

August 25, 1997  
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**  
None
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. Amended Engineering Design re Lowell Boulevard
  - B. Lowell Boulevard/92nd Avenue Water Line Replacement
  - C. CB No. 52 re Unified Land Use/Development Code (Merkel-Allen)
  - D. CB No. 53 re Comprehensive Land Use Plan (Allen-Merkel)
  - E. CB No. 54 re McKay Lake Acquisition (Scott-Dixon)
9. **Appointments and Resignations**  
None
10. **Public Hearings and Other New Business**
  - A. Development Consultant Agreement with Sullivan Hayes Brokerage
  - B. Resolution No. 41 re Countrydale Metro District Service Plan
  - C. Resolution No. 43 re Golf Course Annexation Petition
  - D. Westminster Mall Ring Road Engineering Design Contract
  - E. Resolution No. 44 re Detention of Westminster Prisoners
  - F. Councillor's Bill No. 55 re Cost Recoveries for 104th Ave/Federal Blvd
  - G. Councillor's Bill No. 56 re Youth, Preschool & Library Programs
  - H. Councillor's Bill No. 57 re Legacy Junior Golf Camp
  - I. Councillor's Bill No. 58 re City Charter Ballot Question
11. **Old Business and Passage of Ordinances on Second Reading**  
None
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
  - A. Activity Report for 2nd Quarter, 1997
  - B. Financial Report for July, 1997
  - C. City Council
  - D. Request for Executive Session
    1. Proposed Land Acquisition re Utility Facilities
    2. Westcliff Park Acquisition
13. **Adjournment**

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, AUGUST 25, 1997 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, 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 August 11, 1997 with no additions or corrections. The motion carried unanimously.

Mayor Heil recognized the Standley Lake High School students who were in attendance at the meeting.

CITIZEN COMMUNICATION:

David Hoehl, 9411 Lowell Blvd, addressed Council concerning speeding on City streets and suggested that traffic fines be doubled and that a second offense be increased 150 percent. Ashley Burns, 10484 Independence St, addressed Council supporting Mr. Hoehl's concern about speeding in the City.

CONSENT AGENDA:

The following items were considered as part of the Consent Agenda: Amended Engineering Design Contract for Lowell Boulevard - Authorize City Manager to execute an amended engineering design contract with Drexel Barrell Engineers/Surveyors, Inc. in the amount of \$20,154 for the additional design services for the Lowell Boulevard Roadway and Water Line Improvement Project, thus establishing a total amount not to exceed \$80,664; and charge expenses to the appropriate project account in the General Capital Improvement Fund; Lowell Boulevard/92nd Avenue Water Line Replacement - Award a contract to the low bidder, Colorado Pipeline Construction Company, Inc, in the amount of \$144,339.50 for the Lowell Boulevard/92nd Avenue Water Line Replacement; authorize the City Manager to execute a contract with Colorado Pipeline Company, Inc., for water line replacement; authorize a budget of \$144,339.50, with a contingency budget of \$15,000; and charge the appropriate Program accounts in the Utilities Fund Capital Improvement Project Budget; Councillor's Bill No. 52 re Unified Land Use/Development Code; Councillor's Bill No. 53 re Comprehensive Land Use Plan; and Councillor's Bill No. 54 re McKay Lake Acquisition.

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 Scott and seconded by Dixon to adopt the consent agenda items as presented. The motion carried unanimously.

DEVELOPMENT CONSULTANT AGREEMENT WITH SULLIVAN HAYES BROKERAGE:

A motion was made by Merkel and seconded by Harris to approve the agreement between the City of Westminster and Sullivan Hayes Brokerage Corp. pertaining to consulting services in conjunction with exploring the feasibility and interest level of major high end retail development on the property located adjacent to U.S. 36 and south of 104th Avenue, and authorize the appropriate City Officials to execute said agreement. Jim Sullivan was present to address Council. The motion carried unanimously.

RESOLUTION NO. 41 - COUNTRYDALE METROPOLITAN DISTRICT SERVICE PLAN:

A motion was made by Allen and seconded by Dixon to adopt Resolution No. 41 approving the Service Plan for the Countrydale Metropolitan District and making certain findings and determinations in regard to the Countrydale Metropolitan District. Upon roll call vote, the motion carried unanimously.

RESOLUTION NO. 43 - GOLF COURSE ANNEXATION PETITION:

A motion was made by Harris and seconded by Allen to adopt Resolution No. 43 accepting the annexation petition submitted by the Jefferson County Airport Authority and make the findings required by State Statute on the sufficiency of the petition, and set the date of October 13, 1997, for the annexation hearing. Upon roll call vote, the motion carried unanimously.

WESTMINSTER MALL RING ROAD ENGINEERING DESIGN CONTRACT:

A motion was made by Merkel and seconded by Allen to authorize the City Manager to execute an engineering design contract with Parsons Transportation Group in the amount of \$179,086 for the preparation of construction bid documents for the Westminster Mall Ring Road project; authorize a design contingency of \$10,000; and charge the expense to the appropriate project account in the General Capital Improvement Fund. Kenton Anderson, General Manager of the Westminster Mall, was present to address Council. The motion carried unanimously.

RESOLUTION NO. 44 - DETENTION OF WESTMINSTER PRISONERS:

A motion was made by Dixon and seconded by Merkel to adopt Resolution No. 44 approving a contingency transfer of \$22,000 from the General Fund Contingency Account to provide additional funds for expenses related to the detention of Municipal Court prisoners at Clear Creek County Jail. Municipal Court Judge Stipech was present to address Council. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 55 - COST RECOVERIES FOR 104TH AVE/FEDERAL BLVD:

A motion was made by Allen and seconded by Harris to pass Councillor's Bill No. 55 on first reading which establishes cost recoveries on the City's West 104th Avenue (Phase 1) Street Improvements at Federal Boulevard. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 56 - YOUTH, PRESCHOOL & LIBRARY APPROPRIATION:

A motion was made by Dixon and seconded by Merkel to pass Councillor's Bill No. 56 on first reading appropriating \$29,000 to the Parks, Recreation and Libraries Youth Activities operating account from grants, July 4th fund raising money, and 1996 Youth Crime and Intervention grant funds; \$17,000 to the Parks, Recreation and Libraries Preschool Program operating account for expanded programs; and \$2,000 to the Library Division Computer Software/Hardware Account for the purchase of Z39.50 server software and related computer equipment to provide enhanced access to the Library's catalog. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 57 - LEGACY JUNIOR GOLF CAMP APPROPRIATION:

A motion was made by Smith and seconded by Dixon to pass Councillor's Bill No. 57 on first reading appropriating the Legacy Ridge Golf Course's annual Junior Golf Program revenues of \$3,192, thus recording the revenues and permitting expenditures to be made from this program. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 58 - CITY CHARTER BALLOT QUESTION:

A motion was made by Dixon and seconded by Merkel to pass Councillor's Bill No. 58 on first reading submitting to the registered electors of the City the proposed amendment to the City Charter concerning the retention of special legal counsel services. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Council reviewed the Financial Report for July 1997 and the Quarterly Activity Report.

Mayor Heil stated there would be an Executive Session to discuss a proposed Land Acquisition re Utility Facilities and the Westcliff Park Acquisition.

ADJOURNMENT:

The meeting was adjourned at 7:40 P.M.

ATTEST:

\_\_\_\_\_

Mayor

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

**Date:** August 25, 1997

**Subject:** Amended Engineering Design Contract re Lowell Boulevard

**Prepared by:** Kevin Berryhill, Senior Civil Engineer

### **Introduction**

City Council action is requested to authorize the City Manager to execute an amended engineering design contract with Drexel Barrell Engineers/Surveyors in the amount of \$20,154 bringing the total design contract amount to \$80,664 for the Lowell Boulevard Roadway and Water Line Improvement Project. Funds for this expense are available in the project account of the General Capital Improvement Fund.

### **Summary**

In 1994, Adams County initiated the Lowell Boulevard Improvement Project which extended from 68th Avenue to the Burlington Northern railroad (BNRR). Since the design contract was authorized in 1995, two contract amendments were done to account for necessary additional services that were not anticipated; extend the project limits north of Burlington Northern Railroad to 71st Place to provide a smoother transition into the 72nd Avenue project and to incorporate decorative street lighting and planter boxes into the design consistent with the streetscape fixtures installed along 72nd Avenue.

After evaluating the additional costs of the streetscape improvements and taking into account Adams County's new proposal for reducing the street cross-section south of this project, Staff is recommending a revision to the design to eliminate the transition from BNRR to 71st Place, eliminate the streetscape improvements and reduce the cross-street section. This will result in reducing construction costs significantly.

The cost of this amendment to the design contract is \$20,154, which when added to the original contract amount of \$27,865, Addendum No. 1 amount of \$9,452, and the Addendum No. 2 amount of \$23,193 brings the total contract amount to \$80,664.

### **Staff Recommendation**

Authorize the City Manager to execute an amended engineering design contract with Drexel Barrell Engineers/Surveyors, Inc. in the amount of \$20,154 for the additional design services for the Lowell Boulevard Roadway and Water Line Improvement Project, thus establishing a total amount not to exceed \$80,664; and charge the expenses to the appropriate project account in the General Capital Improvement Fund.

### **Background Information**

In 1994, Adams County initiated the Lowell Boulevard Roadway and Water Line Improvement Project. Adams County allocated funds for this project in the amount of \$100,000 for 1996 and \$360,000 in 1997, totaling \$460,000.

Council authorized a contract in the amount of \$27,865 for the design of the project with Drexel Barrell Engineers/Surveyors, Inc. in 1995. The original project consisted of roadway and water line improvements for Lowell Boulevard from 68th Avenue extending north to the Burlington Northern Railroad (BNRR). Addendum No. 1 to the design contract accounted for necessary additional services that were not anticipated with the original contract (i.e., additional Geotech testing and analysis, revisions for Phase I plans and contract documents and supplemental field survey and mapping) and to break the project into two phases: Phase I was the water line construction, completed in August, 1996. Phase II will be the roadway construction.

Addendum No. 2 to the contract with Drexel Barrell extended the plan for the roadway widening north across the BNRR to 71st Place (the southern limit of the full width improvements of the 72nd Avenue project) and incorporated landscaping and street lighting features being constructed in the 72nd Avenue Project.

City Staff has re-evaluated the Lowell Boulevard Phase II project and decided that the additional costs to incorporate the Addendum No. 2 improvements are not practical. Adams County provided new information that they are planning a project south of 68th Avenue (the southern limit of the Lowell Boulevard Improvement Project) which consists of a three lane typical section (one lane each direction and a shared left turn lane). The additional costs to incorporate the five lane typical section, landscaping, and street lighting features being constructed in the 72nd Avenue Project no longer make sense. The modifications to the Lowell Boulevard Roadway and Water Line Improvements Project are as follows:

1. Eliminate the planned widening of Lowell Boulevard from the BNRR crossing extending north to 71st Place.
2. Exclude from the plan the landscape planter modules and the decorative street lighting along Lowell Boulevard in the revised project limits.
3. Reduce the previously planned five-lane typical section to a three-lane section to match the Adams County future project south of 68th Avenue.

The estimated construction savings with these modifications is \$800,000 and the current project budget is sufficient to fund the project construction with these modifications. With right-of-way acquisitions scheduled for early 1998, the construction of Lowell Boulevard improvements is not anticipated to begin until mid to late 1998.

Staff recommends that Drexel Barrell Engineers/Surveyors, Inc. is the logical choice for a consultant to perform these revisions since the additional services are an extension of the on-going project. The requested additional fee is reasonable considering the amount of plan modification that will be necessary to eliminate the planter boxes, decorative street lighting, northern roadway extension, and the reduction from a five-lane to a three-lane cross-section. It should also be noted that the original contract amount of \$27,865 was an extremely competitive cost proposal from this consultant.

Alternatives to the recommended contract amendment include leaving the design as is, accepting that an additional \$800,000 would be necessary to construct the project with streetscape improvements as described above. The present construction budget would not accommodate this approach and construction would be delayed while funding was sought. Delays could also be expected if the Drexel Barrell proposal were rejected to allow other consultants to propose on the modification of the plans. Staff does not recommend that either of these options be pursued under the circumstances.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** August 25, 1997  
**Subject:** Lowell Boulevard/92nd Avenue Water Line Replacement  
**Prepared by:** Jack Rudey, Utilities Field Operations Supervisor  
Abel Moreno, Utilities Management Intern

**Introduction**

City Council action is requested to award the bid for the Lowell Boulevard/92nd Avenue Water Line Replacement to Colorado Pipeline Construction Company, Inc.; authorize the City Manager to execute a contract between the City and Colorado Pipeline, Inc.; and authorize a budget of \$144,339.50 for water line improvements and \$15,000 for a contingency budget. Funds are available for these expenditures in the Utilities Fund Capital Improvements Project Budget.

