



**WESTMINSTER
COLORADO**

**January 28, 2002
7:00 P.M.
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. Swearing in of New City Councillor, Chris Dittman**
- 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. Change Date of first Council Meeting in March
 - B. December 2001 Financial Report
 - C. Contract for Design of Lowell Blvd Water Line
 - D. Asphalt Materials Bid
 - E. Purchase of Water Treatment Chemicals
 - F. Purchase of Police Cars, Staff Cars, and Light Duty Trucks
 - G. Credit Card Processor Conversion
 - H. IGA with Adams County re Community Transit Program
 - I. Colorado Municipal League Annual Dues
 - J. Contract for On-Line Learning Program
 - K. Contract for Curbside Household Hazardous Pickup Service
- 9. Appointments and Resignations**
 - A. Resolution No. 2 re Appointments to Boards and Commissions
- 10. Public Hearings and Other New Business**
 - A. Acquisition of property located at 7000 King Street referred to as the "Guildner" Property
 - B. Resolution No. 3 re Adams County Open Space Grant/Great Outdoors Grant Applications re Hidden Lake
 - C. Open Space Acquisition of 8.61 acres at Hidden Lake
 - D. Resolution No. 4 re 2001 Private Activity Bond Allocation Assignment
 - E. Resolution No. 5 re Recovery Contract Interest Rate
 - F. Resolution No. 6 re Adams County Open Space Grant for W 104th Ave and Grove Street Overlook
 - G. Councillor's Bill No. 1 re Supplemental Appropriation for Northwest Water Treatment Plant
 - H. Councillor's Bill No. 2 re 2001 Budget Supplemental Appropriation
- 11. Old Business and Passage of Ordinances on Second Reading**
 - A. None
- 12. Citizen Presentations (longer than 5 minutes) and Miscellaneous Business**
 - A. City Council
 - B. Executive Session
 1. Negotiation on sale of land
- 13. Adjournment**

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, JANUARY 28, 2002 AT 7:00 P.M.

ROLL CALL

Mayor Pro-Tem Atchison, Councillors Dittman, Hicks, Kauffman, and McNally were present at roll call. Brent McFall, City Manager; Martin McCullough, City Attorney; and Richelle Work, Deputy City Clerk, were also present. Absent Mayor Moss and Councillor Dixon.

CONSIDERATION OF MINUTES:

Councillor McNally moved, seconded by Councillor Hicks to accept the minutes of the meeting of January 7, 2002 and January 22, 2002 with no corrections or additions. The motion carried unanimously.

SWEARING IN OF NEW CITY COUNCILLOR

Municipal Court Judge John Stipech was called to administer the Oath of Office of City Councillor to Chris Dittman.

CITIZEN COMMUNICATION:

Joe Armstrong, 4765 W 101st Place, Rocky Mountain Figure Skating Association addressed Council on upcoming events at Sun Microsystems Ice Arena.

REPORT OF CITY OFFICIALS:

J. Brent McFall, City Manager, gave an update on the City's position on several State General Assembly bills.

CITY COUNCIL COMMENTS:

Councilmembers congratulated Councillor Dittman on his appointment to Council.

Councillor McNally commented on the superb job done on the retirement party for Mayor Nancy Heil.

Councillor Dittman thanked Council and Staff for the welcome.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Change Date of first Council Meeting in March to March 4; December 2001 Financial Report; Contract for Design of Lowell Blvd Water Line with JR Engineering for \$61,164; Asphalt Materials bid to Asphalt Specialties for \$240,000; Purchase of Water Treatment Chemicals, Ferric Chloride to PVS Technologies for \$129,480; Caustic Soda to Industrial Chemical for \$37,050, Chlorine to DPC Industries for \$36,284; Replacement of City Staff cars and patrol vehicles to Burt Chevrolet for \$199,000; Credit Card Processor Conversion with Paymentech for \$85,000; IGA with Adams County for Continuation of Community Transit Program; Colorado Municipal League Annual dues for \$49,026; Contract for Employee On-Line Training with Netg for \$27,500; and 2002 Contract for Household Hazardous Waste Pick-up Services with Curbside, Inc., for \$37,000.

The Mayor Pro Tem 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. Mayor Pro-Tem Atchison asked that the 2002 Contract for Household Hazardous Waste Pick-up Services be removed from the consent agenda.

Councillor Hicks moved, seconded by McNally to adopt the remaining Consent Agenda items as presented. The motion carried unanimously.

2002 CONTRACT FOR HOUSEHOLD HAZARDOUS WASTE PICK-UP SERVICES

Councillor Hicks moved, seconded by Dittman to authorize the City Manager to execute a one-year contract with Curbside, Inc. with the option for two one-year renewable contracts and authorize an expenditure of no more than \$37,000 for this service to be charged per year to the appropriate General Fund Central Charges account to continue the home household hazardous waste collection program for Westminster residents in 2002. Changes to expenditure amounts after the first year are subject to mutual consent by each party to a maximum of a 5% increase. Craig Russell, 3940 Turnpike Drive addressed Council on concerns with this program. The motion carried unanimously.

RESOLUTION NO. 2 RE APPOINTMENTS TO BOARDS AND COMMISSIONS

Councillor Hicks moved, seconded by McNally to adopt Resolution No. 2 re-appointing Brian Lunning and Gerald Nordmark to the Board of Adjustment; Steven Fenimore, Jonathan Talbott, and Farlin Ward to the Board of Building Code Appeals; Denis DuFresne, Jeanne Nearing, and William Noonng to the Election Commission; Yvonne Martin, Wendy Sukeena, and Bruce Vine to the Environmental Advisory Board; Beverly Bishop, Mary Boston, Marilyn Flachman, Roman Kohler, and Hal Smith to the Library Board; Kenneth Eichel, Ed Getsch and Randal Tucker to the Open Space Advisory Board; Armene Brown, Michele Haney, Ronald Mayoral, and Scott Raypholtz to the Parks and Recreation Advisory Board; Donald Anderson, Joseph Barsoom, James Boschert, and Rex Wiederspahn to the Planning Commission; and Frank Jaime, Douglas Kennard, Donna McMillan, and Nancy Peters to the Special Permit and License Board; appointing Sandra Goodwin to the Open Space Advisory Board as an alternate member with all above terms of office to expire on December 31, 2003; and Ben Beaty is moved from alternate to regular member on the Open Space Advisory Board with term of office to expire December 31, 2002. Upon roll call vote, the motion carried unanimously.

ACQUISITION OF PROPERTY LOCATED AT 7000 KING ST KNOWN AS “GUILDNER PROPERTY”

Councillor Hicks moved, seconded by Kauffman to authorize the City Manager to execute a contract with the Guildner estate to purchase 4.7 acres of property at purchase price of \$250,000 assuming that the property owner meets the following conditions prior to closing: That the property owner receive a letter of “no further action” from the State of Colorado Voluntary Clean-up Program; and, that all legal proceedings involving the City of Westminster and Adams County be withdrawn and that such jurisdictions be held harmless from further legal action pertaining to the property. Authorize the Mayor to sign an Intergovernmental Agreement with the Urban Drainage and Flood Control District accepting \$100,000 in acquisition funds for the Guildner Property. The motion carried unanimously.

RESOLUTION NO. 3 RE GRANTS RE HIDDEN LAKE ACQUISITION TRUST FUND

Councillor Kauffman moved, seconded by Dittman to adopt Resolution No. 3 authorizing the City to apply for an Adams County Open Space Program Grant and a Great Outdoors Colorado Trust Fund grant for the acquisition of open space at Hidden Lake. Upon roll call vote, the motion to reject carried unanimously.

OPEN SPACE ACQUISITION OF 8.61 ACRES AT HIDDEN LAKE

Councillor Dittman moved, seconded by Hicks to authorize the City Manager to sign the necessary documents to purchase for open space purposes approximately 8.61 acres of land on the west end of Hidden Lake located at Sheridan Boulevard at W. 69th Avenue at a cost of \$850,000 and charge the expense to the Open Space Fund. The motion carried unanimously.

RESOLUTION NO. 4 RE 2001 PRIVATE BOND ALLOCATION ASSIGNMENT

Councillor McNally moved, seconded by Kauffman to adopt Resolution No. 4 assigning the 2001 Private Activity Bond Allocation in the amount of \$3,069,281 to the Westminster Economic Development Authority in order to finance redevelopment activities in the Westminster Urban Renewal area. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 5 RE RECOVERY CONTRACT INTEREST RATE

Councillor Kauffman moved, seconded by McNally to adopt Resolution No. 5 establishing the 2002 calendar year interest rate for non-City-funded public improvements recovery contract at 6.75 percent and an interest rate of 5.26 percent for City-funded public improvements. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 6 RE GRANTS FOR SCENIC OVERLOOK AT 104TH AVE AND GROVE STREET

Councillor Dittman moved, seconded by McNally to adopt Resolution No. 6 authorizing the City to apply for an Adams County Open Space Program grant and a Great Outdoors Colorado Trust Fund grant for the acquisition of the scenic overlook site at W. 104th Avenue and Grove Street. Upon roll call vote, the motion carried with a dissenting vote from Atchison.

COUNCILLORS BILL NO. 1 RE SUPPLEMENTAL APPROPRIATION FOR NW WATER TREATMENT

Councillor Hicks moved, seconded by Kauffman to pass Councillor's Bill No. 1 on first reading authorizing a supplemental appropriation of \$7,000,000 for the completion of the Northwest Water Treatment Plant at 104th and Wadsworth in the Utility Fund. Upon roll call vote, the motion carried unanimously.

COUNCILLORS BILL NO. 2 RE 2001 BUDGET SUPPLEMENTAL APPROPRIATION

Councillor McNally moved, seconded by Hicks to pass Councillor's Bill No. 2 on first reading providing for supplementary appropriations to the 2001 General Fund and General Capital Improvement Fund. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Mayor Pro-Tem Atchison stated there would be an Executive Session for discussion on: Litigation and the sale of land.

ADJOURNMENT:

The meeting was adjourned at 7:36 P.M.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Swearing in of New Councillor

Prepared By: Richelle Work, Deputy City Clerk

Summary Statement:

- On November 12, 2001, City Council accepted the resignation of Mayor Nancy Heil effective December 31, 2001.
- City Council set a deadline of December 21, 2001 for applications from citizens interested in filling this vacancy, with a total of nine applications being submitted. A total of nine candidates were interviewed by City Council.
- At the January 22, 2002 Special City Council meeting, Chris Dittman was selected to fill this vacancy.

Expenditure Required: None

Source of Funds: N/A

Recommended City Council Action:

Have either Municipal Court Judge John Stipech or Associate Municipal Court Judge Paul Basso swear into office Chris Dittman, the newly selected Councillor.

SUBJECT: Swearing in of New Councillor

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Policy Issue(s):

Should council swear in Chris Dittman as the new Councillor to fill the vacancy created by the resignation of Mayor Nancy Heil?

Alternative(s):

There are no alternatives.

Background Information:

Since there is currently a vacancy in the position of Councillor, this action is required to officially swear into office the new Councillor.

Respectfully submitted,

J. Brent McFall
City Manager



Agenda Item 8 A

WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

SUBJECT: Change Date for First Council Meeting in March

Prepared by: Michele Kelley, City Clerk

Summary Statement:

- City Council action is requested to change the date of the first regular City Council meeting in March from March 11th to March 4th.
- Most of the City Council members will be attending the National League of Cities meeting in Washington DC from March 9th through March 12th.
- Because of the National League of Cities conference there will not be a quorum of Council members for the regularly scheduled Council meeting of March 11th.

Expenditure Required: \$0

Source of Funds: N/A

Recommended City Council Action:

Change the first City Council meeting of March from March 11th to March 4th.

Policy Issue(s):

Should Council change the date of the first City Council in March in order to assure a quorum for the Council meeting?

Alternative(s):

Council could change the Council meeting date to March 18th instead of March 4th.

Council members could return from the conference early in order to attend the March 11th Council meeting.

Background Information:

It is anticipated that most of the City Council members will be attending the National League of Cities conference. Changing the first Council meeting in March is common, since the National League of Cities conference is always held in conflict with the first Council meeting of March.

The National League of Cities conference is a worthwhile conference for Council members to attend.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO
Agenda Memorandum

City Council Meeting
January 28, 2001

Subject: Financial Report for December 2001

Prepared By: Mary Ann Parrot, Finance Director

Summary Statement

City Council is requested to review and accept the attached monthly financial statement. As in past years, this report covers the month of December, but does not represent the Fiscal Year End (FYE) financial position of the City. Additional changes must be made prior to the FYE close of the City’s books, and include the following: payment of invoices for amounts due in FYE 2001 (paid until Feb 15, 2002), accruals for many expense and revenue items across all funds, accruals for payroll and leave time, and other non-cash items such as other adjusting journal entries which Staff will make as the reconciling of accounts takes place during the closing process for the City’s books for the year.

