

April 14, 1997  
6:00 PM

**Notice to Readers:** City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the City Council's part as issues have been discussed by Council previously. Council may defer final action on an item to a future meeting. Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meeting**
4. **Presentations**
  - A. Presentation by Westminster & Ranum High School Students
  - B. Proclamation re Victims Rights Week
  - C. Proclamation re National Volunteer Week
  - D. Proclamation re National Library Week
5. **Citizen Communication (5 minutes or Less in Length)**
6. **Report of City Officials**
  - A. City Manager's Report
7. **City Council Comments**

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

8. **Consent Agenda**
  - A. Radio Frequency Meter Reading System Purchase
  - B. Bids re 1997 Asphalt Rehabilitation Project
  - C. 112th Ave (Sheridan - Federal) Amended Engineering Design Contract
  - D. CB No. 23 re Metro Ventures Rezoning (Allen-Merkel)
9. **Appointments and Resignations**

None
10. **Public Hearings and Other New Business**
  - A. Public Hearing re Comprehensive Land Use Plan
  - B. Harlan Street Flyover Engineering Design Contract
  - C. Westminster Boulevard 104th/113th Ave Construction Contract
  - D. City Park Recreation Center Companion Facility
  - E. Legacy Ridge Restaurant Lease Amendment
  - F. Colorado Rapids Lease Renewal
  - G. Actions re Rocky Flats Local Impacts Initiatives
  - H. Set Date for Special Council Meeting
11. **Old Business and Passage of Ordinances on Second Reading**

None
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
  - A. Quarterly Insurance Report
  - B. City Council
  - C. Request for Executive Session
    1. Ice Arena Update
13. **Adjournment**

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, APRIL 14, 1997 AT 6:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

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

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Merkel to accept the minutes of the meeting of March 24, 1997 with no additions or corrections. Mayor Heil requested to abstain as she was not present for the meeting. The motion carried with 6 aye votes and Mayor Heil abstaining.

PRESENTATIONS:

Mark Ramsey, Teacher/Sponsor and Westminster and Ranum High School students Mike Bredenberg, Glenda Mowry, Chrissy Sparks, Brian Garca, Morgan McCauley, Jamie McNamera, Isaac Lopez, Roberto Herмосillo and Casey Fisher gave a brief presentation and thanked Council for the City's financial contribution to the Education Foundation for the students to visit Washington, D.C.

Mayor Pro Tem Dixon presented a proclamation to Jacqueline June, Victim Services Corrdinator and Police Chief Dan Montgomery proclaiming the week of April 13-19 as Victims Rights Week in the City.

Mayor Heil presented a proclamation to Marge Salter, City Volunteer Coordinator and volunteers Dick Cook, Joel Diers, Betsy Gray, Bob June, Wanda Lang, Deby and Lou Myers, Kim Smith and Betty Whorton, proclaiming the week of April 13-19 as National Volunteer Week in the City.

Councillor Merkel presented a proclamation to Library Services Manager Kathy Sullivan and Library Board Chairperson Doris Walter proclaiming the week of April 14-19 as National Library Week in the City.

CITIZEN COMMUNICATION:

Bob June, 7500 Wilson Court, stated the Adult Literacy Buzz-A-Thon will be held on Friday at 6:30 P.M. at the Community Senior Center and invited everyone to attend.

CITY COUNCIL COMMENTS:

Mayor Pro Tem Dixon reported that she and Councillor Glenn Scott had toured the Rocky Flats facility and visited the most polluted building there.

Councillor Merkel reported that she had attended the Bowles House open house that was held Saturday, April 12 to show off their recent renovations and new displays.

CONSENT AGENDA:

The following items were considered as part of the consent agenda: Radio Frequency Meter Reading System Purchase authorizing the expenditure of \$1M to purchase 5,967 radio frequency meter reading units and provide contractual installation of the equipment with Mountain States Pipe and Supply Company, the sole supplier of TRACE meter reading equipment in Colorado; authorize the City Manager to execute a contract with Mountain States Pipe and Supply Company for the contractual installation; and charge the expense to the appropriate Utility Fund Capital Improvement Project budget account. Authorize the City Manager to sign a contract for the 1997 Asphalt Pavement Rehabilitation Project with the low bidder, Western Mobile Denver Paving Company in the amount of \$1,514,849; authorize a \$35,000 contingency amount, and charge the expense to the appropriate 1997 Department of Public Works and Utilities Street Division Budget; and authorize the City Manager to sign the intergovernmental agreements with Adams County School Districts #27J and #50 for the Districts' asphalt parking lot repairs as part of the City's project at the Districts' expense. Authorize the City Manager to execute an Amended Engineering Services Contract with HDR Engineering, Inc. in the amount of \$11,760, raising the total contract amount for the design of 112th Avenue, Sheridan Boulevard to Federal Boulevard Project to \$118,570; and charge this expense to the appropriate project account in the General Capital Improvement Fund; and Councillor's Bill No. 23 re Metro Ventures Rezoning. 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 Harris and seconded by Scott to adopt the Consent Agenda items as presented with the recommendation stated on the Council agenda memorandums. The motion carried unanimously.

A motion was made by Dixon and seconded by Smith to move Agenda Item 10A, Public Hearing on Comprehensive Land Use Plan, to the last item under Public Hearings and other New Business. The motion carried unanimously.

ITEMS TO BE COMBINED:

A motion was made by Dixon and seconded by Scott to Table Agenda Items 10E, Legacy Ridge Restaurant Lease Amendment, and item 10F, Colorado Rapids Lease Renewal; and to combine Agenda Items 10B, Harlan Street Flyover Engineering Design Contract, 10C, Westminster Boulevard 104th/113th Avenue Construction Contract, 10D, City Park Recreation Center Companion Facility, 10G, Actions re Rocky Flats Local Impacts Initiatives, and 10H, Set Date for Special City Council meeting. The motion carried unanimously.

A motion was made by Dixon and seconded by Scott to authorize the City Manager to sign a contract for preliminary design services for the Harlan Street Flyover with HDR Engineering, Inc. in the amount of \$205,000; authorize \$40,000 for use as a project contingency and charge these expenses to the appropriate project account in the General Capital Improvement Fund; to authorize the City Manager to execute a contract with Hamon Contractors, Inc. in the amount of \$3,784,474 for the construction of Westminster Boulevard; authorize the expenditure of \$145,600 to TARCO, Inc. for the installation of structural fill in the Westminster Promenade Plaza; authorize the City Manager to sign a construction engineering services agreement with Martin/Martin in an amount not to exceed \$420,205; authorize a contingency of \$50,000; and charge \$485,500 of these expenses to the appropriate project account in the Utility Fund and charge the remaining expenses to the appropriate project account in the General Capital Improvement Fund; to authorize

the City Manager to sign a contract with Phipps/Sinks, Combs, Dethlefs in the amount of \$470,000 plus a 10% contingency along with reimbursables for the design/build of the City Park Recreation Center Companion Facility; charge this expense to the appropriate project account in the General Capital Improvement Fund; and authorize the City Manager to sign an addendum to the contract if the project budget exceeds \$5.0 million according to the following formula: (1) For the first \$250,000 over \$5.0 million, 4.5% of the additional budget; (2) For amounts beyond the first \$250,000, 8.8% of the additional cost; to approve the slate of nominees for 1997 on the Rocky Flats Local Impacts Initiative Board of Directors, and approve the two proposed amendments to the first amended Intergovernmental Agreement; and, to set the date of April 21, 1997 at 6:00 P.M. for a special City Council meeting to continue the public hearing regarding the proposed Comprehensive Land Use Plan. The motion carried unanimously.

PUBLIC HEARING RE COMPREHENSIVE LAND USE PLAN:

At 6:47 P.M. the meeting was opened to a public hearing regarding the proposed Westminster Comprehensive Land Use Plan. Councillor Smith stated that when Council acts on the Comprehensive Land Use Plan, he is planning to offer an amendment requiring a super majority to amend the Plan after its adoption.

City Manager Bill Christopher, Planning Manager Larry Hulse and City consultant Ben Herman of Balloffet and Associates gave a brief overview of the proposed Comprehensive Land Use Plan. The following people addressed Council: Joanne Reince, 1473 W. 135th Pl; Carl Walzak, 3725 W. 78th Pl; Bob Tschudy, 8095 Meade St; Gary Guinn, Planning Director for Cooper Investments, re Walnut Grove PUD and 112th Ave/Federal Blvd PUD; Lula Eppinger, 5800 E. 112th Ave, re NWC Federal Blvd and 97th Ave, entered Exhibit #1; Bill Eppinger, 11111 Riverdale Rd; Ann Gushurst, 6117 E. Otero Pl, re Westmere PUD; David Pehr, 8787 Turnpike Dr. #280, representing Tom Thompson, re NWC Federal Blvd and 104th Ave; Carl Tessler, Attorney, 4582 S. Ulster St Pkwy #902, re 18.8 acres SWC of 120th Ave & Federal Blvd, entered Exhibit #2; Bill Kearney, Dallas, Tx, representing Hewitt-Hawn, re west side of US36 between 100th & 104th Avenue, entered Exhibit #3; Art Bruchez, 3640 W. 112th Ave, re 120th Avenue east of Sheridan Boulevard entered Exhibit #4; John Vandermoer, 8791 Circle Dr, re 128th Ave and Tejon St; Tom Ragonetti, representing Pillar of Fire; Wade Shaw, representing Park Rise LLC, 82nd Ave and Zuni St.