**Summary**

Currently, the Utilities Division Construction Crew is working on 76th Avenue between Turnpike Drive and Sheridan Boulevard replacing the 12-inch water main; this main requires replacement because it has deteriorated. This project is expected to require an additional two months of work, thus not allowing time for additional water line replacements by the Utilities Division Construction Crew this construction season. The Lowell Boulevard project between 92nd Avenue and 96th Avenue is on the five-year replacement list, with replacement scheduled for this year. The project is expected to begin in September and be completed by mid-December.

The City advertised for five consecutive days in the Daily Journal, Colorado's premier construction industry magazine. Eleven contractors attended the mandatory pre-bid meeting that was held on July 23, at the Municipal Service Center. Four bids were received and read publicly on July 3, in the City Council Chambers.

<u>BIDDER</u>	<u>LUMP SUM BID</u>
Colorado Pipeline Construction Company	\$144,339.50
Ricor, Inc.	\$149,006.00
Wycon Construction Co.	\$178,165.00
BT Construction, Inc.	\$180,160.80

Colorado Pipeline Construction Company, Inc., has been determined to be the successful contractor on the basis of their bid as the lowest responsible responsive lump sum bid within the established funds available for the contract. The City's available budget for the 1997 Water Line Replacement Program is \$700,000.

**Staff Recommendation**

Award a contract to the low bidder, Colorado Pipeline Construction Company, Inc., in the amount of \$144,339.50 for the Lowell Boulevard/92nd Avenue Water Line Replacement; authorize the City Manager to execute a contract with Colorado Pipeline Company, Inc., for water line replacement; authorize a budget of \$144,339.50, with a contingency budget of \$15,000; and charge the appropriate Program accounts in the Utilities Fund Capital Improvement Project Budget.



### **Background Information**

The City's Utilities Division Construction Crew is currently committed to the replacement of the water line on 76th Avenue between Turnpike Drive and Sheridan Boulevard, due to deterioration of the line and resulting increased number of water line breaks; therefore, the Construction Crew is unable to replace deteriorated water lines on Lowell Boulevard between 92nd Avenue and 96th Avenue. Additional water line replacement of the Lowell Boulevard water lines is necessary due to increasing water breaks on this line during the past five years.

The Lowell Boulevard project between 92nd Avenue and 96th Avenue is scheduled to be replaced in 1997, as set out in the City's five-year water line replacement list and due to the deteriorated condition of the water line.

City Staff conducted reference checks on Colorado Pipeline Construction Company, Inc., with favorable results from previous clients. Although Colorado Pipeline is a smaller firm than some local water line contractors, it is fully capable of performing work associated with this project.

An alternative to replacing the water lines in 1997, is to reject all of the bids and re-bid the project in 1998, in conjunction with other water line replacements throughout the City. However the Public Works and Utilities Capital Improvement Project budget has assigned the funds to have this water line replaced this year and can accomplish the work during the fall and early winter season. Equally important is the current deteriorated condition of the Lowell Boulevard water line.

Respectfully submitted,

William M. Christopher  
City Manager

**Date:** August 25, 1997

**Subject:** Development Consultant Agreement with Sullivan Hayes Brokerage Corporation

**Prepared by:** Bill Christopher, City Manager

### **Introduction**

City Council's approval of the attached agreement with Sullivan Hayes Brokerage Corporation is recommended regarding potential retail development of the property adjacent to U.S. 36 and south of 104th Avenue. Jim Sullivan and his firm would serve as consultant to the City on maximizing the opportunities for development of the subject property.

### **Summary**

With the completion of the City's Comprehensive Land Use Plan, the land located adjacent to U.S. 36 and south of 104th Avenue has been identified as a strategically located parcel and provides a prime development opportunity in Westminster. Accordingly, the City has sought the expertise of Jim Sullivan and his firm to serve as a consultant to the City in pursuing higher end retail opportunities to compliment the Westminster Mall and the surrounding retail complex. Accordingly, the attached agreement has been prepared between the City and Sullivan Hayes Brokerage Corporation.

### **Staff Recommendation**

Approve the agreement between the City of Westminster and Sullivan Hayes Brokerage Corporation pertaining to consulting services in conjunction with exploring the feasibility and interest level of major high end retail development on the property located adjacent to U.S. 36 and south of 104th Avenue, and authorize the appropriate City Officials to execute said agreement.

### **Background Information**

As part of the City's long term planning, the City has been desirous of attracting higher end retail development to either be a part of the Westminster Mall, or to be adjacent to the Mall and be complimentary. With the recent completion of the City's Comprehensive Land Use Plan, the property located adjacent to U.S. 36 on the east side, and south of 104th Avenue, in the vicinity of the Promenade Project has been identified as a strategically located parcel. This parcel is thought to provide prime development opportunity in Westminster and, perhaps, could accomplish the higher end retail opportunity that Westminster City Officials have been seeking for some time. This matter has been discussed in detail with Jim Sullivan, President and CEO of Sullivan Hayes Brokerage Corporation and he has indicated his interest and willingness to serve the City in a consulting capacity in an effort to accomplish the City's objectives.

The attached agreement has been negotiated with Mr. Sullivan and he is in concurrence with its provisions. The intent of the agreement is to retain Mr. Sullivan's services to provide demographic information and other related information to prospective mall shopping center developers who would consider the subject property. He would develop site plans for retail configurations including department stores which would be compatible with the subject property and would represent the City of Westminster in contacts with prospective retail developers. He would be the City's primary agent on negotiating retail development packages for the City's review, consideration, and final approval. Any compensation for Mr. Sullivan's services would come from the developer(s) and/or the property owner and not the City.

Given Mr. Sullivan's retail successful track record and significant national retail contacts, this consulting service agreement is thought to be a key first step in seeking higher end retail development in Westminster that would be adjacent to the Westminster Mall. To date, City of Westminster Officials efforts to realize higher end retail development at the Westminster Mall have been unsuccessful. Therefore, it is thought that other options and other opportunities need to be explored to keep Westminster's retail mix that would have balance, vitality and higher end retail stores. Examples of such a mix could be Crate and Barrel, Williams Sonoma, Eddie Bauer, Ann Klein, Dillards Department Store, Lord and Taylor, Nordstrom's, Jessica McClintock and Talbots.

Approximately 65% of Westminster's General Fund is funded through Sales and Use Tax revenue. In order to maintain the continued financial soundness of the City's key tax base, it behooves the City to explore other retail development that would provide a different market niche. Also, different retailers are needed to add balance to an existing retail selection that tends to be in the same general market focus. Accordingly, Mr. Sullivan's services are recommended to City Council at this time.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

## AGREEMENT

This Agreement is dated and executed as of the \_\_\_\_ day of August, 1997, by and between Sullivan Hayes Brokerage Corporation and the City of Westminster, Colorado, a municipality.

WHEREAS, the Westminster City Council recently adopted a new Comprehensive Land Use Plan that reflects land uses for future use in the build out of the City; and

WHEREAS, it is recognized that the City has limited opportunities for major economic development on the remaining undeveloped land; and

WHEREAS, the property adjacent to U.S. 36 and south of 104th Avenue is strategically located and provides a prime development opportunity in Westminster, and

WHEREAS, The City is desirous of maximizing the development potential of this site in conjunction with the 4.0 million square feet of existing retail space in the City Center area; and

WHEREAS, City Council is desirous of higher and retail opportunities to complement the Westminster Mall and the surrounding retail complex; and

WHEREAS, the City is desirous of contracting with James Sullivan, President and CEO of Sullivan Hayes Brokerage Corporation, who has demonstrated outstanding capability and knowledge in retail leasing and development and who has a considerable wealth of knowledge about the retail market in the greater Westminster area, and who has developed the Mission Commons Shopping Center, Brookhill Shopping Center and MarketPlace Shopping Center in Westminster.

NOW THEREFORE, The City wishes to retain the professional services of Mr. Sullivan in conjunction with exploring the feasibility and interest level of major high end retail development on the subject property. Mr. Sullivan agrees to the following scope of services with any reimbursement for out-of-pocket costs to be separately agreed by and between Mr. Sullivan and the City.

1. Work with City Staff in developing comprehensive demographic information which is relevant to prospective retail developers.
2. Developing site plans for retail configurations which would be compatible with the subject property.
3. Representing the City in contacts with prospective retail developers that would achieve the desired quality and type of retail development contemplated by the City on the subject property.
4. Would be the City's exclusive agent on negotiating retail development packages for the City's review and consideration.
5. Carryout other related duties as deemed to be appropriate and needed in the overall intent of accomplishing high quality major retail development on the site to achieve an expanded line of merchandise which includes higher price points and waulity line of clothing, household goods, and other soft goods.

Mr. Sullivan and the City agree and acknowledge that the City shall not be required to compensate Mr. Sullivan for his professional fees and that all such compensation and/or other consideration to which Mr. Sullivan may become entitled shall be pursuant to separate agreement with the ultimate developer of the project (whether in the form of development fees, brokerage/leasing fees, or a participation in the ultimate development and/or ownership of the Project, as said parties may agree).

In this regard, the City acknowledges that Mr. Sullivan, in his individual capacity and/or in a representative capacity for one or more other third parties, and/or through an affiliated entity, may request and receive compensation (via cash payments and/or a participation interest) from the ultimate developer and/or the Project, in part or in whole as consideration and/or compensation for the efforts expended by Mr. Sullivan in identifying the ultimate developer as a benefit for the City hereunder; and it is further acknowledged by the City that none of the foregoing shall constitute an actual or perceived conflict of interest with regard to any current or future projects which Mr. Sullivan and/or his affiliates may submit to the City.

CITY OF WESTMINSTER

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Mayor, Nancy M. Heil

ATTEST:

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Michele Kelley, City Clerk

SULLIVAN HAYES BROKERAGE CORPORATION

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James Sullivan, President and CEO

**Date:** August 25, 1997

**Subject:** Resolution No. Countrydale Metropolitan District Service Plan

**Prepared by:** Leslie Annand, Assistant City Attorney

### **Introduction**

City Council action is requested to adopt the attached resolution approving the Service Plan for the Countrydale Metropolitan District. The main purpose of the District is to finance public improvements on a 325-acre parcel of land to be developed by a partnership formed by Westfield Development Company in connection with the Countrydale Golf Course.

### **Summary**

The attached Service Plan is for a new special district to be named the Countrydale Metropolitan District. The District consists of one parcel located in the City of Westminster, Jefferson County, and is bounded by Simms Street on the west, 108th Avenue on the south, Wadsworth Parkway on the east, and the Jefferson County Airport on the north (excluding the Ball Corporation property).

The District is intended to provide certain essential public-purpose facilities for the use and benefit of all its anticipated commercial development and taxpayers of real property located within the boundaries of the District. The improvements to be financed may include parks and recreational facilities, sanitary sewage collection and transmission system, traffic and safety controls, street improvements, public transportation system, potable and non-potable local water supply system, television service system, and mosquito control system. Initially, the District will finance certain regional improvements such as drainage detention facilities, the improvement of 108th Avenue from Wadsworth Parkway to Westport Drive, and the signalization of the intersection of 108th Avenue and Wadsworth Parkway.

It is expected that the District shall issue general obligation debt in the amount of \$2.3 million the first year, and will have authorization to issue additional debt. The initial issue will be "general obligation limited tax bonds" to be supported by a mill levy not to exceed 25 mills (including a debt service levy of 17 mills, an operating levy of 5 mills and a 3 mill levy to be paid to the City as a contribution to the cost of operating and maintaining the Westminster recreational facility to be located within the District). Payment on the bonds shall be deferred until the limited mill levy generates enough revenue to pay the principal amounts, as well as interest both current and deferred.

Once the assessed value of the property within the District reaches a level equal to two hundred percent of the sum of (i) the principal amount of the obligations issued plus (ii) any outstanding debt and accrued but unpaid interest not otherwise discharged, the provisions of the limited tax bonds shall require that the District then issue general obligation "exchange bonds" to the holders, thus refunding the limited tax obligations.

**Staff Recommendation**

Adopt Resolution No \_\_\_\_\_ approving the Service Plan for the Countrydale Metropolitan District and making certain findings and determinations in regard to the Countrydale Metropolitan District.

