



WESTMINSTER

REVISED December 31, 2009

9:05:56 AM

Staff Report

TO: The Mayor and Members of the City Council

DATE: December 30, 2009

SUBJECT: REVISED Study Session Agenda for January 4, 2010

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.

CITY COUNCIL REPORTS

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

PRESENTATIONS

6:30 P.M.

1. City Council Community Conversation at Panera Bread January 12, 2010
2. Prairie dogs, the Plague and the Impact on Other Species at Westminster Hills Open Space

EXECUTIVE SESSION

1. Obtain direction from City Council re Proposed Economic Development Incentive Agreement with Scottrade, Inc. pursuant to WMC 1-11-3(C)(4), WMC 1-11-3 (C)(7) and CRS 24-6-402(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**)

WESTMINSTER ECONOMIC DEVELOPMENT AUTHORITY

1. Discuss strategy and progress on potential acquisition of certain real property by the Westminster Economic Development Authority for the Westminster Urban Reinvestment Project pursuant to CRS 24-6-402 (4) (a) and (e) (**Verbal**) (Executive Session)

INFORMATION ONLY ITEMS – Does not require action by City Council

None at this time

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

Scribe Notes from December 7, 2009 Study Session



WESTMINSTER

Staff Report

Staff Report
January 4, 2010



SUBJECT: City Council Community Conversation at Panera Bread January 12, 2010

PREPARED BY: James Mabry, Neighborhood Outreach Coordinator

Summary Statement:

This Staff Report is a summary for the City Council Community Conversation scheduled at Panera Bread for Tuesday, January 12 at 6:30 pm. This summary includes an overview of the upcoming Council Outreach event; the advertising strategy utilized to notify Westminster residents; planned staff presence planned to support and record resident's questions and comments for posting on the City web site; and requests guidance from Council on the evening's format.

Staff is seeking guidance on the following:

- What format does City Council wish to utilize in conducting this Community Conversation – informal conversations/mingling with attendees, Council provided overview on a few key topics with a question and answer session, a mix of these or some other format to be identified?
- Does City Council want any specific Staff to be in attendance to provide a brief presentation on a specific topic? If so, what topic(s) is proposed?
- Are there any additional displays or materials City Council would like presented outside of those listed in the Background section of this Staff Report?
- Are there any other items, materials, requests, or direction that City Council would like to provide Staff in preparing for this event in efforts to maximize the success of this event?

Background Information

During the December 14 “City Council Outreach Program Initial Planning for 2010” pre-meeting, City Council directed Staff to plan a Community Conversation event in January utilizing the Panera Bread bakery and restaurant. This weeknight evening conversation was chosen to encourage and support casual conversations between City Council and Westminster residents in a relaxed environment.

Panera Bread is located at 10450 Town Center Drive in the Walnut Creek Shopping Center at the northwest corner of US 36 and Church Ranch Boulevard. Panera Bread’s regular business operations will continue to be conducted as the Council community conversation takes place at this location.

Panera Bread occupies a physical space that accommodates approximately 65 patrons in three distinct seating arrangements. Management at Panera Bread has designated the seating area for our meeting to be at the front of the store, east of the service counter. There will be limited ability to rearrange seating into alternative arrangements as some seating may be occupied by Panera Bread patrons who are present prior to the meeting start.

At the December 14 meeting, City Council requested a public address system to assist in the conversation being heard by all participants. Staff will have a microphone system set up should City Council want to utilize it during this event.

Advertising – The Council Community Conversation will be advertised utilizing direct mail postcards, the City website, cable Channel 8, Weekly Edition, and posters (see attached poster sample). Last week, 500 postcards were mailed to recently active Westminster voters (equally distributed between Adams and Jefferson County voters). In addition, 250 postcards were mailed to Westminster HOA presidents, school principals and parent/teacher organizations, and churches. Posters and postcards advertising this event have been placed at Panera Bread and City facilities two (2) weeks prior to the event.

