

TO: The Mayor and Members of the City Council
DATE: August 13, 2003
SUBJECT: Study Session Agenda for Monday, August 18, 2003
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.

CITY COUNCIL REPORTS

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

PRESENTATIONS

6:30 P.M.

1. Comprehensive Land Use Plan –2nd Council Review
2. Proposed Ballot Language for the Public Tax and Elimination of Term Limits

EXECUTIVE SESSION

1. Business Assistance Package
2. Site Specific CLUP Issues

INFORMATION ONLY

1. 2nd Quarter Update – 2003 Citywide Goals and Objectives
2. 2nd Quarter 2003 Status Report on CIP Projects

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

City Council Study Session Meeting
August 18, 2003



SUBJECT: Comprehensive Land Use Plan Update – Second Council Review

PREPARED BY: Max Ruppeck, Senior Project Manager

Recommended City Council Action

No formal action is required from City Council. This update is intended to provide information to City Council on the progress on the Comprehensive Land Use Plan (CLUP) update and to solicit Council input.

Summary Statement

Ben Herman, Vice President of Clarion Associates, will make his second presentation to City Council at Monday nights Study Session. The presentation will discuss proposed revisions to the Comprehensive Land Use Plan, proposed new and revised land use categories and the statistical consequences of the revisions to the Plan. Staff will be present to answer questions and take notes on the input received.

The next public meeting on the CLUP update will be held at the September 9, 2003 regular Planning Commission meeting. In order to encourage attendance at the upcoming public meetings, Staff will take the following additional steps:

- 1) Provide direct mailing to citizens requesting direct contact.
- 2) Expand the media contacts to include Channel 8 in addition to the media contacted for the May 13, 2003 meeting.
- 3) Directly contact all Boards and Commission members and HOA presidents.

Expenditure Required: \$ 95,000
Source of Funds: Community Development General Fund Operating Budget

Planning Commission Recommendation

The Planning Commission generally endorsed the CLUP as presented by Clarion Associates. They had concerns with the “green space” goal of 35% of the City’s land area when we are already at 38% of the current development in the City. The consultant explained that the “green space” percentage of the entire City land area (not just the developed area) is at 32.3%, so 35% at buildout is a reasonable goal.

Background Information

The Comprehensive Land Use Plan (CLUP) was last discussed with City Council at the April 14, 2003 Post meeting. At this meeting Ben Herman provided a description of the 1997 Plan with subsequent amendments that Council has made to date, along with a statistical analysis of the Plan in terms of densities, population, land areas in each category and projected non-residential development.

The 2003 update to the 1997 Comprehensive Land Use Plan (CLUP) is not proposed to be a complete revamp of the CLUP but rather a focus on several targeted issues that have arisen or changed since the 1997 CLUP adoption. The presentation by the consultants on August 18, 2003 includes the following items:

1. Revisions to the Land Use Categories

Most of the land use categories in the 1997 Plan will remain unaffected, but some of the changes being considered are: a) the addition of a single-family detached land use category allowing single family and duplex homes at a density of up to 5.0 dwelling units per acre; b) the reduction of the allowed density in the single-family attached category from 10 dwelling units per acre to 8 dwelling units per acre; and c) an additional category of “Golf Courses.”

2. Update of the Comprehensive Land Use Plan

The consultant will present the Comprehensive Land Use Plan as it is proposed to be updated and a statistical analysis of the updated Plan in terms of housing units, population, non-residential uses and open space. This will be contrasted statistically to the current CLUP.

Public Information

A public meeting is scheduled before the Planning Commission at their regular meeting on September 9, 2003. During 2003, the City solicited public input in the following ways:

- a) A four-page insert was printed in the February “City Edition.” This insert included a CLUP map, the goals of the Plan and a description of the update process. Also included was a clip-out inviting comments from the public.
- b) A “Community Workshop” was held by the Planning Commission on May 13, 2003. This workshop was advertised in the following ways:
 - A public notice was published in the Westminster Window
 - An announcement was made in “Weekly Edition”
 - A description of the CLUP, including a Land Use Map and an announcement of the meeting were included on the City’s website
 - An announcement was made at a meeting held by the City’s Neighborhood Outreach Coordinator of HOA leaders
 - All Boards and Commissions were notified of the workshop by Staff liaisons

With the exception of the “City Edition” update, all of the contacts listed above will be made for the September 9 meeting. In addition, Staff will put a notice on Channel 8, mail notices to all Boards and Commission members, and mail notices to other citizens who have contacted the City requesting such notice. These additional steps are being taken to increase public notice and hopefully attendance at the September 9 meeting.

