



# WESTMINSTER

## Staff Report

TO: The Mayor and Members of the City Council  
DATE: January 21, 2010  
SUBJECT: Briefing and Post-City Council Briefing Agenda for January 25, 2010  
PREPARED BY: J. Brent McFall, City Manager

***Please Note: Study Sessions and Post City Council briefings are open to the public, and individuals are welcome to attend and observe. However, these briefings are not intended to be interactive with the audience, as this time is set aside for City Council to receive information, make inquiries, and provide Staff with policy direction.***

Looking ahead to Monday night's Briefing and Post-City Council meeting briefing, the following schedule has been prepared:

<i>Dinner</i>	6:00 P.M.
Council Briefing ( <i>The public is welcome to attend.</i> )	6:30 P.M.
CITY COUNCIL MEETING	7:00 P.M.
POST BRIEFING ( <i>The public is welcome to attend.</i> )	

### PRESENTATIONS

None at this time.

### CITY COUNCIL REPORTS

1. Report from Mayor (5 minutes)
2. Reports from City Councillors (10 minutes)

### EXECUTIVE SESSION

1. Discuss strategy and progress on potential sale, acquisition, trade or exchange of certain water rights and the City's position relative thereto, pursuant to WMC 1-11-3(C)(2) and (C)(7), and CRS 24-6-402(4)(a) and (4)(e)
2. Consultation with the City Attorney concerning potential litigation pursuant to WMC 1-11-7(C)(3) and (8) and CRS 24-6-402(4)(b) and (e) – **Verbal**

### INFORMATION ONLY

1. 2009 Residential Development Report
2. 2010 State Legislative Issues Guide

Items may come up between now and Monday night. City Council will be apprised of any changes to the post-briefing schedule.

Respectfully submitted,

J. Brent McFall  
City Manager



Staff Report

Information Only Staff Report  
January 25, 2010



SUBJECT: 2009 Residential Development Report

PREPARED BY: Walter Patrick, Planner I

Summary Statement:

This report is for City Council information only and requires no action by City Council.

- The following report updates 2009 residential development activity per subdivision (please see attachment) and compares 2009 year-end totals with 2008 year-end figures.
- The table below shows an overall decrease (-56.5%) in new residential construction for 2009 year-end compared to 2008 year-end totals.
- Residential development activity in 2009 reflects decreases in single-family detached (-62.1%) and single-family attached (-67.6%), an increase in multiple-family housing (0 units in 2008 versus 7 units in 2009), and no change in senior housing (0 units in both years).

**NEW RESIDENTIAL UNITS (2008 AND 2009)**

UNIT TYPE	DECEMBER		% CHG.	YEAR-END		% CHG.
	2008	2009		2008	2009	
Single-Family Detached	2	2	0.0	58	22	-62.1
Single-Family Attached	6	3	-50.0	34	11	-67.6
Multiple-Family	0	0	0.0	0	7	
Senior Housing	0	0	0.0	0	0	-100.0
<b>TOTAL</b>	<b>8</b>	<b>5</b>	<b>-37.5</b>	<b>92</b>	<b>40</b>	<b>-56.5</b>

**Background Information**

In December 2009, service commitments were issued for 5 new housing units within the subdivisions listed on the attached table. There were a total of 2 single-family detached, 3 single-family attached, and no multi-family or senior housing utility permits issued in December.

The column labeled “# Rem.” on the attached table shows the number of approved units remaining to be built in each subdivision.

Total numbers in this column increase as new residential projects (awarded service commitments in the new residential competitions), Legacy Ridge projects, build-out developments, etc. receive Official Development Plan (ODP) approval and are added to the list.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

**ACTIVE RESIDENTIAL DEVELOPMENT**

**Single-Family Detached Projects:**

Bradburn (120th & Tennyson)  
 CedarBridge (111th & Bryant)  
 Country Club Highlands (120th & Zuni)  
 Countryside Vista (105th & Simms)  
 Huntington Trails (144th & Huron)  
 Hyland Village (96th & Sheridan)  
 Legacy Ridge West (104th & Leg. Ridge Pky.)  
 Lexington (140th & Huron)  
 Meadow View (107th & Simms)  
 Park Place (95th & Westminster Blvd.)  
 Ranch Reserve (114th & Federal)  
 Savory Farm Estates (109th & Federal Blvd.)  
 South Westminster (Shoenberg Farms)  
 Various Infill  
 Winters Property (111th & Wads. Blvd.)  
 Winters Property South (110th & Wads. Blvd.)

