently act to mitigate the effects of the resulting delay or failure to perform upon the other and shall use its best efforts to resume its performance obligations as soon as it is reasonably able to do so following the event of Force Majeure.
- b. Default. In the event of an alleged breach of this Agreement by a Party, before taking formal legal action, the Parties shall first attempt in good faith to resolve the alleged breach through negotiation, followed by mediation, if necessary. If negotiation and mediation do not result in a resolution acceptable to the Parties, the non-defaulting Party may take any of one or more of the following actions:
  - i. The non-defaulting Party may bring an action in the District Court against the defaulting Party for specific performance of this Agreement, including mandatory injunctive relief requiring the performance of the obligations contained in this Agreement.
  - ii. In no event shall either Party be entitled to recover monetary damages against the other on account of a breach of this Agreement.

- c. Attorney's Fees. In the event either Party brings an action against the other to enforce any provision of this Agreement, the prevailing Party in such action shall be entitled to recover its reasonable attorney's fees and costs.
- d. Successors and Assigns. This Agreement shall inure to the benefit of and be binding upon the successors, assigns or transferees of the Parties.
- e. Severability. It is understood and agreed by the Parties hereto that if any part, term, or provision of this Agreement is held by the courts to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid, and the Parties shall cooperate to cure any legal defects in this Agreement.
- f. Governing Law. The laws of the State of Colorado shall govern the validity, performance and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that venue of such suit or action shall be in Adams County, Colorado.
- g. Amendments. This Agreement may be amended only by written agreement between the Parties.
- h. Authority. All Parties represent and warrant that the person signing this Agreement on behalf of each Party has been duly authorized to execute and enter into this Agreement, and that the terms, conditions and obligations contained herein shall be binding on the Party upon execution.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

ATTEST:

CRESTVIEW WATER & SANITATION  
DISTRICT

\_\_\_\_\_

By: \_\_\_\_\_

President

APPROVED AS TO FORM:

\_\_\_\_\_

Attorney for Crestview W & S District

ATTEST:

CITY OF WESTMINSTER

\_\_\_\_\_

By: \_\_\_\_\_

City Clerk

Herb Atchison, Mayor

APPROVED AS TO FORM:

By: \_\_\_\_\_

Office of the Westminster City Attorney

# EXHIBIT "A"

PARCELS OF LAND LOCATED IN SECTION 5, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3, THE NORTH 25 FEET OF LOT 4, THE SOUTH 28 FEET OF LOT 9, LOTS 10, 16, 17, 18, 22, THE NORTH 40 FEET OF LOT 23, LOTS 24 & 25, THE NORTH 65 FEET OF LOT 27, THE WEST 100 FEET OF THE NORTH 150 FEET OF LOT 28, LOTS 33, 34, 37, 38, 39, 40, 42, 45, THE SOUTH 70 FEET OF LOT 23 & LOT 48 OF FEDERALVIEW SUBDIVISION RECORDED IN FILE 9 MAP 11.

ALSO, A PORTION OF LOT 29 OF FEDERALVIEW SUBDIVISION RECORDED IN FILE 9 MAP 11 DESCRIBED IN RECEPTION NUMBER C0282153, C1138305 AND RECEPTION NUMBER C0988080.

ALSO, LOT 2 OF BLOCK 1 OF DUNTON SUBDIVISION FILING NO. 1 RECORDED AT FILE 14, MAP 448.

ALSO, UNITS 1, 2, 3 & 4 OF CRAFT WAY CONDOMINIUMS RECORDED AT RECEPTION NUMBER C0684803.

ALSO, ALL OF PIZZUTI'S SUBDIVISION RECORDED AT FILE 14 MAP 826.

ALSO, LOT 1 OF NORTHGATE SHOPPING CENTER SUBDIVISION.

ALSO, LOT 1 OF BLOCK 1 OF R.M.S. ELECTRIC SUBDIVISION RECORDED AT FILE 17, MAP 799.

ALSO, LOT 1 OF BLOCK 1 OF BAILEY'S 70TH AND FEDERAL SUBDIVISION RECORDED AT FILE 17, MAP 35.

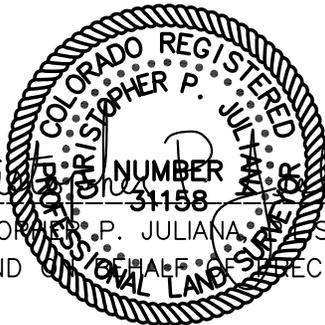
ALSO, LOT 1 OF BLOCK 1 OF TURNPIKE MOTEL FILING NO 2 FINAL PLAT RECORDED AT FILE 27, MAP 209.

ALSO, PARCELS OF LAND DESCRIBED IN RECEPTION NUMBERS, C0922285, C0560276 AND B358705.

EXCLUDING ALL PUBLIC ROAD RIGHTS-OF-WAY.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

*Christopher P. Juliana* \_\_\_\_\_ 10/16/14  
 NUMBER 31158  
 CHRISTOPHER P. JULIANA, S.  
 FOR AND ON BEHALF OF PRECISION SURVEY & MAPPING, INC.



# EXHIBIT "A"

SAID LEGAL DESCRIPTION INCLUDES THE FOLLOWING ADDRESSES:

3200 WEST 72ND AVE

7111, 7120, 7121, 7140, 7160, 7180, 7181 & 7155 HOOKER STREET

3051 #1, 3051 #2, 3051 #3, 3051 #4, 3055, 3065, 3103 & 3145 CRAFT WAY

3001 & 3076 WEST 71ST WAY

6971, 6981, 7001, 7055, 7095, 7101, 7115, 7117, 7135, 7151, 7169, 7171, 7195 & 7198 FEDERAL BOULEVARD

7140 GROVE STREET

3050, 3100, 3120 & 3140 WEST 71ST AVE

WESTMINSTER, COLORADO 80030



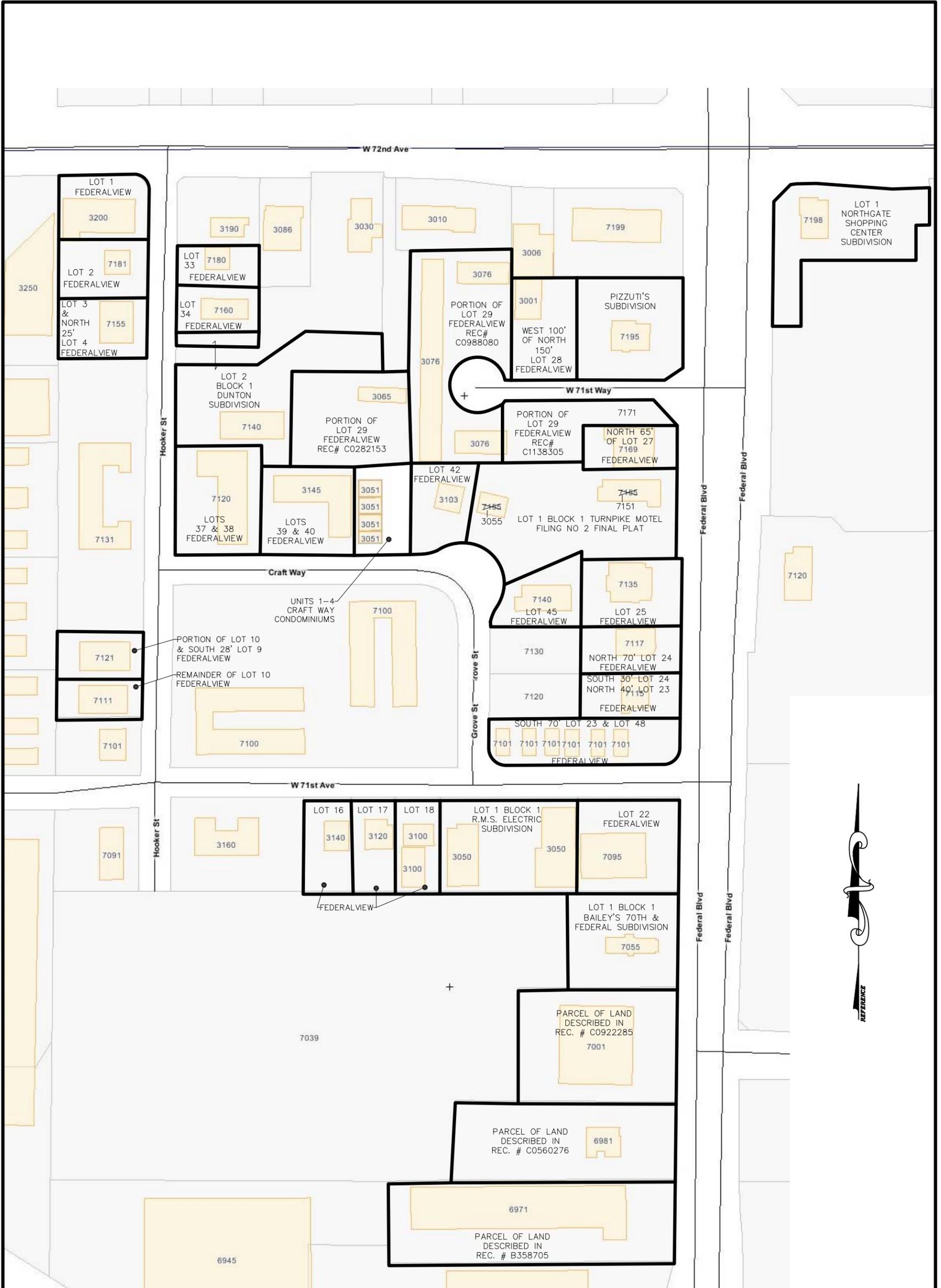
**Precision Survey & Mapping, Inc.**  
professional land surveying consultants

9145 E. Kenyon Ave., Suite 101, Denver, CO 80237  
Tel:(303) 753-9799 Fax:(303) 753-4044

DRN. BY: SAB  
CHKD. BY: C.P.J.  
DATE: 10/16/14  
SCALE: N/A

FILE: R11162  
SHEET: 2 OF 3  
JOB #: R11162

# PROPERTY ADDRESSES



# PROPERTY MAP

NOT TO SCALE

**Precision Survey & Mapping, Inc.**  
 professional land surveying consultants  
 9145 E. Kenyon Ave., Suite 101, Denver, CO 80237  
 Tel:(303) 753-9799 Fax:(303) 753-4044

DRAWN: SAB	CHKD.: CPJ	JOB NO.: R11162	DATE: OCTOBER 16, 2014	ACAD FILE: R11162_CRESTVIEW-FEDERALVIEW.dwg
---------------	---------------	--------------------	---------------------------	--

## HOME

### Utility Rates

Rates effective January 1, 2014

<b>Water Rates</b>	<b>Inside City Limits</b>	<b>Shaw Heights</b>	<b>Outside City Limits</b>
<b>Residential Water</b>	(per 1,000 gallons)		
1,000 - 4,000 gallons	\$2.56	\$2.81	\$3.20
5,000 - 20,000 gallons	\$4.24	\$4.66	\$5.30
21,000 gallons and over	\$6.29	\$6.91	\$7.86
<b>Multi-Unit, Public and Residential Irrigation</b>	\$5.27	\$5.79	\$6.58
<b>Blended Multi-Unit</b>	\$4.34	\$4.77	\$5.42
<b>Commercial</b>			
Block 1 - Below Breakpoint (chart below)	\$5.27	\$5.79	\$6.58
Block 2 - Above Breakpoint (chart below)	\$6.41	\$7.05	\$8.01
<b>Reclaimed Water</b>			
Block 1 - Below Breakpoint (chart below)	\$4.21	\$4.63	\$5.26
Block 2 - Above Breakpoint (chart below)	\$5.12	\$5.63	\$6.40
<b>Sewer Rates</b>	<b>Inside City Limits</b>	<b>Shaw Heights</b>	<b>Outside City Limits</b>
Residential Single Family (per unit*)	\$4.70	\$4.70	\$5.87

**INTERGOVERNMENTAL AGREEMENT**

This AGREEMENT is made and entered into this 26<sup>th</sup> day of June 2007, by and between the **CITY OF WESTMINSTER, COLORADO**, hereinafter referred to as "Westminster," and **CRESTVIEW WATER AND SANITATION DISTRICT**, hereinafter referred to as "Crestview" and hereinafter referred to collectively as "Parties."

**WITNESSETH**

**WHEREAS**, the parties are authorized by Colorado Constitution, Article XIV, Section 18 and C.R.S. Section 29-1-201 et seq., to enter into cooperative agreements to provide to each other any function, service, or facility lawfully authorized to each of them; and

**WHEREAS**, both Westminster and Crestview operate sanitary sewer systems for the benefit of their respective citizens and customers; and

**WHEREAS**, said Parties deem it desirable to eliminate duplication of services in the Federal View Subdivision; and

**WHEREAS**, in order to facilitate a sewer connection between the respective systems, it is the desire of the Parties to construct a sanitary sewer connection between their systems, upon the terms and conditions hereinafter appearing.

**NOW, THEREFORE**, in consideration of the covenants and agreements below, the parties agree as follows:

1. **DESCRIPTION OF PROJECT.** The project is to provide a gravity sewer connection to allow the Crestview sanitary sewer collection system from the Federal View Subdivision to flow into the Westminster sewer system, along Federal Boulevard in the vicinity of 70th Avenue and Federal Boulevard, or at another location mutually agreed on by both parties. Attachment 1 is a two page map of the existing sewer collection system owned by Crestview in the Federal View Subdivision. The sewers included and excluded from this agreement are as noted on the legend of said Attachment 1, which is hereby incorporated herein by this reference.

2. **DESIGN AND CONSTRUCTION.** Westminster shall design and construct at its sole cost the facilities required to effectuate the sewer connections. Crestview shall approve the design of said facilities before the project is let for bid.

The sewer connection will be built to the current Westminster specifications for connecting and handling sanitary sewer flows.

3. **MAINTENANCE.** Westminster shall assume the day-to-day operations and maintenance of the new connection and of all existing pipelines within the Federal View Subdivision, upstream (north) of Crestview manhole FV-1. Costs for routine repair and maintenance shall be the

responsibility of Westminster. Any capital replacements, repairs or improvements shall be the responsibility of Crestview.

4. METERING AND RATES. All 24 existing sewer customers within the Federal View Subdivision, as identified on Attachment 2, shall remain customers of Crestview. All customers shall be billed by Crestview at the same rate Crestview charges similarly situated customers. Crestview shall provide an accounting of all revenues received within thirty (30) days after date of billing. Crestview shall provide payment to Westminster, Utility Billing Division in an amount equal to the revenue received within sixty (60) days after date of billing.

5. OPERATION. Westminster shall be responsible for conveyance of the flows from the Federal View Subdivision area to the Metro Wastewater Reclamation District and for payment of said flows. Crestview agrees to enforce its regulations regarding the use of its sewer system in a manner that protects Westminster. Westminster shall be responsible for conveyance of the flows from the Federal View Subdivision area to the Metro District and for payment of treatment charges for said flows.

Westminster and Crestview are both bound by the Metro District's "Rules and Regulations Governing the Operation, Use, and Services of the System." Crestview agrees to enforce the applicable rules and regulations of the City and Metro District in the Federal View Subdivision portion of the sanitary sewer collection systems.

Crestview agrees to prohibit any use of the Federal View Subdivision portion of the sanitary sewer collection systems that would (1) violate any Federal minimum pretreatment standards and requirements or (2) violate any user discharge limits promulgated by the Metro District.

6. NEW CONNECTIONS. Crestview agrees to prohibit any new connections to the Crestview sanitary sewer collection system within the Federal View Subdivision without the written consent of the City.

7. TRANSFERENCE. Crestview agrees to enter into good faith negotiations with Westminster for the ultimate exclusion of the Federal View Subdivision from the District and transfer of ownership of Crestview's water and sewer facilities within the Federal View Subdivision to Westminster.

8. NOTICE OF EMERGENCY. The following contacts shall be notified in the event of any emergency involving the sanitary sewers in the area.

WESTMINSTER - PRIMARY CONTACT  
CONTACT

NAME: Richard A. Clark, P.E.  
Utilities Operations Manager  
ADDRESS: 6575 West 88th Avenue  
Westminster, CO 80031  
TELEPHONE: (303) 430-2400, Extension 2507  
AFTER HOURS:(303) 430-2400, Extension 2447

WESTMINSTER - SECONDARY

NAME: Robert L. Booze  
Utilities Services Supervisor  
ADDRESS: 6575 West 88<sup>th</sup> Avenue  
Westminster, CO 80031  
TELEPHONE: (303) 430-2400, Ext. 2532  
AFTER HOURS:(303) 430-2400, Ext.2447

CRESTVIEW - PRIMARY CONTACT

NAME: William R. Roecker  
District Manager  
ADDRESS: 7145 Mariposa Street  
Denver, CO 80221

TELEPHONE: (303) 429-1881  
AFTER HOURS: (303) 452-9472

CRESTVIEW – SECONDARY CONTACT

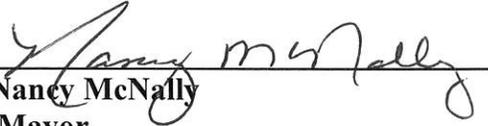
NAME: Mitch Terry  
Utility Superintendent  
ADDRESS: 7145 Mariposa Street  
Denver, CO 80221

TELEPHONE: (303) 430-1660  
AFTER HOURS:(303) 434-2982

9. TERM. This Agreement may be terminated at will by either Party upon one (1) year advance written notice to the non-terminating Party. Any such termination shall be conditioned upon the agreement by the terminating party to pay the cost of transferring the sewer service provided for by this Agreement back to Crestview.

10. This Agreement is entered into in accordance with the charters and ordinances of Westminster and rules and regulations of Crestview and any provision hereof not in compliance with said charters and ordinance shall be void and of no effect.

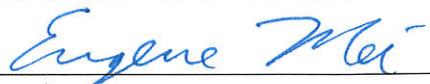
**CITY OF WESTMINSTER**

By:   
Nancy McNally  
Mayor

ATTEST

  
Linda Yeager  
City Clerk

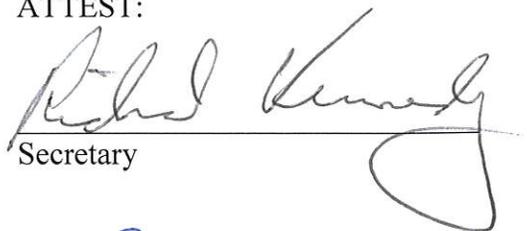
APPROVED AS TO LEGAL FORM:

  
City Attorney

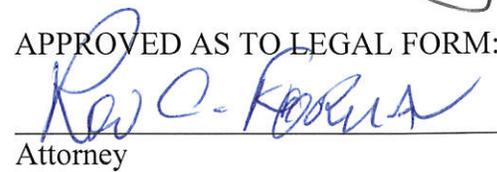
**CRESTVIEW WATER AND SANITATION DISTRICT**

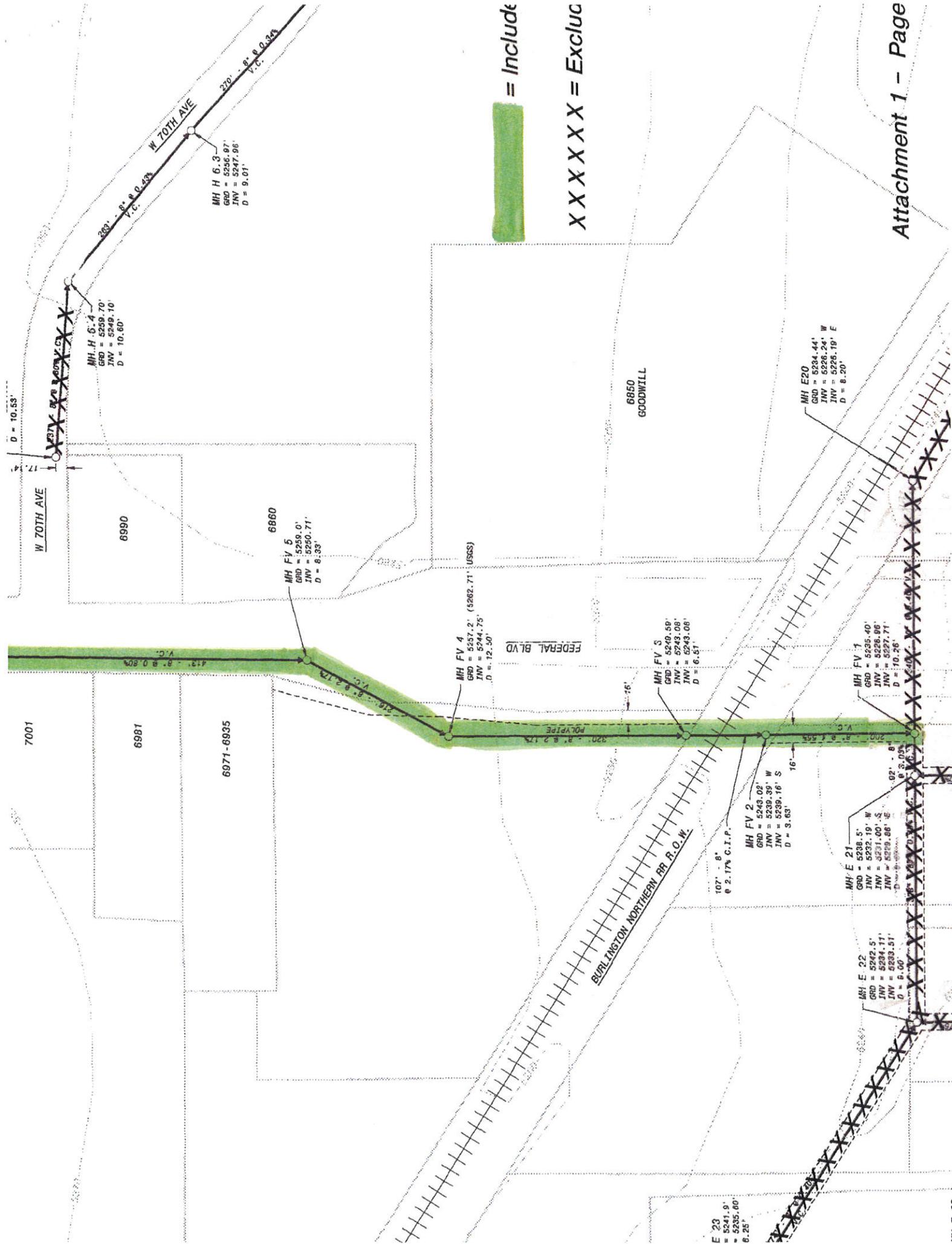
By:  V.P.  
President

ATTEST:

  
Secretary

APPROVED AS TO LEGAL FORM:

  
Attorney



**= Include**

**X X X X X = Exclud**

W 70TH AVE  
 283' - 8" @ 0.25% V.C.  
 270' - 8" @ 0.34% V.C.  
 MH H 6.3  
 GRD = 5235.87'  
 INV = 5247.96'  
 D = 9.09'

W 70TH AVE  
 D = 10.53'  
 17.4'  
 MH H 6.4  
 GRD = 5238.70'  
 INV = 5249.10'  
 D = 10.40'

6990  
 6860  
 MH FV 5  
 GRD = 5259.0'  
 INV = 5250.71'  
 D = 8.33'

7001  
 6981  
 6971-6935  
 412' - 0" @ 0.80% V.C.  
 310' - 0" @ 2.17% V.C.  
 320' - 8" @ 2.17% V.C.  
 200' - 8" @ 0.53% V.C.  
 16'

MH FV 4  
 GRD = 5257.2' (USGS)  
 INV = 5244.75'  
 D = 12.50'

FEDERAL BLVD  
 POLYPIPE  
 16'

MH FV 3  
 GRD = 5240.59'  
 INV = 5243.08'  
 D = 6.51'

BURLINGTON NORTHERN RR P.O.W.  
 107' - 8" @ 2.17% C.I.P.  
 16'

6850 GOODWILL  
 MH FV 2  
 GRD = 5243.02'  
 INV = 5239.39' W  
 INV = 5239.16' S  
 D = 3.63'

MH E 21  
 GRD = 5238.5'  
 INV = 5232.19' W  
 INV = 5231.00' S  
 INV = 5229.86' E  
 D = 3.02'

MH FV 1  
 GRD = 5235.40'  
 INV = 5226.96'  
 INV = 5227.71'  
 D = 10.26'

MH E 22  
 GRD = 5242.5'  
 INV = 5234.71'  
 INV = 5233.51'  
 D = 8.00'

MH E 23  
 GRD = 5241.9'  
 INV = 5235.80'  
 D = 6.25'



## Attachment 2

### CRESTVIEW WATER AND SANITATION DISTRICT FEDERAL VIEW TAPS

<u>ADDRESS</u>	<u>TAP SIZE</u>	<u>EQUIVALENTS</u>	<u>SERVICE</u>
7055 FEDERAL BLVD	3/4"	1	WA/SW
7095 FEDERAL BLVD	3/4"	1	WA/SW
7101 FEDERAL BLVD	3/4"	1	WA/SW
7115 FEDERAL BLVD	3/4"	1	WA/SW
7117 FEDERAL BLVD	3/4"	1	WA/SW
7135 FEDERAL BLVD	3/4"	1	WA/SW
3076 W. 71ST WAY	2"	9	WA/SW
7140 GROVE ST.	3/4"	1	WA/SW
3051 CRAFT WAY	1"	3	WA/SW
3065 CRAFT WAY	3/4"	1	WA/SW
3103 CRAFT WAY	3/4"	1	WA/SW
3145 CRAFT WAY	1-1/2"	1	WA/SW
7111 HOOKER ST.	1"	3	WA/SW
7120 HOOKER ST.	1-1/2"	6	WA/SW
7121 HOOKER ST.	1"	3	WA/SW
7140 HOOKER ST.	1"	3	WA/SW
7155 HOOKER ST.	1-1/2"	6	WA/SW
3050 W. 71ST AVE.	3/4"	1	WA/SW
3100 W. 71ST AVE.	3/4"	1	WA/SW
3120 W. 71ST AVE.	3/4"	1	WA/SW
3140 W. 71ST AVE.	3/4"	1	WA/SW
3200 W. 72ND AVE.	1-1/2"	6	WA/SW
6971 FEDERAL BLVD	1"	3	WA/SW
7001 FEDERAL BLVD	3/4"	1	WA/SW
7151 FEDERAL BLVD	1-1/2"	6	WA
7169 FEDERAL BLVD	3/4"	1	WA
7171 FEDERAL BLVD	3/4"	1	WA
7195 FEDERAL BLVD	3/4"	1	WA
3001 W. 71ST WAY	3/4"	1	WA
3055 CRAFT WAY	3/4"	1	WA
7160 HOOKER ST.	3/4"	1	WA
7180 HOOKER ST.	3/4"	1	WA
7181 HOOKER ST.	3/4"	1	WA
6981 FEDERAL BLVD	3/4"	1	WA







## Agenda Item 8 K

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Amendment of Pacific Companies and Urban Pacific Multi-Housing LLC Contract to Buy and Sell Real Estate

**Prepared By:** Steve Smithers, Deputy City Manager

### Recommended City Council Action

Authorize the City Manager to execute a fourth amendment to the Contract to Buy and Sell Real Estate with Urban Pacific Multi-Housing, LLC and Pacific West Communities, Inc. extending the closing date to January 31, 2015, in a form satisfactory to the City Attorney and to take all actions necessary to close this land sale.

### Summary Statement

- The City owns approximately 15.8 acres between The Promenade and Circle Point (see vicinity map).
- The Contract to Buy and Sell Real Estate with Urban Pacific Multi-Housing, LLC and Pacific West Communities (the Contract) was approved by City Council on July 9, 2012.
- The current sale price is \$4,619,931 (\$6.71/sf).
- The 2nd Amendment to the Contract was approved on March 25, 2014 that provided for a new closing date of September 30, 2014; increased the purchase price by \$150,000; provided for early closing incentives; and makes the existing \$100,000 deposit currently in escrow non-refundable should closing of the Contract not occur. The third amendment provided for changing the closing date from September 30, 2014 to December 15, 2014.
- This Fourth Amendment extends the closing date until January 31, 2015. The other terms of the deal remain the same.
- The reason for the changing of the closing date is because of delays in resolving the metro district exclusion issue and in no way was caused by the buyer.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Should the City enter into a fourth amendment to the current contract with Urban Pacific Multi-Housing LLC, per the terms and conditions outlined in the Agenda Memorandum?

**Alternative**

Don't extend the closing date. This is not recommended as the closing has been complicated by the issues around accomplishing exclusion from the NBC Metropolitan District, which is one of the conditions for this sale to move forward. Staff is reasonably confident that these issues can be resolved allowing this important development to move forward.

**Background Information**

Council is asked to authorize the Fourth Amendment to the Pacific Companies and Urban Pacific Multi-Housing, LLC Contract to Buy and Sell Real Estate (i.e., the Axis Project land sale). The purpose of the amendment is to extend the closing from December 15, 2014 to January 31, 2015 so that final resolution can be achieved concerning removal of the 15.8 acre city parcel from the NBC Metropolitan District prior to closing. City staff has been working diligently to achieve exclusion of the property from the district. There are a number of complex issues to get the exclusion agreement finalized, which may lead to the need to modify the purchase and sale agreement. If this occurs, Staff will return to City Council for approval of any such modifications.

The Buyer/Developer is set to move forward in anticipation of a spring 2015 ground breaking. Staff sees the Axis project as a generator of activity for both The Promenade and The Shops at Walnut Creek.

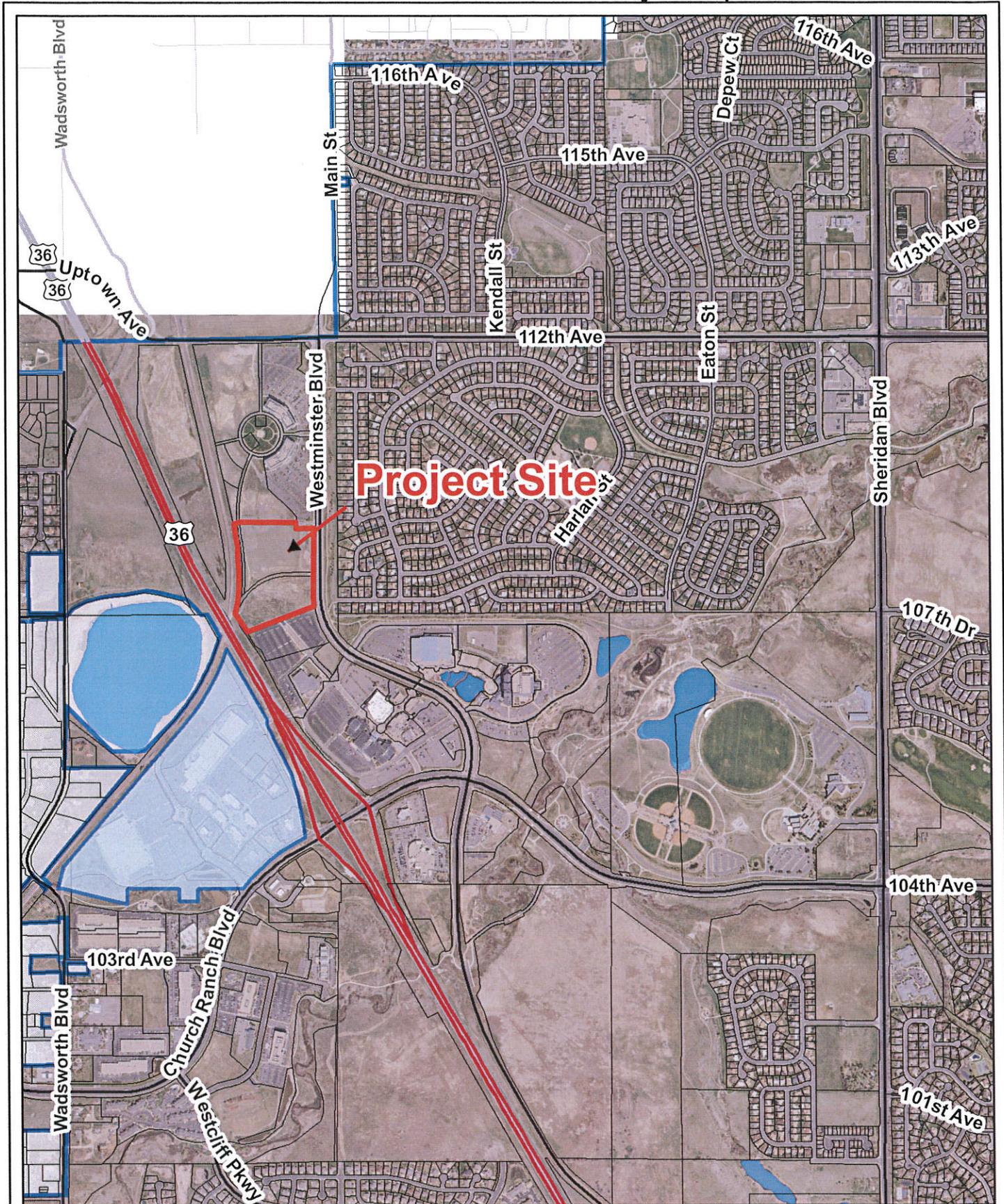
The approval of this amendment is consistent with City Council Strategic Goal of creating Vibrant and Inclusive Neighborhoods in Westminster.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Vicinity Map

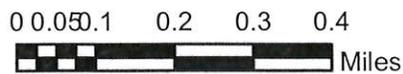
# 15.8 Acre Parcel Vicinity Map



Date: 3/6/2014

GIS-Apps\West\GIS\ArcGIS93\Templates\Westminster\_Basic\_93.mxd

## City of Westminister





Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Second Reading of Councillor’s Bill No. 36 re 2014 3<sup>rd</sup> Quarter Budget Supplemental Appropriation

**Prepared By:** Karen Barlow, Accountant

**Recommended City Council Action**

Pass Councillor’s Bill No. 36 on second reading, providing for a supplemental appropriation of funds to the 2014 budget of the General, Legacy Ridge, Heritage at Westmoor, Parks, Open Space and Trails, and General Capital Improvement Funds.

**Summary Statement**

- City Council action is requested to adopt the attached Councillor’s Bill on second reading, authorizing a supplemental appropriation to the 2014 Budget of the General, Legacy Ridge, Heritage at Westmoor, Parks, Open Space and Trails, and General Capital Improvement Funds
  - General Fund amendments total: \$ 71,955
  - Legacy Ridge Fund amendments total: \$ 6,000
  - Heritage at Westmoor Fund amendments total: \$ 107,886
  - Parks, Open Space and Trails Fund amendments total: \$ 263,871
  - General Capital Improvement Fund amendments total: \$ 263,871
  
- This Councillor’s Bill was approved on first reading on November 24, 2014.

**Expenditure Required:** \$713,583

**Source of Funds:** The funding sources for these budgetary adjustments include program revenue, grant proceeds, reimbursements, rent, carryover, and transfers.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment – Ordinance

BY AUTHORITY

ORDINANCE NO. **3746**

COUNCILLOR'S BILL NO. **36**

SERIES OF 2014

INTRODUCED BY COUNCILLORS  
**Seitz - Winter**

**A BILL**

**FOR AN ORDINANCE AMENDING THE 2014 BUDGETS OF THE GENERAL, LEGACY RIDGE, HERITAGE AT WESTMOOR, PARKS OPEN SPACE AND TRAILS, AND GENERAL CAPITAL IMPROVEMENT FUNDS, AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the General, Legacy Ridge, Heritage at Westmoor, Parks, Open Space and Trails, and General Capital Improvement Funds initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$713,583. This appropriation is due to the receipt of funds from program revenue, grant proceeds, reimbursements, rent, carryover, and transfers.

Section 2. The \$713,583 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10A dated November 24, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

General Fund	\$71,955
Legacy Ridge Fund	6,000
Heritage at Westmoor Fund	107,886
Parks, Open Space and Trails Fund	263,871
General Capital Improvement Fund	<u>263,871</u>
Total	<u>\$713,583</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24<sup>th</sup> day of November, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8<sup>th</sup> day of December, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



## Agenda Item 8 M

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Second Reading of Councillor's Bill No. 37 re Supplemental Appropriation of HUD Section 108 Loan Fund Balance

**Prepared By:** Tony Chacon, Senior Projects Coordinator

### Recommended City Council Action:

Pass Councillor's Bill No. 37 on second reading appropriating a balance of funds received from the United States Department of Housing and Urban Development Section 108 Loan Fund Program, in the amount of \$100,000.

### Summary Statement:

- City Council action is requested to pass the attached Councillors Bill on second reading appropriating the balance of funds awarded by the U.S. Department of Housing and Urban Development (HUD) through the HUD Section 108 Loan Fund Program in the amount of \$100,000.
- The City received an initial award of \$1,500,000 in August, 2012 to be used towards land acquisition and site preparation for a mixed use redevelopment project at 73<sup>rd</sup> Avenue and Lowell Boulevard.
- The City Council approved an initial appropriation of \$1,400,000 on September 24, 2012, leaving a balance of \$100,000 for future appropriation.
- Staff is requesting that the \$100,000 award balance be appropriated and applied to the balance of appropriated proceeds of approximately \$358,000 to provide funding to complete the acquisition of property in further support of the redevelopment at 73<sup>rd</sup> Avenue and Lowell Boulevard.
- This Councillor's Bill was passed on first reading on November 24, 2014.

**Expenditure Required:** \$100,000

**Source of Funds:** Community Development Block Grant Fund; HUD Section 108 Loan Fund Program

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment  
- Ordinance

BY AUTHORITY

ORDINANCE NO. **3747**

COUNCILLOR'S BILL NO. **37**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

**Winter - Briggs**

**A BILL**

**FOR AN ORDINANCE AMENDING THE 2014 BUDGETS OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND, AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the Community Development Block Grant Fund initially appropriated by Ordinance No. 3655 is hereby increased in aggregate by \$100,000. This appropriation is due to the receipt of Section 108 loan funds from the U.S. Department of Housing and Urban Development.

Section 2. The \$100,000 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10B dated November 24, 2014 (a copy of which may be obtained from the City Clerk) amending City fund budgets as follows:

Community Development Block Grant Fund	<u>\$100,000</u>
Total	<u>\$100,000</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24<sup>th</sup> day of November, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8<sup>th</sup> day of December, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



**Agenda Memorandum**

City Council Meeting  
December 8, 2014



**SUBJECT:** Second Reading of Councillor's Bill No. 38 Appropriating Adams County Open Space Grant Funds for the McKay Drainageway Project

**Prepared By:** David W. Loseman, Assistant City Engineer

**Recommended City Council Action**

Pass Councillor's Bill No. 38 on second reading appropriating \$428,459 from an Adams County Open Space grant to the McKay Drainageway Project for various trail improvements.

**Summary Statement**

In February 2013, City staff submitted an application to the Adams County Open Space program for a grant for certain trail improvements located parallel to I-25 in the vicinity of the McKay Drainageway. In December 2013, the City was awarded funds for these trails in the amount of \$428,459. The construction of the trails is included in the construction contract for the McKay Drainageway Project that Council approved at the November 24, 2014 City Council meeting. If Council approves the attached Councillor's Bill on second reading, the contract with Concrete Express, Inc. can be finalized and the construction of the McKay Drainage improvements and the I-25 Trail can proceed.

This Councillor's Bill was approved on first reading on November 24, 2014.

**Expenditure Required:** \$428,459

**Source of Funds:** General Capital Improvement Fund—McKay Lake Drainage account;

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments: Ordinance

BY AUTHORITY

ORDINANCE NO. **3748**

COUNCILLOR'S BILL NO. **38**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

**Briggs - Pinter**

**A BILL**

**FOR AN ORDINANCE AMENDING THE 2014 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2014 ESTIMATED REVENUES IN THE FUNDS**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2014 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 3655 is hereby increased by \$428,459. This increase is due to the appropriation of an Adams County Open Space Grant for construction costs necessary for the I-25 Trails Connection Project as part of the McKay Drainageway Channel and Regional Detention Pond Project.

Section 2. The \$428,459 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 C-D dated November 24, 2014 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Capital Improvement Fund	<u>\$428,459</u>
Total	<u>\$428,459</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24th day of November, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th day of December, 2014

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Second Reading of Councillor's Bill No. 39 re Amendments to the Police and General Employee Pension Plans

**Prepared By:** Kim McDaniel, Retirement Administrator

**Recommended City Council Action:**

Pass Councillor's Bill 39 on second reading amending Title XIV of the Westminster Municipal Code concerning the Police and General Employee Pension Plans.

**Summary Statement**

- Retirement Administration is recommending a series of changes to the City's Pension Ordinances. The IRS requires that plans operate within the rules established by the plan document and that the plan document properly reflect the operational procedures of the plan. A few of the procedures outlined by the current Pension Ordinance cause hardship to the members of the plan.
- The Pension Ordinance currently restricts active participants from transferring plan assets to the statewide Fire and Police Pension Association (FPPA) to purchase years of service.
- One of the recommended changes is substantive while the remainder are of a house keeping nature. State statutes mandate that 65% of the active participants in the Police Pension Plan approve any changes before these changes can be implemented.
- This Councillor's Bill was passed on first reading November 24, 2014.

**Expenditure Required:** \$0

**Source of Funds:** N/A

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment - Councillor's Bill No. 39

BY AUTHORITY

ORDINANCE NO. **3749**

COUNCILLOR'S BILL NO. **39**

SERIES OF 2013

INTRODUCED BY COUNCILLORS  
**Garcia - Pinter**

A BILL

FOR AN ORDINANCE AMENDING CHAPTERS 1 AND 2 OF TITLE 14  
OF THE WESTMINSTER MUNICIPAL CODE CONCERNING  
POLICE AND GENERAL EMPLOYEE PENSION PLANS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The title of subsection 14-1-3, W.M.C., is hereby AMENDED to read as follows:

**14-1-3: PARTICIPATION OF ELIGIBLE EMPLOYEES**

Section 2. Section 14-1-2, W.M.C. is hereby AMENDED to read as follows:

**14-1-2: DEFINITIONS:** (2464 3319 3360 3447 3584 3704) The following words, terms and phrases, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise and further provided that the masculine gender shall include the feminine, and the singular shall include the plural.

“Contributing Participant” shall mean any Eligible Employee who is making contributions to the Plan, whether or not the City is contributing to the Plan on behalf of such Eligible Employee.

“Distributee” shall mean an Eligible Employee or former Eligible Employee. In addition, the Eligible Employee’s or former Eligible Employee’s surviving spouse and the Eligible Employee’s or former Eligible Employee’s spouse or former spouse who is the alternate payee under a QDRO are Distributees with regard to the interest of the spouse or former spouse.

“Eligible Employee” shall mean any ~~individual~~ Employee who fills a City-authorized position of Police Officer as defined in this Chapter that is in a 0.5 FTE or greater, excluding individuals employed as temporary employees, elected officials, independent contractors, volunteers and non-benefited full-time and part-time employees. ~~The determination of whether an individual is an Employee, an independent contractor or any other classification of worker or service provider and the determination of whether an individual is classified as a member of any particular classification of employees shall be made solely in accordance with the classifications used by the Employer and shall not be dependent on, or change due to, the treatment of the individual for any purposes under the Code, common law or any other law, or any determination made by any court or government agency.~~

“Employee” shall mean a person who receives monetary compensation from the City in return for present services or work performed on a non-contractual basis, or who is on a leave of absence without pay that has been approved by the General Services Director or Designee. This definition shall include all full-time and part-time regular, administrative officers, temporary, provisional, seasonal, substitute, hourly, instructor, indexed, intern, special project, short-term disability and emergency employees. This definition shall exclude elected municipal officials, volunteer firefighters, all other volunteer personnel, and retirees from the City. The determination of whether an individual is an Employee, an independent contractor or any other classification of worker or service provider and the determination of whether an individual is classified as a member of any particular classification of employees shall be made solely in accordance with the classifications used by the Employer and shall not be dependent on, or change due to, the treatment of the individual for any purposes under the Code, common law or any other law, or any determination made by any court or government agency.

“Full Participant” shall mean any Eligible Employee who is qualified to receive Employer contributions under the Plan.

“Inactive Participant” shall mean any person who has been a Contributing Participant to the Plan or a preceding pension plan of the City and who is no longer an Eligible Employee, but who has not received full distribution of all respective Interest.

“Termination of Employment” shall mean the cessation of a person’s status as an “Employee” as defined in this Section. ~~If the person, upon Termination of Employment, becomes eligible to participate in the City’s General Employee Pension Plan, without a break in municipal service, that person’s Interest shall be transferred to that plan and the person shall retain status as a participant.~~ Termination due to dismissal shall become effective on the date after the employee’s grievance rights, if any, have lapsed or, if a grievance is filed, on the date of the final decision by the City.

Section 3. Section 14-1-3, subsection (A), W.M.C., is hereby AMENDED to read as follows:

**14-1-3: PARTICIPATION OF ELIGIBLE EMPLOYEES: (2464 3319 3447 3704)**

(A) PARTICIPANTS.

(1) Contributing Participant. Each Eligible Employee hired on or after January 6, 1986, shall become a Contributing Participant in the Plan on the date the Eligible Employee becomes a regular or qualified part-time employee and has attained the age of eighteen (18). By accepting employment with the City, each Employee shall be deemed to have consented to the terms and provisions of the Plan.

(2) Full Participant. No matter when an Eligible Employee becomes a Contributing Participant, each Eligible Employee shall become a Full Participant, eligible to receive Employer contributions on the first day of the pay period coinciding with or immediately following the date on which the Employee has completed twenty-two (22) months of service with the City and has attained the age of eighteen (18), provided such Eligible Employee is still employed as an Employee on such date and has not severed employment (as provided in subsection (4)(d) of this Section) during such twenty-two (22) month period.

(3) Last pay period of contribution. The City shall not make any contribution for the account of a Full Participant for the pay period in which such Participant’s employment by the City shall terminate for any reason, unless such Participant is employed by the City on the last date of such pay period. No Participant may make contributions to the Plan pursuant to Sections 14-1-4, W.M.C., other than changes in the valuation of, or earnings on, the Participant’s undistributed Interest, after Termination of Employment or loss of status as an Employee as defined in this Chapter.

(4) Determination of service. For the purpose of determining eligibility to become a Full Participant, service shall be determined in accordance with the following rules:

(a) Service shall include the continuous period of time an individual is employed by the City as an Eligible Employee, commencing on the date the individual is categorized as an Eligible Employee.

(b) A leave of absence without pay, other than for military service, shall be considered a break in continuous municipal service, unless municipal service is extended. Neither the City nor the Eligible Employee shall be required to contribute to the Participant’s account during a leave of absence without pay.

(c) Any Eligible Employee who has entered or enters the armed forces of the United States shall be presumed to be on a leave of absence, regardless of the length of such service, and such leave of absence shall not be considered as a break in continuity of service or a Termination of Employment, provided the individual returns to the employ of the City within ninety (90) days (or such other length of time required by applicable law) of the date on which the individual shall have the right to release from military service or from the hospital in the event of service-caused disability, without intervening employment elsewhere.

(d) Dismissal or voluntary Termination of Employment with the City shall be considered as a break in continuity of service; regardless of the length of the break in continuity of service, subsequent re-employment shall be deemed to be new employment, and the Employee will be subject to the eligibility requirements as if such Employee were a new Employee, whether or not

such Employee was formerly a Full Participant. However, if the City reinstates an Employee subsequent to dismissal, this paragraph shall not apply.

(e) The provisions of this paragraph (4) shall be applied to all Eligible Employees and Participants in a like manner.

Section 4. Section 14-1-4, subsection (C)(3), W.M.C., is hereby AMENDED to read as follows:

**14-1-4: CONTRIBUTIONS BY THE CITY, THE STATE OF COLORADO AND PARTICIPANTS:** (2464 3319 3360 3447 3704)

(C) CONTRIBUTIONS BY CONTRIBUTING PARTICIPANTS:

(3) Payment of Participant contributions. The contributions of the Contributing Participant shall be withheld every pay period and shall be credited to the Plan each pay period.

Section 5. Section 14-1-7, subsection (D), W.M.C., is hereby AMENDED by the addition of new subsections (2) and (3) to read as follows:

**14-1-7: DISTRIBUTION FROM THE TRUST FUND:** (2464 3319 3360 3447 3584 3704)

(D) TRANSFERS FROM THE PLAN INTO AN ELIGIBLE RETIREMENT PLAN:

(1) The Trustee is authorized, at the direction of the Plan custodian and at the request of the Participant, to transfer the portion of such Participant's vested Interest that is an Eligible Rollover Distribution and has become distributable under subsection (A) of this Section directly to another Eligible Retirement Plan for the benefit of such Participant, provided such transfer satisfies the requirements under law for such transfers and rollover contributions and the transferee plan accepts the Participant's Eligible Rollover Distribution from the Plan.

(2) If a Participant becomes eligible to participate in the City's General Employee Pension Plan without a break in municipal service, that Employee's vested Interest may be transferred to the General Employee Pension Plan and the Employee shall become a participant of the General Employee Pension Plan pursuant to Title XIV, Chapter 2.

(3) If a Participant becomes eligible to participate in the FPPA system without a break in municipal service, the Participant may elect to have his/her vested Interest transferred to the FPPA system, as permitted by FPPA.

Section 6. The title of subsection 14-2-3, W.M.C., is hereby AMENDED to read as follows:

**14-2-3: PARTICIPATION OF ELIGIBLE EMPLOYEES**

Section 7. Section 14-2-2, W.M.C. is hereby AMENDED to read as follows:

"Contributing Participant" shall mean any Eligible Employee who is making contributions to the Plan, whether or not the City is contributing to the Plan on behalf of such Eligible Employee.

"Distributee" shall mean an Eligible Employee or former Eligible Employee. In addition, the Eligible Employee's or former Eligible Employee's surviving spouse and the Eligible Employee's or former Eligible Employee's spouse or former spouse who is the alternate payee under a QDRO are Distributees with regard to the interest of the spouse or former spouse.

"Eligible Employee" shall mean an Employee ~~individual~~ who fills a City-authorized position or temporary intern position in a 0.5 FTE or greater, excluding individuals employed as firefighters and Police Officers, temporary employees, elected officials, independent contractors, volunteers and non-benefited full-time and part-time employees. ~~The determination of whether an individual is an Employee, an independent contractor or any other classification of worker or service provider and the determination of whether an individual is classified as a member of any particular classification of employees shall be made solely in accordance with the classifications used by the Employer and shall not be dependent on, or~~

~~change due to, the treatment of the individual for any purposes under the Code, common law or any other law, or any determination made by any court or government agency.~~

“Employee” shall mean a person who receives monetary compensation from the City in return for present services or work performed on a non-contractual basis, or who is on a leave of absence without pay that has been approved by the General Services Director or Designee. This definition shall include all full-time and part-time regular, administrative officers, temporary, provisional, seasonal, substitute, hourly, instructor, indexed, intern, special project, short-term disability and emergency employees. This definition shall exclude elected municipal officials, volunteer firefighters, all other volunteer personnel, and retirees from the City. The determination of whether an individual is an Employee, an independent contractor or any other classification of worker or service provider and the determination of whether an individual is classified as a member of any particular classification of employees shall be made solely in accordance with the classifications used by the Employer and shall not be dependent on, or change due to, the treatment of the individual for any purposes under the Code, common law or any other law, or any determination made by any court or government agency.

“Full Participant” shall mean any Eligible Employee who is qualified to receive City contributions under the Plan.

“Inactive Participant” shall mean any person who has been a Contributing Participant to the Plan or a preceding pension plan of the City and who is no longer an Eligible Employee, but who has not received full distribution of all respective Interest.

“Termination of Employment” shall mean the cessation of a person’s status as an “Employee” as defined in this Section. ~~If the person, upon Termination of Employment, becomes eligible to participate in the City’s Police Pension Plan, without a break in municipal service, that person’s Interest shall be transferred to that plan and the person shall retain status as a participant.~~ Termination due to dismissal shall become effective on the date after the employee’s grievance rights, if any, have lapsed or, if a grievance is filed, on the date of the final decision by the City.

Section 8. Section 14-2-3, subsection (A), W.M.C., is hereby AMENDED to read as follows:

**14-2-3: PARTICIPATION OF ELIGIBLE EMPLOYEES: (2464 3319 3447 3704)**

**(A) PARTICIPANTS:**

(1) Contributing Participant. Each Eligible Employee hired on or after January 6, 1986, shall become a Contributing Participant in the Plan on the date the Eligible Employee becomes a regular or qualified part-time employee and has attained the age of eighteen (18). By accepting employment with the City, each Employee shall be deemed to have consented to the terms and provisions of the Plan.

(2) Full Participant. No matter when an Eligible Employee becomes a Contributing Participant, each Eligible Employee shall become a Full Participant, eligible to receive Employer contributions on the first day of the pay period coinciding with or immediately following the date on which the Eligible Employee has completed twenty-two (22) months of service with the City and has attained the age of eighteen (18), provided such Eligible Employee is still employed as an Employee on such date and has not severed employment (as provided in subsection (4)(d) of this Section) during such twenty-two (22) month period.

