

**AGENDA**

**WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY  
SPECIAL MEETING**

**MONDAY, JULY 14, 2014**

**AT 7:00 P.M.**

- 1. Roll Call**
- 2. Minutes of Previous Meeting** (June 23, 2014)
- 3. Public Hearings and New Business**
  - A. Master Planning Professional Services Contracts for the WURP
- 4. Adjournment**

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY  
MONDAY, JUNE 23, 2014, AT 7:50 P.M.

ROLL CALL

Present at roll call were Chairperson Herb Atchison, Vice Chairperson Faith Winter, and Board Members Bruce Baker, Bob Briggs, Alberto Garcia, Emma Pinter, and Anita Seitz. Also present were J. Brent McFall, Executive Director, Martin McCullough, Attorney, and Linda Yeager, Secretary.

APPROVAL OF MINUTES

Board Member Briggs moved, seconded by Board Member Seitz, to approve the minutes of the meeting of June 9, 2014, as written. The motion carried unanimously.

PUBLIC HEARING TO AMEND THE 2014 BUDGET

Staff had no formal presentation but was available to answer any questions. The Authority had no questions. At 7:52 p.m., the Chairperson opened the public hearing and invited comment. No one wished to speak and at 7:53 p.m. the hearing was closed.

RESOLUTION NO. 155 AUTHORIZING 2<sup>ND</sup> QUARTER SUPPLEMENTAL APPROPRIATION

It was moved by Board Member Seitz, seconded by Vice Chairperson Winter, to adopt Resolution No. 155 authorizing a supplemental appropriation to the 2014 Westminster Economic Development Authority Budget. At roll call, the motion passed unanimously.

ADJOURNMENT

With no further business for the Authority's consideration, Chairperson Atchison adjourned the meeting at 7:55 p.m.

ATTEST:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

# WEDA Agenda Item 3 A

## Agenda Memorandum

Westminster Economic Development Authority  
July 14, 2014



**SUBJECT:** Master Planning Professional Services Contracts for the Westminster Urban Reinvestment Project

**Prepared By:** Susan Grafton, Economic Development Director  
Mac Cummins, AICP, Planning Manager

### Recommended WEDA Action

In order to more clearly communicate the costs associated with the Torti Gallas contract, rescind the July 8, 2013, limit on other contracts as necessary with other consultants for work related to the Westminster Center Urban Reinvestment Project in an amount not to exceed \$125,000 and authorize the Executive Director to execute an amended contract with Torti Gallas for an additional \$125,000 for a total not to exceed \$500,000 for planning, urban design and infrastructure analysis related to the development of the WURP site.

### Summary Statement

- Planning for the Westminster Urban Reinvestment Project (WURP) site is well underway, with a major focus on development of a master plan that will serve as the primary regulatory framework to achieve the City's vision for a new downtown.
- On July 8, 2013, the Board authorized the Executive Director to enter into a negotiated contract with Torti Gallas and Partners for planning and urban design services not to exceed \$375,000.
- Also on July 8, 2013, the Board authorized the Executive Director to enter into such other contracts as necessary with other consultants for work related to the WURP not to exceed \$125,000.
- Over the past year, as planning for the WURP site has proceeded, several planning-related efforts related to both development of the master plan as well as planning for infrastructure and marketing for the site have been folded into the original Torti Gallas scope of work as contract amendments. The planning efforts were completed by either Torti Gallas or one of their subcontractors due to their knowledge and familiarity with the WURP site as well as to ensure overall consistency and coordination between consultants.
- Future additional amendments to the Torti Gallas contract are anticipated in order to coordinate with developer Oliver McMillan. Modifications to the original plan framework adopted in November 2013 are necessary to accommodate the shared vision of the City and Oliver McMillan that has been developed over a series of planning and design meetings over the past few months.
- Although the original intent of the \$125,000 portion was to encompass "other" consulting services than the Torti Gallas contract, staff proposes to amend the intent to include contract amendments to the Torti Gallas contract that have served planning purposes related to but beyond the original scope of the contract.
- Other contracts associated to the site have been/will be authorized in accordance to WEDA's purchasing policies.

**Expenditure Required:** \$0  
**Source of Funds:** N/A

**Policy Issue**

Should the WEDA Board approve amendments to the Torti Gallas contract for work necessary to complete the master plan document and WURP plan framework? These amendments would be encompassed within the original \$500,000 approval by the WEDA Board but in addition to the original \$375,000 approved for the initial scope of the Torti Gallas contract.