**Background Information**

Westfield Development Company, represented by CEO Rich McClintock, and City representatives have been pursuing the development of the Countrydale Business Park in conjunction with the proposed City golf course since the Spring of 1995. The City and Westfield are parties to a business agreement for the purpose of achieving a first-class business park in Westminster with municipal amenities. The agreement includes a 170-acre business park, an 18-hole municipally owned and operated golf course with a clubhouse and driving range, and a community recreation center that would serve the northwest quadrant of the City's residents, including business tenants at the business park. City representatives, in collaboration with Westfield, have concluded that the proposed special district is the preferred method for financing public improvements within the District.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment Resolution

RESOLUTION

RESOLUTION NO. 41

INTRODUCED BY COUNCILMEMBERS

SERIES OF 1997

WHEREAS, pursuant to the provisions of Title 32, Article 1, Part 2, C.R.S. as amended, and specifically section 32-1-204.5 thereof, the City Council of the City of Westminster, Colorado, considered the Service Plan of the proposed Countrydale Metropolitan District on the 25th day of August, 1997; and

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

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

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

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

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

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

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

ADOPTED AND APPROVED this 25th day of August, 1997.

ATTEST:

\_\_\_\_\_  
Mayor



City Clerk

**Date:** August 25, 1997

**Subject:** Resolution No. re Golf Course Annexation Petition

**Prepared By** David Falconieri, Planner III

**Introduction:**

City Council action is requested on the attached resolution which addresses compliance of the proposed petition with statutory requirements regarding annexation of a portion of the land owned by the Jefferson County Airport Authority that will be used for the Countrydale Golf Course. It also establishes a hearing date on the annexation.

**Summary:**

The property in question is located on the north side of the 112th Avenue alignment and on the east side of Simms Street. The proposed annexation consists of a total of 166 acres, and is proposed to be zoned PUD. Of the total area, 120 acres is designated for golf course related uses. A 33 acre parcel adjacent to Simms Street will be available for development at such time as the Airport Authority or designee submits a proposal to the City. The remainder of the land to be annexed is right-of-way including the full Simms Street right of way.

The property is currently vacant. The area to be used for the golf course will be designated as PUD, however an official development plan will not be created. This is the same procedure that was used for the Legacy Ridge golf course development. The 33 acre parcel will be required to have both a PDP and ODP when a developer is found and specific plans have been made. Staff will recommend that the zoning reflect the uses allowed in the Business Park category of the City's Comprehensive Land Use Plan.

**Staff Recommendation:**

Adopt Resolution No. accepting the annexation petition submitted by the Jefferson County Airport Authority and make the findings required by State Statute on the sufficiency of the petition, and set the date of October 13, 1997, for the annexation hearing.

**Background Information:**

Upon receiving a petition for annexation, 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, the Airport Authority, 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 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 October 13, 1997, 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 25th day of August, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** August 25, 1997

**Subject:** Westminster Mall Ring Road 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 engineering services contract with Parsons Transportation Group in the amount of \$179,086 for the preparation of construction bid documents for the Westminster Mall Ring Road project; and authorize a design contingency in the amount of \$10,000. Funds for this expense are available in the U.S. 36/Sheridan Boulevard/92nd Avenue Intersection Project Budget in the General Capital Improvement Fund.

### **Summary**

Parsons Transportation Group is a local subsidiary of Barton-Aschman, which is headquartered in Chicago. In 1996, Barton-Aschman, a nationally recognized expert in shopping center layout, was hired by the City to perform a preliminary design for the Westminster Mall ring road and parking lot reconfiguration. The construction of such a ring road within the Mall property was previously determined to be one of the key elements needed to enhance the flow of traffic within the Westminster Center area. The basic ring road plan has been reviewed by all the necessary parties and are supportive of the project. It is now necessary to prepare detailed construction documents based on this preliminary design in anticipation of constructing this project in 1998.

Given that Parsons/Barton-Aschman has a strong familiarity with this project, Staff is recommending that they be selected to prepare the construction documents. Such action by City Council would assume that the ring road and parking lot revisions could be designed and installed in 1998, prior to the holiday shopping season of 1998.

The ring road was previously deemed by City Council and Staff as a key improvement to assist in the continued vitality and popularity of the Westminster Mall.

### **Staff Recommendation**

Authorize the City Manager to execute an engineering design contract with Parsons Transportation Group in the amount of \$179,086 for the preparation of construction bid documents for the Westminster Mall Ring Road project; authorize a design contingency of \$10,000; 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 to identify specific improvements needed 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 on this study, several alternatives were identified ("a symphony of improvements") and were analyzed in detail with City Council to prioritize and identify a cost for each alternative in preparation for consideration of future funding of all or some of the alternatives.

The entire list of alternatives that were identified and discussed are as follows:

- > Modifications to the U.S. 36 Interchange at Sheridan Boulevard/92nd Avenue.
- > Sheridan Boulevard Improvements (92nd Avenue to 87th Place).
- > 88th Avenue Improvements (Sheridan Boulevard to west of Harlan Street).
- > Improvements to the 88th Avenue and Sheridan Boulevard intersection.
- > 92nd Avenue Improvements (Marshall Street to Yates Street).
- > Construction of Harlan Street from its current northern terminus (approximately 95th Avenue), north to 112th Avenue, including a bridge over U.S. 36.
- > Construction of an internal "ring road" on the Westminster Mall property.

To follow-up on this study, the City hired Barton-Aschman to prepare a preliminary design for the "ring road" and parking lot re-configuration on the Westminster Mall property. It is now necessary to prepare construction documents for the ring road project.

The City agreed to construct this project on the Mall property and in exchange, the Mall owners and certain department stores, will dedicate all the necessary right-of-way to construct both the 88th Avenue project and the 92nd Avenue project. The "trade" of right of way of prime Mall property for the ring road is viewed as a true "win-win" for all parties and the public. An additional benefit of this project is that patrons of the Mall will be able to circulate on Mall property, rather than on the adjacent City streets, thus relieving some congestion on the City's street system.

Staff recommends hiring Parsons Transportation Group (a Barton-Aschman subsidiary) to prepare the necessary construction documents for this project. Parsons has all the necessary database already established from their preliminary design, and their fee is approximately 7.4% of the anticipated construction cost. This fee percentage compares favorably with engineering fees of other capital projects.

This project reflects the partnership that has existed for approximately 20 years between the Mall owner and the City. It is hoped that more collaborative improvements can be joint ventured in the future to assure the sustained viability of the Westminster Mall which generates approximately \$7 million or 25% of the City sales tax revenue.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

**Date:** August 25, 1997

**Subject:** Resolution No. re Funding For Detention of Westminster Prisoners In Clear Creek County Jail

**Prepared by:** Matt Lutkus, Deputy City Manager for Administration  
John A. Stipech, Presiding Municipal Court Judge

### **Introduction**

City Council is requested to approve a transfer from the General Fund Contingency Account to continue to fund a contract with Clear Creek County Sheriff's Department to provide bed space and transportation to and from the jail for Westminster Municipal Court prisoners. Supplemental dollars are needed to fund this contract through the end of 1997 due to the higher than anticipated use of bedspace at the Clear Creek County Jail.

### **Summary**

The City has had a contract with Clear Creek County Sheriff's Department to provide transportation and bed space for Westminster Municipal Court prisoners in the Clear Creek County Jail since July 1996. For 1997, \$72,000 was budgeted to fund this contract. Due to the continuing increase in the need for jail space as required by jail sentences given to domestic violence offenders and the continuing constraints on the Adams County Jail which prevent further use of this facility for Westminster prisoners, an additional \$22,000 will be needed to fund the housing of prisoners at Clear Creek Jail through the end of 1997. To address this need for supplemental funds, Staff is asking that Council authorize a transfer from the General Fund Contingency Account. The General Fund Contingency Account balance is currently \$663,709.

The services and facilities of Clear Creek County Jail continue to be used only when prisoners cannot be admitted to the Adams County Detention Facility as a result of bed space limitations and when no other alternative such as in home detention is available.

### **Staff Recommendation**

Adopt Resolution No. approving a contingency transfer of \$22,000 from the General Fund Contingency Account to provide additional funds for expenses related to the detention of Municipal Court prisoners at Clear Creek County Jail.

### **Background Information**

Prior to City Council's approval of a contract with Clear Creek County for jail space, jail space limitations at the Adams County Detention Facility had an adverse impact on the City's ability to house Municipal Court prisoners. For the past several years Westminster has been allocated nine bed spaces at the facility and in recent years this limitation was raised temporarily to fourteen.

Although the Sheriff's Office has provided some flexibility by not strictly adhering to these allocated bed space limits, there was an ongoing need for the Municipal Court Staff and Judges to go through the time consuming process of reviewing sentences to determine which prisoners could be released early. Prior to the Clear County Jail contract, there were, on average each month, approximately four prisoners whose sentences had to be reduced an average of ten days each to provide space for new prisoners. In addition, individuals who had relatively less severe offenses who would otherwise be sentenced to jail for failure to pay their fines did not have to serve a jail sentence due to the bed space constraints. From an overall societal perspective, there was the concern that justice was not being served when prisoners were not being required to complete their full sentences.

In May 1996, Council approved a contract with the Clear Creek County Sheriff's Department to provide housing for Westminster prisoners at the rate of \$50 per day. This cost includes transportation from the Westminster Municipal Court to the Clear Creek County facility and transportation upon the prisoners release. In the 1997 Budget, based on Staff's projections of the use of the Clear Creek facility, Council authorized an expenditure of \$72,000 to fund the contract with Clear Creek County Sheriff's Department.

By the end of June, approximately \$46,800 had been spent on this contract leaving a balance of \$25,200. Assuming the continuation of the same level of usage, Staff anticipates that approximately \$22,000 will be needed to fund this contract through the end of the year.

The higher than anticipated expense is due largely to the increase in the number of convictions and the length of jail sentences on domestic violence cases. In 1996, 71 individuals were sentenced an average of 57.8 days for all cases while in 1997 the total number of individuals sentenced will likely be more and the sentences are currently averaging 84.4 days. Westminster uses the facilities at Clear Creek County Jail almost exclusively for the longer term sentences for domestic violence perpetrators. None of the bed space at Clear Creek County Jail is used until all of the jail space resources at Adams County Detention Center and any alternative jail sentencing possibilities are exhausted.

The Adams County Commissioners are considering steps to expand the present detention facility to significantly increase the amount of bed space available. However, it is unlikely that even if the necessary voter approval is obtained, any solutions will be realized in the next two to three years.

In order to address the need to continue the same level of prisoner detention at Clear Creek County Jail through the end of 1997, Staff is recommending that Council approve a contingency transfer of \$22,000 to fund this contract through the remainder of the year.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment



RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1997

APPROVAL OF A GENERAL FUND CONTINGENCY ACCOUNT TRANSFER TO PROVIDE SUPPLEMENTAL FUNDS FOR EXPENSES RELATED TO DETENTION OF MUNICIPAL PRISONERS.

WHEREAS, the City of Westminster entered into an intergovernmental agreement with Clear Creek County to provide for the transportation and detention of Westminster prisoners in May, 1996, and

WHEREAS, City Council previously allocated \$72,000 in the 1997 General Fund Budget for supplemental detention facilities to augment the jail space currently available to the City in Adams County Jail Detention Center, and

WHEREAS, the contract with Clear Creek County provides jail space for those sentenced to serve sentences for domestic violence convictions and other relatively severe sentences, and

WHEREAS, the total annual cost to fully address the bed space limitations through the use of Clear Creek County Jail facilities is \$94,000 per year, which is \$22,000 more than is available in the 1997 Budget for this expenditure, and

WHEREAS, there is currently a balance of \$663,709 in the General Fund Contingency Account, and

WHEREAS, City Council wishes to make bed space available for the Municipal Court to ensure that all prisoners who are required to serve sentences in Westminster Municipal Court do not have their sentences eliminated or reduced because of jail space limitations placed on the City by Adams County,

NOW, THEREFORE, be it resolved that the Westminster City Council authorizes a transfer of \$22,000 from the General Fund Contingency account to the 1997 General Services Municipal Court Budget to provide additional funding for the detention of Municipal Court prisoners and related services at Clear Creek County Jail.

Passed and adopted this 25th day of August, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** August 25, 1997

**Subject:** Councillor's Bill No. re Cost Recovery for 104th Avenue and Federal Boulevard

**Prepared by:** Mikele Pletcher, Senior Civil Engineer

### **Introduction**

City Council action is requested on the attached Councillor's Bill regarding the establishment of cost recoveries due to the City for costs incurred in constructing the 104th Avenue (Phase I) Street Improvements at Federal Boulevard (City Project No. 90-025). The area that will be subject to the proposed ordinance is shown as Parcel A on the attached Exhibit D.

### **Summary**

- > The 104th Avenue (Phase I) Street Improvements (Project No. 90-025) was completed by the City in 1992. This project included the reconstruction of the 104th Avenue and Federal Boulevard intersection.
- > The actual total construction cost of the project was \$1,495,005.28.
- > The City received \$390,830 of funds from the Colorado Department of Transportation/Federal Highway Administration for a portion of the costs of the project.
- > The City of Westminster's portion of the shared construction cost was \$1,104,175.28.
- > In addition to the construction cost for the project, right-of-way acquisition costs paid by the City totaled \$114,696.65.
- > Staff is proposing that cost recoveries for Capital Improvement Project No. 90-025 be established to compensate the City for a portion of its costs as provided for in the City Code.