(3) Last pay period of contribution. The City shall not make any contribution for the account of a Full Participant for the pay period in which such Participant’s employment by the City shall terminate for any reason, unless such Participant is employed by the City on the last date of such pay period. No Participant may make contributions to the Plan pursuant to Sections 14-2-4, W.M.C., other than changes in the valuation of, or earnings on, the Participant’s undistributed Interest, after Termination of Employment or loss of status as an Employee as defined in this Chapter.

(4) Determination of service. For the purpose of determining eligibility to become a Full Participant, service shall be determined in accordance with the following rules:

(a) Service shall include the continuous period of time an individual is employed by the City as an Eligible Employee, commencing on the date the individual is categorized as an Eligible Employee.

(b) A leave of absence without pay, other than for military service, shall be considered a break in continuous municipal service, unless municipal service is extended. Neither the City nor the Eligible Employee shall be required to contribute to the Participant's account during a leave of absence without pay.

(c) Any Eligible Employee who has entered or enters the armed forces of the United States shall be presumed to be on a leave of absence, regardless of the length of such service, and such leave of absence shall not be considered as a break in continuity of service or a Termination of Employment, provided the individual returns to the employ of the City within ninety (90) days (or such other length of time required by applicable law) of the date on which the individual shall have the right to release from military service or from the hospital in the event of service-caused disability, without intervening employment elsewhere.

(d) Dismissal or voluntary Termination of Employment with the City shall be considered as a break in continuity of service; regardless of the length of the break in continuity of service, subsequent re-employment shall be deemed to be new employment, and the Employee will be subject to the eligibility requirements as if such Employee were a new Employee, whether or not such Employee was formerly a Full Participant. However, if the City reinstates an Eligible Employee subsequent to dismissal, this paragraph shall not apply.

(e) The provisions of this paragraph (4) shall be applied to all Eligible Employees and Participants in a like manner.

Section 9. Section 14-2-4, subsection (B)(3), W.M.C., is hereby AMENDED to read as follows:

**14-2-4: CONTRIBUTIONS BY THE CITY AND PARTICIPANTS: (2464 3319 3360 3447 3704)**

**(B) CONTRIBUTIONS BY CONTRIBUTING PARTICIPANTS:**

(3) Payment of participant contributions. The contributions of the Contributing Participant shall be withheld every pay period and shall be credited to the Plan each pay period.

Section 10. Section 14-2-7, subsection (D), W.M.C., is hereby AMENDED by the addition of new subsections (2) and (3) to read as follows:

**14-2-7: DISTRIBUTION FROM THE TRUST FUND: (2464 3319 3390 3447 3584 3704)**

**(D) TRANSFERS FROM THE PLAN INTO AN ELIGIBLE RETIREMENT PLAN:**

(1) The Trustee is authorized, at the direction of the Plan custodian and at the request of the Participant, to transfer the portion of such Participant's vested Interest that is an Eligible Rollover Distribution and has become distributable under subsection (A) of this Section directly to another Eligible Retirement Plan for the benefit of such Participant, provided such transfer satisfies the requirements under law for such transfers and rollover contributions and the transferee plan accepts the Participant's Eligible Rollover Distribution from the Plan.

(2) If a Participant becomes eligible to participate in the City's Police Pension Plan without a break in municipal service, that Employee's vested Interest may be transferred to the Police Pension Plan and the Employee shall become a participant of the Police Pension Plan pursuant to Title XIV, Chapter 1.

(3) If a Participant becomes eligible to participate in the FPPA system without a break in municipal service, the Participant may elect to have his/her vested Interest transferred to the FPPA system, as permitted by FPPA.

Section 11. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED  
PUBLISHED THIS 24th day of November, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8th  
day of December 2014.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney's Office



**Agenda Memorandum**

City Council Meeting  
December 8, 2014



**SUBJECT:** Public Hearing on the Annexation, Comprehensive Plan Amendment, and Zoning for the McKay Lake Overlook Property

**Prepared By:** Walter Patrick, Planner

**Recommended City Council Action**

1. Hold a public hearing.
2. Pass Councillor's Bill No. 41 on first reading annexing the McKay Lake Overlook Property into the City.
3. Pass Councillor's Bill No. 42 on first reading approving a Comprehensive Plan amendment for the McKay Lake Overlook Property changing the designation from Adams County Estate Residential to City Owned Open Space. This recommendation is based on a finding that:
  - The proposed amendment will be in the public good; and that
  - The proposed amendment is in compliance with the overall purpose and intent of the Comprehensive Plan.
4. Pass Councillor's Bill No. 43 on first reading approving a re-zoning of the property from Adams County A-1 to City of Westminster Open District (O-1).

**Summary Statement**

- The McKay Lake Overlook Property consists of about 8.8 acres and is located southeast of 144<sup>th</sup> Avenue and Zuni Street.
- The property was purchased by the City in 2012 for Open Space purposes.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Planning Commission**

On November 11, 2014, the Planning Commission voted unanimously to recommend approval of the Annexation, Comprehensive Plan Amendment, and Rezoning of the McKay Lake Overlook Property.

**Policy Issues**

1. Should the City annex the McKay Lake Overlook Property?
2. Should the City approve a Comprehensive Plan (CP) amendment for the McKay Lake Overlook Property changing the designation from Adams County Estate Residential to City Owned Open Space?
3. Should the City approve a zoning designation of the McKay Lake Overlook Property from Adams County A-1 to City of Westminster designation O-1?

**Alternatives**

1. Determine that annexation of this parcel is not desirable at this time. If this action is taken the City owned property will remain unincorporated and subject to Adams County regulations. This action is not recommended because the annexation would increase the amount of City owned open space within the City and place the property under the City's jurisdiction.
2. Deny the Comprehensive Plan amendment or assign a different designation. This is not recommended since "City Owned Open Space" is the logical designation of this parcel.
3. Deny the rezoning of the McKay Lake Overlook Property from Adams County A-1 to City of Westminster O-1, or assign an alternative zoning category.

**Background Information**Nature of Request

The City purchased this property in 2012 to be used for open space purposes. This property provides a location for a future trail connection to the McKay Lake Trail and expands the existing City Open space in the area. The property currently contains two houses that are scheduled to be demolished in the near future.

Location

The site is located at to the southeast of 144<sup>th</sup> Avenue and Zuni Street. (Please see attached vicinity map).

Annexation

This 8.8 acre property abuts the existing McKay Lake Open Space property on the north and east property lines. As the property is solely owned by the City it may be annexed without the notice and hearing requirements attendant with other annexations. However, the standard notification processes for public hearings, zonings and Comprehensive Plan amendments are still required.

Comprehensive Plan Amendment

The Westminster Municipal Code (WMC) requires the owner of the property requesting an amendment to the Comprehensive Plan (CP) to prove the amendment is in the public good and in overall compliance with the purpose and intent of the CP. Staff has found the proposed CP Amendment to be in the public good and in compliance with the CP as the proposal will meet the CP goal of providing convenient recreational and wellness opportunities for Westminster residents. The proposed amendment also meets a CP policy of providing unfettered public access while preserving the environmental and wildlife integrity of the property.

Establishment of Zoning

The WMC requires the consideration of two criteria for the approval of any zoning or rezoning to a zoning district other than Planned Unit Development (PUD). Staff has reviewed these criteria and has provided the following comments on each.

1. The proposed zoning or rezoning is in conformance with the City's Comprehensive Plan and all City's policies, standards, and sound planning and principles. *Upon the annexation and*

*establishment of a Comprehensive Plan designation of City Owned Open Space on the property, the proposed zoning designation of O-1 would be in conformance with the Comprehensive Plan. The proposed zoning is in conformance with City policies and would meet the City Council goal of Beautiful, Desirable, and Environmentally Responsible City. The addition of this property to the City's Open Space and assigning a zoning designation of O-1, exhibits sound planning principles by providing opportunities for leisure activities and preservation of environmentally valuable habitats and landscape.*

2. There is either existing capacity in the City's street, drainage, and utility systems to accommodate the proposed zoning or rezoning, or arrangements have been made to provide such capacity in a manner and timeframe acceptable to City Council. *As City Owned Open Space property, additional capacity is not required. New development is not proposed.*

#### Public Notification

Westminster Municipal Code 11-5-13 requires the following three public notification procedures for zonings or rezonings:

- **Published Notice:** Notice of public hearings scheduled before Planning Commission shall be published and posted at least 10 days prior to such hearing and at least four days prior to City Council public hearings. Notice was published in the Westminster Window on November 26, 2014.
- **Property Posting:** Notice of public hearings shall be posted on the property with one sign in a location reasonably visible to vehicular and pedestrian traffic passing adjacent to the site. Two signs were posted on the property on November 26, 2014.
- **Written Notice:** At least 10 days prior to the date of the public hearing, the applicant shall mail individual notices by first-class mail to property owners and homeowner's associations registered with the City within 300 feet of the subject property. The notices were mailed on October 30, 2014.

#### Applicant/Property Owner

City of Westminster  
4800 W. 92<sup>nd</sup> Avenue  
Westminster, Colorado 80031

#### Surrounding Land Use and Comprehensive Plan Designation

<b>Development Name</b>	<b>Zoning</b>	<b>Comprehensive Plan Designation</b>	<b>Use</b>
City of Westminster Open Space and 144 <sup>th</sup> Avenue Right-of-Way; North	O-1	City Owned Open Space	Open Space
City of Broomfield; West	PUD	Neighborhood Residential	Single Family Residential
City of Westminster Open Space; East	O-1	City Owned Open Space	Open Space
Unincorporated Adams County; South	A-2	Estate Residential	Large Lot Residential

#### Site Plan Information

No development is proposed.

#### Service Commitment Category

Not applicable.

#### Referral Agency Responses

A copy of the proposed plans was sent to the following agencies: Adams County and the City and County of Broomfield. There was no opposition expressed by these agencies.

Neighborhood Meeting(s) and Public Comments

Not applicable. No development is proposed.

City Council Goals

This annexation meets the City Council goal of Beautiful, Desirable, and Environmentally Responsible City.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Attachment A - Vicinity Map
- Annexation Ordinance
- Comprehensive Plan Ordinance (Exhibit A/Exhibit B)
- Zoning Ordinance (Exhibit A/Exhibit B)



BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **41**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 68 WEST, 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, KNOWN AS THE MCKAY LAKE OVERLOOK PROPERTY.

WHEREAS, the City of Westminster is the sole owner of a parcel of land, which parcel is eligible for annexation under the provisions of Sections 31-12-104(a) and 31-12-105, C.R.S.; and

WHEREAS, the property to be annexed is not solely a public street or right-of-way and is therefore eligible to be annexed pursuant to Section 31-12-106(3), C.R.S.;

NOW, THEREFORE, the City of Westminster ordains:

Section 1. That the parcel of land, below described, meets the requirements of Sections 31-12-104(a) and 31-12-105, C.R.S., and annexation of the following described contiguous unincorporated territory, situate, lying and being in the County of Adams, State of Colorado, is hereby accomplished by and to the City of Westminster, State of Colorado:

The McKay Lake Overlook Property:

A parcel of land located in the northwest quarter of section 21, township 1 south, range 68 west of the sixth principal meridian, City of Westminster, County of Adams, State of Colorado more particularly described as follows.

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, BARNETT ESTATES AS RECORDED IN FILE NO. 17, MAP NO. 409, RECEPTION NO. C0091433 OF THE RECORDS OF ADAMS COUNTY, COLORADO, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED ON THE ANNEXATION MAP RECORDED UNDER RECEPTION NO. 2010000050690 OF THE RECORDS OF ADAMS COUNTY, COLORADO, THENCE N90°00'00"E, 475.89 FEET ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690 TO THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE WESTERLY LINE OF LOT 3, SAID BLOCK 1; THENCE N00°00'25"W, 217.08 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 TO A POINT ON THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690; THENCE ALONG SAID

SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690, THE FOLLOWING SIX (6) COURSES;

1. EASTERLY, 135.57 FEET ALONG A CURVE CONCAVE TO THE NORTH, THE ARC OF SAID CURVE HAVING A RADIUS OF 991.50 FEET, A CENTRAL ANGLE OF 07°50'03" AND BEING SUBTENDED BY A CHORD THAT BEARS S85°45'00"E, 135.46 FEET;
2. S89°40'01"E, 100.40 FEET;
3. S00°20'00"W, 32.50 FEET;
4. S89°40'01"E, 82.88 FEET;
5. N00°20'00"E, 32.50 FEET;
6. S89°40'01"E, 8.00 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED ON THE ANNEXATION MAP RECORDED UNDER RECEPTION NO. 2010000050712 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

THENCE ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050712, THE FOLLOWING FIVE (5) COURSES;

1. S89°40'01"E, 207.38 FEET;
2. S00°21'43"W, 117.21 FEET;
3. S89°45'28"E, 166.19 FEET;
4. S00°14'33"W, 10.00 FEET;
5. S89°45'26"E, 4.86 FEET TO A POINT ON THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED IN FILE NO. 18, MAP NO. 460, RECEPTION NO. C0819546 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

THENCE ALONG THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID FILE NO. 18, MAP NO. 460, RECEPTION NO. C0819546, THE FOLLOWING THREE (3) COURSES;

1. S35°35'35"W, 31.73 FEET;
2. S11°15'03"W, 117.20 FEET;
3. S24°05'35"W, 115.35 FEET TO A POINT ON THE SOUTHERLY LINE EXTENDED EASTERLY OF LOT 3, BLOCK 1, SAID BARNETT ESTATES;

THENCE S85°35'36"W, 605.30 FEET ALONG SAID SOUTHERLY LINE EXTENDED EASTERLY AND ALONG THE SOUTHERLY LINE OF SAID LOT 3 TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N04°36'24"W, 155.21 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF LOT 2, BLOCK 1, SAID BARNETT ESTATES; THENCE S85°23'36"W, 254.32 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE NORTHWEST CORNER

OF SAID LOT 2; THENCE S04°36'24"E, 387.64 FEET ALONG THE WESTERLY LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S75°33'36"W, 262.58 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°07'36"E, 533.35 FEET ALONG THE WESTERLY LINE OF SAID LOT 1 TO THE TRUE POINT OF BEGINNING. AREA = 8.756 ACRES, MORE OR LESS

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

Section 3. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 8th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 22nd day of December, 2014.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney's Office

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **42**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER  
COMPREHENSIVE PLAN

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council finds:

a. That the City has initiated an amendment to the Westminster Comprehensive Plan, pursuant to Section 11-4-16(D), W.M.C. for the properties described in attached Exhibit A, incorporated herein by reference, requesting a change in the land use designations from "Unincorporated Adams County Estate Residential" to "City-Owned Open Space" for the 8.8 acre parcel generally located south of 144<sup>th</sup> Avenue and east of Zuni Street.

b. That such amendment has been referred to the Planning Commission, which body held a public hearing thereon on November 11, 2014, after notice complying with Section 11-4-16(B), W.M.C. and has recommended approval of the requested amendment.

c. That notice of the public hearing before Council has been provided in compliance with Section 11-4-16(D), W.M.C.

d. That Council, having considered the recommendations of the Planning Commission, has completed a public hearing and has accepted and considered oral and written testimony on the requested amendments.

e. That the requested amendment will further the public good and will be in compliance with the overall purpose and intent of the Comprehensive Plan, particularly the policy that encourages enhancing and funding the City's Open Space properties to provide unfettered public access while preserving the environmental and wildlife integrity of the property.

Section 2. The City Council approves the requested amendment and authorizes City staff to make the necessary changes to the map and text of the Westminster Comprehensive Plan to change the designation(s) of the property more particularly described on attached Exhibit A, to "City-Owned Open Space", as depicted on the map attached as Exhibit B.

Section 3. Severability: 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 deemed unenforceable shall not affect any of the remaining provisions.

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

Section 5. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 8<sup>th</sup> day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 22<sup>nd</sup> day of December, 2014.

---

Mayor

ATTEST:

---

City Clerk

APPROVED AS TO LEGAL FORM:

---

City Attorney's Office

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 21, T1S, R68W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, BARNETT ESTATES AS RECORDED IN FILE NO. 17, MAP NO. 409, RECEPTION NO. C0091433 OF THE RECORDS OF ADAMS COUNTY, COLORADO, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED ON THE ANNEXATION MAP RECORDED UNDER RECEPTION NO. 2010000050690 OF THE RECORDS OF ADAMS COUNTY, COLORADO, THENCE N90°00'00"E, 475.89 FEET ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690 TO THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE WESTERLY LINE OF LOT 3, SAID BLOCK 1; THENCE N00°00'25"W, 217.08 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 TO A POINT ON THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690; THENCE ALONG SAID SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690, THE FOLLOWING SIX (6) COURSES;

1. EASTERLY, 135.57 FEET ALONG A CURVE CONCAVE TO THE NORTH, THE ARC OF SAID CURVE HAVING A RADIUS OF 991.50 FEET, A CENTRAL ANGLE OF 07°50'03" AND BEING SUBTENDED BY A CHORD THAT BEARS S85°45'00"E, 135.46 FEET;
2. S89°40'01"E, 100.40 FEET;
3. S00°20'00"W, 32.50 FEET;
4. S89°40'01"E, 82.88 FEET;
5. N00°20'00"E, 32.50 FEET;
6. S89°40'01"E, 8.00 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED ON THE ANNEXATION MAP RECORDED UNDER RECEPTION NO. 2010000050712 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

THENCE ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050712, THE FOLLOWING FIVE (5) COURSES;

1. S89°40'01"E, 207.38 FEET;
2. S00°21'43"W, 117.21 FEET;
3. S89°45'28"E, 166.19 FEET;

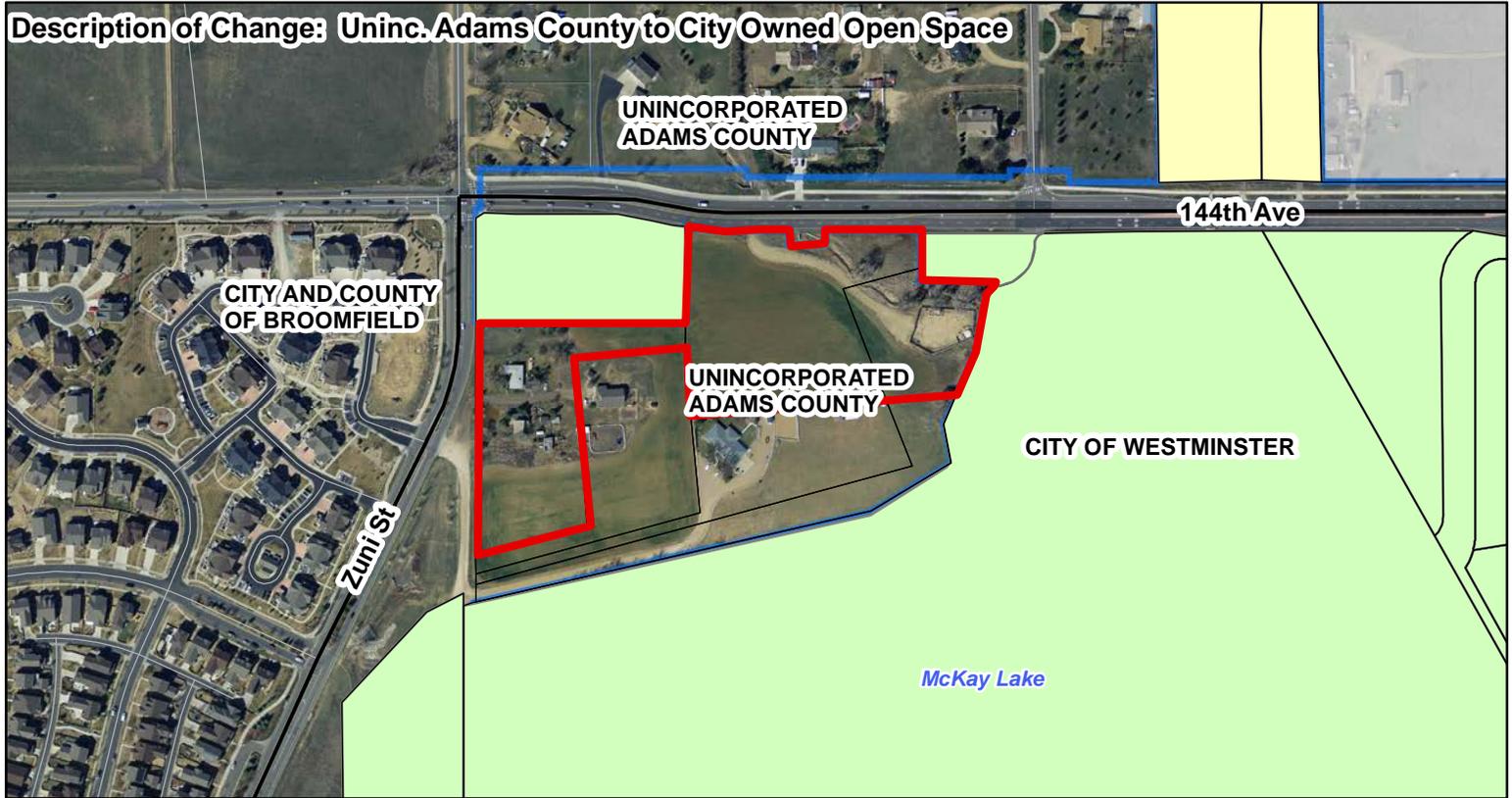
4. S00°14'33"W, 10.00 FEET;
5. S89°45'26"E, 4.86 FEET TO A POINT ON THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED IN FILE NO. 18, MAP NO. 460, RECEPTION NO. C0819546 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

THENCE ALONG THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID FILE NO. 18, MAP NO. 460, RECEPTION NO. C0819546, THE FOLLOWING THREE (3) COURSES;

1. S35°35'35"W, 31.73 FEET;
2. S11°15'03"W, 117.20 FEET;
3. S24°05'35"W, 115.35 FEET TO A POINT ON THE SOUTHERLY LINE EXTENDED EASTERLY OF LOT 3, BLOCK 1, SAID BARNETT ESTATES;

THENCE S85°35'36"W, 605.30 FEET ALONG SAID SOUTHERLY LINE EXTENDED EASTERLY AND ALONG THE SOUTHERLY LINE OF SAID LOT 3 TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N04°36'24"W, 155.21 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF LOT 2, BLOCK 1, SAID BARNETT ESTATES; THENCE S85°23'36"W, 254.32 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE S04°36'24"E, 387.64 FEET ALONG THE WESTERLY LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S75°33'36"W, 262.58 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°07'36"E, 533.35 FEET ALONG THE WESTERLY LINE OF SAID LOT 1 TO THE TRUE POINT OF BEGINNING.  
AREA = 8.756 ACRES, MORE OR LESS

**Description of Change: Uninc. Adams County to City Owned Open Space**



R-1	R-36	Office	Private Park / Private Open Space
R-2.5	TMUND	Office/RD Low	Golf Courses
R-3.5	Mixed Use	Office/RD High	Public/Quasi Public
R-5	Mixed Use Center	Flex/Light Industrial	Major Creek Corridor
R-8	Retail Commercial	City Open Space	RxR ROW
R-18	Service Commercial	Public Parks	

**New CP Designation = City Owned Open Space**



BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **43**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE AMENDING THE ZONING OF  
THE MCKAY LAKE OVERLOOK PROPERTY, AN 8.756 ACRE PARCEL GENERALLY  
LOCATED ON THE SOUTH SIDE OF 144<sup>TH</sup> AVENUE AT ZUNI STREET, ADAMS COUNTY,  
COLORADO FROM A-1 (ADAMS COUNTY) TO O-1.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council finds:

a. That a rezoning of the property generally located south of 144<sup>TH</sup> Avenue at Zuni Street, as described in attached Exhibit A, incorporated herein by reference, from the Adams County A-1 zone to an O-1 zone is desirable because:

1. The current zoning is inconsistent with one or more of the goals or objectives of the City's Comprehensive Plan.

b. That the notice requirements of Section 11-5-13, W.M.C. have been met.

c. That such rezoning has been referred to the Planning Commission, which body held a public hearing thereon on November 11, 2014, and has recommended approval of the requested amendment.

d. That Council has completed a public hearing on the requested zoning pursuant to the provisions of Chapter 5 of Title XI of the Westminster Municipal Code and has considered the criteria in Section 11-5-3, W.M.C.

e. That based on the evidence produced at the public hearing, a rezoning to the proposed O-1 zoning complies with all requirements of Westminster Municipal Code, including, but not limited to, the provisions of Section 11-4-3, W.M.C, requiring compliance with the Comprehensive Plan, and the criteria of Section 11-5-3, W.M.C.

Section 2. The Zoning District Map of the City is hereby amended by reclassification of the property, described in Exhibit A, attached hereto and incorporated herein by reference, from the Adams County A-1 zoning district to the O-1 zoning district, as depicted on Exhibit B, attached hereto.

Section 3. This ordinance shall take effect upon its passage after second reading.

Section 4. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED  
PUBLISHED this 8th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED  
this 22<sup>nd</sup> day of December, 2014.

---

Mayor

ATTEST:

---

City Clerk

APPROVED AS TO LEGAL FORM:

---

City Attorney's Office

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 21, T1S, R68W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, BARNETT ESTATES AS RECORDED IN FILE NO. 17, MAP NO. 409, RECEPTION NO. C0091433 OF THE RECORDS OF ADAMS COUNTY, COLORADO, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED ON THE ANNEXATION MAP RECORDED UNDER RECEPTION NO. 2010000050690 OF THE RECORDS OF ADAMS COUNTY, COLORADO, THENCE N90°00'00"E, 475.89 FEET ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690 TO THE NORTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON THE WESTERLY LINE OF LOT 3, SAID BLOCK 1; THENCE N00°00'25"W, 217.08 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 TO A POINT ON THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690; THENCE ALONG SAID SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050690, THE FOLLOWING SIX (6) COURSES;

1. EASTERLY, 135.57 FEET ALONG A CURVE CONCAVE TO THE NORTH, THE ARC OF SAID CURVE HAVING A RADIUS OF 991.50 FEET, A CENTRAL ANGLE OF 07°50'03" AND BEING SUBTENDED BY A CHORD THAT BEARS S85°45'00"E, 135.46 FEET;
2. S89°40'01"E, 100.40 FEET;
3. S00°20'00"W, 32.50 FEET;
4. S89°40'01"E, 82.88 FEET;
5. N00°20'00"E, 32.50 FEET;
6. S89°40'01"E, 8.00 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND AS DESCRIBED ON THE ANNEXATION MAP RECORDED UNDER RECEPTION NO. 2010000050712 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

THENCE ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID RECEPTION NO. 2010000050712, THE FOLLOWING FIVE (5) COURSES;

1. S89°40'01"E, 207.38 FEET;
2. S00°21'43"W, 117.21 FEET;
3. S89°45'28"E, 166.19 FEET;

4. S00°14'33"W, 10.00 FEET;
5. S89°45'26"E, 4.86 FEET TO A POINT ON THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED IN FILE NO. 18, MAP NO. 460, RECEPTION NO. C0819546 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

THENCE ALONG THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED ON ANNEXATION MAP RECORDED UNDER SAID FILE NO. 18, MAP NO. 460, RECEPTION NO. C0819546, THE FOLLOWING THREE (3) COURSES;

1. S35°35'35"W, 31.73 FEET;
2. S11°15'03"W, 117.20 FEET;
3. S24°05'35"W, 115.35 FEET TO A POINT ON THE SOUTHERLY LINE EXTENDED EASTERLY OF LOT 3, BLOCK 1, SAID BARNETT ESTATES;

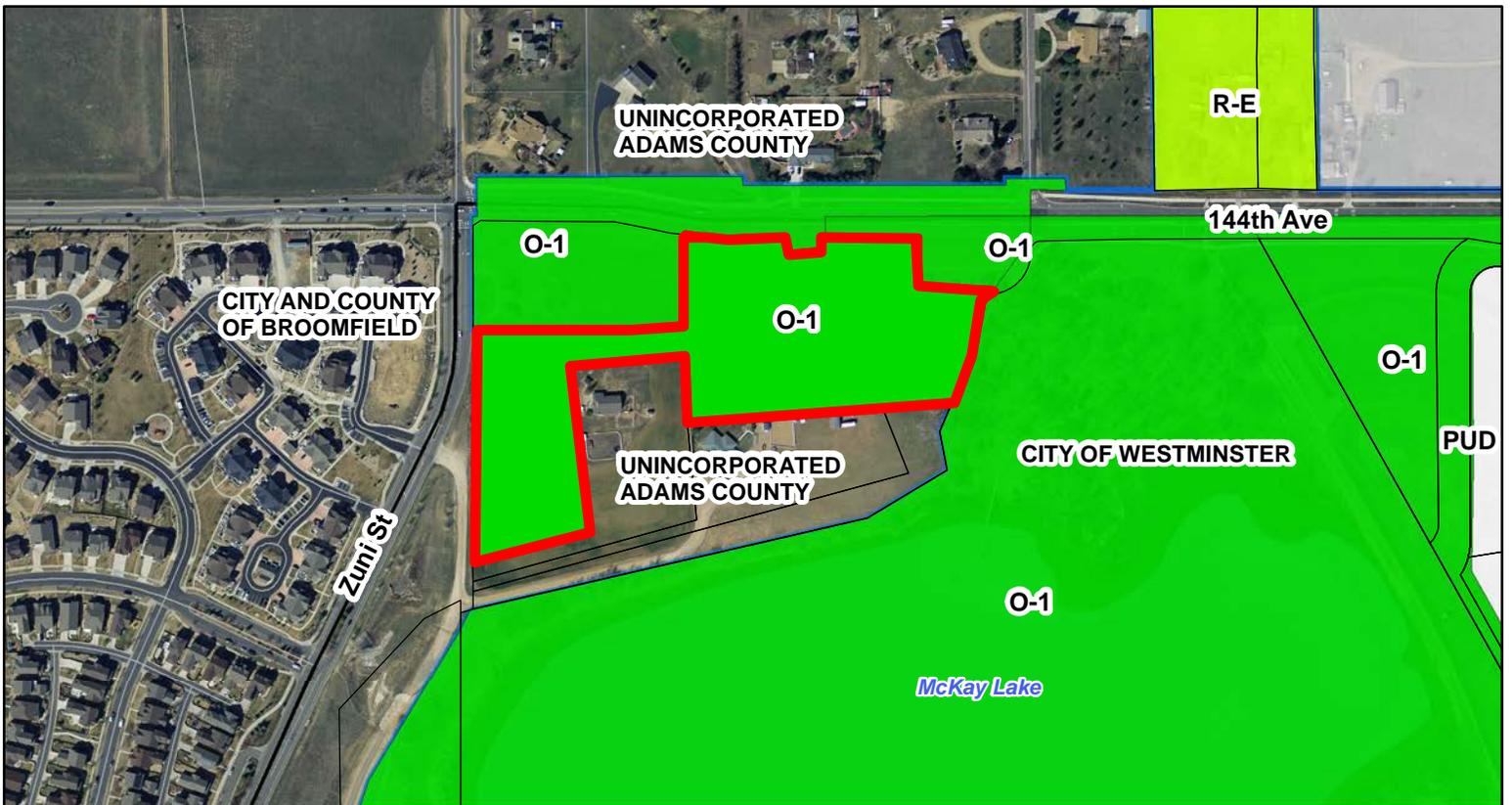
THENCE S85°35'36"W, 605.30 FEET ALONG SAID SOUTHERLY LINE EXTENDED EASTERLY AND ALONG THE SOUTHERLY LINE OF SAID LOT 3 TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N04°36'24"W, 155.21 FEET ALONG THE WESTERLY LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF LOT 2, BLOCK 1, SAID BARNETT ESTATES; THENCE S85°23'36"W, 254.32 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE S04°36'24"E, 387.64 FEET ALONG THE WESTERLY LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S75°33'36"W, 262.58 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°07'36"E, 533.35 FEET ALONG THE WESTERLY LINE OF SAID LOT 1 TO THE TRUE POINT OF BEGINNING.  
AREA = 8.756 ACRES, MORE OR LESS



Description of Change: Uninc. Adams County to O-1

Legend									
	B-1		O-1		R-1		R-5		T-1
	C-1		PUD		R-2		R-A		
	M-1		R-3		R-4		R-E		

New Zoning Designation = O-1





**Agenda Memorandum**

City Council Meeting  
December 8, 2014



**SUBJECT:** Councillor's Bill No. 44 Making Revisions to the Purchasing Code, Title XV, Chapter 1, W.M.C.

**Prepared By:** Hilary Graham, Deputy City Attorney  
Joe Lachermeier, Purchasing Officer  
Gary Newcomb, Accountant  
Barbara Opie, Assistance City Manager

**Recommended City Council Action**

Pass Councillor's Bill No. 44 on first reading making minor clean-up revisions to Title XV, Chapter 1, of the Westminster Municipal Code concerning Purchasing Procedures.

**Summary Statement**

- Title XV, Chapter 1, of the W.M.C. guides contracting and purchasing procedures for commodities and services bought by the City of Westminster. Per the City Charter, the City Council establishes the parameters for the purchase of goods and services, including how and when purchasing authority is delegated by Council to the City Manager for previously budgeted expenditures.
- In September of 2013, significant revisions to these procedures were adopted with the passage of Councillor's Bill No. 32. Most notably, the City Manager's purchasing authorization level was increased at that time to \$75,000.
- Those changes took effect on January 1, 2014. Given the opportunity to apply and use the new Code provisions for most of this year, a few areas that need clean-up have come to Staff's attention. The proposed ordinance would enact those few clean-up items without significantly amending the work that was done in 2013.

**Expenditure Required:** \$0

**Source of Funds:** N/A

## **Policy Issue**

Does City Council wish to amend Title XV, Chapter 1, of the Westminster Municipal Code to enact several clean-up revisions to the purchasing procedures?

## **Alternative**

City Council could choose to wait to make the suggested revisions until more significant changes are being considered within Title XV, Chapter 1. That alternative is not recommended. While the proposed changes are minor, they have come to Staff's attention as part of implementation of the significant revisions enacted in 2013, and it would be most prudent to address them now.

## **Background Information**

With the approval of Councillor's Bill 32 in September of 2013, significant changes to the City's Purchasing Policies were put in place. Those changes were a culmination of more than ten years of work and resulted in the issuance of two new Administrative Memoranda that guide Staff as to purchasing procedures all the way from initial bidding and proposal requirements to the approval and execution of final contracts. During training sessions conducted by Staff in December 2013 and January 2014, and by application of the new provisions throughout the year, a few items in need of clean-up have come to light.

Namely, the proposed clean-up revisions accomplish the following:

- Clarify in W.M.C. § 15-1-2(C) and W.M.C. § 15-1-7 that the City Manager's approval authority is set at \$75,000 per fiscal year, as opposed to a \$75,000 limit over the life of the contract, which typically may include two additional, optional renewal years. This ambiguity could potentially (and inaccurately) have been read to limit the City Manager's approval authority to \$25,000 per year over the life of a three-year contract.
- Scale back the new requirement in W.M.C. § 15-1-2(G) for City Attorney review of every contract for form and content before it is signed. The proposed change nearly restores this section to its pre-2013 status and still requires City Attorney approval as to form of all contracts. In practice, this change could ease the City Attorney's Office contract review workload, which has increased noticeably since implementing the 2013 changes. Contracts written on City-Attorney-approved forms would not require – but may still receive, either upon City Attorney or project manager request – additional attorney review.
- Clarify that the formal bidding requirements in W.M.C. § 15-1-4(A) do not apply to purchases that cannot realistically be competitively bid. Contracts for the purchase of items for which there is no competitive market, such as utilities and postage, are already exempt from Council review and approval requirements by operation of W.M.C. § 15-1-2(F). This change clarifies that bidding requirements are waived for them as well. In addition, this change would exclude memberships in professional organizations and IGAs from bidding, given that bidding on those items is impractical or impossible. However, the proposed changes do not alter the requirement for City Council approval of those purchases exceeding the City Manager's expenditure authorization level of \$75,000.
- In a few locations the word "agreement" is being added after "purchase" to more precisely reference the defined term "purchase agreement."

If the ordinance is approved, Staff will revise and re-issue the relevant Administrative Memoranda to reflect the changes.

The proposed clean-up revisions to Title XV, Chapter 1, support the Strategic Plan goal of Excellence in City Services by continuing to encourage the efficient and, most importantly, responsible spending of public funds.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment:

- Councillor's Bill Amending Title XV, Chapter I, of the W.M.C. Concerning Purchasing Procedures

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **44**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE AMENDING TITLE XV, CHAPTER 1, OF THE WESTMINSTER  
MUNICIPAL CODE CONCERNING PURCHASING PROCEDURES

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 15-1-2, W.M.C., is hereby AMENDED to read as follows:

**15-1-2: GENERAL REQUIREMENTS:**

- (A) Every purchase agreement shall be evidenced by a written contract or by a purchase order.
- (B) A purchase agreement for materials, equipment, supplies or professional services to be provided on an ongoing basis shall contain a maximum amount payable under the agreement or a termination date for the agreement.
- (C) A purchase agreement in an amount that does not exceed the City Manager's purchasing authority, hereby set at seventy-five thousand dollars (\$75,000) or less per fiscal year, may be approved by the City Manager without separate Council action.
- (D) Before any purchase agreement in an amount that exceeds seventy-five thousand dollars (\$75,000) is executed, the City Manager shall certify that an appropriation has been made or that other sufficient funds, such as bond proceeds, special assessments, or matching funds, will be available to pay the amounts required in the purchase agreement. This subsection shall not apply to an individual agreement of employment with an employee or officer of the City.
- (E) No purchase agreement may be entered into with any person, firm or corporation in default to the City.
- (F) CITY COUNCIL REVIEW: Every purchase agreement in an amount that exceeds seventy-five thousand dollars (\$75,000) in one (1) fiscal year, regardless of form, shall be presented to City Council so that Council may approve the authorized expenditure. However, the purchase of utilities, postage, or employee services need not be approved by express action, but shall be considered an authorized expenditure if the budget appropriation has been approved.
- (G) CITY ATTORNEY REVIEW: Every purchase agreement, ~~excluding purchase orders,~~ shall be ~~submitted to the City Attorney and~~ approved as to legal form and content by the City Attorney before it is executed. This subsection shall not apply to an individual agreement of employment with an employee or officer of the City.

Section 2. Section 15-1-4, W.M.C., is hereby AMENDED to read as follows:

**15-1-4: FORMAL BIDDING REQUIRED:**

(A) Formal bidding procedures shall be followed when the amount of a purchase agreement exceeds fifty thousand dollars (\$50,000), unless:

(1) City Council determines by unanimous resolution of those present at the meeting that the public interest will be best served by joint purchase with or from another unit of government; or

(2) City Council determines, upon recommendation of the City Manager, that the public interest will be best served by negotiated contract with a single vendor or contractor.

~~(2)(3)~~ The expenditure is the purchase of utilities, postage, or employee services; the expenditure is part of an intergovernmental agreement; or the expenditure is dues for membership in a professional organization for which there is no competitive alternative.

(B) When the amount of the purchase agreement does not exceed fifty thousand dollars (\$50,000), formal bidding is not required and the procedures in Section 15-1-6, W.M.C., for comparative price quotes apply.

(C) Formal bids must be obtained every three (3) years, except with permission from the City Manager.

(D) In case of emergency affecting the public peace, health or safety, City Council may waive all requirements for formal bidding. In such cases, the City Manager may direct the appropriate department head to procure emergency needs by informal, open-market procedures, at no more than commercial prices, as expeditiously as possible. The City Manager shall present a full report of the circumstances necessitating the emergency action at the next City Council meeting.

Section 3. Section 15-1-6, W.M.C., is hereby AMENDED to read as follows:

**15-1-6: COMPARATIVE PRICE QUOTATIONS:**

(A) When the amount of a purchase agreement does not exceed fifty thousand dollars (\$50,000), comparative price quotes given by telephone, in person, or in writing from at least three (3) vendors or contractors will be required, unless:

(1) The City Manager determines that the public interest would be best served by negotiated contract with a single vendor or contractor or by joint purchase with or from another unit of government; or

(2) The City Manager determines that the public interest would be best served by obtaining the goods or services through the formal bidding process.

(B) Comparative price quotes must be obtained every three (3) years, except with permission from the City Manager.

Section 4. Section 15-1-7, W.M.C., is hereby AMENDED to read as follows:

**15-1-7: AMENDMENTS TO PURCHASE AGREEMENTS:**

(A) The City Manager shall have authority to approve an amendment to a purchase agreement when the original purchase agreement combined with the amendment does not exceed seventy-five thousand dollars (\$75,000) per fiscal year or when the amendment does not cause the purchase agreement to exceed

City Council's authorized expenditure for the purchase agreement. Even when no Council approval is required, change orders to construction purchase agreements must be reported to City Council.

(B) All other amendments to a purchase agreement previously approved by City Council shall be approved or ratified by City Council.

Section 5. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 8th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 22nd day of December, 2014.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney



## Agenda Item 10 F

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Councillor's Bill No. 45 Vacating 91<sup>st</sup> Avenue Right-of-Way within Westminster Center Urban Reinvestment Project Boundary

**Prepared By:** David W. Loseman, Assistant City Engineer

### Recommended Board Action

Pass Councillor's Bill No. 45 on first reading vacating the existing 91<sup>st</sup> Avenue right-of-way within the Westminster Center Urban Reinvestment Project boundary.

### Summary Statement

- The Westminster Center Urban Reinvestment Project (WURP), formerly the home of the Westminster Mall, is bounded by Sheridan Boulevard, 88<sup>th</sup> Avenue, Harlan Street and 92<sup>nd</sup> Avenue and is in the early stages of being redeveloped.
- In 1986, the Westminster Mall was expanded, and a portion of the right-of-way for 91<sup>st</sup> Avenue was vacated in order to accommodate that expansion. In order to replat the WURP property it is now necessary to vacate a remnant piece of that 91<sup>st</sup> Avenue right-of-way that still exists adjacent to the old Benton Street right-of-way. This vacation is necessary so that this right-of-way will not encumber any of the new blocks that will be developed.
- All utilities located within this right-of-way are either no longer in use or will be relocated when the new roads for the project are constructed.
- A legal description and illustrations of the right-of-way are included in Exhibit A.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Should the City vacate 91<sup>st</sup> Avenue within the WURP boundaries, which by State statute must be vacated by an ordinance of the City Council?

**Alternative**

The alternative is to not vacate this right-of-way. This alternative is not recommended because the subject right-of-way does not align with the street layout shown on the recently approved Westminster Downtown Specific Plan.

**Background Information**

The Westminster Downtown Focus Area was identified in the 2013 Comprehensive Plan, and the planning process for the Westminster Downtown Specific Plan (Specific Plan) began in July 2013. On November 24, 2014, City Council approved on second reading the Specific Plan for the 108 acre site.

The Westminster Downtown Specific Plan provides the regulatory framework for implementing City Council's vision of a new downtown for the City of Westminster. Over the summer of 2013, City Council authorized staff to enter into a contract with Torti Gallas and Partners to develop the specific plan for the WURP site. Additional sub-consultants, which are members of the Torti Gallas team, include Martin/Martin for civil engineering, Nelson Nygaard for transportation planning and Communitas for development feasibility.

The next step in the development of the property is the preparation of a Final Plat, which is being prepared by Martin/Martin. The purpose of this Final Plat is to subdivide the property into rights-of-way and blocks that can be sold to future developers by the Westminster Economic Development Authority (WEDA). In order to sell these blocks, it is necessary to remove any outstanding encumbrances. One of these encumbrances is a remnant piece of right-of-way for 91<sup>st</sup> Avenue. The vacation of this right-of-way must be accomplished by passing the attached ordinance in accordance with State statute. If approved, this action will allow the Final Plat to be completed, signed and recorded at the Office of the Jefferson County Clerk and Recorder.

Council action on this item meets elements of two goals in the City's Strategic Plan: Dynamic, Diverse Economy and Vibrant and Inclusive Neighborhoods.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments - Ordinance  
Vicinity map

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **45**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

**A BILL  
FOR AN ORDINANCE VACATING 91<sup>ST</sup> AVENUE RIGHT-OF-WAY WITHIN THE  
WESTMINSTER CENTER REINVESTMENT PROJECT**

WHEREAS, the Westminster Economic Development Authority, the owner of property bounded by 92<sup>nd</sup> Avenue, Sheridan Boulevard, 88<sup>th</sup> Avenue and Harlan Street and specifically described the Westminster Center Reinvestment Project, has requested the City vacate the 91<sup>st</sup> Avenue right-of-way; and

WHEREAS, the City Council finds that all requirements for roadway vacation contained in the Westminster Municipal Code and applicable state statutes have been met.

NOW, THEREFORE, THE CITY OF WESTMINSTER ORDAINS:

Section 1. City Council determines that no present or future public access need exists for the area proposed for vacation.

Section 2. The area described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby vacated, pursuant to section 43-2-303(3), C.R.S..

Section 3. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

Section 4. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING AND TITLE AND PURPOSE ORDERED PUBLISHED this 8th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 22nd day of December, 2014.

---

Mayor

ATTEST:

---

City Clerk

APPROVED AS TO LEGAL FORM:

---

City Attorney's Office

WEST 91<sup>ST</sup> AVENUE RIGHT-OF-WAY VACATION  
11/25/2104

A PORTION OF THE WEST 91<sup>ST</sup> AVENUE RIGHT-OF-WAY DEDICATED BY THE WESTMINSTER MALL SUBDIVISION PLAT RECORDED AT RECEPTION NUMBER 7678563, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 24; THENCE S60°31'13"E A DISTANCE OF 1854.13 FEET TO THE SOUTHEAST CORNER OF LOT 3, BLOCK 1, LAKE ARBOR COMMERCIAL – OFFICE PARK FILING NUMBER 1 RECORDED AT RECEPTION NUMBER 78044537, ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BENTON STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY LINE OF BENTON STREET, S15°22'31"E A DISTANCE OF 84.14 FEET TO A POINT ON SOUTHERLY LINE OF WEST 91<sup>ST</sup> AVENUE ALSO BEING A POINT ON THE EASTERLY LINE OF LOT 10, BLOCK 1, WESTMINSTER MALL 2<sup>ND</sup> AMENDMENT RECORDED AT RECEPTION NUMBER 86016236; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 91<sup>ST</sup> AVENUE ALSO BEING THE NORTHERLY LINE OF LOT 9 AND LOT 10, SAID WESTMINSTER MALL 2<sup>ND</sup> AMENDMENT THE FOLLOWING 2 COURSES: 1) 19.35 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 73°54'59" AND A CHORD WHICH BEARS N52°20'01"W A DISTANCE OF 18.04 FEET; 2) THENCE N89°17'30"W A DISTANCE OF 346.24 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 10; THENCE ALONG SAID EASTERLY LINE OF LOT 10, N00°42'30"E A DISTANCE OF 70.00 FEET TO THE SOUTHWEST CORNER SAID LOT 3, BLOCK 1, LAKE ARBOR COMMERCIAL – OFFICE PARK FILING NUMBER 1; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 3 ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 91<sup>ST</sup> AVENUE, S89°17'30"E A DISTANCE OF 337.34 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 24,345 SQUARE FEET (0.559 ACRES) MORE OR LESS.

BASIS OF BEARING

BEARINGS ARE BASED ON THE CITY OF WESTMINSTER GIS HORIZONTAL CONTROL NETWORK WITH A BEARING OF N00°14'22"E ALONG THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 24 BEING MONUMENTED BY A FOUND 3 1/4" ALUMINUM CAP PLS # 36580 IN A RANGE BOX AT THE CENTER QUARTER CORNER AND A FOUND 3 1/4" ALUMINUM CAP PLS # 17488 IN A RANGE BOX AT THE SOUTH QUARTER CORNER. BEARINGS HAVE BEEN ROTATED 00°08'32" COUNTERCLOCKWISE FROM THE PLATTED BEARINGS FOR WESTMINSTER MALL 2ND AMENDMENT PLAT, RECORDED AT RECEPTION NO. 86016236.

PREPARED BY RICHARD A NOBBE PLS  
FOR AND ON BEHALF OF:  
MARTIN/MARTIN INC.  
12499 W. COLFAX AVE.  
LAKEWOOD, CO 80215  
(303) 431-6100  
(303) 431-4018 FAX



**EXHIBIT A**  
**WEST 91ST AVENUE**  
**RIGHT-OF-WAY VACATION**  
**1 OF 1**

C1/4, SEC. 34,  
T2S, R69W, 6TH P.M.  
FOUND 3-1/4" ALUM.  
CAP IN RANGE BOX  
PLS #36580  
(PPOINT OF COMMENCEMENT)

LOT 2,  
BLOCK 1

LOT 10,  
BLOCK 1

LAKE ARBOR  
COMMERCIAL-OFFICE  
PARK FILING NO. 1  
(REC.#78044537)

LOT 3,  
BLOCK 1

BENTON STREET

P.O.B.

S15°22'31"E  
84.14'

S89°17'30"E 337.34'

N00°42'30"E  
70.00'

WEST 91ST AVENUE

WESTMINSTER MALL  
2ND AMENDMENT  
(REC. #86016236)

N89°17'30"W 346.24'

LOT 10,  
BLOCK 1

LOT 9,  
BLOCK 1

Δ=73°54'59"  
R=15.00'  
L=19.35'  
CH=N52°20'01"W  
18.04'

LOT 10,  
BLOCK 1

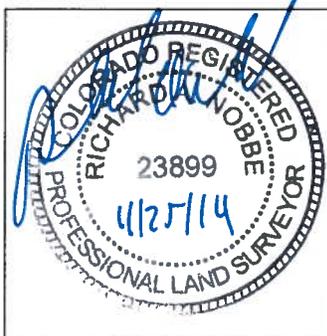
S1/4, SEC. 34,  
T2S, R69W, 6TH P.M.  
FOUND 3-1/4" ALUM.  
CAP IN RANGE BOX  
PLS #17488

WESTERLY LINE SE1/4, SEC. 34, T2S, R69W, 6TH P.M.  
N00°14'22"E (BASIS OF BEARINGS)

DRAWING LOCATION: G:\Tuttle\13.0463-Downtown Westminster\PLANS\EXHIBITS\W91ST Ave Vacation\W 91st Ave Vacation.dwg



SCALE: 1"=100'  
ALL DIMENSIONS ARE  
U.S. SURVEY FEET



NOVEMBER 25, 2014

**MARTIN/MARTIN**  
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
MAIN 303.431.6100 MARTINMARTIN.COM

THIS EXHIBIT DOES NOT REPRESENT A  
MONUMENTED LAND SURVEY. IT IS ONLY  
TO DEPICT THE ATTACHED DESCRIPTION.



**Agenda Memorandum**

City Council Meeting  
December 8, 2014



**SUBJECT:** Rocky Mountain High Intensity Drug Trafficking Area Grant Applications and Councillor's Bill No. 46 re Supplemental Appropriation of Federal Grant funds.

**Prepared By:** Lee Birk, Chief of Police  
Todd Reeves, Police Commander  
Karen Creager, Special District Accountant

**Recommended City Council Action**

1. Authorize the City to receive and administer the 2015 Rocky Mountain High Intensity Drug Trafficking Area Grant in the amount of \$324,768 on behalf of the North Metro Task Force.
2. Pass Councillor's Bill No. 46 on first reading appropriating grant monies to be received from the 2015 Rocky Mountain High Intensity Drug Trafficking Area Grant to the 2015 General Fund budget.
3. Authorize the submission of a grant application by the Police Department to Rocky Mountain High Intensity Drug Trafficking Area for an amount up to \$500,000 for the 2016 grant year to be applied to the operations of the North Metro Task Force.

**Summary Statement**

- In 1991, through an Intergovernmental Mutual Aid Agreement, the City of Westminster, including the Jefferson County portion of Westminster, along with Adams County, the City and County of Broomfield and the municipalities of Brighton, Commerce City, Federal Heights, Northglenn and Thornton ("Parties"), established the North Metro Task Force (NMTF); a multijurisdictional drug task force.
- Subsequently, in 2007, the Parties agreed to the creation of the NMTF as a separate legal entity through an intergovernmental agreement (IGA). The IGA provides for rotation of the Host Agency responsibilities among the Parties every five (5) years.
- On October 1, 2014, the City became the Host Agency. As Host Agency, the City is responsible for the administration of the NMTF program, which includes management of grants.
- Funding for the NMTF includes an annual contribution based on population from each of the Parties, Federal/State Forfeiture funds, and grants. One such grant is the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) Grant. The RMHIDTA requires the Host Agency to apply for, receive and administer the grant.
- As Host Agency, the City assumed the responsibility for the management of the RMHIDTA grant effective October 1, 2014. This grant will not require a local match or a cost share.
- Per the City's grant policy, Staff is requesting City Council's authorization to receive, appropriate and administer the 2015 RMHIDTA grant in accordance with the NMTF IGA, as well as apply for the 2016 RMHIDTA grant.

**Expenditure Required:** \$324,768 in 2015

**Source of Funds:** Rocky Mountain High Intensity Drug Trafficking Area Grant

## **Policy Issues**

1. Should the City receive, appropriate and administer the 2015 RMHIDTA Grant of \$324,768 to fund equipment, overtime, investigative travel, personnel salary, equipment and other expenses for the North Metro Task Force in 2015?
2. Should the City pursue 2016 grant funding up to \$500,000 from RMHIDTA to fund equipment, overtime, investigative travel, personnel salary, equipment and other expenses for the North Metro Task Force in 2016?