As was done for the Forza Coffee City Council Community Conversation event in January 2009, Staff recommends that members of City Council address postcards to twenty (20) of their community contacts for a more personalized invitation promoting this event. The post cards will be available for City Council on Monday night; they will be in the process of being printed at the time this Staff Report is delivered to City Council. Due to the quick turn around time for this event, Staff encourages City Council to place the addressed, pre-paid postcards in the mail at their earliest convenience.

Meeting Notes – To take accurate meeting notes for posting on the City web site, additional City Staff will be on hand to assist Council during the community conversation. The seating layout of Panera Bread may lead to smaller group and/or individual conversations making the recording of meeting notes for all conversations difficult. To accommodate this challenge, two additional Staff members will be on hand to assist in recording conversation questions and comments as they take place. Resident questions and concerns that cannot be immediately addressed will be followed up by Staff. All meeting notes will be consolidated into a single document for posting on the City web site within two (2) weeks of the meetings conclusion.

Food – Staff has advertised “pastries provided” for this meeting and has ordered a variety of assorted pastries from Panera Bread for our community conversation guests. Guests will be encouraged to purchase beverages from Panera Bread to thank them for their hospitality in hosting the meeting at their business.

Other Materials/Displays – City Staff will have the following items on hand at the event should City Council wish to reference them:

- Westminster Center Urban Reinvestment Project (WURP) concept site plan poster
- Proposed Hmong Memorial concept site plan poster
- Hard to Recycle Guide booklets
- The latest publication of *City Edition*
- Newly updated comment cards for attendees to use at the event or to send to City Council at a later date

If there are any other items that City Council would like to have available at the meeting, Staff requests that City Council provide direction at Monday's meeting so we may ensure we have them.

Staff will be in attendance at Monday's Study Session to receive direction on these and any other items concerning this event from City Council.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



Westminster City Council Community Outreach

Invites you for an evening of

Mayor and Council Community Conversation

at

Panera Bread

10450 TOWN CENTER DRIVE IN THE WALNUT CREEK SHOPPING CENTER
AT THE NORTHWEST CORNER OF US 36 AND CHURCH RANCH BOULEVARD

**Tuesday Evening
January 12 at 6:30 p.m.**

Join Mayor Nancy McNally and City Council
for an informal conversation about Westminster
happenings and opportunities

Pastries Provided

Bring a neighbor! Children are welcome!

**For further information, contact James Mabry, Neighborhood Outreach
Coordinator at 303-658-2011 or at email: jmabry@cityofwestminster.us**



Staff Report

City Council Study Session Meeting
January 4, 2010



SUBJECT: Prairie Dogs, the Plague and the Impact on Other Species at Westminster Hills Open Space

PREPARED BY: Rod Larsen, Open Space Supervisor
Richard Dahl, Park Services Manager

Recommended City Council Action:

Direct Staff to pursue a multi-year course of action that will enhance the short grass ecosystem at the Westminster Hills Open Space by seeding of native grasses, noxious weed control, ongoing prairie dog management and soil erosion reduction.

Summary Statement

- In 1988, the City of Westminster purchased the Westminster Hills Open Space. This is a large tract of land comprising approximately 1,000 acres which is located on the western side of the City between Indiana Street and Simms Street and north of 100th Avenue.
- Over the years, the prairie dog population on this site has steadily increased due to relocation efforts that took place in the 1990's and natural migration of prairie dogs from surrounding properties. Left unchecked, the prairie dog population at one time inhabited a large percentage of the 1,000 acres, which greatly exceeded the vegetative carrying capacity of the property.
- In 2009, the Westminster Hills Open Space experienced an outbreak of bubonic plague, a flea-transmitted virus highly lethal to prairie dogs. Within weeks, the prairie dog population was reduced by 90%. The Jefferson County Health Department closed the open space area to public access until November 2009 as well as closing parts of Standley Lake Regional Park for a portion of the season.
- Additional educational information from the Jefferson County Health Department's website about plague, its transmission and effects on other wildlife is included in the background section of this document.
- After discussions with the Director of Parks, Recreation and Libraries and the City's Parks, Open Space and Trails (POST) Committee, Staff has determined that the natural short-grass ecosystem should be restored to this site and the prairie dog population be permanently kept at the lowest level possible.
- Because of the size of the site, Staff estimates that it would take four years to complete the initial reseeding efforts at a cost of \$20,000 annually, which will be paid for out of the City's Open Space Operating Budget. Each year, approximately 25% of the site would be targeted for vegetation removal, native grass seeding, noxious weed management, and erosion control while the entire site would be monitored and controlled for prairie dogs each year.

