



WESTMINSTER
COLORADO

JANUARY 8, 2001
7:00 P.M.

Please turn OFF Cell phones and pagers during meetings

AGENDA

NOTICE TO READERS: City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items is reflective of Council's prior review of each issue with time, thought and analysis given.

Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

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

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

8. Consent Agenda
 - A. 2001 Sealcoat Maintenance Contract Bid Award to A-1 Chipseal Company for \$700,000
 - B. 2001 Purchase of 8 Malibu Sedans from Daniels Chevrolet for \$106,118.00
9. Appointments and Resignations
 - A. Westminster Legacy Foundation Appointments
 - B. Resolution No. re Transportation Commission Appointments
10. Public Hearings and Other New Business
 - A. Alternate Surety Procedures for Westmoor Business Park
 - B. Bond and Disclosure Counsel Agreements for Year 2001 Master Lease and Certificates of Participation
 - C. Fire Station No. 3 Addition/Remodel Contract with Fischer Construction in the amount of \$82,627
 - D. Big Dry Creek Construction Contract
 - E. Park Services Maintenance Contract to Schultz Industries, Inc. for \$169,530
 - F. Household Hazardous Waste Pick-up Services with Curbside, Inc. for no more than \$37,000
 - G. Councillor's Bill No. 1 re Housekeeping Supplemental Appropriation
11. Old Business and Passage of Ordinances on Second Reading
None
12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business
 - A. City Council
 - B. Request for Executive Session
 1. Negotiations on Future Land Development
13. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, JANUARY 8, 2001 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Atchison, Hicks, Kauffman, Merkel and Moss. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent none.

CONSIDERATION OF MINUTES:

A motion was made by Hicks and seconded by Atchison to accept the minutes of the meeting of December 18, 2000 with no additions or corrections. The motion carried unanimously.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Bids for 2001 Sealcoat Project authorizing the City Manager to sign a contract to the low bidder, A-1 Chipseal Company, in the amount of \$700,000, which includes a 7% contingency amount and charge the expense to the appropriate 2001 Department of Public Works and Utilities Infrastructure Improvements Division budget account; and Purchase of 8 Malibu Sedan Staff Vehicles awarding the bid for eight Chevrolet Malibu sedans to the State low bidder, Daniels Chevrolet, in the amount of \$106,118.00 and charge the expense to the appropriate 2001 Police Department and Community Development Departments' budget accounts.

The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. There was no request.

A motion was made by Merkel and seconded by Atchison to adopt the Consent Agenda items as presented. The motion carried unanimously.

APPOINTMENTS TO WESTMINSTER LEGACY FOUNDATION BOARD OF DIRECTORS:

A motion was made by Moss and seconded by Dixon to appoint Mr. Hereford Percy, Mr. Tim Wiens, Mr. Richard Rush, Mrs. Karen Scheuerman; Mr. Anthony Lombard and Mayor Nancy Heil, to be directors of the Westminster Legacy Foundation. The term of the appointments will expire December 31, 2003.

RESOLUTION NO. 1 RE TRANSPORTATION COMMISSION APPOINTMENTS:

A motion was made by Atchison and seconded by Hicks to adopt Resolution No. 1 making the following appointments to the Transportation Commission: Jerry Cunningham as a regular member with the term of office to expire 12-31-2002; Susan Smith as an alternate member with the term of office to expire 12-31-2001; and Bob Belote, moved from an alternate member to a regular member with the term of office to expire 12-31-2002. The motion carried unanimously.

ALTERNATE SURETY PROCEDURE FOR THE WESTMOOR TECHNOLOGY PARK:

A motion was made by Atchison and seconded by Moss to modify the surety requirement for the Westmoor Technology Park to allow the developer to delay the provision of appropriate surety until such time that a Certificate of Occupancy is requested by the developer. The motion carried unanimously.

BOND & DISCLOSURE COUNSEL AGREEMENTS:

A motion was made by Dixon and seconded by Kauffman to approve fees for Sherman & Howard to act as Bond and Special Counsel to the City at a fee of \$19,000 or the actual hours spent, whichever is less, to be paid for out of the proposed capital facilities financing. Approve fees for Kutak Rock to act as Disclosure Counsel at a fee of \$15,000 to be paid for out of the proposed capital facilities financing, and authorize the City Manager to execute agreements with Sherman & Howard and Kutak Rock accordingly. The motion carried unanimously.

FIRE STATION 3 REMODEL CONSTRUCTION CONTRACT:

A motion was made by Dixon and seconded by Hicks to authorize the City Manager to execute a contract with Fischer Construction in the amount of \$82,627 and approve a project contingency of \$8,262 and charge the expense to appropriate Fire Department project account in the General Capital Improvement Fund. The motion carried unanimously.

BIG DRY CREEK CONSTRUCTION CONTRACT:

A motion was made by Atchison and seconded by Merkel to authorize the City Manager to execute a contract with the low bidder, TARCO, Inc. in the amount of \$457,443.95 for the construction of improvements on Big Dry Creek between Huron Street and Interstate 25; authorize a construction contingency of \$46,000; authorize the City Manager to execute an Engineering Inspection Services contract with The Sear-Brown Group in the amount of \$56,800; and charge the expenses for this project to the appropriate Capital Project accounts in the Utility Fund. The motion carried unanimously.

PARK SERVICES LANDSCAPE MAINTENANCE CONTRACT:

A motion was made by Kauffman and seconded by Atchison to award the landscape maintenance contract to the low bidder Schultz Industries, Inc. in the amount of \$169,530 and charge the expense to the appropriate 2001 Parks, Recreation and Libraries account. The motion carried unanimously.

HOUSEHOLD HAZARDOUS WASTE PICK-UP SERVICES:

A motion was made by Merkel and seconded by Hicks to authorize the City Manager to execute a contract with Curbside, Inc. and authorize an expenditure of no more than \$37,000 for this service to be charged to the appropriate General Fund Central Charges account to continue the home household hazardous waste collection program for Westminster residents in 2001. The continuation of this service is recommended based upon the recommendation of the City Manager and a finding that a negotiated contract for this service best serves the public's interest. The motion carried unanimously.

COUNCILLOR'S BILL NO. 1 RE 2000 BUDGET SUPPLEMENTAL APPROPRIATION:

A motion was made by Atchison and seconded by Hicks to pass Councillor's Bill No. 1 on first reading providing for supplementary appropriations to the 2000 General Fund, Water Portion of the Utility Fund and the General Capital Improvement Fund. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Mayor Heil stated there would be an Executive Session for negotiations on future land development and negotiations with Arvada re storm drainage and transportation corridor.

The meeting was adjourned at 7:25 P.M.

ATTEST

City Clerk _____

Mayor



**WESTMINSTER
COLORADO**

Agenda Memorandum

Date: January 8, 2001
Subject: Bids for the 2001 Sealcoat Project
Prepared by: Ray Porter, Infrastructure Improvements Manager

Introduction

City Council action is requested to award the bid for the 2001 Sealcoat Project. Funds are available in the 2001 Department of Public Works and Utilities Infrastructure Improvements Division budget for this expense.