Respectfully submitted,

J. Brent McFall
City Manager

City Council Study Session Meeting
August 18, 2003



SUBJECT: Ballot Issues for the November Election

PREPARED BY: Steve Smithers, Assistant City Manager
Marty McCullough, City Attorney

Recommended City Council Action:

Provide direction to Staff on what ballot issues to bring back for official City Council action for placement on the November, 2003 City election ballot. Review the draft language on the two measures and provide any suggested changes to Staff.

Summary Statement

- At its July 28th Study Session City Council directed Staff to bring back language on a Public Safety Sales Tax increase of .6%. Staff has now drafted preliminary language that is included in the background section of this Staff Report for Council's review. Staff is still reviewing this language internally as well as with Dee Wisor of Sherman and Howard to assure that it meets all legal requirements and is in the correct form as required by the TABOR amendment.
- City Council also previously directed Staff to bring back language for further consideration on opting out of a portion or all of term limits. The three options previously discussed with Council are included in the background section of this Staff Report.

Expenditure Required: \$0
Source of Funds: N.A.

Policy Issue(s)

Should the City place one or more issues before the voters on the November, 2003 election ballot? Does the language, as presented in the background section, accomplish what City Council desires to accomplish?

Alternative(s)

City Council could choose to put both a Public Safety tax increase and a term limit opt out before the voters in November. Staff believes that it is important to point out here that this will complicate the ballot and could increase the likelihood that one or both of these measures would fail. City Council will need to measure the relative importance of each of these ballot issues being placed on the election ballot at this time, and come to a conclusion based on your comfort level with the risks involved.

City Council could choose to not put term limits, or not put the Public Safety tax on the ballot. Eliminating one of the measures would simplify the ballot and make any efforts to get the measure selected passed on the ballot more straightforward and focused.

City Council could choose to delay putting either issue on the November ballot. For the reasons previously discussed with Council, moving the Public Safety tax forward this November has advantages over 2004. These include the positive polling information recently collected and the fact that the November 2004 ballot may contain a number of competing ballot issues requesting tax increases.

Background Information

The Public Safety Tax ballot issue was discussed with City Council at two previous study sessions. Council was provided with the detailed findings of the Public Safety Task Force as well as the results of the public polling data, which indicated that 70% of Westminster Citizens who are most likely to vote in November would support an increase of .66% in the City sales tax rate to enhance Public Safety services. At Council direction, Staff has put together a first draft of a Public Safety Tax increase ballot question as follows:

SHALL THE CITY OF WESTMINSTER'S TAXES BE INCREASED \$9,900,000 IN THE FIRST FULL YEAR, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR, BY INCREASING THE SALES AND USE TAX RATE BY AN AMOUNT NOT TO EXCEED SIX TENTHS OF ONE PERCENT, THE REVENUES OF WHICH SHALL BE USED FOR THE PURPOSE OF IMPROVING THE SAFETY AND SECURITY OF WESTMINSTER RESIDENTS AND BUSINESSES INCLUDING THE HIRING AND EQUIPPING OF 40 POLICE DEPARTMENT PERSONNEL, 35 FIRE DEPARTMENT PERSONNEL, AN ADDITIONAL FRONT LINE FIRE ENGINE, AN ADDITIONAL FRONT LINE AMBULANCE, AND ASSOCIATED SUPPORT STAFF AND EQUIPMENT?

Earlier this year City Council discussed the possibility of putting a question on the November ballot asking voters to allow the City to opt out of or modify the Colorado Constitutional provisions on term limits. Council discussed three possible options to possibly pursue on a future ballot as follows:

Option 1:

The voters of the City shall have the right to elect the Mayor and Councillors for as many terms of office as the voters may deem appropriate, notwithstanding the term limitations of Article XVIII, Section 11 of the state constitution.

Option 2:

Neither the Mayor nor any Councillor shall serve more than three consecutive terms of office.

Option 3:

No City Councillor shall serve more than two consecutive terms of office except that any City Councillor with six year or less of consecutive service as an elected City Councillor may serve an additional term of office.

Staff is requesting direction on which if any of these options to pursue drafting final ballot language on.

Once City Council has provided direction on what measure(s) should be pursued this November, Staff will bring back the final ballot language for City Council adoption by ordinance on first reading at the August 25, 2003 Council meeting. The ballot language must be voted on for final adoption no later than September 10.

Respectfully submitted,

J. Brent McFall
City Manager

City Council Study Session
August 18, 2003



SUBJECT: 2nd Quarter Update – 2003 Citywide Goals and Objectives

PREPARED BY: Emily Moon, Management Analyst

Summary Statement

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

Attached is the status report on major projects/initiatives/programs undertaken to achieve City Council goals for 2003 (see attached document “2003 Citywide Goals & Objectives”). The items included in the attached document focus on those items that specifically tie to Council’s stated goals for 2003.