Nov-09	Dec-09	2008 YTD	2009 YTD	# Rem.*	2008 Total
1	1	17	11	51	17
0	0	1	0	4	1
0	0	2	0	99	2
0	0	0	0	9	0
1	0	15	4	127	15
0	0	4	0	107	4
0	0	1	1	4	1
0	0	0	1	3	0
0	1	2	1	1	2
0	0	7	0	40	7
0	0	2	0	0	2
0	0	0	0	24	0
0	0	5	0	47	5
1	0	2	4	3	2
0	0	0	0	8	0
0	0	0	0	10	0
<b>3</b>	<b>2</b>	<b>58</b>	<b>22</b>	<b>537</b>	<b>58</b>

***SUBTOTAL***

**Single-Family Attached Projects:**

Alpine Vista (88th & Lowell)  
 Bradburn (120th & Tennyson)  
 CedarBridge (111th & Bryant)  
 Cottonwood Village (88th & Federal)  
 East Bradburn (120th & Lowell)  
 Eliot Street Duplexes (104th & Eliot)  
 Highlands at Westbury (112th & Pecos)  
 Hollypark (96th & Federal)  
 Hyland Village (96th & Sheridan)  
 Legacy Village (113th & Sheridan)  
 South Westminster (East Bay)  
 South Westminster (Shoenberg Farms)  
 Summit Pointe (W. of Zuni at 82nd Pl.)  
 Sunstream (93rd & Lark Bunting)

0	0	0	0	84	0
0	0	4	0	0	4
0	0	0	0	0	0
0	0	0	0	62	0
0	0	0	0	117	0
0	0	0	0	10	0
0	3	12	9	9	12
0	0	0	0	20	0
0	0	12	0	153	12
0	0	0	0	62	0
0	0	6	0	58	6
0	0	0	0	54	0
0	0	0	0	58	0
1	0	0	2	16	0
<b>1</b>	<b>3</b>	<b>34</b>	<b>11</b>	<b>703</b>	<b>34</b>

***SUBTOTAL***

**Multiple-Family Projects:**

Bradburn (120th & Tennyson)  
 Hyland Village (96th & Sheridan)  
 Mountain Vista Village (87th & Yukon)  
 Prospector's Point (87th & Decatur)  
 South Westminster (East Bay)  
 South Westminster (Harris Park Sites I-IV)

0	0	0	0	233	0
0	0	0	0	54	0
0	0	0	0	144	0
0	0	0	0	24	0
1	0	0	1	28	0
6	0	0	6	6	0
<b>7</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>489</b>	<b>0</b>

***SUBTOTAL***

**Senior Housing Projects:**

Covenant Retirement Village  
 Crystal Lakes (San Marino)  
 Legacy Ridge (112th & Federal)

0	0	0	0	0	0
0	0	0	0	7	0
0	0	0	0	168	0
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>175</b>	<b>0</b>

***SUBTOTAL***

**TOTAL (all housing types)**

**11      5      92      40      1904      92**

\* This column refers to the number of approved units remaining to be built in each subdivision.



# WESTMINSTER

## Staff Report

Information Only Staff Report  
January 25, 2010



SUBJECT: 2010 State Legislative Issues Guide

PREPARED BY: Matt Lutkus, Deputy City Manager  
Phil Jones, Senior Management Analyst  
Rachel Harlow-Schalk, Environmental and Administrative Services Officer

### Summary Statement:

This report is for City Council information only and requires no action by Council.

City Council is being provided copies of the 2010 Legislative Issues Guide for use throughout the 2010 State Legislative Session that started January 13, 2010.

### Background Information:

On December 14, 2009, City Council adopted the 2010 Legislative Policy Statement. This Statement identifies topics that may be of legislative concern to the City and is used as a tool against which official positions are made. In addition to this Policy Statement, annually Staff prepares the Legislative Issues Guide to identify the City's top legislative priorities for the respective year's State Legislative Session. This Guide is used as a quick referencing tool for State Legislators interested in Westminster's positions on issues during the legislative session.