## **Alternatives**

1. Do not authorize the City to receive, appropriate and administer the 2015 RMHIDTA Grant. As the Host Agency for the NMTF, the City is obligated by an IGA to administer the NMTF program and to provide support including grant administration. Failure to authorize the grant would put this crucial funding in jeopardy and would place the City in violation of its contractual obligation to the NMTF Parties. This alternative is not recommended.
2. Do not authorize the Police Department (PD) to submit an application for the 2016 RMHIDTA grant. Grant funding is contemplated as part of the total revenues to fund the NMTF operations. Without the grant funding, the Parties' annual out-of-pocket contributions would increase considerably. This alternative is not recommended.

## **Background Information**

In 1991, through an Intergovernmental Mutual Aid Agreement, the City of Westminster, including the Jefferson County portion of Westminster, along with Adams County, the City and County of Broomfield and the municipalities of Brighton, Commerce City, Federal Heights, Northglenn and Thornton (Parties), all participate in the North Metro Task Force (NMTF). The NMTF is a multijurisdictional drug task force.

Subsequently, in February of 2007, the Parties agreed, through an IGA, to the creation of the NMTF as a separate legal and public entity. Doing so provides for a more coordinated, effective manner for the Parties to confront many of the same challenges in connection with the identification, investigation and prosecution of individuals and groups involved in illegal trafficking of drugs and other criminal enterprises. The IGA also established the process for selecting a "Host Agency" to tend to the administrative duties of the NMTF on a five year rotation basis with October 1 as the transition date. The NMTF's fiscal year is October 1 to September 30. On October 1, 2014, the City became the "Host Agency" to NMTF and is responsible for the administration of the NMTF program to include Finance, Budget Administration and managing all assets owned by NMTF.

Funding for the NMTF includes an annual contribution based on population from each of the Parties, Federal/State Forfeiture funds and grants. The Federal and State Forfeiture funds are only available after an appropriate adjudication process decided by the appropriate court. One such grant is the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) Grant. The High Intensity Drug Trafficking Area (HIDTA) is a program within the Office of National Drug Control Policy (known as ONDCP). The mission of the HIDTA program is to disrupt the market for illegal drugs in the United States by assisting federal, state, local, and tribal law enforcement entities. The program places emphasis on drug trafficking regions that have harmful effects on other parts of the United States. The HIDTA program enhances and helps to coordinate drug trafficking control efforts among federal, state, and local law enforcement agencies. HIDTA works to complement and support federal, state, and local law enforcement agencies collaborating to fight drug trafficking. HIDTA funding supports this joint effort between law enforcement agencies, and it allows HIDTA regional programs to be locally managed and coordinated to support the national mission. Specifically, HIDTAs have several functions; provide a coordination umbrella for local, state, and federal

drug law enforcement efforts; foster a strategy-driven, systems approach to integrate and synchronize efforts; and focus on outcomes.

HIDTA requires that the Host Agency of the NMTF apply for and administer the HIDTA Grant. The NMTF itself is not able to directly apply for the grant. As the Host Agency, the City is responsible for receiving and administering the 2015 RMHIDTA Grant. The City of Thornton was the Host Agency at the time of the grant application. Due to the pending Host Agency transition, under the guidance of Thornton staff, Westminster staff assisted with the preparation of the grant for training purposes and submitted the grant listing Westminster as the recipient. Notification of the grant award, in an amount of \$324,768, was received on June 23, 2014 with Thornton Police Department’s grant identifying number. It was not until the Host Agency responsibilities were actually transitioned to Westminster that HIDTA transferred the 2015 grant award to a new identifying number for Westminster. Therefore, the PD is now in a position to present the grant to City Council in accordance with the City’s grant policy.

Staff believes presenting the grant to City Council at this time meets requirements within the grant policy as the PD has now received information from HIDTA establishing a grant account for the PD. Since the time period between presenting the 2015 grant to Council and requesting authorization to submit an application for 2016 grant funds are limited, Staff has included both in this agenda memo. Additionally, it is prudent to request appropriation of the 2015 grant funds at the same time as requesting authorization. In the remaining years as Host Agency, the PD will present these RMHIDTA grant administration items for City Council’s consideration in each calendar year. Throughout the course of a year, City Council may see other supplemental appropriation requests, independent of the RMHIDTA grant, seeking to apply funding to the NMTF. For instance, Staff is anticipating a 2014 4<sup>th</sup> Quarter supplemental appropriation request to apply \$28,070 in federal funding received through the 2014 Edward Byrne Memorial Justice Assistance Grant to the City’s annual funding contribution to the NMTF.

The RMHIDTA includes regions of Colorado, Montana, Utah and Wyoming. The 2015 RMHIDTA grant program will allow for the purchase of equipment, overtime, investigative travel, personnel salary, equipment and other expenses for NMTF and does not require a local match and/or a cost share to receive funding. Without this grant funding, the Parties would be required to increase their annual “out-of-pocket” contribution to the NMTF operations. Authorization for the grant from City Council will enable Westminster to fulfill its contractual obligations to the NMTF Parties and ensure continued operations of the NMTF in the spirit of the IGA.

Appropriation of the 2015 grant funding will amend General Fund revenue and expense accounts as follows:

REVENUES

Description	Account Number	Current Budget	Amendment	Revised Budget
Federal Grants	1000.40610.0000	\$35,000	\$324,768	\$359,768
Total Change to Revenues			<u>\$324,768</u>	

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contractual Services	10020300.67800.0344	\$95,711	<u>\$324,768</u>	\$420,479
Total Change to Expenses			<u>\$324,768</u>	

Action on this item supports the City's Strategic Plan goals of Proactive Regional Collaboration and Excellence in City Services.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment: Councillor's Bill

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **46**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

**A BILL  
FOR AN ORDINANCE AMENDING THE 2015 BUDGET OF THE GENERAL FUND AND  
AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2015 ESTIMATED  
REVENUES IN THE FUND**

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2015 appropriation for the General Fund initially appropriated by Ordinance No. 3737 is hereby increased by \$324,768. This appropriation is due to the receipt of federal grant funds from the Rocky Mountain High Intensity Drug Trafficking Area Grant for the continued operation of the North Metro Task Force.

Section 2. The \$324,768 increase shall be allocated to City Revenue and Expense accounts as described in the City Council Agenda Item 10 I-K dated December 8, 2014 (a copy of which may be obtained from the City Clerk) increasing City fund budgets as follows:

General Fund	<u>\$324,768</u>
Total	<u>\$324,768</u>

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 8th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 22nd day of December, 2014

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



## Agenda Item 10 J

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Resolution No. 29 re Capital Commitment for Foothills Animal Shelter per Intergovernmental Agreement.

**Prepared By:** Kim Barron, Police Commander  
Mike Cressman, Deputy Chief of Police  
Lee Birk, Chief of Police

### Recommended City Council Action

Adopt Resolution No. 29 authorizing the transfer of \$179,315 from the 2014 General Fund contingency account into the Police Department budget; and authorize the City of Westminster to pay \$179,315 to Jefferson County for capital costs associated with Foothills Animal Shelter, as required under the existing Intergovernmental Agreement.

### Summary Statement

- In 1996, the City of Westminster entered into an Intergovernmental Agreement (IGA) with Table Mountain Animal Center, now known as Foothills Animal Shelter (FAS) to provide all animal sheltering functions.
- Jefferson County and the partnering cities (Arvada, Lakewood, Wheat Ridge, Golden and Westminster) entered into a separate IGA in 2007 to build a new animal shelter.
- Jefferson County funded \$3 million and issued \$5.2 million in Certificates of Participation. The remaining \$1.5 million was to be raised by the FAS Foundation, a non-profit 501(c)3 organization, which supported the FAS and its every day operations.
- In 2009, the participating entities entered into an IGA with Jefferson County to pay any unpaid portion of the \$1.5 million pledge from the FAS Foundation at the end of five years. In 2013, the FAS Foundation dissolved leaving an unpaid balance of \$896,573.
- The City of Westminster's portion of the unpaid balance (per the IGA) is \$179,315 and by the terms of the IGA is to be paid to Jefferson County by January 1, 2015.
- There are adequate funds in the General Fund Contingency to cover this unanticipated expense.

**Expenditure Required:** \$179,315

**Source of Funds:** General Fund Contingency

## **Policy Issue**

Should the City of Westminster pay the \$179,315 for obligations with Jefferson County for reimbursement costs associated with the construction of Foothills Animal Shelter per the requirement of the IGA?

## **Alternatives**

Do not authorize the Police Department to pay the \$179,315, which is contrary to the IGA. Staff is not recommending this action as the City is obligated by current IGA to assist in repayment of Foothills Animal Shelter construction debt.

## **Background Information**

In November 1996, City Council authorized the City Manager to enter into an Intergovernmental Agreement (IGA) with Table Mountain Animal Center (TMAC), for the provision of all animal sheltering functions to be effective January 1, 1997. This shelter serves all of Westminster, both the Adams and Jefferson County portions. Westminster has been utilizing this shelter continually since that date. In 2010, a newer, larger and more modern facility was built. The name of the animal shelter was changed to Foothills Animal Shelter (FAS). Over the ensuing years, the IGA has been updated or changed several times regarding creation of dog licensing fees and funding of the FAS.

Jefferson County and the partnering cities (Arvada, Lakewood, Wheat Ridge, Golden and Westminster) entered into a separate IGA in 2007 to build a new animal shelter. Jefferson County agreed to fund \$3 million and issue Certificates of Participation in the amount of \$5.2 million and a capital campaign was initiated by the FAS Foundation (Foundation) to raise the additional \$1.5 million, for a total of \$9.7 million to build the new animal shelter.

In 2009, in order to save several hundred thousand dollars on the construction project, it was agreed that the project would be completed in one phase rather than multiple phases. The cities entered into an agreement with Jefferson County to pay any unpaid portion of the \$1.5 million to be raised by the Foundation at the end of five years plus 4% interest. The Foundation signed a letter stating that they would use good faith efforts to raise their portion and also use good faith efforts to repay the cities for any monies they paid Jefferson County on their behalf. The Foundation has since dissolved and has left a balance that the five partnering cities are responsible for in the amount of \$896,573. The City's portion is \$179,315, the same amount payable from the other four participating cities. According to the IGA, the City's payment is due January 1, 2015, with a grace period until January 31, 2015.

In 2011, the FAS Board of Directors reviewed the FAS operational budget and the construction debt repayment funding plan. The new facility is approximately three times the size of the old TMAC facility. Operational costs for the new FAS facility were escalating proportionately. This led to a meeting held in March of 2012 with the FAS Board of Directors, Jefferson County Administration, and City Management of the partnering cities. It was decided at that time to rewrite and combine the two existing IGA's governing FAS and the County-Wide Dog Licensing Program. The revised IGA updates the operational agreements for the governing and usage of FAS. It also reflects a more stable and balanced funding plan for both operations and construction debt repayment to Jefferson County.

Under this agreement, the City's budgeted and predictable annual assessments are used to repay the construction debt, while revenue generated from the dog licensing program offsets FAS operational costs. This 2012 IGA is the current governing IGA and recognizes the cities' obligation to pay any of the \$1.5 million on any unpaid portion of the Foundation's pledge.

Historically, City Council appropriates \$1,000,000 in contingency in General Fund for unanticipated or emergency expenses. This \$1,000,000 is available in contingency in the 2014 General Fund budget. The proposed resolution transfers \$179,315 to the appropriate expenditure account in the Police Department budget in order to process the payment. The appropriations for the General Fund do not change with this resolution.

The appropriations for the General Fund do not change with this resolution; however, the expense accounts changed are shown below for informational purposes:

EXPENSES

Description	Account Number	Current Budget	Amendment	Revised Budget
Contingency	10010900.79900.0000	\$1,000,000	(\$179,315)	\$820,685
Contract Services- Neigh Svcs	10020300.67800.0342	146,073	179,315	\$325,388
Total Change to Expenses			\$0	

The payment to Foothills Animal Shelter Facility Funding IGA supports the City's Strategic Plan goals of Proactive Regional Collaboration and Excellence in City Services.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Resolution
- Jefferson County Letter
- Capital Reimbursement Financial Summary

RESOLUTION

RESOLUTION NO. **29**

INTRODUCED BY COUNCILLORS

SERIES OF 2014

---

**A RESOLUTION  
AUTHORIZING THE REALLOCATION OF MONEYS FROM THE GENERAL FUND  
CONTINGENCY BUDGET TO THE POLICE DEPARTMENT IN THE 2014 BUDGET**

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

WHEREAS, the 2014 General Fund contingency balance is \$1,000,000.

NOW, THEREFORE, the Westminster City Council resolves that:

A total of \$179,315 be transferred from the 2014 General Fund contingency to the Police Department budget (10020300.67800.0342).

PASSED AND ADOPTED this 8<sup>th</sup> day of December, 2014.

ATTEST:

---

Mayor

---

City Clerk



Board of County Commissioners

Faye Griffin  
District No. 1  
Casey Tighe  
District No. 2  
Donald Rosier  
District No. 3

May 1, 2014

City of Westminster  
Mike Cressman  
Deputy Chief

Re: Reimbursement Costs Associated with Construction of the Table Mountain Animal Center

Dear Mike:

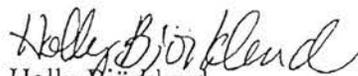
As per the Intergovernmental Agreement between Jefferson County, the City of Arvada, the City of Lakewood, the City of Wheat Ridge, the City of Golden and the City of Westminster, this letter is to notify you of the remaining balance that is due to Jefferson County according to:

*I. Covenants and Agreements*

A. "In addition to the \$5.2 million dollars in Certificates of Participation, the County is issuing to fund the Animal Center, the County will provide additional financing towards the construction of the Animal Center in the amount of \$1.5 million dollars which the Cities hereby agree to repay to the County plus interest on the unpaid balance at the rate of 4% compounded annually within five years of the Financing (the "Cities' Obligation")."

As of this date, May 1, 2014, the balance due is \$896,573. The details of each city's obligation are identified in the attached schedule. This amount is due to be paid to Jefferson County as of January 1, 2015. If there is an update to the unpaid balance prior to January 1, 2015, this will be provided to the Cities.

Sincerely,

  
Holly Björklund  
Director, Finance & IT

encl.  
City of Arvada,  
City of Lakewood,  
City of Wheat Ridge  
City of Golden  
City of Westminster





## Agenda Item 10 K

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Resolution No. 30 re Consent to Country Club Village Metropolitan District's Proposed 2014 Refunding Bond Issue

**Prepared By:** Tammy Hitchens, Finance Director

### Recommended City Council Action

Adopt Resolution No. 30 approving the proposed issuance by the Country Club Village Metropolitan District of 2014 Refunding Bonds in substantial conformance with the Resolution's attached term sheet.

### Summary Statement

On September 26, 2005, City Council approved a consolidated service plan for the Country Club Village Metropolitan District 1 (MSD). This approval allowed the developers to proceed with the formation of the district at the November election. The district was not allowed to levy any tax, impose any fee, construct any improvements or incur any debt until the Amended Service Plan was reviewed by City staff and approved by Council.

On February 13, 2006, City Council approved an Amended and Restated Service Plan for Country Club Village which outlined, among other requirements, the proposed services, a financial plan, a preliminary engineering or architectural survey showing how the proposed services are to be provided, and a general description of the facilities to be constructed and estimated cost.

The service plan states the "Refunding Bonds may be issued by the District to defease original issue bonds in compliance with applicable law and policies of the City and with the approval of the City."

In 2006, the District issued \$3,000,000 in general obligation bonds, with a final maturity of 2034 and an interest rate of 6%. The District, working with Piper Jaffray as their Placement Agent, has secured advantageous bank financing offering to refinance the existing bonds at a fixed rate of 3.81% for 15 years (through 2029). The bonds will provide for roughly \$334,000 of present value savings. In addition, the new financing will allow the District to pay off an 8% developer advance in the amount of \$158,558.

Country Club Village, consists of approximately 20 acres of commercial development at 120<sup>th</sup> and east of Federal.

**Expenditure Required:** \$ 0

**Source of Funds:** N/A

**Policy Issue**

Should the City Council approve the proposed refinancing submitted for Country Club Village?

**Alternatives**

1. Do not approve the proposed refinancing. The District will not be able to refinance and take advantage of the low interest rates that will benefit the taxpayers in the District by approximately \$334,000.
2. Require the District to work with their advisors to propose a different solution. The District's financial team believes the proposed refinancing is the best, marketable option for the District.

**Background Information**

On September 26, 2005, City Council approved the consolidated service plan for Country Club Village Metropolitan District 1 (MSD) and Country Club Village Metropolitan District 2. This approval allowed the developers to proceed with the formation of the Districts at the November election. The Districts were not allowed to levy any tax, impose any fee, construct any improvements or incur any debt until the Amended Service Plans (one for each district) are reviewed by City staff and approved by Council. In order to help avoid confusion between the Districts, the Amended Service Plans were submitted as Country Club Village (Metropolitan District 1) and Country Club Highlands (Metropolitan District 2).

The Country Club Village District was created to finance public improvements within the commercial area of the development, and the Country Club Highlands District was created for the residential public improvements.

On February 13, 2006, City Council approved an Amended and Restated Service Plan for Country Club Village which outlined the proposed services, a financial plan, a preliminary engineering or architectural survey showing how the proposed services are to be provided, and a general description of the facilities to be constructed and estimated cost.

The relevant terms of the service plan were as follows:

Term	Country Club Village (commercial)
Maximum Debt	\$3,000,000
Initial Debt	\$2,450,000
Maximum total mill levy	50 mills except for Gallagher effect*
Proposed operating mill levy	10 mills
Proposed debt mill levy	35 mills
Assessed valuation at buildout	\$4,813,124
Year of buildout	2007
Total Public Improvements	\$2,476,533
Public Improvements Paid by District	\$1,935,085

\* In 1982, the voters of Colorado approved an amendment to the Colorado Constitution that included the so-called "Gallagher Amendment." The Gallagher Amendment requires that the assessment rate for residential property be adjusted to maintain the assessed valuation at a 45% to 55% ratio to all other property. This can result in the assessed valuation of a residential property to go down despite

the fact that the actual value is going up. In order to generate the same amount of revenue, the mill levy will need to be raised. This is the only situation that would allow the mill levy to go over the defined maximum mill levy. Bonds would be difficult if not impossible to issue if this exception was not allowed.

The cost of the District's public improvements exceeded estimates. The Initial Debt issued by the Country Club Village District was \$3,000,000, with the Public Improvements paid by the District totaling \$2,446,033. The total Public Improvement cost was \$3,864,257. The service plan states the "Refunding Bonds may be issued by the District to defease original issue bonds in compliance with applicable law and policies of the City and with the approval of the City."

The District, working with Piper Jaffray as their Placement Agent, has secured advantageous bank financing offering to refinance the existing bonds at a fixed rate of 3.81% for 15 years (through 2029). The bonds will provide for roughly \$334,000 of present value savings. In addition, the new financing will allow the District to pay off an 8% developer advance in the amount of \$158,558.

Staff has reviewed the financing plan presented and believe it is reasonable and in compliance with City policies.

This will further the strategic plan goal of a dynamic, diverse economy by reducing taxes in the district.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Resolution
- Exhibit A Term Sheet

RESOLUTION

RESOLUTION NO. **30**

INTRODUCED BY COUNCILLORS

SERIES OF 2014

---

**A RESOLUTION FOR THE CONSENT OF THE CITY COUNCIL  
OF THE CITY OF WESTMINSTER, COLORADO  
APPROVING THE ISSUANCE OF REFUNDING BONDS BY THE  
COUNTRY CLUB VILLAGE METROPOLITAN DISTRICT**

**WHEREAS**, the City Council of the City of Westminster (the “City”) approved a the County Club Village Metropolitan District Amended and Restated Service Plan dated January 31, 2006 (the “Service Plan”) on February 13, 2006 by adopting Resolution No. 5; and

**WHEREAS**, Section XIII.a. of the Service Plan provides that the County Club Village Metropolitan District (the “District”) may issue Refunding Bonds to defease original issue bonds in compliance with applicable law and policies of the City and with the approval of the City; and

**WHEREAS**, the District issued its General Obligation Limited Tax Bonds, Series 2006, originally issued in the aggregate principal amount of \$3,000,000, and currently outstanding in the aggregate principal amount of \$2,810,000 (the “Original Issue Bonds”); and

**WHEREAS**, the Board of Directors of the District has determined that it is in the best interests of the District, and the residents and taxpayers thereof, that the Original Issue Bonds be refunded, and that for such purpose Refunding Bonds shall be issued (the “2014 Refunding Bonds”); and

**WHEREAS**, the 2014 Refunding Bonds are for the purpose of refinancing District bonded debt at a lower interest rate, and thus are permitted by Article X, Section 20 of the Colorado Constitution; and

**WHEREAS**, the District has requested approval from the City to issue the 2014 Refunding Bonds; and

**WHEREAS**, the City concurs with the District that the issuance of the 2014 Refunding Bonds is in the interests of the District, and the residents and taxpayers thereof and wishes to approve such issuance as herein provided;

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

Section 1. In accordance with Section XIII.a. of the Service Plan, the City hereby approves the issuance by the District of the 2014 Refunding Bonds substantially in conformance with the term

sheet attached hereto as **Exhibit A** and incorporated herein by this reference and in compliance with applicable law.

**RESOLVED** this 8th day of December, 2014.

CITY COUNCIL OF THE CITY OF WESTMINSTER  
WESTMINSTER, COLORADO

By: \_\_\_\_\_  
Herb Atchison, Mayor

ATTEST:

By: \_\_\_\_\_  
Clerk

Approved as to legal form:

\_\_\_\_\_  
City Attorney

**Exhibit A**

Country Club Village Metropolitan District  
2014 Refunding Bonds  
Term Sheet

---

---

TABLE OF CONTENTS

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Report	Page
Sources and Uses of Funds . . . . .	1
Bond Pricing . . . . .	2
Bond Summary Statistics . . . . .	3
Summary of Bonds Refunded . . . . .	4
Summary of Refunding Results . . . . .	5
Bond Debt Service . . . . .	6
Savings . . . . .	7
Escrow Requirements . . . . .	8
Escrow Statistics . . . . .	9

---

---

SOURCES AND USES OF FUNDS

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Dated Date           12/10/2014  
Delivery Date       12/10/2014

Sources:

---

Bond Proceeds:	
Par Amount	2,950,000.00
Other Sources of Funds:	
Surplus Fund	283,000.00
	<hr/>
	3,233,000.00
	<hr/> <hr/>

Uses:

---

Project Fund Deposits:	
Remittance to Developer for P&I	158,558.00
Refunding Escrow Deposits:	
Cash Deposit	0.46
SLGS Purchases	<hr/>
	2,975,200.00
	2,975,200.46
Delivery Date Expenses:	
Cost of Issuance	95,550.00
Other Uses of Funds:	
Additional Proceeds	3,691.54
	<hr/>
	3,233,000.00
	<hr/> <hr/>

BOND PRICING

Country Club Village Metropolitan District  
 LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term Bond:					
	12/01/2015	105,000	3.810%	3.810%	100.000
	12/01/2016	110,000	3.810%	3.810%	100.000
	12/01/2017	115,000	3.810%	3.810%	100.000
	12/01/2018	120,000	3.810%	3.810%	100.000
	12/01/2019	120,000	3.810%	3.810%	100.000
	12/01/2020	125,000	3.810%	3.810%	100.000
	12/01/2021	130,000	3.810%	3.810%	100.000
	12/01/2022	135,000	3.810%	3.810%	100.000
	12/01/2023	140,000	3.810%	3.810%	100.000
	12/01/2024	145,000	3.810%	3.810%	100.000
	12/01/2025	155,000	3.810%	3.810%	100.000
	12/01/2026	160,000	3.810%	3.810%	100.000
	12/01/2027	165,000	3.810%	3.810%	100.000
	12/01/2028	170,000	3.810%	3.810%	100.000
	12/01/2029	1,055,000	3.810%	3.810%	100.000
		2,950,000			

Dated Date	12/10/2014	
Delivery Date	12/10/2014	
First Coupon	06/01/2015	
Par Amount	2,950,000.00	
Original Issue Discount		
Production	2,950,000.00	100.000000%
Underwriter's Discount		
Purchase Price	2,950,000.00	100.000000%
Accrued Interest		
Net Proceeds	2,950,000.00	

BOND SUMMARY STATISTICS

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Dated Date	12/10/2014
Delivery Date	12/10/2014
Last Maturity	12/01/2029
Arbitrage Yield	3.810101%
True Interest Cost (TIC)	3.810101%
Net Interest Cost (NIC)	3.810000%
All-In TIC	4.207604%
Average Coupon	3.810000%
Average Life (years)	10.543
Duration of Issue (years)	8.496
Par Amount	2,950,000.00
Bond Proceeds	2,950,000.00
Total Interest	1,184,957.63
Net Interest	1,184,957.63
Total Debt Service	4,134,957.63
Maximum Annual Debt Service	1,095,195.50
Average Annual Debt Service	276,124.05
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
	-----
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Term Bond	2,950,000.00	100.000	3.810%	10.543	3,363.00
	2,950,000.00			10.543	3,363.00

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,950,000.00	2,950,000.00	2,950,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-95,550.00	
- Other Amounts			
Target Value	2,950,000.00	2,854,450.00	2,950,000.00
Target Date	12/10/2014	12/10/2014	12/10/2014
Yield	3.810101%	4.207604%	3.810101%

SUMMARY OF BONDS REFUNDED

Country Club Village Metropolitan District  
 LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
GO Limited Tax Bonds, Series 2006:					
TERM	12/01/2015	6.000%	60,000.00		
	12/01/2016	6.000%	70,000.00	12/01/2015	100.000
	12/01/2017	6.000%	75,000.00	12/01/2015	100.000
	12/01/2018	6.000%	80,000.00	12/01/2015	100.000
	12/01/2019	6.000%	85,000.00	12/01/2015	100.000
	12/01/2020	6.000%	95,000.00	12/01/2015	100.000
	12/01/2021	6.000%	100,000.00	12/01/2015	100.000
	12/01/2022	6.000%	115,000.00	12/01/2015	100.000
	12/01/2023	6.000%	120,000.00	12/01/2015	100.000
	12/01/2024	6.000%	130,000.00	12/01/2015	100.000
	12/01/2025	6.000%	140,000.00	12/01/2015	100.000
	12/01/2026	6.000%	155,000.00	12/01/2015	100.000
	12/01/2027	6.000%	165,000.00	12/01/2015	100.000
	12/01/2028	6.000%	175,000.00	12/01/2015	100.000
	12/01/2029	6.000%	190,000.00	12/01/2015	100.000
	12/01/2030	6.000%	205,000.00	12/01/2015	100.000
	12/01/2031	6.000%	215,000.00	12/01/2015	100.000
	12/01/2032	6.000%	235,000.00	12/01/2015	100.000
	12/01/2033	6.000%	250,000.00	12/01/2015	100.000
	12/01/2034	6.000%	150,000.00	12/01/2015	100.000
			2,810,000.00		

---

---

SUMMARY OF REFUNDING RESULTS

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Dated Date	12/10/2014
Delivery Date	12/10/2014
Arbitrage yield	3.810101%
Escrow yield	0.120008%
Value of Negative Arbitrage	102,669.95
Bond Par Amount	2,950,000.00
True Interest Cost	3.810101%
Net Interest Cost	3.810000%
Average Coupon	3.810000%
Average Life	10.543
Par amount of refunded bonds	2,810,000.00
Average coupon of refunded bonds	6.000000%
Average life of refunded bonds	12.608
PV of prior debt to 12/10/2014 @ 3.810101%	3,404,681.32
Net PV Savings	333,930.86
Percentage savings of refunded bonds	11.883660%

---

---

BOND DEBT SERVICE

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Period Ending	Principal	Interest	Debt Service
12/01/2015	105,000	109,585.13	214,585.13
12/01/2016	110,000	108,394.50	218,394.50
12/01/2017	115,000	104,203.50	219,203.50
12/01/2018	120,000	99,822.00	219,822.00
12/01/2019	120,000	95,250.00	215,250.00
12/01/2020	125,000	90,678.00	215,678.00
12/01/2021	130,000	85,915.50	215,915.50
12/01/2022	135,000	80,962.50	215,962.50
12/01/2023	140,000	75,819.00	215,819.00
12/01/2024	145,000	70,485.00	215,485.00
12/01/2025	155,000	64,960.50	219,960.50
12/01/2026	160,000	59,055.00	219,055.00
12/01/2027	165,000	52,959.00	217,959.00
12/01/2028	170,000	46,672.50	216,672.50
12/01/2029	1,055,000	40,195.50	1,095,195.50
	2,950,000	1,184,957.63	4,134,957.63

SAVINGS

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Date	Prior Debt Service	Refunding Debt Service	Savings	Present Value to 12/10/2014 @ 3.8101009%
12/01/2015	228,600.00	214,585.13	14,014.87	14,076.13
12/01/2016	235,000.00	218,394.50	16,605.50	15,913.16
12/01/2017	235,800.00	219,203.50	16,596.50	15,315.63
12/01/2018	236,300.00	219,822.00	16,478.00	14,645.38
12/01/2019	236,500.00	215,250.00	21,250.00	18,056.19
12/01/2020	241,400.00	215,678.00	25,722.00	20,952.52
12/01/2021	240,700.00	215,915.50	24,784.50	19,449.08
12/01/2022	249,700.00	215,962.50	33,737.50	25,347.26
12/01/2023	247,800.00	215,819.00	31,981.00	23,144.69
12/01/2024	250,600.00	215,485.00	35,115.00	24,426.00
12/01/2025	252,800.00	219,960.50	32,839.50	22,003.19
12/01/2026	259,400.00	219,055.00	40,345.00	25,949.39
12/01/2027	260,100.00	217,959.00	42,141.00	26,070.14
12/01/2028	260,200.00	216,672.50	43,527.50	25,902.39
12/01/2029	264,700.00	1,095,195.50	-830,495.50	-471,741.32
12/01/2030	268,300.00		268,300.00	147,144.04
12/01/2031	266,000.00		266,000.00	140,420.25
12/01/2032	273,100.00		273,100.00	138,759.50
12/01/2033	274,000.00		274,000.00	133,994.08
12/01/2034	159,000.00		159,000.00	74,853.60
	4,940,000.00	4,134,957.63	805,042.37	454,681.32

Savings Summary

Dated Date	12/10/2014
Delivery Date	12/10/2014
PV of savings from cash flow	454,681.32
Less: Prior funds on hand	-283,000.00
Plus: Refunding funds on hand	162,249.54
	333,930.86
Net PV Savings	333,930.86

---

---

ESCROW REQUIREMENTS

Country Club Village Metropolitan District  
LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Period Ending	Principal	Interest	Principal Redeemed	Total
06/01/2015		84,300.00		84,300.00
12/01/2015	60,000.00	84,300.00	2,750,000.00	2,894,300.00
	60,000.00	168,600.00	2,750,000.00	2,978,600.00

ESCROW STATISTICS

Country Club Village Metropolitan District  
 LTGO Refunding Bonds, Series 2014

\*\*\*\*\*

Preliminary

BQ Rate as of November 7, 2014

\*\*\*\*\*

Escrow	Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
DSF	283,000.00	0.826	0.106293%	0.106293%	274,562.66	8,437.32	0.02
BP	2,692,200.46	0.974	0.120008%	0.120008%	2,597,967.83	94,232.63	
	2,975,200.46				2,872,530.49	102,669.95	0.02

Delivery date 12/10/2014  
 Arbitrage yield 3.810101%



## Agenda Item 10 L

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Resolution No. 31 re Adoption of the 2014 Open Space Stewardship Plan

**Prepared By:** Donald M. Tripp, Director of Parks, Recreation and Libraries  
Richard Dahl, Park Services Manager  
Rod Larsen, Open Space Superintendent  
Heather Cronenberg, Open Space Coordinator

### Recommended City Council Action

Adopt Resolution No. 31 to formally adopt the *2014 Open Space Stewardship Plan* that provides capital improvement recommendations and a comprehensive management program for the City's open space system.

### Summary Statement

- In 1985, residents of the City of Westminster approved a sales tax specifically earmarked to acquire and preserve land that had the potential for development.
- At the time, this program was only the second municipal sales tax-funded open space program in the state of Colorado.
- Since 1985, voters have overwhelmingly supported the open space sales tax in four additional ballot measures.
- City Council established a goal of preserving 15% of the City's land mass when the open space program was initiated.
- In 2014, this goal has been nearly reached with 3,090 acres of open space preserved.
- The *2014 Open Space Stewardship Plan* lays the foundation and direction for the use of resources that are needed for a quality open space management program.
- The City is now shifting resources from acquisition to management and stewardship of open space, an allowed use of funds for maintenance and management per the 1989 ballot language.
- *Plan* highlights include Program Overview, Land Management Classifications, Management Matrix, Historical Properties Survey, Capital Improvement Projects, Trails Master Plan, Trails Wayfinding, and Funding Sources.
- Staff from Parks, Recreation, and Libraries, Community Development, and City Manager's Office were involved in the formation of this plan.
- A draft of the *2014 Open Space Stewardship Plan* was presented to City Council at the July 28, 2014 Study Session. Council directed staff to present the plan to the Parks, Recreation, Libraries and Open Space Advisory Board (PRLOSAB).
- The PRLOSAB received the draft of the *2014 Open Space Stewardship Plan* and on September 11, 2014 met and received a presentation. There were no objections or changes expressed.

**Expenditure Required:** \$0

**Source of Funds:** N/A

**Policy Issue**

Does City Council wish to adopt the *2014 Open Space Stewardship Plan*?

**Alternative**

City Council could choose not to approve the plan at this time and send back to Staff for further review and modification; however, the plan provides critical information that is needed to move forward with a comprehensive management program for the City's open space system as well as capital improvement recommendations for the future.

**Background Information**

In 1985, voters in the City of Westminster approved a sales tax specifically earmarked to acquire and preserve open space land within the City. At that time, the City of Westminster Open Space Program was only the second municipal sales tax funded open space program in the state of Colorado. Since then, the City has preserved 3,090 acres of open space. This is nearly 15% of the City's land mass, which was the goal established when the program began.

Now that the goal of acquiring properties has nearly been attained, the shift of focus should go from acquisition to management. These lands were acquired for the purpose of preserving their valuable natural resources. These natural resources, whether they are riparian areas, scenic vistas, rolling hills, or stream bank corridors, are vital to the integrity of open space and need to be managed in a way that is sustainable for the enjoyment of future generations. Management of the natural resources takes time and resources. The ecosystems found in our open space are fragile and require intensive management in order for them to thrive.

The *2014 Open Space Stewardship Plan* focuses on that shift of priorities. It identifies the different land classes found in the City's open space inventory, provides the cost to maintain these natural resources, and includes recommendations of resources that are needed. This plan also examines future capital improvements, the trails master plan, the wayfinding system, and funding sources.

Staff would like to share some of the following highlights of the *2014 Open Space Stewardship Plan*.

1. Almost 400 acres of the City's open space are classified as "Transitional," meaning they are undergoing restoration and require much larger monetary resources than other classifications.
2. Currently, the City's field work staffing for open space management is two full-time employees (FTE), or 1:1500 acres of open space. Comparable ratios along the Front Range varies from 1:300 to 1:700.
3. The *Open Space Stewardship Plan* is recommending a minimum of four additional employees, three of whom would be field personnel. This is being recommended to begin in the City of Westminster 2016 budget. Funding is available within existing dedicated Open Space Tax revenues.
4. The greatest management areas that need to be addressed are noxious weed control and trail maintenance.
5. The City's trail wayfinding system and signage is not current or complete and needs to be improved.
6. Acquisitions will still be needed for critical trail and open space links and to protect essential vistas.

The City of Westminster's Open Space Program is the crown jewel for residents. It has been shown through many surveys that the open space program is one of the top reasons why the residents of Westminster choose to live here. Having 3,090 acres of preserved natural resources and a 100-mile recreational trail system allows people to enjoy the natural beauty found within the open space in Westminster and improve their health.

Staff is confident that the plan put forth addresses the need for a comprehensive management program for open space. It identifies the need for additional resources, addresses management challenges, and develops a roadmap for attaining the goals and objectives of the plan.

Staff presented this plan to City Council during the July 28, 2014 Study Session. Since that time, the Parks, Recreation, Libraries, and Open Space Advisory Board has reviewed the plan and there were no objections or changes expressed. This plan meets the City's Strategic Plan Goal of "Beautiful, Desirable, Environmentally Responsible City."

Respectfully submitted,

J. Brent McFall  
City Manager

Attachments

- Resolution
- 2014 Open Space Stewardship Plan

RESOLUTION

RESOLUTION NO. **31**

INTRODUCED BY COUNCILLORS

SERIES OF 2014

---

**A RESOLUTION FOR THE ADOPTION OF THE  
2014 OPEN SPACE STEWARDSHIP PLAN**

WHEREAS, City Council authorized preparation of the Open Space Stewardship Plan; and

WHEREAS, City Council is very supportive of the quality of life enhancements offered by the Open Space program; and

WHEREAS, the 2014 Open Space Stewardship Plan will provide direction on a comprehensive management program for the City's Open Space program; and

WHEREAS, City Council recognizes the importance of the adoption of the 2014 Open Space Stewardship Plan as a planning guide for delivering a comprehensive open space management program to the citizens of Westminster.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER that it formally endorses the recommendations and conclusions of the 2014 Open Space Stewardship Plan and hereby adopts the attached to be used as a planning guide for a comprehensive open space management program.

PASSED AND ADOPTED this 8<sup>th</sup> day of December, 2014.

---

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

---

City Clerk



WESTMINSTER



City of Westminster

# *2014 Open Space Stewardship Plan*

de Cember 8, 2014





# Acknowledgements

---

## **Westminster City Council**

Herb Atchison, *Mayor*

Faith Winter, *Mayor Pro Tem*

Bruce Baker

Bob Briggs

Alberto Garcia

Emma Pinter

Anita Seitz

## **City Manager**

J. Brent McFall

## **Parks, Recreation, Libraries and Open Space Advisory Board**

Bernice Aspinwall

Ben Beaty

Stephanie Bingham

Janet Bruchmann, *Co-Chair*

Ronald Dickerson

Dan Dolan

Jonathan Herrmann

Sarada Krishnan

Mary Litwiler

Beau Martin

Terrance Ramirez

Marley Steele-Inama, *Co-Chair*

Pat Wales

## **Westminster Staff Team**

Steve Smithers, *Deputy City Manager*

Aric Otzelberger, *Assistant to the City Manager*

Donald M. Tripp, *Parks, Recreation and Libraries Director*

Jody Andrews, *Public Works & Utilities Director*

Debbie Mitchell, *General Services Director*

Lee Birk, *Police Chief*

David Puntenny, *Information Technology Director*

John Carpenter, *Community Development Director*

Doug Hall, *Fire Chief*

John Stipech, *Municipal Judge*

Tammy Hitchens, *Finance Director*

Marty McCullough, *City Attorney*

Rich Dahl, *Parks Services Manager*

Rod Larsen, *Open Space Superintendent*

Heather Cronenberg, *Open Space Coordinator*

Sarah Washburn, *Landscape Architect II*

## **Consultant Team**

StudioCPG, *Landscape Architecture & Planning*

ERO Resources Corporation, *Consultants in Natural Resources and the Environment*

---



# Table of Contents

---

<b>Tab 1:</b>	<b>Project Overview</b>
<b>Tab 2:</b>	<b>General Management Classifications</b>
<b>Tab 3:</b>	<b>General Management Guidelines Matrix</b>
<b>Tab 4:</b>	<b>Open Space Historic Structures Survey</b>
<b>Tab 5:</b>	<b>Prioritization of As Needed Master Plans</b>
<b>Tab 6:</b>	<b>Capital Improvement Project List</b>
<b>Tab 7:</b>	<b>Noxious Weed Survey</b>
<b>Tab 8:</b>	<b>Trails Master Plan and Narrative</b>
<b>Tab 9:</b>	<b>Trails Wayfinding Strategy</b>
<b>Tab 10:</b>	<b>Potential Funding Sources</b>

---



---

## Land Stewardship

*The responsibility of a community to preserve the quality and abundance of its natural resources and to manage them in a way that conserves all of the environmental, economic, social and cultural values for future generations.*

### City of Westminster Department of Parks, Recreation and Libraries Mission Statement

*Together we create exceptional opportunities for a vibrant community with a commitment to nature, wellness, and literacy.*

---



# Overview

---

In 1985, voters in the City of Westminster approved a sales tax specifically earmarked to acquire and maintain open space within the City. At that time, the City of Westminster Open Space program was only the second municipal sales tax funded open space program in the State of Colorado. Since then, the City has preserved more than 3,000 acres of open space. This is nearly 15% of the City's land mass which was the goal established when the program began.

These lands are valuable resources offering multiple benefits. For the natural environment, preserved open space protects vulnerable ecosystems from development, preserves unique features, and provides an opportunity for wildlife movement through the City with seamless natural habitat. For the public, open space provides "breathing room" between developments, fosters appreciation of the natural environment, provides increased passive recreation opportunities, preserves mountain views, and improves quality of life.

While property preservation through acquisition is the first step, active stewardship in perpetuity will ensure public amenities and natural resources are available for future generations to enjoy. This Open Space Stewardship Plan is intended to serve as a guide for current and future Open Space management, rehabilitation, enhancement, and sustainability for passive recreational uses in an effort to protect natural resources while ensuring high-quality visitor experiences now and in the future.

## History

Water transport via creeks, canals, and irrigation ditches was critical for survival and early settlement of Westminster. Livelihoods relied on the availability of water rights for farm crops and residences. The location and importance of waterways to deliver water shares played a critical role in the development of Westminster, and subsequently, the current location of open space corridors within the City's existing framework.

Although Westminster was incorporated in 1911, the City's Parks and Recreation Department did not exist until 1972. Soon thereafter, the 1973 *"Park and Open Space Master Plan - North & West Areas"* provided the first formally-adopted guidance for securing property for open space use along naturally occurring drainageways. The Plan specifically stated that the City:

"...should consider securing a strip along Big Dry Creek and Walnut Creek at a minimum of 200 feet in width. This width should be expanded wherever the character of the terrain makes it logical to do so. In this way, most of the natural area along the drainages could be maintained in public use."

Coinciding with rapid development and expansion of the City, the document provided a framework for open space acquisition and preservation. Since that time, Westminster has actively protected drainage corridors from development through Public Land Dedications (PLDs), Fees-In-Lieu of dedication, and direct purchase funded by voter-approved Open Space Sales Tax Revenue. The City also restricts development from occurring within designated flood plain areas. The drainages serve as trail corridors and provide critical links to regional trail systems. Because of the foresight of prior administrations who were committed to open space acquisition, existing residential, commercial development, and parks are linked to the City's Open Space framework, which has become a celebrated component of the Westminster community.

The City has created a comprehensive network of linked open space through acquisition of properties along key creek, drainage, and irrigation canal corridors. These corridors provide residents throughout the City convenient

access to open space and various resources within the City and to trail connections accessing the larger, more complex system of regional trails throughout the greater metropolitan area. Currently, the City maintains 118.5 miles of off-street trails. Major and Minor Trail systems comprise 105.63 miles and Natural Trails total 12.87 miles.

Corridors provide essential connectivity of open space and link stand-alone refuges to create a biotic community. For permanent, or semi-permanent, corridor dwelling species such as plants, insects, reptiles, amphibians, small mammals, and birds, continuity may reduce habitat fragmentation effects created by surrounding development and may allow greater dispersal or recolonization for native wildlife and plants by facilitating physical movement.

The value of the City's Open Space properties already preserved is significant when viewed in the context of naturally linked corridors. Much of the Walnut Creek, Big Dry Creek, Little Dry Creek, and Farmers' High Line Canal corridors are preserved and owned by the City. Furthermore, these corridors extend westward outside the City limits to thousands of acres of open space, including Rocky Flats National Wildlife Refuge and Great Western Reservoir Open Space. Extending the reach of natural corridors through the City provides exceptional value within and outside of the City to habitat, scenic quality, and public recreation opportunities.

### **Current Acquisition Trends**

Since the inception of the City's Open Space program in 1985, trends in open space acquisition and the disposition of those properties have changed dramatically. Large residential and commercial development is being supplemented by infill projects. The easily-obtainable, undeveloped parcels have been acquired as open space while remaining pristine, undeveloped parcels-- as well as available funding for outright purchase-- are difficult to obtain.

The high cost and limited availability of land within the City now makes direct purchase of properties for preservation or recreational purposes expensive and challenging. Potential open space properties are also attractive to developers, making even small open space purchases less affordable given available Open Space acquisition funding.

For the City of Westminster, the future trend should be to target new Open Space acquisitions very specifically for the purpose of completing missing links in the local and regional trail systems and to supplement, or widen, current Open Space properties. Key properties that provide missing links to open space and those with significant natural resource, or historical, value should be a priority.

### **Current Management Trends**

In 1985, voters approved a 1/4 of 1% sales tax dedicated to Open Space acquisition, and the focus and priority has been on acquisition and preservation of land. This priority was necessary in order to preserve as much land as possible with the available sales tax funds. Over the years, the voters extended the tax to include Park and Recreation acquisitions and improvements along with bonding capacity. The support of the residents in three separate sales tax votes, as well as the issuance of the bonds, enabled the City to leverage funds and acquire lands that were slated for development. Because of these actions, the City of Westminster has preserved 3,063 acres of prized lands that boast a wide diversity of natural resources.

Now that the City of Westminster Open Space program is well on its way to fulfilling the goal of 15% of the City's land mass as open space (currently 14.2%), the shift of priorities and focus swings to the management and stewardship of these properties; almost one-third of Westminster is "greenspace": parks, open space, and parks owned by homeowner associations. These natural resources must be managed in a way that will uphold and enhance the integrity of their environmental, economic, historic, and cultural values. The Open Space program has in the past focused on the preservation of the lands, and rightfully so. Now, it is time to start focusing on the stewardship of these lands in order to conserve them for future generations.



---

## **Goals of the 2014 Open Space Stewardship Plan**

After several decades of planning and acquisition, the Westminster's Open Space system now requires a thoughtful approach to long-term management of treasured and valuable assets. The 2014 Open Space Stewardship Plan contains tools that will allow City staff to make decisions concerning land management needs, acquisitions, trail usage, and future capital improvements. Focusing heavily on land stewardship, this Plan will identify Open Space land management responsibilities, associated costs, needed resources, and future projected capital improvements. The goal of the Plan is to provide a foundation that can be used to assemble an City Open Space management program at a level that is complete and comprehensive.



# General Management Classifications

The City of Westminster 2014 Open Space Stewardship Plan identifies classifications for managing open space and addresses resource management, maintenance, and access. Open Space lands have been analyzed and categorized into a series of five Management Classifications based on site natural features, site status or condition, site function, and if applicable, site historic value. Open Space parcels may be comprised of one or multiple classification categories.

## 1. Sensitive Landscape Management Areas

**Total Acreage: 78 Acres\***

*Sensitive Landscape* Open Space parcels include sites that have high value landscape features such as threatened and endangered species, wetlands, or relatively complex and rich plant communities. Such parcels have the highest value for flora and fauna when viewed at both the localized and community-wide level.

### Management Strategy

- » Preserve the resource as the primary goal.
- » Recreational uses should be restricted to designated trails. Efforts should be made to close and revegetate all social trails in the area.
- » All trailheads should include education and regulation information.
- » Noxious weed management in the area should concentrate on eradication, as well as Russian olive tree removal.

### Examples

*Examples include the Colorado Butterfly Plant at locations along Walnut Creek and the cottonwood/snowberry plant communities along the Farmers' High Line Canal from Westminster Parkway east to Sheridan Boulevard.*



*Existing Cottonwood/Snowberry plant community along Farmers' High Line Canal west of US 36 and east of Trendwood Park*

## 2. Urban Natural Landscape Management Areas

**Total Acreage: 1,815 Acres\***

*Urban Natural Landscape* parcels include sites that are natural in appearance, accommodate wildlife, and allow people to access non-developed environments. These sites do not include special features or particularly unique or rare species.

### Management Strategy

- » Maintain and enhance a stable, non-erosive, natural, naturalistic landscape including both native and desirable non-native plants, including eradication of noxious weeds.
- » Encourage public access with formalized trails.

### Examples

*The majority of the Big Dry Creek corridor west of Wadsworth Parkway to Standley Lake Dam is a good example.*



*Big Dry Creek Open Space*

*\*Total Acreage of Management Area does not include open water, parking, or open space access road acreage within an open space area.*

### 3. Transitional Landscape Management Areas

**Total Acreage: 393 Acres\***

*Transitional Landscape* management areas include sites undergoing restoration or sites scheduled for restoration and/or enhancement. This is a temporary classification until site improvements are completed, at which time the site can be reclassified as *Urban Natural* or *Sensitive Landscape*.

#### **Management Strategy**

- » Achieve a stable, non-erosive condition through weed mitigation and revegetation so that these areas can eventually be reclassified as *Urban Natural* or *Sensitive Landscape* as a result of stewardship strategies.
- » Public access may be temporarily limited.

#### **Examples**

Along Big Dry Creek Corridor from north of 120th Avenue to south of 128th Avenue is a good example, as well as former prairie dog colony sites that require reseeding and extensive weed control.



Big Dry Creek Open Space

### 4. Functional Landscape Management Areas

**Total Acreage: 332 Acres\***

*Functional Landscape* management areas include sites that serve a specific functional purpose, such as a dam, and are not associated with natural diversity, high value landscape, or public access.

#### **Management Strategy**

- » Achieve and maintain a stable non-erosive condition, natural in appearance as an unprogrammed space, or as part of a singular purpose function.
- » No direct public access is provided, but appearance is an important concern.

#### **Examples**

The roadside infield between Westminster Parkway and US 36 and the grassed drainage area at Quail Creek Open Space north of Amherst Park are good examples, as well as all trail/ditch corridors where the function of the ditch takes priority. The future park site at the Bradburn development is another good example of *Functional Landscape*.

**Noxious Weed Management**  
Noxious weed management is required by law and should be a high priority in both the *Sensitive* and *Urban Natural* landscape management areas. The potential for successful restoration of riparian and upland communities, coupled with a comprehensive education program, is high and should be pursued.



Little Dry Creek Open Space

\*Total Acreage of Management Area does not include open water, parking, or open space access road acreage within an open space area.



## 5. Historic/Agricultural Landscape Management Areas

**Total Acreage: 208 Acres\***

*Historic/Agricultural Landscape* management areas include sites identified as Historic Resources by the City of Westminster, including structures and cultivated fields or orchards, and sites with features related to the development of agricultural surface irrigation. These sites are critical to the City's community branding efforts that seek to identify Westminster as a City that has grown from and maintains connections to its agricultural roots.



*Metzger Farm*

### **Management Strategy**

- » *Historic/Agricultural Landscape* management areas should be restored to an *Urban Natural Landscape* character or, in some tracts, be retained as agriculture. Sites may be leased out for agricultural purposes and during the lease period, the following guidelines should apply:
  - **Future Potential Use:** Agricultural sites may be used for grazing, haying, or winter wheat. Smaller tracts may be developed as community gardens.
  - **Ornamental and Non-Agricultural Plantings:** The restoration of historic structures may include the development of historic landscapes. In general, only native species should be planted and the introduction of exotic species should be discouraged.
  - **Public Access:** Open Space areas classified as *Sensitive Landscape* may be posted with "No Trespassing" signs to restrict access to only those with business on the site. No hunting, motorized recreational vehicles, or other recreational activities will be allowed on site.
  - **Weeds:** Lessees are required to control noxious weeds on site. Lessees must observe all applicable county, state, and federal regulations.
  - **Billboards:** Prohibited.
- » Develop a master plan for each site in the Open Space system that has been identified as an *Historic Resource* by the City of Westminster. At a minimum master planning efforts should:
  - Identify goals and objectives for each site and for each site's role in the City's Open Space system.
  - Identify goals and objectives for the preservation and restoration of each historic structure.
  - Identify potential uses for each historic structure, including specific end users/user groups for each structure, and if there is value to be realized by programming specific uses for each historic structure.
  - Identify opportunities and constraints for appropriate public access.
  - Identify opportunities for education, interpretation, and for reinforcing City of Westminster branding as a suburban city that has evolved from, but still celebrates, its agricultural heritage.
- » Establish an inventory of remnant cottonwoods along historic ditches. Mature cottonwoods along existing and historic ditches are an historic cultural resource; in many cases, they are the last visual and physical manifestation of Westminster's agricultural heritage. Many cottonwood groves are a result of lateral ditches that are no longer in use. There may be several opportunities for successional planting as a means of maintaining an important historic attribute that is readily understood by local and regional residents.

### **Examples**

*Examples of Historic/Agricultural Landscape include Metzger Farm, Church's Stage Stop, Semper Farm, Lower Church Ranch, and The Ranch Open Space.*

*\*Total Acreage of Management Area does not include open water, parking, or open space access road acreage within an open space area.*

## **Identifying Open Space Management Areas**

---

The City of Westminster Open Space program is shifting toward an emphasis on stewardship and away from an emphasis on land acquisition. The transition requires identifying diverse attributes of the existing Open Space management program through field verification and mapping. The existing inventory is then supplemented with a user-friendly matrix that reflects current inventory, acreage, site attributes, and management costs for specific management areas. The matrix serves as an operational tool that can be easily updated as specific management areas are improved. Each management area will be monitored based on physical attributes, characteristics, and visual access from adjacent properties. Each management area should be named based on local geographical features, wildlife, and/or the role of the area in heritage of the community. Each management area should then be classified- *Sensitive, Urban Natural, Transitional, Functional* and/or *Historic/Agricultural Landscape*- based on the above criteria. It is worth noting that a specific management area could potentially receive more than one classification.

