

August 12, 1996
7:00 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 Meetings**
4. **Presentations**
 - A. Proclamation re Libertarian Party
 - B. Board and Commission Member Recognition
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. Bids re Traffic Signal Projects
 - B. CB No. 50 re Church Ranch Medical Bldg (Smith-Merkel)
9. **Appointments and Resignations**

None
10. **Public Hearings and Other New Business**
 - A. 92nd Avenue Left Turn Lane Construction Contract
 - B. 92nd Avenue Marshall to Yates St Design Contract
 - C. Resolution No. 36 re Megas Annexation
11. **Old Business and Passage of Ordinances on Second Reading**

None
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
 - A. Citizen Communication - Jason Everts
 - B. Activity Report for Second Quarter of 1996
 - C. Quarterly Insurance Report
 - D. City Council
 - E. Request for Executive Session
 1. Westminster Plaza Redevelopment Proposal
 2. Negotiations on Ice Arena
 3. Post Office Site Update
13. **Adjournment**

CITY OF WESTMINSTER, COLORADO
MINUTES OF THE CITY COUNCIL MEETING
HELD ON MONDAY, AUGUST 12, 1996 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Dixon and Councillors Allen, Harris, Merkel and Smith. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent was Councillor Scott.

CONSIDERATION OF MINUTES:

A motion was made by Allen and seconded by Merkel to accept the minutes of the meeting of July 22, 1996 with the correction that the last sentence of page 3 be corrected to read "The Mayor Pro Tem". Mayor Heil requested to abstain as she was not present at the meeting. The motion carried with Mayor Heil abstaining.

A motion was made by Allen and seconded by Merkel to accept the minutes of the meeting of July 23, 1996 with no corrections or additions. Mayor Heil and Councillor Allen requested to abstain as they were not present at the meeting. The motion carried with Mayor Heil and Councillor Allen abstaining.

PRESENTATIONS:

Councillor Smith presented a proclamation to Libertarian Party representatives Cooper Jager, Treasurer; Bette Rose Smith, Fund Raising Director and W. Earl Allen, candidate for the 2nd District for U.S. Congress proclaiming August 15 as Libertarian Party Day in Westminster in recognition of the creation of the Libertarian Party in Westminster and its 25th anniversary.

Mayor Heil and Councillors Harris and Merkel presented Certificates of Appreciation to George Bird, Jo Grosso, Steven Platte and Carole Pool in recognition of their time dedicated to the City while serving on various City Boards and Commissions.

CITIZEN COMMUNICATION:

Butch Hicks, 9044 Vance Street #203, addressed Council regarding the establishment of a ward system in the City.

Beni Abbott, 9190 Alkire Street, addressed Council concerning the number of election signs in the City and stated there are over 25 signs within a 1 block area on 88th Avenue.

Butch Hicks, 9044 Vance Street #203, addressed Council regarding election signs within the City.

CITY COUNCIL COMMENTS:

Mayor Pro Tem Dixon stated that she and Councillor Merkel visited 8 of the 26 neighborhoods celebrating National Night Out. She also presented certificates to the 49 Library volunteers and congratulated the Police and Fire Department personnel on their medals at the 10th Annual Colorado Police and Fire Games, and lifeguards silver medal award from the Colorado Parks & Recreation Association competition.

She stated the Library is looking for used book donations and Friday Nite Live will begin on September 6. She observed the Century Bike Ride in Arvada as their DARE Fund Raiser and stated she had attended several meetings regarding Rocky Flats.

Councillor Merkel stated she and Fred Allen had ridden in the Fire Truck as part of the Adams County Fair parade, thanked Parks & Recreation personnel for all their work on a great Westminster Faire and stated she noticed that Phase II of the 72nd Avenue Improvements have been completed and looks great.

CONSENT AGENDA:

The following items were considered as part of the consent agenda: Bids for 1996 Traffic Signal Projects and Councillor's Bill No. 50 re Church Ranch Medical Building. 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 Dixon to adopt the Consent Agenda items as presented with the recommendation stated on the Council agenda memorandums. The motion carried unanimously.

92ND AVENUE LEFT-TURN LANE CONSTRUCTION CONTRACT:

A motion was made by Harris and seconded by Allen to authorize the City Manager to award the construction contract for the 92nd Avenue, Eastbound Double-Left-Turn Lane project and execute an agreement with Technology Constructors, Inc. in an amount not to exceed \$84,690; authorize a construction contingency in the amount of \$10,000; and charge this expense to the appropriate project account in the General Capital Improvement Fund.

Gary Belenski, DDS, tenant at 9191 Sheridan Blvd; Timothy Wiens, President of Firststate Bank, 9191 Sheridan Blvd; Gary Schirmacher, Conferon Inc. Western Region Director, 9191 Sheridan Blvd; Lisa Macivoy, Leasing Agent and Mark Walker, Firststate Bank addressed Council with concerns.

A motion was made by Dixon and seconded by Smith to Table action on the 92nd Avenue left-turn lane construction contract award until the August 26 Council meeting. The motion carried unanimously.

92ND AVENUE, MARSHALL STREET TO YATES STREET DESIGN CONTRACT:

A motion was made by Smith and seconded by Dixon to authorize the City Manager to execute an engineering design services contract with JR Engineering, Ltd. for the preparation of construction bid documents for 92nd Avenue from Marshall Street to Yates Street in an amount not to exceed \$157,193; authorize a design contingency of \$20,000; and charge the expense to the appropriate project account in the General Capital Improvement Fund. The motion carried unanimously.

RESOLUTION NO. 36 - MEGAS PROPERTY ANNEXATION PETITION:

A motion was made by Dixon and seconded by Allen to adopt Resolution No. 36 accepting the annexation petition submitted by Mr. Gregory Megas on behalf of the Covenant Retirement Community, make the findings required by State Statute on the sufficiency of the petition, and sets the date of September 23, 1996 for the annexation hearing. Upon roll call vote, the motion carried unanimously.

CITIZEN COMMUNICATION:

Jason Everts, 8001 Tennyson Street, requested to address Council concerning establishing a ward system and expansion of City Council seats. Mayor Heil advised him that election reform issues and concerns were going to be discussed during the post meeting and that his presentation would be heard at that time.

MISCELLANEOUS BUSINESS:

Council reviewed the Quarterly Activity Report and the Quarterly Insurance Report.

The Mayor stated there would be an Executive Session concerning the Westminster Plaza Redevelopment Proposal, Ice Arena negotiations, update on Post Office Site and Quail Hill decision.

ADJOURNMENT:

The meeting was adjourned at 8:34 P.M.

ATTEST:

Mayor

City Clerk

Date: August 12, 1996
Subject: Proclamation re Libertarian Party
Prepared by: Michele Kelley, City Clerk

Introduction

A Proclamation designating August 15 as Libertarian Party Day in Westminster has been prepared to recognize the 25th anniversary of the Libertarian Party and acknowledgement of their beginnings within the City of Westminster.

Summary

Recently, Councillor Gary Smith advised Staff of the upcoming 25th anniversary of the Libertarian Party and requested a proclamation.

The attached proclamation has been prepared and will be presented to representatives of the Libertarian Party.

This action is to recognize the creation of the Libertarian Party beginnings at the Westminster residence of David Nolan, who resided at 7748 Lowell Boulevard, on August 15, 1971.

Several members of the Colorado State Board of Directors for the Libertarian Party will be present at Monday night's meeting to accept this proclamation. They are Cooper Jager, Treasurer; Bette Rose Smith, Fund Raising Director and W. Earl Allen, Candidate for 2nd District for US Congress.

Staff Recommendation

Present proclamation re Libertarian Party Day to the Libertarian Party representatives.

Background Information

David Nolan, and four other young Republicans founded the Libertarian Party in August, 1971 at Mr. Nolan's Westminster home at 7748 Lowell Boulevard.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

WHEREAS, The Libertarian Party birth place was in Westminster, Colorado 25 years ago; and

WHEREAS, A group of five young Republicans met at David Nolan's Westminster residence and decided to start a new party on August 15, 1971; and

WHEREAS, In spite of the extremely long odds against them, this group of people attempted to offer a wider range of choices in politics; and

WHEREAS, The Libertarian Party has been the greatest success story of its kind; and

WHEREAS, The Libertarian Party has grown to be America's third largest political party; and

WHEREAS, The Libertarian Party strength and support are approximately equal to that of all other alternative parties combined.