The Guide is updated by the Staff Legislative Team to ensure that the information presented is current. The Legislative Team is comprised of staff from every department in the City and is lead by Deputy City Manager Matt Lutkus, Senior Management Analyst Phil Jones, and Environmental and Administrative Services Officer Rachel Harlow-Schalk.

Completion of the Legislative Issues Guide supports all of City Council's Strategic Plan goals. The Strategic Plan is reviewed against the most likely legislative issues for the year and then the Guide is created to help legislators understand those areas on which Westminster will likely take a position.

Respectfully submitted,

J. Brent McFall  
City Manager

Attachment

# Water



## Protecting water quality and water rights is a top priority for Westminster.

In addition to efforts that protect senior water rights, Westminster supports legislation that continues protection of water bodies from invasive aquatic species.

### Water Quality

Since the 1950's, Westminster has invested substantial public funds into the creation and protection of an independent water supply. Westminster continues to be very diligent with regard to protecting its water supply both in terms of quantity and quality. Westminster remains concerned about a number of potential water-related legislative issues.

Westminster is very active in water quality issues and consistently supports and promotes water quality protection. Westminster is extremely concerned about protecting Standley Lake from two related aquatic nuisance species: Quagga and Zebra Mussels. These species multiply rapidly and profusely and destroy lake ecology. They can also seriously compromise water treatment plant infrastructure with massive accumulations of mussels. Senate Bill 226, passed in 2008, recognized the destructive impacts of aquatic nuisance species. The Bill also implemented funding and measures for detecting and eradicating those species from Colorado's water bodies. The City supports the State's efforts to prevent and eradicate all invasive species from the State's water supplies.

### Water Rights

Well regulation on the South Platte River is another important topic to Westminster. Westminster is concerned with potentially harmful changes to existing Colorado water law, including those designed to repeal or amend the prior appropriation doctrine. Senior water rights holders such as Westminster have invested millions of dollars in a water supply based on certain expectations of stream flow and water rights administration. Efforts to revise the administration in order to allow junior well users to continue to take water belonging to senior water right holders could damage Westminster's critical water supply planning efforts and make it significantly more difficult and more costly to meet future water needs for Westminster citizens.



2010

## State Legislature Issues Guide

### City of Westminster



## WESTMINSTER

City of Westminster  
4800 W 92nd Avenue  
Westminster, CO 80031

(303) 658-2016

Fax: (303) 706-3921

[westycmo@cityofwestminster.us](mailto:westycmo@cityofwestminster.us)

## CITY COUNCIL CONTACTS

Mayor Nancy McNally  
[nmcnally@att.net](mailto:nmcnally@att.net)  
(303) 469-4707

Mayor ProTem Chris Dittman  
[chrisedittman@comcast.net](mailto:chrisedittman@comcast.net)  
(720) 887-5969

Councillor Bob Briggs  
[bob.briggs@comcast.net](mailto:bob.briggs@comcast.net)  
(303) 429-2156

Councillor Mark L. Kaiser  
[MLKDDK@msn.com](mailto:MLKDDK@msn.com)  
(303) 598-0630

Councillor Faith Winter  
[faithwinter@gmail.com](mailto:faithwinter@gmail.com)  
303-594-5594

Councillor Scott Major  
[smajor@cityofwestminster.us](mailto:smajor@cityofwestminster.us)  
303-465-1706

Councillor Mary Lindsey  
[mlindsey@cityofwestminster.us](mailto:mlindsey@cityofwestminster.us)  
303-429-7666

## STAFF/LOBBYIST CONTACTS

City Manager Brent McFall  
[bmcfall@cityofwestminster.us](mailto:bmcfall@cityofwestminster.us)  
(303) 658-2010

Deputy City Manager Matt Lutkus  
[mlutkus@cityofwestminster.us](mailto:mlutkus@cityofwestminster.us)  
(303) 658-2152

Senior Management Analyst Phil Jones  
[pjones@cityofwestminster.us](mailto:pjones@cityofwestminster.us)  
(303) 658-2172