## **General Management Guidelines: Site**

---

The General Management Guidelines provide a framework for addressing the most common issues facing the City's Open Space stewardship.

### **Landscape Management**

Management of urban open space is subject to a number of forces including:

- » **Fragmentation:** Large scale, stable ecosystems in the semi-arid west become vulnerable when reduced in size by encroaching urban development. Prairie dogs confined to small tracts within an urban environment can damage undeveloped lands. Similarly, historic uses such as grazing horses and cattle kept in small, fenced enclosures have ecological impacts on large tracts of land, reducing the value of the open space to the community.
- » **Urban Development:** People, dogs, vehicles, and the weed seeds they carry are continually brought into close proximity with sites already vulnerable due to fragmentation. Urban development also affects regional and local hydrology, disrupting the underlying seasonal patterns critical to reestablishing and maintaining natural/native landscape.
- » **Drought Conditions:** Fifteen years of drought conditions have weakened existing natural resources within the Open Space system and made dryland restoration more difficult. Uniformly restoring native plant material and/or communities is difficult in this environment, but those ideals remain the foundation of recommended management and restoration practices.

### **Revegetation**

Establishment of native vegetative cover (excluding noxious weeds) is critical to minimizing long-term maintenance of open space. Vegetation serves multiple purposes, including prevention of erosion and control of introduced weed species. Guidelines for revegetation include:

- » **Plant Materials**
  - Use seed mixes adapted to site-specific soil types.
  - Use native species, adapted to specific soil types, to the extent possible.
  - Use alternatives to native species (i.e. Smooth Brome) where the need to stabilize a particular site is deemed to outweigh the potential for establishing native revegetation.
  - Do not use bluegrass and/or other species requiring irrigation.
  - Use containerized nursery stock for wetlands, trees, and shrubs.
  - Obtain live stakes, willow bundles, and cottonwood poles from local, on-site sources, whenever possible.
- » **Site Preparation**
  - Implement no-till seeding improvements, which reduces the introduction of weeds and minimizes loss of soil moisture.
  - Do not add fertilizer or soil amendments to the soil.



- » **Seeding and Planting**
  - Conduct seeding in the following seasons following CDOT seeding specifications: Spring Seeding is Spring Thaw to June 1st; Fall Seeding is September 1st to Ground Freeze.
  - Drill seed wherever possible. Depth to be 1/3" to 1/2" wherever possible.
  - Broadcast or hydro-seed on slopes steeper than 3:1 or on other areas not practical for drill seeding.
  - Double seeding rates for broadcast seeding or increase by 50% if using a Brillion drill or hydro-seeding.
  - Mulch all seeded areas with straw mulch. Mulch to be crimped in place.
  - Establish 80% coverage to be considered successful. From 5'-0" height, field inspectors should observe 80% coverage of seeded area.
  - Conduct mulching as a second, separate operation if hydro-seeding.
  - Install live stakes, willow bundles, and cottonwood poles when dormant.
  - Provide beaver protection for trees and shrubs known to be attractive to beaver.
- » **Maintenance**
  - Inspect new installations at regularly scheduled intervals following planting.
  - Limit access to recently revegetated areas with temporary fencing and educational signage for the first year of establishment.
  - Control weeds on site. (See *Noxious Weed Management* below)
  - Maintain mulch by adding or redistributing material as required.
  - Repair areas of erosion.
  - Water trees or shrubs monthly from April through September until established.

### **Noxious Weed Management**

There are several reasons to manage noxious weeds. The Colorado Noxious Weed Act (2003) and the Federal Noxious Weed Act (1974) require that certain weeds be eradicated. In addition, the Federal Noxious Weed Act *mandates* the eradication of certain species. Many weeds choke native plants and often impact the aesthetic integrity of open space. The goals of the Colorado Noxious Weed Act aim to:

- » Prevent the introduction of new invasive plant species,
- » Eradicate species with isolated or limited populations.
- » Contain and manage those invasive species that are well established and widespread.

Goals for City of Westminster Open Space noxious weed management expand upon the aforementioned goals:

- » Use an integrated management approach to reduce acreage of Open Space infested with weeds.
- » Prevent the establishment of weedy species within Open Space.
- » Establish a weed (and undesirable non-native tree) inventory and monitoring program.
- » Create, or continue, mutually beneficial partnerships with other interested jurisdictions.

Effective integrated management requires the use of the following methods:

- » **Biological:** Release of insects native to same regions as exotic plant.  
The City has also used goats to control noxious weeds at Westminster Hills Open Space. Approximately 800 goats were on site to eat noxious weeds such as Myrtle Spurge, Hoary Cress, and Knapweed. The goats naturally prefer eating weeds over native grasses and eat the entire plant, including any seeds. They have triangular-shaped mouths which grind up the seeds and make them virtually inviable by the time they pass through their body, leaving only organic fertilizer. Their hooves are split and pointed which act to aerate the soil as they graze.
- » **Chemical:** Use of herbicides and insecticides.
- » **Cultural:** Cultivation of more desirable species.

- » **Mechanical:** Mowing, pulling, burning etc.
- » **Mowing:** Mowing occurs several times a year along trails, fence lines, and roadways. Mowing may also be employed to control noxious weeds.
- » **Educational:** Provide the public with relevant information on weed management.

Local governments are directed to manage weeds in their jurisdictions. The following noxious weed lists are included in the Appendices:

- » **Colorado Department of Agriculture County Noxious Weed Program - List by County**  
(Adams County, Jefferson County)
- » **Colorado Department of Agriculture Noxious Weed List**  
(<http://www.colorado.gov/cs/Satellite?c=Page&cid=1174084048733&pagename=Agriculture-Main/CDAGLayout>)
- » **014 Jefferson County Noxious Weed List**  
(Website- <http://www.co.jefferson.wa.us/WeedBoard>)

Undesirable non-native trees and shrubs include Russian olive, salt cedar, tamarisk, and Siberian elm. No new plantings of these species are permitted. Existing non-native trees should be removed and replaced with native species as appropriate. Prioritization of removals are determined in the *Noxious Weed Survey* in this Plan.

### **Streambank Erosion**

Erosion measures may be required along major channels like Big Dry Creek, Little Dry Creek, or Walnut Creek, as well as tributary channels like Tanglewood Creek or Hyland Creek. Other erosion control measures may also be required at lake or pond outfalls or to repair rills that develop where sheet flows concentrate over the very broad hillsides above Big Dry Creek.

Erosion control measures that may be required include:

- Boulder channel edge.
- Rip rap.
- Buried rip rap.
- Erosion control fabric installed in conjunction with revegetation.
- Small culverts installed where sheet flow concentrates and erodes trails.

### **Trail Construction**

See *Trails Master Plan Diagram - Supporting Narrative* for trail specifications.

### **Fencing**

Fencing may be required for protection of natural resources, direct public access, recreational use and to identify open space sites. Uses and types include:

- Buck and rail wooden fencing at select areas along open space perimeters and at areas to direct access to trails.
- Buck and rail wooden fencing at trailheads, parking, and select street frontages.
- Four strand wire or welded wire fencing installed per CDOT M standards to protect natural resources.
- Barbed wire will not be used for any fencing except where required when grazing at *Historic/Agricultural Landscape* areas.
- Protection of *Transitional Landscape* areas during seed establishment.
- Isolation of areas for restoration of *Urban Natural Landscapes* in the Westminster Hills Open Space dog off-leash area and other potential/future sites as necessary.
- Protection of wetlands or marsh areas adjacent to areas leased for grazing at *Historic/Agricultural Landscape* areas.



### **New Structures**

Construction of new structures is rare, necessary only to meet carefully defined site needs (i.e. wildlife viewing blind, or small maintenance storage at a remote location).

### **General Site Clean-up**

Trash receptacles are located at all Open Space parking lots and/or site entrances. Receptacles are emptied at least once a week (or on a regular basis).

### **Dog Feces Pick-Up**

Bags are located at all Open Space parking lots and/or site entrances, access trails, and dog parks.

### **Litter Clean-Up**

Regularly scheduled clean-up efforts are needed throughout the Open Space system, which currently include those conducted by City of Westminster Volunteer Program and during Community Pride Day.

### **Incident Clean-Up**

Clean-up of certain incidents that are weather-related or require special clean-up such as accidents. Clean-up, when required, will be by Open Space maintenance crews or qualified personnel.

## **General Management Guidelines: Wildlife**

The Westminster Open Space system is comprised of long, continuous, drainage corridors and is rich in potential wildlife habitat. Wildlife management goals in an urban environment include:

- » Protecting wildlife and wildlife habitat.
- » Educating the public about what to expect when interacting with wildlife as well as the value of open space to humans and wildlife.
- » Controlling (when necessary) wildlife populations exceeding carrying capacities of the land.
- » Minimizing encroachment on private property.
- » Minimizing wildlife and human conflict.

### **Artificial Structures**

Artificial structures such as perches, birdhouses, bat houses, and artificial nest structures are limited to those needed to enhance or protect endangered or threatened species and some structures may be installed without a permit.

### **Existing Wildlife Policies**

Feeding:	<i>Coyote Management Plan 2009</i>
Native Species Reintroductions:	<i>N/A</i>
Beaver:	<i>Beaver Management Plan 2008</i>
Coyotes:	<i>Coyote Management Plan 2009</i>
Deer:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Mountain Lions and Bears:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Norway Rats:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Prairie Dogs:	<i>Prairie Dog Management Plan 2005</i>
Skunks and Raccoons:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Geese:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Other Waterfowl:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Raptors:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>

Native Songbirds:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Fish:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>
Snakes:	<i>Wildlife and Natural Resource Management Plan for Open Space Properties 2010</i>

## **General Management Guidelines: Regulatory**

---

*Refer to City of Westminster Development Code Chapter 5: Sections 13-5-1 through 13-5-12.*

### **General - Regulatory**

Concessions/Vendors: Prohibited in Open Space, unless approved by the PRL Director.

Noise/Disturbing The Peace: Prohibited.

Littering/Waste Disposal: Prohibited except for the disposal of incidental items in trash receptacle provided for that purpose.

Plant Collection and Planting:

- Downed wood may not be removed or rearranged without a permit.
- Seed or plant collecting, which also includes cuttings from trees, shrubs, vines, or wild flowers, is prohibited without a permit.
- Planting by anyone other than City of Westminster Open Space maintenance staff or other designees in Open Space is prohibited without a permit.

Vandalism: Prohibited.

Washing or Bathing: Prohibited.

### **Recreation - Regulatory**

Open Space is often construed by local residents as areas that provide opportunities for passive types of recreation that are permissible on publicly owned lands. However, there are many types of recreation that can negatively impact plant communities, wildlife populations, and overall enjoyment and appreciation of nature by other users. In order to provide for visitor enjoyment, and safety and to protect natural resources, the following recreational activities are not permitted in Westminster Open Space:

Model Aircraft: Prohibited.

Alcohol: Prohibited.

Bicycles: Unless otherwise posted, bicycles are permitted on designated trails and within public right-of-ways only. (See *Trails Master Plan Diagram - Supporting Narrative.*)

Boats: Non-motorized boats are permitted on Ketner Lake and McKay including canoes, kayaks, belly-boats, and paddle boards. **All boat use is currently being reviewed by City of Westminster. Update when complete.**

Camping: Prohibited.

Curfew: Dusk to dawn.

Dog Walking: Dogs are allowed in Open Space but must be on a leash, unless otherwise posted within designated dog park areas. Persons walking dogs must immediately remove and properly dispose of dog feces.

Firearms: Prohibited.

Fires: Prohibited.

Fishing: Allowed with valid license required by Colorado Parks and Wildlife. All CPW requirements apply.

Ice Fishing: Prohibited.

Glass: Prohibited.

Group Events: Events involving more than 12 people require a permit.

Horseback Riding: Unless otherwise posted, horseback riding is allowed on or within 10 feet of trails except to avoid imminent danger to other people.



Model Rockets, Motorized Model Vehicles: Prohibited.

Restrooms, Drinking Fountains: These facilities are provided at or near trailheads where appropriate and only as funds are available.

Roller Skating/Blading and Skateboarding: Allowed only on roadways or designated trails.

Sledding, Tubing, Downhill Skiing, and Snowboarding: Prohibited except in designated areas.

Cross-Country Skiing: Allowed except in *Sensitive Landscape* areas.

Swimming/Wading: Prohibited. (Swimming/wading access being reviewed by the City. Update when complete.)

Trapping: Prohibited to the public.

---

## **General Management Guidelines: Education/Interpretive**

### **Education**

The ongoing success of the Westminster Open Space program depends on increasing the public's awareness of open space as an institution and promoting an understanding of natural systems and each individual's place within those systems. Goals for the educational component of the Open Space program include:

- » Tell the story of the Westminster Open Space program. Communicate a scientifically and historically accurate description and interpretation of the distinctive aspects of the Westminster Open Space system. For example, tell the story of how regional storm management, agriculture, and surface irrigation systems have combined to influence the landscape in the Big Dry Creek corridor.
- » Create an awareness of the value of preservation of natural landscapes and resources therein, including water, wildlife, etc., in an urban setting and instill a sense of stewardship in the individual, neighborhood, and community toward open space.

### **Interpretive Features**

Develop a thematically consistent approach to providing interpretive signage at strategic locations throughout the system. Features of the signage system should include:

- » Descriptions of natural systems in evidence along with their value and purpose.
- » Descriptions of how those systems have been influenced by their interface with urban development.
- » Identifying how the phenomena have contributed to shaping Westminster as a distinctive community.

Master plans for improvements and management of Westminster Open Space shall include an interpretive plan that defines interpretive goals for each site along with implementation strategies for meeting those goals.

---

## **General Management Guidelines: Leases**

### **Leases**

Leases on City Open Space can be granted under limited special circumstances if they do not conflict with site management goals, and if Open Space lands remain accessible to the public for intended uses.

- » **Agricultural:** *Historic/Agricultural Landscape* sites may be leased out for agricultural activities as a means of reinforcing the site's interpretive plan or as a means of maintaining a stable condition prior to restoration. *Example: Fields at Metzger Farms could be cultivated by a lessee as a means of reinforcing the site's interpretive plan.*
- » **Buildings:** Buildings located on Westminster Open Space property may be leased based on goals and objectives identified during master planning of individual Open Space parcels. *Example: At McKay Lake residents are allowed to lease homes until the City is ready to complete site redevelopment.*
- » **Grazing:** Leases may be granted at *Historic/Agricultural Landscape* sites as a means of reinforcing the site's interpretive plan. *Example: The Ranch Open Space leases the original parcel at Pecos Street and 120th Avenue for grazing.*



# General Management Guidelines Matrix Supporting Narrative

The City of Westminster Open Space Division is responsible for the stewardship of the Trails and Open Space system. Responsibilities include grassland management, noxious weed control, mowing, management of lakes and fishing facilities, trail management, and maintenance of inventory associated with Open Space facilities and lands including fences, irrigation systems, pumps, and signage.

Improved, systematic management and maintenance of open space require customized tools that reflect an accurate assessment and description of evolving conditions of individual open space tracts and trails.

As stated previously in the Stewardship Plan, as a result of the inherent fragmentation of natural areas, the ecology of the Westminster Open Space system is unstable. The major goal of the Open Space management is to create stable, healthy conditions of individual parcels and ultimately the entire system for the enjoyment of Westminster residents, visitors, and just as importantly, to reduce long-term maintenance costs.

### ***Moving Towards Adaptive Management***

The Stewardship Plan recommends that the City work toward achieving a stable condition throughout the system by adopting a data driven “Adaptive Management” approach to maintenance. Adaptive Management is defined as:

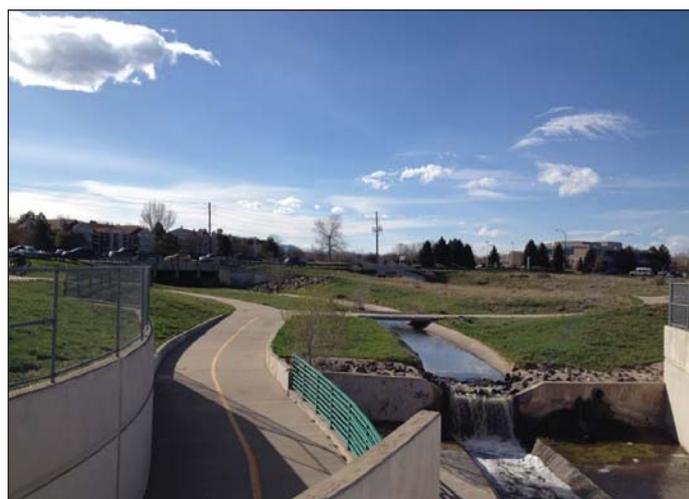
***A structured process for decision-making in the face of constant uncertainty by means of monitoring, mapping, and adjusting management practices according to assessment of new information.*** (See Adaptive Management Process diagram on the following page.)

Adaptive Management techniques have been utilized in traditional farming and gardening practices for millennia and have recently been adopted and promoted by the scientific community in acknowledgement of the difficulty of reestablishing an ideal, pre-development state or condition in a fragmented ecology.

***General Management Guidelines Matrix and Map (large scale fold-outs) are included in the pocket at the end of this section.***



*Margaret’s Pond Open Space*



*Little Dry Creek Trail just west of Kennedy Park*

### The Adaptive Management Process

#### **Visioning**

- » Consider social, landscape/ecosystem, and land use issues
- » Identify short and long-term goals
- » Develop a statement of goals

#### **Baseline Inventory**

- » Inventory history, quality significance, relationships, and connections of existing resources
- » Gather specific baseline data
- » Identify relevant resource issues

#### **Evaluation**

- » Develop specific management objectives
- » Identify specific resource study needs
- » Prioritize resource issues and needs
- » Public Input

**Monitor  
Management  
Actions**

**Develop or  
Revise  
Management Plans**

**Implement  
Management  
Actions**



## **The General Management Guidelines Matrix**

---

The *General Management Guidelines Matrix* is a data driven, adaptive management tool intended to define and control management and maintenance costs. The *Matrix* organizes the Westminster Open Space system into contiguous *Management Areas* and designates a *Management Classification* for each area. The *Matrix* also includes an inventory of assets for each *Management Area*.

The *Matrix* builds a rational, defensible, budget for maintaining Open Space lands through two sets of budget numbers. The first number describes typical land management activities for acreage in each of the *Open Space Management Classifications*. The second set of costs relate to the components or inventory items in each area. These numbers are broken out by Open Space Management Area and Sub-Area. The *Unit Costs* are described in a linked spreadsheet. When a *Unit Cost* is updated, it is reflected within the *Matrix*.

The *Open Space Management Classification* identifies a per acre cost for implementation of the *Integrated Pest Management Program* (defined below), and emphasizes weed control and revegetation, where required. The *Open Space Inventory* includes trails, fences, signs, paving, furnishings, pumps, irrigation systems, and assumes replacement or repair of a given percentage of each item at a given price, annually. All variables in either category can be updated over time to reflect changing conditions.

Current estimated annual costs for the Westminster Open Space management and maintenance are approximately \$500 per acre for a total of \$1,500,000.

Open Space Management Cost:	\$1,000,000 per year / \$333 per acre
Open Space Inventory/ Maintenance:	\$ 500,000 per year / \$166 per acre
<b>Total OS Management and Maintenance Costs:</b>	<b>\$1,500,000 per year / \$500 per acre</b>

Costs for areas designated *Transitional Landscape* are higher than other *Management Classifications* at an estimated \$1,700 per acre, annually.

<i>Sensitive Landscape:</i>	\$ 128.08 per acre
<i>Urban Natural Landscape:</i>	\$ 147.84 per acre
<b><i>Transitional Landscape:</i></b>	<b>\$1,713.81 per acre</b>
<i>Functional Landscape:</i>	\$ 152.70 per acre
<i>Historic/Agricultural Landscape:</i>	\$ 102.84 per acre

This greater, annual, per acre cost is primarily driven by the need for extensive weed control and revegetation, which skew the overall per acre cost significantly. Once the *Transitional Landscape* areas are stabilized, they can be reclassified as *Urban Natural* or *Functional Landscape* areas and per acre costs will be reduced.

An example of a *Transitional Landscape Management Area* includes the large areas within Big Dry Creek Open Space from Sheridan Boulevard to 120th Avenue that were formerly colonized by prairie dogs. The prairie dogs died in an outbreak of plague and the remaining acreage is denuded and vulnerable to weeds.

### **Comparable Open Space Management Plans**

This analysis and estimate is consistent with other, large scale studies for open space management including:

- » *Sonoma County Agricultural Preservation & Open Space District: Options for District-Owned Properties - Fee Lands Strategy, November 20, 2012 (See appendix)*
- » *Natural Lands Management Cost Analysis- 28 Case Studies, Prepared by the Center for Natural Lands Management for the Environmental Protection Agency, Grant # x83061601, October 2004 (See Appendix.)*

Each of these studies analyzes multiple open space management areas in several different states and jurisdictions in an attempt to establish an annual average per acre cost for management and maintenance.

Another means of comparing the Westminster Open Space management costs with other systems is to calculate acres of open space per full-time employee (FTE).

Based on information provided by the City, Westminster Open Space currently staffs two (2) full-time employees (FTE) in field operations. With 3,000 acres of land, this works out to a ratio of one (1) FTE:1,500 acres. Comparable open space staffing ratios range from 1:100 to 1:1000 in the California studies. Local information on this topic is limited but ratios identified along the Front Range have ranged from 1:300 to 1:700.

### **Maintenance and Management in Westminster**

The studies cited above establish a similar range of costs per acre for open space management and acres per FTE. Each study acknowledges that variations in existing conditions of parcels and/or areas makes it difficult and challenging to establish an average per acre cost.

Per the *Sonoma County Agricultural Preservation & Open Space District: Options for District-Owned Properties - Fee Lands Strategy, November 20, 2012*, "... the number of unique conditions on each site that translate to management activities and costs precludes any simple estimating formula. The true denominator of the cost relationship is not only acreage but, more importantly, public use/misuse, presence of invasive exotics, uses of the surrounding areas, edge effect and the quality and appropriateness of any restoration efforts."

The Westminster Open Space system has a high cost per acre ratio and a relatively low FTE per acre ratio. Examples of the conditions that contribute to Westminster's particular maintenance requirements include:

- » **Small, fragmented Open Space parcels increase the vulnerability to management and maintenance issues.** Per the studies cited above, a contiguous 3,000 acre site might be maintained in a stable condition for \$50 an acre per year. But small, or narrower, sites typical of the Westminster Open Space system, are more vulnerable to weed infestation and the corresponding increase of linear footage of site edge also requires maintenance and ongoing management.
- » **Wide distribution of small Open Space sites throughout the City.** The Westminster Open Space system is a corridor-based system that contains narrow corridors with significant adjacency issues (edges), as opposed to a greenbelt-based system that contains large tracts (often full sections) of open space with fewer adjacency issues. Sites are located throughout the City and access to individual site incurs travel expenses.
- » **Maintaining site inventory in an urban setting.** Costs related to inventory comprise one-third of the projected management and maintenance costs. After the major *Transitional Landscape* stabilization work is complete, the cost will be evenly divided between maintaining inventory and managing landscape, and ideally, will remain so.

Again, per the *Sonoma County Agricultural Preservation & Open Space District: Options for District-Owned Properties - Fee Lands Strategy, November 20, 2012*, "existing preserve budgets were seldom a help in determining tasks because: 1) labor costs are grouped by the employee or the group of employees rather than broken into the tasks that are performed; 2) budgets also do not reflect amortization of equipment and other capital items already purchased and not yet ready to be repurchased; and 3) some preserves (or open space systems) simply don't have the budget to fulfill their mission over the long-term. The case studies represented (in the studies) are intended to transcend these limitations to reflect the average annual long-term cost of stewardship."

#### **Management vs. Maintenance**

**Management** refers to overall planning and care for the land, including integrated pest and vegetation management.

**Maintenance** is the work involved in taking care of the inventory, the pieces and parts of the open space system.



---

## **Open Space Management and Maintenance Level of Service**

---

The *General Management Guidelines Matrix* shows an ideal annual maintenance budget of \$1.6M. Up to \$673K is focused in management areas classified as *Transitional Landscape* where weed control and revegetation efforts are critical.

Current Westminster Open Space management budget, inclusive of salaries, operations, and materials is \$480K. The Westminster 2014 Open Space Stewardship Plan is recommending a minimum increase of \$445K with a focus on weed control, revegetation, and trails maintenance. This amount would fund three (3) additional full-time employees (FTEs) in field operations along with necessary equipment.

There are currently two (2) FTE field operations or one (1) FTE:1500 acres.

- » Broomfield and Aurora estimate they are at (1) FTE:600-700 acres (limited to estimates because they have personnel working in different systems (i.e. parks and open space) which provide different levels of service.
- » Adams County would not try to quantify FTE per acre because personnel work in multiple systems.
- » Thornton estimates they are at (1) FTE:350 acres but has a small, fragmented system with a high level of inventory developed on open space property.
- » Boulder and Jefferson County are not good comparisons because they have very large greenbelt holdings that do not require comparable levels of service.

This recommended budget increase request for management and maintenance will not cover the total budget reflected in the *General Management Guidelines Matrix* but it will:

- » Put the system on an equal footing with other, comparable systems in terms of FTE, field personnel per acre (1 FTE:600 acres ).
- » Allow measured progress on weed control in areas classified as *Transitional Landscape*.
- » Improve the user experience along trails.

---

## **Identifying Management and Maintenance Needs**

---

The *General Management Guidelines Matrix* identifies and projects preventive and recurring management and maintenance needs for facilities, site infrastructure, and roadways. Using the *Matrix* will assist in establishing an annual budget, prioritizing management and maintenance activities, and/or identifying where Capital Improvement Projects are required.

The costs and schedule of maintenance can be calculated on a per unit basis and phased to achieve maximum efficiency and/or meet annual, and often fluctuating, budgets. Management actions can be planned and implemented on a recurring basis or as single, one-time event. For example, recent allocations for revegetation projects are currently referred to by the City of Westminster as “Capital Maintenance Projects.” By implementing the *Matrix*, such projects can be more easily integrated into long-term budgeting exercises and can also be phased, and/or prioritized, as budgets allow. This approach to site management will allow City staff to:

- » Share information and discuss proposed approach to maintenance needs with persons unfamiliar with existing site conditions.
- » Plan for long-term, deferred maintenance.
- » Prioritize areas for attention both in terms of budget and in terms of reducing chronic problems.
- » Continue to adapt to changing conditions, such as unanticipated flood events or infestations.

## Management Activities by Management Classification

---

### Survey and Mapping

A comprehensive weed mapping survey of all City Open Space should be completed every five years and evaluated by Westminster Open Space management staff. The survey should identify areas of noxious weeds that require control, as well as weedy areas that interfere with general management objectives. Because weed populations are a significant consideration for management classification, the survey should provide a feedback mechanism to update the *Matrix*. For example, infested Open Space acreage may be reclassified as *Transitional Landscape*, whereas stabilized areas will move from *Transitional Landscape* to *Urban Natural Landscape*. As the survey occurs on a five-year cycle, the frequency in the *Matrix* is calculated as 0.2 times per year.

### Integrated Pest Management (IPM)

Integrated Pest Management is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques including mechanical, chemical, biological, cultural, and educational. Pest control options are selected and applied to support the ecosystem and minimize risks to human health, beneficial and non-target organisms, and the environment.

Integrated Pest Management in Open Space focuses on encouraging native species through weed control. Depending on the specifics of weed populations in any given year, any or all of the following techniques will be employed. The following expectations for a 'typical' year will vary depending on specific conditions.

- » **Mechanical:** Mowing or cutting targets both localized and systemic weed populations.
- » **Chemical:** Herbicides typically target local weed populations using backpack or ATV-mounted herbicide sprayers.
- » **Biological:** Goats will graze all vegetation and insects can be used for specific weeds.
- » **Cultural:** Seeding will ensure that an appropriate seed bank is present. Portions of *Transitional Landscape* acreage will require reseeded to establish native grasses.
- » **Educational:** Educational components include signage, ranger programs, and ongoing City staff education.

### Successional Planting

Many *Sensitive Landscape* areas include aging cottonwood stands and wooded areas. Successional plantings of young cottonwoods will provide a greater diversity of tree ages and increase the stability of the ecosystem, while reflecting the historic uses prevalent throughout the City of Westminster and providing a visual remnant of the City's heritage.

### Transitional Areas

The *Transitional Landscape* management classification is intended as a temporary assignment (one to two year period, or until stabilized) for ecosystems moving toward *Sensitive Landscape* or *Urban Natural Landscape* management classification. *Transitional Landscapes* may have been subject to prairie dog colonies, weed infestations, deferred maintenance, or general neglect. The management activities described for these areas are intended to transform them into a stable ecosystem, typically an *Urban Natural Landscape*. The dog park at Westminster Hills Open Space is included as *Transitional Landscape* because the high impact nature of the use requires an increased level of attention on an ongoing basis. (See *Cherry Creek State Park Dog Off-Leash Area Management Plan, October 2010.*)

### Prioritization

The *General Management Guidelines Matrix* supports a reasoned approach toward prioritizing funding in the event of budget shortfalls. For example, when all of weed control cannot be funded, prioritizing work upstream will limit the spread of weed seed downstream; or, as *Transitional Landscape* acreage is the most expensive to address, specific areas may be deferred to another year; or, funding might be targeted to the 'crown jewels' of the City's Open Space system (e.g., Big Dry Creek Open Space) or areas most visible from trails and streets.



### **Summary of Management Activities by Management Classification**

- » *Sensitive Landscape* acreage shall be surveyed and mapped every five years. Integrated Pest Management will involve limited spot mowing as these areas have been identified as highly stable ecosystems and funded for areas of successional planting.
- » *Urban Natural Landscape* acreage shall be surveyed and mapped every five years with targeted mowing occurring up to three times a year.
- » *Transitional Landscape* acreage shall be surveyed and mapped every five years, reseeded, and managed with a combination of mowing (up to three times a year), broadcast herbicide, and biological controls to support seed establishment and gain control of aggressive weed populations.
- » *Functional Landscape* acreage shall be surveyed and mapped every five years and have spot mowing occurring up to three times a year.
- » *Historical/Agricultural Landscape* acreage shall be included in the survey and mapping every five years and have spot sprays or mowing occurring up to twice a year.

### **Management Activities by Inventory Item**

---

Beyond management of the land itself, all of the components installed in the Westminster Open Space system require regular maintenance. The *Matrix* includes an inventory of these items that should be updated on a regular basis by Open Space management staff. System components and associated management activities that are currently performed, based on information provided by City Open Space personnel, are described below.

#### **Trails**

- » **Concrete Trails:** Sweep as needed, mow margins semi-annually, and remove snow as needed.
- » **Aggregate Trails:** Top-dress annually and repair as needed.
- » **Natural Trails:** Repair as needed.
- » **Boardwalks:** Inspect annually, repair as needed, and re-plank on a 10-year cycle.
- » **Bridges:** Inspect annually, repair as needed, and re-plank on a 20-year cycle.
- » **Underpasses:** Remove graffiti as soon as practical after being identified, service lighting, and clean annually.

#### **Trailheads**

- » **Asphalt Parking Lots:** Sweep and remove snow as needed. Annual inspections and repair include line repainting and pothole repair. Mow perimeter annually.
- » **Aggregate Parking Lots:** Top-dress, repair, mow perimeter, and reset wheel stops annually.

#### **Signage**

- » Inspect, repair, and clear surrounding vegetation annually at all signs including informational kiosks, signage types 2-6 (see *Trails Wayfinding Strategy* section), and plaques.
- » Replace signs that include maps as maps are updated.
- » Repaint City Open Space signs on an 8-year cycle.

#### **Fences**

- » Repair wood, plastic, and wire fences as needed.
- » Mow and trim the open space side of property line fences annually, which currently is approximately 24 miles.
- » Open Space management anticipates adding an unspecified length of both wire and buck and rail fence on an annual basis. Actual quantities can be added to inventory of the *General Management Guidelines Matrix*. Funds for materials and installation currently come out of the Capital Construction Budget.

### **Site Furnishings**

- » **Trash Vaults and Trash Cans:** Trash vaults are located at dog parks and trash cans are located at trailheads. Empty, haul, and dump trash regularly.
- » **Benches:** Inspect benches and drinking fountains annually. Open Space management anticipates adding an unspecified number of benches to the City Open Space system on an annual basis based on a prioritization plan. Funds for materials and installation currently come out of the Capital Construction Budget.

### **Buildings**

- » **Shade Shelters:** Clean (using high pressure hot water), inspect, repair, and clear surrounding vegetation annually. Repair includes painting and roof maintenance.
- » **Structures:** Inspect, paint, and repair including concrete, brickwork, and windows annually.

### **Water**

- » **Open Water at Ponds:** Treat for water quality, excess algae, sedimentation and mosquitoes.
- » **Channels:** Inspect and repair when damaged. Work includes placing rip rap, fill material, erosion control fabric and seed.
- » **Jurisdictional Dams:** Inspect and maintain on a 2-year cycle per State mandate. Typical activities include rip rap replacement, vegetation removal, and valve repair.
- » **Overflow Structures, Floating Islands, Fishing Piers, Aeration Systems, and Irrigation Systems:** Inspect and repair when damaged. Clean out debris and replace parts.
- » **Dewatering Pumps:** Inspect, test water, and service annually. The Department of Natural Resources regulates the permit for these pumps.
- » **Aeration Systems:** Repair parts as needed. Replace pumps on a 5-year cycle.
- » **Fish Stocking:** Six ponds or lakes in the Westminster Open Space system have been identified for the stocking program through the Colorado Department of Parks and Wildlife. Annual stocking rotates through the six sites.

### **Other**

- » **Community Gardens:** Maintenance includes fence repair, trash removal, and irrigation repair.
- » **Dog Parks:** 20% of dog park acreage is classified as *Transitional Landscape* as that area is anticipated to require revegetation each year. Maintenance includes high pressure hot water cleaning, upkeep of entry signage, trash removal, and irrigation repair.
- » **Hazard Trees:** For public safety, prune or remove hazard trees from areas near and along trails and buildings and prune away from fence lines.
- » **Wildlife Surcharge:** A 'Wildlife Surcharge' is included in areas with wildlife populations. The surcharge is based on maintenance costs for these host areas. In areas with prairie dogs, control the population and reseed. In areas near beaver dams, wrap trees, install fences, and provide manpower.



## **Summary: Decision Making and Prioritization Using the General Management Guidelines Matrix**

The *General Management Guidelines Matrix* is a tool for exploring decision-making and prioritization within the Westminster Open Space system. The inventory and cost for maintenance and management activities are intended to be kept up-to-date. This will allow the implications of changes to be expressed for the entire system.

A few examples:

- » Feedback from the community suggests that additional resources should be put into maintaining aggregate trails. The annual unit cost for maintaining those trails is increased on the *Unit Costs* spreadsheet to account for recharging the material more frequently. The cost implication ripples through the *General Management Guidelines Matrix*, providing an overall budget increase for this change.
- » Open Space maintenance has considered increasing visual inspections of all trails to once a week during the summer and once every three weeks during the winter. Increasing City staff hours per linear foot of trail on the *Unit Costs* spreadsheet will demonstrate how these cost implications will affect the entire system.
- » An outbreak of a new weed requires an increase in Integrated Pest Management. Add one to the frequency of mechanical (mowing) treatments for each of the management classifications and the cost implication will update for the entire system.
- » A philanthropist announces a donation of five new shade shelters to the City Open Space system. Adding these to the inventory has budget implications due to the anticipated maintenance of the shelters.







# Open Space Historical Structures Survey

**NOTE:** On behalf of the City of Westminster, Ron Sladek of Tatanka Historical Associates compiled an historic overview for each lake, pond, and major irrigation canal within the City boundaries. This information is available on the City of Westminster's website: <http://www.ci.westminster.co.us/ExploreWestminster/AbouttheCity/WestminsterHistory/Water.aspx>

## Lower Church Ranch – Tucker Ranch – Walnut Creek Corridor

### History

George Henry Church was born in Rochester, New York, on December 11, 1830, and settled in Independence, Iowa, in 1853 (*Stone 1918; Westminster Historical Society 2014*). Church first came to Colorado in 1859 to investigate potential mining claims (*Westminster Historical Society 2014*). After returning to Independence and marrying school teacher Sarah H. Miller, the newlyweds came to Colorado in 1861 on their honeymoon and by 1862 they had settled in Mount Vernon Canyon in western Jefferson County. Church sold the Mount Vernon Canyon property and filed a new claim near Boulder and Left Hand Creeks near Haystack Mountain (*City of Westminster 2014*). After a fire at the Haystack Mountain property, the Church family again relocated in 1864 to a 160-acre claim along Big Dry Creek and established a stage stop along the Cherokee/Overland Trail (see *Church's Stage Stop* entry for additional information) (*City of Westminster 2014*). The Church Ranch would expand to approximately 27,000 acres at the height of its operation, which included the Lower Church Ranch–Tucker Ranch property currently owned by City of Westminster Open Space.



*The barn and clay-tile silo at the Tucker Ranch/Lower Church Lake, located on the east side of West 108th Avenue and Wadsworth Boulevard. Photograph taken facing northeast, January 28, 2014.*

Church, a decorated rancher, is credited with the first irrigation reservoir system in the state sourcing from Clear Creek near Golden, the introduction of pure-bred Hereford cattle to the region in 1869, and the introduction of wheat into high plains agriculture in Colorado (*Stone 1918; Bunyak & Associates 2009*). In 1863, the Churches welcomed their only son, John "Frank," and later adopted Sarah's niece, Mary Miller (Church) born in Iowa in 1870. Mary Miller Church married Thomas F. Tucker in 1892. Tucker was born in Jefferson County, Colorado, in February of 1866 (*City of Westminster 2014*). On August 9, 1901, George Henry presented the deed for the NE  $\frac{1}{4}$  of Section 11, Township 2 South, Range 69 West of the 6th Prime Meridian to Mary Miller and Tucker, although Tucker had already started construction on the main house of the property in 1900 (*City of Westminster 2014*). Like his father-in-law, Tucker was also a prominent rancher along the Front Range and also operated the 5,000 acre Tucker Mountain Ranch near Nederland. Structures on the Lower Church Ranch–Tucker Ranch property eventually included a caretaker's house, a frame barn with lean-to addition, a pole corral and loading chute, holding pen, hog house, water tank, sheep shed, and a blacksmith shop (*City of Westminster 2014*).

The silo and barn that remain today (5JF520)<sup>1</sup> were added to the property between 1910 and 1920 (*Bunyak & Associates 2009*). The Tucker Ranch struggled through the 1920s with the death of Thomas Tucker and economic hardships in the cattle industry compounded by the Depression. The ranch was operated by the Tucker children through the 1930s after Mary's death. The Colorado Department of Highways became interested in the property during the early 1950s in association with the Denver-Boulder Turnpike/US 36 and in 1952 acquired 40 acres of the Tucker Ranch (*City of Westminster 2014*). Acquisition of the remaining parts of the original Tucker Ranch by City of Westminster Open Space began in 2003 (*City of Westminster 2012*). By 2006, all structures of the Tucker Ranch except for the silo and barn (5JF520) had been demolished.

### **Evaluation and Management Recommendations**

The silo and the barn of the Tucker Ranch (5JF520) have been evaluated for their eligibility for listing on the National Register of Historic Places (NRHP) six times from 1988 to 2009. In 2006, 5JF520 was designated a Westminster Local Historic Landmark under the title "Lower Church Lake Barn and Silo" (*City of Westminster 2014*). In 2009, 5JF520 was officially determined to be eligible for listing on the NRHP (*Colorado Office of Archaeology and Historic Preservation 2009*). The most recent documentation of 5JF520 was conducted in 2008 by Bunyak Research Associates and both structures were determined to be in good condition, maintaining sufficient historic integrity to demonstrate an association with a type, period, and method of construction as stipulated under Criterion C of the NRHP. ERO Resources (this consultant) concurs with the condition of the structures documented in 2008 and notes that property is maintained and often repaired by volunteers (*Larsen 2014, pers. comm*).

ERO recommends continuing preservation, whether through grants or continued volunteerism, for 5J520 as well as consultation with the Colorado State Historic Preservation Office (SHPO) prior to any large-scale renovations or rehabilitation of the barn or silo. Should future undertakings propose major structural renovations to the barn and silo, ERO recommends that additional historic resource documentation be conducted adhering to SHPO standards in order to mitigate the adverse impacts posed by modifying, moving, or demolishing 5JF520.

An interpretive sign or pavilion summarizing the history of the property and its association with the development of agriculture in Westminster and the early settlement of Colorado as well as two locally and state-wide significant families, the Churches and Tuckers, would further aid in the active stewardship of the property while bolstering visual interest and public education. Additionally, the eventual expansion of a trail system to include the Lower Church Ranch–Tucker Ranch would maintain and strengthen the property as a passive recreational site. Additional improvements could also include a parking lot on the east side of Old Wadsworth Boulevard at 108th Avenue.

The Tucker Ranch is a City of Westminster Historic Landmark. Any exterior modifications must be approved by the City's Historic Landmark Board.

---

1 *This code given after specific historic sites is a Smithsonian trinomial. The Smithsonian trinomial is a unique identifier assigned to historic sites in many states. They are composed of one or two digits coding for the state, typically two letters coding for the county or county-equivalent within the state, and one or more sequential digits representing the order in which the site was listed in that county.*

**Works Cited and Additional References****Bunyak, Dawn**

- 2009 *Westminster Selective Intensive Survey, Jefferson County, Westminster, Colorado Cultural Resource Survey*. Prepared for the City of Westminster Department of Community Development and the Westminster Historic Landmark Board by Bunyak Research Associates.

**City of Westminster**

- 2014 "Tucker Ranch/Lower Church Lake Barn and Silo." Westminster Landmarks. Available at: <http://www.ci.westminster.co.us/ExploreWestminster/HistoricPreservation/WestminsterLandmarks/TuckerRanch.aspx>. Last accessed: February 13, 2014.

**Colorado Office of Archaeology and Historic Preservation**

- 2009 *5JF.520 CENTENNIAL FARM ~ TUCKER HOME/FARM*. Colorado Office of Archaeology and Historic Preservation COMPASS Database.

**Larsen, Rod**

- 2014 Personal communication. Open Space Superintendent with City of Westminster.

**Stone, Wilbur Fiske**

- 1918 *History of Colorado*. Volume 3. The S. J. Clarke Publishing Company. Chicago, IL.

**Washburn, Sarah**

- 2012 *DRAFT Open Space & Resource Stewardship Plan, July 12, 2012*. Document for the City of Westminster, not completed and never published. Landscape Architect II- City of Westminster Department of Parks, Recreation and Libraries

**Westminster Historical Society**

- 2014 "George Henry Church." Heritage West. Available at: <http://heritagewest.coalliance.org/items/show/54117>. Last accessed: February 13, 2014.



## **Church's Stage Stop Well – Twelve Mile House – Walnut Creek Corridor**

### ***History***

Church's Stage Stop, also known as the Twelve Mile House (5JF521), is located north of 103rd Avenue on the west side of Wadsworth Boulevard and represents the site of the original Walnut Creek homestead complex of Sarah H. and George Henry Church. Church's Stage Stop was located on the property from which the 160 acres of the Lower Church Ranch–Tucker Ranch was deeded by George Henry Church to his daughter Mary Miller Church and her husband Thomas F. Tucker (see the *Lower Church Ranch–Tucker Ranch* entry). George Henry and his wife Sarah H. settled at the Walnut Creek location in 1864 after previous homestead near Haystack Mountain and Mount



*The well at Church's Stage Stop located at 10395 Wadsworth Boulevard. Photograph taken facing west, January 28, 2014.*

Vernon Canyon. Despite being nothing more than a “child's claim with its wretched dirt covered log house” according to Sarah, the Churches quickly opened their doors to travelers on the Overland Trail, also known as the Cherokee Trail, and became the first stage stop along the route from Denver to Cheyenne, Wyoming (*City of Westminster 2014a: 2*). George and Sarah purchased wooden outbuildings from neighboring ranches and reassembled them on their property surrounding the new two-story frame house George had constructed for his family. As the stage stop grew in popularity, this original frame house became the bunk house for travelers and George eventually built a new private residence on site. In the 1920s, many of the original structures of the stage stop were moved offsite or damaged and destroyed by fire. One surviving element of the stage stop, the hand-dug well (5JF4665), remains on-site today. The rock-lined well may have been built by George Henry in 1864 and was restored by members of the Church family in 1978. A metal plaque on the well provides visitors with information on the stage stop; a nearby boulder with a similar plaque also serves to educate the public on the history of the site.

The Cherokee Trail was established in 1849 by Native Americans and those seeking mineral wealth further west, becoming a major route of the gold rush of the 1850s (*City of Westminster 2014b*). The route began at Bent's Fort in southeast Colorado and eventually joined the Oregon Trail at Fort Bridger, Wyoming via Pueblo and Denver. In 1862 as conflicts with native populations became more frequent and travel on the Oregon Trail through central Wyoming was increasingly dangerous, the U.S. Post Office ordered the already established Overland Stage Company to relocate its operations to utilize the more southern passage of the Cherokee Trail. This route became known as the Overland Trail Denver Loop and operated from 1862 until about 1868.

As traffic on the Overland Trail declined, so did the number of visitors to Church's Stage Stop and the family shifted the focus of their homestead from hospitality to agriculture and the stage stop became the Churches' ranch headquarters. In the early 1890s, George and Sarah, along with their son Frank and his wife Katherine constructed a new operational headquarters located at the southeast corner of Church Ranch Boulevard and Wadsworth Boulevard.

### **Evaluation and Management Recommendations**

Church's Stage Stop (5JF521) was officially determined not eligible for listing on the NRHP in 1988 as the remaining structures on site were in poor and deteriorating condition. No trace of the stage stop buildings remain today. Church's Stage Stop Well (5JF4665) was evaluated for listing on the NHRP in 2008 and was determined officially not eligible by the SHPO in 2009. The historic integrity of the well has been adversely affected by the 1978 restoration, as well as the absence of the other structures of the stage stop. The property on which the well is located has been subdivided and no longer conveys an association with the larger Church property that played a significant role in the agricultural development of Westminster. The presence of a modern residence directly south of the well further detracts from the historic feeling of the site.

As of winter 2014, the restored well was in good condition, with the brick, mortar, and plywood cover of the well intact and apparently maintained. ERO recommends continued preservation of the site; however, ERO notes that more in-depth interpretive information of the site and its regional importance would provide greater visual interest and the opportunity for public education. Archaeological testing and excavation could potentially aid in the identification of the location of the structures previously on-site. As the well is not eligible for listing on NRHP, a determination with which ERO concurs, consultation with SHPO prior to further renovations or modifications of the well are not necessary and any consultation would be considered due diligence.

Future landscaping on the site has the potential to offer historical interpretation by highlighting the remaining cottonwoods of the stage stop, as well as the relative location of the bunk house and Church residence as extrapolated from aerial and historical photographs of the site. A more exhaustive interpretive sign or pavilion would provide a more meaningful history of the property and its association with the development of agriculture in Westminster and the early settlement of Colorado as well as the locally and state-wide significant Church family than is currently present on-site.

The eventual expansion of the Walnut Creek Trail system would increase passive recreation on the site and would provide a stronger association with the Lower Church Ranch–Tucker Ranch north of the stage stop. The possible acquisition and removal of the residence directly south of Church's Stage Stop Well would further bolster the historical feeling of the site and may provide a more meaningful educational opportunity. Currently, the site remains a secondary destination along the Walnut Creek Trail system. The implementation of a more thorough historical interpretation of the site in conjunction with a garden or landscaped rest area along the trail would create a better awareness of the site, leading to a more active stewardship.

Church's Stage Stop is a City of Westminster Historic Landmark. Any exterior modifications must be approved by the City's Historic Landmark Board.

### **Works Cited and Additional References**

#### City of Westminster

- 2014a "History of Church Ranch and the Church Family." Explore Westminster. Available at: [http://www.ci.westminster.co.us/Portals/0/Repository/Documents/ExploreWestminster/Church\\_Ranch\\_History\\_PDF.pdf](http://www.ci.westminster.co.us/Portals/0/Repository/Documents/ExploreWestminster/Church_Ranch_History_PDF.pdf). Last accessed: February 13, 2014.
- 2014b "Cherokee Trail." Westminster Landmarks. Available at: <http://www.ci.westminster.co.us/ExploreWestminster/HistoricPreservation/WestminsterLandmarks/CherokeeTrail.aspx>.

## **The Ranch Open Space – Marion Barn**

*Included for Management Purposes in the Big Dry Creek Corridor*

### **History**

A claim was filed for the land that comprises the Ranch Open Space on August 24, 1891, by Joseph H. Marion. Marion was born on May 12, 1847 in Allegheny County, Pennsylvania (Stone 1918). In 1877, Marion left Pennsylvania for the west coast and spent three years in California farming in the Sacramento Valley. By May of 1880, Marion had traveled to Colorado and began working mines in Leadville for approximately three years before again turning to agricultural pursuits near Broomfield (Stone 1918). Marion was married to Philena E. Scott in Ringgold County, Iowa in December 1883. In 1884, Joseph and Philena began homesteading on the 160-acre claim in

Westminster before officially filing for the land in 1891. Marion constructed a small reservoir to irrigate the property. The reservoir was fed by a lateral ditch sourcing from the Farmers' High Line Canal (City of Westminster 2014). Using this irrigation system, the Marion family farmed their homestead until 1940 and were well-known as local agricultural pioneers (City of Westminster 2014). In 1975, the Ranch Country Club opened on the former Marion Farm. In 1998, the Marion barn and windmill were moved approximately 200 feet to the north from the country club onto City Open Space property. The rest of the structures of the Marion farm were eventually dismantled as the farm once owned by Marion was subdivided and sold off (Sladek 2012). The 18.9 acre Ranch Open Space represents the first open space purchase by the City of Westminster (Larsen 2014 pers. comm: City of Westminster 2014). The Ranch Open Space is unique in that the property features no trails or public access; rather, the City of Westminster issues permits for limited horse boarding in the Marion barn and the use of the 18.9 acres as pasture land (Larsen 2014 pers. comm).

### **Evaluation and Management Recommendations**

The Marion barn at the Ranch Open Space has not been evaluated for its eligibility for listing on the NRHP. ERO recommends that a full documentation, architectural evaluation, and evaluation for NRHP eligibility be conducted prior to any proposed changes to the use or physical structure of the barn. However, until such undertakings are proposed, ERO recommends the continued use of the barn and pasture land under lease agreements.

The special use of the Ranch Open Space has ensured the successful active stewardship, preservation of both natural and historical resources, and the financial sustainability of the property and, in turn, has created a viable, practical utilization of an Open Space structure not seen in the other properties documented in winter 2014. The Marion barn has undergone major renovations, having been virtually rebuilt by the City when it was relocated, yet has maintained its original agricultural vernacular style. The current structure is in good physical condition; however, the historical integrity of the building has been impacted by the relocation and rebuilding.



*The Marion barn at the Ranch Open Space located at the southwest corner of 120th Avenue and Pecos Street. Photograph taken facing southeast, January 28, 2014.*

When considering the condition of the Lower Church Ranch–Tucker Ranch property in comparison with the Marion barn at the Ranch Open Space, it is worth noting the discrepancy between volunteer and lease maintained properties. The Lower Church Ranch–Tucker Ranch barn and silo act as more static features of the landscape, while the Marion barn is a functional part of the landscape, maintaining its historical utility. As the Ranch Open Space does not feature public access or trails, expanding existing trail systems to include the property would not provide any passive recreational value. If desired, an interpretative sign added to the Marion barn entrance or near the beginning of the driveway access to the property would provide public education on the site and may ease public concern over the restricted access to the open site via a brief description of the leasing program. Currently, no sidewalk exists adjacent to this Open Space property along Pecos Street; the installation of a sidewalk in this area would allow for a greater awareness and appreciation of the site.

Marion barn is a City of Westminster Historic Landmark. Any exterior modifications must be approved by the City's Historic Landmark Board.

### **Works Cited and Additional References**

#### **City of Westminster**

- 2014 "Ranch Open Space." Westminster Landmarks.  
Available at: [www.ci.westminster.co.us/ExploreWestminster/OpenSpace/Openspaceareas/Ranch.aspx](http://www.ci.westminster.co.us/ExploreWestminster/OpenSpace/Openspaceareas/Ranch.aspx). Last accessed: February 13, 2014.

#### **Larsen, Rod**

- 2014 Personal communication. Open Space Superintendent with City of Westminster.

#### **Ranch Country Club**

- 2013 "Our History." The Ranch Country Club Wedding Information.  
Available at: <https://theranchcc.memberstatements.com/Clubs/Ranchcc-CO/Uploaded/FacilityPics/Wedding%20Pics/Wedding%20Packet%202013%20no%20price.pdf>. Last accessed: February 13, 2014.

