



WESTMINSTER
COLORADO
AGENDA

MARCH 29, 1999
7:00 P.M.

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. Swearing in of New Councillor**
- 4. Consideration of Minutes of Preceding Meetings**
- 5. Presentations**
 - A. Proclamation re Don Hauptmann Day recognizing 39 years of police service
 - B. Proclamation re Arbor Day/Earth Day/Tree City USA Activities for April 16
- 6. Citizen Communication (5 minutes or Less in Length)**
- 7. Report of City Officials**
 - A. City Manager's Report
- 8. 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.

- 9. Consent Agenda**
 - A. Two Park Services Division Pickup Trucks from Burt Chevrolet for \$37,622.12
 - B. Little Dry Creek Phase C – Award of Bid for channel improvements to Left Hand Excavating for \$510,166.49
 - C. Councillor's Bill No. 9 re Amendment to Comprehensive Land Use Plan to include Weatherstone PDP a 90-acre residential project located at the southeast corner of Sheridan Boulevard and 118th Place (Smith-Dixion).
 - D. Councillor's Bill No. 10 re Appropriation of Supplemental Funds for Y2K Computer Aided Dispatch System Upgrade (Allen-Dixion)
- 10. Appointments and Resignations**
 - A. Metro Wastewater Reclamation District Board of Directors Reappointment of Allen Jones

11. Public Hearings and Other New Business

- A. TABLED - Intergovernmental Agreement with City of Arvada addressing issues of Northwest Parkway, cleanup of Rocky Flats, annexation boundaries, revenue sharing and Standley Lake Regional Park
- B. Resolution No. 17 awarding Category B-1 Service Commitments to Westmere and Plaza II projects 30 Service Commitments each
- C. Resolution No. 18 awarding Category B-2 Service Commitments to Ranch Creek Villas project 21 Service Commitments for 1999
- D. Resolution No. 19 awarding Category B-3 Service Commitments to The Park at Wexford project 75 Service Commitments for 1999
- E. Resolution No. 20 re Endorsement of Recommendation of North Metro I-25 Interchange Study designating 136th Avenue as the top priority site for new interchange
- F. Resolution No. 21 re Martin Property Annexation, accepting annexation petition and setting date of May 10, 1999 for annexation public hearing
- G. Intergovernmental Agreement with Hyland Hills Parks and Recreation District for reconstructing and landscaping of the parking lot at the Community Senior Center
- H. Councillor's Bill No. 11 re Supplemental Appropriation for 1999 Ice Centre Lease Payments appropriating revenues received from Ice Center and Ice Arena
- I. Councillor's Bill No. 12 re Standley Lake Protection Project supplemental appropriation of DOE grant funds
- J. Promenade East Amended Design Contract and Award of Art Contract with DHM Design Corp for \$672,250 and contract with Dillon Works for design and fabrication of bronze horses for \$130,000
- K. Resolution No. 22 re Attrition Hiring Policy for Police Department to allow additional police officers and dispatchers to be hired

12. Old Business and Passage of Ordinances on Second Reading

None

13. Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business

- A. Spiritual Assembly of the Bahai's of Westminster – 10 Minute Presentation
- B. Financial Report for February, 1999
- C. City Council
- D. Request for Executive Session

14. Adjournment

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, MARCH 29, 1999 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 Merkel and Councillors Allen, Atchison, Dixon and Smith. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent none.

SWEARING IN OF NEW COUNCILLOR:

Butch Hicks, the newly selected City Councillor, was sworn into office by Judge Paul Basso.

At 7:10 P.M. the Mayor called a recess. Council reconvened at 7:15 P.M.

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Atchison to accept the minutes of the meeting of March 15, and the Special meetings of March 22, March 23 and March 25, 1999 with no additions or corrections. Councillor Hicks requested to abstain as he was not a member of Council at the meetings. The motion carried with 6 eye votes and Councillor Hicks abstaining.

PRESENTATIONS:

Mayor Heil presented a proclamation to retired Police Captain Don Hauptmann proclaiming March 29, 1999 as "Don Hauptmann Day" in the City.

Mayor Heil presented a proclamation to City Forester Keith Wood proclaiming April 16 as Arbor Day in the City, and accepted the Tree City USA Award and special Growth Award as presented by Ralph Campbell from the Colorado State Forest Service.

CITY COUNCIL COMMENTS:

Mayor Heil invited everyone to the Friends of the Library book sale on April 17 at the College Hill Library. Councillor Allen congratulated Butch Hicks and welcomed him to the Table, Mayor Pro Tem Merkel, Councillor Sam Dixon, Mayor Heil and Councillor Smith also welcomed him. Mayor Pro Tem Merkel reported on the DRCOG dinner held Wednesday evening, and the retirement of Bob Farley, Executive Director of DRCOG and the appointment of Bill Vidal to this DRCOG position. Councillor Smith commented on the Easter Egg hunt that will be held this Saturday.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Purchase of Two Park Service Division Pickup Trucks – Award the bid for two pickup trucks to the low bidder, Burt Chevrolet, Inc in the amount of \$37,622.12 and charge the expense to the appropriate 1999 Parks, Recreation and Libraries budget account; Bid Award for Little Dry Creek Phase C – Award the bid for the Little Dry Creek, Phase C channel improvements project to Left Hand Excavating; authorize the City Manager to execute a construction contract with this contractor in the amount of \$510,166.49; authorize a construction contingency in the amount of \$76,525; and charge the expenses to the appropriate account in the General Capital Improvement Project Fund; Councillor's Bill No. 9 re Comprehensive Land Use Plan Amendment; and Councillor's Bill No. 10 re Appropriation for Y2K Computer Aided Dispatch System Upgrade.

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

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

APPOINTMENTS AND RESIGNATIONS:

A motion was made by Merkel and seconded by Allen to reappoint Allen Jones to the Metro Wastewater Reclamation District's Board of Directors with the term of office to be July 1, 1999 through June 30, 2001. The motion carried unanimously.

RESOLUTIONS AWARDED CATEGORY B-1, B-2 AND B-3 SERVICE COMMITMENT AWARDS:

A motion was made by Atchison and seconded by Allen to adopt Resolution No. 17 awarding Category B-1 Service Commitments to two new Single Family Detached residential projects; Adopt Resolution No. 18 awarding Category B-2 Service Commitments to one new Single Family Attached residential project; and Adopt Resolution No. 19 awarding Category B-3 Service Commitments to one new Multi Family residential project. Gene Osborne of the Equinox Group and Bob Loup of Loup Development Company addressed Council. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 20 – ENDORSING NORTH METRO I-25 INTERCHANGE STUDY:

A motion was made by Merkel and seconded by Allen to adopt Resolution No. 20 endorsing the recommendations of the North Metro I-25 Interchange Study. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 21 – MARTIN PROPERTY ANNEXATION PETITION:

A motion was made by Allen and seconded by Merkel to adopt Resolution No. 21 accepting the annexation petition submitted by the Asbury Corporation and make the findings required by State Statute on the sufficiency of the petition and sets the date of May 10, 1999 for the annexation hearing. Upon roll call vote, the motion carried unanimously.

IGA FOR SENIOR CENTER PARKING LOT RENOVATIONS AND LANDSCAPING:

A motion was made by Smith and seconded by Dixon to authorize the Mayor to sign an Intergovernmental Agreement between the City of Westminster and Hyland Hills Parks and Recreation District for the purpose of reconstructing and landscaping the parking lot at the Community Senior Center. The motion carried unanimously.

COUNCILLOR'S BILL NO. 11 – 1999 ICE CENTRE LEASE PAYMENTS APPROPRIATION:

A motion was made by Atchison and seconded by Merkel to pass Councillor's Bill No. 11 on first reading appropriating monies for the Ice Centre lease payments for June 15 and December 15, 1999. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 12 – STANDLEY LAKE PROTECTION PROJECT APPROPRIATION:

A motion was made by Dixon and seconded by Atchison to pass Councillor's Bill No. 12 on first reading providing for a supplemental appropriation of up to \$213,491.15 of Department of Energy grant funds into the appropriate Standley Lake Protection Project Capital Improvement accounts. Upon roll call vote, the motion carried unanimously.

PROMENADE EAST AMENDED DESIGN CONTRACT AND ART CONTRACT:

A motion was made by Smith and seconded by Atchison to authorize the City Manager to sign an Amended Design Services Contract with DHM Design Corporation in an amount not to exceed \$672,250 based on this action being in the best interest of the City; authorize the City Manager to execute a contract with Dillon Works in an amount not to exceed \$130,000 for the design and fabrication of three bronze horses; and charge these expenses to the appropriate project account in the General Capital Improvement Fund. The motion carried unanimously.