**Alternative**

The WEDA Board could choose to not approve Torti Gallas contract amendments. However, staff does not recommend this alternative. The master plan document is underway, with a significant portion of the draft completed. The draft is based on the original Preliminary Development Plan (PDP) framework. With the addition of Oliver McMillan as the initial developer on the site, as well as the need to expedite preparation of the site for development, staff needed to add to the original scope of work within the Torti Gallas contract to include additional design consultation and attendance at key planning meetings and focused utility analyses to initiate grading and site preparation. Without the amendments, there would have been a delay in working effectively with the developer and stakeholders in the project as well as in preparing the site for grading and road construction to expedite development. Additional work requiring an amendment to the Torti Gallas contract is necessary in order to reflect a joint vision between Oliver McMillan and the City. Without this amendment, significant staff resources will be required to complete the plan, which will delay completion of the master plan and entitlements beyond the completion of a development agreement with Oliver McMillan, anticipated for late Fall 2014. Adoption of the master plan and entitlements would likely extend into early 2015, based on current projections for staff availability.

**Background Information**

In July of 2013, the WEDA Board approved spending authority for planning efforts related to the Westminster Urban Reinvestment Project (WURP) site. The initial approval for \$500,000 included \$375,000 for Planning Services and \$125,000 for miscellaneous consulting services as necessary. The Torti Gallas contract was entered into as a result of this approval, which includes work with Torti Gallas and their subconsultants to achieve a master plan and regulatory framework.

Over the past year, the addition of several amendments to the Torti Gallas contract to accommodate work for marketing purposes, utilities and infrastructure analysis, and work with Oliver McMillan has resulted in a contract amount that exceeds the \$375,000 originally approved by the WEDA Board. Staff anticipates the need for additional work to be completed by Torti Gallas in order to complete the master plan. These amendments to the Torti Gallas contract could be ascribed to the miscellaneous consulting services budget, which was originally intended for other consulting services related to WURP planning.

The intent of this portion of the funding was to complete a master plan and regulatory framework for the WURP site. The WEDA Board approved an amount not to exceed \$375,000 for the Torti Gallas contract. This contract included several subcontractors, including Martin & Martin Civil Engineers, Communitas, and Nelson/Nygaard. The scope of the contract is narrowly focused on the development of a regulatory planning document with very specific input on traffic, civil and economic feasibility from the subconsultants. Over the course of the planning process, several amendments to the contract were made to accommodate focused marketing, additional detailed civil engineering studies, and participation by Torti Gallas in key meetings with JCPenney and Oliver McMillan. All of these amendments, while related to planning for the WURP site, were a departure from the original scope of the contract and intent of the Planning Services account. However, due to Torti Gallas' close knowledge of the site and their relationship with subcontracting firms, it was deemed appropriate to add the amendments and scope to the original contract. As summarized in Table 1, the additional amendments to the Torti Gallas contract have exceeded the original Planning Services allotment of \$375,000 toward plan development by \$34,559.

**Table 1: Torti Gallas Contract**

|   |  | <i>Amount</i>    |
|---|--|------------------|
| Initial Contract                              |  | \$346,710        |
| <i>Amendment</i>                              | <i>Description of Scope and Consultant</i>   | <i>Amount</i>    |
| 1   | Focused Site Plans for purposes of marketing for economic development, prepared by Torti Gallas  | \$5,000          |
| 2   | Detailed Civil Analysis including drainage and utility plans, conducted by Martin & Martin and folded into Torti Gallas contract for efficiency in contract management and flow of information | \$49,749         |
| 3   | Attendance by Torti Gallas at initial planning meeting with JCPenney   | \$3,500          |
| 4   | Attendance by Torti Gallas at planning charette in San Diego held by Oliver McMillan   | \$4,600          |
| <b>Total Contract Amount after Amendments</b> |  | <b>\$409,559</b> |
| Total Amount Spent to Date                    |  | \$333,307        |

With the introduction of developer Oliver McMillan into the planning process, staff has been working to accommodate revisions to the adopted PDP framework plan that reflect a joint vision for development between the City and Oliver McMillan. This joint planning effort has included multiple design charettes and consequent adjustments to the plan framework. In order to participate in this process and reflect these changes in the PDP and draft master plan document, additional work by Torti Gallas is necessary, which will require an additional amendment to the contract. Any additional work related to the Torti Gallas contract and master plan document would not exceed the originally-approved \$500,000 by the WEDA Board.

Other contracts associated with other planning efforts such as a parking study and aerial topographic survey and input on open space and parks have been authorized in accordance with WEDA's purchasing policy and have been funded.

Master Planning for the WURP site supports several key strategic goals for Council, including ensuring the new downtown is a "Vibrant and Inclusive Neighborhood" and is the focal point of a "Beautiful, Desirable, Environmentally Responsible City;" supporting a "Dynamic, Diverse Economy" by creating a foundation for a strong commercial and mixed-use environment; and providing "Excellence in City Services" by supporting and enabling higher-intensity mixed-use development within the downtown area.

Respectfully submitted,

J. Brent McFall  
Executive Director