#### **Sladek, Ron**

- 2012 *Marion-Wilkins-Ward Barn & Windmill; The Ranch Open Space* W. 120th Ave. And Pecos St.  
Prepared for the City of Westminster Community Development Department by Tatanka Historical Associations, Inc.

#### **Stone, Wilbur Fiske**

- 1918 *History of Colorado*. Volume 3. The S. J. Clarke Publishing Company. Chicago, IL.

## **Charles and Julia Semper Farm – Allison Farm – Farmers’ High Line Canal Corridor**

---

### **History**

Charles S. Semper was born in England on July 31, 1830. Semper’s father was sent to the island of Trinidad in 1832 by the Church of England as a missionary where Charles was raised (*International Typographical Union 1917*). In April of 1859, Charles Semper arrived in Denver, the Pikes Peak gold rush having influenced his settlement in Colorado. Semper was trained as a typographer and printer and operated the presses for the first edition of the Rocky Mountain News, produced by William Byers and John Daily (*Bunyak 2009*). Semper’s time with the Rocky Mountain News came to an end with a labor strike in April of 1860 and the beginning of the Civil War. Semper enlisted with the First Louisiana

Heavy Artillery Regulars of the Confederate Army and did not return to Colorado until after his marriage to Julia in 1873. After Semper returned to Colorado, he and Julia filed a claim for 160 acres in Jefferson County on November 10, 1882. The Semper homestead was located at the northwest corner of what is now 92nd Avenue and Pierce Street along the route of the Cherokee–Overland Trail from Denver to Boulder. The family constructed their house between 1880 and 1883 and a simple, one story barn around the turn of the century (*Bunyak and Schlichting 2004*). The Semper family exploited their ideal location along the stage route by establishing a post office and grocery store from their home. As the Semper Farm expanded, the Sempers began to promote an agricultural community near their farm. The settlement of Semper grew around a train depot and general store located near 92nd Avenue, not far from the Semper property today. The Sempers donated a portion of their land for a schoolhouse (*Bunyak 2009*). After Julia’s death in October 1916, Charles sold their homestead to the brothers George and John Allison. Charles Semper died in September 1917.

The Allison brothers bought the Semper Farm on July 19, 1916; however, John was the only one of the two brothers to reside at the property. In 1961, Allison added onto the eastern portion of the original Semper residence. Linda Allison, John’s granddaughter, sold the property in 1989 with the agreement the property would be maintained as open space. In 2004, the site successfully gained local landmark status and in 2008, a State Historical Fund grant was used to renovate the exterior of the main house. Additional maintenance and research has been performed by Jeffry Stroud and Jack Kern, two Eagle Scout candidates (*Turner 2010*). In 2006, Denver Urban Gardens established a community garden at the northeast corner of the property and help look after the state champion apple tree located just east of the Semper–Allison residence.



*The main residence at the Charles and Julia Semper Farm, also known as the Allison Farm, located north of West 92nd Avenue on the east side of Pierce Street. Photograph taken facing southeast, January 28, 2014.*

### **Evaluation and Management Recommendations**

In August 2009, the Colorado SHPO gave the Semper Farm–Allison Farm (5JF4414) an official determination of “Needs Data,” meaning additional research and documentation is necessary before the SHPO can make an official determination of “Eligible” or “Not Eligible” for inclusion of 5JF4414 on the NRHP. As it was renovated in 2008, ERO notes the good exterior condition of the farm house of site 5JF4414. The interior of the farm house has not yet undergone renovation or rehabilitation. In February 2014, the only additional work to any of the structures of 5JF4414 included the stabilization of the brick-lined well, and the exterior painting of the garage (built in 1961), and the repairing of the garage door. The overall structural condition of the other buildings on-site is poor and the removal of the garage has been considered. The barn is especially in need of repair.

Located in the Farmers’ High Line Canal Corridor, the Semper Farm already demonstrates a strong association with the existing Farmers’ High Line Canal Trail; however, as shown in the Semper Farm Master Plan (2011), the introduction of additional spur/branch trails throughout the Semper property would further the visual appeal and public interaction with the historical features of the site. Additionally, adding picnic and rest areas to the Semper Farm property would enhance the passive recreational value of the site and would shift the role of the farm destination rather than a mere waypoint on an already popular trail.

Active stewardship of the site is already prominent in the restoration of the exteriors of the structures, the Eagle Scout projects, and the introduction of the Denver Urban Gardens community plot. This stewardship has the potential to be increased through the maintenance and possible expansion of the existing apple orchard. Discussion of the main Semper–Allison house being renovated to house an on-site caretaker would further the rehabilitation of the site, returning at least one of the structures to its historical function. Additionally, the Semper–Allison residence could be utilized as a community center, artists’ studio, office for a non-profit organization, or garden center and still promote the historical and natural importance of the site. Interpretative signs were installed on the property in the summer of 2014.

The Allison Farm is a City of Westminster Historic Landmark. Any exterior modifications must be approved by the City’s Historic Landmark Board.

### **Works Cited and Additional References**

#### **Bunyak, Dawn**

2009 *Westminster Selective Intensive Survey*, Jefferson County, Westminster, Colorado Cultural Resource Survey. Prepared for the City of Westminster Department of Community Development and the Westminster Historic Landmark Board by Bunyak Research Associates.

#### **International Typographical Union**

1917 “A Pioneer Printer Gone.” *Typographical Journal*. Volume 51.

#### **Turner, Carol**

2010 “Semper Farm last remnants of old village of Semper.” *Intriguing Faces and Places from Colorado’s Past*. Available at: <http://caturner.wordpress.com/2010/04/24/semper-farm-last-remnants-of-old-village-of-semper/>. Last accessed: February 13, 2014.



## **Metzger Farm – Big Dry Creek Corridor**

### **History**

The land that comprises the Metzger Farm was historically associated with a parcel that in the late 1880s was split into two, side-by-side 80-acre homestead parcels under separate ownership (*National Register of Historic Places Registration Form 2012*). A claim for the land occupied by the Metzger Farm was first filed on January 30, 1885, by Albert B. Gay. In August 1935, the Gay family sold their homestead to James T. Burke. An attorney in Denver, Burke was born in Minneapolis in 1898 and arrived in Denver in 1921 and completed his law degree at the Westminster Law School (*Tatanka Historical Associates 2007*). Burke and his family owned the property until August of 1943 when it was sold to John Metzger.

Metzger, also a Denver attorney, married Bette Amen in December of 1944 after purchasing the homestead from Burke (*Rocky Mountain News 2008*). Metzger intended to operate the homestead as a “gentleman’s farm,” with nine outbuildings arranged in two, clean, east-west trending rows (*City of Westminster 2014*).

The main house of the Metzger Farm expanded upon the original Albert Gay residence, with the original structure still at the core of the Metzger Residence (*Tatanka Historical Associates 2007*). During the 1960s and 1970s as the Metzgers focused their attention on another ranch in Middle Park, the Metzger Farm in Westminster was cared for and managed by a local dairy farmer who had grown up near the property (*Tatanka Historical Associates 2007*). The City of Westminster Open Space and the City and County of Broomfield acquired the Metzger property and established a foundation for the financing, maintenance, and management of the Metzger Farm (*City of Westminster 2014*).

### **Evaluation and Management Recommendations**

The Metzger Farm (5AM2830) was officially determined as eligible for listing on the NRHP in June 2012. On September 21, 2012, the National Register Nomination Form was submitted to the National Park Service and on March 20, 2013 was officially listed on the National Register of Historic Places. A master plan for the management of the Metzger Farm property was drafted in winter 2010 and a groundbreaking ceremony marking the commencement of the plan was held on April 23, 2012. The Metzger Farm Open Space was opened to the public in November 2012.

While the Metzger Farm retains historical integrity, the structures of the farm are in poor overall physical condition. Despite the obvious need for cosmetic and structural maintenance on-site, the property is very well maintained. The master plan was created to provide low impact public use with the preservation of the property’s “model farm” characteristics (*City of Westminster 2014*). ERO notes that the aspects of the master plan that have been carried out to date have been successful in providing the community with visual interest and opportunities for passive recreation.



*The main family residence at the Metzger Farm located on 152 acres at the north-east corner of 120th Avenue and Lowell Boulevard. Photograph taken facing east/northeast, January 28, 2014.*

The creation of additional trails, picnic areas, and interpretive information would add to the recreational and historical value of the property overall. The stabilization of the main house and outbuildings of the Metzger Farm would provide additional opportunities for public access, including such options as an open air museum, community center, or caretaker's residence, similar to the idea of an on-site manager, as discussed with the Semper–Allison property. Additional, more in-depth structural evaluations are recommended to determine exterior and interior conditions on a building-by-building basis and to discuss priorities for any necessary renovations and repairs of all buildings of the Metzger Farm complex. Further studies could also more specifically determine the end-use of the main house and its outbuildings. Since the Metzger Farm is officially listed on the NRHP, ERO advises that any large-scale renovation or rehabilitation of any structures on the property be proceeded by that additional historic resource documentation adhering to SHPO standards or NPS HABS/HAER Level II Documentation in order to mitigate any adverse impacts posed by modifying or removing any of the structural features of 5AM2830.

Metzger Farm is a City of Westminster Historic Landmark. Any exterior modifications must be approved by the City's Historic Landmark Board.

### **Works Cited and Additional References**

#### **City of Westminster**

- 2014 "Metzger Farm." Westminster Landmarks. Available at: <http://www.ci.westminster.co.us/ExploreWestminster/HistoricPreservation/WestminsterLandmarks/MetzgerFarm.aspx>. Last accessed: February 13, 2014.

#### **National Register of Historic Places Registration Form**

- 2012 *Metzger Farm*. Property entered into the National Register on March 20, 2013.

#### **Rocky Mountain News**

- 2008 "Betty Metzger, 85, pianist, art museum owner." Obituary. Written by Bill Gallo, Special to the Rocky Mountain News.

#### **Tatanka Historical Associates**

- 2007 *Metzger Farm*. Prepared for the Broomfield-Westminster Open Space Foundation by Tatanka Historical Associates, Inc.

## **Savery Savory Water Tower – Savery Savory Mushroom Farm**

---

### ***History***

The Savery Savory Mushroom Farm was established in the early 1920s by Charles William Savery in Adams County in the towns of Westminster and Broomfield just east of Federal Boulevard and south of West 112th Avenue near West 110th Court. Savery was born in 1878 in Parkersville, Pennsylvania, and worked the lumberyard business in Philadelphia from 1900 to 1908. During that time, in June 1904, Savery married Frances Darlington of Denver and the two soon had two sons and a daughter. As the lumberyard failed, with debts mounted and finally paid, the Savery family moved to Denver in 1909 with only \$600 to their name (Sladek 2005). In 1910, Savery opened a mining stockbrokerage office under the name Savery-Petrikin in the Mining Exchange Building in Denver. The partners operated the stockbrokerage until 1917, likely parting ways as Savery's partner William Petrikin became one of the most significant executives in the sugar industry as chairman of the board of the Great Western Sugar Company. With the partnership dissolved, Savery invested in a molybdenum mine in Questa, New Mexico, but by 1918 he had returned to the brokerage business and established the C.W. Savery Securities Company in the Deham Building. Savery ran this business until 1920. During his second term in stockbrokerage, Savery bought an 80-acre farm property in 1918 from Jacob and Nettie Milstein located north of Denver in Adams County.

With the purchase of the farm and an interest in mushroom farming carried with him from Pennsylvania, Savery began his mushroom and canning business in the early 1920s. Savery's cousin, Ed Jacobs, who remained in Pennsylvania supposedly had a successful mushroom farm that contributed to Savery's motivation to bring the delicacy to Colorado. After consulting with experts from the Colorado Agricultural College in Fort Collins, Savery discovered the hardships of growing mushrooms in Colorado's dry environment, his first three years of operating the farm having experienced widespread failure. However, after an eight-week visit back to Pennsylvania, Savery and his son Robert returned to Colorado ready to test different growing techniques in small mushroom buildings known as caves. The caves were kept dark, cool, and humid with strips of canvas dampened by troughs of water and an electric fan that blew over the cloth. The success of this system was the catalyst for a much larger operation that eventually grew to include 39 caves with automatic water sprayers, centrifugal pumps, and large fans. The increased production led to an increase in demand for water that could not be met by local irrigation ditches. Fortunately for Savery, his mushroom farm happened to be situated above an artesian aquifer. Water was pumped from the aquifer to the water tower (5AM1856), which was strategically located on a high point of the farm. The water from the tank was distributed via gravity through pipes to the caves and canning buildings and also eventually supplied domestic water for those taking up residence at the farm. Savery had the water tank painted to look like one of the mushroom cans produced by the farm, taking



*Savery Savory Mushroom water tower is the only remaining structure of the Savery Savory Mushroom Farm. Photograph taken facing south towards Federal Boulevard, July 3, 2014.*

advantage of a unique marketing opportunity. Prior to 1950, the mushroom can atop the water tower was enhanced with neon lights, solidifying the tower as a community landmark. By the 1930s, the farm complex had grown to the size of a small company town including a water tower (5AM1856), 15 residences for employees, a schoolhouse, boarding house, a baseball field, tennis court, and a general store as well as 25 additional adobe buildings for laborers, most of whom were Mexican immigrants. At the time, the average annual payroll for the company was \$32,000. Savery also eventually moved to the farm where he lived until 1956 when he was moved to a nursing home in Longmont after the death of his wife, Frances.

In 1927, Savery began to advertise his mushrooms under the Great Western Mushroom Company and by 1935 had opened branches in Los Angeles, San Francisco, and Missouri, at which point the company was producing 10,000 pounds of mushrooms each day. Denver residents alone purchased 500 pounds of mushrooms daily (*Sladek 2005*). Savery retired in 1953 and the Savery Savory Mushroom Company ceased operations. Additional history concerning Savery, his business endeavors, and the mushroom farm is outlined in the Colorado State Register of Historic Properties Nomination Form completed by Ron Sladek with Tatanka Historical Associates and available at the History Colorado Adams County listings of properties included in national and state historic registries (<http://www.historycolorado.org/oahp/adams-county>).

The water tower (5AM1856) is the only remaining structure of the Savery Savory Mushroom Farm. By 2002, the development of the Savory Farms neighborhood had reached the foot of the water tower and the recreational park present during the July 2014 survey had been constructed. Directly south of the water tower, foundations and other structural remnants of the farm were still visible in aerial photographs through 2011. In 2011, all remaining structural features south of the water tower were obliterated with the Mushroom Pond Open Space expansion and trail improvements through the area. In 2006, the City of Westminster commissioned the historically accurate repainting of the water tower, which was found to be in excellent condition during the July 2014 survey.

### **Evaluation and Management Recommendations**

The Savery Savory Mushroom Farm Water Tower (5AM1856) was evaluated for its eligibility for listing on the National Register of Historic Places (NRHP) in July of 2005 by Tatanka Historical Associates and was officially determined to be an eligible resource. In November 2005, 5AM1856 was submitted to the review board for listing on the Colorado State Register of Historic Places. On December 16, 2005, the Savery Savory Mushroom Farm Water Tower was officially listed on the State Register. The July 2005 documentation of 5AM1856 indicates that the paint on the water tower was faded and showed two painting episodes. The documentation by Tatanka Historical Associates also notes that the roof of the water tower was gone, that the tank was slightly deformed and no longer completely circular, exhibited bullet holes, and a rectangular piece of the bottom of the tank had been cut open. Additionally, the whole structure exhibited signs of rust. Also documented in July 2005 were the remnants of neon lighting added prior to 1950 to illuminate the tank, including neon tubing, glass fragments, and electrical wiring. Despite these impacts to the structural integrity of 5AM1856, Tatanka Historical Associates still recommended the water tower eligible for the State Register under Nomination Criteria D—indicating that the property is of geographic importance and contributes to community identity.

The July 2014 survey of 5AM1856 found the structure to be in much better condition, with structural ailments likely improved around the time of the repainting of the tank. ERO found no evidence of the electrical wiring or tubing of the neon elements noted in the 2005 documentation of the resource, nor was there any evidence of bullet holes, extensive rust, or the deformed circular structure of the tank itself.

ERO recommends continuing preservation, whether through grants or volunteerism, for 5AM1856 as well as consultation with the Colorado State Historic Preservation Office (SHPO) prior to any large-scale renovations, rehabilitation, or relocation of the water tower. Should future undertakings propose major structural renovations to the water tower, ERO recommends that additional historic resource documentation be conducted adhering to SHPO standards in order to mitigate the adverse impacts posed by modifying, moving, or demolishing 5AM1856.



Additional access or improvements to the water tower site present a challenge considering the land and park surrounding 5AM1856 are owned and maintained by the Savory Farm subdivision; however, greater public access to the site would increase visual, recreational, and educational interest.

**Works Cited and Additional References**

Sladek, Ron

- 2005 5AM1856. *Savery Savory Mushroom Farm Water Tower*. Colorado Historical Society, Colorado State Register of Historic Properties Nomination Form. Prepared for the City of Westminster by Tatanka Historical Associates, Inc.



# Prioritization of Needed Area-Specific Master Plans

---

The following Westminster Open Space areas listed require master planning for future development, management, and/or maintenance. These projects are distinct from planning, design, and construction of “missing links” in the trail system.

## Criteria for Area-Specific Open Space Master Planning

The following are criteria for Area-Specific Master Plans needed for the City of Westminster Open Space system.

- » Where defining program and conceptual design requires a multi-disciplinary professional expertise.  
*Example: Big Dry Creek Corridor where landscape architecture, civil engineering (with an emphasis on site hydrology and hydraulics), and environmental science must coordinate efforts to define a balance between increasing and changing use with the restoration of a stable, naturalistic landscape.*
- » Where defining program and conceptual design requires coordination between jurisdictions or with an outside agency.  
*Example: The existing Metzger Farm Master Plan was completed in cooperation with the City of Broomfield.*
- » Where programming and conceptual design must account for changing use or conditions.  
*Examples: Lower Church Ranch Lake where master planning must account for the changed condition of the lake and anticipate the future construction of a FasTrack station on the south side of the site.*
- » As a means of ensuring a proper balance between different, possibly competing, land uses.  
*Examples: Planning for park and open space improvements at Ketner Lake or at the future park site abutting the open space classified as Sensitive Landscape along the Farmers’ High Line Canal/Niver Canal corridor just west of Westminster Parkway.*
- » Where competing for outside funding for design, construction or maintenance must include supporting planning documents.  
*Example: Planning in association with allowing a community garden at Semper Farms.*

Master planning is also the best framework for modeling the impacts that alternative solutions may have on management and maintenance costs. Proposed inventory or acreage identified in preliminary planning phases can be plugged into the *General Management Guidelines Matrix* to test the impact of proposed improvements to overall maintenance costs.

## Existing Open Space Master Plans

The following is a list of existing Open Space master plans and dates.

- » Semper Farm Master Plan (February 2011)
- » Metzger Farm Open Space Master Plan (Winter 2010) - Westminster/Broomfield collaboration

## High Priority Area-Specific Open Space Master Plans

As funding becomes available, the following areas of the Westminster Open Space system should be considered a higher priority for master planning to be completed in the next 1-5 years. (See *Needed Area-Specific Master Plans Map* in this section. Note that the site numbers do not reflect priority but location on the map.)

### **1 - Big Dry Creek Corridor** (*Westminster City Park east to I-25*)

The Big Dry Creek Corridor is the centerpiece of the Westminster Open Space system and is significant in establishing community identity. This area of the Big Dry Creek Corridor needs to be master planned to:

- » Develop a clear trail hierarchy.
  - Develop the Big Dry Creek Trail as part of both the City bikeway system and the regional greenway system.
  - Identify existing or potential local loop trails using existing trail connections to the Big Dry Creek Trail and secondary trails as loops serving local neighborhoods.
  - Identify a clear trail hierarchy that includes closure/restoration of unwanted social trails and identifies trail materials.
- » Define complete restoration of *Transitional Landscape* within the corridor.
  - This Stewardship Plan classifies over 200 acres of the Big Dry Creek corridor as *Transitional Landscape* that should undergo restoration and/or enhancement until site improvements are completed and the areas can be reclassified *Urban Natural Landscape*.
- » Identify opportunities to develop the greatest possible landscape diversity within the corridor by taking advantage of the unique drainage/hydrology/hydraulics of the creek.

### **2 - Little Dry Creek Open Space** (*at Sheridan Boulevard*)

As the name suggests, Little Dry Creek Open Space should echo the Big Dry Creek Open Space in serving as a key component in the overall image of the City of Westminster. Little Dry Creek is also an important recreation and transportation corridor serving as a critical link in the regional Refuge-to-Refuge Trail and commuter transit system providing a connection to the proposed Westminster Station.

Preparation of an Open Space master plan for this area should be coordinated closely with the planned revision to the Little Dry Creek Drainage Master Plan currently scheduled for this year (2014).

Plan sponsors, including the Urban Drainage and Flood Control District (UDFCD), Westminster, Arvada, and Adams County, will be looking at the potential impacts of changed criteria for defining storm volumes and redefining the floodplain. These changes in criteria may present opportunities to:

- » Reconfigure the channel, restore a more diverse, naturalized landscape, and improve/upgrade trail design.
- » Reconfigure arterial crossings including both Sheridan Boulevard and 76th Avenue.

### **3 - Lower Church Ranch Lake Open Space** (*Wadsworth Boulevard and 108th Avenue*)

This 70+ acre historic site is an irreplaceable asset linked to Westminster's historic community identity, as well as being adjacent to a potential future FasTracks station. It includes a 15-acre lake that has been going dry during the extended drought conditions, but may be restored and maintained to provide an Open Space asset and destination.

Proposed program elements for an Open Space master plan should include:

- » Trailhead, interpretive signage, and trail connections.
- » Loop trail or boardwalk around lake as well as an observation/fishing pier.
- » Improvements to the lake and habitat.
- » Pedestrian crossings at 108th Avenue and Wadsworth Boulevard.

The master plan should also coordinate with design of future FasTracks station. Approval from the Westminster Historic Landmark Board is necessary prior to any modifications to the site within the designated historic boundary.

The master plan should incorporate the general management classification and maintenance strategy of the site as identified in this report (See *General Management Guidelines* section). Approximately twenty percent of Lower Church Ranch has been identified as a *Transitional Landscape* in terms of its Open Space management classification and should undergo restoration and/or enhancement until site improvements are completed, at which time the site can be reclassified as *Urban Natural Landscape*.

#### **4 - Westminster Hills Open Space and Dog Park (Northwest of Simms Boulevard and 100th Avenue)**

This expansive 1000+ acre site includes the existing dog off-leash area (approximately 70 acres) as well as areas where dogs are required to be on-leash. The dog off-leash area is very popular and is considered a regional, or “destination,” facility that attracts users living outside the City of Westminster.

A master plan of the entire Westminster Hills Open Space should include:

- » An alternative trailhead accessing the “no dogs off-leash” area on the south edge of the open space at 100th Avenue and Alkire Street.
- » Trail loops and trail improvements. Trail work to be done in coordination with the regional Refuge-to-Refuge Trail project.
- » Interpretive signage.

The off-leash dog areas are classified as *Transitional Landscape*. The City should consider developing a management plan similar to that done by Colorado State Parks for Cherry Creek State Park (October 2010) that would provide a specific management direction for the dog-off-leash area including rotating dog off-leash areas with an ongoing revegetation program.

#### **5 - Farmers’ High Line Canal/Niver Canal Open Space West of US 36 and Future Park**

This area is south of and adjacent to a large proposed future park site and is bisected by Westminster Boulevard. The Open Space, which can be seen off of US 36, has been classified in this report as having more than five acres of *Sensitive Landscape* which includes a fragment of an abandoned surface irrigation system that has evolved into a Plains cottonwood/ Western snowberry community, a landscape that is unique to the western Great Plains and should be celebrated and preserved.

The master plan should include:

- » Trail connections.
- » Interpretive signage.
- » Integration of proposed park improvements with the *Sensitive Landscape*.

#### **6 - Vogel Pond Park and Open Space (Ranch Reserve Parkway and 112th Avenue)**

This 42-acre site includes a 5-acre pond and is located along Ranch Reserve Parkway. A master plan should be in conjunction with the development of the adjacent future park site and should include:

- » Trailhead serving both the park and open space.
- » Formalizing loop trails and closing/restoring unwanted social trails around the lake.
- » Completing the Mushroom Pond Trail missing link and design a pedestrian crossing at 112th Avenue to connect the trail south.
- » Improvements to fish and wildlife habitat.
- » Potential community garden.

***7 - Ketner Open Space (Countryside Drive and Moore Street)***

This 50+ acre Open Space includes a 22-acre reservoir and is adjacent to Kensington Park.

A master plan should include:

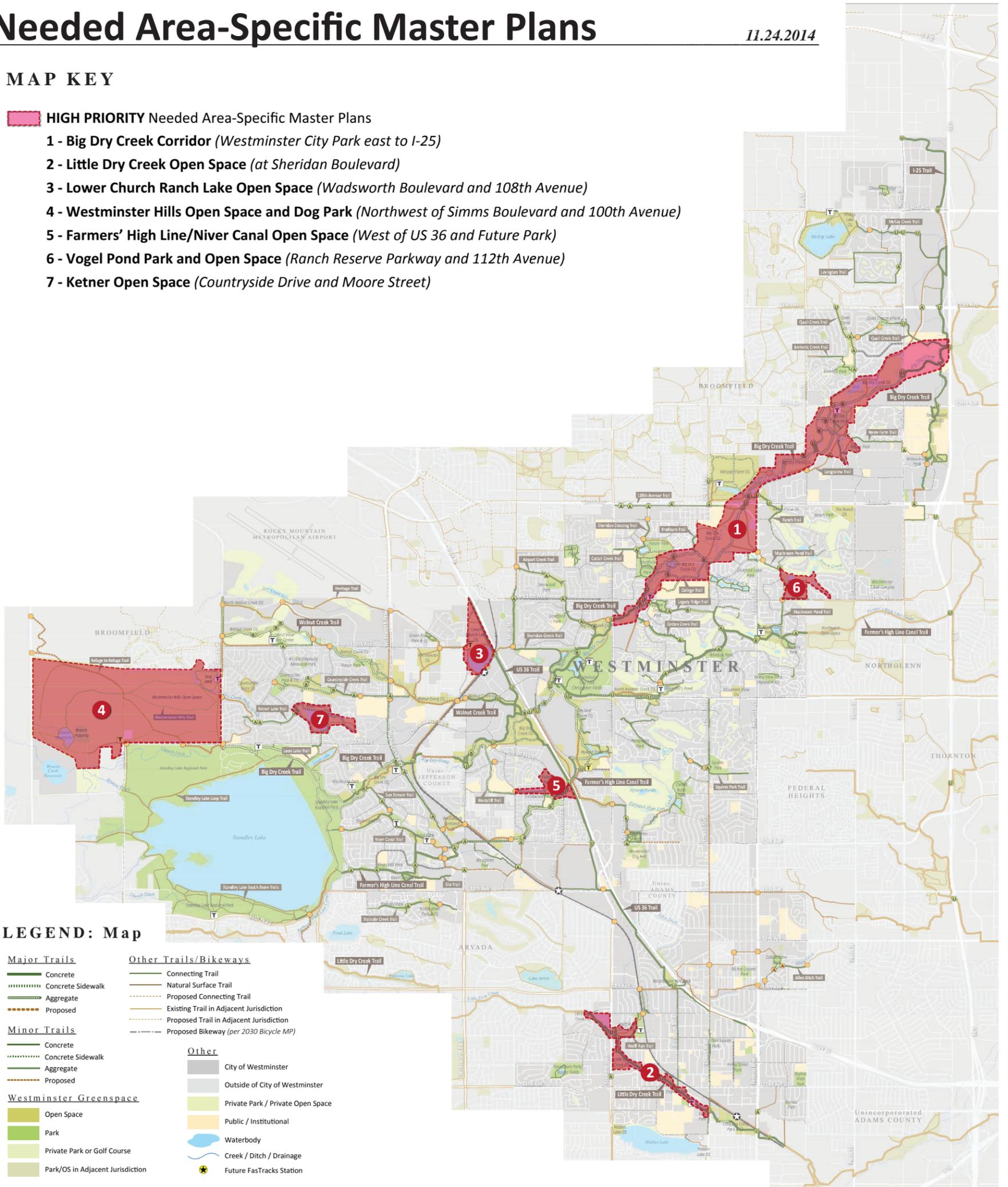
- » Developing a clear trail hierarchy that includes closure/restoration of unwanted social trails and concrete trails connections to adjacent schools.
- » Building launch area for allowable boats.
- » Developing fish and wildlife habitat, re-establishing healthy fish population through a lake stocking program.

# Needed Area-Specific Master Plans

11.24.2014

## MAP KEY

- HIGH PRIORITY** Needed Area-Specific Master Plans
- 1 - Big Dry Creek Corridor** (Westminster City Park east to I-25)
- 2 - Little Dry Creek Open Space** (at Sheridan Boulevard)
- 3 - Lower Church Ranch Lake Open Space** (Wadsworth Boulevard and 108th Avenue)
- 4 - Westminster Hills Open Space and Dog Park** (Northwest of Simms Boulevard and 100th Avenue)
- 5 - Farmers' High Line/Niver Canal Open Space** (West of US 36 and Future Park)
- 6 - Vogel Pond Park and Open Space** (Ranch Reserve Parkway and 112th Avenue)
- 7 - Ketner Open Space** (Countryside Drive and Moore Street)



## LEGEND: Map

<b>Major Trails</b>	<b>Other Trails/Bikeways</b>
— Concrete	— Connecting Trail
— Concrete Sidewalk	— Natural Surface Trail
— Aggregate	— Proposed Connecting Trail
— Proposed	— Existing Trail in Adjacent Jurisdiction
<b>Minor Trails</b>	— Proposed Trail in Adjacent Jurisdiction
— Concrete	— Proposed Bikeway (per 2030 Bicycle MP)
— Concrete Sidewalk	
— Aggregate	
— Proposed	
<b>Westminster Greenspace</b>	<b>Other</b>
— Open Space	— City of Westminster
— Park	— Outside of City of Westminster
— Private Park or Golf Course	— Private Park / Private Open Space
— Park/OS in Adjacent Jurisdiction	— Public / Institutional
	— Waterbody
	— Creek / Ditch / Drainage
	— Future FasTracks Station





# Capital Improvement Projects List

The following have been identified as high priority Capital Improvement Projects for the City of Westminster.

<b><i>Capital Improvement Description</i></b>	<b><i>Estimated Cost</i></b>
<b><i>1. Big Dry Creek (BDC) Trail - Major Trail Improvements/Aggregate Replacement</i></b>	<b><i>\$ 1,809,940</i></b>
» Upgrade Trail (10' Concrete/4' Aggregate)- Huron Street to 128th Avenue - approximately 4330 linear foot (LF)	\$ 337,740
» Bridge- South of 128th Avenue across BDC connecting to BDC Park	\$ 23,000
» Upgrade Trail (10' Concrete/4' Aggregate)- 128th Avenue to Zuni Street - approximately 4030 LF (LF may change if bridge is installed creating a more direct route)	\$ 337,740
» Upgrade Trail (10' Concrete/4' Aggregate)- west of Federal Parkway through Metzger Property- approximately 5155 LF	\$ 402,020
» Upgrade Trail (10' Concrete/4' Aggregate)- south of underpass at 120th Avenue to existing concrete trail at approximately 115th - approximately 3400 LF	\$ 265,200
» Upgrade Trail (10' Concrete/4' Aggregate)- at existing concrete west of bridge, past Westfield Village Park to existing concrete at about 112th Avenue - approximately 3700 LF	\$ 288,600
» Upgrade Trail (10' Concrete/4' Aggregate)- SW of 104th Avenue adjacent to Butterfly Pavilion to Westminster Boulevard - approximately 1360 LF	\$ 106,080
» Upgrade Trail (10' Concrete/4' Aggregate)- East of Wadsworth Boulevard, between two concrete segments within the BDC Open Space - approximately 625 LF	\$ 48,750
<b><i>2. Walnut Creek Trail - Major Trail Missing Link Connection Improvements</i></b>	<b><i>\$ 1,519,500</i></b>
» Railroad grade-separated crossing at BNSF railroad at about 103rd Avenue	\$ 780,000
» Enhanced At-Grade Crossing connecting existing Walnut Creek Trail to the east at Church's Stage Stop and future trail to the west	\$ 10,800
» Major Trail (10' Concrete) - Wadsworth Boulevard to Wadsworth Parkway - approximately 4630 LF	\$ 333,360
» Upgrade Major Trail to (10' Concrete/4' Aggregate)- Wadsworth Parkway to Simms Street - approximately 5990 LF	\$ 395,340
<b><i>3. Wolff Run BNSF Railroad grade-separated crossing</i></b>	<b><i>\$ 780,000</i></b>
» Railroad grade-separated crossing at north end of park at about 78th Avenue	\$ 780,000

<b>4. Mushroom Pond Trail - Minor Trail Connection Improvements</b>	<b>\$ 216,000</b>
» Enhanced At-Grade Crossing at 112th Avenue at Clay Drive	\$ 10,800
» Minor Trail (8' Concrete) - Ranch Reserve Parkway west to BDC Trail - approximately 2880 LF	\$ 138,240
» Minor Trail (8' Concrete)- 112th Avenue to Ranch Reserve Ridge - approximately 1395 LF	\$ 66,960

**5. Allen's Ditch Trail East - Minor Trail Connection Improvements**

» Upgrade Trail (8' Concrete)- Zuni Street to 81st Avenue- approximately 1425 LF	\$ 110,724
» Upgrade Sidewalk/Trail (8' Concrete)- 81st Avenue from Clay Drive to Eliot Street - approximately. 960 LF	\$ 64,512
» Upgrade Sidewalk/Trail (8' Concrete)- 81st Avenue to 80th Avenue - approximately 960 LF	\$ 110,592
» Enhanced At-Grade Crossing at Federal	\$ 12,960
» Upgrade Sidewalk/Trail route along ROW to 8' minimum where feasible (Federal Boulevard to Lowell Boulevard)	\$ TBD
» Signage to mark trail route along existing ROW- See Wayfinding Strategy (Federal Boulevard to Lowell Boulevard)	\$ TBD

**6. Countryside Creek Trail - Aggregate Replacement (Connection to Witt Elementary)** **\$ 232,410**

- » Upgrade Trail (8' Concrete)- Mayfair Park to Oak Street - approximately 3810 LF

**7. Westminster Trail Signage (See Wayfinding Strategy)** **\$ TBD**

- » The City of Westminster is undergoing significant transition as the site of the former Westminster Mall transitions into the new Westminster Center. This project will serve as a catalyst for a Citywide marketing and branding campaign. Signage developed for the City's public amenities, parks and open space, including wayfinding for the City's extensive off-street trails system, should be considered one component of this larger, Citywide branding effort to ensure visual continuity and consistency. Logos, fonts, colors from the Citywide branding effort should be integrated into future wayfinding signage palettes developed specifically for the City of Westminster Open Space system. All GIS navigation tools, user apps, and on-line information should also integrate similar, pre-approved graphics to create a cohesive graphic identity for City-owned property and amenities.

Cost estimates for proposed signage listed in the Wayfinding Strategy are based on costs of existing signage/materials and signs currently being installed throughout the City Open Space system. Once the Citywide branding efforts are finalized, these estimates will need to be adjusted. Unit costs for signage elements listed in the *Trail Wayfinding Strategy Cost Matrix* should be updated to reflect changes in signage materials, sizes, and graphics per the new branding and identity program.



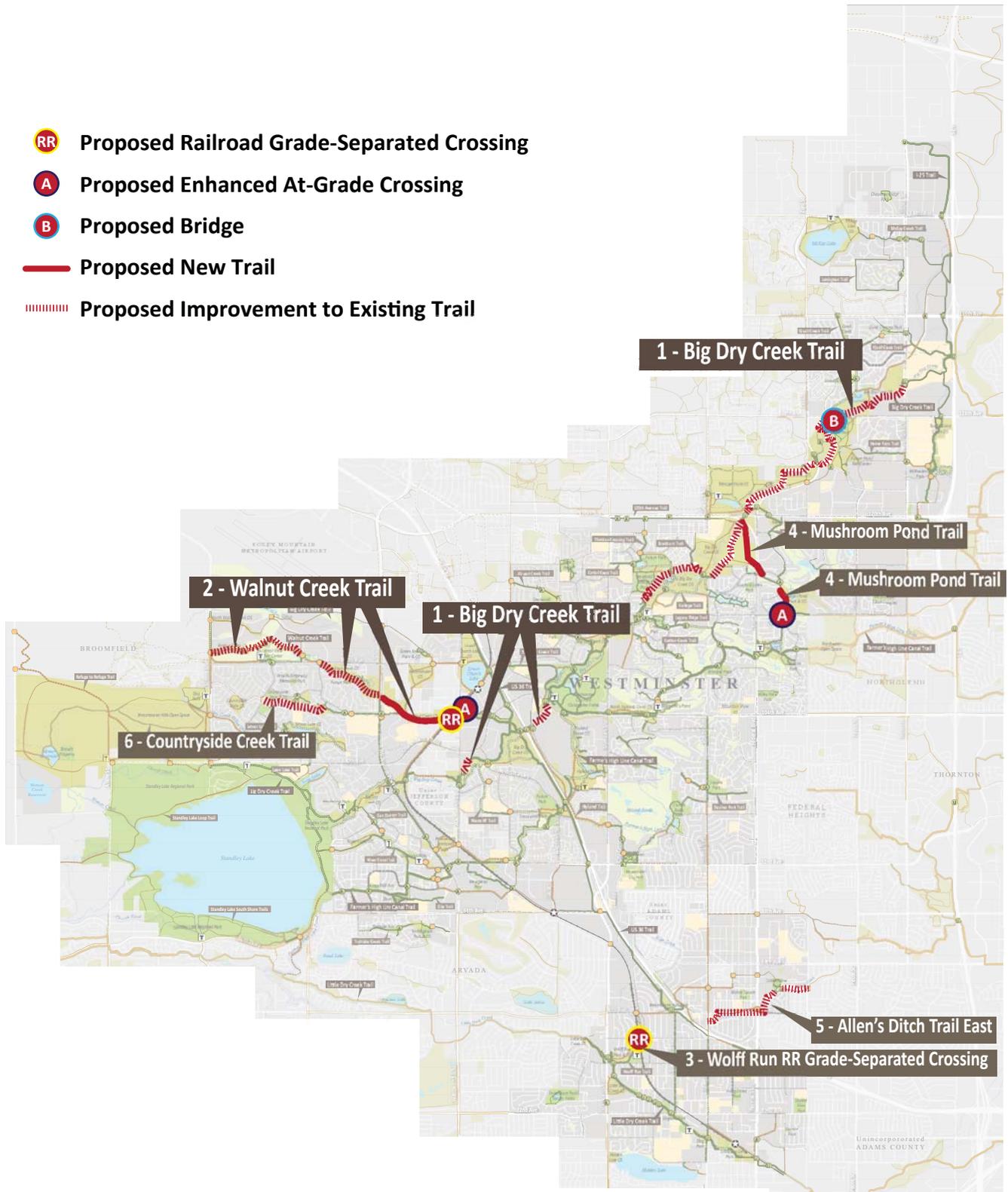
**RR** Proposed Railroad Grade-Separated Crossing

**A** Proposed Enhanced At-Grade Crossing

**B** Proposed Bridge

**—** Proposed New Trail

**|||||** Proposed Improvement to Existing Trail





## Proposed Trail Improvements Prioritization Summary

---

The following pages include a summary of the prioritization process for proposed trail improvements (missing links, and existing trail improvements) in the City of Westminster. Priority recommendations relied on ongoing inventory for the trails system completed by the City as provided in the memo *Westminster Trail Widths and Surface Types (January 24, 2013)*, as well as on-the-ground, site observations by the consultants.

## Prioritizing Missing Links

This *Trails Master Plan Diagram* illustrates missing links, or locations where the trail connections are missing or inadequate, in the existing trail system, as well as identifying locations for trail crossings (either grade-separated or at-grade to be determined) needed to provide safer trail connections and improve general connectivity. (See page 10 of the *Trails Master Plan Narrative: Criteria for Identifying Underpass Opportunities*)

The *Missing Links: Off-Street Trails Matrix* on the following pages provides information on proposed facility type and approximate length, and categorizes the missing link by priority- higher, medium, or lower. Most higher priority projects have been also listed on the *Capital Improvement Project List*. The criteria established for prioritizing missing links in the trail system include:

- » Completes a missing link along a Major Trail.
- » Improves general connectivity (i.e. North/South connections).
- » Provides connection to major transportation destinations (i.e. FasTracks Stations).
- » Contributes to local or short loops off of the Big Dry Creek corridor.
- » Improves connectivity to a school.
- » Provides equitable distribution of improvements throughout the City.
- » Constructibility- opportunity for trail is tied to new development.

HIGHER PRIORITY <i>(in alphabetical order)</i>	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<b>Allen Ditch Trail East</b>	Improve sidewalk along ROW; route signage	Minor	Concrete	3080	Federal Blvd to Lowell Blvd - needed defined connection to US 36 and further to future FasTracks station from that area. More feasible to defer the Allen Ditch Trail as a route to coincide with on-street bikeway due to the lack of land access/ ownership for trail development, improving the sidewalks and adding "route" confidence marker signage; widen sidewalk to 8' where feasible
<b>Allen Ditch Trail West</b>	New Trail	Minor	Concrete	2210	Between Harlan St and Pierce St along the 40% city ROW; good direct connection to new mall area, connects into future bikeway routes; along ROW ; widen sidewalk to 8' where feasible
<b>Big Dry Creek Trail Yarrow Street to BNSF RR</b>	New Trail OR improved signage	Major	Concrete	1825	Proximity to Jefferson Academy makes safety an issue at certain times of the day. Would require widening street ROW to accommodate path in Unincorporated JEFFCO; interim solution to sign route clearly with sharrows on Yarrow Street and with Sign Type #5 Confidence Markers.
<b>Farmers' High Line Canal Trail (Relocation)</b>	New Trail	Major	Concrete	1990	Legacy Ride Pkwy to Sheridan Blvd (relocate major trail route) - Low priority until Proposed Margaret's Pond Open Space Master Plan (and adjacent OS) is complete. Replace this sidewalk segment with a major trail closer to North Hylands Creek in the City Open Space.
<b>Farmers' High Line Canal Trail (Relocation)</b>	New Trail	Major	Concrete	4190	At 92nd Ave onto OS and Wadsworth Pkwy (relocate major trail route) - Low priority until Wolff Run OS to Wadsworth Wetlands (includes adjacent OS areas) is complete. Must coincide with new underpass at Wadsworth Pkwy.
<b>Green Knolls Park to Walnut Creek Park through Overland Trail OS</b>	New Trail	Minor	Concrete	495	Contributes to a North/South Connection; includes 3 segments: (1) Green Knolls Park to 108th
	New Trail	Minor	Concrete	1930	(2) through Overland Trail OS Property
	New Trail	Minor	Concrete	1633	(3) alignment to connect to Walnut Creek Trail (actual alignment TBD, LF based on alignment shown in the Trails MP Map)



## Prioritizing Missing Links (continued)

HIGHER PRIORITY (in alphabetical order)	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<b>Hyland Trail at US 36/Westminster Blvd to Big Dry Creek Trail</b>	New Trail	Minor	Concrete	4295	Already graded in through development, future/in progress underpass connects to Hyland Pond Open Space
<b>Long's View Trail</b>	New Trail	Minor	Aggregate	890	Part of a loop system, should be aggregate. Includes 4 segments: (1) near BDC Park - 890 LF
	New Trail	Minor	Aggregate	1605	(2) Segment within new development OS
	New Trail	Minor	Aggregate	690	(3) Connecting directly north to BDC Trail
	New Trail	Minor	Aggregate	1370	(4) Connecting west to BDC Trail
<b>Mushroom Pond Trail at Federal</b>	New Trail	Minor	Concrete	2879	Coincides with future underpass to connect BDC Trail to FHL Trail (critical link); includes 2 trail segments: (1) connect east of Federal continuing on the west side headed north to BDC Trail
	New Trail	Minor	Concrete	1318	(2) E/W connection to BDC Trail
<b>Park Centre Trail connection</b>	New Trail	Minor	Concrete	825	Need connection to Park Centre business park to the east; includes 2 segments: (1) from the west up to BDC Park
	New Trail	Minor	Concrete	705	(2) East segment through OS to Park Centre
<b>Pillar of Fire Trail</b>	Improve sidewalk along ROW; route signage	Minor	Concrete	6555	Needed defined connection to US 36 and further to future FasTracks station from that area. More feasible to defer the Pillar of Fire Trail as a route due to the lack of land access/ownership for trail development, improving the sidewalks and adding "route" confidence marker signage; widen sidewalk to 8' where feasible
<b>Standley Lake Perimeter Trail</b>	New Trail	Minor	Aggregate	12820	Creates much desired loop around the lake; includes 2 segments: (1) Loop section
	New Trail	Minor	Aggregate	1875	(2) Loop access segment from Alkire Street
<b>Walnut Creek Trail</b>	New Trail	Major	Concrete	4630	Completes major missing link connecting Walnut Creek to Big Dry Creek (BDC); should coincide with underpass improvement at RR
<b>Westcliff Trail</b>	New Trail	Minor	Concrete	710	Need connection from FHC Trail to aggregate trail at edge of Betty Adams School.

**Prioritizing Missing Links (continued)**

MEDIUM PRIORITY <i>(in alphabetical order)</i>	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<i>Airport Creek Trail</i>	New Trail	Minor	Aggregate	1405	(1) Proposed segment creates direct access from BDC to Airport Creek Trail adjacent to 110th to Sheridan Blvd (north of BDC); could be concrete, but not necessary
	Bridge				If segment (1) above, then it would require a bridge over BDC to make connection
<i>Big Dry Creek Trail - Alternate Route</i>	New Trail	Minor	Concrete	2370	West of Wadsworth Pkwy; provides an alternate route away from backyard fences
<i>Bridge at Walnut Creek at 105th Ave, West of Wadsworth Parkway</i>	New Trail/Bridge	Minor	Concrete		Connects Walnut Creek Trail to Standley Lake HS, (all residents are south of the Walnut Creek Trail - does not appear to be a direct route to the school for them, so not a high priority)
<i>Bull Reservoir trails</i>	New Trail	Minor	Aggregate	4445	Creates loop from BDC trail and neighborhood loop
<i>Calkins Ditch Trail</i>	New Trail	Minor	Aggregate	3330	South of 120th Ave, west of BDC - a social trail or old maintenance patch for the ditch exists; contributes to loop system at BDC; ditch is valuable in terms of history of Westminster; high priority if pressure increases to formalize
<i>Mushroom Pond Trail at Vogel Pond</i>	New Trail	Minor	Concrete	1395	112th Ave to 114th Ct - This connection would make a nice large loop connecting BDC to Farmers' High Line; improvements should be made in conjunction with crossing improvements at 112th Ave.
<i>Hyland Trail connection to Carrol Butts Park</i>	New Trail	Minor	Concrete		Proposed alignment still unclear, crosses Par 3 golf course, alternative route along 93rd Ave and along the east side of the fairway
<i>McKay Creek Trail</i>	New Trail/Bridge	Minor	Aggregate	625	Connects McKay Creek Trail to Huntington Trails Pkwy on the south side of the elevated spillway channel; bridge needed to make connection above
<i>Panorama Trail to Westcliff Trail</i>	New Trail	Minor	Aggregate	1779	Proposed aggregate trail would create loop off of BDC
<i>Sheridan Green Trail</i>	New Trail/Bridge	Minor	Aggregate	440	North segment completes a loop around the pond just west of BDC
<i>West View Recreation Center Trail</i>	New Trail	Minor	Aggregate	2945	Creates nice loop trail from Rec Center



## Prioritizing Missing Links (continued)

LOWER PRIORITY (in alphabetical order)	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<i>Bradburn/Westfield Park Trail connection</i>	New Trail	Minor	Concrete	2770	Proposed segments that complete a nice loop between the two parks; however, people are making a loop now as it is, could be formalized with future park master plan for the whole area
<i>City Park Trail connecting trails</i>	New Trail	Minor	Aggregate	2140	East side of creek from Sheridan to BDC south of 108th - creates nice loop; already has a clear foot path
	New Trail	Minor	Concrete	665	Promenade Terrace Bridge to 104th Ave - creates nice loop
<i>Community Ditch Trail</i>	New Trail	Minor	Concrete	6484	Connects Ketner Lake to Westminster Hills OS; <b>low priority until proposed Westminster Hills OS Master Plan is completed</b>
<i>Heritage Trail (Proposed trail south of Airport)</i>	New Trail	Minor	Concrete or Aggregate	8675	8' concrete trail - desired connection to north area to Future FasTracks at Lower Church Ranch; and on to BDC; fantastic views, could be aggregate trail
<i>Little Dry Creek Trail at 75th</i>	New Trail	Minor	Concrete or Aggregate	TBD	Loop trail through open space
<i>Loon Lake Trail</i>	New Trail	Minor	Aggregate	3110	Creates a nice trail access to Standley Lake and loop around Loon Lake; already has a clear foot path
<i>Lower Church Ranch perimeter trail</i>	New Trail	Minor	Concrete or Aggregate	TBD	Gives public access to open space; <b>low priority until proposed Lower Church Ranch Master Plan is completed</b>
<i>McKay Lake Trail</i>	New Trail	Minor	Concrete	1850	Adjacent to 144th and Zuni - perimeter OS trail/sidewalk
<i>North Walnut Creek Trail</i>	New Trail	Minor	Aggregate	3930	Simms to Westmoor Drive
<i>Walnut Creek Trail</i>	New Trail	Major	Concrete	1135	East of Westmoor Drive, North of 108th - major trail connection; <b>low priority until connection through RR has been determined</b>
<i>Turnpike Trail connection</i>	New Trail	Minor	Concrete	1920	East of Lowell - directly south and parallel to US36 - essentially an attached sidewalk; needs to coincide with an at-grade crossing over to park at Grove St
<i>Westminster Hills Open Space Trails (West), and Trailhead</i>	New Trail	Minor	Aggregate	11770	Defines a dog on-leash area within Westminster Hills OS; provides alternative parking area from dog park. <b>Low priority until Proposed Westminster Hills Open Space Master Plan is complete.</b> LF DOES NOT INCLUDE Refuge to Refuge Trail segment of loop
<i>Wolff Run Open Space trail</i>	New Trail	Minor	Aggregate	1660	Formalize footpath through the open space

## Prioritizing Proposed Improvements to the Existing Trail System

While the *Trails Master Plan Diagram* illustrates proposed missing links and crossings, it does not illustrate needs for improvements of existing facilities. During this process, the following proposed improvements were identified as higher, medium, and lower priority. Many higher priority projects have been also listed on the *Capital Improvement Project List*. The criteria established for prioritizing improvements include:

- » Improves general connectivity by upgrading trail to Major or Minor trail standards.
- » Improves connectivity to a school.
- » Improves connection to major transportation destinations (i.e. FasTracks Stations).
- » Improves pedestrian and bicycle safety.

