



WESTMINSTER
COLORADO

MARCH 20, 2000
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. Presentations
 - A. 2000 Metropolitan Mayors and Commissioners Youth Awards
 - B. Proclamation for Blair Wilson
 - C. Recognition of Former Board and Commission Members
5. Citizen Communication
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. Right of Way Mowing Contract Agreement to L.I.D. Landscapes for \$59,201
 - B. Customer Service Concrete Replacement Program Bids to Citywide Enterprises, Inc for \$466,253
 - C. Westminster T-Ball Complex Construction Contract to AARM Contracting for \$53,218.15
 - D. 2000 Wastewater Collection System Maintenance Contract to Aqua Services and Technologies for \$598,662.60
 - E. Transfer of Capital Improvement Project Funds from 74th Ave Water Line Project to 92nd Avenue Water Line Project \$200,000
 - F. Westminster Boulevard Extension Fill Material Up to \$400,000
 - G. Councillor's Bill No. 15 re City Personnel Management
 - H. Councillor's Bill No. 16 re AT&T Wireless Services of Colorado Lease at the Ice Centre
 - I. Councillor's Bill No. 17 re Playground/Trail at West View Recreation Center Supplemental Appropriation
 - J. Councillor's Bill No. 18 appropriating \$40,880 to the Westminster Promenade Project Overflow Parking Lot Improvements
9. Appointments and Resignations
 - A. TABLED Resolution No. 14 re Re-appointments and new appointments to Transportation Commission
10. Public Hearings and Other New Business
 - A. Public Hearing re Westcliff Filing No. 6 OPD located at SEC Westcliff Parkway and Jay Street 26.5 acres for 372 apartment units
 - B. Official Development Plan for Westcliff Filing No. 6
 - C. Resolution No. 23 re Fritzier Property Annexation Petition 1 acre at SWC of 94th Place & Teller Street
 - D. Resolution No. 24 re NBC Metropolitan District Service Plan
 - E. Special Legal Counsel for ERP Software and Implementation Contracts
 - F. Agreement for Bond Counsel Services for City's Participation in the Colorado Power and Water Authority Financing

10 Public Hearings and Other New Business (continued)

- G Purchase of Open Space, Park and Possible Future School Site NE of 112th Avenue and Federal Boulevard
34 acres
- H. Resolution No. 25 re Category B-1 Service Commitment Award
- I. Councillor's Bill No. 19 re US36 and Tennyson Street Sewer Project
- J. Resolution No. 26 re Controlled Litter Burn at Rocky Flats
- K. Councillor's Bill No. 20 re 1999 Carryover Appropriation
- L. Councillor's Bill No. 21 re Amendments to Transportation Commission Duties and Responsibilities

11. Old Business and Passage of Ordinances on Second Reading

None

12. Citizen Presentations and Miscellaneous Business

- A. City Council
- B. Request for Executive Session
 - 1. Semper Clearwell Negotiations Update
 - 2. Contract Negotiations

13. Adjournment

GENERAL PUBLIC HEARING PROCEDURES ON LAND USE MATTERS:

- A The meeting shall be chaired by the Mayor or designated alternate. The hearing shall be conducted to provide for a reasonable opportunity for all interested parties to express themselves, as long as the testimony or evidence being given is reasonably related to the purpose of the public hearing. The Chair has the authority to limit debate to a reasonable length of time to be equal for both positions.
- B. Any person speaking may be questioned by a member of Council or by appropriate members of City Staff.
- C. The Chair shall rule upon all disputed matters of procedure, unless, on motion duly made, the Chair is overruled by a majority vote of Councillors present.
- D. The ordinary rules of evidence shall not apply, and Council may receive petitions, exhibits and other relevant documents without formal identification or introduction.
- E. When the number of persons wishing to speak threatens to unduly prolong the hearing, the Council may establish a time limit upon each speaker.
- F. City Staff enters A copy of public notice as published in newspaper; all application documents for the proposed project and a copy of any other written documents that are an appropriate part of the public hearing record;
- G. The property owner or representative(s) present slides and describe the nature of the request (maximum of 10 minutes);
- H. Staff presents any additional clarification necessary and states the Planning Commission recommendation;
- I. All testimony is received from the audience, in support, in opposition or asking questions. All questions will be directed through the Chair who will then direct the appropriate person to respond.
- J. Final comments/rebuttal received from property owner;
- K. Final comments from City Staff and Staff recommendation.
- L. Public hearing is closed.
- M. If final action is not to be taken on the same evening as the public hearing, the Chair will advise the audience when the matter will be considered. Councillors not present at the public hearing will be allowed to vote on the matter only if they listen to the tape recording of the public hearing prior to voting.

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, MARCH 20, 2000 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

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

CONSIDERATION OF MINUTES:

A motion was made by Merkel and seconded by Atchison to accept the minutes of the meeting of February 28, 2000 with no additions or corrections. The motion carried unanimously. A motion was made by Merkel and seconded by Atchison to accept the minutes of the special meeting of March 6, 2000 with no additions or corrections. Mayor Pro Tem Dixon requested to abstain as she was not present at the meeting. The motion carried with 6 aye votes and Mayor Pro Tem Dixon abstaining.

PRESENTATIONS:

The Mayor and Councillors presented certificates of achievement to recognize Eryn Borunda, Jessica Cofran, Shayne Cumine, Kate Erickson, Monica Jackson, Dameon Martinez, Rainbow Milo, Jack Murten, Tom Quinn, Jennifer Siegle, Denise Sisneros, and Blong Xiong on their selection for the Metropolitan Mayors and Commissioners Youth Awards.

Mayor Heil presented a proclamation to Westminster High School Senior, Blair Wilson, and his parents Steve and Bette Wilson, proclaiming March 21, 2000 as Blair Wilson Day in the City in recognition of his achievement of becoming the Colorado all time basketball scoring leader.

Mayor Heil and Councillors presented certificates of appreciation to former Board and Commission members Brian Barngrover, Nancy Field, Gary Lovato, Carole Pool, Mark Wellington and Bill Wierzbicki in recognition of time dedicated to the City.

CITY COUNCIL COMMENTS:

Councillor Merkel commented on the 2000 Census forms and the importance for everyone to complete the forms and mail them in to the Census Bureau.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Right of Way Mowing Contract Agreement – Award the right-of-way mowing contract to the low bidder, L.I.D. Landscapes, in the amount of \$59,201 and charge the expense to the appropriate 2000 Parks, Recreation and Libraries account; Customer Service Concrete Replacement Program Bids – Authorize the City Manager to sign a contract with the low bidder, Citywide Enterprises Inc., in the amount of \$466,253, authorize a \$30,000 contingency amount, and charge the expense to the appropriate 2000 Department of Public Works and Utilities Infrastructure Improvements Division budget account; Westminster T-Ball Complex Construction Contract – Authorize City Manager to sign contracts with AARM Contracting Inc., for \$53,218.15 for the import of topsoil, site grading, and compaction of the Westminster T-Ball project, authorize the transfer of \$70,500 from the Unauthorized Project account into the Construction Account; 2000 Wastewater Collection System Maintenance Contract - Award contracts to AquaSource Services and Technologies Inc. for all six components in the total amount of \$598,662.60 for the 2000 Wastewater Collection System Maintenance; authorize the City Manager to execute a contract between the City and AquaSource Services and Technologies Inc. for one year, with the option of

extending the contract for two additional 1-year periods if the conditions remain similar; authorize a budget of \$598,662.60 with a contingency budget of \$15,000; and charge the appropriate project accounts in the 2000 Wastewater Operating Budget; Transfer of Capital Improvement Project Funds – Authorize the transfer of previously authorized Capital Improvement Project account funds from the 74th Avenue Waterline Project in the amount of \$200,000 to the 92nd Avenue Waterline Project; Westminster Boulevard Extension Fill Material - Authorize the expenditure of up to \$400,000 for the purchase and placement of embankment material for the Westminster Boulevard Extension and charge the expense to the project account in the General Capital Improvement Fund; Councillor's Bill No. 15 – City Personnel Management amendments; Councillor's Bill No. 16 – AT&T Wireless Services Lease at the Ice Centre; Councillor's Bill No. 17 – West View Recreation Center Playground/Trail Appropriation; and Councillor's Bill No. 18 – Promenade Overflow Parking Project Appropriation.

The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. Councillor Atchison asked that Items 8D, 2000 Wastewater Collection System Maintenance Contract, and 8E, Transfer of Capital Improvement Project Funds, be removed from the Consent Agenda.

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

2000 WASTEWATER COLLECTION SYSTEM MAINTENANCE CONTRACT:

A motion was made by Atchison and seconded by Hicks to award contracts to AquaSource Services and Technologies Inc. for all six components in the total amount of \$598,662.60 for the 2000 Wastewater Collection System Maintenance; authorize the City Manager to execute a contract between the City and AquaSource Services and Technologies Inc. for one year, with the option of extending the contract for two additional 1-year periods if the conditions remain similar; authorize a budget of \$598,662.60 with a contingency budget of \$15,000; and charge the appropriate project accounts in the 2000 Wastewater Operating Budget. The motion carried unanimously.

TRANSFER OF CAPITAL IMPROVEMENT PROJECT FUNDS:

A motion was made by Atchison and seconded by Dixon to authorize the transfer of previously authorized Capital Improvement Project account funds from the 74th Avenue Waterline Project in the amount of \$117,000 to the 92nd Avenue Waterline Project and \$83,000 transferred into the Utility Fund Contingency Account. The motion carried unanimously.

RESOLUTION NO. 14 – TRANSPORTATION COMMISSION REAPPOINTMENTS/APPOINTMENTS:

A motion was made by Moss and seconded by Atchison to remove Resolution No. 14 from the Table. The motion carried unanimously.

A motion was made by Moss and seconded by Atchison to adopt Resolution No. 14 re-appointing Bob June, Dottie Urban, Pat Wales and Jara Raphaelson as regular members with terms of office to expire December 31, 2001; move Doug Young from alternate to regular member with term of office to expire December 31, 2000; and leave the alternate position vacate at this time. Upon roll call vote, the motion carried unanimously.

PUBLIC HEARING ON WESTCLIFF FILING NO. 6 ODP IN WESTCLIFF PUD:

At 7:42 P.M. the meeting was opened to a public hearing on the appeal of the Planning Commission's approval of the Official Development Plan for Westcliff Filing No. 6 in the Westcliff Planned Unit Development, generally located at the southeast corner of Westcliff Parkway and Jay Street, west of U.S. 36. Planning Manager Dave Shinneman entered a copy of the Planning Commission recommendation, Agenda Memorandum

and other related items as exhibits. Other Staff members present to address issues were Dave Downing, City Engineer; Police Chief Dan Montgomery and Fire Marshal Bill Work. Loren Brackman, representing the developer, was present and spoke in favor of the approval of the Official Development Plan. The following citizens addressed Council: Jeff Karpovich, President of the Westcliff Homeowners Association, 7611 W. 98th Avenue, Carol Clark, 6583 W. 98th Avenue, John Baker, 6331 W. 98th Drive, Harold Thomas, 9861 Pierce Street, Steve Swift, 6602 W. 98th Drive, Amy Craddock, 6637 W. 99th Avenue, Laura Glade, 6673 W. 99th Avenue, submitted a petition with 109 signatures in opposition, Connie Abaun, 9930 Kendall Court, Vince Padilla, 6242 W. 98th Drive and Ken Jens, 6465 West 96th Place. At 9:50 P.M. the public hearing was declared closed.

WESTCLIFF FILING NO. 6 ODP IN THE WESTCLIFF PLANNED UNIT DEVELOPMENT:

A motion was made by Dixon and seconded by Smith to uphold the Planning Commission's approval of the ODP for Westcliff Filing No. 6 in the Westcliff Planned Unit Development with the requirement that the City stripe Jay Street to define a left turn lane and a right turn lane onto Westcliff Parkway.

A motion was made by Hicks to amend the recommendation to install a median on Jay Street to divert traffic. The motion failed for lack of a second. The main motion carried unanimously.

At 10:07 P.M. the Mayor called for a recess. Council reconvened at 10:20 P.M with Mayor Pro Tem Dixon absent.

RESOLUTION NO. 23 – FRITZLER PROPERTY ANNEXATION PETITION:

A motion was made by Merkel and seconded by Hicks to adopt Resolution No. 23 accepting the annexation petition submitted by Mr. Fritzler and make the findings required by State Statute on the sufficiency of the petition, and set the date of May 8, 2000 for the annexation hearing. Upon roll call vote, the motion carried with 6 aye votes.

RESOLUTION NO. 24 – NBC METROPOLITAN DISTRICT SERVICE PLAN:

A motion was made by Smith and seconded by Atchison to adopt Resolution No. 24 approving the Service Plan for the NBC Metropolitan District and making certain findings and determinations in regard to the NBC Metropolitan District. Upon roll call vote, the motion carried with 6 aye votes.

Mayor Pro Tem Dixon arrived at 10:25 P.M.

SPECIAL LEGAL COUNSEL FOR ERP SOFTWARE AND IMPLEMENTATION CONTRACTS:

A motion was made by Merkel and seconded by Hicks to approve Terry Maher from Abrahams, Kaslow and Cassman to act as special legal counsel to the City for services related to the negotiation of software licensing and implementation services agreements with vendors providing new ERP software and implementation services to the City; and approve the proposed fee agreement of \$75 to \$200 per hour, with the expense charged to the appropriate project account in the General Capital Improvements Fund. The motion carried unanimously.

COLORADO POWER & WATER AUTHORITY FINANCING BOND COUNSEL SERVICE AGREEMENT:

A motion was made by Heil and seconded by Moss to authorize the hiring of Sherman & Howard to act as Bond Counsel to the City at a fee of \$7,000, plus out-of-pocket expenses, or the actual hours spent, whichever is less, to be paid for out of the proposed bond financing, and authorize the City Manager to execute an agreement with Sherman & Howard. The motion carried unanimously.

PURCHASE OF OPEN SPACE, PARK AND POSSIBLE FUTURE SCHOOL SITE:

A motion was made by Hicks and seconded by Smith to authorize the City Manager to sign the necessary documents related to the purchase for open space, park and possible future elementary school purposes, approximately 34 acres of land at a cost of \$2,175,000 from Western Property Advisors, and charge the expense to the Open Space Fund. The motion carried unanimously.

RESOLUTION NO. 25 – CATEGORY B-1 SERVICE COMMITMENT AWARDS:

A motion was made by Merkel and seconded by Dixon to adopt Resolution No. 25 awarding Category B-1 Service Commitments to two new single-family detached residential projects: The Village at Harmony Park and The Ranch Reserve II. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 19 – US 36 AND TENNYSON STREET SEWER PROJECT:

A motion was made by Hicks and seconded by Merkel to pass Councillor's Bill No. 19 on first reading appropriating \$450,000 of 1999 Utility Fund Carryover Capital Improvement Project funds to the 2000 Budget for the U.S. 36/Tennyson Street sanitary sewer project. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 26 – PROPOSED PRESCRIBED BURN AT ROCKY FLATS:

A motion was made by Dixon and seconded by Hicks to adopt Resolution No. 26 stating the City of Westminster's position on the proposed prescribed burn at Rocky Flats. Department of Energy representative John Rampe was present to address Council.

A motion was made by Moss to delete the 4th paragraph of the resolution. Upon discussion, the motion was withdrawn. Upon roll call vote on the main motion, the motion carried unanimously.

COUNCILLOR'S BILL NO. 20 – APPROPRIATION OF 1999 CARRYOVER FUNDS:

A motion was made by Hicks and seconded by Merkel to pass Councillor's Bill No. 20 on first reading appropriating carryover funds into the 2000 budgets of the General, Fleet, General Capital Improvement and Utility Funds. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 21 – TRANSPORTATION COMMISSION DUTIES AND RESPONSIBILITIES:

A motion was made by Merkel and seconded by Atchison to pass Councillor's Bill No. 21 on first reading amending the powers and duties for the Transportation Commission. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Mayor Heil stated there would be an Executive Session for Semper Clearwell Negotiations update and Contract negotiations.

