



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council
DATE: September 29, 2004
SUBJECT: Study Session Agenda for Monday, October 4, 2004
PREPARED BY: J. Brent McFall, City Manager

Please Note: Study Sessions and Post City Council meetings are open to the public, and individuals are welcome to attend and observe. However, these meetings 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 next Monday night's Study Session, the following schedule has been prepared:

A light dinner will be served in the Council Family Room 6:00 P.M.

CONSENT AGENDA

None at this time.

PRESENTATIONS

6:30 P.M.

1. Butterfly Pavilion Board Presentation

CITY COUNCIL REPORTS

1. Report from Mayor (5 minutes)
2. Reports from City Councillors (10 minutes)
3. Councillor Requests/Questions for Staff

EXECUTIVE SESSION

1. Briefing with Open Space Advisory Board
2. City Manager's Performance Appraisal

INFORMATION ONLY ITEMS – Does not require Council action

1. Sheridan Boulevard Resurfacing
2. 14th Annual Westminster Faire

Additional items may come up between now and Monday night. City Council will be apprised of any changes to the Study Session meeting schedule.

Respectfully submitted,

J. Brent McFall
City Manager



W E S T M I N S T E R

Staff Report

Information Only Staff Report
October 4, 2004



SUBJECT: Presentation by the Board of Directors of the Butterfly Pavilion and Insect Center

PREPARED BY: Kim Farin, Administrative Secretary

This item is for City Council information, no action is necessary at this time.

Summary Statement

- Mindy Meiklejohn, Chair Board of Directors, will attend the October 4 Study Session along with John Donovan, Fund Development Director and Bob Bonacci, President and CEO. There is a possibility that other Board members may attend if their schedules permit.
- The Board of Directors of the Butterfly Pavilion and Insect Center, and Mr. Bonacci have requested to meet with City Council to bring City Council up-to-date as to where the pavilion is in its building expansion, what the future looks like and how the pavilion may better serve the residents of Westminster and answer any questions.

Background Information

The Butterfly Pavilion and Insect Center is an educational facility for the study of insects and other invertebrates. The facility exists to foster an appreciation of butterflies and other invertebrates while reminding the public about the need for conservation of threatened habitats in the tropics and around the world.

The Butterfly Pavilion was created by the Rocky Mountain Butterfly Consortium, a Colorado non-profit founded in 1990; this Consortium opened the doors to the Butterfly Pavilion in 1995. As a publicly supported scientific and educational facility, the Butterfly Pavilion is primarily supported by admission fees, corporate sponsorship and by the Scientific and Cultural Facilities District (SCFD). The five-acre site was provided at no cost by the City of Westminster.

In April 1994, the City and the Rocky Mountain Butterfly Consortium entered into an agreement calling for the development of a Butterfly Pavilion on property in the City of Westminster. The City contributed land and other assistance to the establishment of the Butterfly Pavilion. In September 2000, the City and Rocky Mountain Butterfly Consortium entered into an agreement wherein the Consortium would expand its facilities onto a new site north of 104th Avenue and west of Big Dry Creek adjacent to the Westin Westminster Hotel. This property was to be leased to the Consortium for \$1.00 per year, and it was anticipated that the City would be a co-developer of the site with an adjacent IMAX theater.

The City and Consortium staff entered into good faith negotiations regarding a land lease for the new site but were unable to reach agreement satisfactory to both parties. Staff then began discussions with Consortium staff regarding providing assistance to the Consortium for expansion of Butterfly Pavilion on its existing site. An agreement was reached that provides that in exchange for the Butterfly Pavilion facility being expanded on its current site the City provided the following incentives: a rebate of 20% of City Sales Tax collections and Admissions Tax collections at the Butterfly Pavilion for a 3-year period beginning January 1, 2003 in an amount not to exceed \$40,000. A waiver of one half of all use taxes that would otherwise be imposed on materials used on the construction of the Butterfly Pavilion expansion Phases I – III. The City deeded to the Consortium a 1.16 acre parcel adjacent to Butterfly Pavilion property for overflow parking. The City granted a trail easement to the Consortium on a 4.7 acre parcel adjacent to the existing Butterfly Pavilion that the pavilion uses for nature trail purposes. In addition to the above incentives, the Agreement provides that the September 2000 Agreement, which provided for a \$1.00 per year land lease on the new site north of 104th Avenue, is null and void.

It was, and continues to be, the opinion of staff that this Agreement best provided for the expansion of the Butterfly Pavilion to meet its customer service demands while keeping the facility in the City of Westminster. Furthermore, this Agreement freed the previously encumbered site north of 104th Avenue for other commercial development that will produce significant tax revenue to the City as well as revenue to the City from the sale of property.

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The Butterfly Pavilion is a Colorado non-profit organization and operates with a Board of Directors in collaboration with scientific advisors from zoos, universities and museums, both locally and nationally. The Butterfly Pavilion is in the process of raising additional funds for Phase III of its expansion.