### **Staff Recommendation**

Pass Councillor's Bill No. on first reading which establishes cost recoveries on the City's West 104th Avenue (Phase I) Street Improvements at Federal Boulevard.

### **Background Information**

The City Code provides for a means for the City to collect a portion of the cost for the installation of public improvements that may benefit future developers of property in the vicinity of the improvements. On roadway widening projects such as the 104th Avenue (Phase I) Street Improvements at Federal Boulevard, the general formula defined in the Code allows the City to assess recovery costs against adjacent, undeveloped parcels for that portion of the project cost that exceeds the cost of improvements to the middle 24 feet of an arterial street (i.e., the City's "responsibility").

These recovery costs are collected at such time that a developer or property owner requests the approval of a subdivision plat or a building permit on an abutting, undeveloped parcel. Recovery costs are not assessed against owners of currently developed land.

The calculation of recovery costs on large capital improvement projects is always a challenging task which is further complicated in those instances where federal funds have been used to pay for some of the costs. It is common for final billings from the Colorado Department of Transportation to be delayed for years after the actual completion of the construction, and, until recently, City Staff has been unsuccessful in attempts to receive a clear ruling from the Federal Highway Administration regarding the eligibility of certain costs that the City may wish to recover from future developers. These matters have now been settled and the resulting cost recovery to be assessed against the future developers of the lands located at the northwest corner of the intersection of 104th Avenue and Federal Boulevard, and 104th Avenue and Grove Street (i.e., the only remaining undeveloped parcels abutting the project) is \$175.45 per linear foot of frontage for the roadway construction and \$148.00 per linear foot of frontage for the cost of the right-of-way that the City had to acquire to build the project.

With the adoption of Ordinance No. 1430, Series of 1984, the City Code requires that cost recoveries on City projects be established by ordinance. This fact necessitates City Council action on the attached Councillor's Bill regarding the establishment of cost recoveries for the project mentioned above.

The attached Councillor's Bill summarizes the overall costs of this project and the formulas for determining the apportioning of these costs.

Respectfully submitted,

William M. Christopher  
City Manager

Attachments

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 1997

COUNCILLOR'S BILL NO.  
INTRODUCED BY COUNCILLOR'S

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A BILL

FOR AN ORDINANCE ESTABLISHING RECOVERIES DUE THE CITY FOR COSTS INCURRED ON CITY CAPITAL IMPROVEMENT PROJECT NO. 90-025

THE CITY OF WESTMINSTER ORDAINS:

Section 1. 104th Avenue (Phase I) Street Improvements at Federal Boulevard - City Project 90-025.

A. "Schedule of Construction-Related Recoverable Costs" shall be \$1,104,175.28 in accordance with Exhibits A and B, attached hereto and incorporated herein by reference.

B. "Basis for Recoverable Construction Costs" shall be \$175.46/linear foot abutting in accordance with Exhibit A.

C. "Schedule of Right-of-Way Acquisition Costs" shall be \$114,696.65 in accordance with Exhibits A and C.

D. "Basis for Right-of-Way Acquisition Costs" shall be \$148.00/linear foot abutting in accordance with Exhibit A.

E. Owner(s) of property shown on Exhibit D, which is attached hereto and incorporated herein by this reference shall be required to pay cost recovery for right-of-way acquisition costs, due to the fact that the remaining property owner(s) abutting the project dedicated rights-of-way to the City, thereby saving the City the cost of obtaining such right-of-way.

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 25th day of August, 1997.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_\_ day of September, 1997.

ATTEST:

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Mayor

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City Clerk

**Date:** August 25, 1997  
**Subject:** Councillor's Bill No. re Supplemental Appropriation for Youth, Preschool and Library Programs  
**Prepared by:** Dee Martin, Recreation Specialist, Cindy McDonald, Recreation Specialist, Kathy Sullivan, Library Services Manager

### **Introduction**

City Council action is requested to pass the attached Councillor's Bill on first reading which provides for a supplemental appropriation of \$48,000 for youth activities, preschool and library programs.

> \$29,000 would be added to the Youth Activities account in the Parks, Recreation and Libraries budget. These funds were received from five grants that were used to provide additional recreation and sports related programs for the youth of Westminster, plus July 4th Fundraiser money designated for youth activities, and 1996 Youth Crime Prevention and Intervention (YCPI) grant money.

> \$17,000 is for the purpose of reimbursing the Parks, Recreation and Libraries operational accounts for additional Preschool Programs provided to the community. The cost of these programs is offset by additional revenue.

> \$2,000 of the appropriation is for federal grant funds received by the Library Services Division from the Colorado State Library. These funds were granted to the Library to enhance statewide access to the catalog and other information sources of the Westminster Public Library.

### **Summary**

#### Youth Activities

The Recreation Program Division, Youth Activities, has received various grants and fund raising proceeds to enhance the program activities and provide opportunities for youth participation. These five grants plus July 4th fund raiser money, and the unused YCPI grant in 1996, total \$29,000. These grants and fund raisers are as follows:

The NOBLE Teen Grant	\$6,200
The Colorado Trust Grant	5,000
Youth Crime Prevention & Intervention Grant	4,000
Rotary Grant	5,000
Westminster DARE and proceeds from 5K Race	3,408
July 4th Vendors fundraiser	747
1996 YCPI Grant <u>4,645</u>	
Total	\$29,000

#### Preschool Programs

Additional programs generated by customer demand in Preschool Programs will have increased revenue by approximately \$17,000 by the end of the year.

The additional programs incurred offsetting expenditures of \$17,000. This supplemental appropriation will allow the transfer of additional recreation revenues in the appropriate Parks, Recreation and Libraries operating accounts to make up for the expenses incurred by expanding the Preschool program.

### Library Services

The Colorado State Library recently received funds from the U.S. Department of Education to be used to upgrade the Access Colorado Library and Information Network (ACLIN) system. The ACLIN system allows patrons at libraries across the state to search the catalogs of other libraries at a terminal of any participating library. The \$2,000 in grant funds provided by the U.S. Department of Education will be used to purchase, install, and activate a Z39.50 server software module from Ameritech Library Services, Inc. for the City's Dynix system.

### **Staff Recommendation**

Pass Councillors Bill No. on first reading appropriating \$29,000 to the Parks, Recreation and Libraries Youth Activities operating account from grants, July 4th fund raising money, and 1996 Youth Crime and Intervention grant funds; \$17,000 to the Parks, Recreation and Libraries Preschool Program operating account for expanded programs; and \$2,000 to the Library Division Computer Software/Hardware Account for the purchase of Z39.50 server software and related computer equipment to provide enhanced access to the Library's catalog.

### **Background Information**

The NOBLE Teen Grant, administered by Adams County School District 12, is funded by the Colorado Department of transportation. The City of Westminister Department of Parks, Recreation and Libraries received a \$6,200 grant for youth trips, summer portable playground activities and after school programming. Project receipts/invoices are sent to Adams County School District 12, with reimbursement checks being placed into a Westminister grant revenue account. The program is to include one teen activity per month from January 1997 through December 1997.

Activities will include indoor rock climbing, summer trips and activities at Westminister recreation centers.

The Colorado Trust Grant, administered by Adams County School District 12, is funded by the Colorado Trust. The City of Westminister Department of Parks, Recreation and Libraries received a \$5,000 grant for the summer portable playground in Adams County. Project receipts/invoices are sent to Adams County School District 12, with reimbursement checks being placed into a Westminister grant revenue account. The program is to provide free summer drop-in recreational activities at Westminister Parks in Adams County for the months of June through August in 1997.

The YCPI Grant (Youth Crime Prevention and Intervention), administered by Hyland Hills Foundation is funded by the Colorado State Legislature. The City of Westminister Parks, Recreation and Libraries Department received a \$4,000 grant for the After School Recreation Program in the four Middle Schools of Adams County School District 50. The grant provides supply money for the portable playground and the afterschool movie clubs in 1997. Project receipts/invoices are sent to Hyland Hills Foundation with reimbursement checks being placed into a Westminister grant revenue account.

A Rotary Grant, administered by Hyland Hills Foundation, is funded by the Westminster Rotary Club. The City of Westminster Parks, Recreation and Libraries Department received a \$5,000 grant for high dollar youth sports in the After School Program in Adams County School District 50 middle schools. Activities include: fencing, tae kwon do, gymnastics, golf, swimming, etc. in the afterschool program in 1997-1998. Project receipts/invoices are sent to Hyland Hills Foundation with reimbursement checks being placed into a Westminster grant revenue account.

A check for \$3,408 for scholarships was awarded and sent by the Westminster DARE Foundation from proceeds raised by the Westminster Holy Cow DARE Stampede 5K Race. Scholarships will be awarded to Westminster youth to participate in Westminster recreation programs while funds last.

Checks totalling \$746.71 were awarded from vendors at the July 4th Fireworks special event to be used for Youth Activities and scholarships. Scholarships will be awarded to Westminster youth to participate in Westminster recreation programs while funds last.

A total of \$4,645.29 is Youth Crime Prevention and Intervention grant money not used in 1996. This money will be used for additional youth scholarships while funds last.

The Recreation Program Division offered additional Preschool Programs and activities as a result of public demand, as evidenced by waiting list and customer input. Currently we have added 32 new classes and have accommodated 484 participants off of the wait lists. In meeting the needs of the community, additional expenses were incurred in salaries and supply accounts.

Additional revenue of approximately \$17,000 will be generated by offering the increased programs, indicating that activities were well-received by the community. The supplemental appropriation of \$17,000 will cover the additional expenses incurred by offering the community the expanded programs.

In 1995, the City of Westminster received a grant of \$39,000 to participate in ACLIN (Access Colorado Library and Information Network), a statewide network connecting computer catalogs of libraries of all types from across Colorado. Our participation in ACLIN has greatly enhanced our ability to locate and borrow library materials from other Colorado libraries for use by our patrons.

One problem that has plagued the project has been the incapability of the system to allow simultaneous searching of more than one catalog (global searching). People wishing to check more than one area library for a particular item had to search each library's database sequentially, which was very time consuming). The Z39.50 software which will be purchased with these grant funds has recently been developed to help address this problem, greatly increasing Colorado libraries' ability to share their resources with patrons across the State, providing better access for all participants.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. \_\_\_\_\_

SERIES OF 1997

INTRODUCED BY COUNCILLORS

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A BILL

FOR AN ORDINANCE INCREASING THE 1997 BUDGET OF THE GENERAL FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1997 ESTIMATED REVENUES IN THE FUND

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1997 appropriation for the General Fund, initially appropriated by Ordinance No. 2385 in the amount of \$45,304,273 is hereby increased by \$48,000 which, when added to the fund balance as of the City Council action on August 25, 1997, will equal \$46,070,354. The actual amount in the General Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of various grants for Parks, Recreation and Libraries youth activities, a Colorado State Library grant to upgrade the Access Colorado and Information Network System and additional preschool program revenue.

Section 2. The \$48,000 increase in the General Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Intergovernmental 10-0478-000	\$0	\$2,000	\$2,000
Arts/Preschool 10-0537-508	\$415,000	\$17,000	\$432,000
Intergovernmental-Youth Activities 10-0414-000	\$0	<u>\$29,000</u>	\$29,000
Total Revenues		<u>\$48,000</u>	
<u>EXPENSES</u>			
Computer Software/Hardware 10-50-62-405-000	\$11,000	\$2,000	\$13,000
Temporary Salaries 10-50-76-104-532	\$64,600	\$15,000	\$79,600
Recreation Supplies 10-50-76-312-532	\$27,000	\$2,000	\$29,000
Temporary Salaries 10-50-76-104-529	\$60,000	\$5,000	\$65,000
Recreation Supplies 10-50-76-312-529	\$13,000	\$6,000	\$19,000
Equipment Rental			



10-50-76-231-529

\$5,000

\$2,000

\$7,000

Other Contractual Services			
10-50-76-299-529	\$42,200	<u>\$16,000</u>	\$58,200
Total Expenses		<u>\$48,000</u>	

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 25th day of August, 1997

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this            day of September, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** August 25, 1997  
**Subject:** Councillor's Bill No. re Legacy Junior Golf Camp  
**Prepared by:** Mary Ann Parrot, Finance Director

### **Introduction**

City Council approval is requested to pass the attached Councillor's Bill on first reading appropriating \$3,192 in revenue for the Legacy Ridge Golf Course Junior Golf Program.

### **Summary**

The City's Golf Course at Legacy Ridge holds an annual golf camp for junior golfers, receives income from fees and some donations, and subsequently pays expenses and golf pro fees for conducting lessons. Because the program is an annual event, it is necessary to budget and appropriate the annual revenues for the program, thus allowing the Golf Course to expend the funds to the vendors for supplies, etc. Without this action, the Golf Course cannot spend the money necessary to pay the vendors.