Summary

Formal bids were solicited in accordance with City Charter bidding requirements for the 2001 Sealcoat Project. Bid documents were sent to the three contractors who do this type of sealcoating with one responding as follows:

A-1 Chipseal	\$653,945
Keiwit Western	No Bid
GMCO	No Bid

Staff estimate for this work was: \$698,260

The only bidder, A-1 Chipseal, meets all of the City’s bid requirements and has successfully completed chipseal projects in 1997, 1998, 1999 and 2000 for Westminster and the cities of Denver, Aurora, Frederick, Lakewood, Arvada, Golden, Northglenn, Loveland, Estes Park, Adams County, Douglas County, Jefferson County, Elbert County and the Colorado Department of Transportation. A-1 Chipseal’s owner has been in the business since 1981.

The chipseal application price of \$1.26 per square yard increased 7% over the 2000 price. This increase is directly attributable to a 30% increase in asphalt cement. Included in this project is 75,000 lbs. of rubberized cracksealing on every street earmarked for chipseal or slurry seal in 2001 and re-painting of all traffic control lane lines, crosswalks and pavement markings following the chipseal application. Additionally, Staff included 31,000 square yards of slurry seal application to be applied on thirteen street sections in the Countryside sub-division.

Alternatives

1. Resurface these streets with a thin overlay of hot-mix asphalt (HMA).

With this alternative, the cost would increase by 175%, and the strength of the pavement structure would increase by less than 5%. The pavement’s flexibility would not increase as it does with the polymerized asphalt used with a sealcoat. Thus, within two to three years, the pavement surface would need a sealcoat.

2. Apply a slurry seal surfacing to the streets earmarked for chipseal.

The initial cost with this alternative would decrease by 20%, and there would be no loose aggregate. The disadvantages to this alternative are that pavement flexibility would decrease due to the hardness and brittleness of a slurry seal and surface treatment stripping would be more prevalent after one winter as opposed to a chipseal treatment that would not strip for at least five years. Cracksealing would be necessary after one winter, and the streets have to be totally closed during the construction process.

Policy Issues

Should City Council approve authorization to award the 2001 Sealcoat bid to A-1 Chipseal Company in the amount of \$700,000.

Staff Recommendation

Authorize the City Manager to sign a contract for the 2001 Sealcoat Project to the low bidder, A-1 Chipseal Company, in the amount of \$700,000, which includes a 7% contingency amount, and charge the expense to the appropriate 2001 Department of Public Works and Utilities Infrastructure Improvements Division budget account.

Background

The 2001 Sealcoat Project represents a total of 39 lane miles of pavement surface improvements at 75 locations throughout the City of Westminster. This sealcoating project is recommended by Staff after each street segment was carefully analyzed through the computerized Pavement Management process. It was determined that this preventative maintenance strategy would be the most cost effective. Staff believes chipseal is the best sealcoat process presently available, but decided to experiment with slurry seal on 13 streets that were chipsealed 7 years ago and waterlines were replaced in 1999. It has been over 20 years since slurry seal has been utilized in Westminster and Staff feels it should be looked at again to determine if design improvements have made slurry seal a more viable alternative.

Formal bids were solicited from three contractors in accordance with City Charter bidding requirements for the 2001 Chipseal Project.

GMCO stated that their reason for not bidding was because they are located in Carbondale, Colorado, and did not believe they could be competitive due to the hauling costs. Keiwit Western indicated they have decided not to do any chipsealing in 2001.

In an effort to respond to citizen concerns, Staff will again be sending a letter to affected residents explaining the process of the chipseal application and what to expect during the curing period. Special attention will be given to consistent and timely inspection during the construction process and sweeping will be scheduled the day after the chipseal is applied. The new process which utilizes the fogseal after sweeping was performed successfully in 1992 and in 1994 to 2000. Attached is a list of the streets earmarked to receive the chipseal application and slurry sealcoats in 2001.

Respectfully submitted,

William M. Christopher
City Manager
Attachments

**City of Westminster
Department of Public Works & Utilities
2001 Chipseal Location List
Infrastructure Improvements Division
PROJECT # CRS-2P-01-1**



WESTMINSTER COLORADO

Agenda Memorandum

Date: January 8, 2001

Subject: Purchase of Eight Malibu Sedans for City Staff Vehicles

Prepared by: Carl F. Pickett, Purchasing Specialist

Introduction

City Council action is requested to award the bid for eight replacement pool cars in the amount of \$106,118.00 to Daniels Chevrolet. These pool cars will be used by the following Departments: Police Department, ordering a total of seven cars, one for the Community Services Division, two for the Neighborhood Services Division, three for the Investigation Services Division, and one for the Support Services Division; and Community Development Department, ordering one car for the Engineering Services Division. Funds have been specifically allocated in the 2001 General Fund, Police and Community Development Departments' budgets for this expense.

Policy Issues

Should the City continue to use the State bid to replace City of Westminster Staff cars or conduct a separate bid process?

Summary

In November of 2000, the City's Purchasing Specialist received the results of the State Vehicle Bid for 2001. This year, the low bid for a mid-sized sedan was received from Daniels Chevrolet for the Chevrolet Malibu. The eight replacement sedans for use by City Staff were previously approved by City Council in the 2001 budget. The low bid submitted to the State by Daniels Chevrolet is being recommended for this purchase. It represents the lowest bid for a mid-sized sedan; it features the Chevrolet Malibu, which is the preferred vehicle for a sedan, and complies with the Fleet Standardization Policies. Standardization of vehicle manufacturers provides the economic benefits of (1) part interchangeability, (2) testing equipment standardization for the diagnosis of driveability problems, and (3) specialization of technician training.

Staff Recommendation

Award the bid for eight Chevrolet Malibu sedans to the State low bidder, Daniels Chevrolet, in the amount of \$106,118.00 and charge the expense to the appropriate 2001 Police Department and Community Development Departments' budget accounts.

Background Information

As part of the 2001 budget, City Council approved the purchase of eight replacement sedans for City Staff. Units # 2100, # 8004, #8006, #8119, #8120, #8139, #8143 and #8307 have reached a point where they are no longer economically reasonable to maintain and keep in service. Information regarding each vehicle replacement and trade-in allowance is as follows:

Purchase of Eight Malibu Sedans for City Staff Vehicles

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UNIT #	YEAR	MAKE	MODEL	MILES	VEHICLE MAINTENANCE COSTS LIFE TO DATE (LTD)	TRADE IN ALLOWANCE
2100	1989	Chevrolet	Celebrity	65,040	\$2,438.05	\$1,100.00
8004	1991	Chevrolet	Corsica	77,900	\$7,130.00	\$1,100.00
8006	1990	Chevrolet	Corsica	71,834	\$9,683.00	\$1,000.00
8119	1991	Chevrolet	Corsica	93,563	\$6,301.00	\$ 800.00
8120	1991	Chevrolet	Corsica	79,817	\$8,344.00	\$1,200.00
8139	1991	Chevrolet	Corsica	85,229	\$7,338.00	\$ 900.00
8143	1994	Chevrolet	Corsica	85,375	\$7,590.00	\$1,550.00
8307	1991	Chevrolet	Corsica	68,567	\$6,340.00	\$ 800.00

The present condition and maintenance history of each of these vehicles make it impractical to continue to operate them in regular service based on Fleet Maintenance's replacement recommendations.