RESOLUTION NO. 22 - ATTRITION HIRING POLICY FOR POLICE DEPARTMENT:

A motion was made by Hicks and seconded by Dixon to adopt Resolution No. 22 approving an attrition hiring policy whereby the Police Department is able to hire a certain number of officers or dispatchers over the approved staffing level given a thorough analysis of available finances and projected vacancies each year. This policy would be subject to review and approval by the City Manager's Office on an annual basis prior to implementation. Upon roll call vote, the motion carried unanimously.

CITIZEN COMMUNICATION:

Juli Redson-Smith, Corresponding Secretary for the Spiritual Assembly of the Bahai's of Westminster, addressed Council on the equality of men and women, a fundamental teaching of the Bahai Faith.

MISCELLANEOUS BUSINESS:

Council reviewed the Financial Report for February, 1999.

ADJOURNMENT:

The meeting was adjourned at 7:55 P.M.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Proclamation Re: "Don Hauptmann Day"
Prepared by: Dan Montgomery, Chief of Police

Introduction

City Council action is requested to proclaim March 29, 1999 as "Don Hauptmann Day" in the City of Westminster.

Summary

Don Hauptmann was hired as a City of Westminster Police Officer on October 27, 1959. He rose through the ranks to the position of Police Captain, and after serving the citizens of Westminster for 39 years and 82 days, he retired on January 17, 1999. The purpose of this City Council Action is to recognize Captain Hauptmann's commitment and dedication to the citizens of Westminster for nearly 40 years.

Staff Recommendation

Proclaim March 29, 1999 as "Don Hauptmann Day" in the City of Westminster in recognition of his 39 years of police service.

Background Information

Don Hauptmann graduated from Westminster High School in 1957, held a variety of full-time and part-time jobs, and after graduating from the Denver Civil Defense and Auxiliary Police School in 1958, he was hired as a City of Westminster Police Officer by Earl Towne. At that point in time, Earl Towne was the Acting Chief of Police in Guy Van Cleave's absence. When Don's initial probation period ended in 1960, Chief Towne commented in his evaluation, "Donald will make this department a fine officer, and he deserves his raise."

Chief Towne's comments were indeed prophetic because Don went on in his career to rise through the ranks to the position of Police Captain. He was promoted to Sergeant in 1961, graduated from the FBI National Academy in 1972, promoted to Lieutenant in 1974, and promoted to Captain in 1978. Don retired in 1999 after serving the City for over 39 years. He will be remembered for his commitment to the ideals of professional policing, his sense of humor, strong desire to provide effective customer service, and his willingness to contribute his time and energies to the betterment of the Westminster community.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Proclamation

WHEREAS, Don Hauptmann was hired as a City of Westminster Police Officer on October 27, 1959 by former Chief of Police Earle Towne, and;

WHEREAS, Don Hauptmann was promoted to the position of Police Sergeant in 1961, Police Lieutenant in 1974, and Police Captain in 1978; and

WHEREAS, Don Hauptmann graduated from the FBI National Academy in 1972, and;

WHEREAS, Captain Hauptmann was the recipient of numerous commendations, the CMO Choice Award, several Excellence in Action Awards, the Elk's Lodge Police Officer of the Year Award, and the Adams County Police Officer of the Year Award, and;

WHEREAS, Captain Hauptmann's community and professional involvement activities included the Adams County Jail Task Force, the Westminster Citizen Awareness Action Team, the Westminster Elk's Lodge, the FBI National Academy Associates, several Police Commander Associations, the Greater Westminster Area Quality of Life Commission, the Adams County Corrections Screening Committee, Westminster Pride Day Volunteer and COG Coordinator, and;

WHEREAS, Captain Hauptmann served the citizen's of Westminster as a professional Police Officer for 39 years and 82 days;

NOW, THEREFORE, I, Mayor Nancy M. Heil, on behalf of the entire City Council and Staff of the City of Westminster, Colorado, do hereby proclaim Monday, March 29, 1999 as

DON HAUPTMANN DAY

in the City of Westminster in recognition of Don Hauptmann's many years of excellent service to his community.

Signed this 29th day of March, 1999.

Nancy M. Heil, Mayor



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: Purchase of Two Park Service Division Pickup Trucks

Prepared by: Carl F. Pickett, Purchasing Specialist

Introduction

City Council action is requested to award the bid for two replacement pickup trucks in the amount of \$37,622.12 to be used by the Park Services Division for maintenance and construction of parks, open space, and trails within the City. Funds have been specifically allocated in the 1999 General Fund, Parks, Recreation and Libraries Department budget for this expense.

Summary

In February 1999, the City's Purchasing Specialist sent out Formal Bid Proposals for two (2) ¾ ton 4x2 full size pickup trucks for use by the Park Services Division. The two replacement pickup trucks were previously approved by City Council in the 1999 Budget. The vehicles are GMC Sierra two-wheel drive, ¾ ton pickups. The low bid submitted by Burt Chevrolet, Inc. is being recommended for this purchase. An alternative to the proposed purchase would be to purchase the Dodge counterpart to the GMC Sierra using State Bid. Although there would be some immediate savings with the purchase of Dodge pickup trucks, it is thought by Fleet Maintenance Division Staff that the savings of standardization in GMC-Chevrolet vehicles for parts and training more than compensates for the difference in cost.

Staff Recommendation

Award the bid for two pickup trucks to the low bidder, Burt Chevrolet, Inc. in the amount of \$37,622.12 and charge the expense to the appropriate 1999 Parks, Recreation and Libraries budget account.

Background Information

As part of the 1999 City Budget, City Council approved the purchase of two ¾ ton pickup trucks for the Parks Services Division. These vehicles will replace two pickup trucks, Units # 7016 and 7069, that have reached a point that it is no longer economically reasonable to maintain them in full service. Unit # 7016 is a 1984 Ford that has gone 107,500 miles and has cost \$8,424 to operate since. Unit # 7069 is a 1989 Chevrolet that has gone 106,000 miles and has cost \$7,109 to operate since it was new. The present condition and maintenance history of each of these vehicles would make it impractical to continue to operate them in regular service. Fleet Maintenance recommended replacement of the pickup trucks for 1999.

The State bid this year for this size truck was awarded to Carlin Dodge, Inc. Comparably equipped Dodge pickup trucks would cost \$34,440. However, it was thought by Fleet Maintenance Division Staff that the savings of standardization in GMC-Chevrolet vehicles for parts and training more than compensated for the difference in cost. Staff has found it to be very cost effective from a training, repair tool and part inventory standpoint to limit the type of vehicles serviced by Fleet Maintenance.

Additionally, the Chevrolet-GMC pickup truck is available with a Colorado State Certified LEV (Low Emissions Vehicle) engine that operates on standard unleaded gasoline. This purchase will include this type of engine, and help satisfy the City's obligations under Regulation 17, Colorado's Clean Fuel Fleet

Program. At the same time, since these vehicles operate on standard unleaded pump gasoline, there will be no need for training or additional fueling activities as is required with the use of an alternative fuel such as Compressed Natural Gas. An LEV certified engine that operates on unleaded gasoline is not available through Dodge.

Bids were sent to following four qualified bidders:

Burt Chevrolet, Inc	\$37,622.12
Transwest Trucks	\$41,366.00
John Elway Auto Nation, Chevrolet	No Bid
Purifoy Chevrolet Trucks	No Bid

The low bid from Burt Chevrolet, Inc. meets all the City's specifications for this bid. The cost of the two vehicles, \$37,622.12, is within the amount previously approved by City Council for this expense.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Little Dry Creek, Phase C – Award of Bid
Prepared by: David R. Downing, City Engineer

Introduction

City Council action is requested to award the bid for the installation of the Little Dry Creek, Phase C channel improvements to Left Hand Excavating, Inc. and authorize the City Manager to execute a construction contract in the amount of \$510,166.49. Further Council action is requested to authorize a construction contingency of \$76,525, which is 15% of the bid amount. Funds for these expenses are available in the Little Dry Creek Project of the General Capital Improvement Project Fund.

Summary

The last remaining unimproved segment of Little Dry Creek within the boundaries of the City of Westminster - Phase C - is located between Lowell Boulevard and England Park (see attached map). Beginning in approximately 1982, the City and the Urban Drainage and Flood Control District (UDFCD) have funded a total of seven separate construction phases in order to achieve a fully improved channel for Little Dry Creek through Westminster. Once again, the UDFCD will provide 50% of the funding for all costs associated with the construction of this Phase C.

The Phase C project will provide for the grading of the main channel of Little Dry Creek to remove the problematic “oxbows” that encourage bank erosion that threatens adjacent private properties. A boulder-lined low-flow channel and three-drop structures to control the velocity of storm runoff will be installed. Although it is not currently a part of the contract, it is anticipated that the contractor will be asked to demolish the old Fireplace Equipment of Colorado store and storage buildings, located immediately adjacent to the job site, which was purchased through the City’s Open Space Program last year. Once the work is completed, it is anticipated that the area along Little Dry Creek to the west of Lowell Boulevard will convey an aesthetically pleasing image and provide a wide, open view corridor at this entrance to the City of Westminster.

