



Staff Report

TO: The Mayor and Members of the City Council

DATE: November 20, 2008

SUBJECT: Briefing and Post-City Council Briefing Agenda for November 24, 2008

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:

| | |
|--------------------------------------------------------------|-----------|
| Dinner | 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. Obtain direction from City Council re proposed Economic Development Assistance Agreement with the Hyatt Place Hotel pursuant to WMC 1-11-3(C)(7) and CRS 24-6-402(4)(e)

INFORMATION ONLY STAFF REPORTS – do not require City Council action

1. State Legislative Dinner and Draft 2009 State Legislative Issues Guide
2. Monthly Residential Development Report

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



WESTMINSTER

Staff Report

Information Only Staff Report

November 24, 2008



SUBJECT: State Legislative Dinner and Draft 2009 State Legislative Issues Guide

PREPARED BY: Matt Lutkus, Deputy City Manager
Phil Jones, Management Analyst

Summary Statement:

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

City Council's annual State Legislative Dinner will be held at 6:00 p.m. at the Grill at Legacy Ridge on Tuesday, December 2, 2008. This staff report includes a brief summary of the evening's format and a draft of the City's 2009 State Legislative Issues Guide. City Council is encouraged to provide feedback regarding the draft Issues Guide and the evening's format to Phil Jones by Friday, November 28. Senators and Representatives invited to the legislative dinner include: Senators Evie Hudak, Shawn Mitchell, and Jennifer Viega. State Representatives include: Cherylin Peniston, Dianne Primavera, Debbie Benefield, and John Soper.

Background Information:

The following format is proposed for the annual State Legislative Dinner (December 2, 2008):

- Cocktails and appetizers will be served at 6:00 p.m., followed by dinner at 6:30 p.m. and the program at approximately 7:15 p.m.
- The Mayor will give brief opening remarks before dinner to welcome the Legislators.
- After dinner, the Mayor will provide brief remarks to highlight our community and to provide a broad introduction to the City's legislative priorities.
- Following the Mayor's introduction of each topic, appropriate Staff will briefly convey more specific information regarding the City's positions in each of these areas.
- After Staff and Council have expressed the City's perspective, the Mayor will engage the Legislators and City Council in discussion on Westminster's legislative priorities. Legislators will be invited to share their thoughts and policy intentions on these issues and any bills they may be sponsoring that will impact the City.

City Council is encouraged to read through the attached draft 2009 State Legislative Issues Guide and to provide feedback to Phil Jones at pjones@cityofwestminster.us or 303-658-2007 by Friday, November 28. This is in draft form and Staff can make modifications to the language of the issues summaries before distribution. Any questions or concerns regarding this year's dinner format can be directed to Matt Lutkus or Phil Jones before November 28.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

City of Westminster: Community Profile

Incorporated in 1911, Westminster's progressive council/manager form of government is consistently recognized for excellence in management and delivery of full services to businesses and residents, without the need for additional service districts and taxing authorities. The City provides police, fire, parks, recreation, library, streets, water, and wastewater services.

Thirty-three square miles in size, and the seventh largest city in the state by population, Westminster is located in both Jefferson and Adams counties. Westminster enjoys some of the highest bond ratings in the State with consistent A and AA bond ratings from the leading national rating agencies.

The City of Westminster adopted its Budget for 2009 - 2010 in October 2008. The City's 2009 Budget totals \$176 million. The City's property tax mill levy will remain unchanged for the seventeenth consecutive year at 3.65 mills, one of the lowest property tax rates in Colorado.

A recipient of the International Livable Communities Award and noted as one of *Money Magazine's* "Top 100 Places to Live," Westminster is a great place to live, work, and play. Dramatic mountain views and generous open space, trails, parks, and golf courses capitalize on Colorado's outdoor-oriented lifestyle. The City is well planned with beautiful residential neighborhoods and streetscapes, enhanced landscaping, and interesting architectural details.