ADJOURNMENT:

The meeting was adjourned at 11:00 P.M.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: 2000 Metropolitan Mayors and Commissioners Youth Awards

Prepared by: Theresa Scovill, Management Intern

Introduction

City Council is requested to recognize twelve area youth chosen by the City for the first phase of the Metropolitan Mayors and Commissioners Youth Award.

Summary

The Metropolitan Mayors and Commissioners Youth Award (MMCYA) is a unique award that seeks to recognize youth who have overcome difficult situations in their lives by making positive changes and by exhibiting strength and determination in the face of adversity. The purpose of the MMCYA is to recognize young people in the community (age 13-19) who have shown outstanding achievement in the areas of direct service to self, service to the family, service to other youth, and service to their community, through overcoming personal adversity or through positive change.

The MMCYA selection and award process is three-tiered. Every nominated youth is recognized on the municipal level, either by the municipality where the youth lives or attends school. All nominations received at the municipal level are sent to the county level, where a total of 20 youths are recognized within each metro area county. Each metro area county selects four youths to be recognized on the metro level. The Adams County banquet was held on March 3, the Jefferson County banquet will be held on March 21, and the Denver-metro area banquet will be held on April 30.

Staff Recommendation

Recognize and present certificates of achievement to Eryn Borunda, Jessica Cofran, Shayne Cumine, Kate Erickson, Monica Jackson, Dameon Martinez, Rainbow Milo, Jack Murten, Tom Quinn, Jennifer Siegle, Denise Sisneros, and Blong Xiong.

Background Information

The accomplishments of many young people are overlooked. Many young people have overcome personal adversity, created positive change in a difficult environment, or have made great strides despite adversity and limitations. Examples of such youths include students who have been faced with health concerns, financial hardship, family struggles, or school difficulties. The MMCYA is unique in that it encompasses all youth; youth who have not yet finished school, youth in traditional classroom settings, youth in group homes, youth in alternative schools, and emancipated youth. Young people are the foundation of our future communities, and the efforts they make to improve themselves and their community today will assure them and their community a brighter tomorrow.

Accordingly, the City of Westminster would like to recognize the following nominees as young people in our community who have demonstrated outstanding achievement:

Eryn Borunda, age 17, attends Standley Lake High School, nominated by Bridget Virkler.

Jessica Cofran, age 17, attends Ranum High School, nominated by Casey Gardner.

Shayne Cumine, age 19, attends Front Range Community College, nominated by Linda Tacy.

Kate Erickson, age 14, attends Hodgkins Middle School, nominated by Theresa Carroll.

Monica Jackson, age 13, attends Mandalay Middle School, nominated by Susan Van Sroyk.

Dameon Martinez, age 13, attends Shaw Heights Middle School, nominated by Kali Macy.

Rainbow Milo, age 18, attends Ranum High School, nominated by Rotary Club.

Jack Murten, age 14, attends Shaw Heights Middle School, nominated by Team Millenium.

Tom Quinn, age 18, attends Standley Lake High School, nominated by Bob Thoreson.

Jennifer Siegle, age 17, attends Westminster High School, nominated by Angie Zerr.

Denise Sisneros, age 17, attends Westminster High School, nominated by Angie Zerr.

Blong Xiong, age 13, attends Hodgkins Middle School, nominated by Jessica Luttmer.

Twelve Westminster area youth were nominated for the 2000 MMCYA. All twelve individuals are outstanding youth and worthy of local recognition. All twelve names were submitted to the Adams and Jefferson County Selection Committees. Of these twelve, three were recognized at the Adams County MMCYA Banquet on March 3 and one will be recognized at the Jefferson County MMCYA Banquet on March 21. Two of the three youths recognized by Adams County were also selected to be recognized on the metro level on April 30.

The Mayor will recognize these youth at Monday night's City Council meeting and present them with a MMCYA certificate of achievement.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000
Subject: Proclamation for Blair Wilson
Prepared by: Michele Kelley, City Clerk

Introduction

City Council is requested to proclaim Tuesday, March 21st as Blair Wilson day in the City of Westminster.

Summary

On February 8, 2000, Blair Wilson, a Senior at Westminster High School, became the Colorado all time career scoring leader for basketball with 2,196 points. Due to the significance and importance of this achievement, it seems appropriate to recognize this accomplishment by one of our City residents.

Blair Wilson, along with his father, Steve Wilson, Westminster High School coach and his mother Bette Wilson will all be present for this special occasion.

Staff Recommendation

City Council present a proclamation to Blair Wilson declaring March 21, 2000 as Blair Wilson Day in Westminster.

Background Information

Blair Wilson broke a 21 year record for the high school all-time scoring record.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

WHEREAS Blair Wilson is a Senior at Westminster High School; and

WHEREAS, at 2,349 career points, Blair Wilson is Colorado's all-time leading scorer, surpassing the previous record of 2,170 points set by Eric Brownlee of Lone Star High School, a record which had stood since 1975; and

WHEREAS, last year, the Westminster Warriors Boy's Basketball team won the Front Range League championship, then advanced to the semifinals of the Class 5A state playoffs, the first time the Westminster Warriors had achieved that level of success in over 20 years; and

WHEREAS, in 1999, Blair Wilson finished his Junior year at Westminster High School with a 30.33 points per game scoring average, in addition to pulling down 253 rebounds; and

WHEREAS, Blair Wilson, in his Senior year, has averaged over 32 points and 12 rebounds per game. In addition, for the first time in more than a decade, the Westminster Warriors have a chance of winning the Front Range League Championship for a second consecutive time; and

WHEREAS, Blair Wilson had a single-game career high of 49-points against Ponderosa High School in the 1999-2000 season, then against Columbine High School in February, 2000, he had one of the most remarkable quarters in Colorado High School Boy's basketball history.

NOW, THEREFORE, in recognition of his efforts and accomplishments as a student of Westminster High School, I, Nancy M. Heil, Mayor of the City of Westminster, on behalf of the entire Westminster City Council and staff, do hereby proclaim Tuesday, March 21, 2000 to be

BLAIR WILSON DAY

in the City of Westminster, Colorado. The City extends to Blair Wilson sincere best wishes for continued success and happiness as he continues his education at the University of Colorado.

Nancy M. Heil, Mayor



WESTMINSTER
COLORADO
Agenda Memorandum

Date: March 20, 2000
Subject: Recognition of Former Board and Commission Members
Prepared by: Michele Kelley, City Clerk

Introduction

The City Council is requested to present Certificates of Appreciation in recognition of time dedicated to the City by several Board members whose have recently resigned.

Summary

During the past few months, several citizens have resigned from various City Boards. Certificates of Appreciation recognizing the time and efforts of Brian Barngrover, Nancy Field, Gary Lovato, Carole Pool, Mark Wellington and Bill Wierzbicki. Certificates of appreciation have been prepared to be presented on behalf of the Mayor and entire Council.

Staff Recommendation

Present certificates of appreciation for dedicated service to Brian Barngrover, Nancy Field, Gary Lovato, Carole Pool, Mark Wellington and Bill Wierzbicki.

Background Information

Brian Barngrover was originally appointed to the Board of Building Code Appeals on February 13, 1989, and resigned in November, 1999 since he would be moving out of the City of Westminster.

Nancy Field was appointed to the Human Services Board on April 11, 1994. Her term of office expired on December 31, 1999 and she did not wish to be reappointed.

Gary Lovato was appointed to the Parks and Recreation Advisory Board on February 16, 1999. He recently moved out of the City of Westminster and resigned.

Carole Pool was appointed to the Special Permit and License Board on December 12, 1988, resigned on April 8, 1996 and was reappointed to the Board on February 9, 1998 serving until her resignation on February 14, 2000.

Mark Wellington was appointed to the Environmental Advisory Board on February 9, 1998 and served until his resignation on September 27, 1999.

Bill Wierzbicki was appointed to the Environmental Advisory Board on March 15, 1999 and his term expired on December 31, 1999 and he did not wish to be reappointed.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000
Subject: Right-of-Way Mowing Contract Agreement
Prepared by: Rod Larsen, Open Space Supervisor

Introduction

City Council action is requested to award the bid for a Mowing Contract Agreement for maintaining specified right-of-way areas to L.I.D. Landscapes in the amount of \$59,201. Funds have been specifically allocated and are available in the 2000 Parks, Recreation and Libraries budget for this expenditure.

Summary

Currently the City owns and maintains approximately 75 acres of right-of-way areas. These areas include ditches, roadsides, greenbelts, undeveloped medians, undeveloped park sites, and other parcels of public land. Historically, these sites have been mowed by City crews on a three week cycle throughout the season using two tractor mowers and a small mowing/trim crew.

Over the past couple of years, Staff has had a difficult time maintaining these areas to the standards expected by the Park Services Division and the City of Westminster. This is due to a variety of reasons. Hiring and keeping seasonal employees has been difficult due to the dirty and dusty conditions associated with this work and seasonal workers often quit after a few weeks because of allergies to weeds, pollen, and dust. The areas being maintained are rough, undeveloped terrain which contributes to breakdowns with the equipment, thereby delaying completion of the project on a timely basis. Many sites are located in remote areas of the City, thereby adding a significant number of "road miles" to the tractors and mowers.

During the 2000 budget process, Staff determined that contracting right-of-way maintenance areas should be a high priority with the Division. With the savings from not having to hire seasonal right-of-way staff and not purchasing the equipment which was scheduled to be replaced in 2000, Staff generated \$100,000 for the contract mowing of these right-of-way sites. Based on this, Staff requested, and Council approved, the expenditure of \$100,000 for the contract mowing of specified right-of-way areas.

Bid packages were mailed to six interested contractors. Four bids were received with the following results:

Schultz Industries	\$72,100
RBI	\$74,098
Western States Reclamation	\$93,387
L.I.D. Landscapes	\$59,201

The low bid, from L.I.D. Landscapes meets all the City's specifications and is a good bid. Reference checks and previous work background knowledge are acceptable for this type of maintenance.

Rod Larsen, Open Space Supervisor, will be inspecting all work performed by the contractor to ensure compliance with the maintenance standards specified in the Standard Specifications, Right-of-Way Mowing.

Staff Recommendation

Award the right-of-way mowing contract to the low bidder L.I.D. Landscapes in the amount of \$59,201 and charge the expense to the appropriate 2000 Parks, Recreation and Libraries account.

Alternatives

- Do not accept private contractor maintenance and use the available funds to hire City Staff to maintain the designated areas. Staff does not recommend this alternative because of the difficulty hiring qualified full and part time staff and supplying the necessary job related equipment would exceed the approved funding level.
- Require Staff to re-bid the maintenance contract to insure the lowest possible price is achieved. Staff does not recommend this alternative due to the limited time frame involved for spring maintenance and the upcoming mowing season. It is also unlikely that a lower bid could be achieved.

Background

Right-of-way areas are undeveloped areas with vegetation consisting of native grasses and weeds. Because these areas are not irrigated, the growth rate for the vegetation is considerably slower than irrigated areas. Regular mowing of these areas is essential for keeping the noxious weeds cut at a height that will prevent the weeds from going to seed.

Under the contract agreement, the following services would be performed on a three week cycle:

- Mowing all areas at a 4"- 6" height.
- Hand trimming all areas not reachable with the mower.
- Edging along all sidewalks and curbs.
- Trash pick-up and removal.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date March 20, 2000

Subject: Westminster T-Ball Complex Construction Contract

Prepared by: Julie Meenan Eck, Park Landscape Architect

Introduction

City Council action is requested to authorize the City Manager to execute a contract with AARM Contracting, Inc. in the amount of \$53,218.15 for the import of 20,000 cubic yards of soil, site grading, top soil import, placement, and compaction of the Westminster T-Ball Complex. City Council action is also requested to move \$70,500 from the Unauthorized Account into the Construction Account for materials and miscellaneous construction costs, such as a picnic pavilion, restroom enclosures, trash cans, and bike racks. Funds for these expenses are available in the Westminster T-Ball Complex Project account in the General Capital Improvement Fund.

Summary

In February, City Council authorized the City Manager to sign contracts with several construction companies to begin the construction of the Westminster T-Ball Complex. This spring, construction will begin on this project and should be completed by mid-summer. The park, at 1133 West 113th Avenue, is 2.8 acres in size and is located north of the Apple Valley North Townhomes and west of Kaiser Permanente. City Council approved Sovereign Design and Development in October 1999 to manage the design/build contracts for the City and the Colorado Rockies. Sovereign Design and Development receives competitive bids from a list of pre-approved contractors. Sovereign and the Rockies receive a reduced cost on labor and materials since various companies donate labor or materials to the Rockies Players' Field Program. AARM Contracting offered to import and compact the soil for less than the 1998 average CDOT unit price for import. This has saved the City approximately \$26,000.

Alternatives

Staff could send the project out to bid through the normal bid process. Staff would advertise and bid according to the City's purchasing ordinances and procedures, and hire a contractor to complete the grading. However, the City in all likelihood would have to pay standard import costs and lose the opportunity for reduced costs that the Colorado Rockies received.

Staff Recommendation

Authorize the City Manager to sign contracts with AARM Contracting, Inc. for \$53,218.15 for the import of topsoil, site grading, and compaction of the Westminster T-Ball project, authorize the transfer of \$70,500 from the Unauthorized Project Account into the Construction Account.

Background Information

In March of 1999, Staff received notification from the Colorado Rockies regarding the approval of a grant for the improvements of the Northglenn Little League Ball Fields. Later in March, Staff applied for a \$150,000 Local Government Park and Outdoor Recreation Grant sponsored by GOCO for the Westminster T-Ball Complex project.

The City was awarded the grant in the amount of \$150,000 on June 22, 1999 for construction of the park. City Council approved the project in July of 1999 and \$325,000 of carryover monies was committed for this project. Northglenn Little League deeded the property to the City in December of 1999 for the construction of the Westminster T-Ball Complex.

This site is a 2.8-acre park that will be re-graded to accommodate four t-ball fields, a picnic pavilion, bike racks, flagstone entry sign, and concrete walkways throughout. The t-ball fields will get new fencing, bleachers, infield mix, warning tracks, irrigation, and sod. The City hired the Colorado Rockies consultants Sovereign Design and Development to design and manage the construction of the park. Sovereign Design and Development have always built the fields under budget and with outstanding quality for the Colorado Rockies. The details of the construction are in the following budget summary.

Project Budget Summary

Master Plan/Design	\$12,507
Project Management	\$29,185
Construction	\$488,308
Contingency	<u>\$25,000</u>
Total	\$555,000

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Project area map



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: 2000 Wastewater Collection System Maintenance Contract

Prepared by: Richard Clark, Utilities Operations Manager
Robert L. Booze, Utilities Services Supervisor
Keith Alvis, Utilities Foreman

Introduction

City Council action is requested to authorize the City Manager to sign a contract between the City and AquaSource Services and Technologies Inc. for one year, with the option of extending the contract for two additional 1-year periods if the conditions remain similar; and authorize a budget of \$598,662.60 for sanitary sewer maintenance and \$15,000.00 for a contingency budget. Funds are available for these expenditures in the 2000 Utilities Fund, Wastewater Operating Budget.

Summary

In 1997, in order to maintain the priority of water line replacement, the Utilities Division reassigned a five-person crew to the in-house water line replacement construction crew, thus eliminating in-house maintenance of the sanitary sewer system. Outsourcing the wastewater collection system maintenance to a private contractor has been very successful over the past three years, providing the necessary maintenance and operations of the sanitary sewer system. This reallocation of personnel allowed the Utilities Division's construction crew to achieve a record of 4 miles of water line replacement during 1999.