NOW, THEREFORE, The Westminster City Council does hereby proclaim August 15, 1996 as

Libertarian Party Day

in the City of Westminster, Colorado to acknowledge the beginning of the Libertarian Party in the City of Westminster and recognize the 25th anniversary of the Libertarian Party.

Signed this 12th day of August, 1996.

Date: August 12, 1996
Subject: Board Members Certificates of Appreciation
Prepared by: Michele Kelley, City Clerk

Introduction

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

Summary

During the past few months, several citizens have resigned from various City Boards. Certificates of Appreciation recognizing the time and efforts of George Bird, Jo Grosso, Steve Platte and Carole Pool have been prepared to be presented on behalf of the Mayor and entire Council.

Staff Recommendation

Present certicates of appreciation for dedicated service to George Bird, Jo Grosso, Steven Platte and Carole Pool.

Background Information

George Bird was appointed to the Parks and Recreation Advisory Board as an alternate member when the Board was created in March, 1995 and resigned in June, 1996.

Jo Grosso was appointed to the Special Permit and License Board on February 1, 1993 and resigned in May, 1996, serving for more than 3 years.

Steven Platte was appointed to the Library Board as a regular member on February 1, 1993 and resigned on February 26, 1996, having served on the Board for 3 years. Steven also served as Secretary to the Library Board for several years.

Carole Pool was initially appointed to the Special Permit and License Board on December 12, 1988 and has served continually for the past 8 years. She also served as Vice Chair of the Special Permit and License Board.

George Bird, Jo Grosso, Steve Platte and Carole Pool have all indicated that they will be present at Monday night's Council meeting.

Respeccfully submitted,

William M. Christopher
City Manager

Date: August 12, 1996
Subject: Bids for 1996 Traffic Signal Projects
Prepared by: Mike Normandin, Transportation Engineer

Introduction

City Council action is requested to award a construction contract for the 1996 Traffic Signal Projects and authorize the purchase of traffic signal poles and mast arms, controllers and cabinets, vehicle detection components and emergency vehicle pre-emption equipment. Funds are available and were specifically allocated in the General Capital Improvement Fund for this expense.

Summary

Earlier this year, priorities were established for traffic signal needs in 1996. The contract to be awarded and the equipment being purchased are for the two projects identified in the 1996 priority listing which includes the installation of a mast arm type traffic signal at 91st Avenue and Harlan Street and a span-wire type traffic signal at 112th Avenue and Pierce Street.

Formal bids for the construction contract were advertised and opened on July 9th. Also, price quotes were obtained from suppliers of traffic signal poles and mast arms, controllers and cabinets, vehicle detection components and the emergency vehicle pre-emption equipment. Direct purchase of the signal equipment outlined above allows for a more timely installation of signal projects and produces cost savings by eliminating the traditional markups by traffic signal contractors when they order the equipment.

Staff Recommendation

Authorize the City Manager to execute a contract with the low bidder, Rocky Mountain Signal, Inc., in the amount of \$50,088 for the construction of traffic signals at Harlan Street and 91st Avenue and at Pierce Street and 112th Avenue; authorize the expenditure of \$16,153 to Valmont Industries for traffic signal poles and mast arms; authorize the expenditure of \$48,746 to Econolite Control Products, Inc. for traffic signal controllers and cabinets; authorize the expenditure of \$5,912 to IDC Indicator Controls for vehicle detection components and emergency vehicle pre-emption equipment; authorize a total project budget of \$125,908 which includes \$5,009 for a construction contingency; and charge the expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

In April, City Council received Staff's evaluation of current traffic signal needs within the City which established a prioritization of the potential projects for installation in 1996.

The proposed 1996 traffic signal projects were as follows:

| <u>Priority</u> | <u>Location</u> |
|-----------------|--------------------------------|
| 1 | Harlan Street and 91st Avenue |
| 2 | 112th Avenue and Pierce Street |

City Staff solicited bids for the installation of the proposed projects outlined above. The scope of work included the labor costs for installing City supplied traffic signal controllers and cabinets, vehicle detection components, emergency vehicle pre-emption equipment, traffic signal mast arms and poles and labor and material costs for traffic signal indications, underground conduits, wiring and vehicle detector loops. Four bidders obtained project plans and submitted bids as follows:

| <u>Contractor</u> | <u>Bid Amount</u> |
|-----------------------------|-------------------|
| Rocky Mountain Signal, Inc. | \$50,087.50 |
| Colorado Signal | 57,400.00 |
| W.L. Contractors | 73,271.25 |
| Sturgeon Electris | 76,438.00 |

Rocky Mountain Signal, Inc., the low bidder, is qualified to do the work. Rocky Mountain Signal, Inc. is currently the City's traffic signal maintenance contractor and has constructed new traffic signals at other locations in the City within the past five years.

The proposed project budget for the 1996 traffic signal projects is \$125,907 which is within the amount appropriated by City Council in the 1996 General Capital Improvement Fund for this purpose.

The following represents Staff's anticipated schedule for completing the traffic signal projects, assuming City Council awards the construction contract and authorizes the purchase of the necessary traffic signal equipment.

| | |
|---------------|---|
| August 12th | City Council awards the construction contract and authorizes the purchase of the traffic signal equipment |
| August 13th | Order traffic signal equipment |
| September 3rd | Issue Notice to Proceed to the contractor |
| December | Completion of the traffic signal projects |

Respectfully submitted,

William M. Christopher
City Manager

Date: August 12, 1996
Subject: 92nd Avenue Left-Turn Lane Construction Contract
Prepared by: David W. Loseman, Senior Projects Engineer

Introduction

City Council action is requested to authorize the award of the construction contract for the 92nd Avenue, Eastbound Double-Left-Turn Lane project in the amount of \$84,690 to Technology Constructors, Inc.; to authorize the City Manager to execute a construction contract with Technology Constructors, Inc.; and to authorize a construction contingency in the amount of \$10,000. Funds for this expense are available in the U.S. 36/Sheridan Boulevard/92nd Avenue project budget in the General Capital Improvement Fund.

Summary

It is recommended that the City fund a project to lengthen the double left-turn storage area for the eastbound 92nd Avenue to northbound Sheridan Boulevard movement of traffic. The current, inadequate space for this heavy volume movement causes problems for the progression of traffic along 92nd Avenue and through the Sheridan Boulevard intersection. The lengthening of these left-turn lanes will necessitate the closure of the break in the 92nd Avenue median located just west of Sheridan Boulevard which will restrict the left-in and left-out movements at the existing full-turn access point for the office building located at the southwest corner of 92nd Avenue and Sheridan Boulevard.

Six contractors submitted bids on this project with the low bid of \$75,922.25 being submitted by Brannan Sand and Gravel Company and the second low bid of \$84,690 being submitted by Technology Constructors, Inc.

City Council action is requested to award this construction contract to Technology Constructors, Inc., the second low bidder on the project.

Staff recommends selecting the second low bidder on this project since the low bidder, Brannan Sand and Gravel Company, has currently filed a lawsuit against the City on a different project. Staff believes it is not in the best interest of the City to work with a contractor who has pending litigation of a major nature against the City. Brannan Sand and Gravel Company also did not follow all of the technical requirements of the bidding process. Specifically, they did not sign Addendum No. 1, which clarified a typographical error in the construction documents. Staff believes that it would be in the best interests of the City to award this contract to Technology Constructors, Inc.

An alternative to this requested action is to award the construction contract to the low bidder, Brannan Sand and Gravel Company.

Tenants officed at 9191 Sheridan Boulevard (southwest corner of 92nd Avenue and Sheridan Boulevard) have submitted petitions opposing the proposed median project. Representatives from the tenants will be in attendance at Monday's Council meeting and plan to speak. The petitions are attached.

Staff Recommendation

Authorize the City Manager to award the construction contract for the 92nd Avenue, Eastbound Double-Left-Turn Lane project and execute an agreement with Technology Constructors, Inc. in an amount not to exceed \$84,690; authorize a construction contingency in the amount of \$10,000; and charge this expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

In January, 1995, Staff hired the transportation engineering firm of Felsburg, Holt & Ullevig (FHU) to study the area bounded by Harlan Street, Sheridan Boulevard, 92nd Avenue and 88th Avenue, as well as the interchange from Sheridan Boulevard and 92nd Avenue to U.S. 36 and the Harlan Street extension from 94th Avenue to 112th Avenue. The purpose of this study was to determine a prioritization of projects within the study area that will improve traffic flow adjacent to the Westminster Mall and environs.

The results of this study were presented to Council at the August 16, 1995, Study Session. This report identified the widening of 88th Avenue, 92nd Avenue, Sheridan Boulevard and improvements to the 88th Avenue and Sheridan Boulevard intersection as some of the most effective solutions of the alternatives studied.