Westminster fosters a sense of community through its recreation and community centers, libraries, and programs/classes. The City is home to a well-educated workforce, excellent public schools, and four colleges. With three distinct shopping districts, Westminster has one of the largest concentrations of retail development in the region . . . from large department

stores to boutique shopping, as well as exciting entertainment venues and restaurants. The City has also been named one of the most digitally savvy, cutting edge communities in the nation, recognized for its extensive use of information technology to deliver quality service to its citizens.

Increasing and preserving green space is a high priority in the City of Westminster. In November 2006, Westminster voters approved an extension of the Parks, Open Space, and Trails 1/4th cent sales tax, allowing the City to issue \$20 million in bonds for the maintenance and expansion of the City's existing 63 miles of trails, 2,700 acres of open space, and 65 community parks and facilities. In 2007, the City of Westminster's Parks, Recreation and Libraries Department was the Grand Award winner in the 2007 Gold Medal competition presented by the American Academy for Park and Recreation Administration and the National Recreation and Park Association for excellence in parks and recreation management. Westminster won the top honor for Class II, communities with populations of 100,001-250,000. This is the third time Westminster has earned the distinction as the top parks, recreation, and libraries department in its class in the country.

With the approval of RTD's FasTracks program, the City is working on planning efforts for Transit Oriented Developments (TOD) at rail stations that will be located in South Westminster, City Center (adjacent to the Westminster Mall site), and at Church Ranch (adjacent to the new Shops at Walnut Creek). The planned rail stations in South Westminster and at the Westminster Mall site both promise to provide exciting opportunities for redevelopment at those sites.

CITY COUNCIL CONTACTS

Mayor Nancy McNally
nmcnally@att.net
(303) 469-4707

Mayor Pro Tem Chris Dittman
chrisdittman@comcast.net
(720) 887-5969

Councillor Bob Briggs
bob.briggs@comcast.net
(303) 429-2156

Councillor Mark L. Kaiser
MLKDDK@msn.com
(303) 598-0630

Councillor Mary Lindsey
mlindsey@cityofwestminster.us
(303) 429-7666

Councillor Scott Major
smajor@cityofwestminster.us
(303) 465-1706

Councillor Faith Winter
faithwinter@gmail.com
(303) 594-5594

STAFF/LOBBYIST CONTACTS

City Manager Brent McFall
bmcfall@cityofwestminster.us
(303) 658-2010

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

Management Analyst Phil Jones
pjones@cityofwestminster.us
(303) 430-2400, ext. 2004

Lobbyist Danny Tomlinson
dtomlinson@msn.com
(303) 638-6509

Lobbyist Bob Ferm
fermr@hallevans.com
(303) 628-3380

2009 STATE LEGISLATIVE ISSUES GUIDE



WESTMINSTER

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

(303) 658-2016

Fax: (303) 706-3921

westycmo@cityofwestminster.us

Home Rule: Keeping Local Control Local

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.” The City of 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.

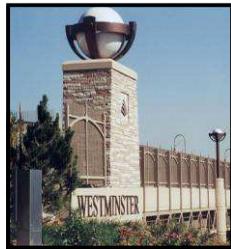


The City encourages State Legislators to respect and support home rule and Colorado’s tradition of local control. The City of Westminster will oppose legislation that mandates state intervention in matters of local concern, especially when that intervention unnecessarily or adversely affects the City’s ability to manage these matters pursuant to its home rule authority.

The City of Westminster strongly supports local control in employee-employer relations. The City of 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. At the Federal level, legislation has been passed the House, and considered in the Senate, which would mandate collective bargaining for all police, fire, and emergency medical workers without regard to state laws and constitutions, much less local authority. 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 and tax increment financing are other areas in which Westminster supports local control. The current law governing tax increment financing and urban renewal areas is working well. Citizens, counties, cities, the State, and special districts all benefit from the current TIF/URA law in several ways. TIF can fund needed public improvements without an increase in taxes. Some examples of tax increment financing at work include The Orchard at 144th Avenue and I-25, The Shops at Walnut Creek near Church Ranch Boulevard and US-36, and the new Walmart at 72nd Avenue and Sheridan. Without tax increment financing, none of these projects would have occurred in the time or fashion that they did. All of these areas needed significant assistance to complete, and in some cases, start the project.