The City's wastewater collection system consists of approximately 340 miles of sanitary sewer mains. The outsourced maintenance of the system has been set up to include jet cleaning one-third (1/3) of the City or approximately 555,000 linear feet; jet cleaning the City's "hot spots" on a monthly, tri-monthly, and biannual basis, which consists of approximately 155,500 linear feet; and television inspection of one-third (1/3) of the City or approximately 555,000 linear feet.

The 2000 Wastewater Collection System Maintenance project was advertised in the *Daily Journal*, the premier construction newspaper in the Rocky Mountain Region. The project was divided into six separately priced components, all of which could be awarded individually. A mandatory pre-bid meeting was held on February 22, 2000. The bids were publicly read on February 28, 2000, in the City Council Chambers.

AquaSource Services and Technologies Inc. has been determined to be the successful, most responsive and competent contractor on the basis of their bids. The City's available budget for the Wastewater Collection System contract is \$630,000.

The following bids were received and opened:

Component	Pipeline Enterprises	Guildner Pipeline	Aqua Source
Jet Cleaning	\$199,994.00	\$240,245.60	\$228,231.20
Television Inspection	No Bid	\$348,421.30	\$274,351.40
Root Foaming	No Bid	\$16,000.00	\$12,000.00
Root Cutting	No Bid	\$11,000.00	\$12,000.00
Grease Trap Inspection	No Bid	\$15,200.00	\$12,800.00
Lift Station Inspection & Repair	No Bid	\$78,000.00	\$59,280.00
TOTAL	-0-	-0-	\$598,662.60

Staff Recommendation

Award contracts to AquaSource Services and Technologies Inc. for all six components in the total amount of \$598,662.60 for the 2000 Wastewater Collection System Maintenance; authorize the City Manager to execute a contract between the City and AquaSource Services and Technologies Inc. for one year, with the option of extending the contract for two additional 1-year periods if the conditions remain similar; authorize a budget of \$598,662.60 with a contingency budget of \$15,000; and charge the appropriate project accounts in the 2000 Wastewater Operating Budget.

Background

AquaSource Services and Technologies Inc is being recommended for all components of the project, including jet cleaning and root cutting due to their ability to perform the services more adequately and efficiently than the other two bidders. AquaSource is being recommended for root cutting a \$1000 difference from the low bidder, due to their low bids on the other components. To improve efficiency and maximize use of City staff time, staff believes awarding the root cutting portion to AquaSource will be of greater benefit to the City. Pipeline Enterprises is not being recommended for the Jet Cleaning component of the project for a number of concerns, as listed below:

- **Firm History and qualification.** Pipeline Enterprises is a startup venture company with no past history. This company has never completed a similar sanitary sewer maintenance project and therefore there are no references to check. This prevents the City from verifying that this company is capable of adequately maintaining the City’s sanitary sewer system.

- **Ability to maximize the scope of work based on realistic cost estimate.** In the bid documents, the contractors were expected to identify their charges for responding to customer inquiries. Pipeline Enterprises submitted a bid of zero dollars per linear foot, meaning that they would respond to customer service inquiries at no additional charge to the City. Staff does not believe this is a realistic cost estimate for customer service inquiries and creates an unbalanced bid. Also, Staff believes that the City will not receive the level of customer service it expects when the contractor is not getting compensated for time spent on customer service inquiries.
- **Adequate support services should also be documented.** This company has listed only one piece of equipment at its disposal. If this piece of equipment were to breakdown or become damaged the contractor would not have the resources to continue working until the problem with the equipment is remedied. The contractor has not satisfactorily listed any explanation for completing jet cleaning services if its unit is out of service for any length of time. Staff believes Pipeline Enterprises is being unrealistic in its ability to perform jet cleaning services with only one piece of equipment in its inventory.
- **The size of the firm including administrative staff, technicians, and other technical personnel.** Pipeline Enterprises lists only two people that work for the company. One of the workers listed is administrative, leaving one worker to do the actual work in the field. It is not possible to safely maintain a sanitary sewer system with one operator. There are two reasons for this. The first reason concerns confined space issues. OSHA regulations mandate that a minimum of two people is needed to enter a confined space. Given the nature of the work being performed it is expected that the contractor will have to enter confined spaces on a regular basis. The second reason is that a sewer main can not be properly cleaned without a second person verifying that the cleaner nozzle has reached the next upstream manhole. This procedure is referenced under the City's *Recommendation Procedures for Jet Cleaning*. Throughout the City's 20 to 30 year history of maintaining the sanitary sewer system one employee was never sent to productively perform routine cleaning.

Alternatives

One alternative to approving this program would be to award the bids to the lowest cost source for each component, with 4 components awarded to Aquasource, and one component each awarded to Guildner and Pipeline Enterprises. A second alternative to approving this program would be to authorize and implement five (5) full-time equivalent maintenance workers to the Utilities Division to perform wastewater collection system and water distribution system maintenance. In addition, authorize the purchase of a jet cleaning/vacuum combination cleaner, and allocate funding for wastewater collection system materials and other equipment to operate the program in-house. This will cost approximately \$ 750,000 for this alternative.

Staff will be available to answer any questions City Council may have at the March 20 City Council Meeting.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Transfer of Capital Improvement Project Funds

Prepared by: Diane M. Phillips, Capital Improvement Projects Coordinator

Introduction

City Council action is requested to authorize a budget transfer of previously authorized Capital Improvement Project (CIP) account funds from the 74th Avenue Water Line Project in the amount of \$200,000 to the 92nd Avenue Water Line Project. The 74th Avenue Water Line Project was delayed, making the funds that had been budgeted for this project available for other capital projects.

Summary

The 74th Avenue Water Line Project from Federal Boulevard to Irving Street was planned for 1999 with a budget of \$200,000. This project has been delayed so it can be installed in two years in conjunction with a new sanitary sewer, a storm sewer and roadway improvements that are being planned in Community Development. Staff will resubmit a budget request for these funds after coordination with other departments is final.

The 92nd Avenue Water Line Project had a budget of \$385,000. On December 13, 1999 City Council approved the award for construction to Levi Contractors of a 16-inch waterline in 92nd Avenue to be installed between Lowell Boulevard east to Federal Boulevard. The low bid for construction of the waterline was \$376,872, from Levi, and it was decided to accept the bid and find additional funds to cover contingency and paving coordination for the project since the installation of this line is a priority as it will increase water supply in the area during peak consumption periods and make additional supply available to the Federal Heights master meter at 92nd Avenue and Federal Boulevard. Additionally, Adams County is preparing to repave the south portion of 92nd Avenue (Shaw Heights) in the spring of 2000 so it was prudent to install the line before this occurred.

The \$200,000 that had been earmarked for the 74th Avenue Water Line is now being requested to be used for contingency and paving coordination costs that will occur in conjunction with the installation of the 92nd Avenue Water Line that is under construction. Adams County is prepared to pave the 92nd Avenue alignment and City funds are needed to pave the side streets where the new water main was laid to tie to exiting waterlines.

Alternative

As an alternative to authorizing the transfer of funds in the amount of \$200,000 from the 74th Avenue Water Line Project to the 92nd Avenue Water Line Project, additional work required by the contractor on the project could be controlled such that no contingency money might be needed and also the coordination of paving with Adams County might be deferred.

Staff Recommendation

Authorize the transfer of previously authorized Capital Improvement Project account funds from the 74th Avenue Water Line Project in the amount of \$200,000 to the 92nd Avenue Water Line Project.

Background Information

The 74th Avenue Water Line Project was planned for 1999 with a budget of \$200,000. Recently the line was tested and inspected and it was determined that it would be best to delay this project for two years. The line was found to be in substantial condition and the delay would be prudent because Community Development Staff plans to make future improvements to the storm sewer and roadway and the funds for the Community Development improvements have not been budgeted at this time. Additionally, if the project is delayed for two years then the installation of a new sanitary sewer line would be feasible as the existing line is experiencing some need for rehabilitation and the replacement could be budgeted for. Future construction of the 74th Avenue Water Line will be coordinated with the installation of the sanitary sewer, storm sewer and roadway improvements.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000
Subject: Customer Service Concrete Replacement Program Bids
Prepared by: Ray Porter, Infrastructure Improvements Manager

Introduction

City Council action is requested to award the bid for the 2000 Customer Service Concrete Replacement Program. Funds have been specifically allocated in the 2000 Department of Public Works and Utilities Infrastructure Improvements Division Budget for these expenses.

Summary

Formal bids were solicited in accordance with City Charter bidding requirements for the 2000 Customer Service Concrete Replacement Program. Bid Documents were obtained by six contractors and six bids were received. Citywide Enterprises is the low bidder at \$466,253.

The low bidder, Citywide Enterprises Inc., meets all of the City bid requirements and has done quality work in past year's Westminster's Customer Service Concrete Replacement Program.

City Staff estimated a cost increase of 5% for 2000 concrete work. The actual bid cost will decrease over 1999, at an average of 1.5%. The decrease in cost is attributed to an increase in competition from the smaller concrete contractors.

Staff Recommendation

Authorize the City Manager to sign a contract with the low bidder, Citywide Enterprises Inc., in the amount of \$466,253; authorize a \$30,000 contingency amount; and charge the expense to the appropriate 2000 Department of Public Works and Utilities Infrastructure Improvements Division budget account.

Background Information

City Council approved funds in the 2000 Infrastructure Improvements Division Budget to replace 14,300 linear feet of deteriorated concrete curbs, gutters, sidewalks, and crosspans at 282 locations from the "Citizen's Request For Concrete Repairs" priority list for a total expense of \$460,000.

This program also includes \$40,000 for a Crossspan Replacement Program at 8 intersections, and \$10,000 for the 50/50 Citizen Cost Sharing Program at 4 properties.

The total annual funds generated from the existing \$.50 per month "concrete charge" is \$150,000. These funds are used as partial funding for the Concrete Replacement Program.

The following sealed bids were received:

Contractor

1. Citywide Enterprises, Inc.	\$466,253
2. Stackholm Construction	\$477,653
3. Asphalt Specialties	\$511,168
4. Concrete Express, Inc.	\$529,539
5. ABCO Contracting	\$547,879
6. Concrete Works of Colorado	\$580,951
City Staff Estimate	\$482,960

Alternatives to this approach include:

Bidding the Street Improvement Concrete Replacement Project with the Customer Service Concrete Replacement Program. Staff concerns include:

- a. Small concrete contractors will be eliminated from bidding the larger project.
- b. Unit costs for concrete replacement would likely increase significantly, due to the lack of competition for the bid.
- c. Bidding the combined larger contract would extend construction period into November/December, increasing the possibility of not completing the contract in 2000.
- d. Only one bid would be necessary for what is now two projects. Contract administrative costs would decrease.

Bid the two Concrete Replacement Programs with the Asphalt Rehabilitation Project:

- a. General contractor administrative costs would increase and a double profit margin and expense for the general and sub-contractor would result.
- b. Unit costs for concrete replacement would likely increase by at least 25%, resulting in a potential total estimated cost increase for concrete work in 2000 of \$116,000.
- c. Only one bid would be necessary for what are now three projects. Contract administrative costs would decrease.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Westminster Boulevard Extension Fill Material

Prepared by: Stephen C. Baumann, Assistant City Engineer

Introduction

City Council action is requested to authorize \$400,000 for the advance purchase of dirt to stockpile for use in construction of the proposed Westminster Boulevard Extension Project. Purchase and stockpiling of dirt would only take place if some savings in earthwork costs could be achieved.

Summary

The Westminster Boulevard Extension will extend Harlan Street north from 95th Avenue over US-36 to 104th Avenue near the Butterfly Pavilion. An estimated 400,000 cubic yards of dirt will be needed to build the approaches to the US-36 bridge. Earthwork is a significant element of the project and might account for 18% -25% of the estimated project cost. Earthwork prices are highly variable and very dependent on the demand and availability at the time contracts are bid.

Opportunities to purchase and place dirt in advance of the overall project start in July of this year may be available given the pace of development and construction. Staff is recommending authorization of up to \$400,000 for contracts that would secure dirt in advance, either for placement in stockpiles or placement in the ultimate location when right-of-way is secured. The City Manger would approve contracts for advance earthwork based on a showing of cost benefit to the project. By authorizing this expenditure in advance, it allows the City to take advantage of any opportunities that may arise to purchase dirt at an affordable price.

Staff Recommendation

Authorize the expenditure of up to \$400,000 for the purchase and placement of embankment material for the Westminster Boulevard Extension and charge the expense to the project account in the General Capital Improvement Fund.

Background

The Westminster Boulevard Extension project will connect 95th Avenue and Harlan Street with 104th Avenue and Westminster Boulevard by a fly-over bridge at US 36 (see attached project map). Approximately 400,000 cubic yards of dirt will be necessary to build the approaches to the US 36 bridge. Since the amount of dirt needed is so large, the cost of the material and its impact on the project budget is difficult to estimate, but might be as much as 18%-25% of the overall construction cost, now estimated at \$9 million . Earthwork prices are highly variable dependent on demand and availability at the time the contract is let for bid. Sometimes, dirt becomes available on short notice and at attractive prices if the end user can make the purchase quickly and has some place to put it.

In the case of the Westminster Boulevard Extension, approximately 80,000 yards has already been stockpiled on City property east of US-36 at little cost to the project. Similar opportunities may come up between now and July, when project construction is planned to begin. Staff is recommending that \$400,000 be authorized now to take advantage of such opportunities in the often short time frame that good deals become available. Only significant quantities of material meeting the project specifications would be considered for purchase. In addition, the cost of the material would have to be low enough to constitute a cost-savings to the project based on the present estimated cost of earthwork. Staff is recommending that \$400,000 be authorized for this purpose. In each case, Staff would provide a recommendation to the City Manager's Office along with the projected cost benefits of such a purchase to get approval of a contract. Any funds not expended for this purpose prior to awarding a construction contract for the entire Westminster Boulevard Extension project would be available for construction.

Funds for the purchases are available in the Westminster Boulevard Extension project budget in the General Capital Improvement Fund.

Respectfully submitted,

William M. Christopher
City Manager

Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: TABLED Resolution No. 14 Re-appointments and New Appointment to Transportation Commission

Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to remove this item from the Table and adopt the attached Resolution making re-appointments and new appointments to the Transportation Commission.

Summary

City Council has previously considered re-appointments and new appointment to all of the Boards and Commission except for the Transportation Commission.

Council previously directed Staff to set up a meeting with the current Transportation Commission member to discuss their duties and goals prior to making the appointments for 2000.

City Council met with the Transportation Commission members on Tuesday, February 22nd and Council discussed changes to the powers and duties of the Transportation Commission.

Later on the March 20th Agenda, the Councillor's Bill making these amendments will be acted on by City Council.

The terms of office of five of the Transportation Commission member terms expired on December 31, 1999. Bob June, Jara Raphaelson, Dottie Urban, Doug Young (Alternate member) and Pat Wales have all indicated that they are interested in being re-appointed to the Transportation Commission. Rance Nethkin has moved out of the City and a person will need to be appointed to fill this vacancy with the term of office to expire on December 31, 2000.

Staff Recommendation

Remove this item from the Table and adopt Resolution No. 14 making re-appointments and new appointments to the Transportation Commission.

Background Information

A single Resolution has been prepared to consider these re-appointments and new appointment. The name of the new appointee has been left blank for Council to determine. A copy of the matrix with the names of all citizens within the 2000 pool is attached.