The December Shopping Center Report is also attached to this monthly financial report.

Key features of the monthly financial report for December are as follows:

- At the end of December, 12 of 12 months or 100% of the year has passed. Pro-rated revenues will reflect this position; in many cases, actual percentages will vary from year to year. Expenditures are pro-rated at 100%, reflecting even flows.
- The General Fund currently stands at \$2,557,164 revenues over budget. Additional year-end transactions will affect both revenues and expenditures; final, audited figures will be reported in the City’s Comprehensive Annual Financial Report (CAFR).
- All other funds, except for the Legacy and Heritage Golf Courses, currently stand at more than 100% of their respective revenues when using pro-rated revenues for this time of year.
- With regard to the Golf Course Enterprise, pro-rated revenues for Legacy are 90% of pro-rated budget; pro-rated revenues for Heritage are 82% of pro-rated budget. Expenditures now include the debt service payments, which were made December 1. Year-end accruals will still affect both the revenues and expenses of both courses, to be reported with the Annual Report for FYE 2001. Staff is still anticipating a shortfall for the year and is anticipating that a subsidy will be needed to keep the financial statements for the enterprise from showing a deficit this year. Staff will apprise City Council of its findings and recommendations when year-end figures are available.
- All funds currently stand at less than 100% of their respective expenditures when using pro-rated expenditures for this time of year. However, because Staff is still paying bills incurred in 2001, these positive variances will be reduced for the year. The final, audited figures will be reported in the City’s CAFR.
- The net position of all funds, except for Heritage and Legacy golf courses, is positive for month end. This is titled “Revenues Over (Under) Expenditures” on each page.

Expenditure Required: None required

Source of Funds: None required

Recommended City Council Action:

Accept the Financial Report for December as presented.

Policy Issue

A monthly review of the City's financial position is the standard City Council practice; the City Charter requires the City Manager to report to City Council on a quarterly basis.

Alternative

Conduct a quarterly review. This is not recommended, as the City's budget and financial position are large and complex, warranting a monthly review by the City Council.

Background Information

This section is broken down into a discussion of highlights of each fund presented.

For revenues, a positive indicator is a pro-rated budget percentage at or above 100%. For expenditures, a positive indicator is a pro-rated budget percentage that is below 100%. The term "pro-rated," when used with revenues and expenditures, in this report, refers to the expected revenues collected or expenditures incurred by a certain date in time based on historical trends.

General Fund

This fund reflects the results of the City's operating departments: Police, Fire, Public Works (Streets, etc.), Parks Recreation and Libraries, Community Development, and the internal service functions such as City Manager, City Attorney, Finance, General Services and Information Technology.

At the end of December, the General Fund is in a positive position regarding both revenues and expenditures:

- Over pro-rated budget in revenues by \$2,557,164 (104% of pro-rated budget). Most of this difference is due to increases in revenues for Taxes and Licenses/Permits, and the funding of the Capital Equipment Reserve from the Sales Tax Fund, as approved by City Council.
- Under pro-rated budget in expenditures by \$5.1 million (93% of pro-rated budget). Because of year-end expenditures, Staff expects this variance to be reduced in the FYE CAFR.

Water, Wastewater and Storm Water Drainage Funds (The Utility Enterprise)

This fund reflects the operating results of the City's water, wastewater and storm water systems. It is important to note that net operating revenues are used to fund capital expenses. At the end of December, the Enterprise is in a positive position.

- Over pro-rated budgeted revenues by a combined \$13.3 million:
 - Water revenues over pro-rated budget \$10.7 million (144% of pro-rated budget), mostly due to increases in revenues for rates and tap fees and sales of effluent at Wattenberg. The build up of these reserves will finance capital replacement and necessary expansion over the long term, as planned.
 - Wastewater revenues over pro-rated budget by \$2.3 million (122% of pro-rated budget), mostly due to increases in revenues for rates and tap fees. Again, these reserves will finance capital replacement and expansion over the long term.
 - Storm Drainage over pro-rated budget by \$333,659.
- Under pro-rated budget in expenditures by a combined \$5.6 million:
 - Water under pro-rated budget by \$3.57 million (83% of pro-rated budget).
 - Wastewater under pro-rated budget by \$2.0 million (76% of pro-rated budget).
 - Storm Drainage under pro-rated budget by \$38,400 (23% of pro-rated budget).

Sales and Use Tax Funds (Sales Tax Fund and Open Space Fund)

These funds are the repositories for the 3.25% City Sales & Use Tax for the City. The Sales Tax Fund provides monies for the General Fund, the Capital Projects Fund and the Debt Service Fund. The Open Space Funds are pledged to meet debt service on the POST bonds and to buy open space and make park improvements on a pay-as-you-go basis. At the end of December, these funds were also in a positive position.

- Sales Tax Fund - Over pro-rated budget in revenues by \$1.0 million (102% of pro-rated budget).
- Sales Tax Fund – Under pro-rated expenditures by \$350,000 (99.4% of budget). This will be adjusted for FYE with end-of-year accruals.
- Staff has been reviewing the Sales Tax Fund to evaluate the impact of the recession on receipts (returns) and distinguish the difference between monthly revenues and one-time use tax receipts received in annual audit revenues. Staff will report to City Council separately on this item after the year-end figures are finalized.
- Open Space Tax Fund – Over pro-rated budget in revenues by \$1,047,519 (120% of pro-rated budget).
- Open Space Tax Fund – Under pro-rated budget in expenditures by \$861,327 (88% of pro-rated budget); this will be adjusted for FYE with end-of-year adjustments.

Golf Course Funds (Legacy and Heritage- the Golf Course Enterprise)

These funds reflect the operations of the City's two municipal golf courses. Staff will have a more complete picture of the Enterprise financial position when the month-end report is available in December when the enterprise has its full year of operations to review.

- Legacy - Under pro-rated budget in revenues by \$200,774 (90% of pro-rated budget)
- Legacy - Under pro-rated budget in expenses by \$101,448 (95% of pro-rated budget). This variance includes the impact of the December 1 debt service payment of \$524,999.
- Heritage - Under pro-rated budget in revenues by \$303,980 (82% of pro-rated budget). Heritage's revenues have decreased compared to November, despite the better weather. Although some of the lost revenue in the spring has been made up, this course still faces a negative budget variance as mentioned in the summary.
- Heritage – Under pro-rated budget in expenditures by \$139,517 (92% of pro-rated budget). This variance also includes the impact of the December 1 debt service payment of \$218,454.

Staff will attend at the January 28th City Council Meeting to address any questions.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

SUBJECT: Contract for Design of Lowell Boulevard Waterline

Prepared By Diane M. Phillips, Capital Improvement Coordinator

Summary Statement:

- The waterline in Lowell Boulevard between 78th and 80th Avenues must be repaired often and does not provide adequate supply making a replacement a priority.
- Requests for Proposals were sent to five engineering firms and three firms submitted proposals for design of the replacement line.
- JR Engineering submitted the lowest cost proposal that meet the requirements of the Request for Proposal and it is recommended that the City contract with them to provide design and construction inspection services for this waterline.

Expenditure Required: \$61,164

Source of Funds: Utility Fund Capital Improvement Funds

Recommended City Council Action:

Authorize the City Manager to execute a contract with JR Engineering in the amount of \$61,164 to provide design and construction inspection services for the Lowell Boulevard waterline.

Policy Issue(s):

Should the City award a contract to JR Engineering to provide design and construction inspection services for the Lowell Boulevard waterline in the amount of \$61,164.

Alternative(s):

The City could delay the design and construction of this line but numerous water breaks might occur and peak water flow will continue to be compromised. Future construction costs will likely increase.

Background Information:

The existing 10-inch diameter waterline in Lowell Boulevard between 78th and 80th Avenues has deteriorated and is in need of numerous repairs. It does not have adequate capacity to meet peak demand. Installation of a new 12-inch waterline will increase the reliability of capacity in this area. The total budget for the Lowell Boulevard Water Line Project is \$400,000. Requests for Proposals were sent to five engineering firms for the design of this line. Three firms responded and they include JR Engineering, Rocky Mountain Consultants and Merrick and Company.

Rocky Mountain Consultants	\$42,493
JR Engineering	\$61,164
Merrick and Company	\$87,585

Rocky Mountain Consultants has the lowest cost but they did not meet the requirements of the RFP. They failed to submit a schedule, resumes for staff and a complete scope. JR Engineering has the second lowest cost and a very responsive proposal, with a complete and thorough proposal. They are a qualified and capable firm and have previously completed successful projects for the City.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

SUBJECT: Asphalt Materials Bid

Prepared By: Sam LaConte, Street Operations Manager

Summary Statement

- City Council approved the 2002 Street Operations Budget, which included funds to purchase asphalt material.
- Material being purchased is used for all types of street maintenance repairs including pothole patching, surface replacement, and the In-house Rehabilitation Program.
- Adams County School District 50 also participated in the bid for their anticipated asphalt materials purchases of 200 tons.
- Formal sealed bids were solicited from five (5) asphalt vendors in accordance with the City Charter, with Asphalt Specialties Co., Inc. being the low bidder.
- An estimated 10,000 tons of various grades of asphalt material will be purchased on an as-needed basis throughout 2002.
- Credit for 6,000 tons of recyclable asphalt will be issued to City of Westminster throughout the year.

Expenditure Required: \$ 240,000.00

Source of Funds: Street Operations Division 2002 Budget Account

Recommended City Council Action

Award the bid to Asphalt Specialties Co., Inc. for purchase of asphalt materials at the unit prices indicated on the bid tabulation on an as-needed basis up to a maximum of \$240,000, and charge the expense to the appropriate 2002 Street Division account.

Policy Issue

Should the City accept the lowest bid for asphalt from the five (5) suppliers solicited.

Alternative

An alternative for 2002 asphalt purchasing would be to award the bid to the second lowest bidder without calculating the City’s hauling costs. Awarding the bid to Western Mobile/Denver would mean a 516 ton decrease in the amount of asphalt purchased for \$240,000 due to the \$.37 per ton higher price and \$9,000 credit offered by Asphalt Specialties Co., Inc. as Western Mobil/Denver offered no credit for asphalt hauled back for recycling.

Background Information

The results of the bidding were as follows:

<u>Company</u>	<u>Cost/ton</u>	<u>Mileage</u>	<u>Credit</u>	<u>Total</u>
Asphalt Specialties	\$ 24.63	20	\$ 9,000	\$ 237,300
Aggregate Industries	25.00	21	4,500	245,500
Brannan Sand & Gravel	25.50	20	6,000	249,000
Western Paving	25.00	16.5	-0-	250,000
Asphalt Paving	27.00	30	-0-	270,000

Asphalt Specialties Co., Inc. is the low bidder, after hauling costs are added and unit prices are adjusted. The plant is fully automated and the mix design meets City specifications. Street Operations Division Staff has inspected the facility and does not anticipate any problems with the quality of materials or the service that Asphalt Specialties Co., Inc. can provide.

The 2002 asphalt materials bid reflects a 2% decrease over the 2001 prices. The reasons given for the decrease are due to early competitive bidding and the economic slowdown.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

ASPHALT BIDS

Asphalt Specialties Co., Inc.

“s”	\$24.00
“sx”	25.25
Average	24.63
Recycle	1.50
Miles	20

Asphalt Paving Co.

“s”	\$27.00
“sx”	27.00
Average	27.00
Recycle	0
Miles	30

Aggregate Industries

“s”	\$24.50
“sx”	25.50
Average	25.00
Recycle	.75
Miles	21

Brannan Sand & Gravel

“s”	\$25.50
“sx”	25.50
Average	25.50
Recycle	1.00
Miles	20

Western Mobile/Denver

“s”	\$24.50
“sx”	25.50
Average	25.00
Recycle	0
Miles	16.5

“s” = 1/2” material
“sx” = 3/4” material



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Purchase of Water Treatment Chemicals

Prepared By: Tom Settle, Water Treatment Superintendent
Carl F. Pickett, Purchasing Specialist

Summary Statement

- City Council action is requested to authorize the purchase of water treatment chemicals. Funds have been specifically allocated in the 2002 Water and Wastewater Fund, Public Works and Utilities Department, Water Resources Division budget for these expenses.
- In January 2002, the City's Purchasing Specialist received the updated results of the Multiple Assembly of Procurement Officials' (MAPO) Bid for water treatment chemicals for 2001. The City of Thornton's Purchasing Agent re-confirmed bid pricing and delivery requirements as submitted in the previous year's bidding. The low bid for each chemical is being recommended for the purchase of Ferric Chloride, Caustic Soda, and Chlorine.

Expenditure Required: \$203,000

Source of Funds: Utility Fund/Water Resources and Treatment

Recommended City Council Action

Award the bid for the annual approximate amount of water treatment chemicals to MAPO's low bidder for each chemical as follows: Ferric Chloride to PVS Technologies - \$129,480; Caustic Soda to Industrial Chemical - \$37,050; and Chlorine to DPC Industries - \$36,284. Charge these expenses to the appropriate 2002 Public Works and Utilities Department, Water Resources Division budget accounts.