The purchase price of a Malibu sedan is \$14,321.00. The budgeted amount for each vehicle is \$13,400.00 in anticipation of the trade in allowance. Trade-in allowances will be applied toward the purchase of the staff cars as listed above. The eight replacement vehicles total \$114,568.00, minus the trade in value of \$8,450.00, which equals an expenditure of \$106,118.00, saving the City \$1,082. City Council previously approved \$107,200 for this expenditure. The low bid from Daniels Chevrolet, Inc. meets all specifications and requirements set by the City.

Respectfully submitted,

William M. Christopher,
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: January 8, 2001
Subject: Appointment to Westminster Legacy Foundation Board of Directors
Prepared by: Bill Walenczak, Director of Parks, Recreation and Libraries

Introduction

City Council action is requested to appoint five individuals to the Westminster Legacy Foundation Board of Directors.

Summary

Applications were received from five individuals who expressed a strong desire to serve as volunteer Directors for the Westminster Legacy Foundation. After review of the candidates by Staff and by the Chairperson of the Parks and Recreation Advisory Board (PRAB), the belief is that all candidates are worthy of a three-year appointment and that each individual brings enthusiasm and expertise that would be beneficial in creating and operating this new nonprofit organization. The five individuals recommended to serve on the initial Board of Directors for the Westminster Legacy Foundation are:

Mr. Hereford Percy
Mr. Tim Wiens
Mr. Richard Rush
Mrs. Karen Scheuerman
Mr. Anthony Lombard

No formal interviews by the PRAB were conducted for these particular candidates. This was to help expedite the appointment process and to assist in reaching the goal of 15 directors appointed to the Foundation. The Chairman of the Parks and Recreation Board has discussed waiving interviews with other board members and the general consensus is that the Parks and Recreation Board does not feel it necessary to continue interviewing potential board candidates.

Policy Issue(s)

Does Council want to appoint these individuals based on review of their applications and qualifications and without a formal interview conducted by the PRAB?

Staff Recommendation

Appoint Mr. Hereford Percy, Mr. Tim Wiens, Mr. Richard Rush, Mrs. Karen Scheuerman and Mr. Anthony Lombard to be directors of the Westminster Legacy Foundation. The term of the appointment will expire December 31, 2003.

Background Information

In 1999, City Council directed the PRAB to pursue the development of a nonprofit, tax-exempt public foundation whose goal would be to generate support for various City projects and programs. The PRAB has been meeting monthly to focus on this project. The purpose and mission of this Foundation, as stated in its Article of Incorporation, would be to enlist, organize and encourage various types of support from individuals, businesses, and the community for City projects and programs. The Articles of Incorporation were approved by City Council and filed with the State of Colorado in early 2000.

The process to recruit and select individuals to serve as Directors of the Foundation was also reviewed and approved by City Council in early May. City Council agreed at that time that PRAB would conduct interviews of qualified candidates and submit a list of recommendations to City Council for final approval/appointment. After discussing this process with the Chairperson of the PRAB, John Polston, and the Vice Chairperson, Ron Dickerson, it was decided that in order to expedite the appointments and to help “jump start” the activities of the Foundation, the formal interview process normally conducted by the PRAB would be waived. The current ten Council-appointed Directors met on November 30, 2000, and have established a January 9, 2001, date to meet again to establish bylaws and elect officers.

Brief biographical sketches of the five candidates are provided below and their resumes and applications are also attached for review by City Council:

Mr. Hereford Percy has been the president of the 1stBank North since 1986. In addition to his duties as a bank president, he has been actively involved as a member, chair, or president of the following community organizations:

- Westminster Community Artist Series
- Westminster Building Authority
- Westminster Rotary Club
- Community Education Foundation
- Arvada D.A.R.E. Foundation
- Jefferson County School District Financial Oversight Committee

Mr. Tim Wiens is the CEO of FirstTier Bank. Under his guidance, FirstTier has grown from a company of one bank to a company with 19 locations and \$900 million in assets. Mr. Wiens is a current member of the Hyland Hills Foundation Board as well as a board member for the Make-A-Wish Foundation of Colorado. He has also been actively involved as the Chairman of the Board of Trustees for the fundraising and \$1.3 million expansion of the Crossroads Church in Northglenn.

Mr. Richard Rush is the managing partner of the Outback Steakhouse in Westminster. In addition, during the past few years, he has been very active in the following organizations:

- Northwest Metro Chamber of Commerce
- Hyland Hills Foundation
- Westminster Rotary Club
- Front Range Community College Advisory Board

Mrs. Karen Scheuerman is a long-time resident of Westminster, who also served on the Board of Education for Adams County School District 50 for 10 years. She is currently a member of the Open Space Advisory Board as well as the Community Education Foundation for School District 50.

Mr. Anthony Lombard is a resident of Westminster and is employed as a police sergeant for the City of Denver in their Public Affairs Unit. He also represents the Denver Police Department at both the Colorado General Assembly and Denver City Council. Mr. Lombard has been a board member of the Denver Police Protective Association and he was appointed by then Governor Romer to serve on the Colorado Lottery Commission. He served on the Lottery Commission for eight years and was chairman for two of those years.

These five initial “at large” appointments, if approved by City Council, would work with the current ten members of the Board of Directors in the startup and management of the Foundation. The current members of the Board of Directors include:

Mayor Heil	Member of City Council
Bill Walenczak	City Manager designee
John Polston	Member of the Parks and Recreation Advisory Board
Ed Getsch	Member of the Open Space Advisory Board
Marilyn Flachman	Member of the Library Board
Ben Beaty	At Large Member
Dan Bloomdahl	At Large Member
Ron Schaefer	At Large Member
David Westerlund	At Large Member
Geoffrey Wodell	At Large Member

Alternative(s)

Instruct the Parks and Recreation Advisory Board to interview these five candidates and invite City Council to participate in the interview process.

Respectfully submitted,

William M. Christopher
City Manager

Attachments (5)



WESTMINSTER
COLORADO

Agenda Memorandum

Date: January 8, 2001
Subject: Resolution No. 1 re Transportation Commission Appointments
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to make appointments to the Transportation Commission where vacancies currently exist.

Summary

City Council is in the process of reviewing reappointments to the Boards and Commissions where terms of office expired on December 31, 2000. As part of that process, there were two member of the Transportation Commission who did not wish to be reappointed. These people are Rosa Delin and James Holt.

During November and December, the City Council interview team completed interviews with the new 2001 applicants for the new cycle of the Boards and Commissions Pool. In addition, there were several applicants from the 2000 "pool" who wish to be considered in the 2001 "pool". A copy of the matrix of each individual's preference on appointments is attached.

Recently, City Council appointed Bob Belote to the Transportation Commission as an alternate member. Since we now have two new members to be appointed, the attached Resolution moves Mr. Belote from an alternate member to regular member status.

Policy Issue

Should the City Council fill the vacancies on the Transportation Commission at this time?

Staff Recommendation

Adopt Resolution No. 1 making appointments to the Transportation Commission.