Transportation: The Lifeline of Colorado

The movement of goods and people is vital to the continued economic success of Colorado and to the maintenance of the high quality of life that Coloradans enjoy. In order to preserve these, 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.

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.

The City of Westminster also hopes that the Legislature pursues options that continue to plan for and address congestion relief in the Denver metro area. Projects impacting Westminster and the Front Range such as the planned U.S. 36 expansion requires 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.



Water: Protecting Water Quality, Water Rights, and Municipal Water Use

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 have been recently discovered in Colorado, and we have learned that these invasive species multiply rapidly and profusely and destroy lake ecology. They can also seriously compromise water treatment plant infrastructure with massive

accumulations of mussels. Westminster supports continued State legislation protection of water bodies from this noxious species. 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.

Well regulation on the South Platte River is another important topic to the City of Westminster. Any proposed legislation regarding well regulation must ensure that junior well depletions are fully replaced so that senior water rights are fully protected. Westminster is concerned about 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 substantial sums of money 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.

City of Westminster Strategic Plan Goals

1. Safe and Secure Community
2. Financially Sustainable City Government Providing Exceptional Services
3. Vibrant Neighborhoods and Commercial Areas
4. Strong, Balanced Local Economy
5. Beautiful and Environmentally Sensitive City





Staff Report

Information Only Staff Report
November 24, 2008



SUBJECT: Monthly 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 2008 residential development activity per subdivision (please see attachment) and compares 2008 year-to-date totals with 2007 year-to-date figures through the month of October.
• The table below shows an overall decrease (-52.8%) in new residential construction for 2008 year-to-date compared to 2007 year-to-date totals.
• Residential development activity so far in 2008 reflects decreases in single-family detached (-50.9%), single-family attached (-26.3%), and senior housing (26 units in 2007 compared to no new units in 2008), and no changes in multi-family development when compared to last year at this time.

NEW RESIDENTIAL UNITS (2007 AND 2008)

Table with 7 columns: UNIT TYPE, OCTOBER (2007, 2008), % CHG., YEAR-TO-DATE (2007, 2008), % CHG. Rows include Single-Family Detached, Single-Family Attached, Multiple-Family, Senior Housing, and TOTAL.

Background Information:

In October 2008, service commitments were issued for five housing units within the subdivisions listed on the attached table. There were a total of five single-family detached and no single-family attached, multi-family, or senior housing utility permits issued in October.