At 8:55 P.M. the Mayor called a recess. Council reconvened at 9:15 P.M. with the following people addressing Council: William Silverman, 1601 Blake #310, representing Tepper Property and Shoenberg Subdivision; Bruce Miller, 3773 Cherry Creek Dr #575; Tom McGarry, 1600 Broadway #580, representing Land Acquisitions Partners, NEC 144th Ave and I-25; Larry Gayeski, 1333 W. 120th Ave #113; Michael Sheldon, 7951 S. Ulster #902, Park Centre property; Michael Pharo, 2835 W. Oxford Ave #6, re SWC of 136th Ave & Huron Street entered Exhibit #5; Russell Henson, 1406 S. York St, re 29.52 acre Westcliff Mixed Use Parcel entered Exhibit #6; Bill Kearney, representing Hawn/Hewitt Interests; Art Bruchez, 3640 W. 112th Ave; Paula Wilson, 10897 Legacy Ridge Wy, re NWC of Wadsworth Parkway and Independence Street entered a letter from Fuller and Company as Exhibit #7, a letter from Ron Carlson as Exhibit #8 and a map of the area as Exhibit #9. and Steve James.

A motion was made by Allen and seconded by Smith to continue the public hearing until April 21, 1997 at 6:00 P.M. The motion carried unanimously. At 10:23 P.M. the public hearing was continued until April 21.

MISCELLANEOUS BUSINESS:

Council reviewed the Quarterly Insurance Report for the first quarter of 1997.

Mayor Heil stated there would be an Executive Session for updates on the Ice Arena project and land negotiations on the Countrydale project, and a lawsuit settlement issue.

ADJOURNMENT:

The meeting was adjourned at 10:25 P.M.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Date:** April 14, 1997  
**Subject:** Presentation by Westminster and Ranum High School Students  
**Prepared by:** Michele Kelley, City Clerk

**Introduction**

City Council is requested to hear from several Westminster and Ranum High School students about their week long trip to Washington, D.C.

**Summary**

In appreciation of the City of Westminster's financial contribution, several of the students from Westminster High School and Ranum High School wish to make a presentation to City Council.

Mark Ramsey, Teacher/Sponsor and several of the students that participated in this program will be present at Monday night's City Council meeting to make a short presentation of their impressions of their visit to Washington, D.C.

**Staff Recommendation**

Mayor and City Council listen to presentation by students.

**Background Information**

The City of Westminster provides matching funds to the School District No. 50 Education Foundation to send high school students to Washington, D.C. as part of the Washington Close Up Government Program.

This week long program experience gives students the opportunity to interact with their state legislators at the national level.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** April 14, 1997  
**Subject:** Proclamation re Victims' Rights Week  
**Prepared by:** Jacqueline June, Victim Services Coordinator

### **Introduction**

City Council action is requested to proclaim the week of April 13 through April 19, 1997 as Victims Rights Week. Citizens and public and private institutions are encouraged to participate in local and state activities commemorating these rights.

### **Summary**

National Victims' Rights week is celebrated each year to acknowledge the 39.9 million Americans who are victimized in the United States each year. The sub - theme for 1997 is "Let Victims' Rights Ring Throughout the Land" This sub - theme is designed to acknowledge the rights of crime victims by supporting the national effort to protect, restore and expand the rights of crime victims. The National Organization for Victim Assistance has asked that cities, counties and states encourage their citizens to celebrate Victims Rights' Week through participation in local and state activities designed to commemorate those rights.

Jacqueline June, Victim Services Coordinator and Dan Montgomery, Police Chief will be present to accept this proclamation.

### **Staff Recommendation**

Council proclaim recognition of Victims' Rights Week in the City of Westminster.

### **Background Information**

The National Organization for Victim Assistance sub-theme for the 1997 Victims' Rights Week is "Let Victims' Rights Ring Throughout The Land." This sub-theme is designed to acknowledge the strides crime victims and their advocates have made over the past two decades toward balancing the scales of justice in our criminal justice system and the indispensable role victims play in bringing offenders to justice. All states and the District of Columbia have enacted statutory provisions for crime victims. Forty-seven states have victims' bill of rights on the books and 29 states, including Colorado, have ratified constitutional amendments to guarantee victims' rights. The attached Proclamation encourages Westminster citizens and institutions to participate in these activities.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment: Proclamation

WHEREAS, One violent crime is committed in America every 18 seconds; and

WHEREAS, 39.9 million Americans are victimized in the United States each year, and of those, 9.9 million Americans are victims of violent crime; and

WHEREAS, Victims of crime often face serious financial, physical and psychological losses; and,

WHEREAS, Crime victims play an indispensable role in bringing offenders to justice; and

WHEREAS, Law-abiding citizens are not less deserving of justice, rights, resources, restoration and rehabilitation than the violent offenders who victimize them; and

WHEREAS, Crime victims and their advocates have made unparalleled progress toward balancing the scales of justice in our criminal justice system in the past two decades; and

WHEREAS, The City of Westminster is joining forces with victim service programs, criminal justice officials and concerned citizens throughout Colorado and America to observe National Crime Victims' Rights Week;

NOW, THEREFORE, the Westminster City Council hereby designates the week of April 13 through April 19th, 1997 as

**WESTMINSTER COLORADO CRIME VICTIMS WEEK**

and all citizens and institutions, public and private, are encouraged to support the establishment and enforcement of victims' rights in the City of Westminster through participation in local and state activities commemorating those rights.

Signed this 14th day of April, 1997.

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**Date:** April 14, 1997

**Subject:** Proclamation re National Volunteer Week

**Prepared by:** Marge Salter, Volunteer Coordinator

### **Introduction**

City Council is requested to proclaim the week of April 13 through 19 as National Volunteer Week in the City of Westminster.

### **Summary**

Volunteerism is an essential part of our country's helping spirit, and the City promotes volunteerism through its Community Volunteer Program which recruits volunteers not only for the City, but for other local agencies as well. National Volunteer Week is a means of recognizing volunteerism and the people who volunteer for the City, schools, and other agencies.

City Volunteer Coordinator, Marge Salter, and City Volunteers: Dick Cook, Joel Diers, Betsy Gray, Bob June, Wanda Lang, Mildred Lewis, Debbie Myers, Lou Myers, Kim Smith, and Betty Whorton will be present to accept this proclamation.

### **Staff Recommendation**

Council proclaim April 13 through 19 as National Volunteer Week in the City of Westminster.

### **Background Information**

The City currently has over 650 volunteers who work a variety of positions including victim advocates, probation counselors, crossing guards, special events volunteers, open space project volunteers, literacy tutors, graffiti removal, snowbusters, soccer coaches, volunteer firefighters, golf course marshals and clerical volunteer positions in Employee Services, Community Senior Center, Finance, Libraries, Municipal Court, and Police Department. In 1996, these volunteers donated over 46,000 hours of their time saving the City over \$594,000.

In recent years, the Community Volunteer Program has been enhanced to include assisting other local agencies with the technical aspects of their volunteer programs and to recruit volunteers. Alliances have been established with Adams Community Mental Health Center, Adams Twelve Five Star Schools, Adams County School District #50, Alternatives to Family Violence, American Cancer Society, American Red Cross, Bridgeway, Bright Beginnings/Warm Welcome, Butterfly Pavilion & Insect Center, Canine Companions for Independence, Clear Creek Care Center, Community Caring Project, C.S.U./Cooperative Extension Service - Family Living, The Listen Foundation, Make-A-Wish Foundation of Colorado, St. Anthony Hospital North, and the Westminster Historical Society.

Technical assistance has been provided to the municipal governments of Brighton, Denver, Jefferson County, Northglenn and Thornton.

Also partnerships have been established with Communities in Schools EAGLE (Educational Advantage Towards Goals, Leadership, and Excellence) Program, NET (Next Environment Transitions), Warren Tech's Business Services and Technology Internship Program, Jefferson County Food Stamp Workfare Program, and the Jefferson County Executive High School Internship Program.

These alliances have made Westminster's Community Volunteer Program a clearinghouse for volunteer opportunities for the residents, and prospective volunteers find it helpful to have such a variety of positions to choose from. Also, agencies have greatly appreciated the City's Volunteer Coordinator providing technical assistance and helping them recruit volunteers. The partnerships have been positive for the residents, the City, and local agencies.

This year the volunteers will be recognized not only at the annual BBQ, but also during National Volunteer Week at a "Continental Breakfast On the Run" which will be held in the lobby of City Hall on Monday, April 14, 1997. The names of the volunteers, by department, will be on display in the lobby. Starbucks coffee, orange juice, and muffins will be served. Every volunteer in attendance will receive a ribbon saying "Thank You for Volunteering". A drawing for door prizes will be held for those volunteers who attend the breakfast. Mayor Nancy Heil and City Manager Bill Christopher will both express the City's gratitude to the volunteers for their assistance during the year.

Newspapers ads thanking the volunteers for their time and dedication to the City have been placed in the "Neighborly News" and in the "Westminster Window".

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

WHEREAS, Volunteerism has always been an essential part of the spirit and traditions of the City of Westminster; and

WHEREAS, Volunteerism historically reflects the highest values of our democratic society, in that regardless of situation, station, age, race, creed, all may volunteer and thus reap the rich rewards that come from giving aid to others, while improving one's own skills and widening one's horizons; and

WHEREAS, The City Council of Westminster wishes to honor the citizens who volunteer for the City, in the schools, and other agencies; and

WHEREAS, The City Council places great importance on the value volunteerism plays in our American way of life; and

WHEREAS, The City of Westminster wishes to recognize, honor, and thank the dedicated citizens of Colorado and the City of Westminster who give freely of their valuable time, energy, and abilities, as volunteers;

NOW, THEREFORE, The Westminster City Council does hereby proclaim April 13 through 19, 1997 as

**NATIONAL VOLUNTEER WEEK**

in the City of Westminster, and encourages all citizens to find appropriate and fulfilling ways to volunteer.