Background Information

A Resolution has been prepared per the City Council Interview Team's deliberations to formally appoint new members to the Transportation Commission.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **1**

INTRODUCED BY COUNCILLORS

SERIES OF 2001

CITY OF WESTMINSTER TRANSPORTATION COMMISSION APPOINTMENTS

WHEREAS, Currently there are 2 vacancies on the Transportation Commission; and

WHEREAS, It is important to have each City Board or Commission working with its full complement of authorized appointees to carry out the business of the City of Westminster; and

WHEREAS, Resignations have been received from Rosa Delin and James Holt of the Transportation Commission.

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby hereby accept the resignations of Rosa Delin and James Holt from the Transportation Commission and appoint the following individuals to the City of Westminster Transportation Commission as listed below with the terms of office to expire as stated.

<u>NAME</u>	<u>BOARD/COMMISSION</u>	<u>TERM EXPIRES</u>
Jerry Cunningham (Regular member)	Transportation Commission	12-31-2002
Susan Smith (Alternate Member)	Transportation Commission	12-31-2001
Bob Belote (Moved from Alternate member to Regular member)	Transportation Commission	12-31-2002

Passed and adopted this 8th day of January, 2001.

ATTEST:

Mayor

City Clerk

2001 BOARD AND COMMISSION POOL

County	Name	Codes	BOA	Elect	Environ	HS
Jefferson	Vera Alexander			1		
Jefferson	Donald Anderson				2	
Adams	John Brann					1
Adams	Jerry Cunningham		3	X		
Adams	David Jones				3	
Adams	Robert Hartley				2	
Adams	Skeet Hartman				X	
Jefferson	Tom Kuesel Jr	1				
Jefferson	Nancy McNally				1	3
Adams	Paul Nilles				1	
Adams	Bill Noonig					
Adams	Scott Rayoholtz					
Adams	Susan Smith					X
Adams	Bruce Vezina					3

First Choice = 1; Second Choice = 2; Third Choice = 3; An "X" denotes an interest, but no ranking was provided.



WESTMINSTER
COLORADO

Agenda Memorandum

Date: January 8, 2001
Subject: Alternate Surety Procedure for the Westmoor Technology Park
Prepared by: Kevin Colvett, Senior Civil Engineer

Introduction

City Council action is requested to allow Westfield Development Company to delay the provision of required surety for the public and private improvements associated with future phases of the Westmoor Technology Park until such dates that Certificates of Occupancy are requested by the developer. This variance from the City Code requires specific consideration by City Council.

Summary

All developers of subdivisions in the City are required to provide surety for both the public improvements (roads, waterlines, sewer lines, etc.) and private improvements (irrigation, landscaping, etc.) associated with their projects. Per City Code, this surety is to be provided prior to plat recordation or in cases where the platting is complete, prior to beginning construction. The Code allows City Staff to accept four forms of surety: a cash bond, a performance bond, an irrevocable letter of credit, or a plat restriction. But, Section 11-6-4.A.2.a.v also provides for other forms of surety in that “an owner may guarantee the construction of public improvements by such other methods as may be specifically approved by City Council.”

Westfield Development is not asking for an outright waiver of the surety requirement, but they are asking that the surety requirement be delayed until the time that a Certificate of Occupancy is issued. This proposal is not specifically a different form of surety (they will be issuing a letter of credit as surety), but it does alter the timing in which it is typically provided. It is not uncommon to link various items, both engineering related and otherwise, to the issuance of the Certificate of Occupancy, and Westfield’s proposal is acceptable to the City’s Building Division, who will ultimately be issuing Certificates of Occupancy for the remaining buildings at Westmoor.

Policy Issue(s)

The main policy issue for Council is to determine if the proposed alteration in the surety provision timing is acceptable.

Staff Recommendation

Modify the surety requirement for the Westmoor Technology Park to allow the developer to delay the provision of appropriate surety until such time that a Certificate of Occupancy is requested.

Alternatives

Deny Westfield Development Company’s request and have them provide an acceptable form of surety prior to beginning construction on future buildings, per City Code.

Background

The intent to having developers post surety for projects is to prevent a situation in which a development is only partially completed and individual lots are left with incomplete infrastructure and landscaping. Without the capability to cash the surety, these portions of a particular development would remain either unsafe because of inadequate utilities and access or would remain unappealing visually because of the incomplete landscaping. At Westmoor, the majority of the improvements, both infrastructure and landscaping are complete. The primary exceptions are those locations that are specific to particular building sites that are either under construction or have not yet begun construction. If the improvements to these areas are not completed, the buildings cannot be occupied, regardless of whether surety has been provided. Therefore, the primary party to suffer in the event that Westfield Development Company does not fulfill its obligations will be Westfield Development itself.

It needs to be clear that this is not a waiver of the typical surety requirement. Only the timing of the issuance of surety is being altered. Prior to issuance of a Certificate of Occupancy, the developer shall provide an appropriate form of surety for whatever improvements are incomplete, both public and private. This proposed modification will save Westfield the expense of having to purchase the letter of credit from the start of the project. Staff believes given the fact that the major infrastructure is already in place and that the office buildings cannot be occupied until surety is provided for any remaining infrastructure and landscaping that a “win-win” result is realized.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: January 8, 2001

Subject: Bond and Disclosure Counsel Agreements for Year 2001 Master Lease and Certificates of Participation

Prepared by: Marty McCullough, City Attorney

Introduction

City Council action is requested to approve fees for legal services in connection with the proposed issuance of the 2001 Master Lease and Certificates of Participation ("COP's) for financing the Public Safety Building Project as follows: the lesser of \$19,000, or the actual hours spent in completing the transaction, for Sherman & Howard as Bond and Special Counsel to the City; and \$15,000 for Kutak Rock as Disclosure Counsel to the City.

Summary

All special counsel agreements are subject to approval by the City Council, in accordance with City Charter requirements. Sherman & Howard has acted on several past financings as Bond and Special Counsel for the City, including the last COP issue for the City's capital facilities financing. Kutak Rock has also acted on several past financings as Disclosure Counsel for the City; fees have ranged from \$10,000 to \$17,000, dependent on the size and complexity of the issue. The proposed fees are considered within the range of fees experienced for similar City financings in the past, and will be included as part of the issuance costs for this COP financing.

Policy Issue

Whether or not to retain bond and disclosure counsel on behalf of the City for the upcoming issuance of the 2001 Master Lease and Certificates of Participation.

Staff Recommendation

Approve fees for Sherman & Howard to act as Bond and Special Counsel to the City at a fee of \$19,000 or the actual hours spent, whichever is less, to be paid for out of the proposed capital facilities financing. Approve fees for Kutak Rock to act as Disclosure Counsel at a fee of \$15,000 to be paid for out of the proposed capital facilities financing, and authorize the City Manager to execute agreements with Sherman & Howard and Kutak Rock accordingly.