HIGHER PRIORITY (in alphabetical order)	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<b>Big Dry Creek Trail (Big Dry OS)</b>	Upgrade Material	Major	Concrete	4330	As a major, regional trail, BDC Trail existing aggregate should be replaced with a 10' concrete trail with an adjacent aggregate trail for joggers. Segments include: (1) Huron St to 128th Ave
	Upgrade Material	Major	Concrete	4030	(2) Trail adjacent to BDC Park to Federal Pkwy. Length may change based on potential future master planning of this area.
	Bridge				Proposed bridge over BDC just south of 128th Ave underpass that allows direct connection from the west side of the creek to BDC Park and parking area/trailhead on the east side of the creek
	Upgrade Material	Major	Concrete	5155	(3) West of Federal Pkwy, through Metzger Property to 120th Ave
	Upgrade Material	Major	Concrete	3400	(4) BDC OS, south of underpass at 120th Ave to existing concrete trail at approx 115th Ave
	Upgrade Material	Major	Concrete	3700	(5) BDC OS at existing concrete west of bridge, past Westfield Village Park to existing concrete at about 112th Ave
	Upgrade Material	Major	Concrete	1360	(6) SW of 104th Ave adjacent to Butterfly Pavilion to Westminster Blvd
	Upgrade Material	Major	Concrete	625	(7) East of Wadsworth Blvd, between two concrete segments within the BDC OS
<b>Big Dry Creek Trail (Yarrow St to BNSF RR)</b>	Sharrow				(6) Ideally this segment will eventually become a trail; however, that would require widening of 99th; in the short term, mark the existing street with a sharrow and identify as route for the Big Dry Creek Trail
<b>Countryside Creek Trail</b>	Upgrade Trail	Minor	Concrete	3810	(1) Segment from Mayfair Park to Countryside Rec Center - existing aggregate trail should be 8' concrete trail. Provides access to Witt Elementary and should extend to Oak Street
<b>Farmers' High Line Canal Trail</b>	Bridge				West of Federal Blvd - existing 6', should be widened to 10'
	Upgrade Trail	Major	Concrete	3110	Segment adjacent to canal from Westminster Blvd to Pierce St - replace aggregate trail with 10' concrete trail
	Upgrade Trail	Major	Concrete	590	Segment Pierce St to 92nd Lane - replace aggregate trail with 10' concrete trail
	Upgrade Trail	Major	Concrete	480	Segment Independence St to Standley Lake Regional Park - replace 4' concrete sidewalk adjacent to privacy fence and replace with 10' concrete trail located further south at edge of canal if feasible.
	Upgrade Trail	Major	Concrete	5100	Segment through Hyland Ponds Open Space - replace aggregate trail with 10' concrete trail - low priority until proposed Hyland Ponds OS master plan is completed
<b>Walnut Creek Trail</b>	Upgrade Trail	Major	Concrete	5520	West of Westmoor Drive to Simms St - replace aggregate trail with 8' concrete trail
	Upgrade Trail	Major	Concrete	4160	South of 108th to Wadsworth Pkwy - replace aggregate trail with 8' concrete trail
<b>Westcliff Trail</b>	Upgrade Trail	Minor	Concrete	1830	(1) South of 98th Ave to school - improves trail connection to Betty Adams School
	Upgrade Trail	Minor	Concrete	1780	(2) North of 98th Ave to BDC OS and within BDC OS - improves trail connection to Betty Adams School



**Prioritizing Proposed Improvements to the Existing Trail System (continued)**

MEDIUM PRIORITY <i>(in alphabetical order)</i>	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<i>Allen Ditch Trail East</i>	Upgrade Trail	Minor	Concrete	1425	(1) Zuni St to 81st Ave - existing 6' wide trail should be replaced with 8' concrete path; poor condition, hazardous, needs repair
	Upgrade Trail	Minor	Concrete	960	(2) Along 81st Ave from Clay Dr at to Eliot St - existing 4' sidewalk should be replaced with 8' concrete path; poor condition, hazardous, needs repair
	Upgrade Trail	Minor	Concrete	480	(3) 81st Ave to 80th Ave - existing 4' sidewalk should be replaced with 8' concrete path
<i>Arapahoe Ridge Trail</i>	Upgrade Trail	Minor	Concrete	3290	Arapahoe Ridge Elem School to Big Dry Creek Trail - adjacent to school and Amherst Park, replacing aggregate trail with 8' concrete trail; Consider moving trail to East side of Pecos St to avoid conflicts with the school
<i>Countryside Creek Trail</i>	Upgrade Trail	Minor	Concrete	975	(2) Segment east of Wadsworth Pkwy - existing 4' walk should be widened to 8'. Creates connection from Standley Lake High School to Walnut Creek.
<i>Quail Creek Trail</i>	Upgrade Trail	Minor	Concrete	460	Replace aggregate segment with 8' concrete trail; only segment of the trail that is currently aggregate in Quail Creek Park
<i>Stratford Lakes Trail</i>	Upgrade Trail	Minor	Concrete	775	Segment from west end of Stratford Lakes headed north to BDC Trail; is currently aggregate, replace with 8' concrete trail
<i>Trailside Creek Trail</i>	Upgrade Trail	Minor	Concrete	455	In Nottingham Park - only one segment that is not concrete, aggregate should be replaced with 8' concrete trail.
	Upgrade Trail	Minor	Concrete	770	West of Nottingham Park to Dover St - existing 5' concrete walk should be replaced with 8' concrete trail.

LOWER PRIORITY <i>(in alphabetical order)</i>	PROPOSED IMPROVEMENT				COMMENTS
	IMPROVEMENT TYPE	TRAIL TYPE	PROPOSED MATERIAL	APPROX. LENGTH (LF)	
<i>Airport Creek Trail</i>	Upgrade Trail	Sidewalk	Concrete	180	(2) Replace 4' sidewalk with 8' sidewalk to make trail connection less hazardous north of 112th Ave
	Upgrade Trail	Minor	Concrete	855	(3) From Kendall St to Main St, replace 6' concrete path with 8' concrete trail
	Upgrade Trail	Minor	Concrete	1655	(4) From Kensington Park to Kendall St, replace 6' concrete path with 8' concrete trail
	Upgrade Trail	Minor	Concrete	1050	(5) Airport Creek to 113th Pl, replace 4' sidewalk with ideally 8' detached walk if feasible
	Upgrade Trail	Minor	Concrete	900	(6) Airport Creek to just north of 116th Pl, replace 4' sidewalk with ideally 8' detached walk if feasible
<i>Cotton Creek Trail</i>	Upgrade Trail	Minor	Concrete	3090	Most of this trail is 6' wide concrete, backed up to backyard fences. In some locations, the trail is in poor condition from tree roots. Ideally this trail should be 8' concrete and be set further away from backyard fences
<i>Legacy Ridge Trail</i>	Upgrade Trail	Minor	Concrete	715	Segment from BDC to Vrain St - replace aggregate trail with 8' concrete trail
	Upgrade Trail	Minor	Concrete	715	Segment from Stuart St to Legacy Ridge Pkwy - replace 6' concrete sidewalk with 8' trail, and if feasible move away from backyard fences
<i>Oakhurst Park Trail</i>	Upgrade Trail	Minor	Concrete	1225	East of Wadsworth Pkwy to Trailhead - existing sidewalk functions, but as a major trail should be 8' trail and detached where feasible.



# Noxious Weed Survey: Big Dry Creek Corridor Common Teasel and Russian Olive Management

## Weed Biology

One of the principal goals on City of Westminster Open Space is to preserve and maintain native plant communities, protect rare species and communities, and restore native vegetation in suitable areas. Therefore, the City of Westminster sets priorities for the control or elimination of species that have the greatest negative impact potential to significant resources on the Open Space. These priorities reflect each weed's present or future harmful impacts. In general, perennial species pose a greater threat to native ecosystems than do annual or biennial species. More particularly, weed species with deep root systems or creeping rhizomes are especially difficult to control. Descriptions of the potential impacts of Russian olive and common teasel mapped on the Open Space appear below in the *Specific Weed Control Outlines*.



*Russian olive along Big Dry Creek*

## Species Distribution

In addition to legal mandates and weed biology, the existing distribution of Russian olive and teasel in the Big Dry Creek Corridor is an important factor in prioritizing infestations of these weed species for management activities. The analogy of a wildfire has often been used to describe the spread of noxious weeds. Using this analogy, small, isolated patches of weeds are generally considered a higher priority for control activities than large, well-established infestations. Small, isolated patches are easier to eradicate because there is a smaller distribution of plants, smaller seed bank, less-developed root system, and potentially, a desirable vegetation community.

The City of Westminster also notes species that are not yet on the Open Space, but are found nearby and could be problems if they spread to the Open Space. The Integrated Pest Management Plan (IPM) in the City's 2010 *Wildlife and Natural Resource Management Plan for Open Space Properties* includes regularly monitoring the Open Space for these species in order to quickly detect and eliminate them if they ever do appear. With this reasoning in mind, for Russian olive and teasel, higher priority will be given to:

- » Infestations that are new to the Open Space.
- » Infestations not well established in surrounding areas.
- » Small infestations.



*Common teasel*



*Russian olive*

- » Infestations likely to spread because of location (e.g., roadsides, trailsides, drainages, irrigation ditches or wind breaks).
- » Infestations adjacent to or likely to spread into areas containing conservation targets.
- » Edges of large infestations.

Lower priority will be given to:

- » Large, well-established infestations for which there is little potential for eradication on the Open Space.
- » Infestations that are well established in surrounding areas and thus provide a constant seed source to the Open Space.
- » Infestations confined to disturbed areas.
- » Infestations that are easier to control relative to others.

## Mapping

Using aerial photography to identify Russian olive stands and existing GIS data from the City of Westminster for common teasel patches, **Table 1** summarizes for the Big Dry Creek Corridor the number of acres infested on the Open Space within individual reaches as well as by the five Open Space management classifications. The data helps establish priorities for common teasel and Russian olive management by considering existing management goals and spatial distribution along the creek corridor. It is important to note that specific patches may have a higher management priority than what may be indicated in **Table 1** by the landscape management area classification. Thus, the reach summary helps further prioritize management activities given that the creek itself acts as a vector to transport weed seed.

## Setting Priorities

With both Russian olive and common teasel mapped, it is important to determine achievable goals for weed management in priority areas. For example, the 1.21 acres of Russian olive within Reach 1 (west of Wadsworth Boulevard to Standley Lake) has a higher management priority than the 1.65 acres of Russian olive within Reach 4 (west of US 36 to Old Wadsworth Boulevard). However, what is the goal for the 1.21-acre infestation of Russian olive? The answer—“eradication.” A small or scattered infestation should be eradicated, especially when adjacent to areas where the noxious weed species does not occur – note the spatial distribution of Russian olive below Reach 1 (west of Wadsworth Boulevard to Standley Lake). In short, the Russian olive is relatively scattered until Reach 9 (north of 112th Avenue, west of Federal Boulevard).

**Table 1. Common teasel and Russian olive infestations in acres based on individual reach and management area classification.**

Westminster Open Space Description			Open Space Management Classification (Acres)					Open Water (Acres)*		Noxious Weeds (Acres)	
Individual Reaches Big Dry Creek Open Space Corridor	Descriptive Location	Total Acreage	Sensitive	Urban Natural	Transitional	Functional	Historical/ Agricultural	Open Water/ Wetland	Open Water Creek/ Channel	Common Teasel	Russian Olive
<i>Big Dry Creek Open Space (1)</i>	West of Wadsworth Blvd to Standley Lake; plus area between Wadsworth Blvd and BNSF RR	53.48		50.6				1.10	1.80	3.20	1.21
<i>Big Dry Creek Open Space (2)</i>	East of BNSF RR at 99th Ave	4.00			4.0					0.19	0.00
<i>Big Dry Creek Open Space (3)</i>	West of Old Wadsworth Blvd and 99th Ave	8.06			8.1					0.00	0.00
<i>Big Dry Creek Open Space (4)</i>	West of US 36 to Old Wadsworth Blve	100.97		98.5					2.50	6.41	1.65
<i>Big Dry Creek Open Space (5)</i>	Directly East of US 36 to Westminster Blvd (ROW)	1.68				1.6			0.10	0.50	0.00
<i>Big Dry Creek Open Space (6)</i>	East of Westminster Blvd to 104th Ave	9.84	1.6	7.6					0.63	1.09	0.05
<i>Big Dry Creek Open Space (7)</i>	West of Sheridan Blvd, North of City Park	36.29		34.2					2.10	12.09	0.12
<i>Big Dry Creek Open Space (8)</i>	East of Sheridan Blvd, South of 112th Ave	23.67		22.6					1.10	6.83	0.18
<i>Big Dry Creek Open Space (9)</i>	North of 112th Ave, West of Federal Blvd	287.95		183.9	93.1			8.24	5.20	33.96	9.68
<i>Big Dry Creek Open Space (US 287 Triangle)</i>	SW of 120th Ave and Federal Blvd	12.76				12.8				0.23	0.05
<i>Metzger Farm</i>	120th Ave and Lowell Blvd	152.51	10.7				134.1	6.67	1.00	2.56	6.79
<i>Big Dry Creek Open Space (10)</i>	East of Metzger Farm, West of Federal Pkwy	72.05			68.3			0.89	2.90	7.44	4.31
<i>Big Dry Creek Open Space (11)</i>	East of Federal Pkwy, Adjacent to Big Dry Creek Park	102.17			100.7			1.43	1.50	2.17	2.52
<i>Big Dry Creek Open Space (12)</i>	North of 128th Ave West of Huron St	94.47		63.6				28.50	2.40	1.75	3.17
<b>BIG DRY CREEK OPEN SPACE CORRIDOR - TOTALS</b>		<b>959.90</b>	<b>12.3</b>	<b>460.9</b>	<b>274.2</b>	<b>14.3</b>	<b>134.1</b>	<b>46.83</b>	<b>21.23</b>	<b>78.42</b>	<b>29.73</b>

\*\*The total acreage per GIS includes open water. Open Water acreage for ponds and the creek, as well as parking areas, were subtracted out of the Open Space Management Classification acreage to reflect actual land-based management



## **Specific Weed Control Outlines**

The following section provides control outlines for common teasel, cutleaf teasel, and Russian olive that have been mapped within the Big Dry Creek Corridor. The control outlines are intended to provide a brief overview of the species targeted for management. While the City of Westminster has mapped all teasel within the Big Dry Creek Corridor as common teasel, control outlines have been provided for both common and cutleaf teasel.

### **Common teasel (*Dipsacus fullonum*)**

#### ***Priority***

High — the species can be an aggressive competitor, and control measures are relatively easy.

#### ***Description***

Common teasel is a biennial forb that is capable of massive seed production and high germination that allow it to quickly invade an area.

#### ***Current Distribution on the Open Space***

Common teasel is found throughout the Big Dry Creek Corridor within all Open Space management areas and creek reaches with the exception of Reach 3 (directly east of US 36 to Westminster Boulevard). Approximately 78 acres or 8.2 percent of the Open Space area within the Big Dry Creek Corridor are infested.

#### ***Measurable Objectives and Goal***

GOAL: Reduce and eventually eradicate.

1. Annually cut stalks of flowering plants.
2. Focus initial control efforts within *Sensitive Landscape* management areas.

#### ***Control Options***

The key to controlling common teasel is to eliminate seed production and exhaust the seed bank in the soil. Common teasel does not reproduce vegetatively and dies after seed production. Therefore, cutting the stalks of flowering plant is the best control in natural areas. Cut stalks should be bagged and ideally burned. It is important to ensure that the species mapped is indeed common teasel. Refer to cutleaf teasel control options should the species be present.

#### ***Treatment Schedule***

Cut flowering stalks from July to August.

### **Cutleaf teasel (*Dipsacus laciniatus*)**

#### ***Priority***

High — with consideration that cutleaf teasel is more aggressive than common teasel.

#### ***Description***

Although usually called a biennial, teasel is better described as a monocarpic perennial. The plant grows as a basal rosette for a minimum of one year (this rosette period frequently is longer) then sends up a tall flowering stalk and dies after flowering. The period of time in the rosette stage apparently varies depending on the amount of time needed to acquire enough resources for flowering to occur. Cutleaf teasel blooms from July through September.

#### ***Current Distribution on the Open Space***

It is unknown whether cutleaf teasel occurs on the Open Space. The City of Westminster has mapped all teasel as common teasel.



### ***Measurable Objectives and Goal***

GOAL: If present on the Open Space, reduce and work long term to eradicate.

1. Recruit volunteers to annually cut stalks of flowering plants.
2. Focus initial control efforts within *Sensitive Landscape* management areas.

### ***Control Options***

For small populations or if large groups of volunteers are available, mechanical methods work quite well. Young rosettes can be dug up using a dandelion digger. Once the rosettes get large, it is difficult to dig the roots up without doing damage to the natural area around the plant. Very small seedlings can be pulled up by hand when the soil is moist. Flowering plants can be cut before seed set. At the initiation of flowering, the flowering heads should be cut off and removed. Removed immature seed heads left in place can still develop some viable seeds. Once the flowering heads have been removed, the flowering stalk should be cut off at or slightly below ground level. Cutting off the flowering stalks just at flowering time will usually prevent resprouting from the root crown. Cutting flowering stalks prior to flowering should be avoided since the plants will resprout and flower again. A later inspection should be performed to catch any root crowns that do resprout.

Probably the most cost effective method of control is the use of foliar applied herbicides. Any of the herbicides recommended below for buffer or disturbed sites can be used, but with greater care to prevent damaging native plants. Spot treatment with backpack sprayers is probably the preferred method in high quality areas as opposed to high volume units. Triclopyr is a good choice during the growing season since it usually does not harm the monocots. Some grass species will be burned back by Triclopyr, but will usually come back. During the dormant season Glyphosate has worked in controlling teasel in some situations.

### ***Treatment Schedule***

Cut flowering stalks from June to September.

### **Russian olive (*Eleagnus angustifolia*)**

#### ***Priority***

Medium — as large, mature stands of Russian olive are nearly impossible to eradicate throughout an entire watershed once it becomes well established. Patches in an area with Ute Ladies'-tresses orchid present should be addressed first.

#### ***Description***

Russian olive is a shrub or small tree that can grow up to 30 feet in height and is often thorny. It can flower and set fruit in three years. Although Russian olive establishes primarily by seed, vegetative propagation can also occur.

#### ***Current Distribution on the Open Space***

Russian olive occurs in a variety of soil and moisture conditions on the Open Space but generally prefers sandy floodplains and is often associated with open, moist riparian habitats. Approximately 30 acres or 3 percent of the Big Dry Creek Corridor has canopy cover dominated by Russian olive.

### ***Measurable Objectives and Goal***

GOAL: Reduce Russian olive cover on the Open Space

1. If present, remove existing trees in Ute Ladies'-tresses orchid habitat within 3 years.
2. Eradicate within *Sensitive Landscape* management areas within 3 years.

**Control Options**

Seedlings and sprouts can easily be hand-pulled when the soil is moist. Once Russian olive becomes firmly established, the most effective control method is the cut-stump herbicide treatment. This method is both labor-intensive and expensive, but can be highly effective (good kill rate if applied correctly), and is more target-specific than foliar applications of herbicide. The stump-cut method consists of the following steps: 1) cut stems of Russian olive within 5 cm of the ground surface; 2) apply herbicide within a few minutes of cutting; 3) cut and treat the entire circumference of the stem cambium; and 4) treat any resprouted foliage between 4 to 12 months after the initial treatment.

**Treatment Schedule**

The best time to apply herbicide to control Russian olive is when the plants are actively growing from May through September. Care should be taken to ensure that birds are not nesting in the targeted tree.

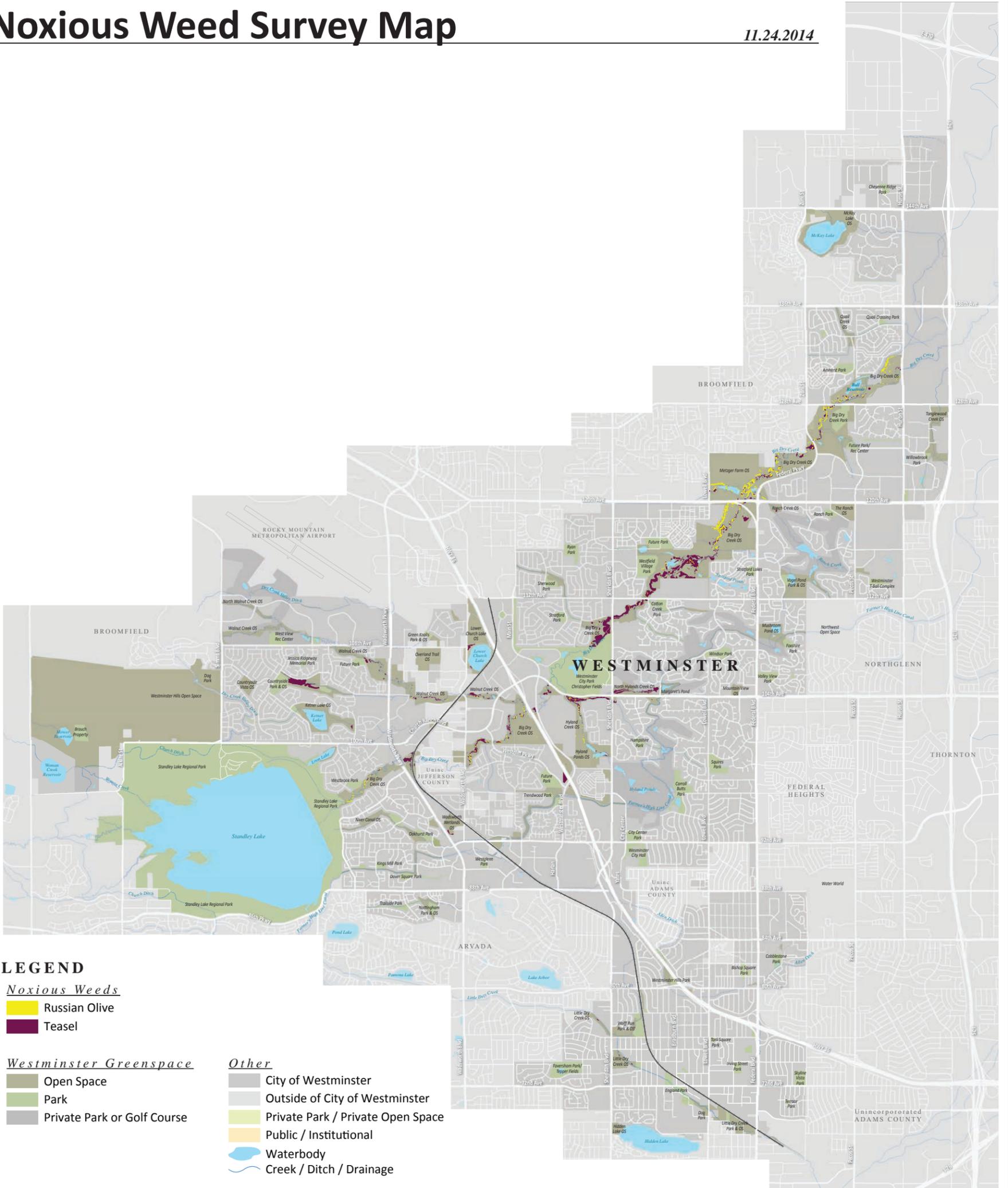
**Table 2. Detailed control calendar for teasel species and Russian olive.**

Weed Species	Spring (April to Mid-June)	Summer (Mid-June to August)	Fall (September to October)
Common teasel	<i>Reseed previously controlled areas</i>	<i>Cut flowering stalks from July to August</i>	<i>Reseed previously controlled areas</i>
Cutleaf teasel	<i>Cut flowering stalks beginning in June</i>	<i>Cut flowering stalks</i>	<i>Cut flowering stalks until September</i>
	<i>Consider foliar application of herbicides during growing season</i>		
Russian olive	<i>Seedlings and sprouts can be hand-pulled or weed wrenched out when soil is moist. Cut-stump herbicide treatment beginning in May.</i>	<i>Cut-stump herbicide treatment.</i>	<i>Cut-stump herbicide treatment through September</i>

Large scale fold-out version  
of this map is included in the pocket  
at the end of this section.

# Noxious Weed Survey Map

11.24.2014



## LEGEND

### Noxious Weeds

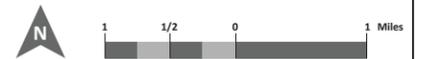
- Russian Olive
- Teasel

### Westminister Greenspace

- Open Space
- Park
- Private Park or Golf Course

### Other

- City of Westminister
- Outside of City of Westminister
- Private Park / Private Open Space
- Public / Institutional
- Waterbody
- Creek / Ditch / Drainage





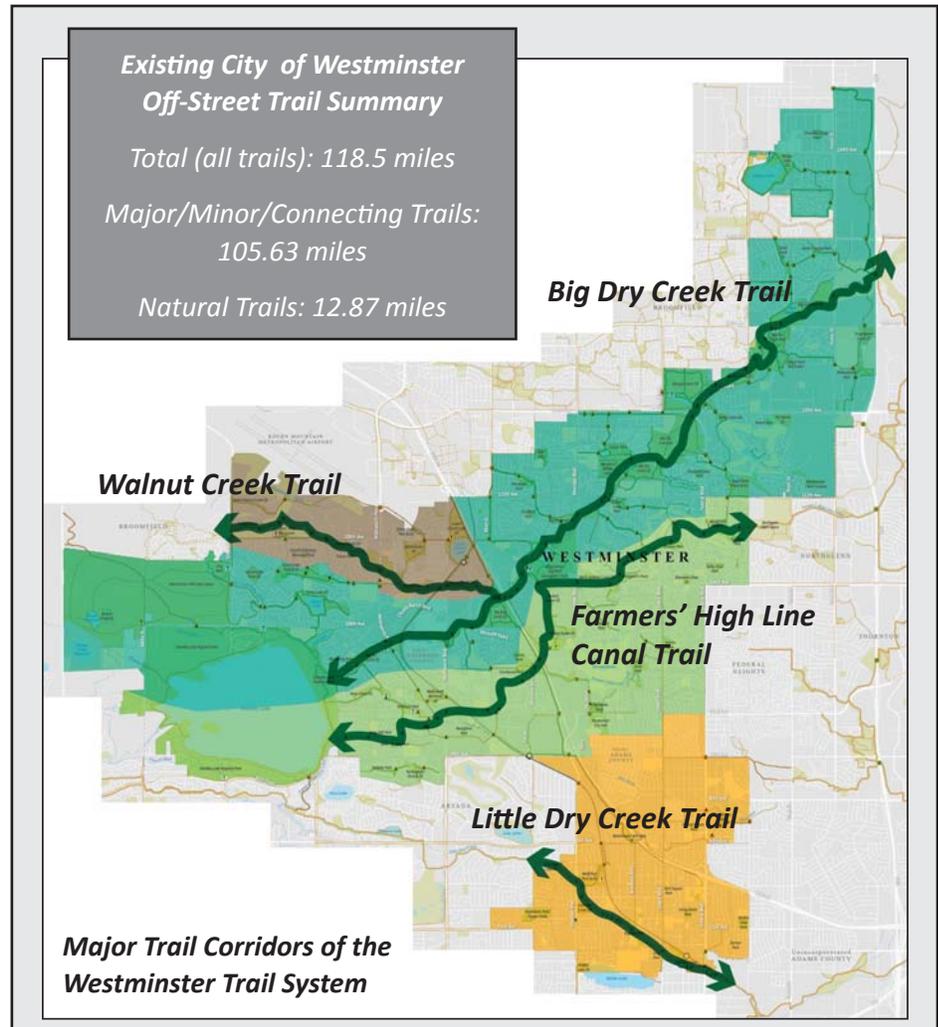
# Trails Master Plan Diagram - Supporting Narrative

The conceptual approach to developing the City of Westminster's Trails system began with identifying major, linear corridors associated with drainage and irrigation conveyance (i.e. Big Dry Creek, Little Dry Creek and Farmers' High Line Canal), purchasing and preserving land along those corridors, and constructing a Major Trails (regional) system. Through the subsequent development of residential subdivisions and commercial development, Minor Trails were designed and constructed, often ad hoc, linking neighborhoods and commercial development to Major Trails. The existing combination of Major and Minor Trails serves as the framework for the Westminster Open Space and Trails system.

## Goals for Trails Planning

This *Trails Master Plan*, as part of the *Open Space Stewardship Plan*, seeks to progress the following three primary goals:

- 1) *Complete the Trails system as it was originally conceived by City staff.*
- 2) *Mitigate unforeseen consequences of the existing ad hoc developed "Major Trail Corridor/Minor Trail Links" framework for future trail expansion.*
- 3) *Anticipate expansion of the existing trails framework in response to expansion and changing land uses and user groups.*



Trail at Stratford Lakes into Big Dry Creek Open Space

**GOAL 1: Complete the existing Trails system as it was originally conceived by City staff.**

- » Identify and construct missing links in Major Trails

*Example: Walnut Creek Trail missing link at Wadsworth Boulevard/Church's Stage Stop west to Wadsworth Parkway*

- » Upgrade both Major Trails and Minor Trails that are used by residents commuting to school and work to concrete trails with aggregate path at one side. Continue to use aggregate paving (crusher fines, etc.) on all other Minor Trails to contribute to the creation of a unified, hierarchical Trails system that is consistent with regional standards.

*Example: 1) Big Dry Creek Trail between 112th and 120th Avenues would include a 10' concrete trail with a 2' aggregate path at one side and then Caulkins Ditch Trail on the opposite side of the creek should be an 8'-10' wide aggregate trail along the old ditch maintenance road.*

*(2) Countryside Creek Trail through Countryside Open Space that provides connection to Witt Elementary School*

- » When planning new Minor Trail through a Public Land Dedication (PLD) process, consider how land acquisition for the proposed link could function to further extend and/or expand the open space corridor

*Example: Proposed Long's View Trail within future development at Federal Pkwy and 122nd Ave could have the affect of broadening the corridor.*

**GOAL 2: Mitigate unforeseen consequences of the existing ad hoc developed "Major Trail Corridor/Minor Trail Links" framework for future trail expansion.**

City expansion and development patterns have resulted in challenges associated with the focus on trail development paralleling drainage corridors. Westminster's primary open space corridors generally run west to east, aligning with major drainage and ditch systems – offering few opportunities to make much needed north/south connections. The two most significant corridors, Big Dry Creek and the Farmers' High Line Canal, run parallel to one another through the northern part of the city leaving the southern part of the city with few opportunities to connect the Major Trails, with the exception of the future U.S. 36 Bikeway.

Objectives to mitigate these unforeseen consequences include:

- » Recognizing the off-street, Open Space/Trails system as a major component of a larger system including bike lanes, bike routes, and side paths.
- » Linking off-street, open space trails to the bikeway framework plan identified in the *2030 Westminster Bicycle Master Plan*. Coordinate respective prioritization plans as much as possible.
- » Reinterpreting the Major Trail/Minor Trail connection framework to include interconnecting local loops. Use sidewalks or Minor Trails to create neighborhood loops, enabling short walks that connect users to the trails and open space system without committing them to journeying out to and back from Major Trail corridors.

*Example: The series of Minor Trails from Farmers' High Line to the Big Dry Creek Trail along the southern bluff above the creek create a series of localized, neighborhood loops, i.e. Cottonwood Creek Trail at Legacy Ridge.*



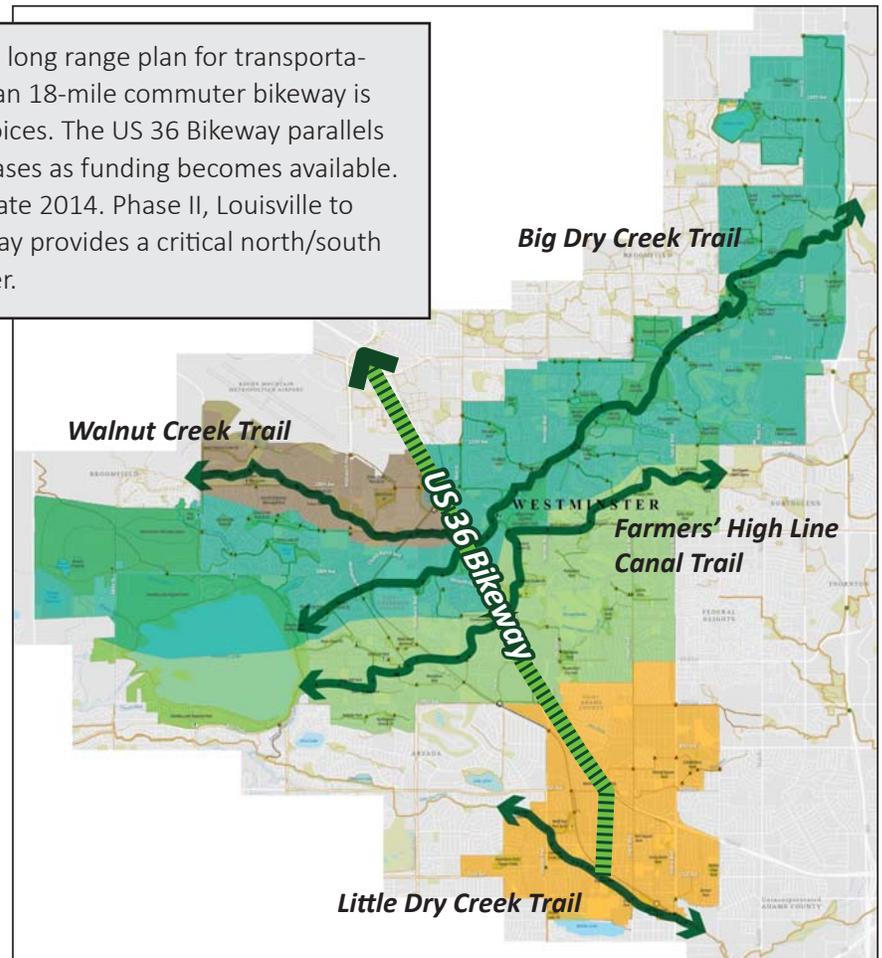
**GOAL 3: Anticipate expansion of the existing trails framework in response to expansion and changing land uses and user groups.**

The existing Open Space/Trails system is a popular public amenity for residents and non-residents. Increasing population, increased residential and commercial development, and redevelopment trends mean increased user trends along both Major and Minor Trails, and the need to connect new development and redevelopment projects to existing corridors.

Objectives to expanding on the existing trails framework include:

- » Continue to expand on the Trails system within Open Space by master planning specific areas.  
*Example: Develop a network of trails within the Big Dry Creek Open Space from Sheridan Boulevard to I-25. The Major Trail on one side of the creek can be supplemented by a soft trail on the opposite side.*
- » Improve mapping and signage. The City's long-term approach to establishing Minor Trail links to Major Trail corridors has resulted in the utilization of a variety of hybrid trail types combining trail, detached sidewalk, attached sidewalk, and bike route configurations. The resulting variety of trail types is difficult to illustrate accurately in mapping and results in unfulfilled trail user expectations on the ground.  
*Example: Farmers' High Line Canal Trail consists of off-street trails, detached sidewalks through neighborhoods, and sidewalks along arterial streets. Illustrating the different types of trail/route conditions on a map, as well as improving signage along the corridor, would improve trail user experience through the corridor.*
- » Identify potential connections to Major Trail corridors when Public Land Dedications (PLDs) increase Open Space holdings.

**US 36 Commuter Bikeway** - As part of the long range plan for transportation improvements to the US 36 corridor, an 18-mile commuter bikeway is included in the package of commuting choices. The US 36 Bikeway parallels the corridor and will be constructed in phases as funding becomes available. Phase I, Westminster to Louisville, opens late 2014. Phase II, Louisville to Boulder, opens late 2015. The US 36 Bikeway provides a critical north/south trail connection for the City of Westminster.



## Coordinate with the 2030 Bicycle Master Plan

The *2030 Bicycle Master Plan*, adopted by City Council in June 2011, identifies many off-street shared paths (or trails) as part of the proposed final bikeway network to facilitate recreational and commuter bicycle needs. The plan recommends that Westminster build all new identified bikeway trail segments with concrete and retrofit all existing gravel segments with concrete for use by commuter cyclists. The plan makes recommendations for design and safety as well as recommendations for wayfinding and connection into the on-street bikeway system.

The 2030 Bicycle Master Plan and this Trails Master Plan often overlap and essentially share the same goal. In some instances the Trails Master Plan identifies a proposed trail route when it most likely will be a bikeway or bike lane with a four foot wide detached sidewalk (i.e. Bradburn Boulevard and Lowell Boulevard). If the proposed trails overlap with the proposed bikeway in an urban setting then the trail should be deferred for the bikeway and an improved sidewalk. Appropriate signage should still direct “trail” users to the next “trail” section with confidence markers as identified in the *Trails Wayfinding Strategy* in this Plan.

This *Trails Master Plan* coordinates proposed improvement priorities (short/medium/long-term) with improvement priorities identified in the *2030 Bicycle Master Plan* ensuring connections are met.

## Westminster Existing Off-Street Trail System

The existing Westminster Trails system hierarchy includes:

- » ***Major Trails***, also referred to as “regional” trails, are the primary connectors of the Open Space/Trails system. These trails connect to major greenways and open space as well as adjacent jurisdictions.
- » ***Minor Trails***, also referred to as “local” or “neighborhood” trails, provide links from neighborhoods to Major Trails, as well as major recreational, cultural, and employment destinations.
- » ***Connecting Trails***, also referred to as “access” trails, are often short trail spurs that connect the neighborhood to Major and Minor Trails.
- » ***Natural Trails*** are backcountry trails that provide a route to experience City Open Space.

## Off-Street Trail Facility Classifications and Design Standards

This section provides recommended design standards for Major and Minor Trail facility types when developing new trail connections within the City of Westminster. These design standards should be used as a tool for City staff to evaluate trail connections in development proposals and plan for new trails within the City.

These recommended design standards are consistent with *The American Association of State Highway and Transportation (AASHTO) Official's Guide for the Development of Bicycle Facilities, 4th Edition 2012*, a key resource for designing bicycle facilities in the U.S., which includes off-street trails.

### **Off-Street Trail Facility Types**

Within each trail facility type there are a variety of different trail segment types that vary in width and materials. These include:

- » Multi-Use Path
- » Multi-Use Path with adjacent Aggregate Path
- » Aggregate Path
- » Natural Path
- » Detached Sidewalk
- » Attached Sidewalk

The table on the following page summarizes the recommended specifications for each trail segment type.



Westminster Off-Street Trail Facility Segment Types			
Facility Segment Type	Typical Width	Typical Material	Typical Characteristics
<b>Multi-Use Trail</b> 	8'-12'	Concrete or asphalt <i>(See highlight box on the following page regarding pros and cons of concrete vs. asphalt)</i>	<ul style="list-style-type: none"> <li>» Designed for low to high speed trail use (walkers, runners, cyclists, in-line skaters)</li> <li>» Continuous route separated from roadway and curb</li> <li>» Frequent directional signage provided at trail intersections and decision making points</li> </ul>
<b>Multi-Use Trail with adjacent Aggregate Path</b> 	8'-10' concrete with 4' adjacent aggregate path	Concrete or asphalt and crusher fines or compacted organic material	<ul style="list-style-type: none"> <li>» Designed for low to high speed trail use (walkers with strollers, cyclists, in-line skaters) on hard surface and low speed use on soft surface (walkers, runners)</li> <li>» Continuous route separated from roadway and curb</li> <li>» Frequent directional signage provided at trail intersections and decision making points</li> </ul>
<b>Aggregate Trail</b> 	6'-10'	Crusher fines or compacted organic material	<ul style="list-style-type: none"> <li>» Designed for low to moderate speed trail use (walkers, hikers, runners, off-road cyclists)</li> <li>» Continuous route separated from roadway and curb</li> <li>» Frequent directional signage provided at trail intersections and decision making points</li> </ul>
<b>Natural Trail</b> 	3'-6'	Compacted organic material	<ul style="list-style-type: none"> <li>» Designed for low speed use (walkers, hikers, trail runners)</li> <li>» Continuous route within an open space area with minimal conflicts with high speed trail user</li> <li>» Minimal directional signage; may include educational or interpretive signage</li> </ul>
<b>Detached Sidewalk</b> 	6'-10'	Concrete or asphalt	<ul style="list-style-type: none"> <li>» Designed for low speed users (pedestrians)</li> <li>» Separated by adjacent roadway and curb by a landscape buffer</li> <li>» Follows higher traffic volume streets</li> </ul>
<b>Attached Sidewalk</b> 	4'-10'	Concrete or asphalt	<ul style="list-style-type: none"> <li>» Designed for low speed users (pedestrians)</li> <li>» Connected to adjacent roadway and curb</li> <li>» Follows lower traffic volume streets</li> </ul>

<b>Concrete vs. Asphalt: Pros and Cons</b>			
<b>Material</b>	<b>Pros</b>	<b>Cons</b>	<b>Installation</b>
<b>Concrete</b>	<ul style="list-style-type: none"> <li>» More durable.</li> <li>» Better in low traffic or lightweight traffic.</li> <li>» Standard for regional trails (This becomes a wayfinding issue -- matching other, regional trails)</li> </ul>	<ul style="list-style-type: none"> <li>» Requires thorough sub-grade preparation. (Consider a lime subgrade treatment on Big Dry Creek clay soils.)</li> <li>» Impacts related to access for trail construction -- the proposed trail alignment is often the only means for site access.</li> <li>» High costs for repair/replacement if improperly installed</li> </ul>	<ul style="list-style-type: none"> <li>» Lime sub-grade treatment.</li> <li>» Concrete trail depth 6".</li> </ul>
<b>Asphalt</b>	<ul style="list-style-type: none"> <li>» Trail users may prefer the "softer" feel and appearance of asphalt. The value of asphalt's "basic black" matches the value of green grass. It is much less reflective than new concrete. Additionally, asphalt allows for aggregate topcoats that can soften the appearance of a small parking lot for example.</li> <li>» Low cost of minor repair.</li> </ul>	<ul style="list-style-type: none"> <li>» Asphalt gets brittle if not "worked" by traffic.</li> <li>» Requires thorough subgrade preparation: Examples include: Complete removal of all plant material, Pre-emergent herbicide or use of geotextile to prevent plant growth back through asphalt.</li> <li>» Compaction must exceed edge of trail. Shoulder construction can be required. (Very similar to crushed granite aggregate.)</li> <li>» Best if horizontally separated from trees.</li> </ul>	<ul style="list-style-type: none"> <li>» Geotextile fabric.</li> <li>» Asphalt depth 6", two lifts.</li> </ul>

**Major Trails**

Major Trails, also know as "regional" trails, are the primary connectors of the Open Space/Trails system. These trails connect to major greenways and open space as well as adjacent jurisdictions.

Historically, Westminster's Major Trail Corridors were developed along existing creeks and drainageways in a, more or less, east/west direction. These include:

- » Big Dry Creek Trail
- » Walnut Creek Trail
- » Farmers' High Line Canal Trail
- » Little Dry Creek Trail

Recently Major Trail Corridors have developed to make north/south connections in the city. These include:

- » US 36 Commuter Bikeway
- » I-25 Trail (which includes Tanglewood Creek Trail)

As residents are depending more on multi-modal transportation such as biking to get to their destinations, these Major Trails become a critical piece to the proposed final bikeway network. Therefore, Major Trails must be designed to handle the high speeds of commuter cyclists as wells as recreational walkers and runners. Major Trails that consist of soft aggregate paving should be upgraded to concrete and frequent directional signage should be installed to better accommodate this commuter need.



<b>Major Trail Facility - Recommended Specifications</b>	
Material	Concrete with adjacent aggregate trail where feasible
Width	10-12' concrete or 8'-10' concrete with adjacent 4' aggregate trail
Shoulders	2-5'
Cross Slope	1% min/2% max
Vertical Clearance	10'
Maximum Grade	8.3%
Amenities	Signage, Lighting, Trash Receptacles, Benches

### **Minor Trails**

Minor Trails, also referred to as “local” or “neighborhood” trails, provide links from neighborhoods to Major Trails, as well as major recreational, cultural, and employment destinations. Examples of Minor Trail facility types located within Westminster include:

- » Airport Creek Trail
- » Allen Ditch Trail
- » Countryside Creek Trail
- » Cotton Creek Trail
- » Home Farm Trail
- » Ketner Lake Trail
- » McKay Creek Trail
- » Mushroom Pond Trail
- » Niver Canal Trail
- » Quail Creek Trail
- » Squire’s Park Trail
- » Trailside Creek Trail
- » Westcliff Trail

While ideally Minor Trails would be comprised of multi-use trail segments constructed to wider standards, the reality is that in some cases due to existing development, detached and attached sidewalk segments are required to make these connections work. At a minimum, clear signage must be used to direct trail users to Major Trail connections as well as local destinations and when the trail intersects with motor vehicle traffic, there should be a signed crossing and marked crosswalk.

<b>Minor Trail Facility - Recommended Specifications</b>				
	Multi-Use Trail	Aggregate Trail	Detached Sidewalk	Attached Sidewalk
Material	Concrete	Crusher fines	Concrete	Concrete
Width	8-10'	6-8'	6-10'	4-10'
Shoulders	2-5'	2-5'	2-5'	N/A
Cross Slope	1% min/2% max	1% min/2% max	1% min/2% max	1% min/2% max
Vertical Clearance	10'	10'	10'	10'
Maximum Grade	8.3%	8.3%	8.3%	8.3%
Amenities	Signage, Lighting, Trash Receptacles, Benches			

## Trail Crossings

---

In order to maintain continuity and safety along trails, intersections with roadways, utilities, and water features should be carefully designed and maintained. The decision on what type of design treatment is appropriate at a trail/roadway intersection requires balancing user safety and personal comfort needs with prudent traffic engineering principles and project cost and budget considerations. This section provides guidance in determining where different types of trail crossings, grade separated or at-grade, are needed.

### **At-Grade Crossings**

Roadway intersections represent one of the primary collision points for trail users. When intersections occur at-grade, a major design consideration is the establishment of right-of-way for various users. CDOT (*Colorado Department of Transportation*), AASHTO (*The American Association of State Highway and Transportation Officials' Guide for the Development of Bicycle Facilities, 4th Edition 2011*), NACTO (*The National Association of Transportation Officials Urban Bikeway Design Guide 2nd Edition 2012*), and MUTCD (*The Manual of Uniform Traffic Control Devices, 2009 Edition*) have usage warrants and design standards regulating various types of at-grade crossings.

*The City of Boulder: Pedestrian Crossing Treatment Installation Guidelines, November 2011*, is another resource for at-grade crossings, including pedestrian crossing location criteria, specific crossing design treatments, technical literature research, and an evaluation of the effectiveness and safety of various treatments being tested at crossing locations in the City of Boulder.

By CDOT definition, a marked crosswalk is any crosswalk which is delineated by white painted markings placed on the pavement. Legal crosswalks exist at all public street intersections whether marked or unmarked; however, the only way a crosswalk can exist at a mid-block location is if it is marked. All traffic devices, including crosswalk markings and signs, must conform to the federal and state regulations for dimensions, color, wording, and graphics. To create highly visible roadway crossing for trail facilities, it is recommended to use ladder-style crosswalk markings in all locations along the Westminster Trails system.

Various crossings may be further enhanced by using a combination of the following, based on site-specific needs, opportunities, traffic counts, and usage warrants:

- » **Enhanced Mid-Block Crossings:** Raised speed tables, colored, and textured pavements within the crosswalk area, retroreflective marking materials, landscape enhancements, or other traffic calming strategies.
- » **Raised Medians and Center Pedestrian Refuge Islands:** To be considered on mid-block crossings on multi-lane roadways to allow pedestrians to find an acceptable gap in traffic for one approach at a time.
- » **Curb Extensions:** To be considered for mid-block crossing on streets with on-street parking to enhance pedestrian visibility and shorten distance time required to cross street.
- » **Pedestrian Traffic Signal:** May be used in a mid-block location after careful study of traffic characteristics. This is a conventional traffic signal with Walk/Don't Walk signals for pedestrians.
- » **Pedestrian Hybrid Beacon:** A hybrid between a pedestrian traffic signal and a stop sign that is actuated by a pedestrian push button.
- » **Rectangular Rapid Flash Beacons (RRFBs):** Small rectangular yellow flashing lights that are deployed with pedestrian crossing warning signs.
- » **Enhanced Crosswalk Signage:** May be used to draw further attention to the crossing area, such as signs and bollards that say "State Law--Yield to Pedestrians" (2 or 3-lane crossings) and pedestrian-activated flashing signs (multi-lane crossings).

Existing and proposed at-grade crossings for trails are mapped on the *2014 Trails Master Plan Map*. This map is to be used as a long-range planning guideline and will change based on actual trail alignments, developer negotiations, and Capital Improvement Project (CIP) feasibility.



**Grade Separated Crossings**

Grade separated crossings are desirable when a trail intersects with either another trail, a drainageway, a roadway, or a railroad, minimizing conflicts between motorized and non-motorized users.

Ideally, Westminster’s Major Trails system would provide uninterrupted connectivity constructing underpasses and overpasses that would allow safe, continuous routes of travel removed from motor vehicle conflicts, especially at arterial streets. When an underpass or overpass is not feasible, enhanced at-grade crossings can be used as an alternative, and is actually more cost-effective when connecting into the on-street bikeway network because it eliminates the need for connecting trails, ramps, and curb cuts. The decision to provide underpasses for trails that follow creeks, drainages, and ditches, will depend on opportunities for cost-effective implementation, most likely in association with infrastructure improvements.

Existing and proposed underpasses and bridges are mapped on the *2014 Trails Master Plan Map*. This map is to be used as a long-range planning guideline and will change based on actual trail alignments, developer negotiations, and funding Capital Improvement Project (CIP) feasibility.

Crossing Type Criteria		
Trail Intersection Type	Trail Facility Types	
	Major Trails	Minor Trails
Freeways & Active Rail Lines	» Provide bicycle/pedestrian underpass or overpass.	» Provide bicycle/pedestrian underpass or overpass if feasible and cost-effective; otherwise route to closest existing street crossing.
Arterial Streets without bike lanes	» Provide bicycle/pedestrian underpass or overpass, or » Provide enhanced mid-block crossing with pedestrian signal.	» Route to closest traffic signal, or » Provide enhanced mid-block crossing with pedestrian signal, or grade separated structure if feasible
Arterial Streets with bike lanes	» Enhanced at-grade crossings are preferred for linkage between on- and off-street road facilities. » If grade separated structures are provided, include ramps from trail grade to street grade.	» Provide highly visible ladder-style crosswalks with some form of pedestrian crossing light.
Local and Collector Streets without bike lanes	» Provide highly visible ladder-style crosswalks. » May include elements of enhanced pedestrian crossings.	» Provide highly visible ladder-style crosswalks.

### **Criteria for Identifying Underpass Opportunities**

Integrating the Westminster Open Space/Trails system into existing development patterns within City boundaries requires extending beyond existing drainage and irrigation corridors that comprise the Open Space System.

To date, the City's goal has been to extend trail connections to and from Major Trails into the context of a residential subdivision model where local roads feed into a street hierarchy of progressively busier arterials and collectors. That approach can succeed by using a combination of trails acquired through Public Land Dedications (PLDs), on-street bikeway routes, and sidewalk/trail designations to complete missing links, but terminates at arterial roadways where grade separated crossings were not part of the original subdivision pedestrian and vehicular access and transit design.

User experience on Major Trail corridors is improved by constructing grade separated crossings at high volume/high-speed arterial streets. Such crossings are often implemented along a major drainage such as Big Dry Creek when trails are being constructed at roughly the same time arterials and collectors are undergoing reconstruction. Criteria for successful grade separated crossings design are stringent. Crossings must accommodate all persons, as required by ADA. Crossings must minimize slopes on approach and be clearly visible from the street. Sight lines must extend through the crossing, and the length of the crossing must be well lit.

Typical cross-sectional dimensions for an underpass serving both pedestrian and bicycle traffic are 14-16 feet. That width should be increased if the length is greater than 60 feet. (i.e. ROW at Federal Boulevard at intersections is 110 ft.)

The above criteria make the construction of underpasses at arterial streets not associated with site or regional drainage or irrigation requirements very difficult due to a range of issues including:

- » Acquisition of ROW to accommodate approaches;
- » Utility relocation;
- » Narrow, relatively steep approaches; and,
- » Long enclosed spaces with limited sight lines in and out.

Underpasses work best when designed to feel welcoming, safe, and accessible. Underpasses are significantly less expensive when integrated and constructed as a component of roadway improvements.

The best opportunities come in association with new bridge construction or existing bridge or culvert reconstruction (i.e. Urban Drainage and Flood Control District's new criteria for determining flood volumes and defining flood plains may create future opportunities to modify crossings on Little Dry Creek and Walnut Creek) where the possibility of improving an existing underpass or constructing a new one should always be included in design alternatives.

Where grades are favorable and there is the possibility of constructing an arterial underpass that connects directly to Open Space, or provides a link in a Major Trail, then that proposed underpass may be worth continued study. (i.e. Crossing Federal Boulevard north of Ranch Reserve Parkway.)

Where a connecting on-street bikeway route or sidewalk trail crosses an arterial street with no City-owned land on either side, then the possibility of constructing a successful underpass becomes more remote and the City should consider at-grade solutions that include alternative transportation engineering designs related to intersection modifications.



Crossing Types			
Facility Type	Typical Width	Typical Surface	Characteristics
<b>Bicycle/Pedestrian Bridge or Overpass</b> 	10'-14'	Wood, composite, concrete, or metal decking	<ul style="list-style-type: none"> <li>» Minimum clear width same as approaching path, ideally including an additional 2' clearance on either side of trail.</li> <li>» 5% maximum grade on approach ramps.</li> <li>» Railings/fences on both sides shall be a minimum height of 42" for pedestrian facilities and 54" for bicycle facilities.</li> </ul>
<b>Bicycle/Pedestrian Underpass</b> 	10'-14'	Concrete	<ul style="list-style-type: none"> <li>» Minimum clear width same as approaching path, ideally including an additional 2' clearance on either side of trail.</li> <li>» 10' minimum vertical clearance.</li> <li>» 5% maximum grade on approach ramps.</li> <li>» Railings/fences on both sides shall be a minimum height of 42" for pedestrian facilities and 54" for bicycle facilities.</li> </ul>
<b>Standard At-Grade Crossing</b> 	8'-10'	Thermoplastic paint	<ul style="list-style-type: none"> <li>» Trail crossings of all streets should use highly visible ladder-style crosswalk markings.</li> <li>» Crosswalk and associated curb ramps should be same width as approaching trail.</li> <li>» Acceptable for mid-block locations on local streets. Optional to include pedestrian-actuated signals based on needs.</li> </ul>
<b>Enhanced At-Grade Crossing</b> 	8'-10'	Thermoplastic or paint  Optional to apply crosswalk markings over colored or textured pavements	<ul style="list-style-type: none"> <li>» Recommended for mid-block locations on arterials and collectors.</li> <li>» Consider use of median refuge islands on multi-lane roadways.</li> <li>» Consider use of curb extensions on streets with on-street parking.</li> <li>» Optional to include raised speed table crossing treatments and/or pedestrian-actuated signals based on needs.</li> </ul>

## Trail Amenities

This section provides recommendations and guidelines for the design of trail amenities and trailheads.

### Trail Amenities

The following table displays various trail facility amenities to be provided throughout the Westminster Trails system and the trail facility classification for which it is recommended.