A Request for Bids for the construction of Phase C was publicly advertised for three weeks, and bids were opened on March 19, 1999. The results of the bid opening are tabulated below:

Contractor	Bid Amount
Left Hand Excavating, Inc.	\$510,166.49
Hydrometrics	515,451.34
L&M Enterprises	526,641.00
Randall & Blake, Inc.	588,738.64
Concrete Express	687,863.00
Tierdael Construction Co.	726,596.00
TARCO, Inc.	749,736.20
Engineer’s Estimate	\$550,000

It is Staff's recommendation that Council award the bid for this project to the low bidder, Left Hand Excavating, and authorize the City Manager to execute a contract in the amount of \$510,166.49. While Left Hand Excavating has performed little, if any, previous construction work for the City of Westminster, this firm comes highly recommended by the UDFCD and the Hyland Hills Parks and Recreation District. It is also requested that Council authorize a construction contingency in the amount of \$76,525, which is 15% of the bid price. Under a previous Intergovernmental Agreement with the UDFCD that Council approved on April 8, 1996, the City and the District will share costs equally on the Little Dry Creek, Phase C work. Therefore, the UDFCD will reimburse 50% of the above-mentioned amounts to the City as the construction progresses.

Naturally, if Council determined that the funds previously appropriated toward the Little Dry Creek, Phase C project were needed to fund other priority projects within the City, an alternative to Staff's recommendation would be to not award the bid for this work at this time. However, since the UDFCD is under current agreement with the City to pay for 50% of the total cost of the project, it would be advisable to take advantage of this funding arrangement.

Staff Recommendation

Award the bid for the Little Dry Creek, Phase C channel improvements project to Left Hand Excavating; authorize the City Manager to execute a construction contract with this contractor in the amount of \$510,166.49; authorize a construction contingency in the amount of \$76,525; and charge the expenses to the appropriate account in the General Capital Improvement Project Fund.

Background

Over the past 18 years, the City of Westminster and the Urban Drainage and Flood Control District have partnered to provide much needed flood control channel improvements to Little Dry Creek. Prior to the installation of these improvements, dozens of single-family residences and a few business establishments located within the southern portion of the City were situated within the 100-year floodplain of the creek and were subjected to frequent storm runoff damage. With the pending construction of this Phase C project, all of these structures will have been removed from the floodplain.

The Phase C construction project extends from Lowell Boulevard upstream to England Park (southeast of the intersection of 72nd Avenue and Raleigh Street) where the work will tie into the improved channel that was the result of the very first Little Dry Creek construction phase in the early 1980's. Gently sloping overbank areas and a boulder-lined low flow channel consistent with the England Park portion of the creek will provide the most noticeable improvements to the appearance of the work site. Since much of the creek right-of-way in this vicinity was purchased under the City's Open Space Program and in order to reduce maintenance costs, the plans for Phase C do not include the placement of bluegrass turf. Instead, a native seed mix will be utilized. Nevertheless, it is anticipated that the resulting effect will offer a park-like atmosphere to the area and provide a pleasant experience for residents using the recently completed Little Dry Creek trail, which parallels the channel in this vicinity.

Respectfully submitted,

William M. Christopher, City Manager
Attachment



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: Metro Wastewater Reclamation District Board of Directors Appointment

Prepared by: Ron Hellbusch, Director of Public Works and Utilities

Introduction

City Council action is requested by the Metro Wastewater Reclamation District to make an appointment to their Board of Directors. Allen Jones is the City's current representative. His term of office will expire June 30, 1999. Staff recommends reappointment of Mr. Jones to the Board of Directors.

Summary

Allen Jones was originally appointed to the Board in June of 1991. Mr. Jones fills a "citizen" category appointment within this Board.

During calendar year 1997, Mr. Jones attended 11 of the 12 Board meetings held. There also were 12 Committee Meetings held and Allen attended 11 of those meetings. During 1998, Mr. Jones attended all 12 Board Meetings. There also were 12 Committee Meetings held and he attended 11 of those meetings.

Currently, Allen Jones is the only Board Member representing the City of Westminster. A replacement Board Member is being sought to replace Alex Iacovetta, who passed away on February 26, 1999.

Staff Recommendation

Reappoint Allen Jones to the Metro Wastewater Reclamation District's Board of Directors. The term of office will be July 1, 1999 through June 30, 2001.

Alternative:

As an alternative, staff could solicit additional names of interested citizens who may wish to represent the City. The value of Mr. Jones' reappointment is the fact that his career was in water and wastewater management as manager of the Crestview Water and Sanitation District.

Background Information

The Metro Wastewater Reclamation District Board of Directors meets at 7:00 p.m. on the third Tuesday of each month. In addition, all Board Members serve on one operation committee, which meets monthly either in the morning or at noon.

All Board members must live within the Metro Wastewater Reclamation District's boundaries. Allen Jones has been contacted and is willing to continue serving on this Board should Council so desire.

Respectfully submitted,

William M. Christopher
City Manager

APPOINTMENT

I Nancy M. Heil, Mayor of the City of Westminster, by virtue of the authority vested in me by law, do hereby reappoint ALLEN JONES as the City of Westminster representative on the Board of Directors of the Metro Wastewater Reclamation District, to serve a term of two years, beginning July 1, 1999 and ending June 30, 2001, in accordance with the laws of the State of Colorado and the By-laws of the Metro Wastewater Reclamation District.

Approved by the Westminster City Council this 29th day of March, 1999.

Mayor

**WESTMINSTER CITY COUNCIL
APPROVAL OF APPOINTMENT**

It was moved by Councillor Merkel, seconded by Councillor Allen; that the City re-appoint ALLEN JONES to serve a term of two years beginning July 1, 1999 and expiring on June 30, 2001; as the City of Westminster representative on the Board of Directors of the Metro Wastewater Reclamation District be and the same hereby is approved.

The motion carried unanimously.

STATE OF COLORADO
COUNTY OF ADAMS

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CERTIFICATE

I, Michele Kelley, City Clerk of the City of Westminster, do hereby certify that the Westminster City Council appointed ALLEN JONES as said City's representative on the Board of Directors of the Metro Wastewater Reclamation District and that the foregoing "Appointment" is an excerpt from the minutes of the regular meeting of the Westminster City Council held on the 29th day of March, 1999, and that said motion of approval is part of the official minutes of said meeting; and that a quorum was present at all times during the meeting.

Dated this 30^h day of March, 1999.

City Clerk

(SEAL)



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: Resolution No. _____ re Endorsement of Recommendations of North Metro I-25 Interchange Study

Prepared by: David R. Downing, City Engineer

Introduction

City Council is requested to adopt the attached Resolution endorsing the recommendations of the North Metro I-25 Interchange Study including the designation of 136th Avenue as the top priority site for the construction of a new interchange on I-25 north of 120th Avenue.

Summary

Earlier this year, a consultant to the Cities of Westminster, Thornton and Broomfield concluded a thorough investigation of potential new interchange sites on I-25 to the north of 120th Avenue. The consultant and the municipal representatives considered a variety of technical matters associated with the design and construction of highway interchanges, such as floodplain and wetland impacts, air quality concerns, right-of-way requirements, estimated construction costs and several other factors. Also included in this study was an exhaustive effort to obtain citizen feedback on various transportation, environmental and quality of life concerns relating to each of the three feasible alternative locations for such interchanges – 128th Avenue, 136th Avenue and 144th Avenue.

After considerable debate, representatives of the cities agreed to support the 136th Avenue site as the top priority for the construction of a new interchange on I-25. The study group also voted to endorse the following key points relating to the I-25 corridor:

- > The Colorado Department of Transportation (CDOT) should identify the comprehensive improvements needed at the existing 120th Avenue interchange on I-25 and along 120th Avenue within two miles (in both directions) of the interstate highway and establish the identified improvements as a funding priority;
- > The entities represented on the Policy Advisory Committee for this study commit to the future construction of interchanges on I-25 at 128th Avenue and 144th Avenue with the construction priorities to be determined at a later date;
- > Financing for all three interchanges and the needed improvements to the existing 120th Avenue interchange will be explored on a corridor-wide basis;
- > The three cities will pursue amendments to the applicable Denver Regional Council of Governments (DRCOG) plans to reflect the recommendations of the North Metro I-25 Interchange Study;
- > The three cities will allocate funding for the preparation of an Environmental Assessment of the proposed 136th Avenue interchange;

- > The three cities will monitor environmental and neighborhood impacts of these new interchanges and will implement any appropriate mitigation measures; and
- > A feasibility study report for the 136th Avenue interchange site will be submitted to CDOT for their review and concurrence.