Policy Issues

Should the City purchase water treatment chemicals utilizing the competitive pricing available through the Multiple Assembly of Procurement Officials (MAPO) organization?

Alternative

Direct Staff to initiate the City’s own competitive bid process for water treatment chemicals. This alternative would result in a lower quantities bid and potentially higher bid prices.

Background Information

As part of the 2002 Budget, City Council approved the purchase of water treatment chemicals for the City’s water supply. Information regarding each chemical and its approximate annual usage and low bid price follows:

CHEMICAL	APPROXIMATE QUANTITY	PRICE	EXTENDED PRICE	VENDOR
Ferric Chloride	390 tons	\$332/ton	\$129,480	PVS Technologies
Caustic Soda	150 tons	\$247/ton	\$ 37,050	Industrial Chemical
Chlorine	96.5 tons	\$376/ton	\$ 36,284	DPC Industries

Ferric Chloride is used for coagulation in the treatment process. Caustic Soda is used for pH control and chlorine is used for disinfection. These chemicals are used at Semper Water Treatment Plant and the new Northwest Water Treatment Facility. The usage numbers are approximate since these amounts are for the whole year’s usage, and factors such as weather and demand are unpredictable. The approximate usage figures are based on last year’s actual usage.

This bid was developed and circulated on behalf of MAPO, a cooperative of state, municipal, county, special district, school district or other local government agencies. This is a competitive bid and offers greater volume and lower prices to the City than the City can obtain on its own. Westminster City Code section 15-1-4-A1 specifically states that this is an acceptable form of purchasing for the City.

Twenty-nine chemical suppliers were contacted on the MAPO bid. Twenty-three water chemical vendors responded to the bid notification. They were American International Chemical, American Pride, Ash Grove Cement, Aqua Ben Corp., Aqueous Solution, Carbon Activated Corp., Carus Corp, DPC Industries, General Chemical, Good Pasture, Harcros Chemical, Industrial Chemicals, Interstate Chemical, LCI Lucier Chemical Industry, Kemiron North America, Mississippi Lime Co., Nalco Chemical, Polydyne Inc., PVS Technologies, Solvay Minerals, Thatcher Company, Treatment Tech., and VWR.

The low bids for the three chemicals, Ferric Chloride to PVS Technologies in the annual approximate amount of \$129,480, Caustic Soda to Industrial Chemical in the annual approximate amount of \$37,050, and Chlorine to DPC Industries in the annual approximate amount of \$36,284 meets all specifications and requirements set by the City. The annual estimated cost of the chemicals is within the amount previously approved by City Council for this expense.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Replacement of the City's staff cars and patrol vehicles

Prepared By: Carl Picket, Purchasing Specialist

Summary Statement

- City Council action is requested to award vehicle purchases based on the Multiple Assembly of Procurement Officials (MAPO) bid for staff cars and patrol vehicles.
- The City will achieve additional savings using the MAPO bid instead of the State bid award.
- All vehicles recommended for purchase have been previously approved for purchase by City Council in the 2002 budget.

Expenditure Required: \$ 199,000

Source of Funds: General Fund, Police Department budget, and Parks, Recreation and Libraries Department, Recreation Division budget.

Recommended City Council Action

Award the MAPO bid for staff cars and patrol vehicles to the respective vendors, Burt Chevrolet for staff cars and Valley Ford for the patrol vehicles.

Policy Issue(s)

Whether or not to approve the cooperative bid by the Multiple Assembly of Procurement Officials for staff cars and patrol vehicles.

Alternative(s)

- Reject MAPO bid and instruct staff to re-bid vehicles
- Instruct staff to use State bid for vehicles instead
- Do not purchase any replacement vehicles for the 2002 budget year

Background Information

As part of the 2002 budget, City Council approved the purchase of four staff cars and seven patrol vehicles. The patrol units will be replaced on a "to be determined" basis, based on the condition and maintenance history of each of the vehicles currently in operation.

The staff cars to be replaced are Units #8122, #8123, #8003, and #7706. They have reached a point that it makes it no longer economically reasonable to maintain them in service. Information regarding each vehicle replacement is as follows:

UNIT #	YEAR	MAKE	MODEL	MILES	VEHICLE MAINTENANCE COSTS LIFE TO DATE (LTD)
8122	1994	Chevrolet	Corsica	74641	\$7,950.00
8123	1994	Chevrolet	Corsica	100837	\$5,000.00
8003	1993	Chevrolet	Corsica	122030	\$8,537.21
7706	1991	Oldsmobile	Cutlass	84004	\$6,461.49

The MAPO bid was sent out in July of 2001 and received responses from twenty nine vendors. The low bids from Burt Chevrolet and Valley Ford meet all specifications and requirement set by the City. The cost of the eleven vehicles, \$199,000 is within the amount previously approved by City Council for this expense.

The MAPO coop represents all of the political subdivisions in the state. With it's combined purchasing power the volume of vehicles of the MAPO group is almost four times as great as the State. This bid also allows political subdivisions with dedicated fleets to select the low bid of a specific manufacture, such as GM products.

The bid price of the staff car, a Chevrolet Malibu, is \$13,644 each. Last year using the State award, the cost to the City was \$14,321 each. The bid price of the patrol vehicles is \$20,632 each. Last year with the State award, the City spent \$21,700 per vehicle

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

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Credit Card Processor Conversion

Prepared By: Robert Byerhof, Financial Analyst
Bob Eichen, Treasury Manager

Summary Statement:

City Council action is requested to approve changing the current credit card processing vendor, Wells Fargo, to Paymentech (Bank One). This is a service used by the City to provide citizens and businesses conducting financial transactions the convenience to pay by credit card. The proposed change will result in the following benefits:

- Reduced credit card fees. Preliminary analysis indicates that credit card costs would be reduced by approximately 6% or approximately \$5,100 annually
- Improved customer service
- Software will be upgraded and standardized for all credit card terminals
- Improve analytic capability with the Internet research available for credit card transactions and reports

Expenditure Required: \$85,000 (the amount varies based on level of payment by credit card)

Source of Funds: Budgeted in various departmental operating accounts\

Recommended City Council Action

Authorize the Treasury Manager to enter into an agreement with Paymentech as the credit card processor for the City.

Policy Issue

Should the City Council approve changing the City's credit card processor?

Alternative

- Do not change the service provider. This action is not recommended. Analysis indicates changing vendors will lead to lower processing costs, enhanced customer service, updated standardized software for the credit card terminals, and Internet access to account information. The current vendor does not offer these improvements.
- Solicit a Request For Proposal (RFP) for credit card processing services. This action is not recommended. The State contract allows local governments to take advantage of the State's rates. The State's RFP was comprehensive and they negotiated the lowest possible credit card fees. The effort by Westminster City Staff would be redundant and the City would have very little chance of obtaining lower costs than the State contract.

Background Information

The use of credit cards to pay for services and tangible goods is common in the United States. In 1999, over 60% of all retail transactions in the United States were conducted by credit card. Each time a credit card is used to make a payment, the vendor accepting the card pays a fee. The benefits of paying the fees and accepting credit cards are:

- Customers expect credit cards will be accepted. It is a convenient method of paying for charges.
- Cash Flows are guaranteed. Funds are available in two days if paperwork is processed properly.
- Collection time and costs are reduced. It eliminates possibility of bad debt if processed properly.
- Utility billing customers can process their own payments seven days per week, 24 hours per day using a system that is already in place and has shown to increase in usage each year.
- Check processing costs are reduced.

From 1997 through November 2001, the City of Westminster saw the usage of credit cards increased from \$1.32 million to \$3.83M and fees went from \$28,442 to \$82,843. Based on a joint survey conducted by the Government Finance Officer's Organization and the Municipal Treasurer's Association, the average fee paid by governmental entities to credit card companies in 2000 was 2.85% plus 22 cents for each transaction. The city currently pays an average of 1.57% plus 15 cents for each transaction. The breakdown of the major programs and the fees incurred through November 2001 are as follows:

- Legacy Ridge Golf Course \$23,970
- PR & L Programs \$22,576
- Heritage Golf Course \$18,116
- Utility Billing \$10,215
- City Hall (mainly building permits) \$ 5,925
- Court \$ 2,040

Early in 2001, Staff analyzed credit card usage and fees. During the course of the analysis it was found that seven credit card terminal accounts could be eliminated or consolidated. This eliminated the monthly minimum fee for these terminals. As another means to reduce credit card costs, a seminar was held for supervisors and front line personnel that highlighted credit card processing suggestions that decrease transaction costs.

Another step toward decreasing credit card processing costs was implemented in August 2001, when the City converted to the State of Colorado's pricing program. The State was able to negotiate favorable costs due to the large number of dollars they process. As a part of the RFP, the State required the vendors to extend the pricing structure to any governmental entity within the State that would use the State contract. The City's current provider, Wells Fargo Bank, is one of the authorized vendors and the City was able to switch to the new pricing structure. This change saved the city nearly \$5,000 in fees.

The State contract has two vendors that can supply the service: Wells Fargo and Paymentech (51% owned by Bank One). While the two vendors have similar pricing structures, there are enough minor differences that the fees incurred can be lower with Paymentech versus Wells Fargo.

In addition, Staff experienced several customer service issues with Wells Fargo, the current credit card provider in 2000 and 2001. These problems were not satisfactorily resolved after numerous contacts. Examples are:

- After numerous contacts and assurances that it would occur, credits have not been issued for discontinued terminals.
- The account manager cannot be reached and will not return calls or e-mails in a timely manner.
- A lack of cooperation prevailed during the conversion to the State's pricing program.
- A lack of cooperation or help prevailed in resolving double billing problems.
- A lack of follow-through prevailed in implementing Discover and American Express payment options. After four months, this change has still not been implemented at all locations.

In November 2001, the Paymentech representative was invited to discuss their products and services with City Staff. At the time, credit card processing at the City Hall service-counter had been experiencing processing errors that sometimes led to a double billing of customer's accounts. This had been an intermittent problem for over three months. Paymentech's Internet Accounting and pro-forma reporting capability will provide services not currently available to perform cost analysis. Paymentech currently provides credit card processing to the following neighboring governmental entities, Boulder, Arvada, and Jefferson County. Follow-up reference calls regarding customer service and support were favorable.

Based on current volume pricing under the Paymentech contract will save the City approximately \$5,100 per year.

Due to the cost savings, enhanced customer service, improved analytic capabilities and favorable reference responses Staff recommends that the City of Westminster change to Paymentech for credit card processing.

Respectfully submitted.

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Intergovernmental Agreement for Continuation of Community Transit Program in Adams County

Prepared by: Matt Lutkus, Deputy City Manager for Administration

Summary Statement

- City Council action is requested to approve an intergovernmental agreement (IGA) with Adams County and several other Adams County cities, that would allow the continuation of special transit services for senior and disabled residents within urban areas of the County. There are sufficient funds within the Community Transit Program that are being carried over from 2001 to fund the program through 2002.
- The Adams County Special Transit Program, which later became known as the Adams County Community Transit Program, officially became a reality in January 2000. Under this program, door-to-door transportation is provided to eligible residents for medical-related appointments, trips to nutrition sites, and grocery shopping trips.
- During 2000, the participating cities and the County contributed a total of \$202,490, of which \$34,946 was the City of Westminster's contribution. All of the other entities contributed at a level which was commensurate with the amount previously identified as 3% of unmet need, while the Westminster City Council approved funding at the level of 5% of unmet need. During the past two years, substantial funds were obtained for the Community Transit Program from RTD and Federal and State grant funds administered by DRCOG. The use of these revenues allowed the City and County contributions to go largely unused. These local funds were not used in 2001 and are still available in 2002. Thus, the continuation of the intergovernmental agreement will require no additional expenditures of City funds for 2002.
- The new Intergovernmental Agreement is essentially the same agreement that Council approved for 2001.
- A similar service is provided to Westminster Jefferson County residents by the Senior Resources Center. The City also contributes to this program through an annual sum contribution, currently \$15,000 per year.

Expenditure Required: None in 2002

Source of Funds: n/a

Recommended City Council Action:

Authorize the Mayor to sign an Intergovernmental Agreement with Adams County for the purpose of continuing to provide special transit services for senior and disabled citizens residing in the Adams County portion of Westminster, for 2002.

Policy Issue

Should the City continue to participate with Adams County and other Adams County cities in this special transit program?

Alternative(s)

City Council could decide to discontinue its involvement in a program that provides subsidized transit services for seniors and those with disabilities, or it could direct Staff to pursue an alternative means for providing such services. Given the success of the Community Transit Program to date, City Staff is not recommending that either of these options be pursued.