In the future, Staff recommends that 92nd Avenue be widened from four lanes to six lanes starting west of the intersection with Harlan Street and extending to Yates Street, including the bridge over U.S. 36. The objective of the 92nd Avenue project is to provide increased roadway capacity (from the current, non-holiday season volume of 36,000 vehicles per day to an anticipated future volume of 49,000 vehicles per day) and to improve the turning capacity at the Westminster Mall entrance, Harlan Street and Sheridan Boulevard intersections. This project would also be designed to accommodate future 92nd Avenue/Sheridan Boulevard/U.S. 36 interchange improvements.

The subject of this Agenda Memorandum is the improvements to the eastbound 92nd Avenue to northbound Sheridan Boulevard double-left-turn lane. These are the recommended first phase of improvements to 92nd Avenue between Marshall Street (Price Club entrance) and Yates Street. Staff endorses the construction of this first phase prior to the 1996 holiday shopping season to provide additional storage in the double-left-turn lane for the 575 vehicles currently making this turn during the P.M. peak hour. As a point of reference, the "break-point" in determining the need to widen from a single left-turn lane to double left-turn lanes is 300 vehicles per hour. Therefore, it should be noted that 575 vehicles negotiating this movement during the P.M. peak hour is an extremely high number (even for the existing double left-turn lanes), so an extra length of storage space becomes essential. Currently, it is not unusual during peak hours for eastbound 92nd Avenue to northbound Sheridan Boulevard vehicles to exceed the available storage space and extend into the through traffic lanes of eastbound 92nd Avenue.

This congested movement has a snowball affect upon all of the traffic on 92nd Avenue and intersecting streets that, during the height of the holiday shopping season, approach grid-lock conditions.

City Staff views this relatively simple first phase of improvements to 92nd Avenue as a key element in improving traffic circulation in the vicinity of this high activity center, and it is likely the only significant improvement that could be implemented prior to the 1996 holiday shopping season.

An unfortunate result of the extension of these double left-turn lanes will be the closure of the existing break in the 92nd Avenue median across from the north access point to the office building located at the southwest corner of 92nd Avenue and Sheridan Boulevard (9191 Sheridan Boulevard). The closure of this median break will eliminate the left-in and left-out movements to and from this office building. While this action will obviously impose an inconvenience upon employees and visitors to the building, the partial closure of this full-turn intersection will address certain safety concerns as well as provide for the lengthening of the eastbound to northbound double left-turn lanes. Since 1990, the City has records of 38 accidents in the vicinity of the north access point to the office building, and 16 of these accidents were directly related to vehicles turning left into or left out of this site. This high number of accidents should come as no surprise since the existing break in the median is located only 350-feet from one of the busiest intersections in the City of Westminster.

Some of the tenants of 9191 Sheridan Boulevard have suggested that the installation of a new traffic signal at this location would solve the traffic concerns. City Staff adamantly disagrees with this suggestion. The installation of a signal at this intersection would require the preservation of the left turn bay for westbound 92nd Avenue vehicles wishing to turn south into the site. This turn lane has to infringe into the northernmost of the eastbound double left-turn lanes thus limiting the storage area for the critical eastbound to northbound movement at the intersection of Sheridan Boulevard/92nd Avenue. Also, the timing of traffic signals is such that they should not be placed less than 600-feet from a major arterial intersection. As mentioned above, the access point for the office building is only 350-feet west of Sheridan Boulevard. A new traffic signal at this location would dramatically compound the current problems with traffic progression along 92nd Avenue.

The construction package for this project was advertised in the Daily Journal for two weeks and bids were opened on July 25th. Six contractors submitted bids with the following results:

| <u>Bidder</u> | <u>Amount of Bid</u> |
|---------------------------------|----------------------|
| Brannan Sand and Gravel Company | \$75,922.26 |
| Technology Constructors, Inc. | 84,689.67 |
| K.E.C.I. | 93,795.00 |
| Wycon Construction Company | 96,005.00 |
| Concrete Works of Colorado | 108,821.00 |
| New Design Construction Company | 110,128.00 |
| Engineer's Estimate | \$74,770.00 |

Staff is recommending that the second low bidder, Technology Constructors, Inc., be awarded the contract for construction in the amount of \$84,690. Staff believes that it would be in the best interest of the City to award the bid to Technology Constructors, Inc. Staff has checked references for Technology Constructors, Inc. and believe that they are capable of constructing this type of project. Staff also recommends that a construction contingency of \$10,000 be authorized to account for any unforeseen change orders or force account items.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Map & Petitions

Date: August 12, 1996

Subject: 92nd Avenue, Marshall to Yates Street Design Contract

Prepared by: David W. Loseman, Senior Projects Engineer

Introduction

City Council action is requested to authorize the City Manager to execute an engineering services contract with JR Engineering, Ltd. (JR) in the amount of \$157,193 for the preparation of construction bid documents for 92nd Avenue widening from Marshall Street (Price Club entrance) to Yates Street/City Center Drive and authorize a design contingency in the amount of \$20,000. Funds for this expense are available in the U.S. 36/Sheridan Boulevard/92nd Avenue Intersection project budget of the General Capital Improvement Fund.

Summary

- > Improvements to 92nd Avenue between Marshall Street (Price Club entrance) and Yates Street were identified as one of the top priorities in the U.S. 36/Sheridan Boulevard/92nd Avenue prioritization study prepared by Felsburg, Holt & Ullevig and completed earlier this year.
- > Proposals were solicited from engineering consultants for the preparation of construction bid documents for this 92nd Avenue project. Based on the review of these proposals, Staff is recommending the selection of JR Engineering, Ltd.
- > An alternative to this requested action is to postpone hiring the consultant until a later date. Staff does not recommend postponing the design of these improvements since it is necessary to begin this work soon in order to secure right-of-way and Colorado Department of Transportation approvals in the latter part of 1997 in anticipation of bidding and constructing this project in early 1998. It is important to begin construction of this project as early as possible in 1998 in order to substantially complete this project prior to late November, 1998, which is the beginning of the holiday shopping season.

Staff Recommendation

Authorize the City Manager to execute an engineering design services contract with JR Engineering, Ltd. for the preparation of construction bid documents for 92nd Avenue from Marshall Street to Yates Street in an amount not to exceed \$157,193; authorize a design contingency of \$20,000; and charge the expense to the appropriate project account in the General Capital Improvement Fund.

Background Information

In January, 1995, the City hired Felsburg, Holt & Ullevig (FHU) to identify specific improvements in the area generally bounded by Sheridan Boulevard on the east, Harlan Street on the west, 92nd Avenue on the north and 88th Avenue on the south.

Based upon this study, several improvements were recommended for 92nd Avenue as follows:

- Widen 92nd Avenue to provide for three through lanes in both directions; providing double left-turn lanes for the Mervyn's access and at Harlan Street; providing acceleration and deceleration lanes at all intersections; and widening the bridge over U.S. 36 to accommodate these improvements as well as any potential interchange at this location.
- Convert the bank entrance west of Sheridan Boulevard to right-in, right-out movement only.
- Convert the Albertson's entrance east of Sheridan Boulevard to a right-in, right-out movement only.
- Construct a double left-turn lane into the Mervyn's entrance (approximately 900-feet west of U.S. 36).
- Construct double left-turn lanes for westbound 92nd Avenue to southbound Harlan Street.
- Lengthen the left-turn vehicle waiting area of the eastbound to northbound double left-turn lanes at Sheridan Boulevard.

Proposals were solicited from engineering firms for the above-described work and the following fee proposals were considered:

| <u>Firm</u> | <u>Fee Proposal</u> |
|--------------------------|----------------------------|
| JR Engineering, Ltd. | \$157,193 |
| RG Engineers | 200,000 |
| HNTB | 203,826 |
| Felsburg, Holt & Ullevig | 209,000 |
| HLA Engineers | 212,192 |

The proposal submitted by JR Engineering was the most thorough and indicated the best understanding of all the key issues of the project. Based on this, Staff is recommending the selection of JR Engineering, Ltd.

The proposed fee from JR for these design services (\$157,193) is approximately four percent (4%) of the anticipated construction cost. This percentage compares very favorably with other capital improvement projects where design fees range from five to eight percent (5-8%). Staff believes that the design fees requested by the consultant are reasonable and will result in a high quality project.