At this time, it would be appropriate for the City Council to formally embrace the findings of the North Metro I-25 Interchange Study by passing attached Resolution. The Thornton City Council passed a similar Resolution during their meeting of February 22, 1999, and the Broomfield City Council did so on March 9, 1999.

The only feasible alternative to Staff's recommendation would be to completely discard the findings of the study. Due to the significant amount of time that was devoted to the preparation of the North Metro I-25 Interchange Study by several City Council members and Staff of the Cities of Thornton and Broomfield, it is highly unlikely that either of these entities would welcome last-minute modifications to the results.

Staff Recommendation

Adopt Resolution No. _____ endorsing the recommendations of the North Metro I-25 Interchange Study.

Background

Throughout 1998, the Cities of Westminster, Thornton and Broomfield collaborated on a technical investigation of potential sites for the construction of new interchanges on I-25 between 120th Avenue and State Highway 7. One of the main objectives of the study was to identify a location as the top priority for future construction. The three cities determined that such a cooperative effort would greatly increase the likelihood for the receipt of future federal funding to construct, at least, one new interchange on the interstate highway. If each city attempted to secure federal funding for its own favorite interchange site, it was feared that the three separate requests would not fare as well in the Denver Regional Council of Governments' (DRCOG) scoring system as would one unified proposal.

Over the entire year, the engineering consultant compiled reams of technical data to assist the cities in this decision-making process. Also, an extraordinary number of comments were received from the public via the two sets (in each of the three cities) of open houses that were conducted and through other forums. Feasible interchange sites were narrowed to the three obvious locations – 128th Avenue, 136th Avenue and 144th Avenue – as well as two hybrid combinations. Because of significant cost considerations and various technical faults, the two split-diamond alternatives quickly fell out of the mix, thus leaving only the 128th Avenue, 136th Avenue and 144th Avenue options open for debate.

City of Westminster officials favored the 128th Avenue alternative because it would provide the most relief to traffic congestion in the vicinity of the existing 120th Avenue/I-25 interchange. However, it became apparent that Thornton favored the 136th Avenue site, and Broomfield preferred the 144th Avenue location. In order to avoid an impasse among the three cities which would likely cause no federal funding to be allocated for any of the potential interchanges, Westminster Council and Staff determined that it would be in the best interests of our citizens to break the tie vote. Therefore, Westminster elected to throw its support toward the 136th Avenue alternative. The 136th Avenue site was considered superior to the 144th Avenue location, again, because of its closer proximity to 120th Avenue and the potential for traffic congestion relief at the existing interchange. Broomfield also elected to make the decision unanimous by opting to support 136th Avenue as the top priority location for a new interchange.

The next step in the pursuit of a new interchange on I-25 will be the submittal of an amendment to the DRCOG fiscally constrained 2020 Regional Transportation Plan to designate the 136th Avenue site as the top priority. After that process is completed later this year, Westminster, Thornton and Broomfield will proceed with the preparation of an Environmental Assessment for the 136th Avenue site. At this time, it is most difficult to predict the year in which the construction of an interchange will commence due to the uncertainty of a funding mechanism.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO. _____

INTRODUCED BY COUNCILLORS

SERIES OF 1999 _____

ENDORSEMENT OF RECOMMENDATIONS OF THE NORTH METRO I-25 INTERCHANGE STUDY

WHEREAS, the cities of Westminster, Thornton and Broomfield (“the study sponsors”) entered into an Intergovernmental Agreement for the purpose of jointly determining the need, location and timing of future interchanges along I-25 between 120th Avenue and State Highway 7; and

WHEREAS, the study sponsors worked in conjunction with representatives of the City of Northglenn, Adams County, the Colorado Department of Transportation (CDOT), the Regional Transportation District, the Denver Regional Council of Governments (DRCOG), the Regional Air Quality Commission and the MetroNorth Chamber of Commerce during the study process; and

WHEREAS, technical data was collected to assist in the evaluation of future interchanges on I-25; and

WHEREAS, several public meetings were conducted to provide information and receive comments from the public; and

WHEREAS, on December 14, 1998, representatives of the study sponsors reached a consensus on recommendations of this study.

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

1. The first priority for the construction of a new interchange on I-25 between 120th Avenue and State Highway 7 shall be one located at 136th Avenue.
2. An amendment to DRCOG’s Regional Transportation Plan (fiscally constrained element) that reflects the recommendation for the 136th Avenue interchange should be requested.
3. Future interchanges should be constructed on I-25 at 128th Avenue and 144th Avenue, with the priority for their construction to be determined at a later date.
4. An amendment to DRCOG’s 2020 Metro Vision Plan that reflects the desire for interchange construction at 128th Avenue, 136th Avenue and 144th Avenue should be requested.
5. CDOT should identify the comprehensive improvements needed at the existing 120th Avenue interchange on I-25 and along 120th Avenue within two miles in either direction of I-25 and establish the identified improvements as a funding priority.
6. Financing for all three new interchanges and improvements to the existing 120th Avenue interchange should be explored on a corridor-wide basis.
7. A feasibility study report for the 136th Avenue interchange shall be submitted to CDOT and the State Transportation Commission for their review and concurrence.
8. The study sponsors should establish funding for the preparation of an Environmental Assessment of the proposed 136th Avenue interchange.
9. The study sponsors shall monitor environmental and neighborhood impacts of new interchanges on I-25 and implement any appropriate mitigation measures.

Passed and adopted this 29th day of March, 1999.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: Resolution No. re the Martin Property Annexation

Prepared by: David Falconieri, Planner III

Introduction

City Council action is requested on the attached resolution concerning a finding of compliance for the petition requesting annexation of the Martin property, with statutory requirements and establishing a hearing date of May 10, 1999. The proposed annexation consists of four (4) acres located on the east side of Teller street and north of 92nd Lane extended.

Summary

The Martin Property has been purchased by the Asbury Development Corporation for the purpose of creating a second phase of the existing Asbury Subdivision located to the north of the subject site. The proposal is to add eight custom homes to the area while preserving the existing home along the Niver Canal. The proposal meets the definition of an infill development as defined by the growth management ordinance and would therefore be exempt from the Category B competition requirements.

Development of this parcel will help to achieve an important transportation goal as the developer would be required to complete 92nd Lane along the southern portion of the property to Teller Street. At the same time the developer has agreed to construct the street from the entry to Tri-City Baptist Church all the way to Teller Street, though the cost of the portion along the church frontage will be born by the City. The applicant is also requesting that the City participate in the cost of the street through the property itself since there will be no opportunity to recover the cost of the southern half of the street. This transportation link between Teller Street and 92nd Avenue has been identified as an important connection in the City's transportation planning.

Staff Recommendation

Adopt Resolution No. accepting the annexation petition submitted by the Asbury Corporation and make the findings required by State Statute on the sufficiency of the Petition. This resolution also sets the date of May 10, 1999, 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% of the landowners of the land to be annexed. (In this case, Asbury Development, signer of the petition, owns 100% 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. _____

INTRODUCED BY COUNCILLORS

SERIES OF 1999

WHEREAS, there has been filed with the City Clerk of the City of Westminster, a petition, a copy of which is 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 petition and annexation map 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 10, 1999, 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 29th day of March, 1999.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: IGA for Renovations and Landscaping of Parking Lot at the Senior Center

Prepared by: Greg McSwain, Recreation Programs Manager

Introduction

City Council action is requested to approve the attached Intergovernmental Agreement (IGA) between the City of Westminster and the Hyland Hills Parks and Recreation District for the reconstruction and landscaping of the parking lot at the Community Senior Center.

Summary

The Community Senior Center parking lot reconstruction and landscaping project is estimated to cost \$310,000. The attached IGA calls for the cost of the project to be equally divided between the City and Hyland Hills. Any costs over \$310,000 would need prior approval by both entities.

The scope of the project includes the demolition, removal or pulverization of existing asphalt; repaving of the lot; installation of concrete curbs, gutters and sidewalks; new exterior parking lot lighting; and initial landscaping of the site.

Funds for the City's portion of this project have been earmarked and approved. They include \$100,000 in Community Development Block Grant Funds as well as up to \$100,000 in 1998 CIP funds. The consulting firm of Norris Dullea has developed a site plan which has been reviewed and approved by both entities. Bids for the construction of the project will be solicited pending the approval of this IGA. It is planned for the work to commence prior to July and take approximately 90 days to complete.

During the time that the reconstruction of the lot is actually being done, all services to center guests will continue to be offered. Guests will be faced with some inconveniences as they enter and leave the facility. These include using outlying parking areas and accessing entrances by construction planks. The successful bidder will need to fully realize the special needs of the senior population that uses the center and be required to make accommodations to insure the safety of all seniors and staff and coordinate construction activities with City Staff.