Background Information

City Staff and the City's financial advisor and underwriter are working on a proposed Master Lease and COP financing for the Public Safety Building. The final proposed form of this financing will be presented to Council at a City Council meeting in the near future. As with all public, tax-exempt financings, this financing will require an opinion from a nationally-recognized law firm regarding certain tax-related matters. Mr. Dee Wisor of Sherman & Howard has served as the City's bond counsel on numerous other issues and is thoroughly familiar with the City's charter, ordinances and outstanding bond covenants. His normal hourly rate is \$285, but Mr. Wisor has agreed to discount his rate for this transaction to \$240 per hour. Certificate of Participation financings are much more fee intensive because of the collateral, insurance and title issues.

In addition, the recent Colorado Supreme Court case concerning lease purchase financings under TABOR has added another layer of legal complexity to the bond counsel's responsibilities.

If Council approves of Kutak Rock, the disclosure document, or Official Statement, will be drafted by Mr. Tom Peltz of this firm. This firm has also acted in this capacity on numerous other bond issues, and is familiar with the City's financial position, charter, ordinances and outstanding bond covenants.

Staff is recommending retaining both firms for this financing. An alternative includes retaining other attorneys. This is not recommended, as the fees quoted by the recommended firms are reasonable, in line with past financings, and their familiarity with the City and its legal documents is significant. The City will realize significant efficiencies by retaining these firms.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: January 8, 2001

Subject: Fire Station 3 Remodel Construction Contract

Prepared by: Steven M. Pacifico, Deputy Chief of Administration

Introduction

City Council action is requested to authorize the City Manager to execute a contract with Fischer Construction, Inc. for the expansion/remodel of Fire Station 3 in the amount of \$82,627 and approve a 10% contingency budget in the amount of \$8,267. Funds are available in the 2000 and 2001 General Capital Improvement Fund.

Summary

In November, Staff conducted a formal bidding process in accordance with the City Charter bidding requirements for an expansion and minor remodel of Fire Station 3, located at 7702 W. 90th Avenue. The project includes a 576 square foot addition to the Station and the reconfiguration of the kitchen island area. The room addition will include 3 computer workstations and will serve as the new day room area. The room addition will also allow for an expanded kitchen/dining area that will better accommodate the 5-6 personnel assigned to the Station when the 3rd ambulance is in service. Construction is expected to begin in February 2001 and be completed in April 2001.

An optional pre-bid meeting/tour was held on November 13 at Fire Station 3. Two firms participated in this meeting/tour. Proposals were received from Fischer Construction and Barba & Sons Construction. Fischer Construction was the low bidder and Staff recommends awarding the bid to this firm.

Policy Issue

Funds have been previously approved for this project in the 2000 and 2001 General Capital Improvement budgets. From a policy standpoint, City Council needs to decide whether or not to proceed with the project.

Staff Recommendation

Authorize the City Manager to execute a contract with Fischer Construction in the amount of \$82,627 and approve a project contingency of \$8,262 and charge the expense to appropriate Fire Department project account in the General Capital Improvement Fund.

Alternatives

1. Approve Staff's recommendation of the low bidder and award the contract to the low bidder Fischer Construction Inc.
2. Award the contract to the other bidder, Barba & Sons Construction Inc. Staff is not recommending this alternative based on the bid submitted by Barba & Sons Construction, which was \$14,849 more than the bid submitted by Fischer Construction.

Alternatives

3. Direct Staff to have the project re-bid. Staff is not recommending this alternative based on the fact that re-bidding the project will most likely result in bids that are more expensive due to cost of living and materials increases that normally occur at the first of each year.

Background Information

Funds were approved in the 2000 General Capital Improvement Funds for a small addition and minor remodel of Fire Station 3. The proposed expansion/remodel would better accommodate the 5-6 personnel assigned to the station when the third ambulance is available. The third ambulance was available 55% of the time in 2000 and is expected to be available at least 80% of the time in 2001. The addition would include a new dayroom area and three new workstations for employees to access the City's computer system for e-mail, data entry and the formulation of pre-fire building plans. Station 3 currently has one small office with one workstation which makes it difficult to perform computer related tasks when 5-6 employees are on-duty. The room addition would also allow for the current kitchen and dayroom areas to be combined into a larger kitchen/dining area.

In April of 2000, Staff contracted with Gillans Inc., an architectural, engineering and surveying firm located in Westminster that specializes in Fire Stations, to formulate construction documents for the proposed addition/remodel. In addition, Staff directed Gillans to formulate an Official Development Plan for the Station since one was never completed when the station was originally built. The construction documents were completed in October after being reviewed by the City's Building Division. The Official Development Plan is currently going through the final review stage in the Department of Community Development and is expected to be approved in the next several weeks.

In November, Staff conducted a formal bidding process for the project in accordance with the City Charter bidding requirements. Copies of the construction documents were made available to all interested bidders to assure thorough and accurate bids. Additionally, an optional pre-bid meeting/tour was held on November 13 at Fire Station 3 and was attended by two firms. The following is a tabulation from the November 29th bid opening:

Fischer Construction	\$82,627
Barba & Sons Construction	\$97,476

After careful evaluation of the bids and a follow-up meeting with Fischer Construction, Staff believes the bid submitted by Fisher Construction is the best bid.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: January 8, 2001
Subject: Big Dry Creek Construction Contract
Prepared by: Sheila Beissel, Senior Civil Engineer

Introduction

City Council action is requested to authorize the City Manager to execute a contract in the amount of \$457,443.95 with TARCO, Inc. for the construction of channel improvements to Big Dry Creek between Huron Street and Interstate 25; authorize a contingency of \$46,000; and authorize an Engineering Inspection Services contract with The Sear-Brown Group for \$56,800. Funds for this project are available in the Floodplain Improvements at Big Dry Creek Waste Water Reclamation project of the 2001 Utility Fund in the amount of \$475,470 and in the Reclaimed Water Facility Capital Improvement Project Account in the amount of \$84,780.

Summary

Channel improvements were designed for Big Dry Creek from Huron Street to Interstate 25 in order to remove the existing Big Dry Creek Waste Water Reclamation Facility (BDCWWRF) and future expansions of the plant from the Big Dry Creek floodplain and floodway. This channelization project is the second phase of the project to remove the BDCWWRF from the floodplain. The first phase of the project, which was completed in 1999, consisted of bridge improvements at Interstate 25. The second phase channelization project includes a widened channel for Big Dry Creek from the east side of Huron Street to the east side of the BDCWWRF, erosion protection along the low flow channel, a bench for a future trail, and a service road crossing between the original plant on the north bank of the creek and the new facility on the south side of the creek.

Bids were opened for the Big Dry Creek channelization project on December 27, 2000. Eight contractors submitted bids for the project with the results listed below:

TARCO, Inc.	\$457,443.95
Asphalt Specialties	\$464,102.00
Harley Keeter Jr. Trucking	\$477,691.00
L&M Enterprises	\$541,677.45
CSI	\$553,467.00
Zak Dirt	\$609,068.60
Randall & Blake, Inc.	\$621,082.00
Wycon Construction	\$674,849.97

City Staff is very familiar with TARCO, Inc. and believes that this company is capable of performing this project. City Staff recommends awarding the contract to the low bidder, TARCO, Inc.

The Sear-Brown Group, the engineering firm that completed the final design for these improvements, is very familiar with the construction techniques needed to successfully construct this project. City Staff recommends awarding an engineering inspection services contract to the Sear-Brown Group to oversee the construction of this project.