Background Information

Up until April 1998, Metro Mobility provided transportation services to senior citizens and persons with disabilities in Adams County. However, at that time the agency discontinued operations due to financial and management issues. Later in 1998, the Adams County Commissioners created a Special Transportation Task Force, which completed preliminary planning and hired McDonald Transit Associates, Inc., a transportation consulting firm from Fort Worth, to determine the level of need for transportation services in the County, develop service and organizational alternatives in meeting the transportation need and recommend an equitable funding model. Using these recommendations, the Task Force developed a transit program for seniors and the disabled population within the urban areas of the County. The participants in this effort initially identified a goal of meeting 5% of the unmet need. This goal was later reduced to 3% so that most of the interested entities would be able to participate at an affordable or "baseline" level. Under the model proposed by the consultant, a broker agency would be hired to administer the program under guidelines provided by a policy advisory group.

In the summer of 1999, Westminster City Council, the County, and other city governments within the County approved a plan for providing a special transportation system for senior citizens and disabled residents and appointed representatives to serve on the policy board. The policy board subsequently utilized an RFP process to obtain the services of a transportation broker. As a result of this process, the Senior Resource Center (SRC) based in Wheat Ridge was selected. For 2002, the average cost per ride using SRC as the broker will be approximately \$20.80, with the actual cost dependant on the type of trip (medical, nutrition or grocery store) and the contractor used. What initially appears to be a high cost per ride is justified by the nature of this service compared with other mass transit and individualized transportation services. There is a significant amount of overhead expense required to administer and operate this type of program with residents using the service frequently requiring much greater assistance than someone who would normally take the bus or use a taxi.

The funding anticipated for the operations of Community Transit was \$202,490 from County and City contributions and Title III Grant dollars available through DRCOG. Through the efforts of Adams County Staff, these funds were augmented by a one-time grant from RTD of \$250,400, and additional monies through DRCOG and from other funding sources. The availability of these outside funding sources has allowed the County and city funds to stay largely intact. It is therefore possible to continue the existing program through 2002 with no additional contributions being needed from the County and the participating municipalities.

The total usage of the service for 2001 was approximately 13,500 rides and it is anticipated that this will increase to 16,000 in 2002. Approximately 100 to 110 rides are being provided for Westminster Adams County residents each month and this number will likely continue to grow as information about the program continues to get out to the community. The Community Transit Council is currently expanding its public information efforts through funding made available by the Colorado Department of Transportation. The grant funds are being used to develop a logo for the program and to produce an information brochure.

Currently, the Policy Advisory Council of Community Transit is made up of representatives from Adams County and the member cities, Arvada, Commerce City, Federal Heights, Thornton, Northglenn, and Westminster. Representatives from DRCOG, RTD, the Senior Hub, and the Colorado Department of Transportation also regularly participate in Council meetings. Westminster's representative, Deputy City Manager for Administration Matt Lutkus was recently reelected as the chairperson of the Council.

In 2002, the per ride cost for transportation provided by the Senior Resource Center will be a fixed rate of \$10.78 for administrative costs and a variable rate for operations that reflects the actual costs for contracting the ride. After 12,000 rides have been provided, the fixed rate goes down to \$9.30 per ride. Last year, the Policy Advisory Council determined that this would be the best method for ensuring that the program paid no more than the actual costs of providing the service.

The attached intergovernmental agreement authorizing the City's participation in the program is very similar to two the IGA's that Council passed previously. The document has been reviewed by City Staff, the City Attorney's Office, the Adams County Attorney's Office, and the Policy Advisory Council of Community Transit.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 22, 2002

SUBJECT: Colorado Municipal League Annual Dues

Prepared By: Barbara Gadecki, Assistant to the City Manager

Summary Statement

City Council is requested to authorize the payment of \$49,026 for the City's 2002 membership and dues to the Colorado Municipal League. Funds for this membership have been appropriated in the Central Charges portion of the 2002 City Budget.

Expenditure Required: \$49,026

Source of Funds: General Fund Operating Budget– Central Charges account

Recommended City Council Action

Authorize the payment of \$49,026 for the City's 2002 Colorado Municipal League dues and charge the expense to the appropriate Central Charges budget account in the 2002 Budget.

Policy Issue(s)

- Does City Council wish to continue the City's membership in the Colorado Municipal League?

Alternative(s)

- Discontinue City membership with the Colorado Municipal League.
- Reallocate the funds budgeted for the City membership with CML and utilize the funds for other city needs throughout the year.

Background Information

The Colorado Municipal League (CML) provides services to over 260 cities and towns throughout the state. The annual membership dues to CML include subscriptions to the bimonthly magazine, *Colorado Municipalities*, the biweekly CML Newsletter, and the Statehouse Report. Other League services include municipal information services, municipal conferences and workshops, legislative and legal services, administrative agency services, sample ordinances, research and publications. The CML is the main voice of municipalities at the State Legislature and has been critical to cities and towns in advocating and protecting municipal interests.

The City of Westminster actively participates in CML meetings and workshops, and extensively utilizes the various services offered by the League. CML lobbies legislation on behalf of municipalities throughout the State, distributes numerous publications that provide information on timely topics and trends, hosts workshops and meetings on important municipal issues, and performs research as requested by member jurisdictions.

The City of Westminster's 2002 dues total \$49,026, an increase of \$2,863 over the 2001 dues. CML's formula for arriving at a municipality's dues payment is based on a per capita charge using Department of Local Affairs population estimates, a fraction of the assessed valuation figures from the State Division of Property Taxation, and a fraction of state sales tax collections for the calendar year 2000.

These funds have been included in the 2002 budget that was previously approved and adopted by City Council in October 2001. City Council action is required because the expense is over \$25,000.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Contract for Employee On-Line Training

Prepared By: Kathleen Hix, Organizational Support Services Manager

Summary Statement

- Starting in 2001, the City expanded its organization wide, internal training program to include an option whereby employees could take City trainings on line.
- This method of training gives employees who may have difficulty attending scheduled classes because of work conflicts the opportunity to participate in the training program as they have time available either at work or at home on their own personal computer.
- The firm that currently provides this service, Netg (pronounced net-g) was selected through a competitive bid process.
- Staff is requesting that Council approve the continuation of this contract due to the favorable experience with this company during the past year.
- The cost of this service has not increased for 2002.

Expenditure Required: \$27,500

Source of Funds: 2002 General Fund, General Services Department Budget

Recommended City Council Action

Authorize the City Manager to enter into an additional one-year contract to Netg to provide on-line learning products, with the option to renew for two additional years, based upon the recommendation of the City Manager and a finding that a negotiated contract for this purchase best serves the public's interest.

Policy Issue(s)

Should we continue to provide on-line learning options to City employees?

Alternative(s)

- Do not renew the second year of the one-year contract with Netg to provide on-line learning products. This is not recommended based on the success of using Netg products and services during 2001.
- City Council could instruct City Staff to send out new requests for proposals to provide these services. This is not recommended at this time due to satisfaction with current vendor.
- The cost of the Netg contract could be reduced by decreasing the number of courses and/or the number of employees using the on-line learning products. This is not recommended due to 100 employees who are currently benefiting from the products.

Background Information

During 2000, the Employee Development Staff began researching ways the City could offer on-line learning options for City employees. Requests for proposals to provide on-line learning products and services for City employees were sent out during December 2000 requesting services be provided during 2001. Three educational vendors (Etrain, GeoLearning, and Netg) submitted formal bids to provide on-line learning products to the City. Each educational vendor who submitted a bid based their fees on the number of courses an employee could access in conjunction with the number of employees using the courses.

The Employee Development Staff along with the Information Technology Staff reviewed the vendors' response to more than 25 questions that they were required to answer in the request for proposal. These questions included but were not limited to the types of courses available, how their system would interface with the City's system, customer service philosophies and capabilities, registration procedures, tracking of student progress, time frame for implementation, capability of printing reports, and cost. As part of the evaluation process all vendors were contacted to clarify information submitted in the bid. All three bids were under \$25,000; therefore, City Council action was not requested during 2001 to award the bid.

Based on a thorough analysis of what was required as a City and what the three educational vendors could provide, the contract was awarded to Netg to provide on-line learning products to the City. Netg would provide 14 on-line learning courses that up to 100 City employees could use 24 hours a day, 7 days a week for \$20,000.

During 2001, Employee Development Staff recruited up to 100 employees who were interested in using the on-line learning courses. Employees were required to complete at least two of the fourteen courses available. Employees reported to the Employee Development Staff that they liked the convenience of taking on-line courses and recommended the City continue on-line learning as a training option.

As the year progressed, it became evident that an additional tool to assist City employees in easily accessing the courses was needed. Employees were having difficulty and were expressing frustration about accessing the courses and downloading the multimedia components of the training courses. Netg offered a solution. They could provide a web hosting service to the City so employees could more quickly access the courses without the difficulty. The web hosting service, titled Xtreme Learning, would cost the City an additional \$7,500. Once again, after discussing this new solution with the Information Technology Department, it was determined to be the best solution to the downloading problem. The City paid Netg an additional \$7,500 for the Xtreme Learning product.

Overall, the Employee Development Staff has also been very pleased with the level of customer service Netg has provided during 2001. When problems or questions arose, Netg was prompt and helpful in correcting the situation. Netg has won several awards for their on-line learning product content and customer service excellence, including:

- US News & World Report ranked Netg number one for best IT content provider.
- Xtreme Learning awarded “Best of the Web” for Forbes magazine in 2001.
- Brandon Hall awarded Netg its “Gold Medal” for IT content, innovative technology, and excellence in e-learning customer satisfaction.

City Council is requested to award an additional one-year contract to Netg to provide on-line learning products based upon the recommendation of the City Manager and a finding that a negotiated contract for this purchase best serves the public’s interest. The one-year contract for \$27,500 includes:

1. On-line subscription library of 14 courses for 100 users	\$20,000
2. Xtreme Learning web hosting service	<u>\$ 7,500</u>
TOTAL	\$27,500

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

SUBJECT: 2002 Contract for Household Hazardous Waste Pick-up Services

PREPARED BY: Rachel Harlow-Schalk, Environmental Services Coordinator

Summary Statement

Since 2000, the City of Westminster has provided the home household hazardous waste pick-up program for citizens and City Council is requested to provide this program to citizens in 2002.

Expenditure Required: \$37,000

Source of Funds: 2002 General Fund Central Charges.

Recommended City Council Action

Authorize the City Manager to execute a one-year contract with Curbside, Inc. with the option for two one-year renewable contracts and authorize an expenditure of no more than \$37,000 for this service to be charged per year to the appropriate General Fund Central Charges account to continue the home household hazardous waste collection program for Westminster residents in 2002. Changes to expenditure amounts after the first year are subject to mutual consent by each party to a maximum of a 5% increase.

Policy Issue(s)

Whether to continue to provide the home household hazardous waste pick-up service to Westminster residents in 2002.

Alternative(s)

An alternative to this action would be not to approve this program for the year 2002 removing disposal of household hazardous waste from residents as a service offered to residents.

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. in 2000 and 2001.

A formal request for proposals was prepared for the 2002 Program. Eight companies were sent the request for proposal directly from the City and the request was added to the DemandStar purchasing distribution website. As a result of the request for proposals being added to the DemandStar website, an additional 69 companies were sent the request for proposal document including five companies listing household hazardous waste services within their capabilities. However, only Curbside, Inc. responded to the request for proposals.

The pick-up program offered through Curbside, Inc. has been successful since inception in 2000. When the City was part of the Jefferson County Household Hazardous Waste Storage Authority, it cost the City \$120 per household to dispose of waste. With the program through Curbside, Inc., the cost per household for disposal of waste is no more than \$95. Also, the amount of waste taken from citizens has doubled removing many tons of household hazardous wastes from landfills. The contract for the 2002 service is a one-year contract with the option for two one-year renewable contracts.

Effective 2002, Curbside will no longer be a Safety-Kleen, Inc. company. Employees of Curbside will be taking over collection of all waste from the households in Westminster. Safety-Kleen no longer holds controlling stock within Curbside making it easier for Curbside to manage the company separately. Changes are not anticipated for the operations of the home household hazardous waste pick-up program in Westminster.

SUBJECT:

2002 Contract for Household Hazardous Waste Pick-up Services

Page 3

City Council's action is requested to provide the home household hazardous waste pick-up program to residents in the year 2002 through Curbside, Inc. The \$37,000 contract amount is within the funds budgeted for this program. The cost to provide this service in 2001 was \$36,272.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Resolution No. 2 re Appointments to Boards and Commissions

Prepared by: Michele Kelley, City Clerk

Summary Statement:

- City Council action is requested to consider the re-appointments to the Board of Adjustment, Board of Building Code Appeals, Election Commission, Environmental Advisory Board, Library Board; Open Space Advisory Board; Parks and Recreation Advisory Board; Planning Commission and Special Permit and License Board where terms of office expired on December 31, 2001. In addition, one new appointment to the Open Space Advisory Board is requested.
- In 1993, Council implemented a performance feedback system in conjunction with the consideration of reappointment of individual Board and Commission members when terms of office were to expire.
- The Chairperson of each Board is requested to give performance feedback to Council. This information has previously been submitted to City Council.
- Each individual whose term expired December, 2001 was contacted and asked if they were interested in being re-appointed to the Board, if Council so desires. The appointments are for a two-year term.
- Council will be meeting with the Chairperson and Staff Liaison of the Personnel Board and Transportation Commission prior to making the appointments.