Alternatives

- One alternative considered was to repave the lot instead of total reconstruction. The consulting firm of Kumar and Associates was retained in 1998 to determine the feasibility of installing an asphalt overlay instead of a complete reconstruction of the lot. The engineering tests concluded that the parking lot cannot be successfully resurfaced and that reconstruction is needed.
- Take no action at this time. This alternative is not recommended as the report from Kumar and Associates states that there is "moderate to severe alligating, potholing and longitudinal cracking" as the "prevalent pavement distresses."

Staff Recommendation

Authorize the Mayor to sign the attached Intergovernmental Agreement between the City of Westminster and the Hyland Hills Parks and Recreation District for the purpose of reconstructing and landscaping of the parking lot at the Community Senior Center.

Background

An Intergovernmental Agreement was reached with Hyland Hills in 1993 for the renovations of the old Safeway site at 72nd Avenue and Irving Street (see attached map) for the purpose of jointly constructing and operating a regional senior center. Prior to that time, the entire Senior Center operation was located at a small former School District 50 satellite school site at 75th Avenue and Orchard Court. Since its relocation and upgrade, the Senior Center has been very successful and continues to grow in popularity. In 1998, over 82,400 guests visited the center and another 8,866 guests participated in the programs and trips offered by the center.

The Senior Center continues to be a integral and viable component of South Westminster. Revitalization efforts and parking lot improvements at the Westminster Plaza have taken place around the Senior Center. The renovations and landscaping of the parking lot at the Senior Center would allow for the facility and site to keep pace with the other revitalization efforts completed or underway in that key area of the City.

Respectfully submitted,

William M. Christopher
City Manager

Attachments



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: Councillor's Bill No. _____ re Supplemental Appropriation for 1999 Ice Centre Lease Payments

Prepared by: Mary Ann Parrot, Finance Director

Introduction

Council action is requested to pass the attached Councillor's Bill on first reading appropriating the 1999 lease payments due on the Ice Centre. Partial funds are available in several accounts, set up in accordance with the bond provisions. Staff anticipates the additional revenues generated during the year will be sufficient to meet lease payment requirements for the June and December obligations.

Summary

When the Ice Centre Certificate of Participation (COP's) were issued in 1998, the COP proceeds included funds to make lease payments through March 31, 1999. With the ending of the capitalized interest period and the accumulation of monies to make the lease payments, Council action is required for formal appropriation of additional funds to make lease payments.

Staff Recommendation

Pass Councillor's Bill No. _____ on first reading appropriating monies for the Ice Centre lease payments for June 15 and December 15, 1999.

Background

Monies to make lease payments on the Ice Centre were planned for in the financing through March 31, 1999, and have been appropriated. Net revenues of \$61,387 have been received from the sharing of excess net revenues, which Hyland Hills District has paid the City under terms of the IGA; these funds need to be formally appropriated in the City's books. Additional revenues are expected because the Ice Centre and Ice Arena are providing positive cash flows, which should be sufficient to meet lease payment obligations. Before making the June 15 and December 15 lease payments, it is necessary to appropriate these monies in the applicable accounts set up to receive revenues and make expenditures for the lease payments.

An alternative would be not appropriating the monies. This is not recommended, as it would constitute default on the COP financing, with serious consequences to the Ice Centre operations and the City's reputation.

Respectfully submitted,

William M. Christopher, City Manager
Attachments

BY AUTHORITY

ORDINANCE NO.

COUNCILOR'S BILL NO. _____

SERIES OF 1999

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 1999 BUDGET IN THE GENERAL FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1999 appropriation for the General Fund, initially appropriated by Ordinance No. 2654 in the amount of \$53,471,414 is hereby increased by \$458,639 which, when added to the fund balance as of the City Council action on April 12, 1999 will equal \$52,722,150. The actual amount in 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 the net revenues resulting from the operation of the Ice Centre in accordance with the Intergovernmental Agreement between Hyland Hills and Westminster.

Section 2. The \$458,639 increase in the General Fund shall be allocated to City Revenue and Expense accounts, which shall be amended as follows:

Description	Current Budget	\$Increase	Final Budget
REVENUES			
Rental Fees – Ice Centre 10-0530-044	\$0	<u>\$458,639</u>	\$458,639
Total Change to Revenues		<u>\$458,639</u>	
EXPENSES			
Lease Payments to Others – Ice Centre 10-50-77-293-277	\$0	<u>\$458,639</u>	\$458,639
Total Change to Expenditures		<u>\$458,639</u>	

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

Section 4. This ordinance shall take effect upon its passage after the second reading. This ordinance shall be published in full within ten days after its enactment.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 29th day of March 1999. PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 12th day of April, 1999.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO
Agenda Memorandum

Date: March 29, 1999

Subject: Councillor's Bill No. _____ re Standley Lake Protection Project Appropriation

Prepared By: Mike Happe, Senior Water Resources Engineer
Bob Krugmire, Water Resources Engineer

Introduction

City Council action is requested to pass the attached Councilor's Bill on first reading providing for a supplemental appropriation for the Standley Lake Protection Project (SLPP). Funds for the supplemental appropriation will be reimbursed to the City from the United States Department of Energy (DOE) Grant.

Summary

Certain aspects of the Standley Lake Protection Project are nearing completion, including on-going litigation and potential settlement associated with acquisition of the Kinnear Ditch Replacement Pipeline. In addition, Staff is planning to move forward on investigation and possible implementation of the proposed pump-back project which would deliver water from Standley Lake to the Standley Lake Protection Project wetlands.

Staff Recommendation

Pass Councillor's Bill No. _____ on first reading providing for a supplemental appropriation of up to \$213,491.15 of Department of Energy grant funds into the appropriate Standley Lake Protection Project Capital Improvement accounts.

Background Information

The City of Westminster, as a sub-grantee to the City of Broomfield, was originally awarded a grant of \$28,400,000 by the DOE. The grants, which were used to fund projects focusing on water supply protection, were originally awarded in 1991. Subsequent modifications to the original project plans by both cities resulted in a transfer of \$3,182,000 to the City of Broomfield to cover additional costs due to changes on construction components. To date, the City, working individually and on joint projects with the Cities of Northglenn and Thornton through the Woman Creek Reservoir Authority, has expended \$25,004,508.85, leaving a balance on the original \$25,218,000 grant amount of \$213,491.15.

These remaining funds would be used on items related to the Standley Lake Protection Project including ongoing litigation and potential settlement related to the Kinnear Ditch Replacement Pipeline condemnation as well as the Standley Lake pump-back project which will provide supplemental water to the SLPP/DOE wetlands.

Funds from the Department of Energy grant are available in the Standley Lake Protection Project account for this expense. Costs for these proceedings are reimbursed to the City from the United States Department of Energy Grant associated with the overall Standley Lake Protection Project.

Respectfully submitted,

William M. Christopher, City Manager
Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. _____

SERIES OF 1999

INTRODUCED BY COUNCILLORS

A BILL

FOR AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 1999 BUDGET IN THE UTILITY FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1999 appropriation for the Utility Fund, initially appropriated by Ordinance No. 2654 in the amount of \$30,800,000 is hereby increased by \$213,491 which, when added to the fund balance as of the City Council action on April 12, 1999 will equal \$38,819,114. The actual amount in 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 the remainder of the available Department of Energy Grant to fund activities associated with the Standley Lake Protection Project.

Section 2. The \$213,491 increase in 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			
Intergovernmental - Federal			
20-0426-400	\$ 0	\$213,491	\$213,491
Total Change to Revenues		\$213,491	
EXPENSES			
Standley Lake Protection Project			
20-35-88-555-256	\$25,028,122	\$213,491	\$25,241,613
Total Change to Expenditures		\$213,491	

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 29th day of March, 1999.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this ____ day of April, 1999.

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Promenade East Amended Design Contract and Award of Art Contract
Prepared by: David W. Loseman, Senior Projects Engineer

Introduction

City Council action is requested to authorize the City Manager to sign an amended contract with DHM Design Corporation in an amount not to exceed \$53,850 to provide additional design services for the Promenade East project. Council action is also requested to authorize the City Manager to execute a contract with Dillon Works in an amount not to exceed \$130,000 for the design and fabrication of three bronze horse statues. Funds are available in the Promenade East project budget in the General Capital Improvement Fund for this expense.

Summary

On October 13, 1997, Council authorized the execution of the original contract with DHM in the amount of \$291,653. On May 11, 1998, Council authorized an Amendment to their contract to raise the total contract amount to \$618,400.

The new fee request, which will raise the total contract fee to \$672,250, is necessary to complete the next phase of the project. This fee is an increase of \$53,850 above that amount approved by Council on May 11, 1998. This final phase of work includes the preparation of construction documents for the north and south courtyards for the Westin Hotel as well as all site amenities around the proposed office building.

Since DHM is so intimately familiar with all previous phases of this project, Staff does not recommend any alternatives to this requested action.