Signed this 14th day of April, 1997.

  

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**Date:** April 14, 1997  
**Subject:** Proclamation re National Library Week  
**Prepared by:** Nancy Milligan, Public Information Specialist

### **Introduction**

City Council is requested to proclaim the week of April 14-19 as National Library Week. Library Services Manager Kathy Sullivan and Library Board Chairperson Doris Walter will attend the City Council meeting to accept the proclamation.

### **Summary**

National Library Week focuses on the vital role libraries play in helping people of all ages connect with books, computers, videotapes, and other informational resources they need to learn and grow. People come to the library for many reasons: to further education, teach children, stretch the imagination, improve skills, be entertained, explore, and discover. Libraries welcome people of all ages, races, and education levels and serve as centers of knowledge for the community.

### **Staff Recommendation**

Proclaim the week of April 14-19 as "National Library Week" in the City.

### **Background Information**

The Westminster Public Library celebrates National Library Week with programs and information and encourages all residents to make use of the many free library services.

Last year the Westminster Public Library checked out more than 400,000 items, reaching a new high in circulation. With more than 60,000 registered patrons, the Library serves a diversity of needs. The Westminster Public Library offers a collection of fiction, non-fiction, children's books, books-on-tape, videotapes, newspapers, and magazines. Electronic resources include CD-ROM databases for news, health, business, magazine indexes, and other research information. Children's computer workstations offer reading and research programs. The Library presents Children's Story Hours several times a week and two monthly book clubs for adults. The Annual Summer Reading Program offers incentives and programs for children up to age 15. Patrons may use their home or office computers to connect to the library to search the holdings catalogs, check their patron records, or place holds on books. Other services include interlibrary loan, telephone renewal, tax forms, dial-a-story, job and career information, and a community meeting room.

Special programs are scheduled during National Library Week at both the Kings Mill Library and the 76th Avenue Library Community Room.

Respectfully submitted,

William M. Christopher, City Manager

WHEREAS, Our nation's public, school, and academic libraries play a vital role in helping people of all ages connect with books, computers, videotapes, and other resources needed to learn and grow; and

WHEREAS, Libraries offer preschool story hours and programs to help children learn and enjoy reading, and provide access to information for all people; and

WHEREAS, Children and families view librarians as friends and teachers available to guide and answer questions; and

WHEREAS, Library services remain free to every citizen, providing equal opportunity for people of all ages and backgrounds; and

WHEREAS, Libraries nationwide are celebrating National Library Week;

NOW, THEREFORE, be it proclaimed that the Westminster City Council and Staff hereby recognize April 14-19, 1997, as

**NATIONAL LIBRARY WEEK IN THE CITY OF WESTMINSTER**

Signed this 14th day of April, 1997.

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**Date:** April 14, 1997

**Subject:** Radio Frequency Meter Reading System Equipment Purchase

**Prepared by:** Robert L. Booze, Utilities Services Supervisor

### **Introduction**

City Council action is requested to authorize the expenditure of \$1M to purchase Radio Frequency Meter Reading Equipment and for the contractual installation of the equipment, authorize the City Manager to negotiate a contract with the sole vendor of the desired equipment; Mountain States Pipe and Supply Company. Funds are available in the 1997 Utility Capital Improvement Project Budget for this expense.

### **Summary**

TRACE Radio Frequency Equipment was selected by City Staff in 1994, following the decision to utilize the Itron Computer Billing Program. TRACE Equipment can be retro-fitted with the Badger water meter, which has been the meter equipment utilized by the City for 14 years for residential water services.

In 1996, the first phase of the TRACE Retro-fit program was completed and Mountain States Pipe and Supply installed 9,264 meter retro-fits. The total expense for this phase of the TRACE Retro-fit program was \$1.5M. Currently, there are 11,760 TRACE meter services throughout the City.

An expenditure of \$1M for the Radio Frequency Meter Reading System Retro-fit Program was included in the 1997 Utility Capital Improvement Project budget.

Mountain States Pipe and Supply Company is the sole supplier of TRACE radio frequency meter reading equipment in Colorado.

### **Staff Recommendation**

Authorize the expenditure of \$1M to purchase 5,967 radio frequency meter reading units and provide contractual installation of the equipment with Mountain States Pipe and Supply Company, the sole supplier of TRACE meter reading equipment in Colorado; authorize the City Manager to execute a contract with Mountain States Pipe and Supply Company for the contractual installation; and charge the expense to the appropriate Utility Fund Capital Improvement Project budget account.

### **Background Information**

During 1994, City Council directed City Staff to investigate new water meter reading technology. A Staff task force was formed with representatives from the Department of Public Works and Utilities and the Utility Billing and Data Processing Divisions within the Finance Department. Subsequently, City Council decided to purchase the Itron computer billing program along with hex-a-gram meter reading equipment for commercial water meters and TRACE radio frequency meter reading equipment for the residential water meters.

A test residential subdivision was retro-fitted with TRACE equipment in February 1995. Starting in August 1995, all new water meter installations were installed with TRACE radio meter reading equipment. Currently, there are 11,760 residential water services utilizing the TRACE equipment;

9,264 - 1996 Retro-fit Program

2,496 - New meter sets and customer services

An estimated 5,967 retro-fits can be accomplished with the \$1M Capital Improvement Project funds authorized for this purchase. The 1996 retro-fit program was outsourced, and the contract was executed with Mountain States Pipe and Supply Company along with the equipment purchase. The 1996 retro-fit program was such a success that Public Works and Utilities Staff is recommending to contract the installation of the equipment to Mountain States Pipe and Supply.

Negotiations have been conducted with Mountain States Pipe and Supply Company to purchase the TRACE Meter Reading Transponder and Badger Water Meter equipment for \$162.02 per installation and TRACE Meter Reading Transponder cost is \$140.70 per unit.

An alternative to the recommended approach would be to utilize all the allocated funds to purchase TRACE equipment and perform the installations with Meter Shop Staff; however, this option would substantially increase the amount of time necessary to fully implement the TRACE Radio Meter Reading Program. Mountain States Pipe and Supply Company can install 3,500 retro-fits per month. The Meter Shop would only be able to utilize 2 employees to perform retro-fits, which would result in completing an estimated 900 retro-fits per month, taking 10-12 months to complete the same number of retro-fits the contractor could complete in 3 months.

With the recommended retro-fit scope of work, a total of 17,727 meters will have been completed. This will leave approximately 6,113 existing residential meters in Westminster's water system to be retrofitted. Funds are being recommended in the 1998 Budget to achieve additional conversions. Radiowave technology provides a much enhanced method to obtain water meter readings.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** April 14, 1997

**Subject:** 1997 Asphalt Pavement Rehabilitation Project Bid

**Prepared by:** Ray Porter, Street Projects Coordinator

### **Introduction**

City Council action is requested to award the bid for the 1997 Asphalt Pavement Rehabilitation Project and authorize the City Manager to execute intergovernmental agreements with Adams County School Districts No. 27J and No. 50. Funds have been specifically allocated in the 1997 Department of Public Works and Utilities Street Division budget for this expense.

### **Summary**

City Council approved funds in the 1997 Street Operations Budget for resurfacing and reconstruction of 23 lane miles of paved roadways on 20 streets throughout the City.

Formal bids were solicited in accordance with City Charter bidding requirements for the 1997 Asphalt Pavement Rehabilitation Project. Four contractors obtained bid packages and four bids were received. The low bidder, Western Mobile Denver Paving, at \$1,471,849 meets all the City bid requirements and successfully completed the City's 1995 Asphalt Pavement Rehabilitation Project. Adams County School Districts #27J and District #50 participated in this bid process and \$198,069 of Western Mobile Denver Paving's bid is for school district work.

Staff is recommending that two additional street sections be added to the project due to the lower prices than what was estimated. The increase to Western Mobile Denver's contract to reconstruct these two streets is \$43,000. The streets to add to the City's 1997 street rehabilitation program are as follows:

1. Lamar Court, South of 72nd Drive
2. Marshall Court, South of 72nd Drive

### **Staff Recommendation**

Authorize the City Manager to sign a contract for the 1997 Asphalt Pavement Rehabilitation Project with the low bidder, Western Mobile Denver Paving Company in the amount of \$1,514,849; authorize a \$35,000 contingency amount, and charge the expense to the appropriate 1997 Department of Public Works and Utilities Street Division Budget; and authorize the City Manager to sign the intergovernmental agreements with Adams County School Districts #27J and #50 for the Districts' asphalt parking lot repairs as part of the City's project at the Districts' expense.

### **Background Information**

An alternative to this project is to combine the bids for the concrete replacement projects and the Asphalt Rehabilitation Project.



- > City administrative costs would decrease because there would only be one bid instead of three.
- > Bid prices for concrete work would increase because the general contractor's profit margin would be added to the subcontractor's costs.
- > The contract time would have to be increased.
- > The risk of not completing the contract in 1997 would be higher.
- > The need to accomplish work outside the window of time for the prime construction season creates a greater risk for poor quality construction.