Expenditure Required: None

Source of Funds: n/a

Recommended City Council Action:

Adopt Resolution No. 2 making re-appointments to the Board of Adjustment, Board of Building Code Appeals, Election Commission, Environmental Advisory Board, Library Board, Open Space Advisory Board, Parks and Recreation Advisory Board, Planning Commission and Special Permit and License Board and one new appointment to the Open Space Advisory Board with all terms to expire on December 31, 2003.

Policy Issue(s):

Does City Council want to continue to evaluate Board and Commission members prior to reappointments?

Alternative(s):

Do not make reappointments at this time

Background Information:

The terms of office of two of the Board of Adjustment members expired on December 31, 2001. Brian Lunning, and Gerald Nordmark are both interested in being re-appointed to the Board of Adjustment.

The terms of office of three of the Board of Building Code Appeals members expired on December 31, 2001. Steven Fenimore, Jonathan Talbott and Farlin Ward (alternate) are all interested in being re-appointed to the Board of Building Code Appeals.

Pursuant to the City Charter, all of the Election Commission members term of office expired on December 31, 2001. Denis DuFresne, Jeanne Nearing and Bill Nooning have all indicated that they are interested in being re-appointed to the Election Commission.

The terms of office of three of the Environmental Advisory Board members expired on December 31, 2001. Yvonne Martin, Wendy Sukeena and Bruce Vine (alternate) are interested in being re-appointed to the Environmental Advisory Board.

The terms of office of five members of the Library Board expired on December 31, 2001. Beverly Bishop, Mary Boston, Marilyn Flachman, Roman Kohler and Hal Smith (alternate), are all interested in being re-appointed.

The terms of office of four members of the Open Space Advisory Board expired on December 31, 2001. Kenneth Eichel, Ed Getsch, Karen Scheuerman and Randal Tucker, have all indicated that they are interested in being re-appointed to the Board. There has been attendance problems with Karen Scheuerman and Council has determined not to reappoint her to the Board.

The terms of office of four of the Parks and Recreation Advisory Board members expired on December 31, 2001. Armene Brown (alternate); Michele Haney, Ronald Mayoral and Scott Raypholtz (alternate) are interested in being re-appointed to the Parks and Recreation Advisory Board.

The terms of office of four members of the Planning Commission expired on December 31, 2001. Donald Anderson (alternate), Joseph Barsoom, James Boschert, and Rex Weiderspahn (alternate), are all interested in being re-appointed.

The terms of office of four members of the Special Permit and License Board expired on December 31, 2001. Frank Jaime, Douglas Kennard (alternate) Donna McMillan and Nancy Peters have all indicated that they are interested in being re-appointed to the Board.

Currently the City has 21 applicants for the 2002 "pool" to fill vacancies on the various Boards and Commissions.

Respectfully submitted,

J. Brent McFall, City Manager

RESOLUTION

RESOLUTION NO. 2

INTRODUCED BY COUNCILLORS

SERIES OF 2002

CITY OF WESTMINSTER BOARD AND COMMISSION APPOINTMENTS

WHEREAS, The City Council has established a review process for members of the various Boards and Commissions prior to expiration of the current term of office; and

WHEREAS, City Council has reviewed evaluations of the current Board and Commission members for the Board of Adjustment, Board of Building Code Appeals, Environmental Advisory Board, Library Board, Open Space Advisory Board, Parks and Recreation Advisory Board, Planning Commission and Special Permit and License Board; and

WHEREAS, Each member whose term expired on December 31, 2001 has been contacted and asked if they wish to be re-appointed to the Board where they are currently serving; 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.

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby reappoint the following individuals to the City of Westminster Board or Commission listed below with the terms of office to expire December 31, 2003.

BOARD/COMMISSION	NAMES
Board of Adjustment:	Brian Lunning and Gerald Nordmark
Board of Building Code Appeals	Steven Fenimore, Jonathan Talbott and Farlin Ward (alternate)
Election Commission	Denis DuFresne, Jeanne Nearing and William Noonung
Environmental Advisory Board	Yvonne Martin, Wendy Sukeena and Bruce Vine
Library Board	Beverly Bishop, Mary Boston, Marilyn Flachman, Roman Kohler and Hal Smith (Alternate)
Open Space Advisory Board	Kenneth Eichel, Ed Getsch and Randal Tucker, Ben Beaty moved from Alternate to Regular member to expire 12/31/02
Parks and Recreation Advisory Board	Armene Brown (Alternate), Michele Haney, Ronald Mayoral and Scott Raypholtz (Alternate)
Planning Commission	Donald Anderson (alternate), Joseph Barsoom, James Boschert and Rex Wiederspahn (alternate)
Special Permit and License Board	Frank Jaime, Douglas Kennard (Alternate), Donna McMillan and Nancy Peters

Sandra Goodwin is appointed to the Open Space Advisory Board as an alternate member with the term of office to expire December 31, 2003.

Passed and adopted this 28th day of January, 2002.

ATTEST:

Mayor Pro-Tem

City Clerk



**WESTMINSTER
COLORADO**

Agenda Memorandum

City Council Meeting
January 28, 2001

Subject: Acquisition of property located at 7000 King Street referred to as the “Guildner” Property

Prepared By: Tony Chacon, South Westminster Revitalization Coordinator

Summary Statement

- The City Council authorized staff to proceed with efforts to acquire a 4.7-acre parcel of land adjacent to Little Dry Creek just east of Lowell Boulevard referred to as the “Guildner” property, and work with the property owners to clean the property of found petroleum contaminants.
- The property owner has agreed to sell the property to the City for \$250,000, of which the Urban Drainage and Flood Control District has agreed to provide \$100,000 towards the acquisition. Adams County staff has also indicated that the County may contribute some funds towards the acquisition. The level of Adams County funding will be established prior to closing.
- The property has now been in accordance with acceptable State standards, and results have been submitted to the State of Colorado Voluntary Clean-up Program seeking clearance of the property from further environmental liability. The City will be responsible for the eventual demolition of buildings. Staff will come back to City Council in the future with demolition proposal.
- The City will assume ownership of a 1,250 square foot single family house containing asbestos product on the ceiling. Given that the asbestos poses no immediate threat to the public health, Staff proposes the contamination be remediated in conjunction with future demolition or removal of the structure. Based on a consultant’s findings (Report Attached), the cost estimated to remove the asbestos would range between \$8,000 and \$11,000.
- Staff is seeking Council authorization to proceed with the acquisition of the property assuming that the property owner meets the following conditions:
 - That the property owner receive confirmation of “no further action” from the State of Colorado Voluntary Clean-up Program; and,
 - That all legal proceedings involving the City of Westminster be withdrawn and that the City be held harmless from further legal action pertaining to the property.

Expenditure Required: The acquisition price is \$250,000. The City is presently responsible for up to \$150,000. The Urban Drainage and Flood Control District will contribute \$100,000. Adams County may provide additional funding thereby lowering the City’s contribution to below \$150,000.

Source of Funds: Open Space Acquisition Fund

Recommended City Council Action

1. Authorize the City Manager to execute a contract with the Guildner estate to purchase 4.7 acres of property at purchase price of \$250,000 assuming that the property owner meets the following conditions prior to closing:
 - That the property owner receive a letter of “no further action” from the State of Colorado Voluntary Clean-up Program; and,
 - That all legal proceedings involving the City of Westminster and Adams County be withdrawn and that such jurisdictions be held harmless from further legal action pertaining to the property.
2. Authorize the Mayor to sign an Intergovernmental Agreement (attached) with the Urban Drainage and Flood Control District accepting \$100,000 in acquisition funds for the Guildner Property.

Policy Issue(s)

Should the City acquire property having a number of buildings requiring eventual demolition, including a single-family house requiring future asbestos remediation, and hold such property in anticipation of eventual redevelopment. Or, should the City not proceed with the acquisition allowing the owner to sell the property for industrial purposes, including outdoor salvage and storage.

Alternative(s)

The Council may choose to not proceed with the acquisition of the property. Staff recommends that Council not choose this alternative as the City and the property owner have expended extensive time and resources related to the environmental clean-up of the site in preparation of City acquisition. Further, the owner would sell the “clean” property at the earliest convenience to a private party which could lead to continued use of the property for outdoor storage and/or salvage operations, possibly leading to a repeat of environmental degradation. Given the property is not currently within the City limits, the City has no regulatory control over land use on the site.

Background Information

Improving the southern gateways into the City of Westminster is a priority strategy within the South Westminster Strategic Revitalization Plan, approved by City Council in 2000. Upon entering Westminster from the south along Lowell Boulevard, residents and visitors are exposed to a view of unappealing, blighted conditions. A similar experience applies to persons either biking or walking the Little Dry Creek trail through this same section. A significant number of the properties along these corridors are currently located within unincorporated Adams County, and are home to such uses as storage yards, auto salvage yards, and other low-grade industrial uses.

In conjunction with the South Westminster revitalization effort and the Brownfields initiative, Staff pursued developer interest for a number of redevelopment sites, one of which included the Lowell Boulevard corridor. These inquiries peaked the interest of a number of residential developers relative to pursuit of a project in the above noted area. While expressing an interest, however, the developers noted several issues requiring further attention by the City prior to further consideration, those being:

- Land assemblage and annexation of properties into the City of Westminster;
- Identification and remediation of environmental contaminants; and,
- City ability to provide supporting water, sewer, and drainage infrastructure.

In response to these requests, Staff proceeded with conducting environmental assessments on three properties identified in a Phase I assessment as having potential for contamination, one of those being the property owned by the Guildner estate.

In addition to the environmental contamination, the Guildner parcel is also known to contribute to flooding conditions in the area given the location of existing structures and various land uses requiring the outdoor storage of equipment and material.

In gaining property owners’ approval to conduct Phase II assessments, representatives of the Guildner estate offered to sell their 4.7-acre parcel of land for \$250,000 or \$1.22 per square foot of land. Just over half of the property is currently within the 100-year floodplain, which the estate contends has substantially affected their ability to sell the property. Given Adams County’s reluctance to allow development within the floodplain and given the owner’s contention the flooding was caused by upstream development within the City of Westminster, the Guildner Estate has filed suit against the City and County. The suit is currently on hold pending the outcome of the sales transaction.

Given the flooding conditions of the area and a lack of funds to “improve” the drainage channel, Adams County and the Urban Drainage and Flood Control District had proceeded to purchase properties along the creek for flood control. As a result, Adams County currently owns about 12 acres along the creek. In addition, the City of Westminster purchased and owns about 8 acres along the creek in conjunction with the Little Dry Creek bicycle trail project. The Guildner acquisition would add another 4.7 acres of adjoining City property.

Given the location of the property in relation to Little Dry Creek, the Urban Drainage and Flood Control District and Adams County agreed financially assist in acquiring the property. The Urban Drainage and Flood Control District is offering to provide \$100,000 towards the purchase pursuant to an intergovernmental agreement (see attachment). Adams County has agreed to also give consideration to provide some funding. Adams County has not indicated the amount of funds they would be willing to provide towards the acquisition at this time. Given the funding from other sources, the City’s contribution would not exceed \$150,000, which would come from the Open Space Acquisition Fund.

Viewing the acquisition of the Guildner property as an opportunity to promote redevelopment and/or enhance the open space and bicycle trail corridor along the creek, the City Council authorized Staff to proceed in working with the property owner to clean-up the contamination in preparation for City acquisition. City Council indicated that it would be prepared to acquire the property upon confirmation that the property was clean in accordance with the State of Colorado Voluntary Clean-up Program. The property has been cleaned within City and State allowances, and is currently being processed through the Voluntary Clean-up Program. This review will be completed within 45-days, at which time the property owner expects to proceed with the sale to the City given a positive State response. Staff proposes to have a purchase contract prepared to expedite a closing on the acquisition of the property.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Resolution No. 3 re Applications for Grants from Adams County Open Space Program and Great Outdoors Colorado for Hidden Lake Acquisition Trust Fund

Prepared By: Lynn Wodell, Open Space Coordinator

Summary Statement

- City Council is requested to authorize Staff to submit a grant request application to the Adams County Open Space Program for the acquisition of 8.61 acres at the west end of Hidden Lake, adjacent to Sheridan Blvd.
- Adams County Open Space provides grant money to municipalities to assist with the acquisition and development of open space and parks.
- Staff recommends requesting \$300,000 for this acquisition. The total acquisition cost is estimated to be \$850,000.
- Appropriate matching funds are available in the City's Open Space Land Purchases Account.
- In addition, City Council is requested to authorize Staff to submit an application to Great Outdoors Colorado Trust Fund for this acquisition.
- Approval for purchase of this Open Space Land is being considered by City Council tonight on a separate agenda item.