Council will recall that some of the goals and objectives were slightly modified at the April City Council Strategic Planning Retreat; those modifications are reflected in this status report.

Background Information

The attached document reflects the actions Staff is pursuing to achieve City Council's 2003 Citywide Goals. This report focuses on those items that specifically tie to Council's stated goals for 2003. Should Council desire additional information on a particular item included within this document, Staff will prepare appropriate supplemental information on the specific item requested.

The City Council goals for 2003 are as follows:

- Financially Sound City Government
- Revitalized Aging Neighborhoods and Commercial Areas
- Safe and Secure Community
- Balanced, Sustainable Local Economy
- Beautiful City – Attractive Developments, Green Spaces and Vistas

The Goals & Objectives document includes the following information:

Goal – These are the priorities originally set by City Council at their 2002 Goal Setting Retreat and which were re-affirmed for 2003 at City Council's April 2003 Strategic Plan Review. The goals provide a foundation for the City's budget and for Staff's projects.

Objective – Within each goal, several objectives to help achieve that goal have been identified. Several "actions" will be undertaken within each objective to help achieve that goal.

Initiated – This column identifies the year in which the action initiates. Many actions were initiated prior to 2003; this reflects the long-term nature of projects/initiatives within the City.

Actions – This column reflects those specific projects, initiatives, and/or programs that Staff is working on to help achieve City Council's goals.

Assigned To – Many projects have multi-departmental, multi-member teams to help complete the project, initiative, and/or program. The names listed within this column reflect the primary project managers for the associated task and their respective department in parentheses. The first name listed represents the project lead and primary activity contact.

Projected Cost – This column reflects the budgeted and/or estimated expense associated with completing the associated activity. The amount listed may include costs that will not be borne by the City (such as grant dollars being awarded) and they may also reflect estimated, but unappropriated, costs. In many cases, the projects' expenditures include materials, supplies and salaries for staff time; these fixed or indirect costs are not reflected in the figures.

Percent Complete – This column reflects Staff's estimate of the amount of the activity (i.e., project, initiative, and/or program) that is complete.

Target Completion – This column reflects the target date to complete the associated activity.

Staff will update the percent complete column on a quarterly basis as a progress report for City Council. Should one of the other columns be modified to reflect changes in the activity (such as revised projected costs and/or changes in the target completion dates), notes will be included in the document to explain the modification.

In some cases, Council will note that the originating year may be prior to the year 2003; several of the projects Staff is working on were initiated prior to 2003 and require multiple years to complete. These multi-year projects are carried forward to show continuing projects in addition to new ones.

The status of the activities reflects 2nd Quarter activity through June 30, 2003. This report does not highlight the full workload that Staff is pursuing. There are many assignments and departmentally oriented items that are tracked separately by the departments.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

Information Only Staff Report
August 18, 2003



SUBJECT: Second Quarter 2003 Status Report on
Capital Improvement Program (CIP) Projects

PREPARED BY: Barbara Gadecki, Assistant to the City Manager

Summary Statement

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

Attached is the second quarter status update for 2003 on Capital Improvement Program (CIP) projects. The project name, a brief description, and status update is provided for each project. If City Council has questions about any of the projects included in this report, Staff will follow up with additional information.

Background Information

Staff has compiled the attached status report on Capital Improvement Program (CIP) projects for activities through the second quarter of 2003, ending June 30. Several projects included within this report are in the process of being closed out and therefore may not appear on the third quarter status report for 2003 in October.

The “Updated” column on the far left side of the attached report will have a mark (▶) in it denoting that the project information (such as the description, status, budget, projected completion date or percent complete) has been updated, or it will have “NEW” typed in to identify any new projects added to the CIP Status Report since last quarter, or it will have “CLOSED” or “TO BE CLOSED” typed in to identify projects that have either been closed in the financial management system or about to be closed. If a project does not have a mark designating that an update has been provided, it does not necessarily mean that no work has been conducted on the project during that quarter; it simply means that nothing substantial enough to report to City Council has occurred that warrants providing an update.

The definition for each of the columns included in the report is noted on the attached document (“Attachment A: Definitions – Capital Improvement Program (CIP) Project Status Report”). The definitions are utilized internally to ensure that staff is reporting information as consistently as possible.

The project name, a brief description of the project, project status, project budget, project expenditures as of June 30, the project manager(s), engineering firms/contractors, start date, projected completion date and percent complete is provided for each project on the “Capital Improvement Program – Major Projects” pages (Attachment B).