The three bronze horses previously mentioned are planned to be placed in the play area across the Promenade from the entrance to the Ice Centre. Dillon Works was the low bidder out of the three artists solicited for this work. This firm has performed numerous projects with Communication Arts (C.A.), the City's consultant on this project, and C.A. highly recommends awarding this work to Dillon Works.

Staff Recommendation

Authorize the City Manager to sign an Amended Design Services Contract with DHM Design Corporation in an amount not to exceed \$672,250 based on this action being in the best interest of the City; authorize the City Manager to execute a contract with Dillon Works in an amount not to exceed \$130,000 for the design and fabrication of three bronze horses; and charge these expenses to the appropriate project account in the General Capital Improvement Fund.

Background Information

The Promenade East project encompasses approximately 40 acres of development. It includes a significant level of landscaping in parking lot areas, in the buffer linear park area south and west of Sheridan Green Subdivision and along Promenade East loop road. DHM has provided landscape and construction document services for the actual Promenade, which includes shelter structures, concrete pavers, planter boxes, landscape areas and the like.

The Westminster Promenade East project is currently under construction. The final design effort on the hotel portion of this project is the north and south courtyards adjacent to the hotel, which is the subject of this Agenda Memorandum. Staff believes that DHM is best suited to do this design given their thorough familiarity with the project and also the desire of Inland Pacific to have DHM do this design.

The total fee to be paid to DHM, \$672,250 is approximately 6.1% of the expected cost of construction. This percentage compares very favorably with other capital projects where the design fee usually ranges between 5% and 9%.

The bronze horse sculptures will be installed in the play area near the entrance to the Ice Centre (see attached Exhibit). The design of these horses is intended to allow small children to safely play on them as well as adding architectural interest to the project. One of these horses will be equipped with infrared sensors, which will trigger a recording of several horse sounds when people approach. Three artists submitted bids for the design and fabrication of these horses, with Dillon Works submitting the low bid. Dillon Works is a nationally recognized firm from the State of Washington. Communication Arts, one of the consultants working on the Promenade project is very familiar with Dillon Works and highly recommends them.

Respectfully submitted,

William M. Christopher
City Manager

Attachments: Maps



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999

Subject: Resolution No. _____ re Attrition Hiring Policy

Prepared by: Dan Montgomery, Chief of Police
Mike Simmons, Research and Analysis Coordinator

Introduction

City Council action is requested to adopt the attached Resolution approving an attrition hiring policy for the Police Department that would allow the department to hire additional police officers and dispatchers in anticipation of attrition that normally occurs throughout the year. This measure would benefit the department by reducing major decreases in staffing that typically occur during times of employee attrition.

Summary

Each year, the Police Department faces a number of position vacancies caused by officers and civilians leaving for job opportunities in other law enforcement agencies, retirement, career changes, and failure to meet performance standards. Because of the lengthy process involved in hiring police officers and dispatchers, and the subsequent training involved for successful applicants, it can take as long as eight months to fill a job vacancy when taking training time into account. In the meantime, the patrol and dispatch functions must operate with reduced staffing levels, utilize overtime to compensate for staffing shortages, and contend with employee morale issues.

Under an attrition hiring policy, the Police Department would have the option to hire a prescribed number of officers and dispatchers over and above the City Council approved FTE count in anticipation of a certain number of those positions becoming vacant during the year. This type of policy would help minimize the negative effects of public safety job vacancies. Based on data gathered for the past four years, it is recommended that the department be authorized to hire an additional 2.0 FTE police officers and 1.0 FTE dispatcher over already approved Police Department staffing levels. Police Department staff would use discretion in determining whether attrition hiring is feasible each year given available funds and resources. No additional funds would be required for the additional employees being authorized above previously established FTE levels. These employee salaries would be absorbed with projected or existing salary savings being realized with position vacancies.

Alternatives to attrition hiring include:

1. Maintaining the current hiring practice of filling positions after a vacancy has occurred. While this method has been the accepted practice for years, it has resulted in positions not being filled for long periods of time due to the comprehensive recruitment process and training period required for most law enforcement positions.

2. Developing an eligibility list of potential qualified candidates that can be used to streamline the hiring process when vacancies exist. Utilizing an eligibility list of candidates who were not previously hired would shorten the recruitment process and allow more flexibility in hiring. However, positions would still be filled *after* a job vacancy has occurred which would still result in some downtime for recruitment purposes. Moreover, it would be difficult to maintain a meaningful eligibility list since most police recruits apply with several different jurisdictions when seeking employment. It is probable that those applicants not hired by the City of Westminster would be recruited and hired by other law enforcement agencies. In addition, the department prides itself on hiring the best and brightest employees, and using an eligibility list would somewhat diminish that goal.

While these alternatives present some positive aspects, it is Staff's recommendation that a full-fledged attrition hiring policy is the best way to provide the department with the means to hire quality employees before job vacancies occur.

Staff Recommendation

Adopt Resolution No. _____ approving an attrition hiring policy whereby the Police Department is able to hire a certain number of officers or dispatchers over the approved staffing level given a thorough analysis of available finances and projected vacancies each year. This policy would be subject to review and approval by the City Manager's Office on an annual basis prior to implementation.

Background Information

Since 1995, the average job vacancy rate for sworn personnel (mainly in Patrol Services) has been roughly 3.0 FTE sworn officers per month, which is the equivalent of being one officer short for each shift, five days a week for four years. In the Technical Services Division, the average vacancy rate per month over the past four years for dispatchers has been 1.9 FTE's. These job vacancies in crucial public safety and communication positions place a heavy strain and workload on existing employees and make it increasingly difficult to maintain high quality services to Westminster citizens, 24 hours a day, seven days a week.

It is Staff's recommendation that the best way to reduce the negative effects of attrition is to hire a specified number of officers or dispatchers over and above the budget approved amount before attrition even occurs. For example, in 1999, City Council approved 99.0 FTE sworn officers in the Patrol Services Division. Under an attrition hiring policy, the department would have the option to hire an additional 2.0 FTE officers in anticipation of projected attrition that is likely to occur throughout the year based on recent trends. Having the option of hiring additional employees at the front end will make for a smoother transition when attrition does occur, and more importantly, keep the department at a full staffing level. It is Staff's intent to use discretion and conservatism with regard to attrition hiring practices by looking closely at available funds and projected vacancies each year. Attrition hiring may not be feasible or warranted every year, and Staff would like the flexibility to evaluate the staffing situation each year.

Attached are several graphs summarizing vacancy rates for sworn personnel, and civilian positions in the Technical Services Division (Dispatch) since 1995. The graphs show three levels of staffing depicted as:

“Authorized” - the level of staffing approved by City Council;

“Actual” - the total or actual number of FTE's in the division including those in training; and,

“Functional” - the total number of FTE’s in the division minus those in training.

For purposes of comparison, Staff looked mainly at the differences between “Authorized” and “Actual” staffing levels. As the graphs for Sworn personnel indicate, very rarely does the Actual number of officers match the Authorized staffing level. Only in late 1995 and early and late 1996 do the lines match. Overall, the average vacancy rate for sworn personnel reached a high of 6.0 FTE’s per month in 1998 and a low of 0.58 FTE’s per month in 1996. If you look at the differences between Authorized and Functional staffing, the vacancy rate increases even further. This is significant due to the fact that officers are normally in training for 17 to 18 weeks prior to being fully functional and assuming patrol duties.

In Dispatch, the disparity between Authorized and Actual staffing is less severe but no less significant given the much smaller size of the Technical Services Division (36.5 total FTE’s in 1999). The vacancy rate reached a high of 3.0 FTE’s per month in 1998 and a low of 0.7 FTE’s per month in 1996. Again, comparing the Authorized and Functional staffing level results in an even higher vacancy rate.