Policy Issues

Should Staff proceed with the construction of this project at this time? Should funds remaining from the construction of the Reclaimed Water Facility be authorized for the construction of this project?

Staff Recommendation

Authorize the City Manager to execute a contract with the low bidder, TARCO, Inc. in the amount of \$457,443.95 for the construction of improvements on Big Dry Creek between Huron Street and Interstate 25; authorize a construction contingency of \$46,000; authorize the City Manager to execute an Engineering Inspection Services contract with The Sear-Brown Group in the amount of \$56,800; and charge the expenses for this project to the appropriate Capital Project accounts in the Utility Fund.

Alternatives

- Delay the construction of this project until a later date; however, this would result in the need for re-permitting and the associated costs.
- Award the contract to one of the other bidders. Staff does not recommend this alternative as the recommended bidder, TARCO Inc, is the low bid and the City has worked with this firm on previous projects and they have a good track record.

Background

The BDCWWRF is located within the 100-year floodplain and floodway of Big Dry Creek as defined by the Federal Emergency Management Agency (FEMA). The City is a participant in the National Flood Insurance Program (NFIP). As a participant in the NFIP, the City must abide by the rules and regulations of the program that require that no new building be constructed within the floodway, and all new buildings within the floodplain be floodproofed.

Preliminary design of the improvements to Big Dry Creek was initiated at the end of 1996. The intent of the design is to remove the existing BDCWWRF from the floodplain and floodway and reduce the floodplain and floodway as much as feasible to allow for future plant expansions. Several alternatives were evaluated. The final design recommended by Staff consists of widening the Big Dry Creek channel east of Huron Street to increase its conveyance capacity, providing erosion protection along the banks, lowering the invert of the Interstate 25 bridge, concrete paving the bridge invert, and installing downstream erosion protection. A trail corridor is also incorporated into the design. The construction of the channel improvements is proposed to be completed within three months to minimize the risk of the contractor is not working in Big Dry Creek during the spring rains.

In December 1998, City Council authorized the City Manager to execute a contract with TARCO, Inc. for the construction of both phases of the project. The bridge improvements at Interstate 25 were completed in 1999. However, to minimize the conflicts with the construction of the Water Reclamation Facility near Huron Street, the channel improvement portion (Phase 2) of the project was postponed until 2001, thus requiring Staff to re-bid the project in the fall of 2000. The delay in the channel work caused by the construction of the Reclaimed Water Facility, also required that several elements of the original construction documents be revised and included in this channel project causing the project to cost more than was originally anticipated and budgeted. The main items added are the curb and gutter, base course, and asphalt paving of the service road across the creek, erosion control matting for two on-site drainage channels at the new facility, a storm sewer pipe under the service road, and some additional excavation. Since the additional cost items were due to the Reclaimed Water Facility being built prior to the channel project, funds previously allocated for Reclaimed Water Facility will complete the funding necessary for this channel project.

The Engineering Inspection Services contract with The Sear-Brown Group includes on-site inspection of the construction, construction staking, material testing, and completion of a Letter of Map Revision with the Federal Emergency Management Agency to revise the official floodplain maps.

The construction of these improvements would remove the BDCWWRF from the Big Dry Creek floodplain. However, Huron Street could still be overtopped during heavy storm events, creating some risk of flooding in the BDCWWRF parking lot. A future project to enlarge the Huron Street creek crossing will be proposed to eliminate this problem.

Respectfully submitted,

William M. Christopher
City Manager

Attachment



**WESTMINSTER
COLORADO**

Agenda Memorandum

Date: January 8, 2001
Subject: Bids re Park Services Landscape Maintenance Contract
Prepared by: Richard Dahl, Park Services Manager
Rusty Caldwell, Park Crewleader

Introduction

City Council action is requested to award the bid for a landscape maintenance contract for maintaining City right-of-ways to the low bidder, Shultz Industries, Inc., in the amount of \$169,530 for the year 2001. Funds have been specifically allocated and are available in the 2001 Parks, Recreation and Libraries budget for this expenditure.

Summary

The Park Services Division has experienced large increases in its parks and right-of-way maintenance responsibilities for the last several years. New acreage at City Park, Skyline Vista, Cobblestone, Westminster Boulevard, City Limit Gateways and Sheridan Boulevard medians have increased park maintenance responsibilities.

Using contractors to mow, irrigate, and clean non-park areas such as streetscapes and medians allows Staff the time to properly maintain new and existing parks to standards expected by Westminster residents as expressed in the Citizen Survey. The private contractor will maintain assigned areas for one year, commencing on January 1, 2001, and the contract is renewable for two additional years per the terms of the contract. This contract allows the contractor to amortize equipment required to maintain the area and builds a working relationship with Staff.

Formal bids, in accordance with City Charter bidding requirements, were solicited from area contractors for the service, with the following results:

Company	Bid
Schultz Industries	\$169,530.00
CoCal Landscaping	\$205,548.00
Western States Reclamation	\$210,342.59
L.I.D.	\$261,847.00

The low bid, from Schultz Industries, meets all the City's specifications and is a good bid. Reference checks have produced good recommendations for this company. The amount of the bid, \$169,530, is within the funding previously approved by City Council for this expense in 2001 Parks, Recreation and Libraries budget.

Rusty Caldwell, Park Crewleader, will be inspecting all work performed by the contractor to ensure compliance with maintenance standards established within the contract.

Policy Issue(s)

Does the City want to continue the use of outside contractors to perform specific park maintenance operations instead of using in-house Staff, supplies and equipment?

Staff Recommendation

Award the landscape maintenance contract to the low bidder Schultz Industries, Inc. in the amount of \$169,530 and charge the expense to the appropriate 2001 Parks, Recreation and Libraries account.

Background Information

City Council previously allocated funds in the 2001 Park, Recreation and Libraries budget for the maintenance of City-owned streetscapes and medians.

The Park Services Division is currently divided into four maintenance districts with 92nd Avenue and Sheridan Boulevard being the dividing lines. Since 1985, this system has worked well and allowed Staff to devote enough time to the parks and public facilities within each district. However, with the addition of new park sites, public facilities and streetscapes, it has become evident that new methods of utilizing available resources is needed. In light of this, park employees proposed, researched, and collected information for the use of contract maintenance as a viable alternative to maintain streetscape and medians throughout the City. For the past six years, the use of a private contractor to maintain these areas has been an effective use of resources and City Council has been supportive in providing funding for contract maintenance. This public/private partnership has worked very well by allowing City crews to concentrate on services they can perform more efficiently and at a greater level of detail.

Rusty Caldwell, Park Crewleader, has administered the Contract Maintenance Agreement over the past year and has gained extensive insight into issues dealing with private maintenance contractors. This experience, along with Staff input, was used to develop the documents and maintenance standards for the 2001 Landscape Maintenance Contract that Shultz Industries, Inc. will be operating under for the next three years.