The results of the bidding were as follows:

<u>Contractor</u>	<u>City Bid</u>	<u>School Dist. #27J &amp; #50 Bid</u>	<u>Total</u>
Western Mobile Denver	\$1,273,780	\$198,069	\$1,471,849
Asphalt Paving	\$1,283,871	\$233,080	\$1,516,951
Bituminous Roadways	\$1,376,934	\$238,605	\$1,615,539
Asphalt Specialties	\$1,627,679	\$252,136	\$1,879,815
Staff Estimate	\$1,291,248	\$210,000	\$1,501,248

Contractual asphalt work prices increased 2.5% over 1996. The increase can be directly attributed to a 3% increase in the price of liquid asphalt to the suppliers.

The 1997 Asphalt Pavement Rehabilitation Project consists of 23 lane miles of street improvements at 20 locations throughout the City. This program was recommended by Staff after each street segment was carefully analyzed through the computerized pavement management process and the most cost effective rehabilitation strategies have been determined. Included in this project is \$20,000 to resurface the south and west parking lots of the Municipal Court/Library Complex located at 76th Avenue and Grove Street. Funding was budgeted by the General Services Department for this expense.

Also included in the 1997 Asphalt Pavement Rehabilitation Project are parking lot repairs and resurfacing for Adams County School Districts' #27J and #50. This joint bidding continues to be a beneficial practice for School District taxpayers. Bid prices are lower than what the School Districts were paying in 1989 for these type of repairs.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment: location list

**CITY OF WESTMINSTER  
DEPARTMENT OF PUBLIC WORKS AND UTILITIES  
1997 ASPHALT PAVEMENT REHABILITATION PROJECT  
PROJECT NO. SPR-97-3  
LOCATIONS LIST**

**RESURFACING**

1. West 72nd Avenue, Sheridan Boulevard to Meade Street
2. West 76th Avenue, Winona Court to Turnpike Drive
3. Circle Drive, Shaw Boulevard north to city limits
4. Orchard Court, 73rd Avenue to 75th Avenue
5. Ingalls Street, 92nd Avenue to 95th Avenue
6. Sheridan Boulevard, 93rd Avenue to 104th Avenue
7. Municipal Court/Library, 76th Avenue and Grove Street

**RECONSTRUCTION**

1. King Street, 76th Avenue to 77th Place
2. 77th Place, King Street to Knox Court
3. Dover Street, 88th Avenue to 89th Avenue
4. 89th Avenue, Dover Street to Carr Street
5. Carr Street, 89th Avenue to 90th Avenue
6. King Way, Lowell Boulevard to 92nd Avenue
7. Meade Street, 94th Avenue north to end of cul-de-sac
8. West 110th Avenue, Benton Street to Eaton Street
9. Quivas Loop, 113th Avenue to 113th Avenue
10. Quivas Loop East
11. Quivas Loop West
12. Ingalls Street, 92nd Avenue to 92nd Place
13. Lamar Court, South of 72nd Drive to end of cul-de-sac
14. Marshall Court, South of 72nd Drive to end of cul-de-sac

**Date:** April 14, 1997

**Subject:** 112th Avenue, Sheridan Boulevard to Federal Boulevard Amended Engineering Design Contract

**Prepared by:** David W. Loseman, Senior Projects Engineer

### **Introduction**

City Council action is requested to authorize the City Manager to execute an amended engineering design contract with HDR Engineering, Inc. in the amount of \$11,760, raising the total contract amount for the 112th Avenue, Sheridan Boulevard to Federal Boulevard Project to \$118,570. These funds needed to design a pedestrian bridge over Big Dry Creek at a location south of 112th Avenue to facilitate the connection of the trail to the planned 112th Avenue trail underpass. Funds for this expense are available in the 112th Avenue, Sheridan Boulevard to Federal Boulevard Project of the General Capital Improvement Fund.

### **Summary**

The current design contract with HDR includes the preliminary design of 112th Avenue from Sheridan Boulevard to Federal Boulevard and the preparation of final construction plans from Sheridan Boulevard to Stuart Street (the eastern-most access to the Cotton Creek Subdivision).

The construction of improvements for 112th Avenue from Sheridan Boulevard to Stuart Street is currently scheduled in the City's Five-Year General Capital Improvement Program to occur in 2000. The requested fee increase of \$11,760 includes additional efforts to design a pedestrian bridge over Big Dry Creek on the south side of 112th Avenue. This bridge will complete the missing trail "link" between Sheridan Boulevard and 112th Avenue along Big Dry Creek.

### **Staff Recommendation**

Authorize the City Manager to execute an Amended Engineering Services Contract with HDR Engineering, Inc. in the amount of \$11,760, raising the total contract amount for the design of 112th Avenue, Sheridan Boulevard to Federal Boulevard Project to \$118,570; and charge this expense to the appropriate project account in the General Capital Improvement Fund.

### **Background Information**

The proposed construction of 112th Avenue from Sheridan Boulevard to Stuart Street and, eventually, to Federal Boulevard is an effort to upgrade this important roadway to arterial street standards. One interesting feature of this project is the construction of a bridge over Big Dry Creek located approximately 250 feet west of Vrain Street. This bridge will be designed to accommodate pedestrian traffic under 112th Avenue as a grade separated crossing for the Big Dry Creek Trail System. Once complete, this bridge will look very similar to the bridge recently constructed over Big Dry Creek on Sheridan Boulevard (at approximately 110th Avenue).

As part of this trail system, a smaller pedestrian bridge over the creek south of 112th Avenue will be designed to "link" the Sheridan Boulevard Bridge Pedestrian Underpass to the proposed 112th Avenue Bridge Pedestrian Underpass, thus completing this portion of the Big Dry Creek Trail System. The design of this smaller pedestrian bridge is the subject of this Agenda Memorandum. Other features of this project include an eight-foot detached sidewalk on both sides of the street, which is important to provide better pedestrian access to Front Range Community College and the new College Hill Library.

The requested additional fee from HDR of \$11,760 brings the total contract amount to \$118,570, which is approximately 4% of the anticipated cost of construction. This fee is very reasonable when compared to fee percentages from other capital improvement projects.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** April 14, 1997  
**Subject:** Comprehensive Land Use Plan  
**Prepared by:** Max Ruppeck, Planner III

## **Introduction**

City Council is requested to hold a public hearing regarding the proposed Westminster Comprehensive Land Use Plan (Plan).

## **Summary**

In August 1995, the Westminster City Council, recognizing the need to adapt to the City's changing conditions, initiated the development of a comprehensive land use plan. The focus of the plan was to address the remaining 30% of the land within the City which is currently undeveloped. Much of the zoning on this undeveloped land dates back to the early 1970's, and a substantial amount of this zoning contains provisions which are obsolete or do not address current City objectives or market conditions. For example, much of this zoning contains provisions for residential densities which, if allowed to develop, would change the City from a predominately single-family detached community to a predominately multiple-family community.

One of the main objectives of the planning process was to maximize citizen input to ensure that citizens, property owners and other interested parties had an opportunity to participate in the process. The Plan is a direct result of this citizen input along with the direction of the City Council and the expertise of the Staff and its consultants.

The adoption hearings for the Comprehensive Land Use Plan represent the culmination of an eighteen month effort to prepare a plan which will direct the development of the remaining vacant land in the City. Staff and the City's consultant, Balloffet and Associates, will make an approximately 30-40 minute presentation of the Plan to the Council. The presentation will summarize the steps taken by the City to prepare the draft Plan, the opportunities for public input, the key features of the proposed Plan, statistical projections of land use, housing and populations, an area-by-area description of the Plan, and the methods by which the proposed Plan will be implemented.

Interested property owners and citizens are then to be invited to present their opinions or ask questions. Staff will be available to answer any questions of City Council.

When the citizen participation portion of the hearing on April 14, 1997, is completed, the Mayor is to continue the hearing to April 21, 1997. At this second hearing, the opportunity for additional property owners and citizen comments will be provided for persons not having an opportunity to speak at the April 14 meeting. At the conclusion of the April 21 meeting, it is proposed that the Council will conclude the public comment and continue the matter. Council can then set a Study Session at a later date to discuss any modifications that Council may wish to make to the Plan. The Plan is proposed to be adopted at a later date in May.

Some of the key elements of the plan are as follows:

### **Healthy Mix of Land Uses for Remaining Undeveloped Land**

The principal goal of the Plan is to guide the City in development decisions regarding the remaining vacant lands within the City. Approximately 30 percent of the City is still available for development which makes the Plan a vital part of the City's Growth Management strategies to ensure a viable and healthy mix of land uses.

### **Citizen Participation**

The Plan has been developed over the past eighteen months with direct input from citizens, neighborhood groups, and land owners.

Eight neighborhood meetings/work sessions were held through the process to develop the goals, the various land use alternatives, and finally the Draft Plan. In addition, numerous meetings were held between individual property owners and Staff to discuss the Plan.

### **Development Expectations**

The Plan will allow more predicability for not only the City and its neighborhoods, but for the development community as the plan sets forth the City's development expectations.

### **Strong Employment Base**

The plan represents a strong employment emphasis as supported in the public meeting process. Significant portions of the remaining vacant have been identified for the development of major business parks.

### **Balanced Housing Mix**

Westminster currently has a larger proportion of multiple family/attached housing, nearly 40 percent, than most of the communities in the Denver metro area. One of the major goals of the plan is to achieve a more balanced housing mix. Therefore, most of the remaining residential land is proposed to be reserved for single family housing, including move-up and higher end housing.