Expenditure Required: n/a

Source of Funds: Open Space Land Purchases Account

Recommended City Council Action

Adopt Resolution No. 3 authorizing the City to apply for an Adams County Open Space Program Grant and a Great Outdoors Colorado Trust Fund grant for the acquisition of open space at Hidden Lake.

Policy Issue(s)

Should the City apply for a grant from Adams County Open Space Program for the acquisition of open space at Hidden Lake? Should the City apply for a grant from Great Outdoors Colorado Trust Fund for this acquisition also?

Alternative(s)

1. Council could choose not to pursue the additional funding for this open space acquisition and acquire the property with City open space funds only. Staff recommends that the opportunity be taken to use Adams County funds for this purchase as a partnership in the preservation of this key property. Receipt of these additional funds would allow the City to leverage its open space dollars.
2. Council could choose to pursue funding for other open space acquisitions in Adams County. This project is recommended because the Hidden Lake acquisition is nearing completion.
3. Council could choose to pursue funding from Adams County but not from Great Outdoors Colorado Trust Fund at this time.

Background Information

The City has been successful in applying for and receiving grants from Adams County Open Space Program for open space acquisition projects. Since the program began two years ago, the City has received \$775,000 from Adams County for the acquisition of McKay Lake, Vogel Pond, and Big Dry Creek open space acquisitions. These funds are very much appreciated and have allowed the City to pursue more acquisitions than would be possible using City funds only.

The acquisition of Hidden Lake is a high priority for the open space program and south Westminster revitalization efforts to allow for the construction of a trail along the north shore of the lake between Sheridan Boulevard to Lowell Boulevard. The acquisition, if approved, will be a major step to reach that goal.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

RESOLUTION

RESOLUTION NO. 3

INTRODUCED BY COUNCILLORS

SERIES OF 2002

GRANT REQUESTS TO ADAMS COUNTY OPEN SPACE PROGRAM SPRING CYCLE AND GREAT OUTDOORS COLORADO TRUST FUND – SPRING CYCLE.

WHEREAS, Adams County has established an Open Space Program to assist entities within the County with the acquisition of open space; and

WHEREAS, the City of Westminster is in the process of acquiring 8.61 acres on the west end of Hidden Lake along Sheridan Boulevard for open space purposes; and

WHEREAS, the City of Westminster has funds available in the Open Space Land Purchases Account for this acquisition as a match to Adams County funds; and

WHEREAS, the City of Westminster recognizes and appreciates the fact that grant money received from Adams County Open Space Program significantly enhances the City's ability to acquire more open space in Adams County.

WHEREAS, the City of Westminster also has an opportunity to apply for a grant from Great Outdoors Colorado Trust Fund.

NOW, THEREFORE, the Westminster City Council hereby resolves that City staff submit a grant application to the Adams County Open Space Program requesting \$300,000 in funds for the acquisition of Hidden Lake Open Space and a grant application to Great Outdoors Colorado Trust Fund in an amount to be determined.

Passed and adopted this 28th day of January, 2002.

Attest:

City Clerk

Mayor Pro-Tem



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Open Space Acquisition of 8.61 acres at Hidden Lake

Prepared By: Lynn Wodell, Open Space Coordinator

Summary Statement:

City Council action is requested to authorize the City Manager to execute a purchase and sale agreement for the acquisition of approximately 8.61 acres of land along Sheridan Boulevard at W. 69th Avenue for open space, trail, gateway and view preservation of Hidden Lake. Open Space funds are available to purchase this property

Expenditure Required: \$850,000

Source of Funds: Open Space Land Purchases Account

Recommended City Council Action

Authorize the City Manager to sign the necessary documents to purchase for open space purposes approximately 8.61 acres of land on the west end of Hidden Lake at a cost of \$850,000 and charge the expense to the Open Space Fund.

Policy Issue(s)

Should Open Space Funds be used for the purchase of this property?

Alternative(s)

1. Council can decide not to authorize this acquisition.
2. Council can ask staff to continue to negotiate the terms of the purchase.

Background Information

The Open Space Advisory Board and City Council have long been interested in preserving the west end of Hidden Lake at Sheridan Boulevard and W. 69th Avenue. This property is the first of a number of acquisitions that will allow for the preservation of the north shore of Hidden Lake. This property is the key acquisition in this preservation effort. It serves to preserve the view of Hidden Lake from Sheridan Boulevard. It serves as a gateway to the City at its most southeastern border and serves as a buffer and separator between the communities of Westminster and Arvada. It will preserve the scenic views to the mountains to the west from Hidden Lake. Acquisition of this site also preserves the natural vegetation, drainages, wetland and riparian areas and even includes a portion of the lake itself.

The City has had a goal of a publicly available trail corridor from Sheridan Boulevard to Lowell Boulevard along the northern shore of Hidden Lake. This corridor would connect the current homeowner's association trail along a portion of the Lake with Hyland Hills Park on the east end of the Lake on Lowell Boulevard. In the future, the City would like to negotiate for the rights to put in a trail from the other landowners along the Lake and potentially for the recreation rights to use the Lake for boating, fishing, etc. This project is considered a viable component of the revitalization efforts for the southern portion of Westminster.

This property has been on the real estate market for approximately 4 years with a listing price of \$1.2 million. The City staff has negotiated a purchase price of \$850,000, which is approximately \$2.25 per square foot. This property is designated in the City's Comprehensive Land Use Plan as office and has an existing Planned Unit Development combining office building and restaurant use on the site. Because the landowner is interested in receiving a charitable contribution from the difference between the listing /appraised value and the purchase price, Staff has asked The Trust for Public Land to assist with the completion of this project. TPL will acquire the property from the landowner and then sell it to the City for the \$850,000. Costs to provide this service to the City will be approximately \$7,500.

This proposed acquisition fits the City's Open Space ordinance criteria for the selection of open space sites very well including the criteria for aesthetics, protection and preservation, location, use potential and need for immediate action and acquisition consideration. This property also has frontage on a lake, which is a rarity. The landowner has indicated that if he is not able to sell the property in 2002, he will develop the site himself. This may be the City's last opportunity to preserve this property.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Resolution No. 4 re 2001 Private Activity Bond Allocation Assignment

Prepared By: Bob Eiche, Treasury Manager
Robin Byrnes, Community Development Programs Coordinator

Summary Statement

- City Council action is requested to adopt the attached Resolution assigning the City's 2001 Private Activity Bond (PAB) allocation in the amount of \$3,069,281 to the Westminster Economic Development Authority (WEDA).
- WEDA will use the Private Activity Bond allocation in conjunction with its remaining voter approved bond allocation authority to sell the bonds and use the proceeds from the sale of the bonds to finance redevelopment activities in the designated Urban Renewal Area located in South Westminster.
- The Westminster Urban Renewal Zone is generally bounded to the east by Zuni Street, to the west by Raleigh Street, to the north by 73rd Avenue and to the south by 68th Avenue.
- WEDA bond proceeds may be utilized for one or more of the following projects: Northgate Shopping Center parcel, 35 acres located on the Southeast corner of 72nd Avenue and Federal Blvd.; the Lowell Blvd. redevelopment project from 71st to 73rd Avenue along Lowell Blvd.; other potential redevelopment activities in South Westminster.
- After the allocation has been assigned to WEDA, staff will come back to the WEDA Board and review with the Board the selected project(s) the bonds would be used to finance.

Expenditure Required: \$0

Source of Funds: 2001 Private Activity Bonds

Recommended City Council Action

Adopt Resolution No.4 assigning the 2001 Private Activity Bond allocation in the amount of \$3,069,281 to the Westminster Economic Development Authority in order to finance redevelopment activities in the Westminster Urban Renewal Area.

Policy Issue(s)

Does City Council want to assign the 2001 Private Activity Bond allocation to WEDA?

Alternative(s)

Allocate the City's 2001 Private Activity Bond allocation to the Colorado Housing and Finance Authority, the Metro Mayors Caucus or the State Division of Housing for first time homebuyer mortgage assistance programs. This action is not recommended because WEDA requires the 2001 Private Activity Bond allocation in order to stimulate redevelopment activities in South Westminster for the Northgate or Lowell Blvd. redevelopment projects.

Background Information

Public financing of private development projects using tax-exempt bonds (such as the redevelopment of the Westminster Plaza) must meet certain regulations of the federal government. Annually the federal government, through the State, authorizes such activity through a Private Activity Bond (PAB) allocation. Each year, the City of Westminster receives an allocation of approximately \$3 million to use towards financing certain qualified private development ventures through the issuance of tax-exempt bonds. This financing mechanism can save developers the higher costs of private-financed development, which in turn can be used to defray development related costs and help to make redevelopment projects financially feasible. Such cost reductions can then be used to pursue projects of public benefit. An example of this was the use of PAB's to redevelop the Westminster Plaza Shopping Center. This project would not have been financially viable without the issuance of tax-exempt bonds to finance the project.

In 1987 and again in 1997 the City of Westminster voters approved the authority of the Westminster Economic Development Authority to issue bonds and use the proceeds to undertake redevelopment activities in South Westminster. The authority to sell bonds was capped at \$10.4 million. The Westminster Plaza Shopping Center Plaza project, which utilized \$6.46 million in bond issuance authority, resulted in a cost-effective redevelopment project utilizing this financing mechanism. Currently WEDA has the remaining authority to issue up to \$3.94 million in additional bonds. The \$3,069,281 of 2001 Private Activity Bond allocation is needed to issue these bonds to finance redevelopment projects in South Westminster.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

A RESOLUTION

RESOLUTION NO. 4

INTRODUCED BY COUNCILLORS

SERIES OF 2002

A RESOLUTION CONCERNING THE ASSIGNMENT OF THE 2001 CARRY FORWARD OF PRIVATE ACTIVITY BOND ALLOCATION FROM THE CITY OF WESTMINSTER TO THE WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the City of Westminster (the "Assignor") and the Westminster Economic Development Authority (WEDA)(the "Assignee") are authorized and empowered under the laws of the State of Colorado (the "State") to issue Revenue Bonds for the purpose of financing qualified redevelopment projects; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to finance such qualified redevelopment projects and for certain other purposes (the "State Ceiling"); and

WHEREAS, pursuant to the Code, the Colorado legislature adopted the Colorado Private Activity Bond Ceiling Allocation Act, Part 17 of Article 32 of Title 24, Colorado Revised Statutes (the "Allocation Act"), providing for the allocation of the State Ceiling among the Assignee and other governmental units in the State, and further providing for the assignment of allocations from such other governmental units to the Assignee; and

WHEREAS, pursuant to an allocation under Section 24-32-1706 of the Allocation Act, the Assignor has an allocation of the 2001 State Ceiling for the issuance of a specified principal amount of Private Activity Bonds prior to September 15, 2001 (the "2001 Allocation"); and

WHEREAS, the Assignor has determined that the 2001 Allocation thereof, can be utilized most efficiently by assigning it to the Assignee to issue Private Activity Bonds for the purpose of financing one or more qualified redevelopment projects ("Revenue Bonds"); and

WHEREAS, the Assignee has prior voter approval to issue the Bonds for the purpose of financing one or more qualified redevelopment projects; and

WHEREAS, the City Council of the Assignor has determined to assign to the Assignee \$3,069,281 of its 2001 Allocation.

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

1. The Assignor hereby assigns to the Assignee \$3,069,281 of its 2001 carry forward allocation, subject to the terms and conditions contained herein. The Assignor represents that it has received no monetary consideration for said assignment.

2. The officers, employees and agents of the Assignor shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby and shall take all action necessary or desirable to finance the Project and to otherwise carry out the transactions contemplated by this resolution, including without limiting the generality of the foregoing, the following:

a. Notifying the Colorado Department of Local Affairs of the assignment of its 2001 carry forward allocation of private activity bond volume to WEDA for the Project;

b. Executing a form of assignment of its carry forward 2001 allocation of private activity bond volume cap to WEDA in a form satisfactory to the Colorado Department of Local Affairs; and

c. Executing a form of assignment of its carry forward 2001 allocation of private activity bond volume cap to WEDA in a form satisfactory to the Internal Revenue Service.

3. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

4. The Assignor agrees to use its best efforts to cause Assignee to issue and sell the Revenue Bonds, in one or more series, to finance the Northgate Center Redevelopment Project or other similar, qualified projects within WEDA's boundaries ("the Project").

5. The Assignor hereby consents to the election by the Assignee, if the Assignee in its discretion so decides, to treat all or any portion of the assignment set forth herein as an allocation for a project with a carry forward purpose.