Trail Amenities Recommendations			
Trail Amenity	Major	Minor	Notes
Benches	Recommended	Recommended	<ul style="list-style-type: none"> <li>» Benches should be placed at Major Trailheads, trail lighting, and at waiting/resting areas.</li> <li>» Locate benches in areas that provide interesting views, shade or shelter from seasonal winds, as well as those that are close to educational or cultural elements.</li> <li>» Locate in close proximity to the trail- typically 3' from the aggregate or paved shoulder.</li> <li>» Drainage should slope away from the trail.</li> <li>» Benches should be securely anchored to a concrete pad, and located at appropriate intervals (1/2 mile is optimum) along the trail.</li> <li>» Seating depth should be 18-20 inches and the length should vary between 60-90 inches.</li> </ul>
Bollard	Recommended	Recommended	Bollards should have reflective surfaces, be removable and be placed where motor vehicles have potential access to trails.
Delineators	Recommended	Recommended	Delineators can be used in place of guard rails and in areas where the trail is adjacent to water features or slopes in excess of 1:4.
Distance Markers	Recommended		<ul style="list-style-type: none"> <li>» Distance markers should be placed at the beginning of Major Trailheads and at locations where there is high recreational use.</li> <li>» The markers should be placed at ½ mile to 1 mile intervals otherwise. (See Westminster <i>Trails Wayfinding Strategy</i> for Mile Marker design concept)</li> </ul>
Guard rails/fences	Recommended	Recommended	Guard rails should be a minimum height of 42" and used where there is more than 30" vertical drop off at edge of the shoulder.
Informational and Wayfinding Signage	Recommended	Recommended	Informational signage should be located as needed per <i>Westminster Trails Wayfinding Strategy</i> in this report.
Lighting	Recommended	Recommended	Lighting shall conform to the City's Standards and Specifications.
Regulatory Signage	Recommended	Recommended	Signage at street crossings should be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) Chapter 9.
Trash Receptacles	Recommended	Recommended	Trash receptacles, as well as provisions for recycling, should be provided at street crossings and near benches.
Dog Waste Stations	Recommended	Recommended	Provide dog waste stations at trailheads and street crossings.



### **Trailheads**

Trailheads are typically located at gateways to the Trails system, and thus, should be highly visible and provide appropriate amenities (wayfinding and regulatory signage or kiosk) that make a user's experience enjoyable. Trailhead design should take into account the surrounding environment and context as well as the trail facility classification, Major or Minor Trail.

Trailhead attributes should include:

- » Providing a comprehensive system of parking, transit access, information, and function as a gateway to the Westminster Trails system.
- » Parking should be provided in a lot configuration and may either be paved, unpaved, or a combination of both.
- » When possible it will be necessary to explore shared-use parking options with other facilities (e.g., schools, parks, and churches).
- » When a trailhead is located along a designated RTD fixed-route, at a minimum, a transit stop shall be provided with adequate access to the trail.

<b>Trailhead Amenities Recommendations</b>	
<b>Trail Amenity</b>	<b>Notes</b>
<b>Benches</b>	<ul style="list-style-type: none"> <li>» Locate benches in areas that provide interesting views, shade or shelter from seasonal winds, as well as those that are close to educational or cultural elements.</li> <li>» Locate in close proximity to the trail- typically 3' from the aggregate or paved shoulder.</li> <li>» Drainage should slope away from the trail.</li> <li>» Benches should be securely anchored to a concrete pad.</li> <li>» Seating depth should be 18-20 inches and the length should vary between 60-90 inches.</li> </ul>
<b>Bike Racks</b>	Bike racks should be located near the parking facility and should be covered and lighted when possible.
<b>Lighting</b>	Lighting shall conform to City standards.
<b>Wayfinding Signage</b>	Wayfinding signage should illustrate the entire trail network. (See Westminster <i>Trails Wayfinding Strategy</i> for kiosk design at trailhead)
<b>Parking</b>	Where provided, parking should be signed and located with close proximity to the trail. Parking should also be lighted as necessary.
<b>Port-o-lets</b>	Port-o-lets should be located at trailheads that are perceived to have high use. Port-o-lets should be enclosed and should be accessible for wheelchair users (ADA standards).
<b>Regulatory Signage</b>	Signage should be provided at Major Trailheads and street crossings in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) Chapter 9.
<b>Transit Access</b>	Transit stops should be easily accessible and visible, and provide route and schedule information along with typical signage.
<b>Trash Receptacles</b>	Trash receptacles, as well as provisions for recycling, should be provided at trailheads and locations of benches and wayfinding signage.

Existing and proposed trailheads are mapped on the *2014 Trails Master Plan Map*. This map is to be used as a long-range planning guideline and will change based on actual trail alignments, developer negotiations, and Capital Improvement Project (CIP) feasibility. Proposed trailhead locations include (see large fold-out map for locations):

- » Vogel Pond Park and Open Space (*Ranch Reserve Parkway and West 112th Avenue*)
- » Hyland Pond Open Space (*West 98th Avenue, west of Northwest Church of Christ*)
- » Lower Church Lake Open Space (*Wadsworth Boulevard and West 108th Avenue*)
- » Westminster Hills Open Space - South (*Alkire Street and 100th Avenue*)

Large scale fold-out version  
of this map is included in the pocket  
at the end of this section.

# 2014 Trails Master Plan

11.24.2014

## LEGEND

### Major Trails

- Concrete
- Concrete Sidewalk
- Aggregate
- Proposed

### Minor Trails

- Concrete
- Concrete Sidewalk
- Aggregate
- Proposed

### Other Trails/Bikeways

- Connecting Trail
- Natural Surface Trail
- Proposed Connecting Trail
- Existing Trail in Adjacent Jurisdiction
- Proposed Trail in Adjacent Jurisdiction
- Proposed Bikeway (per 2030 Bicycle MP)

### Trailheads

- Existing
- Proposed

### Trail Crossings

- Existing
- Proposed

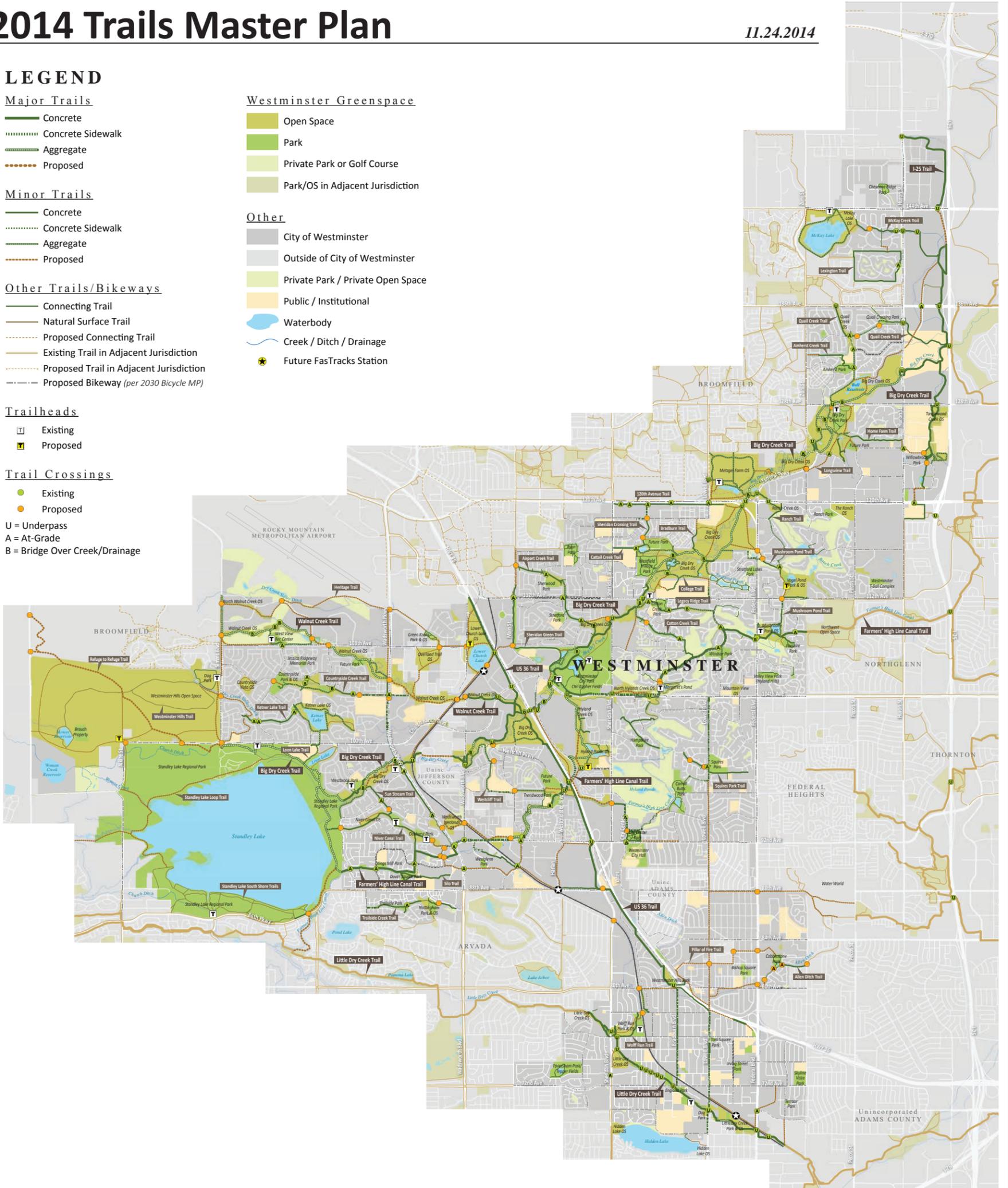
U = Underpass  
A = At-Grade  
B = Bridge Over Creek/Drainage

### Westminster Greenspace

- Open Space
- Park
- Private Park or Golf Course
- Park/OS in Adjacent Jurisdiction

### Other

- City of Westminster
- Outside of City of Westminster
- Private Park / Private Open Space
- Public / Institutional
- Waterbody
- Creek / Ditch / Drainage
- ★ Future FasTracks Station





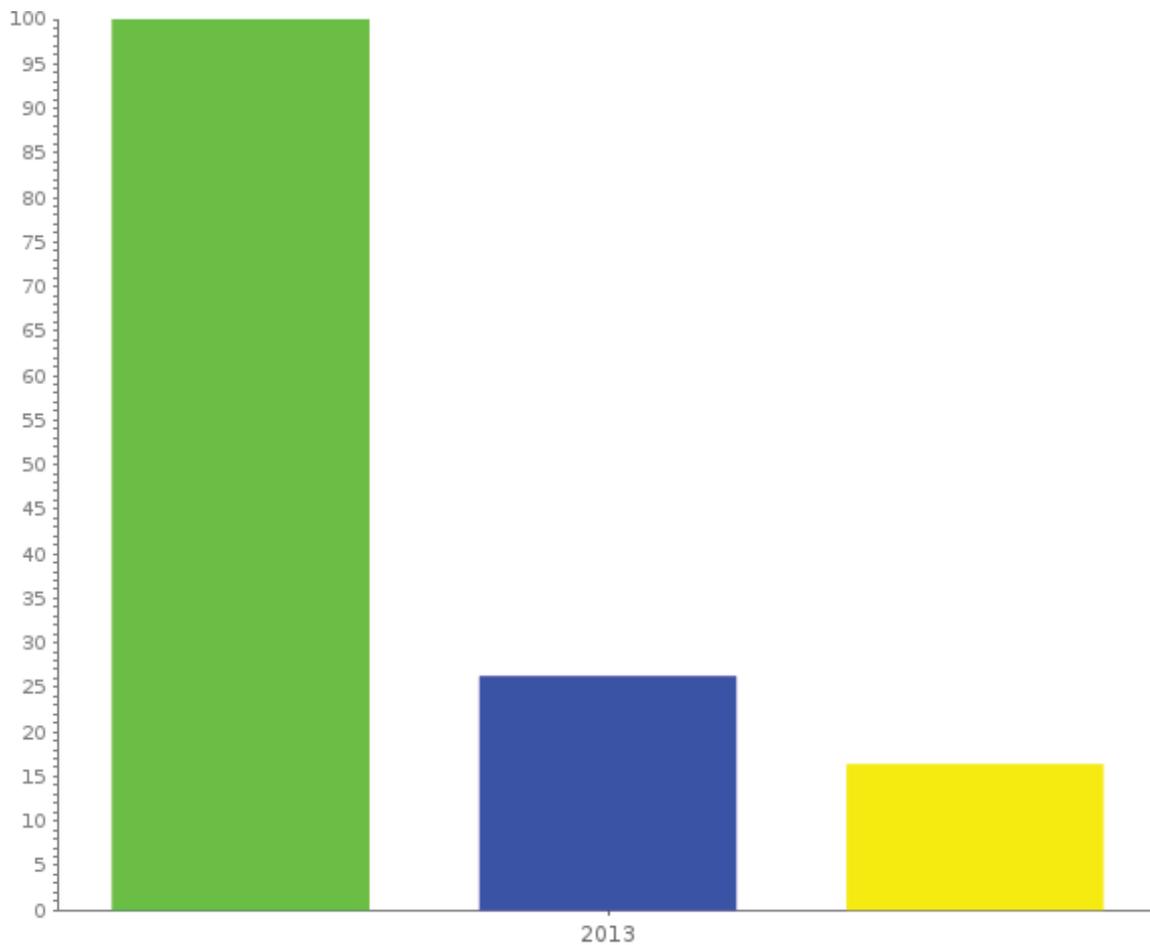
# Resources: 2013 Trail Use Data Report

## Yearly\* totals report

Covering 1 year from 2013-01-01 to 2013-12-31

Report generated on 2014-06-13 14:34:23 (UTC -06:00) by rlarsen@cityofwestminster.us

[TRAFx DataNet \(http://www.trafx.net/\)](http://www.trafx.net/)



Site Name	Average
BDC Trail	144,954.0
FHC Trail	40,385.5
Little Dry Creek Trail	24,300.4

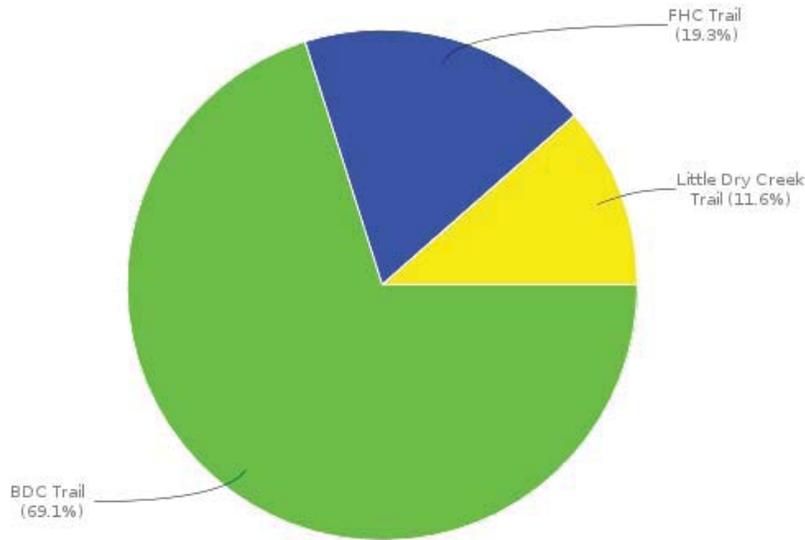
\* Based on Average Daily Traffic (ADT)

## Compare sites

Data from 2013-01-01 to 2013-12-31

Report generated on 2014-06-13 14:33:25 (UTC -06:00) by rlarsen@cityofwestminster.us

[TRAFx DataNet \(http://www.trafx.net/\)](http://www.trafx.net/)



Site Name	Daily Average
BDC Trail	396.9 (69.1%)
FHC Trail	110.6 (19.3%)
Little Dry Creek Trail	66.5 (11.6%)



## Resources: Trails Master Plan

The *2014 Trails Master Plan* examines current and future needs for off-street trails within the City of Westminster. The Plan builds off of existing Major Trail corridors along the Big Dry Creek, Farmers' High Line Canal, Little Dry Creek, and Walnut Creek while incorporating future connections as they tie into the *2030 Bicycle Master Plan*.

### **Existing Westminster Trails Planning and Mapping - Resources used in the planning process**

This Plan is supported by many plans, maps, and existing digital data, documents, and programs already in place that guide the City's trail planning efforts.

- » **The 2001 Master Plan Map Diagram**  
This map illustrates the City's existing and proposed trails, including existing and proposed sidewalks, existing and proposed trailheads, and existing and proposed grade separated crossings. The map also calls out regional trail connections to adjacent municipalities.
- » **The 2013 Comprehensive Land Use Plan Update**  
Chapter 7.0 – Parks, Recreation, Libraries and Open Space, Sections 7.3- and 7.4, highlights goals and policies as they pertain to trails planning, these include:

#### **GOALS:**

- PRLO-G-4 Provide easy and safe access to the City's Open Space and Trails network.
- PRLO-G-5 Ensure the City's Open Space and Trails network is well-maintained and continues to preserve sensitive habitats and environments.

#### **POLICIES:**

- PRLO-P-3 Continue to identify and evaluate opportunities for property acquisitions that enhance access to the City's trail corridors and public parks.
- PRLO-P-4 Ensure that all new residential development continues to contribute to the provision and maintenance of adequate parks, recreation facilities and open space to meet the needs of its new residents.
- PRLO-P-18 Update and utilize the Trails Master Plan to develop connections between Open Space areas.
- PRLO-P-19 Work with proposed development projects to provide new linkages to existing trails and create new trails where feasible.
- PRLO-P-15 Work with the Adams County Open Space Program, the City and County of Broomfield Open Space and Trails Program, Jefferson County Open Space Program and Great Outdoors Colorado Trust Fund as partners in open space programs.

The Comprehensive Land Use Plan includes a map – Figure 7-1. Parks, Libraries, Recreation & Open Space – that identifies existing and proposed trails along the main trail corridors of Big Dry Creek, the Farmers' High Line Canal, Little Dry Creek, and Walnut Creek, providing a basis for trail connection in both open space and new development in the city.

**Existing Westminster Trails Planning and Mapping - Resources used in the planning process (continued)**

» **The 2010-2014 Parks and Recreation Master Plan**

While primarily a master plan for Parks and Recreation, Open Space and Trails are inventoried and included in the Open Space section of the document. While the trails map that is included in this section shows existing conditions, it also identifies proposed trail connections. The plan states that the City's "Trails Master Plan" – this 2014 plan – will be inserted as a section of this document.

A Citizens Comment section is included in the Parks and Recreation Master Plan. Two public meetings were held, comment cards were available at all recreation facilities and City Hall, and an e-comment card was available on the City's website. Comment relating to Open Space and Trails were as follows:

**OPEN SPACE COMMENTS:**

- Concerned about Open Space at 100th on the west side of Sheridan. Debris from the abandoned McStain project is dangerous and an eyesore.
- Continue to reclaim and re-vegetate open space land through prairie dog management.
- Better weed control in Open Spaces.

**TRAILS COMMENTS:**

- I enjoy the extensive trail system. Suggest that you have done too well in paving paths. A softer walking surface would be much appreciated.
- 26 Residents of Green Knolls would like trail connections and sidewalks to enable them to safely walk or ride bikes to other trails, along Old Wadsworth and to Walnut Creek Shopping Center. (26 residents)
- Install bicycle path connecting Standley Lake to Federal Heights-allow bicycle traffic along the Farmers High Line Canal through the Hyland Hills Golf Course. This would allow bicycle traffic from the Standley lake area to connect to the Niver Creek path via 96th Avenue and eventually to the Platte River bike path, without using 92nd Avenue or 104th Avenue.
- Complete a continuous bike trail around Standley Lake. (3 residents)
- Build a safe trail connection between Westminster Hills Open Space and Standley Lake. Need a safe bike entrance to Standley Lake. There are no trails or sidewalks at the entrance at 100th and Simms. (2 Residents)
- Need more safe bike paths and trail connections in City Center area.
- Sanolets along trails and open space all year.
- No more concrete trails.
- Complete Walnut Creek Trail from Simms to Walnut Creek shopping area.
- There are no trails, parks or open space near me near 86th Ave & Federal Boulevard.
- Work with other municipalities to link trail systems both existing or planned (i.e., Broomfield, Rocky Flats).
- Build trail access to the Mower Reservoir through the forestry operations connecting to the Standley Lake Trails system.
- Install access to mower reservoir from the west on Indiana Street via trailhead/parking.
- I would also like to see the "proposed" section of greenbelt that would connect Countryside neighborhood
- (108th/Wads) to the Dry Creek Open Space completed.

» **The 2030 Bicycle Master Plan**

This plan, adopted by City Council in June 2011, identifies many off-street shared paths (or trails) as part of the proposed final bikeway network to facilitate recreational and commuter bicycle needs. The plan recommends that Westminster build all new identified bikeway trail segments with concrete and retrofit all existing gravel segments with concrete for use by commuter cyclists. The plan makes recommendations for design and safety as well as recommendations for wayfinding and connection into the on-street bikeway system. This *Trails Mas-*



*ter Plan* update coordinates proposed improvement priorities (short/medium/long-term) with improvement priorities identified in the bike plan ensuring connections are met.

» **Westminster Trails: A User's Guide**

The *Westminster Trails: A User's Guide* latest publication is dated August 2009 and will be updated in 2014. This map highlights the City's Trails system illustrating Major and Minor Trail connections as well as materials – concrete, gravel, or natural – and proposed connections on the map. This map was used on trail signage in various locations on Major Trails. The four Major Trails include:

- Big Dry Creek Trail
- Farmers' High Line Canal Trail
- Little Dry Creek Trail
- Walnut Creek Trail

» **Westminster Strategic Plan**

(TEXT STRAIGHT FROM OSSP) The City's Strategic Plan, reviewed and adopted annually by Westminster City Council, has identified the goal of 15% of the City's total land area preserved as City Open Space to preserve view corridors, provide buffers between developments, protect habitat, protect creek and irrigation canal corridors, preserve open rural landscapes, and enhance recreational opportunities for residents through a series of interconnected trails. Pursuit of property for acquisition is ultimately determined by Westminster City Council under guidance from the Open Space Advisory Board and City staff.

» **Westminster Comprehensive Land Use Plan**

(TEXT STRAIGHT FROM OSSP) The Westminster Comprehensive Land Use Plan (CLUP) governs future land development and redevelopment in the City. Two Goals and Policies within the CLUP relevant to this Plan are:

- "Preserve the unique visual character of Westminster" (Goal H2) through identification, acquisition, and/or strategic protection of view corridors and environmentally sensitive areas throughout the City (Policy H2a).
- "Enhance the City's Open Space system to preserve and protect natural areas, vistas and view corridors, and to complete the Open Space and Trails system" (Goal H4). Policies H4a and H4b suggest using "acquisition of open space as a tool to channel growth into appropriate locations and to shape the overall design of the community" and suggest continuing "to develop Big Dry Creek and tributary streams as the "spine" of a comprehensive network of trails linking

» **Existing GIS Data**

The City of Westminster updates the City's parks, open space and trails information on a regular basis. Data from outside sources were used to show parks, open space and trails information in adjacent jurisdictions to illustrate connections. All of this data was used for mapping in this master plan process.

**Complete list of plans reviewed for this planning effort:**

- *City of Westminster Zoning Code and Land Use Map*
- *City of Westminster Guidelines for Traditional Mixed Use Neighborhood Developments*
- *City of Westminster Strategic Plan (2009-2014 -2023)*
- *City of Westminster Trails Plan Map*
- *City of Westminster Existing Trail System Map*
- *City of Westminster 2030 Bicycle Master Plan*
- *City of Westminster Metzger Farm Open Space Master Plan (2010)*
- *City of Westminster Wildlife and Natural Resource Management Plan for Open Space Properties (2010)*
- *City of Westminster Storm Drainage Study (2007)*
- *City of Westminster Open Space & Resource Stewardship Plan (Draft-2012)*
- *City of Westminster Comprehensive Land Use Plan (2013)*
- *City of Westminster Development Code – Chapter 5 Open Space Program (2009)*
- *City of Westminster Grant Applications for Regional trail Wayfinding Project (2011)*
- *City of Westminster Grant Applications for Semper Farm – Colorado State Historical Fund (2013)*
- *America’s Great Outdoors (AGO): Feasibility Study for Connecting Urban Refuges to the Rocky Mountain Greenway Trail Network (2013)*
- *US 36 Corridor Bike Links Map*
- *City of Thornton Parks & Open Space Master Plan (2012)*
- *Arvada Parks, Trails, and Open Space Master Plan (2001)*
- *City/County of Broomfield Open Space, Parks, Recreation and Trails Master Plan (2005)*
- *City/County of Broomfield Existing and Planned Trail Surfaces (2012)*
- *City of Northglenn Open Space Management Plan (2010)*
- *City of Northglenn Parks & Greenway Trail System (2008)*
- *Adams County Parks, Trails, and Open Space Map*
- *Adams County Open Space and Trails Master Plan (2012)*
- *Jefferson County Open Space Master Plan (2013)*
- *DRCOG’s 2010 Guidelines for Successful Pedestrian and Bicycle Facilities in the Denver Region (2010)*



# Trails Wayfinding Strategy

This section of the *2014 Open Space Stewardship Plan* defines a trails wayfinding strategy and program within the City of Westminster’s Open Space system. The *Trails Wayfinding Strategy* examines the existing wayfinding system, establishes goals and objectives for trails wayfinding, coordinates with the *2030 Bicycle Master Plan*, proposes a conceptual signage hierarchy, maps the location for each sign type along each Major Trail corridor, and provides a plan for implementation.

## Existing Conditions and Analysis

The existing Westminster Trails system is comprised of four Major Trail corridors, or regional trails (Big Dry Creek, Farmers’ High Line Canal/Niver Canal, Little Dry Creek, and Walnut Creek) linked by Minor Trails through neighborhoods. Existing trails are constructed of concrete or aggregate (crusher fines) and range from 10’ wide multi-use trails that traverse open space to 4’ sidewalks that meander through neighborhoods, as well as 10’ wide sidewalks adjacent to arterial streets.

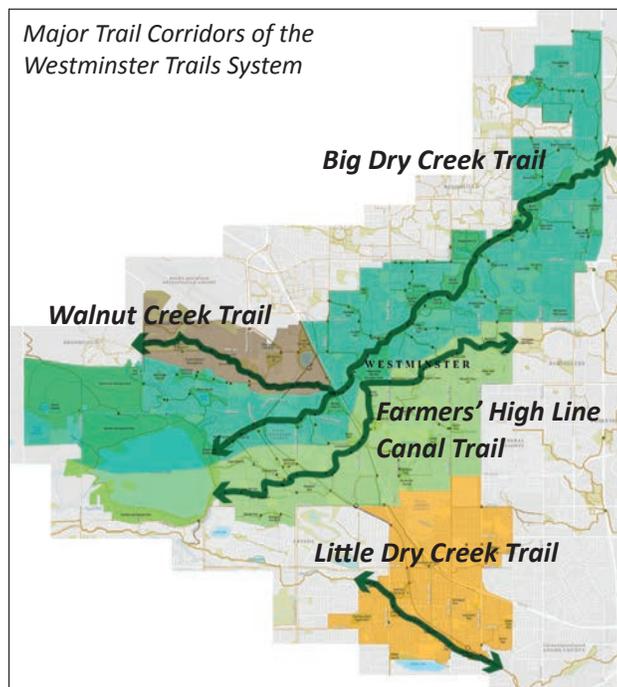
The Westminster Trails system is challenging to navigate because of three factors:

- » Signage is sparse and inadequate.
- » Trail surface material (concrete or aggregate) and/or trail type (off-street trail, detached sidewalk, or attached sidewalk) is inconsistent along a trail corridor.
- » Existing wayfinding signage design is inconsistent in design contributing to a lack of Westminster Trails system identity.

Existing signage for the Big Dry Creek Trail establishes an identity for adjacent open space; however, the signs are difficult to view from a distance or at higher speeds by cyclists (as noted in the *2030 Bicycle Master Plan*) and the directional arrows are unclear (see image #1 left). The Mushroom Pond Trailhead style sign (see image #2 left) is clear and informative and is in the same color and style as the Open Space signage throughout the city. The older, blue trail signs (see image #3 left) are easy to spot, but lack the “open space” character.

Kiosks along the Big Dry Creek Trail are used for wayfinding purposes and provide maps that illustrate the Westminster Trails system and regulatory information. Twelve kiosks were recently designed and constructed, and will be installed per the wayfinding strategy (see image #4 left).

The City of Westminster is currently undergoing a Citywide branding and marketing effort. The signage palette for the Open Space/Trails system should be fully integrated into this effort.



*Existing Westminster Trail/Open Space Signage, Kiosk*



## Wayfinding Strategy: Goals and Objectives

The following are goals and objectives for a comprehensive Westminster open space/trails system wayfinding strategy:

### **Goals:**

1. Develop a trail signage strategy that reinforces the strengths of the Open Space/Trails system.
2. Create a clear, navigatable system.
3. Reinforce the Open Space/Trails system unity and community identity.
4. Provide prioritization strategy for phased implementation.

### **Objectives:**

- » Promote Westminster's Open Space and Trails System as a friendly, well-planned, organized, and safe environment that offers links to both Major (regional) and Minor (neighborhood or local) trails.
- » Allow for the integration of a variety of wayfinding tools, including electronic/GPS tools.
- » Improve pedestrian safety and accessibility.
- » Develop a trail signage hierarchy consistent with the Westminster Trails system's Major and Minor Trail design standards hierarchy.
- » Create a wayfinding signage palette that supports and is consistent with other, larger branding and marketing efforts throughout the City, but that also retains unique identifying symbols, colors, and fonts that will be readily recognizable and associated with the City's Open Space system.
- » Coordinate with *2030 Bicycle Master Plan*.
- » Coordinate with ongoing Open Space kiosk design and installation.



## Coordination With Existing Plans

### 2030 Bicycle Master Plan

The *2030 Bicycle Master Plan* includes a summary of bicycling wayfinding, types, and best practices for Shared-Use Paths including Shared-Use Path Markers, Directional Signing, and Distance Signing. The report includes an evaluation of Westminster's existing system and identifies the following issues:

- » The existing wayfinding system is comparatively sparse and incomplete.
- » There are two existing sign types -- the older signs are more effective in terms of color and scale.
- » There are many instances of on-street/off-street intersections that lack signage.

The following Wayfinding and Signing Recommendations and Action Items relating to off-street trails are also included in the Plan:

- » Action #3- Install bicycle appropriate regulatory, guide and warning signs wherever new bikeway facilities are implemented.
- » Action #4- Design path entrance markers to reflect and complement on-street bicycle wayfinding signs.
- » Action #5- Install trail markers at the entrance of every off-street trail. The city should survey and identify every path entrance that adjoins a roadway. A phasing plan should then identify potential funding sources to implement the path markers.
- » Action #6- Install directional signs at every key decision making point within the off-street network. The city should survey the path network to determine the key decision-making points and install directional signs that indicate the destination served by intersecting paths and their spurs. The city should coordinate with the parks department to install directional signage where a path connects to a roadway or abutting sidewalk.
- » Action #7- Redesign existing off-street directional and distance signs to ensure legibility at typical bicycling speeds.
- » Action #8- Remove confusing signs on designated paths that forbid bicycle use.

### Refuge to Refuge Trail

In September 2013, the America's Great Outdoors (AGO) completed the *Feasibility Study for Connecting Urban Refuges to the Rocky Mountain Greenway Trail Network*. The Rocky Mountain Greenway Project, formalized in March 2012, is a federal/state/local partnership to create a continuous trail connection between Rocky Mountain National Park and the Rocky Mountain Arsenal. The *Refuge to Refuge Trail Project* is a key component of the larger *Rocky Mountain Greenway Project* and is a result of the AGO initiative – an effort by the federal government to partner with states and local communities to protect and encourage recreation and conservation activities across the country.

Wayfinding for the Refuge to Refuge Trail will be considered during the design phase of the Refuge to Refuge Trail project. Section 3.4.2 Wayfinding of the Feasibility Report (America's Great Outdoors: Feasibility Study for Connecting Urban Refuges to the Rocky Mountain Greenway Trail Network ) addresses wayfinding for the *Refuge to Refuge Trail* as follows:

*To brand the Refuge to Refuge Trail and alert users to trail connections, wayfinding should be consistent throughout the trail. A successful wayfinding program should involve a range of treatments including benches, lighting, signing, similar plantings, and so forth. If the Steering Committee develops a logo for the Rocky Mountain Greenway, it could be included on signage for this segment of trail.*



### **US 36 Bikeway**

As part of the long range plan for transportation improvements to the US 36 Corridor, an 18-mile commuter bikeway is included in the package of commuting choices. The bikeway will be completed by late 2015.

The US 36 Bikeway will have consistent and unique signage throughout the US 36 Corridor through Boulder, Superior, Louisville, Broomfield, and Westminster. The signage has been conceptually designed under the direction/leadership of CDOT & US 36 Commuting Solutions with plenty of input from municipalities.

Base package signage included with the trail construction package include MUTCD regulatory and warning signs (such as “yield”) and MUTCD Traveler Information Signage. Traveler Info signs include the US 36 Bikeway logo, trail name, directional arrows identifying the route for US 36 Bikeway at major junctions/decision points, and directional arrows toward Denver or Boulder (east or west travel).

Additional signs still in the negotiation phase between CDOT and municipalities include:

- » Mile Marker / emergency locator signage on brown flexible delineators (like the Forest Service uses) with reflective stickers, at a ¼-mile spacing along the entire bikeway.
- » Demarcation of intersecting trails by name.
- » Demarcation of distance between major destinations
- » Possible map signs
- » Distances to local non-US 36 Bikeway destinations

## Potential Tools for Wayfinding

### Smartphone Technology

Most trail users today rely on cell phones/smart phones to supplement printed maps. Trail signs should include a QR code (matrix patterns that can be read by smartphone cameras) that immediately directs the phone user to a web page that supplies additional information about the trail, destinations along the trail and nearby public amenities and businesses. Designated City staff would be required to maintain the website information. Network storage capabilities would also be a factor.

QR codes are easy to generate, scan, and apply to existing signage, as well as be incorporated into a new signage template. Locations for QR codes would be at trailheads and Major Trail junctions.

### Trails System Apps

Some communities have built apps to help smartphone users navigate their trails system. The following are examples of successful apps that have been created to help enhance city wayfinding and community identity:

- » **Boulder County Trail Guide App – Boulder, CO**

It is the official GPS trails map for Boulder County Parks and Open Space. Features trail length, difficulty, parking locations, allowed uses (dogs, equestrian), a “locate me” option, trail conditions, and satellite map.

**Boulder County Trail Guide App**  
<http://www.bouldercounty.org/pages/mobile.aspx>



- » **RGreenway App - Raleigh, NC** - <http://rgreenway.com/>

This app, a CityCamp 2012 winner, is an interactive map of greenway trails with additional features such as weather reports, submitting issues via SeeClickFix, and the ability to track time and distance travelled.

The application is not a product of the City of Raleigh. It was created by the RGreenway team and was built using open data available through the official Raleigh Geoportal. The free application is available for mobile devices running the Android and iOS operating systems.



Home About Us Download Greenway Resources Help



The RGreenway application, designed for smartphones, functions as a guide to the Raleigh Greenway systems. Long-term, the application is designed to make the 3800 acre 115 mile Raleigh Greenway system an integrated park. No other City or community of cities has invested as much as Raleigh and the Triangle in a system like ours. Few have committed themselves to the principle of open data like Raleigh has. Together this presents an opportunity to create America's Smartest Park.

Available on the **App Store**

ANDROID APP ON **Google play**



#### Discover Greenways

Information is provided for each greenway including detailed description, mileage, paved/unpaved and additional resources. Find the closest parking for each of the greenways.

#### Interact

Check in on the greenways using Foursquare. Easily report issues on the greenway such as graffiti and needed trail maintenance using SeeClickFix.

#### Enhance Your Experience

Workout mode allows you to keep track of the time and distance spent running on the greenways. The app will speak the distance and time of your workout every mile. See current weather conditions in your area.

## Proposed Signage Types, Palette and Locations

### **Signage Types**

A family of six wayfinding signage types, and a mile marker type, is proposed in this *Trails Wayfinding Strategy*. The *Proposed Signage Types/Guidelines Matrix* on the following page describes each signage type and graphically illustrates the information to be included on each sign type as well as providing typical locations for each type of sign.

### **Signage Palette**

Signage should reflect, and be compatible with design standards for both bikeways and parks. The sign graphics included in the *Proposed Signage Type/Guidelines Matrix* on the following page is intended to be used ***only as an example*** as to what type of information should be included on each sign and suggest a typical scale. Sign design and character will be determined at a later date and will coordinate with current City branding/marketing efforts.

### **Typical Sign Locations**

Finding a balance between adequate wayfinding signage and visually intrusive elements is an important factor in determining where to locate signage throughout the City. The *Wayfinding Strategy Map* identifies proposed locations for each of the six sign types.

The *2030 Bicycle Master Plan* has identified future bikeway corridors. Off-street trail signage must be in place as on-street bikeway corridors are implemented.

***NOTE: Signage Schematic Design will be coordinated with current Westminster branding efforts.***

*The City is currently undergoing a new City branding/marketing effort within the Parks, Recreation and Libraries Department. New sign design character for trails and open space will be coordinating with these efforts, as well as other redevelopment and planning efforts (Westminster Center).*

**Signage Types/Guidelines Matrix**

<i>Sign Type</i>	<b>Kiosk</b>	<b>Trail ID/Map</b>	<b>Trail ID/Direction</b>	<b>Trail D (Major)</b>	<b>Confidence Marker</b>	<b>Trail ID (Minor)</b>
<i>Sign Code</i>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<i>Typical Example</i>						
<i>Description and Typical Sign Information</i>	<ul style="list-style-type: none"> <li>• More Structural (12 kiosks were recently designed and built)</li> <li>• Identifies Major Trail/Trailhead/Open Space</li> <li>• Identifies trail users</li> <li>• Provides orientation through maps of the entire Westminster trail system</li> <li>• Provides a place to post community information and regulatory signs</li> <li>• Provides QR code, or other information for using smartphone technology</li> <li>• Includes City logo</li> </ul>	<ul style="list-style-type: none"> <li>• Identifies Major Trail</li> <li>• Provides orientation map that identifies adjacent trail connections and loops; nearby parks/os, landmarks and points of interest; trail surface; mileage</li> <li>• Provides directional information at trail junction using arrows and/or mileage as needed</li> <li>• Identifies trail users</li> <li>• Provides QR code, or other information for using smartphone technology</li> <li>• Includes City logo</li> </ul>	<ul style="list-style-type: none"> <li>• Identifies Major Trail</li> <li>• Provides directional information at trail junction using arrows and/or mileage as needed</li> <li>• Identifies trail users</li> <li>• Provides QR code, or other information for using smartphone technology</li> <li>• Includes City logo</li> </ul>	<ul style="list-style-type: none"> <li>• Identifies Major Trail when directional signage is not needed</li> <li>• Identifies trail users</li> <li>• Provides QR code, or other information for using smartphone technology</li> <li>• Includes City logo</li> </ul>	<ul style="list-style-type: none"> <li>• Identifies a Major Trail along sidewalk sections of a Major Trail route (ensures trail user that they are going the right way)</li> <li>• Includes directional arrow</li> <li>• Includes City logo</li> </ul>	<ul style="list-style-type: none"> <li>• Identifies a Minor Trail that connects into a Major Trail or larger neighborhood park/os</li> <li>• May include directional arrow</li> <li>• Includes City logo</li> </ul>
<i>Typical Location</i>	<ul style="list-style-type: none"> <li>• Trailhead Parking area adjacent to trail</li> <li>• Major park/Major Trail interface (i.e. Little Dry Creek Park &amp; OS)</li> </ul>	<ul style="list-style-type: none"> <li>• Located at Major Trail entry points from arterial streets</li> <li>• Bikeway/Major Trail junctions</li> </ul>	<ul style="list-style-type: none"> <li>• Located at junctions along Major Trails</li> </ul>	<ul style="list-style-type: none"> <li>• Located along Major Trails when entering a major open space/park/City boundary but no junction</li> </ul>	<ul style="list-style-type: none"> <li>• Locations along a trail where there might be confusing (i.e. when an major/minor trail sections becomes a sidewalk or changes surfaces)</li> </ul>	<ul style="list-style-type: none"> <li>• Along a minor trail that ensures connection to a major trail or larger park/os</li> </ul>
<i>Design/Specifications</i>	<ul style="list-style-type: none"> <li>• Forthcoming / Coord w/ Marketing</li> </ul>	<ul style="list-style-type: none"> <li>• Forthcoming / Coord w/ Marketing</li> </ul>	<ul style="list-style-type: none"> <li>• Forthcoming / Coord w/ Marketing</li> </ul>	<ul style="list-style-type: none"> <li>• Forthcoming / Coord w/ Marketing</li> </ul>	<ul style="list-style-type: none"> <li>• Forthcoming / Coord w/ Marketing</li> </ul>	<ul style="list-style-type: none"> <li>• Forthcoming / Coord w/ Marketing</li> </ul>



## Wayfinding and Signing Recommendations

- » The wayfinding program for all Major Trail corridors (Big Dry Creek, Farmers' High Line Canal, Walnut Creek, and Little Dry Creek Trails) should be consistent with a clear signage palette of minimal sign types and a wayfinding program that creates a system unity and reinforces community identity.
- » Installation of trail signage along off-street bikeway should be coordinated with the Bikeway Plan implementation schedule.
- » Provide symbols for permitted uses on all Major Trails – bicycle, pedestrian, dog on-leash, etc.
- » Develop an strategy for using smartphone technology to reinforce wayfinding. (This should be coordinated with the current City branding/marketing effort)
  - Provide a QR code (matrix patterns that can be read by smartphone cameras) and develop information for use with smartphone technology.
  - Develop a website page or app that helps trail users navigate the City for use with smartphone technology.
- » Surface material for Major Trails should be consistent to strengthen wayfinding.
- » Use proposed sign types at locations identified in the *Proposed Signage Type/Guidelines Matrix*.
- » Use Sign Type #5 Confidence Markers along trail “routes” on existing rights-of-way (e.g., Lowell Boulevard Trail, Pillar of Fire Trail, and Bradburn Trail routes).

## Implementation

As soon as the current City branding/marketing effort is completed, and a graphic identity has been established for the City Open Space/Trails system, implementing the proposed *Trails Wayfinding Strategy* should be a priority starting with all Major Trail corridors and trail “routes” to the future Westminster FasTracks Station.

The following pages identify estimated costs for implementing the *Trails Wayfinding Strategy* for each planning corridor.

Large scale fold-out version of this map is included in the pocket at the end of this section.

# Wayfinding Strategy Map

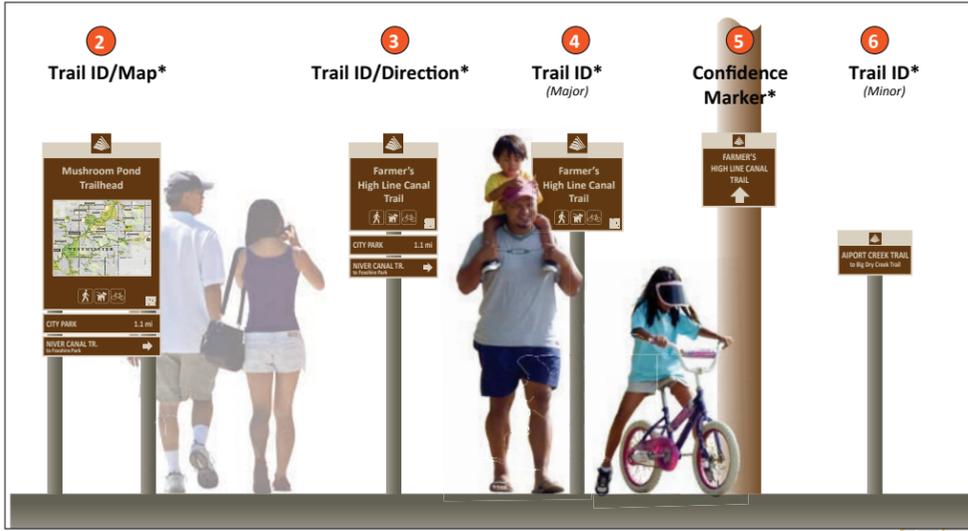
11.24.2014

## Sign Types



1 Kiosk (already designed)

\* The City of Westminster is currently undergoing a City branding/marketing effort. Sign design character/color for trails signage #2-#6 will be coordinated with this effort. The examples shown illustrate the type of information to be included on each sign type and do not represent the final design.



### LEGEND: Map

- |  |  |
|--|--|
| <p><b>Major Trails</b></p> <ul style="list-style-type: none"> <li>Concrete</li> <li>Concrete Sidewalk</li> <li>Aggregate</li> <li>Proposed</li> </ul> <p><b>Minor Trails</b></p> <ul style="list-style-type: none"> <li>Concrete</li> <li>Concrete Sidewalk</li> <li>Aggregate</li> <li>Proposed</li> </ul> <p><b>Westminster Greenspace</b></p> <ul style="list-style-type: none"> <li>Open Space</li> <li>Park</li> <li>Private Park or Golf Course</li> <li>Park/OS in Adjacent Jurisdiction</li> </ul> | <p><b>Other Trails/Bikeways</b></p> <ul style="list-style-type: none"> <li>Connecting Trail</li> <li>Natural Surface Trail</li> <li>Proposed Connecting Trail</li> <li>Existing Trail in Adjacent Jurisdiction</li> <li>Proposed Trail in Adjacent Jurisdiction</li> <li>Proposed Bikeway (per 2030 Bicycle MP)</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>City of Westminster</li> <li>Outside of City of Westminster</li> <li>Private Park / Private Open Space</li> <li>Public / Institutional</li> <li>Waterbody</li> <li>Creek / Ditch / Drainage</li> <li>Future FasTracks Station</li> </ul> |
|--|--|



Wayfinding Strategy: Estimated Costs by Signage Types

Big Dry Creek Planning Corridor						
Trail Name	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost per Trail
Airport Creek Trail	6	Trail ID (Minor)	\$ 295	5	\$ 1,475	\$ 1,475
Amherst Creek Trail	6	Trail ID (Minor)	\$ 295	1	\$ 295	\$ 295
Arapahoe Ridge Trail	3	Trail ID + Direction	\$ 505	1	\$ 505	\$ 505
	6	Trail ID (Minor)	\$ 295	2	\$ 590	\$ 590
Big Dry Creek Trail (I-25 to 128th)	2	Trail ID + Map	\$ 750	4	\$ 3,000	\$ 4,335
	3	Trail ID + Direction	\$ 505	2	\$ 1,010	
	4	Trail ID	\$ 325	1	\$ 325	
Big Dry Creek Trail (at Big Dry Creek Park)	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 6,685
	2	Trail ID + Map	\$ 750	3	\$ 2,250	
	3	Trail ID + Direction	\$ 505	4	\$ 2,020	
	4	Trail ID	\$ 325	1	\$ 325	
	6	Trail ID (Minor-Access)	\$ 295	2	\$ 590	
Big Dry Creek Trail (Federal Pkwy to 120th)	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 3,555
	2	Trail ID + Map	\$ 750	1	\$ 750	
	3	Trail ID + Direction	\$ 505	2	\$ 1,010	
	6	Trail ID (Minor-Access)	\$ 295	1	\$ 295	
Big Dry Creek Trail (120th to 112th)	2	Trail ID + Map	\$ 750	4	\$ 3,000	\$ 7,040
	3	Trail ID + Direction	\$ 505	8	\$ 4,040	
Big Dry Creek Trail (112th to Sheridan)	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 2,085
	3	Trail ID + Direction	\$ 505	2	\$ 1,010	
	4	Trail ID	\$ 325	1	\$ 325	
Big Dry Creek Trail (Sheridan to US 36)	2	Trail ID + Map	\$ 750	7	\$ 5,250	\$ 8,965
	3	Trail ID + Direction	\$ 505	5	\$ 2,525	
	4	Trail ID	\$ 325	1	\$ 325	
	5	Confidence Marker	\$ 190	3	\$ 570	
	6	Trail ID (Minor-Access)	\$ 295	1	\$ 295	
Big Dry Creek Trail (US 36 to Wadsworth Pkwy)	2	Trail ID + Map	\$ 750	5	\$ 3,750	\$ 6,285
	3	Trail ID + Direction	\$ 505	4	\$ 2,020	
	4	Trail ID	\$ 325	1	\$ 325	
	5	Confidence Marker	\$ 190	1	\$ 190	
Big Dry Creek Trail (Wadsworth Pkwy to Standley Lake)	2	Trail ID + Map	\$ 750	2	\$ 1,500	\$ 12,090
	3	Trail ID + Direction	\$ 505	4	\$ 2,020	
	4	Trail ID	\$ 325	2	\$ 650	
Big Dry Creek Trail Mile Markers	MM	Mile Marker	\$ 880	9	\$ 7,920	
Big Dry Creek Trail/Refuge-Refuge Trail	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 2,510
	3	Trail ID + Direction	\$ 505	2	\$ 1,010	
Cattail Creek Trail	3	Trail ID + Direction	\$ 505	1	\$ 505	\$ 1,095
	6	Trail ID (Minor)	\$ 295	2	\$ 590	
College Trail	6	Trail ID (Minor)	\$ 295	2	\$ 590	\$ 590
Countryside Creek Trail	6	Trail ID (Minor)	\$ 295	3	\$ 885	\$ 885
Home Farm Trail to Big Dry Creek Trail	3	Trail ID + Direction	\$ 505	1	\$ 505	\$ 505
	6	Trail ID + Direction	\$ 295	1	\$ 295	\$ 295
I-25 Trail (North of 128th)	2	Trail ID + Map	\$ 750	4	\$ 3,000	\$ 3,000
	3	Trail ID	\$ 505	2	\$ 1,010	
	4	Trail ID	\$ 325	1	\$ 325	
I-25 Trail at Tanglewood Creek	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 750
	3	Trail ID + Direction	\$ 505	1	\$ 505	\$ 505
	4	Trail ID	\$ 325	1	\$ 325	\$ 325
	6	Trail ID (Minor)	\$ 295	2	\$ 590	\$ 590
I-25 Trail Access (at Huron St/S of 120th)	3	Trail ID + Map	\$ 505	1	\$ 505	\$ 505
Ketner Lake Trail	6	Trail ID (Minor)	\$ 295	5	\$ 1,475	\$ 1,475
Legacy Ridge Trail	6	Trail ID (Minor)	\$ 295	3	\$ 885	\$ 885
Lexington Loop Trail	6	Trail ID (Minor)	\$ 295	4	\$ 1,180	\$ 1,180
McKay Creek Trail	3	Trail ID + Direction	\$ 505	2	\$ 1,010	\$ 1,010
	6	Trail ID (Minor)	\$ 295	2	\$ 590	
McKay Lake Loop Trail	6	Trail ID (Minor)	\$ 295	3	\$ 885	\$ 885
McKay Open Space	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 1,500
Mushroom Pond Trail	3	Trail ID (Minor)	\$ 505	1	\$ 505	\$ 505
	6	Trail ID (Minor)	\$ 295	9	\$ 2,655	
Panorama Trail	6	Trail ID (Minor)	\$ 295	3	\$ 885	\$ 885
Quail Creek Trail (136th to I-25/BDC Trail)	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 2,350
	3	Trail ID + Direction	\$ 505	2	\$ 1,010	
	6	Trail ID (Minor)	\$ 295	2	\$ 590	
Ranch Creek Trail	5	Confidence Marker	\$ 190	5	\$ 950	\$ 950
	6	Trail ID (Minor)	\$ 295	3	\$ 885	
Refuge-Refuge Trail (from BDC Trailhead at Standley Lake north)	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 2,265
	3	Trail ID + Direction	\$ 505	3	\$ 1,515	
Sheridan Crossing Trail	6	Trail ID (Minor)	\$ 295	2	\$ 590	\$ 590
Sheridan Green Trail	3	Trail ID + Direction	\$ 505	2	\$ 1,010	\$ 1,010
Westcliff Trail	6	Trail ID (Minor)	\$ 295	7	\$ 2,065	\$ 2,065
Westminster Hills OS	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 1,500
	6	Trail ID (Minor)	\$ 295	7	\$ 2,065	
<b>Estimated Totals for Signing Big Dry Creek Planning Corridor</b>				<b>188</b>		<b>\$92,045.00</b>
Summary by Sign Type for Big Dry Creek Planning Corridor	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost
	1	Kiosk	\$ 1,500	5	\$ 7,500	\$ 92,045
	2	Trail ID + Map	\$ 750	34	\$ 25,500	
	3	Trail ID + Direction	\$ 505	50	\$ 25,250	
	4	Trail ID	\$ 325	9	\$ 2,925	
	5	Confidence Marker	\$ 190	9	\$ 1,710	
	6	Trail ID (Minor)	\$ 295	72	\$ 21,240	
MM	Mile Marker	\$ 880	9	\$ 7,920		
<b>Estimated Totals for Signing Big Dry Creek Planning Corridor</b>				<b>188</b>		<b>\$92,045.00</b>



**Wayfinding Strategy: Estimated Costs by Signage Types (continued)**

<b>Walnut Creek Planning Corridor</b>						
Trail Name	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost per Trail
Walnut Creek Trail	2	Trail ID + Map	\$ 750	7	\$ 5,250	\$ 8,280
	3	Trail ID + Direction	\$ 505	6	\$ 3,030	
<b>Estimated Total Cost for Signing Walnut Creek Planning Corridor</b>						<b>\$8,280.00</b>
<b>Farmers' High Line/Niver Canals Planning Corridor</b>						
Trail Name	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost per Trail
City Centre Park Trail	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 750
	6	Trail ID (Minor)	\$ 295	2	\$ 590	
Cotton Creek Trail	6	Trail ID (Minor)	\$ 295	6	\$ 1,770	\$ 1,770
Farmers' High Line Canal Trail (Standley Lake to Wadsworth Pkwy)	2	Trail ID + Map	\$ 750	3	\$ 2,250	\$ 8,385
	3	Trail ID + Direction	\$ 505	7	\$ 3,535	
	4	Trail ID	\$ 325	8	\$ 2,600	
Farmers' High Line Canal Trail (Wadsworth Pkwy to US 36)	2	Trail ID + Map	\$ 750	5	\$ 3,750	\$ 6,855
	3	Trail ID + Direction	\$ 505	4	\$ 2,020	
	4	Trail ID	\$ 325	1	\$ 325	
	5	Confidence Marker	\$ 190	4	\$ 760	
Farmers' High Line Canal Trail (US 36 to Sheridan/N of 104th - Hyland Ponds Creek/OS)	2	Trail ID + Map	\$ 750	6	\$ 4,500	\$ 7,550
	3	Trail ID + Direction	\$ 505	4	\$ 2,020	
	4	Trail ID	\$ 325	2	\$ 650	
	5	Confidence Marker	\$ 190	2	\$ 380	
Farmers' High Line Canal Trail (E of Sheridan/N of 104th - to Federal)	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 7,465
	2	Trail ID + Map	\$ 750	3	\$ 2,250	
	3	Trail ID + Direction	\$ 505	5	\$ 2,525	
	4	Trail ID	\$ 325	1	\$ 325	
	5	Confidence Marker	\$ 190	3	\$ 570	
	6	Trail ID (Minor)	\$ 295	1	\$ 295	
Farmers' High Line Canal Trail (E of Federal)	1	Kiosk	\$ 1,500	1	\$ 1,500	\$ 3,405
	2	Trail ID + Map	\$ 750	1	\$ 750	
	3	Trail ID + Direction	\$ 505	1	\$ 505	
	4	Trail ID	\$ 325	2	\$ 650	
Niver Canal Trail	2	Trail ID + Map	\$ 750	2	\$ 1,500	\$ 4,170
	3	Trail ID + Direction	\$ 505	4	\$ 2,020	
	4	Trail ID	\$ 325	2	\$ 650	
Silo Trail	6	Trail ID (Minor)	\$ 295	2	\$ 590	\$ 590
Squires Park Trail	6	Trail ID (Minor)	\$ 295	1	\$ 295	\$ 295
Trailside Creek Trail	6	Trail ID (Minor)	\$ 295	5	\$ 1,475	\$ 1,475
Westglenn Park Area Trail	6	Trail ID (Minor)	\$ 295	3	\$ 885	\$ 885
<b>Estimated Total Cost for Signing Farmer's High Line Planning Corridor</b>				<b>93</b>		<b>\$44,185.00</b>
Summary by Sign Type for Farmers'/Niver Planning Corridor	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost
	1	Kiosk	\$ 1,500	2	\$ 3,000	\$ 44,185
	2	Trail ID + Map	\$ 750	21	\$ 15,750	
	3	Trail ID + Direction	\$ 505	25	\$ 12,625	
	4	Trail ID	\$ 325	16	\$ 5,200	
	5	Confidence Marker	\$ 190	9	\$ 1,710	
	6	Trail ID (Minor)	\$ 295	20	\$ 5,900	
	MM	Mile Marker	\$ 880	0	\$ -	
<b>Estimated Totals for Signing Farmers'/Niver Planning Corridor</b>				<b>93</b>		<b>\$ 44,185</b>
<b>Little Dry Creek Planning Corridor</b>						
Trail Name	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost per Trail
Allen Ditch Trail East (Route)	5	Confidence Marker	\$ 190	8	\$ 1,520	\$ 1,520
	6	Trail ID (Minor)	\$ 295	1	\$ 295	
Bradburn Trail (Route)	3	Trail ID + Direction	\$ 505	1	\$ 505	\$ 505
	5	Confidence Marker	\$ 190	6	\$ 1,140	
Little Dry Creek Trail	1	Kiosk	\$ 1,500	2	\$ 3,000	\$ 11,700
	2	Trail ID + Map	\$ 750	4	\$ 3,000	
	3	Trail ID + Direction	\$ 505	10	\$ 5,050	
	4	Trail ID	\$ 325	2	\$ 650	
Lowel Blvd Trail (Route)	3	Trail ID + Direction	\$ 505	1	\$ 505	\$ 505
	5	Confidence Marker	\$ 190	29	\$ 5,510	
Pillar of Fire Trail (Route)	5	Confidence Marker	\$ 190	1	\$ 190	\$ 190
US 36 Trail	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 750
Wolff Run Trail	2	Trail ID + Map	\$ 750	1	\$ 750	\$ 750
<b>Estimated Total Cost for Signing Little Dry Creek Planning Corridor</b>						<b>\$ 22,865</b>
Summary by Sign Type for Little Dry Creek Planning Corridor	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost
	1	Kiosk	\$ 1,500	2	\$ 3,000	\$ 22,675
	2	Trail ID + Map	\$ 750	6	\$ 4,500	
	3	Trail ID + Direction	\$ 505	12	\$ 6,060	
	4	Trail ID	\$ 325	2	\$ 650	
	5	Confidence Marker	\$ 190	43	\$ 8,170	
	6	Trail ID (Minor)	\$ 295	1	\$ 295	
	MM	Mile Marker	\$ 880	0	\$ -	
<b>Estimated Totals for Signing Farmers'/Niver Planning Corridor</b>				<b>66</b>		<b>\$ 22,675</b>
<b>Estimated Total Cost for Implementing Entire Wayfinding Strategy</b>						<b>\$167,375.00</b>
Summary by Sign Type for All Corridors	Sign Type	Sign Type Description	Unit Cost	Qty	Cost per Sign Type	Total Cost
	1	Kiosk	\$ 1,500	9	\$ 13,500	\$ 167,185
	2	Trail ID + Map	\$ 750	68	\$ 51,000	
	3	Trail ID + Direction	\$ 505	93	\$ 46,965	
	4	Trail ID	\$ 325	27	\$ 8,775	
	5	Confidence Marker	\$ 190	61	\$ 11,590	
	6	Trail ID (Minor)	\$ 295	93	\$ 27,435	
	MM	Mile Marker	\$ 880	9	\$ 7,920	
<b>Estimated Total Cost for Implementing Entire Wayfinding Strategy</b>				<b>360</b>		<b>\$ 167,185</b>





# Potential Funding Sources

---

## Overview

The following pages offer a comprehensive description of funding sources that can be used to support the acquisition of land, development of trail facilities, and operation of the open space and trails program for the City of Westminster. The sources are organized and defined by local, state, and federal resources and agencies.