### **Balanced Quality Approach to Retail Development**

Retail sales are and will continue to be essential elements in the City's economy, although the location and quality of retail development is a major concern of the community residents. The plan recognizes a balanced approach to retail development that includes limiting retail development at intersections, and emphasizes high quality, coordinated architecture, landscaping, and pedestrian orientation.

### **Maintain Integrity of South Westminster**

The Plan advocates the revitalization and enhancement of older retail areas, with special emphasis on the 72nd Avenue and Federal Boulevard corridor and Westminster Plaza. It encourages efforts to improve the area's image and infrastructure to support this commercial revitalization. In addition, the plan supports the continued enhancement and preservation of south Westminster residential areas as attractive, vital neighborhoods.

### **Establish District Centers**

The Plan proposes the creation of five district centers throughout the City. A district center is designed to create a unique identity and focus for areas around the district and City. District centers will function as gathering places for area workers, residents, and visitors, as well as providing opportunities for local services. Uses for each district center will vary, but most will serve as destinations for working, shopping, and entertainment, as important community-wide destinations.

### **Staff Recommendation**

Hold an initial public hearing on April 14, 1997, and continue the hearing to April 21, 1997, for additional public input.

### **Background Information**

The planning process was conducted in four phases: inventory and analysis, goals and policies, land use plan alternatives, and drafting of a land use plan. Initial tasks included a review of existing plans and policies, a review of demographic and economic considerations, an analysis of existing land use conditions, and a review of environmental features and influences.

A series of four neighborhood public meetings were held in April 1996 during preparation of the goals and policies, to obtain input on issues and goals that the citizens felt the plan should address. The project team then finalized the goals, and prepared a series of alternative plans, designed to evaluate various future scenarios for the City.

A second set of four neighborhood public meetings was held in June 1996, as an opportunity to review and comment on the alternative plan scenarios. Meeting attendees participated in a hands-on exercise to evaluate the plan scenario maps and select their preferred scenario.

The project team then prepared a draft land use plan map, incorporating comments received during the public meetings as well as from City Council, the Planning Commission, and other interested parties. Two public meetings were held in September 1996 to present the draft land use map and provide an opportunity for final public comments. That map was also printed in the September/October 1996 issue of City Edition and distributed to about 32,000 households and businesses in the City. A total of about 200 people attended the public meetings held. In addition, notifications were mailed before each public meeting to citizens calling in or attending prior meetings, and all properties owners of record were sent notification before the public hearings.

The Staff presentation will largely be made in slide form, although supplemental display boards and overhead projections will also be employed.

The procedure of the public hearing is shown in Exhibit B. It should be emphasized that all opinions, questions and other input should be directed to the Mayor who will chair the hearing. General comments, not specifically related to any property or area of the City, should be heard first. Citizens wishing to address specific properties should sign up by geographic areas as follows:

1. The Northeast area which includes the portion of the City north of 120th Avenue.
2. The Central Area which includes the portion of the City between 120th Avenue on the north and 88th Avenue on south, east of US 36.
3. The Southeast Area which includes the portion of the City south of 88th Avenue and east of Wadsworth Boulevard.
4. The West Area which includes the portion of the City west of US 36 and north of 88th Avenue.

Staff has received many letters from citizens and property owners during the planning process. Correspondence was considered by Staff in preparing the draft plan. The Planning Commission held hearings on March 11th and considered all testimony and took action to recommend adoption of the Plan by City Council.

Exhibit C lists twelve properties which the Planning Commission received comments from property owners or their representatives. It lists the current zoning and currently allowed uses on the property, and the Comprehensive Land Use plan designation. Exhibit C also refers to correspondence received on each property. These letters were sent to City Council on March 28, 1997 along with an earlier version of Exhibit C, the March 11 and 25, 1997 Planning Commission Agenda Memorandum, a colored legend and maps of these properties showing existing zoning on these properties, and a memorandum summarizing the actions and suggested changes to the Comprehensive Land Use Plan by the Planning Commission at their March 25, 1997 meeting.

Most of the landowners (or their representatives) speaking at the Planning Commission public hearing made the claim that their existing land use was a "commitment" by the City made at the time of annexation of their properties (or after annexation). However, unless specifically provided for by contract, the City is not committed to indefinitely preserve zoning designations and may review zoning periodically based on a Comprehensive Plan.

The Plan contains a number of "Community Goals and Policies" (see pages 23-30 of the Comprehensive Plan text) which were developed during the planning process over the past 18 months with considerable citizen input. A number of these goals, along with the expressed desires of City Council in the formulation of the Plan, had considerable weight on land use decisions made in the Plan. Policies of particular importance to the land use plan are the following:

**Policy B2b:** Existing neighborhoods will be buffered from new development that may be considered to be incompatible with residential uses.

**Goal C2:** The amount of "high-end" or "executive housing" should be increased.

**Goals C3:** New multiple family development should be limited, in order to maintain the City's housing balance.

**Policy D3b:** Existing zoning patterns should be altered to limit retail commercial development to one or two quadrants to arterial intersections, to meet the needs of neighborhoods without unnecessarily burdening the transportation system or negatively impacting the visual environment.



In addition to these stated goals and policies, the City Council has expressed concern regarding lowering the density of residential and limiting the buildout population of the City (eg. approximately 128,000 persons could be accommodated under existing zoning vs. approximately 104,000 persons under the draft land use plan). City Council also expressed a strong desire for high quality business/office/manufacturing development as opposed to just retail employment.

All of the properties in Exhibit C have been assessed in light of the above goals and policy statements, and City Council concerns.

Eight of the properties have their existing commercial zoning shown on the Land Use Plan as either business park, office or residential. Four properties have had their zoned residential densities reduced, and one property (Bruchez, at 120th Avenue) currently is zoned O-1, and a mix of business park and residential has been recommended in the draft Plan. It should again be emphasized that the existing zoning on properties will stay in place until development actually occurs, and will be compared to the Land Use Plan at that time (please refer to the attached Exhibit A, Ordinance No. 2475).

Exhibit D is a summary of the Planning Commission's recommended action on the 12 properties represented at the Planning Commission public hearing.

Exhibit D also indicates five additional parcels which may arise during City Council's public hearing but did not appear at the Planning Commission public hearings.

It is noted that the proposed Comprehensive Land Use Plan is the most significant strategic action or decision that City Council will take to guide the community into the next millennium. With 30 percent of the land area remaining, its importance is elevated. The proposed Plan reflects the goal of a balanced community and guides land uses to "round out" the existing development.

Respectfully submitted,

William M. Christopher  
City Manager

Attachments

## **EXHIBIT B**

### **PROCEDURE FOR PUBLIC HEARING PRIOR TO INTRODUCTION OF LEGISLATION ADOPTING A COMPREHENSIVE LAND USE PLAN**

#### **1. Introduction by Mayor.**

"We are now considering the introduction of an ordinance adopting a Comprehensive Land Use Plan for the City of Westminster. The Comprehensive Plan has been drafted after numerous meetings in which the public participated, and the draft Plan has been made available for all those interested in reviewing it. It has also been considered by the Planning Commission which has recommended its adoption. Because the adoption of a Comprehensive Plan will apply generally to all the citizens, property owners and businesses in Westminster for the indefinite future, and requires balancing of the many interests and objectives of the City and its residents, City Council has decided that it is appropriate to conduct public hearings to further obtain the views of interested parties before voting on this legislative matter."

#### **2. Mayor Opens Public Hearing and Reviews Procedures to be Followed as Follows:**

A. The hearing shall be informal and conducted in such manner as to provide for a reasonable opportunity for all interested persons to express their opinions, as long as the presentation being given is reasonably related to the subject of the proposed Comprehensive Plan. In order to encourage participation by all who are interested in the Plan, each speaker is requested to limit his/her presentation to five minutes. If the presentation will require more than five minutes, the speaker is requested to submit it in writing prior to the hearing, and the Council will consider it prior to making a decision. The hearing will be held on two evenings and will be continued to Monday, April 21. The hearing will extend to approximately 10:00 P.M. if needed.

B. Formal rules of evidence shall not apply. There will be no cross-examination. Presentations shall be made in the order below, and Council shall vote on the ordinance after motion and discussion as described below sometime in May. At the request of legal counsel, all questions and comments shall be directed through the Chair.

C. Councillors not present at the hearing may vote on the ordinance if they listen to the tape recording of the hearings prior to voting.

#### **3. Order of Presentations:**

A. City Staff shall present the proposed Comprehensive Plan and answer questions from the Councillors.

B. Interested persons shall present their opinions or questions. A sign-up sheet will be available and persons shall speak in the order that their names appear on the list. Councillors may ask questions of the speakers.

C. The Mayor shall request that any person who has not spoken and wishes to do so, speak at this time.

D. City Staff shall answer any questions or present further information not previously addressed or address items in need of clarification.

#### **4. Continue the Hearing to Monday, April 21, 1997 at 6:00 P.M.**

**Date:** April 14, 1997

**Subject:** Harlan Street Flyover Engineering Design Contract

**Prepared by:** Stephen C. Baumann, Assistant City Engineer

### **Introduction**

City Council action is requested to authorize a contract with HDR Engineering, Inc. for preliminary design of the Harlan Street Flyover Project along with funding in the amount of \$245,000 for the design contract and related expenditures in the project. Funds are available for this project from proceeds of the sale of \$15 million in Sales Tax Revenue Bonds.

### **Summary**

In November of 1996, Westminster citizens approved the issuance of \$15 million in Sales Tax Revenue Bonds for transportation improvements in the Westminster Center and Westminster Promenade District Centers. One of these projects calls for the design of Harlan Street north from approximately 94th Avenue over the Boulder Turnpike to 104th Avenue at the main entrance to the Westminster Promenade.