Alternatives

- 1) Not accept private contractor maintenance and use the available funds to hire additional City staff and purchase equipment necessary to maintain designated areas.
- 2) Take no action. Due to the limited time frame involved for spring maintenance, Staff does not recommend this option if service levels are to be maintained.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: January 8, 2001
Subject: 2001 Contract for Household Hazardous Waste Pick-up Services
Prepared by: Rachel Harlow-Schalk, Environmental Compliance Coordinator

Introduction

City Council action is requested to authorize the City Manager to sign a contract with Curbside Inc., for a cost not to exceed \$37,000 for the 2001 home household hazardous waste pick-up program for Westminster residents. Funds have been allocated in the 2001 General Fund Central Charges budget for the continuation of this popular service.

Summary

In 2000, the City of Westminster began participation in the Curbside, Inc. home household hazardous waste pick-up program for citizens. This service was well received by citizens in 2000 by servicing households and removing 48,098 pounds of household hazardous waste from landfills. City Council is requested to provide this program to citizens in 2001.

Policy Issue

- Is a competitive bid approach warranted to determine the vendor to provide this program?
- Should the City continue to provide the service to Westminster residents in 2001?

Staff Recommendation

Authorize the City Manager to execute a contract with Curbside, Inc. and authorize an expenditure of no more than \$37,000 for this service to be charged to the appropriate General Fund Central Charges account to continue the home household hazardous waste collection program for Westminster residents in 2001. The continuation of this service is recommended based upon the recommendation of the City Manager and a finding that a negotiated contract for this service best serves the public's interest.

Background Information

In 1993, the City entered into an Intergovernmental Agreement establishing the Jefferson County Household Hazardous Waste Storage Authority. In July 1999, City Council reviewed three alternatives and, based on this review, directed Staff to contact the Management Committee of the Authority to formally propose the implementation of a home household hazardous waste collection service for Westminster residents.

After reviewing the City's proposal for a home household hazardous waste collection service, the Management Committee of the Authority responded to the City's request by recommending that the City of Westminster take the necessary steps to withdraw from the Intergovernmental Agreement.

On November 30, 1999, the City Staff, as directed by City Council, terminated the City's participation in the Intergovernmental Agreement establishing the Authority. This termination was effective December 31, 1999. As Council requested, Staff implemented a home household hazardous waste collection.

program to provide household hazardous waste disposal options for Westminster residents through Curbside, Inc. the only company providing this service in Colorado at that time. Based upon Curbside's six years of experience, the lack of experience other companies have regarding this service, and the ability for Curbside to continue to provide this service to the City without an increase in service charges, staff believes continuation of this service through Curbside will best serve public interest.

In 1999, the cost of the household hazardous waste collection program through the Authority was \$36,272, which served 301 citizens at a cost of \$120 per household and disposed of approximately 10,494 pounds of waste. In 2000, the cost of the Curbside, Inc. household hazardous waste pick-up service funded at the same level of \$36,272 served 436 households and disposed of 48,098 pounds of waste.

Curbside, Inc. is offering the City a per home pick-up rate of \$90 for waste pick-ups that included non-recyclables and a \$70 per home pick-up rate if the waste to be disposed is recycle only. This household hazardous waste pick-up service is specifically designated for disposal of typical recyclable and non-recyclable household wastes which include: fertilizer, pesticides, oil based paints, latex paint, oil, antifreeze, and batteries. It is not designated as a service for recycling hazardous waste from businesses nor will it accept this type of material. The contract specifies that one household hazardous waste pick-up will be allowed per year, per Westminster address. If special or unique circumstances occur, the Environmental Compliance Coordinator may waive the once per year, per address restriction with prior approval to the pick-up of the household hazardous waste.

City Council's action is requested to provide this cost efficient, convenient program to residents in the year 2001.

Alternative(s)

An alternative to this action would be not to approve this program for the year 2001 removing disposal of household hazardous waste from residents as a service offered to residents.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: January 8, 2001

Subject: Councillor's Bill No. 1 re 2000 Budget Supplemental Appropriation

Prepared by: Ron Lay, Accountant
Barbara Gadecki, Assistant to the City Manager

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading amending the 2000 budget appropriations in the General Fund, Water Portion of the Utility Fund and the General Capital Improvement Fund. These changes are housekeeping in nature, due to accounting requirements and/or reflect minimal additions to budgets (both revenues and expenditures).

Summary

Amend the General Fund budget to reflect \$1,909 in grants revenue, \$24,500 in Promenade additional service revenue, \$12,500 in business sponsorship revenue, \$36,191 in Police extra-duty revenue, \$4,920 in Fire extra-duty revenue, \$75,000 in excess permit revenues received by the Building Division, and \$30,000 in excess general recreation revenues received by the Recreation Programs Division.

Additionally, amend the General Fund budget to reflect \$84,560 for a four-year lease purchase agreement previously approved by City Council to purchase a 33-passenger bus.

Amend the Water portion of the Utility Fund budget to reflect \$4,674 in reimbursement revenues.

Amend the General Capital Improvement Program Fund budget to reflect \$75,000 in grants revenue.

Also amend the General Capital Improvement Program Fund to reflect \$210,000 for a three-year lease purchase agreement previously approved by City Council to purchase PC equipment for the City's Financial Management System.

Policy Issue

The policy issue for City Council is to appropriate the unanticipated additional revenues described in this memo or utilize these funds to increase reserves.

Staff Recommendation

Pass Councillor's Bill No. 1 on first reading providing for supplementary appropriations to the 2000 General Fund, Water Portion of the Utility Fund and the General Capital Improvement Fund.

Background Information

This agenda memorandum and attached ordinance is a routine action addressing the need to appropriate additional revenues and offsetting expenditures that result from increased activity or unusual events that were not accounted for during the normal budget process.

- The Westminster Public Library received \$1,909 in grant revenue as a result of the Federal E-rate Program. The program issues credits for telecommunication costs incurred by libraries and schools across the country. The proceeds will be utilized to purchase I-Gear software, which will allow the library to block patrons from accessing inappropriate web sites. (General Fund)
- When City Council approved the 2000 budget, it was with the understanding that additional requests made by the Promenade Property Management Company (Excell Legacy and the Westin Hotel) such as snow removal, electrical repairs, parking lot sweeping and staff hours for special events and services would be billed separately from the adopted Promenade budget. During 2000, Staff provided additional services as noted above to the Promenade Property Management Company at their request; Staff requests that \$24,500 of additional revenues received for these additional services be appropriated to offset additional costs incurred by the Parks Division during the year 2000. (General Fund)
- The Business Appreciation Event is an annual event to honor Westminster businesses, and is a part of an ongoing business retention program. The City received sponsorships from area businesses in the amount of \$6,000 to help offset the costs incurred by the City for the event. These costs were incurred by the Economic Development Division. (General Fund)
- Over the years the City has received a number of requests from both individuals and businesses for a tourism brochure covering the City. In 2000, the Economic Development Division worked to create such a publication and thus developed the Westminster Tourism Brochure. The primary purpose of the publication is to provide the general public and the business community, both in state and beyond, with information on places to stay, places to eat and things to do in Westminster. Business sponsorships totaling \$5,500 will be utilized to offset the costs incurred by the City to prepare the brochure. (General Fund)
- The Police Department again participated in the 'Mock Bank Robbery Program', designed to educate local banking institutions staff on what to do if a bank robbery occurs. Vectra Bank has provided a sponsorship payment of \$1,000 to offset costs incurred to administer the program. (General Fund)
- The Police Department continues to provide extra-duty coverage to local businesses upon request for officers to provide extra security at local establishments. These businesses pay the expense for the extra-duty coverage. An additional \$34,000 is anticipated for services provided through year-end 2000. (General Fund)
- The Westminster Police Department is being reimbursed by Adams County for work conducted by detectives on the North Metro Drug Task Force in the amount of \$2,191. (General Fund)
- The Westminster Fire Department assisted in combating the Bobcat Fire near Fort Collins during 2000. Colorado State University is reimbursing the City \$4,920 to offset costs incurred by the Fire Department. (General Fund)
- The Building Division contracts out plan reviews for major construction projects and during the year 2000, the number of building plan reviews exceeded original budget projections. Staff requests that \$75,000 of additional revenues for permit review be appropriated to offset associated expenses in the Building Division. It should be noted that year-to-date building permit revenues exceed the originally projected revenues by significantly more than the requested appropriation. (General Fund)
- During the year 2000, the City's Recreation Program revenues exceeded original projections. The additional funds, in the amount of \$30,000, is needed to offset some of the additional costs associated with the increased program revenues. It should be noted that year-to-date general recreation revenues exceed budget by more than the requested appropriation. (General Fund)