6. The Assignor agrees that it will take such further action and adopt such further proceedings as may be required to implement the terms of the Assignment.

7. Nothing contained in the Assignment shall obligate the Assignee to finance the Project.

8. The Assignment is effective upon execution and is irrevocable.

PASSED AND ADOPTED this 28th day of January, 2002.

Mayor Pro-Tem

(SEAL)

Attest:

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Resolution No. 5 re Recovery Contract Interest Rate

Prepared By: Frances A. Velasquez, Secretary

Summary Statement

In accordance with Section 8(A) of Title XI, Chapter 6, of the City Code, Staff requests that City Council establish interest rates on recovery agreements for 2002. For more than 15 years, it has been City practice to add two percent to the Prime Rate. The Prime Rate on January 1, 2002, was 4.75 percent. It is proposed that the recovery interest rate for 2002 on non-City-funded public improvements be the Prime Rate plus two percent, or 6.75 percent.

The recovery interest rates on City-funded projects is based on the Municipal Bond Index. This index is obtained by referencing the Municipal Bond Buyer's 20 Bond Weekly Index. This index for 2002 is 5.26 percent. The proposed recovery interest rate on City-funded projects is 5.26 percent for 2002.

Expenditure Required: n/a

Source of Funds: n/a

Recommended City Council Action

Adopt Resolution No. 5 establishing the 2002 calendar year interest rate for non-City-funded public improvement recovery contracts at 6.75 percent and an interest rate of 5.26 percent for City-funded public improvements.

Policy Issue(s)

Does the City Council wish to continue this method of assessing a new development its proportionate share plus interest on recoveries associated with that development?

Alternative(s)

Council is free to establish any interest rate for recovery agreements that it deems appropriate.

Background Information

Several years ago, City Council established a recovery system, which enables developers to recover a portion of certain costs associated with public improvements installed with their developments that also benefit adjacent, undeveloped properties. Recovery contracts are executed between the City and the developer. When subsequent development occurs in those areas benefited by the improvements installed by the original developer, the new development is assessed its proportionate share plus interest, which is then returned to the original developer. The recovery system has also allowed the City to be reimbursed for public improvements installed by the City when subsequent private development occurred abutting the improvements.

Prior to 1993, the interest rate used in calculations for recoveries owed on City-funded public improvements was equal to that used on privately funded improvements (i.e., prime rate plus two percent). However, the actual cost of money used to fund City Capital Improvement projects is usually much less than that charged to private developers. Since the philosophy behind the City's recovery system is one of cost reimbursement, not profit making, it is more equitable to select an interest rate for City-funded projects that more closely approximates the actual cost of money to the City. Therefore, beginning in 1993, Council determined that the Municipal Bond Index in effect at the first of each calendar year would be selected as the recovery interest rate for City projects. Thus, the recovery interest rate for such projects during 2002 is proposed to be 5.26 percent.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **5**

INTRODUCED BY COUNCILLORS

SERIES OF 2002

WHEREAS, Section 11-6-9.75(A) of the Westminster City Code provides the City Council shall establish the interest rates to be utilized for the assessment of interest costs relating to recovery costs for public improvements; and

WHEREAS, the Westminster City Code provides that such interest rates are to be established from time to time; and

WHEREAS, these interest rates have traditionally been calculated at the beginning of each calendar year; and

NOW, THEREFORE, be it resolved that the City Council of the City of Westminster hereby establish the 2002 calendar year interest rate for any non-City funded public improvement recovery contract to be 6.75 percent and the 2002 calendar year interest rate for City-funded public improvements to be 5.26 percent.

Passed and adopted this 28th day of January 2002.

ATTEST:

Mayor Pro-Tem

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Resolution No. 6 re Application for Grants from Adams County Open Space Program and Great Outdoors Colorado for scenic overlook site at 104th Ave and Grove Street

Prepared By: Lynn Wodell, Open Space Coordinator

Summary Statement

- City Council is requested to authorize Staff to submit an application to the Adams County Open Space Program for a grant for the acquisition of 2 acres as a scenic overlook site at W. 104th Avenue and Grove Street.
- Adams County Open Space provides grant money to municipalities to assist with the acquisition and development of open space and parks.
- Staff recommends requesting \$300,000 for this acquisition.
- Matching funds are available in the City's Open Space Land Purchases Account.
- In addition, City Council is requested to approve that an application also be submitted to Great Outdoors Colorado Trust Fund for this acquisition.

Expenditure Required: n/a

Source of Funds: Open Space Land Purchases Account

Recommended City Council Action

Adopt Resolution No. 6 authorizing the City to apply for an Adams County Open Space Program grant and a Great Outdoor Colorado Trust Fund grant for the acquisition of the scenic overlook site at W. 104th Avenue and Grove Street.

Policy Issue(s)

Should the City apply for a grant from Adams County Open Space Program for the acquisition of property at W. 104th Avenue and Grove Street for a scenic overlook site and scenic preservation? Should the City apply for a grant from Great Outdoor Colorado Trust Fund for this acquisition also?

Alternative(s)

1. Council could choose not to pursue the additional funding for this acquisition and acquire the property with City open space funds only. Staff recommends, however, that the opportunity be taken to use Adams County funds for this purchase as a partnership in the preservation of this key property. Receipt of these additional funds would allow the City to leverage its open space dollars.
2. Council could choose to pursue funding for other open space acquisitions in Adams County. This project is recommended, however, because Staff is under serious negotiations at this time and expects that the terms of the acquisition will be brought to Council for consideration in the next 30 to 60 days.
3. Council could choose to pursue funding from Adams County but not from Great Outdoors Colorado Trust Fund at this time.

Background Information

The City has been successful in applying for and receiving grants from Adams County Open Space Program and Great Outdoors Colorado Trust Fund for open space acquisition projects. Since the program began two years ago, the City has received \$775,000 from Adams County for the acquisition of McKay Lake, Vogel Pond, and Big Dry Creek open space acquisitions. These funds are very much appreciated and have allowed the City to pursue more acquisitions than we could using City funds only.

The preservation of this property for a scenic overlook and scenic preservation is a high priority for the open space program. The acquisition of this property is a high priority of the Open Space Board for preservation. It is one of the highest vantage points in the City and in Adams County. The views of the City and the mountain backdrop from this site are spectacular. Until a few weeks ago, this property was planned for a medical office building. The owners are willing to negotiate with the City prior to putting this property on the real estate market.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **6**

INTRODUCED BY COUNCILLORS

SERIES OF 2002

GRANT REQUESTS TO ADAMS COUNTY OPEN SPACE PROGRAM - SPRING CYCLE AND
GREAT OUTDOORS COLORADO TRUST FUND – SPRING CYCLE

WHEREAS, Adams County has established an Open Space Program to assist entities within the County with the acquisition of open space; and

WHEREAS, the City of Westminster is in the process of negotiating for the preservation of approximately 2 acres at W. 104th Avenue and Grove Street for scenic overlook and scenic preservation purposes; and

WHEREAS, the City of Westminster has funds available in the Open Space Land Purchases Account for this acquisition as a match to Adams County funds; and

WHEREAS, the City of Westminster recognizes and appreciates the fact that grant money received from Adams County Open Space Program significantly enhances the City's ability to preserve more property in Adams County.

WHEREAS, the City of Westminster also has an opportunity to apply for a grant from Great Outdoors Colorado Trust Fund.

NOW, THEREFORE, the Westminster City Council hereby resolves that City staff submit a grant application to the Adams County Open Space Program requesting \$300,000 in funds for the acquisition of approximately 2 acres located at W. 104th Avenue and Grove Street and a grant application to Great Outdoors Colorado Trust Fund an amount to be determined.

Passed and adopted this 28th day of January, 2002.

Attest:

Mayor Pro-Tem

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2002

Subject: Councillor's Bill No. 1 re Supplemental Appropriation for Northwest Water Treatment Plant

Prepared By: Bob Eichem, Treasury Manager

Summary Statement

City Council action is requested to adopt the attached Councillor's Bill appropriating \$7.0 million for completing construction of the new Northwest Water Treatment Plant (NWTP) at 104th Avenue and Wadsworth Parkway.

- Adoption of the attached ordinance is in accordance with the reimbursement resolution approved by the City Council on November 26, 2001.
- Passage of the Ordinance will create a method to address timing differences in cash flow needs for the two projects.
- The appropriation will cover construction costs for the NWTP until the Utility Fund issues a combined Revenue bond issue of \$20 million for the completion of the NWTP and the Standley Lake Renovation in the spring of 2002.
- The costs for the three months will be covered by funds on hand in the Utility Fund that have been earmarked for other capital projects in the future.
- Cash needs for the period will be approximately \$2 million per month.
- When the bond proceeds are received in April 2002, the Utility Fund will be reimbursed.
- This is a standard City Council action and has been used over the past several years to address timing differences that arise when the project must proceed and the financing is scheduled for a later date.

Expenditure Required: \$7,000,000

Source of Funds: Early appropriation of bond proceeds.

Recommended City Council Action

Pass Councillor's Bill No. 1 on first reading authorizing a supplemental appropriation of \$7,000,000 for the completion of the Northwest Water Treatment Plant at 104th and Wadsworth in the Utility Fund.

Policy Issue

Should additional funds be appropriated in advance of the issuance of bonds for the new Water Treatment Plant to allow the project to proceed?

Alternatives

1. Issue the bonds needed for the NWTP now and issue the Standley Lake bonds in April. This alternative is not recommended. Costs of issuance and total interest expense for the upcoming bond sale can be reduced by over \$120,000 by combining the funds needed to complete the NWTP and the renovation of Standley Lake Dam. Funds for the Standley Lake Dam project will not be needed until April at the earliest. By utilizing cash on hand for short-term bridge financing and delaying the issue until April, the Utility Fund and ratepayers will realize this savings.
2. Issue all of the bonds now. This option is not recommended. It would require the City to issue \$13 million in bonds for the Standley Lake project at least three months prior to the start of construction. Since there are three cities involved in the project it is not certain the project will start on time. By letting the issue date move with the need for the Standley Lake project funds, interest costs can be held to the lowest amount.

Background Information

- On April 24, 2000, Council adopted Ordinance 7E authorizing the issuance of \$15 million in subordinate Water and Wastewater Bonds for the construction of the new water treatment plant through the Colorado Water Resources and Power Development Authority (CWRPDA). The maximum borrowing allowed by CWRPDA for this type of project was \$15 million.
- On September 25, 2000, Council authorized the City Manager to sign a contract with Burns and McDonnell Engineering Company, Inc. for the final design and construction of the new Water Treatment Plant. The total cost including project management and contingency was \$22 million. It was proposed the remaining balance of \$7 million be paid with revenue bonds to be issued at a later date.
- At the October 1, 2001 City Council Study Session, the upcoming issuance of \$20 million in variable rate Utility Revenue Bonds was discussed. The bonds will be used for the completion of the NWTP and the renovation of Standley Lake Dam.
- On November 26, 2001, Council adopted Resolution No. 68 allowing the Utility Enterprise Fund to be reimbursed for expenses incurred prior to the issuance of bonds for the remaining Water Treatment Plant costs and the renovation of Standley Lake.

Total cost of the Northwest Water Treatment Plant project remains at the \$22 million approved by City Council on September 25, 2000. The \$15 million in bond proceeds issued through the CWRPDA and received on April 18, 2000 was the first component of the financing. This type of funding was used because low interest rates can be obtained by gaining access to the State of Colorado's AAA rating. It is now time to consider issuing the completion bonds for the project.

While doing the preliminary planning for the bond issue, Staff determined the completion bonds for the NWTP could be combined with the Standley Lake Renovation project to reduce issuance costs. The Standley Lake project will cost \$13 million (as outlined in the Staff Report dated August 22, 2001) for Westminster's one-third share of the project. This would make the upcoming bond issue \$20 million plus cost of issuance.

The dates cash is needed for the two projects differ by a minimum of three months. Public Works and Finance Staff project the proceeds of the original \$15 million dollars for the NWTP will be expended when the January construction payments are made. Money for the Standley Lake project will be needed in April or May. Since the Standley Lake portion of the upcoming bond issue is the largest, it is beneficial for the City to pay construction costs from February through April for the NWTP with funds on hand. This will allow the City to consolidate the financing needed for the two projects into one bond issue, save on bond issuance costs and avoid paying three months of interest on \$13 million in 2002.

The amount to be paid for construction costs for the NWTP during the three months is approximately \$2 million per month. The actual date of issuance is dependent on market conditions. Therefore, it is proposed that a conservative estimation of cash needs be used in case issuance is delayed by a month. It is proposed that the entire \$7 million be appropriated at this time. The appropriation can be used for current cash on hand or bond proceeds. It has been determined there is sufficient cash available in the Utility Fund to cover the \$7 million amount.