Proposals for this preliminary design project were received from eleven engineering consultants. Subsequent interviews with HDR Engineering, Inc., Martin/Martin, Inc. and MK Centennial, yielded a recommendation that the contract for preliminary design be awarded to HDR Engineering, Inc., and that work begin immediately.

The fee for engineering services covered under the contract is \$205,000. Authorization of an additional \$40,000 is being requested for use as a contract contingency and for related activities such as ownership and title research, pre-appraisal land valuations and other evaluations that will be necessary as the design progresses.

### **Staff Recommendation**

Authorize the City Manager to sign a contract for preliminary design services for the Harlan Street Flyover with HDR Engineering, Inc. in the amount of \$205,000; authorize \$40,000 for use as a project contingency and charge these expenses to the appropriate project account in the General Capital Improvement Fund.

### **Background Information**

In the November 1996 election, Westminster voters authorized the sale of \$15 million in Sales Tax Revenue Bonds to pay for the design and construction of transportation improvements in the Westminster Center area and in other parts of the City including the Westminster Promenade. The improvements will respond to existing and anticipated traffic needs in these two areas. The future traffic flow in both of these district centers is linked by the Harlan Street flyover. The Harlan Street Flyover Project (see attached map) will connect the two district centers by crossing U.S. 36 on an alignment that will be determined and partially designed in 1997.

The scope of work for the Harlan Street Flyover Project consists of an alignment study which will confirm and adjust the overall alignment of Harlan Street between its southern terminus at approximately 94th Avenue and the intersection of 104th Avenue and Westminster Boulevard, now under construction. Preliminary design will then determine right-of-way needs, roadway profiles and solve other technical problems. Design issues include determining the appropriate roadway geometry, location and configuration of the bridge which will cross U.S. 36 and evaluation of the impacts and benefits to adjoining properties along the corridor. Environmental considerations also figure to be an important aspect of the project along with local and regional access needs.

Proposals for engineering and other related design services in the project were received from 11 engineering firms. A review of the proposals narrowed the field to three firms, who developed work plans and project schedules and were interviewed by City Staff. Fee schedules were developed by each of the firms as follows:

HDR Engineering, Inc.	\$205,000
Martin/Martin, Inc.	\$259,000
MK Centennial, Inc.	\$326,000

The range of fees is broad but is indicative of the several different approaches to the project. The scope for a preliminary design project is more difficult to define than that for final design, particularly for the Harlan Street alignment through largely undeveloped properties. After interviewing the three firms, Staff is recommending that HDR Engineering, Inc. be awarded the contract for preliminary design of the Harlan Street Flyover at their proposed fee of \$205,000. Each of the three firms is very qualified to perform the work and each has much experience in and with the City of Westminster. Critical to the preliminary design effort will be securing approval from the Colorado Department of Transportation (CDOT) on the structure carrying Harlan Street over U.S. 36. HDR has a good working relationship with CDOT. They are also responsible for the award-winning final design of Sheridan Boulevard between 104th Avenue and 113th Avenue. HDR will also soon finish plans for 112th Avenue east of Sheridan Boulevard. They are very enthusiastic about this project and are prepared to begin immediately.

Given the several interpretations of what preliminary design will ultimately consist of, Staff is recommending the authorization of a contingency for HDR's preliminary design contract of \$22,000. Other incidental costs can be expected as the design effort progresses. These include activities like title and ownership research, illustrations and exhibits for public involvement activities, pre-appraisal estimates of land value for right-of-way acquisition purposes and other small contracts which will be handled administratively.

Staff recommends that \$18,000 should be set aside for these activities. With these contingencies, an authorization for a total of \$245,000 is recommended. Preliminary design will begin immediately and should be complete by late Fall of 1997. Recommendations can then be made on component projects for the purposes of budgeting future final design and construction activities.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** April 14, 1996

**Subject:** Westminster Boulevard, 104th to 113th Avenue Construction Contract

**Prepared by:** David W. Loseman, Senior Projects Engineer

### **Introduction**

City Council action is requested to award the construction contract for the Westminster Boulevard, 104th Avenue to 113th Avenue Project to Hamon Contractors, Inc. in the amount of \$3,784,474. City Council action is also requested to authorize the expenditure of \$145,600 to TARCO, Inc. for the installation of "structural" fill under the Promenade Plaza; to authorize the expenditure of \$485,500 from the appropriate project account in the Utility Fund to pay for water lines and appurtenances that are being installed as part of this project; to authorize the City Manager to execute a contract with Martin/Martin in an amount not to exceed \$420,205 for construction engineering services relating to this project; and to authorize a project contingency of \$50,000. Funds are available for these expenses in the appropriate project accounts in the General Capital Improvement Fund and the Utility Fund.

### **Summary**

Construction of the Westminster Boulevard project is scheduled to begin in late April, pending Council's approval of this construction contract.

Five contractors submitted bids on this project with the low bid of \$3,784,474.26 being submitted by Hamon Contractors, Inc. It is recommended that City Council award the contract to Hamon Contractors, Inc.

Council action is also requested to authorize the City Manager to sign a construction engineering services agreement with Martin/Martin, the design consultant on the project, in the amount of \$420,205. This fee includes construction engineering services for both the Westminster Boulevard Project, which is the subject of this Agenda Memo, and the Westminster Promenade Plaza, which will be bid in May. The requested fee represents approximately 7.1% of the cost of construction, which compares very favorably with the cost of such services on previous capital improvement projects.

Further Council action is requested to authorize the expenditure of \$485,500 from the Utility Fund account. This amount will fund the 24-inch potable water line and 16-inch reclaimed water line installations which are included as part of this project.

Council action is also requested to authorize the expenditure of \$145,600 to TARCO, Inc. for the installation of "structural" fill under the Promenade Plaza area. This work is being performed by the developer, 104th and Pierce Development, LLC, as part of their project and the amount of \$145,600 is the City's share of this cost by previous agreement.

The structural fill is necessary due to swelling soils in the area and will prevent heaving of the brick pavers in the Plaza area. The developer solicited bids from dirt contractors with the low bid of \$145,600 (City's share) being submitted by TARCO, Inc.

**Staff Recommendation**

Authorize the City Manager to execute a contract with Hamon Contractors, Inc. in the amount of \$3,784,474 for the construction of Westminster Boulevard; authorize the expenditure of \$145,600 to TARCO, Inc. for the installation of structural fill in the Westminster Promenade Plaza; authorize the City Manager to sign a construction engineering services agreement with Martin/Martin in an amount not to exceed \$420,205; authorize a contingency of \$50,000; and charge \$485,500 of these expenses to the appropriate project account in the Utility Fund and charge the remaining expenses to the appropriate project account in the General Capital Improvement Fund.

**Background Information**

Since the opening of the 104th Avenue/U.S. 36 Interchange, the City has considered the feasibility of a roadway connection that would provide quick access to U.S. 36 for residents of Sheridan Green Subdivision and other subdivisions to the north of 112th Avenue. Currently, motorists from these areas must travel east to Sheridan Boulevard, south to 104th Avenue, then west to U.S. 36, thus adding considerable distance to their trips and contributing to the air pollution problems of the Denver metro area.

A logical, more direct route to U.S 36 would be provided by an extension of Westminster Boulevard (Pierce Street) from 104th Avenue (on the west side of the Butterfly Pavilion) through Northpoint Subdivision and along the west side of Sheridan Green Subdivision to 112th Avenue. On August 28, 1995, Council authorized the final design of this road. The construction plans have been advertised for bid and construction is anticipated to begin in late April, 1997.

The Westminster Boulevard project includes the construction of a four-lane minor arterial with raised landscaped medians, similar to Sheridan Boulevard between 104th Avenue and 112th Avenue. As part of this project, signals will be installed at 104th Avenue, the two Promenade entrances and 112th Avenue. In addition, the main feature of this project will be the pedestrian "Promenade" bridge which will allow pedestrians to cross Westminster Boulevard without traffic conflicts.

The construction package for this project was advertised in The Daily Journal for three weeks and bids were opened on March 27. Five contractors submitted bids, and the bids results are as follows:

<u>Bidder</u>	<u>Amount of Bid</u>
Hamon Contractors, Inc.	\$3,784,474.26
SEMA Construction, Inc.	3,787,621.37
TARCO, Inc.	3,827,487.81
New Design Construction, Inc.	4,258,483.04
RBI	4,275,075.00
Engineer's Estimate	\$4,241,044.00

Martin/Martin, the City's engineering consultant, has reviewed the results of the bidding procedure and recommends that the low bidder, Hamon Contractors, Inc, be awarded the contract for construction in the amount of \$3,784,474.26. Both City Staff and the design consultant are familiar with Hamon Contractors, Inc. and believe that this company is very capable of performing this type of project. In fact, Hamon Contractors constructed the award winning Sheridan Boulevard, 105th Avenue to 113th Avenue project for the City. Staff also recommends that a construction contingency of \$50,000 be authorized to account for any unforeseen change orders on this project.