### **Staff Recommendation**

Pass Councillor's Bill No. on first reading appropriating the Legacy Ridge Golf Course's annual Junior Golf Program revenues of \$3,192, thus recording the revenues and permitting expenditures to be made from this program.

### **Background Information**

In Winter, 1997, General Services, Finance and Parks, Recreation & Library met to discuss the nature of the junior golf program, the annual occurrence of the camp, and the need Legacy Ridge has to expense certain items for the camp, including vendor payments for supplies and fees to the golf pros for lessons. Although the dollar amount is relatively small, the Golf Course wishes to account for the revenues and expenditures separately. By having this procedure in place, the Golf Course can make routine vendor payments, and conform to City policies and procedures regarding budgeting and accounting controls.

Respectfully submitted,

William M. Christopher  
City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. \_\_\_\_\_

SERIES OF 1997

INTRODUCED BY COUNCILLORS  
\_\_\_\_\_

A BILL

FOR AN ORDINANCE INCREASING THE 1997 BUDGET OF THE GOLF COURSE FUND AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION FROM THE 1997 ESTIMATED REVENUES IN THE FUNDS

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The 1997 appropriation for the Golf Course Fund initially appropriated by Ordinance No. 2473 in the amount of \$1,970,000 is hereby increased by \$3,192 which, when added to the fund balance as of the City Council action on August 11, 1997 will equal \$6,772,637. The actual amount in the Golf Course Fund on the date this ordinance becomes effective may vary from the amount set forth in this section due to intervening City Council actions. This increase is due to the appropriation of revenue received for Legacy Ridge's Jr Golf Program.

Section 2. The \$3,192 increase in the Golf Course Fund shall be allocated to City Revenue and Expense accounts which shall be amended as follows:

<u>Description</u> <u>Final Budget</u>	<u>Current Budget</u>	<u>\$ Increase</u>	
<u>REVENUES</u>			
Jr Golf Revenues			
22-0548-136	\$0	<u>\$3,192</u>	\$3,192
<u>EXPENSES</u>			
Supplies - Jr Golf			
22-50-55-321-136	\$0	<u>\$3,192</u>	\$3,192

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

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

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

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 25th day of August, 1997.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_\_ day of September, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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



**Date:** August 22, 1997

**Subject:** Councillor's Bill No. re Ballot Question for City Charter Amendment

**Prepared by:** Martin R. McCullough, City Attorney

### **Introduction**

City Council action is requested to pass the attached Councillor's Bill on first reading for the purpose of submitting to the registered electors of the City a proposed amendment to the City Charter to provide the City Manager limited authorization to retain outside legal counsel under such conditions as City Council may later prescribe by ordinance.

Currently the City Charter requires that all outside legal counsel contracts, regardless of amount or scope, be approved by official City Council action, notwithstanding the authority the City Manager has to approve other types of contracts under the City Charter and by ordinance.

### **Summary**

- > City Council has reviewed and discussed potential ballot questions that can be placed on the ballot for the regular City election to be held on November 4, 1997. After completing this review, Council has requested the development of a ballot question pertaining to only one item. The proposed ballot question would ask the voters to approve an amendment to the City Charter which would allow the City Manager to retain special legal counsel under conditions that City Council would prescribe by ordinance, similar to the current ordinance City Council has adopted for City Manager approval of certain contracts in general.
- > Currently, section 4.14 of the City Charter prohibits the retention of any special legal counsel services without a prior written agreement approved by City Council.
- > The growing complexity of various real estate, economic development, and major construction projects in which the City is involved often requires the assistance of outside special legal counsel to assist in the negotiation and completion of these agreements on a timely basis.
- > The proposed amendment would provide City Council the authority to delegate by ordinance authority for the City Manager to enter into agreements for special legal counsel services not to exceed a specified dollar amount set by City Council. The City Manager has previously recommended an initial top-set dollar amount of \$5,000. The exact amount would be set forth in a later ordinance adopted by City Council should the Charter amendment be approved.

### **Staff Recommendation**

Pass Councillor's Bill on first reading submitting to the registered electors of the City the proposed amendment to the City Charter concerning the retention of special legal counsel services.

## **Background Information**

Each year in conjunction with the City's regular election, a review is conducted of potential City Charter amendments and City ballot issues pursuant to the TABOR amendment. This practice, which has been utilized for over 25 years, has served the City well in keeping the 1958 voter-approved City Charter "in tune with the times," as well as providing needed clarification from time to time. This year, in conjunction with the November 4 City election, the City administration previously recommended a Charter amendment to provide some limited authority to the City Manager to enter into special legal counsel contracts for the purpose of enabling the City to respond in a timely manner in the course of complex project negotiations and document development.

City Council also authorized Staff to prepare a proposed ballot question pursuant to the TABOR amendment relative to a proposed bond issue for the Westminster Plaza Redevelopment project. The TABOR ballot question appears as a separate item under the agenda for the Westminster Economic Development Authority.

Currently, section 4.14 of the City Charter prohibits the retention of any special legal counsel services without a prior written agreement approved by City Council. There are many situations in which the City is in need of very limited, one-time special legal advice given the growing complexity of the matters the City is dealing with. Examples would include the Promenade project, the Conference Center, the Westminster Plaza Redevelopment, and the various federal tax law questions relative to the structuring of proposed financings such as those recently discussed with Council for the Westminster Plaza, the Ice Arena, and the Conference Center. These situations require that any such expertise be obtained in a very timely manner, such as when the City was in the midst of trying to conclude our negotiations on the Westin Hotel agreement, and needed advice concerning the "condominiumization" of the air space in which the Conference Center was being constructed.

In many of these isolated cases, the retention of special legal counsel to address an extremely limited technical issue is needed quickly in order to avoid delaying some of these major projects. Such outside advice has also proven valuable when strategizing options to present to City Council. Also, special legal counsel on a limited basis is needed from time to time for the Special Permits and License Board when the City Attorney's Office is required to represent the City administration and is, therefore, no longer qualified to represent both the administration and the Board.

The proposed amendment would provide City Council the authority which is currently lacking under the City Charter to adopt an ordinance similar to what it adopted previously for contracts in general. The ordinance would prescribe the conditions under which the City Manager could enter into agreements with special legal counsel and would prescribe a top-set amount on such agreements, as well as any other conditions or limitations City Council might wish to place on such authority. Given the magnitude of the City's operations and capital construction totalling \$100 million annually, the proposed amendment would provide the City Manager the limited authority necessary to avoid unnecessary and undue delays in conducting City business consistent with City Council's articulated goals and objectives.

Respectfully submitted,

William M. Christopher, City Manager  
Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. \_\_\_\_

SERIES OF 1997

INTRODUCED BY COUNCILLORS

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A BILL

FOR AN ORDINANCE SUBMITTING TO THE REGISTERED ELECTORS OF THE CITY OF WESTMINSTER AT THE REGULAR CITY ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 1997, A CERTAIN BALLOT QUESTION REGARDING A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF WESTMINSTER

THE CITY OF WESTMINSTER ORDAINS:

WHEREAS, it is necessary and appropriate that the City Council review the City's Home Rule Charter from time to time to assure that its provisions are consistent with the contemporary needs of the City and current legal requirements; and

WHEREAS, pursuant to the terms of the Constitution of the State of Colorado, the Charter and ordinances of the City, and Part 2 of Article 2 of Title 31 of the Colorado Revised Statutes, the City Council has identified and determined that the proposed amendment to the home-rule Charter of the City of Westminster as set forth hereinbelow shall be submitted to a vote of the City's registered electors at the regular City election to be held on November 4, 1997.

Section 1. At the regular election to be held on November 4, 1997, there shall be submitted to the qualified registered electors of the City the following proposed Amendment to the City Charter:

**QUESTION 1 - Allowing the City Manager to authorize an agreement with special legal counsel.**

**Shall the City Charter be amended to authorize the City Council to permit the City Manager to approve certain contracts for special legal counsel in such amounts and for such purposes as City Council may, from time to time, prescribe by ordinance?**

\_\_\_\_ FOR

\_\_\_\_ AGAINST

**ACTUAL LANGUAGE FOR PROPOSED AMENDMENT:**

**Section 4.14. Compensation of Attorney and Special Counsel.**

The compensation of the Attorney shall be set by the CITY Council. No compensation to special legal counsel shall be paid except in accordance with an agreement between the Council and the Attorney or Special Counsel AS APPROVED BY EITHER THE CITY COUNCIL, OR, TO THE EXTENT AUTHORIZED BY CITY COUNCIL BY ORDINANCE PURSUANT TO SECTION 13.3(b), BY THE CITY MANAGER. ANY SUCH AGREEMENT SHALL BE made before the service for which such compensation is to be paid has been rendered.

Section 2. The City Clerk is hereby directed to take such actions as may be required or permitted by law in connection with the election.



Section 3. Pursuant to City Charter section 3.16 and section 31-10-501, C.R.S., not less than ten (10) days prior to the election, the City Clerk is hereby instructed to give notice of the election, by causing a printed notice of the election to be published at least one time in the Westminster Window, a legal newspaper of general circulation in the City. Such notice shall also be posted at least ten (10) days prior to the election in a conspicuous place in the office of the City Clerk.

Section 4. The City Clerk is further directed to make such further modifications to the above notice as may be necessary to comply with federal law requirements concerning the availability of TDD machines, accessibility of polling places for handicapped and similar federal requirements.

Section 6. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 7. If any section, paragraph, clause or provision of this ordinance shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 8. All acts, orders and resolutions, and parts thereof, inconsistent with this ordinance be, and the same hereby are, repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 9. This ordinance shall take effect upon its passage after second reading.

Section 10. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 25th day of August, 1997.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_\_ day of September, 1997.

ATTEST:

\_\_\_\_\_  
Mayor

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

**Date:** August 25, 1997  
**Subject:** 1997 Second Quarter Activity Report  
**Prepared by:** Each Department

Attached for City Council's review is the 1997 Second Quarter Activity Report which covers Departmental activities for the quarter ending June 30, 1997.

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, 1997 through June 30, 1997**

**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**Building Division**

Major projects completed during the 2nd quarter:

- \*Confertech Office Building
- \*Church Ranch Business Center, Building 1 & 2
- \*Valley Bank
- \*American Family Insurance
- \*Sheridan Crossing Shopping Center
- \*Albertsons Food Center
- \*Starbucks Coffee Shop
- \*Einstein's Bagels
- \*Papa John's Pizza
- \*Video Update
- \*Rocky Mountain Liquor

Summary of 2nd quarter 1997 statistics:

	<u>1996</u>	<u>1997</u>	<u>% Change</u>
Construction valuation	\$37.8M	\$51.6M	+37%
Single family starts	317	245	-23%
Tenant Finishes	19	19	N/A
Commercial Plans	15	38	+153%
Residential Plans	152	136	-11%
Inspections	10,388	8,633	-17%

**Open Space Division**

The Open Space Advisory Board (OSAB) and Staff continue to meet regularly, and are nearing completion of a revised and expanded list of priority Open Space properties. This follows voter approval of additional funding and the concern from many residents that the City move quickly to "save the land before it's too late". Every request or suggestion received is logged, and given careful consideration by the Board and Staff. A presentation from OSAB members to City Council is tentatively planned for early Fall.

The 1.0 Indexed Open Space Acquisition Agent (Ms. Lynn Wodell with 12 years experience in this same work with Jefferson County Open Space) and the .5 Indexed Open Space Planning Intern (Ms. Michele Hill, formerly with the Planning Division of the City, and very familiar with land use/zoning/GIS mapping) - as approved by City Council in February of this year - are on board and working hard with OSAB to prioritize and acquire key properties.

- \*Negotiations are underway on approximately 45 key properties, as identified previously by OSAB and City Council. Verbal agreement has been reached with several landowners. Several closings are planned in the third quarter, and more towards the year's end.
- \*Land acquisitions and construction of a trail along Little Dry Creek, from England Park to Clear Creek, were completed in the second quarter. Open Space funds were used to acquire the land for the trail, and an ISTE grant together with other City funds paid for the trail construction. All acquisitions began under threat of condemnation, but all were completed amicably, and good relationships were established with adjacent landowners.
- \*Many volunteer projects have been completed in coordination with Parks, Recreation and Libraries thus far in 1997. More volunteer activities are planned this Fall. Open Space fencing and new signs have been installed in key locations.