Respectfully submitted,

William M. Christopher, City Manager
Attachments

RESOLUTION

RESOLUTION NO. **14**

INTRODUCED BY COUNCILLORS

SERIES OF 2000

CITY OF WESTMINSTER TRANSPORTATION COMMISSION APPOINTMENTS

WHEREAS, Currently there is a vacancy on the Transportation Commissions caused by the resignation of Rance Nethkin; and

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

NOW THEREFORE, be it resolved that the City Council of the City of Westminster does hereby appoint the following individuals to the City of Westminster Transportation Commission as listed below with the terms of office to expire as stated.

<u>NAME</u>	<u>BOARD/COMMISSION</u>	<u>TERM EXPIRES</u>
Bob June Regular Member	Transportation Commission	12-31-01
Dottie Urban Regular Member	Transportation Commission	12-31-01
Pat Wales Regular Member	Transportation Commission	12-31-01
Doug Young (Moved from Alternate To Regular Member	Transportation Commission	12-31-00
Jara Raphaelson Regular Member	Transportation Commission	12-31-01

Passed and adopted this 20th day of March, 2000.

ATTEST:

City Clerk

Mayor



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Westcliff Filing No. 6 ODP in the Westcliff Planned Unit Development

Prepared by: Michele McLoughlin, Planner II

Introduction

City Council is requested to hold a public hearing and to take action on the appeal of the Planning Commission's approval of the Official Development Plan (ODP) for Westcliff Filing No. 6 in the Westcliff Planned Unit Development. The appeal was made by the Westcliff Homeowner's Association.

Summary

Allied Realty Services received approval of an Official Development Plan (ODP) proposing the development of 372 apartment units on 26.5 acres of undeveloped property. The property is located at the southeast corner of Westcliff Parkway and Jay Street, on the west side of US 36. The zoning of the property is Planned Unit Development (PUD) with an approved Preliminary Development Plan (PDP) allowing for multi-family residential. The Comprehensive Land Use Plan (CLUP) designates the property for Multi-Family. The developer received an award of Service Commitments from City Council in the 1999 Category B competition for multi-family development. A public hearing was held before the Planning Commission on February 8, 2000, at which the Planning Commission voted unanimously to approve the proposed Westcliff Filing No. 6. Planning Commission's decision was appealed to City Council by Jeff Karpovich, President of the Westcliff Homeowner's Association, on February 17, 2000.

Jeff Karpovich, President of the Westcliff Homeowner's Association, who has filed an appeal of the Planning Commission's decision, meets the criteria for a "Party in Interest" as outlined in the Westminster Municipal Code section 11-5-13 (B) 2.

Following is a summary of the appeal. The appeal letter is attached to this agenda memorandum:

The Westcliff Homeowner's Association (HOA) has appealed the decision of the Planning Commission to approve the Westcliff Filing No. 6 Official Development Plan with a full turn access onto Jay Street. In the appeal, the HOA disagrees that the relocation of the Jay Street access, as proposed, would appreciably reduce the likelihood that the Reserve residents would not use 99th Avenue if cars were queued on Jay Street waiting to get onto Westcliff Parkway. A neighborhood meeting regarding this project was held on November 18, 1999, in conjunction with the Westcliff Homeowner's Association (HOA) meeting. One of the neighborhood concerns was that the proposed access point from Jay Street was aligned across from 99th Avenue, which the neighborhood believed would funnel traffic down 99th Avenue to access Westcliff Parkway. In response to this concern the access point was relocated approximately 300 feet to the southwest, away from 99th Avenue and closer to Westcliff Parkway.

The HOA letter proposes an alternative to relocate the entrance onto Westcliff Parkway, relocate the Jay Street access across from 99th Avenue and designate the Jay Street exit for *Emergency Access Only* by use of a gate. (For more specifics see attached HOA letter).

Applicant/Property Owner:
Allied Realty Services
350 Clayton Street, Suite C
Denver, CO 80206

Location

The property is located at the southeast corner of Westcliff Parkway and Jay Street, on the west side of US 36. (See attached location map).

Size of Site

The property is 26.51 acres in size.

Description of Proposed Use

The proposed use of the property is for multi-family housing of 372 apartment units, which is a density of 14 dwelling units per acre. This density is lower than the 20 units per acre that the previous Preliminary Development Plan allowed and the maximum density of 18 dwelling units per acre allowed by the Westminster Comprehensive Land Use Plan.

Major Issues

The major issue re: Westcliff Filing No. 6 is that the Westcliff Homeowner's Association believes that any access (other than an "emergency only" gated access onto Jay Street) from the multi-family area would negatively impact traffic through the single-family neighborhood to the west. Staff believes that the existing proposed location is the best possible location in order to address the concerns of the neighborhood and the concerns for the future residents of the multi-family area. Jay Street was designed and built as a "collector" street, which serves to collect traffic from more than one area. This would have also included all of the vacant land to the north of Westcliff, which the City is in the process of acquiring for open space.

Also, Jay Street is sufficiently wide to allow installation of striping for three lanes as it approaches Westcliff Parkway – one lane for traffic turning from Westcliff Parkway onto Jay Street; one lane for traffic turning from Jay Street onto eastbound Westcliff Parkway; and one lane for traffic turning from Jay Street onto westbound Westcliff Parkway. City Staff and the traffic engineering consultant do not believe that motorists would take the longer and slower route to Westcliff Parkway via 99th Avenue and Otis Street.

Another reason stated by the Homeowner's Association for eliminating access onto Jay Street is the slope of Jay Street. The Association believes that the grade of Jay Street is steep enough that if it is icy, cars will have trouble accessing Westcliff Parkway and will defer to the 99th Avenue route. Jay Street has a 6 percent grade, which is not uncommon in other areas of the City. The maximum standard for street slope in the City is 8 percent. The actual grade of the proposed project access point onto Jay Street is 7 percent, steeper than the 6 percent grade of Jay Street. If the future apartment residents think that Jay Street is too steep to travel in icy weather, then they would also likely find the Jay Street access from the apartment project as too steep. In this case the apartment residents would choose the flatter Westcliff Parkway access instead.

The Homeowner's Association is suggesting an additional access point along Westcliff Parkway in addition to the one the developer has shown. The developer, along with Staff, has looked at other potential access points along Westcliff Parkway but have found the grades to be too steep. The location noted by the Homeowner's Association would be an 11 percent grade, which is not acceptable per City standards.

City Staff believes that the two locations, which are currently shown, are the best possible to address fire protection concerns. In the event of a fire, it is highly desirable to assure that responding emergency vehicles have at least two separated easily accessible points of entry. Fire ground operations often result in blocking access routes due to the use of fire hose and placement needs for fire apparatus, thus making access points on different streets necessary.

Staff Recommendation

1. Hold a public hearing.
2. Uphold the Planning Commission's approval of the ODP for Westcliff Filing No. 6 in the Westcliff Planned Unit Development with the requirement that the City stripe Jay Street to define a left turn lane and a right turn lane onto Westcliff Parkway.

Alternatives

1. Uphold the Planning Commission's approval of the ODP for Westcliff Filing No. 6 in the Westcliff Planned Unit Development without any changes.
2. Uphold the Planning Commission's approval of the ODP for Westcliff Filing No. 6 in the Westcliff Planned Unit Development, accepting the Westcliff Homeowner's Association proposal which is:
 - a. Add an additional entrance on Westcliff Parkway between buildings three and five.
 - b. Designate the Jay Street exit for *Emergency Access Only* by use of a spring-loaded, six-foot metal gate secured by a Knox padlock.
 - c. Return the Jay Street access to its original location.

Staff is opposed to the second alternative for the reasons addressed in the Agenda Memorandum and in the attachments to the Agenda Memorandum.

Background Information

Architectural/Building Materials

The twenty proposed buildings are designed in a manner to blend in with the residential character of the neighborhood. The use of stucco siding, cultured stone veneer and dimensional composition shingles is proposed. The main entries into the building will be covered "breezeways". Ten different building types, with cultured stone masonry bases and stucco on the upper portions, are proposed to ensure variety.

Public Land Dedication, Parks/Trails

The Public Land Dedication (PLD) for this site has been met previously within the Westcliff subdivision. The required public land dedication for this site is 5.83 acres, with 27.41 acres being the total required PLD for all of Westcliff. A total of 43.84 acres has previously been dedicated within the Westcliff subdivision. In 1999 the City purchased 16.08 acres due west of this site for a future City park.

Access and Circulation

Access to the property is proposed in two locations, one full turn access along Westcliff Parkway and one full turn access on Jay Street. As a result of neighborhood concerns that the proposed access onto Jay Street would cause additional unnecessary traffic onto 99th Avenue, Staff has worked with the developer to move the Jay Street access point approximately 300 feet to the west. Eight foot detached public walks will be built along both of these streets by this developer and connect to the proposed 6 foot walks throughout the development. A total of 753 parking spaces have been provided, with 408 of these in garages and carports.

Westcliff Parkway will operate at approximately 25 percent capacity with the proposed development and once the Westcliff Parkway connection to Westminster Boulevard is complete.

All intersections that serve this development (taking into consideration other users of the roadway) will operate at levels of service A through C. This is above the acceptable level of service for an urban area, which is Level of Service D. (See attachment “Intersection Capacity – Level of Service”)

Site Design and Landscaping

The site plan indicates a total of 20 buildings, with over 51 percent of the property as landscaped areas, including a .7 acre detention pond at the northern portion of the site. The overall number of trees and shrubs required per the multi-family design guidelines has been exceeded on the site. There is also a .93 acre wetland at the southern portion of the property. The developer will be installing a split-rail fence separating it from the development and preserving the wetland area. The developer is also proposing an 8-foot masonry wall on top of a 5-foot berm, with heavy landscaping, as a buffer adjacent to the US 36 right-of-way.

Signage

Two subdivision identification signs are proposed at each entry into the subdivision. They will consist of stone veneer to match the buildings with an etched stone face or a concrete face with raised metal letters.

Service Commitment Category

Service Commitments for this development are available from Category B-3, New Single Family Attached residential developments having a density of greater than ten (10) dwelling units per acre, at a rate of .5 service commitment per unit. The developer was awarded Service Commitments in the 1999 Category B competition of the City of Westminster’s Growth Management program. The Category B competition is an application process where proposed new residential projects compete against one another for service commitments based on meeting minimum standards and proposing incentive items, for an overall point score.

Referral Agency Responses

Referrals for this project were sent to Jefferson County R-1 School District, Colorado Department of Transportation, Regional Transportation District (RTD), Public Service Company of Colorado, TCI, and US West. Responses were received from Public Service and Colorado Department of Transportation. Public Service requested easement locations/sizes, which the applicant has complied with. Colorado Department of Transportation (CDOT) requested that no more than the historical flow rate into CDOT right-of-way be allowed, with which the developer will also comply. Colorado Department of Transportation also requires that any work in the CDOT right-of-way would be by permit only.

Public Comments

Surrounding Land Use and Comprehensive Land Use Plan Designations

The properties surrounding this proposed development consist of existing Westcliff single family homes and City of Westminster future park site to the west, unincorporated Jefferson County to the north, City of Westminster future park site to the south, and US 36 and vacant land designated “office” to the east.

The proposed development is in conformance with the land use designation on the Comprehensive Land Use Plan of Multi-family and does not exceed 18 dwelling units per acre.

Respectfully submitted,

William M. Christopher, City Manager

Attachments



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Resolution No. 23 re the Fritzler Property Annexation Petition

Prepared by: David Falconieri, Planner III

Introduction

City Council action is requested on the attached resolution concerning a finding of compliance with statutory requirements for the petitions requesting annexation of the Fritzler property and establishing a hearing date. The proposed annexation consists of approximately 1 acre located at the southwest corner of Teller Street and 94th Place.

Summary

Myron Fritzler is requesting annexation of one acre to the City consisting of one single-family dwelling. Ultimately, Mr. Fritzler would like to subdivide the lot into two lots for an additional dwelling that would be permitted under the provisions of the Northeast Comprehensive Development Plan. At this time, however, only the annexation is being requested.

Staff is recommending that the property be zoned R-E, which would permit the desired densities. This is the same zone that was assigned to the Miles property located across Teller Street from Mr. Fritzler's property, and also to the Sagel property located to the west on 94th Place when they were annexed to the City.

Staff Recommendation

Adopt Resolution No. 23 accepting the annexation petition submitted by Mr. Fritzler and make the findings required by State Statute on the sufficiency of the petition; and set the date of May 8, 2000, for the annexation hearing.

Background

Upon receiving a petition for annexation, the City Council is required by State Statute to make a finding of whether or not said petition is in compliance with Section 31-12-107 (1) C.R.S. In order for the petition to be found in compliance, Council must find that the petition contains the following information:

1. An allegation that the annexation is desirable and necessary.
2. An allegation that the requirements of Section 31-12-104 and 31-12-105 C.R.S have been met. (These sections are to be reviewed by the Council at the formal public hearing.)
3. Signatures and mailing addresses of at least 50 percent of the landowners of the land to be annexed. (In this case, Mr. Fritzler, signer of the petition, owns 100 percent of the property.)
4. The legal description of the land to be annexed.
5. The date of each signature.
6. An attached map showing the boundaries of the area.

Planning Staff has reviewed the petition and has determined that it complies with the above requirements.

If the City Council finds that the petition is in substantial compliance with these requirements, a resolution must be approved that establishes a hearing date at which time the Council will review the merits of the proposed annexation.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **23**

INTRODUCED BY COUNCILLORS

SERIES OF 2000

WHEREAS, there has been filed with the City Clerk of the City of Westminster, a petition, copies of which are attached hereto and incorporated by reference, for the annexation of certain territory therein-described to the City;

WHEREAS, the City Council has been advised by the City Attorney and the City Manager that the petition and accompanying map are in substantial compliance with Sections 31-12-101, et.seq., Colorado Revised Statutes, as amended;

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

1. City Council finds the said petitions and annexation maps to be in substantial compliance with all state statutory requirements, including C.R.S. Section 31-12-107 (1).
2. City Council hereby establishes May 8th, 2000, 7:00 PM at the Westminster City Council Chambers, 4800 West 92nd Avenue, for the annexation hearing required by C.R.S. Section 31-12-108 (1).
3. City Council hereby orders the City Clerk to give notice of the annexation hearing in accordance with C.R.S. Section 31-12-108 (2).

Passed and adopted this 20th day of March, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000
Subject: Resolution No. 24 re NBC Metropolitan District Service Plan
Prepared by: Martin R. McCullough, City Attorney

Introduction

City Council action is requested to adopt the attached Resolution approving the Service Plan for the NBC Metropolitan District. The main purpose of the District is to finance public improvements on an approximate 70-acre parcel of land to be developed by Catellus Development Corporation at the southwest corner of 112th Avenue and Westminster Boulevard.

Summary

The property, which is expected to be included in the proposed District, known as the Northwest Business Park and recently renamed the Circle Point Corporate Center, was formerly owned by the City and as a part of the consideration for the purchase of the property the City agreed to cooperate with the property owner in connection with any efforts of the property owner to form a metropolitan district.

The attached Service Plan is for a new special district to be named the NBC Metropolitan District (the "District"). The District is bounded by Westminster Boulevard on the east, 108th Avenue alignment on the south, U.S. Highway 36 on the west and 112th Avenue on the north.

The District is intended to provide certain essential public-purpose facilities for the use and benefit of all its anticipated development and taxpayers of real property located within the boundaries of the District. The improvements to be financed may include parks and recreational facilities, a sanitary sewage collection and transmission system, traffic and safety controls, street improvements, a public transportation system, a potable and non-potable local water supply system and a television service system. It is anticipated that after construction and completion of any applicable warranty periods that the water system improvements and the sanitary sewer system improvements will be dedicated to the City for operation and maintenance. The street improvements will be dedicated to the City, but the District will remain responsible for the maintenance of the internal streets improvements including any landscaping associated therewith and certain traffic and safety controls. The District also will maintain the park and recreation improvements.