- On April 26, 1999, City Council approved the lease purchase financing for a new 33-passenger bus for use by the Recreation Programs in the Parks, Recreation and Libraries Department. A four-year lease purchase agreement in the amount of \$84,560 was entered with Norwest Investment Services for the purchase of the 33-passenger bus and the funds need to be received on the City's books to pass payment on to the original company for the purchase. Funds for the down payment and the first two lease payments have already been appropriated in 1999 and 2000. (General Fund)
- On September 9, 2000, TCS Communications ruptured a City water line and the City repaired the damages. TCS Communications is reimbursing the City in the amount of \$4,674 to offset the costs incurred to repair the damage. (Utility Fund)
- The Adams County Open Space Program awarded the City a \$75,000 grant to provide partial funding of the costs incurred to construct the Big Dry Creek Trail (Bull Canal Extension). City Council approved the submittal of the grant application on July 24, 2000. (General Capital Improvement Fund)
- On October 23, 2000, City Council approved the lease purchase financing for PC Equipment associated with the new Financial Management System. A four-year lease purchase agreement in the amount of \$210,000 was entered with Community First Leasing Service for the purchase PC equipment and the funds need to be received on the City's books to pass payment on to the original company for the purchase. (General Capital Improvement Fund)

These 'housekeeping' adjustments will bring the City's accounting records up to date to reflect the various detailed transactions for the year 2000.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILOR'S BILL NO. **1**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2000 BUDGET OF THE GENERAL, WATER PORTION OF THE UTILITY AND GENERAL CAPITAL IMPROVEMENT FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2000 appropriation for the General Fund, initially appropriated by Ordinance No. 2728 in the amount of \$61,747,852 is hereby increased by \$269,580 which, when added to the fund balance as of the City Council action on January 22, 2001 will equal \$66,591,238. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of grant, additional service, special promotion sponsorships, extra-duty, excess program and lease purchase revenues.

Section 2. The \$269,580 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	\$ Increase	Final Budget
REVENUES			
Building Permits Commercial Jefferson County			
10-0315-080	\$110,000	\$75,000	\$185,000
Contributions Misc. 10-0426-000	58,643	2,191	60,834
General Recreation 10-0537-508	556,000	30,000	586,000
General Billings CAM 10-1059-106	333,000	24,500	357,500
General Miscellaneous 10-1072-000	165,077	6,829	171,906
Gen. Misc. Off-Duty 10-1072-549	271,035	34,000	305,035
Contributions Miscellaneous 10-1172-000	27,000	12,500	39,500
Other Financing Sources 10-1484-000	0	<u>84,560</u>	84,560
Total Change to Revenues		<u>\$269,580</u>	
EXPENSES			
Other Financing Uses 10-10-90-604-000	\$0	\$84,560	\$84,560
Salaries Overtime Off-Duty			
10-20-27-103-549	211,035	34,000	245,035
Supplies 10-20-27-321-000	35,275	1,000	36,275
Salaries Overtime 10-20-30-103-000	181,340	2,191	183,531
Salaries Overtime 10-25-26-103-000	200,818	4,920	205,738
Special Promotions 10-30-34-245-000	51,760	6,000	57,760
Other Contractual Svcs 10-30-34-299-000	65,980	5,500	71,480
Professional Services 10-30-37-209-000	69,820	75,000	144,820
Regular Salaries Promenade			
10-50-55-100-106	85,151	11,000	96,151
Other Contractual Services Promenade			
10-50-55-299-106	83,960	13,500	97,460
Telephone 10-50-62-282-000	18,909	1,909	20,818
Temporary Salaries 10-50-76-104-529	102,283	<u>30,000</u>	132,283
Total Change to Expenditures		<u>\$269,580</u>	

Section 3. The 2000 appropriation for the Water portion of the Utility Fund, initially appropriated by Ordinance No. 2728 in the amount of \$25,023,856 is hereby increased by \$4,674 which, when added to the fund balance as of the City Council action on January 22, 2001 will equal \$45,624,527. The actual amount in the Water portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of reimbursement revenues.

Section 4. The \$4,674 increase in the Water portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	\$ Increase	Final Budget
REVENUES			
General Miscellaneous 20-1072-400	\$50,000	<u>\$4,674</u>	\$54,674
Total Change to Revenues		<u>\$4,674</u>	
EXPENSES			
Salaries Overtime 20-35-50-103-000	97,375	<u>4,674</u>	102,049
Total Change to Expenditures		<u>\$4,674</u>	

Section 5. The 2000 appropriation for the General Capital Improvement Fund, initially appropriated by Ordinance No. 2728 in the amount of \$12,699,851 is hereby increased by \$285,000 which, when added to the fund balance as of the City Council action on January 22, 2001 will equal \$22,897,647. The actual amount in the General Capital Improvement Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of grant, cash-in-lieu of construction and lease purchase revenues.

Section 6. The \$285,000 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	\$ Increase	Final Budget
REVENUES			
Intergovernmental Misc. Adams County 75-0472-010	\$0	\$75,000	\$75,000
Other Financing Sources 75-1484-000	0	<u>210,000</u>	210,000
Total Change to Revenues		<u>\$285,000</u>	
EXPENSES			
Trails Development 75-50-88-555-236	\$0	\$75,000	\$75,000
Financial Management System 75-15-88-555-010	0	<u>210,000</u>	210,000
Total Change to Expenditures		<u>\$285,000</u>	

Section 7. – Severability. The provisions of this Ordinance shall be considered as severable. If any section, paragraph, clause, word, or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part shall be deemed as severed from this ordinance. The invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect the construction or enforceability of any of the remaining provisions, unless it is determined by a court of competent jurisdiction that a contrary result is necessary in order for this Ordinance to have any meaning whatsoever.

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 8th day of January 2001.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED
this _____ day of January, 2001.

ATTEST:

Mayor

City Clerk