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

| <u>Single-Family Detached Projects:</u> | Sep-08 | Oct-08 | 2007 YTD | 2008 YTD | # Rem.* | 2007 Total |
|------------------------------------------------|---------------|---------------|-----------------|-----------------|----------------|-------------------|
| Bradburn (120th & Tennyson) | 0 | 3 | 18 | 16 | 62 | 24 |
| CedarBridge (111th & Bryant) | 0 | 1 | 1 | 1 | 4 | 1 |
| Country Club Highlands (120th & Zuni) | 0 | 0 | 17 | 2 | 99 | 17 |
| Countryside Vista (105th & Simms) | 0 | 0 | 0 | 0 | 9 | 0 |
| Huntington Trails (144th & Huron) | 0 | 1 | 35 | 15 | 131 | 38 |
| Hyland Village (96th & Sheridan) | 0 | 0 | 0 | 4 | 107 | 0 |
| Legacy Ridge West (104th & Leg. Ridge Pky.) | 0 | 0 | 0 | 1 | 6 | 0 |
| Lexington (140th & Huron) | 0 | 0 | 0 | 0 | 4 | 0 |
| Meadow View (107th & Simms) | 0 | 0 | 1 | 1 | 3 | 1 |
| Park Place (95th & Westminster Blvd.) | 1 | 0 | 26 | 7 | 40 | 31 |
| Ranch Reserve (114th & Federal) | 1 | 0 | 2 | 2 | 0 | 3 |
| Savory Farm Estates (109th & Federal Blvd.) | 0 | 0 | 0 | 0 | 24 | 0 |
| South Westminster (Shoenberg Farms) | 0 | 0 | 11 | 5 | 48 | 12 |
| Various Infill | 0 | 0 | 1 | 1 | 7 | 2 |
| Winters Property (111th & Wads. Blvd.) | 0 | 0 | 0 | 0 | 8 | 0 |
| Winters Property South (110th & Wads. Blvd.) | 0 | 0 | 0 | 0 | 10 | 0 |
| <i>SUBTOTAL</i> | 2 | 5 | 112 | 55 | 562 | 129 |
| <u>Single-Family Attached Projects:</u> | | | | | | |
| Alpine Vista (88th & Lowell) | 0 | 0 | 0 | 0 | 84 | 0 |
| Bradburn (120th & Tennyson) | 0 | 0 | 3 | 4 | 0 | 4 |
| CedarBridge (111th & Bryant) | 0 | 0 | 0 | 0 | 0 | 0 |
| Cottonwood Village (88th & Federal) | 0 | 0 | 10 | 0 | 62 | 10 |
| East Bradburn (120th & Lowell) | 0 | 0 | 0 | 0 | 117 | 0 |
| Eliot Street Duplexes (104th & Eliot) | 0 | 0 | 0 | 0 | 10 | 0 |
| Highlands at Westbury (112th & Pecos) | 0 | 0 | 11 | 6 | 24 | 17 |
| Hollypark (96th & Federal) | 0 | 0 | 0 | 0 | 20 | 0 |
| Hyland Village (96th & Sheridan) | 0 | 0 | 0 | 12 | 153 | 0 |
| Legacy Village (113th & Sheridan) | 0 | 0 | 8 | 0 | 62 | 8 |
| South Westminster (East Bay) | 0 | 0 | 0 | 6 | 58 | 0 |
| South Westminster (Shoenberg Farms) | 0 | 0 | 6 | 0 | 54 | 6 |
| Summit Pointe (W. of Zuni at 82nd Pl.) | 0 | 0 | 0 | 0 | 58 | 0 |
| Sunstream (93rd & Lark Bunting) | 0 | 0 | 0 | 0 | 18 | 0 |
| <i>SUBTOTAL</i> | 0 | 0 | 38 | 28 | 720 | 45 |
| <u>Multiple-Family Projects:</u> | | | | | | |
| Axis (108th & Westminster Blvd.) | 0 | 0 | 0 | 0 | 233 | 0 |
| Bradburn (120th & Tennyson) | 0 | 0 | 0 | 0 | 54 | 0 |
| Hyland Village (96th & Sheridan) | 0 | 0 | 0 | 0 | 144 | 0 |
| Mountain Vista Village (87th & Yukon) | 0 | 0 | 0 | 0 | 24 | 0 |
| Prospector's Point (87th & Decatur) | 0 | 0 | 0 | 0 | 29 | 0 |
| South Westminster (Harris Park Sites I-IV) | 0 | 0 | 0 | 0 | 12 | 0 |
| <i>SUBTOTAL</i> | 0 | 0 | 0 | 0 | 496 | 0 |
| <u>Senior Housing Projects:</u> | | | | | | |
| Covenant Retirement Village | 0 | 0 | 26 | 0 | 0 | 26 |
| Crystal Lakes (San Marino) | 0 | 0 | 0 | 0 | 7 | 0 |
| Legacy Ridge (112th & Federal) | 0 | 0 | 0 | 0 | 168 | 0 |
| <i>SUBTOTAL</i> | 0 | 0 | 26 | 0 | 175 | 26 |
| TOTAL (all housing types) | 2 | 5 | 176 | 83 | 1953 | 200 |

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