Respectfully submitted,

William M. Christopher
City Manager

Attachment: Map

Date: August 12, 1996

Subject: Resolution No. re Megas property annexation petition

Prepared By: David Falconieri, Planner III

Introduction:

City Council action is requested on the attached resolution concerning finding compliance of the proposed petition requesting annexation of the Megas property with statutory requirements and establishing a hearing date on the proposed annexation for September 23, 1996.

Summary:

The property in question is located on the west side of Wadsworth Parkway, north of the 92nd Avenue alignment. The proposed annexation consists of a total of 2.5 acres, and is proposed to be zoned Planned Unit Development (PUD), for an addition to the Covenant Village complex. City utilities already serve the site.

Covenant Retirement Communities has submitted a proposal for an addition to the existing retirement community. The Megas property is an entirely surrounded, unincorporated enclave which is located to the north of the current facilities. The proposed PUD, which will be reviewed by the City Council at the same time as the annexation, proposes that a new building be constructed on the Megas property which will include skilled nursing care and 51 assisted living units.

Staff Recommendation:

Adopt Resolution No. accepting the annexation petition submitted by Mr. Gregory Megas on behalf of the Covenant Retirement Community, and make the findings required by State Statute on the sufficiency of the petition. This resolution also sets the date of September 23, 1996, for the annexation hearing.

Background Information:

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

1. An allegation that the annexation is desirable and necessary.
2. An allegation that the requirements of Section 31-12-104 and 31-12-105 of the C.R.S. have been met. (These Sections are to be reviewed by the Council at a formal public hearing).
3. Signatures and mailing addresses of at least 50% of the landowners of the land to be annexed. (In this case, Gregory Megas, signer of the petition, owns 100% of the property).

4. The legal description of the land to be annexed.
5. The date of each signature.
6. An attached map showing the boundaries of the area.

Planning Staff has reviewed the petition and have found to Staff's satisfaction that the petition complies to the above requirements.

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

Respectfully Submitted,

William M. Christopher
City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1996

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

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

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

1. City Council finds the said petition and annexation map to be in substantial compliance with all state statutory requirements, including C.R.S. Section 31-12-107(1).

2. City Council hereby establishes September 23, 1996, 7:00 p.m., at the Westminster City Council Chambers, 4800 West 92nd Avenue, for the annexation hearing required by C.R.S. Section 31-12-108(1).

2. City Council hereby orders the City Clerk to give notice of the annexation hearing in accordance with C.R.S. Section 31-12-108(2).

Passed and adopted this 12th day of August, 1996.

ATTEST:

Mayor

City Clerk

Date: August 12, 1996
Subject: Citizen Communication - Jason Everts
Prepared by: Michele Kelley, City Clerk

Summary

Jason Everts, who resides at 8001 Tennyson Street, has requested to speak to City Council under Citizen Communication.

Background Information

Jason is requesting Council consideration of a ward system and the expansion of the City Council to add two Council seats making a 9 member Council. Jason has indicated that this discussion will be longer than 5 minutes in length and therefore this item has been placed on the agenda under Citizens Communications (5 minutes or more in length)

Attached is information prepared by Jason on this subject.

Staff Recommendation

Listen to the information presented by Jason Everts.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

Date: August 12, 1996
Subject: 1996 Second Quarter Activity Report
Prepared by: Mike Simmons, Management Assistant

Attached for City Council's review is the 1996 Second Quarter Activity Report which covers Departmental activities for the quarter ending June 30.

As can be readily noted, the City continues to experience a steady increase in activity when compared to similar data from the previous year. These activities include achieving stated objectives as well as accomplishing unanticipated "opportunities".

Respectfully submitted,

William M. Christopher
City Manager

Attachment

2nd QUARTER ACTIVITY REPORT
April 1, 1996 through June 30, 1996

COMMUNITY DEVELOPMENT

Building Division

Major projects completed during the 2nd quarter:

- *Joslins Major renovation
- *Remington West Apartments
- *Westminster City Center Marketplace
 - *Home Place/Westminster City Center Marketplace
 - *Barnes & Noble Book Store
 - *Baby Superstore
 - *Starbuck's Coffee Shop
 - *Comp USA
 - *Michael's
 - *Party America
 - *Pizzeria Uno
- *St. Anthony Hospital addition

Summary of 2nd quarter statistics compared to 1995:

| | <u>1995</u> | <u>1996</u> | <u>% Change</u> |
|------------------------|-------------|-------------|-----------------|
| Construction valuation | \$45.8M | \$37.8M | -17% |
| Single family starts | 289 | 317 | +10% |
| Tenant Finishes | 27 | 19 | -30% |
| Commercial Plans | 21 | 15 | -29% |
| Residential Plans | 115 | 152 | +32% |
| Inspections | 10,221 | 10,388 | + 2% |

Economic Development Division

> Continued maintenance of real estate data base through regular contact with property owners and commercial real estate brokers.

Also provided property updates to the Jefferson Economic Council and to Adams County Economic Development.

> Worked on Landscaping/Facade Improvement Program
 > Participated in MetroNorth Chamber's trip to Dallas/DFW to learn of development and growth around airport

> Produced "Westminster-Partnering for Success" special section in the Colorado Business Magazine

> Worked with project team on the Northpoint project including trips to California and Oregon to pursue prospect and review similar projects

> Finalized assistance package for Protogenic
 > Continued work with Pacifica and ConferTech to facilitate ConferTech's expansion plans

> Continued assistance on two grocery store projects
 > Processed 6 Small Business Assistance Scholarships for a total value of \$742 and have 7 more pending.

> Summary statistics for 2nd quarter 1996

- * New prospect files opened this quarter 10
- * Current active prospects 30
- * Number of inquiries (demographics, sites)

buildings, business assistance program, etc.

430

> Held 2 Business Advisory Group meetings

Open Space Division

* The City closed the purchase of 20.9 acres of Open Space along Walnut Creek, between Ball Campus and Wadsworth Parkway in early June. The landowner also dedicated 5.0 acres and donated 1.1 acres of land for a future neighborhood park. Celebrity Homes donated several small areas along the Farmers' High Line Canal adjacent to Hyland Greens. These acquisitions increased total Open Space to 1,234 acres - or approximately 7% of the City's area. Negotiations continue on many key properties.

* The Open Space Advisory Board and Staff completed their review of potential Open Space acquisitions, and presented their priority recommendations for the next five years to City Council on April 15th. With Council input, these recommendations are to serve as a guide for acquiring Open Space through the Year 2000. The OSAB efforts will be mentioned in the August issue of City Edition.

* The Open Space Advisory Board, with City Council concurrence, awarded eight Neighborhood Enhancement grants for 1996. Several of these projects are already complete, and the remainder are on-going.

* Acquisition efforts and final design are in full swing to complete a trail along Little Dry Creek from England Park to Clear Creek. Open Space funds will be used to acquire the land for the trail, and an ISTEA grant together with City funding will construct the trail from late 1996 through 1997.

* Work is continuing on a redevelopment plan for Little Dry Creek between approximately 72nd Avenue and Lowell Boulevard. Existing capital improvement projects such as the trail and Urban Drainage and Flood Control District channel improvements are being coordinated to fit into future plans.

* New "City of Westminster" signs were installed at two locations in June - at 69th Avenue and Sheridan Boulevard, and at 112th Avenue and Wadsworth Parkway.

Planning Division

> Major projects approved through the planning process during the second quarter of 1996:

- * Legacy Ridge, Filing 6
- * Autumn Chase Townhome ODP Amendment
- * Wallace Village entry design
- * Sheridan Park North Hotels
- * Sears ODP Amendment
- * Discount Tire ODP at Meadow Point
- * Ruby Tuesday ODP at MarketPlace

> Summary of Development Review Activities:

- * 15 Planning Commission/City Council Agenda Items
- * 6 Transportation/Special Use & License Board Hearings
- * 6 Administrative ODP Approvals/Waivers
- * 5 Referrals by other agencies
- * 19 Items reviewed in Concept and Technical Review

- * 800 Technical Assistance Inquiries from the General Public
- * 26 Sign permits approved
- * 40 Building permits approved
- * 69 Business Licenses approved

> Major Planning Activities

- * Park Centre Conceptual Planning
- * Urban Renewal Plan Amendment
- * Economic Development Support Activities
- * Update of land use and demographic data base
- * Growth Management Program Coordination
- * 1995 Design Award - Photography
- * Rocky Flats Local Impacts Initiative - Land Use Committee support
- * Future JeffCo - Policy Group support
- * Jefferson and Adams County Growth Summit meetings
- * Comprehensive Plan
- * Landscaping Regulations (Received Final Draft)
- * Westminster Mall Enhancement Study - Design charette
- * Coordination of North Point Center Design Study with DTJ
- * Preliminary Golf Course layouts for proposed Countrydale Golf Course
- * 1996 Single Family Detached Service Commitment Allocation and Growth Management amendments
- * Axtell Property Land Use Plan
- * Monitoring of the DRCOG Vision 2020 Process
- * Jeffco Enclave IGA - Land Use Study - Complete
- * Northpoint/AMC Planning Studies
- * Westminster Plaza Redevelopment Effort

FINANCE DEPARTMENT

The following represents significant activity statistics for the second quarter of 1996 compared to the same period in 1995.