Expenditure Required: \$80,000 (\$20,000 per year)

Source of Funds: Parks Open Space and Trails Fund

Policy Issue

Should City Council authorize staff to pursue a proactive approach to reestablish the short grass native ecosystem of Westminster Hills Open Space?

Alternatives

1. Reduce the Westminster Open Space renovation time table to two (2) years, with an estimated expenditure of \$40,000 per year. Although Staff would concur with this recommendation, the City would need to contract some of the work in order to meet the schedule timeline, which could add an additional \$60,000 to the project that is currently not in the budget. With the current staff levels in Open Space it would take all available staff resources to do the renovation work on a two-year schedule and other duties such as trail maintenance, noxious weed control, fencing repair, signage and related maintenance assignments would have to be reduced or postponed.
2. Do nothing and allow the open space property to continue as is. The Department of Parks, Recreation and Libraries and the POST Committee would prefer to take advantage of this “window of opportunity” regarding the reduced prairie dog population to reestablish the short grass ecosystem of the Westminster Hills Open Space. Unless proactive action is taken, it is most likely that this property will continue to degrade over the years.

Background Information

Westminster Hills Open Space (WHOS) has been home to a significantly growing number of prairie dogs over the past 20 years. This open space was at one time a prairie dog relocation site for other City projects. Along with the natural migration of prairie dogs from other sites, the prairie dog population at WHOS soon surpassed the carrying capacity for the site. This condition resulted in the denuding of the vegetation at the site as well as an increase in noxious weed proliferation. The winter months of 2008/2009 were very dry and windy and led to extreme dust storms. The residential areas along Simms Street were often covered in inches of sand and dirt that blew into the yards and homes of residents as a result of these wind storms. Staff received many calls from concerned residents about the over-population of prairie dogs at WHOS.

In the summer of 2009, bubonic plague was confirmed at the Westminster Hills Open Space site as well as Standley Lake Regional Park. Bubonic plague is a virus that is transmitted by fleas and is extremely lethal to small rodents such as squirrels and prairie dogs. The large prairie dog population at Westminster Hills Open Space was drastically reduced in a matter of days due to the effects of the plague. Jefferson County Health Department mandated that all affected sites be closed until treatment of the fleas could take place. Jefferson County Health Department tested the area for fleas and then issued the clearance to reopen the entire Westminster Hills Open Space site in November 2009.

Plague is an infectious disease caused by *Yersinia pestis*, a bacterium. Prairie dogs are extremely susceptible to plague, which is transmitted via fleas that have bitten plague-infected wild rodents. Cats most commonly contract the disease from flea bites, a rodent scratch/bite, or ingestion of a rodent. Dogs are generally resistant to plague; however, they may pick up and carry plague-infected fleas. Humans may be infected with plague through bites from infected fleas, by the cough from an infected animal, or by direct contact, i.e., through a bite, with blood or tissues of infected animals. People usually get plague from being bitten by a rodent flea that is carrying the plague bacterium or by handling an infected animal.

Today, modern antibiotics are effective against plague, but if an infected person is not treated promptly, the disease is likely to cause illness or death.

Symptoms of plague in humans occur within two to seven days after exposure. Infected persons may experience fever, headache, weakness and rapidly developing pneumonia with shortness of breath; chest pain; cough; and sometimes bloody or watery saliva. The pneumonia progresses for two to four days and may cause respiratory failure and shock. Plague is treated with antibiotics.