Envtl. and Admin. Svcs. Officer Rachel Harlow-Schalk  
[rharlow@cityofwestminster.us](mailto:rharlow@cityofwestminster.us)  
(303) 658-2189

Lobbyist Danny Tomlinson  
[dtomlinson@msn.com](mailto:dtomlinson@msn.com)  
(303) 638-6509

Lobbyist Bob Fern  
[fermr@hallevans.com](mailto:fermr@hallevans.com)  
(303) 628-3380

# Home Rule: Local Control



**The City encourages State Legislators to respect and support home rule and Colorado’s tradition of local control.**

Westminster opposes mandated state intervention in matters of local concern, especially when intervention unnecessarily or adversely affects home rule authority.

The City of Westminster believes strongly in the principles of home rule authority and local control. Article XX of the Colorado Constitution grants home rule municipalities such as Westminster “the full right of self-government in local and municipal matters.” Westminster believes that home rule authority increases the effectiveness and efficiency of local government services, thereby enhancing the quality of life in the community and the value provided to local taxpayers.

### Employee Relations

*The City of Westminster strongly supports local control in employee-employer relations. Westminster strives to maintain the highest levels of communication and cooperation between management and frontline personnel, and works to resolve issues with fair, reasonable, and equitable actions. Westminster currently has outstanding employee-employer relations without collective bargaining, and any attempt to mandate how the City must deal with employment issues with our employees is an intrusion into local affairs. The impact of legislation mandating collective bargaining impacts far more than just employee-employer relations. Mandated collective bargaining with police and fire employees will lead to less effective public safety services and higher costs to taxpayers. Furthermore, mandated collective bargaining will have a negative impact on other municipal services due to decreased resources available to fund those services.*

### Urban Renewal Areas & Tax Increment Finance

*Local control is essential in utilizing the revitalization tools of Urban Renewal and Tax Increment Financing (“TIF”). Existing statutes that enable and guide these tools continue to be effective, benefitting citizens and all taxing jurisdictions by funding needed public improvements without increasing taxes or fees. In the North Huron Urban Renewal Area, urban renewal and TIF funded the replacement of failing bridges that were the responsibility of the Colorado Department of Transportation. Urban renewal and TIF also funded infrastructure to support two new public schools and an emergency medical and imaging center in this same area. In the South Sheridan Urban Renewal Area, neighborhoods benefitted from millions of dollars in capital investment and a State highway benefitted from millions more in highway and intersection improvements. All of these areas needed significant assistance to complete public infrastructure that benefit not only the project, but the entire community.*

# Transportation



**The State Legislature must be willing to invest in the maintenance and expansion of the state’s transportation network including roads, bridges, and mass transit.**

Westminster will support efforts to ensure that the FASTER bill passed in 2009 is not changed significantly. Westminster will also support efforts to plan for and address congestion relief in the Denver metro area.

### Gaps in Revenue and Need

*The gap between projected revenues and the calculated needs for transportation over the next 25 years is widening daily. The Colorado Department of Transportation estimates that to simply maintain existing infrastructure through 2030, the State needs an additional \$48 billion. Research findings indicate that over the 25-year investment timeframe, the economic benefits of this additional investment amount to \$59.6 billion in travel cost savings and additional income for Colorado residents arising from business expansion and attraction benefits. Of the economic benefits the study team was able to quantify, the benefits exceed the required investment by \$11.6 billion.*

*A significant accomplishment of the 2009 legislative session was the passage of the FASTER Bill which increased vehicle registration fees and established late fees on registration. The City requests that this law not be significantly changed in the upcoming session.*

### Congestion Relief

*Projects impacting Westminster and the Front Range such as the planned U.S. 36 expansion require State assistance and the Legislature must take a proactive role in establishing new funding sources for projects such as this that provide congestion relief. The City of Westminster and the local jurisdictions of the U.S. 36 Corridor appreciate the assistance that State Legislators provided during our efforts to secure Federal funding and look forward to the continued multijurisdictional efforts to garner funding for US 36 and commuter rail.*

## City of Westminster Strategic Plan Goals

-  Financially Sustainable City
-  Government Providing Exceptional Services
-  Safe and Secure Community
-  Balanced Sustainable Local Economy
-  Beautiful and Environmentally Sensitive City