\* Many Community Enhancement projects are out to bid, under construction, or complete - including Sheridan Boulevard Median Landscape between 104th and 112th Avenues (substantially complete), Church Ranch Boulevard Median Landscape between Wadsworth Boulevard and Wadsworth Parkway (beginning construction), a new stone signwall at US36/Church Ranch Boulevard (about to begin construction), and stone signwalls with landscape at 120th Avenue and Huron Street (re-bidding due to high bid), 120th Avenue and Sheridan Boulevard (complete but without "WESTMINSTER" letters), and 104th Avenue and Federal Boulevard (bidding to shopping center contractor). All projects should be completed this Fall.

## **Engineering Division**

Continuing work on major capital improvement projects yielded the following progress:

- > 128th/Huron Intersection - Construction continued through the 2nd quarter and is anticipated to be completed during the 4th quarter of this year.
- > Streets Bond Issue Projects:
  - \* 88th Avenue - The contract for the widening of the north side of this street between Sheridan Boulevard and Harlan Street was bid and awarded during the 2nd quarter. The work will be completed before Thanksgiving of this year.
  - \* US 36/Sheridan Boulevard/92nd Avenue interchange - The consultant began work on the necessary studies and design modifications to this interchange.
  - \* Harlan Street flyover - The selection of a consultant for the design of this connection between 96th Avenue and 104th Avenue (with a flyover of US 36) was completed and Staff began the public notification process.
  - \* Westminster Boulevard - The contract for this new street between 104th Avenue and 112th Avenue (that will also provide access to the Westminster Promenade) was bid and awarded during the 2nd quarter.
- > 72nd Avenue (Phase 3) - Construction is anticipated to be completed early in the 3rd quarter of 1997.
- > Church Ranch Boulevard (Wadsworth Boulevard to Wadsworth Parkway) - The western extension of Church Ranch Boulevard should be completed in July of this year.

## **Planning Division**

> Major projects approved through the planning process during the second quarter of 1997:

- \* Amherst School - review
- \* Legacy Ridge, Filing 7
- \* 3rd Amended Silo North ODP - Covenant Village
- \* Villa Maria ODP at Panorama Point
- \* Promenade - Amended PDP and ODP for AMC 24-plex theatres
- \* Hollywood Videos at Marketplace
- \* Lucent Technologies - ODP Waiver for storage building addition
- \* Park Centre - ODP for CB Potts Restaurant and Brewery
- \* Kaiser Expansion - ODP Amendment
- \* Crystal Lakes Subdivision - San Marino ODP Amendment
- \* Westpark Center - ODP Amendment for cellular antennas
- \* Silo Business Park - ODP Amendment for cellular antennas
- \* Discount Tire Renovation at 72nd and Federal Boulevard
- \* Westcliff Subdivision - ODP Amendment for models
- \* Amherst Subdivision - amendment for models

- \* North Apple Valley Subdivison - ODP Amendment for models
- \* Church Ranch Medical Office Building - ODP
- \* Church Ranch Country Inn - ODP
- \* Cleasby Manufacturing - ODP
- \* Smith Property annexation and zoning
- \* Home Farm - Amended ODP for models
- \* Brauch Property - annexation and zoning
- \* Fire Station No. 2 - annexation and zoning
- \* Ryan Property (Westminster Boulevard) - annexation
- \* DePalma - annexation and zoning

>Summary of Development Review Activities for the second quarter:

- \* 5 Planning Commission/City Council Agenda Items
- \* 3 Transportation/Special Use & License Board Hearings
- \* 40 Administrative ODP Approvals/Waivers
- \* 8 Referrals by other agencies
- \* 20 Items reviewed in Concept and Technical Review
- \* 765 Technical assistance inquiries from the general public
- \* 50 Sign permits approved
- \* 49 Building permits reviewed
- \* 123 Business Licenses reviewed

Major Planning Activities

- \* Park Centre - conceptual planning
- \* Urban Renewal Plan Amendments for redevelopment at the Plaza
- \* Assistance on Urban Renewal Program - Safeway redevelopment
- \* Economic Development support activities
- \* Update of land use and demographic data base
- \* Growth Management Program Coordination - Category B Competition for 1998 reviewed
- \* 1996 Design Award - judging complete
- \* Future JeffCo - Policy Group support
- \* Jefferson and Adams County Growth Summit meetings
- \* Comprehensive Plan - Adopted
- \* Landscaping Regulations - ready for adoption
- \* Westminster Mall Enhancement Study - preliminary design concept
- \* Preliminary golf course layouts for proposed Countrydale Golf Course - ODP submission
- \* Monitoring of the DRCOG Vision 2020 process
- \* Promenade/AMC planning studies - Promenade East
- \* Community Development Customer Service Survey - completed

**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 Adams County Economic Development.

>Held the annual Showcase Event with record attendance. Focus this year was the Westminster Promenade Project.

>Distributed the Business Resource Guide.

>Distributed the new brochure for the Westminster Face Lift program. The program assists existing business in south Westminster with facade and landscaping improvements.

>Business Survey was sent out to all existing City businesses the end of April. Results expected to be presented to Council in July.

>Held one Business Advisory Group meeting

>Implemented the Westminster Plaza Loan Enhancement Program

>Summary statistics for 1st quarter 1997

- \* Business Scholarships awarded 3
- \* Current active prospects 14
- \* Number of inquiries (demographics, sites buildings, business assistance program,



## **FINANCE DEPARTMENT**

Summary of 2nd quarter 1997 statistics compared to 2nd quarter 1996:

	<u>1997</u>	<u>1996</u>	<u>%.Change</u>
Audit assessments issued	29	47	-18%
Audit and enforcement dollars collected year to date	\$358,055	\$602,919	-41%
% Sales tax accounts delinquent	4%	4%	0%
Total checks issued	11,187	11,417	-2%
Purchase orders issued	3,830	3,542	8%
Returned checks processed	69	82	-16%
Computer support calls made	754	840	-10%
Number of water accounts processed	84,723	79,702	6%
Total PIE participants	2,056	1,075	91%
Pension activities processed	144	174	-30%

### **Administration**

The City sold and settled the \$13.2 million loan through Colorado Water Power Authority (May 22). This will finance the construction of Phase I of the Reclaimed Water Processing Plant at Big Dry Creek along with distribution lines throughout the City. The bonds were sold at 20% discount to the market (4.48%) saving the City approximately \$2.5 million in interest costs.

At the May quarterly meeting, the Pension Board voted unanimously to institute daily pricing of shares plus the use of telephone inquiry for participants, during the 4th quarter 1997. Daily pricing and daily trading will be researched and discussed further at future Board meetings.

Investment returns for the 4th quarter ranged from 7% to 18% with equities returning 17% on average.

### **Accounting**

The CAFR was completed. This was the first year to comply with the new Securities and Exchange Commission Rule 15(c)2-12 relating to bond disclosures, for which an entire section of the CAFR is now devoted. In addition, bond proceeds for both new issues were recorded, and a supplemental appropriation was written to appropriate the bond proceeds.

### **Sales Tax**

Barb Dolan and Ed Kaiser went out of state in May for a week-long audit of a major leasing company.

### **Data Processing**

Data Processing Division completed the installation of Internet Explorer (WEB browsing) software on 27 of the 30 PCs planned for WEB access. This project was completed three weeks ahead of the projected schedule.

Data Processing staff had the goal of converting 75 PCs to Windows 95 by the end of the 3rd quarter. In June, almost 100 PCs were using the new operating system.

### **Utility Billing**

City staff sent letters to our Shaw Heights customers offering to re-evaluate their sewer charges if they felt their average consumption has decreased. We received over 40 requests to re-evaluate and all but 2 went down.

## 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>YTD 1997</u>	<u>YTD 1996</u>	<u>% Change</u>	<u>Total 1996</u>
Total Alarms:	2,665	2,768	- 4%	5,707
Struc./Veh. Fires: 53		79	- 33%	111
Emergency Medical:	1,787	1,827	- 2%	3,798
Amb. Transports:	1,166	1,174	- 1%	2,478
Amb. Revenue:	\$287,437	\$295,852	- 3%	\$650,780
Westy-MED Enrollees:	171	165 +	2%	177
Pub. Ed. Classes:	203	256 -	20%	521
Inspections:	1,574	1,580	0%	5,625
Training Hours:	14,271	15,438 -	8%	28,126

### **2nd Quarter Highlights**

In April, three firefighters were promoted to paramedics after undergoing rigorous written and oral tests. Bruce Black, John Bazzanella and Donna Kimble received their paramedic badges on April 14. The promotions give the department a total of 15 paramedics, elevating the level of medical service in Westminster and providing a paramedic at five out of six stations.

Westminster Fire/Rescue teamed up with McDonald's restaurants for the second straight year to hand out coupons for a free lowfat icecream to kids caught wearing helmets, seat belts or other safety equipment.

The Standley Lake COG and Station 5 held its third annual open house in May, drawing large crowds from the neighborhood. The Open House included children's activities.

Westminster firefighters recognized Westminster resident Tasheba West in July for her heroic efforts in giving medical help to a fellow citizen who was attacked by dogs. West was given a plaque at a City Council meeting for saving a life.

Firefighters began issuing citations to vehicles parked in fire lanes on July 1. Businesses were given notices that firefighters will issue the \$20 fine during routine inspections in an effort to curb cars from blocking fire lanes.

Westminster firefighters who are members of the Metro Dive Team trained Denver news helicopter pilots how to spot drowning victims or overturned boats during practice drills in Lakewood in April. The event proved successful as pilots agreed to work with emergency personnel in transporting divers to accident scenes.

Paramedic Randy Peterson helped Westminster Fire/Rescue become one of the first among Denver Metro fire departments to stock ambulances with latex-free medical equipment which enables rescuers to treat patients who are prone to severe allergic reactions to natural rubber products.

Westminster Fire/Rescue experienced its busiest day in 1997 on June 6 when firefighters and paramedics responded to 36 emergency calls in a 24-hour period. On average, firefighters respond to about 15 calls per day.

Westminster Fire/Rescue began construction of a 52,000-square-foot outdoor training facility at the old Rodeo Grounds at 3800 Elk Drive. The multi-use facility will host an inline hockey court, two basketball courts, and a five-story training tower for firefighters.



## **GENERAL SERVICES DEPARTMENT**

### **Administration**

#### Volunteer Program Activities:

- \* Formed partnerships with five more agencies: Adams County Santa Claus Shop, Inc., Brothers Redevelopment, Inc., Habitat for Humanity, Mile High Humane Society, and SHARE Colorado.
- \* Provided technical assistance to the Volunteer Coordinator at the Butterfly Pavilion and Insect Center.
- \* Developed a working relationship with Jefferson County Department of Corrections/Community Service Unit.
- \* Seventy one people inquired about volunteering, seventeen people inquired about un-paid internships, and nineteen people called about court ordered volunteer work.
- \* Over 10,000 hours were donated by 700 some volunteers.
- \* The volunteers were recognized during National Volunteer Week with a "Continental Breakfast on the Run" - held in the lobby of City Hall, a Proclamation declaring April 13-19 National Volunteer Week, and ads thanking the volunteers ran in the "Westminster Window" and the "Neighborly News".

#### Major training activities for the second quarter include:

- \* Supervisory Academy-58 employees at 4 hours each
- \* Team Leadership Skills-13 employees at 36 hours each
- \* Time Management-60 employees at 8 hours each
- \* Working In Teams-10 employees at 16 hours each
- \* Effective Performance Appraisals-69 employees at 6 hours each
- \* Conflict Resolution-30 employees at 7 hours each
- \* Volunteer Management-4 employees at 1.5 hours each
- \* Westminster 101-24 employees at 8 hours each
- \* Defensive Driving class-31 employees at 4 hours each
- \* Dealing With Difficult People-32 employees at 4 hours each
- \* Citizen Relations Training-28 employees at 8 hours each

#### Other Major Activities:

- \* Presented an overview of the City's training curriculum to new employees at Orientation
- \* Coordinated second quarter Citywide Management Team Luncheon
- \* The ERAT committee coordinated 1997 Employee Appreciation Events during the month of June. Activities included "Thank Your Lucky Stars" notes, free bagel coupons at Einstein Bros. Bagels, Afternoon With The Stars, and the employee picnic at Squires Park. Two Customer Service Champions surprise parties, and the first quarter's Teams In Action luncheons were also coordinated by ERAT.
  
- \* The Facilitator Team continued to work with the patrol officers and dispatchers on improving communications between the two groups.
- \* Performance Appraisal Task Force completed the new form over an 18 month process that included research, employee feedback, and numerous draft documents. The Employee Development Staff designed and delivered training to supervisors throughout the City.

### **Purchasing/Telecommunications**

- \* Set up a meeting concerning Video Arraignment, which was attended by over 50 officials from Colorado and Wyoming. Outcomes included agreement on a common communications platform and to use a model request for proposal.
- \* Upgraded the voice mail system at City Hall and the Police Dept, to make it more efficient.
- \* Added and additional nine trucks to the telephone system and changed the the trucking system from analog to digital to improve speed and service.