Administration

> The City of Westminster Employee Pension Fund was listed as the 25th largest in Colorado, with \$53.3 million in assets, in a Denver Business Journal article.

Accounting

> The City's Comprehensive Annual Financial Report was completed and accepted by City Council. For the first time in five years, the auditors had no management comments.

> The number of returned checks dropped from 151 in the 2nd quarter of 1995 to 82 during the second quarter of 1996. A decrease of 46%. The Accounting Division recently streamlined the processing of short checks. As of June 30, only 17 checks remain outstanding out of 153 processed year to date.

Sales Tax

> Twenty-eight more audit assessments were issued this quarter compared to the second quarter of 1995. The 147% increase is attributable to continued emphasis on shorter audit periods requiring fewer field work hours. Approximately \$600,000 in audit and enforcement revenue has been received through June.

> Commercial activity in the City is at an all time high. The number of new sales and use tax accounts processed increased by 110 over 1995, or 89%. Forty-eight new business packets were delivered by Tax Specialists to new commercial Westminster businesses.

> The 1996 Sales and Use Tax Revenue Refunding bonds closed. The \$8.77 million bond issue received a AA- bond rating from Fitch Investor Services and Standard & Poors.

Data Processing

> Demand for Data Processing Services continued to grow. The number of requests for programming support increased by 156, or 145%; the number of requests for microcomputer support increased by 369, or 38%.

> The City's new World Wide Web page was unveiled. Over 230 pages of City information are now on-line for world-wide review.

> Installation and Testing of the Interactive Voice Response (IVR) System began. The system will allow utility customers to inquire about their accounts 24 hours a day. The Fax on Demand feature of the system will enable businesses to have City licensing information faxed to them immediately. Implementation is set for the third quarter.

Utility Billing

> Utility billing activity reflects the continued growth of the City, with 9,807 more water accounts processed in the second quarter of 1996 than in the second quarter of 1995.

> The number of disconnect notices mailed increased by 514, or 20%, while number of actual shut-offs increased by 217, or 70%.

> The Utility Billing PIE program continues to grow in popularity, with 40 new applications processed during the second quarter. Total PIE participants at the end of the second quarter was 1,075.

FIRE DEPARTMENT

Following is year-to-date statistical data with previous year comparison. Also provided is the percent of increase or decrease in activity where appropriate.

| <u>CATEGORY</u> | <u>Y-T-D</u> | <u>PREV. YEAR</u> | <u>% CHANGE</u> |
|-------------------|--------------|-------------------|-----------------|
| Alarms Total: | 2,768 | 2,495 | +10% |
| Struct/Veh.Fires: | 79 | 74 | + 6% |
| Emerg. Medical: | 1,827 | 1,657 | + 9% |
| Amb. Transport: | 1,174 | 1,105 | + 6% |
| Amb. Revenue: | \$295,852 | \$268,595 | + 9% |
| Westy-MED Enroll. | 165 | 177 | - 7% |
| Pub. Ed. Classes: | 256 | 604 | -58% |
| All Inspections: | 1,580 | 2,806 | -44% |
| Training Hours: | 15,438 | 17,229 | -10% |

On June 1st firefighters responded to 8300 Auburn Lane on a basement fire that caused an estimated \$65,000 in damage. Investigators believe that the fire started by a candle left unattended in a basement bedroom. On June 3rd, firefighters extinguished a fire at a house at 8955 West 96th Drive that caused an estimated \$45,000 in damage. This fire was caused by a propane grill leak in the fuel hose which ignited a wooden deck. Residents were safely evacuated in both instances and the Westminster Firefighters' Victims' Burn Fund wrote a check in the amount of \$200.00 to each family/resident.

On June 14th, Christian Blackford made a 911 phone call and told dispatchers that his "Mommy is asleep forever and won't wake up." Fire personnel entered the home and found the childrens' mother unconscious and in insulin shock on the living room couch. Rescue efforts were administered and Mrs. Blackford who was pregnant, was taken to an area hospital for further evaluation. If it wasn't for Christian calling 911 to help his mother, both she and the family's unborn sibling may not have survived. Christian and his little sister were awarded "Best Buddy Bears" and the "Caught Being Safe" award.

On April 17th members of the Westminster Fire Department participated in an emergency response exercise conducted by the Department of Energy and Colorado Department of Health at the Rocky Flats facility in Jefferson County. Fire Department personnel serving in critical response functions for the Jefferson County Hazardous Materials Response Team were utilized as an entry team for the purpose of rescue and fire suppression support. The purpose of the exercise was to formally evaluate response capabilities of the Rocky Flats emergency response system in conjunction with surrounding jurisdictions.

GENERAL SERVICES DEPARTMENT

Administration

Major training activities for the second quarter included:

- * Supervisor Academy-45 people at 4 hours each
- * Team Leadership Skills Training-20 people at 32 hours each
- * Effective Writing Skills-16 people at 10.5 hours each
- * Working In Teams Facilitator Training-8 people at 5 hours each
- * Working In Teams workshop-58 people at 16 hours each
- * Computer classes-26 people attending various computer classes at 6.5 hours each
- * Citizen Relations Training-27 attendees at 8 hours each
- * Respectful Workplace-27 attendees at 9 hours each
- * Westminster 101-16 attendees at 8 hours each
- * Creative People Management-6 attendees at 32 hours each
- * Seven Habits of Highly Effective People-20 attendees at 36 hours each
- * Specialized training for City Park Staff on Handling Conflict-12 attendees at 8 hours each
- * Specialized training for Countryside Staff on Communications-7 attendees at 2 hours each

Other Major Activities:

- * Presented an overview of the City's training curriculum to new employees at Orientation.
- * Coordinated second quarter Management Team Luncheon
- * The ERAT committee coordinated: Customer Service Champions surprise parties for 2 employees, Teams in Action luncheon, Employee Picnic, and all the activities for Employee Appreciation Week.
- * The City's Facilitator Team worked with City Manager's Office, Library circulation staff, Finance Sales Tax staff, a work group in the Utilities Division, Performance Appraisal Task Force, City Park recreation staff, and Countryside recreation staff.

Volunteer Program Activities:

- * Number of Inquiries

| <u>Category</u> | <u>2nd Qtr 1996</u> | <u>2nd Qtr 1995</u> | <u>% Change</u> |
|-----------------|---------------------|---------------------|-----------------|
| Volunteers | 77 | 74 | + 4% |
| Interns | 37 | 14 | +164% |
| Community Svc. | 35 | 13 | +169% |

- * Four hundred and sixty-six volunteers donated 13,819 hours in the Second Quarter.
- * New Partnership Project: Recruiting for Alternatives to Family Violence, Bright Beginnings/Warm Welcome, and Community Caring Project.
- * Two students from Adams County Summer Youth Employment Program are volunteering in Community Development.
- * Four hundred and forty-eight people attended the Annual Volunteer BBQ which was held at City Park on May 30th.
- * As part of the partnership with Communities in School/Adams County School District #12 three career tours were held for students from Niver Creek Middle School.

Purchasing/Telecommunications Activities:

- * Purchasing/Telecommunications Officer worked with staff from the City Park Recreation Center to finalize an order for a new telephone system for the Center. The system will add automated attendant and voice mail to better serve the public.

Building Operations & Maintenance

Major activities for the second quarter included:

- * Maintenance staff completed a total of 758 work requests during the 2nd quarter of 1996. 507 were corrective and 251 were preventative.
- * Work has been completed on the staff break room at the Legacy Ridge Club House.
- * Work is continuing on the painting of the common areas of City Hall.

Capital Improvement Projects:

- * **Infrared toilet and urinal** - 100% water efficient infrared toilet and urinal flush valves were installed at City Park.
- * **City Park Community Room Doors** - The Community Room doors were refurbished with a new type of wall covering. The covering will help to deaden sound and will be more durable.