In anticipation of this need for temporary funding, Council adopted Resolution No. 68 at the November 26, 2001, Council meeting. The resolution approved reimbursement of costs incurred prior to the sale of the debt for the Northwest Water Treatment Plant thus allowing the Utility Enterprise to pay for the continuation of construction with funds on hand to bridge the timing differences for cash flow needs. Upon issuance of bonds, the requested funds will be reimbursed to the Enterprise in accordance with the reimbursement resolution.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2002

COUNCILLOR'S BILL NO. 1
INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2002 BUDGET OF THE WATER PORTION OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THE FUND.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2002 appropriation for the Water Portion of the Utility Fund initially appropriated by Ordinance No. 2913 in the amount of \$25,286,775 is hereby increased by \$7,000,000 which, when added to the fund balance as of the City Council action on January 28, 2002 will equal \$34,483,552. 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 early appropriation of bond proceeds.

Section 2. The \$7,000,000 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			
Bond Proceeds 2000.46020.0216	\$0	<u>\$7,000,000</u>	\$7,000,000
Total Change to Revenues		<u>\$7,000,000</u>	
EXPENSES			
Northwest Water Treatment Plant 80220035076.80400.8888	\$0	<u>\$7,000,000</u>	\$7,000,000
Total Change to Expenditures		<u>\$7,000,000</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. 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 28th day of January, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 11th day of February, 2002.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

City Council Meeting
January 28, 2001

SUBJECT: Councillor's Bill No. 2 re 2001 Budget Supplemental Appropriation

Prepared By: Karen Creager, Internal Auditor

Summary Statement

City Council action is requested to pass the attached Councillor's Bill on first reading amending the 2001 budget appropriations in the General Fund and General Capital Improvement Fund.

- At the end of each quarter Staff prepares an ordinance to appropriate unanticipated revenues received during the quarter. Preparing quarterly supplemental appropriation requests is done to simplify administrative procedures and reduce paper work.
- This memo provides the details included in the 2001 4th quarter supplemental appropriation.
- General Fund amendments:
 - \$4,885 Police overtime reimbursements from other agencies
 - \$2,302 Police bullet proof vest grant
 - \$55,000 Additional youth, preschool and adult revenue
 - \$13,138 Special event revenue
 - \$26,730 State of Colorado library materials grant
 - \$27,340 State of Colorado waste tire recycling grant
 - \$47,200 General Fund contingency budget reduction with an offsetting budget increase in the General Fund transfer to the General Capital Improvement Fund for the historical marker and Savory Farms Water Tower projects.
- General Capital Improvement Fund amendments:
 - \$186,043 Interest earnings on the 2001 Certificates of Participation
 - \$47,200 Transfer from the General Fund
- Appropriation of these unbudgeted funds allows the funds to be spent in 2001.

Expenditure Required: \$362,638

Source of Funds: The funding sources for these expenditures include various grants and reimbursements, interest earnings and an increase in an interfund transfer.

Recommended City Council Action:

Pass Councillor's Bill No. 2 on first reading providing for supplementary appropriations to the 2001 General Fund and General Capital Improvement Fund.

Policy Issue

Does City Council support amending the appropriations for the 2001 budget of the General Fund and General Capital Improvement Fund?

Alternative

The alternative would be not to amend the 2001 budget appropriations for the General Fund and General Capital Improvement Fund and utilize these funds to increase reserves. Staff does not recommend this alternative as the various departments have already incurred these expenses and covered them in their current budget in anticipation of receipt of the funds.

Background Information

This agenda memo and attached Councillor's Bill is a routine action addressing the need to appropriate additional revenues and offsetting expenditures that resulted from increased activity or events that were not anticipated during the normal budget process.

The Westminster Police Department received checks totaling \$4,885 for overtime reimbursements from the High Intensity Drug Traffic Area (HIDTA). These reimbursements were for overtime incurred by members of the Police Department while working on Federal HIDTA cases. (General Fund)

Annually, the Westminster Police Department participates in the Bulletproof Vest Partnership Program, which is coordinated by the U.S. Department of Justice. The Department of Justice will fund up to 50% of an agency's bulletproof vest costs under this program. In 2001, the Police Department requested a reimbursement of \$2,302 to cover 50% of the cost of 8 new vests. (General Fund)

The demand for recreation programming in 2001 continued to be high. Staff managed their budget to maximize the programs offered while covering expenses. Additional youth, preschool and adult recreation activities were offered, resulting in an additional \$55,000 expended in Park, Recreation & Library's Recreation Program Division for temporary salaries. Staff fully anticipated that the additional programs would generate sufficient revenues to offset the expense and in reality, generated more revenues than the additional expenditure. (General Fund)

The Westminster Youth Scholarship Fund will benefit from the net proceeds received in 2001 from community events held in Westminster. Vendors who participated in the 4th of July Fireworks did not pay an application fee for participation; instead, they agreed to donate 20% of their net profit to the Hyland Hills Foundation and the City of Westminster Youth Scholarship fund. Net proceeds from the Holy COW Trail Stampede held in September will also benefit the City of Westminster Youth Scholarship Fund. Additionally, the Scholarship Fund received a donation in early 2001 for the 2000 Holy COW Trail Stampede as well as donations from various art shows held in the City. Total revenue received from these events of \$13,138 will be appropriated to cover expenses of \$5,585 with the net amount of \$7,553 going to the City of Westminster Youth Scholarship Fund. (General Fund)

Parks, Recreation and Libraries Department received a grant for \$26,730 from the State of Colorado to purchase library materials such as books, audiotapes, videotapes or electronic databases. (General Fund)

Every year the Colorado Waste Tire Grants Program offers an incentive for businesses and other end users to utilize recycled materials. This program, administered by the Colorado Department of Local Affairs, was started to help control the waste tires filling landfills. Funding for the program comes from the disposal fee paid when the consumer purchases new tires. In 2001, the Public Works and Utilities Department and the Parks, Recreation and Libraries Department received a total of \$27,340 in grant money for purchasing recycled materials. (General Fund)

Interest earnings of \$186,043 from the 2001 Certificates of Participation are being appropriated to the Public Safety Building project which was anticipated in the budget for the project. (General Capital Improvement Fund)

On November 12, 2001 Council approved the transfer of General Fund contingency totaling \$47,200 to the General Capital Improvement Fund for the Historical Marker Capital Project and the Savory Farms Water Tower Renovation Capital Project. The \$47,200 transfer is included here to appropriate the increase in the interfund transfer to the appropriate capital project which was anticipated. (General Fund and General Capital Improvement Fund)

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

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILOR'S BILL NO. **2**

SERIES OF 2001

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2001 BUDGETS OF THE GENERAL AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THESE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2001 appropriation for the General Fund initially appropriated by Ordinance No. 2839 in the amount of \$67,845,371 is hereby increased by \$129,395 which, when added to the fund balance as of the City Council action on January 28, 2002 will equal \$70,901,189. 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 various grants, reimbursements and community event revenue received by the City.

Section 2. The \$129,395 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			
Program Revenue 1000.41030.0508	\$600,000	\$55,000	\$655,000
Special Events 1000.43380.0509	0	13,138	13,138
Intergovernmental - Federal 1000.40610.0000	67,715	7,187	74,902
State Grants 1000.40620.0000	36,053	<u>54,070</u>	90,123
Total Change to Revenues		<u>\$129,395</u>	
EXPENSES			
Overtime – Police Dept 10020300.60400.0000	\$190,395	\$4,885	\$195,280
Other Equipment – Police Dept 10020500.76000.0000	117,770	2,302	120,072
Other Equipment – Public Works 10035450.76000.0000	68,555	22,480	91,035
Landscape Supplies – PR&L 10050550.71000.0920	23,500	4,860	28,360
Electronic Information-Library 10050620.70600.0000	55,000	6,730	61,730
Materials-Library 10050620.71600.0000	397,053	20,000	417,053
Temporary Salaries-PR&L 10050760.60600.0529	61,881	35,000	96,881
Temporary Salaries-PR&L 10050760.60600.0509	158,398	20,000	178,398
Professional Services-PR&L 10050760.67600.0000	32,600	5,585	38,185
Youth Scholarship 10050760.67600.0528	0	7,553	7,553

Description	Current Budget	Increase	Final Budget
General Fund Contingency 10010900.79900.0000	1,055,738	(47,200)	1,008,538
Transfer to GCIF 10010900.79800.0750	2,484,241	<u>47,200</u>	2,531,441
Total Change to Expenditures		<u>\$129,395</u>	

Section 3. The 2001 appropriation for the General Capital Improvement Fund, initially appropriated by Ordinance No. 2839 in the amount of \$14,802,638 is hereby increased by \$233,243 which, when added to the fund balance as of the City Council action on January 28, 2002 will equal \$46,720,011. 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 a developer contribution, interest earnings and an increase in the transfer from the General Fund.

Section 4. The \$233,243 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			
Interest Income - 2001 COP's 7500.42520.0215	\$0	\$186,043	\$186,043
Transfer from General Fund 7500.45000.0100	2,484,241	<u>47,200</u>	2,531,441
Total Change to Revenues		<u>\$233,243</u>	
EXPENSES			
Public Safety Building 80175020086.80400.8888	\$1,905,469	\$186,043	\$2,091,512
Historical Marker 80175005200.80400.8888	0	30,000	30,000
New Development Participation 80175030011.80400.8888	3,308,235	<u>17,200</u>	3,325,435
Total Change to Expenditures		<u>\$233,243</u>	

Section 5. – 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 6. This ordinance shall take effect upon its passage after the second reading. 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 28th day of January, 2002. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 11th day of February, 2002.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of proceedings of the regular City of Westminster City Council meeting of Monday, January 28, 2002.

Present at roll call were Mayor Pro-Tem Atchison, Councillors Hicks, Kauffman, and McNally. Absent were Mayor Moss and Councillor Dixon.

Chris Dittman was sworn into office as City Councillor.

The minutes of the January 7, 2002 and January 22, 2002 meetings were approved.

Council re-appointed Brian Lunning and Gerald Nordmark to the Board of Adjustment; Steven Fenimore, Jonathan Talbott, and Farlin Ward to the Board of Building Code Appeals; Denis DuFresne, Jeanne Nearing, and William Noonung to the Election Commission; Yvonne Martin, Wendy Sukeena, and Bruce Vine to the Environmental Advisory Board; Beverly Bishop, Mary Boston, Marilyn Flachman, Roman Kohler, and Hal Smith to the Library Board; Kenneth Eichel, Ed Getsch and Randal Tucker to the Open Space Advisory Board; Armene Brown, Michele Haney, Ronald Mayoral, and Scott Raypholtz to the Parks and Recreation Advisory Board; Donald Anderson, Joseph Barsoom, James Boschert, and Rex Wiederspahn to the Planning Commission; and Frank Jaime, Douglas Kennard, Donna McMillan, and Nancy Peters to the Special Permit and License Board. Council appointed Sandra Goodwin to the Open Space Advisory Board as an alternate member. All above terms of office to expire on January 31, 2003. Ben Beaty is moved from alternate to regular member on the Open Space Advisory Board with term of office to expire December 31, 2002.

Council approved the following: Change Date of first Council Meeting in March; December 2001 Financial Report; Contract for Design of Lowell Blvd Water Line with JR Engineering for \$61,164; Asphalt Materials bid to Asphalt Specialties for \$240,000; Purchase of Water Treatment Chemicals, Ferric Chloride to PVS Technologies for \$129,480; Caustic Soda to Industrial Chemical for \$37,050, Chlorine to DPC Industries for \$36,284; Replacement of City Staff cars and patrol vehicles to Burt Chevrolet for \$199,000; Credit Card Processor Conversion with Paymentech for \$85,000; IGA with Adams County for Continuation of Community Transit Program; Colorado Municipal League Annual dues for \$49,026; Contract for Employee On-Line Training with Netg for \$27,500; and 2002 Contract for Household Hazardous Waste Pick-up Services with Curbside, Inc., for \$37,000.

The following Councillor's Bills were passed on 1st reading:

A BILL FOR AN ORDINANCE INCREASING THE 2002 BUDGET OF THE WATER PORTION OF THE UTILITY FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2002 ESTIMATED REVENUES IN THE FUND purpose: appropriating money for the completion of construction of water plant

A BILL FOR AN ORDINANCE INCREASING THE 2001 BUDGETS OF THE GENERAL AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2001 ESTIMATED REVENUES IN THESE FUNDS purpose: amending the 2001 budget to offset unanticipated expenditures

The following Resolutions were adopted:

Resolution No. 2 re Appointments to Boards and Commissions

Resolution No. 3 re ADCO Open Space/Great Outdoors Grant Applications re Hidden Lake

Resolution No. 4 re 2001 Private Activity Bond Allocation Assignment

Resolution No. 5 re Recovery Contract Interest Rate

Resolution No. 6 re ADCO Open Space/Great Outdoors Grant Applications re 104th/Grove St Overlook

At 7:36 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window on February 7, 2002.