## Building Operations & Maintenance

Major activities for the second quarter included:

- \* Completed a total of 672 work requests: 441 corrective and 231 preventative compared to a total of 800 for the second quarter of 1996.
- \* BO&M is installing a new make-up air system for the Sports Complex.
- \* BO&M is remodelling the Swim & Fitness Center circulation counter to accommodate the new computerized cash registers and P.C.'s.
- \* Staff installed new electrical circuits for the reconfiguration of work stations in Community Development.
- \* George Jorgensen won the Internal Customer Service award in June for his contribution of making the plaques for the City Manager's Choice awards.
- \* BO&M Staff remodeled the report writing room at the Police Department.
- \* Staff met with engineers to design a structure for the anticipated 10 new carillon bells for the bell tower.

## City Clerk's Office

Summary of second quarter statistics compared to 1996:

	<u>1997</u>	<u>1996</u>	<u>%Change</u>
Councillor Bills	45	46	- 2%
Ordinances	43	43	0%
Resolutions	36	30	+ 17%
New business licenses	119	97	+ 18%
Active business licenses	1,475	1,446	+ 2%
Home occupation licenses	1,140	1,055	+ 7%
Sales tax licenses	1,425	1,372	+ 4%
Licensed refuse haulers	7	7	0%
Solid Waste vehicles	84	85	- 1%
Recycling vehicles	23	22	+ 4%
New liquor licenses	6	7	- 14%
Liquor Admin Approvals	76	55	+ 28%

\* The informational packet for Council Candidates was prepared and ready for distribution. The majority of this information was also placed on the City's WWW Page. Fair Campaign Practices Act information and required forms were the only portion of the packet that is not available on the Web.

\* The City Charter was added to the City's Web Page.

\* The Voluntary Code of Ethics for Council Candidates was amended and reviewed by Council in April and referred to the League of Women Voters.

\* A meeting was held with Jefferson County election officials and all other cities and special districts within the County to look at new procedures to be used during the November Election. The Election results will be available on the internet per the request of Westminster. Adams County Election results have been available on the internet for several years. Jefferson County will be mailing information to ALL inactive voters during August in order to try to avoid confusion when the ballots are mailed in October. The State law has recently changed and inactive voters will not be sent a ballot, but will need to individually request a ballot in order to vote.

## Employee Services

### Major Recruitment Activity in the 2nd Quarter of 1997:

\* Hiring and Orientation: 27 benefitted and 214 unbenefitted, seasonal or temporary employees. These numbers are significantly higher than last quarter due to the summer hiring of seasonal workers  
455 Personnel Actions, 20% less than the 1st quarter of 1997. (541)  
1065 applications received for 44 positions, 12% increase from 1st quarter 1997. 280 job applicants were tested or interviewed for 44 position openings during the second quarter of 1997.

Recruitments included: Clerk Typist I/GS, Asst Golf Superintendent, Assistant to the City Manager, Management Intern (2), Deputy Court Clerk, Librarian I, Planning Manager, Planning Technician, Sales Tax Specialist, Secretary/Utilities, Senior Maintenanceworker, Records Specialist I, Custodian I, Lifeguards, Seasonal Laborer, Seasonal Specialist, Accounting Technician, Assistant Pool Manager, Clerk Receptionist I/II, Clerk Typist I, Open Space Acquisition Agent, Personnel Technician, Field Crew Worker, Criminalist, Assistant Pool Manager/SFC, Accounting Technician, and Utility Project Coordinator.

### Other Major Activities included:

Coordinated two assessment centers during the second quarter of 1997. The Planning Manager Assessment Center was held in early June with the help of outside consultant Jack Clancy while the Assistant to City Manager assessment center was internally conducted.

Staff responded to two complaints from applicants that felt they should have been interviewed and might have been overlooked. One of the applicants stated that they would pursue EEOC remedy but they did not at this point in time.

Employee Services staff finished the work on the annual salary and benefits survey, job audit and classification studies and reorganization reviews. In addition, staff completed pay projections for inclusion in the 1998/99 budget detail.

Jenny Hilbert was hired as Employee Services new Personnel Technician. Former Personnel Technician Marie Martinez moved to Grand Junction.

ES Staff continued to provide on-going counsel regarding disciplinary issues and grievances.

Participated in the Aurora Community College Law Enforcement Academy Job Fair.

Provided employee relations counsel for employees, supervisors and work groups

## Fleet Maintenance

### Summary of 2nd quarter statistics:

	<u>1997</u>	<u>1996</u>	<u>%Change</u>
# repair orders	1,324	1,626	-18%
Gallons of diesel fuel	25,910	30,451	-15%
Gallons of unleaded fuel	54,966	59,505	- 8%
Used motor oil collected	6,341	7,602	-16%

### Other major activities:

\* Requests for proposals were received from vendors and are under evaluation for the removal of underground fuel storage tanks at Big Dry Creek.

\* Fleet Maintenance staff participated in the organization of both the Westminster Pride Day and the MSC staged household chemical roundup.

## Municipal Court

Summary of 2nd quarter statistics:

<u>Filings</u>	<u>1997</u>	<u>1996</u>	<u>%Change</u>
Parking Tickets	242	223	-8%
Traffic Tickets	1,755	1,130	-36%
General Ordinance	1,095	1,121	2%
Domestic Violence	110	89	-19%
Presentence Investi.	79	106	34%
Sentenced to Probation	143	128	-10%
Probation w/Volunteer	9	34	278%

## Risk Management

- \* During the second quarter of 1997, the City experienced 21 work related injuries compared to 19 during the same period last year.
- \* During the second quarter of 1997, the City reported 14 property or liability claims to CIRSA compared to 22 filed during the same period last year.
- \* Risk Management held monthly City Safety Committee meetings during the second quarter of 1997.
- \* Risk Management complete the CIRSA renewal application as well as the annual CIRSA loss control audit during the month of June.

## Wellness Program Activities:

- \* Employees participating in the Wellness Program at the end of June total 497.
- \* Slim for Life, a 10 week nutritional program, had 20 employees participating. This program stresses the importance of proper nutrition and exercise. Each employee is taught by a Registered Dietician.
- \* Scott Murdie finalized meetings with each Wellness Member. The meeting is designed to set goals for the up-coming year. Nutrition, exercise, and overall wellness lifestyle are emphasized.
- \* Approximately 25 employees enjoyed the five mile run or four mile walk at the Cherry Creek Sneak.
- \* A back/abdominal strengthening program was taught to Library personnel.
- \* Community CPR was taught to 16 employees. The five hour class teaches employees life saving skills to adults, children, and infants.
  
- \* A new exercise challenge called SWEATBUCKS was implemented. The eight week program enables employees to accumulate "bucks" for exercises performed. At the end of the eight weeks, employees may turn in their "bucks" for gift certificates.
- \* Scott organized employees to take part in the Bolder Boulder 10k run/walk. Approximately 25 employees enjoyed the day, including 1/2 registration which the Wellness Program paid for.
- \* Walk the Walk, a eight week walking/running program has 225 employees participating. Each participant records their walking/running each week, with a chance to earn gift certificates. There is also a picnic for all participants to attend at Squires Park.
- \* The Wellness Program sponsored "Bike to Work. Over 40 employees accumulated over 400 miles of biking for one day.
- \* Approximately 150 employees had their blood pressure taken.

## PARKS, RECREATION & LIBRARIES

### Recreation Facilities

Summary of 1997 second quarter statistics compared to the second quarter of 1996:

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
<b>Drop-in Participation:</b>			
<u>April</u>			

City Park	30,119	27,305	+10%
Swim & Fitness	9,439	9,398	N/A
Countryside	890	605	+47%
Senior Center	6,011	5,884	+ 2%

May

City Park		31,433		33,038	- 5%
Swim & Fitness		9,640		10,193	- 6%
Countryside		1,104		1,347	-19%
Senior Center		6,011		5,727	+ 5%
Kings Mill Pool	273	185	+48%		

June

City Park		31,998		33,221	- 4%
Swim & Fitness		12,752		12,184	+ 5%
Countryside		6,285		8,367	-33%
Senior Center		5,129		4,691	+ 9%
Kings Mill Pool	1,971	1,871	+ 5%		

YTD Participation

City Park		196,036		196,526	N/A
Swim and Fitness	60,426	64,300	- 6%		
Countryside		11,836		13,507	-14%
Senior Center		29,941		33,711	-13%
Kings Mill Pool	2,244	2,056	+ 9%		

Aquatics Program Participation

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
April	1,454	1,377	+ 6%
May	859	857	N/A
June	1,212	803	+51%
Year to Date	3,166	3,563	-11%

YTD Facilities Revenue

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
City Park	\$481,559	\$447,238	+8%
Swim & Fitness	\$164,617	\$143,605	+15%
Countryside	\$ 42,147	\$ 32,876	+28%
Senior Center	\$ 81,685	\$ 68,010	+20%
Kings Mill Pool	\$ 2,835	\$ 2,716	+4%

**Recreation Programs**

Summary of 1997 second quarter statistics compared to 1996:

\*RecTrac registration (mail-in lottery) has created a change in registration dates, resulting in non-comparable monthly statistics.

Program Participation

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
April	3,668	8,093	-55%
May	1,789	1,834	- 2%
June	3,681	2,584	+42%
Year-to-Date	22,334	21,254	+ 5%

### Program Revenue

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
Year-to-Date	\$277,212	\$256,760	+ 8%

### Legacy Ridge Golf Course

Summary of 1997 second quarter statistics compared to the second quarter of 1996:

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
Revenue	\$782,952	\$716,722	+ 9%

### Standley Lake

Revenue	\$295,288	\$295,956	N/A
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### Library Services

	<u>1997</u>	<u>1996</u>	<u>% Change</u>
76th Avenue Library	65,976	66,813	-1.2%
Kings Mill Library	30,620	31,565	-2.9%
Bookmobile	4,580	5,835	-21.0%
Total All Facilities	104,849	104,213	-2.9%
Patrons	56,861	57,993	-1.9%
Reference Questions	8,326	8,321	N/C
Program Attendance	4,068	4,455	-8.6%

Circulation of library materials has decreased about 3% from 2nd quarter 1996. There are several factors which may explain the decrease; 1) the focus on the new library being built has decreased the amount of marketing of our current library services; 2) construction projects on 76th Avenue have made it difficult for people to drive to that library; 3) Bookmobile service was reduced from 4 days per week to 3, resulting in a drop in that service. Circulation in June increased slightly over last June's statistics, however.

Last year's circulation figures were at record high levels; activity levels for the second quarter of 1997 are still much higher than 1995 figures.

### Highlights:

Construction on the new College Hill Library is proceeding according to schedule at this time. Projected date of completion is mid-February, 1998; opening will be sometime late March - early April.

Library staff has ordered approximately 30% of the 67,000 books which will be delivered to the Library for Opening Day. Costs for library materials have met Staff's initial projections, to date.

Staff has continued planning and negotiations with the College and Dynix, Inc., to provide an automated library catalog at College Hill Library.

Staff completed work on specifications for furniture and equipment for College Hill, and bids will be sent out in late July.

City and College library staff have continued to meet to plan for services, policies, and operations at the College Hill Library.

## **POLICE DEPARTMENT**

1. For the first six months of 1997, police service events climbed 2.5%, from 71,049 in 1996 to 72,807 thus far. On the average, 16.76 police service events occurred every hour of each day through June. The hourly event count at this point last year was 16.36. A "police service event" is an activity requiring the action(s) of one or more police officers.
2. In April, the Police Department hosted the nationally acclaimed "Caliber Press Police Officer Survival School."
3. During the second quarter, Chief Montgomery met with 17 different work teams throughout the Police Department to discuss progress being made on the department's 1997 work plan, as well as the City's Operating Workplan, and the 1998 City Budget. Time was also consumed at the meetings discussing other topics and items of interest.
4. Several Police Department Staff members attended the Westminster Elk's Lodge Bowlathon at Sonesta Lanes in Thornton.  
The proceeds from this event were allocated in support of the several North area DARE Programs being provided by Police Departments.
5. Senior Police Officers Jim Buckner and Don Rodina were honored by the Westminster Optimist Clubs in conjunction with "Respect for Law Week." Officer Buckner was recognized for his contributions as the School Resource Officer at Westminster High School and Officer Rodina was honored for his community policing accomplishments in the area of Standley Lake High School.
6. Victim Service Volunteer, Laurie Clark, was the recipient of the Ray McKinnon Award of Excellence at the Adams County VALE Awards Banquet.
7. Colorado National Bank hosted a catered luncheon at the Police Department honoring the many public safety personnel from the Police and Fire Departments who responded to and handled the robbery homicide at Colorado National Bank on West 72nd Avenue.
8. Senior Police Officer Rance Okada was promoted to Colonel in the United States Army Reserve.