The total estimated cost of the capital improvements is projected to be \$21,600,000. Construction of the infrastructure improvements is planned to be completed in three phases beginning in the year 2000 with completion anticipated for the year 2006. It is expected that the District will issue general obligation debt in the amount of \$7,900,000 in the year 2000 with future general obligation debt issues anticipated to occur in the year 2003 with the issuance of \$3,435,000 of general obligation bonds and 2005 with the issuance of \$13,840,000 of general obligation bonds. The initial issue of bonds as well as the additional bond issues will be "general obligation limited tax bonds" to be supported by a mill levy not to exceed 50 mills. Although the Service Plan allows the District to levy a debt service levy of up to 50 mills, the Financial Plan projects that the mill levy for operations, maintenance and debt service will be approximately 37 mills.

A portion of the proceeds from each bond issue are anticipated to be used for capitalized interest which will be used to pay interest on the bonds during the first three years of each issue until increased assessed valuation (from development activity within the District) is sufficient to support the debt service on the bonds. The City has no obligation whatsoever to repay any of the proposed debt for the District.

Staff Recommendation

Adopt Resolution No. 24 approving the Service Plan for the NBC Metropolitan District and making certain findings and determinations in regard to the NBC Metropolitan District.

Background Information

Catellus Development Corporation and City representatives have been pursuing the development of the NBC Business Park since the spring of 1999. Since the acquisition of the property from the City, Catellus Development Corporation has submitted and received PDP and ODP approval from the City for the development of over 1.0 M square feet of commercial office space along with associated retail space on the property. The initial ODP office building consisting of 140,000 square feet was recently approved by City Council. City representatives have concluded that the proposed special district is the preferred method for financing public improvements within the District.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

RESOLUTION

RESOLUTION NO. **24**

INTRODUCED BY COUNCILLORS

SERIES OF 2000

WHEREAS, pursuant to the provisions of Title 32, Article 1, Part 2, C.R.S. as amended, and specifically section 32-1-204.5 thereof, the City Council of the City of Westminster, Colorado, considered the Service Plan of the proposed NBC Metropolitan District on the 20th day of March, 2000; and

WHEREAS, it appears that the Service Plan should be approved unconditionally, as permitted by section 32-1-203(1) of the Colorado Revised Statutes;

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

Section 1. That the City Council of the City of Westminster, Colorado, does hereby determine that all of the requirements of Title 32, Article 1, Part 2, C.R.S., as amended, relating to the filing of a Service Plan for the proposed NBC Metropolitan District have been fulfilled.

Section 2. That the City Council does hereby find and determine that:

- (a) There is sufficient existing and projected need for organized service in the area to be served by the proposed District;
- (b) The existing service in the area to be served by the proposed District is not adequate for present and projected needs;
- (c) Adequate service is not, and will not be, available to the area through the City or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time or on a comparable basis;
- (d) The proposed special District is capable of providing economic and sufficient service to the area within its proposed boundaries;
- (e) The area to be included in the proposed District has, or will have the financial ability to discharge the proposed indebtedness on a reasonable basis;
- (f) The facility and service standards of the proposed District are compatible with the facility and service standards of the City;
- (g) The proposal is in substantial compliance with the Comprehensive Land Use Plan adopted by the City;
- (h) The proposal is in compliance with any duly adopted long-range water quality management plan for the area; and
- (i) The creation of the proposed District will be in the best interests of the area proposed to be served.

Section 3. That the Service Plan of the proposed NBC Metropolitan District is hereby approved unconditionally.

Section 4. That a certified copy of this Resolution be filed in the records of the City and submitted to the Petitioners for the purpose of filing in the District Court of Jefferson County.

ADOPTED AND APPROVED this 20th day of March, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Special Legal Counsel for ERP Software and Implementation Contracts

Prepared by: Debbie Mitchell, Human Resources Manager

Introduction

City Council action is requested to approve Terry Maher from Abrahams, Kaslow and Cassman as special legal counsel for services related to the negotiation of contracts for software licensing and implementation services for the new Enterprise Resource Planning (ERP) system purchase. Funds for fees of up to \$20,000 are budgeted in the appropriate project account in the General Capital Improvements Fund.

Summary

In accordance with the City Charter requirements, City Council is being requested to approve Terry Maher as special legal counsel for the purpose of assisting with the negotiation and development of contract language for the purchase of an ERP system software system and consulting services to implement the new software system. The successful design of the implementation consulting services contract could have significant impact on ensuring delivery of all required services in a timely manner. Mr. Maher has assisted many municipalities with the development of detailed, performance based contracts for implementation services. These contracts have resulted in significant savings to the cities in reduced change orders, slippage in project completions and increases in the scope of the original agreements.

Copies of both the retainer agreement and Mr. Maher's resume are attached for City Council's review. Fees for Mr. Maher's services, are \$200 per hour, with other staff billable rates between \$75 and \$175 per hour. City Staff has budgeted up to \$20,000 for these services in 2000.

Alternatives to the recommended action would be to use the City Attorney's Office Staff to work on the negotiation of the contracts. Staff believes that Terry Maher's expertise in the arena of software contracts will assist the City in obtaining a contract that will save money on the project and assure delivery of a complete product.

Staff Recommendation

Approve Terry Maher from Abrahams, Kaslow and Cassman to act as special legal counsel to the City for services related to the negotiation of software licensing and implementation services agreements with vendors providing new ERP software and implementation services to the City; and approve the proposed fee agreement of \$75 to \$200 per hour, with the expense charged to the appropriate project account in the General Capital Improvements Fund.

Background

City Staff has been investigating software available to serve the City in Financial Management and Human Resources and Payroll processes, also known as ERP systems. It is currently City Staff's intent to negotiate a software license agreement with JD Edwards for ERP software. Staff also plans to select an implementation services consultant to assist with the extensive implementation process required.

In order to ensure that the contractual agreements fully articulate and assure completion of the necessary requirements of the software company as well as the implementation consultant, City Staff must rely upon the services of an expert in this field. Terry Maher, a partner in the law firm of Abrahams, Kaslow and Cassman is, in Staff's view, one of the most qualified individuals in the information technology and software contracts field. As Council will note from his resume, Mr. Maher has over 15 years of experience in software licensing and contracts. His services have been utilized by other Colorado municipalities and he is highly recommended by those entities.

The fees for Mr. Maher's services are reasonable when considering Mr. Maher's expertise in this area and the potential for cost savings resulting from a comprehensive, accountability driven contract. The successful design of the implementation consulting services contract could have significant impact on ensuring delivery of all required services in a timely manner. Mr. Maher has assisted many municipalities with the development of detailed, performance based contracts for implementation services. These contracts have resulted in significant savings to the cities in reduced change orders, slippage in project completions and increases in the scope of the original agreements. The funds for this expense were included in the approved 2000 Budget.

It is Staff's intent to utilize Mr. Maher's services through the negotiation of the software license and the development of the detailed contract for implementation services. The contracts will be presented to City Council for approval in the second quarter of 2000.

Respectfully submitted,

William M. Christopher
City Manager

Attachments



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Agreement for Bond Counsel Services for City's Participation in the Colorado Power and Water Authority Financing

Prepared by: Marty McCullough, City Attorney
Mary Ann Parrot, Finance Director

Introduction

City Council action is requested to approve fees for legal services for Sherman & Howard, as Bond Counsel to the City, in connection with the City's participation in the Colorado Power and Water Authority (CWPA) financing, as follows: the lesser of \$7,000, plus out-of-pocket expenses, or the actual hours spent in completing the transaction, whichever is less.

Summary

- As a part of the Year 2000 Capital Improvement Plan approved by City Council, Staff is preparing to go into the bond market at the end of April for a partial funding of \$15 million for the City's new Water Treatment Plant. This project has been included in the 5-year CIP for several years and will help to complete the water treatment and storage needs according to the City's growth plans. Construction should commence in the fall of 2000, after design/engineering is complete and the project has been bid out in the market. Staff has prepared a full report on the project and the financing needed for the City's new Water Treatment Plant and will be briefing City Council in April on this item.
- As with past financings for the Water and Wastewater Utility for the City, Staff has determined it is cost effective to use the Colorado Water Power Authority (CWPA). This is a state-sponsored financing pool which allows multiple jurisdictions to combine their financing needs for water and wastewater projects and go into the market in a pool. The City achieves a discount of approximately 20% on the interest rate compared to a public offering by the City on a stand-alone basis. The reasons for this discount are the following:
 - Because needs are pooled and risks are diversified, there are definite economies of scale which act to hold the interest rate down for the pool participants.
 - The CWPA has achieved a rating of AAA, the only "triple-A" credit in the state. This is on a stand-alone basis, without insurance or other credit enhancement. This also acts to reduce the interest rate on the borrowings sold in the market.
 - In addition, the CWPA receives federal funds through the Federal Clean Water Act, which are set aside as reserves behind the financing. These reserves are invested and the interest earnings are credited to the various pool participants, thus reducing the effective interest rate paid on the borrowing. In summary, a financing on a stand-alone basis at 5.5% would cost the City 4.4%. On a \$15million borrowing, this saves the City over \$100,000 per year, or \$2.2million over the life of a 20-year loan.
- In order to proceed with the legal and Staff work to prepare for the financing, Staff needs to request approval of hiring of outside bond counsel to work on this project with them. Staff is recommending the retention of Mr. Dee Wisor of the law firm of Sherman & Howard to serve as bond counsel to the City for this financing, at a fee not to exceed \$7,000.

Staff Recommendation

Authorize the hiring of Sherman & Howard to act as Bond Counsel to the City at a fee of \$7,000, plus out-of-pocket expenses, or the actual hours spent, whichever is less, to be paid for out of the proposed bond financing, and authorize the City Manager to execute an agreement with Sherman & Howard.

Background Information

As with all public, tax-exempt financings, this financing will require an opinion from a nationally recognized law firm regarding certain tax-related matters. Sherman & Howard was Bond and Special Counsel for the City for the \$19.72 million Certificates of Participation (COP) issue (Series 1999) for the Westminster Boulevard Extension and Westminster Mall Remodeling Projects. Fees for comparable financings over the past several years have ranged from \$10,000 to \$30,000, dependent on the size and complexity of the issue. The proposed fees are considered within the range of fees experienced for similar City financings in the past, and will be included as part of the issuance costs for this financing.

Mr. Dee Wisor of Sherman & Howard has served as the City's bond counsel in the past and is thoroughly familiar with the City's charter, ordinances and outstanding bond covenants. He has also dealt directly with the City's charter, ordinances and outstanding bond covenants surrounding the City's Water and Wastewater System due to work on other financings. Staff also requested a quote from Ballard, Spahr, Andrews and Ingersoll, who acted as Bond and Special Issuer's Counsel on the City's Water and Wastewater financings in 1997 and 1998. Of the two quotes, Sherman & Howard's was the lower by approximately \$1,000.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000
Subject: Purchase of Open Space, Park and Possible Future School Site
Prepared by: Bob Lienemann, Open Space Coordinator

Introduction

City Council action is requested to authorize the City Manager to purchase for open space, park and a possible future elementary school, approximately 34 acres of land located northeast of 112th Avenue and Federal Boulevard (see attached map). Open Space funds are available to purchase this property.

Summary

This property has long been desired for open space, park and a possible elementary school. An old irrigation reservoir known as Vogel Pond, many large trees and a wetland make up a portion of the site, and fit the criteria for open space preservation very well. Any property with water and mature vegetation is very special in this arid environment, and this property is home to a variety of wildlife. Other portions of the property include an old farm house and related buildings and corrals, and open, level areas which could be easily developed for active park use, in a manner compatible with adjacent natural open space. Adams County School District #12 has indicated an interest in locating an elementary school on a portion of this site.

Staff has unsuccessfully attempted to negotiate with the landowner in prior years. Very recently the land has gone under contract to a developer, Western Property Advisors, who is currently developing the Ranch Reserve project immediately north of this property. The developer proposes to extend the Ranch Reserve project to this new property, and to build additional single family detached homes. Staff and the developer have negotiated a proposed agreement that would allow the City to acquire the approximate 37 acres most desired for open space, park and possible school, while allowing the developer to move ahead with a smaller residential development.

The key terms of the proposed agreement are that the developer would dedicate a portion of the desired property as Public Land Dedication (estimated to be 2.8 acres), and would pay full Park Development Fees. The City would purchase the balance of the desired property beyond that dedicated, estimated to be approximately 34 acres, at a price of \$2,175,000. The City would also award Service Commitments for the smaller residential project in 2001 and 2002, would budget and pay for certain street and utility costs in the 2001 and 2002 budget years concurrent with new home construction, and the City and developer would share any regional drainage improvement costs based upon land area owned by each party.

Since the developer's contract with the landowner has contingencies, this agreement to dedicate and sell property to the City is contingent upon City approval of an Official Development Plan (ODP) and final Plat for the smaller residential project now proposed, through the City's regular review process. If this agreement is authorized by City Council, the ODP and plat approvals and the developer's completion of the purchase of the property from the landowner and subsequent conveyance to the City would take place late this year.

The Open Space Advisory Board strongly supports preserving the pond, trees and wetland on this property for passive public use. Funds are available for the entire purchase in the Open Space Fund. A small part of the property would be conveyed to the City as Public Land Dedication, and could be used for either park or open space use in the future. If additional land acquired now with Open Space funds is converted to active park or elementary school use at a future date, the Open Space Fund would be reimbursed at that time, at the value paid for the land initially, or the value at the time of conversion of use, whichever value is higher, per City Code. In any event, the pond, trees and wetland area would remain as passive open space.

Alternatives to the Proposed Action:

1. Do not acquire the property, and allow the area to be developed. However, this alternative would fall short of the Open Space Advisory Board's recommendation to formally preserve this particular property for open space and public use.
2. Attempt to delay the acquisition to some future date. However, the development pressure is immediate, the contract owner/developer is willing to work with the City to preserve this area, and the funding is available now. The funds and/or opportunity to preserve this natural area are not likely to exist at some future date.

Staff does not recommend the alternatives in light of the previously described benefits of acquiring this property.

Staff Recommendation

Authorize the City Manager to sign the necessary documents related to the purchase for open space, park and possible future elementary school purposes, approximately 34 acres of land at a cost of \$2,175,000 from Western Property Advisors, and charge the expense to the Open Space Fund.

Background Information

The Open Space Advisory Board and City Council have long been interested in preserving the existing pond, large trees and wetland area as open space. This property was a "top priority" when the first open space "wishlist" was prepared in 1989, and has remained a top priority. Two unsuccessful Hyland Hills Metropolitan Parks and Recreation District bond issues in the early 1990's had proposed to acquire 30 to 40 acres of this property, including the pond and trees, for a combination of open space, park and a possible elementary school. The interest in this sort of joint project has continued, and the property is now threatened with immediate development.

Discussions about acquiring the property were interrupted several years ago, when the landowners objected to the City's new Comprehensive Land Use Plan, which designated lower density residential development for the property than had been anticipated many years ago when this property was annexed into the City of Westminster. A lawsuit, summary judgement in favor of the City, and preparation for an appeal have been ongoing for the past year or more. Very recently, the landowners indicated to Staff that a developer was under contract to acquire the entire residential portion of the property, and that the City should talk with the developer.

Western Property Advisors, the developer under contract for the property, then submitted an application for the competition for water Service Commitments for new single family detached residential projects for the year 2000. While Planning Division Staff reviewed their application as submitted, Open Space Staff concurrently met with the developer to negotiate a possible acquisition of the desired property.

Those negotiations have resulted in a proposal that would seem to be a “win-win” solution. The City would be able to acquire this prime open space property at a fair price from a willing seller, and the developer could receive Service Commitments through the competition process for a smaller residential development consistent with the City’s Comprehensive Land Use Plan.