* **Swim and Fitness Center Stucco** - The stucco on the exterior of Swim and Fitness Center has been repaired with a harder coat of stucco material. This will help to prevent further vandalism and/or natural damage.

City Clerk's Office

Summary of year-to-date statistics compared to 1995:

| | <u>1996</u> | <u>1995</u> | <u>%Change</u> |
|--------------------------|-------------|-------------|----------------|
| Councillor Bills | 46 | 43 | + 7% |
| Ordinances | 43 | 43 | 0% |
| Resolutions | 30 | 34 | -11% |
| New business licenses | 97 | 136 | -29% |
| Active business licenses | 1,446 | 1,417 | + 2% |
| Home occupation licenses | 1,055 | 995 | + 6% |
| Sales tax licenses | 1,372 | 1,278 | + 7% |
| Licensed refuse haulers | 7 | 8 | -13% |
| Solid Waste vehicles | 85 | 67 | +12% |
| Recycling vehicles | 22 | 20 | +10% |
| New liquor licenses | 5 | 7 | -30% |
| Liquor Admin Approvals | 40 | 55 | -27% |

Employee Services

Major Activities in the 2nd Quarter of 1996:

- * Orientations: 24 Benefitted, 168 Non-Benefitted and Seasonal
- 498 Personnel Action forms were processed. 774 City applications were received for 35 different position openings. 229 applicants were interviewed or tested.
- * Major recruitments included: (2) Assistant City Attorney; Assistant Prosecuting Attorney; Utilities Technicians; Building Inspector; Lead Meter Reader and Secretary for the Police Department.
- * Completion of the Citywide Salary Survey
- * Review of survey results with Pay Issues Task Force and Employee Advisory Committee
- * Classification studies and audits for 1997 changes
- * Citywide Pension and Pay projections for 1997
- * Reorganization proposals reviewed with departments
- * Participated in two minority job fairs; Urban League and Cross Cultural Coalition fairs
- * Assessment center conducted for the Assistant City Attorney
- * Request for Proposals accepted and reviewed from executive search firms to coordinate the Finance Director Recruitment; Jensen, Oldani and Cooper was retained

Fleet Maintenance

Summary of 2nd quarter statistics:

| | <u>1996</u> | <u>1995</u> | <u>%Change</u> |
|--------------------------|-------------|-------------|----------------|
| # repair orders | 1,626 | 1,470 | +10% |
| Gallons of diesel fuel | 30,451 | 18,424 | +39% |
| Gallons of unleaded fuel | 59,505 | 41,008 | +31% |
| Used motor oil collected | 7,602 | 7,429 | + 2% |

Other major activities:

- * Frank Grasmugg and LeAnn Luna organized the May 11 Westminster Pride Day event attended by 750 participants.

* Fleet Maintenance received, prepared and distributed 12 new vehicles to the various departments throughout the City.

Municipal Court

Major activities in the 2nd quarter of 1996 include:

- * Switched to the new records management system (FACTS). All new cases are now being processed on FACTS.
- * Tickets filed with the Court in 1996 are down 21% from filings in 1995.

Risk Management

Major activities in the 2nd quarter 1996 included:

- * Processed 16 workers' compensation claims compared to 19 during the second quarter of 1995.
- * Processed 20 property & liability claims compared to 10 during the second quarter of 1995.
- * 8 new benefitted employees were added to the program and oriented to the City by benefits staff.
- * As of June 30, 1996 there were 435 members in the Wellness Program.
- * The Wellness Program assisted 4 employees in strength training programs.
- * Wellness staff screened approximately 300 blood pressures.
- * The Wellness Program kicked off its annual Walk the Walk. Approximately 85 employees signed up for the 8 week walking program.
- * Wellness Staff assisted 9 employees with Community CPR. Community CPR consists of adult, infant, and child CPR skills.

PARKS, RECREATION & LIBRARIES

Library Services

| | <u>1995</u> | <u>1996</u> | <u>% Change</u> |
|----------------------|--------------------|--------------------|------------------------|
| 76th Avenue Library | 63,445 | 66,813 | +5.3 |
| Kings Mill Library | 29,762 | 31,565 | +6.0 |
| Bookmobile | 5,979 | 5,835 | -2.4 |
| Total All Facilities | 97,162 | 104,847 | +5.0 |
| Patrons | 51,060 | 57,993 | +13.5 |
| Reference Questions | 7,489 | 8,321 | +11.0 |
| Program Attendance | 7,139 | 6,146 | -14.0 |

Other Major Activities:

The Friends of the Library "Rock n' Auction" on Friday, June 7 netted \$2,500, with will go to a fund to purchase needed items for the new library. Approximately 65 people attended the event, which included dancing, games, and a silent auction to benefit the new library.

The Friends also helped kick off the Library's annual Summer Reading Program with the annual Crane-a-Thon. Over 150 participants helped fold 1,000 paper cranes to be sent to Hiroshima Peace Park in Japan.

More than 440 R.I.F. (Reading is Fundamental) tickets were distributed to Westminster children, who will receive a free book and entertainment at a R.I.F. party this summer.

The Westminster Adult Literacy Boosters raised approximately \$2,000 for the Literacy Program at the annual Buzz-a-Thon on April 19. Thirteen different community groups entered teams for this event.

PRL and Community Development staff met with officials from Front Range Community College and architects from the firm of Bennett, Wagner, and Grody, to discuss plans for improving access to the college campus from 112th Avenue. The improvements are needed to prevent traffic tie-ups on 112th Avenue, which could result from the current design. The project architects will submit a design and cost estimate to the City in the third quarter of this year.

Library staff met with "Dream Teams," composed of interested community members, to brainstorm ideas for the Children's Discovery Center and Business Resource Center for the new library.

Their suggestions will be used as the basis for future fundraising efforts for the new library.

Recreation Facilities

Summary of 1996 second quarter statistics compared to the second quarter of 1995:

| | <u>1996</u> | <u>1995</u> | <u>% Change</u> |
|-------------------------------|-------------|-------------|-----------------|
| Drop-in Participation: | | | |
| <u>April</u> | | | |
| City Park | 27,305 | 26,431 | 3% |
| Swim & Fitness | 9,398 | 9,291 | 1% |
| Countryside | 605 | 629 | -4% |
| Senior Center | 5,884 | 4,039 | 46% |
| <u>May</u> | | | |
| City Park | 33,038 | 30,062 | 10% |
| Swim & Fitness | 10,193 | 8,387 | 22% |
| Countryside | 1,347 | 1,112 | 21% |
| Senior Center | 5,727 | 5,457 | 5% |
| <u>June</u> | | | |
| City Park | 33,221 | 33,576 | -1% |
| Swim & Fitness | 12,184 | 13,317 | -9% |
| Countryside | 8,367 | 6,395 | 31% |
| Senior Center | 4,691 | 3,864 | 21% |

YTD Participation

| | | | | | |
|------------------|--------|---------|-----|---------|-----|
| City Park | | 196,526 | | 183,696 | 7% |
| Swim and Fitness | 64,300 | 59,681 | 8% | | |
| Countryside | | 13,507 | | 11,610 | 16% |
| Kings Mill Pool | 2,056 | 1,354 | 52% | | |
| Senior Center | | 33,711 | | 27,247 | 24% |

Aquatics Program

| | <u>1996</u> | <u>1995</u> | <u>% Change</u> |
|--------------|-------------|-------------|-----------------|
| April | 1,377 | 1,340 | 3% |
| May | 857 | 876 | -2% |
| June | 803 | 802 | 0% |
| Year to Date | 5,223 | 5,285 | -1% |

YTD Facilities Revenue

| | <u>1996</u> | <u>1995</u> | <u>% Change</u> |
|-----------------|-------------|-------------|-----------------|
| City Park | \$447,238 | \$407,561 | 10% |
| Countryside | \$ 32,876 | \$ 29,582 | 11% |
| Swim & Fitness | \$143,605 | \$127,171 | 13% |
| Kings Mill Pool | \$ 2,716 | \$ 2,262 | 20% |
| Senior Center | \$ 68,010 | \$ 73,006 | - 7% |

Recreation Programs

Summary of 1996 second quarter statistics compared to 1995:

Program Participation

| | <u>1996</u> | <u>1995</u> | <u>% Change</u> |
|--------------|-------------|-------------|-----------------|
| April | 8,093 | 5,122 | 58% |
| May | 1,834 | 2,089 | -12% |
| June | 2,584 | 1,665 | 55% |
| Year-to-Date | 16,836 | 13,204 | 28% |

Program Revenue

| | <u>1996</u> | <u>1995</u> | <u>% Change</u> |
|--------------|-------------|-------------|-----------------|
| Year-to-Date | \$256,760 | \$245,012 | 5% |

Standley Lake Revenue

| | | | |
|--------------|-----------|-----------|-----|
| Year-to-Date | \$295,956 | \$266,646 | 11% |
|--------------|-----------|-----------|-----|

POLICE DEPARTMENT**Police Department Certification and National Incident Based System (NIBRS) Reporting Process:**

The Police Records Section is currently undergoing an extensive and painstaking certification process with the Colorado Bureau of Investigation (CBI). This certification is to insure that records of police reports of crimes are compliant with State mandated reporting requirements. In 1996 the State of Colorado mandated implementation of the National Incident Based Reporting System (NIBRS) for all law enforcement agencies. This replaces the traditional method of reporting crimes which was known as UCR (Uniform Crime Reporting). UCR uses a "hierarchy rule" when reporting statistics of crimes. For example, when reporting an incident that might involve a burglary, a sexual assault and a homicide, the most serious of these crimes, the homicide, and only that one single crime, would be reported to CBI and the FBI; there were no statistics kept on the burglary and the sexual assault. NIBRS is an incident based reporting system. In the case of the incident above, all three crimes are reported.