## **PUBLIC WORKS AND UTILITIES**

### **Administration:**

- \* A tour of building 771 (the most dangerous building in America) at the Rocky Flats Environmental Technology Site (RFETS) was scheduled with the United States Department of Energy (DOE) for interested City Councillors and Staff. The tour presented an opportunity to view cleanup operations that have taken place and the magnitude of those that will be required before the building can be demolished.
- \* A schedule for tours of the Waste Isolation Pilot Project (WIPP) at Carlsbad, New Mexico for interested Councillors and Staff has been set. Three dates have been offered by the Colorado Department of Public Health and Environment for the visit.
- \* Prepared letters expressing City of Westminster support to the Colorado Congressional Delegation for the Energy Communities Alliance' request for a change in the Defense Authorization Act that allows for indemnification of future users of contaminated DOE sites from liability from contamination encountered during reuse.



- \* Provided letters of support to DOE Headquarters for the National Conversion Pilot Project at the RFETS. The Project has proposed to lease and reuse a cleanup-up RFETS building for the production of waste containers.
- \* Actively participated in all Decommissioning and Decontamination discussions occurring at the RFETS to ensure that Westminster water and air are protected during the time buildings are removed from the RFETS.
- \* The Rocky Flats Citizens Advisory Board (RFCAB) has been tracking the Waste Isolation Pilot Project (WIPP) opening and issues related to transportation of materials to both Savannah River and the WIPP. The Board is tracking plutonium disposition and safe storage at the RFETS, as well as the disposition of other radioactive wastes. Staff continues to be very involved with the RFCAB, as Vice Chairwoman; the Plutonium and Special Nuclear Materials Committee, as Chairwoman; the Budget Committee; Decommission and Decontamination Group; and the Rocky Flats Local Impacts Initiative (Reuse Committee and alternate to Mayor Pro Tem Sam Dixon).

## **Environmental Compliance**

- \* Internal Assistance - The Citywide Environmental Audit is being finalized and will be going out in draft form for review and comment by each department.
- \* Environmental Compliance Staff responded to a chlorine leak at the Big Dry Creek Water Reclamation Facility.
- \* Staff continues to assist Community Development on issues at the old Mushroom Farm at 108th and Federal.
- \* Staff is working with the Police Department to develop the Emergency Operations Center tabletop training scenario for the Department Heads.
- \* Environmental Compliance Staff continues to assist the Utilities Division on issues with the Gasoline Recovery System.

### Business Assistance

- \* Completed eight environmental records searches for business working on Phase I Environmental Site Assessments for the following properties:

68th & Lowell Blvd.  
 700 Raleigh  
 104th & Federal Blvd.  
 7125 West 88th Avenue  
 Highway 36 & Westcliff  
 8300 North Sheridan  
 Northwest corner of 128th & Huron  
 Southeast corner of 100th Avenue & Wadsworth

### Citizen Assistance

- \* The Third Annual Spring Household Chemical Roundup was held on May 31, and was the most successful yet with more than 40 volunteers and over 350 citizens disposing of their household hazardous wastes.
- \* Environmental Compliance Staff has been notified of several public dumping incidents within the past quarter including citizens dumping paint waste, wet cement, waste ink, and gasoline into drainage areas. Two of these incidents resulted in a summons for dumping hazardous materials into a waterway.

## Utilities Division

- \* During the second quarter, the Utilities Division experienced one sewer backup and 27 water breaks.
- \* The Construction Crew focused on replacing 4,700 feet of water lines during this quarter.
- \* Semper Water Treatment Facility's peak consumption day was on June 29, as 34.9 million gallons flowed through the distribution system. The daily average water consumption for the year is 15,693,591 gallons, and the peak hour consumption was 54 million gallons (from 8:30 - 9:30 pm). Year-to-date water consumption is 11.8 percent, down from 1996. Semper's 10-million gallon-per-day expansion is complete and increases the water treatment and pumping capacity to 44 million gallons per day. England Water Treatment Facility will remain on standby.

Summary of second quarter Utilities Operations statistics compared to 1996:

		<u>1997</u>	<u>1996</u>	<u>Percent Change</u>
BDC treated gallons/day	5.77M	6.06M		-5%
Metro treated gallons/day	3.75M	3.77M		-1%
Water consumption/day	31.0M	20.4M		+52%
Water taps installed	111.0	175.0		-37%
Water line installed/feet	4,700.0	1,750.0		+169%
Water main breaks repaired	27.0	17.0		+59%
Sewer line installed/feet	0.0	0.0		0%

## Street Division

- \* The 1997 Asphalt Pavement Rehabilitation Project was submitted to City Council in April and the bid was awarded to Western Mobile Denver Paving. Reconstruction of streets earmarked for this project has begun and the project is 50% complete.
- \* Fasick Concrete replaced curb, gutter, and sidewalk as part of the 1997 Customer Service Concrete Replacement Program, and this project was 95% complete by the end of the second quarter.
- \* S&D Construction removed and replaced deteriorated concrete as part of the 1997 Street Improvement Concrete Replacement Project and the work was 75% complete by the end of the second quarter. Partial acceptance was granted to S&D Construction and they will move back in on 76th Avenue, from Turnpike Drive to Winona Court, once the water line replacement is completed later this summer by the Utilities Division Construction Crew.
- \* Requests for proposals were solicited for the 1997 Chipseal Project, and City Council approval is slated for the July 14 Council Meeting. Various streets were patched in preparation for this project.
- \* Crews sealed cracks, patched potholes, and repaired isolated pavement failures in response to Customer Service requests and also performed patch-back work as part of the Customer Service Concrete Replacement Program.
- \* Magnesium chloride was applied to all gravel roads for dust control.
- \* Main-Tech, the City's street sweeping contractor, got back on regular schedule during April.

- \* Crosswalks, arrows, and legends were painted at various locations within the City, and traffic signs were replaced and maintenance performed as part of the Sign Replacement Program and Community Development requests.
- \* Street Division crews cleaned catch basins and open drainage throughout the City.
- \* The striping machine was retrofitted to use latex paint and Staff has been trained on its operation.
- \* A part-time Community Service Specialist was hired. The Community Service Specialist and a volunteer continue to work with individuals who have community service obligations to fulfill. A total of 254 hours were worked by community service recipients this quarter, compared to 162 hours in the second quarter of 1996, resulting in a 56% increase. The volunteer for graffiti removal worked 289 hours during the second quarter of 1997, and 402 hours during the same quarter of 1996, resulting in a decrease of 28%.
- \* Street Division Crews removed existing pavement/concrete and excavated the site for the new Fire Department Training Tower.  
The remaining cleanup work, pavement markings and signs, should be completed sometime in July.
- \* The Spring Cleanup Program was scheduled to be held April 14 to April 25. Due to a large snow storm we received on April 24-25, the program had to be extended to Tuesday, April 29. Crews removed a total of 4,867 cubic yards of debris from a total of 3,499 residences. Iliff's Appliance Removal Service removed a total of 550 appliances, plus an additional 350 recyclable metal household items.
- \* National Public Works Week was held the week of May 19. Public Works and Utilities Staff constructed and staffed a display at the Westminster Mall where they distributed information and answered questions associated with Westminster's Public Works and Utilities services.
- \* The Street Division assisted the Burlington Northern Railroad in the replacement of the railroad crossing at 76th Avenue and Winona Court.
- \* Street Division Staff completed Respectful Work Place (Violence in the Work Place) training. Rick Dietz and Dennis Armstrong attended a "Work Site Traffic Control Supervisor" certification class. Ron Elrod and Ray Porter attended the Metropolitan Government Pavement Engineer's Council annual meeting and seminar. Rick Dietz completed a "Work Zone Traffic Control Supervisor" certification course. Bill Hayward, Bob Wood, and Tony Ficco attended a seminar on training safety.

Summary of second quarter Street Division statistics compared to 1996:

		<u>1997</u>	<u>1996</u>	<u>Percent Change</u>
Striping (feet)	775300	497000		+56%
Signs Installed	78	203		-62%
Signs Repaired		223	185	+21%
Pothole Hotline Calls	36	25		+44%
Customer Service Requests		55	61	-10%
Concrete Replacement Requests	108		133	-19%
Community Serv. Spec. Hours	254		162	+56%
Graffiti Removal Hours	289	402		-28%
Potholes Patched		1344	306	+339%

## **\*\*Water Resources Division**

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

	<u>1997</u>	<u>1996</u>
<b>Raw Water Statistics (in acre feet)</b>		
Croke Canal Inflows to Standley Lake	20,752	14,529
Kinnear Ditch Pipe Line Inflows	1,323	560
Farmers' High Line Canal Inflows	3,149	7,582
Church Ditch Inflows	129	1143
Total Standley Lake Inflows	25,353	23,814
Westminster Releases from Standley Lake	12,380	19,068

\* The City purchased 0.125 shares of Farmers' High Line Canal and Reservoir Company stock.

\* Trial was held over a 2-week time period on the water rights trial with the City of Golden regarding its use of the Lee, Stewart and Eskins water rights. Written closing arguments were submitted to the court on June 30. A decision should be announced during the 3rd quarter of 1997.

\* Jim Baker Reservoir filled to capacity.

\* The Henderson Mine project was terminated during the second quarter of 1997, due to a failure to reach an acceptable price with the Cyprus/Amex Minerals Company for the use of the Henderson Tunnel for the carriage of water.

\* Adams County was awarded a "Fishing is Fun" grant for improving fishing access at the Jim Baker Reservoir. Adams County is responsible for all aspects of public access to the Reservoir site.

\* Water in the south compartment of Woman Creek Reservoir was released to Walnut Creek after test results from the United States Department of Energy confirmed that the water met standards. This was the first release from Woman Creek Reservoir.

\* Woman Creek Reservoir captured almost 200 acre feet of water leaving the Rocky Flats Environmental Technology Site in April, after a heavy snow storm and quick melt. The inflow completely filled the north compartment and spilled into the center compartment. Everything at the reservoir functioned as planned during this major event. The water will be evacuated from the compartments, once all of the water quality data is received and reviewed.

\* Work continued on the tap fee study. The most recent Capital Improvement Project cost estimates are currently being incorporated into the study model.

\* Staff coordinated the collection of special Clear Creek samples during the spring run-off to provide biological oxygen demand values for the Standley Lake Model.

\* Staff initiated the process of identifying and acquiring 6 acres of property for the new Countryside Water Booster Station and future treatment plant site in the northwest quadrant of the City.

**Date:** August 25, 1997  
**Subject:** Financial Report for July 1997  
**Prepared by:** Mary Ann Parrot, Finance Director

## **Introduction**

City Council is requested to review the attached financial statements which reflect 1997 transactions through July, 1997.

## **Summary**

There are three sections to the attached report:

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

General Fund revenues represent 62% of the total budget estimate while General Fund expenditures and encumbrances represent 57% of the 1997 appropriation.

Utility Fund revenues represent 49% of the total budget estimate.

Utility Fund expenditures and encumbrances represent 60% of the 1997 appropriation. The large amount encumbered is for payments to Thornton for treated water and to the Metro Wastewater Reclamation District for sewage treatment. Of the total budget increase of \$15.1 million between 1996 and 1997, \$13.2 million is due to the Reclaimed Water Project of 1997 and the bonded loan through Colorado Water Power Authority. Appropriations rose from \$21.962 million to \$25.562 million due to the carryover of \$3.6 million, which was subsequently loaned to WEDA.

The Sales and Use Tax Fund revenues represent 60% of the total budget estimate, while expenditures and encumbrances in that fund represent 57% of the 1997 appropriation. Total Sales and Use Tax revenues for the 25 shopping centers reported decreased 8% from the same period last year and increased 7% year-to-date.

The Open Space Fund revenues represent 79% of the total budget estimate while expenditures and encumbrances in that fund represent 16% of the 1997 appropriation. In March, the City issued \$23,350,000 in bonds; \$12,000,000 was allocated for open space land purchases which will be spent later in 1997.

The Golf Course Fund operating revenues represent 62% of the total budget estimate while operating expenditures and encumbrances in that fund represent 65% of the 1997 appropriation. The encumbrances are for the golf cart lease and other foreseeable expenditures. In March, a portion of the 1992 Sales & Use Tax Revenue bonds were refunded. A portion of those bonds were used to finance construction of Legacy Ridge. The large revenue and expense is the golf course's portion of bond proceeds which were, in turn, expensed to the escrow agent for refunding.

Theoretically, 59% of revenues and expenditures should be realized after seven months in the budget year. However, it is recognized that both revenues and expenditures do not occur on an even 1/12 flow each month of the year.

**Staff Recommendation**

Accept the report as presented.

**Background Information**

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

Respectfully submitted,

William M. Christopher  
City Manager

Attachments