The property was zoned many years ago to allow “garden apartments” of up to 20 dwelling units per acre. If this property were built out as apartments, this could have added 1,240 apartment units, with an additional population of approximately 2,200 new residents and the resulting traffic and service demands. Through the application of the City’s Comprehensive Land Use Plan, Growth Management Plan, and with this proposed acquisition, 61 single family homes are now proposed, with approximately 175 new residents. A valuable open space is preserved, along with room for a park and possible elementary school. The overall water demand would be reduced considerably, saving costs to acquire raw water and treat it, and the lawsuit regarding the property would become moot.

The proposed acquisition fits the City’s Open Space Ordinance criteria for the selection of open space sites very well, as follows:

< AESTHETICS: This property includes the old pond/irrigation reservoir and ditches, many large trees and a wetland area. Acquiring this property would preserve the attractive natural areas, and would preserve wonderful panoramic views across the reservoir to the mountains. With the old pond, trees, wetland and their location on a high point, this is a unique property in the City of Westminster.

< PROTECTION AND PRESERVATION: Acquiring the property would protect the environmentally sensitive features of the reservoir, adjacent trees, wetland and wildlife cover, and would avoid filling or development. Preserving water bodies and habitat such as exist on this property will broaden the variety of wildlife that may be seen as the City builds out. Water is extremely rare and valuable, and this old reservoir provides considerable scenic and wildlife values.

< LOCATION: This property would complete an open space connection between the Farmers’ High Line Canal and Big Dry Creek open space and trail corridors. This work has begun with adjacent projects. The water, trees and wildlife habitat add value to this connection. The views from this property are spectacular.

< USE POTENTIAL: This acquisition would provide passive enjoyment such as nature study, photography or solitude, and might allow some fishing in the pond. A trail connection between the City’s regional trails along the Farmers’ High Line Canal and Big Dry Creek could be developed, and provide neighborhood access to the proposed park and open space, and perhaps to a future elementary school.

< NEED FOR IMMEDIATE ACTION and ACQUISITION CONSIDERATION: Staff has been tracking this property for many years. The proposed density of development allowed on this property have been the subject of a lawsuit which is now being scheduled for appeal. The proposed purchase seems the best solution, at a very minimal cost. The developer is a willing seller, the price they ask is reasonable and is the very best result that is likely given the contentious past with the property, and the current development pressure. Funds are available for the purchase.

Respectfully submitted,

William M. Christopher
City Manager
Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Resolution No. 25 re Category B-1 Service Commitment Awards

Prepared by: Shannon Sweeney, Planning Coordinator

Introduction

City Council action is requested to adopt the attached Resolution awarding Category B-1 Service Commitments to two new Single-Family Detached (SFD) residential projects. This Resolution relates to the City's Growth Management Program and is based on the findings established in Section 11-3-1 of the Westminster Municipal Code.

Summary

In December 1999, as part of the City's Growth Management Program, City Council allocated a total of 30 Category B-1 Service Commitments (SC's) to be awarded on a competitive basis to one new single-family detached residential project in the year 2000. The City received two applications for the competition (see attached map for the locations of the proposed projects) and has concluded review of each. Below is a summary of the two applications and the SC totals requested per year.

<u>Project/Location</u>	<u>Developer</u>	<u>Acres</u>	<u>Units</u>	<u>du/a*</u>	<u>Score</u>	# SC's Requested per Year					
						'00	'01	'02	'03	'04	Total
The Village at Harmony Park	Development	110	309	3.5	3,290	30	70	70	70	69	309
Dry Creek Estates PUD N. of 128th Av., E. of Zuni St.	Planning Associates										
The Ranch Reserve II	Western	28.5	61	2.5	2,925	0	41	20	0	0	61
112th & Federal Partnership PUD N. of 112th Av., E. of Federal Bl.	Property Advisors										
Total Service Commitments						30	111	90	70	69	370

*Dwelling Units Per Acre

Point diff. between projects: 365

The Village at Harmony Park received the highest point total of 3,290 points, and The Ranch Reserve II scored 365 points less with a total of 2,925 points. For comparison, in the last single-family detached competition, the point difference between the two projects awarded SC's was 1,600 points. (Please refer to the Background section of this report for a list of some of the amenities offered by each project).

On Monday, February 28, 2000, City Open Space Staff met with City Council in Executive Session to discuss a possible land acquisition related to the submittal received for The Ranch Reserve II. As discussed with Council, the effect of this acquisition would reduce the number of SC's needed for The Ranch Reserve II project to 61 Category B-1 SC's. This is a reduction of 54 SC's from their application submittal of 115 SC's and below the density permitted by the Comprehensive Land Use Plan.

Based on the land acquisition possibility, the developer revised the request to 41 SC's in 2001, and 20 in 2002 as reflected in the table above. This is a 47% reduction in SC's needed for the project.

The attached Resolution awards SC's to both projects, but SC's for the lower scoring project (The Ranch Reserve II) would not be available to the developer until 2001. The Village at Harmony Park requests all 30 SC's available in 2000 for their project, and since The Ranch Reserve II would not require SC's in 2000, no supplemental SC allocation for 2000 would be necessary.

Following City Council direction at the February 28 Executive Session, Staff is recommending award to The Ranch Reserve II project. Staff does believe there are significant advantages to the City to also award to the second project (The Ranch Reserve II) at this time. Advantages include the following:

- The developer for the project is currently developing The Ranch Reserve to the north, and if this developer were permitted to proceed with this next stage, the developer would propose to continue with the same quality provided in The Ranch Reserve. This would help provide consistency and compatibility for the area.
- The developer is receptive to working with the City so that the City may acquire a portion of the parcel long identified as a high-priority for City open space.
- The project would be below the residential density currently permitted by the City's Comprehensive Land Use Plan thereby reducing the impact on City services for the site such as water supply, water treatment, etc.
- By working with the developer on the possible land acquisition, the total number of units submitted (115) for the competition would be reduced by nearly 50%.
- The developer has a contract with the property owner who previously filed a lawsuit against the City regarding the City's Comprehensive Land Use Plan designations for the property. The lawsuit was decided in the City's favor, but it is now being appealed by the current property owner. Allowing this project to proceed would render this lawsuit against the City's Comprehensive Land Use Plan moot.

Staff Recommendation

Adopt Resolution No. 25 awarding Category B-1 Service Commitments to two new single-family detached residential projects: The Village at Harmony Park and The Ranch Reserve II.

Alternative

Another option is to award Service Commitments only to the top-scoring project (The Village at Harmony Park). This would follow the previous City Council direction to award to only one new single-family detached project in 2000. One disadvantage of not permitting The Ranch Reserve II to proceed forward is that this second project is proposed at a lower density than allowed by the City's Comprehensive Land Use Plan. This helps reduce the impact on City services such as water supply, water treatment, etc. Because the same developer who is developing The Ranch Reserve to the north would develop The Ranch Reserve II, the new development would add cohesiveness and compatibility to the area. This developer is also willing to work with the City on acquisition of a portion of the property long identified as a top-priority open space parcel. While the option to allow only the highest-scoring project limits the number of Service Commitments awarded at this time, the proposal for the second project has merit that may be foregone if not pursued at this time. In addition, the City would still have to defend the lawsuit regarding the Comprehensive Land Use Plan on this parcel.

Background Information

The Growth Management Program within the Westminster Municipal Code does not permit City Staff to review any Category B project until Service Commitments have been awarded to the project. The intent of these Service Commitment competitions is only to provide a limited number of new residential projects to proceed to the City's development review process. The City requires each applicant to submit a sketch plan as part of the competition process to help ensure developers consider the specific site before agreeing in advance to provide incentive items. This helps prevent developers from making commitments to the City that they ultimately cannot fulfill. The City does not formally review each sketch plan during the competition process. Only after a project is awarded Service Commitments, does Staff begin review of the project with the developer.

The focus of these new residential competitions is on the score sheets submitted by each applicant and the total points received by each project. In order to compete for Service Commitments in any competition, each project must meet all of the minimum requirements in the City's Residential Design Guidelines. Projects receive points in each competition by providing the "incentive" items also listed in the Guidelines. If an applicant agreed to provide an incentive item on the score sheet, that item will be required if that project is awarded Service Commitments whether or not it was shown on the sketch plan submitted for the competition. Incentive substitutions may be considered during the development review process, but the substitutions must meet or exceed the score received in the competition.

Because of the uncertainty of whether a project will be chosen in the competition, and the expense and time involved, engineering plans and studies are not required in order to enter the competitions. However, because this detailed level of review is not yet required, the Service Commitment awards do not guarantee approval of a project. A thorough review of each winning project will be necessary, and the sketch plans submitted for the competitions will most likely change prior to City approval. Staff review, Planning Commission review, and possibly City Council review, of any and all required Preliminary and Official Development Plans are required following the Service Commitment awards.

Notification letters were mailed to the two developers who submitted projects for this competition. The letters detail the final scores within the competition and the Staff recommendation for Service Commitment awards for the March 20, 2000 City Council meeting. Because City Staff is recommending award to both of the submitted projects, the developers will not give presentations on their projects at the March 20 City Council meeting.

A summary of the two proposals submitted for the 2000 Category B-1 competition is listed below:

The Village at Harmony Park

The highest-scoring single-family detached project, The Village at Harmony Park, proposes a total of 309 units to be built over a five-year period on a 110-acre site east of Zuni Street at 128th Avenue. The developer for the proposal is Development Planning Associates, and Downing, Thorpe & James, Inc. would be the consulting firm. While a list of potential builders (Continental Homes, Sanford Homes, Sheffield Homes, and Markel Homes) for the project was included with the application packet, no builder has yet been chosen. This project scored a total of 3,290 incentive points. Some of the amenities offered by this project include additional right-of-way dedication for berming and landscaping; five-foot detached walks with adjacent landscaped area along local streets; private open space and clubhouse for the residents; side or rear loaded garages on at least 20% of the models; increased landscaped area and plant quantities; etc.

The Ranch Reserve II

The other single-family detached project, The Ranch Reserve II, originally proposed 115 units to be constructed over a three-year period on a 62.5-acre site east of Federal Boulevard, north of 112th Avenue. As explained in the Summary section of this agenda memorandum, the developer revised the requested number of units and remaining acreage based on discussions with the City's Open Space Coordinator. This reduces the total number of units to 61 to be built over a two-year period (2001 and 2002). Overall net density for the project would be approximately 2.5 dwelling units per acre (du/a) which is less than the 3.5 du/a allowance within the Comprehensive Land Use Plan. The developer listed is Western Property Advisors, the consultant is Cityscape Urban Design, and no builder has been listed. The Ranch Reserve II scored a total of 2,925 points, 365 points lower than The Village at Harmony Park project. Some of the incentives offered by this project include additional right-of-way dedication for berming and landscaping; 30% or more masonry on all four sides of residences; increased landscaped area and plant quantities; landscaped islands, 30% larger plant materials; etc.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. **25**

INTRODUCED BY COUNCILLORS

SERIES OF 2000

CATEGORY B-1 (NEW SINGLE-FAMILY DETACHED RESIDENTIAL)
COMPETITION AND SERVICE COMMITMENT AWARDS

WHEREAS, the City of Westminster has adopted by Ordinance No. 2651 a Growth Management Program for the period 1990 through 2000; and

WHEREAS, within Ordinance No. 2651 there is a provision that Service Commitments for residential projects shall be awarded in Category B-1 (new single-family detached) on a competitive basis through criteria adopted periodically by resolution of the City Council and that each development shall be ranked within each standard by the degree to which it meets and exceeds the said criteria; and

WHEREAS, the City's ability to absorb and serve new single-family detached development is limited, and the City of Westminster has previously adopted Resolution No. 76, Series of 1997, specifying the various standards for new single-family detached projects based upon their relative impact on the health, safety and welfare interests of the community, and has announced to the development community procedures for weighing and ranking projects prior to receiving the competition applications; and

WHEREAS, the City of Westminster has previously allocated 30 Service Commitments for the year 2000 for use in servicing new single-family detached residential projects based on the criteria set forth in Section 11-3-1 of the Westminster Municipal Code; and

WHEREAS, two applications were received for the single-family detached competition with a total of 370 Service Commitments requested over the next five years for the total build-out of the 370 total single-family detached units proposed; and

WHEREAS, the goals of the Growth Management Program include balancing growth with the City's ability to provide water and sewer services, preserving the quality of life for the existing Westminster residents, and providing a balance of housing types; and

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

- 1. Category B-1 Service Commitment awards are hereby made to the specific projects listed below as follows:

<u>Project</u>	<u># Service Commitments per Year</u>					<u>Total</u>
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	
The Village at Harmony Park (Dry Creek Estates)	30	70	70	70	69	309
The Ranch Reserve II (112th & Federal Partnership)	<u>0</u>	<u>41</u>	<u>20</u>	<u>0</u>	<u>0</u>	<u>61</u>
	30	111	90	70	69	370

- 2. These Service Commitment awards to the projects listed above are conditional and subject to the following:

a) For each project, the applicant must complete and submit proposed development plans to the City for the required development review processes.

b) Each Service Commitment award is conditional upon City approval of each project listed above and does not guarantee City approval of any project or proposed density.

c) The City of Westminster shall not be required to approve any Preliminary Development Plan, Official Development Plan, or rezoning action necessary for development of property involved in this Category B-1 award nor shall any other binding effect be interpreted or construed to occur in the City as a part of the Category B-1 award.

d) The Growth Management Program does not permit City Staff to review any new residential development plans until Service Commitments have been awarded to the project. The City Staff during the competition process does not review the sketch plans submitted by applicants. Significant changes to the sketch plan are probable once the City's development review process begins for any project.

e) Any and all projects that do not receive City approval are not entitled to the Service Commitment awards, and the Service Commitments shall be returned to the water supply figures.

f) Service Commitment awards for the projects listed above, if approved by the City, may only be used within the project specified above.

g) These Service Commitment awards shall be subject to all of the provisions specified in the Growth Management Program within Chapter 3 of Title XI of the Westminster Municipal Code.

h) The Category B-1 Service Commitment awards shall be valid for a period of two years from the date of award specified on this Resolution (March 20, 2000) provided the applicant proceeds with the development review process and the project is approved by the City. The Service Commitment award for any project shall expire unless at least one building permit is issued for the project during that two-year period. Future year awards are effective as of January 1 of the specified year.

i) If Service Commitments are allowed to expire, or if the applicant chooses not to pursue the development, the Service Commitment award shall be returned to the water supply figures. The award recipient shall lose all entitlement to the Service Commitment award under those conditions.

j) All minimum requirements and all incentive items indicated by the applicant as specified within the competition shall be included as part of the proposed development and listed on the Official Development Plan for the project.

3. The Category B-1 Service Commitment awards shall be reviewed and updated each year. If it is shown that additional or fewer Service Commitments are needed in the year specified, the City reserves the right to make the necessary modifications. If fewer Service Commitments are needed in any given year, the unused amount in that year will be carried over in to the following year provided the Service Commitments have not expired as specified above.

Passed and adopted this 20th day of March, 2000

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Councillor's Bill No. 19 re US 36 and Tennyson Street Project

Prepared by: Richard Clark, Utilities Operations Manager
Diane Phillips, CIP Coordinator

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading amending the 2000 Capital Improvement Project Budget Appropriation in the Wastewater portion of the Utility Fund.

Summary

The wastewater portion of the Utilities Operating Fund had an unexpended balance of \$450,000 in the sewer rehabilitation line item at the end of 1999. These unexpended funds were earmarked for the rehabilitation of the residential sanitary sewer main located within Tennyson Street, between Turnpike Drive and 80th Avenue. The funds were not expended in 1999 due to the discussions and evaluation regarding combining this project with the US 36 Parallel Interceptor Project. The two projects, as originally conceived, are only 1 block apart, both involving construction or rehabilitation of sanitary sewers flowing south to 80th Avenue (see attached map). Staff is recommending combining these projects this year.