## Local Sources

---

### **Sales Tax**

The City of Westminster Open Space program was established in 1985. Since 1985, the 1/4 of one percent, or 25 cents on a \$100 purchase, sales tax has been extended by voters three times: first in 1989, with half of sales tax revenues dedicated to parks and recreation improvements; again in 1996 when the citizens also authorized the City to issue \$26 million of bonds to fund additional Open Space purchases, recreation facility construction, and park development; and most recently (2006), when voters approved an additional bond sale of up to \$20 million. In 2013, the City collected \$6,652,152.68 from the Open Space Sales Tax Fund. Initially, 100% of all funding was allocated for Open Space acquisition. In 1989, voters approved using funding to offset maintenance of Open Space.

Per City Council's direction, the achievement of preserving 15% of the City's land area as Open Space and the overall evolution of the City's Open Space program, the City of Westminster is shifting its focus from aggressive acquisition of properties to stewardship of those properties already preserved. To assist with these stewardship and maintenance efforts, additional funding is anticipated in the near future due to retirement of several obligations. 2016 is the final year of payment for certificates of participation (COPs) associated with the Metzger Farm property, but most of this payment in 2016 is anticipated to be covered by funds in the required debt service reserve fund associated with these COPs. Therefore, additional ongoing funds will be available for stewardship and maintenance activities in 2016. Specific proposals for use of these funds will be considered by City Council as part of the City's regular budget development process. In addition, the retirement of additional debt associated with Open Space acquisitions is anticipated in the 2017/2018 timeframe and will provide additional revenues to be considered for programming through the City's budget process.

### **Bonds**

Bonds have been a very popular way for communities across the country to finance their open space programs. Bonds offer the ability for a city to leverage its sales tax program and gain access to the bulk of the total revenues (plus debt service). This enables a city to pursue a more aggressive conservation and protection program. A number of bond options are listed below. Since bonds rely on the support of the voting population, an education and awareness program is an important component of a proposed ballot measure.

- » **Revenue Bonds** - Revenue bonds are bonds that are solely secured by a pledge of the revenues from a certain local government activity, such as a sales tax program. The entity issuing bonds pledges to generate sufficient revenue annually to cover the program's operating costs, plus meet the annual debt service requirements (principal and interest payment). Revenue bonds are not constrained by the debt ceilings of general obligation bonds, but they are generally more expensive than general obligation bonds.
- » **General Obligation Bonds** - Local governments generally are able to issue general obligation bonds that are secured by the full faith and credit of the entity. In this case, the local government issuing the bonds pledges to raise its property taxes, or use any other sources of revenue, to generate sufficient revenues to make the debt service payments on the bonds. A general obligation pledge is stronger than a revenue pledge, and thus may

carry a lower interest rate than a revenue bond. Frequently, when local governments issue general obligation bonds for public enterprise improvements, the public enterprise will make the debt service payments on the general obligation bonds with revenues generated through the public enterprise's rates and charges. However, if those rate revenues are insufficient to make the debt payment, the local government is obligated to raise taxes or use other sources of revenue to make the payments. General obligation bonds distribute the costs of open space acquisition and make funds available for immediate purchases. Voter approval is required.

- » **Special Assessment Bonds** - Special assessment bonds are secured by a lien on property that benefits by the improvements funded with the special assessment bond proceeds. Debt service payments on these bonds are funded through annual assessments to the property owners in the assessment area.

### ***Fees and Service Charges***

The City of Westminster implements fees and service charges to offset the cost of community growth and development.

#### ***Cash-In-Lieu***

A choice of paying a front-end charge for off-site open space protection is provided as an alternative to requiring developers to dedicate on-site open space that would serve their development. The City of Westminster requires that land be dedicated by developers of residential projects for open space, parks and other public uses. Residential developers are required to dedicate 12 acres per 1,000 projected future residents. Developers pay a cash-in-lieu fee if land is not donated. The fee is based on the amount per acre paid for the property or its current value, whichever is higher. These funds must be used to acquire park or open space land.

#### ***Adams County***

Adams County voters demonstrated their dedication to parks and open space by approving the 1/5 of one percent (20 cents on a \$100 purchase) Open Space Sales Tax in 1999. This sales tax was authorized through 2006. In 2004, the sales tax was increased to 1/4 of one percent, or 25 cents on a \$100 purchase, and the sales tax was reauthorized by voters to remain through 2026. Proceeds from the sales tax benefit parks, recreation and open space projects throughout the county. Through 2011, over \$95 million has been generated to fund parks and open space projects in cities and unincorporated areas of Adams County.

Funds are distributed three ways:

- 68 percent is awarded through a competitive grant program.
- 30 percent is distributed back to the jurisdiction where the tax was generated. The City received \$475,080.91 from Adams County through the 30% share back program. In addition, the City received a total of \$1,468,899 through grants from Adams County in 2013 for two open space acquisitions and one underpass project.
- 2 percent is allocated to administration costs.

From 2000 to 2011, the competitive grant program disbursed over \$10.2 million in funds for parks and open space projects to the City of Westminster.

#### ***Jefferson County***

Jefferson County Open Space has been identified as the nation's first sales tax-funded county open space program. It has grassroots beginnings dating back to 1972 with the proposal of a unique concept to preserve the scenic vistas and open lands within the county using the collection of 1/2 of one percent sales tax. The enabling resolution requires these funds to be used, "exclusively for the planning for, developing necessary access to, acquisition, maintenance and preservation of open space real property for the use and benefit of the public."

In 1980, this resolution was amended by the voters to add authorization for the expenditure of these funds for construction, acquisition, and maintenance of park and recreation capital improvements. When Jefferson County voters approved the Open Space Enabling Resolution, no "sunset" or end date was included, thereby ensuring perpetual land



conservation, stewardship of open space and parklands, and access for public enjoyment. Among Jefferson County's five-year goals are to preserve an additional 1,700 acres and expand the trail system by 25 miles. To date, the City of Westminster has received \$1,374,930 for parks and open space from Jefferson County through their attributable share program funded by the county's open space sales tax.

In addition, Jefferson County issued a \$100,000,000 bond, which funded many county projects, including the acquisition of Lower Church Ranch Lake and the Sisters of the New Covenant.

### ***Charitable Donations***

The City of Westminster has acquired land at a discount, with the discounted value being a charitable donation.

## **Other Local Options**

### ***Open Space and Trail Sponsors***

A sponsorship program for park and trail amenities allows smaller donations to be received from both individuals and businesses. Cash donations could be placed into a trust fund to be accessed for certain construction or acquisition projects associated with the open space system. Some recognition of the donors may be appropriate and can be accomplished through the placement of a plaque, the naming of a trail segment, and/or special recognition at an opening ceremony. Types of gifts other than cash could include donations of services, equipment, labor, or reduced costs for supplies.

The City of Westminster encourages residents and other concerned persons or parties to donate certain lands or monies for use in the Open Space Program. City Council may by resolution accept such donated properties into the Open Space Program (Westminster Municipal Code 13-5-8).

### ***Development Installed Trail Program***

Developers are required to install at their expense any trails shown on the City of Westminster's official trail plan, which cross their property.

### ***Volunteer Work***

The Westminster Open Space Volunteer Program was created to help maintain and preserve the over 3,000 acres of open space. A variety of projects are scheduled monthly (weather permitting) and include trail building, tree wrapping, fence repair and installation, wetland plantings and Russian olive management. Projects are open to individuals, families, groups and civic organizations. Volunteers must be at least 16 years of age unless accompanied by an adult. These volunteers could also work with other elements of the City of Westminster Open Space Program to solicit and/or leverage private contributions and additional financial support for the program. In 2013, the total value of volunteer hours was \$155,257 (6885 hours X \$22.55/hour). These hours include open space volunteers, Adopt-a-Park, Open Space & Trails Volunteers, Bicycle Trail Hosts and Community Pride Day volunteers.

### ***Trust Fund***

The City of Westminster may want to consider working in partnership with other public sector agencies and private sector groups to establish an Open Space Trust Fund. This fund would be a dedicated source of funding that supports the operation and management of portions of the open space system. The City of Westminster can work with a private financial institution to set up an investment account or work with a local foundation to establish the endowment. Contributions to the fund would be solicited from parks, open space and trail advocates, businesses, civic groups, and other foundations. The goal would be to establish a capital account that would earn interest and use the interest monies to support maintenance and operations. Special events could be held whose sole purpose is to raise capital money for the trust fund. A trust fund can also be used in the acquisition of high-priority properties that may be lost if not acquired by private sector initiative.

## State Sources

---

### ***The Colorado Lottery for Conservation and Great Outdoors Colorado***

Profits from the sale of Lottery products are mandated to be distributed according to this formula: 50 percent to the Great Outdoors Colorado (GOCO) Trust Fund, 40 percent to the Conservation Trust Fund, and 10 percent to the Colorado Division of Parks and Wildlife. GOCO funds are capped at \$35 million, adjusted for inflation (this translates to \$60.3 million for fiscal year 2014), and funds that exceed the GOCO cap go to the Colorado Department of Education, Public School Capital Construction Assistance Fund.

### ***Great Outdoors Colorado (GOCO)***

In 1992, voters placed on the ballot and approved the creation of the Great Outdoors Colorado Trust Fund. GOCO is funded by the proceeds of the Colorado Lottery, receiving 50 percent with a \$35 million cap, adjusted for inflation (proceeds above that return to the State General Fund). The GOCO Trust Fund is administered by a 17-member Board of Trustees. Based on the four funding areas mandated by the Colorado Constitution, several grant programs have been developed.

- » ***Local Government Parks and Recreation / Mini Grants*** - The Local Government Park, Outdoor Recreation and Environmental Education (LPOR) Grants – and Mini Grants for smaller projects costing \$60,000 or less – are designed for the following types of projects:
  - New park development: Creating a park where one does not exist.
  - Enhancing existing park facilities: Improving current park facilities, including installing or creating new facilities at existing parks.
  - Park land acquisition: Acquiring land for a future park.
  - Environmental education facilities: Building new facilities or enhancing existing ones.Cities, counties, and parks and recreation districts are eligible for LPOR and Mini Grants. Eligible entities can sponsor projects on behalf of ineligible entities like school districts, unincorporated cities and towns, and community groups.
- » ***Open Space Grants*** - Open space grants help fund the acquisition and protection of unique open space and natural areas of statewide significance through fee acquisitions or conservation easements. Project areas include: buffers/inholdings, greenways/stream corridors, community separators, agricultural land, natural areas and non-game wildlife habitat, scenic viewsheds, and urban open space parcels. Non-profit land-conservation organizations, municipalities, counties, political subdivisions of the state, and the Colorado Division of Parks and Wildlife are eligible for open space grants.
- » ***Planning Grants***- Planning grants are designed to help eligible entities develop strategic master plans for outdoor parks and recreation projects, trails or site-specific plans. Local governments are eligible to apply for planning grants.
- » ***Trail Grants***- The Colorado State Recreational Trails Grant Program helps develop trails for non-motorized activities including hiking, biking, wildlife-watching, horseback riding, cross-country skiing, and snowshoeing. Grants for large and small trail projects and trail planning and maintenance are available through this program, which is a partnership among the Colorado Division of Parks and Wildlife, Great Outdoors Colorado, the Colorado Lottery, the federal Recreational Trails Program, and the Land and Water Conservation Fund. Trail grants are offered once a year through the Colorado State Trails Program (see Non-Motorized Trails Grant Program below).
- » ***Conservation Excellence Grants***- Conservation Excellence Grants address changing needs within the conservation community. The redesigned program strives to foster exploration of complicated issues – i.e., oil and gas development on conserved lands, orphan easements, water, amendments – via pilot projects and/or research so that the conservation community can begin searching for potential solutions. Projects will fall into one or



more of four main categories that cover the major challenges and issues: Policy, Standards and Education, Community Engagement, and Stewardship and Long-term Sustainability. Counties, municipalities or other political subdivisions of the state, and non-profit land conservation organizations are eligible to apply.

### **Conservation Trust Fund**

The Colorado Constitution (Article XXVII, Section 3), as amended in 1992, directs 40 percent of the net proceeds of the Colorado Lottery to the Conservation Trust Fund for distribution to municipalities and counties and other eligible entities for parks, recreation, and open space purposes.

The Department of Local Affairs distributes Conservation Trust Fund dollars from net Lottery proceeds to over 460 eligible local governments (i.e., counties, cities, towns) and Title 32 special districts that provide park and recreation services in their service plans. Conservation Trust Fund funds are distributed quarterly on a per capita basis.

Funding can be used for the acquisition, development, and maintenance of new conservation sites or for capital improvements or maintenance for recreational purposes on any public site. A public site is defined by the department as a publicly owned site, or a site in which a public entity/local government holds an interest in land or water. New conservation sites are defined in statute as being interests in land and water, acquired after establishment of a conservation trust fund, for park or recreation purposes, for all types of open space, including but not limited to flood plains, green belts, agricultural lands or scenic areas, or for any scientific, historic, scenic, recreation, aesthetic or similar purpose (CRS 29-21-101).

### **Colorado Division of Parks and Wildlife**

The Colorado Division of Parks and Wildlife has several programs to help fund projects developed or led by outside personnel or groups. Programs are available to assist landowners with habitat conditions, to help communities build trails or improve fishing opportunities, to work with ranchers to reduce conflicts with big game, and much more. Focus areas, eligibility requirements, matching fund requirements and other aspects vary for each program. Funding opportunities relevant to the City of Westminster's Open Space program are highlighted below:

- » **Fishing is Fun Program**- The Fishing Is Fun program provides up to \$400,000 in matching grants annually to local and county governments, park and recreation departments, water districts, angling organizations and others for projects to improve angling opportunities in Colorado. Among the types of projects supported through Fishing Is Fun are stream and river habitat improvements, access improvements, perpetual easements for public access, pond and lake habitat improvements, fish retention structures, development of new fishing ponds, and amenity improvements such as shade shelters, benches and restrooms.

Project sponsors must provide nonfederal matching funds or in-kind contributions equal to at least 25 percent of the total project cost. Match in excess of the 25 percent minimum is encouraged and will help make a project more competitive in the review and ranking process; historically, project partners have provided roughly 40 percent of project costs. Project grants have ranged from \$2,500 to \$400,000, with an average of \$85,000. Program announcements are typically made in late November, with proposals due at the Colorado Division of Parks and Wildlife area offices by early March.

The City of Westminster has funded the following projects with Fishing is Fun grants:

- » 2002: Faversham Pond \$75k
- » 2004: McKay Lake \$76k
- » 2005: Standley Lake: \$40k
- » 2007: Standley Lake \$40k

- » **Outdoor Classroom Grants**- Up to \$1,000 matching grants are available to support outdoor classroom projects. Outdoor classrooms come in a variety of shapes and sizes and should be designed based on the needs of the community. Whether by funding trees for shade, a garden for harvesting healthy produce, or native wildflowers to attract pollinators, this grant program is designed to help increase communities' use and enjoyment of their public outdoor spaces.

The Colorado Division of Parks and Wildlife sponsors this grant program through Colorado Project WILD workshops, which immerse educators in hands-on, interdisciplinary activities focusing on wildlife and conservation. A significant portion of workshop fees goes to support the Outdoor Classrooms Grant Program, which is administered by the Colorado Parks and Recreation Association Foundation. Educators are encouraged to work with students to design and create an outdoor classroom, where kids can spend time outside and learn first-hand about wildlife and the environment.

- » **Non-Motorized Trails Grant Program**- The Colorado State Recreational Trails Grant Program funds projects for large recreational trail grants, small recreational trail grants, trail planning, and trail support grants. This program is a partnership among the Colorado Division of Parks and Wildlife, Great Outdoors Colorado (GOCO), the Colorado Lottery, the federal Recreational Trails Program (RTP), and the Land and Water Conservation Fund (LWCF). The availability of funding for the Non-Motorized Trail Grants is based on the funding levels provided by the funding sources. Availability of funds for successful applicants may vary due to legislative processes, fiscal year parameters and/or written authorization of spending authority. Awarded funds are for 2 to 2 1/2 years.
- » **Wetlands Partnership**- The Colorado Wetlands Partnership is an endeavor to protect wetlands and wetland-dependent wildlife through the use of voluntary, incentive-based mechanisms. Furthermore, the Wetlands Initiative embraces cooperation with private landowners, municipalities, other state and federal agencies, and other non-governmental organizations in the pursuit of voluntary wetlands protection. Program services include: funding for all phases of wetland and riparian creation, restoration, and enhancement; funding for conservation easements and fee-title purchase through the Wildlife Habitat Protection Program; wildlife and aquatic resource inventories; education and outreach; and project monitoring and evaluation.

### ***Conservation Easement Tax Credit***

Colorado has an innovative tax program that allows the transfer of conservation easement income tax credits from landowners to taxpayers with Colorado income tax liabilities. The credit is based on the fair market value of the easement (§39-22-522, C.R.S.). The donation must be made to a governmental entity or a charitable organization that is exempt under section 501(c) (3) of the Internal Revenue Code and created at least two years prior to receipt of the easement (§38-30.5-104(2), C.R.S.). The donation must also qualify as a charitable contribution for federal income tax purposes [Internal Revenue Code section 170(h)]. As of 2007, donors of conservation easements can receive tax credits at the rate of 50 percent of their donation value. For example, a \$400,000 donation will yield \$200,000 in state income tax credits. The maximum credit that a landowner can earn in one year is \$375,000 (based on a \$750,000 donation). In 2013, legislation was signed into law that increases the annual tax credit cap to \$45 million.

### ***Colorado Tourism Office – Marketing Matching Grant Program***

The Colorado Tourism Office administers the Statewide Marketing Matching Grant Program (which assists organizations with promotion of the state as a whole) and the Regional Matching Grant Program (which assists organizations with the promotion of specific regions in Colorado). Within the context of marketing projects, the funds may be spent on promotion, product packaging, networking and communication and education. Not-for-profit organizations are eligible to apply. For every \$1 the organization allocates to the program, the Colorado Tourism Office will provide \$2 in matching funds.



### **State Historical Fund**

The State Historical Fund was created by the 1990 constitutional amendment allowing limited gaming in the towns of Cripple Creek, Central City, and Black Hawk. The amendment directs that a portion of the gaming tax revenues be used for historic preservation throughout the state. Funds are distributed through a competitive process and all projects must demonstrate strong public benefit and community support. Grants vary in size, from a few hundred dollars to amounts in excess of \$200,000. The State Historical Fund assists in a wide variety of preservation projects including restoration and rehabilitation of historic buildings, architectural assessments, archaeological excavations, designation and interpretation of historic places, preservation planning studies, and education and training programs.

- » **State Historical Fund – Competitive Grants**- Competitive grants are made for any of the three projects types: acquisition and development; education; and survey and inventory. There are three essential elements to applying for a competitive State Historical Fund Grant: 1) one must be or work with an eligible grant applicant; 2) if the plan is to do physical work on a structure, building, site, or object, the resource must be historically designated. If this is a survey and planning, archaeological survey, or education project, the focus of the project must be directly related to historic preservation; 3) one must apply for projects, activities, and costs that qualify for assistance from the State Historical Fund.
- » **State Historical Fund – Non-Competitive Grants** - These grants may be submitted at any time of the year and are for smaller amounts of money than the competitive grants. They include the Historic Structure Assessment Grant, Archaeological Assessment Grant, and Emergency Grant.
- » **State Historical Fund – Emergency Grant** - Emergency grants are awarded to provide assistance to significant resources that are in imminent danger of being lost, demolished, or seriously damaged, when such threat is sudden and unexpected such as a fire, flood, hail storm, or other act of nature. A specific event (e.g., a tornado) that occurred on a specific date should be cited in the application. Building failure/damage attributed to defer maintenance is not defined as an emergency.

It is important to contact the office immediately after the event has occurred. If a significant amount of time has transpired between the time of the event and the request for funding, it may affect eligibility. Emergency grants are typically limited in scope to the temporary stabilization of a building, structure, or site until permanent preservation actions can take place.

- » **Certified Local Government Grants**- History Colorado through the Office of Archaeology and Historic Preservation (OAHP) administers the U.S. Department of Interior’s Historic Preservation Fund Program in cooperation with the U.S. Department of the Interior, National Park Service. Under this program the National Park Service has specified that at least 10 percent of Colorado’s annual program funds be subgranted to Certified Local Governments. Since 2000, Colorado’s 10 percent requirement has been augmented with an internal grant from the State Historical Fund.

Eligibility for participation in this federally-funded grant program requires that each applicant is a Certified Local Government. Requirements for certification may be requested from History Colorado. Any political subdivision of the state, such as a city or county, meeting the criteria set forth in the Colorado Certified Local Government Program Handbook is eligible to apply for certification.

The City of Westminster has used State Historical Funds for improvements to Semper Farm.

### **Colorado Department of Public Health and Environment**

The Colorado Department of Local Affairs partnered with the Colorado Department of Public Health and Environment to promote the cleanup and redevelopment of brownfield sites around the state.

- » **Colorado Brownfields Revolving Loan Fund**- As a public-private partnership, the Colorado Brownfields Revolving Loan Fund encourages the cleanup of unused or underused contaminated properties by offering financing with reduced interest rates, flexible loan terms, and flexibility in acceptable forms of collateral. The Revolving Loan Fund can also provide cleanup grants to qualifying local governments and non-profits. All cleanups financed through the Revolving Loan Fund must have previous approval under the Voluntary Cleanup Program. The Colorado Housing and Finance Authority serves as financial manager for the Revolving Loan Fund, but does not vote on where to allot the fund. The City of Westminster has used this funding for cleanup of properties within the future Little Dry Creek Park and Open Space in south Westminster.
- » **State Cleanup Program**- The state of Colorado offers financial incentives for cleaning up contaminated land in the form of grants. House Bill 00-1306 provided for limited state authority to clean up sites where there is no other federal or state program that can accomplish the cleanup. It authorized \$250,000 annually for such cleanup, which is designed first to protect human health and the environment, and also to enhance the redevelopment potential of these properties.

### **Denver Regional Council of Governments (DRCOG) – Transportation Improvement Program (TIP)**

TIP identifies all current federally funded transportation projects to be completed in the Denver region over a six-year period with federal, state or local funds. Demonstrating DRCOG's commitment to collaboration, at the DRCOG table local governments decide on a process and criteria for including projects in the TIP and awarding DRCOG-controlled federal funds, which allows the region to set and agree upon its transportation priorities. All TIP projects must meet current air quality standards. The City of Westminster has received many grants from DRCOG, including funds to improve the intersection of 120th Avenue and Federal Boulevard which will improve trail connections to the Big Dry Creek trail.

### **Colorado Department of Agriculture Noxious Weed Management Grants**

The primary objective of the CDA Noxious Weed Management Fund (WMF) grant program is to provide additional financial resources to counties, communities, weed control districts, or other entities engaged in cooperative efforts to eradicate and/or contain state, regionally, or locally rare, noxious weed species populations and to prevent the spread of high priority weed populations. Organized private interests, non-profit organizations and local governments may also apply for assistance provided that awarded funds will be used for noxious weed management efforts within Colorado.

### **Department of Local Affairs – Energy and Mineral Impact Assistance**

Energy and Mineral Impact Grants administered by the Department of Local Affairs (DOLA) assist communities affected by the growth and decline of extractive industries. The applicability of these funds to cultural heritage tourism lies mostly in their ability to fund improvements to public facilities and local government planning efforts where cultural heritage tourism-related goals can be furthered through economic development initiatives. Municipalities, counties, school districts, special districts and state agencies are eligible for the funds. Because these grants require matching funds, applications with higher matches receive more favor as they high- light community support.

### **Department of Local Affairs – Colorado Heritage Planning Grant**

Nearly \$2 Million was awarded to projects involving over 100 local governments since the program was first introduced in 2000. The projects funded addressed many of the impacts of growth including traffic congestion, loss of agriculture, loss of open space, fiscal impacts to local governments, wildfire hazards, and a lack of affordable housing to name a few. The program is not currently funded due to state budget cuts.



### **Colorado Department of Transportation (CDOT) – MAP-21**

On July 6, 2012, the President signed H.R. 4348, the Moving Ahead for Progress in the 21st Century Act (MAP-21). The legislation updates and replaces the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users Act of 2005 (SAFETEA-LU), specifically reauthorizing federal transportation programs, providing budget authority for federal transportation apportionments, and updating federal statutes governing the U.S. Department of Transportation (USDOT) and its various agencies and programs. A brief summary of the bill's provisions follows.

- **Duration.** MAP-21 is a 27-month authorization bill, providing spending authority through September 30, 2014.
- **Federal Spending and Colorado Apportionments.** The bill continues existing funding levels with a small inflationary adjustment. Colorado's federal highway apportionments are estimated to be \$517.0 million in fiscal year (FY) 2013 and \$522.4 in FY 2014. By comparison, Colorado's federal apportionment for FY 2012 is \$517.0 million.
- **Program Consolidation.** MAP-21 consolidates approximately 90 federal transportation programs into 30 new and existing programs, providing CDOT with more discretion and significant policy decisions to be made as a result.

### **Colorado Department of Transportation – National Highway Performance Program (NHPP)**

MAP-21 consolidates the Interstate Maintenance Program, National Highway System formula programs, and the on-system portion of the Highway Bridge Program into a consolidated National Highway Performance Program. The new program is heavily focused on system improvement and preservation, and serves as the primary formula grant program to CDOT. Eligible NHPP projects include:

- National Highway System projects, bridges, and tunnels;
- inspection and evaluation of on-system bridges, tunnels, and related assets (e.g., retaining walls, and signage);
- training of bridge and tunnel inspectors;
- construction of and improvements to off-system federal-aid highways;
- transit projects;
- bicycle transportation and pedestrian walkways;
- safety improvements for on-system highways
- capital and operating costs for traffic and traveler information facilities and programs;
- development of a state asset management plan;
- intelligent transportation systems capital improvements;
- environmental restoration and mitigation;
- pollution abatement;
- noxious weed control; and
- construction of publicly owned bus terminals servicing the National Highway System.

### **Colorado Department of Transportation – Transportation Alternatives Program (TA)**

Prior to MAP-21, three federal programs provided dedicated funding for bicycle and pedestrian projects: Recreational Trails (RT); Safe Routes to Schools (SRTS); and Transportation Enhancements (TE). MAP-21 folds all three programs into a single, newly created program – Transportation Alternatives. Under the new TA program, eligible activities funded by the program are a hybrid of eligible projects from the previous three programs, plus new eligibility for environmental mitigation and minor road construction projects not currently allowed under RT, SRTS, or TE. The new program may fund projects originally eligible under the RT and SRTS programs; planning, designing, or constructing boulevards and other roadways largely in rights-of-way; and new alternatives are summarized below:

- **Trail Facilities.** Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act
- **Safe Routes for Non-Drivers.** Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.
- **Use of Abandoned Railroad Corridors.** Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other non-motorized transportation users.
- **Scenic Areas.** Construction of turnouts, overlooks, and viewing areas.
- **Community Improvement Activities.** Community improvement activities, including:
  - inventory, control, or removal of outdoor advertising;
  - historic preservation and rehabilitation of historic transportation facilities;
  - vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control;
  - archaeological activities relating to impacts from implementation of a transportation project.
- **Environmental Mitigation Activity.** Environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to:
  - address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff;
  - reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

### ***Colorado Department of Transportation – Safe Routes to School***

Safe Routes to School (SRTS) was established in 2005 to enable and encourage children, including those with disabilities, to walk and bicycle to school; to make walking and bicycling to school safe and more appealing; and to facilitate the planning, development and implementation of projects that will improve safety, and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

Eligible applicants include a local government; a regional transportation authority; a transit agency; a natural resource or public land agency; a school district, local education agency or school; a tribal government; and any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails that the state determines to be eligible, consistent with the goals of this grant application.

Grants are awarded through a statewide competitive process, and in proportion to the geographic distribution of the student population K-8 grades. Of the total Safe Routes to School funds, 10 to 30 percent will be dedicated to non-infrastructure (education and encouragement) projects, with remaining funds going towards infrastructure (capital) projects.

The 2014 Safe Routes to School Grants were 100 percent federally funded. This means that there was no local cash match required and applications were not scored or prioritized based on demonstration of local match commitment. The 2014 grants were funded using a different type of federal transportation dollars that did not require a local cash match. Maximum project funding for infrastructure projects was \$300,000. This is an increase from the \$250,000 maximum project funding in previous grant cycles.



---

## **Federal Sources**

---

Most federal programs provide block grants directly to states through funding formulas. For example, if a Colorado community wants funding to support a transportation initiative, it would contact the Colorado Department of Transportation and not the U.S. Department of Transportation to obtain a grant. Despite the fact that it is rare for a local community to obtain a funding grant directly from a federal agency, it is relevant to list the current status of federal programs and the amount of funding that is available to the City of Westminster through these programs.

### ***Surface Transportation Act***

The Surface Transportation Act has been the largest single source of funding for the development of bicycle, pedestrian, trail, and greenway projects. Prior to 1990, the nation, as a whole, spent approximately \$25 million on building community-based bicycle and pedestrian projects, with the vast majority of this money spent in one state. Since the passage of Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), funding was increased dramatically for bicycle, pedestrian and greenway projects, with total spending north of \$5 billion. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) more than doubled the total amount of funding for bicycle/pedestrian/trail projects as compared to its predecessor, the Transportation Equity Act for the 21st Century (TEA-21), with approximately \$800 million available each year.

There are many current programs that deserve mention. The authorizing legislation is complicated and robust. The following provides a summary of how this federal funding can be used to support the City of Westminster Open Space Program. All of the funding within these programs would be accessed through the Colorado Department of Transportation.

### ***Moving Ahead for Progress in the 21st Century Act (MAP-21)***

Funding surface transportation programs at over \$105 billion for fiscal years (FY) 2013 and 2014, MAP-21 is the first long-term highway authorization enacted since 2005. MAP-21 extended current law, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), for the remainder of FY 2012, with new provisions for FY 2013 and beyond taking effect on October 1, 2012. Funding levels were maintained at FY 2012 levels, plus minor adjustments for inflation – \$40.4 billion from the Highway Trust Fund (HTF) for FY 2013, and \$41.0 billion for FY 2014.

### ***Surface Transportation Program (STP)***

MAP-21 continues the STP, providing an annual average of \$10 billion in flexible funding that may be used by states and localities for projects to preserve or improve conditions and performance on any federal-aid highway, bridge projects on any public road, facilities for non-motorized transportation, transit capital projects and public bus terminals and facilities. Activities of some programs that are no longer separately funded are incorporated, including recreational trails.

### ***Congestion Mitigation and Air Quality (CMAQ)***

Map-21 continues this funding with average annual funding of \$3.3 billion. Historically, about five percent of these funds have been used to support bicycle, pedestrian, and trail projects. This would equal about \$165 million under Map-21.

### ***Highway Safety Improvement Program (HSIP)***

Map-21 continues this funding with average annual funding of \$2.4 billion, including \$220 million per year for the Rail-Highway Crossings program. Some of the eligible uses of these funds would include traffic calming, bicycle and pedestrian safety improvements, and installation of crossing signs. This is not a huge source of funding, but one that could be used to fund elements of a project.

### ***Transportation Alternatives (TA)***

MAP-21 establishes a new program to provide for a variety of alternative transportation projects that were previously eligible activities under separately funded programs. The Transportation Alternatives (TA) program will receive about

\$780 million to carry out all projects, including Recreational Trails Program (RTP) and Safe Routes to School (SRTS) programs and projects across the country, which represents about a 35 percent reduction from the current \$1.2 billion spent on these programs. States will sub-allocate 50 percent of their TA funds to Metropolitan Planning Organizations and local communities to run a grant program to distribute funds for projects. States could use the remaining half for TA projects or could spend these dollars on other transportation priorities.

- » **Recreational Trails Program (RTP)**- Under MAP-21, the Recreational Trails Program (RTP) is continued at the current funding levels as a set-aside from TAP. RTP will continue to operate as it did under SAFETEA-LU. However, the governor of each state may opt out of the RTP if it notifies the U.S. Department of Transportation Secretary not later than 30 days prior to apportionments being made for any fiscal year. Funding is through the Colorado State Recreational Trails Grant Program, which funds projects for trial planning and design, construction, maintenance, equipment, and special projects.
- » **Safe Routes to School Program (SRTS)** - The Safe Routes to School (SRTS) program is eliminated as a stand-alone program, but SRTS projects are eligible for funding under the TAP. As such, SRTS projects are now subject to all TAP requirements, including the same match requirements – 80 percent federal funding, with a 20 percent local match.
- » **Scenic Byways**- The National Scenic Byways program is completely eliminated under MAP-21. However, some scenic byway type projects, like turnouts, overlooks, and viewing areas will be eligible under one of the TAP categories.

### ***Land and Water Conservation Fund***

The Land and Water Conservation Fund is the largest source of federal money for park, wildlife, and open space land acquisition. The program's funding comes primarily from offshore oil and gas drilling receipts, with an authorized expenditure of \$900 million each year. However, Congress generally appropriates only a fraction of this amount. The program provides up to 50 percent of the cost of a project, with the balance of the funds paid by states or municipalities. These funds can be used for outdoor recreation projects, including acquisition, renovation, and development. Projects require a 50 percent match.

### ***Environmental Protection Agency – Brownfields Program***

The Environmental Protection Agency's (EPA) Brownfields Program provides direct funding for brownfields assessment, cleanup, revolving loans, and environmental job training. To facilitate the leveraging of public resources, EPA's Brownfields Program collaborates with other EPA programs, other federal partners, and state agencies to identify and make available resources that can be used for brownfields activities. In addition to direct brownfields funding, EPA also provides technical information on brownfields financing matters.

### ***Community Block Development Grant Program***

The U.S. Department of Housing and Urban Development (HUD) offers financial grants to communities for neighborhood revitalization, economic development, and improvements to community facilities and services, especially in low and moderate-income areas. Administered by the Department of Local Affairs, Community Development Block Grants can be spent on a wide variety of projects, including property acquisition, public or private building rehabilitation, construction of public works, public services, planning activities, assistance to nonprofit organizations and assistance to private, for-profit entities to carry out economic development. At least 70 percent of the funds must go to benefit low and moderate-income populations. The funds must go to a local government unit for disbursement. A detailed citizen participation plan is required.

### ***Economic Development Administration***

Funding is available through this federal program in the form of several different grants. Two grants that may be applicable to cultural heritage tourism are the Economic Adjustment Assistance Grant (which helps communities develop



comprehensive redevelopment efforts that could include cultural heritage tourism programs) and the Planning Program Grant (which helps planning organizations create comprehensive development strategies). Only governmental units are eligible.

### ***Farm Service Administration***

Two Farm Service Administration programs help to preserve sensitive farmland and grassland. The Conservation Reserve Enhancement Program is a land retirement program for ecologically sensitive land. The Grassland Reserve Program supports working grazing operations to maintain the land's grassland appearance and ecological function. The funds are available to private farmers and ranchers, although local governments, tribes and private groups can also solicit them. These funds are intended to be combined with other funding, but there is no set match requirement.

### ***National Trust for Historic Preservation***

This endowment funds 14 different grants. The Preservation Funds Matching Grants and Intervention Funds assist nonprofit and public agencies with planning and educational projects or preservation emergencies, respectively. The Johanna Favrot Fund for Historic Preservation provides matching grants for nonprofit and public organizations whose projects contribute to preservation and/or recapturing an authentic sense of place. The Cynthia Woods Mitchell Fund for Historic Interiors provides grants for professional expertise, communications, materials and education programs. Individuals and for-profit groups may apply. The latter two grants only apply to National Historic Landmark sites.

### ***National Endowment for the Arts***

The National Endowment for the Arts organizes its grants around artistic disciplines and fields such as folk and traditional arts; local arts agencies; state and regional entities; and museums. Within these categories, the applicable grants are listed. The grants provide funding for artistic endeavors, interpretation, marketing, and planning. Not-for-profit 501(c)(3) organizations and units of state or local government, or a recognized tribal community are eligible. An organization must have a three-year history of programming prior to the application deadline.

### ***National Endowment for the Humanities***

The National Endowment for the Humanities is a federal program that issues grants to fund high-quality humanities projects. Some grant categories that may be well suited to cultural heritage tourism are: grants for preservation and creation of access to humanities collections; interpreting America's historic places; implementation and planning; museums and historical organizations; preservation and access research; and development projects. The grants go to organizations such as museums, libraries, archives, colleges, universities, public television, radio stations, and to individual scholars. Matches are required and can consist of cash, in-kind gifts or donated services.

### ***Preserve America***

The Preserve America grants program funds "activities related to heritage tourism and innovative approaches to the use of historic properties as educational and economic assets." Its five categories are: research and documentation, interpretation and education, planning, marketing, and training. The grant does not fund "bricks and mortar" rehabilitation or restoration. This grant is available to State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officers (THPOs), designated Preserve America communities, and Certified Local Governments (CLGs) applying for designation as Preserve America Communities. Grants require a dollar-for-dollar nonfederal match in the form of cash or donated services.

### ***Small Business Administration***

Many cultural heritage tourism businesses are small businesses. The Small Business Administration does not itself loan money, but guarantees loans from banks or from specially chosen small business investment companies. These loans can be used for business expenses ranging from start-up costs to real estate purchases. Rural business investment companies target their funds toward companies located in rural areas. Eligible companies must be defined as "small" by the Small Business Administration.

### ***U.S. Fish and Wildlife Service***

The U.S. Fish and Wildlife Service has a long list of grant programs that benefit the conservation or restoration of habitats. These include grants for private landowners to assist in protecting endangered species, restoring the sport fish population, habitat conservation planning, and land acquisition. The amount, matching requirements, and eligibility for each grant vary. Practical information about successful projects and conserving specific habitats is available at: [www.fws.gov/grants](http://www.fws.gov/grants)

## **Foundations and Philanthropic Sources**

---

### ***El Pomar Foundation***

The El Pomar Foundation supports Colorado projects related to health, human services, education, arts and humanities, and civic and community initiatives. Generally, El Pomar does not fund seasonal activities, travel or media projects, but their funding has supported other aspects of cultural heritage tourism, including regional planning and development. Recipients must be not-for-profit 501(c)(3) organizations.

### ***Tourism Cares***

Tourism Cares supports the efforts of tourism to “preserve, conserve and promote” the things that are our cultural and historic assets through its worldwide grant program. Grants provide money for capital improvements on important sites as well as the education of local communities and the traveling public about conservation and preservation. Only 501(3)(c) not-for-profit corporations are eligible. Grant applications that leverage other sources of funding, are endorsed by the local, state, or regional tourism office and have strong support from the local community have a better chance of being funded.



## Agenda Item 11 A-B

### Agenda Memorandum

City Council Meeting  
December 8, 2014



**SUBJECT:** Councillor's Bill No. 29 Amending Westminster Municipal Code, Sections 10-1-12(A) and (B) Concerning Parking on Streets

**Prepared By:** Hilary M. Graham, Acting City Attorney  
Lee Birk, Police Chief  
Joy Tallarico, Code Enforcement

### Recommended City Council Action

1. Remove Councillor's Bill No. 29 from the table.
2. Pass Councillor's Bill No. 29 on first reading amending Sections 10-1-12(A) and (B) of the Westminster Municipal Code to create more flexibility in parking restrictions related to loading and unloading RVs, trailers and boats.

### Summary Statement

- Current provisions of the Westminster Municipal Code (the "Code") restrict on-street and off-street parking of certain vehicles, based upon the type and size of the vehicle.
- The provision related to on-street parking restrictions have been known to create confusion because of the differences in allowable on-street time periods expressed in the exceptions for loading and unloading and in the affirmative defenses to a violation.
- Members of Council have expressed interest in simplifying this Code provision for ease of understanding by affected members of the public.
- The attached ordinance is being proposed as an option for doing so.

**Expenditure Required:** \$0

**Source of Funds:** N/A

### **Policy Issue**

Should W.M.C. § 10-1-12(A) and (B) be revised as presented here to clarify when on-street parking of certain types of vehicles, including RVs, is permitted for loading or unloading?

### **Alternatives**

- Make no change to the parking provisions at issue and continue applying them as has been done since at least 1996.
- Provide direction to Staff about other changes to the Code's parking restrictions.

### **Background Information**

In the summer months, City Councillors have been fielding questions about the City's restrictions against parking long vehicles, such as motor homes, mobile homes, boats on trailers, and campers in residential areas. The Police Department can confirm this is a common area of confusion with citizens. A review of the Code, as currently drafted, reveals the source of the confusion.

As relevant here, Title X, Chapter 12, of the Westminster Municipal Code, establishes definitions (Subsection A), parking restrictions applicable to public streets (Subsection B), and parking restrictions applicable to private property (Subsection C).

“Loading and unloading” is currently defined as the uninterrupted activity of continuously moving material, equipment, goods or other items of personal property from or to a vehicle during an eight (8) hour maximum period. W.M.C. § 10-1-12(A)(13). “Recreational vehicle (RV)” is defined as a motor home, mobile home or camping trailer. W.M.C. § 10-1-12(A)(14).

Section 10-1-12(B)(1) of the Code currently regulates parking on public streets as follows:

Trailers, boats, mobile and motor homes less than thirty-five feet in length are prohibited from being parked on any public street within a residential district of the City except that:

- (a) Recreational vehicles (meaning motor homes, mobile homes or camping trailers) may be parked for loading and unloading for not more than seventy-two (72) hours; but
- (b) Other vehicles (meaning trailers or boats) are limited to the defined period for loading and unloading, eight (8) hours.

*(Emphasis added.)*

Section 10-1-12(B)(2) of the Code regulates any vehicle thirty-five feet in length or longer and prohibits them from being parked on any public street within a residential district except for the defined period for loading and unloading, eight (8) hours. Section 10-1-12(C)(1) of the Code regulates parking of vehicles on private property or private streets and prohibits any vehicle thirty-five feet in length or longer on any private street within any residential district, or upon any residential lot within the City, except for the defined period for loading and unloading, eight (8) hours.

In summary, in three sections, the Code prohibits parking of vehicles on streets in residential districts according to the vehicle's length and type, but creates an exception, which allows parking for an eight (8) hour period of loading and unloading. Yet, in one section, smaller recreational vehicles on public streets are allowed up to seventy-two (72) hours for loading and unloading. The legislative history available does not explain the extra loading time given for smaller recreational vehicles on public streets, but it would seem to be an effort to accommodate families preparing smaller RVs for a trip. There is a desire to preserve this accommodation, but to do so in a way that removes the confusion between the references to eight hours versus 72 hours.

In its November 17 study session on this issue, the Council confirmed that it supports (1) the removal of the affirmative defense format in the existing code and (2) the timeframe for loading and unloading should be changed to a uniform 24-hour period.

Approving the ordinance amending §§ 10-1-12(A) and (B) of the Westminster Municipal Code to create more flexibility in the restrictions related to loading and unloading trailers, boats, mobile homes or motor homes will further the strategic plan goal of Excellence in City Services by allowing a more easily understood and applied parking restriction.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment –Ordinance

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **29**

SERIES OF 2014

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE AMENDING SECTIONS 10-1-12(A) AND (B) OF THE WESTMINSTER MUNICIPAL CODE CONCERNING PARKING ON PUBLIC STREETS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 10-1-12(A), W.M.C., is hereby AMENDED to read as follows:

**10-1-12: PARKING RESTRICTIONS:**

(A) The following definitions shall be used in this section:

“Loading and unloading” shall mean the uninterrupted activity of continuously moving material, equipment, goods or other items of personal property from or to a vehicle during an twenty-four ~~eight~~ (24) ~~(248)~~ hour maximum period.

Section 2. Section 10-1-12(B), W.M.C., is hereby AMENDED, including the ADDITION of a sub-subsection, to read as follows:

**10-1-12: PARKING RESTRICTIONS:**

(B) The following restrictions shall apply to the parking of vehicles on public streets within the City:

(1) It shall be unlawful to park any trailer, boat, mobile home or motor home that is less than thirty-five feet (35') long on any public street or highway within any residential district of the City, unless:

(a) ~~It shall be an affirmative defense to a violation of this subsection that~~ the vehicle is a recreational vehicle (RV) that is being loaded or unloaded; loading and unloading of an RV includes trip preparation or post-trip clean up or minor maintenance, but loading and unloading shall not in any event exceed seventy-two (72) hours.

(b) ~~It shall be an affirmative defense to a violation of this subsection that~~ the vehicle is a boat or trailer (other than a camping trailer) that is being loaded or unloaded as defined in subsection (A) above, but such loading and unloading shall not in any event exceed eight (8) hours.

(2) It shall be unlawful to park any vehicle, including, but not limited to, those listed in (1) above, that is thirty-five feet (35') or more long on any public street or highway within any residential district of the City, except for the purpose of loading and unloading.

(3) It shall be unlawful to park truck trailers, semi-tractors, trucks, buses and construction equipment on any public street or highway within any residential district of the City; provided, however, that parking next to a construction site for which a valid permit exists shall be allowed for the purpose of loading and unloading materials.

(4) It shall be unlawful to park any vehicle upon any public street, highway, public right-of-way, or public property in the City for the principal purpose of: (a) displaying such vehicle for sale or lease;

(b) washing, greasing, painting, or repairing such vehicle, except repairs necessitated by an emergency; or  
(c) displaying advertising.

(5) It shall be unlawful for any camper not mounted upon a vehicle to be left upon any street or highway within the City.

(6) It shall be unlawful to park any vehicle that is required to be licensed by Colorado statute upon any street or highway within the City unless a valid license is properly displayed on the vehicle.

(7) It shall be unlawful to park any vehicle upon a street or highway in such a manner or under such conditions as to interfere with the free movement of vehicular traffic or proper street or highway maintenance.

(8) It shall be unlawful to park any vehicle in such a manner as to leave available less than two feet (2') clearance between vehicles when parked.

(9) No person shall stop, stand or park a vehicle upon a street or highway in a manner as to block the driveway entrance to any property abutting the street or highway.

(10) It shall be unlawful to park any vehicle on public right-of-way located between the curb and sidewalk.

(11) It shall be unlawful to move and repark any vehicle in the same location or within three hundred (300) feet of the same location for the principal purpose of evading the application of subsection (1) and (2) of this subsection (B).

Section 3. This ordinance shall take effect upon its passage after second reading. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 5th day of December, 2014.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 22nd day of December, 2014.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney's Office