Capital improvement projects as significant as this demand full-time inspection, surveying and materials testing services. The City is not adequately staffed to provide these services "in-house." In almost all cases, it is best to retain the design consultant to provide construction engineering services on that project. Such a contractual relationship eliminates any potential for "finger pointing" between consultants whenever problems arise in the field. It also allows the most informed individuals on a particular project to actually inspect the progress of the work. Staff checks proposed construction services against generally accepted industry standards relating to fair percentage of the value of the work being constructed. Depending upon the size of the project, construction service fees should usually fall into the range of 5% to 15% of the cost of construction. For the Westminster Boulevard and Promenade project, Martin/Martin's proposed fee of \$420,205 (7.1% of the expected cost of this project) is fair to the City.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** April 14, 1997  
**Subject:** City Park Recreation Center Companion Facility  
**Prepared by:** Ken Watson, Recreation Facilities Manager

### **Introduction**

City Council action is requested to authorize the City Manager to approve a contract with Gerald M. Phipps, Inc. in the amount of \$470,000 and a 10% contingency for a design/build contract for the construction of Phase I of the City Park Recreation Center Companion Facility. Funds for this expense are available in the General Capital Improvement Project Fund.

### **Summary**

In 1995, Odell Architects was contracted to complete conceptual design plans for a companion facility to the existing City Park Recreation Center. Staff worked closely with Odell Architects to provide a preliminary program plan for a full-service, recreation/fitness facility.

The Request for Proposals for the design/build using the preliminary program plan was advertised, and ten contractors/architectural firms submitted their proposals. After a thorough review of all submittals, four finalists were selected for the interview process.

The interview team consisted of Ann Merkel, City Councillor; Alan Miller, Assistant City Manager; Vicki Atkins, Parks and Recreation Advisory Boardmember; Bill Walenczak, Director of Parks, Recreation and Libraries; Ken Watson, Recreation Facilities Manager; Bob Spada, Recreation Program Manager; and Greg McSwain, Recreation Supervisor City Park. .

All four design/build teams were qualified and offered varying talents and abilities. The bids included the contractor's project management fee and the architect's fee for complete design, specification, working drawings, and bid documents. The bids were as follows:

Wietz Cohen/Worth Group	\$405,188
Etkin/Dauer	\$447,240
Phipps/Sink Combs Dethlefs/Odell	\$470,000
Saunders/MOA	\$496,000

All four contractors have excellent qualifications in design/build projects. However, the Phipps team, which includes the architectural firm of Sink, Combs, Dethlefs, has worked on three major recreation center projects together. Sink, Combs, Dethlefs's project list includes 28 sports/recreation facilities, which the firm has designed and had constructed. A few of the more prominent facilities are the Dal Ward Center at CU, UNC Student Recreation Center, Castle Rock Recreation Center, CSU Student Recreation Center, and the Denver Broncos Training Center and General Offices. Staff believes this firm has the knowledge, expertise, creativity, and experience to make the companion facility a high-quality amenity to complement City Park Recreation Center, at the best value price.



Alternative

City Council could choose one of the above listed contractor/architect teams, in lieu of the Phipps team. However, Staff believes the Phipps/Sink, Combs, Dethlefs combination is the best design/build team for this project.

**Staff Recommendation**

Authorize the City Manager to sign a contract with Phipps/Sinks, Combs, Dethlefs in the amount of \$470,000 plus a 10% contingency along with reimbursables for the design/build of the City Park Recreation Center Companion Facility. In addition, charge this expense to the appropriate project account in the General Capital Improvement Fund. Authorize the City Manager to sign an addendum to the contract if the project budget exceeds \$5.0 million according to the following formula:

- < For the first \$250,000 over \$5.0 million, 4.5% of the additional budget
- < For amounts beyond the first \$250,000, 8.8% of the additional cost

**Background Information**

The City Park Recreation Center has been a successful facility since it first opened in 1986. Other than the two years of pool closings, City Park has grown in attendance each year. Total paid usage in 1996 was 359,000.

Many of the facilities and programs in the existing building can no longer accommodate the demands that are placed on them by the users. The weight room and gymnasium experience beyond-capacity usage several times per day, several months of the year.

City Council previously reviewed conceptual plans for adding a facility to handle the overuse and complement the youth activities at the existing building. The conceptual plans included a phased schedule for adding the weight room, locker rooms, offices, registration area, lounge, small meeting room, Rapids training facility, gymnasium with elevated running track, aerobic room, child care area, etc. Staff is scheduled to meet with the Rapids management this month to negotiate their participation in this project.

In November 1996, voters overwhelming approved continuance of the 1/4 cent Open Space Sales Tax. Adding the companion facility at City Park was included in the list of recreation facilities along with the Countryside Recreation Center expansion.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** April 14, 1997

**Subject:** Legacy Ridge Restaurant Lease Amendment

**Prepared by:** Richard Dahl, Park Services Manager

### **Introduction**

City Council action is requested to authorize the City Manager to sign a new Lease Agreement between Mr. Albert Gehorsam, Legacy Grill, L.L.C. and the City of Westminster for the continued operation of the restaurant at the Legacy Ridge Golf Course.

### **Summary**

On July 10, 1996, Council approved the transfer of the Legacy Ridge restaurant lease to Albert Gehorsam, Legacy Grill, L.L.C., based on the existing lease of the original contractor, Peter Hellerman. At the time, it was in the best interest of all parties involved to keep the lease intact with no modifications.

The transition between lease operators has gone extremely well, staff and Mr. Gehorsam are now proposing to modify the lease agreement as it relates to monthly rent, commission fees, and the length of the contract.

The Legacy Ridge Clubhouse Agreement between Albert Gehorsam, Legacy Grill, LLC and the City of Westminster is due to expire on December 31. As a condition of the contract the City is required to give written notification to renew the Agreement on, or before, August 1.

City Staff reviewed this proposal with City Council at the Study Session of January 10, 1997. Consensus was given by Councillors to have Staff prepare the necessary revisions to the lease agreement and bring it back to City Council at a later date for formal approval.

### **Staff Recommendation**

Authorize the City Manager to sign a new lease with Mr. Bert Gehorsam of the Legacy Ridge Restaurant that is attached to this agenda memo.

### **Background Information**

When the Legacy Ridge Restaurant Lease Agreement was drafted in 1994, it incorporated features of a previous document which was used as a draft model. As a starting point, this process worked well, but Staff is now recommending the lease agreement be modified to better suit the needs of the Legacy Ridge Clubhouse operations and the Legacy Grill Restaurant.

On September 12, 1994, Peter Hellerman of Gasthaus Ridgeview, Inc. became the lease owner of the Legacy Ridge Clubhouse Restaurant. His original contract called for a three-year lease with monthly payments of \$1,500 and a 2.5% concession fee above gross sales of \$60,000.

The contract was further modified in January 1996 to remove the \$60,000 gross sales cap and go to a monthly lease payment plus 2.5% commission on gross sales. Based on 1995 sales, it is estimated the City would have realized approximately \$26,000 in revenues from Mr. Hellerman's operation if it had continued for the remainder of 1996.

To more accurately project revenues and eliminate the complexity of the percent commission fee, Staff and the new operator, Mr. Bert Gehorsam, are recommending to replace it with a higher flat rate lease payment of \$2,500 per month. This will enable Staff to accurately project concession revenues for the golf course while providing the operator an opportunity to maximize his revenue source against his investment. When compared to the estimated revenues under Mr. Hellerman's contract, the new operator will pay the City \$30,000 annually based on a \$2,500 monthly flat rate lease. This again is in comparison to Mr. Hellerman's best revenue year, which would have netted the City approximately \$26,000.

It is also the desire of the Department of Parks, Recreation and Libraries to retain an operator capable of meeting the needs of the golfing public as well as patrons using the clubhouse for its restaurant facility. Staff has been very pleased with Mr. Gehorsam's operation and, judging by the number of patrons he has entertained to date, so has the public. To this end, Mr. Gehorsam is requesting, and Staff is recommending, a five year lease with a renewal option for an additional five year term be issued to Mr. Gehorsam starting in 1997. This lease would be re-negotiated each year throughout the Agreement time period subject to the satisfactory performance by Mr. Gehorsam of the terms and conditions of the Agreement, as well as mutual agreement between the parties regarding increasing the monthly Base Lease Payment and percentage of utilities, to be paid under the Terms of the Agreement. The lease Agreement also contains language outlining the criteria required for termination of the lease prior to its completion date should this ever become necessary.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** April 14, 1997  
**Subject:** Colorado Rapids Training Facility Letter of Agreement  
**Prepared by:** Bill Walenczak, Director of Parks, Recreation and Libraries

### **Introduction**

City Council action is requested to approve the attached letter of agreement between the Colorado Rapids professional soccer team (Anschutz Soccer, Inc.) and the City of Westminster to allow the Rapids team the use of recreation center privileges and the use of the soccer fields at City Park for team practices and training sessions for the 1997 and 1998 soccer seasons.

### **Summary**

On March 5, 1996, Westminster City Council approved a one-year letter of agreement with the Colorado Rapids professional soccer team to allow the players to practice and train at the City Park Recreation Center and soccer fields for the 1996 Major League Soccer season. That agreement proved to be very successful and worthwhile for both parties. Westminster was recognized throughout Colorado and the country as the training home of the Colorado Rapids. The Rapids, in turn, were very pleased with the facilities and hospitality that the City provided them. At the end of the 1996 soccer season, the players voted unanimously that they wanted to return to City Park in 1997 and beyond.

Therefore, City Staff and Rapids management have re-negotiated the original letter of agreement to extend to the 1997 and 1998 professional soccer seasons. This revised agreement is basically the same document that was approved by City Council in 1996. In summary terms, the agreement allows the Rapids the use of the City Park soccer fields as well as recreation center privileges for players, coaches, and their families. One significant change, however, is that the Rapids players will no longer need the use of the locker and shower facilities at the recreation center. On December 20, 1996, City Council reviewed a Staff Report that proposed to allow the Rapids to place two additional trailers (one for showers and lockers, one as a team room) behind the recreation center at City Park. City Council gave concurrence for this to happen, which eliminates the need for the Rapids to utilize the City Park Recreation Center locker rooms.