The project name, a brief description of the project, project status, project budget, project expenditures as of June 30, the project manager(s), and engineering firms/contractors is provided for each project on the “Capital Improvement Program – Ongoing Projects” pages (Attachment C).

The projects are sorted based on whether they are ongoing in nature or have a definitive beginning and completion date. Some projects may include funding from both the General and Utility Funds but are listed only once, reflecting the consolidated total in this report. Those projects on the Ongoing Projects pages (Attachment C) do not include a start date, projected completion date or a percent complete due to the nature of these projects (i.e., they are continuing projects from year to year).

This report includes only CIP projects authorized in 2003 or the prior years; the new CIP projects authorized by City Council in October 2002 for the fiscal year 2004 will be included within the first quarter report for 2004.

Staff will continue to provide this report to City Council on a quarterly basis. If City Council has questions about any of the projects included in this report, Staff is available to meet individually with City Council members and provide additional information on the projects included within this document or provide appropriate information as requested.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

– DEFINITIONS –
Capital Improvement Program (CIP) Project Status Report

Updated – The Updated column is intended to simplify the review of the quarterly updates by drawing attention to those projects with new updates since the last quarter report. The column will have a ► mark in it denoting that the project information has been updated, or will include “NEW” to identify any new projects that may have been added since the last report via supplemental appropriations (such as from carryover, the receipt of a grant or the subdividing of a larger project into smaller components), or will include “CLOSED” to identify projects closed or “TO BE CLOSED” if the project will be closed before the next report. If a project does not have a mark designating that an update has been provided, it does not necessarily mean that no work has been conducted on the project during that quarter; it simply means that nothing substantial enough to report to City Council has occurred that warrants providing an update.

Project Title/Description – The Project Title is common name utilized by Staff in identifying the project. The Project Description is a brief description of the project, specifically focusing on the scope of the project for which funds are budgeted (i.e., are the funds appropriated for the full project, from design to construction, or simply the design/engineering component of the project).

Project Status – A brief update as to the progress made on this project, providing information such as how much work has been completed, if the project is on schedule, ahead or behind, if any challenges have developed as a result of contractors or the weather, etc.

Budget – For Major Projects, this is the total amount City Council has appropriated via the current and/or prior years’ budgets. Some projects have funding from multiple sources, i.e., the General and Utility Funds; in these cases, the combined total for the project is shown in this report.

For Ongoing Projects, this is the amount that has been entered into the financial management system that City Council has appropriated via the current or prior years’ budgets. This amount may be different from the total amount that has been appropriated over the years, since many projects that are ongoing have received funding for many years, in some cases over ten years. Showing the cumulative budget since project inception is not only difficult to gather given the conversion to a new financial management system, but is not representative of the funds actually available to spend on these ongoing projects. Some projects may include open contracts from which some expenditures have been made but the Spent column reflects only those actual expenditures, and therefore the associated encumbrances (i.e., financial obligations) are not necessarily reflected in these figures.

Spent – Actual expenditures made to date, *excluding* encumbrances.

Project Manager(s) – The City staff member(s) overseeing the completion of the project. Regardless of having an external project manager, a City staff member will always oversee City projects.

External Project Manager Utilized - This column identifies if the primary project lead is a City staff member or an outside contractor. On complex construction projects of approximately \$3-5 million or more, the City is likely also to hire a professional project manager on a contracted basis (in addition to an independent project construction inspector) to provide overall project management under the direction of City staff. If an external project manager is utilized, the name of the contractor is listed in this column.

Engineering Firms Or Contractors – Lists all outside firms the City has hired to work on this project, excluding the external project manager if applicable.

Start Date – Identifies the month and/or year in which the project was initiated (noted on the Major Projects’ pages only).

Projected Completion Date – The projected/targeted date for which the project is anticipated/scheduled to be complete (noted on the Major Projects’ pages only).

Percent Complete – Identifies the amount of the overall project, as funded via City Council appropriations and defined in the Project Title/Description that is complete. It is based solely on what has been funded to date and may not include actual completion/construction of the project. There will not necessarily be a one-for-one correlation between the percent complete and the amount expended. (For example, City Council may have funded the design only of a project and based on this funding level, the project may be 75% complete, which would be reflected in the Percent Complete column. However, when looking at the overall project, which might be for the construction of a new bridge, the design component is only 5% of the overall project; however, City Council has not appropriated the construction funds as of yet and therefore this percent complete would remain at 75% until the total project funds are appropriated. Once the entire project budget is appropriated, the percentage complete column would be adjusted to 5%, reflecting the percentage of the total project that the design work represents. Some projects may be 100% complete but may reflect some funds remaining in the project and the project remains on this report due to warranty work that is yet to be completed; once warranties expire, the project will be closed.)