Escapee Arrested as Holdup Suspect: On the evening of July 20, 1996 (Saturday), Detective Vaughn Pepper, working in uniform and off-duty at the Westminster Mall, recognized an individual wanted in a series of metro area armed robberies, and arrested the suspect without incident.

The suspect is wanted for at least ten robberies in the last month, including robberies in Arvada, Federal Heights, and Westminster. The suspect, who has been in and out of prison most of his adult life, walked away from the minimum Skyline Correctional Facility in Canon City a month ago, where he was serving a sentence for burglary. The suspect robbed the Cub Foods Store at 80th Avenue and Sheridan Blvd. in Arvada, and the Pacific Linen Store in Westminster prior to being observed at the Mall.

PUBLIC WORKS AND UTILITIES

Administration Division

Major activities during the second quarter included:

- * Staff is devoting considerable time to the process of formulating the Woman Creek Reservoir Authority, evaluating alternatives for generating operation funds for the Authority and seeking lobbying funds from other local area governments.
- * Staff is working with the City Manager's Office on temporary staffing for the Rocky Flats programs currently being managed by City Council Members and Water Resources Staff.
- * Administration Staff continue their participation and active roles in the Community Oriented Governance (COG) Program and assistance in the overall coordination of the Program. The COG program received the first-place award for Municipal Achievement from the Colorado Municipal League at its annual conference in June.
- * The second annual household chemical roundup was held at the Municipal Service Center on May 4.
- * Staff provided a review for Community Development on regulations covering pool and spa discharges into stormdrains.
- * Community Development was provided with a review of the asbestos and lead-based paint disposal costs for the 101st Avenue and Wadsworth Boulevard project.
- * Staff assisted in coordinating the cleanup of a 50,000 gallon used motor oil spill in the Leyden Creek drainage basin.
- * The Environmental Advisory Board assisted Staff at the Household Chemical Roundup and Westminster Pride Day. Efforts are underway to develop a public information piece describing the City's environmental programs and services. The group continues to educate the public by publishing Green Corner articles in the City Edition.
- * A student intern from University of Denver is researching asbestos work practices for municipal workers.

Street Division

- * A total of 162 hours were worked by Community Service recipients this quarter in an effort to increase workers used for graffiti removal and cleanup efforts throughout the City.

* Spring Rotation of crosswalk, arrows, and legends painting, which began in March, was completed the week of April 15. The spring rotation of pavement striping was also accomplished in the second quarter.

* Residents participating in the Spring Cleanup Program totaled 3,597. A total of 4,150 cubic yards of debris were hauled to a local landfill. A total of 38,640 pounds of scrap material from 428 appliances were recycled by an independent appliance company, reducing landfill and manhour costs to run the program.

* All gravel roads in the City were bladed, followed by an application of magnesium chloride which is applied for dust control.

* The City of Englewood once again participated in an equipment sharing program this quarter. A two-man Street Division crew with equipment were in Englewood the week of May 30, performing striping operations. Later this summer, Englewood will supply manpower and equipment to mill several streets in Westminster.

* The 1996 Chipseal Project began June 24. Thirty seven (37) streets are earmarked for this year's project.

* Rives Enterprises is 65% complete with the 1996 Street Improvement Concrete Replacement Project.

* Citywide Enterprises is 80% complete with the 1996 Customer Service Concrete Replacement Program.

* Brannan Sand and Gravel Company is 65% complete with the 1996 Asphalt Pavement Rehabilitation Project.

The following is a summary of second quarter street operation statistics compared to 1995:

| | <u>1996</u> | <u>1995</u> | <u>Percent Change</u> |
|-------------------------------|-------------|-------------|-----------------------|
| Striping miles | 497,000 | 319,000 | 56% |
| Signs installed | 203 | 209 | -3% |
| Signs repaired | 185 | 214 | -14% |
| Miles street swept | 1731 | 1656 | 5% |
| Pothole hotline calls | 25 | 38 | -34% |
| Customer Service Requests | 61 | 60 | 2% |
| Concrete Replacement Requests | 133 | 105 | 27% |
| Graffiti removal hours | 402 | 540 | 26% |

Utilities Division

* During the second quarter, the Utilities Division experienced two sewer backups. During the same time in 1995, the Utilities Division had experienced no sewer backups.

* Water breaks are up for the year by approximately 100 percent. Year-to-date, 66 water breaks have occurred compared to 32 during the same time in 1995.

* The Construction Crew focused on replacing 1,750 feet of water lines during the quarter.

The following is a summary of second quarter Utilities Operations statistics compared to 1995:

| | <u>1996</u> | <u>1995</u> | <u>Percent Change</u> |
|----------------------------|-------------|-------------|-----------------------|
| BDC treated gallons/day | 6.06M | 5.60M | +8% |
| Metro treated gallons/day | 3.77M | 3.61M | +4% |
| Water consumption/day | 20.4M | 13.1M | +36% |
| Water taps installed | 175.0 | 106.0 | +39% |
| Water line installed/feet | 1,750.0 | 1,195.0 | +32% |
| Water main breaks repaired | 17.0 | 17.0 | 0% |
| Sewer line installed/feet | 0.0 | 0.0 | |

Water Resources Division

* The Home Builders' Association (HBA) Joint Water Management System Study continues to progress. The Geographical Information System (GIS) portion is operational and water use information is being collected and analyzed. The HBA and City are sharing costs of constructing up to 20 water-conserving homes called for in the Study.

* The City now has representation on the Church Ditch Board. Plans are being made for a request to the Jefferson County Commissioners on an assessment increase.

* Negotiations were held with Central City, Black Hawk, and Gilpin County on their augmentation plans which would affect Standley Lake water quality.

* Modeling of three types of aeration systems was conducted by CH2M Hill as part of the Standley Lake Aeration Pre-design process. Results of the modeling will be analyzed and one system will be selected for the final pre-design evaluation.

* HDR Engineering has installed the new water distribution system model and GIS interface on the City's computer network. Inputs for the model are currently being refined for final runs for the Treated Water Master Plan.

* The BFI Industries proposal to expand the types of wastes handled at the Foothills Landfill is currently being reviewed. There is potential for contamination from the landfill reaching Leyden Creek, which is a portion of Standley Lake water supply. Comments on the proposal are due to Jefferson County Planning by August 15.

* Comments on the Rocky Flats Cleanup Agreement were submitted.

* Negotiations on the operations agreement and establishing a contract to form a water authority to own and operate the Standley Lake Protection Project continued.

* Westminster Water Counsel presented oral argument to the court in the water rights case filed against Golden for Golden's expanded use of the Lee, Stewart and Eskins water right on Clear Creek.

* A Diligence Application has been filed in Division I Water Court for the water rights used to implement the Clear Creek Water Quality Agreement between Coors, Golden, Thornton, and Westminster.

* A dispute between the City of Golden and Westminster regarding Golden's participation in Westminster Kershaw/Manhart water right change-of-use case caused the trial in the case to be vacated. The Judge has not yet ruled on the disputed issue.

* The second option for Sylvan Reservoir and the Lyman Ditch was exercised. These water rights would be used for the Henderson Tunnel Project.

* Staff continued to make modifications to the Clear Creek Watershed Management Model to link the input and output to the City's GIS system.