In return for field use and recreation center privileges, the Rapids will pay the City a sum of \$10,000 per year, as well as award the City a corporate sponsorship package that the Rapids value at \$45,000 (see attached sponsorship agreement). None of the City's recreational or competitive soccer teams will be displaced as a result of this agreement. The Rapids team trains during the week in the morning and early afternoon as compared to training schedules for the City's youth teams, which generally train the late afternoon/early evening hours. The use of one field on Saturday from 8:00-10:00 A.M. by the Rapids can be accommodated in the City Park games schedules without any negative impact.

The agreement also allows for accommodating visiting professional soccer teams to utilize the City Park facilities to become acclimated to the Denver altitude. Although this provision was in effect last year, it was only utilized a couple of times because, typically, visiting teams like to train at Mile High Stadium the day before the game.

Staff believes that this revised agreement is an improvement over last year's arrangement due to the elimination of the team needing to use the City Park lockers and showers. It should also be noted that City Staff and the Rapids management are continuing to negotiate in hopes of reaching public/private agreement for the Rapids to pay for the construction of a permanent training facility to be a part of the new companion facility that is being planned for City Park. It is anticipated that the new companion facility will not be ready until the summer of 1998, which therefore necessitates extending this agreement through the 1998 season.

Staff recommends that City Council approve the attached letter of agreement with the Colorado Rapids for the 1997 and 1998 professional soccer season.

### **Staff Recommendation**

Authorize the City Manager to sign the attached letter of agreement with the Colorado Rapids professional soccer team (Anschutz Soccer, Inc.) to allow the team the use of the City Park Recreation Center and soccer fields for the team's practice and training for the 1997 and 1998 soccer seasons.

### **Background Information**

The City of Westminster has established an excellent relationship with the Colorado Rapids professional soccer team. On March 5, 1996, the City of Westminster Council approved a letter of agreement which allowed the City and Rapids to enter into a unique public/private partnership. Having gone through one full year of the agreement, City Staff has had a chance to objectively evaluate the benefits to the City.

It is Staff's opinion that the partnership proved very successful for both entities. Among the benefits to the City were the Rapids' designating Westminster City Park as their training home. All Rapids practices were open to the public so youth soccer players and adults were able to watch the Rapids train and further their own knowledge of the game. The Rapids also put on two youth soccer clinics last year for participants in the City's youth and competitive soccer programs. Feedback from the youth participants was very positive. The Rapids also provided player appearances at the Arvada Summerfest and the City's craft fair. The Rapids' general manager and president also spoke at City-sponsored business events. Many of the players decided to reside in the City and some have been teaching young players in the City's competitive soccer program. In addition, the City received recognition at every home game that the Rapids played at Mile High Stadium. All in all, it was a very worthwhile relationship. Staff even received positive comments from customers using City Park Recreation Center that they enjoyed talking to the players while using the facility.

Staff is excited about the prospect of both parties continuing and even strengthening this most worthwhile relationship.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment: Letter of Agreement

**Date:** April 14, 1997  
**Subject:** Actions Involving Rocky Flats Local Impacts Initiative  
**Prepared by:** Bill Christopher, City Manager

### **Introduction**

City Council is requested to review and approve the proposed first and second amendments to the first amended Intergovernmental Agreement (IGA) establishing the Rocky Flats Local Impacts Initiative (RFLII) and the 1997 Slate of Directors.

### **Summary**

In accordance with the March 18, 1993 Intergovernmental Agreement establishing the Rocky Flats Local Impacts Initiatives, each entity that is part of the agreement is required to take formal action in approving the slate of nominees for the Board of Directors each year. Also, the proposed first and second amendments to the first amended Intergovernmental Agreement, which establishes the initiative group, has been submitted for City Council's approval.

### **Staff Recommendation**

Approve the slate of nominees for 1997 on the Rocky Flats Local Impacts Initiative Board of Directors, and approve the two proposed amendments.

### **Background Information**

The Rocky Flats Local Impacts Initiative was established by an Intergovernmental Agreement which is dated March 18, 1993. The City of Westminster is a charter member of this organization, which has a multi faceted mission involving the transition of Rocky Flats from a nuclear weapons manufacturing facility to the decommissioned facility and the ultimate redevelopment of the Federal Government-owned facility. In accordance with paragraph 5 of the Intergovernmental Agreement, a slate of nominees for the Initiative's Board of Directors is to be submitted to each governing body for their review and formal approval.

Attached is the list of the 1997 Board of Directors.

Also, two proposed amendments have been submitted for each governing body's consideration and formal action. The first amendment to the IGA acts to extend the date of termination of the IGA from December 31, 1997 to July 1, 1999. The second amendment to the IGA changes the status of "rotating party" to "permanent party" for the Town of Superior.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** April 14, 1997  
**Subject:** Set Date For Special Council Meeting  
**Prepared By:** Michele Kelley, City Clerk

**Introduction**

City Council action is requested to set a date for a Special City Council meeting to continue hearing comments on the Comprehensive Land Use Plan.

**Summary**

The City Council is in the process of receiving comments on the proposed Comprehensive Land Use Plan, and as part of this process, citizens have been invited to address City Council with their comments regarding the land use changes.

It is suggested that City Council set the date of Monday, April 21, 1997 to begin at 6:00 P.M.

**Staff Recommendation**

Set the date of April 21, 1997 at 6:00 P.M. for a special City Council meeting to hold a public hearing regarding the proposed Comprehensive Land Use Plan.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** April 14, 1997  
**Subject:** Quarterly Insurance Report  
**Prepared By:** Nancy Winter, Risk Management Specialist

### **Introduction**

The following is a list of third party claims filed with the City from January 1, 1997 through March 31, 1997. No Council action is required at this time.

### **Summary**

The information provided on each claim includes the claim number, date of loss, claimant's name and address, a brief summary of the claim and the claim's status. Since all claims represent a potential liability to the City, Risk Management Staff works closely with the City Attorney's Office to make sure that the interests of both the City and the citizen are addressed in each instance. All of the claims listed in this report are in compliance with City Ordinance No. 1411 of 1984.

### **Staff Recommendation**

Staff is not recommending any action at this time.

### **Background Information**

The Risk Management Division received the following claims during the first quarter of 1997:

1. WS10297001 Date of Loss: August 5, 1996. Martin and Mary Sutton, 4009 North Peakview Drive, Pueblo, CO 81008. Mr. and Mrs. Sutton allege police negligence in investigating an assault suffered by the claimants at the Westminster 5 Cinema. Claimants seek \$100,000 in damages. CIRSA denied the claim.
2. WS03117002 Date of Loss: March 1993 - December 1996. Shawn A. W. Johnson and Billie J. Syfrett, 8687 West 108th Avenue, Westminster, CO 80021. Claimants allege that the City blocked numerous sales contracts on their property by repeated unreasonable demands for purchasers and sellers to comply with changing regulations. Claimants seek \$850,000 in damages. CIRSA is investigating the claim.
3. WS14637003 Date of Loss: February 6, 1997. Paula and Gary Eilers, 9399 Garrison Drive, Westminster, CO 80021. Mrs. and Mr. Eilers allege that a City employee backed a dump truck into their vehicle. Claimants seek \$1,833.74 in repair costs and car rental costs. CIRSA is investigating the claim.
4. WS03117004 Date of Loss: February 25, 1997. J. Craig Simmonds, 11858 West 108th Drive, Broomfield, CO 80020. Mr. Simmonds alleges that the City is responsible for damage done to his vehicle by a mud clump thrown up by a passing car. Mr. Simmonds alleges that the City should be responsible for monitoring construction companies doing work within the City and keep the road free of debris. CIRSA denied the claim.



5. WS10347005 Date of Loss: March 5, 1997. Helen Neuschaefer, 8020 Tennyson Street, Westminster, CO 80030. Mrs. Neuschaefer alleges that members of the Police Department damaged her roof during a Police Department action to apprehend a suspect barricaded in a nearby house. CIRSA denied the claim.

6. WS16687006 Date of Loss: February 18, 1997. Cheryl Griffen, 3520 West 95th Avenue, Westminster, CO 80030. Ms. Griffen alleges that a City of Westminster snow plow was backed into her vehicle. Claimant seeks \$1,780.36 in damages. CIRSA is investigating the claim.

7. WS10347007 Date of Loss: January 19, 1997. Larry W. Woodruff, 3601 West 97th Avenue, Westminster, CO 80030. Mr. Woodruff alleges that the Police Department is responsible for damages to his fence as a result of it being hit by a suspect involved in a vehicle pursuit. Claimant seeks \$444 in damages. CIRSA denied the claim.

8. WS13597008 Date of Loss: October 22, 1996. Tom Rubottom, 3873 West 98th Avenue, Westminster, CO 80030. Mr. Rubottom alleges he suffered damage to his vehicle in an accident caused by sludge spilled on the street from a sewer back-up. Claimant seeks \$619.50 in damages. CIRSA is investigating the claim.

9. WS12507009 Date of Loss: February 4, 1997. Lisa Stauder, 9690 North Brentwood Way, #201, Westminster, CO 80021. Ms. Stauder broke her leg while playing at the Indoor Soccer Center. Claimant seeks coverage of medical bills. CIRSA is investigating the claim.

Respectfully submitted,

William M. Christopher  
City Manager