Attrition citywide has remained at 14 percent for 1997 and 1998, and because of the strong economy, is expected to remain relatively high. As the data suggests, the Police Department has also been impacted by attrition in the 5-6 percent range, most notably in the last two years. An attrition hiring policy would be a proactive step to help eliminate the downtime involved with lengthy recruiting processes and keep the department staffed at full or near full staffing when job vacancies do occur.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Resolution
 Graphs

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1999

ATTRITION HIRING POLICY FOR THE WESTMINSTER POLICE DEPARTMENT

WHEREAS, the City of Westminster City Council has authorized a staffing level of 208.3 full-time equivalent employees in the Police Department in 1999; and

WHEREAS, the Westminster Police Department experiences a consistent level of employee attrition throughout the year due to career changes, retirement and job opportunities in other law enforcement agencies; and

WHEREAS, it is difficult to hire and train new police officers and/or dispatchers in a timely fashion in order to adequately address these staffing shortages throughout the year; and

WHEREAS, it is the Police Department's goal to achieve maximum staffing levels, especially in patrol and dispatch operations, to ensure that optimal public safety and communication services are provided to the residents and businesses of Westminster; and

WHEREAS, an attrition hiring policy would give the Police Department the flexibility to anticipate these staffing shortages and hire additional personnel over and above the authorized staffing level approved by City Council; and

WHEREAS, attrition hiring would be subject to annual review and evaluation by the City Manager's Office to see if such a policy is feasible based on available funds and resource needs; and

WHEREAS, no additional funds would be required under an attrition hiring policy due to the salary savings realized from position vacancies; and

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

1. An attrition hiring policy is approved for the Police Department that would give the department the option to hire additional police officers and dispatchers over the authorized number of full-time equivalent (FTE) employees in order to maintain maximum staffing.
2. The attrition hiring policy is subject to review and approval by the City Manager's Office on an annual basis. Discretion and conservatism will be used with regard to attrition hiring practices by looking carefully at available funds and projected vacancies each year.
3. Based on data gathered since 1995, City Council authorizes the Police Department to hire an additional 2.0 FTE Police Officers and a 1.0 FTE Communication Specialist in 1999 over the already approved Police Department staffing level in concert with the attrition hiring policy.

Passed and adopted this 29th day of March, 1999

ATTEST:

Mayor

City Clerk



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Citizen Communication – Spiritual Assembly of the Bahai’s of Westminster
Prepared by: Michele Kelley, City Clerk

Introduction

The Spiritual Assembly of the Baha’is of Westminster community has requested time on Monday night’s agenda to address City Council.

Summary

The Baha’i community request is to address the equality of men and women, a fundamental teaching of the Baha’i Faith.

Juli Redson-Smith, Corresponding Secretary for this organization will be present to address Council.

They have indicated that their presentation will be approximately 10 minutes in length.

Staff Recommendation

Listen to the presentation by the representatives of the Baha’i community.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Financial Report for February, 1999
Prepared by: Mary Ann Parrot, Finance Director

Introduction

City Council is requested to review the attached financial statements which reflect 1999 transactions through February, 1999.

Summary

There are three sections to the attached report:

1. Revenue Summary
2. Statement of Expenditures vs. Appropriations
3. Sales Tax Detail

General Fund revenues represent 15% of the total budget estimate while General Fund expenditures and encumbrances represent 18% of the 1999 appropriation.

Utility Fund revenues represent 19% of the total budget estimate. Utility fund expenditures and encumbrances represent 16% of the 1999 appropriation.

The Sales and Use Tax Fund revenues represent 20% of the total budget estimate, while expenditures and encumbrances in that fund represent 17% of the 1999 appropriation. Total Sales and Use Tax revenues for the 25 shopping centers reported increased 10% from the same period last year and increased 9% year-to-date.

The Open Space Fund revenues represent 19% of the total budget estimate while expenditures and encumbrances in that fund represent 13% of the 1999 appropriation.

The Legacy Ridge Golf Course Fund operating revenues represent 5% of the total budget estimate while operating expenditures and encumbrances represent 17% of the 1999 appropriation. The Heritage reflects the \$1,500,000 loan from Jefferson County. There are no operating expenses for the Heritage as all expenses being incurred by the Fund are related to the construction of the golf course.

Theoretically, 17% of revenues and expenditures should be realized after two months in the budget year. However, it is recognized that both revenues and expenditures do not occur on an even 1/12 flow each month of the year.

Staff Recommendation

Accept the report as presented.

Background

Section 9.6 of the City Charter requires that the City Manager provide, at least quarterly, financial data showing the relationship between the estimated and actual revenue expenditures to date.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

**WESTMINSTER
COLORADO****Agenda Memorandum**

Date: March 29, 1999

Subject: Resolutions re Category B-1, Category B-2, and Category B-3 Service Commitment Awards

Prepared by: Shannon Sweeney, Planner III

Introduction

City Council action is requested to adopt the attached Resolutions awarding Category B-1 Service Commitments to two new Single-Family Detached (SFD) residential projects, Category B-2 Service Commitments to one new Single-Family Attached (SFA) residential project, and Category B-3 Service Commitments to one new Multi-Family (MF) residential project in 1999. These Resolutions all relate to the City's Growth Management Program and are based on the findings established in Section 11-3-1 of the Westminster Municipal Code.

Summary

On March 1, 1999, City Council directed City Staff to draft Resolutions awarding Service Commitments to two new Category B-1 projects, the highest-scoring Category B-2 project, and the highest-scoring Category B-3 project submitted for the 1999 New Residential Competitions. (See attached map for project locations). The attached Resolutions follow "Option 1" for each of the competitions as detailed in the March 1, 1999 Staff Report to City Council. To review the additional options previously outlined for City Council, please see the attached Service Commitment Options table from the March 1, 1999 Staff Report to City Council.

"Option 1" for each of the three competitions follows City Council direction to allow one or two new SFD projects, one new SFA project, and one new MF project in 1999. As a reminder, for 1999, City Council previously allocated 60 Service Commitments for new SFD development, 21 Service Commitments for new SFA, and 75 for new MF development to be awarded on a competitive basis. The total 1999 Service Commitment award for each of the three categories does not exceed the Service Commitments allocated by the City Council for these competitions, so supplemental Service Commitment allocations are not necessary for any of the Category B competitions.

To review the summary of all six applications received, please see the Background Section of this agenda memorandum. The table below summarizes the Service Commitment (SC) awards on a year-by-year basis through build-out of each project as detailed in the attached Resolutions:

<u>Category</u>	<u>Type</u>	<u>Project</u>	<u>Units</u>	<u># Service Commitments Per Year</u>					
				<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>Total</u>	
B-1	SFD	Westmere (The Ranch Reserve)	119	30	45	44	0	119	
B-1	SFD	Plaza II (Wadsworth Estates)	<u>84</u>	<u>30</u>	<u>30</u>	<u>24</u>	<u>0</u>	<u>84</u>	
			203	60	75	68	0	203	
B-2	SFA	The Ranch (Ranch Creek Villas)	144	21	50.4	29.4	0	100.8	
B-3	MF	Wexford (The Park at Wexford)	<u>590</u>	<u>75</u>	<u>75</u>	<u>75</u>	<u>70</u>	<u>295</u>	
<i>Total Units:</i>			937	<i>Total SC's:</i>	156	200.4	172.4	70	598.8

Notification letters were mailed to all developers who submitted projects for these competitions. The letters detail the final scores within each competition and the Staff recommendation for Service Commitment awards for the March 29, 1999 City Council meeting. Because the City is conducting three competitions simultaneously, and six applications were submitted, the developers for all projects submitted have been advised that developer presentations at the City Council meeting are not possible for these competitions.

The Resolutions prepared and attached to this agenda memorandum follow Option 1 for each of the categories as detailed in the March 1, 1999 Staff Report to City Council.

Staff Recommendation

1. Adopt Resolution No. _____ awarding Category B-1 Service Commitments to two new Single-Family Detached residential projects.
2. Adopt Resolution No. _____ awarding Category B-2 Service Commitments to one new Single-Family Attached residential project.
3. Adopt Resolution No. _____ awarding Category B-3 Service Commitments to one new Multi-Family residential project.

Alternatives

To review the additional Service Commitment options detailed in the March 1, 1999 Staff Report to City Council, please see the Service Commitment Options attachment to this agenda memorandum. An additional option is listed for each of the three competitions.

Background

The focus of the 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 checklist, that item will be required if that project is awarded Service Commitments whether or not it was shown on the sketch plan submitted for these competitions.

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.

Because of the uncertainty of whether a project will be chosen in the competition as well as 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 it is probable that all sketch plans submitted for the competitions will change prior to City approval.

Staff review, and possibly Planning Commission and City Council review, of any and all required Preliminary and Official Development Plans are required following the Service Commitment awards.

A summary of the proposals submitted for each of the 1999 competitions is listed below. Please see the Service Commitment Options table attached to review the alternatives previously outlined in the March 1, 1999 Staff Report to City Council.