Alternatives

If this Councillor's Bill is not approved, the unexpended funds would not be used and will be retained in the Utility Fund balance. If this project is combined, the 2000 sewer rehabilitation account could be used, pushing back the rehabilitation budget work until the 2001 Budget year.

Staff Recommendation

Pass Councillor's Bill No. 19 on first reading, appropriating \$450,000 of 1999 Utility Fund Carryover CIP funds to the 2000 Budget for the US 36/Tennyson Street sanitary sewer project.

Background

Originally, the US 36 Parallel Interceptor Project was planned to follow an alignment along the Burlington Northern-Santa Fe (BNSF) railroad tracks and not go within Tennyson Street. Through meetings with Staff and consultants, it was decided that these two sanitary sewer projects be combined and installed together down Tennyson Street. S.A. Miro Inc., the engineering design consultant for the CIP project, evaluated this proposal and recommended that these projects be combined. The primary advantages for combining these projects is less disruption and inconvenience to residents and traffic, as the street would only be trenched once and lower unit costs would be realized.

Respectfully submitted,

William M. Christopher, City Manager
Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **19**

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2000 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2000 appropriation for the Wastewater portion of the Utilities Fund initially appropriated by Ordinance No. 2728 in the amount of \$8,931,144 is hereby increased by \$450,000 which, when added to the fund balance as of the City Council action on March 27, 2000 will equal \$9,381,144. The actual amount in the Wastewater portion of the Utilities 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 1999 carryover funds for the ongoing rehabilitation of the sanitary sewer main located on Tennyson Street.

Section 2. The \$450,000 increase in the Wastewater portion of the Utilities Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	\$ Increase	Final Budget
REVENUES			
Carryover 21-0090-000	\$253,856	\$450,000	\$703,856
EXPENSES			
Unauthorized 21-35-88-555-076	\$425,000	\$450,000	\$875,000

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 20th day of March 2000.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of March, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Resolution No. 26 re Proposed Prescribed Burn at Rocky Flats

Prepared by: Ron Hellbusch, Director, Public Works and Utilities
Mary Harlow, Rocky Flats Coordinator

Introduction

City Council action is requested to adopt the attached Resolution stating the City's position on the proposed prescribed burn at Rocky Flats.

Summary

The City of Westminster sent a letter to the Department of Energy and Kaiser-Hill expressing the City's concern to the proposed prescribed burn at Rocky Flats requesting that the Department of Energy take several actions to assure the community that the smoke resulting from the burn does not contain contamination. Additionally, Staff previously prepared an informational report for Council on the burn. Citizens continue to call expressing their concerns. Mayor Heil requested that Staff prepare a resolution addressing citizens concerns.

Staff Recommendation

Adopt Resolution No.26 stating the City of Westminster's position on the proposed prescribed burn at Rocky Flats.

Background Information

The City of Westminster sent a letter dated February 29, 2000, to Mr. Paul Golan, Acting Department of Energy Site Manager at the Rocky Flats Environmental Technology Site (RFETS) and Mr. Bob Card, President of Kaiser-Hill, Site contractor, raising City of Westminster concerns related to the proposed prescribed burn at RFETS. The letter noted that Westminster understands and shares DOE's concern that litter at Rocky Flats could provide fuel for a large uncontrolled prairie fire, however, several concerns and recommendations were outlined:

- Resuspension of radionuclide contamination during a fire at radionuclide contaminated sites such as Rocky Flats should be studied.
- The City has received phone calls from citizens and environmental groups expressing concern that radionuclides will become airborne during the planned burn
- Several samples of vegetation and litter in the proposed burn area should be analyzed for uptake of radionuclide contamination prior to the burn, and that a species specific analysis of vegetation uptake be performed before any other future burns are undertaken at Rocky Flats.
- Information and assurance be provided to the community that the smoke coming off the Rocky Flats site during the planned burn does not contain radionuclide contamination is money well spent and necessary.

Staff provided the Mayor and members of City Council with an informational Staff Report on March 1, 2000, on the proposed Prescribed Burn at the Rocky Flats Environmental Technology Site. During the time period that has ensued since the initial letter was sent to DOE, Council and Staff have received telephone calls from the community expressing concern over the burn.

Alternative

Let the Mayor's letter to the Department of Energy dated February 29, 2000, serve as the City's input on the proposed prescribed burn at Rocky Flats.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. 26

INTRODUCED BY COUNCILLORS

SERIES OF 2000

PROPOSED PRESCRIBED BURN AT ROCKY FLATS

WHEREAS, the United States Department of Energy (DOE) has notified the City of Westminster and other communities of their intent to perform a controlled burn, to be conducted by the United States Forest Service, on 500 acres in the Northwest (Walnut Creek) and Southwest (Smart Ditch area) of the buffer zone at the Rocky Flats Environmental Technology Site sometime between March 15 and April 15, 2000; and

WHEREAS; the purpose of the burn is to reduce the fuel load on the ground that could contribute significantly to an uncontrolled prairie fire, reduce noxious weeds so that herbicides are more effective and to enhance the natural vegetation at the Site; and

WHEREAS, the City of Westminster and its residents and our drinking water Standley Lake are directly downwind from Rocky Flats; and

WHEREAS, residents of the City have expressed concerns to Westminster elected officials related to the risks of contaminants and ash becoming airborne in the smoke plume coming from the burn and being deposited on our community.

NOW THEREFORE, be it resolved that;

- The Department of Energy is urged to conduct a formal public meeting prior to the burn in order to address the concerns raised by residents of Westminster and other communities.
- The Department of Energy is urged to obtain the burn plan from the U.S. Forest Service and provide a copy of this important plan to the City as well as concerned residents and others prior to the public meeting.
- The Department of Energy prepare an emergency preparedness plan in the event that the winds shift during the burn. Such a plan should also be provided to the State Office of Emergency Preparedness, City of Westminster and the community prior to the public meeting.
- Information related to soil sampling analysis results, location and ability of the air monitoring system at Rocky Flats to capture small particles should be made available to the community at the public meeting.
- Perform an uptake analysis on vegetation and ground litter in the areas to be burned would do much to provide needed assurance to the community that the smoke coming off the Rocky Flats site during the burn does not contain contamination and radionuclide particles.
- Burn a small area and analyze the air monitors and the ash from that burn and make the information available to the public to assure the City of Westminster and its residents that the controlled burn can be conducted safely with no risk to human health and environment.

DOE must make every effort to provide opportunities to ensure confidence by providing informational public meetings at least 60 days beforehand when considering controversial issues such as controlled burn at Rocky Flats. Keeping the public informed, with understanding and support, and allowing them to participate in cleanup decisions is necessary if DOE is to achieve a "safe," timely cleanup and closure of Rocky Flats with public understanding and support.

Passed and adopted this 20th day of March, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000

Subject: Councillor's Bill No. 20 re Appropriation of 1999 Carryover Funds

Prepared By: Barbara Gadecki, Assistant to the City Manager
Cherie Sanchez, Accountant

Introduction

City Council action is requested to pass the attached Councillor's Bill on first reading appropriating 1999 carryover, as described, into the General, Reserve, Fleet, General Capital Improvement, and Utility Funds. This is an action City Council takes annually once the audit is substantially completed for the prior year.

Summary

At this time, certain items and services that were budgeted in 1999 but which were not received or provided until 2000 are being requested for appropriation. This totaled \$1,268,231.

Staff Recommendation

Pass Councillor's Bill No. 20 on first reading appropriating carryover funds into the 2000 budgets of the General, Fleet, General Capital Improvement, and Utility Funds.

Background Information

The City Council once a year reviews and appropriates carryover funds from the previous year's budget into the current year budget for the following:

- 1) those items and services included in the previous year's budget but not received or provided until the current year's budget,
- 2) budget incentive funds into various departments' budgets based on savings from the prior year, and
- 3) existing or new projects for which funds are needed and carryover funds are available.

At this time, City Council is requested to appropriate carryover funds for those certain items and services which were budgeted in 1999 but which were not received or provided until 2000 are being requested for appropriation. This totaled \$1,268,231.

All carryover funds are not being recommended to be appropriated at this time. Incentive funds consisting of savings by departments will be brought back to City Council when the annual independent audit is complete. Department incentive funds are calculated by an approved formula previously adopted by Council Resolution whereby each department is allowed to retain a certain portion of budget savings. The formula for determining the amount of Incentive Budget Funds is departments receive 100% of the first \$5,000 in savings and 25% of any savings above \$5,000. This amount is limited to the amount of excess carryover. Additionally, Staff is reviewing possible projects to determine the best use of any additional carryover funds that may be available. Appropriation for the balance of carryover funds will be brought back to City Council in conjunction with the incentive funds.

REAPPROPRIATION OF ITEMS APPROVED IN 1999

Certain items ordered in 1999 were not received until 2000. In addition, certain services, authorized in 1999, were not fully performed by the end of the year. Under standard accounting procedures, these remaining funds must be reappropriated in the new year to complete the desired purchase or service. Staff recommends the items described below be reappropriated in 2000.

GENERAL FUND:

City Manager's Office – Two items totaling \$18,000 as follows:

1. \$10,000 for paper supplies and printing for the revised information guide that was not completed in 1999.
2. \$8,000 for computer upgrade purchases not completed prior to year end.

Central Charges – Two items totaling \$55,839 as follows:

1. \$40,304 for new chairs and Multipurpose Room furniture purchases not completed prior to year end.
2. \$15,535 for the balance of payment for the Financial Management System (FMS) selection consultants.

General Services – Eight items totaling \$71,525 as follows:

1. \$5,450 for installation of the Jury Plus System software upgrade in the Municipal Court that incurred delays to a backlog at the company.
2. \$4,000 for the implementation of Crystal Report software that incurred delays due to caseload demands in the Municipal Court.
3. \$2,000 for customization of the Human Resources Spectrum software initiated in 1999 as a temporary patch until the new Financial Management System is implemented in Human Resources.
4. \$5,200 for Facilitex furniture for General Services in City Hall ordered in 1999, but not delivered until January 2000.
5. \$25,600 for computer replacements for General Services ordered in December 1999, but not delivered until January 2000.
6. \$14,750 for carpet replacement in the Municipal Court ordered, but did not arrive in time for installation in 1999.
7. \$7,000 for installation of security door at the Municipal Court initiated, but not completed in 1999.
8. \$7,525 for the installation of a burglar alarm system at City Hall initiated, but not completed in 1999.

Finance – Four items totaling \$96,500 as follows:

1. \$40,000 for DMG consulting for the Cost Allocation project initiated in 1999, but completed until March 2000.
2. \$21,000 for Facilitex furniture ordered in 1999, but not delivered until January 2000.

Appropriation of 1999 Carryover Funds

Page 3

3. \$5,500 for temporary professional services contract to perform routine follow up on technical requirements of recent debt issues (e.g., Westminster Boulevard COP, etc.) initiated in 1999, but not completed.
4. \$30,000 for the purchase of a computerized cash receipting system to be integrated into the City's new Financial Management System (initiated in 1999 but desired compatible equipment with the new FMS); Staff recommends re-appropriating these funds from the operating budget and placing these funds in the Financial Management System project budget in the General Capital Improvement Fund.

Community Development – Six items totaling \$67,179 as follows:

1. \$9,000 for Focus Group Survey and Aspen Care site design services for South Westminster initiated in 1999, but completed in 2000.
2. \$21,500 for the Facelift Program in South Westminster that has two projects initiated in 1999, but will not be complete until 2000.
3. \$2,234 for a laptop computer ordered in November 1999, but not delivered until January 2000.
4. \$4,445 for Facilitek furniture ordered in 1999, but not delivered until January 2000.
5. \$10,000 for digital ortho photos initiated in 1999, but not completed due to unsuitable weather conditions for the GIS system.
6. \$20,000 for the traffic safety study at 92nd Avenue and Sheridan Boulevard funded via a grant from State Farm Insurance initiated in 1999, but will not be completed until April 2000.

Police Department – Three items totaling \$56,132 as follows:

1. \$42,432 for two Ford Crown Victoria patrol sedans were approved in October 1999 as part of the enhanced motorcycle traffic enforcement program, but did not receive State Service Agreement (state bid) in time to complete the purchase in 1999; City Council approved the purchase February 14.
2. \$7,200 for two replacement laptop computers that were not Y2K compliant, but not delivered prior to year end.
3. \$6,500 for lease payments for undercover vehicles initiated in 1999, but covering 1999/2000.

Fire Department – Four items totaling \$159,303 as follows:

1. \$80,000 for the Water Rescue Equipment vehicle replacement; funds were budgeted in 1999, but the vehicle will not be delivered until 2000.
2. \$43,050 for the Mobile Data Terminals/Field Reporting System initiated in 1998, but expanded to accommodate laptop automation; the project was additionally delayed to coincide with the CAD/RMS system upgrade or replacement project with the Police Department to implement an integrated system; Staff recommends re-appropriating these funds from the operating budget and placing them in the CAD/RMS project budget in the General Capital Improvement Fund.
3. \$14,523 for the department pager program implemented in 1999 to assist in emergency call-out for off duty personnel.
4. \$21,730 for the replacement Deputy Fire Marshall vehicle delivered in December of 1999, but the invoice was not paid prior to closing out year 1999 financials records.

Appropriation of 1999 Carryover Funds

Page 4

Parks, Recreation & Libraries – Six items totaling \$96,525 as follows:

1. \$19,000 for Facilitek furniture ordered in 1999, but not delivered until January 2000 (for Administration, Recreation Facilities, and Design/Development Divisions).
2. \$37,625 for two trucks ordered in April 1999, but delivery has been delayed due to the high demand and limited supply for these trucks in Park Services.
3. \$10,000 for lease/purchase payments on the new 33-passenger bus ordered in June 1999, but not delivered prior to year end.
4. \$19,000 for YCPI/Westminster Rotary grant monies for the After School Program received in at the end of 1999 but not appropriated until the January 24, 2000, City Council meeting in the year end housekeeping supplemental appropriation.
5. \$5,755 for fixture repairs at the Promenade play structure that was initiated in 1999 but not completed prior to year end.
6. \$5,145 sponsorship funds raised for the 1999 Westminster Faire that was cancelled due to rain; the sponsors requested the City carry the funds forward for the 2000 event.

Public Works & Utilities – One item totaling \$84,637 for the 1999 Navistar International Single Axle Dump Truck ordered in May 1999, but incurred delays due to the unavailability of a transmission; anticipate delivery in March 2000.

WATER FUND:

Public Works & Utilities – Five items totaling \$346,731 as follows:

1. \$208,170 for the Blackhawk/Central City settlement on a water rights lawsuit; these funds were budgeted in 1999 for the lawsuit, but as a result of the settlement stipulation, these funds are requested to be re-appropriated towards the settlement (anticipated to cost approximately \$225,000).
2. \$81,378 for a Freightliner utility truck and associated accessories that was ordered in 1998, but incurred delays of 1 ½ years due to the inability to get a high-demand transmission; delivery is anticipated in July 2000.
3. \$10,600 for the Semper Water Treatment Facility Management Audit initiated in 1999, but not complete; this audit is examining best operations' (staffing and equipment) practices to implement within the water treatment facility. (This study was funded half in the Water Fund and the other half in the Wastewater Fund.)
4. \$4,683 for the tap fee study underway for the analysis and development of alternative approaches to existing method of charging industrial, commercial and irrigation tap fees, updates to the water and wastewater rate model and development of reclaimed water charges and tap fees.
5. \$41,900 for maintenance (roadway, drainage, and rip rap) at the Jim Baker Reservoir initiated in 1999, but delayed due to roadway and facilities construction by Adams County in the area.

Information Technology – One item totaling \$17,260 for Facilitek furniture ordered in 1999, but not delivered until January 2000.