Staff has determined that this is an appropriate time to implement the native grass restoration plan for WHOS. With the prairie dog population being reduced to around 10% of its original size, the native grasses will have a chance to establish with limited prairie dog activity. Each of the four management areas will be cleared of vegetation each fall before seeding practices. This can be accomplished through mowing or prescribed burns through the City of Westminster's Fire Department. Seeding will then take place using native seed blends using in-house equipment and personnel with some assistance by outside contractors as funds allow. Noxious weed control and prairie dog population control will take place on an as-needed basis. It is estimated that there will be an annual cost of \$20,000 to accomplish these objectives, which will be taken out of the City's Parks Open Space and Trails Fund. Although the City can accomplish these practices, the success of seed establishment will ultimately depend upon the spring and summer rainfall.

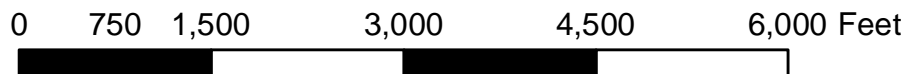
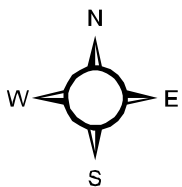
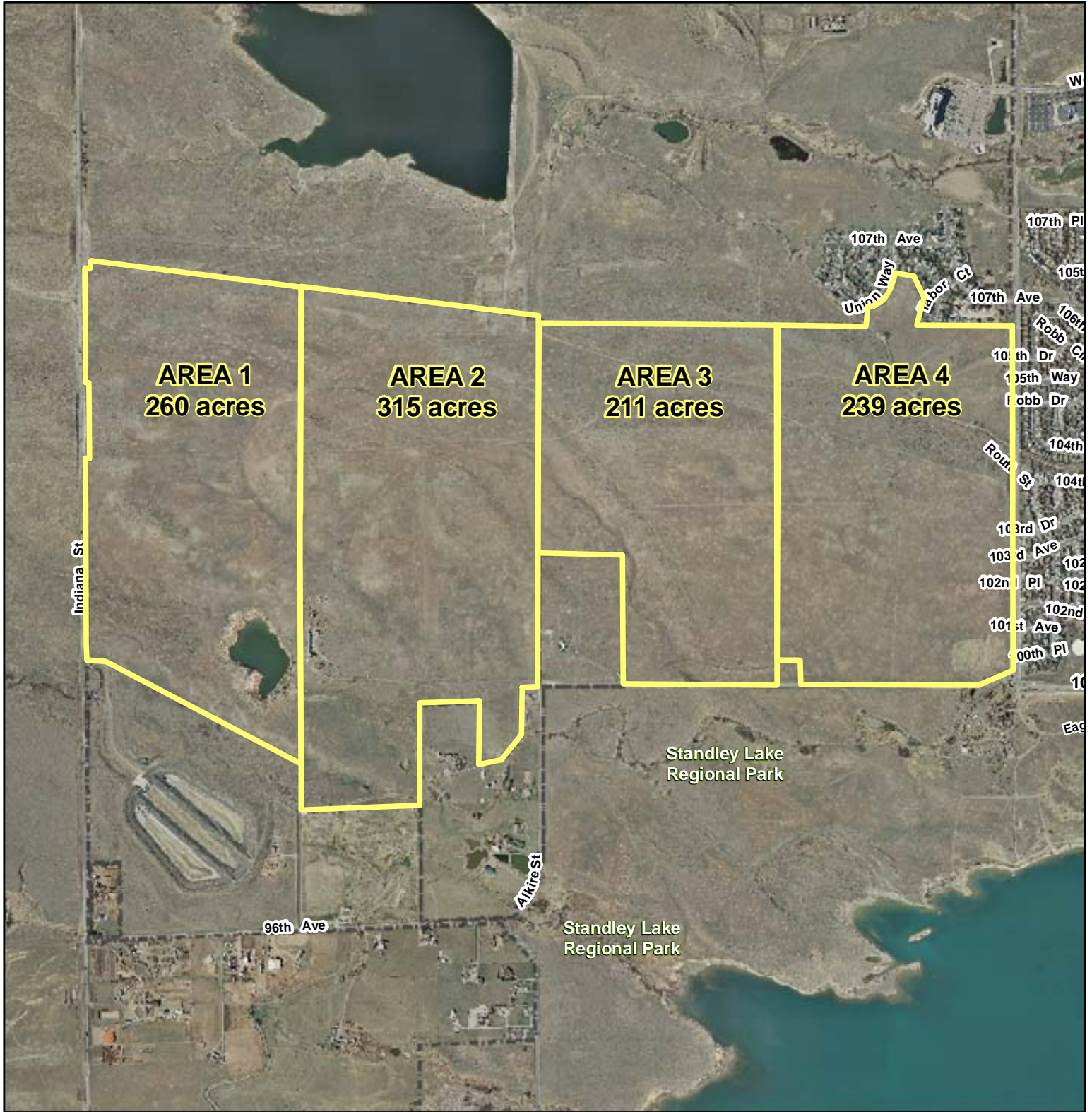
This open space site meets City Councils goals of "Financially Sustainable City Government" and "Beautiful and Environmentally Sensitive City."