SUMMARY OF ALL APPLICATIONS

<u>Map #</u>	<u>Project</u>	<u>Location</u>	<u>Developer</u>	<u>Acres</u>	<u>Units</u>	<u>du/a*</u>	<u>Score</u>
<i>Single-Family Detached (Category B-1) Projects:</i>							
1	Westmere (The Ranch Reserve)	E. of Federal at 114th	MSB	80.4	119	1.85	4225
2	Plaza II (Wadsworth Estates)	W. of Wads. Bl. at 94th	Cooke Dev.	36	84	2.5	2595
<i>Single-Family Attached (Category B-2) Projects:</i>							
3	The Ranch (Ranch Creek Villas)	SEC 120th & Federal	Loup Constr.	14.5	144	10	2181
4	Center of Hope (Parkside Village)	94th & Carr	R&J Assoc.	5.85	30	5.2	943
<i>Multi-Family (Category B-3) Projects:</i>							
5	Wexford (The Park at Wexford)	E. of Huron at 123rd	Equinox	41	590	18	3425
6	Westcliff (Westcliff Apartments)	W. of US 36 at Westcliff Pky.	Allied Realty	26.5	390	14.7	2780

**Dwelling Units Per Acre - Some of the du/a figures reflect deduction of additional right-of-way acreage*

In December 1998, City Council adopted a change to the Growth Management Program that now allows developers of multi-family projects to pre-purchase Service Commitments set aside in future years for their project. This stipulation was re-implemented in the Growth Management Program for multi-family projects only. This provision was included because multi-family developments tend to be larger projects that require compressed development timing (and a larger number of Service Commitments in a shorter period of time) in order for developers to obtain financing for their projects. While developers are not required to pre-purchase Service Commitments, they do now have the option if this is an issue in financing their projects. The accelerated development surcharge rates are detailed in the Category B-3 Resolution and follow the same percentages of the current tap fee rate that were in place in 1982 when accelerated development fees were initially enacted.

Respectfully submitted,

William M. Christopher
City Manager

Attachments: Location Map
Service Commitment Options – 1999 New Residential Competitions
Resolution re: Category B-1 Service Commitment Awards and Competition
Resolution re: Category B-2 Service Commitment Awards and Competition
Resolution re: Category B-3 Service Commitment Awards and Competition

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1999

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 60 Service Commitments for the year 1999 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 203 Service Commitments requested over the next three years for the total build-out of the 203 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>	# SERVICE COMMITMENTS PER YEAR			
	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>Total</u>
Westmere (The Ranch Reserve)	30	45	44	119
Plaza II (Wadsworth Estates)	<u>30</u>	<u>30</u>	<u>24</u>	84
	60	75	68	203

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 29, 1999) 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 29th day of March, 1999

ATTEST:

Mayor

City Clerk

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1999

CATEGORY B-2 (NEW SINGLE-FAMILY ATTACHED 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-2 (new single-family attached) 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 attached development is limited, and the City of Westminster has previously adopted Resolution No. 66, Series of 1994, specifying the various standards for new single-family attached 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 21 Service Commitments for the year 1999 for use in servicing new single-family attached 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 attached competition with a total of 121.8 Service Commitments requested over the next three years for the total build-out of the 174 total single-family attached 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:

- 2. Category B-2 Service Commitment awards are hereby made to the specific project listed below as follows:

Project	# SERVICE COMMITMENTS PER YEAR			
	1999	2000	2001	Total
The Ranch (Ranch Creek Villas)	21	50.4	29.4	100.8

3. 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-2 award nor shall any other binding effect be interpreted or construed to occur in the City as a part of the Category B-2 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-2 Service Commitment awards shall be valid for a period of two years from the date of award specified on this Resolution (March 29, 1999) 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.

4. The Category B-2 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 29th day of March, 1999

ATTEST:

Mayor

City Clerk

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1999



CATEGORY B-3 (NEW MULTI-FAMILY 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-3 (new multi-family) 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 multi-family development is limited, and the City of Westminster has previously adopted Resolution No. 75, Series of 1998, specifying the various standards for new multi-family 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 75 Service Commitments for the year 1999 for use in servicing new multi-family 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 multi-family competition with a total of 490 Service Commitments requested over the next four years for the total build-out of the 980 total multi-family 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-3 Service Commitment awards are hereby made to the specific project listed below as follows:

Project	# SERVICE COMMITMENTS PER YEAR				
	1999	2000	2001	2002	Total
Wexford (The Park at Wexford)	75	75	75	70	295

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-3 award nor shall any other binding effect be interpreted or construed to occur in the City as a part of the Category B-3 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-3 Service Commitment awards shall be valid for a period of two years from the date of award specified on this Resolution (March 29, 1999) 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. Service Commitments for Category B-3 projects may be requested prior to their effective award year by developers or builders under the following conditions and stipulations:

- a) In order to draw from a future year Service Commitment award, an “accelerated development surcharge” per Service Commitment shall apply.
- b) The surcharge receipts will be added to the City’s Utility Fund.
- c) The surcharge shall be as follows:

Service Commitments requested from the next award year:
\$1,275.00 per Service Commitment

Service Commitments requested from two award years in the future:
\$2,550.00 per Service Commitment

Service Commitments requested from three or more award years in the future:
\$3,800.00 per Service Commitment
- d) An award from a future year may be requested in writing by the developer or builder. The written request shall be submitted to the City Water Resources Division, and the request is subject to City Staff review and approval. The additional surcharge shall be paid when water tap fees are paid for the units.
- e) Service Commitments drawn prior to their effective date of award shall have the same expiration date as if the Service Commitments were not drawn prior to the effective date of award.

4. The Category B-3 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. Requests for additional Service Commitments from future award years must be submitted in writing to the City for review and consideration.

Passed and adopted this 29th day of March, 1999

ATTEST:

Mayor

City Clerk

Summary of Proceedings

Summary of Proceedings of the regular City Council meeting held Monday, March 29, 1999.

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

Butch Hicks, the newly selected City Councillor was sworn into office by Judge Paul Basso.

The minutes of the meetings of March 15, 22, 23 and 25, 1999 were approved with no additions or corrections.

The Mayor proclaimed March 29 as Don Hauptmann Day and April 16 as Arbor Day in the City.

Allen Jones was reappointed to the Metro Wastewater Reclamation District's Board of Directors.

Council approved the following: Purchase of two Park Service Pickup Trucks, Bid for Little Dry Creek Phase C channel improvements; Intergovernmental Agreement with Hyland Hills Parks and Recreation District for Community Senior Center parking lot renovation and landscaping; and Promenade East Amended Design and Art contracts.

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

A BILL FOR AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 1999 BUDGET IN THE GENERAL FUND. Purpose: Funds for 1999 lease payments due on the Ice Centre.

A BILL FOR AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 1999 BUDGET IN THE UTILITY FUND. Purpose: Appropriation for the Standley Lake Protection Project.

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

A BILL FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE LAND USE PLAN FOR THE PROPERTY SHOWN ON EXHIBIT "A" FROM BUSINESS PARK TO SINGLE FAMILY ATTACHED AND SINGLE FAMILY DETACHED – MEDIUM DENSITY.

A BILL FOR AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO INCREASE THE 1999 BUDGET IN THE GENERAL CAPITAL IMPROVEMENT FUND.

The following Resolutions were adopted:

Resolution No. 17 - Category B-1 Service Commitments to Westmere and Plaza II Projects
Resolution No. 18 - Category B-2 Service Commitments to Ranch Creek Villas Project
Resolution No. 19 - Category B-3 Service Commitments to The Park at Wexford Project
Resolution No. 20 - Endorsement of Recommendations of North Metro I-25 Interchange
Resolution No. 21 - Martin Property Annexation Petition and set date for Public Hearing
Resolution No. 22 - Attrition Hiring Policy for Police Department

At 7:55 P.M. the meeting was adjourned.

By order of the Westminster City Council
Michele Kelley, CMC, City Clerk
Published in the Westminster Window April 8, 1999.



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Swearing in of New Councillor
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested for the swearing in of the newly selected City Councillor, Butch Hicks by Paul Basso.

Summary

Glenn Scott was recently appointed to the Colorado House of Representative District #62 seat, which left a vacancy on City Council. The term of office for this position will expire on November 8, 1999.

City Council set the deadline of March 12, 1999 for applications from citizens interested in filling this vacancy, with a total of 19 application being submitted. A total of 17 candidates were interviewed by City Council.

City Council appointed Butch Hicks at the Special City Council meeting of Thursday, March 25th.

Staff Recommendation

Have Paul Basso swear into office the newly selected Councillor, Butch Hicks.

Respectfully submitted,

William M. Christopher
City Manager



WESTMINSTER
COLORADO

Agenda Memorandum

Date: March 29, 1999
Subject: Swearing in of New Councillor
Prepared by: Michele Kelley, City Clerk

Introduction

City Council action is requested for the swearing in of the newly selected City Councillor by Municipal Court Judge John Stipech.

Summary

Glenn Scott was recently appointed to the Colorado House of Representative District #62 seat, which left a vacancy on City Council. The term of office for this position will expire on November 8, 1999.

City Council set the deadline of March 12, 1999 for applications from citizens interested in filling this vacancy, with a total of 19 application being submitted. A total of 17 candidates were interviewed by City Council.

City Council has had several meetings this past week to select a person to fill this vacancy. The action item on the March 29th agenda assumes City Council will have selected a candidate by the Sunday, March 28 deadline.

Staff Recommendation

Have Municipal Court Judge John Stipech swear into office the newly selected Councillor.

Respectfully submitted,

William M. Christopher
City Manager