WASTEWATER FUND:

Public Works & Utilities – Six items totaling \$193,600 as follows:

1. \$10,600 for the Semper Water Treatment Facility Management Audit initiated in 1999, but not complete; this audit is examining best operations' (staffing and equipment) practices to implement within the water treatment facility. (This study was funded half in the Water Fund and the other half in the Wastewater Fund.)
2. \$10,000 for roof replacement and maintenance for Big Dry Creek facility buildings; this item was bid in late Spring 1999, but no contractor would commit to the project during the heavy summer construction months and thus construction was not initiated prior to year end (the current roof was installed in 1977).
3. \$22,000 for the Big Dry Creek (BDC) Reclamation Facility alarm system initiated in October 1999, but delayed due to Y2K projects and BDC computer system problems.
4. \$14,000 for repairs to the Big Dry Creek (BDC) Reclamation Facility computer system initiated in 1999, but not completed due to Y2K and other construction projects.
5. \$12,000 for updating the Risk Management Plan for the Big Dry Creek (BDC) facility; this update is required by the Environmental Protection Agency (EPA) because of the chlorine stored at the BDC facility and the recent upgrades and modifications to the facility storage and feed system as part of the new Reclaimed Water Treatment facility; the project was delayed due to the construction project and Y2K projects.
6. \$125,000 for the purchase of two 6,000-gallon biosolids tanker trailers approved by City Council in November, but incurred delays and is anticipated to be delivered in April 2000.

FLEET FUND – One item totaling \$5,000 for a Mastertech hand-held engine scanner ordered in December, but not delivered prior to year end.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **20**

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE INCREASING THE 2000 BUDGETS OF THE GENERAL, UTILITY, FLEET, AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 2000 appropriation for the General Fund initially appropriated by Ordinance No. 2728 in the amount of \$61,747,852 is hereby increased by \$705,640 which, when added to the fund balance as of the City Council action on March 27, 2000 will equal \$62,531,684. 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 1999 Carryover Funds.

Section 2. The \$705,640 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
REVENUES			
Carryover			
10-0090-000	\$ 1,133,001	\$ 705,640	\$ 1,838,641
<i>Total Change to Revenues</i>		<u>\$ 705,640</u>	

EXPENSES

Printing			
10-05-05-242-387	\$ 39,480	\$ 7,000	\$ 46,480
Supplies			
10-05-05-321-387	\$ 12,000	\$ 3,000	\$ 15,000
Computer Software/Hardware			
10-05-05-405-000	\$ 7,420	\$ 8,000	\$ 15,420
Office Equipment			
10-10-90-404-000	\$ 200,000	\$ 40,304	\$ 240,304
Professional Services			
10-10-90-209-000	\$ 217,141	\$ 15,535	\$ 232,676
Computer Software/Hardware			
10-12-13-405-000	\$ 18,000	\$ 5,450	\$ 23,450

Professional Services				
10-12-13-209-000	\$	197,800	\$	26,275
			\$	224,075
Contractual Services				
10-12-06-299-000	\$	14,875	\$	2,000
			\$	16,875
Office Equipment				
10-12-05-404-000	\$	-	\$	5,200
			\$	5,200
Computer Software/Hardware				
10-12-05-405-000	\$	9,150	\$	13,600
			\$	22,750
Computer Software/Hardware				
10-12-06-405-000	\$	13,200	\$	12,000
			\$	25,200
Maintenance/Repair Equipment				
10-12-13-279-000	\$	12,900	\$	7,000
			\$	19,900
Professional Services				
10-15-05-209-000	\$	-	\$	45,500
			\$	45,500
Office Equipment				
10-15-05-404-000	\$	200	\$	21,000
			\$	21,200
Professional Services				
10-30-05-209-000	\$	-	\$	9,000
			\$	9,000
Maintenance/Repair Equipment				
10-30-34-297-000	\$	41,500	\$	21,500
			\$	63,000
Computer Software/Hardware				
10-30-36-405-000	\$	8,800	\$	2,234
			\$	11,034
Office Equipment				
10-30-36-404-000	\$	-	\$	4,445
			\$	4,445
Professional Services				
10-30-38-209-000	\$	70,000	\$	30,000
			\$	100,000
Vehicles				
10-20-50-401-000	\$	415,000	\$	42,432
			\$	457,432
Other Equipment				
10-20-30-406-000	\$	12,700	\$	7,200
			\$	19,900
Lease Payments to Others				
10-20-30-293-000	\$	40,500	\$	6,500
			\$	47,000
Other Equipment				
10-25-26-401-000	\$	59,616	\$	80,000
			\$	139,616
Telephone				
10-25-26-282-000	\$	29,100	\$	14,523
			\$	43,623
Vehicles				
10-25-26-401-547	\$	50,760	\$	21,730
			\$	72,490
Other Equipment				
10-50-72-406-860	\$	18,500	\$	14,000
			\$	32,500
Other Equipment				
10-50-05-406-000	\$	-	\$	2,500
			\$	2,500
Other Equipment				
10-50-69-406-000	\$	22,700	\$	2,500
			\$	25,200
Vehicles				
10-50-55-401-000	\$	102,200	\$	37,625
			\$	139,825
Lease Payments to Others				
10-50-76-293-000	\$	89,000	\$	10,000
			\$	99,000
Recreation Supplies				
10-50-76-312-529	\$	62,600	\$	19,000
			\$	81,600
Other Equipment				
10-50-55-406-106	\$	-	\$	5,755
			\$	5,755
Contractual Services				
10-50-76-299-564	\$	25,000	\$	5,145
			\$	30,145
Vehicles				
10-35-45-401-000	\$	13,700	\$	84,637
			\$	98,337

Transfers to GCIF 10-10-95-990-975	\$ 1,133,000	\$ 73,050	\$ 1,206,050
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<i>Total Change to Expenditures</i>	<u>\$ 705,640</u>	
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Section 3. The 2000 appropriation for the Water portion of the Utility Fund initially appropriated by Ordinance No. 2728 in the amount of \$25,023,856 is hereby increased by \$363,991 which, when added to the fund balance as of the City Council action on March 27, 2000 will equal \$25,387,847. The actual amount in the Water portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of 1999 Carryover Funds.

Section 4. The \$363,991 increase in the Water portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
REVENUES			
Carryover 20-0090-000	\$ (2,573,856)	\$ 363,991	\$ (2,209,865)
<i>Total Change to Revenues</i>	<u>\$ 363,991</u>		

EXPENSES

Professional Services 20-35-48-209-000	\$ 412,300	\$ 212,853	\$ 625,153
Vehicles 20-35-50-401-000	\$ 281,300	\$ 81,378	\$ 362,678
Professional Services 20-35-49-209-000	\$ 25,000	\$ 10,600	\$ 35,600
Maintenance/Repair Infrastructure 20-35-48-267-000	\$ 132,589	\$ 41,900	\$ 174,489
Office Equipment 20-60-23-404-000	\$ 16,000	\$ 17,260	\$ 33,260
<i>Total Change to Expenditures</i>	<u>\$ 363,991</u>		

Section 5. The 2000 appropriation for the Wastewater portion of the Utility Fund initially appropriated by Ordinance No. 2728 in the amount of \$8,931,144 is hereby increased by \$193,600 which, when added to the fund balance as of the City Council action on March 27, 2000 will equal \$9,124,744. The actual amount in the Wastewater portion of the Utility Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of 1999 Carryover Funds.

Section 6. The \$193,600 increase in the Wastewater portion of the Utility Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
REVENUES			
Carryover 21-0090-000	\$ 253,856	\$ 193,600	\$ 447,456

<i>Total Change to Revenues</i>	<u>\$ 193,600</u>
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EXPENSES

Professional Services				
21-35-49-209-000	\$ 36,000	\$ 44,600	\$ 80,600	
Maintenance/Repair Infrastructure				
21-35-49-267-000	\$ 115,500	\$ 24,000	\$ 139,500	
Other Equipment				
21-35-50-406-000	\$ 4,300	\$ 125,000	\$ 129,300	

<i>Total Change to Expenditures</i>	<u>\$ 193,600</u>
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Section 7. The 2000 appropriation for the Fleet Fund initially appropriated by Ordinance No. 2728 in the amount of \$1,112,516 is hereby increased by \$5,000 which, when added to the fund balance as of the City Council action on March 27, 2000 will equal \$1,117,516. The actual amount in the Fleet 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 1999 Carryover Funds.

Section 8. The \$5,000 increase in the Fleet Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
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REVENUES

Carryover				
30-0090-000	\$ -	\$ 5,000	\$ 5,000	

<i>Total Change to Revenues</i>	<u>\$ 5,000</u>
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EXPENSES

Other Equipment				
30-12-46-406-000	\$ 25,000	\$ 5,000	\$ 30,000	

<i>Total Change to Expenditures</i>	<u>\$ 5,000</u>
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Section 9. The 2000 appropriation for the General Capital Improvement Fund initially appropriated by Ordinance No. 2728 in the amount of \$12,496,000 is hereby increased by \$73,050 which, when added to the fund balance as of the City Council action on March 27, 2000 will equal \$15,007,901. 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 an inter-fund transfer from the General Fund of 1999 Carryover revenues.

Section 10. The \$73,050 increase in the General Capital Improvement Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

<u>Description</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Final Budget</u>
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REVENUES

Transfers From General Fund				
75-9999-360	\$ 1,133,000	\$ 73,050	\$ 1,206,050	

Total Change to Revenues

\$ 73,050

EXPENSES

Unauthorized

75-20-88-555-212 \$ 485,000 \$ 43,050 \$ 528,050

Unauthorized

75-15-88-555-010 \$ - \$ 30,000 \$ 30,000

Total Change to Expenditures

\$ 73,050

Section 11. – 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 12. This ordinance shall take effect upon its passage after the second reading.

Section 13. 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 20th day of March 2000.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of ____, 2000.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 20, 2000
Subject: Councillor's Bill No. 21 re Transportation Commission Powers and Duties changes
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested to pass on first reading the attached Councillor's Bill regarding changes to the powers and duties of the Transportation Commission.

Summary

City Council recently discussed possible revisions to the "Powers and Duties" section of the City Code relating to the Transportation Commission in an effort to expand the Transportation Commission's activities and focus to become more involved in the many regional surface transportation projects that are currently in progress. Also, the revised powers and duties reflect the evolution of regional transportation projects and needs from the time the Commission was formed 20 years ago. Attached is a copy of the Councillor's Bill making these amendments.

Staff Recommendation

Pass Councillor's Bill No. 21 on first reading amending the powers and duties for the Transportation Commission.

Background Information

City Council met with the Transportation Commission members on Tuesday, February 22nd to discuss the proposed changes to the powers and duties of the Transportation Commission with the members. Input was provided and Staff was directed to prepare the revised language for formal consideration.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. **21**

SERIES OF 2000

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AMENDING TITLE II, CHAPTER 7 PERTAINING TO THE
TRANSPORTATION COMMISSION POWERS AND DUTIES

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title II, Chapter 7 of the Westminster Municipal Code is hereby amended as follows:

2-7-2: POWERS AND DUTIES: ~~The Commission shall obtain input from citizens on mass transportation issues; review proposals from the Regional Transportation District; provide advice to the City Council on mass transportation and perform other duties related to the Regional Transportation District that may be assigned from time to time by the Council.~~ THE COMMISSION SHALL REVIEW PROPOSALS FROM THE REGIONAL TRANSPORTATION DISTRICT AND OBTAIN INPUT FROM CITIZENS ON MASS TRANSIT ISSUES; ACTIVELY PARTICIPATE IN REGIONAL TRANSPORTATION STUDY GROUPS SUCH AS MAJOR INVESTMENT STUDIES AND FEASIBILITY STUDIES TO VOICE THE CONCERNS OF WESTMINSTER CITIZENS AND TO PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL ON THOSE POSITIONS THAT ARE FAVORABLE TO WESTMINSTER RESIDENTS; PROVIDE ADVICE TO THE CITY COUNCIL ON TRANSPORTATION ISSUES AND PERFORM OTHER DUTIES RELATED TO TRANSPORTATION THAT MAY BE ASSIGNED FROM TIME TO TIME BY THE COUNCIL.

Section 2. – 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 3. This ordinance shall take effect upon its passage after the second reading.

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED
PUBLISHED this 20th day of March 2000.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this
____ day of March, 2000.

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of Proceedings of the regular City Council meeting held Monday, March 20, 2000.

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Atchison, Hicks, Merkel, Moss and Smith. Absent none.

The minutes of the meetings of February 28 and March 6, 2000 were approved with no additions or corrections.

Council recognized the youth selected for the Metropolitan Mayors and Commissioners Youth Award, presented a proclamation to Blair Wilson in recognition of his achievement of becoming Colorado's all time basketball scoring leader and recognized former Board and Commission members in recognition of time dedicated to the City.

Council reappointed Bob June, Dottie Urban, Pat Wales, Jara Raphaelson and Doug Young as regular members to the Transportation Commission.

At 7:42 P.M. a public hearing was held on the appeal of the Planning Commission's approval of the ODP for Westcliff Filing No. 6 PUD.

Council approved the following: Right-of-Way mowing contract Agreement; Customer Service Concrete Replacement Program bids; Westminster T-Ball Complex Construction contract; 2000 Wastewater Collection System Maintenance contract; Transfer of Capital Improvement Project Funds; Expenditure for Westminster Boulevard Extension fill material; Westcliff Filing No. 6 ODP; Special Legal Counsel for ERP Software and implementation contracts; Colorado Power & Water Authority Financing Bond Counsel Service Agreement; and Purchase of Open Space, Park and possible school site property.

The following Councillor's Bills were introduced and passed on first reading:

A BILL FOR AN ORDINANCE INCREASING THE 2000 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS. Purpose: Funding for the US 36/Tennyson Street Sewer Project.

A BILL FOR AN ORDINANCE INCREASING THE 2000 BUDGETS OF THE GENERAL, UTILITY, FLEET, AND GENERAL CAPITAL IMPROVEMENT FUNDS AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS. Appropriate 1999 carryover funds.

A BILL FOR AN ORDINANCE AMENDING TITLE II, CHAPTER 7 OF THE WESTMINSTER MUNICIPAL CODE PERTAINING TO THE TRANSPORTATION COMMISSION POWERS AND DUTIES. Purpose: Expand the commission's activities and focus.

The following Councillor's Bills were passed and adopted on second reading:

A BILL FOR AN ORDINANCE AMENDING PERSONNEL POLICIES AND RULES.

A BILL FOR AN ORDINANCE APPROVING A CONCESSION AGREEMENT BETWEEN THE CITY, HYLAND HILLS PARK AND RECREATION DISTRICT AND AT&T WIRELESS SERVICES OF COLORADO, INC. FOR THE LEASE OF A PORTION OF THE ICE CENTRE AT THE WESTMINSTER PROMENADE FOR A COMMUNICATION FACILITY.

A BILL FOR AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 2000 BUDGET OF THE GENERAL CAPITAL IMPROVEMENT FUND.

A BILL FOR AN ORDINANCE INCREASING THE 2000 BUDGETS OF THE GENERAL FUND AND GENERAL CAPITAL IMPROVEMENT FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 2000 ESTIMATED REVENUES IN THESE FUNDS.

The following Resolutions were adopted:

Resolution No. 14 – Transportation Commission Re-Appointments/Appointments.

Resolution No. 23 – Fritzier Property Annexation Petition.

Resolution No. 24 – NBC Metropolitan District Service Plan.

Resolution No. 25 – Category B-1 Service Commitment Awards.

Resolution No. 26 – City Position on Proposed Prescribed Burn at Rocky Flats.

At 11:00 P.M. the meeting was adjourned.

By order of the Westminster City Council

Michele Kelley, CMC, City Clerk

Published in the Westminster Window March 30, 2000.