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

Westminster Hills Open Space GRASSLAND RESTORATION PROJECT



City of Westminster City Council Study Session Notes
December 7, 2009

Mayor Nancy McNally called the Study Session to order at 6:31 PM. All Councillors were in attendance.

City Staff in attendance included: City Manager Brent McFall; City Attorney Marty McCullough; Assistant City Manager Steve Smithers; Deputy City Manager Matt Lutkus; Community Development Director John Carpenter; Chief of Police Lee Birk; Finance Director Tammy Hitchens; Treasury Manager Bob Smith; Planning Manager Mac Cummins; Planner III Terri Hamilton; Planner I Walter Patrick; Assistant City Attorney Jane Greenfield; Assistant City Attorney Walt Mathews; Senior Public Information Specialist Joe Reid and Senior Management Analyst Aric Otzelberger.

Guests in attendance included Michael Bouling Jr., Jesse Irizarry, Tanya Burgess, Deborah Schultz, Robert Corry, Carl Wemhoff, Gianinna Danil and Ange Gies with The Healing Center. Other guests included Julia Sepulveda, Jodie Veal and Marty Pelletier with Herbal Remedies.

Bond Rating Presentation

Finance Director Tammy Hitchens and Treasury Manager Bob Smith were present to deliver a summary version of the City's recent bond rating presentation that was delivered to Standard and Poor's and Fitch. Mayor Nancy McNally, City Manager Brent McFall and Assistant City Manager Steve Smithers also participated in these presentations to the two rating agencies and highlighted several items for City Council. The presentation delivered a thorough review of the current financial condition of the City and the Westminster Economic Development Authority (WEDA). The City currently maintains a AA/AA+ bond rating for its sales/use tax bonds and for its water/wastewater bonds. This item was informational in nature and no action was necessary by City Council.

Proposed Revisions to City Code for Special Use Permits and Licenses

Community Development Director John Carpenter, Planning Manager Mac Cummins and Assistant City Attorney Jane Greenfield were present to discuss proposed Westminster Municipal Code revisions that would eliminate ambiguity between the special use process (SUP) and the Planned Unit Development (PUD) zoning process. These revisions would also bring consistency between local, state and federal requirements regarding residential group facilities. Staff also recommended that the review and approval of SUPs be handled by the Planning Commission rather than the Special Permits and License Board due to the land use questions that SUPs raise. Council expressed their support for Staff's proposed revisions and directed Staff to bring these revisions back for official action at an upcoming City Council meeting. Council asked about the City's ability to regulate the number of cars that can be parked at a residential care facility. Staff discussed the use of public streets and agreed to look into the issue. City Council also asked how "family" and "household" are defined in relation to the City Code. Staff stated that there will be a definition of "family" and "household" in the ordinance that Staff will bring forward for City Council's consideration.

Mayor McNally adjourned the Study Session at 7:44 PM.