Respectfully submitted,

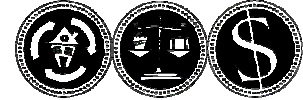
J. Brent McFall
City Manager



WESTMINSTER

Staff Report

Information Only Staff Report
October 4, 2004



SUBJECT: Sheridan Boulevard Resurfacing

PREPARED BY: Ray Porter, Infrastructure Improvements Manager

Summary Statement

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

- The 2004 Chipseal Project included double bonded hot applied chipseal resurfacing for Sheridan Boulevard, 88th Place to 112th Avenue.
- \$400,000 in the General Fund Capital Improvement Program is earmarked for this expenditure.
- Scheduling and material producing problems with a sub-contractor (Asphalt Paving Company) has required the general contractor (A-1 Chipseal Company, Inc.) to request that the resurfacing of Sheridan Boulevard, 96th Avenue to 112th Avenue, be carried over into 2005.
- \$228,325 from the 2004 General Fund Capital Improvement Project will be expended in 2005 for this resurfacing at 2004 prices.
- The 2004 Chipseal Project will not be closed out until the Sheridan Boulevard resurfacing is completed in April/May of 2005.
- The 10% retainage amount of \$85,282 will be withheld until the Sheridan Boulevard resurfacing is completed and the project is advertised for final payment in June 2005.

Background Information

The Sheridan Boulevard, 88th Place to 112th Avenue, hot applied chipseal resurfacing would have completed the 2004 Chipseal Project. On September 1, A-1 Chipseal Company's president, Ben Vagher, requested City staff to postpone the Sheridan Boulevard resurfacing until the spring of 2005. Mr. Vagher stated problems with his sub-contractor, Asphalt Paving Company, scheduling and producing the material prior to the September 15 construction season deadline as the reasons for his request to postpone.

City staff agreed with Mr. Vagher that constructing this new riding surface past mid-September is risky in terms of quality and performance. City staff asked Mr. Vagher to make every effort with his sub-contractor, Asphalt Paving Company, to complete as much of the Sheridan Boulevard resurfacing as possible. Mr. Vagher reported back that it would be possible to resurface the Sheridan Boulevard section between 88th Place and approximately 96th Avenue prior to September 15.

City staff directed the contractor to proceed and informed Mr. Vagher that the project would not be advertised for final payment until the Sheridan Boulevard resurfacing was completed at the 2004 bid prices. The retainage amount of \$85,282 will be withheld until final payment is made. A total of \$228,325 will remain in the General Fund Capital Improvement Project account for the 2005 expense.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER

Staff Report

Information Only Staff Report
October 4, 2004



SUBJECT: 14th Annual Westminster Faire
PREPARED BY: Stacie VanKirk, Recreation Specialist

Summary Statement:

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

The 14th Annual Westminster Faire held on Saturday, August 28, from 10 a.m. to 5 p.m. was a big success. This annual summer event, held at the City Park Soccer Complex, offered great activities and entertainment for the entire family.

Relocating the Westminster Faire from the Promenade to City Park this year provided for much better use of space and allowed Staff to expand and offer more vendors and activities. By utilizing the new location, previous concerns regarding the old location were addressed and Staff received numerous positive comments regarding the new location.

Background Information

Highlights of the Faire included:

- Thirteen Food Vendors - The Vendors presented delicious faire-type foods, i.e., smoothies, ice cream, fresh squeezed lemonade, hamburgers, hot dogs, hamburgers, brats, kettle corn, sno-cones, fajitas, roasted almonds and pecans, nachos and pizza.
- Twenty-two Home-Based Businesses - Allowed visitors to shop at some of their favorite home business and learn about new ones including, Partylite Gifts, Pampered Chef, Mountain Man Nut & Fruit Co., Creative Memories, and Mary Kay. Children were excited to visit Silly Faces, Fit to be Tye Dyed, and the Lady Bug Express.
- Twenty-eight Arts and Craft Booths - Faire enthusiasts were able to enjoy a wide variety of juried arts and crafts, including jewelry, painting, pottery, fabric items, stained glass, floral arrangements and much more.
- Twenty-four Non-profit Display Booths - These booths offered a wide variety of information on programs, organizations, and opportunities in and around the Westminster area.
- Twenty-seven Sponsor Booths - These booths helped support the Westminster Faire through their vendor fee of \$250 or more and offered the community lots of free advice, giveaways and programs throughout the Denver Metro Area. Overall, there were 35 sponsors who supported the Faire by cash donations or in-kind services.

- Eight City-Sponsored Booths - These booths exposed the community to the type of resources and programs available to them.
- Two Entertainment Stages - Two stages provided entertainment all day. The main stage hosted some of the finest music in Colorado while the children's stage offered a wide array of entertainment for the youngest visitors.
- Fine Art Show - The Art Show was held at City Park Fitness Center Lobby allowed local artists to place their artwork in a juried show. Faire visitors were able to view over 171 art pieces that were selected and placed on display for the entire day.

Staff was conservative with expenses while still planning an excellent event and the Faire expense account will come in under budget by \$4,000 once all money is appropriated and reconciled. For next year, Staff will set the goal of increasing the number of arts and crafts booths.

Respectfully submitted,

J. Brent McFall
City Manager