* Settlement was reached with a number of objectors in the Kershaw/Manhart water rights change-of-use case. Settlement was pursued, but not yet reached with Arvada, Golden, and Thornton.

* One and one-half shares of Farmers' High Line Canal and Reservoir Company were purchased during the second quarter.

* The preliminary design of Westminster's reclaimed water system was completed.

* Staff participated in discussions regarding proposed water quality standards for Woman Creek and Walnut Creek on the Rocky Flats Environmental Technology Site.

The following is a summary of second quarter year-to-date raw water statistics:

| <u>Raw Water Statistics</u> (Acre Feet) | <u>1996</u> | <u>1995</u> |
|---|-------------|-------------|
| Croke Canal Inflows | 14,529 | 14,430 |
| Kinnear Ditch Pipe Line Inflows | 560 | 1,911 |
| Church Ditch Inflows | 1,143 | 782 |
| Farmers' High Line Inflows | 7,582 | 5,725 |
| Total Standley Inflows | 23,814 | 22,848 |
| Westminster Releases From Standley | 19,068 | 9,695 |

Date: August 12, 1996
Subject: Quarterly Insurance Report
Prepared By: Willie Daniels, Risk Management Specialist

Introduction

The following is a list of the third party claims filed with the City from April 1, 1996 through June 30, 1996. No Council action is requested 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 following claims were received by the Risk Management Division during the second quarter of 1996:

1. WS11476017 Date of Loss: March 29, 1996. Bob Boudot, 6081 Western Drive #74, Saganaw, MI 48603. Claimant alleged that he hurt his leg after he fell on sidewalk at the Apple Valley Condos. CIRSA has denied the claim.
2. WS01026018 Date of Loss: April 4, 1996. Jo Ann Maes, P.O. Box 114, Westminster, CO 80030. Claimant filed a lien on the home of Mr. Katz's wife. Mr. Katz is a Prosecuting Attorney who represents the City of Westminster. Claimant alleged that Mr. Katz made a remark about her mental competence. CIRSA is investigating the claim.
3. WS10356019 Date of Loss: April 13, 1996. Angelo Valdez, 5835 West 78th Place #5, Westminster, CO 80030. Claimant alleged that the Westminster Police Department lost his wedding ring, car registration and his lotto ticket. CIRSA investigated the claim and paid the claimant \$100.00.
4. WS16686020 Date of Loss: April 4, 1996. Connie Matthews, 8681 Rutgers Street, Westminster, CO 80030. Claimant alleged that her basement carpet was damaged after the sewer main on her street backed up. CIRSA investigated the claim and paid the claimant \$500 for the claimant's deductible reimbursement.

5. WS03116021 Date of Loss: April 3, 1996. Steve Hale, 3775 West 99th Place, Westminster, CO 80030. Claimant alleged that their home was damaged from flooding, seepage and drainage as a result of the City's approval of development plans in the Hyland Greens Subdivision. Claimant estimated damages to be \$10,000. CIRSA had denied the claim.
6. WS10346022 Date of Loss: December 4, 1996. Sammy Rivera, 10793 Moore Way, Westminster, CO 80030. Claimant alleged that he suffered physical damage after he was arrested by Westminster Police Officers. Damages have not been specified. CIRSA is investigating the claim.
7. WS12506023 Date of Loss: March 19, 1996. Shiela Leone, 9477 West 104th Avenue, Westminster, CO 80020. Claimant alleged that chemicals were splashed in her son's face during a science camp at the City Park Recreation Center. Claimant asked for reimbursement of \$225.57 for medical bills. Claimant was paid a settlement of \$225.57.
8. WS12516024 Date of Loss: April 16, 1996. Mr. Phillip Trujillo, 6320 West Harvard Drive, Lakewood, CO 80227. Claimant alleged that his car was hit with pebbles after a City employee was sweeping the sidewalk with an automatic sidewalk sweeper. Claimant was paid a settlement of \$4,100.65.
9. WS12516025 Date of Loss: April 18, 1996. Leslie McGlaughlin, 9805 Raleigh Street, Westminster, CO 80030. Claimant alleged that her vehicle was hit by a City employee driving a City owned pickup truck. Claimant has been paid vehicle repair cost of \$2,052.79.
10. WS04226026 Date of Loss: April 27, 1996. Brenda Crawford, 10755 Ross Court, Westminster, CO 80021. Claimant alleged that her daughter fell out of a Westminster fire truck during an open house at Fire Station #6. The fire truck was insured with the Saint Paul Insurance Company. Saint Paul is investigating the claim.
11. WS10356027 Date of Loss: May 7, 1996. Mr. David Morgan, 3733 West 97th Place, Westminster, CO 80030. Claimant alleged that his vehicle was hit by a City Police Officer driving a City owned vehicle. CIRSA investigated the claim and paid the claimant vehicle repair cost of \$2,020.70.
12. WS16686028 Date of Loss: December 6, 1996. Joe Laconte, P.O. Box 1351, Arvada, CO 80001. Claimant alleged that City employees were negligent in providing sewer line information to claimant's contractor, GTG-Fox Environmental Services, in relation to drilling activities on the Laconte's property. The sewer line was damaged by GTG-Fox and claimant sought \$2,242.70 for reimbursement of the sewer line repair. CIRSA has denied the claim.
13. WS03116029 Date of Loss: April 4, 1996. William Kearney, 3030 LBJ Freeway, Suite 1395 LB31, Dallas, TX 75234. Claimant alleged that water is flowing onto their properties that are located west of U.S. 36 in the Walnut Creek Subdivision and east of U.S. 36 near 104th Avenue. Claimant wanted the City to modify the construction area to eliminate the unwanted water runoff. CIRSA and Community Development are investigating the claim.

14. WS10346030 Date of Loss: November 23, 1995. Jeffrey Schlauder, 2480 West 92nd Avenue, Federal Heights, CO 80221. Claimant alleged that his rights were violated after he was pulled over by a Westminster Police Officer. Claimant alleged that he was pulled over because the Westminster Police Officer thought he was mouthing the words "oink" "oink." Damages have not been specified. CIRSA is investigating the claim.

15. WS12526031 Date of Loss: April 27, 1996. Soon Bar, 9172 Garland Street, Westminster, CO 80021. Claimant alleged that she fell down the stairs in the pool area at City Park Recreation Center. Claimant alleged that she hurt her tailbone and sought medical reimbursement. CIRSA denied the claim.

16. WS10306032 Date of Loss: June 3, 1996. Shari Pauley, 6021 West 112th Place, Westminster, CO 80020. Claimant alleged that paint came off of her trailer after a Code Enforcement Officer taped a citation on her trailer. A settlement of \$100.00 has been paid to Shari Pauley.

17. WS16686033 Date of Loss: June 5, 1996. John Herlevich, 8610 Crescent Drive, Westminster, CO 80030. Claimant alleged that his vehicle was hit by an employee driving a City vehicle. CIRSA investigated the claim and paid the claimant \$3,532.78.

18. WS10346034 Date of Loss: June 15, 1996. Michael Salden, 8502 Ingalls Circle, Westminster, CO 80030. Claimant alleged that he suffered head and neck injuries after being placed in the rear of a Westminster police car. Claimant alleged that he was handcuffed without a seatbelt. CIRSA is investigating the claim.

19. WS10346035 Date of Loss: April 19, 1996. Hung Nguyen, 9933 Travis Street, Thornton, CO 80229. Claimant alleged that his vehicle was hit by an employee driving a City vehicle. CIRSA is investigating the claim.

20. WS03126036 Date of Loss: June 15, 1995. Mr. Jonathan Smith, 7700 West 88th Avenue, Arvada, CO 80005-1615. Claimant alleged that construction from the widening of 88th Avenue caused the wall in his basement to crack. Steve Baumann, Assistant City Engineer, is working with Mr. Smith on this matter, however, City Staff is not accepting responsibility because City Staff inspected this site and determined that this was a pre-existing condition.

21. WS10356037 Date of Loss: June 20, 1996. Mr. Don Kruckberg, 7521 King Street, Westminster, CO 80030. Claimant alleged that his vehicle was hit by an employee driving a City vehicle. CIRSA investigated the claim and paid the claimant \$368.63.

22. WS12506038 Date of Loss: June 25, 1996. Karen Price, 9256 Pierce Street, Westminster, CO 80021. Claimant alleged that her son was injured while swimming at City Park Recreation Center after he was hit by a swimming kickboard. CIRSA investigated the claim and paid claimant's medical bills which totalled \$165.00.

Respectfully submitted,

William M. Christopher
City Manager